APRIL 14, 2026 - REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF CAMILLUS, COUNTY OF ONONDAGA, STATE OF NEW YORK, HELD AT THE CAMILLUS MUNICIPAL BUILDING.

PRESENT
John Fatcheric, Supervisor
Chris Cesta
Fred Covert
Mike LaFlair
Mary Luber
Laura Teufel

ABSENT:
John O'Hara

STAFF
Jim Gascon, Town Attorney
Chuck White, Town Engineer

GUESTS AND MEMBERS OF THE PUBLIC
Eric Bacon, Director of Parks & Recreation
Greg Humphrey, Code Enforcement Officer
Mike Schreyer, Police Chief
Approximately 70 others

Supervisor Fatcheric called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance.

PUBLIC HEARING #1
Public Hearing to consider proposed Local Law E-2026, a Local Law to repeal and replace Chapter 26-Uniform Code Enforcement of the Municipal Code of the Town of Camillus.

Resolution #82
Councilor Teufel moved to waive the reading of the public hearing notice. Councilor Covert seconded the motion, and it was unanimously approved.

Resolution #83
Councilor Luber moved to close the public hearing. Councilor Cesta seconded the motion, and it was unanimously approved.

PUBLIC HEARING #2
Public Hearing to consider proposed Local Law F-2026, a Local Law to create a new Chapter 22-Town Constable of the Municipal Code of the Town of Camillus.

Resolution #84
Councilor Covert moved to waive the reading of the public hearing. Councilor LaFlair seconded the motion, and it was unanimously approved.

Public Comment
Rev. John Manno, pastor of Holy Family Parish, appeared to express his support for this law, noting that the security of the 250 students attending Holy Family School and the 1000 visitors per day to the parish grounds for various reasons is of the utmost importance to them. He noted that a Constable would provide them with the added level of security that a School Resource Officer provides in all the public schools and adds a level of security and response beyond what the parish is able to put in place themselves.

Two parents with students attending Holy Family School also expressed concern about security and supported this law as it will enhance their children's safety at school.

Resolution #85
Councilor Cesta moved to close the public hearing notice. Councilor Teufel seconded the motion, and it was unanimously approved.

SUPERVISOR'S ANNOUNCEMENTS
Supervisor Fatcheric had no comments.

COUNCILOR COMMENTS
Councilors Cesta and Luber offered comments unrelated to Town Board business.

HIGHWAY SUPERINTENDENT COMMENTS/REPORTS
Superintendent Stoneburg was not in attendance and submitted no reports.

ACCEPT THE MINUTES
Councilor Cesta moved to accept the minutes of the March 24, 2026 meeting. Councilor Covert seconded the motion, and it was unanimously approved.

NEW BUSINESS

Resolution #86
The following resolution was offered by Councilor LaFlair, who moved its adoption, seconded by Councilor Teufel, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. E-2026, "A Local Law to Repeal and Replace Chapter 26 (Uniform Code Enforcement) of the Code of the Town of Camillus," was presented and introduced at a regular meeting of the Town Board of the Town of Camillus held on March 10, 2026; and

WHEREAS, a public hearing was held on such proposed local law on April 14, 2026, by the Town Board of the Town of Camillus and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Camillus in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

WHEREAS, on March 10, 2026, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. E-2026 is an Unlisted Action and issued a negative declaration thus concluding environmental review under the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest to enact said proposed Local Law No. E-2026.

NOW, THEREFORE, it is
RESOLVED that the Town Board of the Town of Camillus, Onondaga County, New York, does hereby enact Proposed Local Law No. E-2026 as Local Law No. 5-2026 as follows:

TOWN OF CAMILLUS
LOCAL LAW NO. 5 OF 2026

A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 26 (UNIFORM CODE ENFORCEMENT) OF THE CODE OF THE TOWN OF CAMILLUS

Be it enacted by the Town Board of the Town of Camillus as follows:

SECTION 1. LEGISLATIVE INTENT
The purpose of this Local Law is to repeal and replace Chapter 26 ("Uniform Code Enforcement") of the Code of the Town of Camillus to enact modified regulations related to the Building Code and the New York State Energy Conservation Construction Code.

SECTION 2. AUTHORITY
This local law is enacted pursuant to the New York State Constitution and the New York Municipal Home Rule Law §10.

SECTION 3. REPEAL AND REPLACE CHAPTER 26 (UNIFORM CODE ENFORCEMENT) OF THE CODE OF THE TOWN OF CAMILLUS
Chapter 26 (Uniform Code Enforcement) of the Code of the Town of Camillus is hereby repealed and replaced in its entirety to read as follows:

"CHAPTER 26: UNIFORM CODE ENFORCEMENT
ARTICLE I – GENERAL PROVISIONS

Section 26.10. Area of Responsibility
The Town is responsible for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code with respect to buildings, premises and equipment located within the Town of Camillus excluding the Village of Camillus.

A. The Town is also responsible for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code with respect to buildings, premises and equipment in the custody of, or activities undertaken by the Town of Camillus, or any special purpose unit created by or for its benefit, although no building permit or certificate of occupancy shall be required. The Town shall not be responsible for those of a city, village, or town or county.

B. The State is responsible for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code with respect to buildings, premises and equipment

or activities related thereto undertaken by a State department, bureau, commission, board or authority.

C. The State Education Department shall likewise administer and enforce the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code for school districts and boards of cooperative educational services.

D. To the maximum extent practicable, the Town acting under this Section shall consult with those other governmental entities providing services, under authority of other laws, to those areas where the authority conferred by this Section is exercised.

Section 26.11. Definitions
The following terms shall have the meanings shown in this section:

ASSEMBLY AREA
An area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

BUILDING PERMIT
A building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term “Building Permit” shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this Chapter.

BUILDING OFFICIAL
The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

CERTIFICATE OF COMPLIANCE
A document issued by the Town of Camillus stating that work was completed in substantial compliance with the Code of the Town of Camillus, the Uniform Code, the Energy Code and the approved construction documents that have been submitted to and approved by the Town of Camillus.

CERTIFICATE OF OCCUPANCY
A document issued by the Town of Camillus certifying that the building or structure, or portion thereof, substantially complies with the Code of the Town of Camillus, the Uniform Code, the Energy Code and the approved construction documents that have been submitted to and approved by the Town of Camillus and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

CODE ENFORCEMENT OFFICER
The Code Enforcement Officer appointed pursuant to section 26.20 of this Chapter.

CODE ENFORCEMENT PERSONNEL
Includes the Code Enforcement Officer and all Inspectors.

ENERGY CODE
The New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

FCNYS
The Fire Code of New York State as amended from time to time by New York State as incorporated by reference into the Official Compilation of Codes, Rules and Regulations of the State of New York ("NYCRR").

FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTION
An inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

HAZARDOUS PRODUCTION MATERIALS
A solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

INSPECTOR
An inspector appointed pursuant to section 26.21 of this Chapter.

MOBILE FOOD PREPARATION VEHICLES
Vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

OPERATING PERMIT
A permit issued pursuant to section 26.52 of this Chapter. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this Chapter.

ORDER TO REMEDY
An order issued by the Code Enforcement Officer pursuant to section 26.150 of this Chapter.

PERMIT HOLDER
The Person to whom a Building Permit has been issued.

PERSON
An individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

PMCNYS
The Property Maintenance Code of New York State as amended from time to time by New York State and as incorporated by reference into the NYCRR..

RCNYS
The Residential Code of New York State as amended from time to time by New York State as incorporated by reference into the NYCRR..

REPAIR
The reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

STOP WORK ORDER
An order issued pursuant to section 26.36 of this Chapter.

SUGARHOUSE
A building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

TEMPORARY CERTIFICATE OF OCCUPANCY
A certificate issued pursuant to subdivision (d) of section 26.40 of this Chapter.

TOWN
The Town of Camillus.

UNIFORM CODE
The New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

ARTICLE II - ENFORCEMENT OFFICER

Section 26.20. Code Enforcement Officer

A. The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this Chapter. The Code Enforcement Officer shall have the following powers and duties:

    1. to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;

    2. upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits,

Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;

3. to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this Chapter;

4. to issue Stop Work Orders;

5. to review and investigate complaints;

6. to issue orders pursuant to section 26.150 (Violations) of this Chapter;

7. to maintain records;

8. to collect fees as set by the Town Board of this Town;

9. to pursue administrative enforcement actions and proceedings;

10. in consultation with this Town's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this Chapter, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this Chapter; and

11. to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this Chapter.

