



19 NYCRR Part 1203 Reporting
From Local Municipalities

Annual Report



Reporting Year 2008

Division of Code Enforcement and Administration
New York State Department of State

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Executive Summary for Reporting Year 2008



Annual Local Code Administration and Enforcement Report
19 NYCRR PART 1203- UNIFORM CODE: MINIMUM STANDARDS FOR ADMINISTRATION AND ENFORCEMENT
In accordance with 19 NYCRR PART 1203.4 Program Review and Reporting

November 2009

Introduction

Article 18 of the Executive Law and Article 11 of the Energy Law establish the authority of the Secretary of State to promulgate rules and regulations related to enforcement and administration of the Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code. 19 NYCRR Part 1203 requires every city, village, town, and county, charged with administration and enforcement of the Uniform Fire Prevention and Building Code and State Energy Conservation and Construction Code to annually submit a report of its activities to the Secretary of State. The current requirements found in Part 1203 are as follows:

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, a report of its activities relative to administration and enforcement of the Uniform Code.*

The Division of Code Enforcement and Administration developed a form to assist municipalities in providing the required information. The information provided on this form is used to verify a municipality's compliance with the minimum standards for administration and enforcement of the Uniform Fire Prevention and Building Code and State Energy Conservation and Construction Code contained in Part 1203. This information will also be used to develop education, outreach and support programs for municipalities and code enforcement officials.

Reporting

Municipalities have a choice of either submitting the data electronically or via hard copy (either faxed or mailed.) Of the reports received, 53 percent (52 percent in 2007) of the submissions were in electronic format. The Codes Division utilized Adobe PDF forms using XML (Extensible Markup

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Language) data format via email to receive report data. Receipts for electronic submissions were sent via email within one or two days after being received. Hardcopy submissions received were entered manually by Codes Division staff. The electronic information in XML format was exported to a Microsoft Access database and Microsoft Excel. Excel was used in conjunction with Access to analyze and graph the data received.

Outreach to municipalities for the requirement to complete the form included the DOS website, an e-mail Bulletin (approx. 7500 users), contact with DOS regional staff and regional and state conferences. A total of 1,428 reports were received. Of the 1,428 received, 384 of the electronic forms were either duplicate, sent in error or contained null values. A list of municipalities whose reports were received by DOS is posted on the DOS website at: <http://www.dos.state.ny.us/code/list120307.htm>. The initial posting of the list on the website occurred in early May 2009, and also allowed municipalities to verify DOS receipt of their report. After the initial posting, approximately 120 additional reports were received.

Data Received

Municipalities are required to submit annual reports having a variety of information pertaining to requirements found in Part 1203. Information includes building permits, operating permits, stop work orders, certificates of occupancy/compliance, Energy Code inspections, etc. This data provides useful indicators on the level of construction activity in the State, the type of structures built and the number of dwelling units permitted and completed. Permits indicate the start of the construction process, while certificates of occupancy/completion signify the end of the construction process as they are issued when buildings are completed and ready for occupancy.

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Summary of 2008 Reports Received

Total reports received from municipalities	1044 Municipalities
Total number of New York State municipalities:	1604 Municipalities
Total number of opt-out municipalities:	192 Municipalities
Total anticipated reports:	1412 Total
Total Outstanding Reports:	409
Reports received on behalf of Opt-out municipalities:	41
Percentage of reports received:	71 %

Conclusion

As a result of last year's outreach effort, the percentage of reports received has increased from 55 percent to 71 percent. It is anticipated that the percentage of reports received will continue to increase for reporting year 2009. Slight modifications have been made to the reporting form for reporting year 2009 as the result of feedback and comments received throughout the year.

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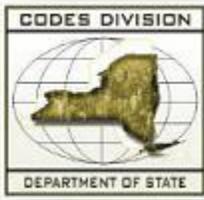
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Breakdown of Reports Received From Towns, Villages, Cities and Counties	
Towns	618
Villages	338
Cities	61
Counties	27

Number of Code Officials per Municipality Total Municipalities Reporting = 1044	
One Code Official	610 (58%)
Two or more	435 (42%) - <i>includes item listed below</i>
Five or more	102 (10%)
Ten or more	38 (3.6%)

Full Time/Part Time Employment of Code Enforcement Officers	
Municipalities which have at least one code official enforcing the code full time	645
Municipalities which have at least one code official enforcing the code part time	324
Reports received with no response	75

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Percentage of 2008 Reports Received by County

County	Percentage Received	County	Percentage Received
ALBANY	68.42%	ONEIDA	77.08%
ALLEGANY	72.50%	ONONDAGA	80.56%
BROOME	44.00%	ONTARIO	96.30%
CATTARAUGUS	36.17%	ORANGE	82.93%
CAYUGA	42.42%	ORLEANS	73.33%
CHAUTAUQUA	79.55%	OSWEGO	97.06%
CHEMUNG	73.68%	OTSEGO	100.00%
CHENANGO	60.00%	PUTNAM	70.00%
CLINTON	84.21%	RENSSELAER	69.57%
COLUMBIA	62.50%	ROCKLAND	56.00%
CORTLAND	30.00%	SARATOGA	53.33%
DELAWARE	56.25%	SCHENECTADY	87.50%
DUTCHESS	77.42%	SCHOHARIE	78.26%
ERIE	60.87%	SCHUYLER	84.62%
ESSEX	79.17%	SENECA	100.00%
FRANKLIN	73.08%	ST. LAWRENCE	73.91%
FULTON	52.94%	STEUBEN	57.45%
GENESEE	85.71%	SUFFOLK	74.42%
GREENE	63.16%	SULLIVAN	68.18%
HAMILTON	90.00%	TIOGA	75.00%
HERKIMER	70.00%	TOMPKINS	64.71%
JEFFERSON	85.71%	ULSTER	88.00%
LEWIS	100.00%	WARREN	66.67%
LIVINGSTON	81.48%	WASHINGTON	37.50%
MADISON	80.77%	WAYNE	100.00%
MONROE	93.75%	WESTCHESTER	77.55%
MONTGOMERY	63.64%	WYOMING	100.00%
NASSAU	64.29%	YATES	80.00%
NIAGARA	80.95%		

