

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, Sept 22, 2026 – 6:00 p.m.

Council Chambers – Olean Municipal Building

1. ROLL-CALL

2. INVOCATION

3. PLEDGE

4. READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING:

“The Regular Meeting of the Olean Common Council was held on Tuesday, September 8, 2026 at 6:00 p.m.”

PRESENT: Aldermen Lawrence Bennion, Joseph Keary, Jennifer Forney, Sonya McCall, John Crawford and David Anastasia

OFFICIALS: Mayor Amy Sherburne; Allison Barnish, City Auditor; Bridget Marshall, City Attorney; James Sprague, Director of Public Works; Lens Martial, City Clerk; Keri Kerper, Community Development Program Coordinator; Robert Blovsky, Chief of Police; Eric Maurouard, Chief of Fire Department; Jerry Volz, IT Network Coordinator; Jennifer Fairbanks-Black, Chief of Staff

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from the City Operations Committee on PL# 115-26 (Bennion) To Amend the City of Olean Code of Ordinances, Chapter 21, Article III, TREES AND SHRUBS, Sec. 21-59 and Sec. 21-60. Postponed indefinitely.

Report from the City Operations Committee on PL# 125-26 (Bennion) Amend the City of Olean Code of Ordinance Chapter 21 Streets and Sidewalks, Article II Sidewalk Construction, Maintenance, ETC., Section 21-32 Construction of sidewalks – Permit required. Referred to City Attorney for resolution.

Report from the City Operations Committee on PL# 126-26 (Bennion) Amend the City of Olean Code of Ordinance Chapter 21 Streets and Sidewalks, Article III Trees and Shrubs. Section 21-57 Permit to plant trees or shrubs required, Section 21-58 Tree trimming by property owners, Section 21-59 Notice to trim trees, Section 21-60 Failure to trim trees, Section 21-61 Permit required by utilities, Section 21-62 Tree removal by property owners; rebate; removal by City, Section 21-63 Tree removal - Not required by Tree Board, Section 21-64 Poplar trees prohibited. Referred to City Attorney for resolution.

Report from the City Operations Committee on PL# 127-26 (Bennion) Amend the City of Olean Code of Ordinance Chapter 21 Streets and Sidewalks, Article II Sidewalk Construction, Maintenance, ETC., Section 21-35 Maintenance of sidewalks. Referred to City Attorney for resolution.

Report from the City Operations Committee on PL# 130-26 (Bennion) To Amend the City of Olean Code of Ordinances Chapter 21 Streets and Sidewalks, Article I, Section 21-11 Curb cuts procedure and fee. To add (7) Whether residential or commercial, no curb cut shall exceed 24' in width per street entrance. All curb cuts shall be no less than 3' from each property line. Industrial properties may exceed 24' with Common Council approval per street entrance. Referred to the City Attorney for resolution.

Report from the Committee of the Whole on PL# 131-26 (Sherburne) To authorize the Department of Community Development to apply for CRCF funding to supplement bed tax funds to pay for Welcome to Olean sign and installation. Referred to Committee of the Whole.

Report from the City Operations Committee on PL# 132-26 (Bennion) Amend the City of Olean Code of Ordinance Chapter 6 Buildings, Building Regulations and Fire Prevention; Article I LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM: Section 6-4 Building permits, adding (I). Referred to City Attorney for resolution.

6. COMMUNICATIONS FROM THE MAYOR

Proclamation for National Preparedness Month

7. MISCELLANEOUS COMMUNICATIONS

8. CITY OFFICIAL REPORTS

9. PROPOSED LEGISLATION & REFERRALS

PL# 133-26 (Sherburne) To authorize the Mayor to enter into an agreement with Recast City, LLC for the Recast Boost contract for small scale manufacturing initiative. Referred to Finance Committee.

10. FINANCE – BILLS

By Alderman _____ Seconded by Alderman _____

The Auditor has processed bills and claims against the City of Olean as per list submitted to each Alderman and recommends payment thereof.

Whereas, the Auditor has presented to the Common Council, bills and claims against the City of Olean totaling \$937,314.42 for the budget and recommends payment thereof.

