

(Please Use this Form for Filing your 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~~ of Cuyler.....  
~~Town~~  
~~Village~~

Local Law No. 1..... of the year 1984.....

A local law For Administration and Enforcement of the State Uniform Fire Prevention.....  
and Building Code (insert title)

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

~~County~~  
~~City~~ of Cuyler..... as follows:  
~~Town~~  
~~Village~~

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. .... of 19.....  
County  
City  
of the Town of..... was duly passed by the .....  
Village (Name of Legislative Body)  
on ..... 19..... in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. ....<sup>1</sup>..... of 19...<sup>84</sup>.....  
~~County~~  
~~City~~  
of the Town of... Cuyler..... was duly passed by the ...Town Board.....  
Village (Name of Legislative Body)  
on ...October..... 19...<sup>84</sup>... and was approved ~~not disapproved~~ by the ...Town Supervisor.....  
~~repassed after disapproval~~ Elective Chief Executive Officer \*  
and was deemed duly adopted on ...October..... 19...<sup>84</sup>... , 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 19.....  
County  
City  
of the Town of..... was duly passed by the .....  
Village (Name of Legislative Body)  
on ..... 19..... and was approved ~~not disapproved~~ by the .....  
~~repassed after disapproval~~ Elective Chief Executive Officer \*  
on ..... 19..... 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  
general  
thereon at the special election held on ..... 19..... , in accordance with the appli-  
annual  
cable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
City  
of the Town of..... was duly passed by the ..... On  
Village (Name of Legislative Body)  
..... 19..... and was approved ~~not disapproved~~ by the ..... on  
~~repassed after disapproval~~ Elective Chief Executive Officer \*  
..... 19..... . Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
..... 19..... in accordance with the applicable provisions of law

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

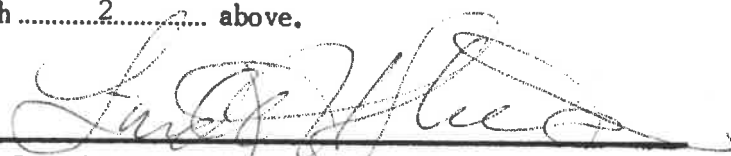
I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the <sup>special</sup> ~~general~~ election held on ..... 19 ..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., 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 of 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 .....2..... above.



Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: October 2<sup>nd</sup> 1984

Town Clerk

(Seal)

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

STATE OF NEW YORK

COUNTY OF Onondaga.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

.....  
Signature

Town of Cuyler

Local Law No. 1 of the Year 1984

A Local Law for Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code

~~City~~  
Town of Cuyler  
~~Village~~

Local Law No. One (1) of the year 1984

A local law (Insert Title) \_\_\_\_\_

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

~~City~~  
Town of Cuyler  
~~Village~~ as follows:

Section 1. Applicability

This local law shall provide the basic method for administration and enforcement of the New York State Uniform Fire Prevention Code in the ~~(City, Town or Village)~~ of Cuyler and shall establish powers, duties and responsibilities in connection therewith.

Section 2. Effective Date

This local law shall take effect on the 1st day of Dec., 1984.

Section 3. Administration

The governing body shall designate an official inspection agency for the ~~(City, Town or Village)~~ of Cuyler.

Section 4. Partial Invalidity

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder thereof.

## Section 5. Rules and Regulations

- 5.1 The (~~City, Town or Village~~) of Cuyler may adopt rules and regulations for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code. Such rules and regulations shall not conflict with the Uniform Code, this local law, or any other provision of the law.
- 5.2 The (~~City, Town or Village~~) of Cuyler shall publish all rules and regulations at least 10 days prior to the effective date thereof in a newspaper of general circulation within the (~~City, Town or Village~~) of Cuyler.

## Section 6. Fees

- 6.1 The cost estimate for the (~~City, Town or Village~~) of Cuyler will be reviewed with the local board on an annual basis.
- 6.2 Payment schedule for the fees addressed above can be remitted quarterly, semi-annually, or annually as agreed upon.

## Section 7. Inspections

- 7.1 The inspector shall conduct periodic inspections for compliance with the provisions of the New York State Uniform Fire Prevention Code. Such inspections may be made at any reasonable time.
- 7.2 If entrance to make an inspection is refused or cannot be obtained, the (~~City, Town or Village~~) of Cuyler, after being notified by the inspector of the situation, may apply for a warrant to make an inspection to any court of competent jurisdiction.
- 7.3 The periodic inspections to meet compliance with the above mentioned provisions shall be agreed upon between the governing body and the official inspection agency.
- 7.4 If other variations of periodic inspections is required by the governing board, the following is the schedule for such inspections: \_\_\_\_\_
- a) Biannually for all Public buildings;
  - b) Annually for buildings which are places of assembly;
  - c) Annually for multiple dwelling units of three families or more.

Section 8. Violations

- 8.1 A person owning, operating, occupying or maintaining property or premises within the scope of the State Uniform Code or this local law shall comply with all provisions of the State Uniform Code, this local law, and all orders, notices, rules, regulations or determinations issued in connection therewith.
- 8.2 Whenever the designated inspector finds that there has been a violation of the State Uniform Code, this local law, or any rule or regulation adopted pursuant to this local law, a violation order shall be issued to the person or persons responsible by the local municipality.
- 8.3 Violation orders shall be in writing; shall identify the property or premises; shall specify the violation and remedial action to be taken; shall provide a reasonable time limit for compliance; and shall state the time within which an appeal may be taken.
- 8.4 Violation orders from the local municipality may be served; by personal service; by mailing by registered or certified mail; or by posting a copy thereof in a conspicuous place on the premises, and by mailing a copy thereof to the premises on the same day as posted, enclosed in a post-paid wrapper addressed to the person responsible.
- 8.5 In case the owner, lessor, occupant or the agent of any of them shall fail, neglect, or refuse to remove, eliminate or abate the violation within the time specified in the violation order, a request to take appropriate legal action shall be made to Clerk  
of the  
(~~City, Town or Village~~) of Cuyler.

