



www.aFineAdirondackTown.org

**(315) 848-3121**  
4078 State Hwy 3  
P.O. Box 238  
Star Lake, NY 13690  
Fax: (315) 848-3152

**Application #:** \_\_\_\_\_

## **OPERATING PERMIT APPLICATION**

\*\*\*\*\*Office Use Only\*\*\*\*\*

Date Submitted: \_\_\_\_\_

Permit No. \_\_\_\_\_

Date Issued \_\_\_\_\_

### **Part I Applicant/Building Information**

**Applicant's Name:** \_\_\_\_\_

**Applicant's Address:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**Date of Event:** \_\_\_\_\_

**Address of Premises for which Operating Permit is requested:** ☐ same as above

☐ **Other (specify):** \_\_\_\_\_

**Tax Map Number:** \_\_\_\_\_ **Current Occupancy Class:** \_\_\_\_\_

### **Part II Premises/Building Information**

1. Date of last Inspection of Premises? \_\_\_\_\_

2. Has a Certificate of Occupancy/Compliance been issued for the premises?

☐ YES ☐ NO

Type: ☐ Permanent ☐ Temporary

Date of Issuance: \_\_\_\_\_

3. Have any violations to the Uniform Code been issued in relation to the Premises? ☐ YES ☐ NO

If yes, please describe (attach additional sheets if necessary):

\_\_\_\_\_

4. Have any variances to the Uniform Fire Prevention and Building Code been granted in relation to these premises?

☐ YES ☐ NO If yes please describe (attach additional sheets if necessary): *(Include Variance Decision Number)*

\_\_\_\_\_

### Part III

#### Type of Operating Permit

An Operating Permit is required to conduct any activity or to use any class of building listed below. **Please indicate the type(s) of Operating Permit(s) requested by checking each applicable box.** (If you require assistance, or would like more information, contact the Town of Fine Code Enforcement Officer at 315-848-3152 ext. 106.

- ☐ *Manufacturing, storing or handling hazardous materials* in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4), of the Fire Code of New York State (see 19 NYCRR Part 1225); **(See Appendix A.)** Identify the materials and quantities and describe the manner in which the materials will be manufactured, stored or handled (attach additional sheets if necessary):
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ *Conducting a hazardous process or activity* (including but not limited to, any commercial or industrial operation which produces combustible dust as a byproduct, fruit and crop ripening, and waste handling; **(See Appendix B.)** Describe the process(es) or activity(ies) to be conducted (attach additional sheets if necessary):
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ *Use of pyrotechnic devices in assembly occupancies;* **(See Appendix C.)** Describe the proposed use (attach additional sheets if necessary):
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ *Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more* **(See Appendix D.)** Describe the proposed use (attach additional sheets if necessary):
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ Use of a building whose use or occupancy classification has been determined by Town of Fine as posing a substantial potential hazard to public safety. **(See Appendix E1 or E2.)** Describe the proposed use (attach additional sheets if necessary):
- \_\_\_\_\_
- \_\_\_\_\_

#### SIGNATURE OF APPLICANT

I hereby certify that the foregoing information (and all information in attached sheets, if any) is true and complete.

\_\_\_\_\_  
Signature of Applicant or Authorized Representatives Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Title, if applicable of person signing Application **(Please print)**

<p style="text-align: center;"><b>Part IV</b> <b>To be completed by Town of Fine Code Enforcement Officer</b></p>
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Inspection Required: ☐ YES ☐ NO    Inspections Performed: ☐ YES ☐ NO    Date of Inspection: \_\_\_\_\_

Tests or Reports required to verify compliance?                      ☐ YES                      ☐ NO

If YES, have Tests or Reports been received?                      ☐ YES                      ☐ NO

Description:

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Application(s) Approved:                      ☐ YES                      ☐ NO

Operating Permit Issued By: \_\_\_\_\_

Fire Department Notified: \_\_\_\_\_

Date Operating Permit Issued: \_\_\_\_\_                      Date Operating Permit Expires: \_\_\_\_\_

Type/Description of Operating Permit: \_\_\_\_\_

Conditions of Operating Permit (list conditions here AND in the space provided in the Operating Permit):

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# Town of Fine Code Enforcement OPERATING PERMIT APPLICATION