B. The Code Enforcement Officer shall be appointed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this Chapter.

D. The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Town Board of the Town.

Section 26.21. Appointment of Inspectors
One or more Inspectors, or Deputy Code Enforcement Officers, may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this Chapter. Each Inspector or Deputy Code Enforcement Officer shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector or Deputy Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

ARTICLE III – BUILDING PERMITS

Section 26.30. Building Permits and Application for Building Permits

A. Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work must conform to the Uniform Code and/or Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town.

B. Exemptions. No Building Permit shall be required for work in any of the following categories:

1. construction of temporary sets and scenery associated with motion picture, television, and theater uses;

2. installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

3. installation of partitions or movable cases less than 5’-9” in height;

4. painting, wallpapering, tiling, carpeting, or other similar finish work;

5. installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

6. replacement of any equipment provided the replacement does not alter the equipment’s listing or render it inconsistent with the equipment’s original specifications; or

7. repairs, provided that the work does not have an impact on fire and life safety, such as

    (i) any part of the structural system;

(ii) the required means of egress; or

(iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

D. Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

1. a description of the location, nature, extent, and scope of the proposed work;

2. the tax map number and the street address of any affected building or structure;

3. the occupancy classification of any affected building or structure;

4. where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

5. at least 2 sets of construction documents (drawings and/or specifications) which

(i) describe the location, nature, extent, and scope of the proposed work;

(ii) show that the proposed work will conform to the applicable provisions of the Codes;

(iii) show the location, construction, size, and character of all portions of the means of egress;

(iv) show a representation of the building thermal envelope;

(v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information;

(vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building;

(vii) include a written statement indicating compliance with the Energy Code;

(viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and

(ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

E. Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

F. Amendments to the application on the plans and specifications accompanying the same may be filed at any time prior to the completion of the work, subject to the approval of the Code Enforcement Officer.

Section 26.31. Issuance of Building Permit

A. Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

B. Building Permits to be displayed. Upon approval of the application, both sets of plans and specifications shall be endorsed with the word "approved." One set of each

approved plans and specifications shall be retained in the files of the Code Enforcement Officer and the other set shall be returned to the applicant together with the building permit and shall be kept at the building site open to inspection by the Code Enforcement Officer or their authorized representative at all reasonable times. Building permits shall be visible displayed at the work site and shall remain visible until the authorized work has been completed.

C. The application together with plans, specifications and other documents filed therewith describe proposed work which does not conform to all the requirements of the applicable building regulations, the Code Enforcement Officer shall disapprove the same and shall return the plans and specifications to the applicant. Upon the request of the applicant, the Code Enforcement Officer shall cause such refusal, together with the reasons therefor, to be transmitted to the applicant in writing.

Section 26.32. Performance of Work Under Building Permit

A. Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

B. Time limits. Building Permits shall become invalid unless the authorized work is commenced within six (6) months following the date of issuance. Building Permits shall expire twelve (12) months after the date of issuance. A Building Permit which has become invalid, or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer. However, for good cause, the Code Enforcement Officer may allow a maximum of one extension for a periods not to exceed six (6) months. Work beyond this extended time frame shall require a new building permit.

C. Work authorized by any Building Permit shall be performed only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, and between 10:00 a.m. and 5:00 p.m., Sunday. During daylight savings time, such authorized work may be performed between 7:00 a.m. and 9:00 p.m., Monday through Saturday.

Section 26.33. Building Permit and Related Fees

A. Permit required for construction or excavation. No construction work, including excavation, whether new construction or additions or alterations to existing structures or whether of a temporary or permanent nature, will be commenced in the Town except upon the issuance of a building permit by the Code Enforcement Officer after payment of the fee hereinafter prescribed.

B. Exemptions.

1. The Town of Camillus, for projects that require a building permit, shall obtain a building permit and complete all necessary Fire Safety and Property Maintenance Inspections, but the fee applying shall be waived.

2. Farms, as defined in Chapter 30 of the Municipal Code shall obtain permits for all construction and pay the standard fee for residential buildings and their accessory buildings and structures. Buildings solely for the purpose of commercial agricultural use as defined by NY State Agriculture and Markets shall not require building permits.

C. Fee. The fee(s) specified in or determined in accordance with the provisions set forth in section 26.160 (Fees) of this Chapter must be paid prior to the issuance of a Building Permit, an amended Building Permit, or for the renewal of a Building Permit.

D. Refund. In the event that an application for a building permit is not approved, the applicant shall be entitled to a refund of 50% of the fee paid, provided no construction has been commenced. If construction work has been started and the application is not approved, the fees paid shall not be refunded.

Section 26.34. Revocation of Building Permit

If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code. A Building Permit may also be revoked if the Code Enforcement Officer determines that the work performed under the Building Permit is not being done in accordance with the provisions of the application, plans or specifications; where the person to whom a Building Permit is issued fails or refuses to comply with a Stop Work Order; or where the work has not been completed within the period of the Building Permit or any extensions thereof.

Section 26.35. Construction Inspections

A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:

1. work site prior to the issuance of a Building Permit;

2. footing and foundation;

3. preparation for concrete slab;

4. framing;

5. structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;

6. fire resistant construction;

7. fire resistant penetrations;

8. solid fuel burning heating appliances, chimneys, flues, or gas vents;

9. inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;

10. installation, connection, and assembly of factory manufactured buildings and manufactured homes; and

11. a final inspection after all work authorized by the Building Permit has been completed.

C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process substantially conform with the applicable requirements of the Code of the Town of Camillus, the Uniform Code and the Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

D. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Code of the Town of Camillus, the Uniform Code or the Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into substantial compliance with all applicable provisions of the Code of the Town of Camillus, the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

E. Fee. The fee(s) specified in or determined in accordance with the provisions set forth in section 26.160 of this Chapter must be paid within 30 days of invoice for each inspection performed pursuant to this section. Unpaid fees as of September 30 of each calendar year shall become a lien on the property and shall be added to become part of the taxes next to be assessed and levied upon such lot or land, shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.

Section 26.36. Stop Work Orders

A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

1. any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Code of the Town of Camillus, the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

2. any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

3. any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally, or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 26.150 (Violations) of this Chapter or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

Section 26.37. Right of Entry

A. Any building official shall be authorized, in the performance of his or her duties, to conduct inspections of premises, or parts of premises, at such times and in such manner as the building official may find convenient or necessary, with the consent of the person in possession or occupancy.

B. If admission is refused or cannot be obtained from the person in possession or occupancy, the building official shall be authorized to obtain a warrant to make an inspection, provided reasonable or probable cause is shown.

C. In case of an emergency, the building official may, without a warrant, enter any premises, or parts of premises, to inspect the same, at any time, without the permission of the person in possession or occupancy.

Section 26.38. Pest Control for Demolition of Buildings
Before any Building Permit may be issued for demolition or removal of building, the owner of the building to be moved, relocated or demolished shall be required to contact the Onondaga County Department of Environmental Health to request an inspection to determine the presence of rodents. If evidence of rodents is found, the owner shall eliminate, remove, or control any rats or other pests upon being ordered to do so by the Code Enforcement Officer and they shall not issue a Building Permit specified in this Article until proper pest control procedures have been completed to the satisfaction of the Code Enforcement Officer.

Section 26.39. Permits for Solid Fuel Heating Appliances
A Building Permit for installation of a solid fuel burning heating appliance, chimney and flue in any dwelling unit shall be obtained prior to installation as provided in section 26.30, provided however, that the installation may be commenced without such permit if the delay in obtaining such permit could be expected to cause irreparable damage to the property or serious injury to the occupants, and provided an application for the Building Permit is made within three business days of commencement of the installation. If the Code Enforcement Officer, after inspection, determines that the installation is in substantial compliance with the Code of the Town of Camillus, the Uniform Code, and the Energy Code, they shall issue a Certificate of Compliance. A violation of this section and of section 378 of the Executive Law shall be punishable as provided in section 378.

ARTICLE IV- CERTIFICATE OF OCCUPANCY AND CERTIFICATE OF COMPLIANCE

Section 26.40. Certificates of Occupancy and Certificates of Compliance

A. Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

B. Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in substantial compliance with all applicable provisions of the Code of the Town of Camillus, the Uniform Code, and the Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another substantially complies with all applicable provisions of the Code of the Town of Camillus, the Uniform Code, and the Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

    1. a written statement of structural observations and/or a final report of special inspections,

    2. flood hazard certifications,

    3. a written statement of the results of tests performed to show compliance with the Energy
    4. Code, and

    5. where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

    1. the Building Permit number, if any;

    2. the date of issuance of the Building Permit, if any;

3. the name (if any), address and tax map number of the property;

4. if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;

5. the use and occupancy classification of the structure;

6. the type of construction of the structure;

7. the occupant load of the assembly areas in the structure, if any;

8. if the automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;

9. any special conditions imposed in connection with the issuance of the Building Permit; and

10. the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as they deem necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building, structure, or premises into full compliance with all applicable provisions of the Code of the Town of Camillus, the Uniform Code and the Energy Code.

