

S T A T E O F N E W Y O R K

7735--A

2009-2010 Regular Sessions

I N A S S E M B L Y

April 23, 2009

Introduced by M. of A. CAHILL -- (at request of the Governor) -- read once and referred to the Committee on Energy -- recommitted to the Committee on Energy in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the energy law and the executive law, in relation to updating the state energy conservation construction code to address the requirements of the American Recovery and Reinvestment Act of 2009

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 11-102 of the energy law, as added by chapter 397
2 of the laws of 1978, subdivision 3 as amended, subdivisions 4, 5, 6 and
3 7 as renumbered and subdivisions 8 and 9 as added by chapter 516 of the
4 laws of 1984, is amended to read as follows:
5 S 11-102. Definitions. For the purposes of this article, the follow-
6 ing words and phrases shall have the following meanings unless a differ-
7 ent meaning is plainly required by the context:
8 1. "ADDITION." AN EXTENSION OR INCREASE IN THE CONDITIONED SPACE FLOOR
9 AREA OR HEIGHT OF ANY BUILDING.
10 2. "ALTERATION." ANY RENOVATION, RECONSTRUCTION OR RENEWAL OF OR TO AN
11 EXISTING BUILDING, OR PORTION THEREOF, OTHER THAN AN ADDITION. THE WORD
12 "ALTERATION" SHALL INCLUDE ANY CHANGE IN EQUIPMENT THAT INVOLVES AN
13 EXTENSION, ADDITION OR CHANGE TO THE ARRANGEMENT, TYPE OR PURPOSE OF THE
14 ORIGINAL INSTALLATION.
15 3. "ASHRAE 90.1-2007." ANSI/ASHRAE/IESNA STANDARD 90.1-2007, ENTITLED
16 "ENERGY STANDARDS FOR BUILDINGS EXCEPT LOW-RISE RESIDENTIAL BUILDINGS,"
17 PUBLISHED BY AMERICAN SOCIETY OF HEATING, REFRIGERATING AND AIR-CONDI-
18 TIONING ENGINEERS, INC.
19 4. "Building." Any [combination of materials, whether portable or
20 fixed, having a roof to form a structure which is heated or cooled in
21 the normal course affording shelter for persons, animals or property,

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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including any equipment therein, provided however that the term "building" shall not include any structure which is heated and cooled without the use of electricity or fossil fuel. The word "building" shall include "factory manufactured homes" as defined in section four hundred-c of article eighteen-B of the executive law] STRUCTURE USED OR INTENDED FOR SUPPORTING OR SHELTERING ANY USE OR OCCUPANCY OR FOR AFFORDING SHELTER TO PERSONS, ANIMALS OR PROPERTY, INCLUDING ANY EQUIPMENT THEREIN.

[2.] 5. "Code." The state energy conservation construction code provided for in this article, or any portion thereof, any modification of or amendments thereto.

[3. "Construction." The construction of a new building, or any addition to, or substantial renovation of, an existing building.

4.] 6. "COMMERCIAL BUILDING." ANY BUILDING THAT IS NOT A RESIDENTIAL BUILDING.

7. "CONDITIONED SPACE." AN AREA OR ROOM WHICH IS WITHIN A BUILDING AND WHICH IS (A) BEING HEATED OR COOLED, (B) CONTAINS UNINSULATED DUCTS, OR (C) HAS A FIXED OPENING DIRECTLY INTO AN ADJACENT CONDITIONED SPACE.

8. "Equipment." Plumbing, heating, electrical, LIGHTING, insulating, ventilating, air conditioning, and refrigerating equipment, elevators, escalators, and other mechanical additions or installations but does not include any items constituting an industrial or commercial process.

[5.] 9. "HISTORIC BUILDING." ANY BUILDING THAT IS (A) LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES OR ON THE STATE REGISTER OF HISTORIC PLACES, (B) DETERMINED BY THE COMMISSIONER OF PARKS, RECREATION AND HISTORIC PRESERVATION TO BE ELIGIBLE FOR LISTING ON THE STATE REGISTER OF HISTORIC PLACES, (C) DETERMINED BY THE COMMISSIONER OF PARKS, RECREATION AND HISTORIC PRESERVATION TO BE A CONTRIBUTING BUILDING TO AN HISTORIC DISTRICT THAT IS LISTED OR ELIGIBLE FOR LISTING ON THE STATE OR NATIONAL REGISTERS OF HISTORIC PLACES, OR (D) OTHERWISE DEFINED AS AN HISTORIC BUILDING IN REGULATIONS ADOPTED BY THE STATE FIRE PREVENTION AND BUILDING CODE COUNCIL.

