TOWN OF TUXEDO ORANGE COUNTY, NEW YORK

Building/Planning/Zoning
1 Temple Drive
Tuxedo, NY 10987
Office: 845-351-4411 x6

Examined _____ 20___

Approved _____ 20___ _____
Building Inspector

Disapproved _____

_____

_____

APPLICATION FOR BUILDING PERMIT

Requirements for a Building Permit Application:

1. This application must be accompanied by the required fee and two complete sets of plans (along with an electronic plan set which should be emailed to buildingclerk@tuxedogov.org) showing proposed construction and any applicable specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and the installation details of structural, mechanical, electrical and plumbing. **Plans for new construction and additions must include the electrical code, NYS Energy Code, the Fire Prevention and Building Code and the structural live and dead load of the roof and floor supports. Proof of liability insurance and Worker's Compensation must be provided unless Affidavit of Exemption to show proof of Worker's Compensation Insurance is provided.**
2. Plot plan clearly locating all buildings, whether existing or proposed, and location of proposed work to be done, including dimensions of proposed work and all setback dimensions from property lines and existing structures.
3. Upon approval of this application, the Building Department will issue a Building Permit along with a duplicate set of plans and specifications. These materials shall be kept on the premises available for inspection throughout the progress of the work.
4. **No building shall be used or occupied in whole or part until the Building Inspector has done a final inspection and issued a Certificate of Occupancy.**

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York State Building Construction Code for the construction of buildings, additions or alterations, or for removal or demolition, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations.

Applicant Information: Application Date: _____

_____ _____
Name (Please print) Address

_____ _____
Email address Telephone

Applicant is: Owner [ ] Lessee [ ] Agent [ ] Architect/Engineer [ ] Contractor [ ]

If applicant is a corporation, name, title and signature of duly authorized officer: _____

Property Information: Section: _____ Block: _____ Lot: _____

Address of Property where work will be done: _____

Property Owner (if different from Applicant): _____

_____ _____
Address Telephone

Nature of work:

Addition ☐ Alteration ☐ Deck ☐ Demolition ☐ New Building ☐ Roof ☐ Accessory Building ☐
Inground / Above Ground Pool ☐ Solar* ☐ HVAC ☐ Plumbing ☐

***Permit Applications for Solar must be accompanied by the Unified Solar Permit Application**

Existing use and occupancy of property: _____

Intended use and occupancy of property: _____

Detailed Description of Project: _____

_____

_____

Sq. Footage: _____ No. of Bedrooms: _____ No. of Bathrooms: _____ Finished Basement: _____

Project Cost and Fees: See attached fee schedule. All fees are to be paid at the time of application.

Project Cost: _____ Fee: _____

Project Contacts:

Contractor: _____ Email: _____

Address: _____ Telephone: _____

Electrician: _____ O. C. License # _____ Exp _____

Address: _____ Telephone: _____

All electrical work must be performed by an Orange County licensed electrician and be inspected by a Certified Electrical Inspector from the attached list.

Statement of Deposition:

_____ Being duly sworn deposes and says that he/she is the applicant
(Name of Individual signing application)

named above. He/she is the _____ of said owner or owners and is duly
(Contractor, Agent, Corporate Officer, etc.)

authorized to perform or have performed the said work and to make and file this application; that all statements contained in this application are true to the best of his knowledge and belief; and that the work will be performed in the manner set forth in the application and in the plans and specifications filed therewith.

Sworn to before me _____ 20____ _____
Signature of Applicant

_____
Notary Public

It is the applicant's responsibility to call the Building Department to schedule inspections during construction and for final Certificate of Occupancy upon completion.

Town of Tuxedo Policy Statement

The Town of Tuxedo Building Inspector shall not take a conclusive action relative to the granting of an approval, permit or other similar official acceptance when the applicant, lessee, lessor, property owner and/or property location has an outstanding violation of code pending, monies and/or fees outstanding or unsatisfied conditions of approval against said applicant or property. The Building Inspector may conduct such preliminary procedures that it may deem necessary or appropriate to assure conformance with code requirements and/or law with the understanding that final approval and/or acceptance will not be taken until such time as any and all violations outstanding monies and fees and conditions are satisfied.

