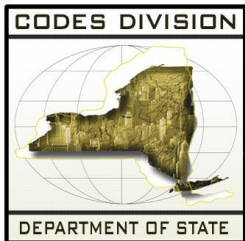


# ANNUAL REPORT

19 NYCRR Part 1203 Reporting  
From Local Municipalities

2009

## Executive Summary



New York State Department of State  
Division of Code Enforcement and Administration  
99 Washington Ave., Suite 1160  
Albany, NY 12231

<http://www.dos.state.ny.us/code/ls-codes.html>  
Ph: (518) 474-4073 Fax:(518) 486-4487



# Executive Summary for Reporting Year 2009



Annual Local Code Administration and Enforcement Report  
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In accordance with 19 NYCRR PART 1203.4 Program Review and Reporting

November 2010

## 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 has also been 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 Language) data format via email to receive report data. Receipts for electronic submissions were sent

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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. 9000 users), contact with DOS regional staff and regional and state conferences. A total of 1,428 reports were received. Of the 1,428 received, approximately 305 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 190 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 2009 Reports Received

Total reports received from municipalities	<b>1203 Municipalities</b>
Total number of New York State municipalities:	<b>1604 Municipalities</b>
Total number of opt-out municipalities:	<b>194 Municipalities</b>
Total anticipated reports:	<b>1410 Total</b>
Total Outstanding Reports:	<b>207</b>
Reports received on behalf of Opt-out municipalities:	<b>40</b>
Percentage of reports received:	<b>83 %</b>

Table 1: Summary of 2009 Reports Received

## Conclusion

As a result of outreach effort since the inception of the program, the percentage of reports received has increased from 55 percent for 2007 to 83 percent in 2009. It is anticipated that the percentage of reports received will continue to increase. Slight modifications have been made to the reporting form for reporting year 2009 as the result of feedback and comments received throughout the year.

Breakdown of Reports Received From Towns, Villages, Cities and Counties (2009/2008)	
<b>Towns</b>	692/618
<b>Villages</b>	425/338
<b>Cities</b>	57/61
<b>Counties</b>	30/27

Table 2: Breakdown of Reports Received based on Towns, Villages, Cities and Counties

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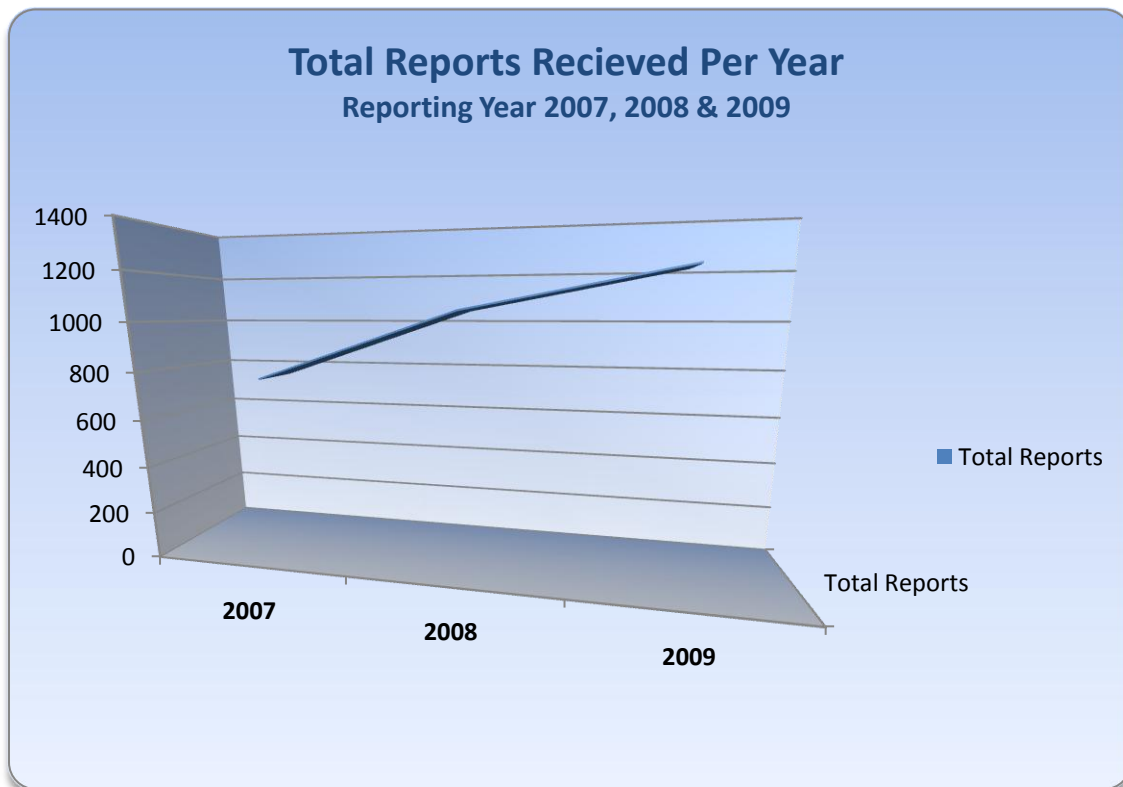


Figure 1: Total Number Reports Received Per Reporting Year

Percentage of reports Received Statewide	
2007	55%
2008	71%
2009	83%

Table 3: Percentage of Reports Received Per Reporting Year

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## Percentage of 2009 Reports Received by County

County	Percentage Received	County	Percentage Received
ALBANY	78.95%	ONEIDA	95.83%
ALLEGANY	90.00%	ONONDAGA	88.89%
BROOME	64.00%	ONTARIO	100.00%
CATTARAUGUS	74.47%	ORANGE	95.12%
CAYUGA	66.67%	ORLEANS	80.00%
CHAUTAUQUA	79.55%	OSWEGO	97.06%
CHEMUNG	94.74%	OTSEGO	100.00%
CHENANGO	20.00%	PUTNAM	70.00%
CLINTON	84.21%	RENSSELAER	82.61%
COLUMBIA	79.17%	ROCKLAND	92.00%
CORTLAND	45.00%	SARATOGA	86.67%
DELAWARE	46.88%	SCHENECTADY	87.50%
DUTCHESS	90.32%	SCHOHARIE	82.61%
ERIE	71.74%	SCHUYLER	84.62%
ESSEX	66.67%	SENECA	100.00%
FRANKLIN	61.54%	ST. LAWRENCE	89.13%
FULTON	76.47%	STEUBEN	85.11%
GENESEE	95.24%	SUFFOLK	86.05%
GREENE	73.68%	SULLIVAN	81.82%
HAMILTON	100.00%	TIOGA	100.00%
HERKIMER	90.00%	TOMPKINS	94.12%
JEFFERSON	100.00%	ULSTER	100.00%
LEWIS	100.00%	WARREN	66.67%
LIVINGSTON	92.59%	WASHINGTON	37.50%
MADISON	84.62%	WAYNE	95.83%
MONROE	100.00%	WESTCHESTER	91.84%
MONTGOMERY	50.00%	WYOMING	100.00%
NASSAU	82.86%	YATES	80.00%
NIAGARA	80.95%		