10. "IECC" OR "INTERNATIONAL ENERGY CONSERVATION CODE." THE INTERNATIONAL ENERGY CONSERVATION CODE, PUBLISHED BY INTERNATIONAL CODE COUNCIL, INC.

11. "LOCAL GOVERNMENT." ANY VILLAGE, TOWN (OUTSIDE THE AREA OF ANY INCORPORATED VILLAGE) OR CITY.

12. "Municipality." Any county, city, town, village, school district or district corporation.

[6.] 13. "Owner." The owner or owners of the freehold of a premises or any lesser estate therein, a mortgagee or vendee in possession, a contract vendee, assignee of rents, receiver, executor, trustee, lessee, or any other person, firm or corporation in control of a building.

[7.] 14. "Residential BUILDING." Any building which is designed or is to be used primarily as a dwelling or household AS DEFINED BY THE STATE FIRE PREVENTION AND BUILDING CODE COUNCIL, INCLUDING ANY FACTORY MANUFACTURED HOME AS DEFINED IN SUBDIVISION EIGHT OF SECTION THREE HUNDRED SEVENTY-TWO OF THE EXECUTIVE LAW AND ANY MOBILE HOME AS DEFINED IN SUBDIVISION THIRTEEN OF SECTION THREE HUNDRED SEVENTY-TWO OF THE EXECUTIVE LAW.

[8. "Substantial renovation." The alteration of any existing building in which more than fifty percent of any building subsystem is replaced.

9. "Subsystem." A building assembly made up of various components which serve a specific function, including but not limited to exterior walls, roof and ceiling, floors, lighting, piping, ductwork, and equipment as defined in subdivision four of this section.]

1 15. "UNIFORM CODE." THE NEW YORK STATE UNIFORM FIRE PREVENTION AND
2 BUILDING CODE ADOPTED, AND AS MAY BE AMENDED, PURSUANT TO ARTICLE EIGH-
3 TEEN OF THE EXECUTIVE LAW.

4 S 2. Subdivision 1 of section 11-103 of the energy law, as amended by
5 chapter 292 of the laws of 1998, is amended to read as follows:

6 1. (a) [The code relating to the construction of all buildings, or
7 classes of buildings in the state, for purposes of minimizing the
8 consumption of energy and providing for the efficient utilization of the
9 energy expended in the use and occupancy of buildings is continued.
10 Such code shall be at least equal to the standards specified in standard
11 90-75 of the American Society of Heating, Refrigerating and Air Condi-
12 tioning Engineers, Inc., entitled "Energy Conservation in New Building
13 Design", known hereafter as ASHRAE Standard 90-75; and to the reference
14 standards upon which the ASHRAE Standard 90-75 is based; provided howev-
15 er, that in addition any portion of the code which applies to residen-
16 tial construction shall be at least equivalent to the requirements set
17 forth in the public service commission opinions, PSC 76-16 (C) dated May
18 fifteenth and sixteenth, nineteen hundred seventy-seven, and appendices
19 thereto. The code shall apply to all buildings for which application for
20 a building permit is made and plans are filed in this state on or after
21 January first, nineteen hundred seventy-nine, which date shall be the
22 effective date of the code.

23 (b) The rules and regulations relating specifically to the substantial
24 renovation of all buildings, or classes of buildings in the state, for
25 purposes of minimizing the consumption of energy and providing for the
26 efficient utilization of the energy expended in the use and occupancy of
27 such buildings are continued. Such rules and regulations shall apply
28 only to that portion of a building subsystem or subsystems which is
29 replaced; provided that fifty percent or more of such building subsystem
30 or subsystems is replaced.] THE STATE ENERGY CONSERVATION CONSTRUCTION
31 CODE ADOPTED BY THE STATE FIRE PREVENTION AND BUILDING CODE COUNCIL AND
32 CONSISTING OF A BUILDING ENERGY CODE FOR RESIDENTIAL BUILDINGS THROUGH-
33 OUT THE STATE AND A BUILDING ENERGY CODE FOR COMMERCIAL BUILDINGS
34 THROUGHOUT THE STATE IS CONTINUED UNTIL AMENDED OR A NEW CODE IS ADOPTED
35 AND EFFECTIVE.

