



[www.aFineAdirondackTown.org](http://www.aFineAdirondackTown.org)

**(315) 848-3121**

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## **RESIDENTIAL BUILDING PERMIT APPLICATION PACKAGE**

- 1) **NEW YORK STATE LAW** mandates that the New York State Uniform Fire Prevention, Building, and Energy Codes must be enforced for all public and private buildings. These laws protect the Health, Safety and General Welfare of the public.
- 2) **BUILDING PERMITS** are required prior to commencing any work for which these Codes are required. The Building Permit is the management system used to ensure that all Codes are adhered to. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and Local Laws.
- 3) **PLEASE CONTACT** the Code Enforcement Officer for an informal discussion to determine if a Permit is required for your project. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements.
- 4) **APPLICATION:** The Building Permit Application requires sufficient information to make a determination that the intended work complies with the requirements of the applicable Code. Please submit a completed Building Permit Application for review, along with:
  - (A) Site Plan showing existing and proposed structures, wells and septic systems
  - (B) Location of the intended work with distances between all structures and Lot Lines
  - (C) Specifications for the intended work
  - (D) Two sets of Construction Documents prepared by a New York State Registered Architect or Licensed Engineer as required by NY State Law. Exceptions that do not require a stamp are: (i) farm & buildings used only for agricultural purposes. (ii) Single Family residential buildings 1500 square feet or less (that are to be constructed in accordance with the prescriptive provisions of the Residential Code of New York State), not including garages, carports, porches, cellars or uninhabitable basements or attics. (iii) Alterations, costing \$10,000.00 or less, if these alterations do not involve changes affecting the structural safety or public safety of the building or structure. [NOTE: A new private septic system, an existing private septic system that is having its use extended, or a major redesign of a private septic system will require plans and specifications designed by a Design Professional licensed by New York State].
  - (E) Items that need to be included on the plans and/or drawings submitted:

- **A site plan** locating the proposed building and any existing buildings on the property, and showing distances to property lines, streets, roads, alleys, and the existing buildings, wells or septic tanks or on the property. If required, a handicap accessible route and parking space(s) must also be shown on the site plan.
  - **A dimensioned floor plan** showing interior and exterior walls, opening location and size, operating windows, door swings, door hardware, room or area uses.
  - **Identification of the use of each room or area** of the building, with a list of materials or supplies to be used or stored, and a description of any product to be manufactured or service to be performed.
  - **A dimensioned typical section** through the structure showing footings, foundations, walls, floors, ceilings and roof materials, and details. The roof and floor framing plans must show size and spacing of all members.
  - **Seal and Certification of a Licensed New York State Designer** for the roof trusses used, and for footing/foundation designs that are not in compliance with the Residential Code prescriptive specifications, such as a slab on grade.
  - **Materials specifications** as appropriate, for example, roofing materials, sheetrock type and thickness, door type and rating, etc.
  - **All building insulation R-values**, and description of heating and ventilation equipment and combustion air provisions, along with the capacities of the equipment. Plans must demonstrate compliance with the provisions of Chapter 11 of the Residential Code of New York State, or provide a ResCheck certified by a New York State Design Professional.
- (F) General Municipal Law, § 125 requires either a Certificates of Insurance for the contractor showing proof of coverage for Workers Compensation or an exemption certificate where allowed.
- 5) **APPROVAL / REQUIREMENTS:** Approved applications will be issued a Building Permit. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A Building Permit which has become invalid or which has expired may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer. Building Permit must be visibly displayed at the work site and remain visible until project completion.
- 6) **CHANGE NOTIFICATION:** All work must be performed in accordance with the documents submitted and accepted as part of the application for the building permit. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

- 7) **ERRORS:** If a Building Permit is issued in error because of incorrect, inaccurate or incomplete information, or that the work for which the permit was issued violates any Code, such permit shall be suspended until such time as the Permit Holder demonstrates that (i) all work completed is in compliance with applicable Codes and (ii) all work proposed shall be in compliance with applicable Codes.
- 8) **FEES:** Any fees must be paid at the time of submission of an Application for a Building Permit, an Amended Building Permit or for Renewal of a Building Permit.
- 9) **EXEMPTIONS:** Building Permits are not authorization to perform non-compliant work. No Building Permit shall be required for work in any of the following categories:
- (A) Construction or installation of one story detached structures associated with one or two-family dwellings or multiple single-family (townhouse) dwellings which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);
  - (B) Installation of swings and other playground equipment associated with a one or two family dwelling or multiple single-family (townhouse) dwellings;
  - (C) Installation of swimming pools associated with a one or two family dwelling or multiple single-family (townhouse) dwellings where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;
  - (D) Installation of fences which are not part of an enclosure surrounding a swimming pool;
  - (E) Construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;
  - (F) Construction of temporary motion picture, television and theater stage sets and scenery;
  - (G) Installation of window awnings supported by an exterior wall of a one or two family dwelling or multiple single family (townhouse) dwellings;
  - (H) Installation of partitions or movable cases less than 5'-9" in height;
  - (I) Painting, wallpapering, tiling, carpeting, or other similar finish work;
  - (J) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
  - (K) Replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
  - (L) Repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

- 10) **INSPECTIONS:** Work is to remain accessible and exposed until Inspected and Approved by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer in a timely manner when any element of work described below is ready for inspection.

