



Town of New Lebanon



A Citizen's Guide to the Town of New Lebanon Building Department / Code Enforcement

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1. Introduction

The Building Department welcomes you to this guide as a resource for understanding our services and responsibilities.

Many residents interact with the Building Department only occasionally—whether applying for a permit, constructing an addition, purchasing property, seeking zoning information, scheduling an inspection, or addressing a property maintenance concern. As a result, many are unfamiliar with the full scope of services the department provides.

This guide was created to help residents, property owners, contractors, and other interested parties better understand the Building Department's responsibilities and the services it provides to the community.

While the department is often associated with permits and code enforcement, those functions represent only part of its work. The department also performs plan reviews, inspections, zoning administration, floodplain administration, fire and life safety functions, certificate issuance, records management, municipal searches, customer assistance, and other administrative functions that support safe construction, responsible development, and property maintenance throughout the Town.

Each chapter of this guide focuses on a specific area of responsibility, explaining what the department does, why those responsibilities are important, and how they serve the public.

Whether you are planning a project, researching a property, seeking information, or simply interested in learning more about local government, we hope this guide serves as a useful resource and provides a greater appreciation for the many services performed by the Building Department.

What This Department Does
From permits and inspections to zoning, safety, and records, the Building Department supports the full lifecycle of construction and property use.

2. Building/Zoning Permit Administration

Overview

Building and Zoning Permit Administration is one of the most visible functions performed by the Building Department. Before many projects can begin, applications must be reviewed to determine compliance with applicable building codes, zoning regulations, land use requirements, and other laws governing development within the Town.

The permit process helps ensure that proposed projects are reviewed, documented, inspected, and completed in accordance with applicable regulations. Depending on the nature of the project, approvals may involve building/zoning permits, zoning only permits, special permits, site plan review, floodplain review, or referrals to other municipal boards and agencies.

Building and zoning permits are required for many types of construction activities, including new buildings, additions, alterations, renovations, changes in use or occupancy, certain repairs, and various land use activities. The permitting process helps protect public safety, maintain accurate property records, promote orderly development, and ensure compliance with applicable regulations.

Why Permits Are Required

One of the most common questions received by the Building Department is, "Why do I need a permit to work on my own property?"

Permits are not intended to create unnecessary regulation or delay projects. Rather, they are required by law and serve as an important tool for protecting public safety, preserving property rights, and ensuring that development occurs in accordance with adopted regulations.

Building/Zoning permits focus on construction-related requirements such as structural safety, fire protection, energy conservation, and other provisions of the New York State Uniform Fire Prevention and Building Code and State Energy Conservation Construction Code.

Zoning permits focus on how land and structures may be used and developed. This may include review of setbacks, lot coverage, building location, permitted uses, floodplain regulations, and other land use considerations established by the Town's zoning regulations.

Together, the building and zoning permit processes help ensure that projects are both safely constructed and appropriately located and used.



How the Permit Process Begins

The permit process begins when a property owner, contractor, architect, engineer, attorney, surveyor, or other authorized representative submits an application to the Building Department.

Upon receipt, staff review the application to determine whether the required information has been provided. Depending on the scope of the project, this may include application forms, plot plans, construction drawings, site plans, supporting documents, contractor information, and other materials necessary for review.

If information is missing or incomplete, additional documentation may be requested before the application can proceed further in the review process. Providing complete and accurate information at the time of submission can help reduce delays and improve overall processing times.

Getting Started

The permit process begins with a complete application submission. Providing accurate and complete information upfront helps reduce delays and ensures a smoother review process.

Building/Zoning Permit Applications and Instructions

Permit applications and supporting instructions are available on the Town's website. Property owners, contractors, and applicants are encouraged to review the instructions prior to submitting an application to ensure all required information is included.

Permit Applications:

<https://townofnewlebanonny.gov/wp-content/uploads/2024/11/bldg-dept-applications-step-1-2-rev-2021-07-23.pdf>

Application Instructions:

<https://townofnewlebanonny.gov/wp-content/uploads/2021/06/Bldg-Dept-Applicant-Instructions.pdf>

If you are unsure which application is required for your project, or if you need assistance with the process, please contact the Building Department before submitting your application.

Permit Issuance

Once an application has been reviewed and all necessary approvals have been obtained, a permit may be issued authorizing the proposed work to begin.

Permit issuance confirms that the proposed project has been reviewed for compliance with applicable requirements. It does not eliminate the need for inspections or authorize deviations from approved plans.

Permit holders are required to maintain the permit and approved plans on-site and to schedule required inspections at the appropriate stages of construction.

Common Misunderstandings About Permits

Many residents are surprised to learn that permits may be required for projects beyond the construction of a new home. Depending on the nature and scope of the work, permits may also be required for additions, alterations, structural repairs, changes in occupancy or use, certain mechanical systems, and other improvements regulated by applicable laws and codes.

Another common misconception is that permit approval guarantees the quality of a contractor's work. While permits and inspections help verify compliance with applicable code requirements, they are not intended to serve as quality-control inspections or guarantee workmanship beyond the scope of the codes being enforced.

Good to Know

Permits are required for more than new construction and do not guarantee contractor workmanship—only compliance with applicable codes.

Property owners are encouraged to contact the Building Department before beginning a project if they are uncertain whether a permit is required. Asking questions before work begins is often far easier and less costly than correcting issues after construction has started.

Permit Tracking and Record Management

Throughout the life of a project and beyond, the Building Department maintains records associated with the permit. These records may include applications, approved plans, inspection reports, correspondence, certificates, and other project-related documentation.

Maintaining accurate permit records serves several important purposes. It helps ensure proper project oversight, provides a historical record of improvements made to a property as well as any changes and/or additional uses or other zoning allowances or restrictions, and allows future property owners, contractors, lenders, attorneys, and municipal officials to research prior approvals and construction activity.

These records often become important years or even decades after a project has been completed and may be relied upon during property sales, refinancing, insurance reviews, municipal searches, and future construction projects.

Renewals, Extensions, and Project Changes

Construction projects do not always proceed exactly as originally planned. Delays may occur due to weather, contractor availability, material shortages, financing, or changes in project scope.

When necessary, permit holders may request permit renewals, extensions, or modifications to previously approved plans. Depending on the nature of the proposed changes, additional review and approvals may be required before work can continue.

Property owners are encouraged to communicate with the Building Department whenever project circumstances change to help avoid delays or compliance issues.

NYS Professional License Verification and Fees

As part of the permit administration process, the Building Department may verify professional licenses and credentials issued by New York State when such licensure is required for a project. This may include architects, professional engineers, land surveyors, and other licensed professionals involved in the design or certification of construction work.

Verification helps ensure that documents requiring professional preparation or certification have been completed by individuals authorized to perform such services under New York State law.

Permit fees are established by the Town and can be found on the Building Departments webpage under the “Application, Forms and Fees” heading.

Certificate Processing and Project Completion

Once construction is completed and all required inspections have been successfully performed, the project may be eligible for final approval and issuance of the appropriate certificate.

Depending on the project, this may include a Certificate of Occupancy, Certificate of Compliance, Temporary Certificate of Occupancy, or other approval required by applicable regulations.

The issuance of these certificates signifies that the project has successfully completed the permitting and inspection process and may be lawfully occupied or utilized in accordance with the approved plans and applicable requirements.

