



**Village of Pawling  
Building Department  
9 Memorial Avenue  
Pawling, New York 12564**

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**OPERATING  
PERMIT  
APPLICATION**

**Applicant/Building Information**

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Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Business Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_ Current Occupancy Class: \_\_\_\_\_

**Type of Operating Permit**

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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.**

- ☐ Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) or 5003.1.1(4), of the Fire Code of New York State (see 19 NYCRR Part 1225); **(See Appendix A.)** Identify the materials and quantities and describe the manner in which the materials will be manufactured, stored or handled (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Conducting a hazardous process or activity (including but not limited to, any commercial or industrial operation which produces combustible dust as a byproduct, fruit and crop ripening, and waste handling; **(See Appendix B.)** Describe the process(es) or activity(ies) to be conducted (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Use of pyrotechnic devices (indoor or outdoor) within the Village of Pawling **(See Appendix C.)** Describe the proposed use (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Use of a building or structure containing one or more areas of public assembly with an occupant load of 50 persons or more **(See Appendix D.)** Describe the proposed use (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

## VILLAGE OF PAWLING OPERATING PERMIT APPLICATION FORM

- ☐ Use of a building whose use or occupancy classification has been determined by the Village of Pawling Building Department as posing a substantial potential hazard to public safety. Describe the proposed use (attach additional sheets if necessary):

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- ☐ Temporary or permanent installation of LP gas storage containers, indoors or outdoors, exceeding 24 pounds' of water capacity (10.8 kg). Describe the proposed use (attach additional sheets if necessary):

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### Premises/Building Information

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1. Date of last Inspection of Premises? \_\_\_\_\_

2. What is the size of the entire building? \_\_\_\_\_

What is the size of the space the business occupies within that building? \_\_\_\_\_

How many stories is the building? \_\_\_\_\_

3. Is the building equipped with a sprinkler system? \_\_\_\_\_

4. Is the building equipped with a knox box? \_\_\_\_\_

If so, where is the knox box located on the building? \_\_\_\_\_

5. Are there currently any open Building Permits associated with the premises?

☐ YES

☐ NO

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

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6. What is the current occupant load of the business? \_\_\_\_\_

Do you have a current occupant load sign? \_\_\_\_\_

7. Is your current staff trained in Fire Protection and Safety? \_\_\_\_\_

8. Type and quantities of Hazardous materials? \_\_\_\_\_

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Added Comments:

**VILLAGE OF PAWLING  
OPERATING PERMIT APPLICATION FORM**

**SIGNATURE OF APPLICANT**

I hereby certify that the foregoing information (and all information on 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)

**To be completed by Code Enforcement Office**

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Inspection Performed

Date of Inspection: \_\_\_\_\_

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:

\_\_\_\_\_  
\_\_\_\_\_

Permit:      **Approved**   /   **Revoked**   /   **Suspended**

Dated \_\_\_\_\_

Reason \_\_\_\_\_

# **VILLAGE OF PAWLING OPERATING PERMIT APPLICATION Appendices**

## **Appendix A Hazardous Materials Storage**

An Operating Permit is required when (1) any hazardous material included in any category listed in tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) or 5003.1.1(4) of the *Fire Code of New York State* is manufactured, stored or handled and (2) the quantity of such hazardous material exceeds the quantity listed in the applicable table. This would include any building that is (whole or in part) a Group H occupancy, is a pre-existing, non-conforming hazardous occupancy, or has outdoor use manufacture, and/or storage of materials that exceed the tables for physical and/or health hazard.

This type of Operating Permit will not be issued until an inspection has been performed and establishes to the satisfaction of Village of Pawling Code Enforcement Office that the requirements of the *Fire Code of New York State* are satisfied. These requirements include the provisions of Chapter 50 of the *Fire Code of New York State* as well as any specialized manufacture, use, storage requirements within Chapters 50-67 of the *Fire Code of New York State*. A previous fire safety inspection cannot suffice for an Operating Permit application inspection. If necessary, tests to verify compliance with the *Fire Code of New York State* must be performed and the reports of such tests must be provided to the Village of Pawling, Fire Department, Code Enforcement Division. Tests and reports needed to verify compliance with the Fire Code of New York State vary from product to product. Tests and reports may include:

- ☐ Verification of inspection of fire protection systems and emergency alarm systems
- ☐ Verification of inspection of storage cylinders, tanks, or containers
- ☐ Completing of the Hazardous Materials Reporting Form, as required by General Municipal Law 209-u (available from OFPC at <http://www.dos.state.ny.us/fire/pdfs/forms/hm209u.pdf>)
- ☐ Presentation of Material Safety Data Sheets for the product(s) requiring permits
- ☐ Affidavits that the regulated party is in conformance with other State Agencies (Environmental Conservation, Health, Labor)

