



### Q. When is a Building Permit complete?

**A.** A final inspection is required when all work is completed, and when it has been determined by the Building Inspector/Code Enforcement Officer the project meets the applicable standards based on the code. Only then will a Certificate of Compliance or a Certificate of Occupancy be issued and the permit completed.

### Q. Do I need a Contractor?

**A.** It depends on your skill level. You can do the work yourself or hire a contractor. If you hire a contractor you will have to provide his/her name on the application along with the insurance documents.

### Q. What about electrical work?

**A.** Sullivan County has an Electrical Licensing Law that requires electricians be licensed as a Sullivan County Master Electrician to perform electrical work in Sullivan County. The electrician's work must be approved by a third party inspector approved by the Town. Names can be obtained from the Building Inspector/Code Enforcement Officer. Homeowners may perform some electrical work without a license. Contact Building Inspector for more information.

### Q. What about plumbing?

**A.** No permit or license is required to do ordinary plumbing work. However, major projects, such as waterline replacement, wells, septic issues, irrigation systems and culverts **DO** require a permit. If in doubt, contact the Building Department.

### Q. What about an oil spill or the removal of underground gas or oil tanks?

**A.** This can ONLY be handled by an EPA-certified tank removal company. Check listings in the local yellow pages directory or website. Tank removal requires a permit.

### Q. What about building a pond on my property?

**A.** Most ponds do not require a New York State Department of Environmental Conservation approval/permit. However, construction/remediation involving a dam, stream or bridge over stream may require DEC permit. Contact Building Inspector for assistance.

### Q. What about a culvert?

**A.** Must be obtained from the proper authorities including Town of Delaware, County of Sullivan or New York State DOT—whichever is appropriate in the individual case.

### Q. What about a driveway?

**A.** You must first contact the Town of Delaware Highway Superintendent at 845.887.4660 and then contact the Building Inspector at 845.887-5250 x103 for a Driveway Permit.

## Must Read References

**Review Town Zoning Laws and Permits in the Town Code:** [www.townofdelaware-ny.us](http://www.townofdelaware-ny.us)

**The Upper Delaware Council's Design Handbook** which is based on a set of federal guidelines, the Upper Delaware Land and Water Use Guidelines, that apply within the river corridor.

**River Management Plan** in particular pages 114-134.

**Both of these documents are available at [UpperDelawareCouncil.org](http://UpperDelawareCouncil.org).**

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[UpperDelawareCouncil.org](http://UpperDelawareCouncil.org)



## QUESTIONS? Visit the Building Department



**Town of Delaware**  
104 Main Street, Hortonville, NY 12745  
845.887.5250  
[townofdelaware-ny.us](http://townofdelaware-ny.us)

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# TOWN OF DELAWARE Building Department

## Guide to Permits Frequently Asked Questions



### Q. Why do I need a Building Permit?

**A.** Permits ensure that the construction meets basic safety, health and structural standards set out in the New York State and Town of Delaware Building Codes.

### Q. How do I apply for a Building Permit?

**A.** A permit application can be downloaded from the Town's website at [www.townofdelaware-ny.us](http://www.townofdelaware-ny.us) under "Forms" or picked up at Town Hall, 104 Main Street, Hortonville, NY during office hours.

### Q. What happens if I fail to obtain the necessary Building Permits?

**A.** While a professional contractor may apply for a permit to do work for you, it is ultimately the responsibility of the land/homeowner to know when a permit is required and ascertain that one is properly in place prior to the commencement of work as financial penalties may apply for non-compliance.

### Q. How much will it cost?

**A.** Fees vary; they may be found on the Town website at [www.townofdelaware-ny.us](http://www.townofdelaware-ny.us) under "Forms" or by contacting the Building Department at 845.887.5250 x103.

### Q. When do I need a Building Permit?

**A.** Changes to properties and structures including both new construction and renovations or remodeling require permits. This brochure offers some guidelines and examples to help you determine whether you will need permits for planned electrical, plumbing, structural or other work on your property.

More specific questions can be addressed with the Building Inspector/Code Enforcement Officer at 845.887.5250 x103.



### A Building Permit is **NOT** Required when you:

- Make ordinary repairs which replace existing materials with new materials of a similar kind. For example: painting, repairing stair tread or railings, making a minor roof repair or a minor repair to a chimney or foundation wall.
- Install or repair gutters and downspouts.
- Install siding on a single family dwelling.
- Replacing windows when no structural work is required or when reducing size.
- Install or replace a sidewalk on a private property.
- Tree cutting (except near powerlines, when a professional should be contracted).

### A Building Permit **IS** Required when you:

- Erect, construct, enlarge, alter, remove, improve, demolish, or convert a building or structure. This includes, but is not limited to, an attached or detached accessory building such as a garage, shed, breezeway, carport, porch, deck, staircase or enclosure to an existing porch or deck.
- Install, relocate, or remove interior partitions or walls.
- Demolish any building (including a garage).
- Convert or change the nature of the use or occupancy of a building or part of a building.
- Install/replace windows that require structural work to enlarge.
- Re-roof.
- Repair fire damage.
- Install a masonry chimney or metal smokestack.
- Install a heating unit, gas furnaces, oil heater, water heater, incinerator, wood-burning-stove, fireplace or gas insert.
- Install a generator.
- Install solar panel(s).
- Install any business sign.
- Construct a fence taller than 4 feet.
- Construct or replace a deck.
- Install any hot tubs, whirlpools or swimming pools (in-ground or above ground and easy set pools over 24" in depth).



### Q. What you will need for a New Home Building Permit:

**A.** A permit application can be downloaded from the town's website at [www.townofdelaware-ny.us](http://www.townofdelaware-ny.us) under "Forms" or picked up during regular office hours at the Town Hall, 104 Main Street, Hortonville, NY 12745. Phone 845.887.5250.

#### You will need to:

- Submit one set of plans drawn to scale. A complete set of specifications must accompany such plans. All plans for habitable structures must be signed by a NYS licensed engineer or architect, and must have NYS energy code Res-check or Com-check as applicable completed and attached.
- Submit two copies of septic plan showing location of building, driveway, septic system and well. All plans must be done by a NYS Professional Engineer. Percolation test and results are required. Deep-test pit minimum seven (7') feet is required. Include Section, Block and Lot number with plan.
- After a permit has been granted, the following phases of construction must be inspected by the Building Inspector/Code Enforcement Officer—footings, foundation (**before** concrete pour), perimeter drainage, framing-structure, electrical work (subject to inspection by an Electrical Inspection Agency approved by Town of Delaware), insulation, and plumbing. A final inspection must be made before a Certificate of Occupancy can be issued and prior to building being occupied.
- Workman's Compensation and contractor's Certificate of Insurance (Liability and Disability) are required for construction. Copies should be filed with the Building Department.
- It is the responsibility of the owner, applicant or agent to notify the Building Inspector when various phases of construction are ready for inspection. Failure to do so could result in a delay of occupancy.
- Correct 9-1-1 address must be on property at roadside (visible from both directions). These numbers must be done in reflective lettering no less than 3" high and no more than 6" high. CERTIFICATES OF OCCUPANCY WILL NOT BE ISSUED WITHOUT A POSTED 911 NUMBER. If you need any assistance, please contact Building Inspector.