## Appendix A Hazardous Materials Storage and Tank Installation or Removal

- ☐ An Operating Permit is required when any hazardous material included in any category listed in tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) of the *Fire Code of New York State* is manufactured, stored or handled; and the quantity of such hazardous material exceeds the quantity listed in the applicable table.
  - ☐ This would include any building that is (whole or in part) a *Group H* occupancy; is a pre-existing, non-conforming hazardous occupancy; or has outdoor use manufacture, and/or storage of materials that exceed the tables for physical and/or health hazard.
- ☐ This type of Operating Permit will not be issued until an inspection has been performed and establishes to the satisfaction of Town of Fine that the requirements of the *Fire Code of New York State* are satisfied. These requirements include the provisions of Chapter 27 of the *Fire Code of New York State* as well as any specialized manufacture, use, storage requirements within Chapters 27-42 of the *Fire Code of New York State*.
  - ☐ A previous fire safety inspection cannot suffice for an Operating Permit application inspection.
  - ☐ If necessary, tests to verify compliance with the *Fire Code of New York State* must be performed and the reports of such tests must be provided to Town of Fine. Tests and reports needed to verify compliance with the Fire Code of New York State vary from product to product. Tests and reports may include:
    - ☐ Verification of inspection of fire protection systems and emergency alarm systems
    - ☐ Verification of inspection of storage cylinders, tanks, or containers
    - ☐ Completing of the Hazardous Materials Reporting Form, as required by General Municipal Law 209-u (available from OFPC at <http://www.dos.state.ny.us/fire/pdfs/forms/hm209u.pdf> )
    - ☐ Presentation of Material Safety Data Sheets for the product(s) requiring permits
    - ☐ Affidavits that the regulated party is in conformance with other State Agencies (Environmental Conservation, Health, Labor, APA, etc.)



# Town of Fine Code Enforcement OPERATING PERMIT APPLICATION

## Appendix B Hazardous Processes and Activities

### ***Commercial or Industrial Operations Producing Combustible Dust:***

- ☐ An Operating Permit is required when a condition or process meets the scoping requirements of Chapter 13 of the *Fire Code of New York State* and is part of a commercial or industrial operation. Chapter 13 references several different standards, based on the products producing dust.
- ☐ The reference standards shall be used and compliance with such standards shall be submitted prior to the issuance of an Operating Permit.

### ***Fruit and Crop Ripening:***

- ☐ An Operating Permit is required when a fruit or crop ripening operation meets the scoping requirements of Chapter 16 of the *Fire Code of New York State*.
- ☐ The operating permit will not be issued unless an inspection and/or documented testing demonstrates to the satisfaction of Town of Fine that the ethylene generators meet the requirements of Section 1606 of the *Fire Code of New York State* and that the appropriate safeguards are in place.

### ***Waste Handling:***

- ☐ An Operating Permit is required when waste materials that are considered hazardous are reclaimed, recycled, collected or otherwise handled at the Premises.
- ☐ Examples of uses that trigger the need for this Operating Permit include wrecking yards, auto dismantling facilities, junk yards, hazardous materials recycling facilities, and the like.
- ☐ An inspection must be performed prior to the issuance of this type of Operating Permit; such inspection must confirm compliance with any applicable sections of the *Fire Code of New York State* including the general fire safety practices in Chapter 3 of the *Fire Code of New York State*.

### ***Spray Operations***

- ☐ An Operating Permit is required prior to any spray operation taking place within any occupancy.
- ☐ An inspection to confirm compliance with Chapter 15, and other applicable sections of the Fire Code, must be performed prior to the issuance of this type of Operating Permit.
- ☐ All fire safety and life safety features must be inspected and maintained according to Section 901 of the Fire Code.

### ***High-Piled Storage***

- ☐ An Operating Permit is required prior to any occupancy utilizing a high-piled storage system.
- ☐ An inspection to confirm compliance with Chapter 23 and other applicable sections of the Fire Code must be performed prior to the issuance of this type of Operating Permit.
- ☐ All fire safety and life safety features must be inspected and maintained according to Section 901 of the Fire Code.

### ***Other Hazardous Processes and Activities***

- ☐ An operating permit is required for any other processes or activities that are identified in the Fire Code of New York State, including but not limited to operation of motor vehicle fuel stations, semiconductor facilities, hot work operations, explosives, industrial ovens and cryogenic fluids



