

SUE SERINO
COUNTY EXECUTIVE



22 Market Street
Poughkeepsie, NY 12601
Phone: 845-486-2000

DUTCHESS COUNTY GOVERNMENT

EXECUTIVE ORDER NO. 4 OF 2026

I hereby issue the following Executive Order in connection with the enforcement of the New York State Uniform Fire Prevention and Building Code for County-Owned and Industrial Development Agency Properties.

WHEREAS, the County of Dutchess, pursuant to Article 18, Section 381 of the New York State Executive Law and Title 19 of the New York State Code of Rules and Regulations, Part 1203 et seq., is required to establish procedures for the enforcement of the Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) with respect to buildings, premises, and equipment in its custody, and activities related thereto, including those of the Dutchess County Industrial Development Agency; and

WHEREAS, the County of Dutchess does not currently have a local law establishing a code enforcement program that satisfies the requirements of Title 19 of the NYCRR Part 1203; and

WHEREAS, it is necessary and appropriate to establish such a program by executive order to ensure compliance with State law and to protect public health, safety, and welfare;

WHEREAS, former County Executive William R. Steinhaus issued an Executive Order on June 7, 1995, establishing such procedures, which were subsequently superseded by Executive Orders No. 3 of 2013 and No. 2 of 2016; and

WHEREAS, between 1994 and 1995, the Commissioner of Public Works, in consultation with the County Attorney's Office, the Office of Risk Management, and the Department of Emergency Response, developed procedures to ensure compliance with applicable laws and regulations for the safety and protection of employees, the public, and property; and

WHEREAS, it is necessary to update and supersede all prior Executive Orders relating to the enforcement of the Uniform Code and the Energy Code.

NOW, THEREFORE, I hereby order the following:

SECTION 1. Establishment of the Code Enforcement Program

1.1 There is hereby established the County Uniform Code and Energy Code Administration and Enforcement Program ("the Program"), which shall constitute the County's official program for administration and enforcement of the Uniform Code and Energy Code pursuant to Executive Law Section 381 and 19 NYCRR Part 1203.

1.2 The Program shall meet or exceed all minimum standards set forth in 19 NYCRR Part 1203.

1.3 The Program applies only to buildings, facilities, and structures under the care, custody, control, and maintenance of the County of Dutchess, which shall include, but is not limited to all: (1) buildings, facilities, and structures owned by the County of Dutchess and (2) buildings, facilities, and structures on land owned by the County of Dutchess, for itself or under the custody of the Dutchess County Industrial Development Agency.

SECTION 2. Designation of Authority Having Jurisdiction

2.1 The Department of Public Works is hereby designated as the Authority Having Jurisdiction for administration and enforcement of the Uniform Code and Energy Code within the County.

2.2 The Department shall exercise all powers necessary to implement the Program, including issuance of permits, inspections, certificates, enforcement actions, and maintenance of required records.

SECTION 3. Personnel Qualifications

3.1 All personnel performing administration or enforcement functions under this Program shall hold valid certifications issued pursuant to 19 NYCRR Part 1208.

3.2 The Department may contract with or appoint third-party inspectors or agencies, provided they meet all certification requirements.

SECTION 4. Program Components

4.1 Building Permits: The Program shall have a system for receiving, reviewing, and approving applications for building permits for all work subject to the Uniform Code or Energy Code, in accordance with 19 NYCRR Part 1203.3(a).

4.2 Construction Inspections: The Program shall have a system for the performance of all inspections required by 19 NYCRR Part 1203.3(b), including footing, foundation, framing, plumbing, mechanical, electrical, energy, and final inspections.

4.3 Stop Work Orders: The Program shall establish the Authority to issue, serve, and enforce stop work orders as required by 19 NYCRR Part 1203.3(c).

4.4 Certificates of Occupancy and Compliance: The Program shall have a system for the issuance of certificates in accordance with 19 NYCRR Part 1203.3(d).

4.5 Notification regarding fire or explosion: The Program shall have a procedure for the chief of any fire department providing firefighting services for a property to notify the authority having jurisdiction of any fire or explosion involving any structural damage, fuel-burning appliance, chimney or gas vent in accordance with 19 NYCRR Part 1203.3(e).

4.6 Unsafe Structures and Equipment: The Program shall establish procedures for identifying, securing, and remedying unsafe buildings or equipment in accordance with 19 NYCRR Part 1203.3(f).

4.7 Operating Permits: The Program shall have a system for the issuance of operating permits for activities and occupancies listed in 19 NYCRR Part 1203.3(g).

4.8 Fire Safety and Property Maintenance Inspections: The Program shall establish a schedule of inspections meeting 19 NYCRR Part 1203.3(h), including annual inspections for assembly, institutional, and multi-unit residential occupancies, and triennial inspections for all other occupancies.

4.9 Complaint Investigations: The Program shall establish procedures for receiving, documenting, and investigating complaints alleging violations of the Uniform Code or Energy Code, in accordance with 19 NYCRR Part 1203.3(i).

4.10 Condition assessments of parking garages: The Program shall establish procedures for the assessment of the condition of parking garages, in accordance with 19 NYCRR Part 1203.3(j).

4.11 Climatic and geographic design criteria: The Program shall establish and make available climatic and geographic design criteria as required by the Uniform Code, in accordance with 19 NYCRR Part 1203.3(k).

4.12 Recordkeeping: The Program shall have a system for the maintenance of all records required by 19 NYCRR Part 1203.3(l), including permit files, inspection reports, certificates,

enforcement actions, correspondence, and fire safety inspection records. Records shall be available for review by County personnel, State officials, and the public.

4.13 Annual Reporting: The Program shall establish procedures for the submission of the annual report to the New York State Department of State as required by 19 NYCRR Part 1203.4.

SECTION 5. Violations

5.1 In consultation with County's attorney, the Program shall establish a due process to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, or to abate or correct conditions not in compliance with the Uniform Code or the Energy Code.

SECTION 6. Fees

6.1 The Department is authorized to collect fees for permits, inspections, certificates, operating permits, and other services associated with the Program, consistent with any fee schedule adopted by the County Legislature or established administratively.

SECTION 7. Supersession

7.1 This Executive Order supersedes all prior Executive Orders relating to the enforcement of the Uniform Code and the Energy Code.

SECTION 8. Duration and Expiration

8.1 This Executive Order shall remain in full force and effect until:

- a) it is rescinded by the County Executive, or
- b) the County Legislature adopts a local law establishing a code enforcement program that fully satisfies the requirements of Title 19 of the New York State Code of Rules and Regulations Part 1203, at which time this Executive Order shall be deemed superseded and of no further force or effect.

Made this 28th day of April, 2026 at the Office of the County Executive, 22 Market Street,
Poughkeepsie, New York 12601.

A handwritten signature in cursive script that reads "Susan J. Serino".

Susan J. Serino
Dutchess County Executive