

VILLAGE OF HAMILTON

P.O. BOX 119 * 3 BROAD STREET

HAMILTON, NEW YORK 13346

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APPLICATION FOR A BUILDING PERMIT

FILING INSTRUCTIONS

Pursuant to §73.2 of the Code of the Village of Hamilton, a building permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the erection, construction, enlargement, alteration, improvement, removal or demolition of any building or structure, except an agricultural building or structure, nor install heating equipment without first obtaining a building permit. An application for a building permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer.

Before the application for a building permit can be considered complete and ready for review, the applicant must file the following with the Code Enforcement Officer:

- (1) Building Permit Application completely filled out and signed;
- (2) Where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code;
- (3) Where applicable, Plan Review Summary prepared by a New York State licensed architect or licensed professional engineer;
- (4) Proof of Workers' Compensation Insurance Coverage and Disability benefits;
- (5) At least one set of construction documents (drawings and/or specifications) which:
 - (a) Define the scope of the proposed work;
 - (b) Are prepared by a New York State licensed architect or licensed professional engineer where so required by the Education Law (if the construction or alteration will have an effect on either structural or public safety, exceed \$20,000 in cost, or over 1,500 square feet);
 - (c) Indicate with sufficient clarity and detail the nature and extent of the work proposed;
 - (d) Substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and
 - (e) Where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.
- (6) Any new residence building, regardless of size, will require stamped and signed drawings from either a New York State licensed architect or licensed professional engineer.

WORK SHALL NOT BE COMMENCED UNTIL AND UNLESS A BUILDING PERMIT IS ISSUED.

Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the building permit. The permit holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. If the Code Enforcement Officer determines that such change warrants a new or amended building permit, such change shall not be made until and unless a new or amended building permit reflecting such change is issued.

Building permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building permits shall expire 12 months after the date of issuance. A building permit which has become invalid or which has expired may be renewed upon application by the permit holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

OVER

Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer. The permit holder shall notify the Code Enforcement Officer **ATLEAST 24 HOURS IN ADVANCE** when any element of work described below is ready for inspection.

The following elements of the construction process shall be inspected, where applicable:

- (1) Work site prior to the issuance of a building permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) building systems, including underground and rough-in;
- (6) fire-resistant construction;
- (7) fire-resistant penetrations;
- (8) solid-fuel-burning heating appliances, chimneys, flues or gas vents;
- (9) energy Code compliance; and
- (10) a final inspection after all work authorized by the building permit has been completed.

After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the permit holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, re-inspected, and found satisfactory as completed.

No building shall be occupied or used in whole or in part for any purpose whatsoever until a Certificate of Occupancy has been granted by the Code Enforcement Officer.

PLEASE REMOVE THESE INSTRUCTIONS PRIOR TO FILING

VILLAGE OF HAMILTON BUILDING PERMIT APPLICATION

PERMIT # _____

NOTE: BUILDING PERMIT EXPIRES ONE YEAR FROM THE DATE OF ISSUANCE

Cost of Permit: \$ _____

All applicable sections of this application must be completed – incomplete applications will not be considered.

Type of permit requested: Building Demolition Excavation/Fill

Property Owner: _____ Date: _____

Project Street Address: _____

Telephone #: _____ Tax Map Number: _____ Zoning District: _____

Nature of Work (check all that apply)

New Building Addition Alteration Renovation Change of Use

Type of work (check all that apply): Deck Garage Porch Shed Kitchen

Bathroom Furnace Swimming pool Electrical Wood/Pellet stove Roofing

Windows Siding Other

Cost of New Construction or addition: \$ _____

Description of the proposed project and its proposed use: _____

Type of use: Residential Commercial Industrial Other

Construction Type: Wood Steel Masonry Other

Project dimensions: Width: _____ Length: _____ Height: _____ Square Footage: _____

Set backs from lot lines: Front: _____ Rear: _____ Side 1: _____ Side 2: _____

Is the project in a flood zone? Y N Is the project within 100' of any wetlands? Y N

Contractor: _____

Address: _____ Telephone #: _____

If the construction or alteration will have an effect on either structural or public safety, exceeds \$20,000 in cost or 1,500 square feet all plans submitted must bear the original seal and signature of a NYS licensed Professional Engineer or Registered Architect.

Architect: _____ RA _____ PE _____ License No.: _____

Address: _____ Telephone #: _____

APPLICANT CERTIFICATION: I hereby certify that I have read the instructions and examined this completed application and know the same to be true and correct. All work done under this permit will meet the requirements of the New York State Uniform Fire Prevention and Building Code and all ordinances and regulations of the Village of Hamilton. I also understand that the granting of this permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or land use or the performance of construction.