E. Tests. Whenever there are reasonable grounds to believe that any material, construction, equipment or assembly does not substantially conform with the requirements of the Uniform Code, the Energy Code and other applicable laws, or ordinances, or regulations, the Code Enforcement Officer may require the same to be subject to tests in order to furnish proof of such compliance.

Section 26.41. Revocation or Suspension
Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

Section 26.42. Fees
Fee. The fee(s) specified in or determined in accordance with the provisions set forth in section 26.160 of this Chapter must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, Temporary Certificate of Occupancy or for a Building File Review and Certification Report.

ARTICLE V - FIRE SAFETY AND PROPERTY MAINTENANCE

Section 26.50. Notification Regarding Fire or Explosion
The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

Section 26.51. Unsafe Buildings, Structures, and Equipment and Conditions of Imminent Danger
Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with the procedures established by Chapter 33 of the Municipal Code of the Town of Camillus, as now in effect or as hereafter amended from time to time.

Section 26.52. Operating Permits

A. Operating Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

    1. manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;

    2. buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:

        (i) Chapter 22, “Combustible Dust-Producing Operations.” Facilities where the operation produces combustible dust;

(ii) Chapter 24, “Flammable Finishes.” Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(iii) Chapter 25, “Fruit and Crop Ripening.” Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;

(iv) Chapter 26, “Fumigation and Insecticidal Fogging.” Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;

(v) Chapter 31, “Tents, Temporary Special Event Structures, and Other Membrane Structures.” Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(vi) Chapter 32, “High-Piled Combustible Storage.” High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;

(vii) Chapter 34, “Tire Rebuilding and Tire Storage.” Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;

(viii) Chapter 35, “Welding and Other Hot Work.” Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;

(ix) Chapter 40, “Sugarhouse Alternative Activity Provisions.” Conducting an alternative activity at a sugarhouse;

(x) Chapter 56, “Explosives and Fireworks.” Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;

(xi) Section 307, “Open Burning, Recreational Fires and Portable Outdoor Fireplaces.” Conducting open burning, not including recreational fires and portable outdoor fireplaces;

(xii) Section 308, “Open Flames.” Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and

(xiii) Section 319, “Mobile Food Preparation Vehicles.” Operating a mobile food preparation vehicle in accordance with the permitting requirements which are established by local law, as now in effect or as hereafter amended from time to time.

3. energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

4. buildings containing one or more assembly areas;

5. outdoor events where the planned attendance exceeds 249 persons.

(i) Chapter 66 procedure shall be followed for all outdoor assemblies that plan to exceed 249 persons.

1. facilities that store, handle or use hazardous production materials;

2. parking garages as defined in section 26.120 of this Chapter;

3. buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by Town Board of this Town;

4. facilities that have an acetylene generator(s) having a calcium carbide capacity exceeding five pounds;

5. automobile wrecking yards;

6. bowling pin refinishing and bowling lane resurfacing operations involving the use and application of flammable or combustible liquids or materials;

7. facilities storing, keeping or having on hand more than 25 pounds of cellulose nitrate motion picture film;

8. storing, keeping or having on hand more than 25 pounds of cellulose nitrate plastics (pyroxylin) or manufacturing articles of cellulose nitrate plastics (pyroxylin) which shall include the use of cellulose nitrate plastics (pyroxylin) in the manufacture or assembling of other articles;

9. storing, handling or using combustible fibers in quantities in excess of 100 cubic feet except in agricultural products on a farm;

10. storing, handling or using at normal temperatures and pressures more than 2,000 cubic feet of flammable compressed gas or 6,000 cubic feet of nonflammable compressed gas or storing, handling or suing any quantity of liquified natural or hydrogen gas;

11. storing, handling or using cryogenic fluids, except cryogenics used as a motor fuel and stored in motor vehicle tanks for production, sale or storage or storage or use of

12. flammable cryogenic fluids, cryogenic oxidizers or liquified oxygen in excess of 10 gallons;

13. using in excess of four gallons of solvents or cleaning agents classified as flammable or combustible;

14. storing, handling or use more than 55 gallons of corrosive liquids; or more than 50 pounds of oxidizing materials; or more than 10 pounds of organic peroxides; or more than 50 pounds of nitromethanes; or 1,000 pounds or more of ammonium nitrate, ammonium nitrate fertilizers and fertilizer mixtures containing 60% or more ammonium or any amount of toxic material or poisonous gas; or any quantity of air reactive, water reactive or unstable materials;

15. junk yards;

16. installing liquified petroleum gas employing a container or an aggregate of interconnected containers of over 2,000 gallons water capacity, and for each permanent installation, irrespective of size of containers, made at buildings in which 20 or more persons congregate for civic, political, educational, religious, social or recreational purposes (installers shall maintain a record of all installations and replacement of portable cylinders and have it available for inspection);

17. lumber yards;

18. melting, casting, heat treating, machining or grinding of more than 10 pounds of magnesium per working day;

19. manufacturing matchers or storing matches in excess of 25 cases (one case equals one matchman's gross of 14,400 matches);

20. performing organic coating operations utilizing more than one gallon of organic coating on working day;

21. operating industrial processing ovens and furnaces operating at approximately atmospheric pressures and temperatures not exceeding 1,400 degrees Fahrenheit, which are heated with oil or gas fuel or which during operation contain flammable vapors from the material in the oven or catalytic combustion system;

22. service stations or repair garages, refueling operations; and

23. other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Town Board of this Town.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision shall be required to obtain an Operating Permit prior to commencing such activity or operation.

A. Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

B. Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in- person inspections may be performed when, at the discretion of the Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or Inspector authorized by the Code Enforcement Officer that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the Town sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.

C. Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

D. Location of permits. Permits shall be kept on property or premises covered by the permit or carried by the permit holder.

Section 26.53. Duration, Revocation

A. Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

    1. One hundred eighty (180) days for tents, special event structures, and other membrane structures;
    2. Sixty (60) days for alternative activities at a sugarhouse;

3. Three (3) years for the activities, structures, and operations determined per Section 26.52(a)(27), and

4. One (1) year for all other activities, structures, and operations identified in Section 26.52(a).

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

B. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

C. Fee. The fee(s) specified in or determined in accordance with the provisions set forth in section 26.160 (Fees) of this Chapter must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit. Unpaid fees as of September 30 of each calendar year shall become a lien on the property and shall be added to become part of the taxes next to be assessed and levied upon such lot or land, shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.

Section 26.54. Fire Safety and Property Maintenance Inspections

A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

1. at least once every twelve (12) months for buildings which contain an assembly area;

2. at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

3. at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.

B. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19

NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or

C. such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

D. Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

1. the request of the owner of the property to be inspected or an authorized agent of such owner;

2. receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

3. receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

E. OFPC Inspections. Nothing in this section or in any other provision of this Chapter shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control (“OFPC”) and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b. Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

1. the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);

2. the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;
3. such inspections are performed no less frequently than once a year;

4. a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and

5. upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by section 26.150 (Violations) of this Chapter.

F. Fee. The fee(s) specified in or determined in accordance with the provisions set forth in section 26.160 of this Chapter shall be paid within 30 days of invoice for each inspection performed pursuant to this section. Unpaid fees as of September 30 of each calendar year shall become a lien on the property and shall be added to become part of the taxes next to be assessed and levied upon such lot or land, shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes. This subdivision shall not apply to inspections performed by OFPC.

ARTICLE VI - ELECTRICAL INSPECTIONS

Section 26.60. Authorization to Make Inspections

Any person who has been certified by the IAEI, or equivalent certification, as competent to perform electrical inspections required by the Uniform Code, may be authorized and deputized as an agent of the Town to make inspections and to approve or disapprove electrical installations. Each such eligible person shall apply to the Town Code Enforcement Officer for recognition and shall submit all information regarding this experience and qualifications as may be required by this Code. Proof of Liability, Disability and Workers Compensation Insurance or exemption therefrom shall be provided to the Code Enforcement Officer prior to their approval as an electrical inspector. Upon presentation of the experience and qualification, the Town Board may appoint such persons as in its judgement are qualified and suitable for such designation. In no event shall the Town be responsible for the costs or expenses of such inspections or reinspection.

