



Building Standards and Codes

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TECHNICAL BULLETIN

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Topic: New York State Agencies with construction Regulations or Construction Authority

The following is a list of New York State Agencies with construction related regulations or construction authority that complements the requirements of the Uniform Fire Prevention and Building Code. These listed requirements are not enforceable by a Code Enforcement Official unless empowered by other law, statute, ordinance, or regulation.

Note that this list may not be all-inclusive and is subject to change; it is published as a courtesy to enforcers, designers, and the public. All regulations cited here should be reviewed, where applicable, and compliance needs verified with the appropriate agencies.

List of Concepts and Abbreviations:

CEO - Code Enforcement Official
Uniform Code - Uniform Fire Prevention and Building Code (19 NYCRR, Chapter 33, Subchapter A)
Energy Code - Energy Conservation and Construction Code of New York State (19 NYCRR, Chapter 33, Subchapter B, Part 1240)
Construction permitting agency - Agency approved to regulate construction as described in Part 1204.16 of 19 NYCRR, Chapter 32
Title 19 NYCRR Part 1204 - UNIFORM CODE: ADMINISTRATION AND ENFORCEMENT BY STATE AGENCIES

see http://www.dos.ny.gov/DCEA/laws_regs.html for NYCRR Title 19 regulations

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Adirondack Park Agency

P.O. Box 99
1133 NYS Route 86
Ray Brook, NY 12977
Phone: 518-891-4050
<http://www.apa.ny.gov>

The APA is responsible for maintaining the protection of the forest preserve, and overseeing development proposals of the privately owned lands, within the Adirondack Park.

Applicable Regulations:

The Adirondack Park Agency administers the Adirondack Park Agency Act (Executive Law, article 27), the Freshwater Wetlands Act (Environmental Conservation Law, article 24) within the Adirondack Park and, for private lands within the Adirondack Park, the Wild Scenic and Recreational Rivers System Act (Environmental Conservation Law, article 15, title 27).

Applicable Regulations (NYCRR Title 9):

<http://www.apa.ny.gov/Regulations/index.html>

Justice Center for the Protection of People with Special Needs

161 Delaware Avenue
Delmar, New York 12054-1310
Phone: 518-549-0200
<https://www.justicecenter.ny.gov>

The Justice Center for the Protection of People with Special Needs (Justice Center) was established June 30, 2013. The agency's mission is to support and protect the health, safety, and dignity of all people with special needs and disabilities through advocacy of their civil rights, prevention of mistreatment, and investigation of all allegations of abuse and neglect so that appropriate actions are taken.

The Justice Center's Outreach and Education staff also provides information and technical assistance on a variety of disability related topics. This includes the accessibility requirements of the New York State Fire Prevention and Building Code, the Americans with Disabilities Act Accessibility Guidelines and the non-discrimination and accessibility provisions of the Fair Housing Act. This service is available to people with disabilities and their families, local codes enforcement officers, architects, disability advocates and the public at large.

Applicable Regulations (NYCRR Title 14):

Additional Information: infoassistance@justicecenter.ny.gov

Office of Alcoholism and Substance Abuse Services

1450 Western Avenue
Albany, NY 12203
General Info: 518-485-1768
<http://www.oasas.ny.gov>

The Office of Alcoholism and Substance Abuse Services (OASAS) plans, develops and regulates structured programs for substance use disorder prevention, treatment and recovery. OASAS licenses and regulates more than 1,200 addiction treatment providers statewide and operates 12 Addiction Treatment Centers. The agency also provides funding for approximately 300 prevention providers at 1,700 education and prevention programs based in schools and communities throughout the state. Additionally, in July 2005, the agency assumed responsibility for overseeing problem gambling outreach, prevention, treatment, and training and certification of problem gambling treatment professionals.

Applicable Regulations (NYCRR Title 14):

*Chemical Dependence Services
Part 814 General Facility Requirements*

Individual programs and modalities are governed by the regulatory requirements found in Title 14 NYCRR Part 800 et. seq., and may have other specific facility requirements within the Part 800 series. Please see the link below for additional information:

<http://www.oasas.ny.gov/regs/index.cfm>

Occupancy Classifications for the Addiction Treatment Centers

18 NYCRR Parts 816-820 and Part 822

Modality	Reference	OASAS	Comments/Qualifications/Exceptions
Chemical Dependence Crisis Services	Part 816	I-2	In hospitals/incapacitated patients (see 816.5(a)(1)).
Chemical Dependence Residential Rehab for Youth	Part 817	R-2; R-4	R-4 = 5-16 beds.
Chemical Dependence Inpatient Rehabilitation	Part 818	R-2; R-4	R-4 = 5-16 beds.
Chemical Dependence Residential Services	Parts 819, 820	R-2; R-4	R-4 = 5-16 beds.
Chemical Dependence Outpatient	Part 822	B	Clinic/Professional Office Services

