

6754

I N   S E N A T E

February 3, 2010

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Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to requiring state and local agencies to establish a priority processing procedure for the review of construction permits which meet certain energy and environmental design standards

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

1     Section 1. The general municipal law is amended by adding a new  
2     section 859-c to read as follows:

3     S 859-C. BUILDING PERMITS, ENERGY AND ENVIRONMENTAL DESIGN STANDARDS;  
4     PRIORITY PROCESS. 1. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING  
5     TERMS SHALL HAVE THE FOLLOWING MEANINGS:

6     (A) "CONSTRUCTION PERMIT" SHALL MEAN A PERMIT OR ANY OTHER APPROVAL  
7     ISSUED BY A MUNICIPAL CORPORATION FOR ANY WORK NECESSARY OR INCIDENTAL  
8     TO THE ERECTION, DEMOLITION, ASSEMBLING, ALTERATION, INSTALLING OR  
9     EQUIPPING OF ANY BUILDING.

10    (B) "ENERGY AND ENVIRONMENTAL DESIGN STANDARDS" SHALL MEAN THE LEADER-  
11    SHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) BUILDING RATING SYSTEM  
12    PUBLISHED BY THE UNITED STATES GREEN BUILDING COUNCIL, OR ANOTHER COMPA-  
13    RABLE STATE APPROVED, NATIONALLY RECOGNIZED, AND CONSENSUS BASED GUIDE-  
14    LINE, STANDARD OR SYSTEM, WHICH INCLUDES BUT IS NOT LIMITED TO MEAN  
15    DESIGN GUIDELINES AND A RATING SYSTEM OR RULES FOR CONSTRUCTING BUILD-  
16    INGS THAT INSURE SITE PLANNING, WATER EFFICIENCY, ENERGY EFFICIENCY, AND  
17    RENEWABLE ENERGY, CONSERVATION MATERIALS AND RESOURCES, AND INDOOR ENVI-  
18    RONMENTAL QUALITY.

19    (C) "APPLICANT" SHALL MEAN ANY PERMIT APPLICANT THAT IS NOT THE STATE  
20    GOVERNMENT, FEDERAL GOVERNMENT, OR MUNICIPAL CORPORATION.

21    (D) "AGENCY" SHALL MEAN ANY STATE OR MUNICIPAL CORPORATION, DEPART-  
22    MENT, BOARD, BUREAU, DIVISION, COMMISSION, COMMITTEE, PUBLIC AUTHORITY,  
23    PUBLIC CORPORATION, COUNCIL, OFFICE OR OTHER GOVERNMENTAL ENTITY.

24    2. EVERY AGENCY THAT ISSUES CONSTRUCTION PERMITS SHALL ESTABLISH A  
25    PROCEDURE FOR PRIORITY PROCESSING OF A PERMIT APPLICATION THAT MEETS  
26    ENERGY AND ENVIRONMENTAL DESIGN STANDARDS EQUAL OR BETTER TO THE LEED

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

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1 SILVER OR TWO GREEN GLOBES RATING SYSTEM. THE ESTABLISHED PRIORITY PROC-  
2 ESSING PROCEDURE SHALL BE AT NO ADDITIONAL COST TO THE APPLICANT. SUCH  
3 PROCEDURE SHALL NOT IMPLY OR PROVIDE THAT ANY APPLICATION FOR A  
4 CONSTRUCTION PERMIT SHALL BE AUTOMATICALLY APPROVED.

5 3. EACH AGENCY SHALL ESTABLISH SUCH PRIORITY PROCESSING PROCEDURE ON  
6 OR BEFORE JANUARY FIRST, TWO THOUSAND ELEVEN.

7 S 2. This act shall take effect immediately.