Section 26.61. Duties of Inspector

A. It shall be the duty of the inspector to report to the Code Enforcement Officer all violations for or deviations from or omissions of the electrical provisions of the National Electrical Code and this Municipal Code. The Inspector shall make inspections and re-inspections of electrical installations in and on properties in the Town upon the written request of the Code Enforcement Officer as herein provided.

B. The inspector is authorized to make inspections and re-inspections of electrical wiring installations, devises appliances and equipment in and on properties within the Town where they deem it necessary for the protection of life and property with the exception of single-family dwellings. They shall inspect single-family dwellings only upon request of the Code Enforcement Officer.

C. In the event of an emergency, it is the duty of the inspector to make electrical inspections upon the oral request of an official or officer of the Town.

D. It shall be the duty of the inspector to furnish written reports to the proper officials of the Town and owners and/or lessees of property where defective electrical inspections installations and equipment are found upon inspection.

E. They shall authorize the issuing of a Certificate of Compliance when electrical installations and equipment are in conformity with the National Electrical Code or with the Municipal Code and they shall direct that a copy of the Certificate of Compliance be sent to the Code Enforcement Officer.

Section 26.62. Schedule of Rates
The Fee Schedule of rates charged for inspection(s) shall be approved and set periodically by resolution of the Town Board.

Section 26.63. Exemption Permits

A. To the extent authorized by law, the Code Enforcement Officer is empowered and directed to issue a permit granting exemption from the provisions of this Article to each person, firm or corporation, engaged in the conduct of manufacturing in or on properties in the Town upon written application of such person, firm or corporation, hereinafter called the "applicant," setting for that:

    1. The applicant is engaged in the conduct of manufacturing in the Town.

    2. The applicant regularly employs one or more journeyman electricians, whose principal duties are the installation, maintenance or repair of electrical machinery, appliances, equipment and wiring for electric light, heat or power, hereinafter called "electrical work" in or upon the premises used by the applicant in the conduct of manufacturing.

    3. By reason of the amount and frequency of electrical work so performed upon the applicant's premises, compliance with the provisions of this Article would impose an undue burden on the applicant's conduct of manufacturing operations.

B. The term "journeyman electrician" shall mean a person who has completed an apprentice course, or received equivalent training, or has equivalent experience of at least three (3) years in electrical work.

C. Each permit so issued shall be for a period of one year and such permit shall be renewed for successive one-year periods upon supplemental application by the applicant, certifying that the statements contained in the original application remain true and correct.

Section 26.64. Exceptions

A. The provisions of this Article shall not apply to the electrical installations in mines, ships, railway cars, automotive equipment or the installations or equipment employed by a railway, electrical or communication utility in the exercise of its function as a utility and located outdoors or in buildings used exclusively for that purpose.

B. This Article shall not apply to any work involved in the manufacture, assembly, test or repair of electrical machinery, apparatus, materials and equipment by a person, firm or corporation engaged in electrical manufacturing as their principal business.

C. This Article shall not apply to any building which is owned or leased in its entirety by the Government of the United States or the State of New York or its political Subdivisions.

Section 26.65. No Waiver of Assumption of Liability
This Article shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring, devises, appliances or equipment for loss of life or damage to person or property caused by any defect therein, or shall the Town or the authorized electrical inspection agency be deemed to have assumed any such liability by reason of any inspection made pursuant to this Article.

Section 26.66. Violation of Article

A. It shall be a violation of this Article for any person, firm or corporation to install or cause to be installed, or to alter or repair electrical wiring for light, heat or power, in or on properties in the Town until an application for inspection has been filed with an authorized electrical inspection agency.

B. It shall be a violation of this Article for a person, firm or corporation to connect or cause to be connected electrical wiring in or on properties for light, heat or power, to any source of electrical energy supply, prior to the issuance of a temporary Certificate of Compliance, by an authorized electrical inspection agency

ARTICLE VII - STORMWATER MANAGEMENT

Section 26.70. Purpose
The purpose of this Article is to establish minimum storm water management requirements and control to protect and safeguard the general health, safety, and welfare of the public residing within the Town and to meet that purpose by achieving the following objectives:

A. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit of Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02 or as amended or revised;

B. Require land development activities to conform to the substantive requirements of the NYS Department Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01 or as amended or revised;

C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels;

D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;

E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and

F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

Section 26.71. Definitions
The terms used in this Article or in documents prepared or reviewed under this Article shall have the meaning as set forth in this section.

“Agricultural Activity” - the activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growth agricultural products, and cutting timber for sale, but shall not include the operating of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

“Applicant” - a property owner or agent of a property owner who has filed an application for a land development activity.

“Building” - any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

“Channel” - a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

“Clearing” - any activity that removes the vegetative surface cover.

“Dedication” - the deliberate appropriation of property by its owner for general public use.

“Department” - the New York State Department of Environmental Conservation.

“Design Manual” - the New York State Stormwater Management Design Manual, most recent version including applicable updates, that serves as the official guide for stormwater management principles, methods and practices.

“Developer” - a person who undertakes land development activities.

“Erosion Control Manual” - the most recent version of the "New York Standards and Specifications for Erosion and Sediment Control" manual, commonly known as the "Blue Book." “Grading” - excavation or fill of material, including the resulting conditions thereof.

“Impervious Cover” - those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snowmelt and water (e.g. building rooftops, pavement, sidewalks, driveways, etc.).

“Industrial Stormwater Permit” - a State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

“Infiltration” - the process of percolating stormwater into the subsoil.

“Jurisdictional Wetland” - an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

“Land Development Activity” - construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than 5,000 square feet or the alteration of slopes steeper than 25% or altering an existing grade by more than 5% or working within 10 feet of a property line.

“Landowner” - the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any person holding proprietary rights in the land.
“Maintenance Agreement” - a legal recorded document that acts as a property deed restriction, and which provides for long term maintenance of stormwater management practices.

“Nonpoint Source Pollution” - pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

“Phasing” - clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

“Pollutant of Concern” - sediment of a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

“Project” - land development activity.

“Recharge” - the replenishment of underground water reserves.

“Sediment Control” - measures that prevent eroded sediment from leaving the site.

“Sensitive Areas” - cold water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats from threatened, endangered or special concern species.

“SPDES General Permit for Construction Activities GP-02-01” - A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

“SPEDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems GP-02-02” - A permit under the New York State Pollutant Discharge Elimination Systems (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specify stormwater control standards.

“Stabilization” - the use of practices that prevent exposed soil from eroding.

“Stop Work Order” - an order issued which requires that all construction activity on site be stopped.

“Stormwater” - rainwater, surface runoff, snowmelt and drainage.

“Stormwater Hotspot” - a land use or activity that generates higher concentration of hydrocarbons, trace metals or toxicants that are found in typical stormwater runoff, based on monitoring studies.

“Stormwater Management” - the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

“Stormwater Management Facility” - one or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

“Stormwater Management Officer” - the Code Enforcement of the Town of Camillus.

“Stormwater Management Practice (SMP's)” - measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

“Stormwater Pollution Prevention Plan (SWPPP)” -a plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

“Stormwater Runoff” - flow on the surface of the ground, resulting from precipitation.

“Surface Waters of the State of New York” - lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the State or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the State. This exclusion applies only to manmade bodies of water

which neither were originally created in waters of the State (such as a disposal area in wetlands) nor resulted from impoundment of waters of the State.

“Watercourse” - a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

“Waterway” - a channel that directs surface runoff to a watercourse or to the public storm drain.

Section 26.72. Application

A. No Land Development Activities as defined in section 26.71 may be conducted without an SWPPP except the clearing of land for agricultural activity which does not result in a change of grade of more than 5%.

B. The Planning Board shall approve a SWPPP required in conjunction with a Site Plan or a Subdivision. The Code Enforcement Officer shall approve a SWPPP required in conjunction with a Site Development Permit as provided for in Article VIII of this Chapter.

