

City of Olean
Dept. of Fire, Buildings and Emergency Services
Code Enforcement Division

Olean Municipal Building, Rm 212
P.O. Box 668, 101 E. State St.
Olean, New York 14760
716-376-5683, 716-376-5707 (fax)
www.cityofolean.org

Home Improvement Contractors Instructions
YOU MUST READ AND KEEP THIS DOCUMENT

The following is an outline of the steps and procedures which will be required in order to comply with all Federal, State and local code rules and regulations.

The City of Olean has passed a resolution requiring all home improvement contractors offering their services for hire within the municipal boundaries of the City of Olean to obtain a license from the City of Olean for such purpose. This took effect on April 1, 1993. **This resolution allows a fine for any person doing work without a license or a building permit.** A copy of the ordinance is available in the City Clerk's office located in the Municipal Building.

All permits shall be approved and in effect prior to the commencement of any project.

Any work started prior to the issuance of a permit may be deemed a violation of State and local laws and maybe punishable by fine or other remedies allowed by law.

Questions you may need to consider before construction begins:

- A. Will the project require an environmental impact study?
- B. Is this a subdivision?
- C. Will the project require review by the Planning Board?
- D. Does the project lie within a Federal designated wetland?
- E. Is the project within the flood plain as set forth by the Federal Emergency Management Act (F.E.M.A.)?
- F. Are the use and area requirements proper for zoning?
- G. Has parking been provided as required?
- H. Does the presence of underground utilities require compliance with 16 NYCRR Part 753? (digsafe)
- J. **The new labor law "Code Rule 56" requires an asbestos survey be completed for all alterations, repairs, remodeling and renovations in addition to the demolition of a structure. (September 5, 2006)**

If there are any questions regarding the project having to comply with any of the above, it will be your responsibility to contact the Code Enforcement office for a ruling and instructions on how to proceed.

Licensed Contractor(s)

The City of Olean Contractor Licensing Law requires that all home improvement contractors and sub contractors employed in the City of Olean be licensed. No contractor may hire a subcontractor that has not obtained a license unless actually employed as a bonafide employee of a licensed contractor.

Building Permits

All construction within the City shall comply with the City Code of Ordinances and/or the New York State Uniform Fire Prevention and Building Codes.

When the zoning requirements have been satisfied, the building permit application shall be submitted for approval.

All provisions of the New York State Building Codes shall be met. This is a minimum performance CODE mandated by the Department of State, and unless approved otherwise, shall be met and enforced by all municipalities within New York State.

The provisions of this Code are set forth in Title 19, Chapter XXXII, Part 1203 of the New York Code of Rules and Regulations for the conditions under which a building permit is required. These conditions are as follows:

1203.3 (a) (1) *Building permits shall be required for any work, which must conform to the Uniform Code. A government or agency charged with or accountable for administration and enforcement of the Uniform Code may exempt from the requirement for a permit the categories of work listed in subparagraph (i) through (xii) of this paragraph.*

Exceptions to the requirement for building permits:

The exemption for a permit does not authorize any work to be performed in violation of the Uniform Code:

- 1203.3 (a) (1)**
- (i) construction or installation of a one story detached structure associated with a 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 (100) square;
 - (ii) installation of swings and other playground equipment associated with a one or two family dwellings or multiple single-family dwellings (townhouses);
 - (iii) installation of swimming pools associated with a one or two family dwellings 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;
 - (iv) installation of fences which are not part of an enclosure surrounding a swimming pool;
 - (v) construction of retaining walls unless such walls support a surcharge or impound Class I, II, or IIIA liquids;
 - (vi) construction of temporary motion picture, television and theater stage sets and scenery;
 - (vii) installation of window awnings supported by an exterior wall of a one or two family dwellings or multiple single-family dwellings (townhouses);
 - (viii) installation of partitions or movable cases less than 5'-9" in height;
 - (ix) painting, wallpapering, tiling, carpeting, or other similar finish work;
 - (x) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
 - (xi) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications;
 - (xii) repairs, provided that such repairs do not involve:
 - (a) the removal or cutting 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 effects egress;
 - (c) the enlargement, alteration, replacement or relocation of any building system;
 - (d) the removal from service of all or part of a fire protection system for any period of time.

1203.3 (a) (2) *Application for a building permit shall request sufficient information to permit a determination*

that the intended work accords with the requirements of the Uniform Code and shall require submission of the following information and documentation:

- (i) a description of the proposed work;
- (ii) the tax map number and the street address;
- (iii) the occupancy classification of any affected building or structure;
- (iv) where applicable a statement of special inspections repaired in accordance with the provisions of the Uniform Code; and
- (v) at least 2 sets of construction documents (drawings and/or specifications) that define the scope of the proposed work.

1203.3 (a) (3) *Construction documents shall not be accepted as part of an application for a building permit unless such documents:*

- (a) are prepared by a New York registered architect or licensed engineer where so required by the education law;
- (b) indicate with sufficient clarity and detail the nature and extent of the work proposed;
- (c) substantiate that the proposed work will comply with the Uniform Code and the State Energy Conservation Construction Code
- (d) where applicable, include a site plan that shows any existing and proposed structures on the site, the location of any existing or proposed well or septic systems, the location of the intended work, and the distance between the structures and the lot lines.

