CHAPTER 29: FIRE PREVENTION

§29.1 Applicability

This Chapter shall provide the basic method for administration and enforcement of the State Fire Prevention Code in the Town of Camillus and shall establish powers, duties and responsibilities in connection therewith.

§29.2 Short title

This Chapter shall hereafter be known and cited as the "Fire Prevention Code Enforcement Law of the Town of Camillus, New York".

§29.3 Administration

The Code Enforcement Officer is hereby designated the Official of the Town of Camillus to administer and enforce the NY State Uniform Fire Prevention and Building Code within the Town of Camillus.

§29.4 Rules and regulations

A. Adoption by Code Enforcement Officer
The Code Enforcement Officer of the Town of Camillus may adopt rules and regulations for the administration and enforcement of the NY State Uniform Fire Prevention and Building Code. Such rules and regulations shall not conflict with the NY State Uniform Fire Prevention and Building Code, this Chapter or any other provision of law.

B. Notice of adoption: filing
The Code Enforcement Officer shall publish a notice of adoption summarizing all rules and regulations upon adoption at least five (5) days prior to the effective date thereof in the official newspaper of the Town of Camillus and file a certified copy of same in the Office of the Town Clerk on or before the date of publication.

§29.5 Permits

A. Issuance

1. Upon payment of the fee as prescribed in the schedule of fees adopted by the Town Board, permits shall be issued by and bear the name and signature of the Code Enforcement Officer and shall specify:

    a. Activity or operation for which permit is issued.

    b. Address or location where activity or operation is to be conducted.

c. Name and address of permittee.

d. Permit number and date of issuance.

e. Period of permit validity.

B. Nontransferable
Permits shall not be transferable and any change in activity, operation, location, ownership, or use shall require a new permit.

C. Indefinite term; limitations
Permits shall continue until revoked, or for a period of time designated at the time of issuance. An extension of the permit time period may be granted provided a satisfactory reason can be shown for failure to start or complete the work or activity authorized within the required time period.

D. Activities for which permits required
Permits shall be obtained for the following:

1. Acetylene Generators: To operate an acetylene generator having a calcium carbide capacity exceeding five (5) pounds.

2. Automobile Tire Rebuilding Plants: To operate an automobile tire rebuilding plant.

3. Automobile Wrecking Yards: To operate an automobile wrecking yard.

4. Bowling Establishments: For bowling pin refinishing and bowling lane resurfacing operations involving the use and application of flammable or combustible liquids or materials.

5. Cellulose Nitrate Motion Picture Film: To store, keep or have on hand more than twenty-five (25) pounds of cellulose nitrate motion picture film.

6. Cellulose Nitrate Plastics (pyroxylin):

    a. To store, keep or have on hand more that twenty-five (25) pounds of cellulose nitrate plastics (pyroxylin)

    b. To manufacture articles of cellulose nitrate plastics (pyroxylin) which shall include the use of cellulose nitrate plastics (pyroxylin) in the manufacture or assembling of other articles.

7. Combustible Fibers: To store, handle, or use combustible fibers in quantities in excess of one hundred (100) cubic feet except in agricultural products on a farm.

8. Combustible Materials: To store combustible materials including but not limited to empty combustible packing cases, boxes, barrels, or similar containers, rubber tires, baled cotton, rubber, cork, or other similar materials in excess of 2,500 cubic feet gross volume,

on any premises.

9. Compressed Gases:

    a. To store, handle or use at normal temperatures and pressures more than:

        i. 2,000 cubic feet of flammable compressed gas, or
        ii. 6,000 cubic feet of nonflammable compressed gas

    b. To store, handle, or use any quantity of liquefied natural or hydrogen gas.

10. Cryogenics: To store, handle, or use cryogenic fluids, except cryogenics used as a motor fuel and stored in motor vehicle tanks, as follows:

    a. Production, sale, or storage of cryogenic fluids;

    b. Storage or use of flammable cryogenic fluids, cryogenic oxidizers, or liquefied oxygen in excess of ten (10) gallons.

11. Drycleaning Plants: To use in excess of four (4) gallons of solvents or cleaning agents classified as flammable or combustible.

12. Dust Producing Plants: To operate any grain elevator, flour, starch, or feed mill, woodworking plant, or plant pulverizing aluminum, coal, cocoa, plastics, magnesium, spices, sugar, sulfur, or other materials producing explosive- potential dust.

13. Explosive, Ammunition and Blasting Agents:

    a. To manufacture, possess, store, sell, or otherwise dispose of explosives; and blasting agents; including fireworks or sparkling devices;

    b. To use explosives or blasting agents; including fireworks displays;

    c. To operate a terminal for handling explosives or blasting agents.

14. Flammable and Combustible Liquids:

    a. To store, handle, or use flammable liquids in excess of six and one-half (6½) gallons inside dwellings; or in excess of ten (10) gallons inside any other building or in excess of sixty (60) gallons outside of any building.