Why Permit Applications Sometimes Take Time

The time required to process a permit application can vary significantly depending on the complexity of the proposed project and the completeness of the submitted application.

Some applications can be processed relatively quickly, while others may require detailed plan review, zoning review, coordination with design professionals, referrals to

Processing Time Varies

Permit review time depends on project complexity and the completeness of the application. Providing complete documentation helps reduce delays.

other boards or agencies, additional supporting documentation, or revisions to submitted plans.

Applicants can often help expedite the review process by carefully reviewing application instructions, providing complete documentation, and responding promptly to requests for additional information.

While applicants are often eager to begin construction, the Building Department must balance efficiency with its responsibility to ensure that projects comply with applicable laws, regulations, and public safety requirements.

Summary

Building/Zoning Permit Administration serves as the foundation of the zoning review verification/review process as well as the construction review process. From application intake through final certificate issuance, the permit process helps ensure that construction projects are properly reviewed, documented, inspected, and completed in accordance with applicable laws and regulations.

While the process may vary depending on the size and complexity of a project, its primary purpose remains the same: to promote safe construction, maintain accurate public records, and protect the health, safety, and welfare of the community.

3. Plan Review and Technical Review

Overview

Plan Review and Technical Review are an important part of the Building and Zoning permit process that occurs before construction is authorized to begin. This step ensures that proposed projects are reviewed for compliance with applicable building codes, zoning regulations, energy standards, and other applicable requirements.

Although this work takes place before construction begins and is not always visible to the public, it plays a critical role in helping ensure that projects are designed in a safe and compliant manner from the start.

By identifying potential issues during the review stage, the Building Department helps reduce delays during construction, minimize costly corrections, and promote safe and lawful development within the Town.

Depending on the type of project, reviews may be conducted by Building Department staff, consulting professionals, or other agencies with jurisdiction over specific elements of the proposed work.

Review is a Normal Part of the Process
Plan review often results in comments or requested revisions. These help identify issues early so they can be corrected before approval, saving time and cost later..

How Plan Review Begins

Plan review typically begins when a Building and Zoning permit application is submitted along with supporting construction documents.

These may include drawings, plot plans, site plans, surveys, engineering details, specifications, and other materials prepared by the applicant or their design professionals.

Once received, the application is reviewed to determine whether the proposed project complies with applicable requirements. If additional information is needed, applicants may be asked to provide clarifications, corrections, or revised documents before the review can proceed.

What Is Reviewed

Plan review involves evaluating whether a proposed project complies with: Step 1) applicable provisions of local zoning regulations and Step 2) the New York State Uniform Fire Prevention and Building Code, the New York State Energy Conservation Construction Code.

Depending on the project, review may include structural design, fire protection, energy efficiency, accessibility requirements, zoning compliance, and other technical standards intended to protect public health, safety, and welfare.

It is important to understand that zoning review is also an essential part of this process. Before a permit can be issued, the proposed use of the property, building location, setbacks, and other land use requirements must also be confirmed as compliant with the Town's zoning regulations.

Residential and Commercial Projects

Residential and commercial projects are reviewed based on their scope and complexity.

Residential projects generally include one- and two-family homes and may involve new construction, additions, renovations, garages, decks, pools, and similar improvements.

Commercial projects may include businesses, multifamily buildings, mixed-use structures, industrial facilities, and places of public assembly, which often require more detailed review due to increased complexity and regulatory requirements.

Technical Review Areas

Depending on the project, several technical areas may be reviewed as part of the process.

Structural review evaluates whether the proposed construction is designed to safely support anticipated loads and conditions.

Energy code review ensures compliance with New York State energy conservation requirements.

Accessibility review ensures compliance with applicable standards intended to provide safe and reasonable access for individuals with disabilities.

Fire and life-safety review evaluates key safety components such as means of egress, occupant loads, fire-rated construction, smoke and carbon monoxide protection, and fire suppression systems where required.

Together, these reviews help ensure that buildings are safe, functional, and compliant with applicable building and zoning requirements.

Coordination During Review

Many applications involve coordination between the Building Department and design professionals such as architects, engineers, surveyors, contractors, attorneys, and other representatives working on behalf of the property owner.

During review, staff may communicate with these individuals to clarify project details, address code requirements, and resolve questions that arise during the evaluation process.

This collaborative process helps ensure that issues are identified and resolved as efficiently as possible.

Review Comments and Revisions

It is common for plan review to result in questions, required corrections, or requests for additional information.

When this occurs, applicants are provided with review comments outlining the items that must be addressed before the application can move forward.

This is a normal part of the process and does not necessarily indicate a problem with the project. In many cases, these comments identify issues early so they can be corrected before approvals can be made, when changes are significantly easier and less costly from both a zoning perspective as well as a construction perspective.

Revised plans or additional documentation are often required before approval can be granted.

Why Review Times Can Vary

One of the most common concerns received by the Building Department relates to how long plan review takes.

Review times can vary depending on the complexity of the project, the completeness of the application, the quality of submitted plans, the number of revisions required, and whether coordination with outside agencies or professionals is necessary.

Projects that are well-prepared and complete at the time of submission generally move through the review process more efficiently than applications requiring significant revisions or additional information.

While applicants are often eager to begin construction, the review process is necessary to ensure that proposed projects comply with applicable building and zoning requirements before permits are issued.

Summary

Plan Review and Technical Review are a key part of the Building and Zoning permit process and serve as an important safeguard for both property owners and the community.

By reviewing proposed projects before construction begins, the Building Department helps identify potential issues early, promote compliance with applicable laws and regulations, and reduce the likelihood of problems during construction.

Although much of this work occurs behind the scenes, it is a critical step in ensuring that development within the Town is safe, properly designed, and consistent with all applicable building, zoning, energy, fire, and life-safety requirements.

4. Inspections

Overview

Inspections are a key part of the Building and Zoning permit process and occur at various stages of a project, including during construction, prior to occupancy, and, in some cases, after construction is complete. For projects subject to site plan approval, inspections may also be required prior to the commencement of use to confirm compliance with approved site plan conditions and requirements.

The purpose of inspections is to verify that work has been performed in accordance with approved plans, applicable codes, and required safety standards.

Inspections play an important role throughout the construction process by helping ensure that buildings are constructed safely, that required systems are properly installed, and that completed work is suitable for occupancy and use.



Purpose of Inspections

The primary purpose of inspections is to confirm that construction work complies with approved plans and applicable building, fire, energy, and safety codes.

Inspections are not intended to direct the means and methods of construction or to replace the responsibility of contractors and design professionals. Rather, they serve as an independent review step during construction to help identify issues while work is still in progress, when corrections are typically less costly and less disruptive.

This process helps protect property owners, future occupants, and the public by ensuring that minimum safety and compliance standards are met.

Inspections During Construction

Most construction projects require inspections at multiple stages. This phased approach allows work to be reviewed as it progresses rather than only at the end of a project.

Typical inspections may include:

- **Foundation Inspections** – Verification of footings, foundation walls, and related structural components prior to backfill.
- **Framing Inspections** – Review of structural framing and load-bearing elements prior to concealment.
- **Electrical Inspections (where applicable)** – Evaluation of electrical systems for safety and code compliance prior to concealment.
- **Plumbing Inspections (where applicable)** – Review of plumbing systems prior to concealment.
- **Mechanical Inspections (where applicable)** – Inspection of heating, ventilation, and air conditioning systems and equipment.
- **Fire Safety Inspections** – Verification of required fire protection and life-safety systems where applicable.

