

Town of Bethel
Local Law No. 1 of the Year 2022

A local law to amend Chapter 135 of the
Town Code captioned Construction Codes, Uniform, as amended by the enactment of the
NYStretch Code, by:

Repealing Section R403.6.2

Be it enacted by the Town Board of the Town of Bethel as follows:

Article I. Enactment of Town Code Chapter 135-18

Section 1. Legislative Intent

The Town Board of the Town of Bethel seeks to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards. New York State has enacted the 2020 Energy Conservation Construction Code of New York State (ECCCNYS), updated by the New York State Fire Prevention and Building Code Council, which must be complied with for residential and commercial buildings unless a more restrictive energy code is voluntarily adopted by a local jurisdiction. 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 ECCCNYS. The Town adopted NYStretch on through enactment of Local Law 2 of 2021. In order to comply with state filing requirements it is now necessary for that portion of NYStretch contained at Section R403.6.2 to be repealed. By repealing NYStretch Section R403.6.2 the Town will be complying with its State filing requirements while remaining in compliance with NYSERDA requirements for continued grant eligibility.

Section 2. Local Law 1 of 2022 and thereby Town Code Section 135-18 are hereby amended as follows:

The provision of NYStretch §R403.6.2 is hereby repealed from Local Law 2 of 2021 and thereby additionally repealed from Town Code Section 135-18.

Section 3. Miscellaneous Provision.

Section 3.1. 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 3.2 RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the amendments contained herein, the Code of the Town of Bethel as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3.3 INCLUSION IN CODE

It is the intention of the Bethel Town Board and it is hereby enacted that the provisions of this local law shall be included in the Code of the Town of Bethel; that the sections and subsections of this local law may be renumbered or re lettered to accomplish such intention; and that the word “local law” shall be changed to “chapter,” “section” or other appropriate word, as required for codification.

Section 3.4 RENUMBERING

The location and numerical designation of this local law and the sections included herein shall be delegated to the discretion of the codifier, General Code, which may renumber or re letter this local law and sections as are necessary to accommodate these amendments.

Section 3.5 CODIFIER’S CHANGES

This local law shall be included in the Code of the Town of Bethel. The codifier shall make no substantive changes to this local law, but may renumber, rearrange and edit it without first submitting it to the Bethel Town Board. Any such rearranging, renumbering and editing shall not affect the validity of this local law or the provisions of the Code affected thereby.

Section 3.6 SEVERABILITY

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 3.7 EFFECTIVE DATE

This Local Law shall take effect immediately upon adoption and filing with the Secretary

of State as provided by the Municipal Home Rule Law.