Office of Children & Family Services

Capital View Office Park

52 Washington Street

Rensselaer, New York 12144-2796

Phone: (518) 473-7793

<http://ocfs.ny.gov/main/>

The Office of Children and Family Services (OCFS) is dedicated to improving the integration of services for New York's children, youth, families and vulnerable populations; to promoting their development; and to protecting them from violence, neglect, abuse and abandonment. The agency provides a system of family support, juvenile justice, child care and child welfare services that promote the safety and well-being of children and adults. Among the operating principles across all program areas are that services should be developmentally appropriate,

family-centered and family-driven, community-based, locally responsive, and evidence and outcome based.

OCFS is responsible for programs and services involving foster care, adoption and adoption assistance, child protective services including operating the Statewide Central Register of Child Abuse and Maltreatment, preventive services for children and families, services for pregnant adolescents, and protective programs for vulnerable adults. OCFS is also responsible for the functions performed by the State Commission for the Blind and coordinates state government response to the needs of Native Americans on reservations and in communities.

The agency provides oversight and monitoring of regulated child care (family day care, group family day care, school-age child care and, outside of NYC, day care centers), legally exempt child care, child care subsidies, child care resource and referral programs, and the Advantage After School Program.

The agency is responsible for all elements of the state's juvenile justice programs, transformation of the juvenile justice system, administering and managing residential facilities, community-based group homes, day-placement centers, and reception center programs for juvenile delinquents and juvenile offenders placed in the custody of the OCFS Commissioner.

Division of Child Care Services - is charged by State Law to regulate, license/register and monitor those child care settings that require licensure, registration or regulation under State law. At the current time there are approximately 18,800 regulated facilities that are licensed or registered under the auspices of OCFS. The types of licensed and registered care are day care centers (outside of New York City); School Age Child Care Programs (statewide) that provide supervision for children before and after school and outside normal school hours; group family day care (statewide) which can care for up to 16 children in a home; and registered family day care programs that can provide care to a maximum of 8 children in a home.

Applicable Regulations (NYCRR Title 18):

18 NYCRR- Child Day Care Regulations

- * Child Day Care Definitions, Enforcement & Hearings (Part 413)
- * School Age Child Care (Part 414)
- * Group Family Day Care Homes (Part 416)
- * Family Day Care Homes (Part 417)
- * Child Day Care Centers (Subpart 418-1)
- * Small Day Care Centers (Subpart 418-2)

http://ocfs.ny.gov/main/childcare/daycare_regulations.asp

Child Day Care Occupancy Classifications and Supplemental Requirements

<p>Family day care homes 3 - 6 children + 2 school age children 6 weeks - 12 years 18 NYCRR 417</p>	<p>Residential Code if: One or two family dwellings or Multiple single family (townhouses) @ three stories or less</p>
	<p>R-3 - one or two family dwelling if: Dwelling not residential code</p>

	R-2 - permanent multiple dwellings
Group family day care homes 7-12 children + 4 school age children 6 weeks to 12 years 18 NYCRR 416	Residential Code if: One or two family dwellings or Multiple single family (townhouses) @ three stories or less
	R-3 - one or two family dwelling if: Dwelling not residential code
	R-2 - permanent multiple dwellings
Child day care center 7 or more children 6 weeks - 12 years 18 NYCRR 418-1	I-4 - institutional 5 or more; 2 ½ years or less
	E - educational If: 5 - 100 children, 2 ½ years or less; where the rooms for such children are located on the level of exit discharge with each room having a door directly to the exterior
	E - educational older than 2 ½ years
School-age day care Enrolled in Kindergarten* - 12 years 18 NYCRR 414 * In certain situations, an OCFS waiver would allow children enrolled in Pre-K programs to attend a School-age program.	E - educational older than 2 ½ years
Small day care center 3-6 children 18 NYCRR 418-2	I-4 or E

Child day care in a residence requires a remote second means of egress which meets OCFS regulation and policy requirements. Windows meeting all code requirements for an exterior emergency escape and rescue opening meet this requirement.

