



Building Standards and Codes

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UNIFORM CODE ADMINISTRATION AND ENFORCEMENT REPORT (REPORTING YEAR: 2022)

Instructions

The official who oversees code enforcement activities for your city, town, village, or county jurisdiction must complete this form. If your local government has transferred such responsibilities to another local government by opting out of enforcement or entering a shared services agreement as provided by law, then this official will be part of the other local government. Even if your local government is not required to submit the report because it has transferred responsibility, we recommend you complete this form to assure the Department of State has accurate information about who is responsible for code enforcement in your jurisdiction.

The **"Reporting Year"** is the calendar year (January through December) for which the reported data have been collected. The **"Uniform Code"** is the New York State Uniform Fire Prevention and Building Code. The **"Energy Code"** is the New York State Energy Conservation Construction Code. The **"Code Official"** is the official enforcing the Uniform Code or Energy Code in the $\{muni_type\}$.

If you are submitting on behalf of a local government that administers the Uniform Code or the Energy Code for other local governments, you must submit a separate report on each city, town, village, and county for which you administer those services.

If you still have questions after reviewing this form and instructions, please contact the Division of Building Standards and Codes at (518) 474-4073.

Name of Municipality

Town of Brookhaven (47030960000)

| | | |
|------------------------------|---------------------|--------------|
| Address | City | Zip Code |
| One Independence Hill | Farmingville | 11719 |

Responsibility for Enforcement of the Uniform Code and the Energy Code

Did the local government adopt a local law providing it will ***not*** enforce the Uniform Code and Energy Code that was in effect during the reporting period? **No**

Has the local government entered into an agreement pursuant to General Municipal Law, Article 5-G, with one or more other local governments to jointly administer the Uniform Code or Energy Code as authorized by Executive Law Section 381(2)? **No**

If yes and a different local government is responsible for administration of Uniform Code, specify:

If yes and a different local government is responsible for administration of Energy Code, specify:

Does the local government employ any code enforcement officials or building safety instructors to support its administration of the Uniform Code or Energy Code? **Yes**

Submitting Official and Reporting Period

Local government which employs submitter **Brookhaven**

Name of Person Submitting Report

Frank Palazzo

| | |
|-----------------------|----------------------------------|
| Phone | Email |
| (631) 451-6354 | fpalazzo@brookhavenny.gov |

Reporting Period

Jan 1, 2022 - Dec 31, 2022

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Assignment of Responsibilities by Submitting Local Government

| | |
|--|--|
| Are third-party contracted services used to meet the requirements of 19 NYCRR Part 1203? | No |
| Does the third-party meet the education requirements of 1203.2(e)(1)? | |
| Does the fire department perform fire safety inspections? | If "No", who is responsible for fire safety inspections? |
| No | Town of Brookhaven Department of Fire Prevention |

Legislative Authorization

Please list the local law, ordinance or other appropriate regulation that provides for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code and Energy Conservation Construction Code in this municipality:

Local Law #7 Chapters 16 & 30

Local Legislative Modifications of Uniform Code Standards

| | |
|--|------------|
| Does the submitting local government have in effect any local law or ordinance that imposes construction standards that are different from the requirements imposed by the Uniform Code? | Yes |
| Is each such local law or ordinance approved or pending approval by the State Fire Prevention and Building Code Council pursuant to Executive Law Article 18, Section 379? | Yes |
| Specify the year and number of the local law(s) or ordinance(s): Local Law #8 - Chapter 30 (Fire Prevention) | |

Local Legislative Modifications of Energy Code Standards

| | |
|--|------------|
| Does the submitting local government have in effect any local law or ordinance that imposes energy conservation standards that are different from the requirements imposed by the *Energy Code*? | Yes |
| Is each such local law or ordinance filed with State Fire Prevention and Building Code Council pursuant to Energy Law § 11-109? | No |
| Specify the year and number of the local law(s) or ordinance(s): Local Law #24 Chapter 16-4.1 (Energy Conservation) | |

Building Permits

Write the number of building permits issued for each occupancy type listed.

| | New construction | Addition, alteration, or repair of existing | |
|---|------------------|--|-------------|
| One-family dwellings, two-family dwellings, and townhouses | 661 | 2102 | |
| Other residential occupancies | 134 | 0 | |
| Nonresidential buildings | 366 | 3534 | |
| All other permits (pools, sheds, decks, plumbing, HVAC, etc.) | 3613 | Certificates of Occupancy or Compliance issued for all occupancies | 3303 |

Stop Work Orders

Number of Stop Work Orders issued in reporting year?
241

Notification of Fire or Explosion

Have procedures been established for notification by the chief of your fire department(s) regarding fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent?

