



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 26 OF 2023

**ADOPTION OF LOCAL LAW NO. 1 OF 2023 TO CREATE CHAPTER 106,
ARTICLE V OF THE CODE OF THE CITY OF BEACON TO REQUIRE THE
ELECTRIFICATION OF RESIDENTIAL AND COMMERCIAL BUILDINGS**

WHEREAS, the City Council of the City of Beacon (the “City Council”) desires to achieve energy efficiency, promote renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy; and

WHEREAS, proposed Local Law No. 1 of 2023 was introduced at the February 14, 2023 meeting of the City Council to create Chapter 106, Article V of the Energy Conservation Code of the City of Beacon to require the electrification of new residential and commercial buildings (the “All-Electric Building Local Law”); and

WHEREAS, the All-Electric Building Local Law establishes a local energy conservation construction code supplement to prohibit the use of fossil fuels in all new construction and major renovations concerning residential and commercial buildings to further the City’s policy goals, promote the public health, safety, and general welfare and protect, secure and guarantee an individual’s right to a healthy environment as required under the New York State Environmental Rights Amendment (the “Green Amendment”) implemented as Article I, §19 of the New York State Constitution’s Bill of Rights; and

WHEREAS, it is the intent of the All-Electric Building Local Law to deliver measurable and long-lasting reductions in greenhouse gas emissions from all new construction and major renovations to support the goal of zero on-site greenhouse gas emissions and the State’s clean energy and climate agenda including, but not limited, to greenhouse gas reduction requirements set forth within the New York State Climate Leadership and Community Protection Act (“CLCPA”); and

WHEREAS, the City of Beacon has the power to promulgate a local energy conservation construction code that is more stringent than the Energy Conservation Construction Code of New York State (the “Energy Code”) pursuant to § 11-109 of the New York State Energy Law; and

WHEREAS, the City also has the authority to enact the All-Electric Building Local Law to further an individual’s “right to clean air and water, and a healthful environment” as required by the Green Amendment; and



WHEREAS, the City’s All-Electric Building Local Law is similar to legislation proposed in Governor Hochul’s FY 2024 New York State Executive Budget, Transportation, Economic Development and Environmental Conservation Article VII Legislation, Part WW; and

WHEREAS, the All-Electric Building Local Law includes the same exemptions set forth in the Governor’s budget legislation to allow the installation and use of fossil-fuel equipment and building systems where such are installed and used (i) for generation of emergency back-up power; (ii) in a manufactured home; or (iii) in a building or part of a building that is used as a manufacturing facility, commercial food establishment, laboratory, laundromat, hospital, other medical facility, crematorium, or wastewater treatment facilities; and

WHEREAS, compared to the Governor’s proposed budget legislation, the City has expedited the timeline to prohibit the installation of fossil-fuel equipment and building systems in new residential and commercial buildings; and

WHEREAS, the Governor’s proposed budget legislation prohibits the installation of fossil-fuel equipment and building systems in new residential buildings on December 31, 2025 and in new commercial buildings on December 31, 2028; and

WHEREAS, under the City’s All-Electric Building Local Law all new residential and commercial construction would be required to be all-electric as of January 1, 2024; and

WHEREAS, during the course of examination of the All-Electric Building Local Law, the City reviewed the All-Electric Building Local Law with the City Building Inspector, NYSERDA, and various construction professionals, including architects, engineers and developers, to discuss the feasibility and implementation of the all-electric building requirements set forth in the All-Electric Building Local Law; and

WHEREAS, the Planning Board of the City of Beacon reviewed the All-Electric Building Local Law at its February 15, 2023 meeting and had no objections to requirements of the All-Electric Building Local Law; and

WHEREAS, a duly noticed public hearing on the All-Electric Building Local Law was held on February 27, 2023, at which time all those interested had an opportunity to be heard and the public hearing was closed on February 27, 2023; and



WHEREAS, the proposed action is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (“SEQRA”).

NOW, THEREFORE, BE IT RESOLVED, that the City Council in accordance with the State Environmental Quality Review Act (“SEQRA”) and upon review of the Short Environmental Assessment Form and all other materials prepared, hereby adopts the attached Negative Declaration for the All-Electric Building Local Law finding that the adoption of the All-Electric Building Local Law will not result in any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 1 of 2023 which creates Chapter 106, Article V of the Code of the City of Beacon to require the electrification of residential and commercial buildings; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Beacon is hereby requested to send a copy of this resolution and Local Law No. 1 of 2023 to Governor Hochul, State Assemblymember Jonathan Jacobson, State Senator Robert Rolison and to the New York State Conference of Mayors (“NYCOM”); and

BE IT FURTHER RESOLVED, that the Building Inspector of the City of Beacon is hereby directed to file Local Law No. 1 of 2023, and all necessary forms and exhibits, with the State Fire Prevention & Building Code Council of More Stringent Local Energy Conservation Construction Code; and

BE IT FURTHER RESOLVED, that the Secretary of the City of Beacon Planning Board and Zoning Board of Appeals is hereby directed to provide a copy of Local Law No. 1 of 2023 to all members of the Planning Board and Zoning Board of Appeals; and

BE IT FURTHER RESOLVED, that the City Council hereby requests the Planning Board advise all applicants of the adoption of this law.



Resolution No. 26 of 2023		Date: March 20, 2023		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 3/4 Required			
<input type="checkbox"/> Not on roll call.							
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
x		Paloma Wake	x				
		Justice McCray	x				
		George Mansfield	x				
		Wren Longno	x				
		Molly Rhodes	x				
	x	Dan Aymar-Blair	x				
		Mayor Lee Kyriacou	x				
		Motion Carried	x				