

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~  
~~City~~ of CAIRO  
Town  
~~Village~~

Local Law No. 2 of the year 19 91

A local law BUILDING LAW  
(Insert Title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of CAIRO as follows:  
Town  
~~Village~~

SEE ATTACHED

L O C A L L A W 2 - 1991

Town of Cairo, New York

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

SECTION 1 : PURPOSE:

The purpose of this law is to regulate all dwelling units, modular homes and all construction in order to insure safe construction, orderly community development and to protect the environment for the residents of the Town of Cairo.

SECTION 2 : DEFINITIONS:

- Building: A building is a structure wholly or partially enclosed within exterior walls or within exterior walls and party walls, and a roof, affording shelter to persons, animals or property.
- Structure: Any form or arrangement of building or construction materials involving the necessity or precaution of providing proper support, bracing, tying, anchoring, or other protection against the pressure of the elements.
- Residence or Dwelling: A residence or dwelling is any structure used for human habitation.
- Pools: Inground Pools:  
Building permit required and construction to meet the standards required by N.Y.S. Uniform Fire Prevention and Building Code.
- Above Ground Pools:  
Exempt from application for permit.

Permit: The term permit, as used in this law, shall mean any document authorized by the Town Board to be issued by the Building Inspector for the purpose of showing compliance with this law.

SECTION 3:

Alterations may be any change or re-arrangement or addition to a building other than repairs, any modification in construction, all alterations shall require a permit other than those alterations such as: repairs to a roof, re-arrangements of an interior of a building or dwelling. Alteration may, in essence, be termed the alteration which changes the design or size of any building.

SECTION 4:

No person, being the owner, occupant, tenant or contractor of land or premises within the Town of Cairo, shall cause or permit new residence or modular homes or a building for any purpose to be constructed on any type of said land without obtaining a building permit as provided in this law. Storage buildings and animal shelters valued at \$1,000.00 or less shall not be subject to a permit.

SECTION 5:

No building, modular home, or structure shall be constructed, altered, or placed within the Town of Cairo, until an application for a permit, filled out in duplicate and including the following information, is submitted, filed with, and approved by the Building Inspector.

The application shall be on a form approved by the Cairo Town Board. The Town Board, from time to time, may revise the form to require any information it deems necessary.

Applications shall include:

1. Name and address of the applicant. If a corporation, name and address of each officer and director; if a partnership, name and address of each partner.

2. Plans and specifications of the building or structure showing the following details:
  - a. Nature of materials used.
  - b. Plans must be drawn to scale.
3. Plot plan of the property to include location of the sources of water and sewage facilities.
4. The location of water source and leach fields on all abutting property, if any exists within 250 feet of the property which is the subject of the application.
5. If private sewage system is to be used, result of a percolation test conducted by either a licensed professional engineer or in the presence of a Building Inspector.
6. All driveways intersecting with town roads, must have a minimum 12 inch culvert pipe at point where the driveway intersects the town road, unless waived by the Town Superintendent of Highways.

SECTION 6: RESTRICTIONS:

No permit will be issued unless the following restrictions have been complied with:

1. New structures shall have a minimum set back of 65 feet from the centerline of any existing highway or right of way.
2. No lot shall be smaller than 40,000 square feet with a minimum of 150 feet of frontage on a highway or private roadway.
3. Percolation test results which meet the minimum requirements of the N.Y. State Department of Health.
4. No new leach field will be permitted within 100 feet of any source of water.
5. No structure to be placed with 15 feet of the

boundary line.

6. Specifically exempted are fences which need not comply with the set back restrictions set herein.

SECTION 7:

Upon receipt of an application for a building permit, the Building Inspector shall issue a permit or deny the application within fifteen (15) days. In making his determination, the Building Inspector shall take into consideration, in addition to all the requirements for a permit and restrictions above set forth, the character of the area of the proposed structure within 1,000 feet in any direction.

If the Building Inspector denies an application for a permit, the applicant may appeal the decision to the Building Review Board. However, no construction is to be started until a permit has been issued. The appeal to the Building Review Board must be in writing and filed with the Town Clerk within ten (10) days of the date of the denial of the application. The Building Review Board will hold a meeting to review the application. At the next regularly scheduled Building Review Board meeting or at a special meeting called for such purpose, whichever shall occur first, the Building Review Board will make its decision, in writing, within ten (10) days of its meeting. The decision of the Building Review Board may be reviewed by the Cairo Town Board and the decision by the Town Board will be final.

