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**IN THE MATTER**

**Of**

**Local Law 2020-\_\_\_**

**An Local Law Further Amending Chapter 59  
Entitled “Building Construction and Fire  
Prevention” of the Code of the Town of  
Manlius.**

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**RESOLUTION CALLING FOR  
PUBLIC HEARING**

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the \_\_\_<sup>th</sup> day of May, 2020, at 6:30 p.m.

The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Sara Bollinger	Councilor
John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Allison Waters	Councilor

Absent:

The following resolution was moved, seconded and adopted:

**WHEREAS**, to prevent a statewide patchwork of stricter energy codes, the New York State Energy Research and Development Authority (NYSERDA) developed the NYStretch Energy Code – 2020 (NYStretch);

**WHEREAS**, a stretch energy code is simply an energy code that is more stringent than the minimum base energy code that can be voluntarily adopted by local jurisdictions. NYStretch is a model stretch code that will be ten to twelve percent (10-12 %) more efficient than the minimum requirements of the base energy code, the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNY);

**WHEREAS**, some New York State municipalities have adopted stricter energy standards to ensure reduced energy costs for its residents and businesses;

**WHEREAS**, under NY Energy Law § 11-109, the Town of Manlius is authorized to adopt a local energy code more stringent than the 2020 ECCCNY;

**WHEREAS**, the Manlius Town Board is considering amending Article 59 to add provisions for a local energy code under that are stricter than existing in the Manlius Code; and

**WHEREAS**, the Town Board of the Town of Manlius is declared Lead Agency for the purposes of environmental review with respect to the proposed resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617 (collectively, “SEQRA”); and

**WHEREAS**, the Town Board, as Lead Agency, has advised that the proposed action meets the criteria of a “Type II Action” under SEQRA; now, therefore, be it further

**WHEREAS**, a Local Law has been introduced before the Board, to wit: Local Law 2020 - \_\_\_, entitled “A Local Law Further Amending Chapter 59 entitled Building Construction and Fire Prevention of the Code of the Town of Manlius,” the text of which is as follows:

**LOCAL LAW 2020 - \_\_ AMENDING CHAPTER 59 ENTITLED “BUILDING CONSTRUCTION AND FIRE PREVENTION” OF THE CODE OF THE TOWN OF MANLIUS TO ADD PROVISIONS FOR THE ADOPTION OF A LOCAL ENERGY CODE**

**BE IT ORDAINED AND ENACTED** by the Town Board of the Town of

Manlius, County of Onondaga, State of New York, as follows:

Section 1. That Chapter 59, entitled “Building Construction and Fire Prevention” of the Code of the Town of Manlius, as amended, is further amended as follows:

**59-1(A)(1). Legislative Intent**

The Town of Manlius seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. In 2019, the New York State Energy Research and Development Authority (NYSERDA) developed and published the NYStretch Energy Code 2020 (hereinafter referred to as NYStretch), a more energy efficient building code than the 2020 ECCCNY. This proposed code amendment seeks to modify the Manlius Town Code to adopt NYStretch and to enact more restrictive regulations as they relate to new or substantially renovated buildings.

**59-1(A)(2). Adoption of NYStretch Code**

Effective \_\_\_\_\_, 2020 the NYStretch Energy Code 2020, published by the New York State Energy Research and Development Authority (hereafter referred to as “NYStretch”), shall be applicable to all new construction and substantial renovations in the Town of Manlius.

**59-1(A)(3). Authority**

The proposed local law is enacted pursuant to New York Energy Law §11-109(1), and Municipal Home Rule Law §10 and in accordance with the procedures detailed in Municipal Home Rule § 20.

**Section 2.**

This local law shall be filed with the state fire prevention and building code council within thirty days after its adoption.

**Section 3.**

This local law shall take effect upon filing with the Secretary of State pursuant to New York Energy Law §11-109(1) and the Municipal Home Rule Law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing in the matter of the adoption of the aforesaid Local Law, and that such Hearing shall be held virtually on the Town's Facebook page and access to said public hearing as directed to the public by the Town Clerk, located at 301 Brooklea Drive, Fayetteville, New York, on \_\_\_\_\_ at 6:\_\_\_ p.m. and be it further

**I, ALLISON WEBER**, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the \_\_\_th day of \_\_\_\_\_ 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I HEREBY CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Manlius, this \_\_\_\_\_th day of \_\_\_\_\_, 2020.

DATED: \_\_\_\_\_, 2020  
Fayetteville, New York

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**ALLISON WEBER**  
**Town Clerk of the Town of Manlius**  
**Onondaga County, New York**