

Proposed Local Law Number 22 Of 2018

County of Ulster

A Local Law Of The County Of Ulster Requiring Residential Fire Sprinklers In New Construction Within Ulster County

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Ulster County Legislature hereby finds that to further protect the safety and welfare of the residents and the firefighters of the County of Ulster a local law requiring the installation of residential fire sprinklers in conformance with the International Residential Code and the International Fire Code is necessary and appropriate.

SECTION 2. DEFINITIONS.

Residential Fire Sprinklers: As defined in the NFPA 13D, standards for the installation of sprinkler systems in one and two family dwellings and manufactured homes.

Uniform code: Is the New York State Uniform Fire Prevention Building Code.

Construction Tradeoffs: Those waivers of the Uniform Code that code enforcement officials may approve in exchange for the installation of residential fire sprinklers. These trade-offs may include but are not limited to items such as increased spacing for fire hydrants, additional homes allowed to be built in cul-de-sacs, etc.

NFPA: National Fire Protection Association

SECTION 3: FIRE SPRINKLER SYSTEMS.

- A. All new residential construction of one and two family homes and townhouses within Ulster County that do not currently require fire sprinklers under the NYS uniform fire prevention and building code; constructed after July 1, 2019 shall have a Fire Sprinkler conforming to the current NFPA 13D standards.

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- B. Prior to issuance of a building permit, two sets of proposed plans shall be submitted to the appropriate official within municipality, depicting fire sprinkler system. These plans shall be signed and sealed by a licensed New York State professional Engineer, NICET (level 3 or above) or a licensed Fire Protection Engineer.
- C. No certificate of Occupancy shall be issued for occupancy or use of any building, structure or portion thereof required to have a fire sprinkler under this local law unless such a system is installed, inspected and tested and approved in accordance with NFPA standards.
- D. Ulster County municipalities will have 60 days from the effective date of this local law to amend their local building codes to include the provisions of this local law or the County will assume enforcement of the provisions of the law and deduct the costs of this enforcement from sales tax receipts due to the municipality. Within 30 days from the approval of this law by the New York State Fire Prevention and Building Code Council as required by NYS Executive Law Section 379, the Ulster County Department of Public Works will issue the necessary regulations needed for the enactment of this law and require any budget amendment that may be necessary to enact the provisions of this law.

SECTION 4: EXCEPTIONS.

Sprinklers shall not be required to be installed in spaces where the discharge of water would be hazardous. In such spaces, other approved fire-extinguishing equipment shall be provided, as approved by the local municipality.

SECTION 5: TRADEOFFS.

In any building which is subject to this local law, the owner may apply to the appropriate board or agency within their municipality for a hardship waiver to require construction trade-offs in exchange for installation of the residential fire

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sprinklers. These trade-offs as defined in Section 2 herein may not include elimination of the sprinkler requirement enacted by this law.

SECTION 6: MAINTENANCE.

Installed fire sprinkler systems shall be maintained in good working order by the property owner. A designee of each municipality may make inspections to verify this compliance or may rely on inspection submitted by the owner to perform by independent contractors trained and approved to conduct such inspections on an annual basis.

SECTION 7: ENFORCEMENT.

This local law shall be enforced by the local code enforcement officers and any revenue generated as a result of violations of this local law will be revenue to the enforcing municipality. If the local municipality fails to enact the provisions of this local law within 60 days from enactment or is unable to due to lack of a code enforcement function within their municipality then a department to be designated by the Ulster County Executive shall assume enforcement duties for the provisions of this law.

SECTION 8: PENALTIES FOR OFFENSES.

Any contractor that constructs a home without complying with this local law shall be punished by a civil penalty of _____ per day until such home is brought into compliance.

SECTION 9: EFFECTIVE DATE.

This local law shall take effect on July 1, 2019, upon approval of this law by the New York State Fire Prevention and Building Code and required by New York State Executive Law Section 379.