

# Village of Cuba

17 East Main Street Cuba, New York 14727 [www.cubany.org](http://www.cubany.org) 585-968-1560

## Code Enforcement

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### Office Information

Code Enforcement Officer: Walt Putt 716-378-7255 Cell 716-557-8898 Home

The main responsibility of Code Enforcement is to assist residents in the Village of Cuba in complying with the zoning codes and regulations and enforcement of the New York State Fire Prevention and Building Codes.

## **What is Zoning?**

Zoning regulates the use of land within its boundaries. The zoning regulations have different zoning districts with each district having different permitted uses and requirements. The purpose of zoning is to:

1. Promote the health, safety and general welfare of the community
2. Regulate and restrict the height, number of stories and size of buildings and other structures; the percentage of a lot that may be occupied; the size of yards, courts, and other open space;
3. Reduce congestion on the streets.
4. Secure safety from fire and other dangers
5. Provide adequate light and air.
6. Prevent overcrowding of land and avoid undue concentration of population.

## **When do I need a Building Permit?**

New York State and the Village of Cuba laws mandate when a permit is required. The following is for use as a guideline:

### **FOR RESIDENTIAL PURPOSES**

- New construction of homes, garages and carports.
- Addition and alteration of buildings
- Storage buildings 120 square feet and over, including prefabricated buildings delivered to site.
- Decks and porches.
- Enclosing porches, decks.
- Extending roofs over decks and porches.
- Rebuilding and structural renovations.
- Swimming pools above and inground, including decks around pools.
- Installation of woodstoves, fireplaces and chimneys
- Demolition and removal of buildings.

### **COMMERCIAL PURPOSES**

- New construction
- Most improvements, alterations, enlargements, repairs and change of tenants
- Signs, including temporary signs
- Change of Occupancy

## When are Permits Not Required?

### RESIDENTIAL & COMMERCIAL

- Check with our office

### Documentation Needed for a Permit

- Site plan drawn to scale or survey map showing size of lot, location of buildings, location of improvements and distance to property lines and other buildings.
- Building plans and/or specifications drawn to scale. Plans shall include details on footer, foundation, floor, wall and roof construction, insulation, plumbing, windows and doors. To purchase a copy of the building codes go to [www.iccsafe.org](http://www.iccsafe.org)
- Residential plans must show energy code compliance. Windows and door schedules must be submitted with "U" values for each. For free software for energy code compliance go to [www.energycodes.gov](http://www.energycodes.gov)
- All commercial building plans for new construction, additions, and change of occupancy must be referred to the Code Enforcement Officer for site plan approval before a building permit can be issued
- In some cases plans must be stamped by New York State Engineer or Architect, in compliance with New York State Education Law. Changes or amendments to the stamped plans will not be accepted unless they have been reviewed by the issuing licensed professional.
- Two copies of site plans, building plans and specifications must be submitted for review.
- Contractors must submit proof of general liability insurance and workers' compensation insurance or proof that it is not needed.
- Self-employed contractors with no subcontractors, helpers, or other workers must submit New York State Workers' Compensation form CE-200 available online: [www.wcb.state.ny.us/](http://www.wcb.state.ny.us/)
- Contractors with employees, subcontractors and others must submit a New York State Workers' Compensation Board form CE-200. : available online [www.wcb.state.ny.us/](http://www.wcb.state.ny.us/)

## **AN ACCORD FORM IS NOT ACCEPTABLE PROOF OF NEW YORK STATE WORKERS' COMPENSATION OR DISABILITY BENEFITS INSURANCE COVERAGE**

Homeowners must submit Workers' Compensation form BP-1 (12/08) if the homeowner is the contractor to prove that they are exempt from the law because the homeowner:

- is performing all the work,
- is not hiring, paying or compensating in any way individuals that are performing all the work that which the building permit was issued or helping the homeowner perform the work,
- has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND is not paying individuals a total of less than 40 hours per week. This is a total aggregate hours of all paid individuals on the job site.

## Frequently Asked Questions on Building Permits

Q How long does it take to obtain a building permit?

A If all documentation is received and insurance papers are in order, usually within a day. However, new construction, major additions and other permits could take up to two weeks depending upon work load.

Q How long is a building permit good for?

A A building permit is good for one year from the date of issue.

Q What type of building permit inspections are required?

A During construction, inspection of footers, foundation, framing, insulation, plumbing and a final inspection to close out the permit is required. A list of inspections will be provided when a permit is issued.

Q Do electrical installations need to be inspected?

A. Yes, all electrical inspections are performed by a third party. A list of agencies will be on the building permit card when a permit is issued.

Q. How do we obtain a Certificate of Occupancy for a permit?

A. A final inspection must be performed and any required paperwork ( electrical inspection, pre-engineered truss certification, etc) must be on file with the office.

## **Swimming Pools, Spas, & Hot Tubs**

Due to the safety issues surrounding these installations, building permits are required prior to installation. Please contact the building department for specific codes to ensure your family's safety.

### **Basic Guidelines:**

- All above ground 24" in height and over and in ground pools must have a building permit. These also include the inflatable pools. There are specific requirements for location, fences, gates, locks and electrical regulations for a pool

- Above ground pools with at least 48" between pool top and adjoining grade do not need a separate barrier (fence) if only access to the pool is by a ladder or steps either shall be capable of being secured, locked or removed to prevent access or surrounded by a barrier (fence). Decks attached to pools must meet the barrier requirements.
- In ground and above ground pools over 24" in height (including inflatable pools) are required to have a barrier around. A four foot fence must be installed around with a self closing and self latching gate. See NYS Residential Code Section 3109 that covers swimming pool enclosures.
- There are also specific requirements for electrical installations for pools. See code requirements for electric. Remember that pools cannot be erected below electrical power lines or on any easements on your property.