

What is a building permit?

A building permit is a document which grants legal permission to start the construction or alteration of a building or other structure in accordance with approved drawings and specifications.

Why do I need a building permit?

Permits ensure that construction within our municipality meets with standards set out in the NYS Building Code and the Code of the Village of Albion. Your home renovation project must meet basic requirements for health, safety and structural soundness. Beyond this, the permit process makes sure that your plans are in line with other town requirements, such as zoning regulations and historic building designations.

What happens if I don't get a permit?

The property owner may be subject to legal action for failure to obtain a building permit. If you carry out a renovation project that requires a building permit without having one, Village Building Department representatives may issue a "Stop Work" and or a "Cease and Desist" order, which remains in effect until you obtain a permit. If the work doesn't meet the requirements of the Building Code, you may well have to redo the work at your own cost

Work performed without a required building permit may hold up the sale of your property in the future and may also affect an insurance claim. Before any work begins on your home, check with your insurance representative, who can explain exactly what is needed to ensure continuous and adequate coverage, both during and after the renovation.

When do I need a permit?

A building permit is required for any new building, any addition to an existing building, and any alterations to an existing building which effects: the structural design of the building; mechanical; electrical; plumbing systems; and the use of buildings or parts thereof. Below you will find a list of typical residential projects that require a building permit:

- All decks, porches and three season rooms
- Additions, interior structural alterations, finishing a basement or a portion thereof
- fireplaces, wood-burning stoves, chimneys and gas inserts
- attached or detached garages, sheds
- installation of sanitary, water service and irrigation systems
- structural alterations to windows or doors
- all pools that can hold 24 inches or more of water and hot tubs
- automatic fire alarms
- extensions to the plumbing, heating and electrical systems
- generators
- re-roofing

Check with the Code Enforcement Office (585-589-7229) to see if your project requires a building permit.

What paperwork do I need to get a permit?

The specific requirements depend on the type of work you are planning. For simple interior projects, a scale floor plan will often be adequate. For larger projects involving additions, decks or major structural

renovations, a full set of working drawings and a site survey map may be required. The Code Enforcement Officials can tell you exactly what's needed.

When is the permit complete?

A final inspection is required when all work has been completed. When it has been determined that the project meets the applicable codes and standards, a Certificate of Compliance or a Certificate of Occupancy will be issued.

You cannot legally use or occupy the space until either certificate has been issued.

Do I need a contractor?

This depends on the scope of the project and your skill level. You can do the work yourself or hire a contractor. If you decide to hire a contractor, you will need to provide their name when the application is made

Some things to consider when choosing a contractor.

- Check for the contractor's experience in the type of construction proposed.
- Interview the contractor and check his references.
- Arrange a contract and ensure the contract covers all the work including your Design Professional drawings and who arranges for inspections
- Before signing the contract, check the drawings to ensure they comply with what you want. Also check specifications and materials proposed-- with your Design Professional and Contractor.
- Confirm the type of warranty that is being given, and, on a large contract, you may wish to obtain legal counsel before signing.
- Confirm whether the contractor is obtaining the building permit or if you are expected to handle the building permit. When the contractor is applying for the permit, make sure you see the permit before allowing work to start.

It is recommended that you discuss with Legal Counsel and/or your Design Professional regarding payment with regard to final inspection [and obtaining](#) a Certificate of Compliance or a Certificate of Occupancy, [upon completion of the work](#).

Can the Code Officer changed engineer/architect stamped plans?

No code officer can change stamped plans, only the design professional can make changes.

Do all storage sheds require a permit?

Only storage sheds over 144 square feet require a permit. All sheds need to follow Zoning setback requirements.

Does an inspection have to be requested by the owner/builder/contractor?

Yes, all inspections have to be requested. No inspection will be performed unless an adult over the age of 21 years is present at the time of inspection to talk to and walk with the Code Enforcement Officer.

Are Certificates of Occupancy issued by the Code Enforcement Officer?

Yes, the code officer issues all certificates of occupancy or temporary certificates of occupancy. An architect or engineer can submit an inspection report to the code officer for a project they have inspected, but by NY State law only the code officer can issue the final certificate.

What is considered commercial?

