Gary E. Beck, Jr.
Building Inspector

THE CITY OF POUGHKEEPSIE
NEW YORK
BUILDING DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006

ID#_____

OPERATING PERMIT LICENSE

Pursuant to Sec. 6-3 of Chapter 6 of the Code of the City of Poughkeepsie you must renew/apply for a Operating Permit License.

( ) Complete this application and provide us with a detailed floor plan of the operation requested.

( ) Attach copies of all the following that are applicable, annual alarm certification, annual sprinkler certification, annual backflow certification, annual fire extinguisher certification, annual cooking/hood equipment certification and biannual elevator certification.

FEE SCHEDULE

Temporary use of LPG for Heat $100.00 Elevators (1-3) $65.00 (4-10) $100.00 (11 or more) $250.00
Storage of Explosive $250.00 Propane Exchange $100.00
All Other Operations (see appendices) $150.00
Late applications, fee will be doubled

Date _____
Name of Establishment _____
Address _____
Owner of Establishment _____
Owner of Premises _____
Type of Operation _____Phone _____

The owner/applicant of the property covered by this application and the undersigned applicant agree:

- To conform to all applicable laws of this jurisdiction.
- To adhere to the rules and regulations stipulated in the City Ordinance concerning operating Permit Licenses.
- To permit the building Inspector, his deputy, or other inspectors designated in the ordinance to enter upon and inspect the property at all reasonable times.

_____
Signature Applicant

_____
Print Name

_____
Building Inspector Approval

Permit #_____ Total $_____

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Appendix A
Hazardous Materials Storage

An Operating Permit is required when (1) any hazardous material included in any category listed in tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(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 *CITY OF POUGHKEEPSIE* that the requirements of the *Fire Code of New York State* are satisfied. These requirements include the provisions of Chapter 27 of the *Fire Code of New York State* as well as any specialized manufacture, use, storage requirements within Chapters 27-42 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 *CITY OF POUGHKEEPSIE*. 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)

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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 13 of the *Fire Code of New York State* and is part of a commercial or industrial operation. Chapter 13 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 16 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 *CITY OF POUGHKEEPSIE* that the ethylene generators meet the requirements of Section 1606 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*.

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Appendix C
Pyrotechnics

An Operating Permit is required for use of pyrotechnic devices

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 *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. *The required tests and reports should be consistent with the permit procedures found within NFPA 1126.*

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* OBVIATE 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.

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Appendix D
ALL OTHER BUSINESS'S

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.

Places of Public Assembly with an occupant load of 50 or more persons must file an Public Assembly License