Section 9. Penalties

- 9.1 Failure to comply with any provision of the New York State Uniform Fire Prevention and Building Code, this local law, rules or regulations adopted pursuant to this local law, or a violation order shall be deemed a violation and the violator shall be liable for a fine of not less than 25.00 dollars, or imprisonment not to exceed 1 days, or both, and each day such violation continues shall constitute a separate violation.

## Section 9. Penalties (continued)

- 9.2 An action or proceeding in the name of the ~~(City, Town or Village)~~ of Cuyler may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of the Uniform Code, this local law, any rule or regulation adopted pursuant to this local law, or a violation order, or to vacate the occupancy or building in the case of imminent danger to life or property. Such remedy shall be in addition to penalties otherwise prescribed by law.

## Section 10. Records

The official inspection agency, as well as the municipality shall keep official records of all permits, inspection reports, recommendations, complaints and violation orders.

## Section 11. Removal of Dangerous Buildings or Structures

- 11.1 A building or structure or part thereof, which is an imminent danger to life and safety of the public as a result of a fire or explosion is hereby declared to be a public nuisance.
- 11.2 Whenever the inspector finds a building or structure, or part thereof, to be an imminent danger to life and safety of the public as a result of a fire or explosion, the ~~(City, Town or Village)~~ of Cuyler may cause it to be demolished and removed or may cause work to be done in and about the building or structure as may be necessary to remove the danger.
- 11.3 The ~~(City, Town or Village)~~ of Cuyler may require the occupants of any such building or structure, or part thereof, to vacate the premises forthwith. No person shall use or occupy such building or structure or part thereof, until it is made safe.

Except for the owner, no person shall enter premises which have been ordered vacated unless authorized to perform inspections, repairs, or to demolish and remove such building or structure, or part thereof.

Section 11. Removal of Dangerous Buildings or Structures (cont.)

11.4 All costs and expenses incurred by the  
(~~City~~ Town ~~xxxxx~~) of Cuyler  
in connection with any work done to remove the danger, or  
in connection with the demolition and removal of any such  
building or structure shall be assessed against the land  
on which such building or structure is located, and a bill  
for such expenses shall be presented to the owner of the  
property, or if the owner cannot be ascertained, then such  
bill shall be posted in a conspicuous place on the premises.  
Such assessment shall be, and constitute a lien upon such  
land. If the owner shall fail to pay for such expenses  
within ten days after the bill is presented or posted, a  
legal action may be brought to collect such assessment or  
to foreclose such lien. As an alternative to the mainten-  
ance of any such action, the  
(~~City~~ Town ~~xxxxx~~) of Cuyler  
may file a certificate of the actual expenses incurred as  
aforesaid, together with a statement identifying the  
property in connection with which the expenses were in-  
curred, and the owner thereof, with the assessor, who  
shall in the preparation of the next assessment roll ass-  
ess such amount upon such property. Such amount shall be  
included in the levy against such property, shall consti-  
tute a lien and shall be collected and enforced in the  
same manner, by the same proceedings, at the same time,  
and under the same penalties, as is provided by the law  
for the collection and enforcement of real property taxes  
in the  
(~~City~~ Town ~~xxxxx~~) of Cuyler.

Section 12. Review Boards

12.1 A board or review has been established for the purpose of  
granting variances where enforcement of any provision or  
requirement of the New York State Uniform Fire Prevention  
and Building Code results in practical difficulties or  
unnecessary hardships. Any such variance shall be con-  
sistent with the spirit of the Code and shall not be  
inconsistent with subdivision two of section three hun-  
dred ninety one of the Executive Law.

12.2 The board of review is composed of five members, one of  
whom is a registered architect licensed to practice in  
this state, one of whom is a professional engineer  
licensed to practice in this state, one of whom has a  
background in building code enforcement, one of whom  
has a background in fire prevention, and one of whom is  
a businessman or a lawyer. One of the five members, in  
addition, is a local government official.

Section 12. Review Boards (cont.)

- 12.3 Each member of the Board of Review has been appointed by the Secretary of State and shall serve a term of three years.
- 12.4 The Board of Review shall have the power (1) to vary or modify, in whole or in part, any provision or requirement of the Uniform Code in cases where strict compliance with such provision or requirement would entail practical difficulties or unnecessary hardship or would otherwise be unwarranted provided, however, that any such variance or modification will not substantially adversely affect provisions for health, safety, and security and that equally safe and proper alternatives are prescribed, and (2) to hear and decide appeals from and review any order or determination, or the failure within a reasonable time to make any such order or determination, by an administrative official charged with the enforcement of or purporting to enforce the Uniform Code.
- 12.5 The (~~City~~, Town ~~of~~) of Cuyler and the official inspection agency shall obtain a copy of the Board of Review's decision for its records.

Section 13. Applicability

Unless otherwise provided by law, this Local Law shall not apply to any act to construct, alter, repair, move, equip, use or occupy any building or structure, or portion thereof where the total costs of labor, materials, supplies and equipment does not exceed \$2000.00.