Total Percentage Received Statewide: 2009 = 83% 2008 Total = 71%

**Table 4: Percentage of Reports Received Per County**

# Executive Summary for Reporting Year 2009



## 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

### Does the jurisdiction utilize third-party contractors to meet the requirements of 19 NYCRR Part 1203

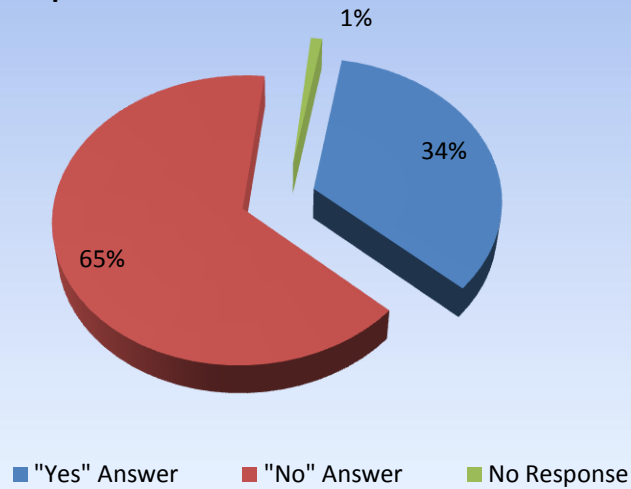


Figure 2: Percentage of jurisdictions using Third-Party Contractors – Statewide 2009

### Permits Issued 2009

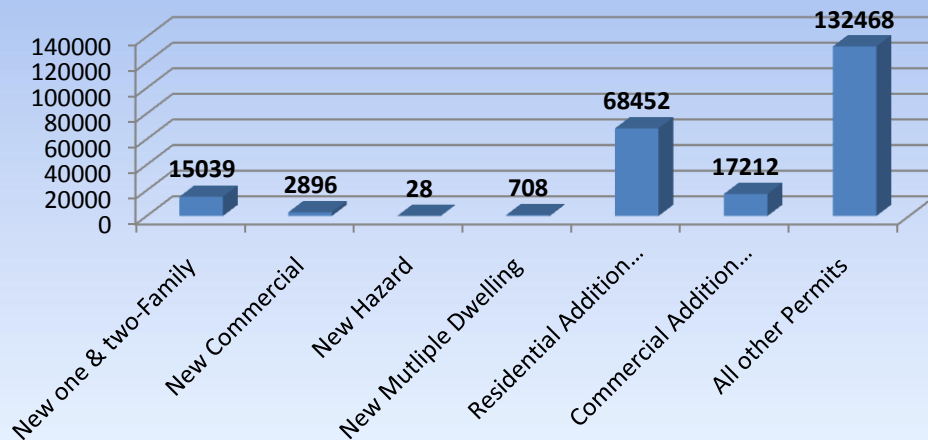


Figure 3: Number of building permits issued – Statewide 2009

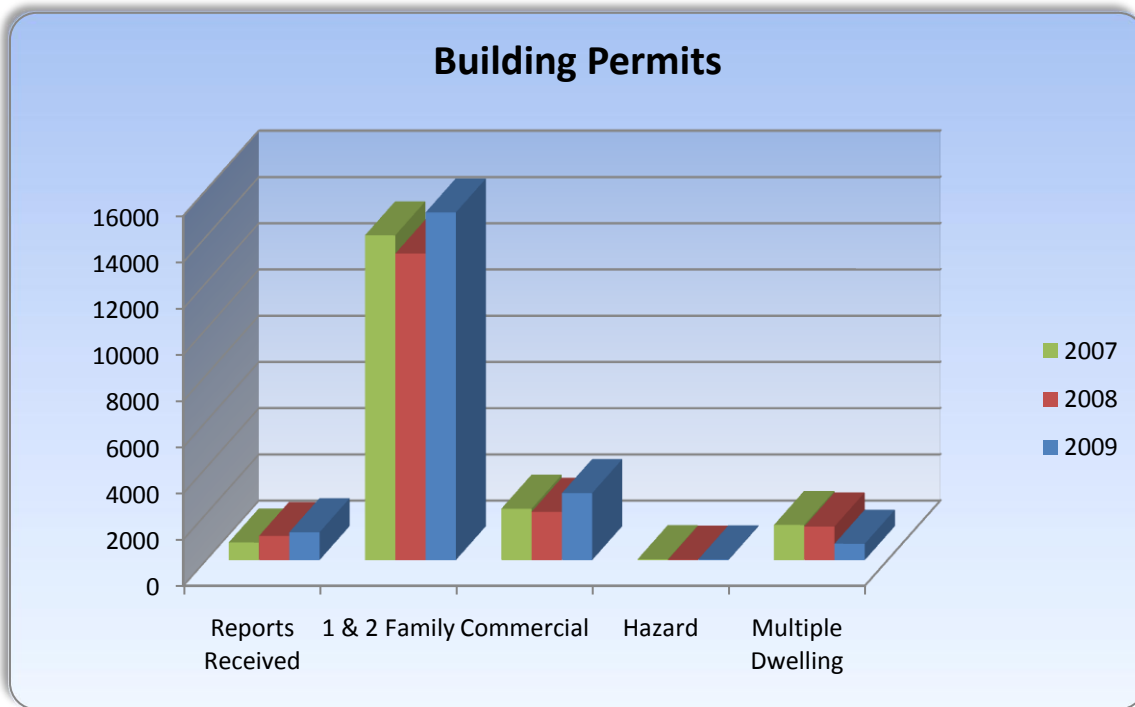
Note: All other permits include pools, sheds, decks, HVAC, etc.



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**Figure 4: Total number Building Permits Received for Reporting Year 2007, 2008 and 2009**

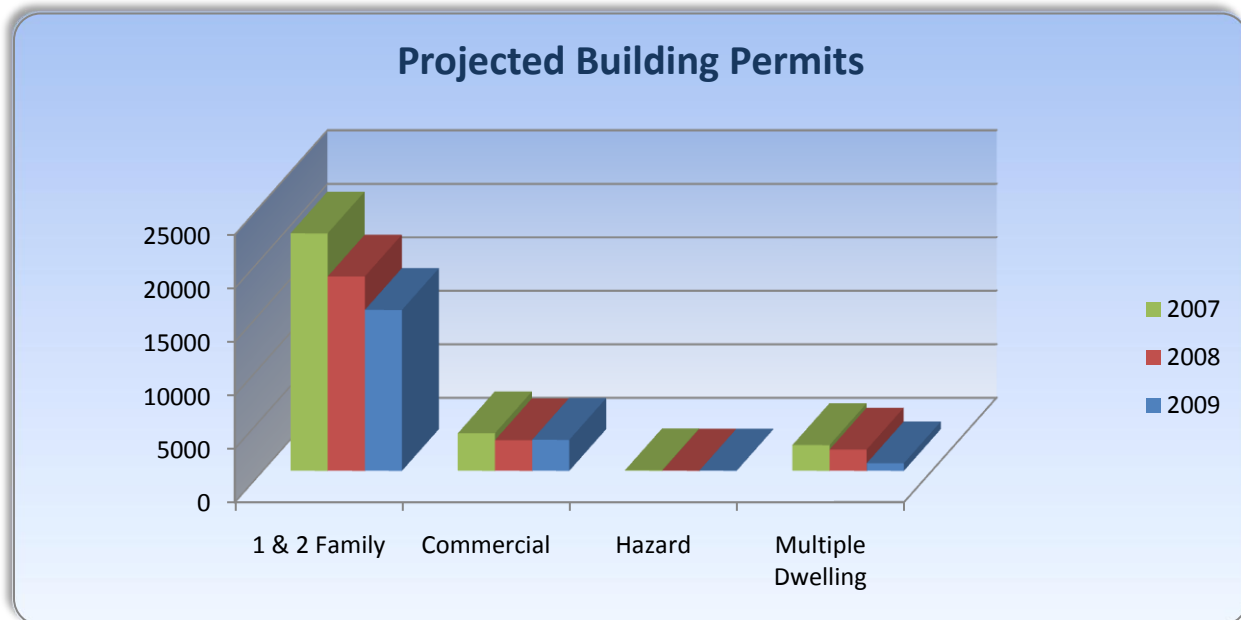
Reporting Year	Reports Received	1 & 2 Family	Commercial	Hazard	Multiple Dwelling
2009	1204	15039	2896	28	708
2008	1045	13260	2089	18	1451
2007	762	14050	2221	39	1521

