

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

~~City~~ of

Groveland

Town

~~Village~~

Local Law No. 2 of the year 19 86

A local law for the Administration and Enforcement of the New York State Uniform
(Insert title)
Fire Prevention and Building Code.

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~

~~City~~ of

Groveland

Town

~~Village~~

as follows:

Section 1. - Enforcement Officer

The Building and Fire Inspector of the Town of Groveland is hereby designated to administer and enforce the New York State Uniform Fire Prevention and Building Code (Uniform Code) in the Town of Groveland.

Section 2. - Building Permits

A. No person, firm, corporation, association or other organization shall commence the erection, construction, enlargement, alteration, or improvement of any building or structure, except an agricultural building or structure, nor install heating equipment without having applied for and obtained a building permit from the Zoning Officer and Building and Fire Inspector. However, no building permit shall be required for the performance of necessary repairs which are not of a structural nature and which are done in conformance with the Uniform Code.

B. Applications for a building permit may be obtained from the Office of the Town. A completed application shall be delivered to the Zoning Officer and Building and Fire Inspector and must include:

1. The signature of the applicant or authorized agent;
2. A description of the site on which the proposed work is to be done;
3. A statement of the use or occupancy of all parts of the land and of the proposed building or structure;
4. A brief description of the proposed work;
5. The estimated cost of the proposed work with appropriate substantiation;
6. The full name and address of the owner and the applicant, and, if either be a corporation, the names and addresses of responsible officers;
7. Three sets of plans and specifications for the proposed work;
8. The fee specified in this Local Law; and
9. A statement granting the applicant's permission for the Building and Fire Inspector to enter the property and structure thereon as frequently as he deems necessary to inspect the same for the 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.

(If additional space is needed, please attach sheets of the same size as this and number each)

C. The applicant shall notify the Building and Fire Inspector 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 property or premises 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 thirty (30) days after the completion of the alteration or work unless a certificate of occupancy has been issued. No change shall be made in the nature of the occupancy of an existing building unless a certificate of occupancy authorizing the change has been issued. The owner or his agent shall make application for a certificate of occupancy.

B. 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.

C. No certificate of occupancy or temporary 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 use and upon payment of the appropriate fee.

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 and upon completion of each stage of construction including, but not limited to, building location, site preparation, excavation, foundation, framing, super-structure, electrical, plumbing, and heating and air conditioning. It shall be the responsibility of the owner, applicant, or his agent to inform the Building and Fire Inspector that the work is ready for inspection and to schedule such inspection.

B. Existing buildings not subject to inspection under subdivision (A) of this section shall be subject to periodic inspections for compliance with the Uniform Code in accordance with the following schedule: 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; all buildings or structures open to the general public - every twelve (12) months; all other buildings - every eighteen (18) months. Notwithstanding any requirement of this subdivision to the contrary, no regular, periodic inspections of occupied dwelling units shall be required, however, that 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.

Section 5. - Inspectors

A. The inspections required by Section 4 of this Local Law may be performed by the Building and Fire Inspector. The Building and Fire Inspector 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.

B. A person subject to inspection under Section 4 may be required by the Building and Fire Inspector to have such inspection performed at his own cost and expense by a competent inspector acceptable to the Building and Fire Inspector. 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 Building and Fire Inspector. Such inspector shall certify the results of his inspection to the Building and Fire Inspector. Any person required by the Building and Fire Inspector to have an inspection performed at his own cost and expense shall not be assessed the fees otherwise prescribed in this Local Law.

C. If the Zoning Officer or Building and Fire Inspector 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.

Section 6. - Fees

~~See Local Law No. 1 - 1989~~

A. Fees for building permits shall be Fifteen Dollars (\$15.00) plus ~~two~~ Dollars (\$2.00) for every one hundred (100) square feet (or fraction thereof) of area of the structure being constructed, altered or improved.

B. Other fees shall be as follows:

(1) Renewal of Building Permit	\$10.00
(2) Temporary Certificate of Occupancy	\$10.00
(3) Third or Subsequent Temporary Certificate of Occupancy	\$100.00
(4) Certificate of Occupancy	No Charge
(5) All inspections under Section 4 hereof	\$25.00
(6) Fireplace/woodstove Permits	\$25.00
(7) After Chimney Fires	\$25.00

Section 7. 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 a fine of not more than One Thousand Dollars (\$1,000.00) per day of violation, or imprisonment not exceeding one (1) year, or both.

B. An action or proceeding in the name of the Town of Groveland 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 8. - Appeal and Variances

All requests to (i) vary or modify, in whole or in part, any provision of the Uniform Code in cases where strict compliance with such provision or requirement would entail practical difficulties or unnecessary hardship or would otherwise be unwarranted provided, however, that any such variance or modification will not substantially adversely affect provisions for health, safety, and security and that equally safe and proper alternatives are prescribed; and (ii) to hear and decide appeals from and review any order or determination, or the failure within

a reasonable time to make any such order or determination by the Building and Fire Inspector shall be made to the regional board for review for the Uniform Code and all such appeals or requests for a variance or modification shall be made in compliance with Part 440 of Title 19 of the New York Code of Rules and Regulations.

Section 9. - What Law Governs

In the event that any part of this Local Law No. 2 of the Year 1986 shall contradict, modify or conflict with any part of the 1966 Zoning Law of the Town of Groveland, the terms of this Local Law No. 2 of the Year 1986 shall be deemed to supercede and control.

Section 10. - 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 affect, impair or invalidate the remainder thereof.

Section 11. - Effective Date

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

Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 19 86.
~~County~~ City of Groveland was duly passed by the Town Board
~~Village~~ (Name of Legislative Body)
on July 1, 19 86 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, * or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____
County _____
City _____ of _____ was duly passed by the _____ (Name of Legislative Body)
Town _____ Village _____ on _____ 19 _____ not disapproved
and was approved
and was deemed duly adopted on _____ by the _____ Elective Chief Executive Officer *
provisions of law. repassed after disapproval _____ 19 _____, in accordance with the applicable

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____
County _____
City _____ of _____ was duly passed by the _____ (Name of Legislative Body)
Town _____ Village _____ on _____ 19 _____ not disapproved
and was approved
on _____ 19 _____ by the _____ Elective Chief Executive Officer *
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive _____ 19 _____ Such local law was submitted to the people by reason of a
thereon at the special election held on _____ 19 _____, in accordance with the appli-
annual cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____
County _____
City _____ of _____ was duly passed by the _____ (Name of Legislative Body)
Town _____ Village _____ on _____ 19 _____ not disapproved
and was approved
repassed after disapproval _____ by the _____ Elective Chief Executive Officer *
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
_____ 19 _____, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Date: July 2, 1986


Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Town Clerk of the Town of Groveland

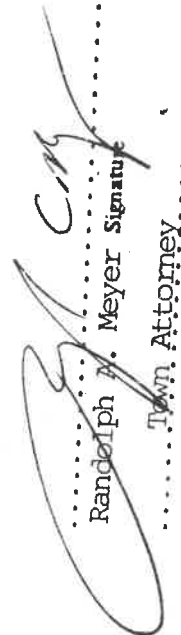
(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF LIVINGSTON.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Date: July 2, 1986


Randolph M. Meyer Signature

..... Town Attorney..... Title

County of Groveland
City of Groveland
Town of Groveland
Village of Groveland