36 (B) THE CODE SHALL APPLY TO THE CONSTRUCTION OF ANY NEW BUILDING. THE
37 CODE SHALL ALSO APPLY TO AN ADDITION TO, AND ALTERATION OF, ANY EXISTING
38 BUILDING OR BUILDING SYSTEM; PROVIDED, HOWEVER, THAT THE CODE SHALL NOT
39 BE INTERPRETED TO REQUIRE ANY UNALTERED PORTION OF THE EXISTING BUILDING
40 OR BUILDING SYSTEM TO COMPLY WITH THE CODE. THE CODE SHALL NOT APPLY TO
41 THE FOLLOWING PROVIDED THAT THE ENERGY USE OF THE BUILDING IS NOT
42 INCREASED:

43 (1) STORM WINDOWS INSTALLED OVER EXISTING FENESTRATION;
44 (2) GLASS ONLY REPLACEMENTS IN AN EXISTING SASH AND FRAME;
45 (3) EXISTING CEILING, WALL OR FLOOR CAVITIES EXPOSED DURING
46 CONSTRUCTION PROVIDED THAT THESE CAVITIES ARE FILLED WITH INSULATION;
47 (4) CONSTRUCTION WHERE THE EXISTING ROOF, WALL OR FLOOR CAVITY IS NOT
48 EXPOSED;

49 (5) REROOFING FOR ROOFS WHERE NEITHER THE SHEATHING NOR THE INSULATION
50 IS EXPOSED; ROOFS WITHOUT INSULATION IN THE CAVITY AND WHERE THE SHEATH-
51 ING OR INSULATION IS EXPOSED DURING REROOFING SHALL BE INSULATED EITHER
52 ABOVE OR BELOW THE SHEATHING;

53 (6) REPLACEMENT OF EXISTING DOORS THAT SEPARATE CONDITIONED SPACE FROM
54 THE EXTERIOR SHALL NOT REQUIRE THE INSTALLATION OF A VESTIBULE OR
55 REVOLVING DOOR, PROVIDED, HOWEVER, THAT AN EXISTING VESTIBULE THAT SEPA-
56 RATES SUCH CONDITIONED SPACE FROM THE EXTERIOR SHALL NOT BE REMOVED;

(7) ALTERATIONS THAT REPLACE LESS THAN FIFTY PERCENT OF THE LUMINAIRES IN A SPACE, PROVIDED THAT SUCH ALTERATIONS DO NOT INCREASE THE INSTALLED INTERIOR LIGHTING POWER;

(8) ALTERATIONS THAT REPLACE ONLY THE BULB AND BALLAST WITHIN THE EXISTING LUMINAIRES IN A SPACE PROVIDED THAT THE ALTERATION DOES NOT INCREASE THE INSTALLED INTERIOR LIGHTING POWER; AND

(9) ANY OTHER EXCEPTION ADOPTED BY THE STATE FIRE PREVENTION AND BUILDING CODE COUNCIL PROVIDED THAT SUCH EXCEPTION WILL NOT PREVENT THE ATTAINMENT OF THE COMPLIANCE GOALS SET FORTH IN SECTION 410(2)(C) OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

S 3. Subdivision 2 of section 11-103 of the energy law, as amended by chapter 292 of the laws of 1998, is amended to read as follows:

2. The state fire prevention and building code council is authorized, from time to time as it deems appropriate and consistent with the purposes of this article, to review and amend the code, OR ADOPT A NEW CODE, through rules and regulations provided that the code remains cost effective with respect to building construction in the state. [The] IN DETERMINING WHETHER THE CODE REMAINS COST EFFECTIVE, THE code COUNCIL shall [be deemed cost effective if] CONSIDER WHETHER the cost of materials and their installation to meet its standards would be equal to or less than the present value of energy savings that could be expected over a ten year period in the building in which such materials are installed. FOR RESIDENTIAL BUILDINGS, THE CODE SHALL MEET OR EXCEED THE THEN MOST RECENTLY PUBLISHED INTERNATIONAL ENERGY CONSERVATION CODE, OR ACHIEVE EQUIVALENT OR GREATER ENERGY SAVINGS; AND FOR COMMERCIAL BUILDINGS, THE CODE SHALL MEET OR EXCEED ASHRAE 90.1-2007, OR ACHIEVE EQUIVALENT OR GREATER ENERGY SAVINGS.

