



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

November 28, 2022
7:00 PM
City Council Agenda

Roll Call

Workshop Agenda Items

1. [Proposed Agreement with Keane & Beane, P.C. for Legal Services](#)
2. [Proposed Agreement with Lanc and Tully Engineering and Surveying, P.C. for Engineering Services](#)
3. [Proposed Agreement with John Clarke Planning and Design, LLC for Planning Services](#)
4. [Proposed Local Law to amend Chapter 119 of the Code of the City of Beacon Concerning the Administrator and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code to Incorporate Recent Updates to 19 NYCRR Part 1203](#)
5. [Sidewalk Discussion](#)
6. [25 Townsend Street Subdivision Street Naming](#)
7. [Proposed Amendments to the 2022 Operating Budget](#)

City of Beacon City Council Agenda
11/28/2022

Title:

Proposed Agreement with Keane & Beane, P.C. for Legal Services

ATTACHMENTS

[2023 Keane & Beane, P.C. Proposal for Legal Services](#)

■ **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

■ **New York City Office**
99 Madison Avenue
New York, NY 10016
Phone 646.794.5747

November 23, 2022

VIA E-MAIL

Mayor Lee Kyriacou
City of Beacon
One Municipal Plaza
Beacon, NY 12508

Re: Legal Services; Keane & Beane, P.C. 2023 Retainer

Dear Lee:

I write to confirm the terms of our firm's provision of legal services to the City of Beacon for 2023. As discussed, our firm will carry-over the basic terms of the City's 2022 retainer for general municipal legal services at a fixed monthly retainer of \$15,950.00 for such general municipal services, including meeting attendance. We will charge on an hourly basis using a discounted blended rate of \$235.00 for special projects and litigation. We will charge on an hourly basis using a rate of \$250.00 for associates and \$285.00 for partners for review of land use matters. We will also provide general municipal labor services (analysis of current contracts, drafting of policies, general advice on personnel matters, as some examples) as detailed below, within the monthly retainer. We will represent the City in traffic court matters within a separate monthly retainer of \$2,000.00.

General Retainer

For general municipal services, we will provide advice and counseling on the full range of municipal issues that will arise from time to time for a fixed annual charge to be paid in equal monthly installments billed the first of each month after the services are rendered. It is agreed that the firm is expected to provide approximately eighty (80) hours of legal services a month. The parties reserve the right to modify this retainer agreement in the event of material deviation from providing an average of eighty (80) hours a month. Among other things, the retainer will cover attendance at all City Council meetings, In Rem proceedings, labor advice, meeting with City staff at City Hall, consultation, advice, opinions on questions presented by City officials, review and preparation as necessary of routine City contracts, resolutions and other actions, and the like.

Mayor Lee Kyriacou

November 23, 2022

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Special Projects, Labor & Litigation

For special projects which you agree in writing are to be billed outside of the general retainer, Labor (arbitration, mediation, fact finding, labor litigation, disciplinary proceedings and the like) and litigation, we will charge \$235.00 per hour for our services on a straight hourly basis at a blended rate, regardless of the attorney performing the work. **We will obtain written approval from the City Administrator before working on matters outside the retainer so that Keane & Beane, P.C. and the City agree on what work is outside of the monthly retainer.** We will render bills on the first day of each month for work done the prior month.

Litigation consists of any matter that is commenced by a formal court or arbitration notice, such as a Summons, Complaint, Petition, Notice of Petition, or Notice of Claim. In contrast, general advice on possible litigation prior to commencement of a proceeding or receipt of such notice will fall under the general municipal retainer.

Special projects consist of major City endeavors that are not typically done. This category includes matters such as special district formation and extension, land acquisition and disposition, complex contract work, preparation of complex legislation, major rezoning or comprehensive plan revisions, and the like. In contrast, advice to officials, standard vendor contract preparation and review, and drafting of routine legislation would be general retainer work.

We do not charge for travel time to attend meetings at City Hall. Travel time to other locations during business hours will be billed as though travelled from our Fishkill office, unless the actual starting point is closer to the destination. For example, if a meeting is scheduled with NYSDEC in New Paltz, travel time would be billed from City Hall or from a closer distance if such be the case.

Land Use Applications

For review of land use applications our firm will charge the City at a rate of \$250.00 per hour for associates and \$285.00 per hour for partners. We will bill in each instance on the first day of each month for work done in the prior month.

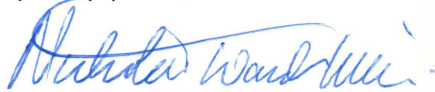
The City has authority to require land use applicants to reimburse the City's legal fees for State Environmental Quality Review Act reviews under New York State Environmental Conservation Law § 8-109(7)(a) and for special permit and other land use reviews under New York State Municipal Home Rule Law § 10 and § 22, the New York State General City Law and the City Code, so long as the fees are

Mayor Lee Kyriacou
November 23, 2022
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reasonable and necessary and incurred in connection with the City's examination and action on the applicant's project. Thus, review of an applicant's documents and submissions for compliance with law or approval requirements will be reimbursable and billed at full rates. Conversely, enforcement or Article 78 review proceedings will not be reimbursable, and they will, upon approval from the City Administrator, be charged to the City at the discounted rate set forth above depending on their nature.

We look forward to continuing our work with the City.

Very truly yours,



Nicholas M. Ward-Willis

NMW/sj

ecc: Chris White, City Administrator

ACKNOWLEDGED AND AGREED TO BY:

By: _____
Chris White, City Administrator

Dated: _____

City of Beacon City Council Agenda
11/28/2022

Title:

Proposed Agreement with Lanc and Tully Engineering and Surveying, P.C. for Engineering Services

ATTACHMENTS

[2023 Lanc and Tully Engineering and Surveying, P.C. Proposal for Engineering Services](#)



November 15, 2022

Christopher White
City Administrator
City of Beacon
1 Municipal Plaza Suite 1
Beacon, NY 12508

RE: 2023 Engineering Services

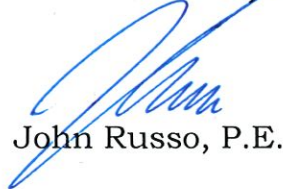
Dear Mr. White:

Please find enclosed our proposed rates for professional services for the year 2023. We understand the financial hardships placed upon the City of Beacon on a yearly basis in trying to complete infrastructure improvement projects, while trying to progress the City forwards with other projects. We have made minimal increases in our rates due to increases in insurance and operating costs over the years.

As we have stated often in the past, we truly enjoy working for the City of Beacon and look forward to a continued relationship in the future. Please contact us if you have any questions or comments regarding this matter. If the attached rates have been found to be acceptable by the City, I would ask that you please sign below, and return the executed letter of approval to our office.

Very truly yours,

LANC & TULLY, P.C.

A blue ink signature of John Russo, P.E., written over a horizontal line.

John Russo, P.E.

Signature & Title

Date Approved

Beacon 2023 Rates

CITY OF BEACON
MUNICIPAL HOURLY RATES 2023

Full Consulting Services

	Planning Board & State/Federal Funded Projects	Municipal (Non-Funded) Projects
Principal	\$ 108.00/hr.	98.00
Project Planner	\$ 100.00/hr.	90.00
Professional Engineer	\$ 108.00/hr.	98.00
Project Manager	\$ 99.00/hr.	91.00
Professional Land Surveyor	\$ 95.00/hr.	86.00
Land Surveyor	\$ 84.00/hr.	76.00
Engineer, Sr.	\$ 91.00/hr.	81.00
Engineer	\$ 77.00/hr.	69.00
Engineering Technician, Sr.	\$ 89.00/hr.	80.00
Engineering Technician	\$ 70.00/hr.	63.00
Surveying Technician, Sr.	\$ 80.00/hr.	72.00
Surveying Technician	\$ 69.00/hr.	61.00
Construction Technician	\$ 69.00/hr.	64.00
Survey Field Crew, 1-Man *	\$ 77.00/hr.	67.00
Survey Field Crew, 2-Men *	\$123.00/hr.	112.00
Survey Field Crew, 3-Men *	\$170.00/hr.	154.00
Clerical/Secretarial	\$ 40.00/hr.	36.00
Principal (Court – Min. 4 Hours)	\$225.00/hr.	225.00

* Rates shown for City projects not requiring payment at Prevailing Wage Rate. City projects requiring Prevailing Wage Rates will be adjusted based on the Prevailing Wage Rate established at the time of the project.

Printing will be charged extra. All charges are portal to portal. The above rates include the cost of long distance telephone calls, mileage driven within 50 miles of our office, and regular postage costs.

City of Beacon City Council Agenda
11/28/2022

Title:

Proposed Agreement with John Clarke Planning and Design, LLC for Planning Services

ATTACHMENTS

[2023 John Clarke Planning and Design, LLC Proposal for Planning Services](#)

Chris White, City Administrator
City of Beacon, One Municipal Plaza
Beacon, NY 12508

November 7, 2022

Re: 2023 City Planner Services

Chris:

It has been a personal pleasure to work with Beacon over the last six years. My objective has been to provide the best professional advice to the City Council and Planning Board, helping Beacon build on its recent successes and make the City a better place to live.

Qualifications and General Work Program

As a Dutchess County Planner for 30 years, the Department's lead planner for Beacon over 20 years, and a local Planning Board member for 20+ years, my long and varied experience in the field clearly qualifies me for the Beacon City Planner position. I am fully competent to provide a high level of service for all the work items required by the position, including:

- Provide advice to the Planning and Zoning Boards on site plans, subdivisions, special permits, variances, SEQRA reviews, and other regulated activities and procedural requirements;
- Prepare written reports with recommendations on planning and development activities;
- Offer planning and design options and guidance on best practices;
- Provide technical services, as requested, to the City Council and other City officials;
- Produce studies, planning options, and conceptual designs on special planning and zoning projects;
- Draft proposed amendments to the Zoning Code and update the City Zoning Map.

Over my career, I have prepared countless project review letters and written reports and have given hundreds of presentations to local boards and large public audiences. I am not intending take on other planning work, so my schedule is very flexible and I can concentrate on Beacon's needs. I am available for night or day meetings with the City Council, Planning Board, other officials, consultants, and project applicants.

Proposed Fee

As a top-level professional in the field with specialty skills in urban design, I have set an hourly fee of \$130 per hour for 2023, the first marginal increase since I started to work for the City six years ago. I work as an individual consultant, keeping my overhead costs low and ensuring that the City of Beacon will get my personal attention. I understand that any administrative costs, customary overhead expenses, and travel time will be covered by the basic hourly rate. I carry the requested levels of professional and general liability insurance.

My reputation for high-quality work, a strong record of creativity, and on-time, over-and-above performance is well earned and can be confirmed by talking to City staff, consultants, and Planning Board members. As always, I am open to any questions you or the City Council may have.

Thanks for all your support and I look forward to working with the City in the future.



John Clarke Planning and Design, LLC

Sent via Email

Acknowledged and agreed to by:

Chris White, City Administrator

Date

City of Beacon City Council Agenda
11/28/2022

Title:

Proposed Local Law to amend Chapter 119 of the Code of the City of Beacon Concerning the Administrator and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code to Incorporate Recent Updates to 19 NYCRR Part 1203

ATTACHMENTS

[Keane & Beane P.C. Memorandum Regarding Proposed Local Law No. 12 of 2022](#)

[19 NYCRR Part 1203 \(adopted December 2021\)](#)

[Proposed Local Law No. 12 - Amending 119 of the Code of the City of Beacon](#)

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445 Hamilton Avenue
White Plains, NY 10601
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Fax 914.946.6868
- Mid-Hudson Office
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120
- New York City Office
99 Madison Avenue
New York, NY 10016
Phone 646.794.5747

MEMORANDUM

TO: Mayor Kyriacou and Members of the
City Council of the City of Beacon

FROM: Keane & Beane, P.C.

RE: Proposed Local Law to Amend Chapter 119
Of the Code of the City of Beacon

DATE: November 17, 2022

Our office has prepared a proposed local law to amend Chapter 119 of the Code of the City of Beacon (the “City Code”) to incorporate new requirements set forth in Part 1203 of Title 19 of the New York Codes, Rules and Regulations, adopted on December 31, 2021.

Pursuant to Executive Law § 381(1) and the Energy Law § 11-107, the Department of State is authorized to promulgate regulations establishing minimum standards for administration and enforcement of the Uniform Code and the Energy Code. Additionally, unless otherwise prescribed by the Secretary of State, Executive Law § 381(2) requires local governments to administer and enforce the Uniform Code and the Energy Code. Chapter 119 of the City Code provides for the administration and enforcement of the Uniform Code and the Energy Code in the City of Beacon.

Updated versions of the Uniform Code and the Energy Code became effective on May 12, 2020 and, as a result, corresponding changes were necessary to Part 1203 of Title 19 of the New York Codes, Rules and Regulations: Uniform Code and the Energy Code: Minimum Standards for Administration and Enforcement (19 NYCRR Part 1203). Thereafter, on December 29, 2021, the Department of State filed a Notice of Adoption of a rule repealing and replacing 19 NYCRR Part 1203. This rule will become effective on December 30, 2022. Local governments have until December 30, 2022 to update their code enforcement programs to comply with the new provisions of Part 1203.

The proposed local law amends Chapter 119 of the City Code to comply with the minimum administration and enforcement standards set forth in 19 NYCRR Part 1203. The changes set forth in the proposed local law are mandated by the State.

RULE TEXT
(19 NYCRR Part 1203)

Part 1203 of Title 19 of the NYCRR is repealed and a new Part 1203 is added to read as follows:

**Part 1203 Uniform Code and the Energy Code: Minimum Standards for Administration and
Enforcement**

Section 1203.1 Introduction and definitions.

(a) Introduction. Section 381 of the Executive Law directs the Secretary of State to promulgate rules and regulations for administration of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code.

(b) Definitions. Unless otherwise expressly stated, for the purposes of this Part, the following terms shall be deemed to have the meanings shown in this subdivision:

(1) Assembly area. An area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

(2) Authority having jurisdiction. Any city, town, village, county, state agency, or other governmental unit or agency responsible for administration and enforcement of either or both of the Codes.

(3) Building permit. A building permit, construction permit, demolition permit, or other permit that authorizes the performance of work.

(4) Certificate of compliance. A document issued by the authority having jurisdiction stating that work was done in compliance with approved construction documents and the Codes.

(5) Certificate of occupancy. A document issued by the authority having jurisdiction certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the authority having jurisdiction, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

(6) Codes. The Uniform Code and Energy Code.

(7) Energy Code. The New York State Energy Conservation Construction Code, Subchapter B of Chapter XXXIII of this Title, adopted pursuant to Article 11 of the Energy Law.

(8) FCNYS. The 2020 Fire Code of New York State as currently incorporated by reference in Part 1225 of this Title.

(9) Fire safety and property maintenance inspection. An inspection performed to determine compliance with the applicable provisions of Part 1225 of this Title and the publications incorporated therein by reference and the applicable provisions of Part 1226 of this Title and the publications incorporated therein by reference.

(10) Hazardous production materials. A solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

(11) Mobile food preparation vehicles. Vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

(12) PMCNYS. The 2020 Property Maintenance Code of New York State as currently incorporated by reference in Part 1226 of this Title.

(13) RCNYS. The 2020 Residential Code of New York State as currently incorporated by reference in Part 1220 of this Title.

(14) Repair. The reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

(15) Sugarhouse. A building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

(16) Uniform Code. The New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of this Title, adopted pursuant to Article 18 of the Executive Law.

Section 1203.2 Program for administration and enforcement.

(a) Every city, village, town, and county responsible for administration and enforcement of either or both of the Codes shall establish a code enforcement program to provide for such administration and enforcement by local law, ordinance, or other appropriate regulation. Such code enforcement program shall include the features and provisions described in section 1203.3 of this Part.

(b) Where the State is responsible under section 1201.2 (d) of Part 1201 of this Title for administration and enforcement of the Uniform Code, the state agency or agencies determined in accordance with the provisions of Part 1204 of this Title shall administer and enforce the Codes in accordance with Part 1204 of this Title and section 1203.3 (j) of this Part. For the purposes of section 1203.3 (j)(5) of this Part, the period fixed by the code enforcement program of such state agency, as the interval between periodic condition assessments, shall not exceed three years.

(c) Every state agency responsible under section 1201.2 of this Title for administration and enforcement of the Uniform Code and not otherwise included in subdivisions (a) and (b) of this section shall provide for administration and enforcement of the Codes in regulation. Any such regulation shall include the features described in section 1203.3 of this Part.

(d) Every authority having jurisdiction responsible for administration and enforcement of the Uniform Code shall exercise its powers in due and proper manner so as to extend to all people of the State protection from the hazards of fire and inadequate building construction. Every authority having jurisdiction responsible for administration and enforcement of the Energy Code shall exercise its powers in due and proper manner so as to further the purposes of Article 11 of the Energy Law, as applicable.

(e) An authority having jurisdiction may contract directly with an individual or business entity to perform “building safety inspector enforcement activities” or “code enforcement official enforcement activities” (as those terms are defined in Part 1208 of this Title) on behalf of the authority having jurisdiction, subject to the following conditions:

(1) Where an authority having jurisdiction contracts directly with an individual or a business entity to perform any building safety inspector enforcement activities on behalf of such authority having jurisdiction, the authority having jurisdiction shall satisfy itself that each individual performing such contracted-for building safety inspector enforcement activities has qualifications comparable to those of a person who has met the requirements of Part 1208 of this Title applicable to building safety inspectors.

(2) Where an authority having jurisdiction contracts directly with an individual or a business entity to perform any code enforcement official enforcement activities on behalf of such authority having jurisdiction, the authority having jurisdiction shall satisfy itself that each individual performing such contracted-for code enforcement official enforcement activities has qualifications comparable to those of a person who has met the requirements of Part 1208 of this Title applicable to code enforcement officials.

(3) No agreement shall be made by which building permits, certificates of occupancy, temporary certificates of occupancy, certificates of compliance, orders, appearance tickets, or other similar documents related to administration and enforcement of either or both of the Codes are issued by other than public officers of the authority having jurisdiction.

(4) “Special inspections” (as defined in the Uniform Code), including but not limited to, electrical inspections, elevator inspections, welding inspections, and smoke control system inspections are not considered to be building safety inspector enforcement activities or code enforcement official enforcement activities (as defined in Part 1208 of this Title). Accordingly, a special inspector performing a special inspection is not performing a building safety inspector enforcement activity or a code enforcement official enforcement activity and is not required to have qualifications comparable to those of a person who has met the requirements of Part 1208 of this Title. However, an authority having jurisdiction shall not accept or rely upon a special inspection unless the person performing such special inspection

(i) is a qualified person employed or retained by an agency that has been approved by the authority having jurisdiction and

(ii) has been approved by the authority having jurisdiction as having the competence necessary to inspect a particular type of construction requiring such special inspection.

(f) The persons, offices, departments, agencies, or combinations thereof, authorized and responsible for administration and enforcement of either or both of the Codes, or any portion thereof, shall be clearly identified.

Section 1203.3 Minimum features of a program for administration and enforcement.

A program for administration and enforcement of either or both of the Codes shall include all features and provisions described in this section 1203.3. Each authority having jurisdiction must provide for each of the listed features through local law, ordinance, or appropriate regulation. Such authority having jurisdiction may

adopt provisions for administration and enforcement that are more stringent than the minimum standards set forth in this section.

(a) Building permits.

(1) Each authority having jurisdiction shall include in its code enforcement program provisions requiring building permits to be required for work that must conform to either or both of the Codes. Where expressly set forth in their code enforcement program, an authority having jurisdiction may exempt from the requirement for a building permit any one or more of the categories of work listed in section 1203.3 (a)(1)(i) through (viii). An exemption from the requirement to obtain a building permit shall not be deemed an authorization for work to be performed in violation of either or both of the Codes. The following categories of work may be exempted from the requirement for a building permit:

(i) construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;

(ii) construction of temporary sets and scenery associated with motion picture, television, and theater uses;

(iii) installation of window awnings supported by an exterior wall of a one-or two-family dwelling or multiple single-family dwellings (townhouses);

(iv) installation of partitions or movable cases less than 5'-9" in height;

(v) painting, wallpapering, tiling, carpeting, or other similar finish work;

(vi) installation of listed portable electrical, plumbing, heating, ventilation, or cooling equipment or appliances;

(vii) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; and

(viii) repairs, provided that the work does not have an impact on fire and life safety, such as:

(a) any part of the structural system;

(b) the required means of egress; or

(c) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

(2) Each authority having jurisdiction shall include in its code enforcement program provisions requiring an application for a building permit, or an amendment thereto, to include information sufficient to enable the authority having jurisdiction to determine that the intended work accords with the requirements of the Codes. An application for a building permit shall include, but not be limited to, the following information and documentation:

(i) a description of the location, nature, extent, and scope of the proposed work;

(ii) the tax map number and the street address of any affected building or structure;

(iii) the occupancy classification of any affected building or structure;

(iv) where applicable, a statement of special inspections to be prepared in accordance with the provisions of the Uniform Code;

(v) construction documents (drawings and/or specifications), in the format and quantity acceptable to the authority having jurisdiction, prepared in compliance with section 1203.3 (a)(3);

(vi) any additional submittal documents in the format and quantity acceptable to the authority having jurisdiction as required by the applicable provisions of the Codes;

(vii) any other information and documentation that the authority having jurisdiction may deem necessary to allow the authority having jurisdiction to determine that the proposed work conforms to the Codes.

(3) Each authority having jurisdiction shall include in its code enforcement program provisions requiring construction documents submitted as part of an application for a building permit to be drawn to scale on suitable

material or in electronic media. The authority having jurisdiction shall not approve required construction documents unless they show in sufficient detail that they contain the information and/or documentation required by the applicable provisions of either or both of the Codes, and including but not limited to the following, where applicable:

- (i) describing the location, nature, extent, and scope of the proposed work;
- (ii) showing that the proposed work will conform to the applicable provisions of the Codes;
- (iii) showing the location, construction, size, and character of all portions of the means of egress;
- (iv) showing a representation of the building thermal envelope;
- (v) showing structural information including but not limited to braced wall designs; the size, section, and relative locations of structural members; design loads; and other pertinent structural information;
- (vi) showing the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building;
- (vii) a written statement indicating compliance with the Energy Code;
- (viii) a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site; distances from lot lines; the established street grades and the proposed finished grades; and, as applicable, flood hazard areas, floodways, and design flood elevations;
- (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration

date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number; and

(x) include any other information and documentation that the authority having jurisdiction may deem necessary to allow the authority having jurisdiction to determine that the proposed work conforms to the Codes.

(4) Each authority having jurisdiction shall include in its code enforcement program provisions requiring the authority having jurisdiction, or an individual or entity contracted by the authority having jurisdiction and satisfying the requirements set forth in section 1203.2 (e)(2), to examine applications for a building permit or for an amendment thereto to ascertain whether the proposed work is in conformance with the requirements of the Codes. Construction documents and any other submittal documents approved as part of a building permit application shall be so marked in writing and by stamp, or in the case of electronic media, an electronic marking. One complete set of approved construction documents and other submittal documents shall be retained by the authority having jurisdiction. One complete set shall be returned to the applicant to be available at the work site for use by the authorized representatives of the authority having jurisdiction.

(5) Each authority having jurisdiction shall include in its code enforcement program provisions requiring building permits to contain a statement indicating that all work shall be performed in accordance with the approved building permit application including any supporting information and documentation, such as construction documents, written statements, submittal documents, etc. In addition, a building permit shall include a directive indicating that the building permit holder must notify the authority having jurisdiction immediately in the event of changes occurring during construction.

(6) Each authority having jurisdiction shall include in its code enforcement program provisions requiring building permits to be issued with a specific expiration date. The authority having jurisdiction may provide that

a building permit shall become invalid unless the work authorized is commenced within a specified period following issuance.

(7) Each authority having jurisdiction shall include in its code enforcement program provisions requiring that when a building permit has been issued in error because of incorrect, inaccurate, or incomplete information, or the work for which the building permit was issued violates either or both of the Codes, such building permit shall be revoked or suspended until such time as the building permit holder demonstrates that all work completed and all work proposed shall be in compliance with applicable provisions of the Codes.

(8) Each authority having jurisdiction shall include in its code enforcement program provisions requiring building permits to be visibly displayed at the worksite and to remain visible until the project has been completed.

(b) Construction inspections.

(1) Each authority having jurisdiction shall include in its code enforcement program provisions requiring the authority having jurisdiction, or an individual or entity contracted by the authority having jurisdiction and satisfying the requirements set forth in section 1203.2 (e)(2), to perform construction inspections required by the Codes including those listed in this paragraph, either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the authority having jurisdiction, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the authority having jurisdiction that the elements of the construction process conform with the applicable requirements of the Codes. Should a remote inspection not afford the authority having jurisdiction sufficient information to make a determination, an in-person inspection shall be performed. Inspections shall include but not be limited to the following elements of the construction process, where applicable:

(i) worksite prior to the issuance of a permit;

- (ii) footing and foundation;
 - (iii) preparation for concrete slab;
 - (iv) framing;
 - (v) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
 - (vi) fire resistant construction;
 - (vii) fire resistant penetrations;
 - (viii) solid fuel-burning heating appliances, chimneys, flues, or gas vents;
 - (ix) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, high-performance lighting, and controls;
 - (x) installation, connection, and assembly of factory manufactured buildings and manufactured homes;
- and
- (xi) a final inspection after all work authorized by the building permit has been completed.

(2) Each authority having jurisdiction shall include in its code enforcement program provisions requiring work for which a permit has been issued to remain accessible and exposed until inspected and accepted by the authority having jurisdiction and requiring building permit holders to notify the authority having jurisdiction when construction work is ready for inspection.

(3) Each authority having jurisdiction shall include in its code enforcement program provisions requiring that after each inspection, the authority having jurisdiction shall note the work or a portion thereof to be satisfactory as completed, or the building permit holder shall be notified as to the manner in which the work fails to comply with either or both of the Codes, including a citation to the specific code provision or provisions

that have not been met. The code enforcement program shall also include provisions requiring work not in compliance with applicable provisions of either or both of the Codes to remain exposed until it has been brought into compliance with the Codes, re-inspected, and found satisfactory as completed.

(c) Stop work orders.

Each authority having jurisdiction shall include in its code enforcement program provisions for the authority having jurisdiction to issue stop work orders to halt work that is determined to be contrary to provisions of either or both of the Codes, is being conducted in a dangerous or unsafe manner, is being performed without obtaining a required building permit, or when a building permit has been issued in error. A stop work order shall state the reason for its issuance and the conditions which must be satisfied before work will be allowed to resume.

(d) Certificates of occupancy, certificates of compliance, and temporary certificates of occupancy.

(1) Each authority having jurisdiction shall include in its code enforcement program provisions for the authority having jurisdiction to issue a certificate of occupancy or a certificate of compliance for any work which is the subject of a building permit and required to comply with either or both of the codes and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. The code enforcement program shall provide that, except as provided in section 1203.3 (d)(4), permission to use or occupy a building or structure, or portion thereof, for which a building permit was previously issued, or which has been converted from one use or occupancy classification or subclassification to another, shall be granted only by issuance of a certificate of occupancy or a certificate of compliance.

(2) Each authority having jurisdiction shall include in its code enforcement program a provision that precludes the authority having jurisdiction from issuing a certificate of occupancy or a certificate of compliance until the authority having jurisdiction shall have:

(i) inspected the building, structure, or work and determined that the building, structure, or work is in compliance with all applicable provisions of the Codes;

(ii) where applicable, received and reviewed each written statement of structural observations and/or a final report of special inspections required by any applicable provisions of the Uniform Code and determined that the information in such written statement or report adequately demonstrates compliance with the applicable provision of the Uniform Code;

(iii) where applicable, received and reviewed flood hazard certifications required by any applicable provisions of the Uniform Code and determined that the information in such certifications adequately demonstrates compliance with the applicable provision of the Uniform Code;

(iv) where applicable, received and reviewed each written statement of the results of tests performed to show compliance with the Energy Code and determined that the information in such statements adequately demonstrates compliance with the applicable provision of the Energy Code; and

(v) where applicable, verified the affixation of the appropriate seals, insignias, and manufacturers' data plates as required for factory manufactured buildings and/or manufactured homes.

(3) Each authority having jurisdiction shall include in its code enforcement program provisions requiring a certificate of occupancy or certificate of compliance to contain the following information:

(i) the building permit number, if any;

(ii) the date of issuance of the building permit, if any;

(iii) the name, address, and tax map number of the property;

(iv) if the certificate of occupancy or certificate of compliance is not applicable to an entire structure, a description of that portion of the structure for which the certificate of occupancy or certificate of compliance is issued;

(v) the use and occupancy classification of the structure;

- (vi) the type of construction of the structure;
- (vii) the occupant load of the assembly areas in the structure, if any;
- (viii) any special conditions imposed in connection with the issuance of the building permit;
- (ix) the signature of the official issuing the certificate of occupancy or certificate of compliance; and
- (x) the date of issuance of the certificate of occupancy or certificate of compliance.

(4) Each authority having jurisdiction shall include in its code enforcement program provisions allowing the authority having jurisdiction to issue a temporary certificate of occupancy prior to the completion of the work that is the subject of a building permit. The code enforcement program shall provide that:

(i) A temporary certificate of occupancy shall be limited to a specified period of time during which the building permit holder shall undertake to bring the structure into full compliance with applicable provisions of the Codes.

(ii) The temporary certificate of occupancy shall specify the portion or portions of the building or structure that may be occupied pursuant to the temporary certificate of occupancy, and any special terms or conditions of such occupancy that the authority having jurisdiction may deem to be 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.

(iii) The temporary certificate of occupancy shall also include the information mentioned in section 1203.3 (d)(3).

(iv) An authority having jurisdiction shall not issue a temporary certificate of occupancy until it determines that the following conditions are met:

- (a) the structure or portions thereof may be occupied safely;
- (b) 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

(c) all required means of egress from the structure have been provided.

(5) Each authority having jurisdiction shall include in its code enforcement program provisions requiring a certificate of occupancy, certificate of compliance, or temporary certificate of occupancy issued in error or on the basis of incorrect information to be suspended or revoked by the authority having jurisdiction if the relevant deficiencies are not corrected within a specified period of time.

(e) Notification regarding fire or explosion.

Each authority having jurisdiction shall include in its code enforcement program procedures for the chief of any fire department providing firefighting services for a property to notify the authority having jurisdiction of any fire or explosion involving any structural damage, fuel-burning appliance, chimney or gas vent.

(f) Unsafe structures and equipment and conditions of imminent danger.

Each authority having jurisdiction shall include in its code enforcement program procedures for the authority having jurisdiction to identify and address unsafe structures and equipment and conditions of imminent danger consistent with the requirements of the Uniform Code.

(g) Operating permits.

(1) Each authority having jurisdiction shall include in its code enforcement program provisions requiring operating permits for conducting any process or activity or for operating any type of building, structure, or facility listed in this paragraph as follows:

(i) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;

(ii) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS listed and described in section 1203.3 (g)(1)(ii) as follows:

(a) Chapter 22, “Combustible Dust-Producing Operations.” Facilities where the operation produces combustible dust;

(b) Chapter 24, “Flammable Finishes.” Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(c) Chapter 25, “Fruit and Crop Ripening.” Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;

(d) Chapter 26, “Fumigation and Insecticidal Fogging.” Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;

(e) Chapter 31, “Tents, Temporary Special Event Structures, and Other Membrane Structures.” Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(f) Chapter 32, “High-Piled Combustible Storage.” High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;

(g) Chapter 34, “Tire Rebuilding and Tire Storage.” Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;

(h) Chapter 35, “Welding and Other Hot Work.” Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;

(i) Chapter 40, “Sugarhouse Alternative Activity Provisions.” Conducting an alternative activity at a sugarhouse;

(j) Chapter 56, “Explosives and Fireworks.” Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;

(k) Section 307, “Open Burning, Recreational Fires and Portable Outdoor Fireplaces.” Conducting open burning, not including recreational fires and portable outdoor fireplaces;

(l) Section 308, “Open Flames.” Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and

(m) Section 319, “Mobile Food Preparation Vehicles.” Operating a mobile food preparation vehicle.

(iii) energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

(iv) buildings containing one or more assembly areas;

(v) outdoor events where the planned attendance exceeds 1,000 persons;

(vi) facilities that store, handle or use hazardous production materials;

(vii) parking garages as defined in section 1203.3 (j);

(viii) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by the authority having jurisdiction; and

(ix) other processes or activities or for operating any type of building, structure, or facility at the discretion of the authority having jurisdiction.

(2) Where specifically identified in their code enforcement program, an authority having jurisdiction may exempt from the requirement for an operating permit the processes or activities, or the buildings, structures, or facilities listed in section 1203.3 (g)(1), provided that the use is expressly authorized by a certificate of occupancy or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with section 1203.3 (h), and condition assessments are performed in compliance with

section 1203.3 (j), as applicable. Neither this paragraph nor the provisions of the code enforcement program of the authority having jurisdiction that implement this paragraph shall limit or impair the right of the authority having jurisdiction to take any other enforcement action, including but not limited to those specified in section 1203.5 of this Part, as may be necessary or appropriate in response to any citation of non-compliance found during a fire safety and property maintenance inspection.

(3) Each authority having jurisdiction shall include in its code enforcement program provisions requiring parties who propose to undertake the types of activities or operate the types of buildings listed in section 1203.3 (g)(1), and not otherwise exempted by section 1203.3 (g)(2), to obtain an operating permit prior to commencing such activity or operation. The code enforcement program shall also include provisions requiring an application for an operating permit to contain sufficient information to enable a determination that quantities, materials, and activities conform to the requirements of the Uniform Code. Tests or reports necessary to verify conformance shall be required.

(4) Each authority having jurisdiction shall include in its code enforcement program provisions requiring the authority having jurisdiction, or an individual or entity contracted by the authority having jurisdiction and satisfying the requirements set forth in section 1203.2 (e)(2), to perform an inspection of the premises prior to the issuance or renewal of an operating permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the authority having jurisdiction, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the authority having jurisdiction that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the authority having jurisdiction sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the

manner in which the premises fails to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.

(5) Where specifically identified in their code enforcement program, an authority having jurisdiction may allow a single operating permit to apply to more than one hazardous activity.

(6) Each authority having jurisdiction shall include in its code enforcement program provisions for operating permits to remain in effect until reissued, renewed, or revoked and shall be issued for a specified period of time consistent with local conditions, but in no event to exceed:

(i) 180 days for tents, special event structures, and other membrane structures;

(ii) 60 days for alternative activities at a sugarhouse;

(iii) three years for the activities, structures, and operations determined per section 1203.3 (g)(1)(ix), and

(iv) one year for all other activities, structures, and operations identified in section 1203.3 (g)(1).

(7) Each authority having jurisdiction shall include in its code enforcement program provisions requiring the authority having jurisdiction, or an individual or entity contracted by the authority having jurisdiction and satisfying the requirements set forth in section 1203.2 (e)(1) or 1203.2 (e)(2), to revoke or suspend an operating permit where a process or activity, or the operation of any type of building, structure, or facility does not comply with applicable provisions of the Uniform Code.

(h) Fire safety and property maintenance inspections.

(1) Each authority having jurisdiction shall include in its code enforcement program provisions requiring the authority having jurisdiction, or an individual or entity contracted by the authority having jurisdiction and satisfying the requirements set forth in section 1203.2 (e)(1) or 1203.2 (e)(2), to perform fire safety and property maintenance inspections either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the authority having jurisdiction, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the

satisfaction of the authority having jurisdiction that the premises conform with the applicable requirements of the Codes. Should a remote inspection not afford the authority having jurisdiction sufficient information to make a determination, an in-person inspection shall be performed. Fire safety and property maintenance inspections shall be performed at intervals consistent with local conditions, but in no event shall such intervals exceed:

(i) one year for buildings which contain an assembly area;

(ii) one year for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining or recreational facilities; and

(iii) three years for multiple dwellings and all nonresidential occupancies.

