

Local Law Filing

(Use this form to file a 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 Town Village
(Select one.)

of Cheektowaga

FILED
STATE RECORDS
MAY 21 2024

Local Law No. 5 of the year 2024

A local law to amend the Building Construction Codes Administration Law of the Town of Cheektowaga
(Insert Title)

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

County City Town Village
(Select one.)

of Cheektowaga

as follows:

SEE PAGES A1 AND A2 ATTACHED HEREWITH

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. 5 of 2024 of the (County)(City)(Town)(Village) of Cheektowaga was duly passed by the Town Board on May 14th 2024, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) 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)(general) election held on _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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.

Kimberly A. Burt
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: May 17, 2024

(Seal)

Section 70-11

A. Application for building, plumbing, and electrical permit.

Section 70-11 B. (1)

The Inspector shall review or cause to be reviewed all applications for permits, together with the plans, specifications and documents filed therewith. They shall approve or disapprove the application within 60 days from the date of submission of the application.

Section 70-11 B. (3)

Fees collected shall be as specified on the Permit Fee Schedule for building, plumbing, and electrical, as approved by Town Board resolution.

Section 70-11 C. (1)

A building/plumbing permit shall be considered authorization to work, for a period of one year after the date of its issuance, in accordance with the application, plans and specifications as approved by the Inspector. For permits issued for demolition purposes, work shall commence within 45 days of the date of issuance. A project shall be deemed abandoned if the project is not started prior to the permit expiration date, except that the Inspector may postpone such expiration date not more than six months at his/her discretion, provided the postponement is requested within 30 days of the expiration date. In the event a permit expires 18 months after the date of issuance and the work has not been substantially completed, then the permit may be renewed, only once, by submission of a new application and a fee equal to the full current permit fees. This renewal permit may not be extended beyond the expiration date.

Section 70-24 B. (2)

Inspections shall be performed only by inspectors who are certified for residential, commercial and industrial inspection by the International Association of Electrical Inspectors or by the International Code Council and who are a certified Code Enforcement Officer. Said inspectors shall apply for designation as electrical inspectors by the Town Board. Applications shall be submitted to the Supervising Code Enforcement Officer with all necessary forms/certificates as set forth herein.

Section 70-24 B. (4)

All applicable permits are required to be pulled prior to work inspection. A permit number is required to be issued by the Town of Cheektowaga prior to any inspection being performed. If one is not provided the inspector must refer the party to the Town of Cheektowaga Building Department to obtain the necessary permits. No inspections should be performed without a valid permit. Any inspections performed without a Town issued permit number will be considered invalid.

Section 70-24 D. (1)

All electrical inspecting services shall be performed or overseen by an entity and/or individual(s) who can and have provided the Town with proof of certification as a New York State Code Enforcement Officer and certification under the International Association of Electrical Inspectors, or the International Code Council.

Section 70-24 D. (4)

Electrical inspections can be performed at the convenience of both the Inspection Agency and the requesting party.

Section 70-24 D. (5)

The report of the inspection shall be filed with the Town of Cheektowaga Building Department within one (1) business day of the inspection. Said report shall certify whether the electrical work inspected is in compliance with the applicable codes. The report will be e-mailed to a specific address given to the inspection agencies by the Building Department. The report must contain the property owner name and address, work inspected, the Town of Cheektowaga building permit number, and code compliance status.

Section 70-24 D. (6)

The inspector is required to leave an inspection tag at the electrical panel. The tag must list the business name, inspector name, inspection date, work inspected, Town permit number, and a dated signature of the inspector.

Section 70-24 F. (4)

An annual administration fee of \$250 USD is required and due to the Town of Cheektowaga Building Department by January 15th, or the previous business day if the 15th is on a weekend in that year. Agencies or individuals newly certified by the Town Board are required to pay the annual administration fee within five (5) business days upon receipt of the written resolution signaling approval. Then the January schedule will be followed. \$250 is a reasonable expense to the Town in the administration of the process. The remittance of \$250 shall not be refundable.

Section 70-24 G.

Effective date will be updated based on Town Board and NYS approval.



RESOLUTION 2024-254

ADOPTED

DOC ID: 16308

Adopt Local Law No. 5 of 2024 - A Local Law to Amend the Building Construction Codes Administration Law of the Town of Cheektowaga

WHEREAS, Chapter 70 of the Code of the Town of Cheektowaga, titled "Building Construction Codes Administration" sets forth the Town's authority to provide for the administration and enforcement of the provisions of all laws, codes, ordinances, rules, regulations and orders applicable to the location, design, materials, construction, alteration, repair, equipment, use, maintenance, occupancy, removal and demolition of buildings, structures and appurtenances located within the Town of Cheektowaga, exclusive of the Villages of Sloan and Depew; AND

WHEREAS, Chapter 70-11 of the Code of the Town of Cheektowaga governs such matters as "Building and plumbing permits; performance of work; stop-work orders"; AND

WHEREAS, Chapter 70-24 of the Code of the Town of Cheektowaga governs matters of "Electrical Inspections"; AND

WHEREAS, there is a need to amend both Chapter 70-11 "Building and plumbing permits; performance of work; stop-work orders" and Chapter 70-24 "Electrical Inspections" of the Cheektowaga Town Code; AND

WHEREAS, a draft of such amendments have been prepared by the Town of Cheektowaga Building and Housing Department and reviewed and approved by the Town of Cheektowaga Attorney's Office, NOW, THEREFORE, BE IT

WHEREAS, a public hearing was held on the 9th day of April, 2024 at 7:00 P.M. at the Cheektowaga Town Court, 3223 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend the Building Construction Codes Administration Law of the Town of Cheektowaga"; and

WHEREAS, it is in the public interest to adopt the proposed amendments to Chapter 70 - 11 and Chapter 70 - 24 of the Code of the Town of Cheektowaga, titled "Building Construction Codes Administration"; NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 5 of the Year 2024, entitled "A Local Law to Amend the Building Construction Codes Administration Law of the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is hereby enacted; and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy of this local law in her office and one (1) certified copy with the Secretary of State; and BE IT FURTHER

RESOLVED, that Local Law No. 5 of the Year 2024 shall take effect upon filing with the Secretary of State.



Local Law No.5 of the Year 2024

**A Local Law to Amend the Building Construction Codes Administration Law of the Town
of Cheektowaga**

A copy of which is attached hereto and made a part hereof.

Attachments:

LL 5 of 2024 TEXT (PDF)

LOCAL LAW 5 of 2024 (DOCX)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Vernon Thompson, Councilmember

SECONDER: Brian Nowak, Supervisor

AYES: Nowak, Bakowski, Jasinski, Kaminski, Pilarski, Thompson

State Of New York
Erie County
Office Of The Clerk Of The
Town of Cheektowaga

ss:

This is to certify that I, *Kimberly A. Burst*, Clerk of the *Town of Cheektowaga*, in the *said County of Erie*, have compared the foregoing copy of resolution with the original resolution now on file at this office, and which was passed by the Town Board of the *Town of Cheektowaga*

in said *County of Erie*, on Tuesday, May, 14, 2024,
and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town on Wednesday, May, 15, 2024.

CLERK OF THE TOWN BOARD, TOWN OF CHEEKTOWAGA, NY

(Seal)