



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone & E-Fax: (845) 563-4610

## OFFICE OF THE SUPERVISOR

January 15, 2013

Raymond Andrews, R.A.  
Assistant Director of Code Development  
NYS Department of State  
Division of Code Enforcement & Administration  
One Commerce Plaza  
99 Washington Avenue, Suite 1160  
Albany, NY 12231

Re: Town of New Windsor Fire Prevention Code

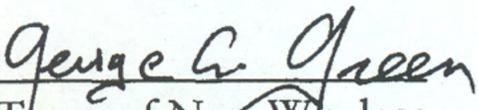
Dear Mr. Andrews:

Enclosed please find copy of newly adopted Fire Prevention Code for the Town of New Windsor. The impetus of the change was the elimination of the Rural Fire Protection District. The important modifications/revisions include:

1. The deletion of Section 142-2 (Fire Advisory Board).
2. The revision of Section 142-16 (Sprinkler Systems) to reflect compliance with the State Fire Code, but requiring commercial sprinkler systems at a 9,000 square foot threshold.
3. Mobile Home parks [Section 142-6(B)] now have the additional requirement that each individual unit be clearly marked. This was specifically requested by the Fire Inspector.
4. The requirement for signs and symbols marking truss type construction has been added to Section 142-6(E). This requirement includes new and existing construction with a compliance period for the latter of 90 days from the effective date of the ordinance.

There are several housekeeping changes which do not materially affect the new proposed ordinance. If you require anything further please feel free to contact me.

Sincerely,

  
Town of New Windsor  
Supervisor  
George A. Green

Enc.

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of New Windsor

Local Law No. \_\_\_\_\_ of the year 20<sup>12</sup>

A local law amending Chapter 142 of the Town Code of the Town of New Windsor entitled "Fire  
(Insert Title)  
Prevention."  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Be it enacted by the Town Board \_\_\_\_\_ of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of New Windsor

as follows:

## SECTION 1.

### TITLE.

This Local Law shall be referred to as "A Local Law Amending Chapter 142 of the Town Code of the Town of New Windsor entitled Fire Prevention."

## SECTION 2.

AMENDMENT TO SECTION 142-1(B) OF THE TOWN CODE OF THE TOWN OF NEW WINDSOR,  
ENTITLED "BUREAU OF FIRE PREVENTION ESTABLISHED".

Section 142-1(B) of the Town Code of the Town of New Windsor shall be amended as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

B.

The Bureau of Fire Prevention shall consist of nine members composed as follows: three members each shall be appointed from the New Windsor Fire Department, Inc., and Vails Gate Fire Company, Inc. and, one member shall be appointed from the Salisbury Mills Fire Department. The names shall be proposed by the Board of Fire Commissioners in each Fire District . Two people shall be appointed by the Town Board and shall not be a member of any fire unit. After the initial appointments, all appointments shall be made for three-year terms. In the event that no names are submitted by the Board of Fire Commissioners within 30 days after being requested to submit said names, the Town Board shall appoint qualified people from each district.

**SECTION 3.**

**SECTION 142-2 OF THE TOWN CODE OF THE TOWN OF NEW WINDSOR, ENTITLED "FIRE ADVISORY BOARD ESTABLISHED" TO BE DELETED.**

Section 142-2 of the Town Code of the Town of New Windsor shall be deleted in its entirety.

**SECTION 4.**

**AMENDMENT TO SECTION 142-4 OF THE TOWN CODE OF THE TOWN OF NEW WINDSOR, ENTITLED "DUTIES OF TOWN FIRE INSPECTOR".**

Section 142-4 of the Town Code of the Town of New Windsor shall be amended as follows:

Section 142-4(E) shall be deleted in its entirety.

**SECTION 5.**

**AMENDMENT TO SECTION 142-6 OF THE TOWN CODE OF THE TOWN OF NEW WINDSOR ENTITLED "EXISTING BUILDINGS AND PREMISES".**

Section 142-6(A) shall be deleted in its entirety.

Section 142-6(B) shall be amended as follows:

A.

Apartment buildings. Apartment numbers and letters must be posted on all apartment entranceways. These numbers or letters are to be at least four inches in size, made of reflective material and clearly visible from roadways. In addition, each apartment section must be clearly marked with numbers or letters of reflective material on the exterior of the building so that the numbers or letters may be seen from the entrance road at a point no less than 150 feet from the building. All numbers and letters shall be placed so that emergency vehicles, with responding personnel, may easily see said letters or numbers from the vehicles as they approach the building.

Section 142-6(C) shall be amended as follows:

B.

Mobile home parks. All mobile home parks must have signs, with lot numbers posted on them, with numbers at least four inches in size, at all intersecting roadways within the mobile home park, indicating by arrows of at least four inches in length the direction of the lot numbers. These signs are to be clearly

visible and unobstructed at all times. The bottom of the sign shall be at least six feet above the grade level of the roadway. All homes or units shall be marked with a unit number in a uniform manner throughout the mobile home park.

Section 142-6(D) shall be amended as follows:

C.

Fire wall markings. For fire-fighting purposes, all existing fire walls that are not identifiable by the extension of the fire wall through the roof must be marked by a sign on the exterior wall of the building at each end of the fire wall, in order to be seen by fire fighters. The sign is to read "fire wall here" and is to be clearly visible and unobstructed from view on the outside wall of the building. The sign is to be six inches in width and two feet in length. The sign is to be affixed to the exterior building wall under the soffit of the building.