(2) Each authority having jurisdiction shall include in its code enforcement program provisions requiring that after each inspection, the authority having jurisdiction shall note the premises as satisfactory, or the owner and operator shall be notified as to the manner in which the premises fails to comply with the Uniform Code, including a citation to the specific Uniform Code provision or provisions that have not been met.

(3) Nothing in this subdivision shall require or be construed to require regular, periodic inspections of (A) owner-occupied one and two-family dwellings, or (B) agricultural buildings used directly and solely for agricultural purposes, provided, however, that this shall not be a limitation on inspections conducted at the invitation of the owner or occupant, or where conditions on the premises threaten or present a hazard to public health, safety, or welfare.

(4) In the case of a building referred to in section 1203.3 (h)(1)(ii), an authority having jurisdiction may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of an

inspection performed by the authority having jurisdiction or an individual or entity contracted by the authority having jurisdiction, provided that

(i) the authority having jurisdiction satisfies itself that the individual performing such inspection satisfies the requirements set forth in section 1203.2 (e)(1) or 1203.2 (e)(2);

(ii) the authority having jurisdiction satisfies itself that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;

(iii) such inspections are performed no less frequently than once a year;

(iv) a true and complete copy of the report of each such inspection is provided to the authority having jurisdiction; and

(v) upon receipt of each such report, the authority having jurisdiction takes the appropriate action prescribed by paragraph (2) of this subdivision or verifies the authorized entity performing the inspection has taken the appropriate action consistent with paragraph (2) of this subdivision.

(i) Procedure for complaints. Procedures shall be established for addressing bona fide complaints which assert that buildings, structures, conditions, or activities fail to comply with either or both of the Codes or with local laws, ordinances, or regulations adopted for administration and enforcement of the either or both of the Codes. The process for responding to such complaints shall include, when appropriate, provisions for inspection of the buildings, structures, conditions, and/or activities alleged to be in violation.

(j) Condition assessments of parking garages.

(1) General. Each authority having jurisdiction shall include in its code enforcement program provisions requiring condition assessments of parking garages. Such provisions shall include, at a minimum, the requirements and features described in this subdivision.

(2) Definitions. For the purposes of section 1203.3 (j), the following terms shall be deemed to have the meanings shown in this paragraph:

(i) Condition assessment. An on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure.

(ii) Deterioration. The weakening, disintegration, corrosion, rust, or decay of any structural element or building component or any other loss of effectiveness of a structural element or building component.

(iii) Parking garage. Any building or structure, or part thereof, in which any structural level, or part thereof is used for parking or storage of motor vehicles, excluding:

(a) buildings in which the only level used for parking or storage of motor vehicles is entirely supported on soil or engineered fill, and not supported on structural framing;

(b) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and

(c) a townhouse unit with attached parking exclusively for such unit.

(iv) Professional engineer. An individual who is licensed or otherwise authorized under article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations.

(v) Responsible professional engineer. The professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report.

(vi) Unsafe condition. The conditions identified as unsafe in sections 304.1.1, 305.1.1, and 306.1.1 of the PMCNYS.

(vii) Unsafe structure. A structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(3) Condition assessments – general requirements. The owner or operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in section 1203.3 (j)(4), periodic condition assessments as described in section 1203.3 (j)(5), and such additional condition assessments as may be required under section 1203.3 (j)(6). Each condition assessment shall be conducted by or under the direct supervision of a responsible professional engineer. A written report of each condition assessment shall be prepared and provided to the authority having jurisdiction, in accordance with the requirements of section 1203.3 (j)(7). Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

(4) Initial condition assessment. Each parking garage shall undergo an initial condition assessment as follows:

(i) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(ii) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

(a) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

(b) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and

(c) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.

(5) Periodic condition assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed the lesser of:

(i) three years; or

(ii) at such shorter period as may be fixed by the authority having jurisdiction in its code enforcement program.

(6) Additional condition assessments.

(i) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under section 1203.3 (j)(5), the authority having jurisdiction shall require the owner or operator of such parking garage to cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(ii) If the authority having jurisdiction becomes aware of any new or increased deterioration which, in the judgment of the authority having jurisdiction, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under section 1203.3 (j)(5), the authority having jurisdiction shall require the owner or operator of such parking garage to cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the authority having jurisdiction to be appropriate.

(7) 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 authority having jurisdiction within such time period as fixed by the authority having

jurisdiction. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

(i) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

(ii) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;

(iii) an evaluation and description of the unsafe conditions;

(iv) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;

(v) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;

(vi) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;

(vii) the responsible professional engineer's recommendation regarding preventative maintenance;

(viii) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

(ix) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age,

maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in his or her professional judgment.

(8) The authority having jurisdiction shall review each condition assessment report. The authority having jurisdiction shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the authority having jurisdiction shall, by order to remedy or such other means of enforcement as the authority having jurisdiction may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to section 1203.3 (j)(7)(ii) and section 1203.3 (j)(7)(iii). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. Neither this paragraph nor the provisions of the code enforcement program of the authority having jurisdiction that implement this paragraph shall limit or impair the right of the authority having jurisdiction to take any other enforcement action, including but not limited to placing a do not occupy order or suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

(9) The authority having jurisdiction shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the authority having jurisdiction with a written statement attesting to the fact that he or she has been so engaged, the authority having jurisdiction shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The authority having jurisdiction shall be permitted to require the owner or

operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(10) Neither this subdivision nor the provisions of the code enforcement program of the authority having jurisdiction that implement this subdivision shall limit or impair the right or the obligation of the authority having jurisdiction:

(i) to perform such construction inspections as are required by the stricter of section 1203.3 (b) or the code enforcement program of the authority having jurisdiction;

(ii) to perform such periodic fire safety and property maintenance inspections as are required by the stricter of section 1203.3 (h) or the code enforcement program of the authority having jurisdiction; and/or

(iii) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the authority having jurisdiction by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

(11) The use of the term responsible professional engineer in this subdivision shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

(k) Climatic and Geographic Design Criteria. The city, town, and village responsible for administration and enforcement of the Uniform Code shall establish and make available climatic and geographic design criteria as required by the Uniform Code. This includes, but is not limited to:

(1) Establishing design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) Establishing heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) Establishing flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

- (i) the accompanying Flood Insurance Rate Map (FIRM);
- (ii) Flood Boundary and Floodway Map (FBFM); and
- (iii) related supporting data along with any revisions thereto.

(l) Recordkeeping. A system of records of the features and activities specified in section 1203.3 (a) through section 1203.3 (k) and of fees charged and collected, if any, shall be established and maintained.

Section 1203.4 Program review and reporting.

(a) Every city, village, town, and county charged under subdivision 2 of section 381 of the Executive Law with administration and enforcement of the Uniform Code shall annually submit to the Secretary of State, on a form prescribed by the Secretary of state, a report of its activities relative to administration and enforcement of the Codes.

(b) Upon request of the Department of State, every authority having jurisdiction shall provide to the Department of State true and complete copies of the records and related materials such authority having jurisdiction is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of either or both of the Codes as may be requested by the Department of State. Failure to produce the requested

materials within a reasonable timeframe shall permit an inference that the minimum standards of this Part have not been met. No such inference shall be based on the failure to provide copies of records if such records were, prior to a request for copies, disposed of pursuant to the applicable records retention and disposition schedules established by the authority having jurisdiction or pursuant to the Arts and Cultural Affairs Law.

Section 1203.5 Compliance with an order to remedy.

(a) Introduction and purpose. Section 381 of the Executive Law provides for the administration and enforcement of the Codes and authorizes the Secretary of State to promulgate regulations establishing minimum standards for such administration and enforcement. In addition, subdivision 2 of section 382 of the Executive Law provides, in part, that any person, having been served, either personally or by registered or certified mail, with an order to remedy any condition found to exist in, on, or about any building in violation of the Uniform Code, who shall fail to comply with such order within the time fixed by the regulations promulgated by the Secretary of State pursuant to subdivision 1 of section 381 of the Executive Law, such time period to be stated in the order, shall be punishable by a fine of not more than \$1,000 per day of violation, or imprisonment not exceeding one year, or both. The purpose of this section is to fix, for the purposes of subdivision 2 of section 382 of the Executive Law, the time within which a person or entity served with an order to remedy is required to comply with such order to remedy.

(b) Definitions. In this section, the following terms shall have the following meanings:

(1) Order to remedy. An order to remedy any condition found to exist in, on, or about any building in violation of the Uniform Code.

(2) Comply with an order to remedy. To remedy completely each violation described in the order to remedy.

(c) Time for compliance with order to remedy. For the purposes of subdivision 2 of section 382 of the Executive Law, the time within which a person or entity served with an order to remedy is required to comply with such order to remedy is hereby fixed at 30 days following the date of such order to remedy.

(d) Statement to be included in order to remedy. For the purpose of complying with that part of subdivision 2 of section 382 of the Executive Law that provides “such time period to be stated in the order,” an order to remedy shall include a statement substantially similar to the following: “The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [specify date], which is thirty (30) days after the date of this Order to Remedy.”

(e) Service. An order to remedy shall be served personally or by certified or registered mail within five days of the date of the order. For the purposes of this section:

(1) if an order to remedy is served personally by any authorized means that requires more than one action by the person effecting service (such as service by “delivery and mail” similar to that authorized by CPLR 308[2]), the order to remedy shall be deemed to be served on the date on which the last required action is taken; and

(2) an order to remedy served by certified or registered mail shall be deemed to be served on the date it is mailed.

(f) Requiring immediate commencement of corrective action. Nothing in this section shall be construed as prohibiting any authority having jurisdiction that issues an order to remedy from including in such order to remedy provisions ordering the person or entity served with such order to remedy:

(1) to begin to remedy the violations described in the order to remedy immediately, or within some other specified period of time which may be less than 30 days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within 30 days of the date of such order to remedy; and/or

(2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by the code enforcement program of the authority having jurisdiction or by any other applicable statute, regulation, rule, local law or ordinance, and which the authority having jurisdiction may deem appropriate, during the period while such violations are being remedied.

(g) Other means of enforcing the Uniform Code. Nothing in this section shall be construed as requiring an authority having jurisdiction to issue an order to remedy in a given situation where violations of the Uniform Code are found to exist if, in the judgment of the authority having jurisdiction, such violations can be addressed adequately by the use of other enforcement tools or by other means. Nothing in this section shall be construed as limiting the authority of an authority having jurisdiction to employ any other means of enforcing either or both of the Codes, including, but not limited to:

(1) issuing notices of violation;

(2) issuing appearance tickets;

(3) commencing and prosecuting an appropriate action or proceeding pursuant to that part of subdivision 2 of section 382 of the Executive Law that provides that any owner, builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in the “construction” (as defined in subdivision 4 of section 372 of the Executive Law) of any building who shall knowingly violate any of the applicable provisions of the Uniform Code or any lawful order of a city, village, town, county, state agency or the Secretary of State made thereunder regarding standards for construction, maintenance, or fire protection equipment and systems, shall be subject to a fine of not more than \$1,000 per day of violation, or imprisonment not exceeding one year, or both for the first 180 days, and for the following 180 days shall be punishable by a fine of no less than \$25 and not more than \$1,000 per day of violation or imprisonment not exceeding one year, or both and thereafter shall be punishable by a fine of no less than \$50 and not more than \$1,000 per day of violation or imprisonment not exceeding one year, or both;

(4) commencing and prosecuting an appropriate action or proceeding pursuant to subdivision 3 of section 382 of the Executive Law which seeks, in a case where the construction or use of a building is in violation of any provision of the Uniform Code or any lawful order obtained thereunder, an order from a Justice of the Supreme Court, New York City civil court, a city court, district court, or county court directing the removal of the building or an abatement of the condition in violation of such provisions;

(5) commencing and prosecuting an appropriate action or proceeding pursuant to subdivision 4 of section 382 of the Executive Law that provides that where a building has been altered in violation of any provision of the uniform code or any lawful order obtained thereunder, and such alteration impedes a person's egress from such building during a fire or other emergency evacuation, the owner of such building who has knowledge of such alteration or should have had knowledge of such alteration shall be subject to a civil penalty of up to \$7,500;

(6) issuing stop work orders;

(7) revoking or suspending building permits, operating permits, and/or certificates of occupancy pursuant to the procedures established in the code enforcement program of the authority having jurisdiction or pursuant to any other applicable statute, regulation, rule, local law or ordinance;

(8) commencing and prosecuting an appropriate action or proceeding to impose such criminal and/or civil sanctions as may be provided in any applicable statute, regulation, rule, local law or ordinance;

(9) condemning and/or placarding a building in accordance with the applicable provisions of the Uniform Code;

(10) taking any action authorized by the procedures for identifying and addressing unsafe structures and equipment as established in the code enforcement program of the authority having jurisdiction or by any other applicable statute, regulation, rule, local law or ordinance; or

(11) issuing orders to remedy violations of the Energy Code pursuant to subdivision (1) of section 11-108 of the Energy Law.

(h) Office of Fire Prevention and Control. For the purposes of this section, the term order to remedy shall not include any order issued by the Office of Fire Prevention and Control pursuant to section 156-e of the Executive Law (or pursuant to any regulation promulgated thereunder) requiring the remedying of any condition found to exist in, on or about any building under the jurisdiction of a public college or independent college (as these terms are defined in section 807-b of the Education Law) which violates the Uniform Code. Nothing in this section shall be construed as fixing the time within which a public college or independent college shall have to comply with any such order, or as requiring any such order to include the statement prescribed in section 1203.5 (d).

PROPOSED LOCAL LAW NO. 12 OF 2022

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND CHAPTER 119 OF THE CODE OF THE CITY
OF BEACON**

A LOCAL LAW to amend Chapter 119 of the Code of the City of Beacon concerning the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (Uniform Code) and the State Energy Conservation Construction Code (Energy Code) to incorporate recent updates to 19 NYCRR Part 1203.

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. Chapter 119 of the Code of the City of Beacon entitled “Fire Prevention and Building Code, Uniform” is hereby amended as follows:

Chapter 119 Fire Prevention and Building Code, Uniform

§ 119-1 Purpose.

This chapter provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this City. This chapter is adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this chapter, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this chapter.

§ 119-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ASSEMBLY AREA

An area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

BUILDING PERMIT

A permit issued pursuant to § 119-4 of this chapter. The term "building permit" shall also include a building permit which is renewed, amended or extended pursuant to any provision of this chapter.

CERTIFICATE OF OCCUPANCY/CERTIFICATE OF COMPLIANCE

A certificate issued pursuant to § 119-7B of this chapter.

CITY

The City of Beacon.

CODE ENFORCEMENT OFFICER

The Code Enforcement Officer appointed pursuant to § **119-3B** of this chapter.

CODE ENFORCEMENT PERSONNEL

The Code Enforcement Officer and all inspectors.

COMPLIANCE ORDER

An order issued by the Code Enforcement Officer pursuant to § **119-15A** of this chapter.

ENERGY CODE

The State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

FCNYS

The 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

HAZARDOUS PRODUCTION MATERIALS

A solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

INSPECTOR

An inspector appointed pursuant to § **119-3D** of this chapter.

MOBILE FOOD PREPARATION VEHICLES

Vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

OPERATING PERMIT

A permit issued pursuant to § **119-10** of this chapter. The term "operating permit" shall also include an operating permit which is renewed, amended or extended pursuant to any provision of this chapter.

PERMIT HOLDER

The person to whom a building permit has been issued.

PERSON

An individual, corporation, limited-liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

PMCNY

The 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

RCNYS

The 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

STOP-WORK ORDER

An order issued pursuant to § 119-6 of this chapter.

SUGARHOUSE

A building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

TEMPORARY CERTIFICATE

A certificate issued pursuant to § 119-7D of this chapter.

UNIFORM CODE

The New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

§ 119-3 Code Enforcement Officer; inspectors.

- A. The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this chapter. The Code Enforcement Officer shall have the following powers and duties:
- (1) To receive, review, and approve or disapprove applications for building permits, certificates of occupancy/certificates of compliance, temporary certificates and operating permits, and the plans, specifications and construction documents submitted with such applications;
 - (2) Upon approval of such applications, to issue building permits, certificates of occupancy/certificates of compliance, temporary certificates and operating permits, and to include in building permits, certificates of occupancy/certificates of compliance, temporary certificates and operating permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;
 - (3) To conduct construction inspections, inspections to be made prior to the issuance of certificates of occupancy/certificates of compliance, temporary certificates and operating permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this chapter;
 - (4) To issue stop-work orders;
 - (5) To review and investigate complaints;
 - (6) To issue orders pursuant to § 119-15A, Compliance orders, of this chapter;
 - (7) To maintain records;
 - (8) To collect fees as set by the City Council of this City;
 - (9) To pursue administrative enforcement actions and proceedings;
 - (10) In consultation with this City's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this chapter, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this chapter; and

- (11) To exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this chapter.
- (12) He shall issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to ensure compliance during the entire course of construction with the requirements of such laws, ordinances or regulations. He shall make all inspections which are necessary or proper for the carrying out of his duties, except that he may accept written reports of inspection from Deputy Building Inspectors or other employees of the Building Department or from generally recognized and authoritative service and inspection bureaus, provided that the same are certified by a responsible official thereof.
- (13) Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable laws, ordinances or regulations covering building construction, he may require the performance of tests in the field by experienced, professional persons or by accredited and authoritative testing laboratories or service bureaus or agencies.
- (14) He shall have the authority to impose administrative fees for violations of the Code of Ordinances that relate to permits issued by the Building Department pursuant to the schedule of administrative fees set forth in § **119-5** below.
- (15) He shall examine the qualifications and fitness of applicants for licenses under Chapter **103** or of the representatives of such applicants designated for such purpose. He shall grant and issue licenses as master electricians to applicants possessing, or whose representatives possess, the requisite qualifications. Licenses shall be signed by the Building Inspector and countersigned by the Mayor.
- (16) He shall suspend or revoke licenses for cause, as prescribed in § **103-28**. He shall impose and collect fines for violations, as prescribed in § **103-28**.
- (17) He shall adopt such rules and regulations as may be necessary, not inconsistent with the provisions of Chapter **103**, with respect to the form and content of applications for licenses, the reception thereof, the investigation and examination of applicants and their qualifications and other matters incidental or appropriate to the powers and duties of this office in regard to its administration of Chapter **103**.
- (18) He shall examine the plumbers' qualifications and fitness of applicants for licenses or of the representatives of such applicants designated for such purpose. He shall grant and issue licenses as master plumbers to applicants possessing, or whose representatives possess, the requisite qualifications. Licenses shall be signed by the Building Inspector and countersigned by the Mayor.
- (19) He shall suspend or revoke plumbers' licenses for cause. He shall impose, and the City Administrator shall collect, fines for violations of said licenses.
- (20) He shall prepare a manual for the conduct of examinations and shall furnish copies thereof to persons desiring the same upon payment of a fee to be determined by the Building Inspector.
- (21) He shall adopt such rules and regulations as may be necessary with respect to the form and content of applications for plumbers' licenses and the reception thereof, the investigation and examination of applicants; their qualifications and other matters incidental or appropriate to the powers and duties of this office in regard to the administration of

plumbing licenses.

- (22) He shall file a copy of all rules, regulations so promulgated and all changes therein with the City Administrator immediately upon the adoption thereof, which copy shall be available for public inspection during the regular business hours of the day.
- B. The Code Enforcement Officer shall be appointed pursuant to Chapter **11**. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.
- C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Mayor to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this chapter.
- D. One or more inspectors may be appointed pursuant to Chapter **11** to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this chapter. Each inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.
- E. The compensation for the Code Enforcement Officer and inspectors shall be fixed from time to time in accordance with Chapter **11**.

§ 119-4 **Building permits.**

- A. Building permits required. Except as otherwise provided in Subsection **B** of this section, 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 construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit, the installation or modification to an automatic fire-extinguishing system, fire alarm or detection system and related equipment, fire pump and related fuel tanks, jockey pumps, controllers, and generators, and the installation or modification of a stand pipe system. Maintenance performed in accordance with the applicable code is not considered a modification and does not require a permit. 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.
- B. Exemptions. No building permit shall be required for work in any of the following categories:
- (1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area is less than 144 square feet (13.38 square meters);
 - (2) Installation of swings and other playground equipment associated with a one- or two-family

dwelling or multiple single-family dwellings (townhouses);

~~(3) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;~~

~~(4) Installation of fences which are not part of an enclosure surrounding a swimming pool;~~

~~(5) Construction of retaining walls, unless such walls support a surcharge or impound Class I, II or IIIA liquids;~~

(36) Construction of temporary motion-picture, television and theater stage sets and scenery;

(47) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(58) Installation of partitions or movable cases less than five feet nine inches in height;

(69) Painting, wallpapering, tiling, carpeting, or other similar finish work;

(74) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(84) Replacement of any equipment, provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(91) Repairs, provided that such repairs do not involve:

(a) The removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load-bearing component;

(b) The removal or change of any required means of egress; or the rearrangement of parts of a structure in a manner which affects egress;

(c) The enlargement, alteration, replacement or relocation of any building system; or

(d) The removal from service of all or part of a fire protection system for any period of time.

C. Exemption not deemed authorization to perform noncompliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in Subsection **B** of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

D. Applications for building permits. Applications for a building permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or by an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) A description of the location, nature, extent and scope of the proposed work;

- (2) The Tax Map number and the street address of ~~the premises where the work is to be performed~~ any affected building or structure;
- (3) The occupancy classification of any affected building or structure;
- (4) Where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (5) At least two sets of construction documents (drawings and/or specifications) which:
 - (a) ~~Defined the~~ Describe the location, nature, extent and scope of the proposed work;
 - ~~(b) Are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law;~~
 - ~~(b)~~ Show that the proposed work will conform to the applicable provisions of the Codes
 - ~~(c)~~ Show the location, construction, size and character of all portions of the means of egress
 - ~~(d)~~ Show a representation of the building thermal envelope;
 - ~~(e)~~ Show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information;
 - ~~(f)~~ Show the proposed structural, electrical, plumbing, mechanical, fire-protection and other service systems of the building;
 - ~~(g)~~ Indicate with sufficient clarity and detail the nature and extent of the work proposed;
 - ~~(h)~~ Substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and
 - ~~(i)~~ Where applicable, include a site plan ~~that shows any,~~ drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing and proposed buildings and structures and appurtenances 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 from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations;
 - ~~(j)~~ Evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

E. Construction documents. Construction documents will not be accepted as part of an

application for a building permit unless they satisfy the requirements set forth in Subsection **D(5)** of this section. Construction documents which are accepted as part of the application for a building permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the code enforcement personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a building permit will be issued. Work shall not be commenced until and unless a building permit is issued.

- F. Issuance of building permits. 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. The Code Enforcement Officer shall issue a building permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.
- G. Building permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.
- H. Work to be performed in accordance with construction documents. 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 building permit shall contain such a directive. The permit holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The building permit shall contain such a directive. 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.
- I. Time limits. Building permits shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits shall expire 24 months after the date of issuance. A building permit which has become invalid or which has expired pursuant to this subsection may be renewed upon application by the permit holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.
- J. Revocation or suspension of building permits. If the Code Enforcement Officer determines that a building permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a building permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the building permit or suspend the building permit until such time as the permit holder demonstrates that all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.
- K. Fee. The fee specified in or determined in accordance with the provisions set forth in § 119-16, Fees, of this chapter must be paid at the time of submission of an application for a building permit, for an amended building permit, or for renewal of a building permit.

§ 119-5 **Construction inspections.**

- A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an inspector authorized by the Code Enforcement Officer. The permit holder shall notify the Code Enforcement Officer when any element of work described in Subsection **B** of this section is ready for inspection.

- B. Elements of work to be inspected. 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) Structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
 - (6) Building systems, including underground and rough-in;
 - (7) Fire-resistant construction;
 - (8) Fire-resistant penetrations;
 - (9) Solid-fuel-burning heating appliances, chimneys, flues or gas vents;
 - ~~(9) Energy Code Compliance; and~~
 - (10) Inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
 - (11) Installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
 - (12) A final inspection after all work authorized by the building permit has been completed.
- C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.
- D. Inspection results. 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, including a citation to the specific code provision or provisions that have not been met. 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, reinspected, and found satisfactory as completed.
- E. Fee. The fee specified in or determined in accordance with the provisions set forth in § 119-16,

Fees, of this chapter must be paid prior to or at the time of each inspection performed pursuant to this section.

§ 119-6 **Stop-work orders.**

- A. Authority to issue. The Code Enforcement Officer is authorized to issue stop-work orders pursuant to this section. The Code Enforcement Officer shall issue a stop-work order to halt:
- (1) Any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code, Energy Code, or City of Beacon Code, without regard to whether such work is or is not work for which a building permit is required, and without regard to whether a building permit has or has not been issued for such work; or
 - (2) Any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a building permit is required, and without regard to whether a building permit has or has not been issued for such work; or
 - (3) Any work for which a building permit is required which is being performed without the required building permit, or under a building permit that has become invalid, has expired, or has been suspended or revoked.
- B. Content of stop-work orders. Stop-work orders shall be in writing, be dated and signed by the Code Enforcement Officer, state the reason or reasons for issuance, and, if applicable, state the conditions which must be satisfied before work will be permitted to resume.
- C. Service of stop-work orders. The Code Enforcement Officer shall cause the stop-work order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the permit holder, on the permit holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the stop-work order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work affected by the stop-work order, personally or by certified mail; provided, however, that failure to serve any person mentioned in this sentence shall not affect the efficacy of the stop-work order.
- D. Effect of stop-work order. Upon the issuance of a stop-work order, the owner of the affected property, the permit holder and any other person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the stop-work order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.
- E. Remedy not exclusive. The issuance of a stop-work order shall not be the exclusive remedy available to address any event described in Subsection A of this section, and the authority to issue a stop-work order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under § 119-15, Enforcement; penalties for offenses, of this chapter or under any other applicable local law or state law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a stop-work order.

§ 119-7 **Certificates of occupancy/certificates of compliance.**

- A. Certificates of occupancy/certificates of compliance required. A certificate of occupancy/certificate of compliance shall be required for any work which is the subject of a building permit and for all structures, buildings, or portions thereof which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy

a building or structure, or portion thereof, for which a building permit was previously issued shall be granted only by issuance of a certificate of occupancy/certificate of compliance.

- B. Issuance of certificates of occupancy/certificates of compliance. The Code Enforcement Officer shall issue a certificate of occupancy/certificate of compliance if the work which was the subject of the building permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a certificate of occupancy/certificate of compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the certificate of occupancy/certificate of compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the certificate of occupancy/certificate of compliance:

- (1) A written statement of structural observations and/or a final report of special inspections,
- (2) Flood hazard certifications, ~~and~~
- (3) A written statement of the results of tests performed to show compliance with the Energy Code, and
- (4) Where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

- C. Contents of certificates of occupancy/certificates of compliance. A certificate of occupancy/certificate of compliance shall contain the following information:

- (1) The building permit number, if any;
- (2) The date of issuance of the building permit, if any;
- (3) The name, address and Tax Map number of the property;
- (4) If the certificate of occupancy/certificate of compliance is not applicable to an entire structure, a description of that portion of the structure for which the certificate of occupancy/certificate of compliance is issued;
- (5) The use and occupancy classification of the structure;
- (6) The type of construction of the structure;
- (7) The assembly occupant load of the structure, if any;
- (8) If an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
- (9) Any special conditions imposed in connection with the issuance of the building permit; and
- (10) The signature of the Code Enforcement Officer issuing the certificate of occupancy/certificate of compliance and the date of issuance.

- 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 fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or 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 the purpose and intent of the Uniform Code: construction work in the building or structure. A temporary certificate of occupancy shall be effective for a period of time, not to exceed six 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.
- E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a certificate of occupancy/certificate of compliance or a temporary certificate of occupancy was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.
- F. Fee. The fee specified in or determined in accordance with the provisions set forth in § 119-16, Fees, of this chapter must be paid at the time of submission of an application for a certificate of occupancy/certificate of compliance or for a temporary certificate.

§ 119-8 Notification regarding fire or explosion.

The chief of any fire department providing fire-fighting services for a property within this City shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel-burning appliance, chimney or gas vent.

§ 119-9 Unsafe buildings and structures.

Unsafe structures and equipment in this City shall be identified and addressed in accordance with Chapter 91.

§ 119-10 Operating permits.

- A. Operating permits required.
- (1) Operating permits shall be required for conducting the activities or using the categories of buildings listed below:
 - (a) Manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in Table 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled "Fire Code applicable Maximum Allowable Quantity tables found in Chapter 50 of New York State" and incorporated by reference in 19 NYCRR 1225.1; the FCNYS;
 - (b) Hazardous Buildings, structures, facilities, processes, and/or activities; that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as

follows:

- (i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;
- (ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;
- (iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;
- (iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;
- (v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;
- (vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;
- (vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;
- (viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;
- (ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;
- (x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;
- (xi) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;
- (xii) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and
- (xiii) Section 319, "Mobile Food Preparation Vehicles."

- (c) Energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.
 - ~~(c) Use of pyrotechnic devices in assembly occupancies;~~
 - (d) Buildings containing one or more ~~areas of~~ public assembly ~~with an occupant load of 100 persons or more~~ areas;
 - (e) Outdoor events where the planned attendance exceeds 1,000 persons;
 - (f) Facilities that store, handle or use hazardous production materials;
 - (g) Parking garages;
 - (h) Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the City Council of this City; and
 - (i) Other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the City Council of this City.
- (2) Any person who proposes to undertake any activity or to operate any type of building listed in this Subsection **A** shall be required to obtain an operating permit prior to commencing such activity or operation.
- B. Applications for operating permits. An application for an operating permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.
- C. Inspections. The Code Enforcement Officer or an inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an operating permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or Inspector authorized by the Code Enforcement Officer that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the City sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.
- D. Multiple activities. In any circumstance in which more than one activity listed in Subsection **A** of this section is to be conducted at a location, the Code Enforcement Officer may require a separate operating permit for each such activity, or the Code Enforcement Officer may, in his or

her discretion, issue a single operating permit to apply to all such activities.

E. Duration of operating permits.

- (1) Operating permits shall be issued for ~~such a specified~~ period of time ~~not to exceed three years in the case of any operating permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consistent with local conditions. The effective period of each operating permit shall be specified in the operating permit. An operating permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.~~ consistent with local conditions, but in no event to exceed as follows:
 - (a) Not to exceed 180 days for tents, special event structures, and other membrane structures;
 - (b) Not to exceed 60 days for alternative activities at a sugar house;
 - (c) Not to exceed three (3) years for the activities, structures and operations determined to require Operating permits pursuant to § 119-10.A(1)(i);
 - (d) Not to exceed one (1) year for all other activities, structures, and operations identified in § 119-10.A.
- (2) The effective period of each operating permit shall be specified in the operating permit. An operating permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

F. Revocation or suspension of operating permits. If the Code Enforcement Officer determines that any activity or building for which an operating permit was issued does not comply with any applicable provision of the Uniform Code, such operating permit shall be revoked or suspended.

G. Fee. The fee specified in or determined in accordance with the provisions set forth in § 119-16, Fees, of this chapter must be paid at the time of submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§ 119-11 Fire safety and property maintenance inspections.

- A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an inspector designated by the Code Enforcement Officer at the following intervals:
- (1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every 12 months.
 - (2) Fire safety and property maintenance inspections of buildings or structures being occupied as public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities shall be performed at least once every 12 months.
 - (3) Fire safety and property maintenance inspections of all multiple dwellings not included in Subsection **A(1)** or **(2)**, and all nonresidential buildings, structures, uses and occupancies not

included in Subsection **A(1)** or **(2)** shall be performed at least once every 36 months.

- B.** Inspections permitted. In addition to the inspections required by Subsection **A** of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an inspector designated by the Code Enforcement Officer at any time upon: (1) the request of the owner of the property to be inspected or an authorized agent of such owner; (2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or (3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subsection shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.
- C.** Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.
- D.** OFPC inspections. Nothing in this section or in any other provision of this chapter shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law § 156-e and Education Law § 807-b. Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:
- (1) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);
 - (2) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;
 - (3) such inspections are performed no less frequently than once a year;
 - (4) a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and
 - (5) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action set forth in § 119-15.
- E.** Fee. The fee specified in or determined in accordance with the provisions set forth in § 119-16,

Fees, of this chapter must be paid prior to or at the time each inspection is performed pursuant to this section. This Subsection shall not apply to inspections performed by OFPC.

§ 119-11.1 Condition Assessments of Parking Garages.

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

CONDITION ASSESSMENT

An on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure.

DETERIORATION

The weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component.

PARKING GARAGE

Any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

- (i) buildings in which the only level used for parking or storage of motor vehicles is on grade;
- (ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
- (iii) a townhouse unit with attached parking exclusively for such unit.

PROFESSIONAL ENGINEER

An individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations.

RESPONSIBLE PROFESSIONAL ENGINEER

The professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

UNSAFE CONDITION

Includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS.

UNSAFE STRUCTURE

A structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

- B. Condition Assessments – general requirements. The owner operator of each parking garage

shall cause such parking garage to undergo an initial condition assessment as described in Subsection C of this section, periodic condition assessments as described in Subsection D of this section, and such additional condition assessments as may be required under Subsection E of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the City, in accordance with the requirements of Subsection F of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

- (1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.
- (2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:
 - (a) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;
 - (b) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
 - (c) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.
- (3) Any parking garage constructed prior to the effective date of this section that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment within six months after the effective date of this section.

D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three years.

E. Additional Condition Assessments.

- (1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under Subsection C of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.
- (2) If the City becomes aware of any new or increased deterioration which, in the judgment of the City, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under Subsection C of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no

later than the date determined by the City to be appropriate.

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 City within 10 days of completion of the condition assessment. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

- (1) An evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure; an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
- (2) An evaluation and description of the unsafe conditions;
- (3) An evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
- (4) An evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
- (5) An evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
- (6) The responsible professional engineer's recommendation regarding preventative maintenance;
- (7) Except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
- (8) The responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

G. Review Condition Assessment Reports. The City shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the City shall, by Order to Remedy or such other means of enforcement as the City may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to Subsection F(2) and F(3) of this section. All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall

not limit or impair the right of the City to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

HG. The City shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the City with a written statement attesting to the fact that he or she has been so engaged, the City shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The City shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

IH. This section shall not limit or impair the right or the obligation of the City:

- (1) To perform such construction inspections as are required by § 119-5, Construction Inspections;
- (2) To perform such periodic fire safety and property maintenance inspections as are required by § 119-11, Fire Safety and Property Maintenance Inspections; and/or
- (3) To take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the City by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

§ 119-12 Complaints.

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this chapter, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- A. Performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- B. If a violation is found to exist, providing the owner of the affected property and any other person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in § 119-15, Enforcement; penalties for offenses, of this chapter;
- C. If appropriate, issuing a stop-work order;
- D. If a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§ 119-13 Recordkeeping.

- A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all code enforcement personnel, including records of:
 - (1) All applications received, reviewed and approved or denied;
 - (2) All plans, specifications and construction documents approved;

- (3) All building permits, certificates of occupancy/certificates of compliance, temporary certificates, stop-work orders, and operating permits issued;
- (4) All inspections and tests performed;
- (5) All statements and reports issued;
- (6) All complaints received;
- ~~(7)~~ All investigations conducted;
- ~~(7)~~(8) All condition assessment reports received;
- ~~(8)~~(9) All other features and activities specified in or contemplated by §§ 119-4 through 119-12, inclusive, of this chapter; and
- ~~(9)~~(10) All fees charged and collected.

- B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by state law and regulation.

§ 119-14 **Program review and reporting.**

- A. The Code Enforcement Officer shall annually submit to the City Council of this City a written report and summary of all business conducted by the Code Enforcement Officer and the inspectors, including a report and summary of all transactions and activities described in § 119-13, Recordkeeping, of this chapter and a report and summary of all appeals or litigation pending or concluded.
- B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this City, on a form prescribed by the Secretary of State, a report of the activities of this City relative to administration and enforcement of the Uniform Code.
- C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this City is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this City in connection with administration and enforcement of the Uniform Code.