For child day care centers and school-age child care, OCFS regulations contain additional requirements which include:

- A minimum of 35 square foot per child, and additional space for napping is required when caring for infants and toddlers (defined as children under the age of 36 months).
- One toilet per 15 children excepting infants, and one washbasin for every 15 children regardless of age.
- Separate dedicated sinks used for hand washing and food preparation when caring for infants and toddlers.
- Ramps or at grade egress to support the evacuation of Children younger than 30 months
- Manually activated fire alarm stations in child day care centers
- Annual fire safety inspection by the Authority Having Jurisdiction

In order to be accepted by OCFS, the Certificate of Occupancy must state the appropriate occupancy classification.

Child Welfare Community Services and Juvenile Justice Occupancy Classifications

<p>INSTITUTIONAL facility for 13 or more children operated by a child care agency 18 NYCRR 442.4 & 442.5</p>	<p>I-1</p>
<p>GROUP RESIDENCE institution for not more than 25 children operated by an authorized agency 18 NYCRR 442.4 & 442.5</p>	<p>I-1</p>
<p>GROUP RESIDENCE for mothers and babies 18 NYCRR 442.17</p>	<p>I-2</p>
<p>GROUP HOME family-type home for not less than seven, nor more than twelve, children who are at least 5 years of age, operated by an authorized agency (except min. age not applicable to siblings in the same facility nor mother in same facility) 18 NYCRR 448.3(d)(10)</p>	<p>R-4 or Residential Code if: One or two family dwellings or Multiple single family (townhouses) @ three stories or less</p>
<p>AGENCY BOARDING HOME family-type home for not more than six children, operated by an authorized agency (except for more than six brothers and sisters of the same family) 18 NYCRR 447.2(b)</p>	<p>Residential Code if: One or two family dwellings or Multiple single family (townhouses) @ three stories or less</p>
	<p>R-3 - one or two family dwelling if: Dwelling not residential code</p>
<p>AGENCY BOARDING HOME transitional housing: ages 16 through 21 18 NYCRR 447.2(b)</p>	<p>Residential Code or R-3 as above, or R-2 - permanent multiple dwelling</p>
<p>SUPERVISED INDEPENDENT LIVING family-type home for not more than three children who reside in the community 18 NYCRR 449.4(b)</p>	<p>Residential Code if: One or two family dwellings or Multiple single family (townhouses) @ three stories or less</p>
	<p>R-3 - one or two family dwelling if: Dwelling not residential code</p>
	<p>R-2 - permanent multiple dwelling</p>

FAMILY TYPE HOMES FOR ADULTS adults aged 18 and over who have difficulty living alone because of physical or mental frailties 18 NYCRR 489.12	Residential Code if: One or two family dwellings or Multiple single family (townhouses) @ three stories or less
	R-3 - one or two family dwelling if: Dwelling not residential code
JUVENILE JUSTICE	
Limited Secure Facility 18 NYCRR 450.2(b)	I-3 Institutional
Secured Facility	I-2 Institutional

OCFS regulations require many of these occupancies to have an annual inspection by the authority having jurisdiction.

In order to be accepted by OCFS, the Certificate of Occupancy must state the appropriate occupancy classification.

Domestic Violence Occupancy Classifications

18 NYCRR Part 452 & 453

Domestic Violence Safe Dwelling Self-contained residence for nine or fewer adults and children, to provide temporary shelter 18 NYCRR 455.9(a) & (i)	Residential Code if: one- or two-family dwelling or multiple single family dwelling (townhouses) three stories or less in height
	R-3 one- or two-family dwelling if: outside the scope of the RCNYS
Domestic Violence Shelter Congregate residential facility for 10 or more adults and their children, for temporary shelter, for victims and their minor children 18 NYCRR 453.8	Residential Code if: one- or two-family dwelling or multiple single family dwelling (townhouses) three stories or less in height
	R-3 one- or two-family dwelling if: outside the scope of the RCNYS
	R-2 multiple dwelling, including dormitory style dwellings

Department of Corrections and Community Supervision

Building 2
1220 Washington Ave
Albany, New York 12226-2050
(518) 457-8126
<http://www.doccs.ny.gov/>

The Department of Corrections and Community Supervision (DOCCS) is responsible for the confinement and habilitation of approximately 53,000 individuals under custody held at 54 state facilities and 36,000 parolees supervised throughout seven regional offices.

In accordance with NYCRR Title 19 Part 1204, DOCCS is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 7):

<http://www.doccs.ny.gov/RulesRegs/index.html>

DASNY

515 Broadway
Albany, New York 12207-2964
518-257-3000
<http://www.dasny.org>

DASNY is a public benefit corporation that finances and constructs a variety of facilities for New York State agencies, municipal agencies, educational and not-for-profit institutions, independent hospitals, independent colleges, court facilities and facilities for the aged.

