

## County of Erie Local Laws of 1998

Local Law No.	Year	Title/Subject A local law . . .
3	1998	. . . amending the Erie County charter and the Erie County administrative code with respect to powers and duties of the Commission of Public Works

Section 1. Section one thousand two of the Erie county charter, being Erie county local law number one of nineteen hundred fifty-nine, as amended, is hereby amended to read as follows:

Section 1002. **Powers and duties.** Except as otherwise provided by this charter, the commissioner of public works shall:

- a. Have all the powers and duties of a county engineer and a county superintendent of highways pursuant to the highway law or other applicable law and of a county traffic safety board pursuant to section sixteen hundred seventy-five of the vehicle and traffic law.
- b. Have charge and supervision of the design, construction, reconstruction, alteration, maintenance, repair and operation of county buildings, grounds, parking fields, drives and walks, but not including custodial care of the community college, library, holding center, penitentiary, home and infirmary, medical center or laboratory.
- c. Advertise and call for bids on the construction of each public works project of the county, open such bids publicly, tabulate them and submit recommendations with respect thereto to the county legislature and county executive.
- d. Exercise all the powers and duties of administration and enforcement of the uniform fire prevention and building code pursuant to article eighteen of the executive law with respect to any and all buildings owned by the county of Erie.
- e. Perform such additional and related duties as the county executive may prescribe.

Section 2. Section 10.02 of the Erie county administrative code, being Erie county local law number one of nineteen hundred sixty, as amended, is hereby amended by adding a new subdivision f thereto to read as follows:

- f. The commissioner of public works shall be the administrative and enforcement officer of the county for all purposes under the New York state uniform fire prevention and building code.

The commissioner shall have the authority to promulgate rules and regulations consistent, with the New York state fire prevention and building code, and shall establish a system of permits, inspections and approvals of all construction, reconstruction, renovation or modification of any building owned by the county. All buildings owned by the county, including but not limited to those under the custodial jurisdiction of the commissioner, community college, the library, holding center, penitentiary, home and infirmary, medical center and laboratory, shall be subject to the fire prevention and building code established by the commissioner, and shall be subject to the enforcement jurisdiction of the commissioner. The commissioner may delegate the inspection and enforcement of the New York state uniform fire prevention and building code to deputies and employees within the department, and by rule may delegate such powers to licensed professional engineers within the division of sewerage management in the department of environment and planning. No county-owned building shall be constructed, altered or renovated until a permit is first issued by the commissioner. The commissioner shall have the power to: deny permits to proposed projects which do not meet the standards of the uniform fire prevention and building code; order employees and contractors to cease work on unapproved or disapproved projects; enter all permitted premises at any time to inspect the course of construction, renovation or alteration; cause workers to change, correct or remove work which fails inspection; or cause employees or contractors to cease work. No certificate of occupancy shall be issued and no person shall occupy any county building, or any altered or renovated part of such building, until the work is first inspected and approved pursuant to this section.

Section 3. This local law shall be effective immediately.

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