§ 119-15 **Enforcement; penalties for offenses.**

- A. Compliance orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code or this chapter. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a compliance order. The compliance order shall be in writing; be dated and signed by the Code Enforcement Officer; specify the condition or activity that violates the Uniform Code, the Energy Code, or this chapter; and specify the provision or provisions of the Uniform Code, the Energy Code, or this chapter which is/are violated by the specified condition or activity. If the compliance order refers to a violation of the Uniform Code, it must direct that full compliance be achieved within 30 days after the date of the order, or such other time as may be promulgated by the New York State Department of State, and specify the date for full compliance. Although the order for a violation of the Uniform Code requires full compliance within 30 days, the City may order the person or entity in violation to begin to remedy the violation(s) immediately or within some

other stated period of time less than 30 days after the date of the order. In a compliance order for a violation of the Uniform Code, the Code Enforcement Officer may also require other protective actions as the Code Enforcement Officer may deem appropriate while such violations are being remedied.

- B. Service. The Code Enforcement Officer shall cause the compliance order for a violation of the Uniform Code, or a copy thereof, to be served on the person or entity in violation personally or by certified or registered mail within five days of the date of the order. A compliance order for violations of the Uniform Code shall be deemed served on the date it is mailed by certified or registered mail. The Code Enforcement Officer shall be permitted, but not required, to cause a compliance order for violations that are not under the Uniform Code, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any person mentioned in this sentence shall not affect the efficacy of the compliance order.
- C. Appearance tickets. The Code Enforcement Officer and each inspector are authorized to issue appearance tickets for any violation of the Uniform Code.
- D. Civil penalties. In addition to those penalties prescribed by state law, any person who violates any provision of the Uniform Code, the Energy Code or this chapter, or any term or condition of any building permit, certificate of compliance, temporary certificate, stop-work order, operating permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter, shall be liable to a civil penalty of not more than \$1,000 for each day or part thereof during which such violation continues. The civil penalties provided by this subsection shall be recoverable in an action instituted in the name of this City.
- E. Injunctive relief. An action or proceeding may be instituted in the name of this City, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce any provision of the Uniform Code, the Energy Code, this chapter, or any term or condition of any building permit, certificate of occupancy/certificate of compliance, temporary certificate, stop-work order, operating permit, compliance order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this chapter, or any stop-work order, compliance order or other order obtained under the Uniform Code, the Energy Code or this chapter, an action or proceeding may be commenced in the name of this City, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions.
- F. Remedies not exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in § 119-6, Stop-work orders, of this chapter, in any other section of this chapter, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in § 119-6, Stop-work orders, of this chapter, in any other section of this chapter, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in Subdivision (2) of § 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the

pursuit of any penalty specified in Subdivision (2) of § 382 of the Executive Law.

§ 119-16 Fees.

A fee schedule shall be established by resolution of the City Council of this City. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of building permits, certificates of occupancy/certificates of compliance, temporary certificates, opening permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this chapter.

§ 119-16.1 Delinquent inspection fees.

Upon presentation to the City Tax Collector by the Code Enforcement Officer of a described property on which an inspection fee has not been paid, the Tax Collector shall place a lien on such property in the amount of the unpaid fee, which amount shall collect interest at the statutory rate.

§ 119-17 Intermunicipal agreements.

The City Council of this City may, by resolution, authorize the Mayor of this City to enter into an agreement, in the name of this City, with other governments to carry out the terms of this chapter, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

§ 119-18 Climatic and Geographic Design Criteria.

A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this City as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

- (1) Design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;
- (2) Heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and
- (3) Flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:
 - (a) The accompanying Flood Insurance Rate Map (FIRM);
 - (b) Flood Boundary and Floodway Map (FBFM); and
 - (c) Related supporting data along with any revisions thereto.

B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to Subsection A of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapters 119 of the Code of the City of Beacon is otherwise to remain in full force and effect and are otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 7. Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

City of Beacon City Council Agenda
11/28/2022

Title:

Sidewalk Discussion

ATTACHMENTS

[Keane & Beane, P.C. Memorandum Regarding Sidewalk Repair & Replacement Framework](#)

■ **Main Office**

445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**

200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

■ **New York City Office**

99 Madison Avenue
New York, NY 10016
Phone 646.794.5747

MEMORANDUM

**TO: Mayor Kyriacou and
Members of the City Council of the City of Beacon**

FROM: Keane & Beane, P.C.

RE: City Sidewalk Repair & Replacement Framework

DATE: November 23, 2022

Our office was asked to provide clarification on the respective responsibilities of private property owners and the City of Beacon (the “City”) with respect to the repair or replacement of existing sidewalks in the City, as well as the installation of new sidewalks. Such responsibilities are delineated in City Code §§ 191-12.1, 12.2 and 12.3, which are attached hereto as Exhibit “A.”

Repair of Existing Sidewalks

Pursuant to City Code § 191-12.1, private property owners are solely responsible for the repair and maintenance of damaged or defective sidewalks which run along the front, side, or rear of the property. When sidewalks become damaged or defective, the abutting property owner has a duty to “repair or replace the sidewalk and to restore it to good and safe condition.” Moreover, the property owner must restore the sidewalk to the same dimensions and use the same materials (e.g., such owners should not repair a concrete sidewalk using asphalt).

The Building Department is responsible for providing property owners with written notice that the damaged or defective sidewalk needs to be repaired or replaced. The written notice must direct the “defect be repaired,” and such notice must be personally served on the property owner or mailed to them. Once served with notice, the property owner has 30 days to repair or replace the sidewalk, depending on the order. If the property owner fails or neglects to repair or replace the sidewalk within 30 days, the Highway Department is authorized to undertake the repair or replacement and the property owner is responsible for “100% of the costs incurred.” If the property owner does not reimburse the Highway Department within 15 days of being served with the invoice of costs, then the unpaid costs are added to the property owner’s tax bill.

Replacement or Installation of Sidewalks As A Part of Road Improvement Work

Under § 191-12.2 of the Code, if the City determines that a City street, avenue or public place needs to be repaved, modified or repaired such that adjoining curbs and sidewalks will also need to be installed or replaced, the City must bear the entire costs thereof without expense to adjoining private property owners. In essence, if the City determines it would like to replace sidewalks as part of an improvement project, property owners are not required to reimburse the City for those costs.

The City Council must allocate enough funds in the annual budget to finance the replacement of such curbs and sidewalks.

Installation of New Sidewalks Where None Presently Exist

Under City Code § 191-12.3, if an existing City street, avenue or public place, needs to be repaved, modified or repaired such that curbs and/or sidewalks will be installed for the first time, then the property owner and the City shall each bear fifty (50) percent of the costs thereof. The City is responsible for paying the upfront costs of such installation, and the property owner shall repay fifty (50) percent of the costs, with interest, over a ten-year period. If the property is sold or transferred before the balance is repaid in full, then the remainder shall become a lien against the property and shall be repaid in full in the event the property is sold or transferred.

Legislative History

Chapter 191 was amended in 2013 and 2014 to establish liability for the installation, repair and maintenance of sidewalks in the City of Beacon. Prior to the November 2014 City Code amendment (Local Law No. 13-2014, adopted on November 17, 2013), fifty (50) percent of the costs to (a) repair or replace existing sidewalks and (b) install new sidewalks was to be borne by the abutting property owner(s) pursuant to City Code §§ 191-12.2 and 191-12.3, respectively. A copy of City Code §§ 191-12.2 and 12.3 from 2013 is attached hereto as Exhibit “B.” In 2014 the City Council adopted Local Law No. 13-2014 to amend City Code § 191-12.2 to “provide that any future sidewalks which are repaired or reconstructed as part of the City’s capital plan will be financed by the City entirely, effective June 13, 2014.” (City Council Meeting Minutes, November 17, 2014). Therefore, the costs of any improvements to existing City sidewalks are to be borne solely by the City, unless the sidewalks are damaged or defective. As discussed above, if the sidewalks are damaged or defective, then the City would require that abutting property owners repair or replace those portions of the sidewalk which are defective or damaged.

EXHIBIT "A"
CURRENT CITY CODE

§ 191-12.1. Regular repair and maintenance of existing sidewalks.¹ [Added 12-20-2004 by L.L. No. 41-2004; amended 12-16-2013 by L.L. No. 20-2013; 11-17-2014 by L.L. No. 13-2014]

When the Building Department discovers or is put on notice of a defect or damage in an existing sidewalk in a public right-of-way running along the front, side or rear yard of any privately owned real property, it shall provide written notice to the property owner and shall direct that the defect be repaired. It shall be the obligation of the property owner to repair or replace the sidewalk and to restore it to good and safe condition even where the sidewalk is also bounded by any street, avenue or public place, including a municipal parking lot. All repairs and replacements of sidewalks so undertaken shall be in-kind, such that the sidewalk shall be restored to the same dimensions and using the same materials as existed previously. Where the owner of such property shall fail or neglect to repair or replace such sidewalk for 30 days after notice to do so has been served upon the owner, either personally or by mailing the same to the name of the last known owner thereof as the same appears on the assessment roll of the City of Beacon for the last calendar year, the Highway Department shall repair or replace such sidewalk, and statement for 100% of the cost incurred thereby shall be served upon the owner, either personally or by mailing the same to the name of the last known owner thereof as the same appears on said assessment roll. If the owner of the property shall fail to pay the same within 15 days after demand, the City shall, in the preparation of the next assessment roll, assess such amount upon such property, and the same shall be levied, collected and enforced in the same manner as taxes upon said property for City purposes are levied, collected and enforced. In addition, in the event a property owner does not make the repairs required herein and a pedestrian or user is injured as a result of a defective condition of the sidewalk, the property owner shall be liable for the injuries suffered by the pedestrian or user of the sidewalk after service of the notice of defect herein has been made upon the property owner as set forth in this section.

§ 191-12.2. Installation of new curbs and sidewalks. [Added 12-20-2004 by L.L. No. 41-2004; amended 12-16-2013 by L.L. No. 20-2013; 11-17-2014 by L.L. No. 13-2014²]

Where the City has determined that a City street, avenue or public place, including a municipal parking lot shall be repaved, modified or repaired such that adjoining curbs or public sidewalks will also be installed or replaced along said street, avenue or public place, the City shall bear the cost of such installation or replacement at no expense to the owners of privately-owned real property adjoining the project area. The City Council shall allocate sufficient funds to finance the replacement of these curbs and sidewalks in its annual budget.

1. Editor's Note: Former § 191-12.1, Repair of sidewalks, added 5-2-1994, as amended, was reenacted and renumbered 12-1-2003 by L.L. No. 16-2003. See now § 191-12.2.

2. Editor's Note: This local law also stated that it would apply retroactively to all public works projects awarded by the City on and after June 1, 2013.

§ 191-12.3. Installation of curbs and sidewalks; liability for costs. [Added 5-15-2006 by L.L. No. 9-2006; amended 12-16-2013 by L.L. No. 20-2013]

Where the Highway Superintendent has determined that an existing City street, avenue or public place, including a municipal parking lot, in a public right-of-way running along the front, side or rear yard of any privately owned real property shall be repaved, modified or repaired such that curbs and/or public sidewalks shall be installed, the owner of said real property shall be responsible for a portion of the cost. Fifty percent of the cost of installing the curbing and/or public sidewalk shall be paid by the property owner. The City shall be responsible for paying the balance of this cost. The City Council shall, in its annual budget, allocate sufficient funds to finance the installation of these curbs and/or sidewalks, which shall be repaid by the property owner, with interest, over a ten-year period. This loan shall become a lien against the property and shall be repaid in full in the event the property is sold or transferred.

§ 191-12.4. Request for hearing. [Added 12-16-2013 by L.L. No. 20-2013]

Any person who receives a compliance order issued in connection with the enforcement of any provisions of this chapter or of any rule or regulation adopted pursuant thereto may request and shall be granted a hearing in accordance with with Chapter 34 of the City Code, provided that such person shall file with the City Administrator, within 10 days of receipt of the compliance order, a written request demanding such hearing. A demand for hearing shall be on a form provided by the City Administrator and shall set forth a brief statement of the grounds for the hearing, designate the name and address of the person upon whom an order may be served, and set forth the reasons why such compliance order should be modified or withdrawn. If this request is filed within such ten-day period, compliance with the compliance order shall not be required while the hearing is pending.

EXHIBIT "B"

FORMER CITY CODE

City of Beacon, NY
Monday, December 16, 2013

Chapter 191. STREETS AND SIDEWALKS

Article I. General Provisions

§ 191-12.1. Repair of sidewalks.

[Added 12-20-2004 by L.L. No. 41-2004; amended 12-16-2013 by L.L. No. 20-2013]

When the Building Department is put on notice of a defect in a sidewalk in a public right-of-way running along the front, side or rear yard of any privately owned real property, it shall provide written notice to the property owner and shall direct that the defect be repaired. It shall be the obligation of the property owner to repair or replace the sidewalk and to restore it to good and safe condition even where the sidewalk is also bounded by any street, avenue or public place, including a municipal parking lot. All repairs and replacements of sidewalks so undertaken shall be in-kind, such that the sidewalk shall be restored to the same dimensions and using the same materials as existed previously. Where the owner of such property shall fail or neglect to repair or replace such sidewalk for 30 days after notice to do so has been served upon the owner, either personally or by mailing the same to the name of the last known owner thereof as the same appears on the assessment roll of the City of Beacon for the last calendar year, the Highway Department shall repair or replace such sidewalk, and statement for 100% of the cost incurred thereby shall be served upon the owner, either personally or by mailing the same to the name of the last known owner thereof as the same appears on said assessment roll. If the owner of the property shall fail to pay the same within 15 days after demand, the City shall, in the preparation of the next assessment roll, assess such amount upon such property, and the same shall be levied, collected and enforced in the same manner as taxes upon said property for City purposes are levied, collected and enforced. In addition, in the event a property owner does not make the repairs required herein and a pedestrian or user is injured as a result of a defective condition of the sidewalk, the property owner shall be liable for the injuries suffered by the pedestrian or user of the sidewalk after service of the notice of defect herein has been made upon the property owner as set forth in this section.

[1]: *Editor's Note: Former § 191-12.1, Repair of sidewalks, added 5-2-1994, as amended, was reenacted and renumbered 12-1-2003 by L.L. No. 16-2003. See now § 191-12.2.*

§ 191-12.2. Replacement of curbs and sidewalks.

[Added 12-20-2004 by L.L. No. 41-2004; amended 12-16-2013 by L.L. No. 20-2013]

Where the Highway Superintendent has determined that an existing City street, avenue or public place, including a municipal parking lot, in a public right-of-way running along the front, side or rear yard of any privately owned real property shall be repaved or repaired such that the adjoining curbs and/or public sidewalks will also require repair or replacing, the owner of such privately owned real property shall be responsible for a portion of the cost. Fifty percent of the cost of replacing the curb and/or public sidewalk shall be paid by the property owner. The City shall be responsible for paying the balance of this cost. The City Council shall, in its annual budget, allocate sufficient funds to finance the replacement of these curbs and sidewalks, which shall be repaid by the property owner, with interest over a ten-year period. This loan shall become a lien against the property and shall be repaid in full in the event the property is sold or transferred.

§ 191-12.3. Installation of curbs and sidewalks; liability for costs.

[Added 5-15-2006 by L.L. No. 9-2006; amended 12-16-2013 by L.L. No. 20-2013]

Where the Highway Superintendent has determined that an existing City street, avenue or public place, including a municipal parking lot, in a public right-of-way running along the front, side or rear yard of any privately owned real property shall be repaved, modified or repaired such that curbs and/or public sidewalks shall be installed, the owner of said real property shall be responsible for a portion of the cost. Fifty percent of the cost of installing the curbing and/or public sidewalk shall be paid by the property owner. The City shall be responsible for paying the balance of this cost. The City Council shall, in its annual budget, allocate sufficient funds to finance the installation of these curbs and/or sidewalks, which shall be repaid by the property owner, with interest, over a ten-year period. This loan shall become a lien against the property and shall be repaid in full in the event the property is sold or transferred.

§ 191-12.4. Request for hearing.

[Added 12-16-2013 by L.L. No. 20-2013]

Any person who receives a compliance order issued in connection with the enforcement of any provisions of this chapter or of any rule or regulation adopted pursuant thereto may request and shall be granted a hearing in accordance with with Chapter **34** of the City Code, provided that such person shall file with the City Administrator, within 10 days of receipt of the compliance order, a written request demanding such hearing. A demand for hearing shall be on a form provided by the City Administrator and shall set forth a brief statement of the grounds for the hearing, designate the name and address of the person upon whom an order may be served, and set forth the reasons why such compliance order should be modified or withdrawn. If this request is filed within such ten-day period, compliance with the compliance order shall not be required while the hearing is pending.

City of Beacon City Council Agenda
11/28/2022

Title:

25 Townsend Street Subdivision Street Naming

ATTACHMENTS

Keane & Beane P.C. Memorandum Regarding 25 Townsend Street Subdivision

Rieger Homes Request for Council Action

25 Townsend Street - Subdivision Plat

Draft Resolution Naming 25 Townsend Street Subdivision

- Main Office
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868
- Mid-Hudson Office
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120
- New York City Office
99 Madison Avenue
New York, NY 10016
Phone 646.794.5747

MEMORANDUM

TO: Mayor Lee Kyriacou and Members of the
Beacon City Council

FROM: Keane & Beane, P.C.

RE: 25 Townsend Street - Request for Street Name

DATE: November 23, 2022

In July 2018, the City of Beacon Planning Board granted Final Subdivision Approval for property located at 25 Townsend Street in the R1-7.5 Zoning District. The subdivision includes 13 lots for the construction of new single-family residences, plus an additional lot to be owned by the homeowner's association for stormwater infiltration. The subdivision also includes a 50' right-of-way offered for dedication to the City as an extension of the existing Townsend Street roadway. A copy of the approved, filed subdivision plat is enclosed with your meeting materials.

Section 195-21.G of the City Code requires all streets to be named and the name is subject to the approval of the Planning Board. In prior street naming applications considered by the City, the name has also been subject to confirmation by the City Council. Where the street is a continuation of an existing street the Code requires the continued street to bear the same name as the existing street.

Here, the current owner of the subdivision has submitted a request that the City Council confirm and approve the name of the proposed extension of Townsend Street. Dutchess County 911 is aware of the proposed name and has requested from the subdivision owner a City Council resolution confirming the name of the proposed street as "Townsend Street."

A draft street naming resolution has been prepared for the City Council's consideration.

FROM: Steven Rieger, Rieger Homes

TO: City Administrator Christopher White, Secretary to the Mayor Ben Swanson,
City Attorney Jennifer L. Gray, and the Beacon City Council

RE: Townsend Street

With regard to our Townsend Street subdivision, Dutchess County 911 requires that we submit to it a resolution from a City Board designating our extension of Townsend Street as part of Townsend Street. The language in Section 195-21. G of the City Code highlighted below seems to make it mandatory that the new street be named Townsend Street. We appeared at the Planning Board at its November meeting and it agreed, but referred the matter to the City Council.

We would appreciate your placing this on the next available City Council agenda (November 28, I believe) for consideration and action at the December 5 meeting. Please let me know if you need anything else in this regard and if it is advisable for us to attend the meetings.

Thanks for your help.

Section 195-21.G

G. Street names. All streets shall be named, and such names shall be subject to the approval of the Planning Board. Prior to naming streets, the Planning Board shall confer with the Beacon Historical Society for the purpose of receiving recommendations for the naming of streets after notable persons in Beacon's history. Street names shall be sufficiently different in sound and in spelling from other names in the City so as not to cause confusion. **A street which is a continuation of an existing street shall bear the same name.** In general, street names shall conform to the following classifications:

- (1)** Avenue, street or road: major or collector street.
- (2)** Drive or lane: minor residential streets, except as follows:
 - (a)** Court or place: permanent dead-end street.
 - (b)** Circle or loop: street that returns to a starting point, or a street both ends of which intersect another street at different locations.

25 TOWNSEND STREET
FINAL SUBDIVISION

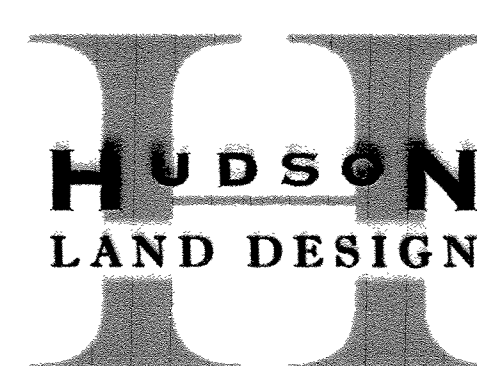
25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

PARCEL INFORMATION:
TAX ID: 6055-03-383149
LOT AREA: ±5 ACRES
RI-7.5: ONE FAMILY
WATER: CITY OF BEACON
SEWER: CITY OF BEACON

OWNER (PARCEL 6055-03-383149):
AK PROPERTY HOLDING, LLC
730 COLUMBUS AVENUE, APT. 3D
NEW YORK, NY 12005

APPLICANT:
AK PROPERTY HOLDING, LLC
730 COLUMBUS AVENUE, APT. 3D
NEW YORK, NY 12005

PROJECT ENGINEER:



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926
F: 845-440-6637

PROJECT SURVEYOR:

TEC LAND SURVEYING
15C TIORONDA AVENUE
BEACON, NY 12508
PH: 845-445-6590
F: 845-445-6591

OWNER'S CONSENT:

THE UNDERSIGNED OWNER OF THE PROPERTY HEREON STATES
THAT HE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS
LEGENDS AND HEREBY CONSENTS TO ALL SAID TERMS AND
CONDITIONS AS STATED HEREON.

[Signature]
AK PROPERTY HOLDING, LLC

7/30/19
DATE

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE
10TH DAY OF JULY, 2019, SUBJECT TO ALL REQUIREMENTS AND
CONDITIONS OF SAID RESOLUTION, ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT,
AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS 2nd DAY OF MARCH, 2022, BY

[Signature] CHAIRMAN

[Signature] SECRETARY

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY
RESPECTIVELY MAY SIGN IN THIS PLACE.

DRAWN BY: JDB		CHECKED BY: MAB		JOB NO.: 2015-02	
REVISIONS:					
NO.	DATE	DESCRIPTION			BY
1	03/29/19	ADDED SHEET			CMB
2	07/26/19	FOR DCDBCH APPROVAL			CMB

Dig Safely.
New York
800-962-7962
www.digsafelynewyork.org
☐ Call Before You Dig
☐ Wait The Required Time
☐ Confirm Utility Response
☐ Respect the Marks
☐ Dig With Care

RECOMMENDED FOR APPROVAL

[Signature]

DCDBCH APPROVAL BLOCK

(FOR SHEETS 1 THROUGH 12)
RECOMMENDED FOR APPROVAL BY:

DATE: 08/06/2019

PROJECT: 25 TOWNSEND ST SUBDIVISION

C. BEACON

12 SHEETS + ENG. REP.

[Signature]
SUPERVISING PUBLIC HEALTH ENGINEER

Acceptable for Filing 2/18/22
[Signature]

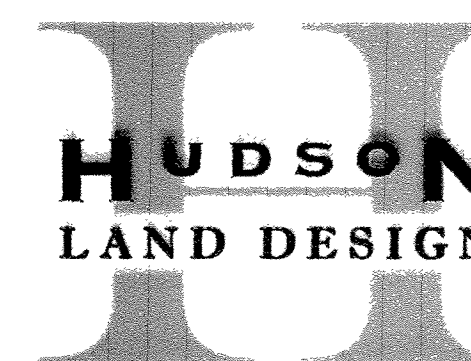
SUBDIVISION DRAWING INDEX: (TO BE APPROVED BY THE COUNTY
DEPARTMENT OF BEHAVIORAL AND COMMUNITY HEALTH)

- SHEET 1: TITLE SHEET
SHEET 2: SUBDIVISION PLAT
SHEET 3: EXISTING CONDITIONS PLAN
SHEET 4: FINAL SUBDIVISION PLAN
SHEET 5: UTILITY PLAN
SHEET 6: ROAD EXTENSION PROFILE
SHEET 7: EROSION & SEDIMENT CONTROL PLAN
SHEET 8: SITE AND LIGHTING & LANDSCAPING DETAILS
SHEET 9: EROSION & SEDIMENT CONTROL DETAILS
SHEET 10: STORMWATER DETAILS
SHEET 11: WATER DETAILS
SHEET 12: SEWER DETAILS

TITLE SHEET

25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: 1" = 30'
DECEMBER 7, 2015



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637

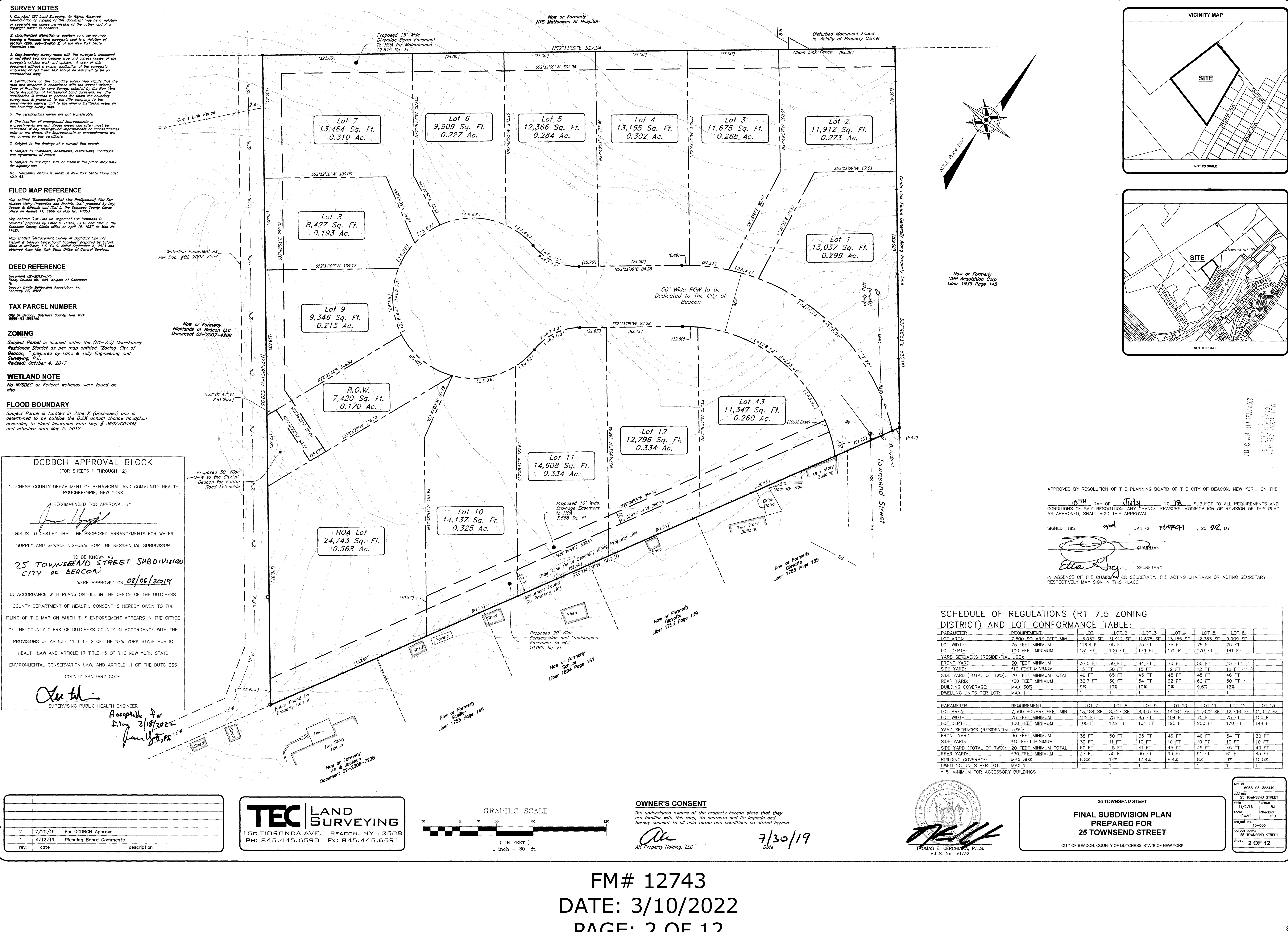


SEAL

JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOEHLER, P.E.
NYS LICENSE NO. 082716

SHEET: 1 OF 12

FM# 12743
DATE: 3/10/2022
PAGE: 1 OF 12



derri Doc #: 23111112743 - filed Page 2 of 12

PROJECT INFORMATION:	
PARCEL OWNER:	AK PROPERTY HOLDING LLC, 730 COLUMBUS AVE - APT 30 NY, NY 10025
PROJECT ENGINEER:	HUDSON LAND DESIGN P.C., 174 MAIN STREET, BEACON NY 12508
PARCEL LOCATION:	25 TOWNSEND STREET, BEACON NY
TAX PARCEL ID:	6055-03-383149
PARCEL AREA:	±5.0-ACRES
WATER SUPPLY:	CITY OF BEACON
SEWAGE DISPOSAL:	CITY OF BEACON

MAP REFERENCES:

- EXISTING FEATURES AS SHOWN ON THIS PLAN PER MAP ENTITLED "SURVEY OF PROPERTY PREPARED FOR ALLA BARES", DATED 7-7-15, AND PREPARED BY TEC LAND SURVEYING.
- OFF-SITE 5' CONTOURS AND ROAD EDGE DATA PER AVAILABLE GIS DATA.

DEMOLITION NOTE:

- EXISTING STRUCTURES TO BE REMOVED AS PART OF INITIAL CLEARING AND GRUBBING ACTIVITIES.

SITE CLEARING NOTE:

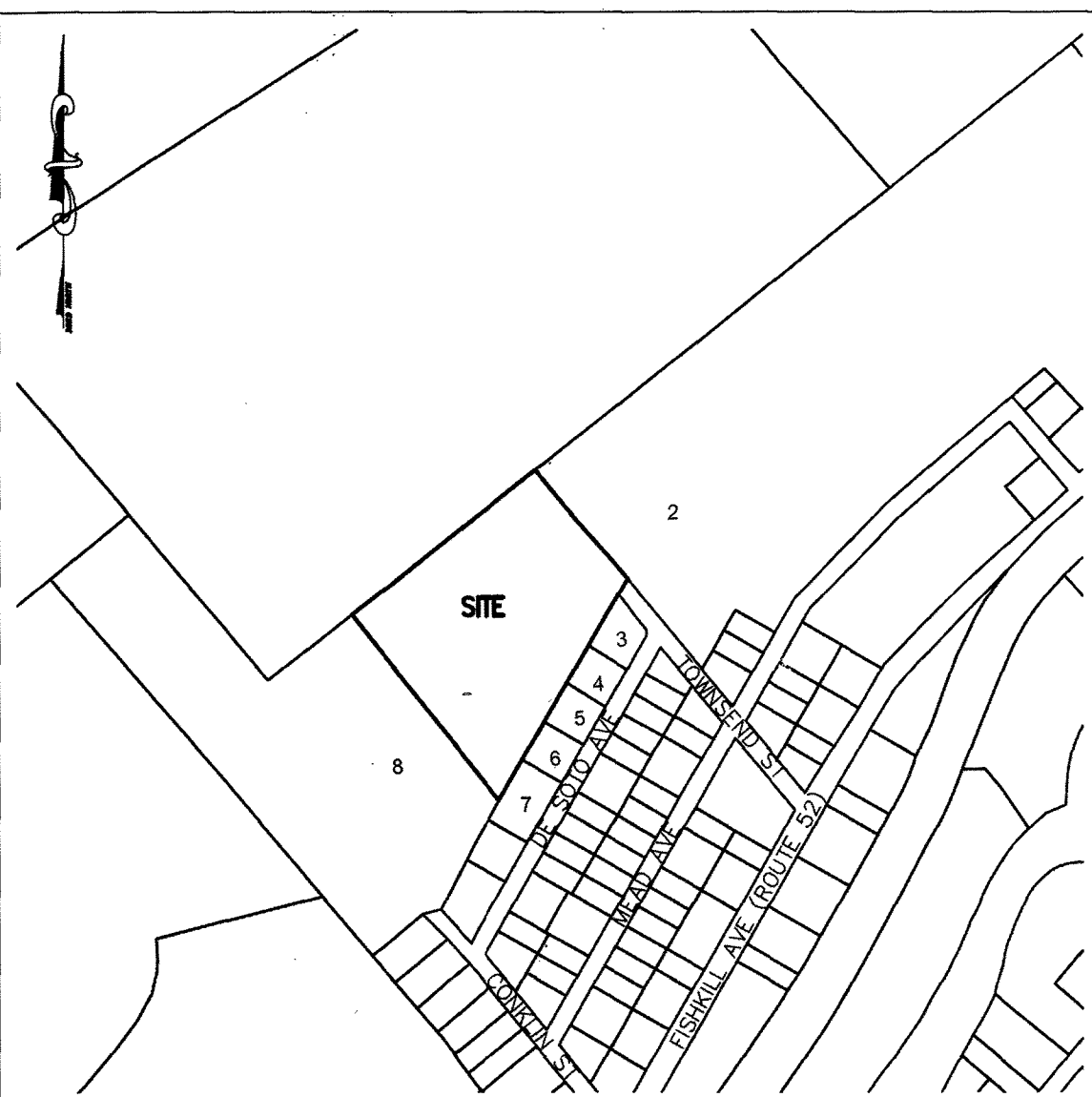
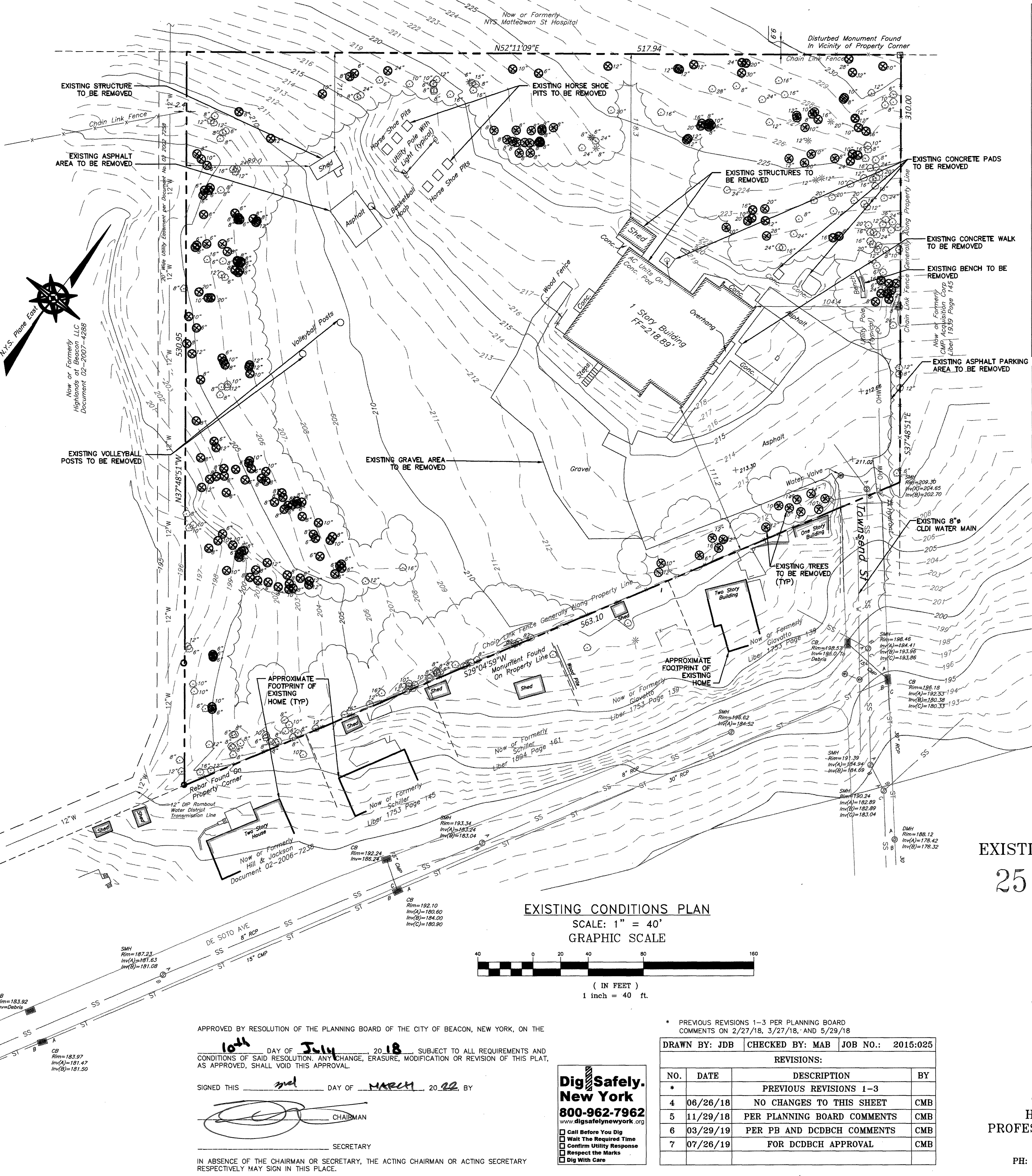
- SITE CLEARING SHALL OCCUR BETWEEN OCTOBER 1ST THROUGH MARCH 31ST IN ACCORDANCE WITH NYSDEC REGULATIONS.