- (A) work site prior to the issuance of a Building Permit;
- (B) footing and foundation;
- (C) preparation for concrete slab;
- (D) framing;
- (E) building systems, including underground and rough-in;
- (F) fire resistant construction;
- (G) fire resistant penetrations;
- (H) solid fuel burning heating appliances, chimneys, flues or gas vents;
- (I) Energy Code compliance; and
- (J) Final inspection after all work has been completed.

After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Code. Work not in compliance with the Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Code, inspected and found to be satisfactory completed.

- 11) **STOP WORK ORDERS:** The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to the Law. Upon the issuance of a Stop Work Order, the owner of the affected property, the permit holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

- 12) **CERTIFICATE of OCCUPANCY:** A Certificate of Occupancy is required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy. If applicable, you must provide copies of your final electrical inspection from an electrical inspection agency approved by the Town of Fine and your water test results from a lab.

- 13) **CIVIL PENALTIES:** In addition to those penalties proscribed by § 382 of the Executive Law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$200.00 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of the Town of Fine.

**WORKERS' COMPENSATION LAW and GENERAL MUNICIPAL LAW** require that the Town obtain proof of appropriate Workers' Compensation and Disability Benefits Insurance **PRIOR** to issuing this permit.

**APPROPRIATE FORMS MUST BE SUBMITTED FOR THE GENERAL CONTRACTOR WITH THIS APPLICATION**

1) **BUSINESSES:** (Insurance Carrier to provide these completed forms)

- A) Forms **C-105.2** or **U-26.3** are approved Certificates of Workers Compensation.
- B) Form **DB-120.1** is approved Certificate of Disability Benefits Insurance.

*SELF INSURED BUSINESSES:*

- A) Forms **SI-12** or **GSI-105.2** are Certificates of Board approved Workers Compensation Self-Insurance.
- B) Form **DB-155** is the approved Certificate of Self-Insurance for Disability.

2) **ENTITIES / NO EMPLOYEES:** This certificate is available to download under “forms” at:  
<https://www.wcb.state.ny.us/icexempt/index.jsp?submitHome=Select+to+access+web-based+Exemption+Application>

Form **CE-200** is the approved process for granting exemptions. CE-200 Exemptions are NOT valid for multiple permits. Each CE-200 form will specifically list the Town of Fine and the specific job location along with the estimated cost of the project.

3) **HOMEOWNERS:** This certificate is available to download under “forms” at:  
[www.wcb.state.ny.us/content/main/forms/bp-1.pdf](http://www.wcb.state.ny.us/content/main/forms/bp-1.pdf)

Form **BP-1** may be used by certain Homeowners of 1,2,3,or 4 family owner-occupied residences serving as their own General Contractor and are not hiring, paying or compensating in any way, the individual(s) helping perform such work.



NY STATE LAW requires that you call **Dig Safely New York** at **811** for underground utility location, at least two working days prior to beginning any digging operations.

In addition to a local building or subdivision permit, please be aware that you may also need a separate permit from one or more of these other Agencies. Federal Agency permits may also be required for some projects, particularly if they involve wetlands. You are responsible to contact each agency about your plans. The issuance of a Town Permit does not eliminate the requirement for any additional Agency Permits or Regulations.

#### **ADIRONDACK PARK AGENCY**

Jurisdictional Inquiry Office  
PO Box 99  
Ray Brook, NY 12997  
**(518) 891-4050**  
[www.apa.state.ny.us](http://www.apa.state.ny.us)

APA Permits are required for:

- Construction of Dwellings
- Subdivision of Land
- Activities in or affecting wetlands
- Change in Use of certain buildings
- New or Expanded Commercial or Industrial Uses
- Shoreline Development, Disturbance or Vegetative cutting along lakes & rivers
- Towers or other structures over 40 ft
- Waste Disposal areas
- Other Activities

*You must contact the APA and ask for a  
"Jurisdictional Determination"*

#### **NYS DEPARTMENT OF HEALTH**

58 Gouverneur Street  
Canton, NY 13617  
**(315) 386-1040**  
[www.health.state.ny.us](http://www.health.state.ny.us)

DOH Permits are required for:

- Realty subdivisions of five or more lots, each five acres or less in size
- Alternate septic systems
- Shared ("community") household water supplies
- Food service establishments
- Other activities

*You must contact the DOH*

#### **NYS DEC**

DEC Region 6 Permit Administrator  
317 Washington Street  
Watertown, NY 13601  
**(315) 785-2245**  
[www.dec.ny.gov](http://www.dec.ny.gov)

DEC Permits are required for:

- Disturbance of bed or banks of Streams, Lakes, Rivers - may include Bridges, Boathouses, Shoreline Stabilization
- Large Wastewater Systems
- Floating objects in Navigable Waters
- Public Water Supplies
- Storm Water Discharge for construction sites 1 acre or larger
- Solid Waste & Hazardous Waste Disposal
- Other Activities

*You must contact the DEC*

#### **US ARMY CORPS of ENGINEERS**

Division of Regulatory Affairs  
1776 Niagara Street  
Buffalo, NY 14207  
**(716) 879-4330**  
[www.lrb.usace.army.mil](http://www.lrb.usace.army.mil)

- Permits for Underwater Land use

*You must contact the Corps*

#### **NYS DEPARTMENT OF TRANSPORTATION**

DOT Region 7  
317 Washington Street  
Watertown, NY 13601  
**(315) 785-2333**  
[www.nysdot.gov](http://www.nysdot.gov)

DOT Permits are required for:

- Work in State Highway "Right of Way" (ROWs) including new driveway access, Underground and overhead utilities
- Other Activities

*You must contact the DOT*