**Table 5: Total number Building Permits Received for Reporting Year 2007, 2008 and 2009**

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**Figure 5: Comparison of Projected Building Permits Received for Reporting Year 2007, 2008 and 2009**

(The Projection is based on receiving a total of 1204 Reports\* for Reporting Year 2007 and 2008)

\*Equivalent to the number of reports received for RY 2009 for comparison

Reporting Year	Report Received	% change in comparison to RY 2009	1 & 2 Family	Commercial	Hazard	Multiple Dwelling
2009	1204		15039	2896	28	708
2008	1045	37%	18166	2862	25	1988
2007	762	58%	22199	3509	62	2403

**Table 6: Comparison of Projected Building Permits Received for Reporting Year 2007, 2008 and 2009**

(The Projection is based on receiving a total of 1204 Reports\* for Reporting Year 2007 and 2008)

\*Equivalent to the number of reports received for RY 2009 for comparison

# Executive Summary for Reporting Year 2009



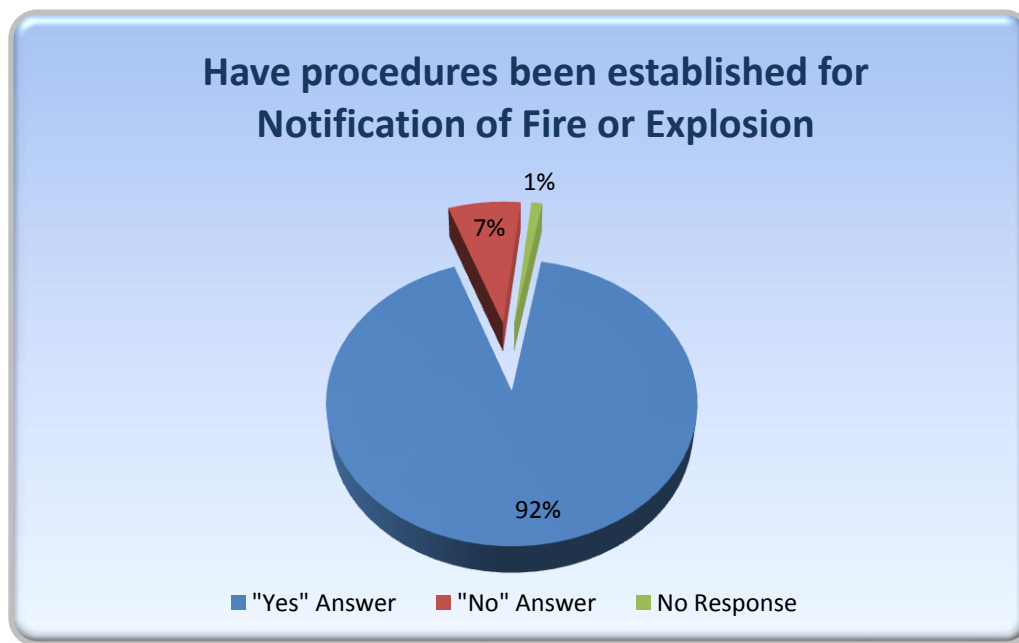
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Number of Certificates and/or Compliance	
Total Statewide:	150428

**Table 7: Number of certificates of occupancy and/or compliance issued – Statewide.**

Number of Stop Work Orders	
Total Statewide:	5426

**Table 8: Number of Stop Work Orders Issued – Statewide**



**Figure 6: Procedures established for notification of Fire or Explosion 2009 – Up 2% from 2008**

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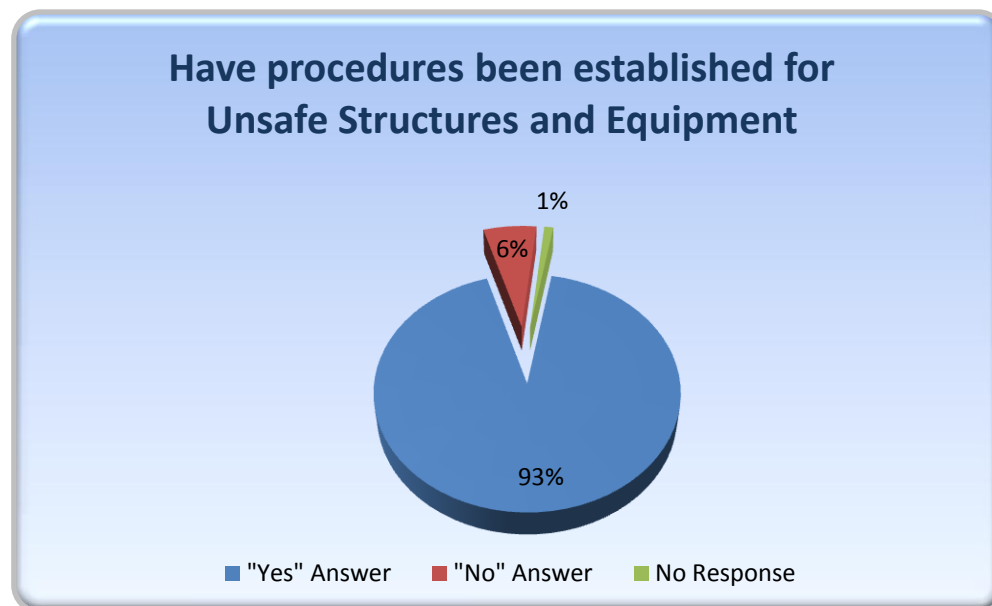


Figure 7: Procedures established for Unsafe Structures and Equipment – RY 2009

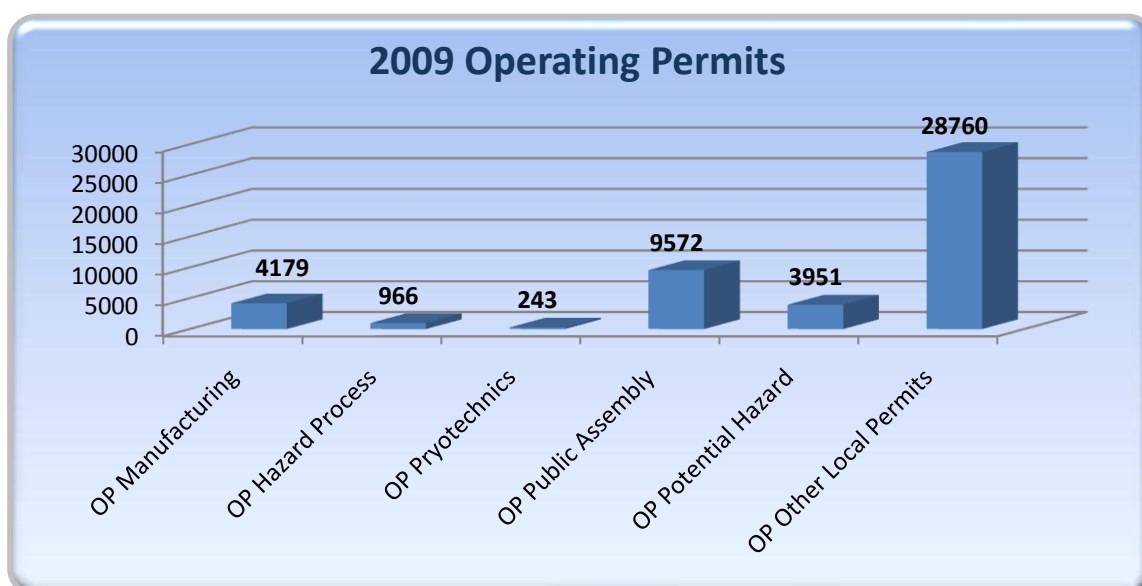


Figure 8: Number of operating permits issued for the reporting year – Statewide.