STEEP SLOPES NOTE:

- THERE ARE NO AREAS ON THE PARCEL THAT INCLUDE LANDS WITH A GRADIENT OF 25% OR MORE OVER A CONTIGUOUS LAND AREA OF AT LEAST 10,000 SQUARE FEET.

LEGEND

	EXISTING PROPERTY LINE
	EXISTING ADJOINER LINE
	EXISTING TREE
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EXISTING OVERHEAD WIRE
	EXISTING FENCE
	EXISTING WATER MAIN
	EXISTING WATER SERVICE LINE
	EXISTING TREE LINE
	EXISTING TREE TO BE REMOVED



SITE LOCATION MAP SCALE: 1" = 400'

ADJOINING OWNERS:

PARCEL: OWNER & MAILING ADDRESS	
1:	NYS MATTEAWAN HOSPITAL, 36 DEER RUN, BEACON NY 12508
2:	CMP ACQUISITION CORP, 483 FISHKILL AVE, BEACON NY 12508
3:	NUNZIO GAVATTO, 19 TOWNSEND STREET, BEACON NY 12508
4:	NUNZIO GAVATTO, 19 TOWNSEND STREET, BEACON NY 12508
5:	DONALD & GIOVANNA SCHILLER, 35 DESOTO AVENUE, BEACON NY 12508
6:	DONALD & GIOVANNA SCHILLER, 35 DESOTO AVENUE, BEACON NY 12508
7:	CHRISTOPHER HILL & CHRISTINE JACKSON, 23 DESOTO AVENUE, BEACON NY 12508
8:	HIGHLANDS AT BEACON LLC, 2847 CHURCH STREET, PINE PLAINS NY 12567

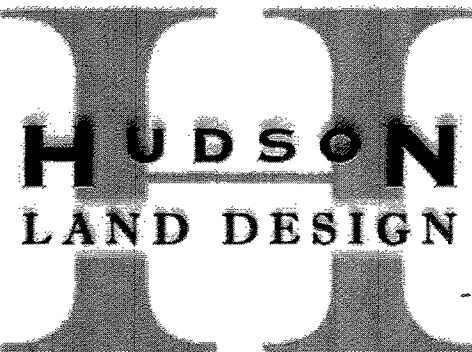
REVISION NOTES:

- THIS PLAN SET HAS BEEN SUBMITTED TO THE THE PLANNING BOARD ON NOVEMBER 19, 2015 AND HAS BEEN REVISED ON MAY 31, 2016; MARCH 28, 2017; APRIL 24, 2017; JULY 25, 2017; AUGUST 29, 2017; NOVEMBER 28, 2017; AND FEBRUARY 27, 2018. IT IS NOTED ON THE PLANS AS REVISION DATE 1.

EXISTING CONDITIONS AND DEMO PLAN 25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: 1" = 40'
NOVEMBER 19, 2015

DUTCHESS COUNTY DEPT. OF HEALTH
Poughkeepsie New York
These plans are approved.
See first sheet for date and signature.



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637



SEAL

JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOHLER, P.E.
NYS LICENSE NO. 082716

SHEET: 3 OF 12

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE
10th DAY OF JULY 2018, SUBJECT TO ALL REQUIREMENTS AND
CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT,
AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS 2nd DAY OF MARCH 2022 BY

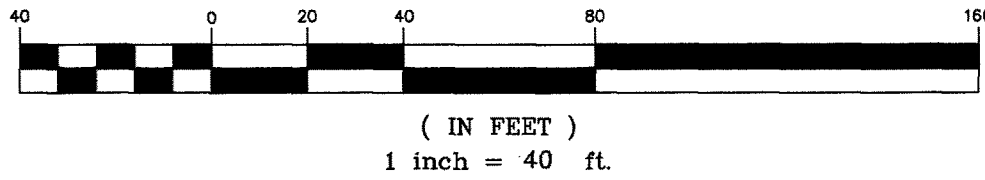
CHAIRMAN

SECRETARY

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY
RESPECTIVELY MAY SIGN IN THIS PLACE.

EXISTING CONDITIONS PLAN

SCALE: 1" = 40'
GRAPHIC SCALE



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New York
800-962-7962
www.digsafelynewyork.org

Call Before You Dig
Wait The Required Time
Confirm Utility Response
Respect The Marks
Dig With Care

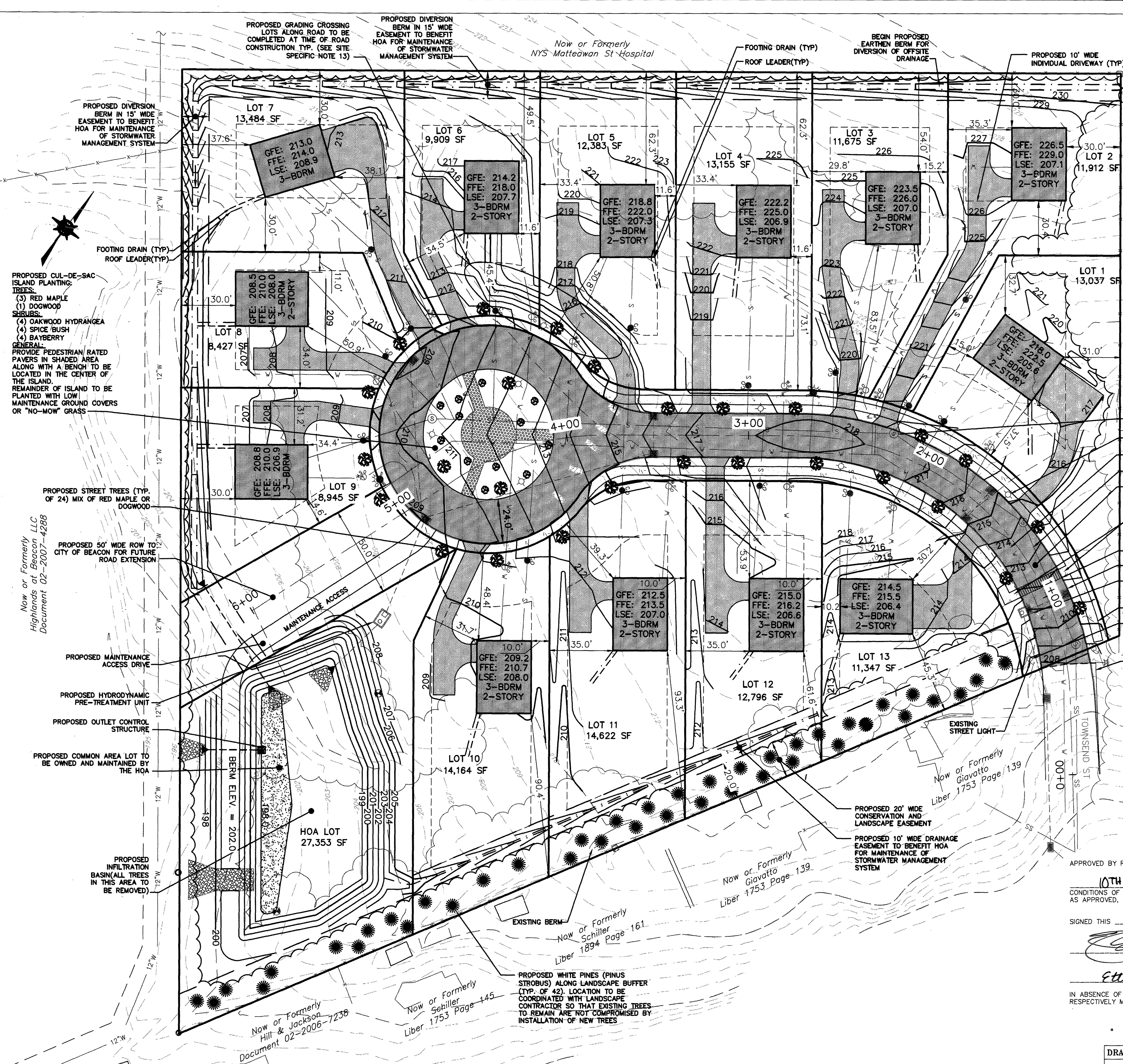
* PREVIOUS REVISIONS 1-3 PER PLANNING BOARD
COMMENTS ON 2/27/18, 3/27/18, AND 5/29/18

DRAWN BY: JDB CHECKED BY: MAB JOB NO.: 2015-025			
REVISIONS:			
NO.	DATE	DESCRIPTION	BY
*		PREVIOUS REVISIONS 1-3	
4	06/26/18	NO CHANGES TO THIS SHEET	CMB
5	11/29/18	PER PLANNING BOARD COMMENTS	CMB
6	03/29/19	PER PB AND DCDBCH COMMENTS	CMB
7	07/26/19	FOR DCDBCH APPROVAL	CMB

FM# 12743

DATE: 3/10/2022

PAGE: 3 OF 12



- SITE SPECIFIC NOTES:**
1. THE CONTRACTOR SHALL PERFORM A UTILITIES CALL-OUT PRIOR TO CONSTRUCTION TO VERIFY ALL UNDERGROUND UTILITY LOCATIONS BY CONTACTING UFPO @ 1-800-962-7962. SPECIFIC ATTENTION SHALL BE PAID TO THE LOCATIONS OF THE GAS (IF APPLICABLE), WATER AND SEWER MAINS WITH RESPECT TO THE PROPOSED LOCATIONS FOR THE SERVICE LINES.
 2. THE CONTRACTOR SHALL CONTACT THE CITY OF BEACON WATER AND SEWER DEPARTMENTS TO SCHEDULE A PRE-CONSTRUCTION MEETING TO ENSURE THAT THE ARRANGEMENTS FOR WATER SUPPLY AND SEWAGE DISPOSAL ARE COMMENCED IN ACCORDANCE WITH THE APPROVED PLANS AND AMENDMENTS THERETO AND GENERALLY ACCEPTED STANDARDS.
 3. THE PROPOSED LOTS SHALL BE SERVED BY THE CITY OF BEACON MUNICIPAL WATER AND SEWER SERVICES.
 4. THE WATER SERVICE LINES AND METERS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF BEACON WATER DEPARTMENT REQUIREMENTS.
 5. THE WATER SERVICE LINES SHALL BE 1" K-COPPER.
 6. THE SEWER SERVICE LINES SHALL BE 4" SDR 35 PVC PIPE WITH PITCH AS SHOWN ON THE PLAN (MINIMUM OF 1/8" PER FOOT SHALL BE MAINTAINED).
 7. A ROAD OPENING PERMIT SHALL BE REQUIRED FOR THE EXTENSION OF THE PROPOSED WATER AND SEWER MAINS TO SERVICE THE NEW LOTS. STREET CLOSURE FOR WATER AND SEWER CONNECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF BEACON REQUIREMENTS.
 8. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO CONSTRUCTION. THE PROPOSED DRIVEWAY SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE.
 9. ROOF LEADER AND FOOTING DRAIN CONNECTIONS TO BE MINIMUM 4" PVC OR HDPE @ 0.5% MIN.
 10. SUMP PUMPS TO BE PROVIDED FOR FOOTING DRAINS, IF NECESSARY. THE TYPE OF PUMP AND METHODS USED TO ENSURE PROPER DRAINAGE SHALL BE ACCEPTABLE TO THE CITY OF BEACON BUILDING DEPARTMENT.
 11. A HOMEOWNER'S ASSOCIATION (HOA) WILL BE FORMED AND WILL OWN AND MAINTAIN THE HOA LOT, INCLUDING THE STORMWATER MANAGEMENT FACILITY AND ALL PIPES, SWALES AND STRUCTURES THAT CONVEY STORMWATER THROUGH THE SITE.
 12. THE HOA WILL BE RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF THE PLANTED ISLAND WITHIN THE CUL-DE-SAC.
 13. ALL LOT CROSS GRADING SHALL BE COMPLETED AT THE TIME OF ROAD CONSTRUCTION, AND PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY.
 14. THE INFILTRATION BASIN AREA SHALL BE PROTECTED FROM SEDIMENT LADEN RUNOFF DURING CONSTRUCTION.
 15. ALL PROPOSED DWELLINGS ARE THREE (3) BEDROOM, TWO (2) STORY HOMES.

- GENERAL CONSTRUCTION NOTES:**
1. ALL OTHER UTILITIES (TELEPHONE, ELECTRIC, GAS, CABLE, ETC.) SHALL BE INCORPORATED PRIOR TO CONSTRUCTION. ALL SUCH UTILITY DESIGNS SHALL BE DEVELOPED IN COOPERATION WITH THE RESPECTIVE UTILITY COMPANIES.
 2. THE CONTRACTOR SHALL PERFORM A UTILITIES CALL-OUT PRIOR TO CONSTRUCTION TO VERIFY ALL UNDERGROUND UTILITY LOCATIONS BY CONTACTING UFPO @ 1-800-962-7962.
 3. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND INVERTS OF ALL CATCH BASINS & STORM SEWER LINES, SANITARY MANHOLES & SEWER LINES, WATERLINES AND OTHER UNDERGROUND UTILITY LINES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOT ASSUME THAT ALL LOCATIONS AS SHOWN ON THE PLAN ARE CORRECT. INVESTIGATIVE TEST PITS MAY BE REQUIRED TO VERIFY LOCATIONS.
 4. PIPE CONNECTIONS TO ALL CATCH BASINS SHALL BE MADE WATERTIGHT, WITH PARTICULAR ATTENTION BEING PAID TO CONNECTIONS LOCATED WITHIN 10 FEET OF SEWER MAINS (AND SERVICE LATERALS).

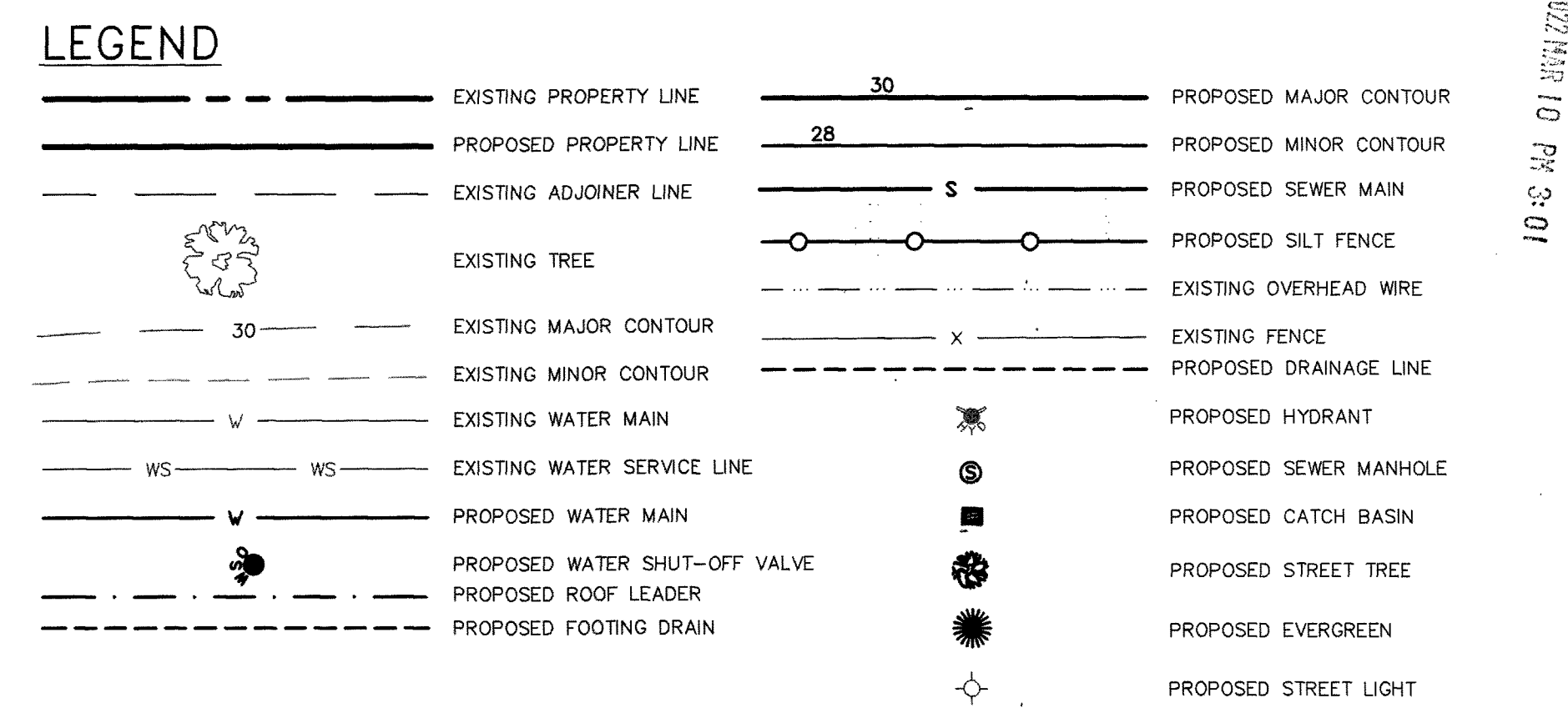
- POST CONSTRUCTION NOTES:**
1. UPON COMPLETION OF CONSTRUCTION OF THE STORMWATER FACILITIES, AS-BUILT DRAWINGS OF ALL STORMWATER PRACTICES AND AN OPERATION AND MAINTENANCE PLAN MANUAL SHALL BE PROVIDED TO THE CITY OF BEACON.

SCHEDULE OF REGULATIONS (R1-7.5 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:

PARAMETER	REQUIREMENT	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6
LOT AREA:	7,500 SQUARE FEET MIN	13,037 SF	11,912 SF	11,675 SF	13,155 SF	12,383 SF	9,909 SF
LOT WIDTH:	75 FEET MINIMUM	116.4 FT	95 FT	75 FT	75 FT	75 FT	75 FT
LOT DEPTH:	100 FEET MINIMUM	131 FT	100 FT	179 FT	175 FT	170 FT	141 FT
YARD SETBACKS (RESIDENTIAL USE):							
FRONT YARD:	30 FEET MINIMUM	37.5 FT	30 FT	84 FT	73 FT	50 FT	45 FT
REAR YARD:	*10 FEET MINIMUM	15 FT	30 FT	15 FT	12 FT	12 FT	12 FT
SIDE YARD (TOTAL OF TWO):	20 FEET MINIMUM TOTAL	46 FT	65 FT	45 FT	45 FT	45 FT	46 FT
REAR YARD:	*30 FEET MINIMUM	32.7 FT	30 FT	54 FT	62 FT	62 FT	50 FT
BUILDING COVERAGE:	MAX 30%	9%	10%	10%	9%	9.6%	12%
DWELLING UNITS PER LOT:	MAX 1	1	1	1	1	1	1

PARAMETER	REQUIREMENT	LOT 7	LOT 8	LOT 9	LOT 10	LOT 11	LOT 12	LOT 13
LOT AREA:	7,500 SQUARE FEET MIN	13,484 SF	8,427 SF	8,945 SF	14,164 SF	14,622 SF	12,796 SF	11,347 SF
LOT WIDTH:	75 FEET MINIMUM	122 FT	75 FT	83 FT	104 FT	75 FT	75 FT	100 FT
LOT DEPTH:	100 FEET MINIMUM	100 FT	123 FT	104 FT	195 FT	200 FT	170 FT	144 FT
YARD SETBACKS (RESIDENTIAL USE):								
FRONT YARD:	30 FEET MINIMUM	38 FT	50 FT	35 FT	46 FT	40 FT	54 FT	30 FT
REAR YARD:	*10 FEET MINIMUM	30 FT	11 FT	10 FT	10 FT	10 FT	10 FT	10 FT
SIDE YARD (TOTAL OF TWO):	20 FEET MINIMUM TOTAL	60 FT	45 FT	41 FT	45 FT	45 FT	45 FT	40 FT
REAR YARD:	*30 FEET MINIMUM	37 FT	30 FT	30 FT	93 FT	91 FT	61 FT	45 FT
BUILDING COVERAGE:	MAX 30%	8.8%	14%	13.4%	8.4%	8%	9%	10.5%
DWELLING UNITS PER LOT:	MAX 1	1	1	1	1	1	1	1

* 5' MINIMUM FOR ACCESSORY BUILDINGS



APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE 10TH DAY OF July, 2018, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION, ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS 2nd DAY OF March, 2022, BY

Chairman

Secretary

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

FINAL SUBDIVISION PLAN

25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: 1" = 30'
DECEMBER 7, 2015

HUDSON LAND DESIGN

PROFESSIONAL ENGINEERING P.C.

174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637

SEAL

JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOEHLER, P.E.
NYS LICENSE NO. 082716

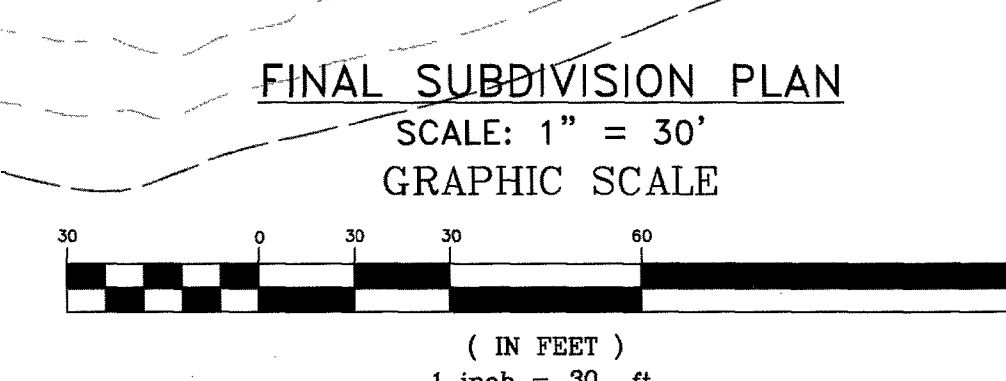
SHEET: 4 OF 12

ROAD WIDTH TRANSITION NOTES:

1. TOWNSEND ROAD IS APPROXIMATELY 29.5 FEET WIDE NEAR ITS CURRENT TERMINATION.
2. THE PROPOSED ROAD IS CLASSIFIED AS A LOCAL ROAD BY CITY OF BEACON STANDARDS AND IS THEREFORE 24 FEET WIDE.
3. THE TRANSITION TO 12-FOOT LANES IS AS FOLLOWS:
A. STATION 0+00 O/S RIGHT 14.88' TO 0+91.37 O/S RIGHT 12.00' - REQUIRES REMOVAL OF EXISTING CURB AND PAVEMENT, AND NEW CURB TO THE INTO START OF TRANSITION
B. STATION 0+91.37 O/S LEFT 14.73' (EDGE OF EXISTING DRIVEWAY - TO BE CONFIRMED BY CONTRACTOR) TO 1+28.46 O/S LEFT 12.00' - GENERALLY FOLLOWS THE EXISTING EDGE OF PAVEMENT TO THE PROPERTY LINE

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LEGEND

---	EXISTING PROPERTY LINE
---	PROPOSED PROPERTY LINE
---	EXISTING ADJOINER LINE
---	EXISTING TREE
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	PROPOSED MAJOR CONTOUR
---	PROPOSED MINOR CONTOUR
---	PROPOSED SEWER MAIN
---	PROPOSED SILT FENCE
---	EXISTING OVERHEAD WIRE
---	EXISTING FENCE
---	EXISTING WATER MAIN
---	EXISTING WATER SERVICE LINE
---	PROPOSED DRAINAGE LINE
---	PROPOSED WATER MAIN
---	PROPOSED WATER SHUT-OFF VALVE
---	PROPOSED HYDRANT
---	PROPOSED SEWER MANHOLE
---	PROPOSED CATCH BASIN
---	PROPOSED STREET TREE
---	PROPOSED EVERGREEN

DUTCHESS COUNTY DEPARTMENT OF
BEHAVIORAL & COMMUNITY HEALTH

STANDARD NOTES FOR PROJECTS W/CENTRAL WATER & SEWER

THE DESIGN, CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND GENERALLY ACCEPTED STANDARDS IN EFFECT AT THE TIME OF CONSTRUCTION WHICH INCLUDE:
"NEW YORK STATE DESIGN STANDARDS FOR INTERMEDIATE SIZED WASTEWATER TREATMENT SYSTEMS"; NYSDC
"RECOMMENDED STANDARDS FOR SEWAGE TREATMENT WORKS, (TEN STATES)."
"RECOMMENDED STANDARDS FOR WATER WORKS, (TEN STATES)."
"NEW YORK STATE DEPARTMENT OF HEALTH AND DUTCHESS COUNTY ENVIRONMENTAL HEALTH SERVICES DIVISION POLICIES, PROCEDURES AND STANDARDS."
"DUTCHESS COUNTY AND NEW YORK STATE SANITARY CODES."
"DUTCHESS COUNTY ENVIRONMENTAL HEALTH SERVICES DIVISION CERTIFICATE OF APPROVAL LETTER."
THIS PLAN IS APPROVED AS MEETING THE APPROPRIATE AND APPLIED TECHNICAL STANDARDS, GUIDELINES, POLICIES AND PROCEDURES FOR ARRANGEMENT OF SEWAGE DISPOSAL AND WATER SUPPLY FACILITIES.
UPON COMPLETION OF THE FACILITIES, THE FINISHED WORKS SHALL BE INSPECTED, TESTED, AND CERTIFIED COMPLETE TO THE DC EHS BY THE NEW YORK STATE LICENSED PROFESSIONAL ENGINEER SUPERVISING CONSTRUCTION. NO PART OF THE FACILITIES SHALL BE PLACED INTO SERVICE UNTIL ACCEPTED BY THE DC EHS.
APPROVAL OF ANY PLAN(S) OR AMENDMENT THERETO SHALL BE VALID FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF APPROVAL. FOLLOWING THE EXPIRATION OF SAID APPROVAL, THE PLAN(S) SHALL BE RE-SUBMITTED TO THE COMMISSIONER OF HEALTH FOR CONSIDERATION FOR RE-APPROVAL. RE-SUBMISSION OF PLANS AND/OR ASSOCIATED DOCUMENTS SHALL BE SUBJECT TO COMPLIANCE WITH THE TECHNICAL STANDARDS, GUIDELINES, POLICIES AND PROCEDURES IN EFFECT AT THE TIME OF THE RE-SUBMISSION.
NO CELLAR, FOOTING, FLOOR, GARAGE, COOLER OR ROOF DRAINS SHALL BE DISCHARGED INTO THE SEWAGE COLLECTION SYSTEM. ALL BUILDINGS SHALL BE CONSTRUCTED AT AN ELEVATION HIGH ENOUGH TO ENSURE GRAVITY FLOW TO THE SEWAGE COLLECTION SYSTEM.
ALL REQUIRED EROSION & SEDIMENT CONTROL AND STORMWATER POLLUTION PREVENTION WATER QUALITY & QUANTITY CONTROL STRUCTURES, PERMANENT AND TEMPORARY, ARE SHOWN ON THE PLANS.
THE DC EHS SHALL BE NOTIFIED SIXTY DAYS PRIOR TO ANY CHANGE IN USE; USE CHANGES MAY REQUIRE RE-APPROVAL BY THE DC EHS.
NO BUILDINGS ARE TO BE OCCUPIED AND THE NEW WATER SYSTEM SHALL NOT BE PLACED INTO SERVICE, UNTIL A "COMPLETED WORKS APPROVAL" IS ISSUED UNDER SECTION 5-1.22(D) OF PART 5 OF THE NEW YORK STATE SANITARY CODE (10NYCRRS).
NO BUILDINGS ARE TO BE OCCUPIED AND THE NEW WASTEWATER COLLECTION SYSTEM SHALL NOT BE PLACED INTO SERVICE UNTIL A "CERTIFICATE OF CONSTRUCTION COMPLIANCE" IS ISSUED UNDER SECTION 19.7 OF ARTICLE 19 OF THE DUTCHESS COUNTY SANITARY CODE.
ALL SERVICE LINES ARE THE RESPONSIBILITY OF THE OWNER UP TO THE PROPERTY LINE. THE WATER AND SEWER COMPANIES SHALL BE RESPONSIBLE FOR ALL VALVES AND PIPES WHICH ARE NOT ON THE OWNER'S PROPERTY.
THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

WATERMAIN PRESSURE & LEAKAGE TESTING:

GENERAL: ALL PIPING SHALL BE TESTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST EDITION OF AWWA C600, EXCEPT AS ADDED OR AMENDED BELOW:
1. THE CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY FOR ANY AND ALL REQUIRED PIPE TAPS FOR TESTING, AND AS NECESSARY FOR TESTING AS SPECIFIED. EQUIPMENT WILL BE SUCH THAT THE ENGINEER MAY INSTALL HIS OWN PRESSURE GAUGE.
2. A PRESSURE TEST AND LEAKAGE TEST ARE REQUIRED FOR ALL PIPE.
3. TESTING TO BE PERFORMED ONLY AFTER PARTIAL OR COMPLETE BACKFILL AND RESTRAINT BLOCKING (USING HIGH EARLY CEMENT) HAS HAD 36 HOURS TO CURE OR BLOCKING USING STANDARD CEMENT HAS HAD 7 DAYS TO CURE.
4. THE MAIN SHALL BE PARTIALLY BACKFILLED OR BRACED AGAINST MOVEMENT DURING THE TEST. ALL AIR MUST BE BLED OUT OF THE SECTION TO BE TESTED. IF NECESSARY, CONTRACTOR SHALL INSTALL CORPORATION STOPS AT THE HIGH POINTS, FOR BLOW-OFFS. AFTER ALL AIR HAS BEEN EXPELLED, THE CORPORATION COCKS SHALL BE CLOSED AND THE PRESSURE TEST APPLIED. AFTER EXAMINATION OF EXPOSED PARTS OF THE SYSTEM, THE TEST PRESSURE SHALL BE INCREASED TO 1 1/2 TIMES THE NORMAL PRESSURE, BASED UPON THE ELEVATION OF THE LOWEST POINT IN THE LINE OR SECTION UNDER THE TEST, BUT SUCH PRESSURE SHALL NOT BE LESS THAN 150 PSI NOR MORE THAN 200 PSI, AND EXPOSED PARTS AGAIN EXAMINED. THE MINIMUM DURATION OF THE LEAKAGE TEST SHALL BE TWO (2) HOURS.
5. ALLOWABLE SYSTEM LEAKAGE AS SPECIFIED IN THE REFERENCED STANDARDS. IF LEAKAGE IN SYSTEM IS GREATER THAN ALLOWABLE, CONTRACTOR WILL LOCATE AND REPAIR SYSTEM AT HIS EXPENSE AND RETEST, CONTINUE TO TEST AND REPAIR THE SYSTEM UNTIL LEAKAGE IS WITHIN ACCEPTABLE LIMITS.
6. NO DUCTILE IRON PIPE INSTALLATION WILL BE ACCEPTED IF THE LEAKAGE IS GREATER THAN THAT DETERMINED BY THE FOLLOWING FORMULA:
 $L = \frac{SD \cdot P}{148,000}$
WHERE:
L = LEAKAGE IN GALLONS PER HOUR
S = LENGTH OF PIPE TESTED, IN FEET
D = NOMINAL DIAMETER OF PIPE IN INCHES
P = AVERAGE TEST PRESSURE DURING LEAKAGE TEST, IN PSI (GAUGE)

SEWER TESTING:

SEWER MAIN SHALL BE LAID IN STRAIGHT ALIGNMENT. MANHOLES SHALL BE CONSTRUCTED AT ALL CHANGES IN SLOPE, ALIGNMENT OR AT INTERVALS NOT EXCEEDING 400 LINEAR FEET. STRAIGHT ALIGNMENT SHALL BE VERIFIED BY DEFLECTION TESTING.
THE SEWER MAIN SHALL BE INSTALLED AND TESTED FOR EXFILTRATION PRIOR TO BEING PERMITTED TO OPERATE. ALL NEW SANITARY SEWER GRAVITY LINES SHALL PASS A LOW PRESSURE AIR TEST IN ACCORDANCE WITH ASTM C-828 AT A PRESSURE OF 3.5 PSI.
MANHOLES SHALL BE VACUUM TESTED IN ACCORDANCE WITH ASTM C-1244. IF PRESSURE DROP EXCEEDS THE SPECIFIED AMOUNT, THE NECESSARY REPAIRS OR REPLACEMENTS REQUIRED SHALL BE MADE TO REDUCE THE PRESSURE DROP TO WITHIN THE SPECIFIED LIMIT, AND THE TESTS SHALL BE REPEATED UNTIL THE REQUIREMENT IS MET.

