

**Supervisor**  
Richard C. Heath

**Town Clerk / Registrar**  
Jodie Fehlman

**Highway Superintendent**  
Brian T. Anderson

**Attorney**  
Andrew Robinson, Jr.

# TOWN OF GERRY

P.O. BOX 15  
GERRY, NEW YORK 14740  
Phone (716) 985-4715 Fax (716) 985-4583

## CODE ENFORCEMENT OFFICE

Brandon Shelters Cell (716) 615-3441  
E-Mail TOGCEO2@yahoo.com

**Councilmen**  
Jamie Ansell  
Gary J. Swan, Sr.  
Kasey Fanara  
Todd Wissman

**Assessor**  
Kevin Okerlund

**Justice**  
Kevin J. Sirwatka

---

## Building Permit Application Process

### List of required documents to be submitted for building permit application approval

All applicable documents listed below must be fully completed and submitted to this office prior to the issuance of a building permit. Failure to submit any of the required documents or submittal of any incomplete documents, will result in a delay of the building permit being issued

- 1) Building Application - A FULLY COMPLETED BUILDING PERMIT APPLICATION including date, full name and address, phone #, fax #, e-mail of applicant, property owner, and contractor. Building site address, section block and lot number, scope proposed work and signature of the property owner. (land contract owner signature shall not be approved)
- 2) Drawings - A drawing of ALL proposed work must be submitted prior to the approval of a building permit, Plans for all commercial applications and residential applications over 1500 square feet must submit TWO copies of stamped drawings by a licensed architect or engineer.
- 3) Site Plan - A site plan of ALL buildings on the lot including length, width and setback measurements from lot lines must be submitted prior to the approval of a building permit.
- 4) Workers Compensation Document – ALL PERMITS REQUIRE ONE OF THE FOLLOWING FIVE NYSWCB DOCUMENTS BE SUBMITTED PRIOR TO THE APPROVAL OF A BUILDING PERMIT  
(All NYSWCB forms are submitted under penalty of perjury, a felony, carrying penalty up to four years in prison)
  - a) BP-1 Form..... If ALL work is being done by homeowner – no contractors working on project (40 hour rule) Form can be printed at [www.wcb.ny.gov](http://www.wcb.ny.gov)
  - b) CE-200 Form.....Exemption for sole proprietor contractor that is not required to carry workers comp Not a waiver of workers compensation (does not apply to subcontractors) Form can be completed at [www.wcb.ny.gov](http://www.wcb.ny.gov) or call 866-546-9322
  - c) C-105.2 Form.....For contractors covered by private N.Y.S. licensed insurance carriers (SI-12 Self Insur)
  - d) U-26.3 Form..... For businesses insured by the N.Y.S. insurance fund
  - e) DB-120.1 Form...For Businesses with Certificate of Disability Benefits (DB-155 Self Insurance)
- 5) Plan Review - For all new one and two family dwellings a fully completed N.Y.S one and two family dwelling plan review must be submitted prior to the approval of a building permit. This form is available at the town clerk's office.
- 6) Septic System - For all buildings requiring a new, repaired, improved or reestablished (after a period of non-useage) septic system. A letter from the Chautauqua County Dept. of Health approving the proposed plan for use is required prior to the approval of a building permit.
- 7) Specialized Inspections – Third party inspectors are required for all specialized inspections and must be identified prior to the approval of a building permit - electrical inspectors, structural steel inspectors, elevator inspectors, asbestos & lead removal, etc. All third party inspectors must be identified by business name, address, phone # , fax # .
- 8) A Certificate of Occupancy can be obtained at the building inspector's office after final inspection and any or all remedies have been completed.



## REQUIRED SITE PLAN DRAWING

---

- 1) Draw the lot size (record the total acreage and distance in feet of all sides of property)
- 2) Draw the location of any existing buildings on property and any buildings on adjoining property within 10 feet of property lines. (Record all building sizes and distances)
- 3) Draw the location of the proposed work in relation to attached or surrounding buildings (Record all distances)
- 4) Measure and record distance of front yard setback, side yard setback, rear yard setback of proposed building
- 5) All applications for commercial buildings must attach additional information detailing drainage, landscape plans, off-street parking, etc.