Total Percentage Received Statewide: 71%

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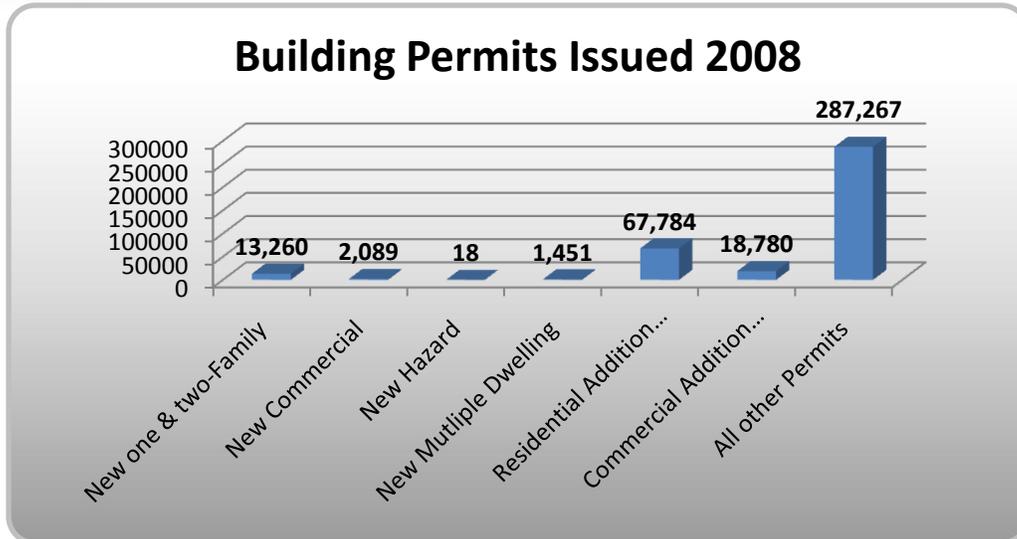


Figure 1 – Number of building permits issued – Statewide
 Note: All other permits include pools, sheds, decks, HVAC, etc.

Number of Certificates and/or Compliance	
Total Statewide:	130,134
Maximum per municipality:	5,337

Figure 2 – Number of certificates of occupancy and/or compliance issued – Statewide.

Number of Stop Work Orders	
Total Statewide:	5,444
Maximum per municipality:	570

Figure 3 – Number of Stop Work Orders Issued – Statewide.

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Procedures established for Notification of Fire or Explosion

■ "Yes" Answer ■ "No" Answer ■ No Response

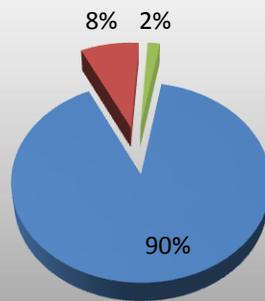


Figure 4 - Procedures established for notification of Fire or Explosion.

Procedures established for Unsafe Structures and Equipment

■ "Yes" Answer ■ "No" Answer ■ No Response

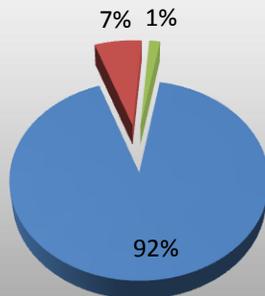


Figure 5 - Procedures established for Unsafe Structures and Equipment.

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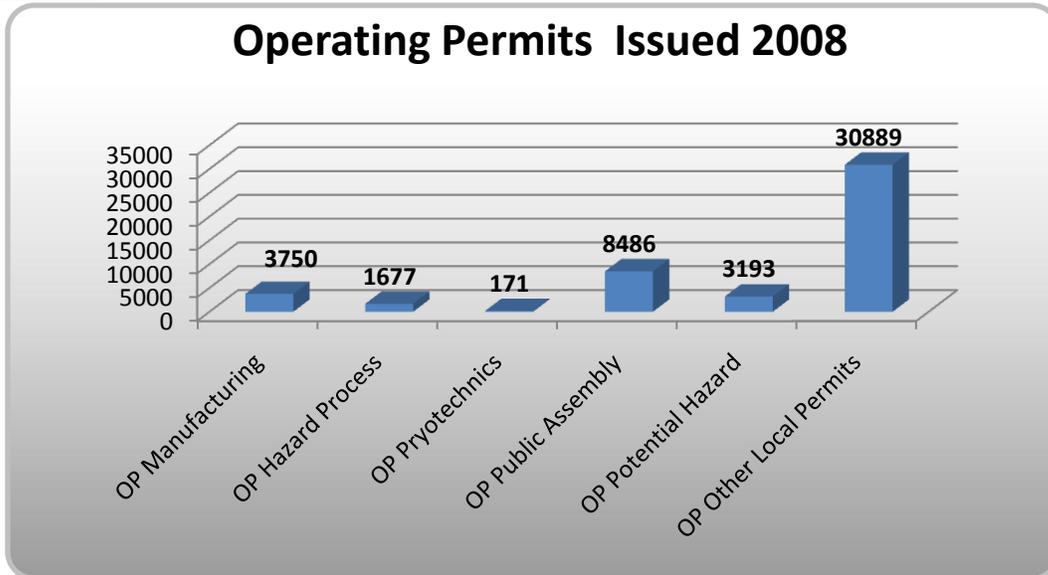


Figure 6 - Number of operating permits issued for the reporting year – Statewide.

