

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.

Local Law No. 4 of the year 2024

A Local Law Amending Chapter 103 of the Code

Be it enacted by the Board of Trustees of the Village of Holley, Orleans County, New York

**Chapter 103. Building Construction and Fire Prevention**

**§ 103-3. Building permits.**

**A.** Unless as otherwise stated in this Chapter, a building permit shall be required for any work which must conform to the Uniform Code, the Energy Code and/or the Village of Holley code(s), including but not limited to the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure, or any portion thereof, and the installation of a solid-fuel-burning heating appliance, gas appliances, chimneys or flues. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer. A specific list of building permits required is listed in the Village of Holley Fee Schedule.

**B.** Building permits shall be required for all exterior work on all properties designated as historic landmarks by the Historic Preservation Board or that are listed on the State or National Registry of Historic Places.

**C. Building Permit Exemptions**

No building permit shall be required for work in any of the following categories

- (1) Items identified as exempt by the Uniform Code of NY State exemption from the requirement to obtain a building permit for work in any category set forth in Subsection E of this section shall not be deemed an authorization for work to be performed in Chapter 103: Building Construction and Fire Prevention or the local law(s) of the Village of Holley.

**D.** Applications for a building permit may be obtained from the Code Enforcement Officer. The completed application with accompanying documents shall be delivered to the Code Enforcement Officer. Such application and accompanying documents shall contain sufficient information to ascertain that the intended work accords with the requirements of the Uniform Code.

**E.** The application for building permit shall contain at least the following:

- (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) Two copies of a layout or plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory building to be erected; [Amended 10/12-2004 by L.L. No. 3-2004]
- (8) The fee specified in this chapter; and
- (9) A statement acknowledging that the Code Enforcement Officer may enter the property and structure thereon at reasonable hours, as necessary, to inspect the same for compliance with the Uniform Code.

**F.** The applicant may request that the requirement of plans and specifications be waived where the work to be done involves minor alterations or is otherwise unnecessary. The decision to waive such requirements shall be made by the Code Enforcement Officer.

**G.** The applicant shall notify the Code Enforcement Officer 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.

**H.** A building permit issued pursuant to this chapter shall be prominently displayed on the property or premises to which it pertains.

**I.** A building permit issued pursuant to this chapter 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.

**J.** A building permit issued pursuant to this chapter shall expire one 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:

- (1) The permit has not been revoked or suspended at the time the application for renewal is made.
- (2) The relevant information in the application is up to date; and
- (3) The renewal fee is paid.

**§ 103-5 Inspection and inspectors.**

**A. Inspections.**

(1) Work for which a building permit has been issued under this chapter shall be inspected for approval prior to enclosing or covering any portion thereof so as to permit the observation of, but not limited to, the following:

- (a) The foundation;
- (b) Superstructure and structural elements;
- (c) Electrical systems, plumbing systems, heating, ventilation and air conditioning systems; and
- (d) Energy related items, including but not limited to, insulation, fenestration, U-factors, air sealing and flashings.
- (e) Fire protection and detection systems and exit features.

(2) In addition, the Code Enforcement Officer may require such other inspection as may be deemed reasonably necessary. It shall be the responsibility of the owner, applicant or his agent to inform the Code Enforcement Officer that the work is ready for inspection, and to schedule such inspection with the Code Enforcement Officer.

**B. Fire safety inspections.**

(1) Existing buildings not subject to inspection under Subsection A of this section shall be subject to periodic fire safety and property maintenance inspections for compliance with the Uniform Code in accordance with the following schedule:

- (a) one year for buildings which contain an area of assembly as defined in the Uniform Code;
- (b) one year for all buildings or structures open to the general public as defined in the Uniform Code; and
- (c) three years for multiple dwellings and all nonresidential occupancies as defined in the Uniform Code.

(2) Notwithstanding any requirement of this subsection to the contrary, no regular, periodic inspections of occupied dwelling units shall be required. However, 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.

**(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 here, designated as local law No. 2 of 2024 of the Village of Holley was duly passed by the Village of Holley Board on May 8, 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 referendum)**

I hereby certify that the local law annexed hereto, designated 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 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 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.

**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 \_\_\_\_\_

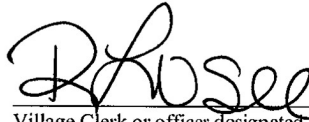
a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**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 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.



Village Clerk or officer designated by local legislative body

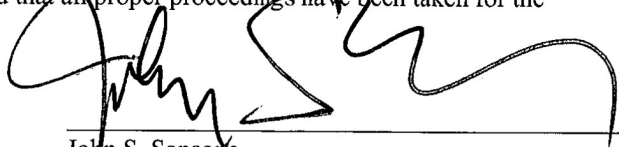
Date: 7/30/24

(Seal)

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

STATE OF NEW YORK )  
 )SS:  
COUNTY OF ORLEANS )

I, the undersigned, JOHN S. SANSONE, ESQ., Village of Holley Attorney, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been taken for the enactment of the local law annexed hereto.



John S. Sansone  
Village of Holley Attorney

Date: 7/30/24