

Suffolk County, NY
Wednesday, November 13, 2019

Chapter 939. Energy Efficiency

[HISTORY: Adopted by the Suffolk County Legislature as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Air-conditioning systems — See Ch. **12**.

Purchasing and contracts — See Chs. **189** and **893**.

Building construction — See Ch. **344**.

Carbon dioxide emissions — See Ch. **357**.

Environmental protection — See Chs. **446** and **943**.

Environmental quality review — See Ch. **450**.

Recycling — See Ch. **692**.

Article I. County Construction Projects

[Adopted 5-19-1992 by Res. No. 315-1992 (Ch. 939, Art. I, of the 1985 Code)]

§ 939-1. Written evaluation of feasibility required.

The County Department of Public Works is hereby authorized, empowered and directed, pursuant to § **C8-2W** of the Suffolk County Charter, to prepare a written evaluation of the economic and physical feasibility of installing or utilizing energy conservation or energy-saving measures prior to the commencement of the construction of any County-owned or County-funded facilities on or after the effective date of this article.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. IV).*

§ 939-2. Incorporation of energy-saving measures into bid specifications.

Any such measures determined to be economically and physically feasible by the County Department of Public Works shall be incorporated into and made a part of bid specifications for such construction project.

Article II. Leadership in Energy and Environmental Design Program

[Adopted 2-7-2006 by Res. No. 126-2006]

§ 939-3. Applicable projects.

[Amended 6-24-2008 by Res. No. 551-2008; 6-7-2011 by Res. No. 458-2011]

The County Department of Public Works is hereby authorized, empowered, and directed, pursuant to § **C8-2W** of the Suffolk County Charter, to apply the principles of the current LEED Building Rating System as a standard that meets environmental and economic performance of commercial buildings, using established and/or advanced building principles, practices, materials and standards, for:

- A. Planning of new construction projects occurring on or after the effective date of this article with a construction cost of \$1,000,000 or more;
- B. Planning of renovation of an existing County building occurring on or after the effective date of this article which requires the expenditure of \$1,000,000 or more; or
- C. Planning of new construction or renovation "built to suit" for long-term lease by the County of Suffolk occurring on or after the effective date of this article.

§ 939-4. Project checklist.

The project checklist, attached hereto and made a part hereof as Exhibit A,^[1] shall be followed by the County Department of Public Works in implementing the provisions of § **939-3** of this article.

[1] *Editor's Note: Exhibit A is on file in the County offices.*

§ 939-5. Ranking system.

Any capital project meeting the criteria set forth in § **939-3** shall be ranked in accordance with the certified silver, gold and platinum ranking system set forth in Exhibit A,^[1] separate and apart from the ranking system contained in Resolution No. 571-1998, as amended, which established a formalized priority ranking system for capital projects.

[1] *Editor's Note: Exhibit A is on file in the County offices.*

§ 939-6. Certified ranking required for appropriations.

No appropriations for construction may be made for a capital project covered by this article unless it receives a "certified" ranking under the project checklist.

§ 939-7. Waivers.

Compliance with the requirements herein may only be waived if:

- A. The Commissioner of the County Department of Public Works files a certification with the Suffolk County Legislature and the Suffolk County Executive setting forth the existence of federal and/or state engineering design standards or historic district or preservation requirements or the existence of special or extraordinary engineering design circumstances which would prevent compliance with the LEED program; and
- B. Such certification is accepted and compliance with LEED is waived by a duly enacted resolution of the County of Suffolk.

§ 939-8. Council of Environmental Quality review.

[Amended 6-24-2008 by Res. No. 551-2008; 6-7-2011 by Res. No. 458-2011]

The Suffolk County Council of Environment Quality (CEQ) shall consider the current LEED Building Rating System in its review of County action under SEQRA and Chapter **450**, Environmental Quality Review, of the Suffolk County Code.

§ 939-9. Rules and regulations.

The County Department of Public Works is hereby further authorized, empowered, and directed, pursuant to § **C8-2W** of the Suffolk County Charter, to promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this article.