

March 3, 2008

Regular Meeting of Board of Trustees
Called to order 8:00 PM

Present: Mayor John Fitzpatrick
Trustee Steve Ecklund
Trustee Luigi Marcoccia
Trustee Clare Gorman
Trustee Ernest Zocchi

The meeting opened with the salute to the flag and Pledge of Allegiance.

PUBLIC HEARING I. Continuation of public hearing to receive public comments on the adoption of the **Emergency Tenant Protection Act of 1974 (ETPA)**

Mayor Fitzpatrick stated that the Board is currently collecting information regarding an unofficial survey of the number of vacancy apartments in Tuckahoe. He noted that he received a letter from Mr. Shirley's landlord.

No Public Comments

Mayor Fitzpatrick motioned to keep the public hearing open, was seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.

PUBLIC HEARING II. CONTINUATION ON THE ADOPTION OF THE VILLAGE OF TUCKAHOE REVISED COMPREHENSIVE PLAN/MASTER PLAN.

Trustee Gorman stated that she has made changes to the Master Plan.

Mayor Fitzpatrick asked the Board members to initial all the changes they recommend to be discussed. John Cavallaro, Village Attorney, noted the final reprint of the final form of the Master Plan will be released and one more public hearing will be held for additional public input. A majority vote will be needed to approve any changes to the Master Plan.

No Public Comments

Mayor Fitzpatrick motioned to keep the public hearing open, was seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.

PUBLIC HEARING III.

CONTINUATION PUBLIC HEARING ON LOCAL LAW NO. 3 OF 2008

(previously referred to as Local Law #2 of 2008)—A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE

Be it enacted by the Village of Tuckahoe, in the County of Westchester, as follows:

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Village. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

SECTION 2. DEFINITIONS

In this local law:

“Building Permit” shall mean a permit issued pursuant to section 4 of this local law. The term “Building Permit” shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

“Certificate of Occupancy”/ “Certificate of Compliance” shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

“Code Enforcement Officer” shall mean Building Inspector and/or the Code Enforcement Officer of the Village.

“Code Enforcement Personnel” shall include the Code Enforcement Officer and all Inspectors.

“Compliance Order” shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 15 of this local law.

“Energy Code” shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

“Operating Permit” shall mean a permit issued pursuant to section 10 of this local law. The term “Operating Permit” shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

“Permit Holder” shall mean the Person to whom a Building Permit has been issued.

“Person” shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“Stop Work Order” shall mean an order issued pursuant to section 6 of this local law.

“Temporary Certificate” shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

“Uniform Code” shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

“Village” shall mean the Village of Tuckahoe.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 15 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the Village Board of Trustees of this Village;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this Village's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Mayor subject to the approval of the Village Board of Trustees. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Mayor subject to the approval of the Village Board of Trustees to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Village Board of Trustees of this Village.

SECTION 4. BUILDING PERMITS

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

(2) installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) installation of fences which are not part of an enclosure surrounding a swimming pool;

(5) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one or two-family dwelling or multiple single-family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building

system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work;

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of

accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within six (6) months following the date of issuance. Building Permits shall expire twelve (12) months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTIONS

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) building systems, including underground and rough-in;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues or gas vents;
- (9) Energy Code compliance; and
- (10) a final inspection after all work authorized by the Building Permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, re-inspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 15 (Violations) of this local law or under any other

applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. CERTIFICATES OF OCCUPANCY/CERTIFICATES OF COMPLIANCE

(a) Certificates of Occupancy or Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or sub-classification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

(b) Issuance of Certificates of Occupancy or Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or sub-classification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

- (1) a written statement of structural observations and/or a final report of special inspections, and
- (2) flood hazard certifications.