Yes

Unsafe Structures and Equipment

Have procedures been established for identifying and addressing unsafe structures and equipment?

Yes

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Operating Permits

| | |
|---|------------|
| Are operating permits required by the municipality? | Yes |
| Manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in Tables 5003.1.1(1-4) of the Fire Code of New York State (see 19 NYCRR Part 1225): | 176 |
| 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: | 70 |
| Use of pyrotechnic devices in assembly occupancies: | 0 |
| Buildings containing one or more areas of public assembly with an occupant load of 100 or more persons: | 233 |
| Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by the government or agency charged with or accountable for administration and enforcement of the Uniform Code: | 299 |
| Parking garages: | 0 |

Other Operating Permits

| Describe operating permit category | Number of permits issued |
|---|--------------------------|
| Repair Garages | 184 |
| Flammable / Combustible Liquid Storage | 227 |
| | |
| | |
| | |

Special Inspections (as defined in Section 1702 of the Uniform Code)

| | |
|---|------------|
| Does the local government require special inspections? | Yes |
| Does the local government retain special inspection reports? | Yes |
| Does the municipality require a statement of special inspections required as part of a condition for permit issuance? | No |
| Does the municipality require special inspection reports to be submitted prior to issuance of certificates of compliance or completion? | Yes |

Practices

Please identify all procedures used by the municipality to ensure compliance with the Uniform Code:

field_inspections,plan_reviews,software_report,compliance_checklist

Please identify all procedures used by the municipality to ensure compliance with the Energy Code:

field_inspections,plan_reviews,software_report,compliance_checklist

Record Keeping

Has a system of records of the features and activities specified in 19 NYCRR 1203.3(a-j) been established and maintained?

Yes

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| | | | | | |
|--|-------------|------------------|-------------|---------------------------------|-------------|
| On average, how many site inspections are conducted for Uniform Code compliance for each new residential building? | | | | 9 | |
| On average, how many site inspections are conducted for Uniform Code compliance for each new commercial building? | | | | 16 | |
| On average, how many site inspections are conducted for Energy Code compliance for each new residential building? | | | | 3 | |
| On average, how many site inspections are conducted for Energy Code compliance for each new commercial building? | | | | 3 | |
| Buildings Containing One Or More Areas of Public Assembly (area with occupant load of 50 or greater) | | | | | |
| Number of buildings | 471 | Number inspected | 272 | Not inspected in last 12 months | 199 |
| Buildings Containing 3 or More Dwelling Units | | | | | |
| Number of buildings | 672 | Number inspected | 470 | Not inspected in last 36 months | 202 |
| Number of dwelling units in such buildings | | | | 6720 | |
| Dormitories | | | | | |
| Number of buildings | 0 | Number inspected | 0 | Not inspected in last 36 months | 0 |
| Nonresidential Buildings | | | | | |
| Number of buildings | 7368 | Number inspected | 1795 | Not inspected in last 36 months | 5573 |

Are any of the numbers reported in this section estimates? **No**

Please describe briefly which figures are estimated and how estimates were calculated.

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Energy Code

The State Energy Conservation Construction Code (Energy Code) was amended and updated in its entirety, effective October 3, 2016. The amended and updated version of the Energy Code includes specific requirements relating to construction documents, applications for building approvals of applications for building permits, and inspections and tests to be performed during construction. The questions in this section of this Report relate to the Municipality's familiarity with, and ability to enforce, these new provisions.