Section 26.73. Contents of Stormwater Pollution Prevention Plans

A. The SWPPP shall provide the following background information and erosion and sediment controls:

1. Background information about the scope of the project, including location, type and size of project;

2. Site map/construction drawing(s) for the project, including a general location map. At a minimum the site map should show the total site area, all improvements, areas of disturbance, areas that will not be disturbed, existing vegetation, on-site and adjacent off- site surface water(s), wetlands and drainage patterns that could be affected by the construction activity, existing and final slops, locations of off-site material, waste, borrow or equipment storage area, and location(s) of the stormwater discharges(s);

3. Description of the soil(s) present at the site;

4. Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five (5) acres shall be disturbed at any one time unless pursuant to an approved SWPPP;

5. Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;

6. Description of construction and waste materials expected to be stored on-site with updates as appropriate, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;

7. Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial and clearing and grubbing to project close-out;

8. A site map/construction drawing(s) specifying the location(s), size(s) and length (s) of each erosion and sediment control practices;

9. Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;

10. Temporary practices that will be converted to permanent control measures;

11. Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;

12. Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;

13. Name(s) of the receiving water(s);

14. Delineation of SWPPP implementation responsibilities for each part of the site;

15. Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable; and

16. Any existing data that describes the stormwater runoff at the site

B. Land development activities meeting Condition "A," "B" or "C" below shall also include water quantity and water quality controls (post-construction stormwater runoff controls) as set forth in subdivision C below as applicable:

1. Condition A - Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

2. Condition B - Stormwater runoff from land development activities disturbing five (5) or more acres.

3. Condition C - Stormwater runoff from land development activities disturbing between one (1) and five (5) acres of land during the course of the project,

4. exclusive of the construction of single-family residences and construction activities at agricultural properties.

C. SWPPP Requirements for Condition A, B and C:

1. All information in subdivision A of this section;

2. Description of each post-construction stormwater management practice;

3. Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction management practice;

4. Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;

5. Comparison of post-development stormwater runoff conditions with pre-development conditions;

6. Dimensions, material specifications and installation details for each post-construction stormwater management practice;

7. Maintenance schedule to ensure continuous and effective operation of each post- construction stormwater management practice;

8. Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property;

9. Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures;

10. For Condition A, the SWPPP shall be prepared by a landscape architect, certified professional or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in this Chapter.

Section 26.74. Other Environment Permits

The applicant shall assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

Section 26.75. Contractor's Certification

A. Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practices installation shall sign and date

a copy of the following certification statement before undertaking Land Development Activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."

B. The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm, the address (or other identifying description) of the site.

C. The certification statement shall become part of the SWPPP for the Land Development Activity.

Section 26.76. Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control

All land development activities shall be subject to the following performance and design criteria:

A. Technical Standards. For the purpose of this Article, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this law:

1. The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereinafter referred to as the Design Manual).

2. New York Standards and Specifications for Erosion and Sediment Control, (Empire State Article of the Soil and Water Conservation Society, 2004, most current version or its successor, hereinafter referred to as the Erosion Control Manual).

B. Equivalence to Technical Standards. Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in subdivision A of this section and the SWPPP shall be prepared by a licensed professional.

C. Water Quality Standards. Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.

Section 26.77. Maintenance

A. Maintenance Inspection and Repair of Stormwater Facilities, Maintenance During Construction.

1. The applicant or developer of the land development activity or their representative shall at all times properly operate and maintain all facilities and

systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this Chapter. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%.

2. For land development activities as outlined in section 26.73(b) of this Article and meeting Condition A, B and C the applicant shall have a qualified professional conduct practices every 7 days and within 24 hours of any storm event producing 0.5 inches of precipitation or more. Inspection reports shall be maintained in a site log book.

B. Maintenance Agreement. Prior to the issuance of any approval that has a stormwater management facility, the property owner must execute a Covenant to Run with the Land which shall incorporate a maintenance agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The Covenant shall provide for access to the facility at reasonable times for periodic inspection by the Town of Camillus to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this Article. The Covenant shall be recorded by the grantor in the office of the County Clerk after approval by the Town's attorney.

C. Maintenance After Construction. The owner or operator of permanent stormwater management practices installed in accordance with this law shall ensure they are operated and maintained to achieve the goals of this law. Proper operation and maintenance include as a minimum, the following:

1. A preventative/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) that are installed or used by the owner or operator to achieve the goals of this law;

2. Written procedures for operation and maintenance and training new maintenance personnel;

3. Discharges from the SMP's shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with section 26.76(c).

ARTICLE VIII - SITE DEVELOPMENT PERMIT

Section 26.80. Application

A. No land development activity as defined in section 26.71 may be undertaken without a Site Development Permit, except the following:

1. Clearing of land for agricultural activity that does not result in a change of grade of more than 5%.

2. A land development activity that requires Site Plan approval or Subdivision approval.

B. Application for a Site Development Permit shall be made to the Code Enforcement Officer on forms to be provided by him, and shall contain the following information:

1. A description of the land;

2. A statement of the use or occupancy of the land;

3. The name and address of the owner and the applicant;

4. A Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the specifications in Article VII of this Chapter.

C. Application shall be made by the owner or lessee, or agent of either, or by the licensed surveyor or professional engineer in connection with the proposed work. Where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

Section 26.81. Site Development Permit

A. Issuance of Site Development Permit. The Code Enforcement Officer shall review the application and shall approve or disapprove the application within a reasonable time. Upon approval of the application and upon receipt of the applicable fee, the Code Enforcement Officer shall issue a Site Development Permit to the applicant.

1. Upon approval of the application, two sets of plans and specifications shall be endorsed with the word “approved.” One set of such approved plans and specifications shall be retained in the files of the Code Enforcement Officer and the other set shall be returned to the applicant together with the Site Development Permit and shall be returned to the applicant together with the Site Development Permit and shall be kept at the site available for inspection by the Code Enforcement Officer.

2. If the application together with plans, specifications and other documents filed therewith described proposed work which does not conform to all the requirements of the regulations, the Code Enforcement Officer shall disapprove the same and shall return the plans and specifications to the applicant. Upon the request of the applicant, the Code Enforcement Officer shall cause such refusal, together with the reasons therefore, to be transmitted to the applicant in writing.

3. A copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of initiation of the construction activities to the date of the final stabilization.

B. Site Development Permit Fee. The fee(s) specified in or determined in accordance with the provisions set forth in section 26.160 (Fees) of this Chapter must be paid upon issuance of a Site Development Permit.

C. Revocation of Site Development Permit. The Code Enforcement Officer may revoke a Site Development Permit in the following instances:

1. Where they find that there has been any false statements or misrepresentation as to a material fact in the application, plans or specifications on which the Site Development Permit was based.

2. Where they find that the Site Development Permit was issued in error and should not have been issued in accordance with the applicable law.

3. Where they find that the work performed under the permit is not being prosecuted in accordance with the provisions of the application, plans or specifications.

4. Where the person to whom a Site Development Permit has been issued failed or refused to comply with a stop order issued by the Code Enforcement Officer.

5. Where the work has not been completed within one year after commencement of work unless extended by the Code Enforcement Officer.

Section 26.82. Stop Work Order
Whenever the Code Enforcement Officer has reasonable grounds to believe that site development activity is occurring in violation of the provisions of this Article, they shall notify the owner and or person performing the work, to suspend all work and any such persons shall forthwith stop such work until the stop order has been rescinded. Such Stop Work Order shall be issued in accordance with the provisions set forth in section 26.36 of this Chapter.

Section 26.83. Enforcement
The Code Enforcement Officer is hereby empowered to enforce the provisions of this Article pursuant to Article XV of this Chapter.

ARTICLE IX - PROPERTY AND BUILDING MAINTENANCE

§ 26.90. Declaration of Policy
It is hereby declared to be the policy of the Town Board of the Town of Camillus to provide for the proper use of land to prevent unhealthful, hazardous or dangerous conditions due to accumulations of brush, grass, weeds, garbage, rubbish or other like matter. By this article, the Town Board seeks to remove such dangers to health, life and property by requiring owners, lessees or occupants or any agent, servant, representative or employee of any owner, lessee or occupant having control over any land to keep real property free from garbage and rubbish, and, upon default, to cause the same to be done by the Town and the costs for the same assessed against the real property on which such garbage, rubbish or other like matter is found.

§ 26.91. Definitions
As used in this article, the following terms shall have the meanings indicated:

GARBAGE — Any animal or vegetable refuse or waste matter resulting from the handling, preparation, cooking and consumption of food.

NUISANCE VEHICLE — Nuisance vehicle shall have the same meaning and definition as that set forth in Chapter 59 of the Municipal Code.

NATURAL OPEN SPACE/PRESERVED AREA — That area of a parcel of land intended to remain in a preserved, natural and undeveloped state. However, natural open space and preservation areas shall not include the front, side and year yards of a lot or land within 100 feet of a residential, commercial or farm related structure/building.

OWNER — Includes an individual or individuals, society, club, firm, partnership, corporation or any other association of persons or entity of any kind.