Now, Therefore, Be It Resolved, that the same be and are hereby audited and allowed, and the Auditor is hereby authorized and directed to draw warrants for the payment thereof at the amounts set opposite each respective claim.

11. PUBLIC COMMENT/INPUT (3 MINUTE LIMIT PER SPEAKER)

12. RESOLUTIONS

RESOLUTION# 117-26

PL #125-26

By Alderman McCall, Seconded by Alderman Keary

Amend the City of Olean Code of Ordinance Chapter 21 Streets and Sidewalks, Article II Sidewalk Construction, Maintenance, ETC., Section 21-32 Construction of sidewalks – Permit Required

WHEREAS, the City of Olean Code of Ordinances Chapter 21 Streets and Sidewalks, Article II Sidewalk Construction, Maintenance, ETC., Section 21-32 Construction of sidewalks – Permit required; is hereby amended and shall read as follows:

It shall be unlawful for any person hereafter to construct any sidewalk in any of the streets of the City, or to replace or reconstruct any sidewalk or any portion thereof within the streets of the City, until such person shall have first obtained a written permit from the director of public works approving of the materials, the grade, width, and other filed specifications, as required by this article.

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION# 118-26

PL #126-26

By Alderman McCall, Seconded by Alderman Keary

Amend the City of Olean Code of Ordinance Chapter 21 Streets and Sidewalks, Article III Trees and Shrubs, Section 21-57 Permit to plant trees or shrubs required; Section 21-58 Tree trimming by property owners; Section 21-59 Notice to trim trees; Section

21-60 Failure to trim trees; Section 21-61 Permit required by utilities; Section 21-62 Tree removal by property owners; rebate; removal by City; Section 21-63 Tree removal – not required by Tree Board; Section 21-64 Poplar trees prohibited

WHEREAS, the City of Olean Code of Ordinances Chapter 21 Streets and Sidewalks, Article III, Trees and Shrubs, Sections 21-57; 21-58; 21-59; 21-60; 21-61; 21-62; 21-63; 21-64 is hereby amended and shall read as follows:

Section 21-57 Permit to plant trees or shrubs required.

(a) No trees or shrubbery shall be planted by abutting landowners, nor any trees removed, between the street line and curblin within the City without receiving a permit, in writing, from the Code Enforcement Department approved by the Common Council.

(b) The permit, if granted, may specify such reasonable terms and conditions to be required for the proposed action, as may be determined by the Common Council and the following provisions:

(1) Tree planting specifications and selections.

- a.** Use street-grade trees following American Standard Nursery Stock (ANSI 60.1).
- b.** No damage to trunk or leaders.
- c.** No girdling roots.
- d.** Strong central leaders on trees (no co-dominant stems or included bark).
- e.** Caliper to be 1.5 inches to three inches for B&B and 1.5 inches to 2.5 inches for bare root trees.
- f.** Acceptable tree species shall be determined by Tree Board by referencing American Standard Nursery Stock and <http://woodyplants.cals.cornell.edu/home>.
- g.** Proper judgment shall be used in tree placement by the City Forester following the proceeding standards.

(2) Spacing requirements for street trees.

- a.** Thirty feet minimum spacing between trees.
- b.** Fifteen feet minimum spacing from utility/light poles and fire hydrants.
- c.** Forty-five feet minimum distance from corner with traffic signal present.
- d.** Thirty feet minimum distance from all other corners.
- e.** Five feet minimum distance from any driveway; three feet minimum distance from any sidewalk.
- f.** Five feet minimum distance from underground utility lines, water service boxes, etc.

(3) Site requirements for street trees (applies within City right-of-way).

- a.** Four feet minimum subway width between curb and sidewalk for planting of any tree with root barriers; five feet minimum subway width without root barriers.

- b.** Tree may be planted behind sidewalk, within right-of-way, provided proper spacing requirements are followed.
- c.** Tree pits should have roughly 35 square feet of surface area, such as six feet by six feet, five feet by seven feet, or four feet by eight feet, unless structural soil is used under surrounding paved area.
- d.** No raised planters for trees.
- e.** Trees may be planted under wires to mature at 25 feet or less.
- f.** Impacts on sight distances should be considered.

(4) Private tree planting standards.