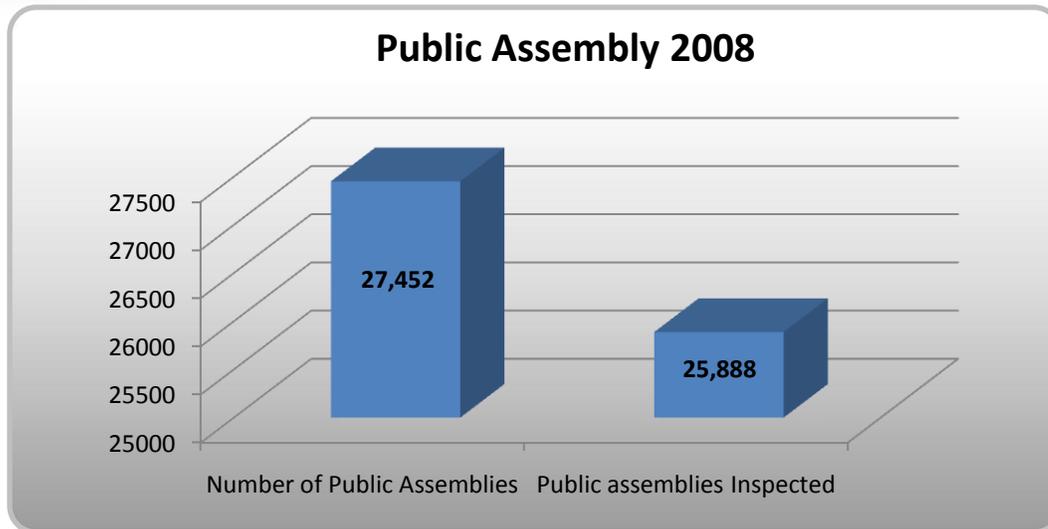
List of “Other” Operating Permits Required by Municipalities

- | | | |
|-----------------------------|--------------------------|---------------------------------|
| Open burn | Tents | Welding |
| Rental Registration Program | Enclosed mall | Mobile home parks |
| DOT construction site | Crane deployment permits | Bonfires |
| Assembly 50 or more | Fireworks | Multiple residence |
| Vehicle repair garages | Large outdoor event | Religious school with dormitory |
| Smoke detection System | Sprinkler systems | Senior housing |
| Adult care home | Daycare | Combustible liquid storage |
| Flammable storage | | |

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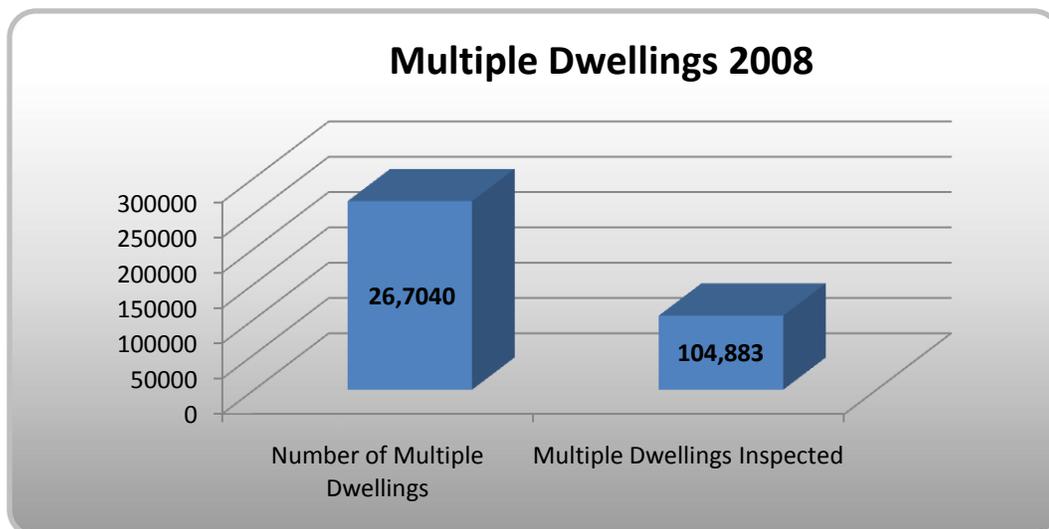


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94% Inspected

Figure 7 – Number of public assemblies versus number inspected – Statewide
Fire safety and property maintenance inspections of buildings which contain an area of public assembly are required to be inspected at intervals not to exceed one year.



39% Inspected

Figure 8 – Number of multiple dwellings versus number inspected – Statewide
Multiple dwellings and all nonresidential occupancies are inspected at intervals consistent with local conditions, but in no event shall such intervals exceed one year for dormitory buildings and three years for all other buildings.

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33% Inspected

Figure 9 - Number of commercial buildings versus number inspected – Statewide.

