

**A LOCAL LAW PROVIDING FOR THE
ADMINISTRATION AND ENFORCEMENT OF THE
NEW YORK STATE FIRE PREVENTION AND BUILDING CODE**

Local Law No. 2, 2006

Be it enacted by the Village of Cayuga in the County of Cayuga as follows:

SECTION 1: PURPOSE AND INTENT

This local law shall provide for administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Village. This Local Law is adapted pursuant to Section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures and premises, regardless of use of occupancy, are subject to the provisions of this local law.

SECTION 2. DEFINITIONS

In this local law, the following terms shall have the meaning indicated:

1. "Building Permit" shall mean a permit issued pursuant to section 4 of this local law. The term "Building Permit" shall also include a Building Permit, which is renewed, amended or extended pursuant to any provision of this local law.
2. Certificate of Occupancy/Certificate of Compliance shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.
3. "Village" shall mean Village of Cayuga.
4. "Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.
5. "Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.
6. "Compliance Order" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 15 of this local law.
7. "Energy Code" shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.
8. "Inspector" shall mean an inspector appointed pursuant to subdivision (d) of section 4 of this local law.
9. "Operating Permit" shall mean a permit issued pursuant to section 10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.
10. "Permit Holder" shall mean the Person to whom a Building Permit has been issued.

11. "Person" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind of description.
12. "Stop Work Order" shall mean an order issued pursuant to section 6 of this local law.
13. "Temporary Certificate" shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.
14. "Town" shall mean the Town of Aurelius.
15. "Uniform Code" shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

- (1) to receive review, and approve or disapprove applications for Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;
- (2) upon approval of such applications, to issue Building Permits, *Certificates of Occupancy/Certificates of Compliance*, Temporary Certificates and Operating Permits, and to include in Building Permits, *Certificates of Occupancy/Certificates of Compliance*, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;
- (3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy/Certificates of Compliance, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law.
- (4) To issue Stop Work Orders;
- (5) To review and investigate complaints;
- (6) To issue orders pursuant to subdivision (a) of section 15 (Violations) of this local law;
- (7) To maintain records;
- (8) To collect fees as set by the Village Board of this Village of Cayuga;
- (9) To pursue administrative enforcement actions and proceedings;
- (10) in consultation with this Village's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and
- (11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b)The Code Enforcement Officer shall be appointed by the Village Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

© In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Village Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.