        This provision shall not apply to: Liquids in the fuel tank of a motor vehicle, aircraft, portable or stationary engine, boat, or portable heating plant; Paints, oils, varnishes or similar flammable mixtures, when such liquids are stored for maintenance, painting, or similar purposes.

    b. To store, handle, or use combustible liquids in excess of twenty-five (25) gallons

inside a building, or in excess of sixty (60) gallons outside of a building. This provision shall not apply to fuel oil used in connection with oil burning equipment.

c. A permit shall be obtained for the initial installation of an oil burner and a fuel oil tank used in connection therewith. A permit shall be required for the replacement of a fuel oil tank connected to an oil burner.

d. For processing, blending, or refining of flammable or combustible liquids.

15. Flammable Finishing: For spraying, coating, or dipping operations utilizing flammable or combustible liquids.

16. Fruit Ripening Process: To conduct a fruit ripening process using ethylene gas.

17. Fumigation and Thermal Insecticidal Fogging: To conduct fumigation or thermal insecticidal fogging operations.

18. Hazardous Chemicals:

    a. To store, handle, or use more than fifty-five (55) gallons of corrosive liquids, or more than fifty (50) pounds of oxidizing materials; or more than ten (10) pounds of organic peroxides; or more than fifty (50) pounds of nitromethane; or one thousand (1,000) pounds or more ammonium nitrate, ammonium nitrate fertilizers and fertilizer mixtures containing sixty percent (60%) or more ammonium or any amount of toxic material or poisonous gas.

    b. To store, handle, or use any quantity or air reactive, water-reactive, or unstable materials.

19. Junk Yards: To operate a junkyard.

20. Liquefied Petroleum Gas: For each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers of over two thousand (2,000) gallons water capacity, and for each permanent installation, irrespective of size of containers, made at buildings in which twenty (20) or more persons congregate for civic, political, educational, religious, or social or recreational purposes.

    Installers shall maintain a record of all installations and replacement of portable cylinders, and have it available for inspection.

21. Lumber Yards: To operate a lumberyard.

22. Magnesium: For melting, casting, heat treating, machining, or grinding of more than ten (10) pounds of magnesium per working day.

23. Matches:

a. To manufacture matches;

b. To store matches more than twenty-five (25) cases. (Note: One case equals one matchman's gross of fourteen thousand four hundred (14,400) matches.)

24. Organic Coatings: To perform organic coating operations utilizing more than one gallon of organic coating on any working day.

25. Ovens and Furnaces: To operate industrial processing ovens and furnaces operating at approximately atmospheric pressures and temperatures not exceeding 1400F. 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.

26. Places of Assembly: To maintain, operate, or use a place of assembly.

27. Service Stations and Repair Garages: To operate a service station or repair garage.

28. Welding and Cutting: To operate a welding and cutting business. A record of all locations where welding or cutting operations are performed shall be maintained and kept available for inspection by the permit holder.

E. Consolidated permits
When more than one permit is required for the same property or premises, a single permit may be issued listing all materials or operations covered. Revocation of a portion or portions of such consolidated permit, for specific hazardous materials or operations, shall not invalidate the remainder.

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

G. Revocation of permits
If the Code Enforcement Officer determines that a Permit was issued in error because of incorrect, inaccurate, misrepresented, falsified, or incomplete information, or that the work or activity for which a permit was issued violates the Uniform Code or the Energy Code, or the Code of the Town of Camillus, the Code Enforcement Officer shall revoke the Permit or suspend the Permit until such time as the Permit Holder demonstrates that (1) all work then completed or activity conducted is in substantial compliance with all applicable provisions of the Uniform Code, the Energy Code, or the Code of the Town of Camillus and (2) all work or activity then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code, the Energy Code, or the Code of the Town of Camillus. A Permit may also be revoked if the Code Enforcement Officer determines that the work or activity under the Permit is not being done in accordance with the provisions of the application, plans or specifications; where the person to whom a 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 Permit or any extensions thereof.

§29.6 Inspections

The Code Enforcement Officer shall conduct periodic inspections for compliance with the provisions of the Uniform Code, the Energy Code, or the Code of the Town of Camillus. Such inspections may be made at any reasonable time. If entrance to make an inspection is refused or cannot be obtained, the Code Enforcement Officer may apply for a warrant to make an inspection to any court of competent jurisdiction.

§29.7 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 or activity that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the NY State Uniform Fire Prevention and Building Code, the Energy Code, or this Chapter, without regard to whether such work or activity is or is not work for which a Permit is required, and without regard to whether a Permit has or has not been issued for such work or activity, or

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

   3. any work or activity for which a Permit is required which is being performed without the required Permit, or under a 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 § 29.8 (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.

§29.8 Violations

A. Compliance with applicable laws.

A person owning, operating, occupying or maintaining property or premises within the scope of the NY State Uniform Fire Prevention and Building Code or this Chapter shall comply with all the provisions of the NY State Uniform Fire Prevention and Building Code, this Chapter and all orders, notices, rules, regulations or determinations issued in connection therewith.