# Town of Fine Code Enforcement OPERATING PERMIT APPLICATION

## Appendix C Pyrotechnics in Assembly Occupancies

- ☐ An Operating Permit is required for use of pyrotechnic devices in any assembly occupancy (indoor or outdoor).
- ☐ An inspection must be completed prior to the issuance of this type Operating Permit. The inspection must confirm:
  - ☐ That all fire protection and life safety features are inspected and have current maintenance within the timeframes set by Section 901 of the *Fire Code of New York State*;
  - ☐ The existence and adequacy of fire safety plans and emergency preparedness;
  - ☐ That the means of egress are properly maintained; and
  - ☐ If indoors, that interior finishes are appropriate, and that occupancy calculations are correct.
- ☐ ***The required tests and reports should be consistent with the permit procedures found within NFPA 1126. The section in NFPA 1126 regarding permits and the annex material provide guidance for the Authority Having Jurisdiction as well..***
- ☐ **The requirements found in NFPA 1123 shall be followed for public events.**
- ☐ ***An operating permit shall be required for each show or group of shows, and the Premises should be made available for inspection prior to each event.***
- ☐ **IMPORTANT:** Please note that section 280.00 of the Penal Law provides that in the absence of a permit issued by the “permit authority” under section 405.00 of the Penal Law, it is unlawful to offer or expose for sale, to sell or furnish, or to possess, use, explode or cause to explode, any “fireworks” or “dangerous fireworks.” **Most pyrotechnic devices fall within the definition of “fireworks” or “dangerous fireworks” under section 270.00 of the Penal Law.**
- ☐ Section 405.00 of the Penal Law provides that the “permit authority” of a state park, county park, city, village or town may grant a permit for the public display of fireworks by municipalities, fair associations, amusement parks or organizations of individuals. For a fireworks display within a state park, the term “permit authority” means the state agency having custody and control of the park. For a fireworks display within a county park, the term “permit authority” means the county park commission or such other agency as may have jurisdiction, control and/or operation of the parks or parkways within which any fireworks are to be displayed. *For a fireworks display within the territory of a town outside of villages, the term “permit authority” means an officer designated for the purpose by the town board of the town.*
- ☐ **AN OPERATING PERMIT FOR THE USE OF PYROTECHNIC DEVICES WITHIN AN ASSEMBLY OCCUPANCY IS NOT A PENAL LAW SECTION 405.00 PERMIT. OBTAINING AN OPERATING PERMIT FOR THE USE OF PYROTECHNIC DEVICES IN AN ASSEMBLY OCCUPANCY DOES NOT OBVIATE THE NEED TO OBTAIN A PENAL LAW SECTION 405.00 PERMIT. AN OPERATING PERMIT FOR USE OF PYROTECHNIC DEVICES IN AN ASSEMBLY OCCUPANCY DOES NOT MAKE LEGAL ANY ACT PROHIBITED BY PENAL LAW SECTION 270.00.**



# **Town of Fine Code Enforcement OPERATING PERMIT APPLICATION**

## **Appendix D**

### **Places of Public Assembly with an occupant load of 100 or more persons**

- ☐ An Operating Permit is required for any place of public assembly that has an occupant load of at least 100 persons.
  - This Operating Permit is required to ensure that life safety and fire protection systems are maintained to the applicable requirements.
- ☐ An inspection must be completed prior to the issuance of this type of Operating Permit.
- ☐ The inspection (and any tests and reports which may be required) must confirm:
  - That all fire protection and life safety features are inspected and have current maintenance within the timeframes set by Section 901 of the *Fire Code of New York State*;
  - The existence and adequacy of fire safety plans and emergency preparedness; and
  - That the means of egress are properly maintained, that interior finishes are appropriate, and that occupancy calculations are correct.



# **Town of Fine Code Enforcement OPERATING PERMIT APPLICATION**

## **Appendix E1 Requirements for Storage, Use and Handling of Compressed and Liquefied Petroleum Flammable Gases**

- ☐ An Operating Permit is required for all systems connected to liquefied petroleum or other compressed flammable gas container(s) and/or the storage of liquefied petroleum or other compressed flammable gas containers.
- ☐ Storage, use and handling of compressed gases in compressed gas containers, cylinders, tanks and systems shall comply with *Chapter 30 of the Fire Code of New York State, 2010*.
- ☐ For additional information on Propane Exchange cabinets, contact the Code Enforcement Officer (see application form).





# **Town of Fine Code Enforcement OPERATING PERMIT APPLICATION**

## **Appendix E2 Special Event Operating Permit**

- ☐ An Operating Permit is required for any special event that takes place within an occupied building which is outside the scope of the permitted use.
- ☐ The Operating Permit will allow the special event to take place within the building, with or without conditions, only for the time frame allotted by the permit.
- ☐ An inspection must be performed prior to the issuance of the Operating Permit, confirming compliance with all applicable sections of the *Fire Code of New York State*.
- ☐ All fire and life safety systems within the building must be inspected and maintained according to Section 901 of the *Fire Code of New York State*.
- ☐ A Fire Watch may be required based on the size and complexity of the event during the hours of operation.
- ☐ Examples of required Special Event Operating Permits include, but are not limited to the following:
  - Indoor Commercial Haunted Houses
  - Special Entertainment gatherings utilizing pyrotechnics or other flammable/combustible props, smoke, etc.
  - Special assembly events where the occupancy load exceeds the maximum number permitted
  - Outdoor Mass Gatherings
  - Indoor events where the required fire and life safety features of the building are not in operation or where none exist, or where any required system is considered non-functional based on Section 901 of the *Fire Code of New York State*.
  - Open Burning Requirements as identified in Section 307 of the *Fire Code of New York State*.
  - The installation of tents in excess of 200 square feet or of any canopies over 400 square feet in area, which shall be in compliance with Chapter 24 of the *Fire Code of New York State*.