INSPECTIONS REQUIRED: I understand that I am responsible to ensure that the inspections listed on the reverse side of this application are performed as construction progresses and that in no case shall construction proceed beyond any required inspection until approved by the Code Enforcement Officer. I understand that failing to have a required inspection performed would constitute a violation punishable by a fine not to exceed \$1,000 and/or imprisonment not to exceed one year.

CONSENT TO ENTER PROPERTY: I recognize that by signing the application I am giving consent to employees of the Village of Hamilton to enter the subject property for the purpose of obtaining information relevant to the processing of this application. I also understand that by acceptance of a Permit, I agree to allow representatives of the Village of Hamilton access to the properties covered by the Permit, at reasonable times, for the purpose of ascertaining compliance with the Permit.

Signature of Property Owner: _____ Date: _____

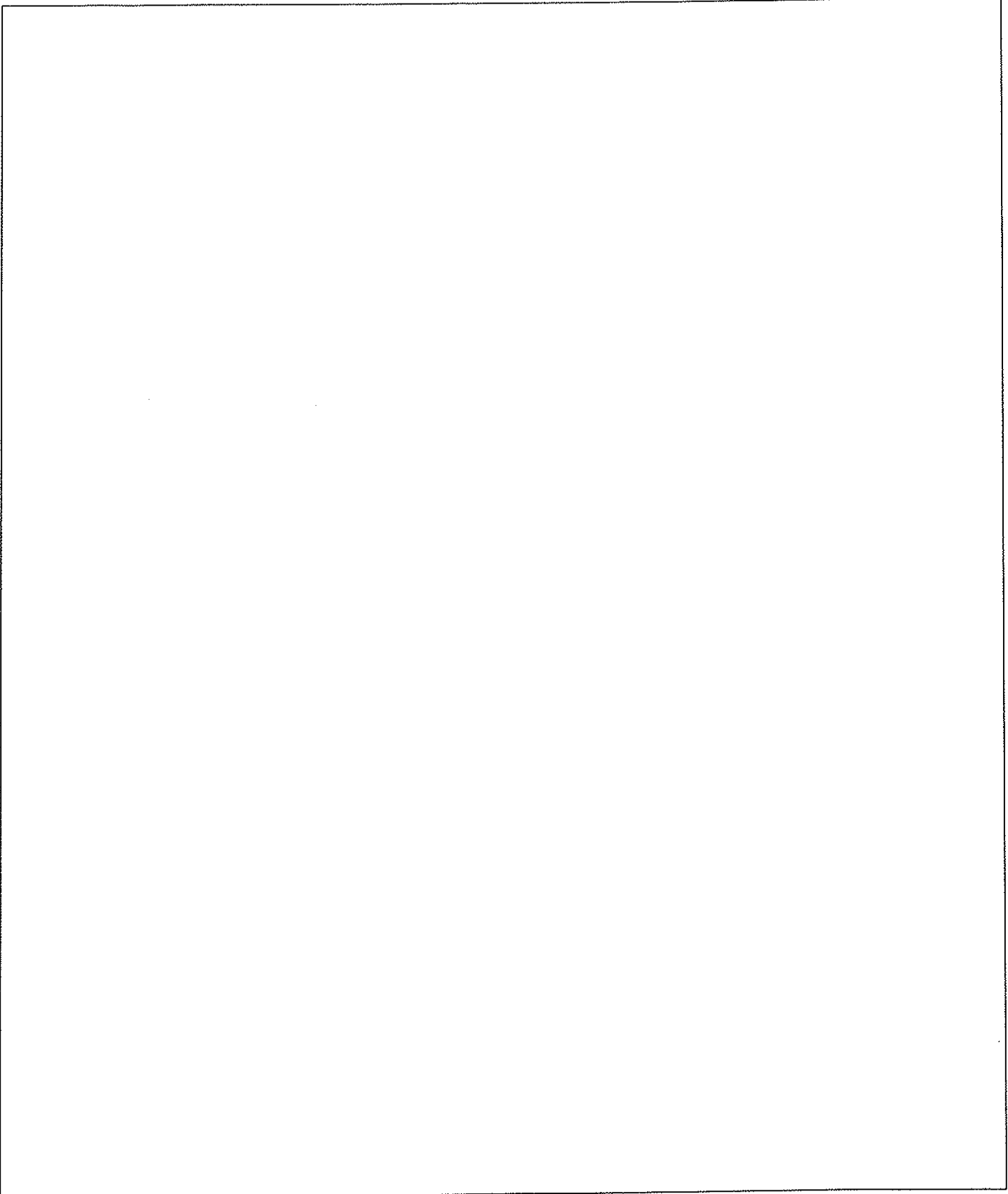
Signature of Contractor: _____ Date: _____

The application of _____ dated _____, 20____, is hereby approved (disapproved) and permission granted (refused) for the construction, reconstruction or alteration of a building and/or accessory structure as set forth above.