INFILTRATION TEST TABLE:	
INFILTRATION TESTS RESULTS ESTABLISHED ON 8/26/2017	
ST1: 84" DEEP: 4.0 INCHES/HOUR, 3.0 INCHES/HOUR, 1.5 INCHES/HOUR	
ST2: 84" DEEP: 1.5 INCHES/HOUR, 1.0 INCHES/HOUR, 1.0 INCHES/HOUR	

DEEP TEST HOLE TABLE:	
DEEP TEST HOLE RESULTS ESTABLISHED ON 8/26/17	
TP1: 0"-8" TOPSOIL, 8"-75" GRAVELLY CLAY LOAM, 75"-96" HARDPAN; NO ROCK, NO GROUNDWATER, NO MOTTILING	
TP2: 0"-8" TOPSOIL, 8"-85" GRAVELLY CLAY LOAM, 85"-96" HARDPAN NO ROCK, NO GROUNDWATER, NO MOTTILING	

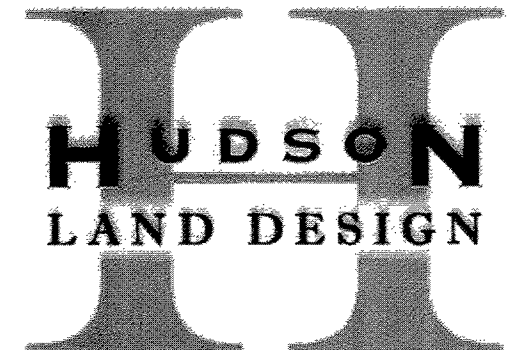
WATERMAIN DISINFECTION & TESTING

1. THE CONTRACTOR SHALL NOTIFY THE CITY OF BEACON WATER DEPARTMENT PRIOR TO TESTING AND SHALL ALSO COORDINATE HIS ACTIONS WITH THE CITY ENGINEER SO AS TO AVOID UNDUE DISTURBANCE OF THE WATER SUPPLY TO ANY EXISTING USERS.
2. THE CONTRACTOR SHALL INFORM THE DESIGN ENGINEER'S AND CITY ENGINEER'S OFFICE A MINIMUM OF 24 HOURS PRIOR TO TESTING SUCH THAT WITNESSING CAN TAKE PLACE AND PROPER CERTIFICATIONS CAN BE ISSUED.
3. ALL NEWLY INSTALLED WATER MAINS SHALL BE FLUSHED AT A MINIMUM VELOCITY OF 2.5 FT/SECOND BEFORE AND AFTER DISINFECTION.
4. ALL WATER LINES SHALL BE DISINFECTED USING THE PROCEDURES DESCRIBED IN THE LATEST EDITION OF AWWA C651 SPECIFICATIONS FOR DISINFECTION OF WATER LINES (WITH THE EXCEPTION OF THE TABLET METHOD). WATER ENTERING THE NEW MAIN SHALL RECEIVE A DOSE OF CHLORINE FED AT A CONSTANT RATE SUCH THAT THE WATER WILL HAVE NOT LESS THAN 25 MG/L FREE CHLORINE. CHLORINE APPLICATION SHALL NOT CEASE UNTIL THE ENTIRE MAIN IS FILLED WITH HEAVILY CHLORINATED WATER.
5. DISINFECTED WATER SHALL REMAIN IN THE NEWLY INSTALLED WATER LINE FOR A MINIMUM OF 24 HOURS. AFTER THIS RETENTION PERIOD, THE HEAVILY CHLORINATED WATER SHALL BE FLUSHED FROM THE MAIN UNTIL CHLORINE MEASUREMENTS SHOW A CONCENTRATION IN THE WATER LEAVING THE MAIN HAS NO HIGHER THAN THAT GENERALLY PREVAILING IN THE SYSTEM. AT SUCH TIME, BACTERIOLOGICAL SAMPLING FOR SUBMITTAL TO STATE HEALTH LABORATORIES SHALL BE PERFORMED BY THE CONTRACTOR.
6. WATER SAMPLES SHALL BE TESTED FOR TOTAL COLIFORM, TPC (HETEROTROPHIC PLATE COUNT), TURBIDITY & COLOR.
7. CONTRACTOR WILL CONTINUE FLUSHING AND DISINFECTION OPERATION UNTIL ACCEPTABLE BACTERIOLOGICAL RESULTS ARE OBTAINED. TWO (2) SUCCESSIVE SAMPLES ARE TO BE TAKEN AT TWENTY-FOUR (24) HOUR INTERVALS.
8. THE ENVIRONMENT INTO WHICH THE HEAVILY CHLORINATED WATER IS TO BE DISCHARGED SHALL BE INSPECTED, AND IF THERE IS ANY LIKELIHOOD THAT THE CHLORINATED DISCHARGE WILL CAUSE DAMAGE, THEN A REDUCING AGENT SHALL BE APPLIED TO THE WATER TO BE WASTED TO THOROUGHLY NEUTRALIZE THE CHLORINE RESIDUAL IN THE WATER. PERMITS MAY BE REQUIRED. THE CITY ENGINEER SHALL BE NOTIFIED PRIOR TO DISPOSAL OF HIGHLY CHLORINATED WATER.

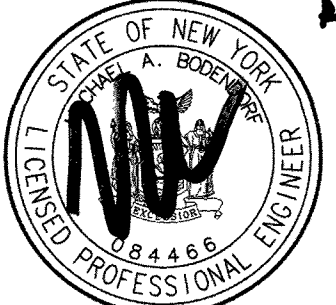
UTILITY PLAN
25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: 1" = 40'
DECEMBER 7, 2015

DUTCHESS COUNTY DEPT. OF HEALTH
Poughkeepsie New York
These plans are approved.
See first sheet for date and signature.



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637



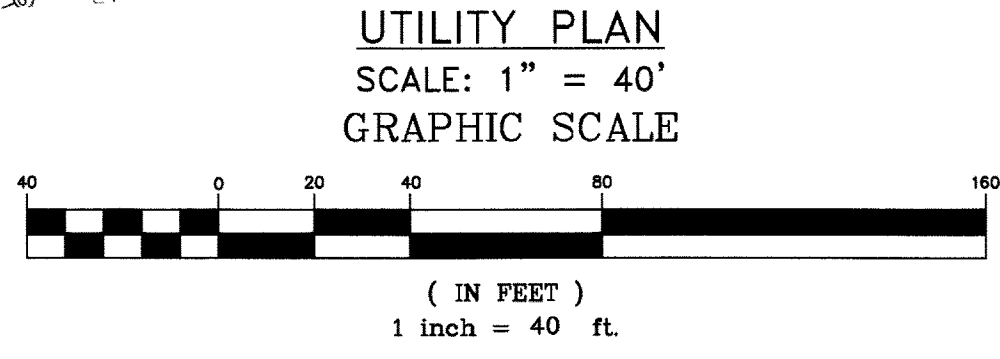
JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOHLER, P.E.
NYS LICENSE NO. 082716

SHEET: 5 OF 12

INSPECTION SCHEDULE & LONG TERM MAINTENANCE OF
STORMWATER STRUCTURES

CATCH BASINS AND PIPING:
ALL CATCH BASINS SHALL BE INSPECTED AFTER EACH STORM EVENT FOR SEDIMENT ACCUMULATION, AND DEBRIS, AND REMOVE AS NECESSARY. WHEN SEDIMENT ACCUMULATION WITHIN THE CATCH BASIN SUMP REACHES 1/2 OF THE SUMP DEPTH, IT SHALL BE REMOVED. ASSOCIATED PIPING SHALL BE INSPECTED ANNUALLY AND ACCUMULATED SEDIMENT SHALL BE REMOVED AS NEEDED.
HYDRODYNAMIC DEVICES:
THE VORTEX UNITS SHALL BE INSPECTED QUARTERLY DURING THE FIRST YEAR OF OPERATION. THE MANUFACTURER RECOMMENDS THAT THE CDS UNITS BE INSPECTED BI-ANNUALLY (ONCE IN THE SPRING AND ONCE IN THE FALL). THE STRUCTURE SHALL BE VISUALLY INSPECTED FOR BLOCKAGES OR OBSTRUCTIONS IN THE INLET OR SEPARATION SCREEN. THE INSPECTION SHOULD ALSO QUANTIFY ACCUMULATION OF HYDROCARBONS, SEDIMENT AND TRASH WITHIN THE SYSTEM. INSPECTIONS AND MAINTENANCE SHALL BE PERFORMED BY QUALIFIED PERSONNEL WITH ADEQUATE TRAINING IN THESE TYPES OF UNITS. THE UNITS SHALL BE CLEANED BY VACUUM TRUCK ONCE A YEAR (EXCEPT FOR THE FIRST YEAR WHERE MORE FREQUENT CLEANINGS MAY BE REQUIRED).

INFILTRATION BASIN:
THE INFILTRATION BASIN SHALL BE INSPECTED MONTHLY FOR SEDIMENT AND DEBRIS ACCUMULATION. INFLOW PIPES, OUTLET STRUCTURES AND SPILLWAYS SHOULD ALSO BE INSPECTED FOR SEDIMENT AND DEBRIS MONTHLY. ANY ACCUMULATED SEDIMENT OR DEBRIS SHOULD BE REMOVED AS NECESSARY. PLANTINGS SHALL BE INSPECTED MONTHLY FOR HEIGHT, FERTILIZER, QUANTITY AND UNAUTHORIZED INVASIVE OR INAPPROPRIATE SPECIES. AFTER STORM EVENTS, THE INFILTRATION BASIN DEWATERING DURATION SHOULD ALSO BE MONITORED. THE BASIN FLOOR SHALL BE MOWED AS REQUIRED; HOWEVER, THE GRASS HEIGHT SHALL NOT EXCEED 18". SEDIMENT SHALL BE CLEANED OUT OF THE INFILTRATION BASIN ANNUALLY.



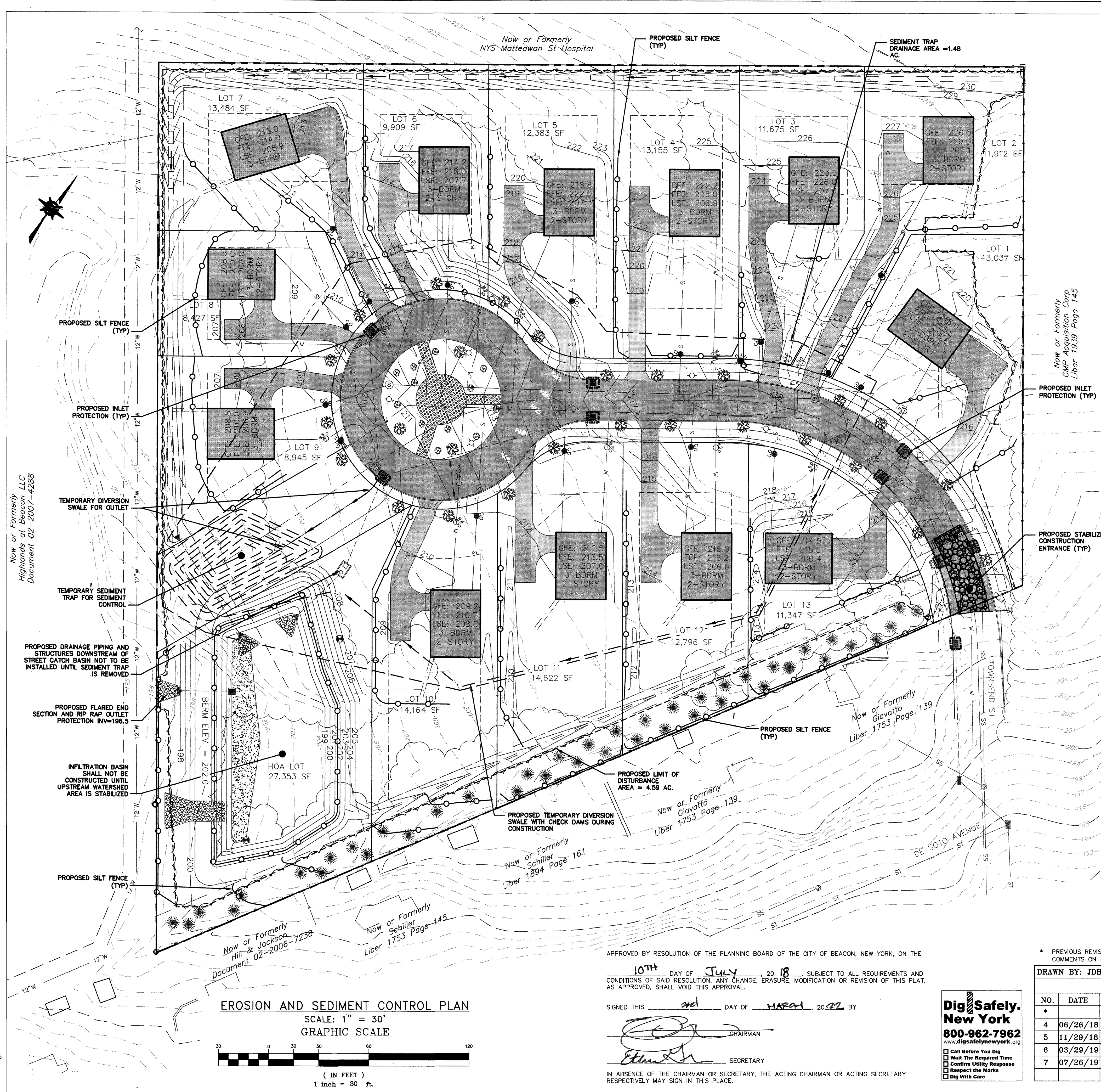
APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE
10TH DAY OF JULY, 2018, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION, ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.
SIGNED THIS 2nd DAY OF MARCH, 2022 BY
[Signature] CHAIRMAN
[Signature] SECRETARY
IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

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REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1		PREVIOUS REVISIONS 1-3	
4	06/26/18	NO CHANGES TO THIS SHEET	CMB
5	11/29/18	PER PLANNING BOARD COMMENTS	CMB
6	03/29/19	PER PB AND DCBCH COMMENTS	CMB
7	07/26/19	FOR DCBCH APPROVAL	CMB

Now or Formerly
Highlands at Beacon LLC
Document 02-2007-4288

derri Doc #: 23111112743 Printed Page 7 of 12



CONSTRUCTION SEQUENCING NOTES:

1. SCHEDULE A PRE-CONSTRUCTION MEETING WHICH SHALL INCLUDE THE CITY ENGINEER, OWNER OR OWNER'S REPRESENTATIVE, PROJECT ENGINEER, CONTRACTOR AND SUBCONTRACTORS (IF NECESSARY) WHO ARE TO PERFORM THE CONSTRUCTION.
2. ESTABLISH THE LIMIT OF DISTURBANCE FOR PROPOSED CLEARING AND GRADING ASSOCIATED WITH THE PROPOSED ROAD AND STORMWATER MANAGEMENT AREA.
3. INSTALL PERIMETER SILT FENCE AS DEPICTED ON THIS PLAN.
4. INSTALL STABILIZED CONSTRUCTION ENTRANCE AS DEPICTED ON THE PLAN.
5. PRIOR TO FURTHER CONSTRUCTION ACTIVITIES, CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER TO CONDUCT A PRE-CONSTRUCTION SITE ASSESSMENT TO VERIFY THAT THE APPROPRIATE EROSION AND SEDIMENT CONTROLS SHOWN ON THIS PLAN HAVE BEEN ADEQUATELY INSTALLED ENSURING OVERALL PREPAREDNESS OF THIS SITE FOR THE COMMENCEMENT OF CONSTRUCTION.
6. CLEAR LOCATIONS FOR INSTALLATIONS OF PROPOSED EROSION AND SEDIMENT CONTROL MEASURES.
7. INSTALL SILT FENCE AS SHOWN ON THIS PLAN AND IN OTHER AREAS THAT BECOME APPARENT FOLLOWING CLEARING ACTIVITIES. DESIGNATE CONSTRUCTION STAGING AREA.
8. BEGIN SITE DEMOLITION WITHIN AS SHOWN ON THE DEMOLITION PLAN.
9. CONSTRUCT UTILITY CONNECTIONS WITHIN TOWNSEND STREET.
10. BEGIN MASS GRADING FOR PROPOSED ROAD, ESTABLISH SUB-GRADE AS SITE CONDITIONS WARRANT. CONSTRUCT INFILTRATION BASIN TO 2 FEET ABOVE FINISHED GRADE.
11. INSTALL SITE UTILITIES AND STUB SERVICE CONNECTIONS INTO EACH LOT.
12. CONSTRUCT SEDIMENT TRAP AS SITE CONDITIONS WARRANT.
13. SEED AND MULCH LANDSCAPED AREAS THAT WILL NOT BE DISTURBED DURING OTHER PHASES.
14. PAVE NEW ROAD AND INSTALL SIDEWALK, CURBING AND PROPOSED CROSSWALK.
15. REMOVE SEDIMENT TRAP AND CONSTRUCT INFILTRATION BASIN.
16. CONSTRUCT INDIVIDUAL LOTS.
17. REMOVE EROSION AND SEDIMENT CONTROLS WHEN CONTRIBUTING DRAINAGE AREAS HAVE BECOME STABILIZED.

GENERAL NOTE: EROSION CONTROL MEASURES SHALL BE INSPECTED AND REPAIRED AS NEEDED DURING CONSTRUCTION ACTIVITIES AND BASED ON THE MAINTENANCE SCHEDULE. ADDITIONAL EROSION CONTROL MEASURES BASED ON SITE CONDITIONS SHALL BE PROVIDED AS NECESSARY IN ORDER TO PROTECT ADJACENT PARCELS AND WATERS.

INSPECTION SCHEDULE & MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES

PERMANENT AND TEMPORARY VEGETATION:
INSPECT ALL AREAS THAT HAVE RECEIVED VEGETATION EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. ALL AREAS DAMAGED BY EROSION OR WHERE SEED HAS NOT ESTABLISHED SHALL BE REPAIRED AND RESTABILIZED IMMEDIATELY.

STABILIZED CONSTRUCTION ENTRANCE:
INSPECT THE ENTRANCE PAD EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. CHECK FOR MUD, SEDIMENT BUILD-UP AND PAD INTEGRITY. MAKE DAILY INSPECTIONS DURING WET WEATHER. REGRADE PAD AS NEEDED FOR RUNOFF CONTROL. WASH AND REPLACE STONE AS NEEDED. THE STONE IN THE ENTRANCE SHOULD BE WASHED OR REPLACED WHENEVER THE ENTRANCE FAILS TO REDUCE MUD BEING CARRIED OFF SITE BY VEHICLES IMMEDIATELY. REMOVE MUD AND SEDIMENT TRACKED OR WASHED ONTO PUBLIC ROADS BY BRUSHING OR SWEEPING. REMOVE TEMPORARY CONSTRUCTION ENTRANCE AS SOON AS THEY ARE NO LONGER NEEDED TO PROVIDE ACCESS TO THE SITE AS DIRECTED BY PROJECT ENGINEER.

SILT FENCE:
INSPECT FOR DAMAGE EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. MAKE ALL REPAIRS IMMEDIATELY. REMOVE SEDIMENT FROM THE UP-SLOPE FACE OF THE FENCE BEFORE IT ACCUMULATES TO A HEIGHT EQUAL TO ONE-QUARTER THE HEIGHT OF THE FENCE. IF FENCE FABRIC TEARS, BEGINS TO DECOMPOSE, OR IN ANY WAY BECOMES INEFFECTIVE, REPLACE THE AFFECTED SECTION OF FENCE IMMEDIATELY.

SOIL STOCKPILE:
INSPECT SEDIMENT CONTROL BARRIERS (SILT FENCE) AND VEGETATION FOR DAMAGE EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. MAKE ALL REPAIRS IMMEDIATELY. REMOVE SEDIMENT FROM THE UP-SLOPE FACE OF THE SEDIMENT CONTROL BARRIER BEFORE IT ACCUMULATES TO A HEIGHT EQUAL TO ONE-QUARTER THE HEIGHT OF THE SEDIMENT CONTROL BARRIER. IF SEDIMENT CONTROL BARRIER TEARS, BEGINS TO DECOMPOSE, OR IN ANY WAY BECOMES INEFFECTIVE, REPLACE THE AFFECTED SECTION OF SEDIMENT CONTROL BARRIER IMMEDIATELY. REVEGETATE DISTURBED AREA TO STABILIZE SOIL STOCKPILE. REMOVE THE SEDIMENT CONTROL BARRIER WHEN THE SOIL STOCKPILE HAS BEEN REMOVED.

DUST CONTROL:
SCHEDULE CONSTRUCTION OPERATIONS TO MINIMIZE THE AMOUNT OF DISTURBED AREAS AT ANY ONE TIME DURING THE COURSE OF WORKS. APPLY TEMPORARY SOIL STABILIZATION PRACTICES SUCH AS MULCHING, SEEDING, AND SPRAYING (WATER). STRUCTURAL MEASURES (MULCH, SEEDING) SHALL BE INSTALLED IN DISTURBED AREAS BEFORE SIGNIFICANT BLOWING PROBLEMS DEVELOP. WATER SHALL BE SPRAYED AS NEEDED, BUT AVOID EXCESSIVE SPRAYING, WHICH COULD CREATE RUNOFF AND EROSION PROBLEMS.

CHECK DAM:
INSPECT CHECK DAMS EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. IF SIGNIFICANT EROSION OCCURS BETWEEN STRUCTURES, A LINER OF STONE OR OTHER SUITABLE MATERIAL SHOULD BE INSTALLED IN THAT PORTION OF THE CHANNEL. REMOVE SEDIMENT ACCUMULATED BEHIND THE DAM AS NEEDED TO ALLOW CHANNEL TO DRAIN THROUGH THE STONE CHECK DAM AND PREVENT LARGE FLOWS FROM CARRYING SEDIMENT OVER THE DAM. REPLACE STONES AS NEEDED TO MAINTAIN THE DESIGN CROSS SECTION OF THE STRUCTURES. REMOVE CHECK DAMS AS PER APPROVAL OF THE PROJECT ENGINEER.

EROSION CONTROL BLANKET:
INSPECT THE BLANKET EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. REPLACE WIRE STAPLES AS REQUIRED. REPAIR AND RESEED WHERE CRACKS AND DAMAGED VEGETATION IS EVIDENT. WHEN DAMAGED BEYOND REPAIR OR NO LONGER FUNCTIONING, THE BLANKET SHALL BE REPLACED.

SEDIMENT TRAP:
SEDIMENT SHALL BE REMOVED AND THE TRAP RESTORED TO THE ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO ONE-HALF OF THE DESIGN DEPTH OF THE TRAP. SEDIMENT REMOVED FROM THE TRAP SHALL BE DEPOSITED IN A PROTECTED AREA IN SUCH A MANNER THAT IT WILL NOT ERODE.

CATCH BASINS:
ALL CATCH BASINS SHALL BE INSPECTED AFTER EACH STORM EVENT FOR SEDIMENT ACCUMULATION, AND DEBRIS, AND REMOVE AS NECESSARY. THE INLET PROTECTION SHALL BE INSPECTED FOR SEDIMENT ACCUMULATION AND REPLACED AS NECESSARY. WHEN SEDIMENT ACCUMULATION WITHIN THE CATCH BASIN SUMP REACHES 1/2 OF THE SUMP DEPTH, IT SHALL BE REMOVED.

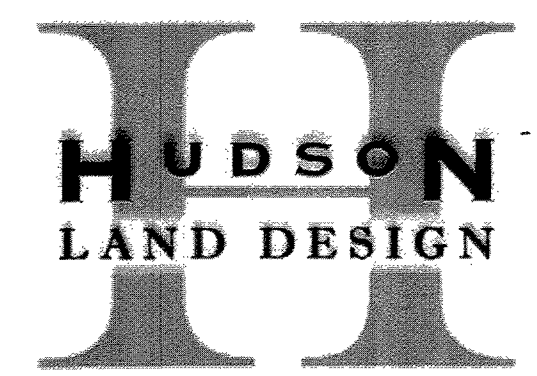
LEGEND

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- EXISTING ADJOINER LINE
- EXISTING TREE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED SEWER MAIN
- PROPOSED SILT FENCE
- EXISTING OVERHEAD WIRE
- EXISTING FENCE
- EXISTING WATER MAIN
- EXISTING WATER SERVICE LINE
- PROPOSED DRAINAGE LINE
- PROPOSED WATER MAIN
- PROPOSED WATER SHUT-OFF VALVE
- PROPOSED HYDRANT
- PROPOSED SEWER MANHOLE
- PROPOSED CATCH BASIN

EROSION & SEDIMENT CONTROL PLAN
25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: 1" = 30'
DECEMBER 7, 2015

DUTCHESS COUNTY DEPT. OF HEALTH
Poughkeepsie New York
These plans are approved.
See first sheet for date and signature.



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637



SEAL
JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOEHLER, P.E.
NYS LICENSE NO. 082716

SHEET: 7 OF 12

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE
10TH DAY OF JULY, 2018, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS 22 DAY OF MARCH, 2022 BY

CHAIRMAN

SECRETARY

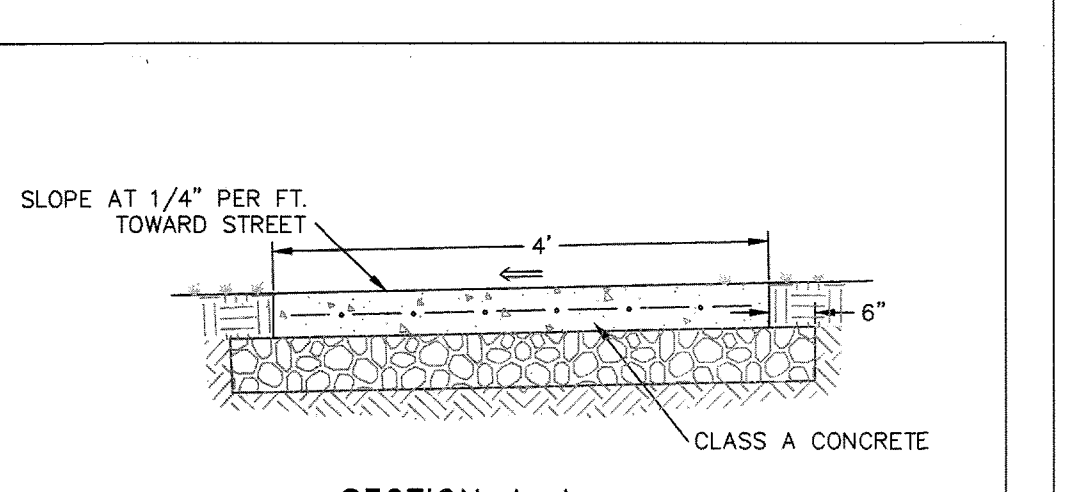
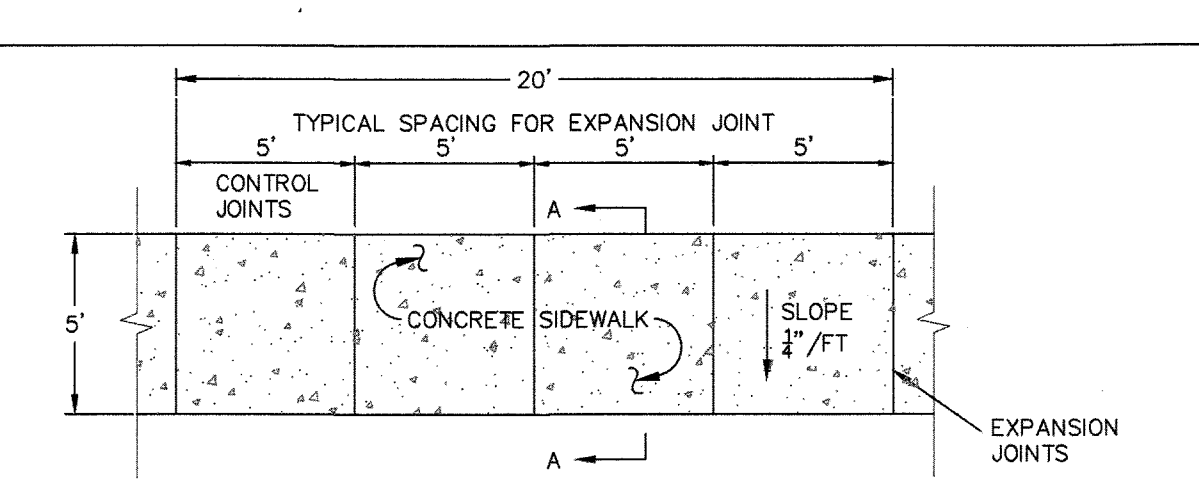
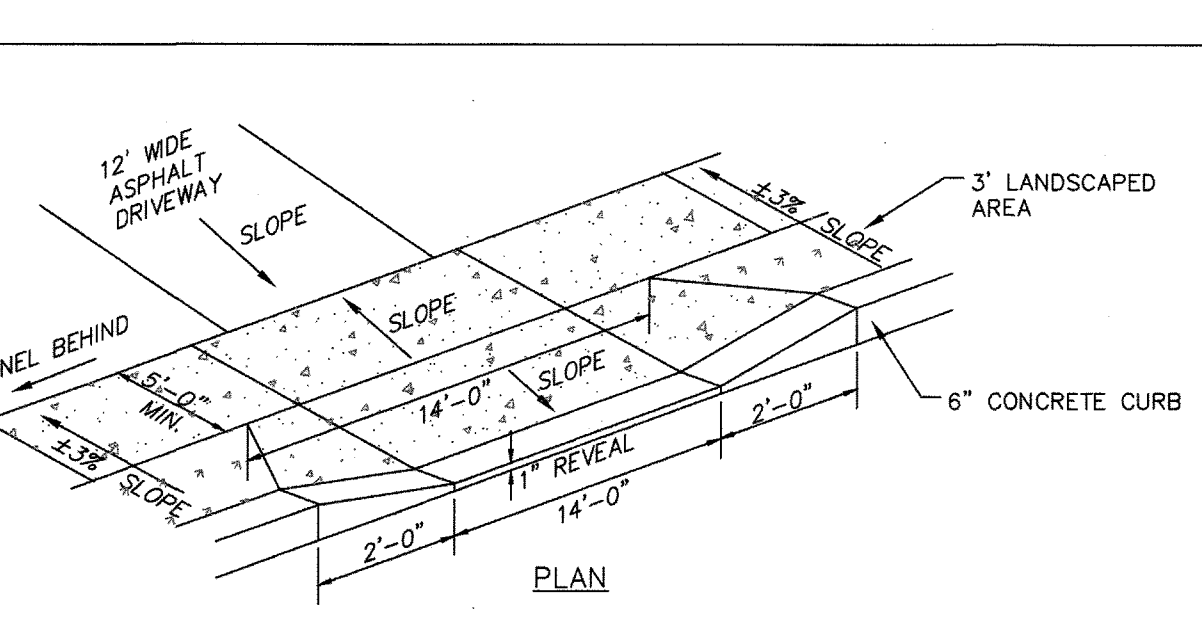
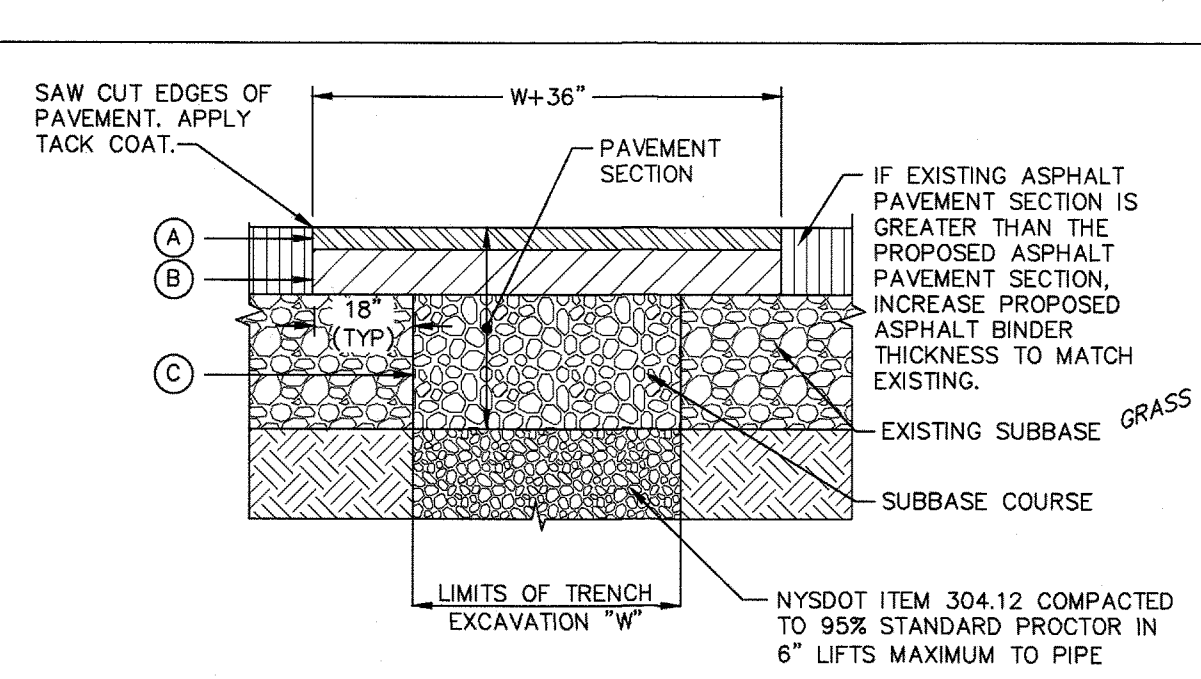
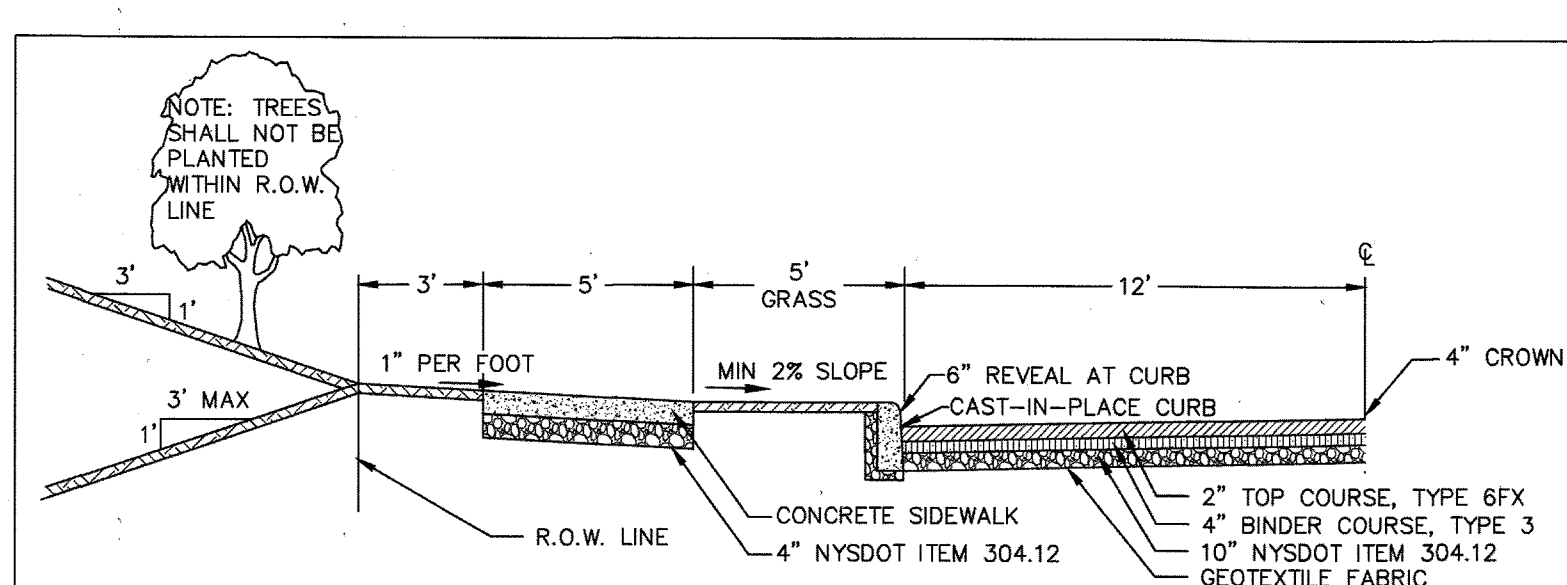
IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

Dig Safely.
New York
800-962-7962
www.digsafelynewyork.org
☐ Call Before You Dig
☐ Wait The Required Time
☐ Confirm Utility Response
☐ Respect the Marks
☐ Dig With Care

* PREVIOUS REVISIONS 1-3 PER PLANNING BOARD COMMENTS ON 2/27/18, 3/27/18, AND 5/29/18

NO.	DATE	DESCRIPTION	BY
1		PREVIOUS REVISIONS 1-3	
4	06/26/18	NO CHANGES TO THIS SHEET	CMB
5	11/29/18	PER PLANNING BOARD COMMENTS	CMB
6	03/29/19	PER PB AND DCBCH COMMENTS	CMB
7	07/26/19	FOR DCBCH APPROVAL	CMB

