

**TOWN OF BROOKFIELD
BUILDING ORDINANCE**

Amended and Revised **April 15th, 2019**
RE: Permits and Related Fees

This ordinance shall be known and be cited as the “BUILDING ORDINANCE” for the Town of Brookfield, New York.

The ordinance shall apply to the construction, significant alteration, demolition or installation of any principal building, including porches or decks over 144 square feet, decks of any size if they include a roof, in the Town of Brookfield in order to assure the health, safety and general welfare of the residents of the Town.

The applicant shall provide proof of ownership to the Codes Enforcement Officer.

A. Permits Required for Construction

1. All new construction.
2. Alterations to existing structures.
3. Additions to existing structures.
4. Conversions of existing structures.
5. All heating equipment, using combustible liquid or gases, in any existing structure.
6. Installation of any chimney, flue or gas vent, in any existing structure.
7. Septic systems. (See page 3)
8. Demolition of all existing structures.
9. All fire safety equipment.
10. Extension of electrical systems. (Contact Code Enforcement Officer prior to starting any electrical project.)

****Definition of underlined words will appear on page (6)

These permits will be the responsibility of the General or Primary contractor; and/or the property owner.

Heating and Septic permits have a 5-day grace period for emergency work. A permit must be filed at the Codes Office within 5 working days of the date of installation, and a final inspection must be approved.

These permits, related fees and late charges are only under the authority of the Codes Enforcement Officer appointed by the Town of Brookfield.

1. **Site built, Manufactured and Modular Homes per dwelling (Includes New Construction, New/Used Installation, Replacement/Relocation):**

This includes all existing mobile homes which are being replaced or relocated, whether on private property or in a mobile home park. (Approved stabilizing devices and anchoring equipment required.)

All new/used manufactured housing and modular homes must be installed by a New York State certified installer.

- A. \$300 for the first 2,500 square feet.
- B. \$50 for every 500 square feet of portion thereafter.
- C. Minimum lot size for new construction (**except for mobile homes in parks**) will be 65,340 square feet (1.5 acres).

2. **All Decks over 144 square feet or any size deck if it includes a roof.**

- A. \$50 for all sizes

3. **Non-commercial Garages and Storage Buildings.(Over 144 square feet and unattached from residence.**

- A. Accessory structure up to 144 sq. ft. – No permit required.
- B. Accessory structure OVER 144 sq. ft. - \$50 for first 600 sq. ft.
\$10 for each 100 sq. ft. or fraction thereafter.

4. **Alterations, Conversions & Additions to Existing Structures; Commercial; Industrial, Place of Assembly, Institutional, Business, Mercantile, Commercial Storage and all Multiple Dwellings, and Additions to these occupancies.**

(See definitions on Page 5 of this document.)

- A. Up to 1,000 sq. ft. \$100
\$10 for each 100 sq. ft. or fraction thereafter
- B. Agricultural buildings and/or construction on Agricultural enterprises are exempt from permit fees but must obtain permits.

5. **Septic Systems:**

- A. Installation of New System
- B. Replacement of Existing System

No septic system shall be installed or replaced in the aforementioned town except upon the issuance of a permit by the Codes Enforcement Officer of the Town of Brookfield after payment of the fee hereinafter prescribed.

The Codes Enforcement Officer, before covering, must visually inspect all systems. Failure to do so will mean the system must be uncovered for inspection.

A professional Engineer must design & certify Septic system plans.

Any modifications from and including the distribution box needs approval from a professional engineer.

- A. Septic System permit \$50.00
 - A permit is valid for one year from the date of issue. If construction has not commenced, the permit is void and no refunds shall be allowed.

General or primary contractors and/or property owners must give adequate time for inspections. Minimum of 24 hours notice required.

The Codes Enforcement Officer or a Certified appointed official will respond within 24 hours of being contacted by contractors and/or property owners.

6. **Heating Permits**

Permit required for Installation of and/or replacement of all heating equipment. Heating equipment, including, but not limited to, furnaces, solid fuel heating equipment, chimneys, flues and gas vents shall not be installed or replaced in the aforementioned town except upon the issuance of a permit by the Codes Enforcement Officer of the Town of Brookfield after payment of the fee hereinafter prescribed.

- A. \$50 fee

7. **Swimming pool (In or Above-ground), Spas and Hot Tubs.**

Under 2' water (no electrical connection)	No Fee
2' or over water (Above ground & In-ground)*	\$60.00
Spas & Hot Tubs*	\$60.00

* All installations must be performed according to and in compliance with 2015 New York State Code.