In accordance with NYCRR Title 19 Part 1204, DASNY is designated as a construction permitting agency. Projects in the following New York State programs are subject to the Dormitory Authority's Construction Permitting Program:

- Department of Health (DOH)
- Office of Alcohol and Substance Abuse Services (OASAS) (state operated facilities only)

- Office of Mental Health (OMH)
- Office of Mental Retardation and Developmental Disabilities (OMRDD)
- State Education Department (SED)
- State University of New York (SUNY)

Where the Dormitory Authority participates in the construction of a new building or existing building and where upon its completion such building will be in the custody of an entity **other** than a state agency, administration and enforcement of the Uniform Code will be the responsibility of the code enforcement agency generally performing those functions at the location of the work.

Applicable Regulations (NYCRR Title 21):

State Education Department

89 Washington Avenue
Albany, New York 12234
Phone: (518) 474-3852
<http://www.nysed.gov/>

The New York State Education Department (SED) regulates the construction and maintenance of public and private schools for K-12 students. Included with this is review and approval of all plans and specifications for any capital construction for a public school district outside of New York City. Additionally, Department of State regulations require that fire-safety for all public school buildings to be enforced by the SED.

The SED publishes the Manual of Planning Standards which explains requirements more restrictive than the Uniform Code requirements. It also provides various aids for administering the Uniform Code and its own regulations.

The SED regulates the professionals that design buildings through its Office of the Professions. Licensure is required for person(s) responsible for the building design.

In accordance with NYCRR Title 19 Part 1204, SED is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 8):

Part 155 - Regulations of Public and Non-Public Schools

<http://www.emsc.nysed.gov/facplan/LawsRegs.htm>

Parts 145, 147 and 148 - Regulation of design professionals

<http://www.op.nysed.gov/>

New York State Energy Research and Development Authority

17 Columbia Circle

Albany, New York 12203-6399

1-866-697-3732

<http://www.nyserda.ny.gov/>

The New York State Energy Research and Development Authority (NYSERDA) NYSEERDA is a public authority that advances clean energy innovation, investment, and deployment in New York State. Its role is to spur innovation and investment in clean energy by removing market barriers, resulting in more efficient and comfortable buildings and homes, increased use of renewable energy and distributed resources such as solar and energy storage, and development of new clean energy technologies.

For information and access to NYSEERDA classroom/online training, plan review and inspection consultation and other support services specific to the Energy Conservation Construction Code of New York State, please visit www.nyserdacodetraining.com.

For information on NYSEERDA workforce development and training opportunities, including energy efficiency and renewable energy courses, please visit www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Workforce-Development.

For information on NYSEERDA assistance for Communities and Local Governments, please visit: <http://www.nyserda.ny.gov/Communities-and-Governments/>.

Applicable Regulations (NYCRR Title 21):

Department of Environmental Conservation

625 Broadway

Albany, NY 12233

Phone: 518-402-8651

<http://www.dec.ny.gov/>

The Department of Environmental Conservation (DEC) plays a key role in enhancing the quality of life and economic well-being of New Yorkers. The DEC manages natural resources and protects environmental quality to improve public health and quality of life. Programs that compliment or extend the requirements of the uniform code include:

Natural Resources and Water Quality Programs

DEC manages the state's natural resources to provide healthy, abundant populations of fish and wildlife, clean lakes and rivers, thriving forests and safe, productive mines and wells.

Division of Fish, Wildlife and Marine Resources (518) 402-8924 conserves and manages fish and wildlife, and their habitat.

Division of Lands and Forests (518) 402-9428 manages public lands and conservation easements across New York State and provides leadership in forestry and forest management.

Division of Mineral Resources (518) 402-8076 responsible for ensuring the environmentally sound, economic development of New York's non-renewable energy and mineral resources for the benefit of current and future generations.

Division of Water Resources (518) 402-8233 conducts a variety of programs to protect and conserve New York's waters.

Division of Materials Management (518) 402-8652 Minimize waste and maximize the use of recyclable materials, while ensuring that solid waste management facilities within the State are operated properly. Ensure safe and appropriate management of pesticides and provide protection from exposure to them.

Division of Air Resources (518) 402-8451 strives to improve and maintain the air quality throughout the State.

Division of Environmental Remediation (518) 402-9764 to protect public health and the environment of the State of New York by preventing releases to the environment through the regulation of bulk storage, hazardous waste, and radiation facilities; and responding to, investigating, and remediating releases of contaminants that have occurred.

