

Town of Andes

Office of the Building Inspector

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Andes NY 13731

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TDD -1-800-662-1220

REQUIREMENTS FOR OBTAINING A BUILDING PERMIT

- 1.) Application in duplicate, completed in its entirety and notarized.
- 2.) Plot plan, showing location of proposed construction, any accessory buildings, well or spring location, electrical service location, distance from property lines, adjacent property well, spring of septic system if within 100 feet of your property.
- 3.) A letter of septic system approval from Board of Water Supply.
- 4.) Two (2) complete sets of construction drawings including foundation. One set will be marked "accepted" and returned to the applicant to be kept at the construction site at all times.
- 5.) Single wide homes are required to complete a "site plan review application" and have it reviewed by the planning board.
- 6.) Applications for homes, additions, and structural work are required to have their plans stamped by an architect registered in New York State.
- 7.) Applications for ANY commercial buildings are required to have plans signed and stamped by an architect registered in New York State.
- 8.) Obtain any required permits in order to access any State or County highway.
- 9.) If your property is accessed via a right of way, provide proof of legal right to use this right of way.
- 10.) Appropriate fee as determined by fee schedule
- 11.) Any other information deemed necessary and appropriate.

NOTE: Allow a minimum of fourteen (14) calendar days for processing of a building permit application.

Revised 1/6/21 KT

The Town of Andes is an equal opportunity employer and provider. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W. Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

LAWS OF NEW YORK, 1998
CHAPTER 439

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

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

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

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

Implementing Section 125 of the General Municipal Law

1. General Contractors – Business Owners and Certain Homeowners

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

- ◆ insured (C-105.2 or U-26.3),
- ◆ a Board-approved self-insured employer (SI-12), or
- ◆ are exempt (WC/DB-100),

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

2. Owner-occupied Residences

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

- ◆ Form BP-1 shall be filed if the homeowner of a 1, 2, 3 or 4 Family, Owner-occupied Residence is listed as the general contractor on the building permit, and the homeowner:
 - ◇ is performing all the work for which the building permit was issued him/herself,
 - ◇ is not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping the homeowner perform such work, or
 - ◇ has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued.
- ◆ If the homeowner of a 1, 2, 3 or 4 Family, Owner-occupied Residence is hiring or paying individuals a total of 40 hours or MORE in any week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued, then the homeowner may not file the "Affidavit of Exemption" Form BP-1, but shall either:
 - ◇ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit (Form C-105.2 or Form U-26.3), OR
 - ◇ have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit, provide appropriate proof of workers' compensation coverage, or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit.

Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

****This form cannot be used to waive the workers' compensation rights or obligations of any party.****

Under penalty of perjury, I certify that I am the owner of the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- I am performing all the work for which the building permit was issued.
- I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- I have a homeowner's insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ◆ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a WC/DB-100 exemption form; OR
- ◆ have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

(Signature of Homeowner)

(Date Signed)

(Homeowner's Name Printed)

Home Telephone Number _____

Property Address that requires the building permit:

| |
|---|
| <i>Sworn to before me this _____ day of</i> _____, _____ <i>(County Clerk or Notary Public)</i> |
|---|

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

Office of the Building Inspector

MANDATORY INSPECTIONS

1. Foundation footings, before pouring concrete.
2. Foundation walls, before pouring concrete.
3. Foundation water proofing and drainage, before backfill.
4. Concrete floor slabs, before pouring concrete.
5. Rough framing, building enclosed on exterior.
6. Rough electrical wiring installed and inspected by one of the following agencies:
 - A) New York Board of Fire Underwriters.
 - B) Atlantic – Inland, Inc. – New York
 - C) Middle Department Inspection Agency
7. Rough Plumbing installed and insulation installed, before closing any walls on the interior.
8. Septic system installed, inspected and approved by New York City Board of Water Supply, before covering system.
9. Fire inspection of heating system, chimneys, wood stoves, fireplace, smoke detectors, etc.
10. Final electrical inspection and approval by one of the agencies listed in item #6 above.
11. Final inspection by building inspector.