# Executive Summary for Reporting Year 2009

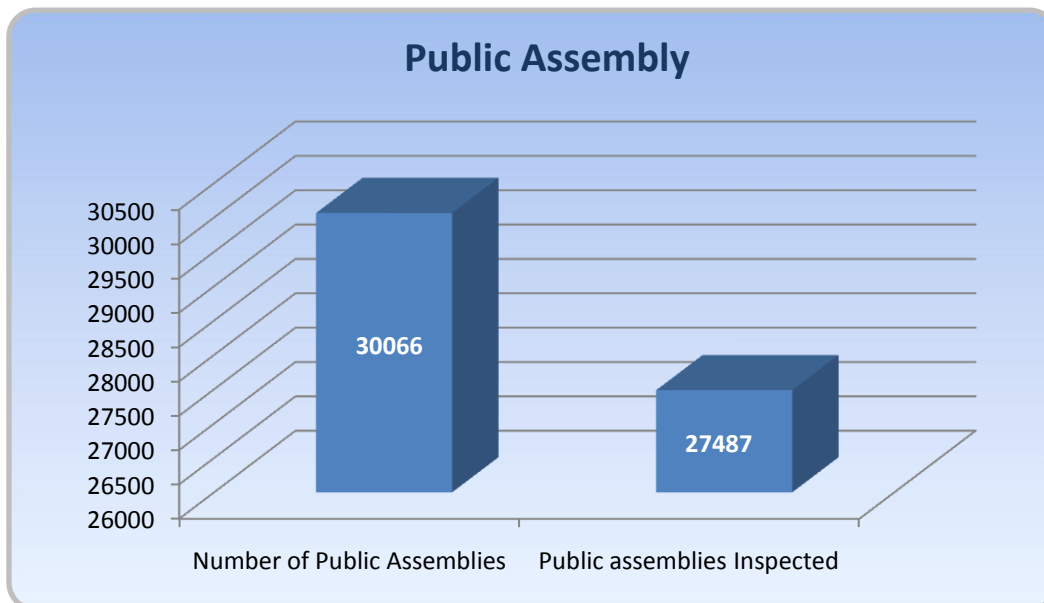


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### Typical List of “Other” Operating Permits Required by Municipalities

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		

**Table 9: Typical List of “Other” Types of Operating Permits Required by Municipalities**



**91% Inspected**

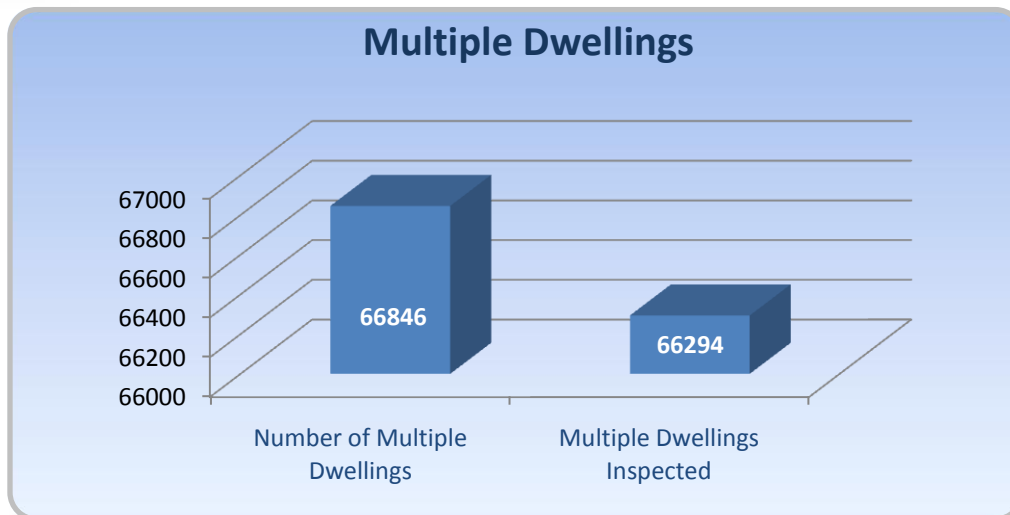
**Figure 9: Number of public assemblies versus number inspected – Statewide**

*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.*

# Executive Summary for Reporting Year 2009



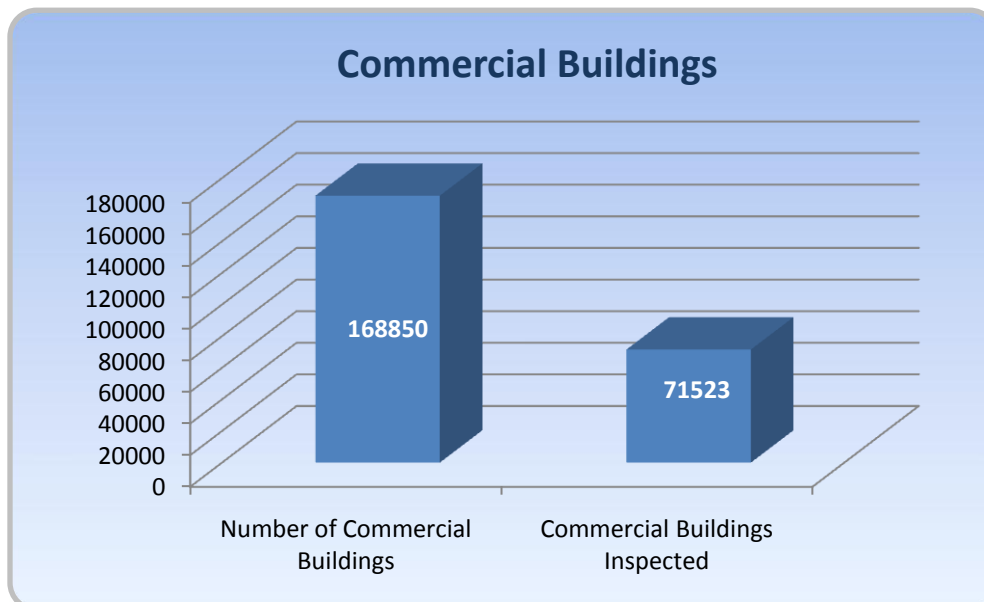
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99% Inspected