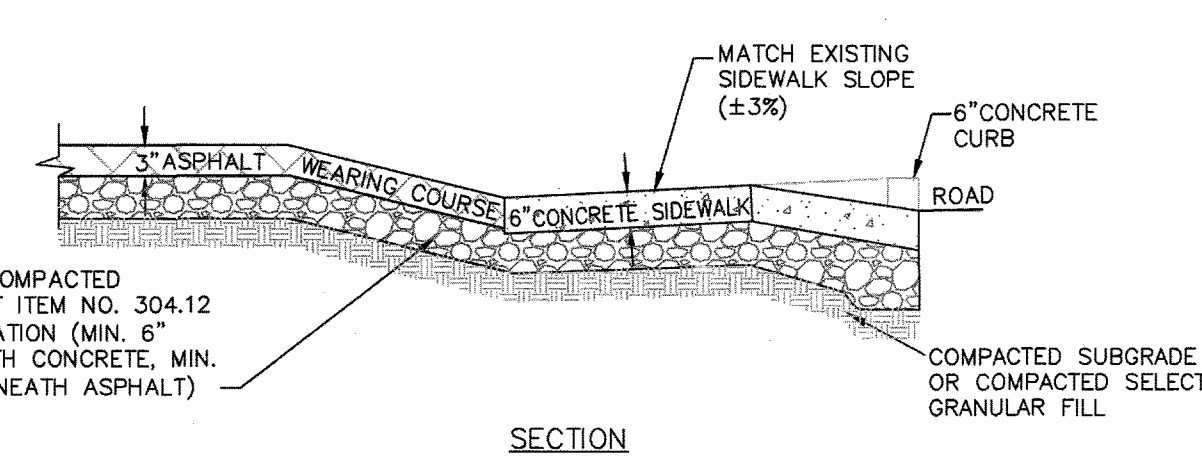
FM# 12743
DATE: 3/10/2022
PAGE: 7 OF 12



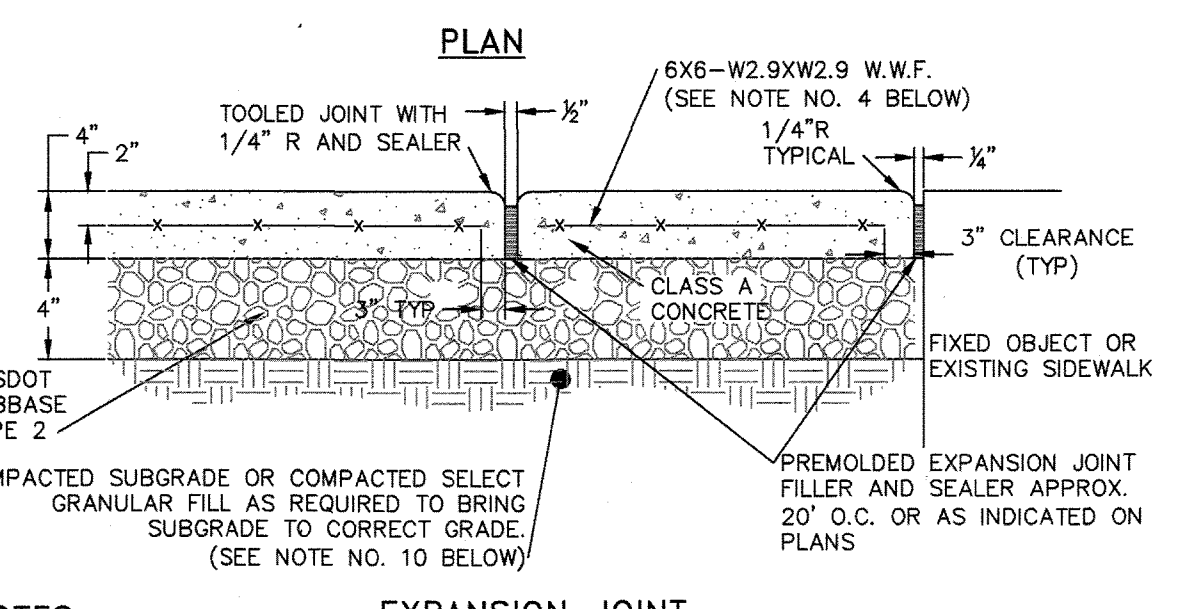
LOCAL STREET WITH CAST-IN-PLACE CONCRETE CURB AND SIDEWALK CROSS SECTION DETAIL
NOT TO SCALE

LEGEND
A 1-1/2\"/>

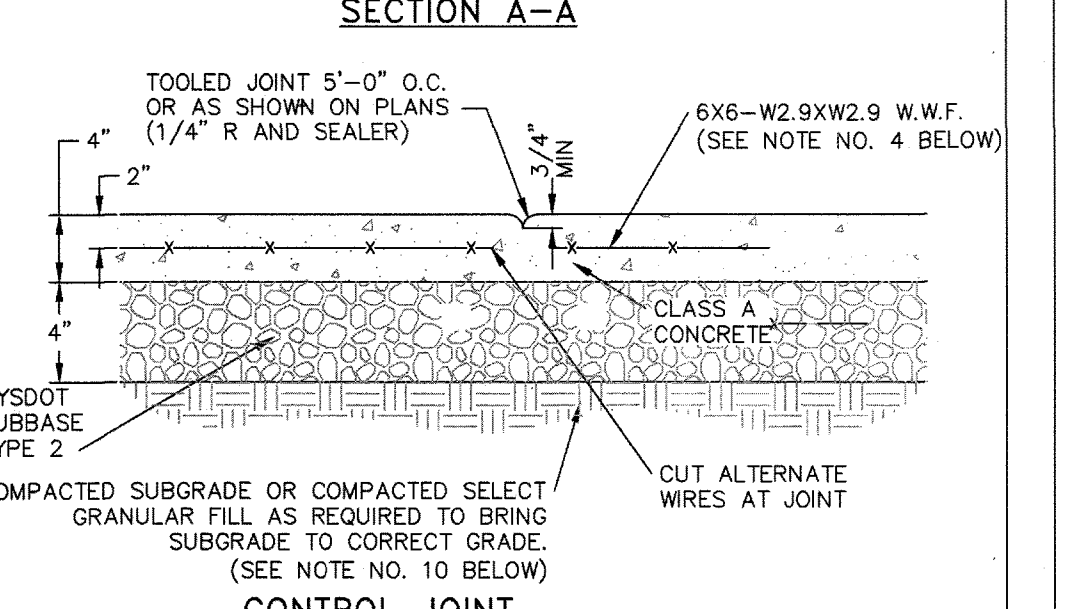
NOTES:
1. SAW CUT MIN. 18\"/>



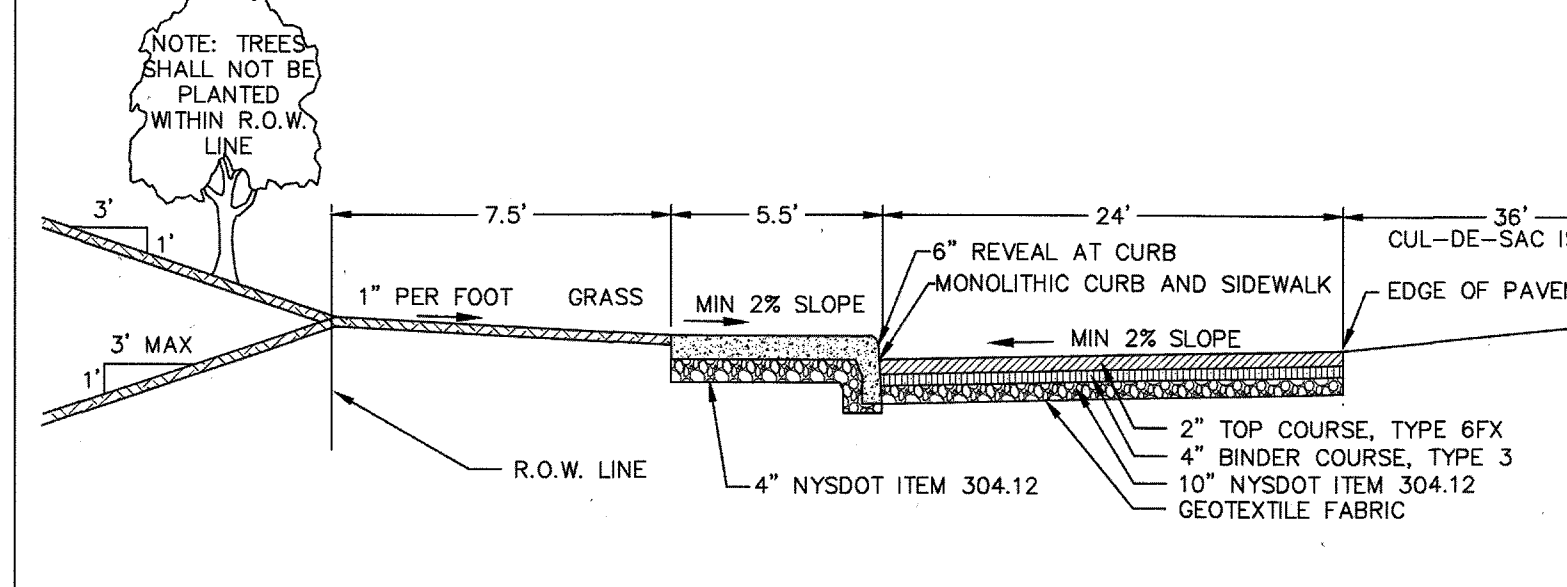
NOTE:
1. PRE-MOLDED EXPANSION JOINTS TO BE USED AT ALL JOINTS.
2. DRIVEWAY SHALL BE PAVED AFTER THE SIDEWALK.
3. EXISTING SIDEWALK TO REMAIN UNTOUCHED.
4. CONCRETE SHALL BE SEALED WITH A SALT RESISTANT SEALER.



NOTES:
1. MATERIAL AND METHODS OF CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, DATED JANUARY 2, 2002, AND ALL ADDENDA THERETO; THE ONLY EXCEPTION BEING THAT THE WORK OF THIS CONTRACT SHALL BE MEASURED IN ENGLISH UNITS.
2. ALL CONCRETE SHALL BE 3,500 PSI CLASS A CONCRETE. CONCRETE MATERIALS, PLACEMENT, AND CONSTRUCTION SHALL CONFORM WITH SECTION 500 OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS.
3. REINFORCING STEEL FOR CONCRETE SHALL CONFORM WITH SECTION 556 - REINFORCING STEEL FOR CONCRETE STRUCTURES OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS AND AS SPECIFICALLY CALLED OUT IN THE DRAWINGS.
4. EXPOSED CONCRETE SURFACES SHALL HAVE A BROOM TEXTURED FINISH.
5. EXPANSION JOINTS SHALL BE LOCATED A MAXIMUM OF 20' ON CENTER, OR AS INDICATED ON PLANS.
6. JOINTS SHALL NOT BE SAW CUT.
7. EXPOSED CONCRETE SURFACES SHALL BE TREATED WITH "SUREBOND"/"SAFE-BOND" SB-7000 INTENSIFIER BRIGHT PROTECTOR AND SIDEWALK SEALER, OR EQUAL. RATE AND METHOD OF APPLICATION SHALL BE IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
8. SUBBASE MATERIAL SHALL CONFORM WITH SECTION 304 OF THE ABOVE REFERENCED NYSDOT STANDARD.
9. WHERE IT IS NECESSARY TO PLACE FILL FOR PURPOSE OF BRINGING THE SUBGRADE ELEVATION UP TO A SPECIFIED GRADE, THE FILL MATERIAL PLACED SHALL BE IN CONFORMANCE WITH SECTION 203-EXCAVATION AND EMBANKMENT OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS.
10. ALL WORK SHALL CONFORM WITH SECTION 608-SIDEWALK, DRIVEWAYS, AND BICYCLE PATHS OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS.
11. CONCRETE SHALL BE SEALED WITH A SALT RESISTANT SEALER.
12. THIS DETAIL IS NOT TO BE USED FOR THE SIDEWALK AROUND THE CUL-DE-SAC. USE CONCRETE SIDEWALK DETAIL ON SHEET 4 FOR THE CUL-DE-SAC.



NOTES:
1. CONCRETE CURB SHALL BE 4000 PSI CAST-IN-PLACE.
2. EXPANSION JOINTS OF 1/2\"/>



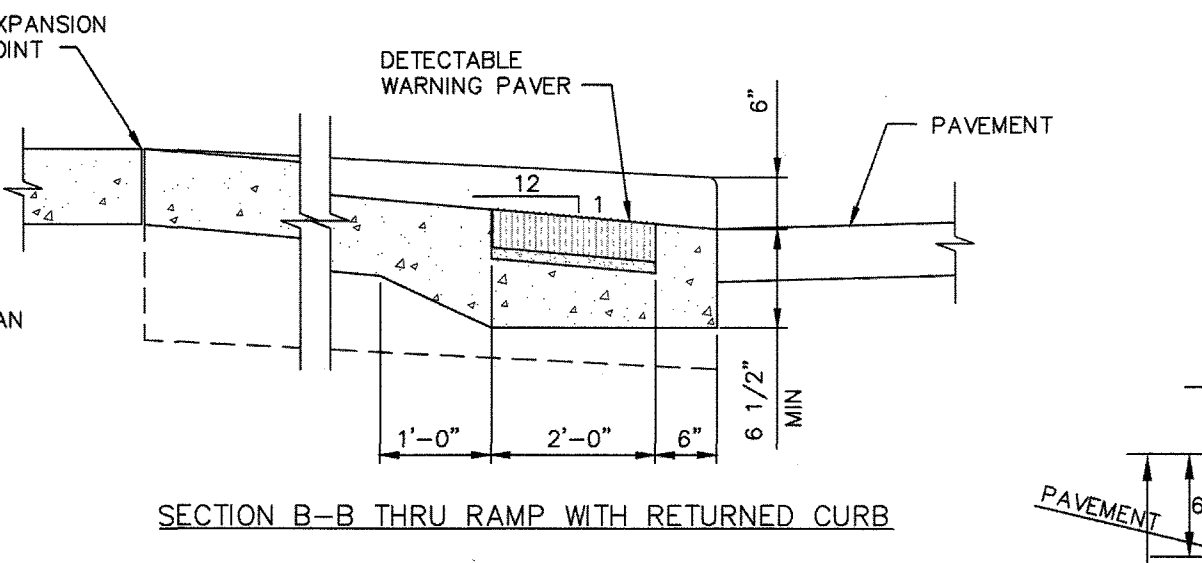
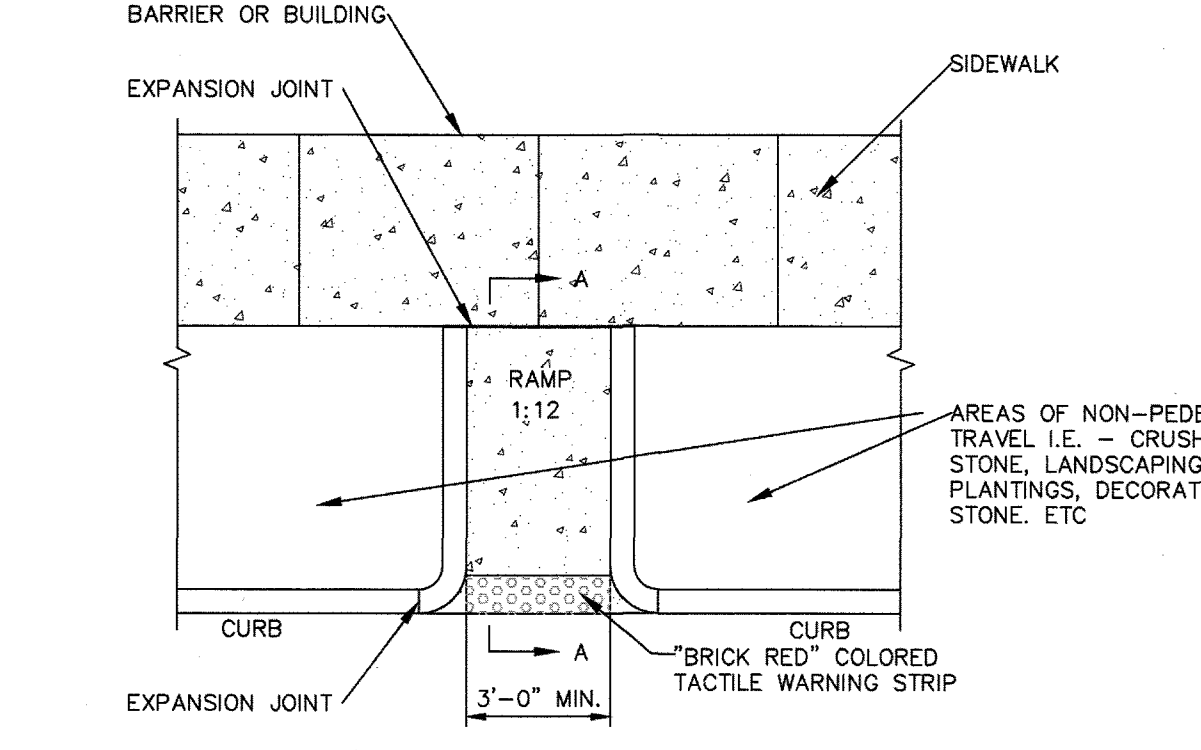
PAVEMENT RESTORATION DETAIL
NOT TO SCALE

DRIVEWAY ENTRANCE THROUGH SIDEWALK DETAIL
NOT TO SCALE

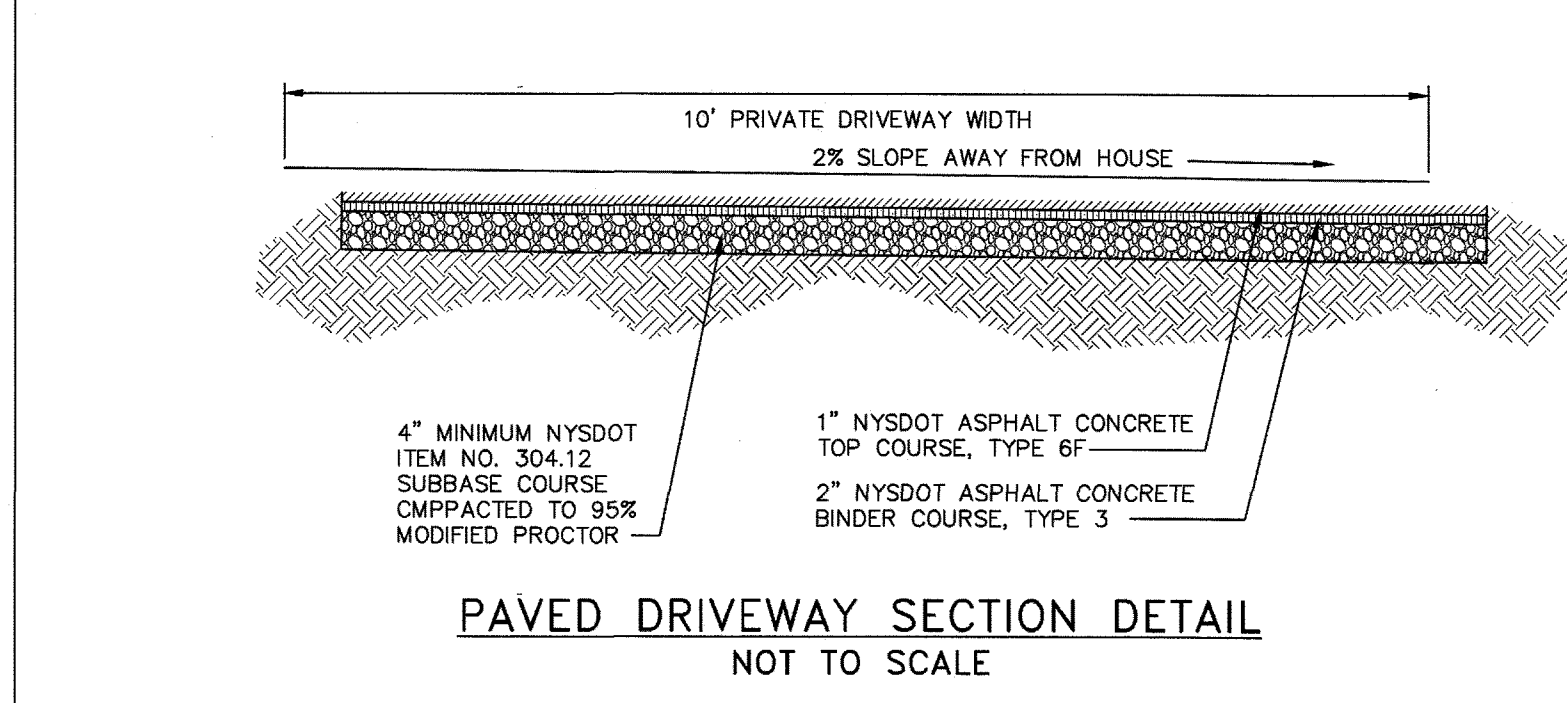
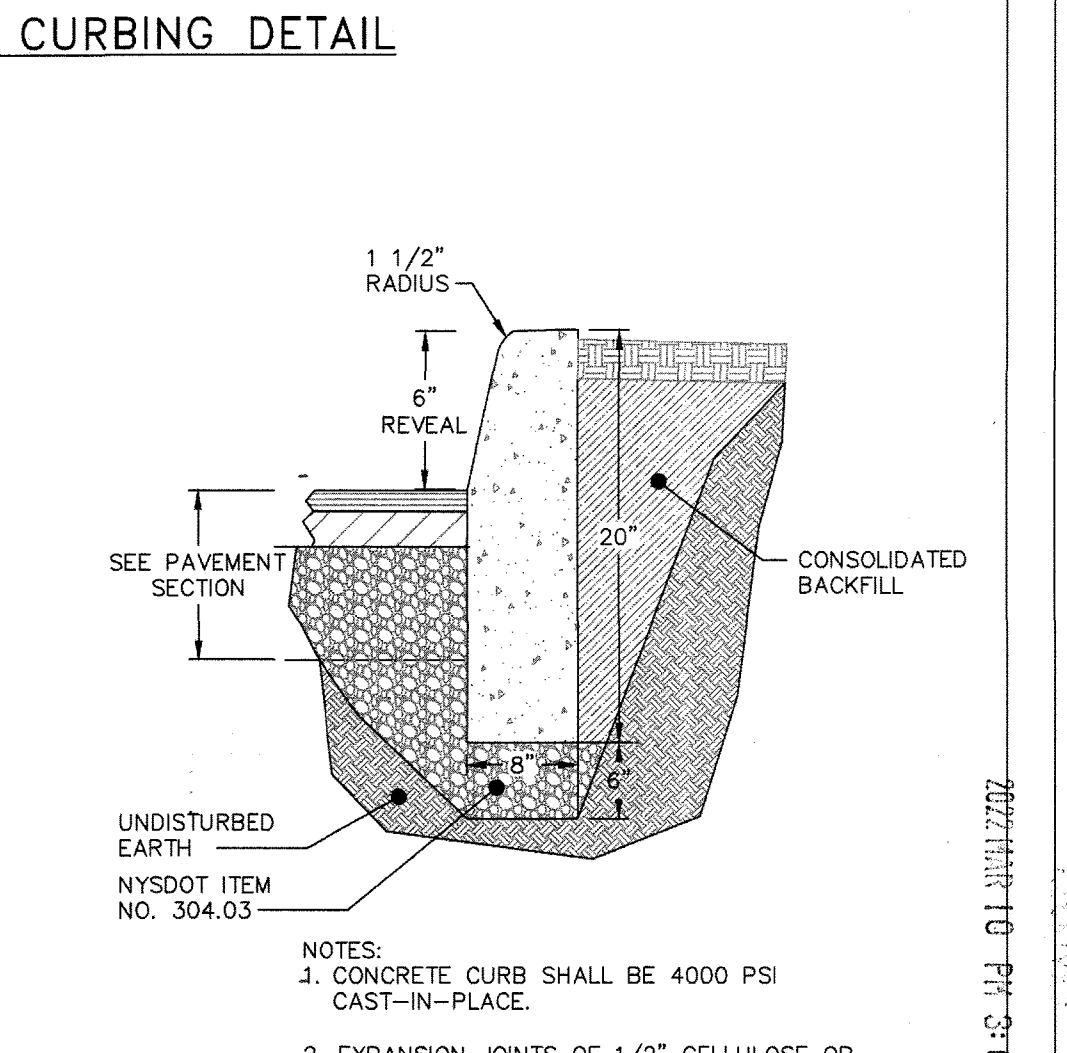
NOTES:
1. MATERIAL AND METHODS OF CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, DATED JANUARY 2, 2002, AND ALL ADDENDA THERETO; THE ONLY EXCEPTION BEING THAT THE WORK OF THIS CONTRACT SHALL BE MEASURED IN ENGLISH UNITS.
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10. ALL WORK SHALL CONFORM WITH SECTION 608-SIDEWALK, DRIVEWAYS, AND BICYCLE PATHS OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS.
11. CONCRETE SHALL BE SEALED WITH A SALT RESISTANT SEALER.
12. THIS DETAIL IS NOT TO BE USED FOR THE SIDEWALK AROUND THE CUL-DE-SAC. USE CONCRETE SIDEWALK DETAIL ON SHEET 4 FOR THE CUL-DE-SAC.

NOTES:
1. CONCRETE CURB SHALL BE 4000 PSI CAST-IN-PLACE.
2. EXPANSION JOINTS OF 1/2\"/>

CUL-DE-SAC CROSS SECTION DETAIL
NOT TO SCALE

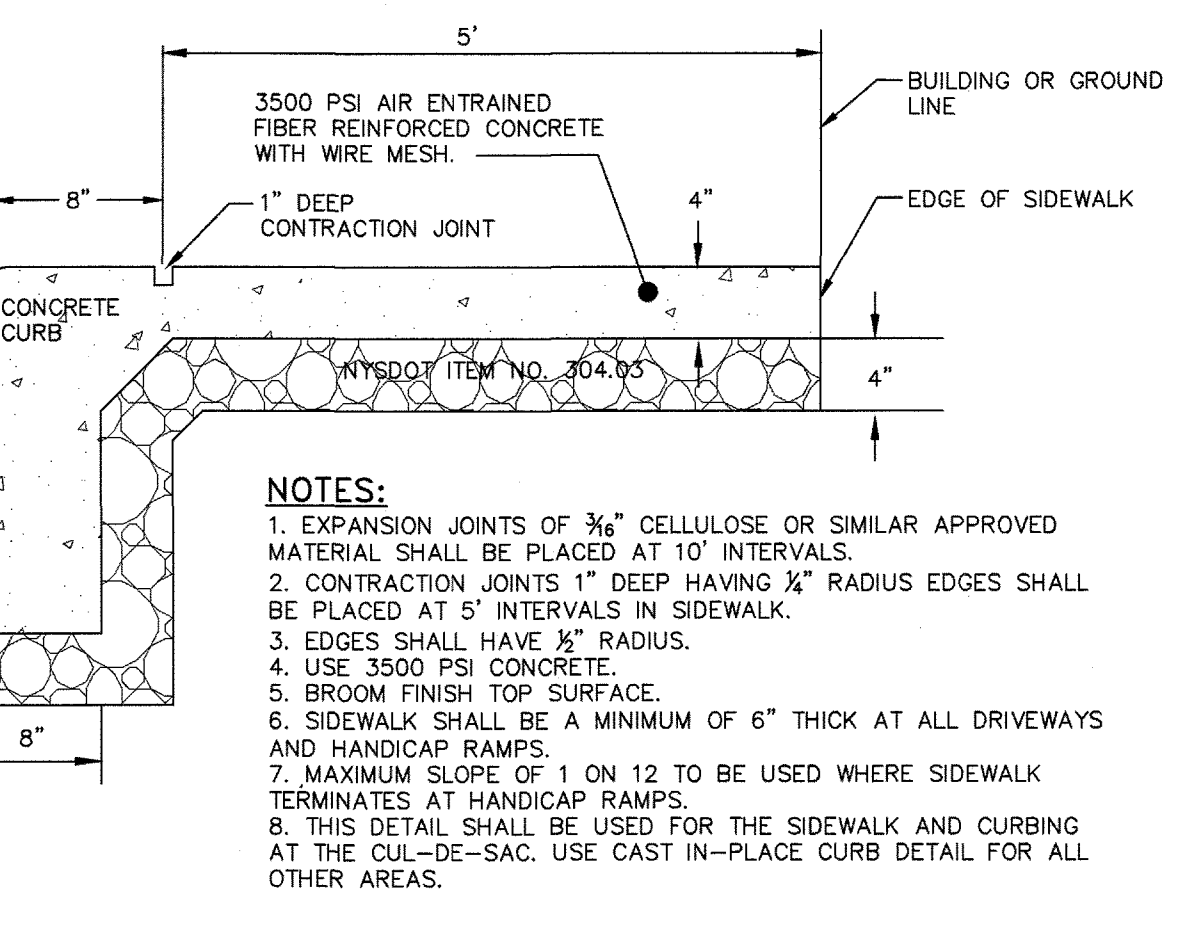


CONCRETE SIDEWALK WITHOUT CURBING DETAIL
NOT TO SCALE

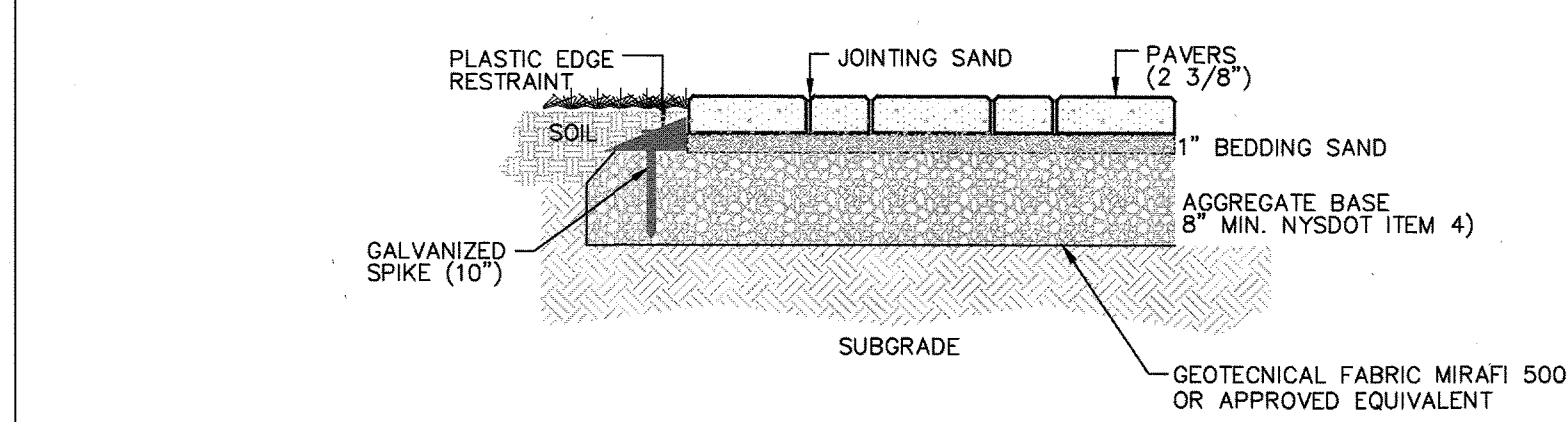


NOTES:
1. ALL WORK SHALL CONFORM WITH THE NYSDOT STANDARD SPECIFICATION FOR CONSTRUCTION AND MATERIALS DATED, JANUARY 2, 2002 AND ALL ADDENDA THERETO; SPECIFICALLY SECTION 608-SIDEWALKS, DRIVEWAYS, AND BICYCLE PATHS.
2. SLOPE RAMP AND SIDE FLARES AS INDICATED IN THE PLANS OR AS ORDERED BY THE ENGINEER.
3. TACTILE WARNING STRIPS SHALL BE PROVIDED ON ALL RAMP IN ACCORDANCE W/ ADA REQUIREMENTS.

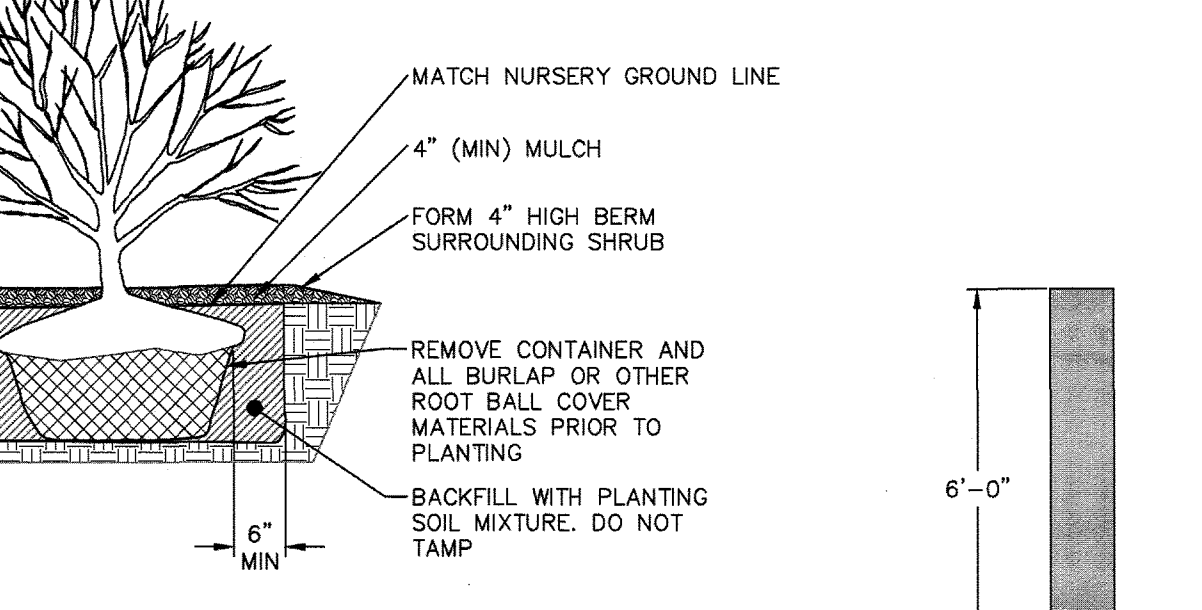
SECTION B-B THRU RAMP WITH RETURNED CURB



CAST-IN-PLACE CONCRETE CURB DETAIL
NOT TO SCALE



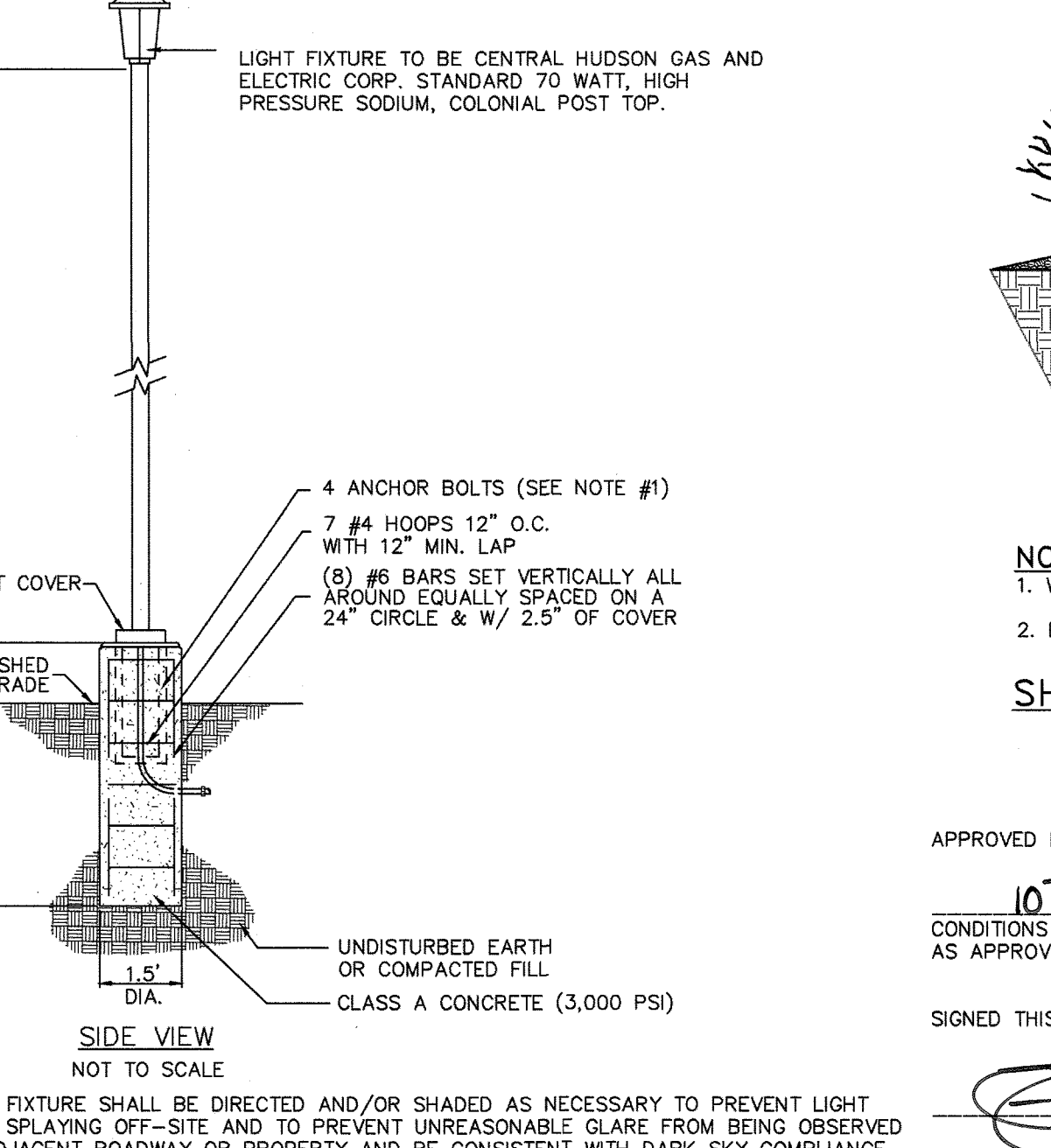
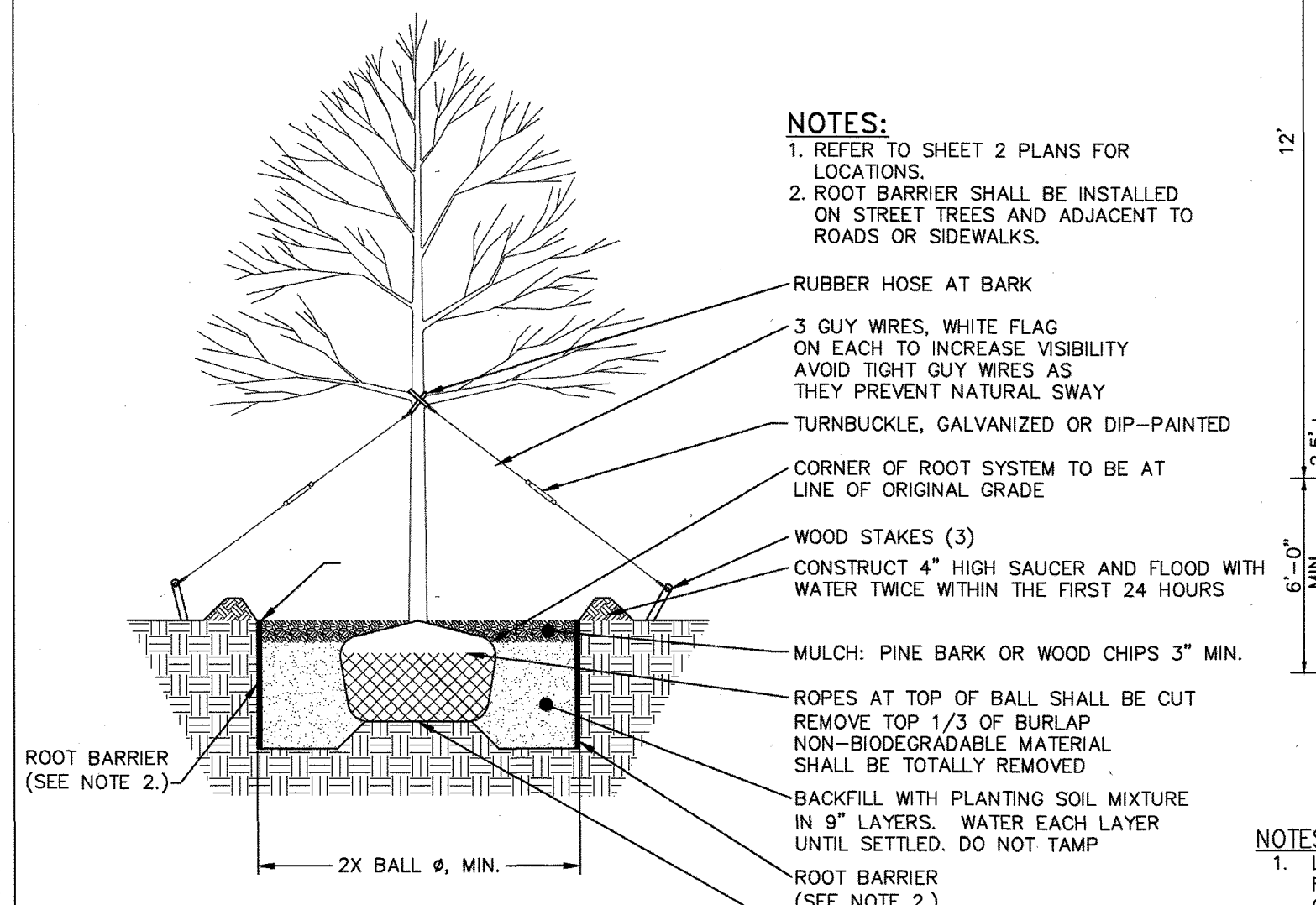
HANDICAP CURB RAMP
NOT TO SCALE



MONOLITHIC CURB AND SIDEWALK DETAIL
NOT TO SCALE

SITE, LIGHTING & LANDSCAPING DETAILS

25 TOWNSEND STREET



NOTE
1. WATER PER NURSERY SPECIFICATIONS IMMEDIATELY FOLLOWING PLANTING.
2. DETAIL IS FOR BOTH BALL & BURLAPPED OR CONTAINERED SHRUBS.