(c) Contents of Certificates of Occupancy / Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

- (1) the Building Permit number, if any;
- (2) the date of issuance of the Building Permit, if any;
- (3) the name, address and tax map number of the property;
- (4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;

- (5) the use and occupancy classification of the structure;
- (6) the type of construction of the structure;
- (7) the assembly occupant load of the structure, if any;
- (8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
- (9) any special conditions imposed in connection with the issuance of the Building Permit; and
- (10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed three (3) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy or Certificate of Compliance or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy or Certificate of Compliance or for Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION

The chief of any fire department providing fire fighting services for a property within this Village shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 9. UNSAFE BUILDING AND STRUCTURES

Unsafe structures and equipment in this Village shall be identified and addressed in accordance with the procedures set forth in Article V of Chapter 6 of the Code of the Village of Tuckahoe, entitled Unsafe Buildings, as now in effect or as hereafter amended from time to time.

SECTION 10. OPERATING PERMITS

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled "Fire Code of New York State" and incorporated by reference in 19 NYCRR section 1225.1;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Village Board of Trustees of this Village.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer

deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consistent with local conditions. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every eighteen (18) months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b. Notwithstanding any other provision of this section to the contrary:

(1) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure which contains an area of public assembly if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;

(2) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure occupied as a dormitory if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;

(3) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a multiple dwelling not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such multiple dwelling at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section; and

(4) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a non-residential building, structure, use or occupancy not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such non-residential building, structure, use or occupancy at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 15 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. RECORD KEEPING

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- (1) all applications received, reviewed and approved or denied;
- (2) all plans, specifications and construction documents approved;
- (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- (4) all inspections and tests performed;
- (5) all statements and reports issued;
- (6) all complaints received;
- (7) all investigations conducted;
- (8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and
- (9) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 14. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to the Village Board of Trustees of this Village a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 13 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Village, on a form prescribed by the Secretary of State, a report of the activities of this Village relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records

and related materials this Village is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Village in connection with administration and enforcement of the Uniform Code.

SECTION 15. VIOLATIONS

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil Penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where

the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board of Trustees of this Village.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 16. FEES

A fee schedule shall be established by resolution of the Village Board of Trustees of this Village. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 17. INTERMUNICIPAL AGREEMENTS

The Village Board of Trustees of this Village may, by resolution, authorize the Mayor of this Village to enter into an agreement, in the name of this Village, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 18. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 19. 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.

Bill Williams, Building Inspector, listed the following items he recommends the Village should exempt from the list provided by the state. #1 - construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters) #3 - installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground; #4 - installation of fences which are not part of an enclosure surrounding a swimming pool; #5 - construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids; #6- construction of temporary motion picture, television and theater stage sets and scenery; #10- installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances; #11- replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications;

Bill Williams added that the state requires permits for the installation of windows, siding and roofing which should be inspected by the Building Dept. No permit is required if the roof needs minor repairs.

No Public Comments

Mayor Fitzpatrick motioned to keep the public hearing open, was seconded by Trustee Gorman and upon roll call was carried with a vote of 5 – 0.

OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

No Public Comments

RESOLUTIONS -

- 1. Mayor Fitzpatrick offered a Resolution** authorizing to solicit bids for improvements at the intersection of Fisher Avenue and Marbledale Road.
Trustee Ecklund motioned to adopt Resolution #1, seconded by Trustee Zocchi and upon roll call was carried with a vote of 5 – 0.

2. Mayor Fitzpatrick offered a Resolution approving payment of vouchers in the amount of \$452,983.48 consisting of abstract #33 for \$157,697.20, abstract #35 for \$68,326.17, abstract #37 for \$162,725.25 and abstract #38 for \$64,234.86. The largest paid invoices are: NYS Health insurance premiums for February and March \$196,381.96, Vernon Hills Contracting for sidewalk and fencing Fisher Ave. area \$29,639.05, MVM Contracting for demolition of DPW building \$14,000, NY Power Authority for electrical power \$16,046.60. **Trustee Gorman motioned to adopt Resolution #2, seconded by Trustee Zocchi and upon roll call was carried with a vote of 5 – 0.**

