

STATE OF NEW YORK

8894

IN ASSEMBLY

January 5, 2018

Introduced by M. of A. THIELE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establish procedures authorizing certain municipalities to grant building permits upon certification by a licensed professional engineer or a registered architect 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 procedure authorizing municipalities in Nassau and Suffolk coun-
14 ties to grant a building permit in cases where a licensed professional
15 engineer or a registered architect certifies to the municipality that
16 the proposed construction is in conformance with the requirements of the
17 uniform fire prevention and building code; provided, however, that such
18 procedure shall allow a municipality to accept a certification by a
19 licensed professional engineer or a registered architect only in cases
20 where the permit application is for alterations to existing residential
21 or commercial buildings, where such alterations do not alter load bear-
22 ing walls, do not alter existing accessibility that is compliant with
23 the federal Americans with Disabilities Act, meets all fire egress
24 requirements, and maintains at least the same fire rating as before the
25 proposed construction.

26 § 2. This act shall take effect immediately.

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

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