S 4. Subdivision 5 of section 11-104 of the energy law, as added by chapter 516 of the laws of 1984, is amended to read as follows:

5. The code shall exempt from such uniform standards and requirements [property that is listed on the national register of historic places, property that is listed on the state register of historic places or property that is determined to be eligible for listing on the state register by the commissioner of parks, recreation and historic preservation] ANY HISTORIC BUILDING AS DEFINED IN SECTION 11-102 OF THIS ARTICLE.

S 5. Section 11-105 of the energy law, as amended by chapter 292 of the laws of 1998, is amended to read as follows:

S 11-105. Limitation of application. Notwithstanding the provisions of subdivision one of section 11-103 of this article, the state fire prevention and building code council, by regulation, may limit the application of any portion of the code so as to include or exclude classes or types of buildings, according to the use thereof or the cost effectiveness of the code with respect to any such class or type of building, or according to any other distinction as may make differentiation or separate classification or regulation necessary, proper or desirable, [so long as any] PROVIDED HOWEVER, THAT such limitation: (1) is consistent with the purposes of this article and the criteria set forth in section 11-104 of this article, (2) DOES NOT RENDER THE CODE INCONSISTENT WITH THE ENERGY SAVINGS REQUIREMENTS OF SUBDIVISION TWO OF SECTION 11-103 OF THIS ARTICLE, AND (3) WHETHER CONSIDERED INDIVIDUALLY OR COLLECTIVELY WITH OTHER LIMITATIONS, WILL NOT PREVENT THE ATTAINMENT OF THE COMPLIANCE GOALS SET FORTH IN SECTION 410(2)(C) OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

S 6. Section 11-107 of the energy law, as amended by chapter 517 of the laws of 1984, is amended to read as follows:

1 S 11-107. Administration and enforcement. Except as otherwise
2 [expressly provided herein] PROVIDED IN REGULATIONS ADOPTED PURSUANT TO
3 SECTION THREE HUNDRED EIGHTY-ONE OF THE EXECUTIVE LAW, the adminis-
4 tration and enforcement of the provisions of the code [within any muni-
5 cipality] WITH RESPECT TO ANY BUILDING shall be the responsibility of
6 that governmental entity which is responsible for the administration and
7 enforcement of the provisions of the [building construction code or the]
8 UNIFORM CODE OR OTHER APPLICABLE fire prevention and building
9 construction code [applicable within such municipality] WITH RESPECT TO
10 SUCH BUILDING. The code shall be administered and enforced in the
11 manner prescribed by applicable local law or ordinance [or the] CONSIST-
12 ENT WITH THE STANDARDS AND procedures adopted pursuant to section three
13 hundred eighty-one of the executive law [for the administration and
14 enforcement of the state uniform fire prevention and building
15 construction code].

16 S 7. Subdivision 1 of section 11-108 of the energy law, as amended by
17 chapter 516 of the laws of 1984, is amended to read as follows:

18 1. Any person having been served with an order TO REMEDY A VIOLATION
19 OF THE CODE pursuant to the provisions of any local law or ordinance, or
20 the procedures adopted pursuant to section three hundred eighty-one of
21 the executive law [for the administration and enforcement of the state
22 uniform fire prevention and building construction code], who shall fail
23 to comply with such order within thirty days after such service or with-
24 in the time fixed by such order for compliance, whichever is greater,
25 and any owner, builder, architect, engineer, contractor or subcontractor
26 taking part or assisting in the construction or use of any building who
27 shall knowingly violate any applicable provisions of the code or any
28 lawful order of the governmental entity responsible for the adminis-
29 tration and enforcement thereof shall be punishable by a fine of not
30 more than [five hundred] ONE THOUSAND dollars or by imprisonment of not
31 more than thirty days in jail, or both.