SECTION 8:

Upon completion of the construction for which a permit has been issued, the applicant shall notify the Building Inspector who shall inspect the premises within ten (10) days to determine if said construction is in compliance with the application and with this law, and with other applicable laws. If said construction complies, the inspector shall direct the issuance of a certificate of occupancy. If the construction does not comply, the inspector shall notify the applicant of changes, additions or conditions necessary to effect such compliance. Should the applicant disagree, the applicant shall have the same privileges of review as upon refusal of a permit. No dwelling is to be occupied until a certificate of occupancy is issued.

SECTION 9:

There shall be only one dwelling, one modular home or one residential unit other than auxiliary units, on one building lot as required in this law. Commercial property, apartments or complexes must comply with the Department of Health and Town planning and zoning laws.

SECTION 10:

All sewage and other wastes shall be disposed of in accordance with the sewage disposal ordinance in effect at the time of the application. Permits and a certificate of occupancy shall not be issued unless the sewage system meets with the regulation of the sewage disposal ordinance with the approval of the Town Building Inspector.

Variances in lot size may be allowed by the Building Review Board for non-conforming lots which pre-exist this law, if found not to interfere with the use of the adjoining property owners and the proposed septic system meets the requirements of the sewer ordinance. Any building existing at the time of this law which is subsequently destroyed or demolished, must be replaced within two (2) years of the demolition or destruction, on the same foundation and the new structure must be of the same type as the one destroyed or demolished.

SECTION 11:

A manufactured home shall be required to meet the regulations as described in this law as required for a one family dwelling. It shall be supported on a concrete slab, with bedrock or masonry piers extending a minimum of 40 inches below ground level or down to bedrock, and spaced a maximum of 10 feet apart under said manufactured home. The space between the under side of the manufactured home and the ground shall be completely enclosed by masonry foundation and/or a skirting of non-combustible material. No gas cylinders shall be located beneath any manufactured home and the space beneath the manufactured home is to be a minimum of 24 inches. All piping from fuel storage tanks or cylinders shall be permanently installed and secured fastened in place. Any gas surface supply lines shall be installed beneath the ground or enclosed so as not to be subject to vehicle or pedestrian traffic. This provision shall apply to all installations. All manufactured homes

are to be anchored in place with tie-downs.

SECTION 12:

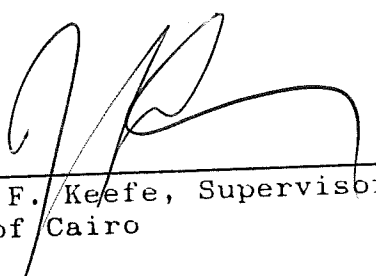
All electrical installations shall be approved by the New York State Board of Fire Underwriters, as provided under the inspection set up now in force in Greene County.

SECTION 13:

Fees for a permit for all structures shall be set by a resolution of the Town Board of Cairo.

SECTION 14:

Any person, firm or corporation who violates this law shall be guilty of an offense and subject to a penalty of Two Hundred Fifty (\$250.00) Dollars and in addition, shall pay all costs and expenses, including attorney fees, incurred by the Town in determining such violation. Each and every week that any such violation continues shall constitute a separate offense. Penalties shall be collected and violations of this law shall be prosecuted in the manner prescribed by law. The application of the above penalty or the prosecution of the violation of the provisions of this law shall not be held to prevent the taking of such other action as may be authorized by law.

Approved by:   
James F. Keefe, Supervisor  
Town of Cairo

Dated: October 22, 1991

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1991 of the ~~(County)(City)(Town)(Village)~~ of Cairo was duly passed by the Town Board on October 9, 1991, and was (approved)(not disapproved)(repassed after disapproval) by the Supervisor and was deemed duly adopted on October 22, 1991, in accordance with the applicable provisions of law.  
(Name of Legislative Body) (Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body) (Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not disapproved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body) (Elective Chief Executive Officer\*)

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2, above.

[Signature]  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: October 23, 1991

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF GREENE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]  
Signature  
Town Attorney  
Title

~~County~~  
~~City~~ of CAIRO  
Town  
~~Village~~

Date: October 23, 1991