Any non-residential building that is not covered in the NYS Residential Code is considered commercial.

Are all commercial plans done by an architect or engineer?

All commercial plans need to be stamped by a design professional (architect/engineer) for new construction, including additions and remodels that require a change in structural components.

If the commercial remodel does not effect any structural component and is under \$20,000 in calculated cost, then stamped plans are not required.

Where can I find information pertaining to swimming pools for residential homes?

Information for new swimming pools, hot tubs, and spas associated with detached one and two family dwellings and townhouses that are not more than three stores above grade plane can be found in the 2020 Residential Code of New York State Section R326. These sections outline items such as necessary alarms, entrapment protection, and barrier requirements. Residential Code Chapter 42 applies to the construction and installation of electric wiring and equipment associated with all swimming pools. The 2020 Property Maintenance Code of New York State, Section 303 states that swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Is a "blower door test" required for all new *residential buildings* constructed under the 2020 ECCCNY?

Yes. Per Section R402.4 of the 2020 ECCCNY, the use of a "blower door test" (ACH 50 testing) is a mandatory requirement to determine building tightness for new construction only. However, blower door testing requirements are not applicable to work performed in existing *residential buildings*.

Are there efficiency requirements included for permanent lighting fixtures for *residential buildings*?

Yes. A mandatory requirement in Section R404.1 of the 2020 ECCCNY states that in new *residential buildings* not less than 90 percent of the permanently installed lighting fixtures must be supplied with high-efficacy lamps. Examples of such lamps include compact fluorescent lamps or LED (light emitting diode) lamps. The following are also required to meet the requirements of Section R404.1 of the 2020 ECCCNY: additions and changes of occupancy that would result in an increase in demand for either fossil fuel or electrical energy; the conversion from any occupancy or use to a dwelling unit; alterations that replace more than 50% of the luminaires in the space; and alterations that replace less than 50% of the luminaires in the space but result in an increase in the installed interior lighting power.

What is a "manufactured home"?

Per Section R202, of the 2020 Residential Code of New York State:

[NY] MANUFACTURED HOME. A factory-manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD),

Manufactured Home Construction and Safety Standards, 24 CFR part 3280, 4/1/93, transportable in one or more sections which in the traveling mode is 8 body feet (2438 body mm) or more in width or 40 feet (12 192 body mm) or more in length, or, where erected on site, is 320 square feet (30 m2) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation where connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; The term “Manufactured home” shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Federal Department of Housing and Urban Development and complies with the standards established under the national Manufactured Housing Construction and Safety Act of 1974, as amended. The term “Manufactured home” shall not include any self-propelled recreation vehicle.

What is a “mobile home”?

Per Section AE201, Appendix E of the 2020 Residential Code of New York State:

[NY] MOBILE HOME. A moveable or portable dwelling unit that was built prior to June 15, 1976, and designed and constructed to be towed on its own chassis, composed of frame and wheels, connected to utilities, and designed and constructed without a permanent foundation for year-round living, excluding travel trailers. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

What is a “modular home”?

Per Section R202, of the 2020 Residential Code of New York State:

[NY] FACTORY MANUFACTURED BUILDINGS (MODULAR BUILDINGS). A commercial or residential structure constructed by a method or system of construction whereby the structure or its components are wholly or in substantial part manufactured in manufacturing facilities, and whereby all portions may not be reasonably inspected at the installation site without disassembly or destruction thereof. The term includes buildings intended or designed for permanent installation, or assembly and permanent installation, on a building site.

Where can a list of certified individuals be found?

See the [List of certified manufacturers, retailers, installers and mechanics of manufactured homes.](#)

Are permits and certificates of occupancy/compliance required for the installation of a manufactured home?

Yes. Pursuant to 19 NYCRR Part 1203 a building permit “shall be required for [all] work which shall comply with the Uniform Code,” including the installation, alteration, and repair (as specified by Appendix J of the 2020 Residential Code of New York State) of a manufactured home. Section AE103 was added to Appendix E, of the 2020 Residential Code of New York State to address the topic of permitting and inspections. Lastly, pursuant to 19 NYCRR Part 1203 issuance of a certificate of occupancy/compliance is “required for any work which is the subject of a building permit.”