Applicable Regulations (NYCRR Title 6):

Laws, Regulations and Policies Relating to:

Chapter I – Fish and Wildlife Parts 1-189

Chapter II – Lands and Forests Parts 190-199

Chapter III- Air Resources Parts 200-317

Chapter IV- Quality Services Parts 320-487

Chapter V - Resource Management Services Parts 500-614

Chapter VI - General Regulations Parts 615-624

Chapter X - Division of Water Resources Parts 649-941

<http://www.dec.ny.gov/regulations/regulations.html>

Office of General Services

35th Floor, Room 3564

Corning Tower, Empire State Plaza

Albany, NY 12242

Tel: 518-474-0200

<http://www.ogs.ny.gov/BU/DC/>

The New York State Office of General Services (OGS), with its Centralized Real Estate Center, manages and leases real property, provides design, construction, and construction permitting services for new and existing facilities for State Agencies.

In accordance with NYCRR Title 19 Part 1204, OGS is designated as a construction permitting agency. OGS is responsible for the administration and enforcement of the Uniform Code with respect to construction activities of state agencies and authorities including:

- *Albany Convention Center Authority (ACCA)*
- *Capital District Transportation Authority (CDTA)*
- *Department of Agriculture and Market (includes NYS Fair)*
- *Department of Health (DOH)*

- *Department of Homeland Security and Emergency Services (DHSES)*
- *Department of Military and Naval Affairs (DMNA)*
- *Dormitory Authority of the State of New York (DASNY)*
- *Gaming Commission – Division of the Lottery*
- *Hudson River Park Trust*
- *New York Racing Authority (NYRA)*
- *New York State Police*
- *Office of Alcohol and Substance Abuse Services (OASAS)*
- *Office of Children and Family Services (OCFS)*
- *Office of Mental Health (OMH)*
- *Office for People with Developmental Disabilities (OPWDD)*
- *State University Construction Fund (SUCF)*

<http://www.ogs.ny.gov/BU/DC/>

Further, Title to the bed of numerous bodies of water is held in trust for the people of the State of New York under the jurisdiction of the Office of General Services. Structures, including fill, located in, on, or above state-owned lands under water are regulated under the Public Lands Law and may require authorization from the state. The OGS Bureau of Land Management has the authority to convey interest in real property for the use of state-owned lands.

<http://www.ogs.ny.gov/bu/re/LM/EGLP.asp>

Applicable Regulations (NYCRR Title 9):

New York State Department of Health

Corning Tower
 Empire State Plaza,
 Albany, NY 12237

<http://www.health.ny.gov/>

The Department of Health regulates a wide variety of activities and enterprises to ensure that public health is preserved. Hospitals, health care facilities, restaurants, camps and mass gatherings as well as water protection and wastewater treatment are regulated. The

significant programs that compliment or extend the requirements of the Uniform Code are shown below.

Refer to the companion technical bulletin or contact this agency for specific information about the programs listed below.

Applicable Regulations (NYCRR Title 10):

In addition to the requirements set forth in Title 19 NYCRR, Department of Health Bureau of Community Environmental Health and Food Protection (CEHFP) and Bureau of Water Supply Protection (BWSP) have additional requirements that can be found at:

http://www.health.ny.gov/regulations/nycrr/title_10/

Subpart 5-1 for Public Water Systems

Appendix 5-A: Recommended Standards for Water Works, 2007 Edition

Appendix 5-B for Standards for Water Wells

Subpart 6-1 for Swimming Pools

Subpart 6-2 for Bathing Beaches

Subpart 6-3 for Recreational Aquatic Spray Grounds

Subpart 7-1 for Temporary Residences (Hotels, Motels and Cabin Colonies)

Subpart 7-2 for Children's Camps

Subpart 7-3 for Campgrounds

Subpart 7-4 for Mass Gatherings

Part 14 for Food Service Establishments

Part 15 for Migrant Farmworker Housing

Part 17 for Mobile Home Parks

Part 75 for Standards for Individual Onsite Water Supply and Individual Onsite Wastewater Treatment Systems

Appendix 75A for Wastewater Treatment Standards – Residential Onsite Systems

Public Health Law Article 13 Title 10 for Childhood Lead Poisoning Primary Prevention

Additional Information:

Bureau of Community Environmental Health and Food Protection
1-800-458-1158 ext. 27600
bcehfp@health.ny.gov