**Figure 10: 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.*



42% Inspected

**Figure 11: Number of commercial buildings versus number inspected – Statewide**

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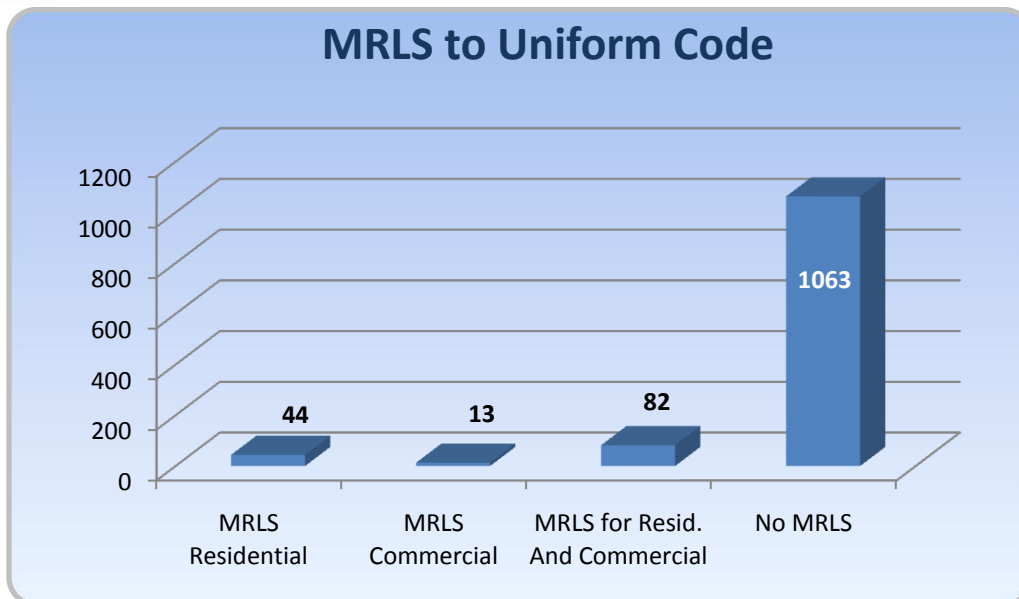


Figure 12: Number and type of More Restrictive Local Standards (MRLS) by Local Government

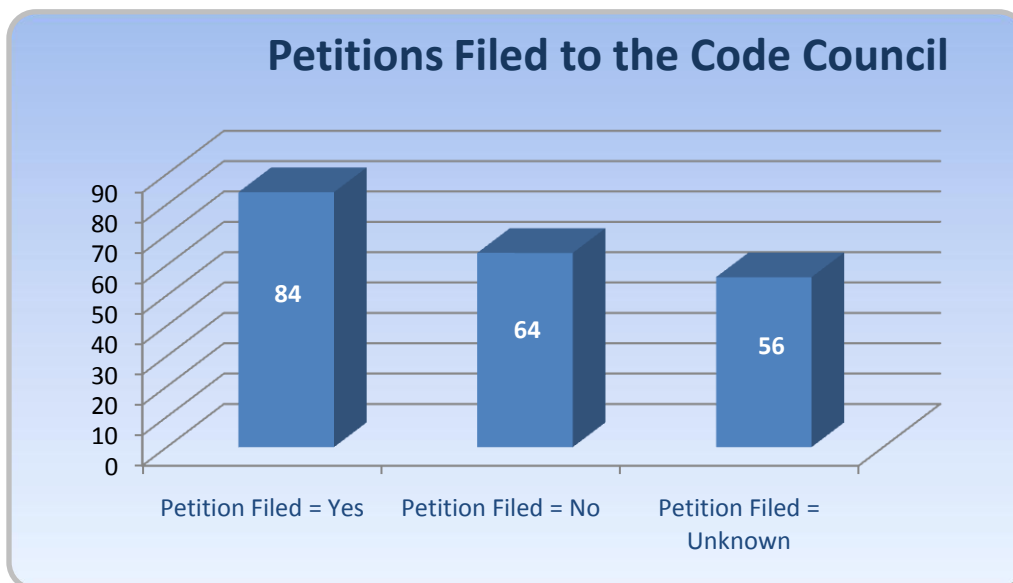


Figure 13: Number of More Restrictive Local Standards (MRLS) Petitions Filed with the Code Council

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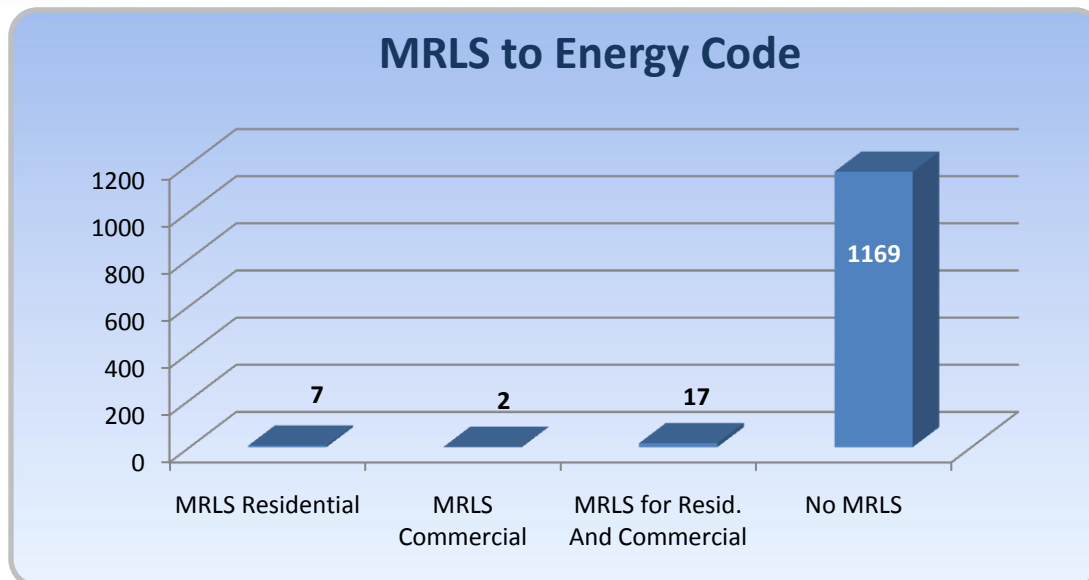


Figure 14: More Restrictive Local Standard to the ECCCNYS by local governments

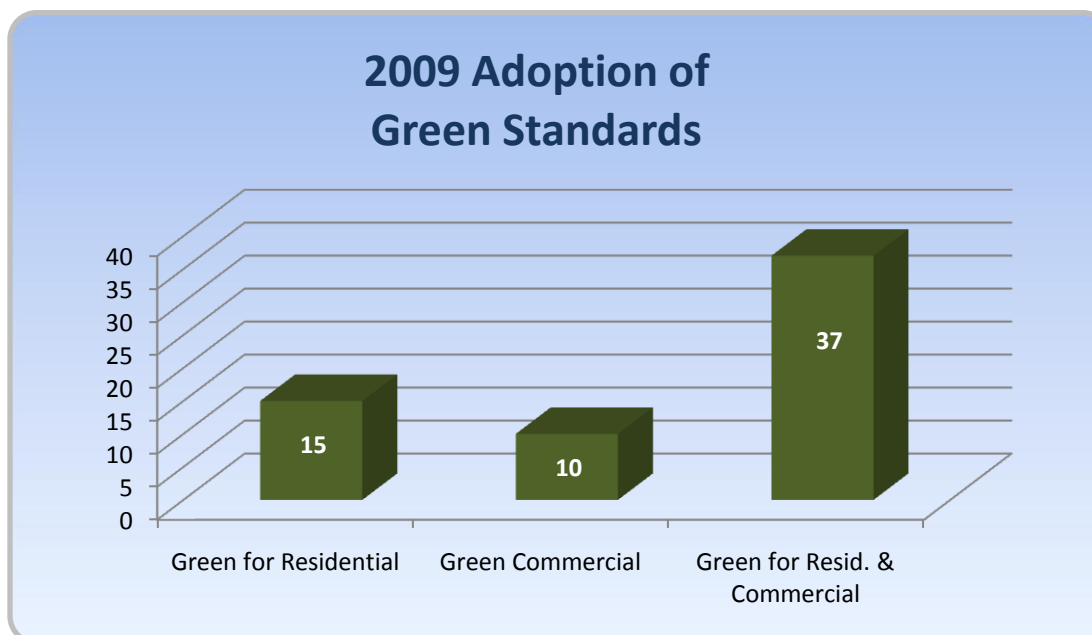


Figure 15: Adoption of Green Standards by Local Governments. Up 300% for Residential.