In this section of this Report, the term "2015 IECC" means the 2015 edition of the International Energy Conservation Code (Second Printing, May 2015), the term "2016 Energy Code Supplement" means the publication entitled "2016 Supplement to the New York State Energy Conservation Construction Code (Revised August 2016)," the term "residential building" is as defined in the 2016 Energy Code Supplement, and the term "commercial building" means any building that is not a residential building

The term "residential building" includes: (1) detached one-family dwellings having not more than three stories above grade plane; (2) detached two-family dwellings having not more than three stories above grade plane; (3) buildings that (i) consist of three or more attached townhouse units and (ii) have not more than three stories above grade plane; (4) buildings that (i) are classified in accordance with Chapter 3 of the 2015 International Building Code (as amended) in Group R-2, R-3 or R-4 and (ii) have not more than three stories above grade plane; (5) factory manufactured homes (as defined in section 372(8) of the New York State Executive Law); and (6) mobile homes (as defined in section 372(13) of the New York State Executive Law). For the purposes of this definition of the term "residential building," the term "townhouse unit" means a single-family dwelling unit constructed in a group of three or more attached units in which each unit (i) extends from the foundation to roof and (ii) has open space on at least two sides.

Does the Municipality require that construction documents submitted as part of an application for a building permit? show the following data and features of the building in sufficient detail to allow the Municipality to determine whether the building does or does not comply with the Energy Code:

Representation of building's thermal envelope?

Yes

Insulation materials and their R-values?

Yes

Fenestration U-factor and solar heat gain coefficient (SHGC)?

Yes

Area-weighted U-factor calculations and SHGC values (where applicable)?

Yes

Mechanical system design criteria (Manual "J" and Manual "S" for residential buildings)?

Yes

Mechanical and service water heating system and equipment types, sizes, and efficiencies?

Yes

Economizer description (in the case of a commercial building)?

Yes

Equipment and system controls (in the case of a commercial building)?

Yes

Fan motor horsepower (hp) and controls (in the case of a commercial building)?

Yes

Duct sealing, duct and pipe insulation and location?

Yes

Lighting Fixture schedule with wattage and control narrative (in the case of a commercial building)?

Yes

Location of daylight zones on floor plans (in the case of a commercial building)?

Yes

Air sealing details?

Yes

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When the Municipality determines the construction documents to be in compliance with the applicable requirements of the Energy Code and accept the documents, does the Municipality stamp the construction documents "Reviewed for Energy Code Compliance" and endorse the documents in writing?

Yes

Where the construction documents are required to be prepared by a New York State registered architect or licensed professional engineer, does the Municipality require that the documents bear the seal or stamp and signature of such registered architect or licensed professional engineer and include, immediately above the signature, a statement substantially similar to the following: "To the best of the knowledge, belief, and professional judgment of the undersigned [registered architect or licensed professional engineer], the plans and specifications depicted on these drawings are in compliance with the applicable provisions of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code, as currently in effect."?

Yes

Are inspections completed for each of the following (where applicable):

Inspections of footings and foundations to verify compliance with the Energy Code as to R-value, location, thickness, depth of burial and protection of insulation as required by the Energy Code and approved plans and specifications?

Yes

Inspections at framing and rough-in, made before application of interior finish and to verify compliance with the Energy Code as to types of insulation and corresponding R-values and their correct location and proper installation, fenestration properties (U-factor and SHGC and, in the case of a commercial building, VT), and proper installation and air leakage components as required by the Energy Code and approved plans and specifications?

Yes

Inspections at plumbing rough-in to verify compliance as required by the Energy Code and approved plans and specifications as to types of insulation and corresponding R-values and protection, required controls, and required heat traps on potable water heaters?

Yes

Inspections at mechanical rough-in to verify compliance as required by the Energy Code and approved plans and specifications as to installed HVAC equipment type and size, required controls, system insulation, and corresponding R-value; system and damper air leakage (in the case of a commercial building) or system air leakage control (in the case of a residential building); and required energy recovery and economizers (in the case of a commercial building) or programmable thermostats, dampers, whole-house ventilation, and minimum fan efficiency (in the case of a residential building)?

Yes

Inspections at electrical rough-in to verify compliance as required by the Energy Code and approved plans and specifications as to installed lighting systems, components and controls and, if applicable, installation of an electric meter for each dwelling unit?

Yes

A final inspection that verifies, in the case of a commercial building, the installation and proper operation of all building controls required by the Energy Code, the receipt of documentation verifying that activities associated with building commissioning required by the Energy Code have been conducted and that findings of noncompliance corrected, and the receipt of the HVAC system certification required by the Energy Code; and the final inspection shall verify, in the case of a residential building, the installation of all building systems, equipment, and controls required by the Energy Code and their proper operation and the installation of the number of high-efficacy lamps and fixtures required by the Energy Code?

