

TOWN OF ELLINGTON
CODE ENFORCEMENT OFFICE
813 W.MAIN STREET
ELLINGTON, N.Y. 14732

REGULATIONS FOR DEMOLITION PERMIT APPLICATION

- A. The applicant must comply with the following town, county and New York State Codes for Demolition of Buildings.
- B. Permit required. No building or structure of any size or character within the Town shall be torn down, demolished, wrecked, dismantled or otherwise razed, in whole or in part, or moved upon or removed from any premises by any person without a permit therefore from the building Inspector.
- C. Application for permit. The application for such permit shall be in the form required by the Building Inspector. Before any such permit is issued by the Building Inspector, the applicant shall:
- (1) If required by law to secure worker's compensation insurance, file in the office of the building Inspector, a certificate of insurance of an insurance carrier approved by the State Industrial Commissioner as proof of worker's compensation insurance coverage.
 - (2) If demolition is for a building or structure located within the Town of Ellington, file a certificate of insurance showing that the owner or contractor is insured against public liability and property damage in connection with such demolition. The Town of Ellington shall be named as an additional insured on all policies of insurance and insurance certificates required herein for purposes of coverage but not by payment of premium. Anything herein contained to the contrary notwithstanding, no certificate of insurance or insurance coverage shall be required for demolition actions undertaken by the owner or contractor on a structure totaling not more than three hundred(300) square feet in gross floor area.

For purposes of this provision, the terms "building" or "structure" are deemed to be as such are defined by the New York State Uniform Fire Prevention and Building Code.

(4) Agree in a written instrument signed by the owner or contractor to conditions of closure of the site after demolition is completed. Such conditions, as determined by the building Inspector, shall include but are not limited to the following:

a. The owner or contractor will be required to supply backfill material to bring work areas within two(2) inches of finished grade. The backfill material shall be normal bank run gravel free of refuse and/or other materials dangerous to plant growth. The maximum size of the material shall be two(2) inches. Rate of application: as needed, compacted.

b. The owner or contractor will break up the existing poured cement basement floor to allow drainage of any seeping water into it.

c. The owner or contractor shall grade the sub base by knocking down high spots and /or by backfilling with approved select fill material. Any backfill shall be compacted and placed to a grade able to receive top soil as specified. Compaction shall be equal to a ninety-five(95) percent standard proctor density of material.

d. After completion of rough grading, spread and rake approved top soil over the demolition site to a uniform compacted depth of at least two(2) inches to bring to finish grade. All stones and debris in excess of one(1) inch shall be removed from the area.

e. Top soil, to be furnished by the owner or contractor, conforming to the N.Y.S. Department of Transportation specification section 713001 "Top Soil" shall cover the site to a minimum compacted depth of two(2) inches. It shall be free of stumps, roots, brush, stones, clay lumps or similar objects larger than two(2) inches in greatest diameter. The top soil shall be approved by the Building Inspector.

f. Commercial 5-10-10 fertilizer shall be applied to the well pulverized soil by a mechanical spreader at the rate of twenty-five(25)pounds per thousand(1,000) square feet, and worked into the soil.

g. The standard and quality of the seed shall be as specified in the N.Y.S. Department of Transportation Specification 713-04 "Seeds". The approved seed is to be applied at the rate of fifteen(15) pounds per thousand(1,000) square feet. Seeded areas are to be lightly raked so as to bury seed approximately one-quarter(1/4) inch and lightly compacted.

h. Mulch material shall be hay mowing of acceptable herbaceous growth or straw, free from weeds. Spread approved mulch at a uniform rate by hand or by machine sufficient to completely hide the soil from view. Care must be taken not to smother seedlings.

i. As required by the Building Inspector, approved measures shall be undertaken to control soil, seed, mulch silt and other sediments from flowing off the site.

j. Should the demolition site in question be designated as a site for new construction, such construction shall commence within sixty (60) days of demolition. Sites designated as those for new construction are only required to comply with part (a) of this subsection. Those sites that are designated for new construction shall be required to comply with this ordinance within a reasonable time frame not to exceed thirty(30) days.

k. At the discretion of the Code Enforcement Officer, portions of the demolition ordinance time frame referenced in the above subsection "i" may be waived. Requests for such waivers shall be submitted to the Ellington Building Code Officer. Criteria to be examined for the potential granting of such waivers shall include, but are not limited to, inclement or seasonal weather or other hardships that are not self created. All such waivers shall be recorded by the Ellington Code Enforcement Officer.