RUBBISH — Useless, worthless, unwanted or discarded matter or objects, including (but not limited to) the following examples:

A. Junk, trash, debris, building materials, refuse or any other deleterious materials;

B. Any abandoned, discarded or unused objects or equipment, such as, but not limited to, automobile parts, furniture, stoves, refrigerators, freezers, appliances, cans, containers or vehicle tires;

C. Any compost pile which is of such a nature as to spread or harbor disease, emit unpleasant odors or gas, or attract rodents, vermin or other disease carrying pests, animals or insects;

D. Any unsanitary matter or materials;

E. Solid waste and garbage;

F. Accumulations of tree trimmings, brush, or shrubbery trimmings, grass clippings, trees, brush or shrubbery or portions thereof severed from their roots or uprooted trees brush or shrubbery.

§ 26.92. Exterior Building Structure and Property Maintenance; Violations

A. The exterior surfaces of all buildings, structures and areas of property shall be maintained, by the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant having control over such property, as follows:

    1. All exterior surfaces shall be maintained in good condition and shall be covered by a surface material designated to be a finished surface;

2. Premises shall be graded and maintained to prevent the erosion of soil. Surface and subsurface water shall be appropriately drained to protect buildings and structures and to prevent the accumulation of stagnant water and shall not be channeled or piped off-site without legal authority. Exception: Approved retention areas;

3. Fences, walls and other structures shall be maintained in a safe, good and substantial condition;

4. Steps, walks, driveways, parking surfaces and similarly improved surfaces shall be maintained such that they are free of any substantial depressions or humps and otherwise afford safe convenient passage;

5. Yards, courts and vacant lots shall be kept clean and free of hazards and shall not be used for the storage of materials, equipment, garbage, refuse, unless it is the allowed business of the property user to conduct such operations on the premises. In addition, yards, courts and vacant lots shall not be used for the storage of nuisance vehicles, as set forth in and pursuant to the procedures described in Chapter 59 of the Municipal Code;

6. Ground cover shall be properly established to prevent soil erosion due to the elements and to further accomplish a groomed lawn appearance;

7. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair;

8. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

B. Violations. It shall be a violation of this article for the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant having control over any real property in the Town of Camillus to fail maintain such lands in accordance with subsection (A) of this section.

C. Exception. Non-residential buildings, structures and lands which are used for an agricultural use as defined in Section 402(P3) of Chapter 30 of the Municipal Code, are exempt from the requirements of this section.

§ 26.93 Notice to Remedy Violations

Whenever the Code Enforcement Officer of the Town of Camillus shall find a violation of this article, said Code Enforcement Officer shall give notice to remedy such alleged violation(s) to the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant or any other person(s) responsible therefor, as hereinafter provided. Such notice shall be in writing, shall include a statement of the reasons why it is being issued and shall be served upon the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant. Notice shall be deemed to be properly served if a copy thereof is served upon the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant personally or is sent by

certified mail, return receipt requested, to the last known address of the owner, as listed and maintained in the tax records of the Town, or is posted in a conspicuous place in or about the premises affected by the notice. Such notice shall specify that within ten (10) days from receipt of notice, the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant must have either undertaken such necessary corrective action so as to abate the violation(s) or have submitted a written request to the Code Enforcement Officer for a hearing before the Town Board, which shall have the power to cause the work to be done and pay the cost thereof. At the expiration of the ten (10) day period, the notice shall be deemed an order to cease and desist from and to abate the described violation(s). Such notice shall contain an outline of the remedial action, which, if taken, will affect compliance with the provisions of this article.

§ 26.94 Abatement of Violations

A. Duty to abate violations. Any person, being the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant of real property in the Town, shall be required to remedy violations of this article upon their lands when directed to do so by notification of the Code Enforcement Officer.

B. Abatement of violations by Town. Whenever a notice referred to in Section 26.93 of this article hereof has been served upon the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant of a lot or parcel of land to abate a violation of this article and such owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant shall neglect or fail to comply with the requirements of such notice, by either failing to abate the violations or failing to request a hearing as set forth in §26.93, within the time provided therein, the Code Enforcement Officer shall submit the matter to the Town Board which shall cause the work to be done and pay the cost thereof.

§ 26.95. Reimbursement of Costs

The Town shall be reimbursed for the cost of work performed or services rendered by direction of the Town Board as provided in § 26.94 of this article, by assessment and levy upon the lots or parcels of land whereon such work was performed or services rendered of the actual and complete cost of such work, whether such work shall have been done by employees of the Town or others, and the actual cost of such work shall become a lien on the property and shall be added to become part of the taxes next to be assessed and levied upon such lot or land, shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.

§ 26.96. Emergency Provisions

Whenever the Code Enforcement Officer shall determine that an emergency exists which requires immediate attention to protect the public health or safety, the Code Enforcement Officer may, without notice or hearing, issue an order to the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant, or the agent of either, reciting the existence of such an emergency and requiring that such action be taken as the Code Enforcement Office deems necessary to abate the emergency. Any person to whom an order is directed must comply therewith immediately but, upon written petition, may be

afforded a hearing by the Town Board. After the hearing, the Code Enforcement Officer must continue the order or modify or withdraw it.

§ 26.97. Penalties for Offenses

A. Any person who shall violate any provisions of this Article shall be guilty of a violation. Such violation shall be deemed an offense and each day the condition persists shall constitute a separate offense. Any person(s) in violation of this Article shall be guilty of an offense punishable by a fine not less than $50.00 nor more than $250.00 per day of violation; and upon conviction of a second offense within three (3) years, shall be punishable by a fine not less than $250.00 nor more than $1,000.00 per day of violation; and upon conviction of a third or subsequent offense within three (3) years, shall be punishable by a fine not less than $1,000.00 per day of violation.

B. The election to pursue any particular remedy provided by law does not prevent the Town from pursuing any other remedy, civil or criminal, as to the same or similar offense, against the same person who is in violation of this Article, which the Town is allowed to pursue according to law.

ARTICLE X - NON-RESIDENT OWNER REGISTRATION

Section 26.100. Registration Requirement
All owners of property within the Town of Camillus who do not have a residence or office in the County of Onondaga shall file with the Code Enforcement Office a property registration form in which the Owner shall designate an agent who is a resident of Onondaga County or has an office for the transaction of business in Onondaga County, which person shall be therein authorized to accept service of process regarding Town and State property regulations and law.

Section 26.101. Annual Renewal
During the month of January of each year, a non-resident owner shall renew its agency designation.

Section 26.102. Substitution of Agent
Within 30 days of termination of its agent’s authority, a non-resident owner shall file a new agent designation registration.

ARTICLE XI - COMPLAINTS

Section 26.110. Complaints
The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this Chapter, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

A. performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

B. if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 26.150 (Violations) of this Chapter;

C. if appropriate, issuing a Stop Work Order;

D. if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

ARTICLE XII-CONDITION ASSESSMENTS OF PARKING GARAGES

Section 26.120. Definitions
For the purposes of this section:

A. the term “condition assessment” means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

B. the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

C. the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

    1. buildings in which the only level used for parking or storage of motor vehicles is on grade;

    2. an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and

    3. a townhouse unit with attached parking exclusively for such unit;

D. the term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

E. the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment;

F. the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

G. the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Section 26.121. Assessments

A. Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (b) of this section, periodic condition assessments as described in subdivision (c) of this section, and such additional condition assessments as may be required under subdivision (d) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Town, in accordance with the requirements of section 26.122. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

B. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

1. Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

2. Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

(i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

(ii) if originally constructed between January 1, 1984, and December 31, 2002, then prior to October 1, 2020; and

(iii) if originally constructed between January 1, 2003, and August 28, 2018, then prior to October 1, 2021.

3. Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to June 30, 2023.

C. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years.

D. Additional Condition Assessments:

1. If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

2. If the Town becomes aware of any new or increased deterioration which, in the judgment of the Town, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.

Section 26.122. Reporting

A. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within sixty (60) days. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

1. an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

2. an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;

3. an evaluation and description of the unsafe conditions;

4. an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;

5. an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;

6. an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;

7. the responsible professional engineer's recommendation regarding preventative maintenance;

8. except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

9. the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

B. Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to subdivision (a). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

C. The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a

condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the subject parking garage to pay all costs.