REASON FOR REFUSAL OF PERMIT: _____

Dated: _____ Code Enforcement Officer: _____

PLOT/SITE PLAN



INSPECTION SCHEDULE FOR NEW AND RENOVATION CONSTRUCTION
ALL APPLICABLE INSPECTIONS LISTED BELOW ARE MANDATORY

1) **WORK SITE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT**

2) **FOOTINGS/POSTS:**

To be placed on undisturbed soil, a minimum of 42" deep, formed on both sides of the concrete with 2 by X lumber, sized in accordance with the NYS Uniform Building Code. Forms are to be squared and leveled to fit the structure. Rebar is to be installed per ACI specs, each bar to be aligned under edges of foundation. Rebar is to be located one-third up in the forms and is to be supported on chairs or wire-tied to the forms, overlaps to be a minimum of 24" and tied on both ends. **CALL FOR INSPECTION BEFORE ORDERING CONCRETE OR FILLING POST HOLES!** If there is a problem with water or mud there are alternatives, please call. If a sump pump is used; a similar drainage system is required on the inside. If a walk-out basement is anticipated, the foundation in that area must be below the frost line and insulated. **COPIES OF ALL CONCRETE LOAD TICKETS THAT CERTIFY THE COMPRESSIVE STRENGTH OF CONCRETE MUST BE SUBMITTED TO THE CODE OFFICE.**

3) **FOUNDATION:** Foundation wall including sill plate, anchor bolts (10" in length, 6' on center and 12" from the end of any section of sill plate), waterproofing, drainage tile and exterior insulation **BEFORE BACKFILLING.**

4) **FRAMING:** Vertical and horizontal members, sub-flooring and wall and roof sheathing. Interior members after electrical and plumbing rough-ins and **BEFORE INSULATING OR ENCLOSING.**

5) **MECHANICALS, CHIMNEYS & FIREPLACES:** Are to be inspected **BEFORE ENCLOSING.** Must be approved before insulation or gypsum/drywall is applied. All heating devices are to comply with manufacturer's specs.

6) **ELECTRICAL:** rough-in electrical inspection is required **PRIOR TO INSULATION AND/OR DRYWALL** is applied. We need to see the inspection approval from an approved electrical inspection agency.

7) **PLUMBING:** Rough-in plumbing inspection is required **PRIOR TO INSULATION AND/OR DRYWALL** is applied.

8) **FIRE-STOPPING:** vertical and horizontal fire stopping after mechanical, electrical and plumbing rough-ins.

9) **INSULATION:** batting insulation must be inspected **PRIOR TO INSTALLING GYPSUM/DRYWALL.** If insulation is blow into attic or wall areas, venter certification is required. **INSULATION OF BASEMENT:** joist cavities downward to 48" below grade are to be insulated with minimum R-11; inside or outside. Fire-rated material covering is required inside.

10) **FIRE SEPARATION:** Fire separations for attached garages are to be as follows: 5/8" type X gypsum wallboard on **garage side** of the partition between the garage and the house and 5/8" or 1/2" gypsum on the **house side.** Complete coverage to underside of roof deck or entire garage ceiling coverage is required. Fasteners are to be 12 inches on center along framing members and counters sunk 1/32". Where a room exists above the garage all load bearing garage walls are to be covered with 5/8" type X gypsum wall board and the fasteners on the ceiling are to be 6 inches on center. **WALLBOARD MUST BE INSPECTED BEFORE FASTENERS ARE CONCEALED.**

11) **FINAL BUILDING INSPECTION:** must be performed prior to occupancy or use.*

FINAL ELECTRICAL & PLUMBING INSPECTIONS should be scheduled prior to final building inspection. **CERTIFICATE OF OCCUPANCY** must be obtained **BEFORE OCCUPANCY OR USE TAKES PLACE.**

AS-BUILT SURVEY: an as-built survey (structure location plotted on final survey by a NYS licensed surveyor) is required for all new homes and projects involving variances and may be required for other projects.