3. Mayor Fitzpatrick offered a Resolution ratifying Village Board action authorizing the Westchester Cultural Center to hang banners from the Generoso Pope Building from Monday, February 18th to April 6th 2008 for the purpose of promoting a new exhibition. **Trustee Ecklund motioned to adopt Resolution #3, was seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.**

4. Mayor Fitzpatrick offered a Resolution increasing the compensation under the agreement between the Village of Tuckahoe and Aunt Reenee's Website, the Village's webmaster, to an amount not to exceed \$2,400 per year. **Trustee Gorman motioned to adopt Resolution #4, was seconded by Trustee Zocchi.** Trustee Gorman indicated that the web master has been working additional hours on the Village's website. She currently makes \$40.00 per hour. Trustee Marcoccia asked if an email could be sent to all residents regarding news and events. Trustee Gorman will check with the web master. **Upon roll call was carried with a vote of 5 – 0.**

5. Mayor Fitzpatrick offered a Resolution AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HAROLD, SALANT, STRASSFIELD & SPIELBERG

At a regular meeting of the Village Board of the Village of Tuckahoe, New York (the "Village") held at Village Hall, 65 Main Street, Tuckahoe, New York on March 3, 2008.

WHEREAS, the Mayor has requested legislation authorizing the Village to enter into a Retainer Agreement with HAROLD, SALANT, STRASSFIELD & SPIELBERG for professional legal services concerning police department and department of public works collective bargaining agreements.

NOW, THEREFORE, BE IT RESOLVED

Section 1. The Village Board hereby authorizes the Mayor to execute a Retainer Agreement with HAROLD, SALANT, STRASSFIELD & SPIELBERG for professional legal services concerning police department and department of public works collective bargaining agreements.

Section 2. By this resolution, the Mayor shall be authorized to execute any and all amendments to existing retainer agreements with HAROLD, SALANT, STRASSFIELD & SPIELBERG.

Section 3. The retainer agreement with the Village and HAROLD, SALANT, STRASSFIELD & SPIELBERG shall include such other matters that are related to collective bargaining and the administration and enforcement of the police department and department of public works collective bargaining agreements.

Section 4. That this resolution shall take effect immediately.

Trustee Ecklund motioned to adopt Resolution #5, was seconded by Trustee Zocchi. Mayor Fitzpatrick stated that the Board has just completed negotiations on a contract with the Police Department and now is currently working on a contract with the DPW. Upon roll call was carried with a vote of 5 – 0.

6. Mayor Fitzpatrick offered a Resolution ratifying Memorandum of Agreement between the Village of Tuckahoe and the Tuckahoe Police Organization for the period covering June 1, 2007 and May 31, 2010.

Trustee Gorman motioned to adopt Resolution #6, seconded by Trustee Zocchi. Mayor Fitzpatrick noted that the Memorandum of Agreement is available at Village Hall. He stated that language was added to the contract concerning healthcare, fitness incentives and incentives to keep absentees at a minimum. Upon roll call was carried with a vote of 5 – 0.

7. Mayor Fitzpatrick offered a Resolution authorizing payment of \$209.38 to Pat Madonna of 263 Dante Avenue, Tuckahoe, NY for expenses incurred to clear a back up in his home caused by blockage in Village Street. **Trustee Ecklund motioned to adopt Resolution #7, was seconded by Trustee Zocchi and upon roll call was carried with a vote of 5 – 0.**

8. Mayor Fitzpatrick offered a Resolution authorizing the Village clerk to issue a Peddler's license to Lisa and Anthony Livorsi of 24 Summer Avenue, Yonkers, NY to sell hot dogs, soda, water off truck on Yonkers Avenue and Garret corner on weekends from 11am to 4pm.

Trustee Marcoccia motioned to adopt Resolution #8, was seconded by Trustee Gorman. Mayor Fitzpatrick indicated that there have been similar requests made in the past that have not been granted. Upon roll call motion was denied with a vote of 4 – 1 with Trustee Zocchi voting 'Yes'.