Pool Deck and/or Outbuilding See #4

8. **Fire Protection Equipment:**

Sprinkler system, Standpipe systems, extinguishing agent system other than water, Smoke and Heat detection (for other than single station residential device for one & two family dwellings.)

A. \$50 fee

9. **Demolition Permit**

A. \$50 fee required for any structure over 144 sq. ft.

******* ALL PERMIT FEES SHALL BE DOUBLED IF CONSTRUCTION IS COMMENCED PRIOR TO THE ISSUANCE OF A PERMIT**

Fire Inspections

Minimum Standards for Administration and Enforcement. Fire Safety inspections of areas of Public Assembly must be performed at least once per year.

Fire Safety inspections of all non-residential occupancies at intervals consistent with local conditions.

1. Places of Assembly – Once per year \$30.00 per inspector (Covers full inspection.)
2. All structures on Commercial, Institutional, Business, Storage, Mercantile under 40,000 sq. ft. \$30.00 per inspection.
 \$40,000 sq. ft. and over will be charged a rate of \$15.00 per hour, per inspector, minimum 2 hr. charge.

An additional inspection of an existing structure, previously inspected within the designated time period, will only be done upon the receipt of a bona fide complaint. The cost of this inspection will be directed to the owner of the building, at a rate of \$15.00 per visit, until such time as the complaint is resolved. If compliance is not achieved in the allotted time given, the original Fire Inspection Approval Certificate will be revoked.

- A. Building permits shall be required for any work, which must conform to the Uniform Fire Prevention and Building Code. Exceptions to this requirement for building permits may be allowed for:
1. Necessary repairs that do not materially affect structural features.
 2. Alterations to existing buildings, provided that the alterations:
 - A. Do not materially affect structural features.
 - B. Do not affect fire safety features, such as smoke detectors, sprinklers, required fire separations and exits.
 - C. Do not involve the installation or extension of electrical systems, and
 - D. Do not include the installation of all fuel-burning heating equipment.
- B. Certificates of Occupancy or Certificates of Compliance shall be required for all work for which a building permit is required to be issued under subdivision (A) of this section and for all buildings which are converted from one general occupancy classification to another.
- C. Provisions shall be made for:
1. Construction Inspections where a building permit has been issued, at such times during the course of construction as will permit the observation of the foundation, structural elements, electrical systems, insulation, plumbing systems, heating, ventilation and air conditioning systems, fire protection and detection systems and exit features.

Definitions for terms used on page 1:

1. ADDITIONS: Extension or increase in area, height or equipment of a building.
2. ALTERATION: Any change, rearrangement or addition to a building other than repairs, any modification in construction or in building equipment.
3. CONVERSION: Change of use or occupancy of any structure.
4. REPAIRS: Replacement or renewal, excluding additions, or any part of a building, structure, device, or equipment, with like or similar materials or parts, for the purpose of maintenance, preservation or restoration of such building, structure, device or equipment.

NOTE: Square footage shall include habitable space, but shall not include a crawl space, or attic space, no part of which exceeds 5 feet in height. Square footage shall be based upon outside dimensions of building.

NOTE: Electrical inspections are to be performed by a Certified Electrical Inspection firm, and are NOT a part of this inspection fee.

NOTE: A final building inspection and issuance of a Certificate of Occupancy is required before you may occupy or use permitted construction project.

ADMINISTRATION AND ENFORCEMENT

A. Enforcement

This Town ordinance shall be administered and enforced by the Codes Enforcement Officer appointed by the Town of Brookfield.

B. Violations and Penalties

Any violation of this ordinance is an offense punishable by a fine not exceeding \$1,000.00. Each week's continued violation shall constitute a separate offense.

C. Separability

Should any section or provisions of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

D. Appeals

Any person seeking a variance from the strict letter of these regulations may make application therefore to the Town Board of Appeals. Upon such application, the Town Board of Appeals shall, when there are practical difficulties or unnecessary hardships in the way of carrying out this strict letter of the regulations, have authority to make recommendations to the Town Board to vary or modify the application of such regulations so that the spirit of such regulations shall be observed, public safety and welfare secured, and substantial justice done. Final determination will be made by the Town Board.

E. Enactment

This ordinance shall become effective at the time and in the manner provided by law on the **22nd day of May, 2019**.