

RESOLUTION No. 2021-

***RELATIVE TO AMENDING CHAPTER 1101 OF THE CODIFIED ORDINANCES
ENTITLED “BUILDING ORDINANCES”***

BY:

Council Chairman Kenny Tompkins

Council Member Frank Soda

Council Member John Spanbauer

Council Member Chris Voccio

BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that Chapter 1101 of the Codified Ordinances entitled “Building Ordinances” is hereby amended to read as follows:

CHAPTER 1101

[BUILDING ORDINANCES

New York State Property Maintenance Code

1101.01 Application of State Code

1102.02 Penalties for Violation

1101.01 APPLICATION OF NEW YORK STATE PROPERTY MAINTENANCE CODE

There is hereby adopted by the City of Niagara Falls, New York a code known as New York State Property Maintenance Code, effective January 1, 2003. (Adopted by City Council 11/12/85; amended 09/18/03.)

1102.02 PENALTIES FOR VIOLATION

A. A person, firm or corporation found to be in violation of the New York State Property Maintenance Code, as adopted in Section 1101.01 of this Chapter, shall be guilty of a violation and is punishable by a fine not more than Two Hundred Fifty and 00/100 Dollars (\$250.00) or by imprisonment for not more than fifteen (15) days, or both. Each day in which any such violation shall continue shall be deemed a separate offense. (Section added 09/18/03)

B. Any person, firm or corporation violating any of the provisions of the New York State Property Maintenance Code shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation, and the City may maintain an action against each person, firm or corporation to recover for such expense, loss or damage, together with the costs of executing such notice or orders required. (Section added 09/18/03)]

ADOPTION OF NEW YORK STATE CODES

<u>1101.01</u>	<u>Application of New York State Codes</u>
<u>1101.02</u>	<u>Penalties for Violation</u>

1101.01 APPLICATION OF NEW YORK STATE CODES

There is hereby adopted and incorporated by reference in this Part 11 of the City Ordinances, as is fully set forth herein, all applicable provisions of the:

- A. New York State Uniform Fire Prevention and Building Code (hereinafter referred to as the “the Uniform Code”), adopted pursuant to Article 18 of the New York Executive Law and set forth in Parts 1219-1227 of Title 19 of the New York Code Rules and Regulations (“19 NYCRR Part 1219 et seq.”), as amended, including but not limited to the publications known as the:
 - 1) 2020 Building Code of New York State
 - 2) 2020 Existing Building Code of New York State
 - 3) 2020 Fire Code of New York State
 - 4) 2020 Fuel Gas Code of New York State
 - 5) 2020 Mechanical Code of New York State
 - 6) 2020 Plumbing Code of New York State
 - 7) 2020 Property Maintenance Code of New York State
 - 8) 2020 Residential Code of New York State
- B. New York State Energy Conservation Construction Code, (hereinafter referred to as the “Energy Code”), adopted pursuant to Article 11 of the New York Energy Law and set forth in Title 19 of the New York Code Rules and Regulations Part 1240 (“19 NYCRR Part 1240”), as amended, including but not limited to the publication known as the 2020 Energy Conservation Construction Code of New York State.

1102.02 PENALTIES FOR VIOLATION

- A. A person, firm or corporation found to be in violation of any provision of the Codes adopted in Section 1101.01 of this Chapter shall be guilty of a violation and is punishable by a fine of not more than Two Hundred Fifty and 00/100 Dollars (\$250.00) or by imprisonment for not more than fifteen (15) days, or both. Each day in which any such violation shall continue shall be deemed a separate offense.**
- B. Any person, firm or corporation violating any provision of the Codes adopted in Section 1101.01 of this Chapter shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation, and the City may maintain an action against each person, firm or corporation to recover for such expense, loss or damage, together with the costs of executing such notice or orders required.**

Bold and Underline Indicate **Additions**
Bold and **Brackets** Indicate **[Deletions]**

Kennedy_____ Soda_____ Spanbauer_____ Voccio_____ Tompkins_____