

PUBLIC HEARING ON PLL 5-2010

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MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, MARCH 8, 2010 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Norman S. Rosenblum
	Trustees	Louis N. Santoro Toni Pergola Ryan John M. Hofstetter
	Village Manager	Richard Slingerland
	Village Attorney	Christie McEvoy-Derrico
	Police Department	Chief Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:	Trustee	Marianne V. Ybarra

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 8th of March, 2010, at 7:30 p.m., or as soon thereafter as all parties can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider PROPOSED LOCAL LAW NO.5-2010, a local law amending Chapter 278 (Plumbing Standards) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law No. 5-2010 is on file with the Clerk-Treasurer of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco
Clerk-Treasurer

Dated: March 1, 2010

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on Proposed Local Law 5, 2010 be and is hereby opened.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

Mr. Slingerland stated that the law that is on the books governing the issuing of plumbing licenses and having an examining board of plumbers is outdated since the County abolished all local jurisdictions over plumbing licenses and tests for continued operations. There were also incorrect references to the codes as the NY State Building Code needs to be referenced and the duties of the building inspector, or his designee, need to be established.

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There were no comments from the Board or the audience.

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on Proposed Local Law 5, 2010 be and is hereby closed.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

On motion of Trustee Santoro, seconded by Trustee Hofstetter:

RESOLVED that the Public Hearing on Proposed Local Law 5, 2010 be and is hereby adopted and shall read as follows.

LOCAL LAW NO. 5-2010

A local law amending Chapter 278 (Plumbing Standards)
of the Code of the Village of Mamaroneck.

Be it enacted by the Board of Trustees of the Village of Mamaroneck as follows:

SECTION 1.

Chapter 278, entitled Plumbing Standards is hereby deleted in its entirety.

SECTION 2.

A new Chapter 278 is hereby enacted as follows:

Chapter 278, PLUMBING STANDARDS

[HISTORY: Adopted by the Board of Trustees of the Village of Mamaroneck 2-15-1978 by L.L. No. 2-1978, effective 2-17-1978. Sections 278-2, 278-13A, B and D, 278-14A, 278-16C(2), 278-17B, 278-23C and 278-24 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. (Local Law No. 2-1978 was included as Ch. 12 of the Unified Code of Ordinances.) Other amendments noted where applicable.]

GENERAL REFERENCES

Building construction -- See Ch. 126.

Electrical standards -- See Ch. 164.

Housing standards -- See Ch. 226.

Sewers -- See Ch. 282.

ARTICLE I, General Provisions

§ 278-1. Purpose.

The Board of Trustees of the Village of Mamaroneck hereby adopts this chapter deemed by it necessary and proper for the preservation of life and health in the Village of Mamaroneck.

§ 278-2. Controlling standards. [Amended 3-23-1987 by L.L. No. 5-1987, effective 4-2-1987]

All plumbing, plumbing systems and drainage systems utilized in the village shall be executed in accordance with the New York State Uniform Fire Prevention and Building Code and approved by the Building Inspector or his deputies.

§ 278-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DRAINAGE SYSTEM -- That part of a plumbing system which conveys sewage, rain water or other liquid wastes, and which includes soil pipes, waste pipes, stormwater drains and subsoil drains. See definition of "plumbing system."

PLUMBING -- The practice, materials and fixtures used in the installation, maintenance, extension and alteration of piping, fixtures, appliances and appurtenances in connection with any of the following: sanitary drainage or storm drainage systems, the attendant vent systems and the water supply systems, within or adjacent to any building or structure, to their connections with public systems or other approved terminals.

PLUMBING SYSTEM -- The water supply system, the drainage system, the vent system, fixtures and traps, including their respective connections, devices and appurtenances within the property lines of the premises.

ARTICLE II, Licensing of Plumbers

§ 164-4. Plumber's License required.

All contractors performing plumbing work as covered by the New York State Uniform Building and Fire Code must possess a current and valid plumber's license from the appropriate Westchester County licensing agency.

ARTICLE III, Master Plumber License

§ 278-5. License required.

Except as herein otherwise stated, it shall be unlawful for any person, firm, association or corporation to do any plumbing or drainage work in the Village of Mamaroneck without first having obtained from the County of Westchester a plumber's license as required by the Westchester County Code.

