

**Town of Columbus
Local Law 1 of 1987**

Building Code and Code Enforcement Officer

A local law authorizing the Town of Columbus to enforce the New York State Uniform Fire Prevention and Building Code by creating the position of Code Enforcement Officer and by designating all information associated with compliance to the administration of said code.

Be it enacted by the Town Board of the Town of Columbus, Chenango County, New York as follows:

Section 1. ENFORCEMENT OFFICER

The position of Code Enforcement Officer of the Town of Columbus is hereby created and designated to administer and enforce the New York State Uniform Fire Prevention and Building Code (Uniform Code) in the Town of Columbus.

Section 2. BUILDING PERMITS

A. No person, firm, corporation, association or other organization shall commence the erection, construction, enlargement, alteration, improvement, removal or demolition of any building or structure, except an agricultural building or structure, nor install heating equipment without having applied for and obtained a permit from the Code Enforcement Officer. However, no permit shall be required for:

- (1) The performance of necessary repairs which are not of a structural nature;
- (2) Alterations to existing buildings, provided that the alterations:
 - (i) cost less than \$10,000.00
 - (ii) do not materially affect structural features;
 - (iii) do not affect fire safety features such as smoke detectors, sprinklers, required separations and exits;
 - (iv) do not involve the installation or extension of electrical systems; and
 - (v) do not include the installation of solid fuel burning heating appliances and associated chimneys and flues; and
- (3) Small non-commercial structures not intended for use by one or more persons as quarters for living, sleeping, eating, or cooking, for example, a small storage building.

B. Applications for a building permit may be obtained from the Office of the Code Enforcement Officer. A completed application shall be delivered to the Code Enforcement Officer, and must include,

- (i) the signature of the applicant or authorized agent,
- (ii) a description of the site on which the proposed work is to be done;
- (iii) a statement of the use or occupancy of all parts of the land and of the proposed building or structure,
- (iv) a brief description of the proposed work;
- (v) the estimated cost of the proposed work with appropriate substantiation;
- (vi) the full name and address of the owner and the applicant, and if either be a corporation, the names and address of responsible officers;
- (vii) two sets of plans and specifications for the proposed work;
- (viii) the fee specified in this local law; and
- (ix) a statement acknowledging that the Code Enforcement Officer may enter the property and structure thereon at reasonable hours, as necessary, to inspect the same for compliance with the Uniform Code.

The applicant may request that the requirement of plans and specifications be waived where the work to be done involves minor alterations or are otherwise unnecessary.

C. The applicant shall notify the Code Enforcement Officer of any changes in the information contained in the application during the period for which the permit is in effect. A permit will be issued when the application has been determined to be complete and when the proposed work is determined to conform to the requirements of the Uniform Code. The authority conferred by such permit may be limited by conditions, if any, contained therein.

D. A building permit issued pursuant to this Local Law shall be prominently displayed on the premises or property to which it pertains.

E. A building permit issued pursuant to this Local Law may be suspended or revoked if it is determined that the work to which it pertains is not proceeding in conformance with the Uniform Code or with any condition attached to such permit, or if there has been a misrepresentation or falsification of a material fact in connection with the application for the permit.

F. A building permit issued pursuant to this Local Law shall expire one (1) year from the date of issuance or upon the issuance of a certificate of occupancy (other than a temporary certificate of occupancy), whichever occurs first. The permit may, upon written request, be renewed for successive one-year periods provided that

(i) the permit has not been revoked or suspended at the time the application for renewal is made,

(ii) the relevant information in the application is up to date and

(iii) the renewal fee is paid.

Section 3. CERTIFICATE OF OCCUPANCY

A. No building erected subject to the Uniform Code and this Local Law shall be used or occupied, except to the extent provided in this section, until a certificate of occupancy has been issued. No building similarly enlarged, extended, or altered, or upon which work has been performed which required the issuance of a building permit shall be occupied or used for more than (30) thirty days after the completion of the alteration or work unless a certificate of occupancy has been issued.

B. No building shall be converted from one general occupancy classification to another, as defined in the Uniform Code, unless certificate of occupancy authorizing the change has been issued. The owner or his agent shall make application for all certificates of occupancy.

C. A temporary certificate of occupancy may be issued if the building or structure or a designated portion of a building or structure is sufficiently complete that it may be put to the use for which it is intended. A temporary certificate of occupancy shall expire six (6) months from the date of issuance, but may be renewed an indefinite number of times.

D. No certificate of occupancy shall be issued except upon an inspection which reveals no uncorrected deficiency or material violation of the Uniform Code in the area intended for its use and upon payment of the appropriate fee.

