

Proposed Local Law 10-2021

A local law amending Chapter 162 (Housing/Property Maintenance and Building Code Administration) of the Village of Ossining Code.

BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:

Section 1. Chapter 162 (Housing/Property Maintenance and Building Code Administration) is amended with new matter underlined.

Section **162-28 M.** **Utilization of third-party design professional.**

- (1) The Building Inspector or designee may refer any building permit application, including all construction and other accompanying documents, to a third-party New York State licensed registered architect or professional engineer ("Third-Party Design Professional"), for review, in whole or in part for compliance with the Uniform Code, Energy Code and any other applicable law, rule or regulation. The Third-Party Design Professional selected by the Building Inspector or designee for review of a building permit application shall not be the applicant, property owner or design professional associated with the application. In determining whether to approve a building permit application, the Building Inspector or designee may rely in whole or in part on the Third-Party Design Professional's review and recommendations. The ultimate decision to approve a building permit application shall be made solely by the Building Inspector or designee.
- (2) Absent unusual circumstances, which shall be documented in writing by the Building Inspector or designee and provided to the applicant, no building permit application for proposed single-family or two-family detached structures including additions, alterations or structures accessory thereto shall be referred to a Third-Party Design Professional. All other building permit applications for proposed principal uses, including the construction of single-family or two-family detached residential units that are part of a proposed subdivision may be referred to a Third-Party Design Professional by the Building Inspector or designee as provided herein.
- (3) Should the Building Inspector or designee determine that review of the building permit application by the Third-Party Design Professional is appropriate, the Building Inspector or designee shall so notify the applicant in writing along with the cost for the review. The cost for the review shall be paid by the applicant to the Village of Ossining for transmittal to the Third-Party Design Professional. Where it has been determined that a review by a Third-Party Design Professional is warranted, a building permit application will not be further processed until payment for the cost of the review is received.

Section 2. **Effective Date.**

This local law shall become effective upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.