

Town of Oyster Bay Nassau County

CODE OF THE TOWN OF OYSTER BAY NEW YORK, v75 Updated 04-01-2012
PART II GENERAL LEGISLATION
Chapter 93, BUILDING CONSTRUCTION
ARTICLE II, Building Permits
§ 93-27.1. Energy Star requirements. [Added 12-19-2006 by L.L. No. 12-2006]

(b) Achieving a home energy rating of 84 or higher on the current expanded Home Energy Rating System (hereinafter "HERS") Scoring System adopted by the State of New York, which corresponds to an Index of 80 or less as defined in the "2006 Mortgage Industry National Home Energy Rating Systems Standards" promulgated by the Residential Energy Services Network ("RESNET").

(2) In addition to demonstrating compliance with one of the standards set forth in Subsection C(1) above, the subject dwelling must comply with the following additional requirements:

(a) Include a total of 500 kilowatt-hours of electricity savings per dwelling unit as defined by the Program; and

(b) Include an automatically controlled mechanical ventilation system as required by the Program; and

(c) Prior to issuance of a certificate of occupancy, comply with the "Combustion Safety Testing Standards and Procedures for New York ENERGY STAR Labeled Homes" standards, as tested by an analyst certified by the Building Performance Institute or an analyst with equivalent training approved by LIPA.

(3) Commencing on August 1, 2008, prior to the issuance of a building permit, the applicant shall certify that the Subject Dwelling will comply with all aspects of the Program, using either the HERS or Builder Option Package method. Prior to issuance of a certificate of occupancy for the Subject

Dwelling, all field verification and testing requirements of the Program shall be met.

D. Issuance of building permits for multifamily dwellings.

(1) Commencing on August 1, 2008, no building permit shall be issued for any multifamily dwelling in buildings with more than four units, or where the units share a common egress, unless the applicant certifies that the plans demonstrate compliance with:

(a) The thermal envelope requirements (R values and U-values only);
and

(b) The electrical savings and ventilation requirements; and

(c) The equipment efficiency requirements of the LIPA Builder Option Package prescriptive standards.

(2) No third-party verification or field testing shall be required under this method.

E. Exemptions. Notwithstanding any provision contained in Subsections B, C and D above, the testing and verification requirement may be waived upon LIPA submitting a certification that no testing or verification protocol and procedure can be applied accurately in a particular building configuration.