ARTICLE IV, Inspection and Permits

§ 278-6. Duties of Building Inspector.

The Building Inspector or his deputies (hereinafter, Inspector) shall conduct all plumbing and drainage system and plumbing system inspections required herein and shall issue such permits as may be required.

§ 278-7. Required inspections.

There shall be the following inspections by the Inspector of work done pursuant to plans and specifications approved as hereinafter provided:

- A. The first inspection shall be made when all the lines of soil, sewer connection, waste and vent pipes, with all their respective branches, are in place and before any work has been covered or concealed. At this inspection, the work shall be tested by the water test in the presence of the Inspector. Any joint appearing at this inspection to be defective must be made tight, and any defective pipe then discovered must be replaced by sound pipe.
- B. An inspection for leaks shall be made when the work is completed.
- C. In case the Inspector, at first inspection or at any time thereafter, prior to the issuance of a certificate by the Inspector hereinafter provided, shall deliver to the plumber in charge of the work a written statement of any particular or particulars in which the work violates any provision or provisions of this chapter, there shall be such inspections in addition to those hereinabove provided as shall be necessary for the Inspector to find out whether the violation has been cured; provided, however, that such inspection shall, if possible, be a part of the inspection specified in Subsections A and B above.

§ 278-8. Notification of inspection readiness.

The plumber shall give to the Inspector prompt notification whenever the work is ready for any of the inspections herein provided. The Inspector shall make inspections within a reasonable time after receiving such notification.

§ 278-9. Certificate of conformance required prior to use.

A. If the Inspector finds that the work conforms to this chapter, he shall give to the plumber a certificate to that effect.

B. No plumbing and drainage system and plumbing system shall be used until after the certificate hereinabove provided for has been given.

§ 278-10. Appeal from decision of Inspector.

When the Inspector condemns all or part of any plumbing or drainage system or plumbing system installation, the owner may, within five (5) days after receiving written notice from the Inspector, file a petition, in writing, with the Village Clerk for review of said action of the Inspector. Upon receipt of this petition, said request shall be referred to a duly authorized and qualified person from the State of New York Codes Division to review the request to determine if said plumbing installation complies with the NYS Uniform Code and shall make a decision in accordance with its findings.

§ 278-11. Plumbing and drainage permits; fees.

A. Application. Before any plumbing, drainage system or plumbing system work is started in the village or before any additions or alterations are made to old work, an application on regular printed forms, properly filled out in ink and signed by a licensed master plumber, shall be filed in the office of the Inspector, together with plans and description, in duplicate, showing and describing the proposed work and repairs to existing plumbing, drainage system or plumbing system. No plumbing, drainage system or plumbing system work shall proceed until the appropriate plans and specifications referred to in this section have been approved, in writing, by the Inspector.

B. Modifications. Modifications of original approved plans shall not be permitted, unless such changes are approved by the Inspector, on written request, made by the owner, architect or licensed master plumber.

C. Permit fees. Plumbing permit fees, payable to the Village of Mamaroneck, are as set forth in Chapter A347, Fees. [Amended 8-13-1984 by L.L. No. 17-1984, effective 8-20-1984; 3-23-1987 by L.L. No. 5-1987, effective 4-2-1987]

ARTICLE V, Construal and Enforcement

§ 278-12. Penalties for offenses. [Amended 3-23-1987 by L.L. No. 5-1987, effective 4-2-1987]
Any person, firm, association or corporation who shall violate any of the provisions of this chapter or of any rule or regulation made pursuant thereto shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.) or imprisonment for not more than fifteen (15) days, or both such fine and imprisonment. Each day the violation exists shall constitute a separate offense.

§ 278-13. Applicability.

This chapter shall apply to all plumbing, drainage system and plumbing system installations in the Village of Mamaroneck.

§ 278-14. Liability.

This chapter shall not be construed to relieve from nor lessen the responsibility of any person owning, operating, controlling or installing any plumbing or drainage work for loss of life or damage to person or property caused by any defect therein, nor shall the Village of Mamaroneck be deemed to have assumed any such liability by reason of any permit issued pursuant to this chapter.

SECTION 3. Effective Date

This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Ayes: Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Absent: Ybarra

RESPECTFULLY SUBMITTED BY:

AGOSTINO A. FUSCO, CLERK-TREASURER