CALL AT LEAST ONE DAY IN ADVANCE TO SCHEDULE INSPECTIONS

This is a general inspection schedule and may not include all of the required inspections that pertain to your individual project.

* If the applicable certificate is not obtained prior to occupancy or use, legal action will be taken as outlined in the Village of Hamilton Zoning Ordinance. Failure to have a required inspection certified by the Code Enforcement Officer will negate the issuance of a certificate.

FAILURE TO COMPLY WITH THIS INSPECTION SCHEDULE CAN RESULT IN THE ISSUANCE OF A STOP WORK ORDER, FINES NOT TO EXCEED \$1,000 AND/OR IMPRISONMENT NOT TO EXCEED ONE YEAR

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 _____, 20____. _____ County Clerk or Notary Public

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

LAWS OF NEW YORK, 1998
CHAPTER 439

The **general municipal law is amended by adding a new section 125** to read as follows:

125. ISSUANCE OF BUILDING PERMITS. NO CITY, TOWN OR VILLAGE SHALL ISSUE A BUILDING PERMIT WITHOUT OBTAINING FROM THE PERMIT APPLICANT EITHER:

1. PROOF DULY SUBSCRIBED THAT WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS COVERAGE ISSUED BY AN INSURANCE CARRIER IN A FORM SATISFACTORY TO THE CHAIR OF THE WORKERS' COMPENSATION BOARD AS PROVIDED FOR IN SECTION FIFTY-SEVEN OF THE WORKERS' COMPENSATION LAW IS EFFECTIVE; OR

2. AN AFFIDAVIT THAT SUCH PERMIT APPLICANT HAS NOT ENGAGED AN EMPLOYER OR ANY EMPLOYEES AS THOSE TERMS ARE DEFINED IN SECTION TWO OF THE WORKERS' COMPENSATION LAW TO PERFORM WORK RELATING TO SUCH BUILDING PERMIT.

Implementing Section 125 of the General Municipal Law

1. General Contractors -- Business Owners and Certain Homeowners

For **businesses and certain homeowners listed as the general contractors on building permits**, proof that they are in compliance with Section 57 of the Workers' Compensation Law (WCL) is **ONE** of the following forms that indicate that they are:

- ◆ insured (C-105.2 or U-26.3),
- ◆ self-insured (SI-12), or
- ◆ are exempt (CE-200),

under the mandatory coverage provisions of the WCL. Any residence that is not a **1, 2, 3 or 4 Family, Owner-occupied Residence** is considered a business (income or potential income property) and must prove compliance by filing one of the above forms.

2. Owner-occupied Residences

For homeowners of a **1, 2, 3 or 4 Family, Owner-occupied Residence**, proof of their exemption from the mandatory coverage provisions of the Workers' Compensation Law when applying for a building permit is to file form BP-1.

◆ Form BP-1 shall be filed if the homeowner of a **1, 2, 3 or 4 Family, Owner-occupied Residence** is listed as the general contractor on the building permit, and the homeowner:

◇ is performing all the work for which the building permit was issued him/herself,

◇ is 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 the homeowner perform such work, or

◇ has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued.

◆ If the homeowner of a **1, 2, 3 or 4 Family, Owner-occupied Residence** is hiring or paying individuals a total of **40 hours or MORE** in any week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued, then the homeowner may not file the "Affidavit of Exemption" form, BP-1(11/04), but shall 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 (the C-105.2 or U-26.3 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) 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.

Contractor's Workers' Compensation Requirements for a Building Permit

In order to obtain a building permit from the Village of Hamilton, the builder/contractor **MUST** provide proof of workers' compensation insurance.

Builder/Contractor with Employees:

- Proof of insurance is required with the Building Permit Application before a permit can be issued. Please contact your insurance agency and have the form sent to village office. The Village of Hamilton must be named as Certificate Holder.
Our fax # is: 315-824-0922
The ACCORD form is no longer acceptable proof. Need to use NYSWMC form C-105.2.

Self-Employed Builder/Contractor with NO Employees:

- If you are self-employed with no employees, you must fill out a CE-200 Form for each job site with a different physical address.
- Two options are available.
 1. Contact the nearest NYSWC District Office to request an application, fill it out, and mail it in. *Note: this method will take approx. 4-6 weeks to receive your CE-200 form.*
 2. Go to the NYSWC website fill out the application on the internet, this will take approx. 15 minutes and upon completion, be able to print out a hard copy of the CE-200.

Question? Need more information?

NYS Workers' Compensation Website: www.wcb.ny.gov

Village of Hamilton's Website: hamilton-ny.gov

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