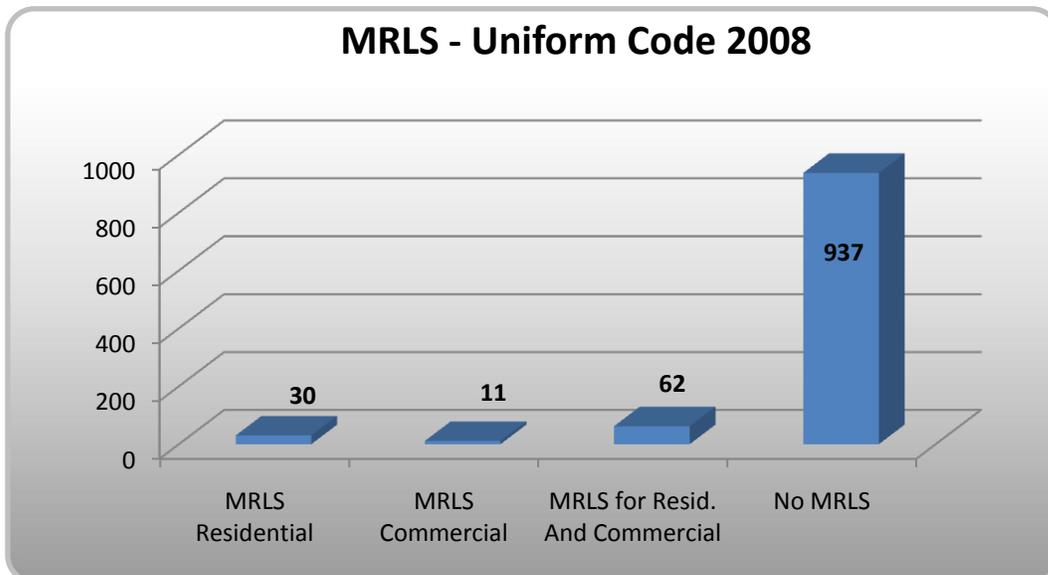
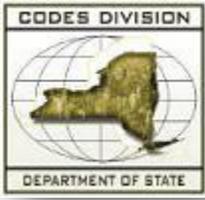


Figure 10 – Number and type of More Restrictive Local Standards (MRLS) by Local Government.

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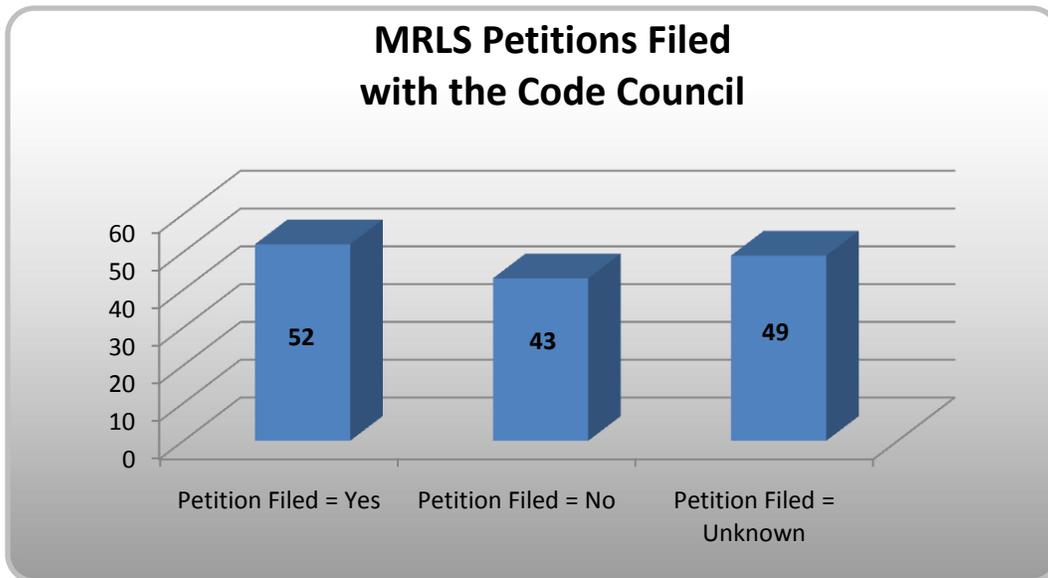


Figure 11 – Number of More Restrictive Local Standards (MRLS) Petitions Filed with the Code Council.

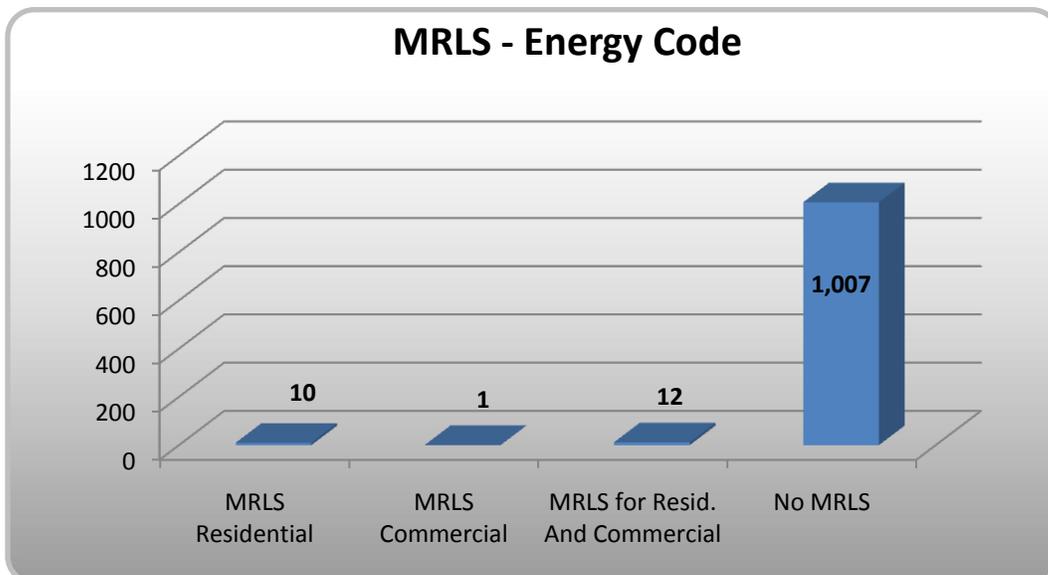
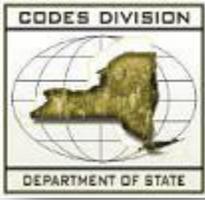


Figure 12 - More Restrictive Local Standard to the ECCCNYS by local governments.