DRAW SITE PLAN HERE OR ATTACH DRAWING TO APPLICATION  
(Drawn to Scale)

# Signature of Property Owner

---

Application is hereby made to the Town of Gerry for the issuance of a Building Permit. The undersigned has submitted a completed application, plans, specifications, a site plan drawing, worker compensation documents, and a septic approval letter, which are hereto attached, incorporated into and made a part of this application. In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such permit is granted, he/she will comply with the terms pursuant to the Town of Gerry Zoning Code, the New York State Fire Prevention and Building Codes and Standards for construction of new buildings, additions, alterations, change of occupancy, removal or demolition, the Sanitary Code of the Chautauqua County Health Department and regulations of the New York State Department of Transportation. He/she will preserve the established building line; and have full notification to the Code Enforcement Officer upon start of construction, allow for periodic inspections, and that he/she will not use or permit to be used, the structure covered by this permit, until all inspections have been performed, building is completely finished, and a Certificate of Occupancy / Compliance has been issued. The undersigned hereby certifies that all of the information in this petition is correct and true.

Signature of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

1. The building permit placard MUST be displayed in a conspicuous location on the building site until construction is complete and a Certificate of Occupancy / Compliance is issued. A copy of all approved plans must also be kept on the premises at all times and must be available for inspection.
2. Any deviation from the original approved plans shall require submittal of new drawings showing all proposed changes and approval by the Code Enforcement Official.
3. Inspections are required upon completion of the following work. Failure to call for a required inspection may result in a delay, or a stop work order.
  - a. footing and foundation
  - b. Framing
  - c. Plumbing, heating, and electrical inspection rough in before any insulation installation
  - d. Insulation before any drywall installation.
  - e. Final Inspection when all required work is completed.
3. No building shall be occupied or used in whole or in part for any purpose whatever until a final inspection is performed and a Certificate of Occupancy / Compliance shall have been granted by the Code Enforcement Official.
5. CALL DIG SAFELY NEW YORK TWO FULL WORKING DAYS BEFORE YOU DIG  
CALL 811 or 1-800-962-7962
6. All electrical work must be inspected by a specialized electrical inspector
7. The work covered by this application shall not be started prior to the issuance of the building permit.
8. If you have any questions at any time or to schedule an inspection, you may call the Code Enforcement Officer, Brandon Shelters at 716-615-3441.

# **ASBESTOS AND YOUR DEMOLITION PERMIT**

**A COPY OF YOUR ASBESTOS SURVEY AND A SIGNED AND NOTARIZED COPY OF THIS DOCUMENT SHALL BE SUBMITTED TO THE BUILDING OFFICIAL ALONG WITH THE PERMIT APPLICATION FOR DEMOLITION.**

1. THE LAW GOVERNING ASBESTOS REMOVAL IS **CODE RULE 56** AND THE TEXT CAN BE FOUND AT THE N.Y.S. DEPT OF LABOR WEBSITE.  
[WWW.LABOR.NY.GOV/HOME](http://WWW.LABOR.NY.GOV/HOME)  
GO TO LAWS & REGULATIONS > HEALTH & SAFETY> CODE RULES.
2. YOU **MUST** PERFORM AN ASBESTOS SURVEY PRIOR TO ANY DEMOLITION WORK, THE ASBESTOS SURVEY WILL IDENTIFY ALL ASBESTOS HAZARDS WITH IN THE BUILDING BEING DEMOLISHED.
3. IF THE ASBESTOS SURVEY IDENTIFIES ANY ASBESTOS WITHIN THE BUILDING, THEN ALL OF THE IDENTIFIED ASBESTOS **SHALL** BE REMOVED BY A N.Y.S. CERTIFIED ASBESTOS ABATEMENT CONTRACTOR.
4. THE ONLY EXCEPTION TO THE REQUIREMENTS OF CODE RULE 56 IS WORK BEING PERFORMED IN AN OWNER-OCCUPIED SINGLE FAMILY DWELLING, WHERE ANY WORK PERFORMED IS ONLY PERFORMED BY **THE PROPERTY OWNER**.
5. THE EXCEPTION TO CODE RULE 56 **DOES NOT** PERMIT ANY EMPLOYEES PERSONS, FRIENDS, OR FAMILY MEMBERS TO HELP WITH DEMOLITION AS A VOLUNTEER OR ANY PERSON TO PERFORM WORK FOR NO FEE. THE NYS LABOR BOARD CONSIDERS THIS WORK AS EMPLOYED WORK REGARDLESS OF THE LACK OF ANY COMPENSATION.
6. AGRICULTURAL BUILDINGS, SINGLE FAMILY DWELLINGS, AND THEIR ACCESSORY STRUCTURES CAN BE BURIED ON SITE WITH PERMISSION FROM THE N.Y.S. D. E. C.

**I HAVE READ AND UNDERSTAND ALL OF THE ABOVE RULES AND REGULATIONS REGARDING CODE RULE 56 AND ASBESTOS REMOVAL AS IT RELATES TO MY DEMOLITION PERMIT.**

---

SIGNATURE OF PERMIT APPLICANT

---

NOTARY