

VILLAGE OF CHATHAM

Local Law No. ___ of 2023

A Local Law Correcting Provisions for Uniform Code Enforcement as Enacted by Local Law No. 1 of 2023

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM AS FOLLOWS:

Section 1. Legislative Findings and Intent.

It has come to the attention of the Board of Trustees of the Village of Chatham that two subsections of the Chapter 46 of the Code of the Village of Chatham, entitled “Fire Prevention and Building Construction”, as amended in its entirety by Local Law No. 1 of 2023, fail to state certain time periods: the maximum duration of a temporary certificate of occupancy and the time deadline for submitting certain condition assessment reports of parking garages, and this Local Law is enacted to clarify such subsection.

§ 2. Amendment of Section 46-7(d) of the Code of the Village of Chatham.

Subdivision (d) of section 46-7 (entitled “Certificates of Occupancy and Certificates of Compliance”) of the Code of the Village of Chatham, as amended, is amended to read as follows:

(d) Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

§ 3. Amendment of Section 46-13(f) of the Code of the Village of Chatham.

The introductory paragraph of subdivision (f) of section 46-13 (entitled “Condition Assessments of Parking Garages”) of the Code of the Village of Chatham, as amended, is amended to read as follows:

(f) Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Village within sixty (60) days of the condition assessment to which it pertains. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

[the numbered subsections (1) through (9) remain unchanged.]

§ 4. Statement of Authority

This law is enacted pursuant to the authority of NY Municipal Home Rule Law, including but not limited to M.H.R.L. sections 10, 20 and 27.

§ 4. Effective Date.

This local law shall become effective immediately upon filing with the Secretary of State.