Read and understood by me on _____

Name and address of Applicant _____

Signature of Applicant _____

Property Address _____

Section _____ Block _____ Lot _____

To Applicant:

A Certificate of Occupancy (C/O) or Certificate of Compliance (C/C) must be issued for the work covered by this permit. All required inspections must be made in order for the appropriate Certificate to be issued and it is your responsibility to make sure that all inspections are made.

We have experienced many problems with the building permits having expired (the contractor paid and gone) and the work completed, but no C/O or C/C issued. A lack of a certificate constitutes a violation and will cause you serious problems when you decide to sell or refinance your home.

The Building Permit is good for a maximum of 18 months.

Please understand, a Certificate of Occupancy or Certificate of Compliance MUST be issued BEFORE you use the area covered by the permit.

Please sign below acknowledging that you have read and understand the above.

_____

Applicant's Signature

_____

Date

Town of Tuxedo
1 Temple Drive
Tuxedo NY 10987

Owner's Consent Affidavit

(Required when Owner is NOT the Applicant)

Section: _____ **Block:** _____ **Lot:** _____

Name of Project: _____

Name of Fee Owner: _____

Address: _____
City **State** **Zip**

Telephone #: _____

Name of Applicant: _____

Address: _____
City **State** **Zip**

Telephone #: _____

State of New York
County of Orange, ss:
Town of Tuxedo, NY

_____ Being duly sworn, deposes and says that he/she/they reside(s) at _____ in the county of _____ in the state of _____ that he/she/they is/are the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Tuxedo aforesaid and designated as Section: ____ Block _____ Lot _____, of the Tuxedo Tax Map and that he/she/they hereby authorize(s) the application on his/her/their behalf and that the statements of fact contained in said application are true, and agrees to be bound by the determination of the Board and/or Building Inspector.

Sworn to before me

Owner: _____

_____ **Day of** _____

_____
Notary Public

Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

This form cannot be used to waive the workers' compensation rights or obligations of any party.

Under penalty of perjury, I certify that I am the owner of the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

☐ I am performing all the work for which the building permit was issued.

☐ I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.

☐ I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a CE-200 exemption form; OR

- have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

_____
(Signature of Homeowner)

_____
(Date Signed)

_____
(Homeowner's Name Printed)

Home Telephone Number _____

Property Address that requires the building permit:

_____

_____

_____

_____

Sworn to before me this _____ day of

_____, _____.

(County Clerk or Notary Public)

Once notarized, this BP-1 form serves as an exemption for both workers' compensation and disability benefits insurance coverage.

OTHER REQUIREMENTS AND SCHEDULE OF BUILDING INSPECTION

Other Requirement: When applicable, all plans must include notes indicating the following

1. A certificate shall be completed by building or registered design professional and posted where the furnace is located listing the predominant R-values of all insulation installed; U-factors for fenestration and the SHGC; and results from duct system and building envelope air leakage testing according to Section N1101.14 (R401.3) of the Energy Code.
2. Ducts shall be pressure tested to determine air leakage by either rough-in test or post construction test as per Section N1103.3.3 (R403.3.3) of the Energy Code.
3. The building or dwelling unit shall be tested and verified for air leakage as per Section N1102.4.1.2 (R402.4.1.2) of the Energy Code.
4. Demolition – Safe and sanitary conditions shall be provided during demolition and wrecking operations. Work shall be done to minimize hazard from fire, injury, danger to health and conditions which may constitute a public nuisance. Access to utilities and public facilities including fire hydrants, street lights and manholes shall be maintained during demolition. Gas, electric, sewer, water, heat and other service connections shall be disconnected, removed or sealed in accordance with regulations of the public utility or agency having jurisdiction.
5. Applications for Swimming Pool – Must include a location sketch on survey map with measurements of pool and distance from property line and any other structures. Electric work must be inspected by Town approved electrical inspector before a Certificate of Occupancy is issued. Must provide proof of insurance in the amount not less than $50,000. See additional supplemental information regarding local and state regulations. See attached supplemental requirements for above-ground swimming pool barrier.