B. Issuance of violation order.

Whenever the Code Enforcement Officer finds that there has been a violation of the NY State Uniform Fire Prevention and Building Code, this Chapter, or any rule or regulation adopted pursuant to this Chapter, a violation order shall be issued to the person or persons responsible.

C. Violation orders; contents.

Violation orders shall be in writing; shall identify the property or premises; shall specify the violation and remedial action to be taken; shall provide 30 days' time limit for compliance or to file an appeal to the Regional Board of Review.

D. Service of violation orders.

Violation orders may be served: by personal service; by mailing by registered or certified mail; or by posting a copy thereof in a conspicuous place on the premises, and by mailing a copy thereof to the premises on the same day as posted, enclosed in a postpaid wrapper addressed to the person responsible.

E. Application to Court.

In case the owner, lessor, occupant or the agent of any property shall fail, neglect or refuse to remove, eliminate or abate the violation within the time specified in the violation order, the Code Enforcement Officer shall issue appearance ticket(s) for the Justice Court of the Town of Camillus.

§29.9 Penalties

A. Failure to comply

Any person who shall violate any provisions of the NY State Uniform Fire Prevention and Building Code, this Chapter, rules or regulations adopted pursuant to this Chapter, or a violation order 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 Chapter shall be guilty of an offense punishable by a fine not less than $50.00 nor more than $250.00; and upon conviction of a second offense within a two (2) year period, shall be punishable by a fine not less than $250.00 nor more than $500.00; and upon conviction of a third or subsequent offense within a two (2) year period, shall be punishable by a fine not less $500.00 nor more than $1,000.00."

B. Injunctive relief

An action or proceeding in the name of the Town of Camillus may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of the NY State Uniform Fire Prevention and Building Code, this Chapter, rule or regulation adopted pursuant to this Chapter, or a violation order, or to vacate the occupancy or building in the case of imminent danger to life or property. Such remedy shall be in addition to penalties otherwise prescribed by law.

§29.9 Records

The Code Enforcement Officer shall keep official records of all permits, inspection reports, recommendations, complaints and violation orders.

*§29.10 Removal of dangerous buildings or structures (*See also Chapter 33. Unsafe Buildings)*

A. Public nuisance
A building or structure or part thereof, which is an imminent danger to life and safety of the public as a result of a fire or explosion is hereby declared to be a public nuisance.

B. Emergencies
Whenever the Code Enforcement Officer finds a building or structure, or part thereof, to be an imminent danger to life and safety of the public as a result of a fire or explosion, the Code Enforcement Officer may cause it to be demolished and removed or may cause work to be done in and about the building or structure as may be necessary to remove the danger as provided in Chapter 33 entitled "Unsafe Buildings" of this Municipal Code.

C. Vacating premises
The Code Enforcement Officer may require the occupants of any such building or structure, or part thereof, to vacate the premises forthwith. No person shall use or occupy such building or structure, or part thereof, until it is made safe.

Except for the owner, no person shall enter premises which have been ordered vacated unless authorized to perform inspections, repairs, or to demolish and remove such building or structure, or part thereof.

D. Assessment of costs and expenses
All costs and expenses incurred by the Town of Camillus in connection with any work done to remove the danger, or in connection with the demolition and removal of any such building or structure shall be assessed against the land on which such building or structure is located, and a bill for such expenses shall be presented to the owner of the property, or if the owner cannot be ascertained, then such bill shall be posted in a conspicuous place on the premises. Such assessment shall be, and constitute a lien upon such land. If the owner shall fail to pay for such expenses within ten (10) days after the bill is presented or posted, a legal action may be brought to collect such assessment or to foreclose such lien. As an alternative to the maintenance of any such action, the Code Enforcement Officer may file a certificate of the actual expenses incurred as aforesaid, together with a statement identifying the property in connection with which the expenses were incurred, and the owner thereof, with the Assessor, who shall, in the preparation of the next assessment roll, assess such amount upon such property. Such amount shall be included in the levy against such property, shall constitute a lien and shall be collected and enforced in the same manner, by the same proceedings, at the same time, and under the same penalties, as is provided by law for the collection and enforcement of real property taxes in the Town of Camillus.

§29.11 Review Board

A. Regional Boards of Review are created by the Secretary of State and requests for variances from, or modifications to, the NY State Uniform Fire Prevention and Building Code must be made to the regional board of review.

    1. The Code Enforcement Officer shall obtain and retain a copy of each decision of the Regional Board of Review for the record.

B. The Zoning Board of Appeals is hereby designated as the Review Board under this Chapter for the purpose of granting variances to rules and regulations adopted pursuant to § 29.4 of this Chapter.

    1. The Code Enforcement Officer shall obtain and retain a copy of each decision of the Zoning Board of Appeals for the record.

Historical Notes:

Amended spelling LL#13-94
Repealed and Replaced, LL #4-2026, 3/10/26