# **Village of Sherman**

#### NY State Building and Fire Code has adopted the new 2020 International Code

The Village of Sherman, in compliance with state building code, sends this reminder:

### When are permits required?

New Construction Swimming Pools Garages

Alterations Decks Dumpsters

Renovations Porches Change of Occupancy

Additions Fences Installation of fire protection

equipment

Demolition Special Use

New construction *and remodeling* require building permits; if any one piece of support structure is removed and replaced it requires a building permit. If the entire structure is removed and replaced it requires a building permit, even if it will be replaced with the same pitch and detail.

When in doubt, ask an officer. Surcharge for <u>prematurely</u> commencing work begins at **\$150**.

### What does not require a permit?

Painting Replacement windows with no structural change or Siding change in window size

### **LOCAL LAWS - Municipal Code**

Property Maintenance and Zoning Law are two types of local municipal code / law. Property Maintenance and Special Use Permits are overseen by the Municipal Zoning Board, the sitting Village Board of Trustees. Variance requests are determined by the Zoning Board of Appeals. These are lawfully organized boards required to have a thorough understanding of local law and a minimum of four hours of annual training, required by the NY Dept of State.

The Village Local Laws, Village Zoning Law of 2009 and the Fee Schedule are available on the website

# www.shermanny.org

Code & Zoning Enforcement Officer Greg Gormley 716-640-3195

Building Inspection Officer Dave Heckman 716-484-3173

## **COVID – Executive Order**

The governor and president, both, suspended many laws during this pandemic, including the ability to use utility shut off's, evictions, and property maintenance enforcement, prohibiting the Code & Zoning Enforcement Officers from conducting some of their normal review and enforcement.

International Building Code
ICC – International Code Council

CODES AND PERMITS
EXPLAINED

NYS Building and Fire Code has adopted the International Code. (NY Dept of State)

BUILDING & FIRE CODE

The Village of Sherman has adopted NYS Building and Fire Code, recognizing the ICC's Building Code

Village of Sherman municipal code, local laws, are overseen by the Municipal Zoning Board, the Village Board of Trustees.

PROPERTY
MAINTENANCE
LAWS

Three different but often overlapping laws, each involving permits.

Zoning Laws are designed by and for local municipalities. Parameters of writing and administering local zoning laws are outlined in NY State Law.

# **ZONING LAW**

The **ZBA** hears appeals and requests for **Variance** from the local zoning law. The determination is made by a wholly separate **Zoning Board of Appeals**.

ZBA decisions can be appealed to the NYS Supreme Court within a period specified by NYS Law and the Dept of State. Enforcement by the Village
Board can include
remediation or fees. The
Village can pursue fines
through the Court.

Building Code and Property
Maintenance Laws are universal,
covering all properties, regardless
of location. Whereas the Zoning
Law's purpose is to designate
specific guidelines for different
property types and zones. For
instance, the needs of row
buildings on Main Street vary
greatly from agricultural property
near the Village / Town line.

### <u>Purpose</u>

"...brings benefits to a community which may or may not be highly or immediately visible. However, the resulting conditions will enhance and preserve the quality of living, health, and safety for the municipality." This is all balanced with federal and state laws preserving the rights of property owners and individual freedom of speech, along with laws protecting agricultural practices.