Each required inspection must be completed and approved before work is allowed to proceed to the next stage of construction.

Final Inspections and Project Completion

Final inspections are conducted once all construction work has been completed.

The purpose of the final inspection is to confirm that the project has been completed in accordance with approved zoning and building plans and that all applicable local and state code requirements have been satisfied.

Final approval is typically required before a Certificate of Occupancy, Certificate of Compliance, or other applicable authorization can be issued.

Certificate of Occupancy Inspections

In some cases, a specific inspection is required prior to issuance of a Certificate of Occupancy or similar approval.

This inspection verifies that the building or structure is safe for occupancy and that required life-safety, structural, and code requirements have been met.

Where required, a building may not be legally occupied until the appropriate certificate has been issued.

Existing Buildings and Follow-Up Inspections

Inspections are not limited to new construction. The Building Department may also conduct inspections of existing buildings in certain situations, including complaint investigations, code enforcement matters, or other circumstances where compliance or safety concerns may exist.

Follow-up inspections are conducted when an earlier inspection identifies items that must be corrected. These inspections are used to confirm whether required corrections have been completed and whether the project may proceed.

Scheduling and Responsibility

It is the responsibility of the property owner to ensure that required inspections are requested at the appropriate stages of construction.

While contractors/permit holders typically manage the day-to-day construction process, the responsibility for ensuring that inspections are scheduled and completed rests with the property owner.

Failure to obtain required inspections may result in delays, additional costs, or the need to uncover completed work to verify compliance. These situations can be disruptive and may significantly increase the cost and complexity of a project.

Property owners and contractors are encouraged to maintain regular communication with the Building Department to ensure inspections are properly scheduled and completed throughout the course of construction.

Summary

Inspections serve as an essential safeguard during and after construction by verifying that work complies with approved plans and applicable codes and regulations.

Through a structured, phased process, inspections help identify issues early, ensure that safety standards are met, and support the issuance of final approvals required for lawful occupancy and use of buildings within the Town.

Inspection Responsibility

It is the property owner's responsibility to ensure required inspections are scheduled and completed. Failure to do so may result in delays, additional costs, or removal of completed work for verification.

5. Certificates and Occupancy Services

Overview

Certificates and Occupancy Services are an important function of the Building and Zoning Department that confirm the legal status, safety, and compliance of buildings and properties within the Town.

These services are typically required at the completion of construction projects and are also frequently involved in property sales, refinancing, and general inquiries regarding a property's history or compliance status.

This function helps ensure that buildings are not only constructed in accordance with approved plans and applicable codes, but also properly documented within municipal records so that accurate information is available for future reference.

Certificates of Occupancy and Certificates of Compliance

One of the primary responsibilities of this function is the issuance of Certificates of Occupancy (CO) and Certificates of Compliance.

A Certificate of Occupancy is generally required before a building or structure may be legally occupied or used. It confirms that construction has been completed in accordance with approved plans and that all required inspections and code requirements have been satisfied.

A Certificate of Compliance may be issued in situations where a Certificate of Occupancy is not required, but formal confirmation of compliance with applicable approvals and regulations is still necessary.

In both cases, these certificates represent an important final step in the permitting process and confirm that a project has successfully completed required review and inspection.

Temporary Certificates of Occupancy

In certain situations, a Temporary Certificate of Occupancy may be issued when a building, or a portion of a building, is safe for limited occupancy even though minor items remain incomplete.

Temporary certificates are issued at the discretion of the Building Department and are typically subject to specific conditions and time limitations. They are intended to allow limited use of a building while outstanding items are addressed.

Final approval is still required before a permanent Certificate of Occupancy can be issued.

Municipal Searches, Zoning Certificates of Compliance, and Property Records

The Building Department is frequently asked to provide information regarding the status and history of properties within the Town.

Municipal searches and property record reviews may include:

- Verification of open permits
- Certificate history (CO and Certificate of Compliance records)
- Permit history and prior approvals
- Building history research
- Verification of outstanding violations or compliance status
- Verification of approved uses

These requests are most commonly made during real estate transactions, refinancing, or legal review of a property.

Because some properties have long or complex histories, these reviews may require additional time to complete.

Real Estate and Compliance Inquiries

In addition to formal record searches, the Building Department responds to inquiries from property owners, buyers, attorneys, lenders, and other parties involved in real estate transactions.

These inquiries may require staff to review historical records, confirm permit status, identify outstanding issues, or provide documentation regarding a property's compliance history.

This process is often an important part of ensuring that all parties involved in a transaction have accurate and complete information about the condition and regulatory status of a property.

Compliance Letters and Record Certifications

The Building Department also issues formal compliance letters and certified records confirming the status of permits, inspections, certificates, and other zoning and building-related matters.

These documents are often required for legal, financial, or transactional purposes and serve as official confirmation of information contained in municipal records.

Importance of Accurate Records

Accurate and complete building and zoning records are essential for maintaining transparency, supporting safe development, and protecting property owners.

These records provide a documented history of approvals, inspections, permits, and compliance actions associated with each property. This information can be important not only for current property owners, but also for future owners, lenders, attorneys, and other parties involved in property transactions.

Summary

Certificates and Occupancy and Zoning Certificates of Compliance Services ensure that buildings and uses are properly approved for use and that accurate records are maintained for each property within the Town.

Whether issuing Certificates of Occupancy or Certificates of Compliance, verifying permit history, or responding to real estate inquiries, this function provides essential documentation that supports safe occupancy, informed decision-making, and long-term accountability for property conditions within the community.

6. Public Assistance and Customer Service

Overview

Public Assistance and Customer Service is the primary point of contact between the Building and Zoning Department and the community. This function supports residents, property owners, contractors, and design professionals by providing information and guidance related to permits, zoning requirements, building codes, and departmental procedures.

Because construction and land use regulations can be complex, this function plays an important role in helping applicants understand what is required before work begins and as projects move through the review and inspection process.

In many cases, early communication with the Department helps prevent delays, reduce misunderstandings, and ensure that applications are properly prepared before formal review begins.



How the Public Interacts With the Department

Most interactions with the Building and Zoning Department begin with a question.

Residents and contractors often contact the Department to determine whether a permit is required, what type of approval is needed, or what steps must be completed before work can begin. Others may be seeking clarification on zoning requirements, inspection procedures, or the status of an existing project.

These early conversations are often a critical part of the process, as they help ensure that projects start with a clear understanding of applicable requirements.

Assistance is provided through in-person visits, telephone calls, and email communication. Open office hours are available and are posted on the Town's website.

Guidance on Permits, Codes, and Zoning Requirements

One of the most common reasons residents contact the Department is to determine what is required for a specific project.

This may include questions such as:

- Whether a permit is required
- What type of permit or zoning approval applies
- What documentation must be submitted
- What regulations apply to a proposed use or structure

While the Department can provide general guidance on applicable requirements and procedures, responsibility for meeting code and zoning standards remains with the property owner and, where applicable, their design professionals.

Providing clear information at the beginning of a project helps reduce errors and delays later in the process.