# **VILLAGE OF PAWLING OPERATING PERMIT APPLICATION Appendices**

## **Appendix B Hazardous processes and activities**

Commercial or industrial operations producing combustible dust - An Operating Permit is required when a condition or process meets the scoping requirements of Chapter 22 of the *Fire Code of New York State* and is part of a commercial or industrial operation. Chapter 22 references several different standards, based on the products producing dust. The reference standards shall be used and compliance with such standards shall be submitted prior to the issuance of an Operating Permit.

Fruit and Crop Ripening - An Operating Permit is required when a fruit or crop ripening operation meets the scoping requirements of Chapter 25 of the *Fire Code of New York State*. The operating permit will not be issued unless and inspection and/or documented testing demonstrates to the satisfaction of Village of Pawling, Fire Department Code Enforcement Division that the ethylene generators meet the requirements of Section 2506 of the *Fire Code of New York State* and that the appropriate safeguards are in place.

Waste Handling - An Operating Permit is required when waste materials that are considered hazardous are reclaimed, recycled, collected or otherwise handled at the Premises. Examples of uses that trigger the need for this Operating Permit include wrecking yards, auto dismantling facilities, junk yards, hazardous materials recycling facilities, and the like. An inspection must be performed prior to the issuance of this type of Operating Permit; such inspection must confirm compliance with any applicable sections of the *Fire Code of New York State* including the general fire safety practices in Chapter 3 of the *Fire Code of New York State*.

Other Hazardous Processes and Activities - An Operating Permit is required for any other process or activity determined by the Village of Pawling Fire Department Code Enforcement Division to be hazardous.

# VILLAGE OF PAWLING

## OPERATING PERMIT APPLICATION

### Appendices

#### Appendix C

#### Use of Pyrotechnics Within the Village of Pawling

An Operating Permit is required for use of pyrotechnic devices within the Village of Pawling.

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 Chapter 56 of the *Fire Code of New York State*, (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.

**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 state park, county park, city, village or town may grant a permit for the public display of fireworks by municipalities, fair associations, amusement parks or organizations of individuals. For a fireworks display within a state park, the term “permit authority” means the state agency having custody and control of the park. For a fireworks display within a county park, the term “permit authority” means the county park commission or such other agency as may have jurisdiction, control and/or operation of the parks or parkways within which any fireworks are to be displayed. For a fireworks display within a city, the term “permit authority” means the duly constituted licensing agency of such city or, in the absence of such agency, an officer designated for the purpose by the legislative body of the city. 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. For a fireworks display within the territory of a town outside of villages, the term “permit authority” means an officer designated for the purpose by the town board of the town.

**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 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.**

**VILLAGE OF PAWLING  
OPERATING PERMIT APPLICATION  
Appendices**

## Appendix D

## Places of Public Assembly with an occupant load of 50 or more persons

An Operating Permit is required for any place of public assembly that has an occupant load of at least 50 persons. This Operating Permit is required to ensure that life safety and fire protection systems are maintained to the applicable requirements.

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 *Fire Code of New York State*, (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.

Indicate the location(s) / use(s) of public assembly(ies) at the subject property and attached fire safety floor plan (to scale) of space, along with copies of all applicable inspection reports listed above, such as fire alarm report, fire sprinkler report, fire extinguisher report, duct cleaning system report, hood cleaning reports, and any other reports that may be required to ensure fire safety as required by the Building Inspector.

[illegible]

# **VILLAGE OF PAWLING**

## **OPERATING PERMIT APPLICATION**

### **Appendices**

#### **Appendix E**

#### **Uses and Occupancy Classifications determined by the Village of Pawling to pose a substantial potential hazard to public safety**

Buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS listed and described in section 1203.3 (g)(1)(ii) as follows:

- (a)Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;
- (b)Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;
- (c)Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;
- (d)Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;
- (e)Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;
- (f)Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;
- (g)Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;
- (h)Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;
- (i)Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;
- (j)Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;
- (k)Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;
- (l)Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and
- (m)Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle.
- (n)energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.
- (o)outdoor events where the planned attendance exceeds 1,000 persons;
- (p)parking garages as defined in section 1203.3 (j);
- (q)buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by the authority having jurisdiction; and
- (r)other processes or activities or for operating any type of building, structure, or facility at the discretion of the authority having jurisdiction.