Required Inspections (when applicable):

1. Pre construction meeting / Site Inspection / Mark out (when applicable)
2. Footing forms and trenches
3. Foundation form with reinforcing steel
4. Plumbing under slab
5. Gravel under slab
6. Footing drains and waterproofing
7. Dry Well
8. Foundation and backfill
9. Framing - before insulation is in place (rough electrical – sticker should be in place) w/ firestopping if applicable.
10. Rough plumbing inspection (cast iron through foundation wall)
11. Mechanicals (including fireplace)
12. Insulation
13. Footing drain
14. Ice and water shield (for roof only.)
15. Grading
16. Final for C/O grading complete, building complete, underwriter inspection certificate, all railings.
17. Generator & Fuel Tank installs

Other Inspections (when applicable):

Septic
Water service (public water supply)
Rough grading (after backfill & septic)

A water purity test must be performed, and the results available, before Certificate of Occupancy is issued for any home or business that is not hooked up to a public water supply system.

Before a Certificate of Occupancy can be issued, the house or business must be numbered according to Town Code Chapter 38-1 to 7. Adopted 9/22/93.

Construction, including excavation, demolition, alteration or repair of any structure is prohibited other than between 8:00 am and 8:00 pm, weekdays, or 9:00 am to 8:00 pm, weekends and holidays.

All building debris must be cleared from building sites upon completion of construction and before a Certificate of Occupancy can be issued. The town's refuse contract does not provide this service. All builders (contractors or owners) must make their own arrangements for this carting.

Building Department Schedule of Fees of the Town of Tuxedo

The fees listed below are an extract from the full Schedule of Fees of the Town of Tuxedo. The full Schedule of Fees is available on request.

A. Building permit fees.

(1) Residential:

(a) New Construction: One dollar ($1) per square foot of habitable area.

(b) Addition [An addition is anything that adds square footage to the building.]: One dollar ($1) per square foot of habitable area of addition. Minimum fee: One hundred twenty-five dollars ($125).

(c) Alterations, repairs, accessory buildings or structures: One hundred dollars ($100), plus five dollars ($5) for each $1,000 or fraction thereof in cost.

(d) Above-ground pools: One hundred dollars ($100).

(e) In-ground pools: Three hundred dollars ($300), plus the cost of an Electric Permit ($75).

(2) Commercial/Industrial

(a) New Construction: One dollar ($1) for each square foot. Square footage shall include the area(s) of the basement(s).

(b) Building addition [An addition is anything that adds square footage to the building]: One hundred seventy-five dollars ($175) plus two dollars ($2) for each and every square foot of addition.

(c) Alterations, repairs, accessory buildings or structures, demolitions, etc.: One hundred seventy-five dollars ($175), plus five dollars ($5) for each $1,000 or fraction thereof in cost.

(3) As Built Permit (where construction began prior to issuance of Building Permit): Two thousand dollars ($2,000) plus the cost of the permit.

B. Certificate of occupancy, violation search and building reinspection fees.

(1) New residential unit: One hundred dollars ($100).

(2) Certificate for alterations, accessory buildings or structures, etc. over ten thousand dollars ($10,000) in cost: One hundred dollars ($100).

(3) New Commercial/Industrial: Two hundred fifty dollars ($250).

(4) Violation search: One hundred fifty dollars ($150).

(5) Any type building permit reinspection fee: One hundred fifty dollars ($150).

C. Septic field inspection fees.

Inspection for repair, refurbishment, restoration or relocation of septic field: One hundred fifty dollars ($150), plus engineering fee, if applicable.

D. Campground fees.

One (1) year: Fifty dollars ($50), plus ten dollars ($10) per campsite or site having the capacity for camping.

E. Storage tank installation or removal fees.

(1) Residential:

Installation of above-ground tank: One hundred dollars ($100).

Installation of below-ground tank of up to one thousand (1,000) gallon capacity: One hundred dollars ($100).

Installation of below-ground tank over one thousand (1,000) gallon capacity: Two hundred fifty dollars ($250).