1203.3 (a) (4) *Applications for a building permit or for an amendment thereto shall be examined to ascertain whether the proposed construction is in substantial conformance with the requirements of the Uniform Code. Provisions shall be made for construction documents accepted as part of a permit application to be so marked in writing or by stamp. One set of accepted construction documents shall be retained by the government or agency charged with or accountable for administration and enforcement of the code. One set shall be returned to the applicant to be kept at the work site so as to be available for use by the code enforcement official.*

Provisions shall be made for:

1203.3 (b) (1) Construction inspections:

(1) *Permitted work shall be required to remain accessible and exposed until inspected and accepted by the government or agency enforcing the Uniform Code. Permit holders shall be required to notify the government or agency when construction work is ready for inspection.*

(2) *Provisions shall be made for inspection of the following elements of the construction process, where applicable:*

- (i) work site prior to the issuance of a permit;
- (ii) footing and foundation;
- (iii) preparation for concrete slab;
- (iv) framing;
- (v) building systems, including underground and rough-in;
- (vi) fire resistant construction;
- (vii) fire resistant penetrations;
- (viii) solid fuel burning heating appliances, chimneys, flues or gas vents;

- (ix) energy code compliance; and
- (x) a final inspection after all work authorized by the building permit has been completed.

(3) 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 works fails to comply with the Uniform Code. Construction work not in compliance with code provisions shall be required to remain exposed until it has been brought into compliance with the code, been re-inspected, and been found satisfactory as completed.

The Codes which govern construction projects within the City of Olean are listed as follows:

- New York State Uniform Fire Prevention and Building Code “Uniform Code”
- City of Olean Code of Ordinances, Chapter 6
- City of Olean Code of Ordinances, Chapter 12
- City of Olean Code of Ordinances Zoning Law

All decisions regarding whether a building permit will be required shall be made by the Code Enforcement Division.

All information regarding the technical or approved reference standards for the Uniform Code are listed in back of each code book. Unless a standard is referenced in the Uniform Code, it may not apply. Please check with our office if you have any questions.

Note to homeowners and contractors

It is our intent to make the City of Olean Code Enforcement Division of the Olean Fire Department as responsive as possible to all parties concerned.

If there are any questions of any type concerning a project, please feel free to contact the Code Enforcement Office at 716-376-5683. Thank you.

License No.: _____

Issued: _____

**NO WORK SHALL
COMMENCE WITHOUT
WITNESSING A PERMIT**

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Home Improvement Contractor's Application

Please Print:

Business Name: _____ Owner: _____

Address: _____

Phone: _____ (fax): _____ Phone: _____

Applicant's Name: _____

Title: _____ Phone: _____

Business Structure: # of Employees: _____, Corporation: _____, Sole Proprietorship: _____, Partnership: _____

Federal I.D. / Social Security #: _____ NYS Sales tax #: _____

Describe the nature of the business (type of work):

Each of the following documents is required to be attached to this application:

An original current Certificate of Insurance reflecting an in force liability policy with a minimum amount of \$100,000 for the provision of home improvement services. Code Enforcement with above address must be listed at Certificate Holder. **A description of the type of work covered under the policy must be included in the area titled "description of operation".**

A current Workers Compensation (WC/DB CE200 – to obtain a certificate for proof of exemption immediately, please go on-line to www.wcb.state.ny.us) and Employers' Liability/Disability (DB-120.1) Certificate. On file with the Code Enforcement office. **Workers Compensation can NOT be excepted on the ACCORD Statement**

A list of owners/shareholders and your employees. Indicate whether part or full-time and their positions.

***I acknowledge that I have received a copy of a list of laws that may pertain to projects within the City of Olean. These laws only govern the construction and may not include Federal or State laws such as O.S.H.A., Worker's Compensation, D.E.C., or E.P.A. regulations. However, I understand that these may have to be complied with. I understand any questions concerning Codes or application of Codes within the City of Olean may be directed to the Code Enforcement Office.

I affirm that the statements made on this application and its attachments are true under the penalties of perjury. Indicate any other surnames (last name) by which the applicant or owner are or have been known. By my signature I also acknowledge The Code Enforcement Office will be obtaining a copy of my criminal record from an agency of their choice, and that any conviction of a misdemeanor or felony or any outstanding judgements maybe grounds for the denial of this application. **I also understand that NO work shall commence without the proper permit. I shall obtain a permit prior to work.**

Owner's Signature: _____ Date: _____

Please comply with the following:

- Bring this completed application to the Code Enforcement Office in Rm. 212 of the Olean Municipal Building.
- Bring a **liability insurance** form showing the type of work you are insured for listed in the “**description of operations**” section and the City of Olean Code Enforcement listed as a certificate holder.
- Bring a **workman’s compensation** insurance form showing in force coverage or complete the attached WCDB-CE200 form.
- Bring a check or money order only made payable to “**N.Y.S. Office of Court Administration**” in the amount of **\$65.00** for the State wide background check. (\$20.00 return check fee applies)
- Each owner/shareholder shall complete and take this page to the Police Records Dept. in the basement of this building.
- Pay the appropriate amount indicated below in the City Clerks office on the 1st floor or by check in this office.

Each shareholder (owner) of business applying for Home Improvement Contractor License must complete the following individually. (Indicate any other surname by which you are or have been known.)

Print Full Name: _____ Date of Birth: _____

(Circle)

Have you ever been convicted of any crime (felony or Misdemeanor)? Yes No

Have you ever forfeited bail bond posted to guarantee your appearance in court to answer any criminal charge? Yes No

Are you now under charges for any crime? Yes No

Do you have any outstanding monetary judgements regarding construction? Yes No

If you answered "Yes" to any of the questions above, give specifics:

I affirm that the statements made on this application are true under the penalties of perjury.

Owner's Signature: _____ Date: _____

Police Records Official: _____ Date: _____

Please make payment of _____ made payable to the "City of Olean".

Check or Money Order for “NYS Office of Court Administration” Check # _____

Office Use Only

Approval of release of Home Improvement Contractor's License:

Received by Code Enforcement Official: _____ Date: _____

Comments: _____