Application Assistance and Coordination

The permit and zoning approval process often requires detailed documentation, including applications, drawings, surveys, and supporting materials.

The Department assists applicants by identifying required submissions, explaining application procedures, and communicating when additional information is needed for review to proceed.

This process is not limited to a single point in time. Communication often continues throughout the review process as questions arise or additional clarification is needed.

This coordination helps improve the quality of applications and supports a more efficient review process.

Contractor, Homeowner, Legal, and Design Professional Assistance

Assistance is provided to all parties involved in a project, including contractors, homeowners, attorneys, architects, engineers, surveyors, and other design professionals.

Contractors often seek clarification on inspection requirements, permit conditions, or code interpretation during construction.

Homeowners may require additional guidance due to limited familiarity with construction and zoning regulations.

Design professionals and legal representatives may request assistance related to zoning interpretations, plan requirements, permitting procedures, or project compliance matters.

For zoning-related matters, these discussions often involve clarification of permitted uses, setbacks, site constraints, or approval requirements before a project can move forward.

The Department's goal is to provide consistent and accurate information to all parties involved in a project, regardless of its size or complexity.

Public Education and General Inquiries

In addition to project-specific assistance, the Department regularly responds to general questions about property use, permitting requirements, and municipal processes.

Some inquiries can be answered quickly, while others may require review of property records, coordination with other departments, or research into prior approvals.

The Department also engages in public education efforts through informational materials, website content, and outreach initiatives intended to help residents better understand permitting and zoning requirements.

Why This Function Matters

Clear communication at the beginning of a project is often one of the most important factors in preventing delays and misunderstandings later in the process.

When residents and applicants have a better understanding of requirements before work begins, projects are more likely to proceed smoothly through review, permitting, and inspection.

This function supports voluntary compliance by helping people understand what is required and why it is required, rather than discovering issues after work has already begun.

Summary

Public Assistance and Customer Service is the front line of communication between the Building and Zoning Department and the community.

By answering questions, providing guidance, and helping applicants navigate permitting and zoning requirements, this function plays a key role in supporting safe construction, orderly development, and compliance with applicable regulations within the Town.

7. Records Management and Administration

Overview

Records Management and Administration refers to the systems used by the Building and Zoning Department to maintain, organize, and preserve records generated through permitting, inspections, zoning administration, and code enforcement activities.

While much of this work occurs behind the scenes, it is essential to the day-to-day operation of the Department and the long-term integrity of municipal records. These records support nearly every function of the Department, including permit processing, inspections, enforcement actions, certificates, and public inquiries.



They also provide an important historical record of construction and land use activity within the Town.

Why Records Matter

Accurate records play an important role in protecting property owners and supporting informed decision-making.

When a property is sold, renovated, refinanced, or investigated for compliance, the Department often relies on historical records to confirm what work was approved, what inspections were completed, and whether any outstanding issues remain.

Because construction and land use decisions can span many years, accurate recordkeeping ensures that current and future property owners have access to reliable information about a property's history.

Types of Records Maintained

The Building Department maintains records related to a wide range of activities, including permits, inspections, certificates, planning/zoning approvals, and code enforcement matters.

These records may include applications, approved plans, inspection reports, correspondence, photographs, certificates, and related documentation.

Together, these records form the official history of construction and land use activity within the Town.

Record Storage and Management

The Department maintains both physical and digital records as part of its recordkeeping system.

Physical records remain the official record, while digital records are used to support accessibility, retrieval, and day-to-day operations.

Older records may be archived or stored off-site in accordance with applicable New York State records retention requirements. Even when archived, these records remain available when needed for research, permitting history, or compliance verification.

Public Records Requests (FOIL)

The Building Department participates in the processing of public records requests made under the New York State Freedom of Information Law (FOIL).

FOIL requests are administered by the Town Clerk, who serves as the Records Access Officer for the Town. When a request involves Building Department records, the Town Clerk coordinates with the Department to identify and obtain the relevant files.

The Building Department is responsible for locating and providing responsive records. The Town Clerk then reviews the materials, applies any required redactions, and formally responds to the requester in accordance with applicable law.

These requests may involve permits, certificates, inspections, enforcement actions, zoning files, and other departmental records.

Interdepartmental Coordination

The Building Department regularly coordinates with other Town departments, boards, and outside agencies to ensure consistency and accuracy in municipal records.

This coordination supports planning, zoning, legal review, and enforcement activities that depend on accurate property and construction information.

Importance of Accurate Records

Accurate records are essential to transparency, accountability, and effective municipal operations.

They ensure that property history is properly documented, that construction activity can be verified, and that decisions made by the Town are supported by reliable information.

Strong recordkeeping also helps reduce confusion, prevent disputes, and support smoother transactions when properties change ownership or undergo redevelopment.

Summary

Records Management and Administration provides the foundation that supports nearly every function of the Building and Zoning Department.

By maintaining accurate and complete records of permits, inspections, zoning actions, certificates, and enforcement activities, the Department ensures continuity in operations, supports public inquiries, and preserves the historical record of development within the Town.

8. Fire and Life Safety

Overview

Fire and Life Safety functions involve the review, inspection, and enforcement of requirements intended to reduce the risk of fire and other hazardous conditions within buildings and structures.

These requirements are based on applicable state and local fire safety regulations and are applied throughout the construction process and, in some cases, during the ongoing use of existing buildings.

The purpose of this function is to help ensure that buildings are constructed and maintained in a manner that supports safe occupancy and protects the health and safety of the public.

FIRE CODE UPDATES
STRONGER STANDARDS. SAFER SPACES.
Recent updates to commercial fire code emphasize more frequent inspections and proactive maintenance.

CODE UPDATE
New and updated fire code requirements prioritize life safety, system reliability, and building protection.

INSPECTION INTERVALS
Follow recommended inspection frequencies to stay compliant and keep systems reliable.

FIRE SAFETY SYSTEM	INSPECTION INTERVAL	WHAT'S INCLUDED
FIRE ALARM SYSTEMS	MONTHLY	Test alarms, inspect control panel, verify notifiers & backup power.
FIRE SPRINKLER SYSTEMS	QUARTERLY	Inspect valves, check water flow alarms, test system operation, and examine for obstructions.
FIRE EXTINGUISHERS	MONTHLY	Check pressure, inspect for damage, verify accessibility and proper mounting.
EMERGENCY EXITS & LIGHTING	ANNUALLY	Test exit signs, inspect emergency lighting, check door operation and egress pathways.

WHY REGULAR MAINTENANCE MATTERS

- STAY COMPLIANT**
Meet code requirements and avoid fines or penalties.
- PROTECT YOUR BUSINESS**
Reduce risk of fire, limit downtime, and protect property and assets.
- PROTECT LIVES**
Reliable systems save lives and create a safer environment for everyone.

HOW OFTEN DO YOU REVIEW YOUR FIRE SAFETY PROTOCOLS?

#FireSafety

SCHEDULE INSPECTIONS. STAY PREPARED. STAY PROTECTED.

Fire and Life-Safety Inspections

Fire and life-safety inspections are conducted to verify that buildings comply with applicable fire protection and safety requirements.

These inspections may occur during construction, prior to occupancy, or as part of ongoing compliance activities for existing buildings. They focus on identifying conditions that may present fire hazards or otherwise impact occupant safety.

