

**Reference:** EXECUTIVE  
**Title:** CONSTRUCTION PERMITTING AND CODE COMPLIANCE CERTIFICATION  
**Policy No.:** 01-01-11  
**Issue Date:** 01-29-2019  
**Revision Date:** 05-04-2021

## **I. PURPOSE**

The purpose of this policy is to ensure compliance by the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc. (collectively referred to as “NFTA”) with New York State’s requirements with respect to construction permitting in accordance with the Uniform Fire Prevention and Building Code (“Uniform Code”) and the Energy Conservation Construction Code (“Energy Code”). This policy identifies the rules, minimum standards and procedures to be followed, and the associated responsible parties.

## **II. POLICY**

### *Notice and Approval of Proposed Project Required*

No business unit shall authorize or commence the erection, construction, enlargement, alteration, improvement, relocation, removal or demolition of any building or other structure without first sending written notice of the proposed project to, and receiving written approval from, the NFTA’s Director, Engineering and Director, Health, Safety and Environmental Quality (“HSEQ”), and if required, obtain a construction permit from a New York State-designated construction-permitting agency.

The NFTA is not a New York State-designated construction-permitting agency.

A construction permit shall be required for the performance of work that materially affects the structural elements of a building or other structure and/or its plumbing, electrical, heating, ventilation, air conditioning systems, or egress/life safety systems. The NFTA’s Director, Engineering shall determine if the performance of work will have a material effect.

### *Contents of Written Notice of Proposed Project*

The written notice required to be delivered to the NFTA’s Director, Engineering and Director of HSEQ shall include:

- a description of the site upon which the proposed work is to be done;
- a description of the use and/or occupancy of all parts of the land and of the proposed building or other structure;
- where work is proposed for an existing building or other structure and a description of the use and/or occupancy of the building or other structure;
- a reasonably detailed description of the work proposed to be done;
- the party that owns/has custody of the building during the proposed project;
- a complete set of plans and specifications for the proposed project; and
- the actual or anticipated cost of the proposed project.

### *Non-Compliance; Stop Work Orders; Revocation of Permits*

A construction permit will not be issued unless the plans and specifications for the proposed project are in conformance with the requirements of the Uniform Code and Energy Code, as applicable. A construction permit is subject to suspension or revocation by the construction-permitting agency if it determines that the proposed work is not proceeding in accordance with the Uniform Code and Energy Code, as applicable, or if there is found to be a misrepresentation or falsification of a material fact in connection with the application for the related construction permit.

### *Inspections*

During the course of construction for which a construction permit has been issued, work shall be inspected

so as to observe the foundation, framing, superstructure, electrical system, plumbing system, heating/ventilating/air conditioning system, fire protection and detection system, and exit features. If the building or other structure, or any portion of either, which is subject to the construction permit exceeds 20,000 cubic feet, a final inspection shall be performed by the construction-permitting agency that issued the construction permit before a code compliance certificate may be issued.

#### *Use and Occupancy*

Upon completion of the proposed project for which a construction permit has been issued, the NFTA shall obtain a code compliance certificate from the construction-permitting agency. No building enlarged or altered, or upon which work has been performed that is subject to the Uniform Code or Energy Code, as applicable, shall continue to be occupied or used unless a code compliance certificate or a temporary approval for occupancy has been issued by the construction-permitting agency.

#### *Reporting of Permitted Projects*

The NFTA Director, Engineering shall maintain records of all Written Notices of Proposed Projects received each year and of those projects requiring permits. Further, the NFTA Director, Engineering shall ensure that the construction permitting agency for NFTA projects is responsible for meeting the reporting obligations to the New York State Secretary of State relative to permitted NFTA projects.

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