



## COUNTY OF DUTCHESS

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

### EXECUTIVE ORDER NO. 2 of 2016

I hereby issue the following Executive Order in connection with the following rules and procedures for the enforcement of the New York State Uniform Fire Prevention and Building Code with respect to buildings, premises and equipment in the custody of, or activities related thereto undertaken by, the County of Dutchess .

WHEREAS, the County of Dutchess, pursuant to Article 18, Section 381 of the Executive Law and Title 19 of the New York State Code of Rules and Regulations, Part 1201 et al, is required to establish procedures for the enforcement of the Uniform Fire Prevention and Building Code with respect to buildings, premises and equipment in the custody of, or activities related thereto undertaken by, the County of Dutchess and buildings of Off Track Betting in cases where Off Track Betting is sole occupant, and buildings, premises and equipment in the custody of or activities related thereto of the Industrial Development Agency , and

WHEREAS, between 1994 and 1995, the Commissioner of Public Works, with the assistance of the County Attorney's Office, and in consultation with representatives of the Office of Risk Management, the Department of Emergency Response, and Dutchess Community College, developed a set of proposed procedures for the County of Dutchess to follow so that it will be in compliance with the law and ensure the safety and protection of its employees, the public, and property,

WHEREAS, former County Executive William R. Steinhaus issued Executive Order on June 7, 1995 that outlined the rules and procedures that the County of Dutchess would follow with respect to the administration and the enforcement of the New York State Building and Fire Prevention Code, and

WHEREAS, this Executive Order supersedes the Executive Order dated June 7, 1995 issued by former County Executive William R. Steinhaus,

WHEREAS, this Executive Order supersedes Executive Order No. 3 of 2013, now therefore it is hereby

ORDERED that the following rules and procedures for the enforcement of the New York State Uniform Fire Prevention and Building Code with respect to buildings, premises and equipment in the custody of, or activities related thereto undertaken by the County of Dutchess, are as follows:

A. Dutchess County Buildings, Premises and Equipment

The New York State Uniform Fire Prevention and Building Code will be administered and enforced by an employee of the County of Dutchess who has the requisite training and certification to act as the Dutchess County Code Enforcement Officer with respect to buildings, premises and equipment in the custody of, or activities related thereto undertaken by the County of Dutchess. The Commissioner of Public Works is authorized to contract with a professional, technical expert to consult with and assist the Code Enforcement Officer in the performance of his duties. The consultant will assist the Dutchess County Code Enforcement Officer with the issuance of documents related to the New York State Uniform Fire Prevention and Building Code including but not limited to the following matters:

- a. plan reviews and making recommendations for County issued building permits;

- b. site reviews and recommendations;
- c. construction inspections;
- d. making recommendations concerning County issued certificates of compliance;
- e. fire safety inspections;
- f. Certificates of Occupancy.

Dutchess County will furnish to the technical expert all of the necessary forms for proper administration and enforcement of the New York State Uniform Fire Prevention and Building Code. All completed forms relating to structures owned by the County of Dutchess will be kept in the office of the Department of Public Works .

Bona fide complaints relating to the enforcement of the New York State Uniform Fire Prevention and Building Code with respect to buildings, premises and equipment in the custody of, or activities related thereto undertaken by the County of Dutchess will be reviewed and investigated by the Dutchess County Code Enforcement Officer within thirty (30) days of receipt of the complaint.

The Dutchess County Code Enforcement Officer will maintain all necessary records pertaining to code enforcement activities. The following departments will have access to the records for the purposes of adding and deleting information: Law, Public Works, Risk Management and Emergency Response Office. The records will be available for review by County personnel, State officials and the general public.

The Dutchess County Department of Public Works will compile and periodically update an inventory of all buildings, premises and equipment in the custody of the County of Dutchess.

B. Dutchess Community College's Buildings, Premises and Equipment

Dutchess Community College, on behalf of the County, will be responsible for administration and enforcement of the New York State Uniform Fire Prevention and Building Code with respect to buildings, premises and equipment in the custody of, or activities related thereto undertaken by, Dutchess Community College. The President of the College has been authorized by the Dutchess County Legislature to designate appropriate College employees to administer and enforce the New York State Uniform Fire Prevention and Building Code. These employees will be employed in the Physical Plant Operations. Their responsibilities will be as follows:

- a. issuing building permits, certificates of compliance and related records;
- b. construction inspections;
- c. fire safety inspections;
- d. bona fide complaints;
- e. maintaining and updating all records related to the New York State Uniform Fire Prevention and Building Code;
- f. Certificate of Occupancy.

C. Off Track Betting Corporation's Buildings, Premises and Equipment

The New York State Uniform Fire Prevention and Building Code with respect to buildings, premises and equipment in the custody of, or activities related undertaken by Off Track Betting Corporation will be administered and enforced by the Dutchess County Code Enforcement Officer. The consultant, mentioned in Section A, will assist the Dutchess County Code Enforcement Officer with the issuance of documents related to the enforcement of the New

York State Uniform Fire Prevention and Building Code including but not limited to the following matters:

- a. plan reviews and making recommendations for County issued building permits.
- b. site review and recommendations
- c. construction inspections
- d. making recommendations concerning County issued certificates of compliance
- e. fire safety inspections
- f. Certificates of Occupancy

The Dutchess County Code Enforcement Officer will execute all of the necessary forms. All completed forms relating to facilities in OTB custody will be kept in the office of the Department of Public Works .

Bona fide complaints relating to the enforcement of the New York State Uniform Fire Prevention and Building Code with respect to the buildings, premises and equipment in the custody of the Off Track betting Corporation will be reviewed and investigated by the Dutchess County Code Enforcement Officer within thirty (30) days of receipt of the complaint.

The Department of Public Works will establish and periodically update an inventory of all buildings, premises and equipment in the custody of the Off Track Betting Corporation.

D. Dutchess County Industrial Development Agency's Buildings, Premises and Equipment

The New York State Uniform Fire Prevention and Building Code with respect to buildings, premises and equipment in the custody of the Dutchess County Industrial

Development Agency will be administered and enforced by the Dutchess County Code Enforcement Officer. The consultant mentioned in Section A, will assist the Dutchess County Code Enforcement Officer with the issuance of documents related to the enforcement of the New York State Uniform Fire Prevention and Building Code including but not limited to the following matters:

- a. plan reviews and making recommendations for County issued building permits;
- b. site review and recommendations;
- c. construction inspections;
- d. making recommendations concerning County issued certificates of compliance;
- e. fire safety inspections;
- f. Certificate of Occupancy.

The Dutchess County Code Enforcement Officer will execute all of the necessary forms. All completed forms relating to buildings, premises and equipment in the custody of the Dutchess County Industrial Development Agency will be kept in the office of the Department of Public Works .

Bona fide complaints relating to the enforcement of the New York State Uniform Code with respect to buildings, premises and equipment, or activities related thereto undertaken by the Dutchess County Industrial Development Agency will be reviewed and investigated by the Dutchess County Code Enforcement Officer within thirty (30) days of receipt of the complaint.

The Department of Public Works will establish and periodically update an inventory of all buildings, premises and equipment in the custody of the Dutchess County Industrial Development Agency.

Made this 19<sup>th</sup> of December, 2016 at the Office of the County Executive, 22 Market Street, Poughkeepsie, New York, 12601.



---

Marcus J. Molinaro  
County Executive