APPOINTMENTS –

Mayor Fitzpatrick offered the appointment of Alfredo D. Colon of 51 Wallace Street as a member of the Planning Board for a term to expire April 1, 2013. Trustee Gorman motioned to approve the appointment, seconded by Trustee Zocchi.

Trustee Ecklund indicated that a legal Planning Board must consist of 5 or 7 members. The current Board has 6 members, so he would vote to approve this appointment for the Village to have a legal 7 member Planning Board. **Upon roll call motion was carried with a vote of 4 – 1 with Trustee Marcoccia voting ‘Nay’.**

APPROVAL OF MINUTES –

Motion by Trustee Gorman to approve the minutes of the Regular Meeting - February 11, 2007 was seconded by Trustee Zocchi and upon roll call was carried with a vote of 5 – 0.

REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

Police Department-

John Costanzo, Police Chief, stated that the Wallace Street parking survey results showed that the majority of the residents are in favor of the proposed change. Only 20 of the 51 surveys sent out were returned. He suggested an off site meeting with the residents for additional input. He added that a compromise such as a time limit on one side of the street for a short time basis to see how it goes may be a solution. Chief Costanzo stated that the residents of the lower part of Wallace Street all agreed to the 2 hour restriction. He suggested residents read street signs carefully as the snow signs will be changed. Mayor Fitzpatrick announced that there are a number of unpaid parking tickets dating back since 1994 worth approximately \$800,000. Chief Costanzo stated that there are agencies that perform the task of retrieving unpaid parking tickets for a fee. The new license reader helps to identify vehicles with outstanding parking tickets. After 17 unpaid tickets, the court may take away the driver's license. The license reader also identifies vehicles with suspended registrations, uninsured vehicles, felons with violent crimes and to help with Amber Alert. He thanked the Generoso Foundation for the donation for this device.

Department of Public Works-

Frank DiMarco said the recycling program has been moving along smoothly with the exception of a few problems encountered with buildings that have absentee landlords. He reminded residents to place recyclables in a containers and not in plastic bags. Potholes will be filled during April when the weather is more suitable.

MISCELLANEOUS BUSINESS

Mayor Fitzpatrick announced that the Village Offices closed Friday, March 21st in observance of Good Friday.

Village Attorney

No Report

CORRESPONDENCE

One letter was submitted from Mr. Shirley's landlord.

BOARD OF TRUSTEES MEMBER REPORTS:

- **TRUSTEE MARCOCCIA** thanked the Generoso Pope Foundation for the license reader for the Police Department. He requested the approval for an auditing firm to assist the Village Treasurer for approximately 3 – 4 weeks with the upcoming budget. Members of the Board agreed and put forth a resolution. **Resolution authorizing the Village Accounting firm**

Bennett and Kielson to assist the Village Treasurer to complete the Village Budget at a cost to be determined. Mayor Fitzpatrick motioned to approve the resolution, seconded by Trustee Marcoccia and upon roll call was carried with a vote of 5 – 0.

Trustee Marcoccia reminded business owners that the fee for new sign applications has been waived for a period of 6 months.

TRUSTEE GORMAN reviewed the Library monthly schedule, call 961-2121 for further details. Easter Egg Hunt will take place on March 22 with 1 – 4 year olds gathering eggs at Circuit Ave Park and 5 – 9 years olds on the front lawn of Village Hall. If residents know of any service man or woman serving our country, to let her know so that arrangements can be made for packages to be sent to their camp. She asked residents to donate the cost of the postage rather than a cash donation. She displayed photos of the service men and women from Camp Bucca and read a moving letter from one of the service men. Residents can still donate items, please check the Village's website for a list of needed items. She went on to thank the Crestwood Taxi and John Cavallaro, Village Attorney, and his law firm for covering the cost of the postage for the last two shipments.