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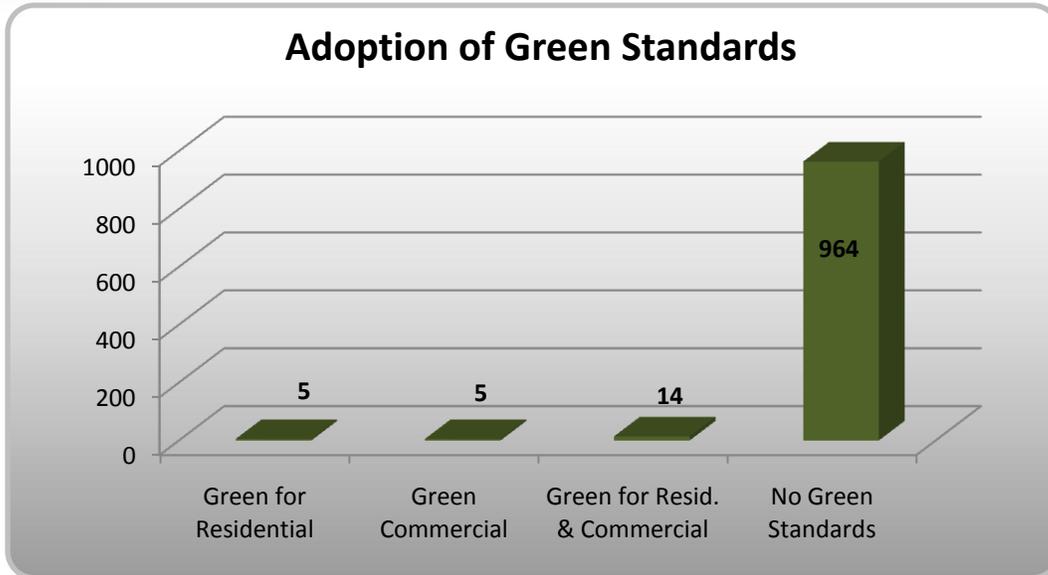


Figure 13 – Adoption of Green Standards by local governments.

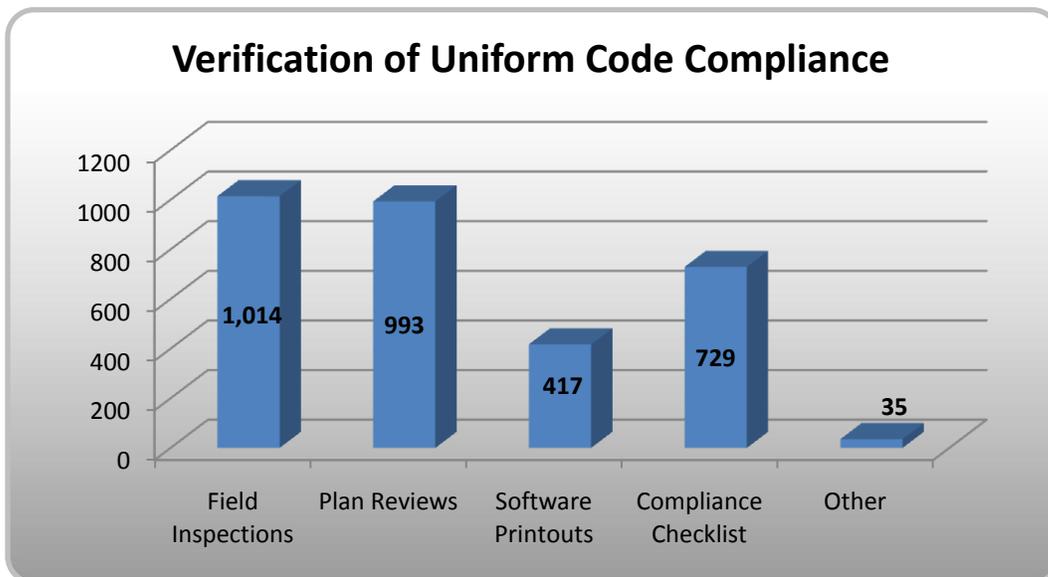


Figure 14 – Procedures that municipalities use to ensure compliance with the Uniform Code.

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Verification of Energy Code Compliance

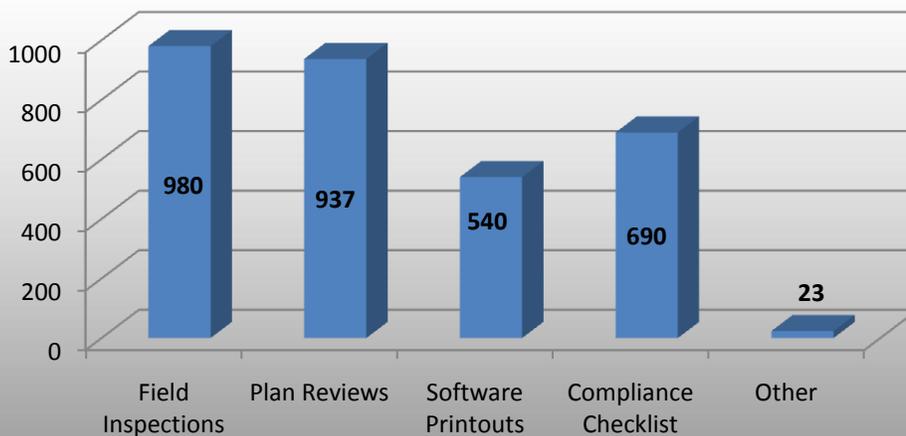


Figure 15 – Procedures that municipalities use to ensure compliance with the Energy Code.