D. and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

E. This section shall not limit or impair the right or the obligation of the Town:

1. to perform such construction inspections as are required by section 26.35 (Construction Inspections) of this Chapter;

2. to perform such periodic fire safety and property maintenance inspections as are required by section 26.54 (Fire Safety and Property Maintenance Inspections) of this Chapter; and/or

3. to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Town by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

ARTICLE XIII – DESIGN CRITERIA

Section 26.130. Climatic and Geographic Design Criteria

A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

1. design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

2. heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

3. flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

(i) the accompanying Flood Insurance Rate Map (FIRM);

(ii) Flood Boundary and Floodway Map (FBFM); and

(iii) related supporting data along with any revisions thereto.

B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

ARTICLE XIV-RECORDS AND REPORTING

Section 26.140. Record Keeping

A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

1. all applications received, reviewed and approved or denied;

2. all plans, specifications and construction documents approved;

3. all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

4. all inspections and tests performed;

5. all statements and reports issued;

6. all complaints received;

7. all investigations conducted;

8. all condition assessment reports received;

9. all fees charged and collected; and

10. all other features and activities specified in or contemplated by Article III through Article XIII, inclusive, of this Chapter.

B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

Section 26.141. Program Review and Reporting

A. The Code Enforcement Officer shall annually submit to the Town Board of this Town a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 26.140 (Record Keeping) of this Chapter and a report and summary of all appeals or litigation pending or concluded.

B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

ARTICLE XV-VIOLATIONS AND PENALTIES

Section 26.150. Violations

A. Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this Chapter. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this Chapter; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

   “The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by [specify date], which is thirty (30) days after the date of this Order to Remedy.”

   The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this Chapter or by any other

applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

B. Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

C. Penalties. In addition to such other penalties as may be prescribed by State law:

1. any Person who violates any provision of Article III through Article IV and VI through Article VIII of this Chapter or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of Article III through Article IV and Article VI through Article VIII of this Chapter, except section 26.32(c), shall be punishable by a fine of not more than $1,000.00 per day of violation; and

2. any person who violates section 26.32(c), Article V, or Article X of this Chapter shall be punishable by a fine of not more than $250.00 per day of violation; and

3. any Person who violates any provision of the Uniform Code, the Energy Code or this Chapter, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this Chapter, shall be liable to pay a civil penalty of not more than $500.00 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.

D. Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this Chapter, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this Chapter. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this Chapter, or any Stop Work Order, Order to

Remedy or other order obtained under the Uniform Code, the Energy Code or this Chapter, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board of this Town.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 26.36 (Stop Work Orders) of this Chapter, in any other section of this Chapter, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 26.36 (Stop Work Orders) of this Chapter, in any other section of this Chapter, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

ARTICLE XVI - FEES

Section 26.160. Fees

A fee schedule shall be established by resolution of the Town Board of this Town. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this Chapter. Unpaid fees as of September 30 of each calendar year shall become a lien on the property and shall be added to become part of the taxes next to be assessed and levied upon such lot or land, shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.

ARTICLE XVII - MISCELLANEOUS

Section 26.170. Intermunicipal Agreements

The Town Board of this Town may, by resolution, authorize the Supervisor of this Town to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this Chapter, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law."

SECTION 4. SEVERABILITY
If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE
This Local Law shall take effect upon filing with the Secretary of State."

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John Fatcheric	Town Supervisor	Voted Yes
Chris Cesta	Councilor	Voted Yes
Fred Covert	Councilor	Voted Yes
Mike LaFlair	Councilor	Voted Yes
Mary Luber	Councilor	Voted Yes
Laura Teufel	Councilor	Voted Yes
John O'Hara	Councilor	Absent

The foregoing resolution was thereupon declared duly adopted.

Resolution #87
The following resolution was offered by Councilor Luber, who moved its adoption, seconded by Councilor Covert, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. F-2026, "A Local Law to Create a New Chapter 22 (Town Constable) of the Code of the Town of Camillus," was presented and introduced at a regular meeting of the Town Board of the Town of Camillus held on March 24, 2026; and

WHEREAS, a public hearing was held on such proposed local law on April 14, 2026, by the Town Board of the Town of Camillus and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Camillus in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

WHEREAS, on March 24, 2026, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. F-2026 is an Unlisted Action and issued a negative declaration thus concluding environmental review under the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest to enact said proposed Local Law No. F-2026.

NOW, THEREFORE, it is
RESOLVED that the Town Board of the Town of Camillus, Onondaga County, New York, does hereby enact Proposed Local Law No. F-2026 as Local Law No 6-2026 as follows:

"TOWN OF CAMILLUS
LOCAL LAW NO. 6 OF 2026
A LOCAL LAW TO CREATE A NEW CHAPTER 22 OF THE CODE OF THE TOWN OF CAMILLUS TO ESTABLISH THE POSITION OF TOWN CONSTABLE

Be it enacted by the Town Board of the Town of Camillus as follows:

SECTION 1. LEGISLATIVE INTENT
The purpose of this Local Law is to create a new Chapter 22 of the Code of the Town of Camillus to establish the position of Town Constable and to set forth the duties and responsibilities thereof.

SECTION 2. AUTHORITY
This local law is enacted pursuant to the New York State Constitution and the New York Municipal Home Rule Law §10.

SECTION 3. CREATION OF A NEW CHAPTER 22 (TOWN CONSTABLE) OF THE CODE OF THE TOWN OF CAMILLUS
Chapter 22 (Town Constable) of the Code of the Town of Camillus is hereby created to read as follows:

CHAPTER 22: TOWN CONSTABLE

§ 22.1 Legislative intent
It is the purpose and intent of this Chapter to create the office of Town Constable, which shall be a part-time position within the Town of Camillus Police Department and as authorized by the Criminal Procedure Law and Town Law of the State of New York, to perform specified duties on behalf of the Town of Camillus as allowed by law. A Town Constable shall possess the full powers of a peace officer in New York State as enumerated in Chapter 11-A, Part 1, Title A, Article 2, § 2.20 of the New York State Criminal Procedure Law.

§ 22.2 Establishment of office
The Town of Camillus hereby establishes the part-time office of Town Constable, who shall be authorized to act in the capacity of uniformed peace officer assigned to patrol in schools located within the Town of Camillus and shall have responsibilities generally associated with such a position. Town Constables shall be appointed by the Town Board but shall work within the structure of the Town of Camillus Police Department and under the direct supervision of the Town of Camillus Chief of Police. The Town Board may appoint as many Town Constables as it desires and shall provide for the amount and manner of payment for their services.

§ 22.3 Qualifications
All persons appointed as Town Constable shall be a retired member of a police agency, Sherriff's department or division of New York State Police and possess a current basic course for police certificate or equivalent. In addition to the above, all persons appointed as Town

Constable shall be at least 21 years of age or older, shall have a high school diploma and a valid New York State driver's license, shall be authorized pursuant to the laws of the State of New York to possess and carry a handgun and possess a valid New York State pistol permit, and shall be certified as a police officer as defined in Subdivision 34 of § 1.20 of the New York Criminal Procedure Law, or a peace officer as defined by § 2.10 of the New York Criminal Procedure Law.

§ 22.4 Term
Town Constables shall serve at the pleasure of the Town Board of the Town of Camillus.

§ 22.5 Powers and duties
Town Constables shall have, in addition to the powers granted hereinabove, those special duties, powers and responsibilities consistent and generally associated with a uniformed peace officer assigned to patrol a school, including but not necessarily limited to:

A. Providing a security presence in schools in order to promote and provide an atmosphere of enhanced school safety for faculty, staff, students and school visitors;

B. Protecting and guarding school faculty, staff, students, visitors and the public;

C. Providing assistance to school faculty, staff, students, visitors and the public in emergency situations;

D. Physically restraining unruly individuals and investigating the same;

E. Testifying in Court or other hearings as required;

F. Preparing incident reports and other reports and records as required in the course of fulfilling the duties of Constable;

G. Providing a law enforcement resource to students, teachers, school administrators and parents, so as to increase student awareness about crime prevention, internet safety, conflict resolution, violence prevention, restorative justice and peer mediation;

H. Increasing school faculty and staff awareness about policies and procedures for preventing/responding to incidents of violence and other threats to school safety;

I. Facilitating crime prevention, law enforcement and security consultation;

J. Building lines of communication and promoting positive attitudes between students and the Police Department;

K. Providing a counseling resource to students who may be experiencing a variety of school, family, or social problems;

L. Proactively addressing problems and pressures as they relate to students before such problems manifest into socially and legally unacceptable behavior (including, but not

limited to, the use of alcohol, drugs, and or/tobacco, as well as issues involving peer pressure, gang activity, sexual activity, etc.);

M. Providing a positive role model for students;

N. Under the supervision of the Chief of Police, providing education in law enforcement, as requested and appropriate; and

O. Other security and/or patrol duties as assigned by the Chief of Police.

§ 22.6 Training
All persons appointed as Town Constable shall undergo annual firearm and use of force training with the Town of Camillus Police Department. A Town Constable shall also complete the basic SRO/SPO course within one (1) year after appointment. A Town Constable shall also complete such other training and education as required by the Chief of Police.

