

Local Law 7 – 2024  
Adopted 8/5/2024  
Filed

A local law to amend Chapter 48 (Building Construction Administration) of the Code of the Village of Sea Cliff, to modify the regulations pertaining to the authority of the Building Inspector to correspond with New York State law and Department of State regulations.

**Section 1.** Section 48-2(B) is hereby amended by modifying the definition of Code Enforcement Officer, to read as follows:

**Code Enforcement Officer** – The Building Inspector, and any other Code Enforcement Officer appointed by the Village, by whatever other title known or designated.

**Section 2.** Section 48-5(A) is hereby amended, to read as follows:

**§48-5(A).** The Office of Code Enforcement Officer is hereby created and/or continued. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code and this chapter. The Code Enforcement Officer shall have the following powers and duties:

- (1) Except as otherwise specifically provided by law or regulation, or except as herein otherwise provided, the Code Enforcement Officer shall administer and enforce all of the provisions of laws and regulations applicable to the construction, alteration, repair, removal and demolition of buildings and structures, including plumbing, electrical and drainage work therein, the installation and use of materials and equipment therein or thereon, the location, use, occupancy and maintenance thereof, and construction related sitework on any property or in any building or structure.
- (2) 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.
- (3) Upon approval of such applications, subject to conditions as determined appropriate to secure the intent and purposes of this chapter and proper enforcement of the laws and regulations governing construction, plumbing, electrical and drainage or construction related sitework on any property or in any building or structure, 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, and temporary certificates such terms and conditions as the Code Enforcement Officer may determine to be appropriate.

- (4) 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 chapter.
- (5) To issue stop-work orders.
- (6) To review and investigate complaints.
- (7) To issue orders pursuant to this chapter.
- (8) To maintain building department records.
- (9) To collect fees, as set by the Village Board of Trustees from time to time by resolution and to require bond or other guarantees where necessary for the protection of the public ways.
- (10) To pursue administrative enforcement actions and proceedings.
- (11) As authorized by law, to pursue such actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this chapter, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this chapter.
- (12) To require performance of tests in the field by experience professional persons or by accredited and authoritative testing laboratories or service bureaus or agencies whenever the Code Enforcement Officer determines the same may be necessary or appropriate to assure compliance with the provisions of applicable laws, ordinances and regulations pertaining to building construction.
- (13) To administrate and enforce all of the laws, ordinances and regulations applicable to the construction, alteration, repair, removal and demolition of buildings and structures, the installation and use of materials and equipment therein, the location, design, use, occupancy and maintenance thereof, the removal of shrubs and trees from vacant land, the excavation or stripping of land, and the removal, replacement and or addition of soil, sand or gravel from any property.

- (14) To issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to ensure compliance during the entire course of construction with the requirements of applicable laws, ordinances and regulations.
- (15) To exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this chapter

**Section 3.** Any local law or provision of the Code of the Village of Sea Cliff in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

**Section 4.** If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 5.** This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.