Number of Inspections Conducted For Uniform Code Compliance for New Residential Buildings

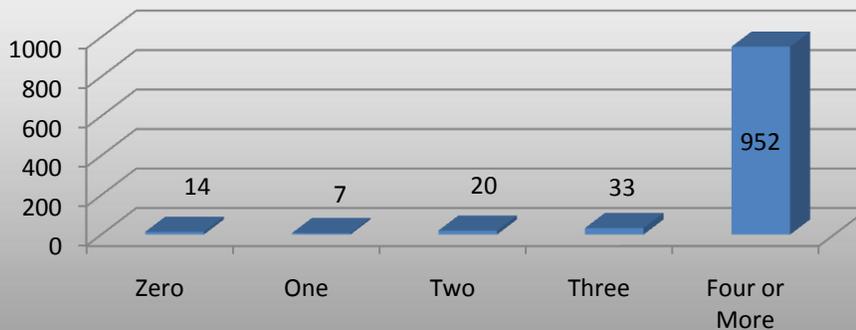


Figure 16 – Inspections conducted to ensure Uniform Code compliance in new residential buildings.

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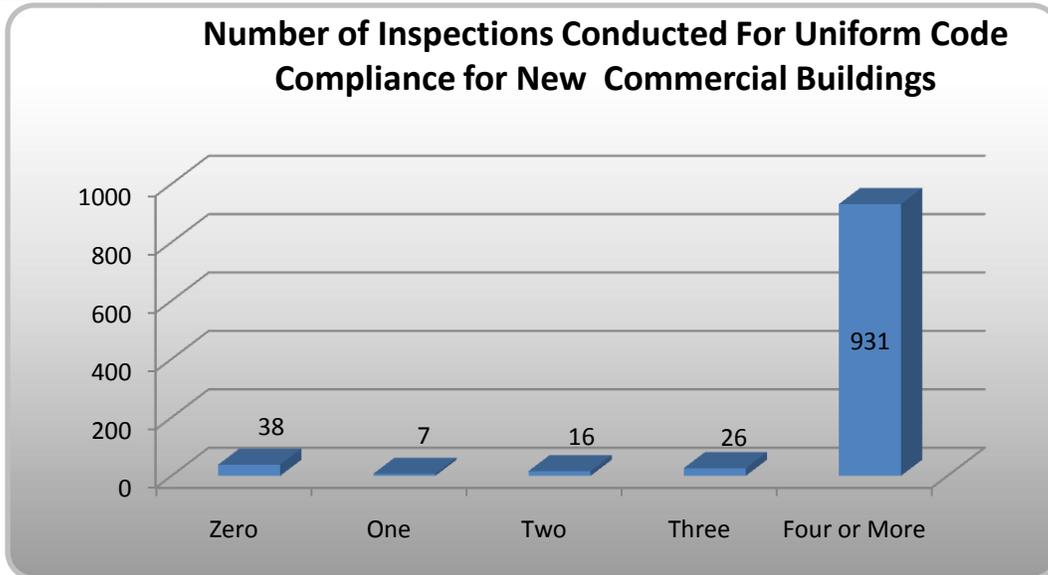


Figure 17 – Inspections conducted to ensure Uniform Code compliance in new commercial buildings.

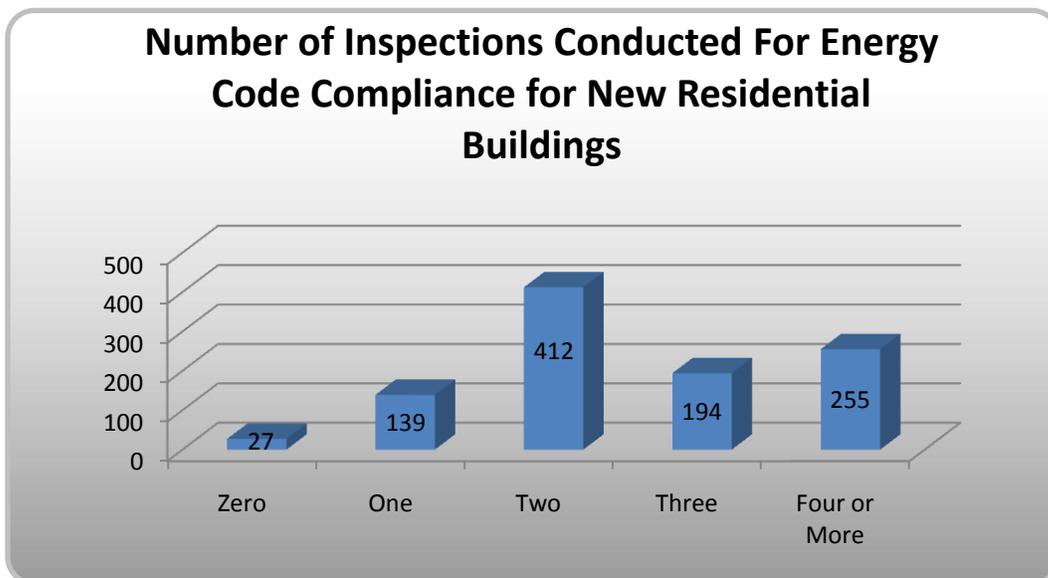


Figure 18 – Inspections conducted to ensure Energy Code compliance in new residential buildings.