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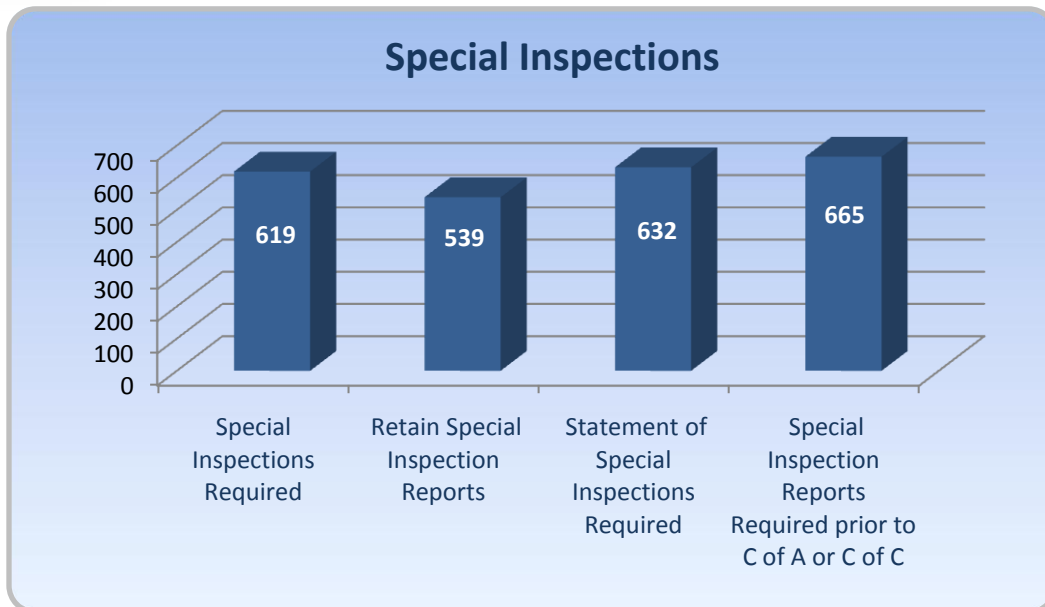


Figure 16: Special Inspections

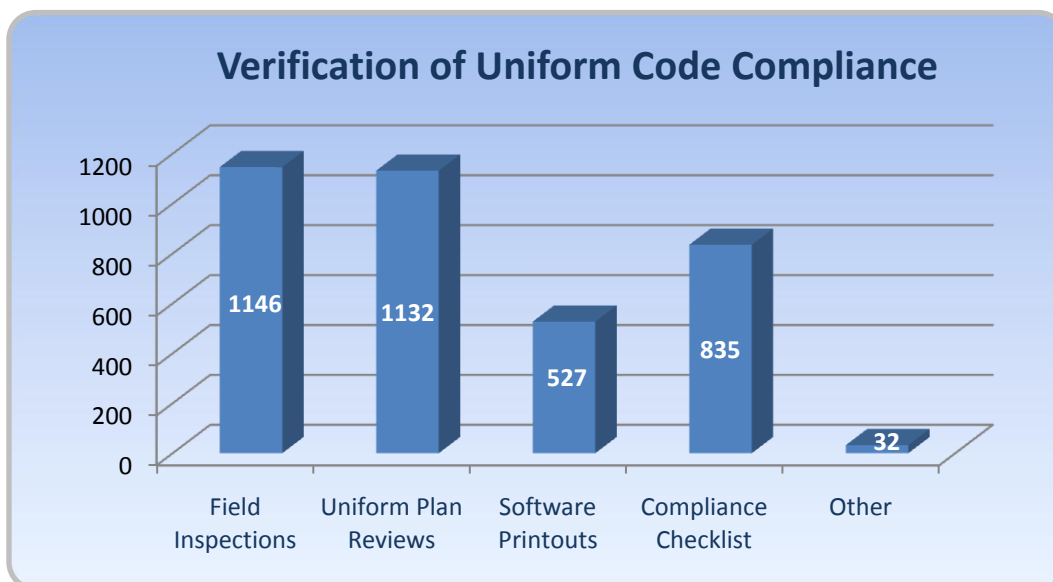


Figure 17: Procedures that municipalities use to ensure compliance with the Uniform Code

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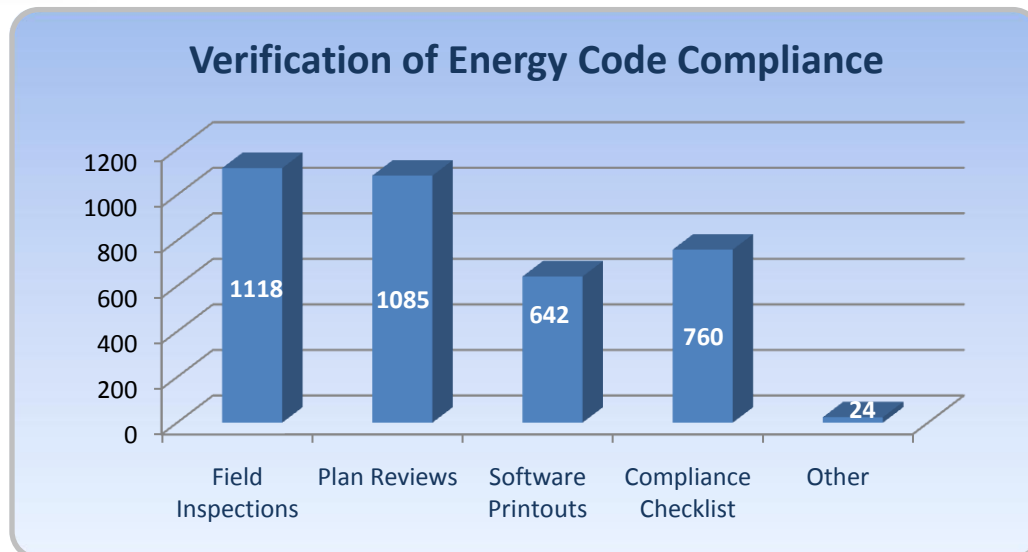


Figure 18: Procedures that municipalities use to ensure compliance with the Energy Code