Where issues are identified, corrective action may be required, followed by follow-up inspections to confirm that compliance has been achieved.

Fire Code Compliance and Enforcement

Where assigned to the Building Department, fire code requirements are enforced in coordination with other applicable building and zoning regulations.

When violations or unsafe conditions are identified, the Department may require corrective action and conduct follow-up inspections to confirm that deficiencies have been addressed.

The intent of this process is to correct hazardous conditions and reduce the risk of fire-related incidents before they result in harm to people or property.

Occupancy Load Determinations

Occupancy load determinations establish the maximum number of occupants permitted within a building or space based on its size, use, and configuration.

These determinations are an important life-safety tool, helping to prevent overcrowding and ensuring that safe and effective evacuation is possible in the event of an emergency.

Egress and Structural Safety Considerations

Fire and life-safety review includes evaluation of building features that affect the ability of occupants to safely exit a structure during an emergency.

This may include:

- Means of egress (exit routes and access to exits)
- Travel distance to exits
- Exit capacity and accessibility
- Emergency access requirements
- Structural considerations where applicable

These elements are essential to ensuring that occupants can safely and efficiently exit a building during emergency conditions.

Fire Protection Systems

Where required, the Department reviews fire protection systems to confirm they are properly designed, installed, and maintained in accordance with applicable code requirements.

This may include sprinkler systems, fire alarm systems, smoke detection systems, and other active or passive fire protection measures intended to reduce risk and protect occupants.

Ongoing and Periodic Inspections

Some buildings and uses are subject to ongoing or periodic fire and life-safety inspections to help ensure continued compliance with applicable requirements.

These inspections are scheduled based on occupancy type and level of risk, and are intended to identify changing conditions, maintenance concerns, or hazards that may not have been present at the time of initial approval.

Routine fire safety inspections are generally conducted on the following schedule:

- Places of public assembly, including Private Schools including dormitories (ie: Darrow), all Churches, some restaurants, and some restaurant utilizing commercial ansul systems: annually
- Non-residential occupancies: every three (3) years
- Multi-family dwellings (three units or more): every three (3) years

These inspections help ensure that buildings remain in a safe condition over time and continue to meet applicable fire and life-safety standards throughout their use.

Hazard Investigations

The Department may also respond to reported or observed conditions that present potential fire or life-safety hazards.

These investigations may result in required corrective actions, follow-up inspections, or coordination with other agencies when necessary to address unsafe conditions.

Summary

Fire and Life Safety functions play a critical role in protecting occupants, emergency responders, and property.

Through inspections, review, and enforcement activities, the Building and Zoning Department helps ensure that buildings are designed, constructed, and maintained in a manner that supports safe occupancy and reduces the risk of fire-related incidents.

9. Land Use and Zoning Administration

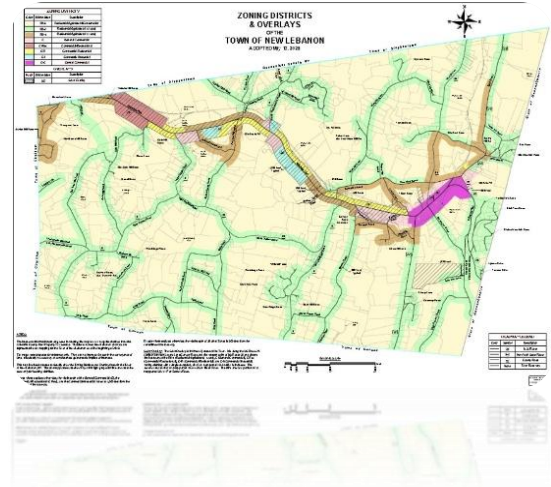
Overview

Land Use and Zoning Administration involves the interpretation, application, and enforcement of zoning regulations and land use requirements that govern how property within the Town may be developed, used, or modified.

This function requires balancing multiple layers of requirements, including zoning district regulations, dimensional standards/area-bulk regulations, site-specific conditions, environmental constraints, and state or federal overlays such as floodplain regulations.

Zoning administration is not limited to a single determination. In many cases, a proposed project requires multiple reviews, coordinated approvals, and technical interpretations before it can proceed.

This function also plays an important role in helping property owners understand what uses and improvements are permitted, and what additional approvals may be required before work can begin.



Zoning Reviews and Interpretation

Zoning reviews are conducted to determine whether a proposed use, structure, or improvement complies with the Town's zoning code.

These reviews often involve detailed evaluation of:

- Permitted and conditional uses within a zoning district
- Area Bulk Regulation requirements such as setbacks, height limits, and lot coverage
- Lot configuration and frontage requirements
- Accessory structure regulations
- Nonconforming use or nonconforming structure status
- Interpretations of zoning definitions and applicability

Zoning review is frequently one of the earliest and most important steps in the land use process. A single project may require multiple rounds of review as additional information becomes available or as project designs evolve.

In some cases, zoning interpretation alone determines whether a project can proceed as proposed or whether additional approvals are required.

Zoning Review/Verification and Formal Determinations

Certain activities require a zoning review/verification or formal written zoning determination prior to the issuance of a building permit or commencement of work.

These determinations are used to confirm whether a proposed use or construction activity is permitted within a zoning district or whether additional approvals are necessary, such as variances, special permits, or site plan review.

Because zoning decisions often depend on specific property conditions and project details, these determinations may require detailed review of surveys, plans, prior approvals, and historical property use.

Zoning Determinations
Some projects require a formal zoning review to confirm whether a proposed use or construction is permitted, or whether additional approvals such as variances, special permits, or site plan review are needed.

Site Plan and Special Permit Compliance Review

Some projects require referral for site plan review by the Planning Board to evaluate how a property is developed in relation to zoning requirements.

Site plan review may include consideration of:

- Site layout and building placement
- Access and circulation (vehicular and pedestrian)
- Parking requirements and configuration
- Drainage and stormwater management considerations
- Landscaping and buffering requirements
- Lighting and outdoor site impacts
- Overall compatibility with surrounding land uses

Site plan review is often a coordinated process, sometimes involving multiple boards, departments, and technical disciplines.

Variance Referrals

Not all proposed projects can meet the strict requirements of the zoning code. In those cases, applicants may seek relief through the Zoning Board of Appeals in the form of an appeal, an area variance or use variance, where applicable.

The Building Department may assist in this process by:

- Identifying specific areas of noncompliance
- Reviewing applications for completeness
- Providing technical zoning interpretations
- Explaining applicable code requirements to applicants and boards
- Attending or supporting board review processes when necessary

Floodplain Administration

Floodplain administration involves the review of development activity within regulated flood hazard areas to ensure compliance with applicable local, state, and federal requirements.

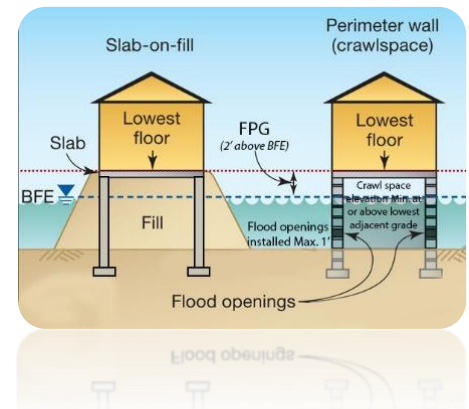
Floodplain regulations often intersect with building codes, zoning requirements, engineering standards, and federal flood insurance requirements administered through FEMA.