- a.** Acceptable tree species shall be determined by the Tree Board by referencing American Standard Nursery Stock and <http://woodyplants.cals.cornell.edu/home>.
- b.** Impacts shall be considered on sight distances.
- c.** Trees shall be a minimum of 10 feet from a property line.
- d.** There shall be no underground utilities within five feet of any proposed tree.
- e.** Fifteen feet minimum spacing from utility/light poles and fire hydrants.
- f.** Five feet minimum distance from any driveway; three feet minimum distance from any sidewalk.
- g.** Trees shall not be planted in front of building entrances.

(5) Park tree planting standards.

- a.** Acceptable tree species shall be determined by the Tree Board by referencing American Standard Nursery Stock and <http://woodyplants.cals.cornell.edu/home>.
- b.** Impacts shall be considered on sight distances.
- c.** The trees shall be a minimum of 10 feet from a property line.
- d.** There shall be no underground utilities within five feet of any proposed tree.
- e.** Fifteen feet minimum distance spacing from utility/light poles and fire hydrants.
- f.** Five feet minimum distance from any driveway; three feet minimum distance from any sidewalk.
- g.** Trees shall not be planted in front of building entrances.

(c) Any person aggrieved by the action of the Common Council on application for a permit may apply to the Common Council, within 15 days of the issuance of such permit or its denial, for a hearing, which shall be held not less than two nor more than four weeks from the date of request for hearing. Notice of public hearing shall be given to the applicant by mail and shall be published once in the Olean Times Herald.

(d) At the time of the hearing, the Common Council shall hear all persons wishing to be heard on the application. In its decision on the application for a permit, the Common Council may take into account and consider the effects of the proposed action on the environment, the neighboring properties, and the safety, health, and welfare of the residents of the community generally.

Section 21-58 Tree trimming by property owners.

All persons owning property in the City abutting upon any street and upon which there are shade trees along such street shall clean out the dead limbs and otherwise trim such trees so that the same will not become dangerous to, obstruct, or interfere with public travel or pedestrians.

Section 21-59 Notice to trim trees

All persons required by notice from the Code Enforcement Department to trim trees, as required under this article, must proceed to do so within 10 days after receiving such notice.

Section 21-60 Failure to trim trees

In case of failure to trim trees, as required under this article, Code Enforcement Department is hereby authorized to do so, and the expense thereof shall be collected from the owner or occupant in the usual or ordinary way by suit and shall become a lien upon the premises.

Section 21-61 Permit required by utilities.

Unless acting under a contract with the City, or unless there be a bona fide emergency, no tree shall be trimmed by any utility company without such utility company's having obtained a permit from the Common Council of the City. Utility companies desiring to obtain such permit may make application to the Common Council which shall contain its plan for the trimming and/or topping of trees. The permit shall be for a term of one year and may contain such reasonable conditions pertaining to the health and welfare of the citizens of the City as may be deemed appropriate to the circumstances. The Common Council shall act upon each permit application within 60 days of its receipt.

Section 21-62 Tree removal by property owners; rebate; removal by City.

(a) Any person owning property in the City abutting upon any street and upon which there is a tree which has been deemed by the Tree Board and/or City Forester to be dangerous to, obstructing, or interfering with public travel or pedestrians shall have 30 days to have the tree removed by an insured contractor.

(b) The City of Olean will provide a rebate of 1/2 of the cost of such removal by the contractor of the property owner's choice or the City's tree removal contractor, whichever is less, to the property owner upon completion, subject to the following provisions:

(1) Eligible tree removal projects for the rebate are those which have been deemed by the Tree Board and/or the City Forester to be dangerous to, obstructing, or interfering with public travel or pedestrians. Trees removed for aesthetic purposes or at the will of the property owner will be ineligible for this rebate.

(2) An application (available in the Code Enforcement Department) must be completed and submitted to the Code Enforcement Department by the property owner.

(3) Code Enforcement Department inspection and designation of removal requirement by the Tree Board is required prior to the commencement of the project in order for the project to be eligible for the rebate.

(4) A permit will be required for the removal of the tree, and all work must be done by a licensed contractor in accordance with City of Olean specifications.

(5) A post removal inspection will be performed prior to the release of funding.