Yes

In the case of residential buildings:

Does the Municipality require that a permanent certificate listing the predominant R-values of insulation installed be completed by the builder or registered design professional and posted on a wall in the space where the furnace is located?

Yes

Does the Municipality require that building envelope values be confirmed as code compliant by at least one of the following methods? Prescriptive, Trade-off method (RESCheck), Energy Rating Index (2015 IECC Section R406)

Yes

In case of detached one-and-two family dwellings, townhouses, and multiple family dwellings of three stories or less, does the local government require that an air leakage test (blower door test) be performed on the completed building envelope?

Yes

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Does the local government require verification that the air leakage rate is 3 ACH (50 pascals) or less?

Yes

Does the Municipality require that written report of the results of the ACH 50 test be signed by the party conducting the test and provided to the Municipality?

Yes

In a case where any part of the HVAC duct system located outside of the building envelope, does the Municipality require that a duct tightness test be performed?

Yes

Does the code official receive a written report of the results of the test signed by the party conducting the test?

Yes

In the case of commercial buildings:

Does the Municipality require the demonstration of compliance with one of the following compliance paths?

ASHRAE Compliance Path: Compliance with the requirements of ASHRAE 90.1-2013, as amended by the 2016 Energy Code Supplement.

Prescriptive Compliance Path: Compliance with the requirements of (1) Sections C402 through C405 of the 2015 IECC, as amended by the 2016 Energy Code Supplement, (2) Section C406 of the 2015 IECC, as amended by the 2016 Energy Code Supplement, and (3) in the case of tenant spaces, Section C406.1.1 of the 2015 IECC, as amended by the 2016 Energy Code Supplement.

Performance Compliance Path: Compliance with the requirements of Sections C402.5, C403.2, C404, C405.2, C405.3, C405.5, C405.6, and C407 of the 2015 IECC, as amended by the 2016 Energy Code Supplement, with building energy cost to be equal to or less than 85 percent of the standard reference design building.

Yes

Does the Municipality require construction documents to clearly indicate provisions for commissioning and completion requirements in accordance with Section C408 of the 2015 IECC?

Yes

Project Compliance

For each of the following project categories, provide the total number of projects in each category that were completed during the year covered by this report and the number of such completed projects that comply with the applicable requirements of the Energy Code:

| | | | |
|---|-------------|--|-------------|
| New commercial building construction projects completed | 30 | Completed new commercial building construction projects that are compliant | 30 |
| New residential building construction projects completed | 359 | Completed new residential building construction projects that are compliant | 359 |
| Existing commercial building construction projects completed | 201 | Completed existing commercial building construction projects that are compliant | 201 |
| Existing residential building construction projects completed | 1869 | Completed existing residential building construction projects that are compliant | 1869 |

With respect to the response to previous question, provide a description of the methods used to verify such compliance with the Energy Code.

Construction Plan Review Field Inspections 3rd Party Inspections And Certifications

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Complaints

| | | | |
|--|-------------|---|-------------|
| Total number of all registered Uniform Code related complaints received for reporting year | 6511 | Total number of all registered Uniform Code related complaints received for reporting year | 4855 |
| Total number of all registered Energy Code related complaints received for reporting year | 0 | Total number of all registered Energy Code related complaints acted upon for reporting year | 0 |

Are any of the numbers reported in this section estimates?

(Answer 'Yes' if any of the numbers of occupancies or inspections reported were estimated rather than tabulated from electronic records or manual counting of records.)

No

Please describe briefly which figures are estimated and how estimates were calculated.

Additional Information

Please provide any additional information or comments

(Provide any additional information or comments that may prove helpful in processing the form and interpreting your response. Provide feedback on any data that were difficult to obtain and any concerns that might influence the accuracy, completeness, or precision of information you provided.)

Complete your submission

If you are using Google Chrome to submit, you may now print your application. Please click the PRINT button (image of a printer) on the upper right of this screen before you hit submit. This will allow you to print your completed form or save it to a PDF file if your computer supports that. You will not be able to retrieve the form once you submit it. Acknowledge that you have considered printing your form before you submit.

OK