Bureau of Water Supply Protection
1-800-458-1158 ext. 27650
bwsp@health.ny.gov

**Construction requirements set forth for licensed health care facilities,
NYCRR Title 10, Article 28**

Part 711 for General Standards of Construction

Part 712 for Standards of Construction for New Hospitals

Part 713 for Standards of Construction for Nursing Homes

Part 715 for Standards of Construction for New Diagnostic or Treatment Centers

Part 716 for Standards of Construction for New Rehabilitation Facilities

Part 717 for Standards of Construction for New Hospice Facilities and Units

For Article 28 Licensed Health Care facilities, the following base occupancies apply per the Building Code of New York State. The Department of Health may apply additional requirements specific to the program and scope of services provided:

Acute Care Hospitals:	Institutional I-2
Nursing Homes:	Institutional I-2
Diagnostic or Treatment:	Business Occupancy

Applicable Regulations (NYCRR Title 18):

In addition to the requirements set forth in Title 19 NYCRR, Department of Health Bureau of Architectural and Engineering Facilities Planning have additional requirements that can be found at:

http://www.health.ny.gov/regulations/nycrr/title_18/

Adult Residential Care Occupancy Classifications

NYCRR Title 18 Parts 485 through 488

Adult Home and Adult Home-Based ALR, EALR & SNALR (16 or more residents)	I-1
Adult Home and Adult Home-Based ALR, EALR & SNALR (5 to 16 residents)	R-4
Enriched Housing and Enriched Housing-Based ALR, EALR & SNALR (16 or more residents)	I-1
Enriched Housing and Enriched Housing-Based ALR, EALR & SNALR (5 to 16 residents)	R-4

Programmatically, dementia patients in the early stages of the condition are permitted to reside in any of these occupancies. These individuals are expected to retain the skills required to stay in these kinds of occupancies for a longer period of time, thus delaying the progression of the condition. It is the responsibility of the regulating agency, to require these clients to be transferred to a facility which better suits their needs when it becomes necessary. Therefore, alterations to these occupancies for use by dementia patients do not constitute a change in occupancy classification.

The Certificate of Occupancy shall state either R-4 or I-1 occupancy classification, as appropriate.

Additional Information:

Bureau of Architectural and Engineering Facilities Planning
(518) 402-0964

Division of Homes and Community Renewal

Hampton Plaza
38-40 State Street
Albany, NY 12207
Phone: 518-402-3728
<http://www.nyshcr.org/>

The Division of Homes and Community Renewal (DHCR) is responsible for the supervision, maintenance and development of affordable low- and moderate-income housing in New York State.

Housing Operations - Oversight and regulation of the State's public and publicly assisted rental housing;

Community Development - Administration of housing development and community preservation programs, including State and Federal grants and loans to housing developers to partially finance construction or renovation of affordable housing; and

Rent Administration - Administration of the rent regulation process for more than one million rent-regulated apartments in both New York City, and those localities in the counties of Albany, Erie, Nassau, Rockland, Schenectady, Rensselaer and Westchester subject to rent laws.

Applicable Regulations (NYCRR Title 9 Subtitle S):

Department of Labor

W. Averell Harriman State Office Building Campus
Building 12
Albany, NY 12240
Phone: 518-457-9000
<http://www.labor.ny.gov/>

The Department of Labor (DOL) regulates workplace features and situations that impact worker safety and health. These features include heating equipment, elevators, amusement rides, scaffolds, bleachers, tents, asbestos and assembly spaces for 100 or more occupants. The DOL also issues certificates and licenses for workers and contractors in asbestos handling, manufacturing and use of explosives and mold remediation as well as for crane and laser operators. The Division of Safety and Health (DOSHS) administers programs to insure the safety of workers where workspace hazards exist.

Applicable regulations (NYCRR Title 12):

Industrial Code Rule 4, "Construction, Installation, Inspection and Maintenance of Low pressure Boilers; Construction of Unfired Pressure Vessels."

Industrial Code Rule 14, “Construction, Installation, Inspection and Maintenance of High pressure Boilers; Construction of Unfired Pressure Vessels.”

Industrial Code Rule 8, “Construction, Guarding, Equipment, Maintenance and Operation of Elevators, Dumbwaiters, Escalators, Hoists and Hoistways in Factories and Mercantile Establishments.”