32 S 8. Section 11-109 of the energy law, as added by chapter 397 of the
33 laws of 1978, subdivision 1 as amended by chapter 516 of the laws of
34 1984 and subdivision 2 as amended by chapter 292 of the laws of 1998, is
35 amended to read as follows:

36 S 11-109. Municipal regulations. 1. Nothing in this article shall be
37 construed as abrogating or impairing the power of any municipality or
38 the secretary of state to enforce the provisions of any local building
39 regulations or the state uniform fire prevention and building
40 [construction] code, provided that such local building regulations are
41 not inconsistent with the code. Nor shall anything in this article be
42 construed as abrogating or impairing the power of any municipality to
43 promulgate a local energy conservation construction code more stringent
44 than the code, INCLUDING BUT NOT LIMITED TO REQUIREMENTS FOR MANDATORY
45 ENERGY EFFICIENCY TESTING AND RATINGS.

46 2. Any municipality which adopts a local energy conservation
47 construction code in accordance with this section shall file a copy of
48 such code and any amendments or revisions thereof with the state fire
49 prevention and building code council within thirty days after promulga-
50 tion or adoption of such LOCAL code[,] OR ANY amendments or revisions
51 THEREOF. [The failure to comply with the provisions of this subdivision
52 shall not impair or otherwise affect the validity of such local code or
53 amendment or revision] IF THE MUNICIPALITY FILES SUCH COPY WITHIN SUCH
54 THIRTY DAY TIME PERIOD, THE MUNICIPALITY MAY ENFORCE SUCH LOCAL CODE,
55 AMENDMENT OR REVISION UNTIL AND UNLESS THE STATE FIRE PREVENTION AND
56 BUILDING CODE COUNCIL SHALL DETERMINE THAT SUCH LOCAL CODE, AMENDMENT OR

1 REVISION IS NOT MORE RESTRICTIVE THAN THE CODE. IF THE MUNICIPALITY
2 FAILS TO FILE SUCH COPY WITHIN SUCH THIRTY DAY TIME PERIOD, THE MUNICI-
3 PALITY MAY NOT ENFORCE SUCH LOCAL CODE, AMENDMENT OR REVISION UNTIL AND
4 UNLESS THE STATE FIRE PREVENTION AND BUILDING CODE COUNCIL SHALL DETER-
5 MINE THAT SUCH LOCAL CODE, AMENDMENT OR REVISION IS MORE RESTRICTIVE
6 THAN THE CODE.

7 S 9 Subdivision 2 of section 11-110 of the energy law, as amended by
8 chapter 292 of the laws of 1998, is amended to read as follows:

9 2. Agencies and municipalities of the state shall provide the secre-
10 tary of state with such cooperation and assistance as he OR SHE may deem
11 necessary to carry out the purposes of this article.

12 S 10. The section heading and subdivisions 1 and 2 of section 381 of
13 the executive law, as added by chapter 707 of the laws of 1981 and the
14 closing paragraph of subdivision 1 as amended by chapter 159 of the laws
15 of 2007, are amended to read as follows:

16 Administration and enforcement of the New York state uniform fire
17 prevention and building code AND THE NEW YORK STATE ENERGY CONSERVATION
18 CONSTRUCTION CODE. 1. The secretary shall promulgate rules and regu-
19 lations prescribing minimum standards for administration and enforcement
20 of the uniform fire prevention and building code promulgated in accord-
21 ance with sections three hundred seventy-seven and three hundred seven-
22 ty-eight of this article AND THE STATE ENERGY CONSERVATION CONSTRUCTION
23 CODE ADOPTED IN ACCORDANCE WITH ARTICLE ELEVEN OF THE ENERGY LAW. Such
24 rules and regulations shall become effective not later than the first
25 day of January, nineteen hundred eighty-five. The secretary shall
26 promulgate such regulations after public hearing and after considering
27 reaction to initial administration and enforcement of the uniform build-
28 ing and fire prevention code, including how local governments have
29 organized to provide for such initial administration and enforcement.
30 Such rules and regulations shall address the nature and quality of
31 enforcement and shall include, but not be limited to the following:

32 a. frequency of MANDATORY inspections FOR COMPLIANCE WITH THE UNIFORM
33 CODE AND THE STATE ENERGY CONSERVATION CONSTRUCTION CODE,

34 b. number and qualifications of staff, including requirements that
35 inspectors be certified pursuant to this chapter,