Depending on the project, floodplain review may include:

- Determination of whether a property is located within a regulated flood zone
- Review of required base flood elevation (BFE) data
- Verification of proposed finished floor elevations
- Evaluation of flood-resistant construction methods
- Review of fill placement and grading impacts
- Assessment of whether proposed development increases flood risk to surrounding properties
- Coordination with engineering documentation and elevation certificates

In many cases, floodplain compliance is a prerequisite for permit issuance and may also be required for insurance, financing, or real estate transactions.

Because floodplain regulations are highly technical and strictly regulated, compliance often requires coordination between applicants, design professionals, NYS, and the Building Department to ensure all applicable standards are met.



Summary

Land Use and Zoning Administration is one of the most complex regulatory functions performed by the Building Department.

It involves interpreting and applying zoning laws, coordinating multiple layers of review and approval, and evaluating how proposed development interacts with site conditions, surrounding land uses, and environmental constraints such as floodplains and wetlands.

Through zoning review, site plan coordination, variance referrals, special permit referrals, and floodplain oversight, the Department helps ensure that development within the Town is orderly, consistent, and compliant with applicable regulations while also providing guidance to property owners navigating a complex regulatory process.

10. Code/Zoning Enforcement

Code/Zoning Enforcement is multifaceted, including how complaints are received, how investigations are conducted, how violations are addressed, and why resolution of cases may take time.

How Complaint/Violation Cases Begin

Code/Zoning enforcement matters are generally initiated through citizen complaints or through observations made by Enforcement Officers while performing other assigned field duties such as inspections, permit-related site visits, complaint follow-ups, or other official responsibilities.

How Enforcement Works

Code/Zoning enforcement begins with a complaint or field observation and follows a structured process focused first on voluntary compliance. Formal enforcement is used only when necessary to achieve compliance with applicable laws.

The Town does not operate a patrol-style enforcement program in which officers routinely canvass neighborhoods solely to identify violations. As a result, enforcement activity depends on when a condition is reported or observed during normal departmental operations.

Because of this operational model, residents may occasionally become aware of a property maintenance concern before the Building Department is aware of it. Enforcement Officers cannot be present in all areas of the Town at all times and may not know a condition exists until it is reported or observed during fieldwork. Residents often see the same properties daily and may notice conditions that are not immediately visible or encountered during scheduled field activities.

How to file a complaint

Complaints are submitted in writing. The town's complaint form can be downloaded from the Town's website - Building Department page under the heading "Applications, Forms

Investigation and Case Review

Once a written complaint is received or an officer makes a field observation, staff first determine whether the issue falls within the department's jurisdiction and whether a potential violation may exist. This process may include:

- Reviewing property records and prior permits
- Conducting site inspections
- Documenting existing conditions
- Determining applicable code requirements
- Contacting property owners or responsible parties

- Interviewing witnesses

Many cases also involve reviewing historical information, which can be important when conditions predate current ownership or involve prior work that may not have been properly permitted or documented.

Voluntary Compliance First Approach

The department's preferred approach is to achieve voluntary compliance whenever possible. This includes:

- Educating property owners on applicable requirements
- Identifying acceptable corrective options
- Reviewing proposed remedies or repair plans
- Allowing reasonable timeframes for corrective action

Experience has shown that cooperative resolution is often the most effective and sustainable way to resolve violations.

When Formal Enforcement Becomes Necessary

If voluntary compliance efforts are not successful, or if circumstances require more immediate action, the department may proceed with formal enforcement measures. These may include:

- Notices of violation
- Stop work orders
- Orders to remedy violations
- Referral to the Town Attorney for legal action
- Court proceedings when necessary

Enforcement actions are used when required to ensure compliance with applicable laws and protect public safety.

Why Some Cases Take Time

Code/Zoning enforcement is often not a quick or linear process. Many cases require:

- Follow-up inspections
- Coordination with contractors or engineers
- Permit applications or corrective construction
- Technical or legal review
- Extended timelines for completion of work

Resolution timeframes can vary significantly depending on the complexity of the issue, the scope of work required, financial considerations, and the responsiveness of involved parties.

Summary

Code/Zoning enforcement is a structured process designed to ensure safe, lawful, and compliant conditions within the Town. While some issues are resolved quickly, others require extended coordination and multiple steps to reach full compliance.

The overall goal is not only enforcement, but the achievement of long-term compliance through a fair, consistent, and transparent process that protects both property rights and community safety.

11. Mobile Home Park Inspection and Regulatory Oversight

(Town Code Chapter 145)

Overview

Mobile Home Park Inspection and Regulatory Oversight is a specialized regulatory function established under **Town Code Chapter 145, Mobile Home Parks**, which governs the licensing, operation, and ongoing maintenance of mobile home parks within the Town.

Unlike construction permitting or zoning approvals, this function involves the **ongoing regulation of an established land use**, where compliance is not limited to a single point in time but must be maintained continuously throughout the life of the park.

Mobile home parks operate under a distinct legal framework because they combine elements of land use, infrastructure management, public health standards, and long-term residential occupancy on a shared property system. As a result, oversight is both **technical and continuous in nature**, and is intended to ensure that park conditions remain safe, sanitary, and compliant with applicable local, state, and federal requirements.



Regulatory Framework

The authority for this function is set forth in **Town Code Chapter 145**, which establishes:

- A licensing requirement for all mobile home parks
- Minimum standards for park design, layout, and infrastructure
- Operating requirements for ongoing maintenance and services
- Inspection authority for compliance verification
- Procedures for license issuance, renewal, suspension, and revocation
- Enforcement provisions for violations of the chapter

Under this framework, no mobile home park may operate legally without a valid Town-issued license, and continued operation is conditioned upon ongoing compliance with the standards set forth in the Code.

Licensing and Initial Approval Process

Mobile home parks are subject to a formal licensing process under the authority of the Town Board prior to operation. This process typically involves multiple stages of review, including submission of engineered site plans, environmental review where applicable, and coordination with other reviewing agencies.

Applications are reviewed by multiple entities, including the Building Department, Planning Board, and Town Board, and may include public review procedures as part of the approval process.

Prior to license issuance, the site must be inspected to verify that construction and site development comply with approved plans and applicable regulatory requirements.

Once approved, the license specifies the authorized number of sites and establishes the operating parameters of the park.

Inspection Authority and Access

Chapter 145 provides the Town with authority to conduct inspections of mobile home parks to ensure ongoing compliance with applicable standards.

By accepting a mobile home park license, the operator acknowledges and consents to reasonable inspections by the Building Department and other authorized agencies, including but not limited to health and environmental authorities where applicable.

Inspections may include:

- Common areas and internal roadways
- Utility systems and service connections
- Drainage and grading conditions
- Site spacing and layout compliance
- Waste disposal and sanitation systems
- General maintenance and safety conditions

These inspections are not limited to new construction but are an ongoing requirement tied to the continued operation of the facility.

Ongoing Compliance Standards

Mobile home parks must be maintained in accordance with the operational standards established under Chapter 145, which include requirements related to:

- Site layout and spacing between units

- Access for emergency vehicles and traffic circulation
- Drainage and stormwater management
- Water supply and sanitary sewage systems
- Refuse storage and removal
- Pest, rodent, and vegetation control
- Maintenance of common areas and infrastructure

Because these systems serve multiple residential units within a shared setting, deficiencies in one area may affect the health, safety, or habitability of multiple occupants.