E. Prior to the issuance of a certificate of occupancy, UL approval of all electrical work must be obtained by the owner or his agent.

Section 4. INSPECTION

A. Work for which a building permit has been issued under this Local Law shall be inspected for approval prior to enclosing or covering any portion thereof so as to permit the observation of, but not limited to the following:

(i) the foundation;

- (ii) superstructure and structural elements;
- (iii) electrical systems, plumbing systems, heating, ventilation and air conditioning systems; and
- (iv) fire protection and detection systems and exit features.

In addition, the Code Enforcement Officer may require such other inspection as he may deem reasonably necessary. It shall be the responsibility of the owner, applicant or his agent to inform the Code Enforcement Officer that the work is ready for inspection, and to schedule such inspection with the Code Enforcement Officer.

B. Existing buildings not subject to inspection under subdivision (A) of this section shall be subject to periodic fire safety inspections for compliance with the Uniform Code in accordance with the following schedules

- (i) all areas of public assembly defined in the Uniform Code, all buildings or structures containing areas of public assembly, and the common areas of multiple dwellings - every six (6) months;
- (ii) all buildings or structures open to the general public -every (12) months; and
- (iii) all other buildings - every eighteen (18) months.

Notwithstanding any requirements of this subdivision to the contrary, no regular periodic inspections of occupied dwelling units shall be required. However, this shall not be a limitation on inspections conducted at the invitation of the occupant or where conditions on the premises threaten or present a hazard to public health, safety or welfare.

D. The inspections may be performed by the Code Enforcement Officer. The Code Enforcement Officer is authorized to order, in writing, the correction of any condition in violation of the Uniform Code found in, on, or about any building. Such orders shall be served in person upon a responsible party or his authorized agent or by certified mail sent to the address of a responsible party set forth in any relevant application for a permit or in any relevant certificate. The order shall set forth the time within which the condition must be corrected. A responsible party who fails to correct the condition within the specified time shall be subject to a penalty as provided by law.

E. A person subject to inspection may be required by the Code Enforcement Officer to have such inspection performed at his own cost and expense by a competent inspector acceptable to the Code Enforcement Officer. Such inspector may be a registered architect, licensed professional engineer, certified code enforcement officer, or other person whose experience and training has been demonstrated to the satisfaction of the Code Enforcement Officer. Such inspector shall certify the result of his inspection to the Town of Columbus. Any person required by the Code Enforcement Officer to have an

inspection performed at his own cost and expense shall not be assessed the fees otherwise prescribed in this Local Law.

F. If the Code Enforcement Officer is the owner of or is involved in work on the premises to be inspected, or if there shall otherwise be any conflict of interest, the Town Board shall appoint a qualified individual to perform such duties.

G. The Code Enforcement Officer shall make provision for a system of records of the activities specified in this section, of building permit applications, building permits issued, and of fees charged and collected, if any.

Section 5. FEES

A. Upon the filing of an application for a building permit, the following fees shall be payable:

Total valuation of construction or other activity to be undertaken:	FEES
Up to \$500.00	No Charge
\$501.00 to \$2,000.00	\$25
\$2,001 to \$25,000.00	\$25 for the first \$2,000 plus \$4.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000
\$25,001.00 to \$50,000.00	\$117.00 for the first \$25,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof to and including \$50,000.00
Over \$50,000.00	\$192.00 for the first \$50,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof.

B. Other fees shall be as follows:

For furnace only	\$10.00
Electrical Hookup	No Fee
Renewal of building permit	\$10.00
Temporary Certificate of Occupancy	\$10.00
Third or Subsequent Temporary Certificate of Occupancy	\$100.00
Certificate of Occupancy	No Fee
Demolition of Building (s)	\$1.00

Section 6. PENALTIES

A. If no other penalty for violation of any part of this Local Law or orders issued in compliance with this Local Law is provided otherwise by law, a person violating such part of this Local Law or such orders shall be punishable by:

First Offense - a written warning will be issued. A person shall have twenty (20) consecutive days, excluding Sundays, to obtain a permit.

Second Offense - A person shall be fined twenty-five (25) dollars plus the cost of the permit.

B. An action or proceeding in the names of the Town of Columbus may be commenced in any court of competent jurisdiction to compel compliance with or restrain violation of this Local Law or orders issued in compliance with this Local Law.

Section 7. PARTIAL INVALIDITY

If any section of this Local Law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to effect, impair or invalidate the remainder thereof.

Section 8. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.