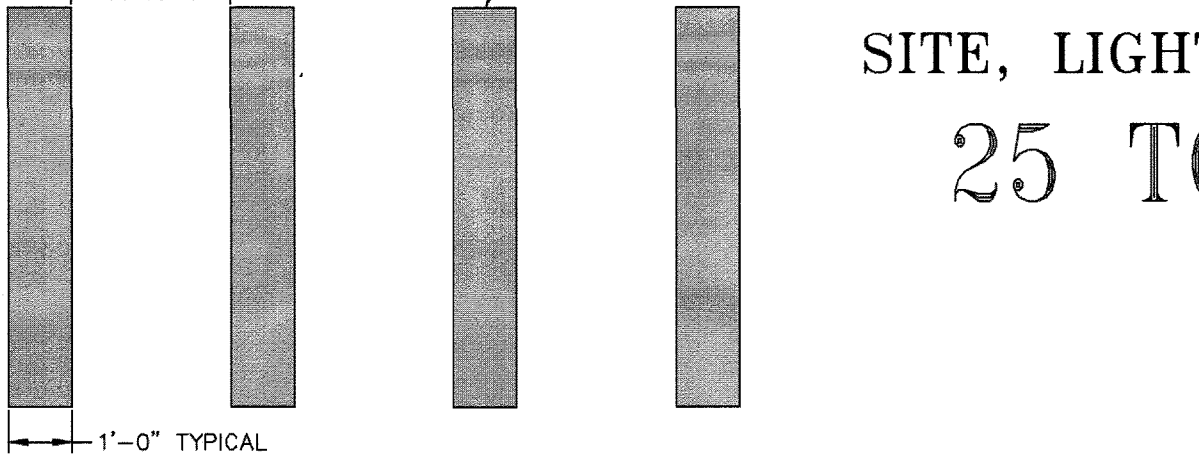
PAINTED CROSSWALK DETAIL
NOT TO SCALE

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: AS SHOWN
DECEMBER 7, 2015

TREE DETAIL
NOT TO SCALE

POLE AND LUMINAIRE DETAIL
NOT TO SCALE

SHRUB PLANTING DETAIL
NOT TO SCALE



HUDSON LAND DESIGN
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637

SEAL
JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOEHLER, P.E.
NYS LICENSE NO. 082716

SHEET: 8 OF 12

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE
10TH DAY OF JULY, 2018 SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL.
SIGNED THIS 2nd DAY OF MARCH, 2022 BY
[Signature] CHAIRMAN
[Signature] SECRETARY
IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

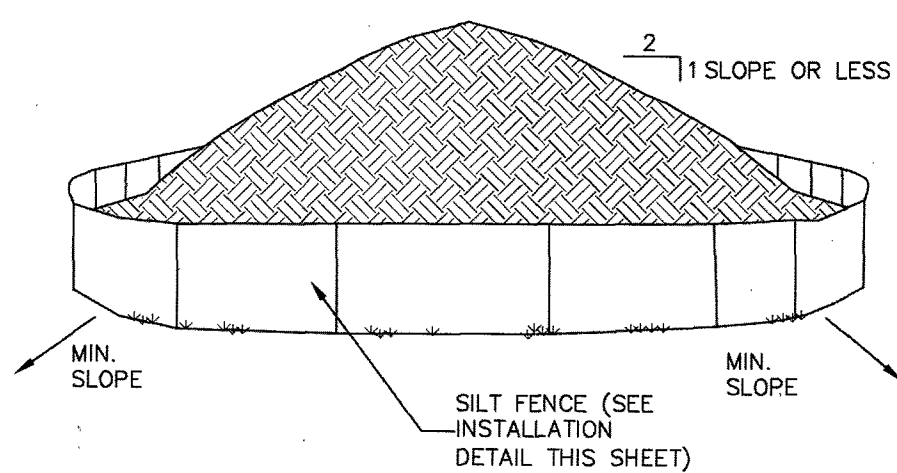
* PREVIOUS REVISIONS 1-3 PER PLANNING BOARD COMMENTS ON 2/27/18, 3/27/18, AND 5/29/18			
DRAWN BY: JDB		CHECKED BY: MAB	JOB NO.: 2015:025
REVISIONS:			
NO.	DATE	DESCRIPTION	BY
*		PREVIOUS REVISIONS 1-3	
4	06/26/18	NO CHANGES TO THIS SHEET	CMB
5	11/29/18	PER PLANNING BOARD COMMENTS	CMB
6	03/29/19	PER PB AND DCDBCH COMMENTS	CMB
7	07/26/19	FOR DCDBCH APPROVAL	CMB

FM# 12743

DATE: 3/10/2022

PAGE: 8 OF 12

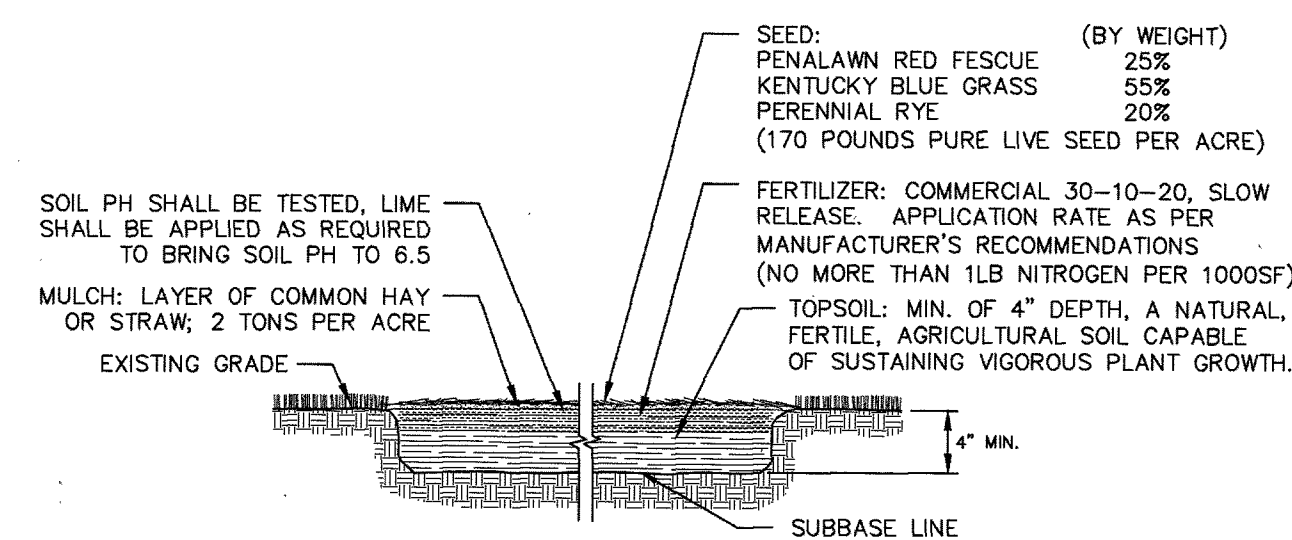
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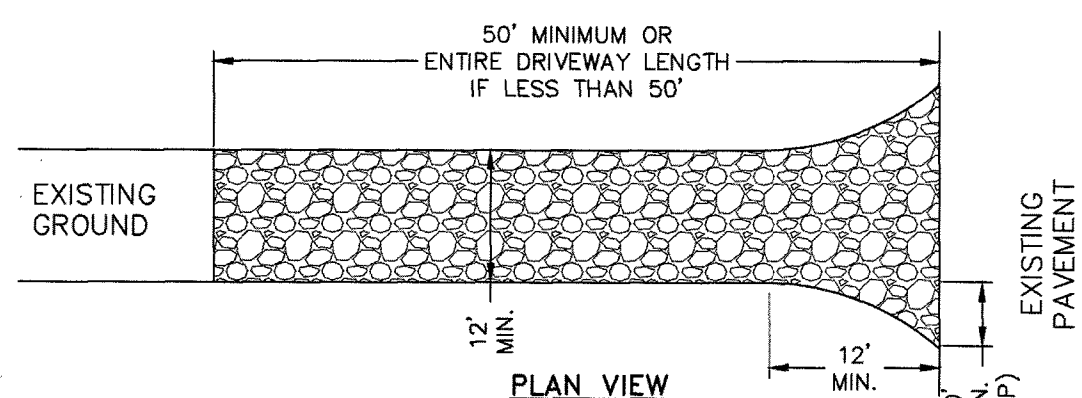
NOTES:

1. AREA CHOSEN FOR STOCKPILING OPERATIONS SHALL BE DRY AND STABLE.
2. EACH PILE SHALL BE SURROUNDED WITH SILT FENCING, THEN STABILIZED WITH VEGETATION OR COVERED.

TEMPORARY SOIL STOCKPILE DETAIL
NOT TO SCALE



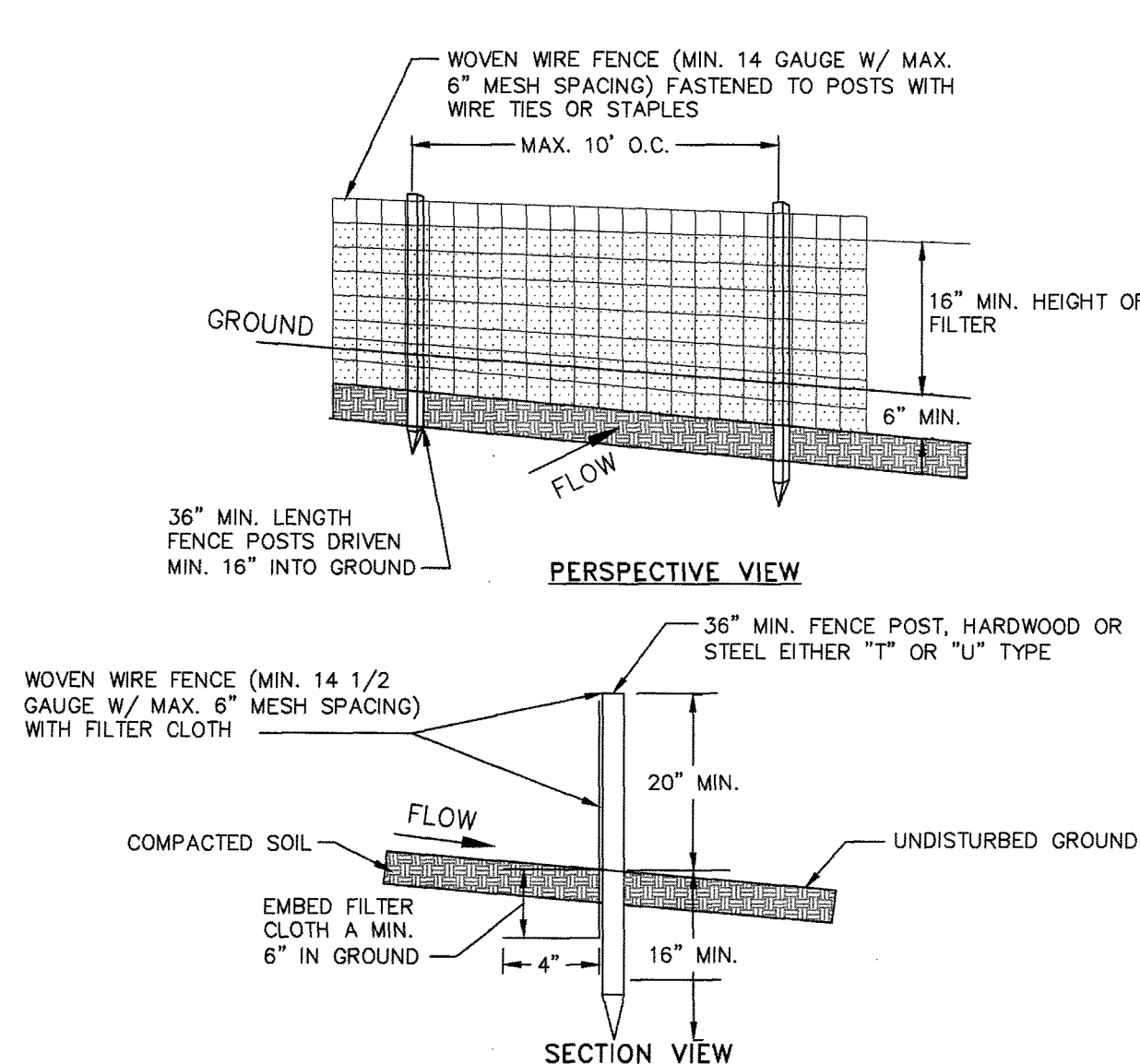
TOPSOIL SEED, FERTILIZER AND MULCH DETAIL
NOT TO SCALE



NOTES:

1. STONE SIZE - USE 1-4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. THICKNESS - NOT LESS THAN SIX (6) INCHES.
3. WIDTH - 12 FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. 24 FOOT MINIMUM IF SINGLE ENTRANCE TO SITE.
4. GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
5. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
6. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURE USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
7. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
8. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

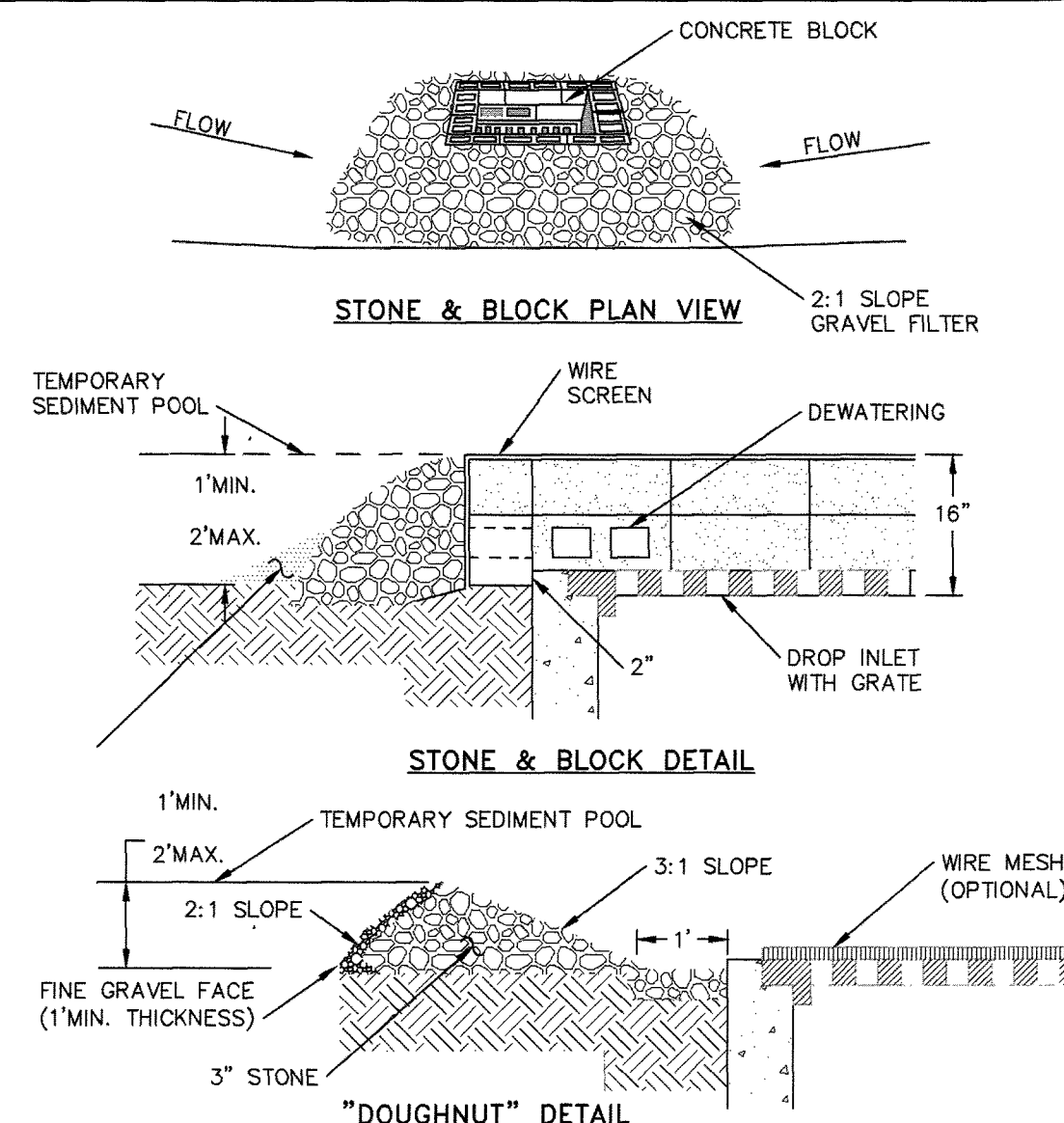
STABILIZED CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE



NOTES:

1. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24\"/>

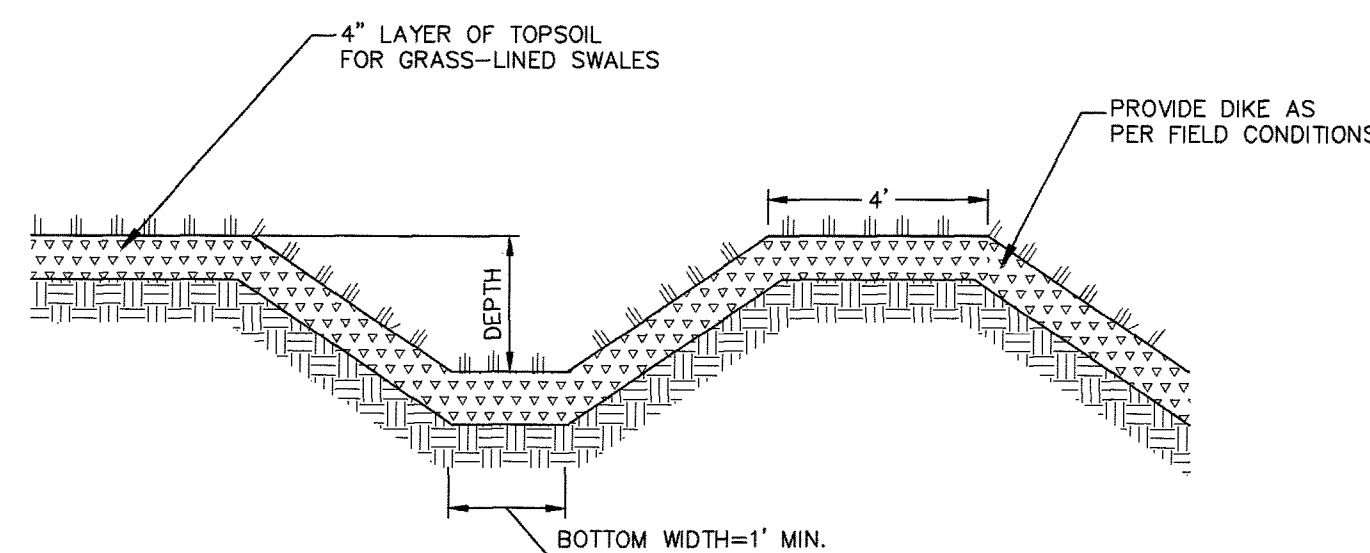
SILT FENCE DETAIL
NOT TO SCALE



NOTES:

1. LAY ONE BLOCK ON EACH SIDE OF THE STRUCTURE ON ITS SIDE FOR DEWATERING. FOUNDATION SHALL BE 2 INCHES MINIMUM BELOW REST OF INLET AND BLOCKS SHALL BE PLACED AGAINST INLET FOR SUPPORT.
2. HARDWARE CLOTH OR 1/2\"/>

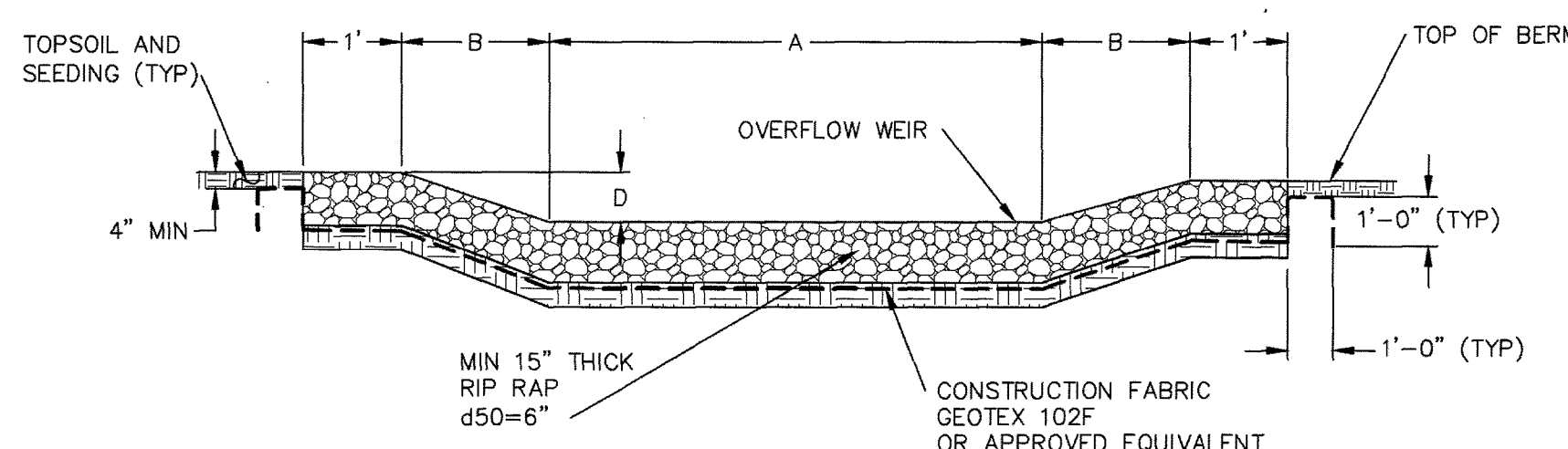
CATCH BASIN INLET PROTECTION DETAIL
NOT TO SCALE



NOTES:

1. MINIMUM 1' DEPTH AND 1' WIDTH FOR ALL SWALES.
2. SWALE SHALL BE SEEDED WITH FAST GERMINATING RYE 15 TO 25 POUNDS PER 1,000 SQUARE FEET AND MULCHED.

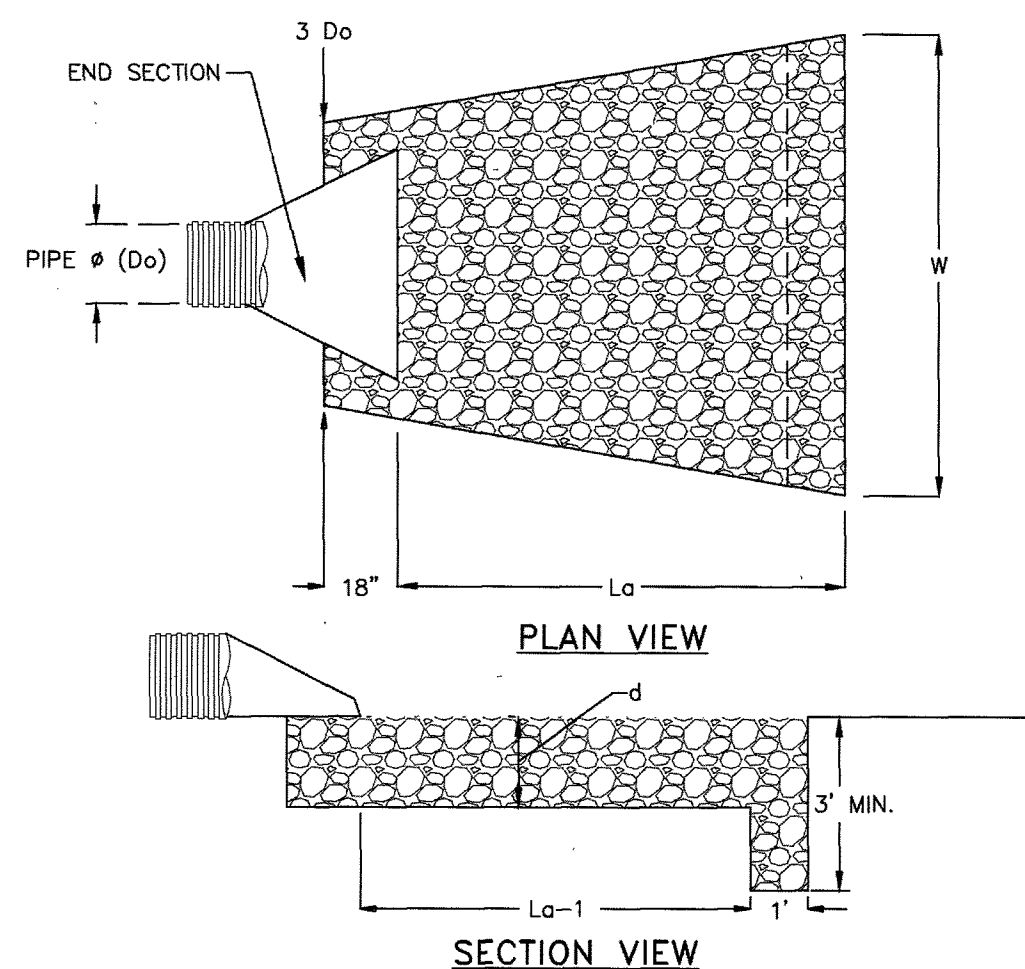
PERMANENT GRASS LINED SWALE/DIKE DETAIL
NOT TO SCALE



EMERGENCY OVERFLOW WEIR TABLE

SWM ID	OVERFLOW WEIR ELEVATION (FT)	DIMENSION A (FT)	DIMENSION B (FT)	DIMENSION D (IN)
INFILTRATION BASIN	201.0	10	3	12

EMERGENCY OVERFLOW WEIR DETAIL
NOT TO SCALE



NOTES:

1. SIZING INFORMATION TAKEN FROM FIGURE 5B.12 (PAGE 5B.25) AND/OR FIGURE 5B.13 (PAGE 5B.26) OF THE "NEW YORK STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL" 2016 EDITION.
2. RIPRAP SHALL BE COMPOSED OF A WELL-GRADED MIXTURE OF STONE SIZE SO THAT 50% OF THE PIECES SHALL BE LARGER, BY WEIGHT, THAN THE SPECIFIED d50. THE LARGEST STONE SIZE SHALL BE 1.5 TIMES d50.
3. THE MINIMUM THICKNESS OF THE RIPRAP LAYER SHALL BE 1.5 TIMES THE MAXIMUM STONE DIAMETER FOR d50 OF 15 INCHES OR LESS; AND 1.2 TIMES THE MAXIMUM STONE SIZE FOR d50 GREATER THAN 15 INCHES.
4. A LAYER OF FILTER FABRIC (THICKNESS 20-60 MILS, GRAB STRENGTH 90-120 LBS, SHALL CONFORM TO ASTM D-1777 AND ASTM D-1682) SHALL BE PLACED BETWEEN THE RIPRAP AND THE UNDERLYING SOIL SURFACE. FILTER FABRIC SHALL HAVE A MINIMUM 1' OVERLAP AT ALL SEAMS.

ROCK OUTLET PROTECTION DETAIL
NOT TO SCALE

OUTLET PIPE ID	PIPE #	3Do	W	La	d	d50 RIPRAP SIZE
FES 14	24 INCHES	6 FEET	14 FEET	12 FEET	14 INCHES	6 INCHES
FES 15	15 INCHES	3.75 FEET	9.25 FEET	8.0 FEET	14 INCHES	6 INCHES
FES 16	15 INCHES	3.75 FEET	9.25 FEET	8.0 FEET	14 INCHES	6 INCHES

ROCK OUTLET PROTECTION TABLE
NOT TO SCALE

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE 10TH DAY OF July 2018, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS 2nd DAY OF March 2022 BY

[Signature] CHAIRMAN
[Signature] SECRETARY

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

* PREVIOUS REVISIONS 1-3 PER PLANNING BOARD COMMENTS ON 2/27/18, 3/27/18, AND 5/29/18

NO.	DATE	DESCRIPTION	BY
1		PREVIOUS REVISIONS 1-3	
4	06/26/18	NO CHANGES TO THIS SHEET	CMB
5	11/29/18	PER PLANNING BOARD COMMENTS	CMB
6	03/29/19	PER PB AND DCDBCH COMMENTS	CMB
7	07/26/19	FOR DCDBCH APPROVAL	CMB

EROSION & SEDIMENT CONTROL DETAILS

25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: AS SHOWN
DECEMBER 7, 2015

DUTCHESS COUNTY DEPT. OF HEALTH
Poughkeepsie New York
These plans are approved.
See first sheet for date and signature.