(c) Any tree that has not been properly removed or maintained within 30 days of notification by the Code Enforcement Department shall be subject to removal by the City of Olean. In such cases where the property owner fails to remove or maintain said tree, or fails to apply for or comply with the procedures of the rebate program, the City's actual cost of removing or maintaining said tree shall become a lien on the premises.

Section 21-63 Tree removal - Not required by Tree Board.

Any person owning property in the City abutting upon any street and upon which there is a tree who desires to remove a tree in this right-of-way must request permission from and obtain required approvals from the Tree Board. In the event that the Tree Board denies such request for approval to remove a tree in the right-of-way, the property owner may appeal the decision to the Common Council within 15 days of the rendered decision of the Tree Board, and the Common Council will review said appeal by their next regularly scheduled meeting. Approval to remove the tree granted by the Tree Board (or Common Council, upon appeal) does not exempt the property owner from obtaining necessary permits from the Code Enforcement Department. A licensed contractor must perform the work required to remove the tree, and removal of a tree not deemed required for the public welfare or safety by the Tree Board will be done solely at the property owner's expense.

Section 21-64 Poplar trees prohibited

No poplar trees shall be placed in the subways of the City, and all poplar trees are hereby declared to be a nuisance and shall be removed by the owners thereof upon 15 days' notice from the Code Enforcement Department.

BE IT RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION# 119-26

PL #127-26

By Alderman McCall, Seconded by Alderman Keary

Amend the City of Olean Code of Ordinance Chapter 21 Streets and Sidewalks, Article II Sidewalk Construction, Maintenance, ETC., Section 21-35 Maintenance of sidewalks

WHEREAS, the City of Olean Code of Ordinances Chapter 21 Streets and Sidewalks, Article II Sidewalk Construction, Maintenance, ETC., Section 21-35 Maintenance of sidewalks is hereby amended and shall read as follows:

(a) It is the privilege, and, on notice from the Code Enforcement Department, it shall be the duty of any owner of any premises or parcel of land within the City to grade and level the sidewalk in front of the premises or parcel between the street line and the curbline.

(b) The Code Enforcement Department may, at the expense of the City, undertake any necessary grading in any area of the City where federal funds are available in full, or in part, for such grading and leveling.

(c) It shall be the duty of the owner of any premises in the City, whenever such work shall be ordered by resolution of the common council, to relay and repair existing sidewalks in front of such premises, whenever such work shall be so ordered. It shall be the duty of the owner of any premises in the City to lay new sidewalks when ordered to do so by resolution of the common council, such resolution having been passed pursuant to a showing by appropriate City officials to the council that a new sidewalk is needed pursuant to a plan for the development of the City, or for reasons of safety or health of its citizens.

(d) The Code Enforcement Department shall notify the owner of any premises in front of which such work shall be required to be done that if such work is not done by the owner within 20 days, such work shall be done by the City, and the expense thereof shall be assessed upon such premises. This notice shall also notify the owner that he has 20 days to show cause before the Code Enforcement Department why such work should not be done, is not needed, or can reasonably be delayed. Upon the request of the owner for a hearing, pursuant to this section, such hearing shall be scheduled no earlier than five days from the receipt of such request by an owner. Such notice may be served personally or by mailing it in the manner prescribed for the mailing of notices and the mailing of taxes due by the City Assessor. If any such work shall not be done within the time specified in such notice, the department of public works may cause such work to be done. The expense thereof shall be a charge and lien assessed thereon, upon such premises. Where federal funds are available in whole, or in part, in a code enforcement area, or an urban renewal project area, the cost of grading, installing, or replacing sidewalks in that area, may be borne by the City.

(e) Whenever the relocation of any installed sidewalks meeting City standards is necessitated on account of the construction of a widened pavement, or any street, the cost or expense therefor shall be paid solely by the City from the general fund. No part of such cost or expense shall be assessed against the premises abutting the sidewalk.

(f) The taxes and assessments which are levied for the purpose of paying the expense of sidewalk installation or improvement shall be payable in equal annual installments over a five-year period, with interest charges at the current going rate of investment. Owners of property may have the option to pay the whole of such improvements so assessed to them within 15 days from the time of the completion of such assessment-roll. Such option or

privilege may be exercised at the time when any installment becomes due with the current rate of interest paid.