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Number of Inspections Conducted For Energy Code Compliance for New Commercial Buildings

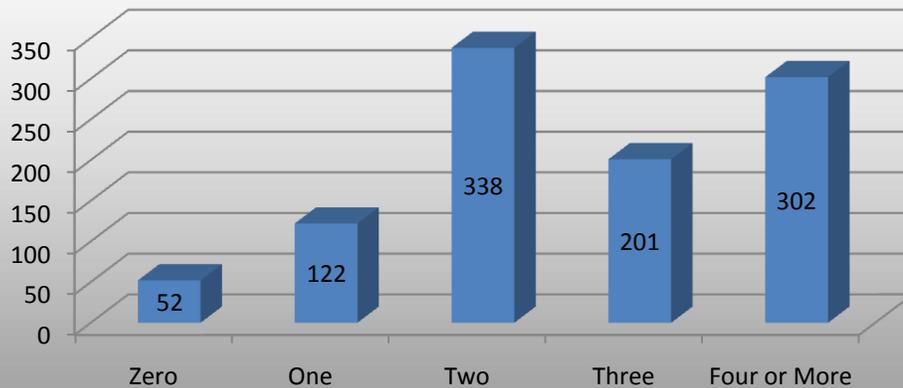


Figure 19 – Inspections conducted to ensure Energy Code compliance in new commercial buildings.

Most used Energy Code compliance method - Residential

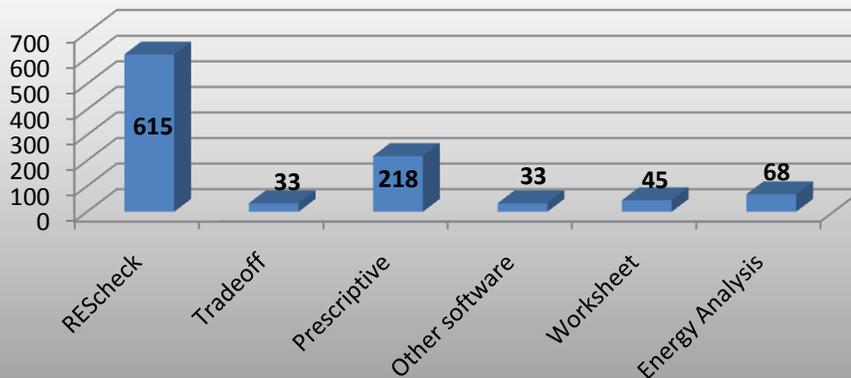


Figure 30 – Residential Energy Code compliance methods used.

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Most used Energy Code compliance method - Commercial

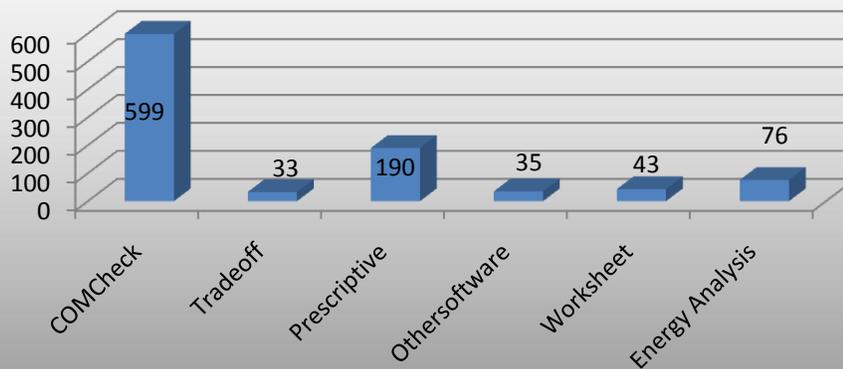


Figure 21 - Commercial Energy Code compliance methods used.

Require Energy Code Compliance with an Application for Permit

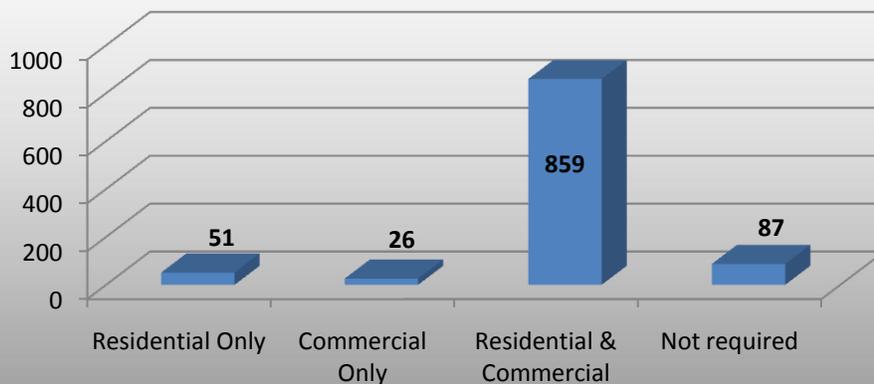
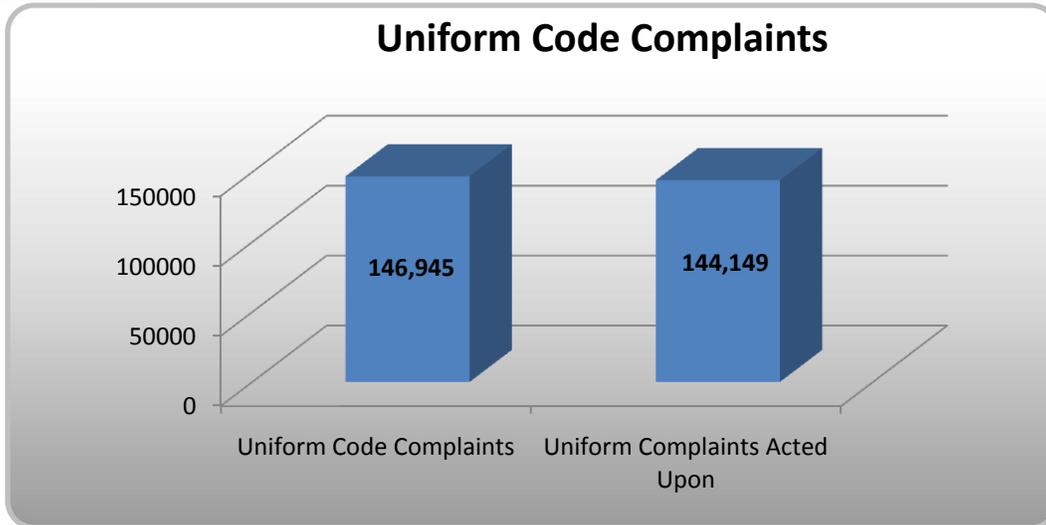