36 c. required minimum fees for administration and enforcement,

37 d. adequacy of inspections,

38 e. adequacy of means for insuring compliance with the uniform code AND
39 THE STATE ENERGY CONSERVATION CONSTRUCTION CODE, INCLUDING PROVISIONS
40 INTENDED TO ACHIEVE COMPLIANCE WITH THE STATE ENERGY CONSERVATION
41 CONSTRUCTION CODE CONSISTENT WITH THE COMPLIANCE GOALS SET FORTH IN
42 SECTION 410(2)(C) OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009,

43 f. establishment of a procedure whereby any provision or requirement
44 of the uniform code may be varied or modified in cases where strict
45 compliance with such provision or requirement would entail practical
46 difficulties or unnecessary hardship or would otherwise be unwarranted.
47 Such procedure shall be designed to insure that any such variance or
48 modification shall not substantially affect adversely provisions for
49 health, safety and security, and that equally safe and proper alterna-
50 tives may be prescribed. Requests for a variance shall be resolved with-
51 in sixty days of the date of application unless a longer period is
52 required for good cause shown, [and]

53 g. procedures for inspection of certain classes of buildings based
54 upon design, construction, ownership, occupancy or use, including, but
55 not limited to, mobile homes, factory manufactured homes and state-owned
56 buildings[.],

1 H. MINIMUM BASIC TRAINING AND IN-SERVICE TRAINING REQUIREMENTS FOR
2 PERSONNEL CHARGED WITH ADMINISTRATION AND ENFORCEMENT OF THE STATE ENER-
3 GY CONSERVATION CONSTRUCTION CODE; AND

4 I. STANDARDS AND PROCEDURES FOR MEASURING THE RATE OF COMPLIANCE WITH
5 THE STATE ENERGY CONSERVATION CONSTRUCTION CODE, AND PROVISIONS REQUIR-
6 ING THAT SUCH RATE OF COMPLIANCE BE MEASURED ON AN ANNUAL BASIS.

7 Nothing in the rules shall require or be construed to require regular,
8 periodic inspections of (A) owner-occupied one and two-family dwellings,
9 or (B) agricultural buildings used directly and solely for agricultural
10 purposes, provided, however that this shall not be a limitation on
11 inspections conducted at the invitation of the owner or where conditions
12 on the premises threaten or present a hazard to public health, safety,
13 or welfare.

14 2. Except as may be provided in regulations of the secretary pursuant
15 to subdivision one of this section, every local government shall admin-
16 ister and enforce the uniform fire prevention and building code AND THE
17 STATE ENERGY CONSERVATION CONSTRUCTION CODE on and after the first day
18 of January, nineteen hundred eighty-four, provided, however, that a
19 local government may enact a local law prior to the first day of July in
20 any year providing that it will not enforce [the uniform code] SUCH
21 CODES on and after the first day of January next succeeding. In such
22 event the county in which said local government is situated shall admin-
23 ister and enforce [the uniform code] SUCH CODES within such local
24 government from and after the first day of January next succeeding the
25 effective date of such local law, in accordance with the provisions of
26 paragraph b of subdivision five of this section unless the county shall
27 have enacted a local law providing that it will not enforce [the uniform
28 code] SUCH CODES within that county. In such event the secretary in the
29 place and stead of the local government shall, directly or by contract,
30 administer and enforce the uniform code AND THE STATE ENERGY CONSERVA-
31 TION CONSTRUCTION CODE. A local government or a county may repeal a
32 local law which provides that it will not enforce [the uniform code]
33 SUCH CODES and shall thereafter administer and enforce [the uniform
34 code] SUCH CODES as provided above. [Local] TWO OR MORE LOCAL govern-
35 ments may provide for joint administration and enforcement OF THE
36 UNIFORM CODE, THE STATE ENERGY CONSERVATION CONSTRUCTION CODE, OR BOTH,
37 by agreement pursuant to article five-G of the general municipal law.
38 Any local government may enter into agreement with the county in which
39 such local government is situated to administer and enforce the uniform
40 code, THE STATE ENERGY CONSERVATION CONSTRUCTION CODE, OR BOTH, within
41 such local government. Local governments or counties may charge fees to
42 defray the costs of administration and enforcement.

43 S 11. This act shall take effect January 1, 2011; provided, however,
44 that the state fire prevention and building code council and the secre-
45 tary of state are authorized and directed to adopt such regulations as
46 deemed necessary and proper to implement this act, prior to such effec-
47 tive date.