

STATE OF NEW YORK
DEPARTMENT OF STATE

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KATHY HOCHUL
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SECRETARY OF STATE

September 26, 2022

Bryan Healy, Village Manager
Village of Croton-on-Hudson
1 Van Wyck Street
Croton, NY 10520
bhealy@crotononhudson-ny.gov

Re: Filing of a Local Energy Conservation Construction Code
(Local Law No. 7 of 2022)

Dear Bryan Healy,

This letter is to inform you that the State Fire Prevention and Building Code Council (the “Code Council”), at their September 23, 2022 meeting, acted on your Filing of a Local Energy Conservation Construction Code regarding Local Law No. 7 of 2022. The Code Council voted unanimously to *“determine pursuant to subdivision (2) of section 11-109 of the Energy Law, that the Village of Croton-on-Hudson’s local energy conservation construction code, as amended by Local Law No. 7 of 2022, is MORE RESTRICTIVE than the currently effective version of the State Energy Code.”* I have also attached a copy of the motion passed by the Code Council. Please note the below excerpt from Energy Law §11-109(2):

“Any municipality which adopts a local energy conservation construction code in accordance with this section shall file a copy of such code and any amendments or revisions thereof with the state fire prevention and building code council within thirty days after promulgation or adoption of such local code or any amendments or revisions thereof. If the municipality files such copy within such thirty-day time period, the municipality may enforce such local code, amendment or revision until and unless the state fire prevention and building code council shall determine that such local code, amendment or revision is not more restrictive than the code. If the municipality fails to file such copy within such thirty-day time period, the municipality may not enforce such local code, amendment or revision until and unless the state fire prevention and building code council shall determine that such local code, amendment or revision is more restrictive than the code.”

Accordingly, as of the Code Council’s determination on September 23, 2022, the Village of Croton-on-Hudson is authorized to enforce the local energy code adopted by the Village of Croton-on-Hudson’s Local Law No. 7 of 2022 within the parameters set forth in the motion. Please review this determination and the Energy Law with your municipal attorney to determine the impact to your local law, and feel free to contact me if you have any questions or concerns regarding the Code Council’s determination.



**Department
of State**

Sincerely,



Emma Gonzalez-Laders, RA, LEED AP
Assistant Director for Energy Code Services
NYS DOS, Division of Building Standards and Codes

CC:

Lindsay Audin <energywiz@aol.com>