§ 22.7 Severability
If any paragraph, section, sentence or portion of a sentence of this Chapter shall be found and determined to be invalid, unlawful and/or unconstitutional, such determination shall not invalidate or void any other paragraph, section, sentence or portion thereof, and such other parts thereof shall remain in full force and effect unless and until legally revoked, modified and/or amended.

§ 22.8 Supersession
It is the intent of this Chapter that the Town of Camillus, pursuant to its statutory authority codified in Municipal Home Rule Law § 10 Subdivision 1(ii)d(3), hereby supersedes Chapter 62, Article 3, § 20 Subdivision 1(a), of the New York State Town Law and any other law of the State of New York restricting the powers and duties of a Town Constable in a town of the first class that has established a police department to all the powers and duties of constables in civil actions and proceedings only and further supersedes Town Law § 23(1) and Public Officers Law § (3)(1).

§ 22.9 Residency
The person holding the office of Constable in the Town of Camillus need not be a resident nor an elector of the Town of Camillus; provided, however, that such person shall reside in Onondaga County or an adjoining county within the State of New York.

SECTION 4. SEVERABILITY
If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE
This Local Law shall take effect upon filing with the Secretary of State."

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John Fatcheric	Town Supervisor	Voted Yes
Chris Cesta	Councilor	Voted Yes
Fred Covert	Councilor	Voted Yes
Mike LaFlair	Councilor	Voted Yes
Mary Luber	Councilor	Voted Yes
Laura Teufel	Councilor	Voted Yes
John O'Hara	Councilor	Absent

The foregoing resolution was thereupon declared duly adopted.

Resolution #88
Councilor Covert moved to approve Warrant No. 7, checks and ACH payments in the amount of $541,321.94 as audited by the Town Board and hereby approved for payment in the usual manner at the discretion of the Town Supervisor. Councilor Cesta seconded the motion, and it was unanimously approved.

Resolution #89
Councilor Cesta moved to approve the fourth amendment to the agreement between the Town of Camillus and the West Genesee Central School District for the 2026 Day Camp Program for 2026 and authorize the Supervisor to sign. Councilor Teufel seconded the motion, and it was unanimously approved.

Resolution #90
Councilor Luber moved to authorize a total of $175,000.00 in matching funds for the CREST Grant Application for an ADA compliant restroom at Camillus Park. Councilor Covert seconded the motion, and it was unanimously approved.

Resolution #91
Councilor Cesta moved to approve the Highway Department's purchase of two Kubota RTV/UTVs for $34,646.10 each and one Ferris mower for $11,849.17 in accordance with the Procurement Policy. Councilor Teufel seconded the motion, and it was unanimously approved.

Resolution #92
Councilor LaFlair moved to certify, per the Accounting Department's submitted audit records, that as of April 14, 2026, the Town of Camillus Justice Courts are in compliance with §2019-a of the Uniform Justice Act of the State of New York. Councilor Teufel seconded the motion, and it was unanimously approved.

Resolution #93
Councilor Luber moved to approve a donation of $500.00 to the West Genesee Central School District's "Senior After Ball Party" to be held on Friday, May 15, 2026. Councilor Covert seconded the motion, and it was unanimously approved.

Resolution #94
Councilor Luber introduced proposed Local Law No. G-2026 which was seconded by Councilor Covert:

WHEREAS, proposed Local Law G-2026 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Camillus, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law and the Town Board shall act as Lead Agency; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, BE IT
RESOLVED AND DETERMINED that the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA for the following reasons:

- The proposed project site contains a Denny's restaurant building which has been vacant for a number of years and which will be demolished to allow for redevelopment of the site;

- The proposal to re-zone the subject property from Commercial (C-2) to Planned Commercial (C-P) will not result in any adverse change to the character of the area or be out of context with existing zoning as the property surrounding the subject property (the Camillus Commons Plaza) is already zoned Planned Commercial (C-P);

- It is not anticipated that the proposed zone change from Commercial (C-2) District to Planned Commercial (C-P) District and the proposed new use of the re-zoned property for a restaurant with drive-thru (Chick-Fil-A) will result in a substantial increase in traffic in the area; the parcel is located within the Camillus Commons Plaza (which is already currently zoned Planned Commercial (C-P) on West Genesee Street and Camillus Commons Plaza is home to extensive commercial development including Walmart, Lowe's, Top's Grocery Store, as well as other restaurants and drive-thru establishments and the general West Genesee Street corridor likewise has similar uses to the one proposed; the proposal will not require any new curb cuts along West Genesee Street and internal circulation will be sufficient; accordingly the zone change and proposed use will not result in significant changes in traffic;

- The site is not located in or adjacent to any regulated wetlands;

- The proposed zone change will be consistent with character of the area; as noted above similar uses are located within the Camillus Commons Plaza and along the West Genesee Street corridor;

- The proposed action will not result in any negative impacts to public water or sewer systems;

- The site is not located in a 100-year flood plain and does not contain any species listed as endangered or threatened;

- Stormwater runoff will be collected onsite and collected and directed to a mitigation system for water quality and quantity treatment and stormwater and drainage control measures will better than the current measures;

- Following this re-zoning, any further development of the site will be subject to a full site plan review before the Town of Camillus Planning Board; and it is further;

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. G-2026 at the Town Offices located at 4600 W. Genesee Street, Syracuse, New York on May 12, 2026 at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED AND DETERMINED that this proposed Local Law and the requested zone change application be referred to the Town of Camillus Planning Board for review and recommendation; and it is further

RESOLVED AND DETERMINED that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Camillus.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John Fatcheric	Town Supervisor	Voted Yes
Chris Cesta	Councilor	Voted Yes
Fred Covert	Councilor	Voted Yes
Mike LaFlair	Councilor	Voted Yes
Mary Luber	Councilor	Voted Yes
Laura Teufel	Councilor	Voted Yes
John O'Hara	Councilor	Absent

The foregoing resolution was thereupon declared duly adopted.

Resolution #95
Councilor Cesta moved to set the date, time, and place as May 5, 2026 at 11:00 a.m. at the Camillus Municipal Building to open bids for the Senior Center Restroom Accessibility Improvements-Phase 2. Councilor Luber seconded the motion, and it was unanimously approved.

Resolution #96
Councilor Teufel moved to approve amending the 2026 budget to transfer $150.00 from A00.0000.02690.0000- Compensation for Loss to A00.7520.40000.0000-Contractual Expense-Erie Canal Park and $ 10,305.37 from DB0.0000.02650.0000-Highway Sale of Scrap to DB0.5110.45300.3501- Highway Repair-Gas & Repairs. Councilor Cesta seconded the motion, and it was unanimously approved.

Resolution #97
Councilor Covert moved to authorize the Highway Superintendent to enter into an agreement with Tree Landers to grind approximately 17,000 cubic yards of accumulated tree debris at an estimated cost of $24,000.00, in accordance with the Town Procurement Policy. Councilor Luber seconded the motion, and it was unanimously approved.

Resolution #98
Councilor Cesta moved to approve the agreement with Scotty's Smokehouse Bar-B-Que for 2026 Farmers Market management and authorize the Supervisor to sign. Councilor Teufel seconded the motion, and it was unanimously approved.

Resolution #99
Councilor Covert moved to authorize Code Enforcement to proceed with hiring a contractor for property clean up at 102 Oakley Road, TM #: 016.-02-07.0 in accordance with Camillus Municipal Code, Chapter 26: Uniform Code Enforcement. Councilor Luber seconded the motion, and it was unanimously approved.

MAYOR OF THE VILLAGE OF CAMILLUS COMMENTS
Mayor Waterman was not in attendance.

PUBLIC COMMENT

A resident commented regarding the Camillus Park bathrooms funding.

Twelve non-residents/persons who did not indicate residency and ten residents commented regarding the Camillus Sportsman Club.

ADJOURNMENT

Councilor Cesta moved to adjourn the meeting at 8:07 p.m. Councilor Covert seconded the motion, and it was unanimously approved.

Respectfully submitted,

Martha Dickson-McMahon
Town Clerk