



VILLAGE OF NYACK | BUILDING DEPARTMENT
9 N BROADWAY NYACK NY 10960
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OPERATING PERMIT APPLICATION FORM

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Part I

Applicant/Building Information

Applicant's Name: _____

Applicant's Address: _____

Contact Person: _____ Telephone: _____

Address of Premises for which Operating Permit is requested: [] same as above

[] Other (specify): _____

Tax Map Number: _____ Current Occupancy Class: _____

Part II

Type Operating Permit

An Operating Permit is required to conduct any activity or to use any class of building listed below. Please indicate the type(s) of Operating Permit(s) requested by checking each applicable box. (If you require assistance or would like more information, contact the Village of Nyack Office of the Fire Inspector at 845-358-4249)

[] The use tents and membrane structures, motor fueling stations and repair garages, dry cleaning facilities, fire safety during construction and demolition, flammable finishes, fumigation and thermal insecticidal fogging and wood working facilities. (See Appendix B.) Describe the process(es) or activity(ies) to be conducted (attach additional sheets if necessary):

[] Use of pyrotechnic devices in assembly occupancies; (See Appendix C.) Describe the proposed use (attach additional sheets if necessary):

[] Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more (See Appendix D.) Describe the proposed use (attach additional sheets if necessary):

[] Use of a building whose use or occupancy classification has been determined by Village of Nyack office of the Fire Inspector as posing a substantial potential hazard to public safety. (See Appendix E.) Describe the proposed use (attach additional sheets if necessary):

Part III
Premises/Building Information

1. Date of last Inspection of Premises? _____

2. Has a Certificate of Occupancy been issued for the premises?
 YES Type: Permanent Temporary Date of Issuance: _____
 NO

3. Date(s) of issuance of previous Certificate(s) of Occupancy? (If any): _____

4. Has a Certificate of Compliance been issued for these Premises?
 YES Type: Permanent Temporary Date of Issuance: _____
 NO

5. Are there currently any open Building Permits associated with the premises? YES NO
If yes, please describe (attach additional sheets if necessary):

6. Have any violations to the Uniform Code been issued in relation to the Premises? YES NO

If yes, please describe (attach additional sheets if necessary):

7. Have any variances to the Uniform Fire Prevention and Building Code been granted in relation to these premises?
 YES NO If yes please describe (attach additional sheets if necessary): *(Include Variance Decision Number)*

8. Additional Comments:

SIGNATURE OF APPLICANT

I hereby certify that the foregoing information (and all information in attached sheets, if any) is true and complete.

Signature of Applicant or Authorized Representatives Signature Date

Name (and Title, if applicable of person signing Application (Please print)

Inspection Required YES NO

Inspections Performed YES Date of Inspection: _____
 NO

Tests or Reports required to verify compliance? YES NO

If YES, have Tests or Reports been received? YES NO

Description:

Application(s) Approved: YES NO

Operating Permit Issued By: _____

Date Operating Permit Issued: _____ Date Operating Permit Expires: _____

Type/Description of Operating Permit: _____

Conditions of Operating Permit (list conditions here and in the space provided in the Operating Permit):

Additional Comments:

Appendix A Hazardous Materials Storage

None.

Appendix B Hazardous processes and activities

An Operating Permit is required for any process or activity determined by *the Office of the Fire Inspector* to be hazardous. Such processes and activities include, but are not necessarily limited to, the following:

Use of tents and membrane structures.

Motor fuel stations and repair garages.

Dry cleaning facilities.

Fire safety during construction and demolition.

Flammable finishes.

Fumigation and thermal insecticidal fogging.

Wood working facilities.

Any other specialized hazard that is specifically regulated by the 2015 International Fire.

[Such hazardous processes and activities will be administered consistent with local conditions.]

Appendix C Pyrotechnics in Assembly Occupancies

An Operating Permit is required for use of pyrotechnic devices in any assembly occupancy. *[Although Part 1203, section 1203(g)(1)(iii), requires an operating permit for use of pyrotechnic devices only in assembly occupancies, section 1203 (g)(1)(v) provides that an operating permit must be required for buildings whose use or occupancy is determined by the Office of the Fire Inspector to pose a substantial potential hazard to public safety. See Appendix E for further information.]*

An inspection must be completed prior to the issuance of this type Operating Permit. The inspection must confirm (1) that all fire protection and life safety features are inspected and have current maintenance within the timeframes set by Section 901 of the *2015 International Fire Code*, (2) the existence and adequacy of fire safety plans and emergency preparedness, and (3) that the means of egress are properly maintained, that interior finishes are appropriate, and that occupancy calculations are correct. *[The required tests and reports should be consistent with the permit procedures found within NFPA 1126. The section in NFPA 1126 regarding permits and the annex material provide guidance for the Office of the Fire Inspector on what to request. An operating permit will be required for each show or group of shows, and the Premises should be made available for inspection prior to each event.]*

