

STATE OF NEW YORK

8894--A

IN ASSEMBLY

January 5, 2018

Introduced by M. of A. THIELE, MURRAY -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing uniform procedures authorizing municipalities to grant building permits upon certification by a licensed professional engineer or a registered architect in good standing for certain alterations to existing commercial buildings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs d and e of subdivision 2 of section 377 of the
2 executive law, as added by chapter 707 of the laws of 1981, are amended
3 and a new paragraph f is added to read as follows:

4 d. encourage, so far as may be practicable, the standardization of
5 construction practices, methods, equipment, material and techniques;
6 [~~and~~]

7 e. eliminate restrictive, obsolete, conflicting and unnecessary build-
8 ing regulations and requirements which tend to increase unnecessarily
9 construction costs or retard unnecessarily the use of new materials, or
10 provide unwarranted preferential treatment to types or classes of mate-
11 rial or products or methods of construction[~~-~~]; and

12 f. notwithstanding any law, rule or regulation to the contrary, estab-
13 lish a uniform procedure authorizing municipalities, except cities with
14 a population in excess of one million, which adopt a local law authoriz-
15 ing the adoption of such uniform procedure, to grant a building permit
16 in cases where a licensed professional engineer or a registered archi-
17 tect in good standing certifies to the municipality that the proposed
18 construction is in conformance with the requirements of the uniform fire
19 prevention and building code; provided, however, that such procedure
20 shall allow a municipality to accept a certification by a licensed
21 professional engineer or a registered architect in good standing only in
22 cases where the permit application is for alterations to existing resi-
23 dential or commercial buildings, where such alterations do not alter

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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1 load bearing walls, do not alter existing accessibility that is compli-
2 ant with the federal Americans with Disabilities Act, meets all fire
3 egress requirements, and maintains at least the same fire rating as
4 before the proposed construction.

5 § 2. This act shall take effect immediately.