It is the responsibility of the contractor at the site to call for inspections (24) hours in advance, if possible.

Before issue of a Certificate of Occupancy, compliance with all of the above inspections is required.

TOWN OF ANDES

Office of the Building Inspector
PO Box 132
Andes, New York 13731

APPLICATION FOR BUILDING PERMIT:
Under Town of Andes Local Law No. 1 for 1977.

The undersigned hereby applies for a permit to build, according to the following specifications, and for a certificate of occupancy when building has been completed and duly inspected by the **Building Inspector**.

I) TO BE FILLED OUT BY ALL APPLICANTS:

1. Application No. _____ Date of Application _____

2. Address (Proposed Building Site) _____

3. Tax Map Description _____

4. Fire Number _____

5. Owner:

Name _____

Address _____

NUMBER

STREET

VILLAGE, TOWN, CITY

STATE

ZIP CODE

Phone: _____

6. Agent of Owner:

Name: _____

Address _____

NUMBER

STREET

VILLAGE, TOWN, CITY

STATE

ZIP CODE

7. Insurance Carrier:

Name: _____ ID# _____

Address _____

NUMBER

STREET

VILLAGE, TOWN, CITY

STATE

ZIP CODE

8. Nature of Work (check one): New Building _____
9. Major Repair _____ Alteration _____
10. Addition _____ Value of Improvement \$ _____
11. Date Work to Commence: _____
12. Does the proposed building activity include: (check one or more)
- _____ New Principal Structure
- _____ New Accessory Structure
- _____ Altered Principal Structure
- _____ New Accessory Structure
13. Lot Size: _____ Sq. Ft. / or _____ Acres
14. Habitable Living Area _____ Sq. Ft.
- Lot Coverage by Building _____ Sq. Ft.
15. Maximum Building Height _____ Feet.
16. Accessory Structures if any (list): _____
- _____
17. Parking Spaces to be provided: _____
18. Will Parking Spaces be Off-Street: _____ YES _____ NO
19. Existing Use and Occupancy: _____
- _____
20. Proposed Use and Occupancy: _____
- _____

II. **BUILDING PERMIT:**

INSTRUCTIONS

1. This application must be completed in two (2) copies, preferably by typewriter or ink.
2. All applicants for a building permit must fill out Part I completely.

3. All applicants for a **Building Permit** whose activity will take place in a flood hazard area must complete Part III.

4. All applicants for a **Building Permit** shall include with this application the following:

Two (2) copies of a layout or plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings to be erected, the location, grade and dimensions of any access drive, the location and type of water supply and sewage disposal facilities, present grade level of the property and any proposed grade level to which the property will be raised and lowered, any extension of the level area of the property due to filling with earth material, of adjacent water body or stream.

5. This application must be accompanied by the appropriate fee, based upon a schedule of fees available from the **Building Inspector**.

6. WORK MAY NOT BE COMMENCED BEFORE ISSUANCE OF A BUILDING PERMIT. AT THE TIME OF ISSUANCE OF SUCH PERMIT, A COPY OF THE APPROVED PLANS WILL BE RETURNED TO THE APPLICANT TO BE KEPT AT THE WORK SITE, AVAILABLE FOR INSPECTION THROUGHOUT THE PROGRESS OF WORK.

State of New York

County of _____

} S.S.#:

_____, applicant, being duly sworn, deposes and says that to the best of his knowledge, the statements contained in this application, together with the plans, specifications and any other supporting material submitted, are a true and complete statement of all proposed work to be done on the described premises and that all provisions of the Town of Andes Local Law No. 2 and all other laws pertaining to the proposed work shall be complied with, and that the work as described hereon is authorized by the owner.

Sworn to before me

this _____ day of _____,

SIGNATURE OF APPLICANT

NOTARY PUBLIC

COUNTY

• MUST APPLY FOR CERTIFICATE OF OCCUPANCY UPON COMPLETION •