IMPORTANT: Please note that section 280.00 of the Penal Law provides that in the absence of a permit issued by the “permit authority” under section 405.00 of the Penal Law, it is unlawful to offer or expose for sale, to sell or furnish, or to possess, use, explode or cause to explode, any “fireworks” or “dangerous fireworks.” **Most pyrotechnic devices fall within the definition of “fireworks” or “dangerous fireworks” under section 270.00 of the Penal Law.**

Section 405.00 of the Penal Law provides that the “permit authority” of a village may grant a permit for the public display of fireworks. For a fireworks display within a village, the term “permit authority” means an officer designated for the purpose by the board of trustees of the village.

AN OPERATING PERMIT FOR THE USE OF PYROTECHNIC DEVICES IN AN ASSEMBLY OCCUPANCY IS *NOT* A PENAL LAW SECTION 405.00 PERMIT. OBTAINING AN OPERATING PERMIT FOR THE USE OF PYROTECHNIC DEVICES IN AN ASSEMBLY OCCUPANCY DOES *NOT* OBLIATE THE NEED TO OBTAIN A PENAL LAW SECTION 405.00 PERMIT. AN OPERATING PERMIT FOR USE OF PYROTECHNIC DEVICES IN AN ASSEMBLY OCCUPANCY DOES *NOT* MAKE LEGAL ANY ACT PROHIBITED BY PENAL LAW SECTION 270.00.

Appendix D

Places of Public Assembly with an occupant load of 100 or more persons

An Operating Permit is required for any place of public assembly that has an occupant load of at least 100 persons. This Operating Permit is required to ensure that life safety and fire protection systems are maintained to the applicable requirements. [*The Office of the Fire Inspector will determine the appropriate duration of an operating permit for places of public assembly. Depending on the nature of the occupancy, it may be appropriate to limit the duration of the operating permit to a relatively short period, and to require the applicant to apply for a new permit, and to undergo a new inspection, on a relatively frequent basis.*]

An inspection must be completed prior to the issuance of this type Operating Permit. The inspection (and any tests and reports which may be required) must confirm (1) that all fire protection and life safety features are inspected and have current maintenance within the timeframes set by Section 901 of the *2015 International Fire Code*, (2) the existence and adequacy of fire safety plans and emergency preparedness, and (3) that the means of egress are properly maintained, that interior finishes are appropriate, and that occupancy calculations are correct.

Appendix E

Uses and Occupancy Classifications determined by *the Office of the Fire Inspector* to pose a substantial potential hazard to public safety

[The Office of the Fire Inspector may establish Uses and Occupancy Classifications that pose potential hazard to public safety. If Office of the Fire Inspector establishes such uses and occupancy classifications, the Office of the Fire Inspector will provide a list, with a brief description, under this appendix E.]



OPERATING PERMIT

This Operating Permit must be displayed at the Premises

Application #: _____

Applicant's Name: _____

Applicant's Address: _____

Contact Person: _____ Telephone: _____

Address of Premises for which Operating Permit is requested: same as above

Other (specify): _____

Date of issuance: _____, 20 _____ Expiration Date: _____, 20 _____

This Operating Permit is issued to the Applicant named above to conduct the activity(ies) and/or to use the class(es) of buildings indicated below at the Premises specified above:

- Conducting a hazardous process or activity; as described in the Application.
- Use of pyrotechnic devices in assembly occupancies; as described in the Application.
- Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more; as described in the Application.
- Use of a building whose use or occupancy classification has been determined by [the Office of the Fire Inspector](#) as posing a substantial potential hazard to public safety; as described in the Application.

The conditions, surroundings and arrangements for the activity(ies) and/or use(es) subject to this Operating Permit shall be in accordance with all applicable laws, ordinances, regulations and the conditions (if any) mentioned below. The Premises shall be subject to periodic inspection by [the Office of the Fire Inspector](#) to ensure compliance with all applicable laws, ordinances, regulations and conditions. The Operating Permit is subject to revocation for failure to comply with any applicable law, ordinance, regulation or condition. This Operating Permit shall expire on the earlier of the Expiration Date specified above or on the date of revocation pursuant to the preceding sentence. CONDITIONS (continue on attached sheets, if necessary):

MANNY CARMONA
Fire Inspector