D. Removal of demolition and associated debris. All demolition and associated debris shall be promptly removed from the area, and the final time for removal of the debris shall be determined by the Building Inspector and noted on the demolition permit. Materials which are to be salvaged may be allowed to remain on the premises for a longer period of time as may be determined by the Building Inspector and noted on the demolition permit.

E. Plan of demolition. The plans and method of demolition, including starting and closing dates, shall be fully set forth by the applicant. In the event that explosives are to be used, the applicant shall designate the name of the licensed operator who will handle the explosives.

F. Obstructing streets No materials or equipment shall be allowed to remain in the public right-of-way unless special permission is granted.

In such later event, the application shall comply with the requirements of this Code relating to obstructions in streets.

G. Use of equipment the use of a swinging weight, clamshell bucket, power shovel, bulldozer or other mechanical contrivance for the purpose of demolishing walls shall be in accordance with the following requirements.

1. Where a swinging weight is used, a zone of demolition at least one and one-half($1\frac{1}{2}$) times the height of the structure or portion thereof being so demolished shall be maintained around points of impact.

2. Where a clamshell bucket is being used, a zone of demolition shall be maintained within twenty-five(25) feet of the line of travel of the bucket.

3. Where other mechanical contrivances are being used to effectuate total or partial collapse, there shall be maintained in the area into which the affected portion may fall a zone of demolition at least one and one-half($1\frac{1}{2}$) times the height of the structure or remaining portion thereof.

H. Protective barrier required All structures under demolition shall be completely encircled with a fence or other suitable barrier, sufficient in height and strength to prevent casual public entry onto the premises under demolition and to further prevent the entry of children and animals onto the premises under demolition and to further prevent the entry of children and animals onto the premises under demolition of building over 2,000 sq. ft.

I. Revocation of permit. The Building Inspector shall have the authority to revoke any permit when, in his opinion, based upon an inspection of the site or any other investigation, the applicant has violated any of the terms of his permit or failed to comply with any of the requirements of this section. All work shall cease upon the revocation of the permit. A "Stop Work" order shall be issued.

J. Waiver of provisions. The Building Inspector shall have the authority to waive any or all of the provisions of this section when, in his discretion, public safety and property rights are not endangered by the proposed demolition. The size of the building and its location in relation to other buildings and abutting property shall be determinative. In all cases of proposed demolition, however, a permit must be obtained.

PERMIT NO: _____

TOWN OF ELLINGTON

Scott Pollock

CODE ENFORCEMENT OFFICER

813 W. MAIN STREET

P.O. BOX 344

ELLINGTON, N.Y. 14732

PHONE: (716)287-2026 FAX: (716)287-2016 CELL:(716)397-7990

DEMOLITION PERMIT APPLICATION

Description of property to be removed: _____

Address: _____

Section _____ Block _____ Lot _____

1. Owner of the property to be removed: _____

Address: _____

2. Contractor removing property: _____

Address: _____

Phone: _____

3. Proof of insurance for public liability and property damage _____

4. The following parties have been contacted:

A. Code Enforcement Office: Scott Pollock 716 397 7990 _____

B. Sheriff's Dept. _____

C. Fire Department _____

D. Electrical service disconnected and date _____

E. Sewer and water disconnected and date _____

F. Propane gas disconnected and date _____

G. TV/Cable disconnected and date _____

H. Phone disconnected and date _____

I. Inspection of asbestos abatement and sir monitoring _____

(approved environmental contractor)

The following shall also be done in demolition: _____

I understand and accept the above and all responsibilities of Federal, State, and local laws pertaining to the demolition, removal and final disposition of all materials.

Owner's signature _____ Date: _____

Contractor's signature _____ Date: _____

Approved: _____ Date: _____

Code Enforcement Officer: _____