Section 142-6(E) shall be amended as follows:

D.

All commercial kitchens, including but not limited to restaurants, cafeterias, diners, taverns, luncheonettes, coffee shops and private clubs, shall have an approved automatic fire-extinguishing system incorporated into the range hood.

(1)

Hoods, grease removal devices, fans, ducts and other appurtenances shall be cleaned weekly or prior to surfaces becoming heavily contaminated with grease or oily sludge, whichever occurs first. Flammable solvents or other flammable cleaning aids shall not be used. Grease cups are to be cleaned daily.

(2)

Automatic fire-extinguishing systems shall be inspected every six months and a maintenance check shall be performed every year by a reputable and authorized agent of the automatic fire-extinguishing system manufacturer. The extinguisher tank and manual pull stations shall be tagged showing the date of the last inspection/maintenance examination and the name of the authorized agent performing the examination. The tag shall also list the examination performed, i.e., inspection, maintenance, recharge, or hydrostatic test.

(3)

When an automatic fire-extinguishing system has operated because of a fire or accidentally for any reason, commercial cooking equipment involved is permitted to be continued in use for not more than 24 hours without the fire-extinguishing system being inspected and recharged. If the automatic extinguishing system has not been restored to full operation within 24 hours, the commercial cooking equipment shall not be operated.

(4)

All automatic fire-extinguishing systems shall be installed and maintained in accordance with the National Fire Protection Association Code, Standard for the Installation of Equipment for the Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment, NFPA 96, and the manufacturer's installation requirements.

(5)

Any buildup of grease on the exterior surfaces of buildings shall be removed weekly.

(6)

At least annually, the entire hood, duct, fan and other component parts of the exhaust system shall be cleaned by a reputable contractor to remove any and all buildup of grease. A sticker shall be affixed to the hood, so that it may easily be seen, showing the name of the contractor and date of cleaning. It shall include the following statement: "This exhaust system has been cleaned in accordance with the requirements of NFPA 96." The sticker shall be signed by the contractor.

(7)

Filters shall be cleaned daily.

(8)

All owners of buildings have one year from the adoption of this chapter to comply with this Subsection D.

Section 142-6(E) shall be added as follows:

E.

All commercial and industrial buildings and structures that utilize truss type construction shall be marked by a sign or symbol that informs persons conducting fire control and other emergency operations of the existence of truss construction.

For purposes of this section, truss type construction shall mean a fabricated structure of wood or steel, made up of a series of members connected at their ends to form a series of triangles to span a distance greater than would be possible with any of the individual members on their own.

This section shall apply to all commercial and industrial buildings and structures in the Town of New Windsor, both new and existing. Existing buildings and structures shall have ninety (90) days from the effective date of this ordinance to comply.

Signs or symbols utilized to identify truss type construction shall be in conformance with Section 1264.4 of the New York State Uniform Fire Prevention and Building Code.

## SECTION 6.

### AMENDMENT TO SECTION 142-16 OF THE TOWN CODE OF THE TOWN OF NEW WINDSOR ENTITLED "SPRINKLER SYSTEMS".

Section 142-16(A) of the Town Code of the Town of New Windsor shall be amended as follows:

A.

All commercial occupancies 9,000 square feet or more in floor area, regardless of fire walls, including, but not limited to assembly spaces, restaurants, office buildings, hotels, motels, manufacturing, warehouses, retail stores, etc., erected after the adoption of this chapter shall comply with the New York State Uniform Fire Prevention and Building Code and shall install a fully automatic sprinkler system as required by that Code.

Section 142-16(B) shall be deleted in its entirety.

Section 142-16 (C)(1) shall be amended as follows:

B.

All sprinkler plans, designs and supervision of installation shall be approved prior to the installation of the system by the office of the Fire Inspector.

(1)

The approval of the sprinkler system or for placement of standpipes or Fire Department connections is for the purpose of checking for the conformity with the building occupancy use and compliance with the New York State Uniform Fire Prevention and Building Code.

**SECTION 7.**

**SECTION 142-19 OF THE TOWN CODE OF THE TOWN OF NEW WINDSOR, ENTITLED "TOWN ATTORNEY TO ASSIST INVESTIGATIONS" TO BE DELETED.**

Section 142-19 of the Town Code of the Town of New Windsor shall be deleted in its entirety.

**SECTION 8.**

**SEVERABILITY.**

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

**SECTION 9.**

**CONFLICT WITH OTHER LAWS.**

Where this Law differs or conflicts with other Laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State or federal government, the more restrictive or protective of the Town and the public shall apply.

**SECTION 10.**

**EFFECTIVE DATE.**

This Law shall become effective upon filing with the New York State Secretary of State.

**SECTION 11.**

**AUTHORITY.**

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local Law shall supersede the provisions of Town Law to the extent it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20<sup>12</sup> of the (County)(City)(Town)(Village) of New Windsor was duly passed by the Town Board on \_\_\_\_\_ 20<sup>12</sup>, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*~~

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.~~

~~6. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

*Deborah Green*

~~Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body~~

Date: Dec. 6, 2012

(Seal)