

NOTICE

TO: Members of the Lewis County General Services Committee

FROM: Cassandra Moser, Clerk of the Board

DATE: June 25, 2026

SUBJECT: General Services Committee Meeting

The Lewis County General Services Committee will hold its regular meeting on Tuesday, June 30, 2026, at 1:00 p.m. in the Legislative Board Chambers, 2nd Floor, Lewis County Courthouse, Lowville, New York.

Attached is a list of agenda items for the meeting which will be live-streamed on the Lewis County YouTube channel at: [Lewis County - YouTube](#).

cc: Board of Elections
Buildings & Grounds
Code Enforcement/Junkyards
District Attorney
Fire & Emergency Management
Agriculture
Highway
Public Defender
Recreation, Forestry, & Parks
Recycling & Solid Waste
Weights & Measures

GENERAL SERVICES COMMITTEE

AGENDA – June 30, 2026

Call to Order:

- Legislator Josh Leviker, Chair.

Roll Call:

- Clerk of the Board records attendance.

Approval of Minutes:

- Motion to approve minutes from May 26, 2026.

Presentations / Discussion Items:

- Unsafe Structure: property in Lyons Falls – Jon Roes, Director of Codes (10 minutes)
- Shared Highway Infrastructure Mapping & Planning – John Reed, Highway Superintendent and Cody O'Donnell, Deputy Highway Superintendent (10 minutes)

Draft Resolutions:

1. Authorizing the renewal of the County's agreement with Roes Lawncare, LLC for snow plowing and salting services at 7714 Number Three Road (former Mountain View property) for the 2026–2027 and 2027–2028 snow seasons. The Buildings and Grounds Department recommends extending the current RFP-based contract for an additional two-year term at a total cost not to exceed \$10,454.50, with established hourly rates for supplemental snow removal and hauling services as needed.
2. Authorizing an agreement with Fourth Coast Inc. (St. Lawrence Engineering, DPC) to provide engineering, design, and related consulting services for the installation of a backup generator at the Lewis County Courthouse. The cost of services will not exceed \$9,800.00 and includes development of technical specifications for the bidding and installation process. Funding will be provided through the Sheriff Department's ESInet Grant account.
3. Introductory Local Law No. 5-2026 "The Amended Local Law Providing for the Administration and Enforcement of the Uniform Fire Prevention and Building Code" and setting a public hearing for August 4, 2026, at 5:00 PM in the Lewis County Courthouse Board Room.
4. Finding and determining, pursuant to Local Law No. 2-2007, that the structures located at 4119 Center Street in the Village of Lyons Falls (Tax Map No. 322.19-06-15.000) are unsafe, partially collapsed, and constitute a public nuisance. Based on a June 9, 2026 Code Enforcement Officer report, the Board of Legislators directs that the remaining

structure, collapsed rear structure, debris, and exposed foundation be demolished, removed, and properly remediated. The resolution also authorizes service of notice upon the property owner and sets a public hearing for August 4, 2026 at 5:00 p.m. to allow the owner or interested parties to show cause why the order should not be enforced, and provides for County action and cost recovery should compliance not occur.

5. Authorizing the execution of Supplemental Agreement No. 4 with the New York State Department of Transportation for the CR 17 (Wood Battle Road) over Cobb Creek Bridge Replacement Project (PIN 775400) in the Town of Harrisburg. The agreement provides an additional \$31,000.00 in Preliminary Engineering/Design Phase funding through Federal STP, State Marchiselli, and local shares. The resolution authorizes the Board Chair or Vice-Chair to execute all necessary documents to secure reimbursement, and appropriates the additional funding within the Capital Bridge Program budget.
6. Approving a budget amendment to recognize rollover and additional anticipated funding from the New York State CHIPS program in the amount of \$1,013,577.96. The adjustment increases both revenues and expenditures in the County Road accounts to support capital improvement materials within the County's highway infrastructure program.
7. Authorizing the Lewis County Highway Department to apply for up to \$6,000,000.00 through the 2026 NYS Department of Environmental Conservation Water Quality Improvement Project (WQIP) program to replace four culverts (three on Number 3 Road and one on Cobb Road). If awarded, the project requires a 25% County match, to be funded with CHIPS funding, and authorizes acceptance of the grant, execution of contracts, and award of project bids.
8. Awarding a construction contract to BP Excavation, LLC, in the amount of \$729,599.50 for the Kotel Road culvert replacement project over the South Branch of Crystal Creek (PIN 775424) in the Town of Watson, and authorizes execution of the contract.
9. Introductory Local Law No. 4-2026 "A Local Law Amending Local Law No. 3-2019: The Re-Established Lewis County Trail System" and setting a public hearing for August 4, 2026, at 5:00 PM in the Lewis County Courthouse Board Room.

