

New building inspection rules

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now in effect

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The New York Department of State recently issued new regulations governing the inspection of all non-residential buildings by town officials. Under these new regulations, which went into effect on January 1, 2007, all non-residential buildings, including farm buildings, need to be inspected every three years for compliance with the property maintenance code and certain aspects of the fire safety code.

While historically farm buildings have

been exempt from the building code, they have had to adhere to the property maintenance code and fire safety code provisions dealing with general safety methodologies and practices. Unfortunately, the recently revised versions of these codes were intended for non-residential buildings such as office buildings and do not recognize the unique nature of farm buildings. They therefore have a series of requirements that could prove to be quite costly to farmers. Beyond that there has been no clear guidance given to farmers about which aspects of the fire code they need to follow.

New York Farm Bureau has been actively engaged with the Department of State over the past few months to address this situation. The Department recognizes that there are issues with this new requirement and is advising towns to not inspect farm buildings until after a formal solution has been reached.

If farms are visited by a building inspector they are advised to politely request that the building inspector first contact:

Cheryl Fischer, P.E. Assistant Director of Code Interpretations

**New York State Department of State
 Code Enforcement and Administration
 41 State St., Suite 1130, Albany, NY
 12231**

Tel: 518-474-4073; FAX: 518-486-4487

Additionally, in order to protect farm livestock, building inspectors should be adhering to appropriate biosecurity protocols when entering the farm. A list of Best Management Practices for farm visitors can be found at the NYFB Web site, www.nyfb.org. Inspectors who have questions should again contact Cheryl Fischer.

Please be assured that New York Farm Bureau is committed to finding a solution to this issue. Legislation is currently being introduced by Assemblyman Magee and Senators Seward and Wright that would eliminate this costly, inappropriate regulation for farm buildings. You can lend your voice to the issue by visiting the lobby section on the NYFB Web site, www.nyfb.org.