Figure 22 – Requirements for compliance with the Energy Code as part of the application for a building permit.

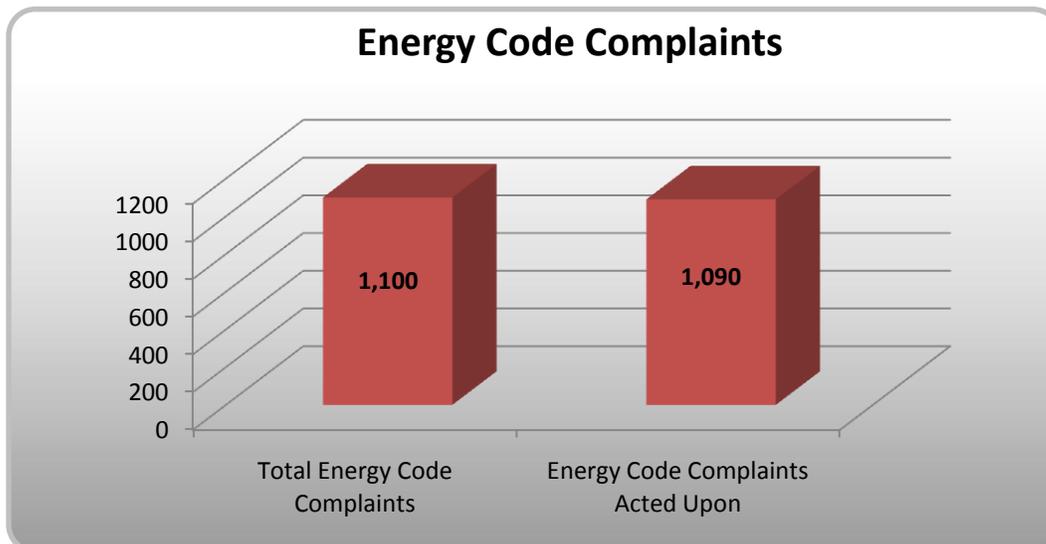
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96% complaints acted upon
Figure 23 – Number of registered Uniform Code complaints.



99% complaints acted upon
Figure 24 – Number of registered Energy Code complaints

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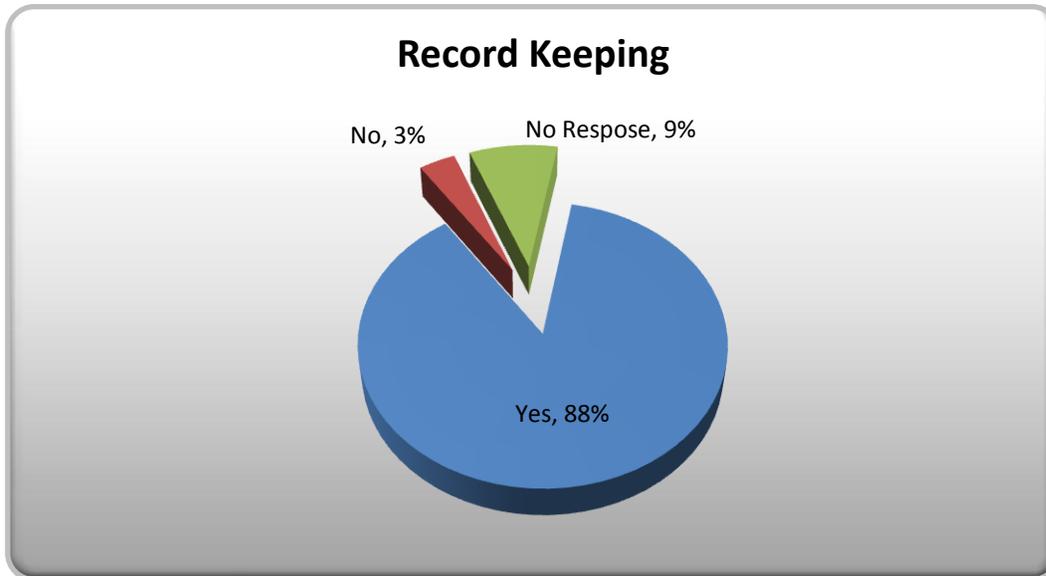


Figure 25 – System of records of features and activities established and maintained.

Three percent of the municipalities who submitted the report indicated they don't have a system of record keeping either established or maintained.