



Stretch Code Adoption Process

INTRODUCTION

In accordance with M.G.L. c 25A Section 10, a municipality must require all new residential construction over 3,000 square feet and all new commercial and industrial real estate construction to minimize, to the extent feasible, the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.

The recommended way for cities and towns to meet this requirement is by adopting the Stretch Energy Code (225 CMR 22 and 23), an appendix to the MA State Building Code. Should a community choose to not adopt the Stretch Code and choose to use another standard, the community must provide evidence that this alternative standard minimizes the life cycle energy costs for all new construction and is enforceable by the community.

The purpose of the Stretch Energy Code is to provide a more energy efficient alternative to the Base Energy Code for new buildings. A municipality seeking to ensure that construction within its boundaries is designed and built to the highest energy efficiency requirements of 780 CMR (i.e., the "Base" Energy Code) may mandate adherence to the Stretch Energy Code. Municipalities interested in adopting 225 CMR 22 and 23, the Stretch Energy Code, are directed to do so in the manner prescribed by law. The code may also be rescinded by any municipality in the Commonwealth in the manner prescribed by law.

Municipalities that have adopted the stretch energy code shall use the energy efficiency requirements of 225 CMR 22 and 23, which stipulates higher energy efficiency requirements for most new construction.

PROCESS for ADOPTION

Cities are advised to adopt the Stretch Code by general ordinance via City Council.

Towns are advised to seek adoption of the Stretch Code as a general bylaw through a vote of Town Meeting.

Please note, once the Stretch Code is adopted by a municipality, all future editions, amendments and modifications of the Stretch Code are automatically adopted unless the municipality rescinds adoption of the

Stretch Code itself. A community must adopt the Stretch Code “as is,” without applying any amendments or conditions.

Also note, according to the Attorney General’s office:

Pursuant to G.L. c.40, S 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law ...

DOER recommends that the warrant article, the motion and the by-law/ordinance explicitly specifies an effective date so that everyone (building officials, builders, homeowners, voters) is fully aware of when the Stretch Energy Code takes effect. **It is further recommended that municipalities choose either July 1 or January 1 as the effective date (whichever comes ‘next’ after the vote).**

The following sample article, sample motion, and sample bylaw/ordinance are provided as examples:

SAMPLE TOWN WARRANT ARTICLE:

To see if the Town will vote to enact Chapter ____ of the Town of _____ General Bylaws, entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to 225 CMR 22 and 23, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of _____ a copy of which is on file with the Town Clerk, or take any other action relative thereto.

SAMPLE TOWN MEETING MOTION:

I move that the Town will enact Chapter ____ of the Town of _____ General Bylaws, entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to 225 CMR 22 and 23, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of _____.

SAMPLE BYLAW follows:

Chapter ____

STRETCH ENERGY CODE

[Adopted 0-0-2023 ATM / STM by Art.]

§ ____-1 Definitions

§ ____-2 Purpose

§ ____-3 Applicability

§ ____-4 Stretch Code

§ ____-1 Definitions

International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code - Codified by the combination of 225 CMR 22 and 23¹, not including the Appendices RC and CC, the Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code.

§ ____-2 Purpose

The purpose of 225 CMR 22 and 23 is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for both new construction and existing buildings.

§ ____-3 Applicability

This code applies to residential and commercial buildings.

§ ____-4 Stretch Energy Code

The Stretch Energy Code, as codified by the entirety of 225 CMR 22 and 23, including any future editions, amendments, or modifications, is herein incorporated by reference into the Town of _____ General Bylaws, Chapter ____.

The Stretch Code is enforceable by the inspector of buildings or building commissioner and effective as of _____.

¹ The Stretch Energy Code was previously codified in 780 CMR Appendix 115AA, prior to the passage of the 2021 Act Creating a Next-generation Roadmap for Massachusetts Climate Policy (2021 Climate Act). The 2021 Climate Act transferred authority for promulgation of the Stretch Energy Code to the Department of Energy Resources.