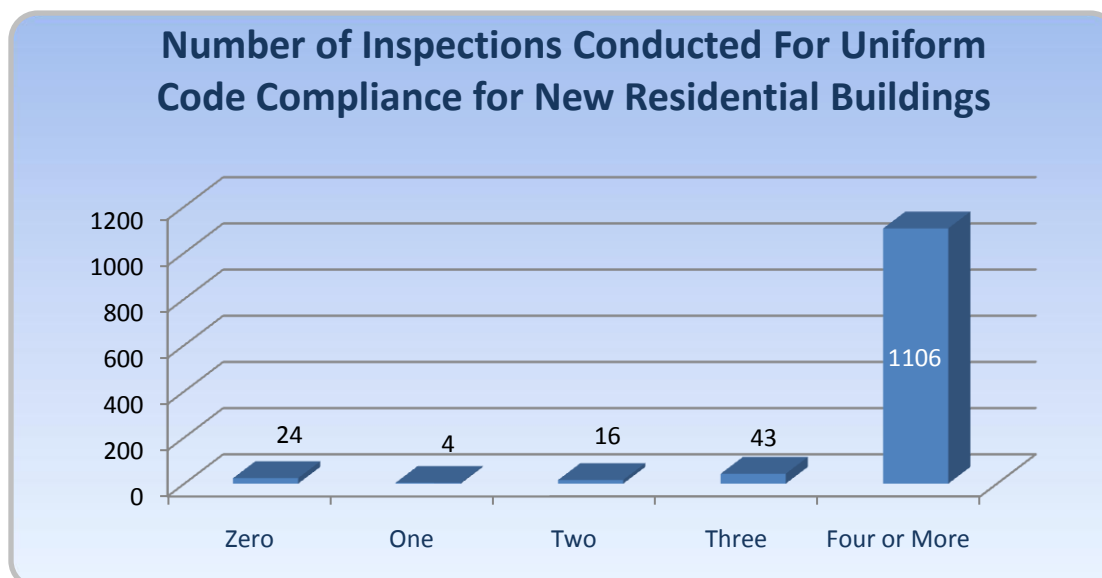


Figure 19: Inspections Conducted to Ensure Uniform Code Compliance in New Residential Buildings

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## Number of Inspections Conducted For Uniform Code Compliance for New Commercial Buildings

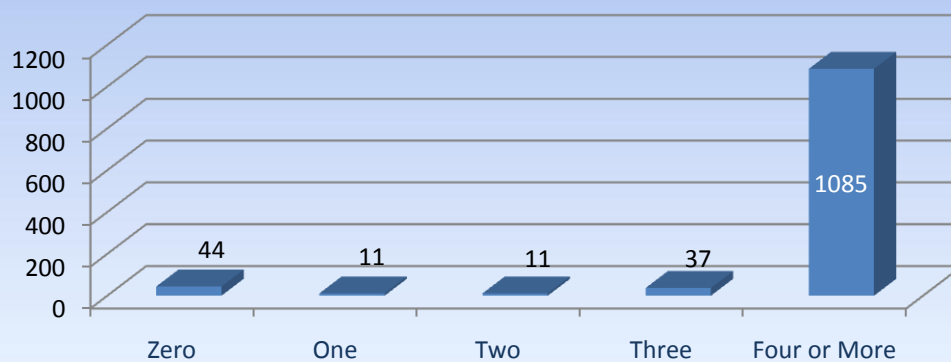


Figure 20: Inspections Conducted to Ensure Uniform Code Compliance in New Commercial Buildings

## Number of Inspections Conducted For Energy Code Compliance for New Residential Buildings

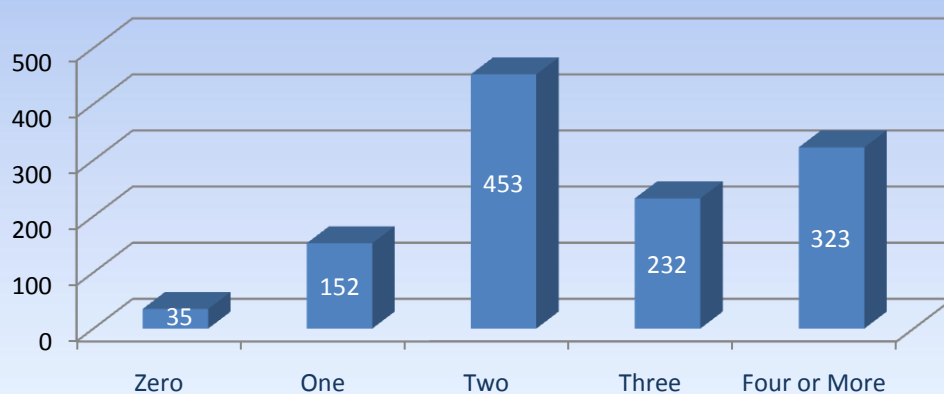


Figure 21: Inspections conducted to ensure Energy Code compliance in new residential buildings.

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

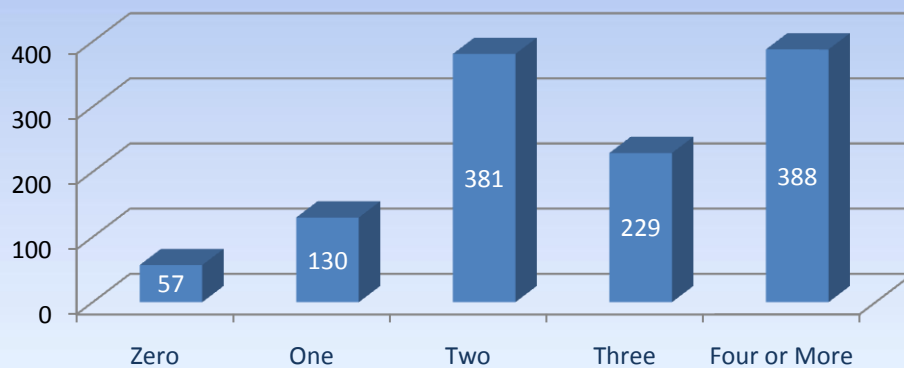


Figure 22: Inspections conducted to ensure Energy Code compliance in new commercial buildings

## Most Used Method Residential

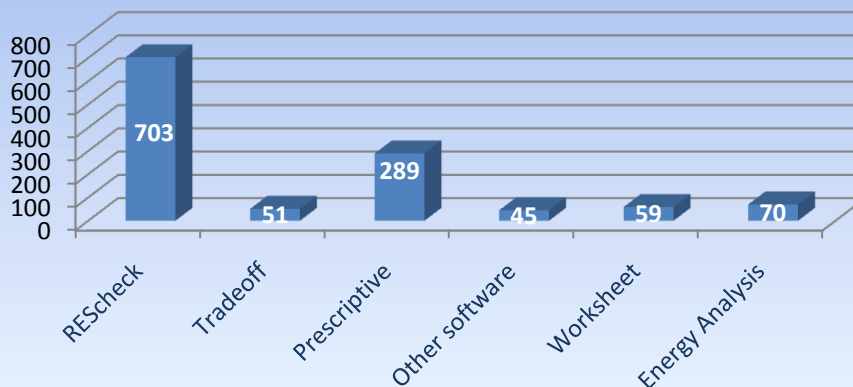


Figure 23: Residential Energy Code compliance methods used.