Removal of above-ground tank: One hundred dollars ($100).

Removal of below-ground tank: One hundred dollars ($100).

(2) Commercial/Industrial:

Installation or removal, above- or below-ground: Two hundred fifty dollars ($250).

F. Miscellaneous Permits and Fees.

Electric / Generator Permit	$75.00
Wood/Pellet Stove/Fireplace	$150.00

NEW YORK STATE OF OPPORTUNITY | Building Standards and Codes | Fire Prevention and Control

John Addario PE, Director Building Standards and Codes — Francis J. Nerney Jr., State Fire Administrator

May 5, 2020 — CODE OUTREACH PROGRAM — Issue 2020-05

Code Outreach Program – Above-Ground Swimming Pool Barrier Requirements

This document is intended to clarify some of the barrier requirements applicable to new or substantially modified *residential* above ground swimming pools. Those reviewing plans for the installation, or substantial modification, of a swimming pool should review the full text of the provisions found in the Uniform Code as well as the local laws, ordinances, codes, and regulations of the municipality where the pool is to be installed for any further requirements.

The word *"residential,"* as used in this document, applies to pools accessory to one- and two-family dwellings regulated by the 2020 Residential Code of New York State (2020 RCNYS) and to pools accessory to detached one- and two-family dwellings classified as Group R-3 occupancies constructed under the 2020 Building Code of New York State (2020 BCNYS). Provisions for communal swimming pools accessory to townhouses and swimming pools accessory to other buildings regulated by the 2020 BCNYS, can be found in Section 3109 of the 2020 BCNYS. The provisions for *residential* pools are found in Section R326 of the 2020 RCNYS.

The 2020 RCNYS defines a swimming pool as *"any structure, basin, chamber or tank which is intended for swimming, diving, recreational bathing or wading and which contains, is designed to contain, or is capable of containing water more than 24 inches (610 mm) deep at any point. This includes in-ground, above-ground and on-ground pools, indoor pools, hot tubs, spas, and wading pools."*

New or substantially modified swimming pools are required to be provided with temporary barriers during installation (see Section R326.4.1) and with permanent barriers thereafter. The permanent barrier requirements are found in Section R326.4.2 and include heights, clearances, and opening size and configuration.

In accordance with Section R326.4.2.9, as an alternate to a conventional on ground barrier, the barrier for above-ground or on-ground swimming pools, including quick set, inflatable swimming pools, is permitted to be mounted on top of the pool structure or the pool structure may constitute a barrier, where all the following requirements are met:

1. the structure shall meet the applicable barrier and gate requirements of Section R326.4.2, including among others, a 48-inch height (see Section R326.4.2.9);
2. the barrier is designed *"to provide protection against potential drowning and near drowning by sufficiently preventing access to* [the] *swimming"* pool (see Section R326.4);
3. the pool and pool structure must be designed and constructed in compliance with ANSI/APSP/ICC 4, 2012 titled *American National Standard for Aboveground/ Onground Residential Swimming* Pools (see Section R326.4.2.9);
4. the pool manufacturer certifies that the pool structure, if used as a barrier or with a barrier mounted on it, is designed with accepted structural engineering practices (see Section 6.1 of ANSI/APSP/ICC 4); and
5. if the means of access is a ladder or steps, then:
   a. the ladder or steps shall be capable of being secured, locked or removed to prevent access; or
   b. the ladder or steps shall be surrounded by a complying swimming pool barrier. See Section R326.4.2.9 (1) and (2).

A wall, or walls, of a dwelling may also serve as part of the barrier, provided that they meet the applicable barrier requirements of Section R326.4.2. Barriers shall be located in a manner that prohibits permanent structures, equipment, or similar objects from being used to climb the barrier.

Other requirements of the 2020 RCNYS are applicable, including requirements for gates, pool alarms, and entrapment protection.

The 2020 Property Maintenance Code of New York State requires that all swimming pools, enclosures/barriers, alarms, and entrapment protection be maintained in a clean and sanitary condition, and in good repair.

Please look for our next edition of the Code Outreach Program at the beginning of next month.