

Chapter 89. Building Construction

Article VIII. Green Building Certification

[Added 12-20-2006 by L.L. No. 40-2006]

§ 89-83. Intent.

The Town of Babylon is committed to minimizing the short-term and long-term negative impacts construction has on the environment. The intent of this article is to provide owners and occupants of commercial buildings, offices, industrial buildings, multiple residences and senior citizen multiple residences with the economic benefits of energy and water savings, good indoor air quality and healthy, pleasant and productive surroundings. A further intent of this article is to benefit the community by having buildings constructed that are resource-efficient and conserve energy.

§ 89-84. Green building rating system.

- A. The Town of Babylon hereby adopts, in principle, the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design for New Construction (LEED-NC) Rating System, Version 2.2, and, further, automatically adopts any future versions promulgated by the USGBC. For the first six months after adopting an amended version, applicants may apply under the preexisting version.
- B. The LEED-NC system establishes several levels of environmental achievement from a "Certified" rating to a "Platinum" rating. The ratings are attained by earning LEED points in the categories of Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources, Indoor Environmental Quality and Innovation & Design Process.

§ 89-85. Applicability.

This article shall be applicable to all new construction of a commercial building, office building, industrial building, multiple residence or senior citizen multiple residence equal to or greater than 4,000 square feet, and the provisions of this article are mandatory for any application received by the Town one year after its effective date.

§ 89-86. Standards for green building projects.

- A. Every applicant who files a building permit application for construction of a new commercial building, industrial building, office building, multiple residence or senior citizen multiple residence shall provide a completed LEED-NC checklist or the local variant of a green building project checklist acceptable to the Commissioner of Planning and Development or his/her designee.
- B. Every applicant shall pay a fee of \$0.03 per square foot of the project, not to exceed \$15,000, to the Town of Babylon Green Building Fund. An applicant who achieves LEED-certified status shall have this fee refunded.
- C. No building permit shall be issued unless the LEED-NC review documentation or the local variant of green building project documentation demonstrates that the proposed building shall attain LEED-certification or the local variant acceptable to the Building Inspector.

§ 89-87. Compliance and enforcement.

The Building Inspector shall determine whether the requirements under the pre-permitting documentation have been implemented at each stage of construction, including at the foundation inspection, framing inspection, and prior to issuance of a final certificate of occupancy. The Building Inspector may conduct other inspections, as needed, to ensure compliance with this article.