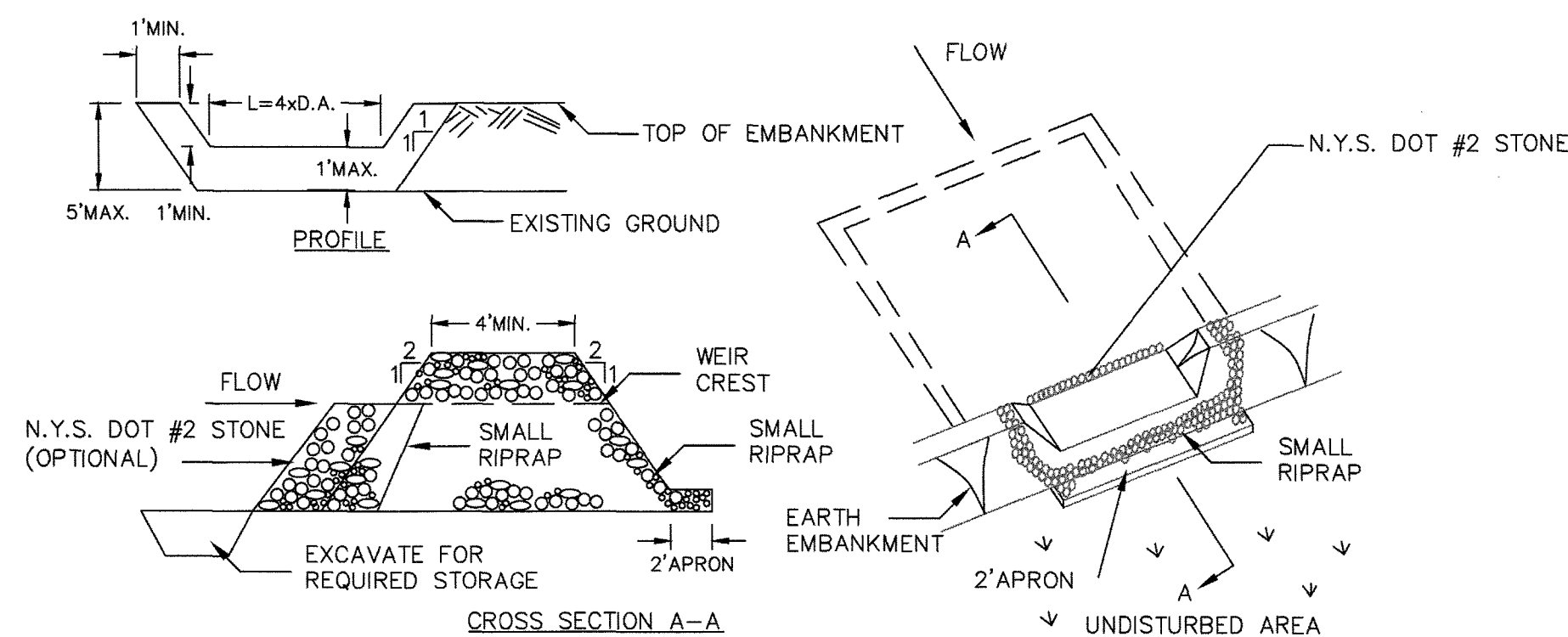
SEAL

HUDSON
LAND DESIGN
HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637

JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOHLER, P.E.
NYS LICENSE NO. 082716

SHEET: 9 OF 12

FM# 12743
DATE: 3/10/2022
PAGE: 9 OF 12

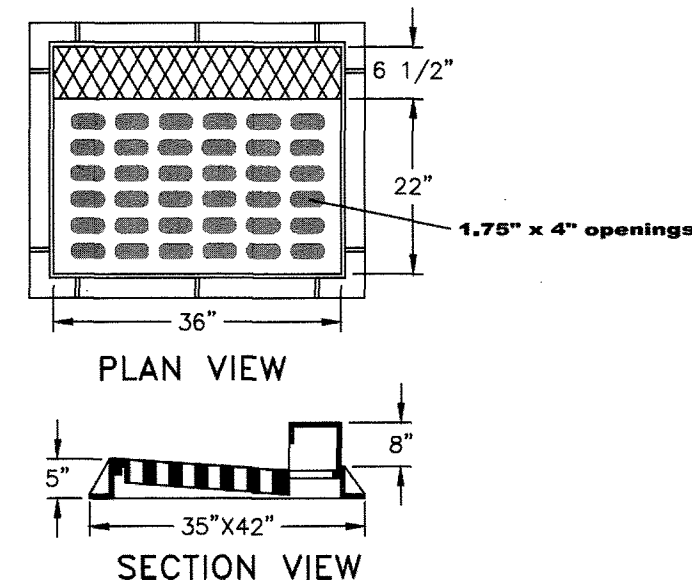


1. PRECAST CONCRETE CATCH BASIN WITH CONCRETE STRENGTH OF 4,000 PSI @ 28 DAYS.
2. THE ENDS OF ALL PIPES SHALL BE CUT OFF FLUSH WITH THE INSIDE SURFACE OF THE CATCH BASIN.
3. PIPES SHALL BE PARGED AROUND INTERIOR AND EXTERIOR PRIOR TO BACKFILLING OF STRUCTURE. CONNECTIONS MADE WITHIN 10 FEET OF A WATER MAIN (OR SERVICE LINE) OR A SEWER MAIN (OR SERVICE LINE) SHALL BE MADE WITH A WELDED JOINT.
4. PROVIDE A MINIMUM 0.1" DROP BETWEEN INLET AND OUTLET INVERTS (MATCH CROWNS FOR PIPES WITH DIFFERENT SIZES) UNLESS OTHERWISE NOTED ON THE PLAN.
5. ALL PIPES, EXCEPT 12" AND 18" DIAMETER, SHALL BE FURNISHED WITH STEEL REINFORCED POLYPROPYLENE PLASTIC STEPS AT 12" INTERVALS.
6. HOPE PIPE SHALL BE PROVIDED WITH WATERTIGHT CONNECTIONS, ADS MODEL IN2 WT IB OR EQUIV.

OPTION: A ONE FOOT LAYER OF N.Y.S. DOT #2 STONE MAY BE PLACED ON THE UPSTREAM SIDE OF THE RIPRAP INPLACE OF THE EMBEDDED FILTER CLOTH.

1. AREA UNDER EMBANKMENT SHALL BE CLEARED, GRUBBED AND STRIPPED OF ANY VEGETATION AND ROOT MAT. THE POOL AREA SHALL BE CLEARED.
2. THE FILL MATERIAL FOR THE EMBANKMENT SHALL BE FREE OF ROOTS AND OTHER WOODY VEGETATION AS WELL AS OVER-SIZED STONES, ROCKS, ORGANIC MATERIAL OR OTHER OBJECTIONABLE MATERIAL. THE EMBANKMENT SHALL BE CONFINED AND BY TRAPPING OF EQUIPMENT WHILE IT IS BEING CONSTRUCTED.
3. ALL CUT AND FILL SLOPES SHALL BE 2:1 OR FLATTER.
4. THE STONE USED IN THE OUTLET SHALL BE SMALL RIPRAP 4"-8" ALONG WITH A THICKNESS OF 2' AGGREGATE PLACED ON THE UP-GRADE SIDE ON THE SMALL RIPRAP OR EMBEDDED FILTER CLOTH IN THE RIPRAP.
5. SEDIMENT SHALL BE REMOVED AND TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE TRAP. IT SHALL BE PLACED ON SITE AND STABILIZED.
6. THE STRUCTURE SHALL BE INSPECTED AFTER EACH RAIN AND REPAIRS MADE AS NEEDED.
7. CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND SEDIMENT ARE CONTROLLED.
8. THE STRUCTURE SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.

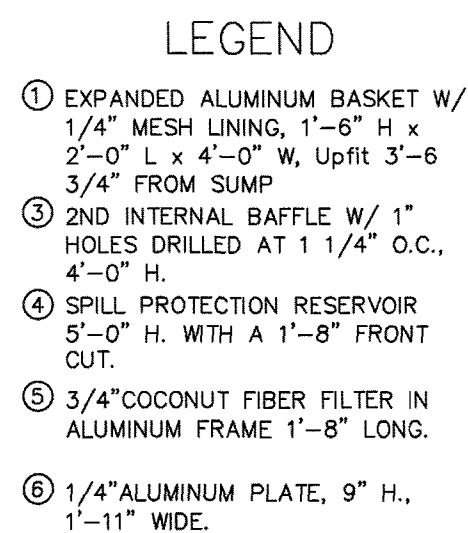
MAXIMUM DRAINAGE AREA 5 ACRES



NOTES:

1. HEAVY DUTY RECTANGULAR STORMWATER INLET GRATE TO BE CAMPBELL
FOUNDRY MODEL 2541, OR APPROVED EQUAL.
2. CATCH BASINS TO RECEIVE CURB INLETS ARE: CB 1 THROUGH CB 10.

INFILTRATION OUTLET CONTROL STRUCTURE DETAIL
NOT TO SCALE



SECTION VIEW 2

DIMENSION TABLE:

B	C	E	F	X	BB	CC	FF
30 $\frac{1}{2}$ "	24 $\frac{3}{4}$ "	4"	22"	1 $\frac{1}{2}$ "	41 $\frac{1}{8}$ "	36 $\frac{1}{8}$ "	34"

NOTES:

1. HEAVY DUTY RECTANGULAR STORMWATER INLET GRATE TO BE CAMPBELL FOUNDRY MODEL 3433, OR APPROVED EQUAL.
2. DMH 11 RECEIVES A SOLID CAST IRON COVER.

CAST IRON STORMWATER FLAT INLET GRATE DETAIL
NOT TO SCALE

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE

10TH DAY OF July, 20 18, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS 3rd DAY OF MARCH, 2022, BY

CHAIRMAN

Ethan G. SECRETARY

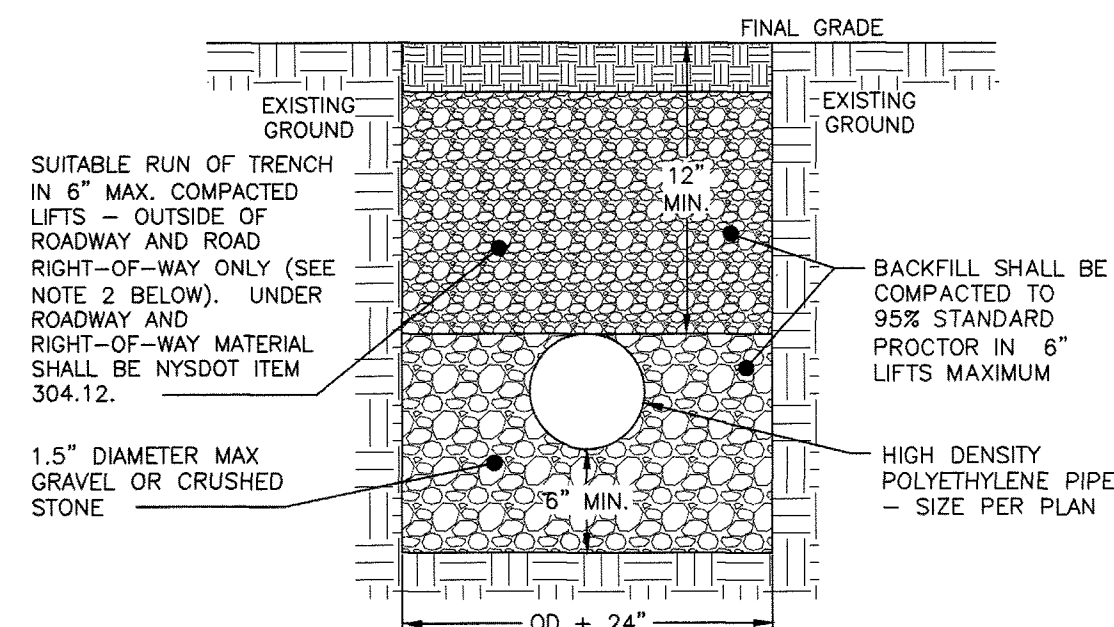
IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY
RESPECTIVELY MAY SIGN IN THIS PLACE.

1. THE INFILTRATION BASIN SHALL NOT SERVE AS A SEDIMENT TRAP DURING CONSTRUCTION AND SHALL BE PROTECTED FROM CONSTRUCTION ACTIVITY.
2. RELATIVELY LIGHT TRACKED EQUIPMENT IS RECOMMENDED FOR CONSTRUCTION PURPOSES TO AVOID COMPACTION OF THE BASIN FLOOR.
3. A HIGHLY POROUS SURFACE TEXTURE SHALL BE RETAINED ALONG THE BASIN FLOOR, ESPECIALLY WITHIN THE AREA IDENTIFIED AS BEING USED FOR INFILTRATION.
4. ESTABLISH A PERMANENT VEGETATIVE COVER ON THE BASIN FLOOR TO PREVENT EROSION AND SLOUGHING AND TO PROVIDE A NATURAL MEANS OF MAINTAINING RELATIVELY HIGH INFILTRATION RATES. GRASSES OF THE FESCUE FAMILY (ALTAI FESCUE, WESTERN FESCUE OR RED FESCUE) ARE SPECIFIED IN THE PLANS, PROVIDED THEY ARE SEED SET AT A RATE OF 10,000 SEEDS PER SQAFT YARD. STABILITY, HARDNESS, AND ABILITY TO WITHSTAND BRIEF INUNDATIONS. FESCUE WILL ALSO ALLOW FOR LONG INTERVALS BETWEEN MOWINGS, WHICH SHALL OCCUR TWICE PER YEAR MINIMUM, TYPICALLY IN JUNE AND SEPTEMBER.
5. THE BERMS SHALL BE SUFFICIENTLY COMPACTED AND OF SUCH MATERIAL TO PREVENT SEEPAGE.

TYPICAL INFILTRATION BASIN DETAIL
NOT TO SCALE

* PREVIOUS REVISIONS 1-3 PER PLANNING BOARD COMMENTS ON 2/27/18, 3/27/18, AND 5/29/18

DRAWN BY: JDB		CHECKED BY: MAB	JOB NO.: 2015:025
REVISIONS:			
NO.	DATE	DESCRIPTION	BY
*		PREVIOUS REVISIONS 1-3	
4	06/26/18	NO CHANGES TO THIS SHEET	CMB
5	11/29/18	PER PLANNING BOARD COMMENTS	CMB
6	03/29/19	PER PB AND DCDBCH COMMENTS	CMB
7	07/26/19	FOR DCDBCH APPROVAL	CMB



STORM LINE TRENCH DETAIL
NOT TO SCALE

STORMWATER DETAILS
25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: AS SHOWN
DECEMBER 7, 2015

DUTCHESS COUNTY DEPT. OF HEALTH
Poughkeepsie New York
These plans are approved.
See first sheet for date and signature.

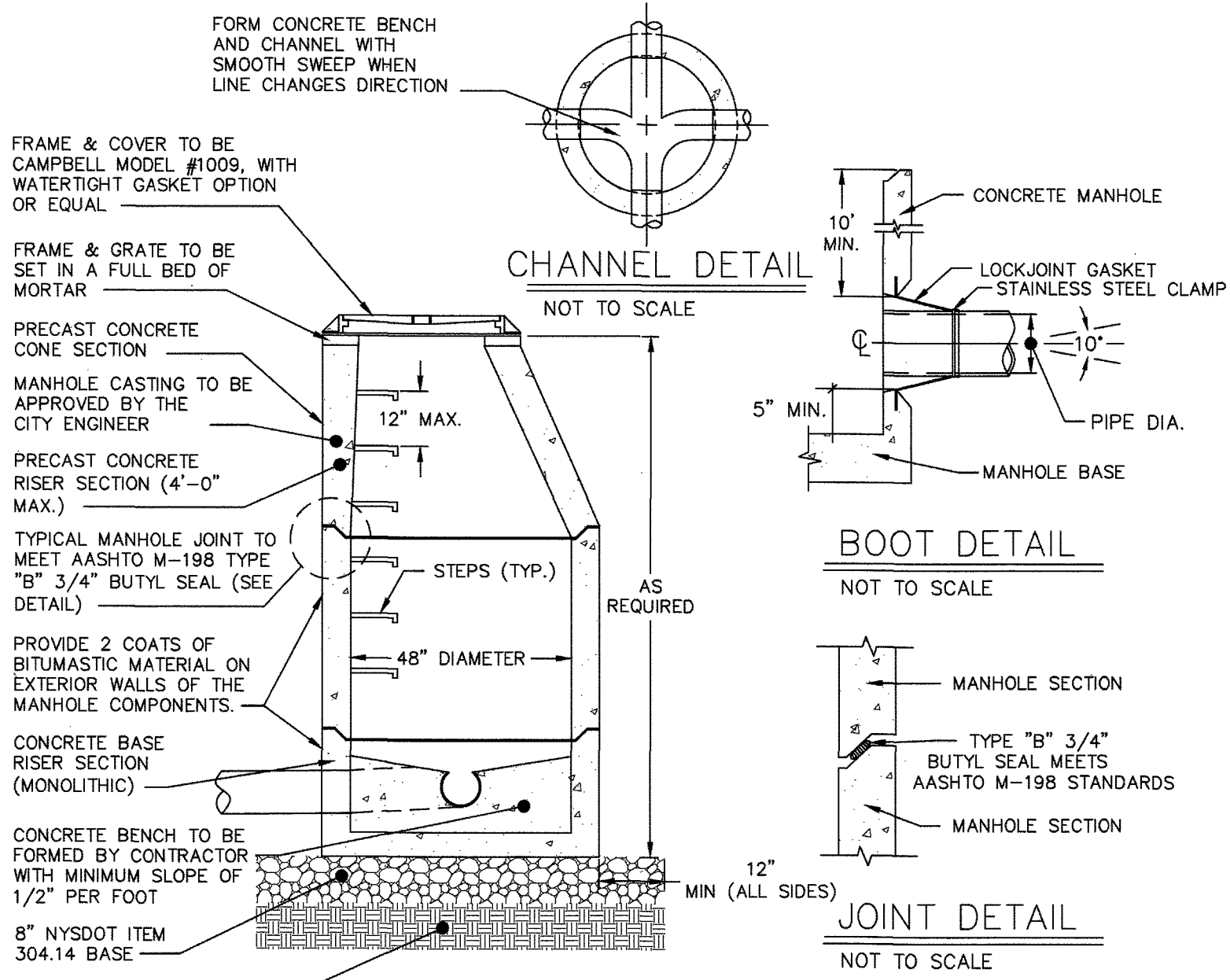


SEA

HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637

JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOEHLER, P.E.
NYS LICENSE NO. 082716

SHEET: 10 OF 12

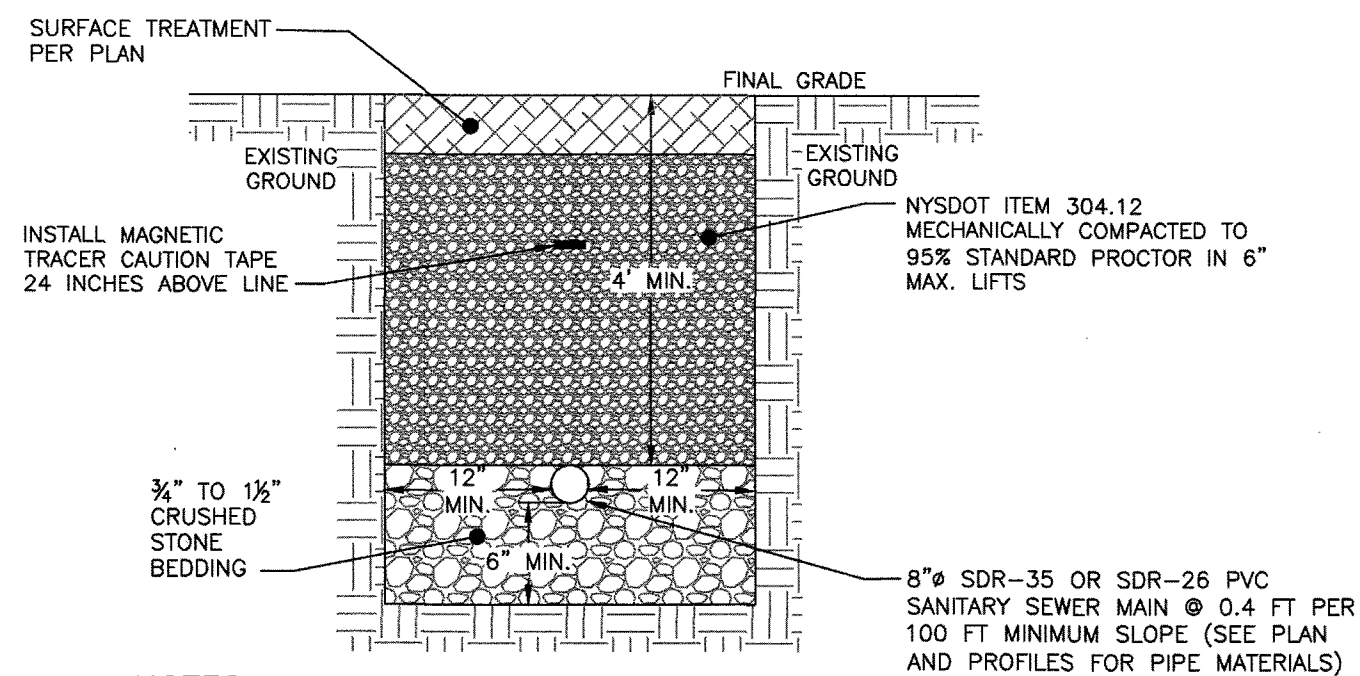


NOTES:

- PIPE CONNECTION TO BE STANDARD "LOCKJOINT" BOOT 5" OFF BASE OF MANHOLE (SEE DETAIL).
- CONCRETE STRENGTH OF MANHOLE COMPONENTS TO BE 4000 PSI @ 28 DAYS IN ACCORDANCE WITH ASTM C-478-86.
- STEEL REINFORCEMENT OF MANHOLE COMPONENTS TO MEET ASTM A615-A497 REQUIREMENTS.
- LOADING OF MANHOLE COMPONENTS TO MEET H-20 REQUIREMENTS.
- CONCRETE USED IN MANHOLE COMPONENTS TO CONTAIN 6% AIR ENTRAINMENT.
- 4' MAXIMUM FROM MANHOLE TO PIPE JOINT.

PRE-CAST CONCRETE SANITARY MANHOLE DETAIL

NOT TO SCALE

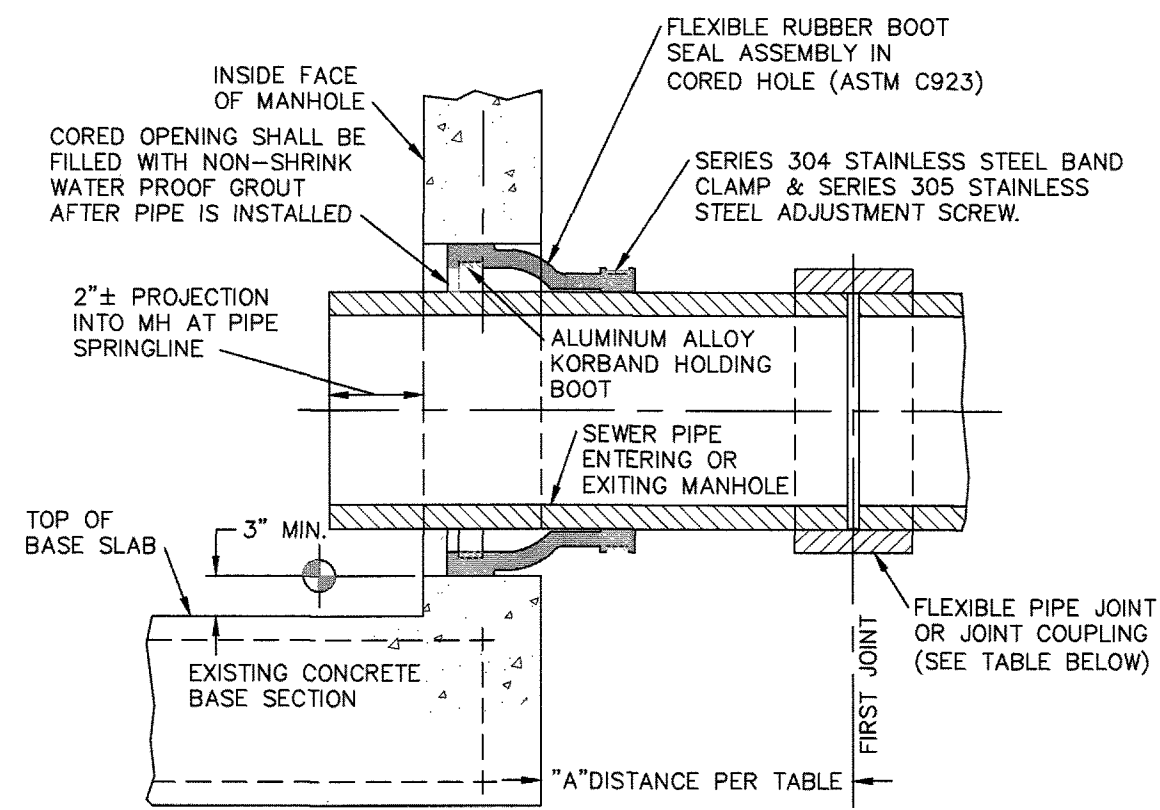


NOTES:

- EXCAVATION AND TRENCHING SHALL MEET ALL OSHA REQUIREMENTS.
- SEWER MAIN MATERIAL SHALL BE 8" DIAMETER SDR-26 PVC BELL AND SPIGOT GRAVITY SEWER PIPE, WITH GASTIGHT AND WATER-TIGHT JOINTS.

SANITARY SEWER MAIN TRENCH DETAIL

NOT TO SCALE



FLEXIBLE JOINT REQUIREMENTS

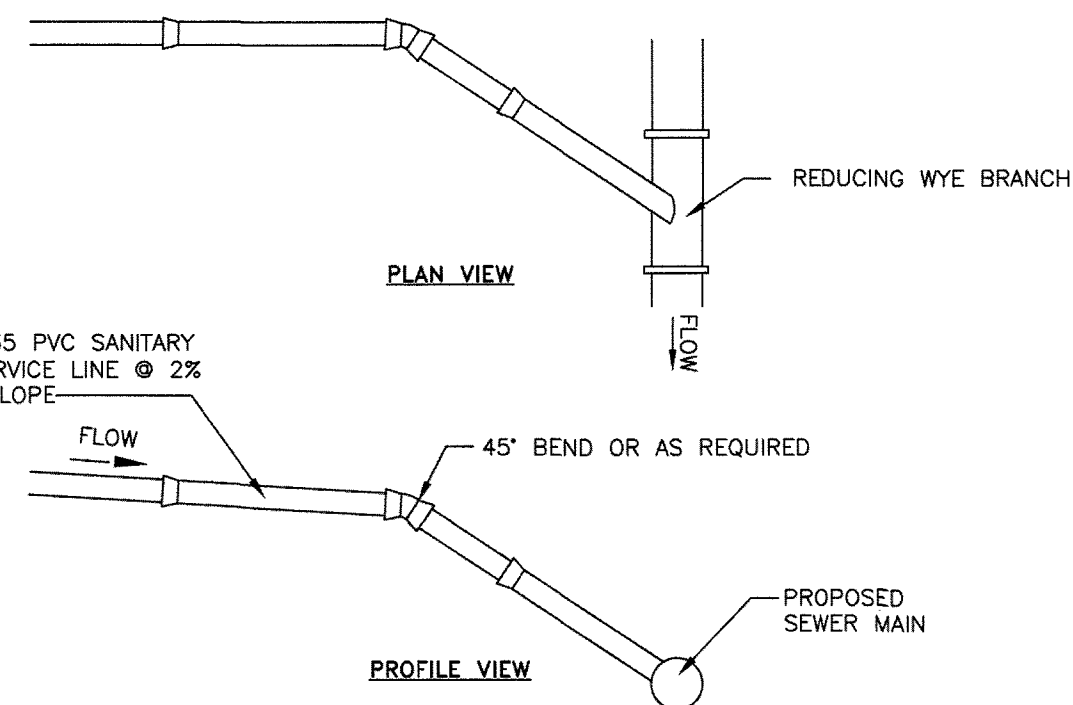
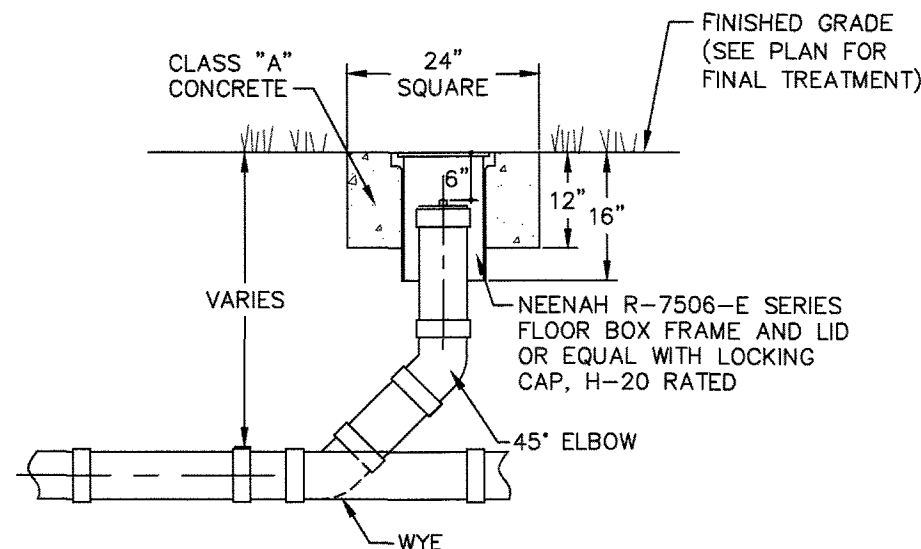
SEWER PIPE TYPE	FLEXIBLE JOINT TYPE IN & OUT	"A" DISTANCE (FEET)
DUCTILE IRON	STD RUBBER GASKET PIPE JOINT ONLY	10' MAX
PVC	STD RUBBER GASKET PIPE JOINT ONLY	3' MAX

NOTE:

REFERENCE MANHOLE DETAIL(S) FOR REQUIRED INVERT CHANNEL CONFIGURATION.

CORED HOLE AND INSERTED BOOT DETAIL

NOT TO SCALE

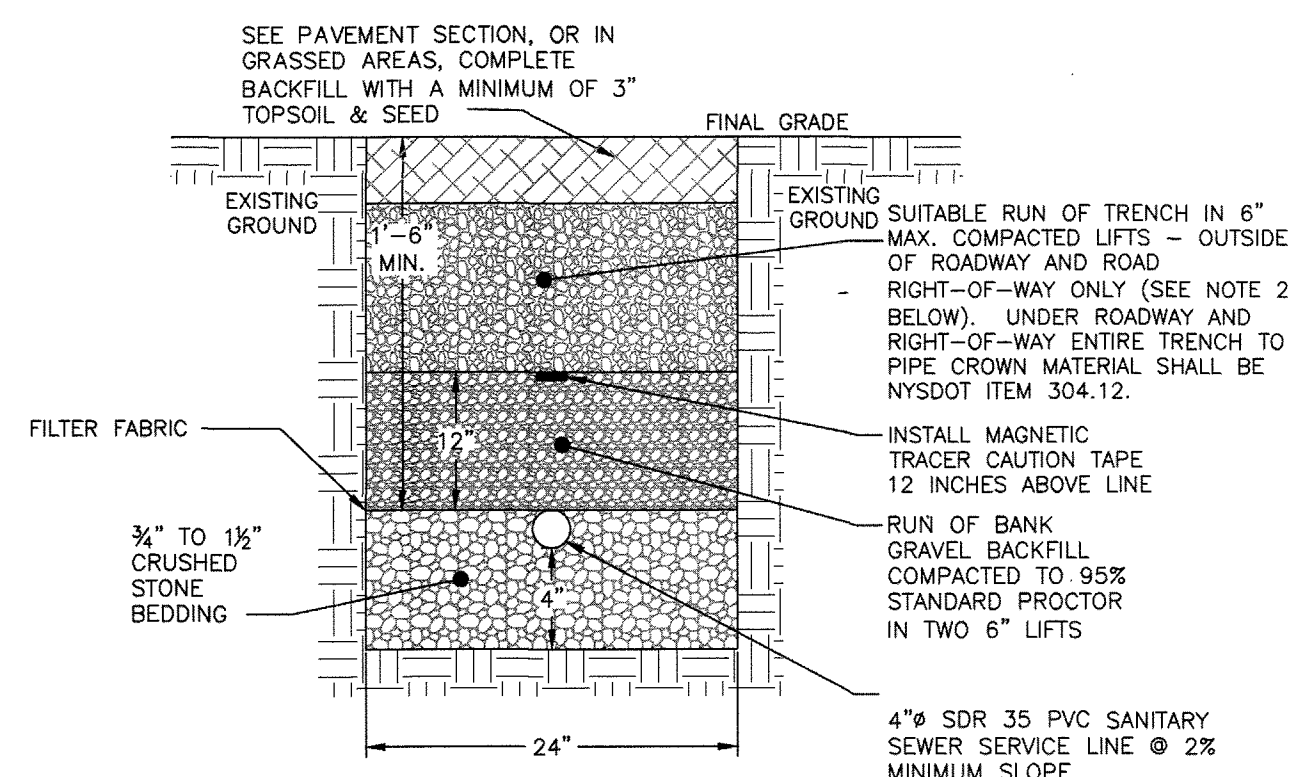


NOTES:

- EXCAVATION AND TRENCHING SHALL MEET ALL OSHA REQUIREMENTS.
- SUITABLE RUN OF TRENCH SHALL NOT INCLUDE FROZEN MATERIALS, DEBRIS, ORGANIC MATERIALS, LARGE STONES OR OTHER UNSUITABLE MATERIALS. IF THE RUN OF TRENCH MATERIAL IS FOUND TO BE UNSUITABLE, A SUITABLE BACKFILL MATERIAL SHALL BE IMPORTED AND USED.

SANITARY SEWER SERVICE CONNECTION DETAIL

NOT TO SCALE



NOTES:

- EXCAVATION AND TRENCHING SHALL MEET ALL OSHA REQUIREMENTS.
- SUITABLE RUN OF TRENCH SHALL NOT INCLUDE FROZEN MATERIALS, DEBRIS, ORGANIC MATERIALS, LARGE STONES OR OTHER UNSUITABLE MATERIALS. IF THE RUN OF TRENCH MATERIAL IS FOUND TO BE UNSUITABLE, A SUITABLE BACKFILL MATERIAL SHALL BE IMPORTED AND USED.

SANITARY SEWER SERVICE LINE TRENCH DETAIL

NOT TO SCALE

SEWER DETAILS

25 TOWNSEND STREET

25 TOWNSEND STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6055-03-383149
SCALE: AS SHOWN
DECEMBER 7, 2015

DUTCHESS COUNTY DEPT. OF HEALTH
Poughkeepsie New York
These plans are approved.
See first sheet for date and signature.



SEAL

JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOEHLER, P.E.
NYS LICENSE NO. 082716



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.

174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637

SHEET: 12 OF 12

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE

10TH DAY OF JULY 2018 SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION, ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL

SIGNED THIS 22ND DAY OF MARCH 2022 BY

[Signature] CHAIRMAN
[Signature] SECRETARY

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

* PREVIOUS REVISIONS 1-3 PER PLANNING BOARD COMMENTS ON 2/27/18, 3/27/18, AND 5/29/18

DRAWN BY: JDB CHECKED BY: MAB JOB NO.: 2015:025

REVISIONS:			
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7	07/26/19	FOR DCDBCH APPROVAL	CMB

FM# 12743
DATE: 3/10/2022
PAGE: 12 OF 12



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2022

25 TOWNSEND STREET SUBDIVISION STREET NAMING

WHEREAS, in July 2018 the City of Beacon Planning Board granted Final Subdivision Approval for property located at 25 Townsend Street to create 13 residential lots, plus an additional lot for stormwater infiltration purposes (the “Subdivision”); and

WHEREAS, the Subdivision includes a proposed 50 ft right-of-way offered for dedication to the City of Beacon as an extension of Townsend Street which is an existing public right-of-way; and

WHEREAS, Section 195-21.G of the City Code requires that all streets shall be named and further requires that where the proposed street is an extension of an existing street the extension shall bear the same name as the existing street; and

WHEREAS, on November 9, 2022, the Planning Board unanimously recommended “Townsend Street” as the name of the proposed extension of the existing “Townsend Street;” and

WHEREAS, the owner of the Subdivision and Dutchess County Emergency Response has requested a resolution from the City Council confirming the proposed street name.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby adopts the name Townsend Street for the proposed extension of Townsend Street to be constructed as part of the Subdivision.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby adopts the name Townsend Street for the proposed extension of Townsend Street to be constructed as part of the Subdivision.

BE IT FURTHER RESOLVED, the City Clerk is directed to send a copy of this Resolution to the property owner, Dutchess County Real Property Tax Department, the City of Beacon Police Department, Dutchess County Department of Emergency Response Director of 911, the City of Beacon Fire Department, the local ambulance provider and the head of all City Department.

Resolution No. ____ of 2022			Date:				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
11/28/2022

Title:

Proposed Amendments to the 2022 Operating Budget

ATTACHMENTS

[Proposed Amendments to the 2022 Operating Budget](#)

Council Budget Amendments
December 5, 2022 Meeting

1. Amend the 2022 General Fund Budget to transfer funds to Police equipment line to replace the Police vehicle that was crashed into and totaled in the Police parking lot. Below is the proposed budget amendment:

Increase to:

A -03-3120-250000- PURCHASE EQUIPMENT	<u>\$ 52,000</u>
---------------------------------------	------------------

Increase to:

A -03-3120-268000- INSURANCE RECOVERIES	<u>\$ 52,000</u>
---	------------------

2. Amend the 2022 General Fund Budget to transfer funds to Police equipment to cover the costs of new radar units. Below is the proposed budget amendment:

Transfer to:

A -03-3120-250000- PURCHASE EQUIPMENT	<u>\$ 10,000</u>
---------------------------------------	------------------

Transfer from:

A -01-1990-400001- CONTINGENCY FUND	<u>\$ 10,000</u>
-------------------------------------	------------------

Respectfully submitted,
Susan K. Tucker CPA