

§ 22-4. Building permits.

a building permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or retaining wall or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer.

B. Exemptions. No building permit shall be required for work in any of the following categories:

- (1) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);
- (2) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;
- (3) Construction of temporary motion-picture, television and theater stage sets and scenery;
- (4) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
- (5) Installation of partitions or movable cases less than five feet nine inches in height;
- (6) Painting, wallpapering, tiling, carpeting, or other similar finish work;
- (7) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- (8) Replacement of any equipment, provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (9) Repairs\*, provided that such repairs do not involve:
  - (a) The removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load-bearing component;
  - (b) The removal or change of any required means of egress; or the rearrangement of parts of a structure in a manner which affects egress;
  - (c) The enlargement, alteration, replacement or relocation of any building system; or
  - (d) The removal from service of all or part of a fire protection system for any period of time.

[A] 105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

[A] 105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

For technical assistance contact:

Village of Malone Code Office email [code@villageofmalone-ny.com](mailto:code@villageofmalone-ny.com) 518.483-4570

NYS DOS Division of Building and Codes <https://www.dos.ny.gov/DCEA/tech.html>

Phone: (518)-474-4073, Fax: (518)-486-448 e-mail: [codes@dos.state.ny.us](mailto:codes@dos.state.ny.us)

To file a complaint about a Code Officer or a municipality <https://www.dos.ny.gov/DCEA/2134-f.pdf>