



TOWN OF SALINA
Department of Planning & Development
201 School Road
Liverpool, New York 13088

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OPERATING PERMIT APPLICATION FORM

Part I Applicant/Building Information

Applicant's Name:	
Applicant's Address:	
Contact Person:	Telephone:
Address of Premises for which Operating Permit is requested:	
Tax Map Number:	Current Occupancy Class:
Dates of Event(s): (Applicable for Appendix B, C, E, or F)	

Part II Type Operating Permit

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.** (If you require assistance, or would like more information, contact the Town of Salina Department of Planning & Development at (315) 451-9492.

- Manufacturing, storing or handling hazardous materials in quantities exceeding those 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; (*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):
- _____

Part II (continued)

- 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 in assembly occupancies; *(See Appendix C.)* Describe the proposed use (attach additional sheets if necessary):

- Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more *(See Appendix D.)* Describe the proposed use (attach additional sheets if necessary):

- Use of a building whose use or occupancy classification has been determined by Town of Salina Department of Planning & Development as posing a substantial potential hazard to public safety. *(See Appendix E.)* Describe the proposed use (attach additional sheets if necessary):
 - Aboveground Storage Tank (AST)
Briefly describe: _____
 - Underground Storage Tank (UST)
Briefly describe: _____
 - Temporary Membrane Structure (including but not limited to tents and canopies)
Briefly describe structure size, location and use: _____
 - Special Event Operating Permit – An operation permit is required for any special event that takes place within an occupied building, or an outdoor mass gathering, which is outside the scope of the use permitted for the occupancy or premises.
Briefly describe structure size, location and use: _____

**Part III
Premises/Building Information**

- 1. Date of last Inspection of Premises?
- 2. Has a Certificate of Occupancy been issued for the premises? YES NO
Type: Permanent Temporary Date of Issuance: _____
- 3. Date(s) of issuance of previous Certificate(s) of Occupancy? (If any): _____
- 4. Has a Certificate of Compliance been issued for these Premises? YES NO
Type: Permanent Temporary Date of Issuance: _____
- 5. Are there currently any open Building Permits associated with the premises? YES NO
If yes, please describe (attach additional sheets if necessary):

- 6. Have any violations to the Uniform Code been issued in relation to the Premises? YES NO
If yes, please describe (attach additional sheets if necessary):

- 7. Have any variances to the Uniform Fire Prevention and Building Code been granted in relation to these premises? YES NO
If yes please describe (attach additional sheets if necessary):
Include Variance Decision Number _____
Describe purpose of variance _____
- 8. Additional Comments: _____

SIGNATURE OF APPLICANT

I hereby certify that the foregoing information (and all information in attached sheets, if any) is true and complete to the best of my knowledge and belief..

Signature of Applicant or Authorized Representatives Signature Date

Name (and Title, if applicable of person signing Application (Please print)

Part IV

To be completed by the Town of Salina Department of Planning & Development

Inspection Required YES NO

Inspections Performed YES NO 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: (Additional sheets attached: Yes No)

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 Town of Salina Department of Planning & Development 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 Town of Salina Department of Planning & Development. 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)

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 an inspection and/or documented testing demonstrates to the satisfaction of Town of Salina Department of Planning & Development 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*.

Spray Operations – An Operating Permit is required prior to any spray operation taking place within any occupancy. An inspection to confirm compliance with Chapter 15 of the *Fire Code of New York State* must be performed prior to the issuance of this type of Operating Permit. All fire safety and life safety features must be inspected and maintained according to Section 901 of the Fire Code.

High-Piled Storage – An Operating Permit is required prior to any occupancy utilizing a high-piled storage system. An inspection to confirm compliance with Chapter 23 and all other applicable sections of the *Fire Code of New York State* must be performed prior to the issuance of this type of Operating Permit. All fire safety and life safety features must be inspected and maintained according to Section 901 of the Fire Code.

Appendix C Pyrotechnics Displays and Events

An Operating Permit is required for the use of pyrotechnic devices for any indoor or outdoor assembly event.

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. (Indoor places of assembly must also demonstrate 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. The section in NFPA 1126 regarding permits and the annex material provide guidance materials used by the Department of Planning & Development.

