



VILLAGE OF NEW PALTZ
DRAFT LOCAL LAW # __ OF 2019

A LOCAL LAW CREATING ARTICLE II OF CHAPTER 86 OF THE VILLAGE CODE OF
THE VILLAGE OF NEW PALTZ ENTITLED “SPRINKLER SYSTEMS”

Be it enacted by the Board of Trustees of the Village of New Paltz, Ulster County, State of New York, as follows:

Section 1. Amendment to Village Code Chapter 86.

Chapter 86 of the Village Code entitled: “Building Construction” is hereby amended by adding a new Article II entitled “Sprinkler Systems” as follows:

Article II. Sprinkler Systems

§86-18 Purpose and Intent

With an increasing demand for rental housing in the community and an increase in residential construction which is often accomplished using materials that are highly toxic when burning, it is necessary to enact a municipal Fire Sprinkler Law to better protect residents. Today’s fires burn hotter and faster than fires in the past and escaping a burning structure must be done expeditiously. A fire sprinkler system protecting ingress and egress areas of residential structures provides occupants more time to safely exit a burning building while also protecting firefighters from the inherent dangers associated with the extrication of trapped residents.

§86-19 Definitions

A. As used in this article, the following terms shall have the meanings indicated:

APPROVED SPRINKLER SYSTEM

A sprinkler system that meets the requirements of the New York State Uniform Fire Prevention and Building Code and the standards of the National Fire Protection Association or other nationally recognized approval organization, as determined by the Village Code Enforcement Officer. Such system, to be approved, shall meet all standards of installation and operation as prescribed by such approval bodies and the manufacturer of the system. Any such installation and the operation thereof



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shall be also subject to the approval of the Village of New Paltz Building Inspector, Fire Inspector or Code Enforcement Officer.

NFPA

National Fire Protection Association

NFPA 13D FIRE SPRINKLER SYSTEM

A residential sprinkler design standard primarily focused on one and two family dwellings and manufactured homes.

- B. All other terms shall have their commonly understood meanings. Where there is an ambiguity in the commonly understood meaning of a word or term, reference shall be made to the definitions contained in Chapter 212, Zoning, of the Code of the Village of New Paltz, and the New York State Uniform Fire Prevention and Building Code. Where there is a conflict in definition between such Chapter 212, Zoning, and such Building Code, the definitions contained in Chapter 212 Zoning, shall control.

§86-20 New Buildings Required To Have Sprinkler Systems

- A. All residential buildings constructed after the effective date of this article, shall be required to have an NFPA 13D Fire Sprinkler System or other Approved Sprinkler System conforming to current NFPA standards installed and operational at the ingress and egress points of the structure prior to the issuance of a Certificate of Occupancy by the Building Department. All structures used for residential rental purposes pursuant to Village Code Chapter 129, Article II are included in this law.
- B. Prior to issuance of a Building Permit, each builder shall submit two sets of proposed plans to the Building Department depicting the complete design of the Fire Sprinkler System. These plans must be signed and sealed by a New York State Licensed Design Professional.
- 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 System unless such system is installed, inspected, tested and approved in accordance with NFPA standards.



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- D. Rental accessory apartments or rooms less than 120 square feet and with ground floor door egress shall not be required to install a Fire Sprinkler System. This exception shall be administered and approved at the sole discretion of the Building Inspector.
- E. Notwithstanding the foregoing, detached residential garages and residential accessory buildings, including those associated with one- or two-family dwellings or multiple-family dwellings, regardless of size, are not required to have sprinkler systems.

§86-21 Existing Buildings

For any existing building, structure or occupancy which does not contain an Approved Sprinkler System or an NFPA 13D Fire Sprinkler System where a room is added, or the total floor area is increased by 50% or more, or for which the cost of any alterations, additions or repairs made within a two-year period exceeds 50% of the cost of replacement of the building at the beginning of that two-year period, plans shall be submitted in accordance with Chapter 9 of New York State Uniform Fire Code and a fire sprinkler system as defined in this article shall be installed.

§86-22 Fire Sprinkler System Inspection

- A. All Fire Sprinkler Systems shall be inspected on an annual basis by a qualified technician, as prescribed by the NFPA. Inspection reports must be submitted to the Building Department by the property owner or such property owner's agent within ten (10) business days of each anniversary date of the issuance of the Certificate of Occupancy. Failure to deliver such annual inspection report shall result in the suspension of the property owner's Certificate of Occupancy and/or Rental Registration Permit until such time as a satisfactory inspection report is delivered to the Building Department.
- B. In addition to the suspension of any Certificate of Occupancy and/or Rental Registration Permit, property owners shall be subject to a fine set forth in the Village Fee and Penalty Schedule, the sum of which shall be set annually by resolution of the Board of Trustees.

§86-23 Exception



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Notwithstanding the terms of this article, sprinkler systems shall not be required to be installed in spaces where the discharge of water would be hazardous. In such places, other fire-extinguishing equipment shall be provided that meets the requirements of the New York State Uniform Fire Prevention and Building Code and the standards of the NFPA or other nationally recognized approval organization, as determined by the Village Building Department.

§86-24 Violations and Enforcement

Failure to comply with any provision of this article shall be administered in accordance with §86-15 of this Chapter. However, the suspension of any Certificate of Occupancy and/or Rental Registration Permit shall take effect in the time frame specified in §86-22 of this Chapter

§86-25 Variances

- A. Where practical difficulties or unnecessary hardship may result from enforcement of the strict letter of any provision of this chapter applications for variances consistent with the spirit of this chapter may be made to and acted upon by the Village Zoning Board of Appeals. The Board is empowered to grant a variance when the Board has found:
1. The application of the strict letter of this chapter would create a practical difficulty or unnecessary hardship for the applicant.
 2. The omission of an approved sprinkler system from all or part of a building will not significantly jeopardize human life.
- B. In granting any variances the Zoning Board of Appeals may impose such conditions as such Board may reasonably determine necessary to mitigate the consequences of the omission of an approved sprinkler system from all or any part of a building, including the requirement that alternative forms of fire extinguishing equipment be provided or a requirement of additional alarms or other devices to ameliorate the effects of having no sprinkler systems.

§86-26 Administration



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The requirements set forth in this chapter shall be in addition and shall supplement the requirements set forth in the remainder of this Chapter and the entire Village Code. The plans, specifications, rating body approvals and other materials required by the Building Inspector relating to the sprinkler system to be installed shall be submitted to the Building Department in conjunction with an application for a building permit pursuant to the Village Code.

Section 2. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Village Board of the Village of New Paltz hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.