(g) It shall be the duty of the owner of any premises to keep in repair the sidewalk in front of his premises and the driveways serving the premises.

(h) If any owner shall neglect to grade or level the sidewalk in front of lands owned or occupied by him for 20 days after notice to do so by the Code Enforcement Department, the Code Enforcement Department may cause such work to be done.

(i) If the owner of any lands, the grade or level of which is above the established grade of the sidewalk in front of his lands, shall neglect or refuse to protect such land and to grade such land so as to prevent dirt, earth, stones, or other material from falling or being washed upon the sidewalk of such lands, for 20 days after service upon him of notice, the Code Enforcement Department shall cause such work to be done.

(j) No person shall construct or reconstruct a sidewalk on any street, until he shall have obtained written permission to do so from the Code Enforcement Department. Permission to construct or reconstruct a sidewalk may be obtained by the issuance of the Code Enforcement Department of a permit. Sidewalks constructed under a permit shall be constructed of such materials and of such width as may from time to time be specified by the department of public works.

(k) It shall be the duty of every owner of any premises fronting on any public street to keep the sidewalk in front of his premises in good order and repair and to allow no accumulation of dirt, refuse, or other material to remain thereon.

RESOLUTION# 120-26

PL #130-26

By Alderman Bennion, Seconded by Alderman Anastasia

To amend the City of Olean Code of Ordinances, Chapter 21: Streets and Sidewalks, Article I: IN GENERAL, Section 21-11: Curb cuts procedure and fee.

WHEREAS, the City of Olean Code of Ordinances Chapter 21 Streets and Sidewalks, Article I, Section 21-11 Curb cuts procedure and fee; is hereby amended to add (7) and shall read as follows:

The Code Enforcement Office shall have the power to approve or deny any curb cut application subject to the procedure herein specified. In making the determination the Code Enforcement Office shall take into consideration the benefit to the applicant if the application is granted, as weighed against the detriment to the character of and the impact to on-street parking in the immediate neighborhood impacted by such application if granted.

(1) All applications made to the Code Enforcement Office shall be in writing, on forms prescribed by said Director.

(2) Prior to approval or denial of the application, the Code Enforcement Office shall set a public comment period whereby immediate neighborhood property owners and occupants may comment on the application to the Code Enforcement Office in writing.

(3) All applicants shall mail notices of the application to the owners or occupants of all lands on the fronting City street on which the curb cut sought. Such notices shall be postmarked at least 10 days prior to the expiration of the public comment period, as established by the Code Enforcement Office.

(4) Any applicant or property owner noticed under Section **21-11(3)** shall have the right to appeal to the Common Council at the first Council work session immediately following the determination of the application by the Director.

(5) The Common Council, on any appeal pursuant Section **21-11(4)**, by majority shall have the power to uphold or reverse the decision of the Code Enforcement Office or modify the parameters of any curb cut granted by the Director under this section.

(6) The fee for any such curb cut made in addition to an existing curb cut performed by the Code Enforcement Office shall be charged at \$25 per linear foot.

(7) Whether residential or commercial, no curb cut shall exceed 24' in width per street entrance. All curb cuts shall be no less than 3' from each property line. Industrial properties may exceed 24' with Common Council approval per street entrance.

RESOLVED, that this Resolution shall take effect immediately.

RES# 126-26

PL# 131-26

Motion by Alderman _____ . Seconded by _____

Authorizing the Department of Community Development to apply to the Cattaraugus Region Community Foundation for funding toward the Welcome to Olean sign project

WHEREAS, the City of Olean is undertaking a project for the design and construction of a new Welcome to Olean sign to replace the existing sign located on parcel ID 94.047-1-51, on City-owned property at 1713 Fall Road; and

WHEREAS, the City of Olean previously authorized the award of the design and construction work for the new Welcome to Olean sign to Billings Steel Manufacturing; and

WHEREAS, the City of Olean has committed Bed Tax funds to pay for the design, construction and installation of the new Welcome to Olean sign, along with other associated project costs relating to demolition and removal of the existing sign, landscaping, hardscape, running of conduit and electrical wire; and