An operating permit should be required for each show or group of shows, and the Premises should be made available for inspection prior to each event.

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.

Appendix D

Places of Public Assembly with an occupant load of 100 or more persons

An Operating Permit is required for any place of public assembly that has an occupant load of at least 100 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.

Appendix E

Uses and Occupancy Classifications determined by Town of Salina to pose a substantial potential hazard to public safety

Aboveground and Underground Storage Tanks

An Operating Permit is required prior to the removal and/or decommissioning of any aboveground storage tank (AST) or underground storage tank (UST)

An Operating Permit is required for any temporary tank closure, change in service, and permanent tank closure for all AST's or UST's.

The following is required prior to the issuance of any AST Operating Permit:

- Site Check/Site Assessment Checklist.
- Removal plan for all hazardous materials.
- Appropriate certifications and insurances of contractor(s).

The following is required prior to the issuance of any UST Operating Permit:

- Closure and Site Assessment Notice.
- 30-Day Notice.
- Site Check/Site Assessment Checklist.

Appendix E

Uses and Occupancy Classifications determined by Town of Salina to pose a substantial potential hazard to public safety

Temporary Membrane Structures (Tents and Canopies)

An operating permit is required prior to the erection of an tent or membrane structure used for any purposes having an area in excess of 144 square feet and canopies in excess of 400 square feet; including but not limited to structures associated with a carnival, circus other public amusement or other commercial activity.

An inspection must be completed prior to occupancy and/or utilization of the temporary membrane structure.

A detailed site plan indicating the location, separation and placement of all structures and the description and location of the items listed below, must be submitted with the application for Operating Permit.

Required on site plan:

- Fire department access
- Location of structure
- Waste receptacles
- 20 foot separation from lot lines, buildings or other membrane structures
- Portable toilet facilities (if required)
- Anchorage details
- External power sources (generator or hardwired with no unapproved extension cords)
- Heating and cooking equipment (NEC and IMC)
- LP-Gas facilities (IFGC and NFPA 54)

Required on Fire and Life Safety Plan:

- Means of egress
- Exit sign and emergency lighting
- Bonding and grounding
- Flame propagation performance treatment (NFPA 701)
- Fire Extinguishers
- "No Smoking" signs

Appendix E

Uses and Occupancy Classifications determined by Town of Salina to pose a substantial potential hazard to public safety

Special Event Operating Permit

An Operating Permit is required for any special event that takes place within an occupied building which is outside the scope of the permitted use.

The Operating Permit will allow the special event to take place within the building, with or without conditions, only for the timeframe allotted by the permit.

An inspection must be performed prior to the issuance of the Operating Permit, confirming compliance with all applicable sections of the *Fire Code*.

All fire and life safety systems within the building must be inspected and maintained according to Section 901 of the *Fire Code*.

A Fire Watch may be required based on the size and complexity of the event during the hours of operation.

Examples of required Fire Watch include, but not limited to the following:

- Indoor Commercial Haunted Houses
- Special Entertainment gatherings utilizing pyrotechnics or other flammable/combustible props, smoke, etc.
- Special assembly events where the occupancy load exceeds the maximum number permitted
- Outdoor Mass Gatherings
- Indoor events where the required fire and life safety features of the building are not in operation or where none exist, or where any required system is considered non-functional based on Section 901 of the *Fire Code*.

FEE SCHEDULE

FIRE INSPECTION / OPERATING PERMIT FEES		Base Fee	Plus	Variable
Fire Safety/Property Maintenance Inspections	(Inspections required by Title 19, NYCRR)			
	Buildings not exceeding 5000 square feet	\$ 50.00		
	Buildings 5,001- 20,000 square feet	\$ 75.00		
	Buildings over 20,000 square feet	\$ 100.00		
Operating (Fire Code) Permits	Assembly (Fire Inspection Fee noted above plus)	\$ 75.00		
	Hazardous materials (storage, handling, use)	\$ 75.00		
	Hazardous processes	\$ 100.00		
	Pyrotechnic devices (per event)	\$ 75.00		
	Hazardous use or occupancy	\$ 75.00		
	Other (per event)	\$ 75.00		
	Fireworks (per event)	\$ 75.00		