Industrial Code Rule 23, “Protection in Construction, Demolition, and Excavation Operations”

Industrial Code Rule 36, “Places of Public Assembly”

Industrial Code Rule 39, “Possession, Handling, Storage, & Transportation of Explosives”

Industrial Code Rule 45, “Amusement Devices, Viewing Stands and Tents at Carnival, Fairs, and Amusement Parks”

Industrial Code Rule 47, “Transparent Glass Doors in Mercantile Establishments and in Public and Commercial Buildings and Structures”

Industrial Code Rule 56, “Asbestos”

Industrial Code Rule 61, “Occupational Licensing and Certification”

A complete list of code rules and rule text is available at:

http://labor.ny.gov/workerprotection/safetyhealth/DOSH_INDEX.shtm

Office of Mental Health

44 Holland Avenue
Albany, New York 12229
Phone: 1-800-597-8481
<http://www.omh.ny.gov/>

New York State has a large, multi-faceted mental health system that serves more than 500,000 individuals each year. The Office of Mental Health (OMH) operates psychiatric centers across the State, and also regulates, certifies and oversees more than 2,500 programs, which are operated by local governments and nonprofit agencies. These programs include various inpatient and outpatient programs, emergency, community support, residential and family care programs.

In accordance with NYCRR Title 19 Part 1204, OMH is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 14):

<http://www.omh.ny.gov/omhweb/policy/policy.htm>

Office for People with Developmental Disabilities

44 Holland Avenue

Albany, NY 12229

518-473-9689

<http://www.omr.state.ny.us/>

The New York State Office for People with Developmental Disabilities (OPWDD) and its local governments have a responsibility for the prevention and early detection of mental retardation and developmental disabilities and for the comprehensively planned provision of services including care, treatment, habilitation and rehabilitation of their citizens with mental retardation and developmental disabilities.

In accordance with NYCRR Title 19 Part 1204, OPWDD is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 14):

Mental Hygiene Law, Chapter 676, Title C

The Mental Retardation & Developmental Disabilities Act

<http://www.oasas.state.ny.us/regs/menu-regs.htm>

Occupancy Classifications for Community Residences

Mental Hygiene Law Chapter 676

Residential for 14 persons or fewer: one-family or two-family	Residential code if: One or two family dwellings or Multiple single family (townhouses) @ three stories or less
	R3 - one or two family dwelling if: Dwelling not residential code
Residential for 14 persons or fewer: when located in a permanent multiple dwelling	R2 - permanent multiple dwelling
Residential for 15 people or more: permanent multiple dwelling	R2 - permanent multiple dwelling

Occupancy Classifications for Developmental Centers

Mental Hygiene Law Chapter 676

where building is serving 1 to 14 persons	R3 - one or two family dwelling (not residential code)
where building is located in a multiple dwelling	R2 - permanent multiple dwelling

Occupancy Classifications for Day Habilitation

Mental Hygiene Law Chapter 676

Nonresidential for day training facility, clinic treatment facility, & day treatment facility	B - business
Nonresidential Sheltered Workshop certified as a day training facility	B - business

Prepared by the NYS Department of State, Division of Code Enforcement and
Administration Effective December 28, 2010

Metropolitan Transit Authority

2 Broadway
New York, NY 10004-2207
877-690-5116
<http://www.mta.info/>

The Metropolitan Transit Authority (MTA) is a public benefit corporation responsible for public transportation systems in the greater New York City area.

In accordance with NYCRR Title 19 Part 1204, certain divisions of the MTA are designated as construction permitting agencies.

Applicable Regulations (NYCRR Title 21):

Additional Information:

Bureau of Code Compliance
1-646-252-4104

Office of Parks, Recreation and Historic Preservation

Empire State Plaza
Agency Building 1
Albany NY, 12238
(518) 474-0456
<http://www.nysparks.com/>

The New York State Office of Parks, Recreation and Historic Preservation (Parks) provides cultural and recreational opportunities within New York State. The system of parklands and campgrounds provide unique destinations for vacationing or other leisure activities. New York's State Historic Preservation Office (SHPO) helps communities identify, evaluate,

preserve, and revitalize their historic, archeological, and cultural resources. The SHPO administers programs authorized by both the National Historic Preservation Act of 1966 and the New York State Historic Preservation Act of 1980.

In accordance with NYCRR Title 19 Part 1204, Parks is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 9):

Additional Information:

New York State and National Registers Information

<http://nysparks.com/shpo/national-register/>

Department of Public Service

Empire State Plaza
Agency Building 3
Albany, NY 12223-1350
Phone: (518) 474-7080
<http://www.dps.ny.gov/>

The New York State Department of Public Service (Department) is the staff arm of the Public Service Commission (Commission). The primary mission of the Department is to ensure affordable, safe, secure, and reliable access to electric, gas, steam, telecommunications, and water services for New York State's residential and business consumers, while protecting the natural environment. The Department also seeks to stimulate effective competitive markets that benefit New York consumers through strategic investments, as well as product and service innovations.

The Commission authorizes ratepayer funds to support clean-energy programs administered by the State's investor-owned utilities and the New York State Energy Research and Development Authority. These programs, in many instances provide incentives for measures which are more energy efficient than those required to meet baseline applicable codes and standards.

