

**AGENDA**  
**ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE**  
**TUESDAY, FEBRUARY 15, 2022, 7:00 PM**  
**Meeting to be Held Virtually**  
<https://us06web.zoom.us/j/83871733845>

**Environmental Committee:** Karen White, Chair  
Sim Covington, Jr.  
Erich Dittmar  
Renée Sutton

**1. Informational Item: FEMA Flood Hazard Study Update**

FEMA, with STARR 2, has recently finalized the draft Flood Insurance Rate Map (FIRM) database for Ontario County. The draft database provides the best available representation of flood hazard to date for communities in Ontario County. The draft FIRM database is available for your community's review, in the form of digital work maps that are available on the FEMA Geoplatform linked here: [Draft Flood Hazard Viewer](#). These maps are currently open for comment. There are significant changes proposed for many municipalities and flood plains established that were not previously studied. Once the new maps are finalized by FEMA, a new model Flood Prevention & Control Local Law will be required in order for property owners to participate in the Federal Flood Insurance Program. Additional information will be provided once FEMA schedules and holds public meetings.

**2. Informational Item: Boat Inspection and Washing Sub-committee Update**

At the January 18<sup>th</sup> Environmental Committee meeting, the committee decided to form a sub-committee to discuss methods to prevent invasive species from entering or exiting Canandaigua Lake via inspections and boat washing. The sub-committee met on January 25<sup>th</sup> and discussed the issue. The sub-committee will be focusing on requesting that New York State fund, operate and maintain a boat washing stations at the State Boat Launches. The boat washing stations are a best practice and will enhance the successful watershed stewards watercraft inspection program.

**3. National Community Survey**

The 2022 Adopted Budget includes funding to complete the National Community Survey, which will provide City Council and Staff feedback and information regarding quality of life and services in the City of Canandaigua. The City has the option to include custom, close-ended questions on one half page of the survey. This is a continued discussion of potential custom questions.

**Ordinance Committee:** Renée Sutton, Chair  
Sim Covington, Jr.  
Erich Dittmar  
Karen White

**1. Uniform Code and the Energy Code: Minimum Standards for Administration and Enforcement**

The New York State Department of State Division of Building Standards and Codes (DBSC) in conjunction with the Division of Homeland Security & Emergency Services – Office of Fire Prevention and Control (OFPC) as part of the Code Outreach Program recently provided guidance to ensure that local jurisdiction are aware that a new version of 19 NYCRR Part 1203 has been adopted and will be effective December 30, 2022. As such, the City needs to review the changes and update

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*As residents, city staff and appointed & elected officials of the City of Canandaigua,  
our decisions and actions will be guided by these Core Values: Responsive, Participatory Governance; Caring & Respect;  
Integrity; Heritage; Stewardship; and Continuous Improvement.*

the City Code Enforcement Program via local law. Corporation Counsel David Hou will present proposed changes at the Committee meeting for initial discussion.

**Executive Session/Attorney Client Privilege**

**Discussions regarding proposed, pending or current litigation**

***Next Meeting: March 15<sup>th</sup>***



## **19 NYCRR Part 1203 Uniform Code and the Energy Code: Minimum Standards for Administration and Enforcement**

This issue of the Code Outreach Program intends to provide CEOs with guidance to ensure their local jurisdiction are aware of the recently adopted 19 NYCRR Part 1203 Uniform Code and the Energy Code: Minimum Standards for Administration and Enforcement (Part 1203).

The December 29, 2021 issue of the State Register (<https://dos.ny.gov/state-register>) announced that a new version of Part 1203 has been adopted with an effective date of December 30, 2022.

Pursuant to Executive Law § 381(1) and the Energy Law § 11-107, the Department of State is authorized to promulgate regulations establishing minimum standards for administration and enforcement of the Uniform Code and Energy Code. Additionally, unless otherwise prescribed by the Secretary of State, Executive Law § 381(2) requires local governments to administer and enforce the Uniform Code and Energy Code.

Updated versions of the Uniform Code and Energy Code became effective on May 12, 2020. Based on the new versions of the Uniform Code and Energy Code, corresponding changes were necessary to Part 1203 to coordinate these rules and regulations for administration and enforcement of the Uniform Code and Energy Code.

### **Notable Changes**

Some notable changes made to Part 1203 compared to the current version include, **but are not limited to**, the following:

- A definitions section was added to the regulation.
- Requirements for post inspection follow-up identifying compliance status of the work inspected pertaining to inspections for building permits, operating permits, and fire safety and property maintenance.
- The operating permits section has been expanded to include more categories such as: energy storage systems, sugarhouse alternative activities, mobile food preparation vehicles, and more to align with the new version of the Uniform Code. Additionally, the threshold for assembly areas was reduced from assembly areas with an occupancy of 100 or more to 50 or more to include all assembly areas included in the Uniform Code.
- An optional exemption from the requirement to obtain an operating permit was added which allows the authority having jurisdiction to exempt processes or activities, or buildings, structures, or facilities which may normally require an operating permit provided the use is expressly authorized by a Certificate of Occupancy or the Certificate of Compliance, fire safety and property maintenance inspections are performed in accordance with section 1203.3 (h), and condition assessments are performed in compliance with section 1203.3 (j), as applicable.
- To align with the Uniform Code, the city, town, and village must establish and make available climatic and geographic design criteria as required by the Uniform Code.

### **What a local government now needs to do**

Although the new rule has an effective date of December 30, 2022, it is important to start now to develop a Local Code Enforcement Program which complies with the new rule. The Department of State recommends each local government responsible for the administration and enforcement of the Uniform Code and/or Energy Code work with its municipal attorney to review the below documents and update their code enforcement program by local law, ordinance, or other appropriate regulation.

### **Helpful resources**

The full text of the rule is available here:

<https://dos.ny.gov/system/files/documents/2021/12/2021-12-10-full-text-of-rule-part-1203.pdf>

The updated model local law is available here:

[https://dos.ny.gov/system/files/documents/2022/01/2022%2001%2018\\_REG\\_1203\\_Model%20Local%20Law.pdf](https://dos.ny.gov/system/files/documents/2022/01/2022%2001%2018_REG_1203_Model%20Local%20Law.pdf)

The Technical Bulletin Requirements for Completing Table R301.2(1) in the 2020 Residential Code of New York State is available here:

[https://dos.ny.gov/system/files/documents/2021/12/2021-12-15\\_tb\\_table-r301.2.pdf](https://dos.ny.gov/system/files/documents/2021/12/2021-12-15_tb_table-r301.2.pdf)

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**BSC - A Division of Department of State  
OFPC – An Office of the Division of Homeland Security & Emergency Services**

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If you have questions pertaining to the Code Outreach Program, email us at [COP.codes@dos.ny.gov](mailto:COP.codes@dos.ny.gov)

If you have questions pertaining to the Uniform Code or Energy Code, email our technical support group at: [codes@dos.ny.gov](mailto:codes@dos.ny.gov)