Periodic and Routine Inspections

In addition to complaint-based or compliance-driven inspections, mobile home parks are subject to **routine periodic inspections** to ensure ongoing adherence to Chapter 145 requirements.

These inspections are conducted on a scheduled basis and are generally as follows:

- **Mobile home parks:** inspected annually by the Code Enforcement Officer or as otherwise determined necessary based on conditions, compliance history, or regulatory requirements. The Code Enforcement Officer will provide recommendations to the Town Board for the issuance of the Park's annual license renewal

Inspection frequency may be adjusted based on observed conditions, prior violations, or operational concerns requiring increased oversight.

The purpose of periodic inspection is not only enforcement, but the identification of developing issues before they result in broader system failure or health and safety concerns.

Violations and Enforcement

When conditions are identified that do not comply with Chapter 145 or other applicable regulations, the Department may initiate enforcement action.

Enforcement may include:

- Written notices of violation
- Required corrective action plans
- Re-inspections to verify compliance
- Referral to the Town Board for license-related action
- Suspension or revocation proceedings where necessary
- Legal enforcement through Town Court when appropriate

Enforcement actions are generally preceded by an opportunity for corrective action; however, more immediate measures may be required where conditions present an imminent risk to health or safety.

License Renewal and Continued Operation

Mobile home park licenses must be renewed on an annual basis in accordance with Chapter 145 requirements. Renewal is contingent upon continued compliance with applicable standards and confirmation that no unresolved violations exist at the time of renewal.

Failure to maintain compliance or renew a license may result in the property being classified as an unlicensed mobile home park, subject to enforcement action under the Code.

Coordination with Other Agencies

Mobile home park oversight frequently involves coordination with other regulatory agencies, including:

- County health departments (water and sewage systems)
- State environmental agencies (wastewater and environmental compliance)
- Fire safety authorities (access and emergency response considerations)
- Engineering professionals (site infrastructure and utility systems)

This multi-agency coordination reflects the complexity of mobile home park systems and the interdependence of infrastructure, occupancy, and environmental regulation.

Summary

Mobile Home Park Inspection and Regulatory Oversight under Town Code Chapter 145 is a specialized and ongoing regulatory function designed to ensure that mobile home parks are properly maintained, safely operated, and consistently compliant with applicable standards.

Through licensing, inspection, coordination, and enforcement when necessary, the Building Department helps ensure that mobile home park communities within the Town remain safe, functional, and in compliance with established legal requirements and provides inspection notes and recommendations to the Town Board regarding the issuance of their annual Mobile Home Park license renewal process.

12. Special Events Administration and Authority

(Town Code Chapter 101)

Overview

Town Code Chapter 101 establishes the regulatory framework governing the permitting and administration of special events within the Town.

This chapter sets forth the process for reviewing and approving special events, the information required for an application, and the division of approval authority between the Town Board and the Code Enforcement Officer based on the size, scope, and potential impact of the proposed event.

The intent of this law is to ensure that special events are conducted in a manner that protects public health, safety, and welfare while providing a clear and consistent permitting process for applicants.

What is a Special Event

For purposes of Chapter 101, a special event generally includes temporary activities or gatherings that occur on public or private property and may require coordination of public safety services, traffic control, parking management, or other municipal considerations.

These events may include, but are not limited to, festivals, fairs, public gatherings, temporary commercial activities, or other organized events that exceed routine property use. For specific definitions please refer to Chapter 101 of Town Code.

Did You Know?

Certain tents used for events as well as mobile food trucks require a separate operating permit from the Town?

Permit Authority and Thresholds

Chapter 101 establishes a tiered review system based on the scale and potential impact of the proposed event.

- The **Town Board** is responsible for reviewing and approving special events that exceed established thresholds or require broader municipal coordination, public review, or additional oversight.
- The **Code Enforcement Officer** is authorized to review and approve special events that fall below the thresholds established in Chapter 101 and meet the criteria for administrative approval.

This structure allows smaller events to be reviewed administratively while reserving higher-impact events for Town Board consideration.

How to Apply for a Special Event Permit

Applications for special event permits are submitted to the Building and Zoning Department.

Applicants are generally required to submit a completed special event application along with supporting materials that may include:

- Description of the event, including date, time, and location
- Site plan or layout showing event setup and use of property
- Estimated attendance and occupancy information
- Parking and traffic management plan, if applicable
- Security and emergency access arrangements, if required
- Sanitation and waste management plan
- Any additional information required to evaluate public safety and code compliance

Upon receipt, the application is reviewed for completeness and for determination of whether the request falls under administrative approval authority or requires Town Board review.

Applicants are encouraged to submit an application to the CEO to obtain a formal written determination as to whether your event qualifies for a license even if they think they do not meet the requirements.

There are a few reasons for this, not the least of which that the CEO can also determine if other required permits are need for food trucks and/or tents.

Special event applications can be found at this link: <https://townofnewlebanonny.gov/wp-content/uploads/2025/04/2025-04-10-PB-Special-Events-App.pdf>

Application Review Process

Once a complete application is received, it is reviewed to determine:

- Whether the proposed event qualifies as a special event under Chapter 101
- Whether the application is complete and includes all required supporting documentation
- Whether the event may be approved administratively or requires Town Board review
- Whether conditions are necessary to protect public health, safety, and welfare

Additional information may be requested during the review process if clarification or supplemental documentation is needed.

Conditions of Approval

Approved special events may be subject to conditions intended to address operational and safety considerations, including but not limited to:

- Traffic and parking management
- Crowd control and occupancy limitations
- Emergency access and safety planning
- Noise control measures
- Sanitation and waste disposal requirements
- Time restrictions or operational limits

Compliance with all approved conditions is required for the duration of the event.

Interagency Coordination

Depending on the nature of the event, coordination may be required with other Town departments and external agencies, including emergency services, public works, and other relevant authorities.

This coordination helps ensure that adequate safety measures and operational support are in place for the duration of the event.

Enforcement and Compliance

Special events conducted without required approval, or in violation of approved conditions, may be subject to enforcement action in accordance with applicable law.

Enforcement may include suspension or revocation of approval, orders to cease activity, or other corrective action as necessary to protect public health and safety.

Summary

Town Code Chapter 101 provides a structured process for the review and approval of special events within the Town, assigning responsibility between the Town Board and the Code Enforcement Officer based on established thresholds.

This system ensures that events are reviewed appropriately, safety considerations are addressed, and municipal resources are coordinated in a manner that protects the community while allowing for organized public and private events.

13. Telecommunications Facilities Administration

(Town Code Chapter 189)

Overview

Town Code Chapter 189 regulates the siting, construction, modification, and operation of telecommunications facilities within the Town.

The purpose of this chapter is to balance the need for reliable wireless communication services with the Town's responsibility to protect public health, safety, welfare, and community character.

This chapter establishes a structured review process for telecommunications applications, including administrative review by the Code Enforcement Officer and formal review by the Planning Board, depending on the type and scale of the proposed facility.

Application Types and Review Structure

Chapter 189 establishes multiple categories of telecommunications applications, based on the scope and impact of the proposed facility.