- **TRUSTEE ZOCCHI** announced that the Chamber of Commerce will honor Dale Walker and Susan Ciamarra at the Lake Isle Country Club on May 2nd. He noted that the Girls Scouts will celebrate 50 years. He commended the DPW personnel who stopped to help a resident, Elizabeth Moreno with a flat tire.
- **TRUSTEE ECKLOND** announced that the Fisher Ave and Marbledale Rd. intersection improvements should be completed by May. He thanked Frank DiMarco for his assistance with a grant application for Union Place playground. He is currently working on a grant for the replacement of the sidewalks on Columbus Ave., which has quite a lot of commuter traffic; the deadline is June 1, 2008. Plans are to repave the Thompson St. parking lot this summer.
- **MAYOR FITZPATRICK** stated that the intersection of Marbledale Rd. and Fisher Ave has been revised from the initial plans and residents hopefully will be happy with the new plans and added that he is committed to creating a safer intersection.

SECOND OPPORTUNITY TO ADDRESS THE BOARD

Representatives from the Eastchester Irish American Social Club announced the 4th Annual St. Patrick's Day parade, Sunday March 16, 3:00pm starting at the Immaculate Conception Church, Rt. 22 to Lake Isle Country Club. Grand Marshal will be Mrs. Margaret McGorty Colavita. More information: www.eastchesterirish.org

Paul Brand, 3 Parkview Place, noted that the response from the 911 service has been terrific. He thanked the Village for a fine job with the snow removal. He asked the Board to consider the parking situation on Columbus Ave. He announced that he has recently undergone a heart and

kidney transplant. He asked approval for an organ donor team to make a presentation regarding organ donors at a future meeting.

Mayor Fitzpatrick stated that he was in favor of the proposed presentation for the Village. As for the parking situation on Columbus Ave., he indicated that apartment buildings in the Village were selling parking spaces leaving tenants without spaces.

Rick Slater, resident and Board member of the Consulate, spoke on behalf of the Consulate regarding the parking situation. He stated that the parkway oval is a restricted parking zone. The residents are unable to obtain parking spots and are abusing the visitor parking spaces at the Consulate. Mayor Fitzpatrick stated that the management office of the Consulate indicated that when a unit was sold, some had one parking spaced deeded and some two. The Village Clerk added that the Village has been issuing residents of the Consulate resident parking passes for approximately 10 years. Mayor Fitzpatrick stated that a public hearing will be scheduled for input on how to fix this, alter it or enforce the parking restrictions. He noted that the parking situation affects 100 Columbus Ave., 50 Columbus Ave., the Rivervue and the Consulate. Rick Slater stated that he would find out information regarding the number of parking spaces assigned to each unit.

Mayor Fitzpatrick announced the Village elections to be held on March 18th with polls opening at 7:00am and closing at 9:00pm. The candidate's debate is at Village Hall on March 9, 2008 from 2:00pm to 3:00pm.

There being no further business, the Board unanimously voted to adjourn the meeting at 9:25 P.M.

Susan Ciamarra, Village Clerk

(Attachment #1)

FROM: Bill Williams, Building Inspector

DATED: January 14, 2008

SUBJECT: Annual Report

The following is a list of work performed by the building department for the year of 2007.

The Building Department collected fees, processed, and issued:

- 233 Building Permits
- 70 Plumbing Permits
- 82 Electrical Permits
- 39 Elevator Certifications
- 22 Ladder/Dumpster/Scaffolding/Crane Permits
- 32 Illegal Apartments
- 105 Complaints
- 25 Bulk Garbage
- 133 Yard waste
- 29 Planning Board Applications
- 17 Zoning Board Applications

Total fees collected \$677,870.75

The Building Department issued and responded to:

- More than 1200 violations

In addition, the Building Department is overseeing the following projects in the village:

- PE Controls - Village Hall
- Power Wash - Library
- Currently overseeing the demolition of DPW Building

We would like to remind the residents of the Village to call the Building Department before proceeding with any work to verify whether or not a permit is required. The contact number for the department is (914) 961-8148.

BUILDING PERMITS ARE REQUIRED FOR DECKS, FENCES, EXTENSIONS, DRIVEWAYS, AND ANY STRUCTURAL WORK PERFORMED IN A RESIDENCE.