

Village of Hilton Notice of Public Hearing

Please take notice that the Village of Hilton Board of Trustees will hold a public hearing on Tuesday, June 4, 2024 at 6:00 p.m. in the Hilton Community Center, 59 Henry Street to consider Local Law #1, 2024 for adoption.

To add Chapter 96 to the Village Code.

Village of Hilton Fire Sprinkler System Law

§ 96-1 Title.

This chapter shall be known as the "Village of Hilton Fire Sprinkler System Law."

§ 96-2 Purpose.

It is the intention of this chapter to provide for the installation, maintenance, approval, and compliance of fire sprinkler systems within the Village of Hilton.

§ 96-3 Definitions.

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

ADDITION

The extension or increase in area, height, or equipment of a structure.

ALTERATION

Any change, arrangement, or addition to a structure, other than repairs; any modification in construction or in equipment.

APPROVED FIRE PROTECTION SYSTEM.

Devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish, or control a fire, control or manage smoke and products of a fire or any combination thereof.

APPROVED FIRE SPRINKLER SYSTEM

An Automatic Fire Sprinkler System designed and installed in conformity with the standards established by Factory Mutual or the National Fire Protection Association and which has been approved by the Village Code Enforcement Officer, which said approval shall be obtained prior to installation.

AUTOMATIC FIRE SPRINKLER SYSTEM

An Automatic Sprinkler System, for fire protection purposes, is an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply. The system is usually activated by heat from a fire and discharges water over the fire area.

VILLAGE

The Village of Hilton

§ 96-4 Buildings or structures required to have fire sprinkler systems.

Any building or structure as classified by the New York State Uniform Fire Prevention and Building Code, which require a certificate of occupancy or certificate of compliance constructed after the effective date of this subsection, shall be required to have an Automatic Fire Sprinkler System installed and operational prior to occupancy with the exception of one- and two-family dwellings and their accessory structures, utility, and miscellaneous Group U occupancies.

§ 96-5 Compliance required prior to issuance of a building permit.

No building permit shall be issued for the construction of any structure required to have an Automatic Fire Sprinkler System under § 96-4 of this chapter unless plans incorporating such Automatic Fire Sprinkler Systems are filed with the Village Code Enforcement Officer.

§ 96-6 Approval required prior to issuance of certificate of occupancy.

No certificate of occupancy shall be issued for any structure required to have a Automatic Fire Sprinkler System under § 96-4 of this chapter unless such system is installed in conformity with the applicable provisions of the New York State Uniform Fire Prevention and Building Code and National Fire Protection Association standards dealing with such Automatic Fire Sprinkler Systems.

§ 96-7 Maintenance.

Automatic Fire Sprinkler Systems required under the provisions of this chapter shall be maintained by the property owner as prescribed in Section FC901.6. of the New York State Uniform Fire Prevention and Building Code and the requirements set forth in the applicable provisions of standards established by the National Fire Protection Association.

§ 96-8 Exceptions.

Automatic Fire Sprinkler Systems shall not be required to be installed in spaces where the discharge of water would be hazardous or damaging to equipment. In such places, other approved Fire Protection Systems shall be provided as prescribed and approved by the Village Code Enforcement Officer.

§ 96-9 Administration.

The requirements set forth in this chapter shall be in addition to and shall supplement the requirements set forth in Chapter 95 of the Code of the Village of Hilton, (Uniform Construction Codes).The plans, specifications, rating body approvals and materials required by the Village Code Enforcement Officer relating to the Automatic Fire Sprinkler Systems shall be submitted to the Village Code Enforcement Officer for review and approval prior to installation in conjunction with any application for a building permit submitted pursuant to Chapter 95 of the Code of the Village of Hilton, (Uniform Construction Codes).

§ 96-10 Liability of Village and employees for damages.

This chapter shall not be construed to hold any code enforcement official of the Village responsible for any damages to persons or property by reason of approval and issuance of permit(s), inspection or reinspection authorized herein or failure to inspect or reinspect, as required by any permits under this chapter, nor shall the Village and its employees be liable for any damage to persons or property by reason of the Village Code Enforcement Officer exercising their discretion as provided in this chapter

§ 96-11 Appeals.

- A.** Generally. An applicant may appeal a decision of the Village Code Enforcement Officer regarding issues related to any Automatic Fire Sprinkler Systems pursuant to this chapter to the Village of Hilton Zoning Board of Appeals .
- B.** Grounds for appeal. The grounds for such appeal shall be limited to one or more of the following:
- (1)** Compliance would create an excessive and unreasonable economic burden.
 - (2)** Compliance would inhibit achievement of some other important public policy.
 - (3)** Compliance would be physically or legally impracticable.
 - (4)** Compliance would be unnecessary, in light of viable alternatives, which, without loss in the level of safety, achieve the intended objective of this chapter more efficiently, effectively, or economically.
- C.** Appeal procedure. All appeals shall be conducted at the regularly scheduled meetings of the Village Zoning Board of Appeals and shall be conducted in the same manner as other appeals. The Board may affirm, modify, or reverse the determination of the Village Code Enforcement Officer after its deliberations.
- D.** Time for appeal. Appeals regarding this chapter shall be filed with the Village Zoning Board of Appeals within 30 days from the date of the denial of a Building Permit or the denial of a Certificate of Occupancy by the Village Code Enforcement Officer for the failure to comply with the requirements of this chapter.
- E.** Decisions. The hearing on the appeal will be recorded in the formal minutes of the Village Zoning Board, and the determination of the appeal shall be made by a majority vote of the Board. The decision of the Board will be delivered in writing to the petitioner and the Village Code Enforcement Officer. Nothing herein shall preclude the petitioner from pursuing Article 78 proceeding pursuant to the provisions of the New York State Civil Practice Law and Rules.
- F.** Jurisdiction. In no event shall the Village Zoning Board of Appeals assume jurisdiction over or interpret or modify any provision of the New York State Uniform Fire Prevention and Building Code, nor shall it act on those matters subject to the jurisdiction of the New York State Regional Board of Review with respect to the provisions of the New York State Uniform Fire Prevention and Building Code.

§ 96-12 Penalties for offenses.

- A.** Any person who violates or knowingly permits the violation of this chapter shall be deemed to have committed an offense against this chapter and shall be punishable as provided in Section **95-17**. Each separate violation shall constitute a separate additional offense. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this article shall be deemed misdemeanors, and for such purposes only, all provisions of law relating to misdemeanors shall apply to such violations. Notwithstanding the foregoing, any person violating any provision of this Chapter, or any article, section or subsection thereof shall be subject to a civil penalty of not more than \$500 for each day or part thereof during which such violation continues. The civil penalties provided by this subsection shall be recoverable in an action instituted by the Village.

- B.** Any action or proceeding in the name of the Village may be commenced in any court of competent jurisdiction to compel compliance with, or restrain by injunction, the violation of the provisions of this chapter or to vacate the occupancy or structure in the case of imminent danger to life and property. Such remedy shall be in addition to penalties otherwise prescribed by law.

For additional information, please contact the Village Office at 392-4144.

Shari Pearce, Village Manager/Clerk

Dated: May 26, 2024