WHEREAS, the City of Olean wishes to seek financial assistance from the Cattaraugus Region Community Foundation in an amount of \$2,500 to support the Welcome to Olean Sign Project and offset project costs; and

WHEREAS, the Department of Community Development is seeking authorization from the Common Council to submit an application to the Cattaraugus Region Community Foundation on behalf of the City of Olean;

BE IT RESOLVED, that the Common Council of the City of Olean hereby authorizes the Department of Community Development to prepare and submit an application to the Cattaraugus Region Community Foundation for funding in support of the Welcome to Olean Sign Project; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute any applications, certifications, agreements, and other documents necessary to submit the application on behalf of the City of Olean.

IT IS FURTHER RESOLVED, that this Resolution shall be effective immediately.

RESOLUTION# 129-26

PL #132-26

By Alderman Bennion, Seconded by Alderman Anastasia

To amend the City of Olean Code of Ordinances, Chapter 6: Buildings, Building Regulations and Fire Prevention, Article I: LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM, Section 6-4: Building permits.

WHEREAS, the City of Olean Code of Ordinances Chapter 6 Buildings, Building Regulations and Fire Prevention; Article I LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM; Section 6-4 Building permits.; is hereby amended to add (l) and shall read as follows:

- (a)** Building permits required. Except as otherwise provided in Subsection (b) of this section, 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 any portion thereof, and the installation of a solid fuel building 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 City of Olean.
- (b)** Exemptions. No building permits shall be required for work in any of the following categories:
 - (1)** Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses),

which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 100 square feet;

(2) Construction of temporary sets and scenery associated with motion picture, television, and theater uses;

(3) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(4) Installation of partitions or movable cases less than five feet nine inches in height;

(5) Painting, wallpapering, tiling, carpeting, or other similar finish work;

(6) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(7) 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

(8) Repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required means of egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

(c) Exemption not deemed authorization to perform noncomplaint work. The exemption from the requirement to obtain a building permit for work in any category set forth in Subsection (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for building permits. Applications for a building permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) A description of the location, nature, extent, and scope of the proposed work; Sec. 6-4

(2) The tax map number and the street address of any affected building or structure;

(3) The occupancy classification of any affected building or structure;

(4) Where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) At least two sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's certificate of authorization number.

(e) Construction documents. Construction documents will not be accepted as part of an application for a building permit unless they satisfy the requirements set forth in Subsection (d)(5) of this section. Construction documents which are accepted as part of the application for a building permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a building permit will be issued. Work shall not be commenced until and unless a building permit is issued.

(f) Sec. 6-4 Issuance of building permits. An application for a building permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a building permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the building permit. The building permit shall contain such a directive. The permit holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The building permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended building permit, such change shall not be made until and unless a new or amended building permit reflecting such change is issued.

(i) Time limits. Building permits shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits shall expire 12 months after the date of issuance. A building permit which has become invalid or which has expired pursuant to this Subsection may be renewed upon application by the permit holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of building permits. If the Code Enforcement Officer determines that a building permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a building permit was issued violates the Uniform Code or Energy Code, the Code Enforcement Officer shall revoke the building permit or suspend the building permit until such time as the permit holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in Section 6-18 (Fees) of this article must be paid at the time of submission of an application for a building permit, for an amended building permit, or for renewal of a building permit.

(l) Applicability to City and Public Works Projects. Notwithstanding any implied sovereign immunity or exemptions provided to municipal entities elsewhere, the City of Olean, including all of its departments, boards, authorities, and agencies, shall be strictly required to apply for, obtain, and comply with all applicable building permits, plan reviews, and certificates of occupancy from the Division of Buildings and Code Enforcement for any and all construction, alteration, demolition, or repair projects funded or executed by the City, to the same extent as required of a private person or corporation. The City shall be exempt only from the payment of municipal permit fees, but shall remain entirely subject to all substantive safety, structural, zoning, and inspection requirements of the New York State Uniform Fire Prevention and Building Code and this Code all State and local laws

RESOLVED, that this Resolution shall take effect immediately.

13. ADJOURNMENT