Applicable Regulations (NYCRR Title 16):

New York Power Authority

123 Main Street
White Plains, N.Y. 10601-3170
(914) 681-6200
<http://www.nypa.gov/>

The New York Power Authority (NYPA) is one of the largest state-owned power organizations, operating 17 generating facilities and more than 1,400 circuit-miles of transmission lines.

New York Power Authority sells power to government agencies; to community-owned electric systems and rural electric cooperatives; to job-producing companies; to private utilities for resale-without profit—to their customers; and to neighboring states, under federal requirements.

NYPA provides a variety of energy-related services to businesses and municipalities.

In accordance with NYCRR Title 19 Part 1204, NYPA is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 21):

State University Construction Fund

353 Broadway

Albany, New York 12246

(518) 320-3200

<http://www.sucf.suny.edu/>

The State University Construction Fund (SUCF) provides design, construction and project management services for the State University of New York (SUNY). In addition to the requirements set forth in the NYS Uniform Fire Prevention and Building Code, SUCF maintains Fund Program Directives that shall be incorporated into the design and construction processes for all projects located on SUNY campuses. See www.sucf.suny.edu for more information.

In accordance with NYCRR Title 19 Part 1204, SUCF is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 21):

Department of State

1 Commerce Plaza, Suite 1170

99 Washington Avenue

Albany, New York 12231

(518)-474-4073

<http://www.dos.ny.gov/>

The Department of State (DOS) is the primary regulating agency for construction of buildings and structures in New York State. It also regulates industries involved with building construction and protects water resources through its watershed council and Coastal Resources Division.

In accordance with NYCRR Title 19 Part 1204, DOS is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 19):

Chapter 33, Subchapter A - Uniform Code
Chapter 33, Subchapter B, Part 1240 - Energy Code

Additional Information:

Division of Building Standards and Codes (Codes Division)

The Codes Division provides technical assistance, administration of variances, delivery of educational courses, oversight of enforcement practices of local governments and service as secretariat to the State Fire Prevention and Building Code Council. It also regulates buildings constructed in factories for later transport and installation at building site.

<http://www.dos.ny.gov/DCEA/>

In addition, the following divisions provide technical assistance, training or certification programs:

Division of Local Government Services

Provides training and assistance for land use regulation and general local governance.

<http://www.dos.ny.gov/lq/>

Division of Licensing Services

Provides training and assistance for land use regulation and general local governance. Also regulates certification of fire alarm and security systems installers.

<http://www.dos.ny.gov/licensing/>

Office of Planning and Development

Has plan review authority for use of lands on or near designated coastlines and within watershed areas.

<http://www.dos.ny.gov/opd/>

New York State Thruway Authority

200 Southern Blvd., P.O. Box 189

Albany, NY 12201-0189

Phone (518) 436-2953

<http://www.thruway.ny.gov/>

In addition to the requirements set forth in 19 NYCRR, the New York State Uniform Fire Prevention and Building Code, the Thruway Authority requires that new buildings, accessory

structures, and structures related to buildings be designed in compliance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Code of Federal Regulations, Occupational Safety and Health Standards (29 CFR 1910) where the Authority/Corporation is the owner and occupant. The Authority/Corporation leases land to both the public and private sectors and performs Code Administration and Enforcement for any work for construction by a public or private entity upon lands of the Authority/Corporation.

In accordance with NYCRR Title 19 Part 1204, the Thruway Authority is designated as a construction permitting agency.

Applicable Regulations (NYCRR Title 21):

Additional Information:

Administrative Headquarters	Phone (518) 436-2953
Albany Division	Phone (518) 471-5316
New York Division	Phone (845) 918-2627
Syracuse Division	Phone (315) 438-2397
Buffalo Division	Phone (716) 635-6276

NYS Agriculture & Markets

10B Airline Drive
Albany, NY 12235
(800) 554-4501

<http://www.agriculture.ny.gov/>

NYS Department of Agriculture & Markets (Ag & Mkts) regulates a wide array of business and consumer activities associated with farming and animal husbandry. Building construction used solely for the production of farm products is not subject to the provisions of the Uniform Code.

Applicable Regulations (NYCRR Title 1):

Laws, Regulations and Policies Relating to:

Chapter I - Milk Control Part 2, Part 2 Requirements for the Production, Processing, Manufacturing and Distribution of Milk and Milk Products

Additional Information:

pressoffice@agriculture.ny.gov

***John Addario, P.E., Acting Director
Division of Code Enforcement and Administration***