- Certain **Type I applications** (limited co-locations or modifications) may be reviewed administratively by the Code Enforcement Officer, subject to the criteria and timelines established in Chapter 189.
- **Type II and Type IV applications**, including larger facilities and new towers, are subject to Planning Board review and approval.

The Code Enforcement Officer plays a key administrative role in determining application completeness and routing applications to the appropriate reviewing authority.

Role of the Code Enforcement Officer

Under Chapter 189, the Code Enforcement Officer is responsible for administrative and procedural functions related to telecommunications applications, including:

- Receiving and reviewing applications for completeness
- Determining whether an application type has been correctly identified by the applicant
- Issuing notices of incompleteness where required
- Coordinating application routing to the Planning Board or other reviewing authority
- Managing applicable review timelines and procedural requirements

- Coordinating technical reviews through Town consultants where authorized

The Code Enforcement Officer does not serve as the final decision-making authority for major telecommunications facilities requiring Planning Board approval.

Planning Board Review and Decision-Making

Applications that exceed administrative thresholds are reviewed and decided by the Planning Board in accordance with Chapter 189.

The Planning Board is responsible for:

- Site plan review and special use permit determinations
- Evaluation of visual, environmental, and community impacts
- Application of design standards and zoning considerations
- Imposition of conditions of approval where appropriate
- Final approval or denial of qualifying telecommunications facilities

The Code Enforcement Officer supports this process through administrative coordination and technical review management.

Completeness Review and Processing

All telecommunications applications must undergo an initial completeness review.

This review ensures that required documentation, technical materials, and supporting evidence have been submitted in accordance with Chapter 189.

If an application is determined to be incomplete, the Code Enforcement Officer will issue written notice identifying deficiencies and required corrections before the application proceeds to formal review.

Consultant Review and Applicant Responsibility

Chapter 189 authorizes the Town to retain professional consultants, including engineering, legal, and technical experts, to assist in the review of telecommunications applications.

When such services are required:

- The Town may engage qualified consultants to review applications and provide technical evaluations
- Applicants are responsible for the reasonable costs associated with such consultant reviews as permitted under Chapter 189

- The Code Enforcement Officer coordinates the transmission of materials to consultants and manages the administrative aspects of the review process
-

Compliance and Enforcement Coordination

The Code Enforcement Officer assists in the enforcement of approved telecommunications facilities by:

- Monitoring compliance with approved plans and conditions
- Coordinating inspections where applicable
- Addressing unauthorized construction or modifications
- Referring enforcement matters to appropriate legal or reviewing authorities when necessary

Enforcement actions are carried out in accordance with applicable provisions of Town Code and supporting regulatory authority.

Summary

Town Code Chapter 189 establishes a structured regulatory process for the review and approval of telecommunications facilities within the Town.

The Code Enforcement Officer serves an administrative and coordinating role in application intake, completeness review, and procedural processing, while the Planning Board retains primary authority for substantive review and approval of qualifying applications.

This framework ensures that telecommunications facilities are reviewed in a consistent manner that balances technological needs with community planning, safety, and land use considerations.

APPENDIX A

Community Services and Department Programs

Programs and services provided by the Building Department in support of the community that fall outside the regulatory permitting and enforcement process.

Appendix A

Compliance Support and Community Assistance Programs

Overview

In addition to its regulatory responsibilities related to building, zoning, inspections, permitting, and code enforcement, the Building Department participates in select community programs and administrative initiatives that support voluntary compliance with Town property maintenance standards and related regulations.

These programs are designed to assist residents in addressing common compliance challenges, support orderly property maintenance within the Town, and reduce conditions that may otherwise result in code or zoning violations.

While these initiatives are not enforcement actions themselves, they are closely aligned with the Department's overall enforcement objectives and function as preventive and supportive components of the compliance process.

Compliance Support Philosophy

The Building Department recognizes that not all compliance issues arise from intentional violations. In some cases, conditions develop due to financial limitations, lack of disposal options, or other practical barriers faced by property owners.

Where appropriate, the Department supports programs that provide structured, temporary, or organized opportunities for residents to bring properties into compliance in a practical and accessible manner.

These efforts are intended to:

- Support voluntary compliance with property maintenance standards
- Reduce the occurrence of avoidable violations
- Provide structured alternatives to improper disposal or accumulation of materials
- Assist residents in maintaining safe and orderly property conditions
- Complement, rather than replace, formal enforcement procedures

Community Cleanup (Dump Day) Program

The Building Department coordinates a community cleanup initiative commonly referred to as "Dump Day."

This program provides residents with a scheduled opportunity to dispose of eligible waste materials through organized collection services arranged in coordination with the County Solid Waste Department and contracted waste management providers.

Although the program is public-facing in nature, it also serves a direct compliance support function by assisting property owners in addressing accumulated debris, household waste, and other materials that may otherwise contribute to property maintenance violations.

Department responsibilities associated with this program may include:

- Coordination with County Solid Waste officials and contracted vendors
- Planning and logistical coordination for dumpster delivery and site layout
- Development of traffic flow and site safety arrangements
- Coordination and scheduling of volunteer support staff
- Preparation and distribution of public guidance regarding acceptable and prohibited materials
- Administration of required participant documentation, including liability waivers
- On-site coordination during program operations to ensure safe and orderly use

This program is intended to support both community cleanliness and voluntary compliance with applicable property maintenance requirements.

For more detailed information and a FAQ page regarding Town Clean up Day (AKA: Dump Day) please visit the information links portion of the Building Dept. webpage: <https://townofnewlebanonny.gov/building/>

Administrative Systems and Records Management Initiatives

The Building Department also participates in internal administrative initiatives intended to support efficient municipal operations and compliance with New York State records retention requirements.

These initiatives may include evaluation and implementation of digital records systems intended to improve workflow efficiency, accessibility, and long-term record preservation.

As part of these efforts, the Department has engaged in system modernization intended to reduce reliance on paper-based records while maintaining compliance with applicable state archival standards.

Where necessary, recordkeeping procedures may be adjusted to ensure continued compliance with state requirements governing retention, accessibility, and preservation of official municipal records.

Relationship to Code Enforcement Activities

Programs described in this appendix are separate from formal enforcement actions and do not replace the regulatory authority of the Code Enforcement Officer or the enforcement procedures established under applicable Town Code provisions.

However, these programs support enforcement objectives by:

- Reducing conditions that may lead to property maintenance violations
- Providing residents with practical tools to achieve compliance
- Supporting voluntary correction of noncompliant conditions
- Enhancing overall community participation in maintaining property standards

In this way, these initiatives function as complementary components of the Department's broader compliance and enforcement framework.

Summary

Appendix A describes select programs and administrative initiatives that support the Building Department's compliance objectives beyond formal permitting and enforcement activities.

Through structured community assistance programs and administrative modernization efforts, the Department works to promote voluntary compliance, support residents in addressing property maintenance concerns, and enhance the overall effectiveness of municipal operations.

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Editorial Note: This publication was developed by the Town of New Lebanon Building Department as part of its ongoing public education and community outreach efforts.

Artificial intelligence was utilized as an editorial tool to assist with organization, grammar, formatting, and image generation. All technical content, policies, procedures, and interpretations were developed, reviewed, and approved by Building Department staff.

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