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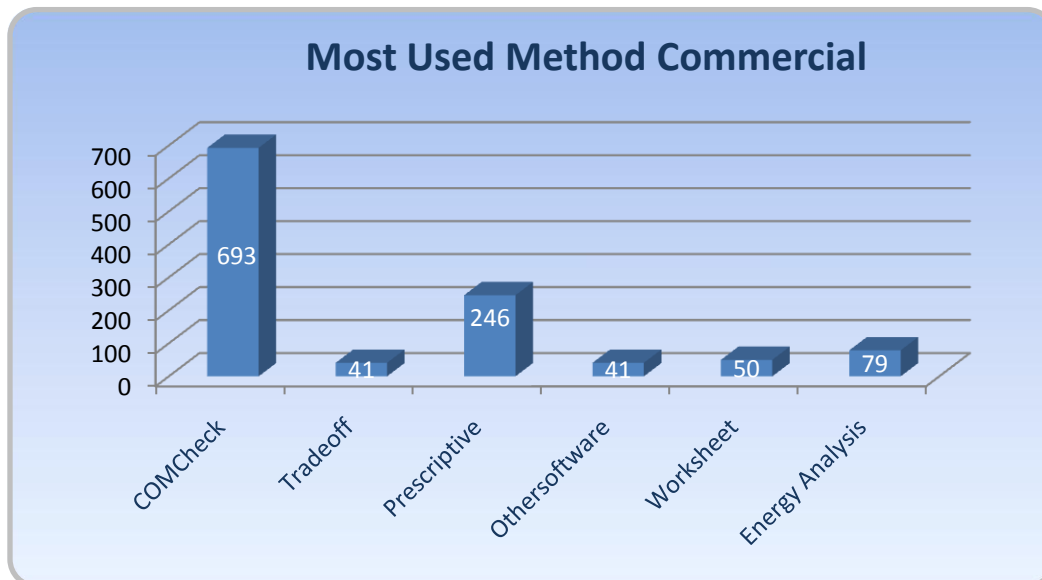
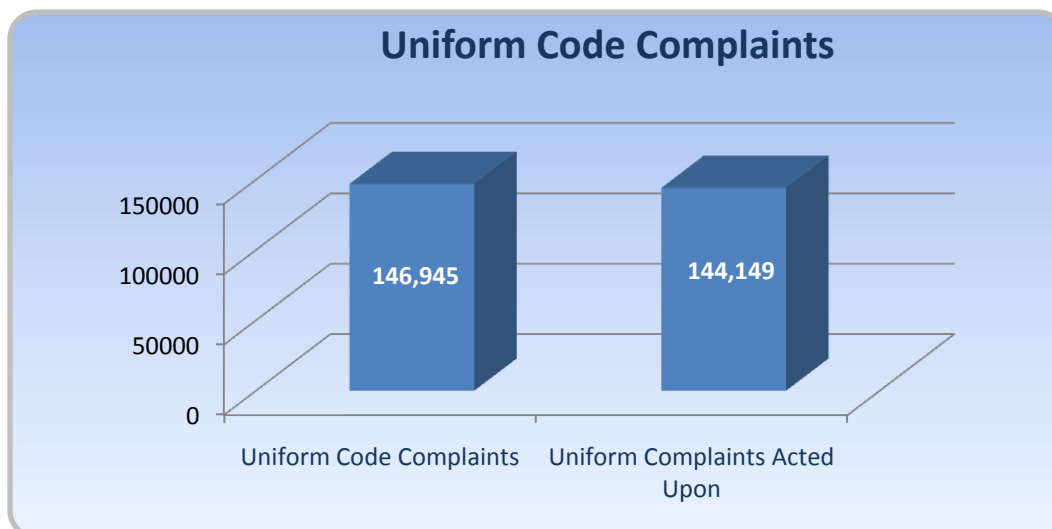


Figure 24: Commercial Energy Code compliance methods used



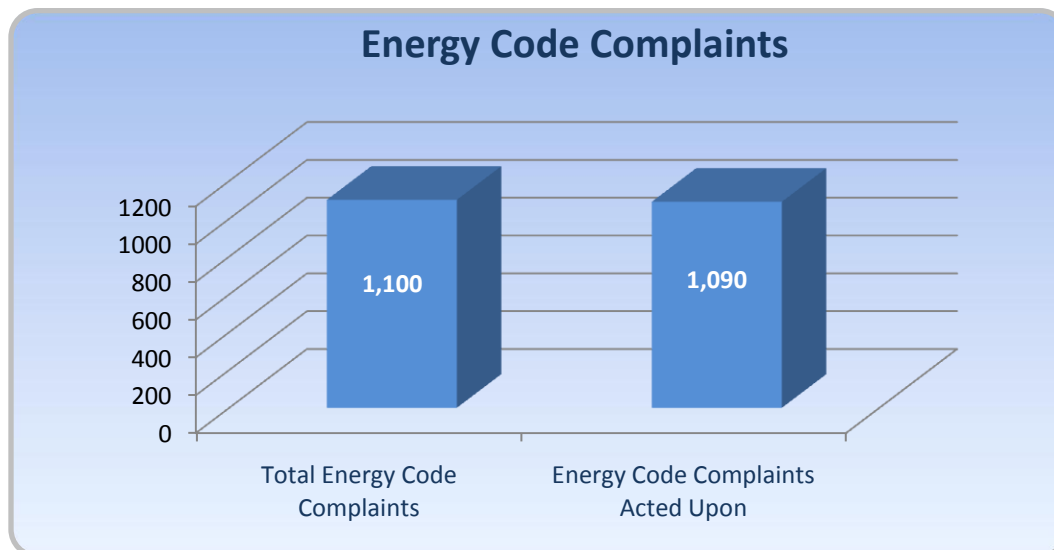
96% complaints acted upon

Figure 25: Number of registered Uniform Code complaints.

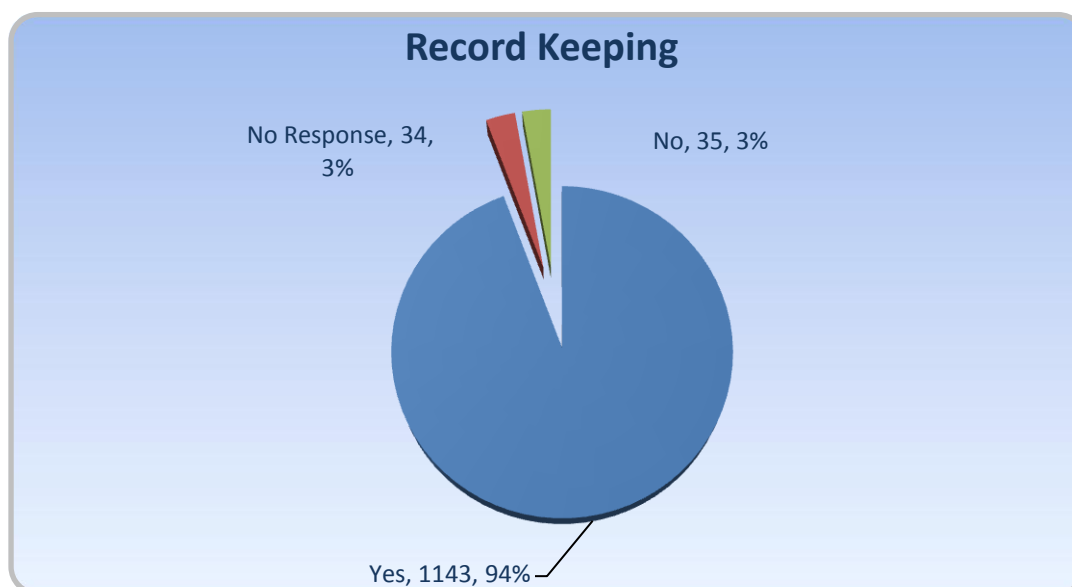
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99% complaints acted upon  
**Figure 26: Number of registered Energy Code complaints**



**Figure 27: 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.*