Unfinished Business:

- Railroad Easements

New Business:

- Awarding the bid and authorizing contract for the Number Four Road Culvert project.

Executive Session:

Adjournment:

Additional Information

- If any committee member has inquiries regarding agenda items, please do not hesitate to contact me.

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RESOLUTION NO. __ - 2026

**RESOLUTION AUTHORIZING A RENEWAL AGREEMENT
WITH ROES LAWNCARE, LLC FOR SNOW PLOWING SERVICES AT
7714 NUMBER THREE ROAD (FORMER MOUNTAIN VIEW PROPERTY)**

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, Lewis County entered into an agreement with Roes Lawncare, LLC for snow plowing and salting services at 7714 Number Three Road, Lowville, NY for the 2025-2026 snow season pursuant to an RFP; and

WHEREAS, the Director, Lewis County Buildings and Grounds Department recommends the County renew the agreement for an additional two (2) years at a cost not to exceed \$10,454.50 (\$5,150.00 for the 2026-2027 snow season, and \$5,304.50 for the 2027-2028 snow season); and the County can request snow removal and hauling from time to time at an additional cost of \$150.00 per hour for operation of a loader and \$135.00 per hour for operation of a dump truck; and

WHEREAS, the Board of Legislators seeks to renew the agreement with Roes Lawncare, LLC;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a Renewal Agreement with Roes Lawncare, LLC, 8602 State Route 26, Lowville, NY 13367 for snow plowing and related services at 7714 Number Three Road, Lowville, NY for the 2026-2027 and 2027-2028 snow seasons.

Section 2. The Lewis County Board of Legislators authorizes said agreement, upon the same terms and conditions, at a cost of \$10,454.50 for snow plowing and sanding plus \$150/hour payloader and \$135/hour dump truck for snow removal and hauling.

Section 3. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon review and approval by the County Attorney.

Section 4. The within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

RESOLUTION NO. __ - 2026

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND FOURTH COAST INC. FOR ENGINEERING, DESIGN
AND RELATED SERVICES FOR A NEW BACKUP GENERATOR AT THE LEWIS
COUNTY COURTHOUSE**

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, the Buildings & Grounds Supervisor seeks to have Fourth Coast Inc.- St. Lawrence Engineering, DPC from Clayton, NY, provide professional engineering consultation services with engineering, design and related services for a backup generator at the Lewis County Courthouse, located at 7660 N. State Street, Lowville, NY; and

WHEREAS, Fourth Coast Inc. has proposed to provide engineering, design and related services at a cost not to exceed \$9,800.00; with assistance in developing technical information suitable for the bidding process for the actual generator and installation; and

WHEREAS, the Board of Legislators seeks to authorize this agreement;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves an agreement with Fourth Coast, Inc. for engineering, design and related services for a backup generator for the Lewis County Courthouse, at a total cost not to exceed \$9,800.00.

Section 2. The Chair or Vice-Chair of the Board of Legislators, is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. The Treasurer is directed to appropriate (if necessary) and pay for the services under this Agreement from the Sheriff Department's ESInet Grant account.

Section 4. This resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

**LOCAL LAW (INTRODUCTORY NO. 5 -2026)
COUNTY OF LEWIS**

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

**A LOCAL LAW AMENDING LEWIS COUNTY LOCAL LAW NO. 7-2022:
“THE AMENDED LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND
ENFORCEMENT OF THE UNIFORM FIRE PREVENTION AND BUILDING CODE”**

BE IT ENACTED by Board of Legislators of the County of Lewis, as follows:

SECTION 1. TITLE.

This local law shall be known as **“THE AMENDED LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM FIRE PREVENTION AND BUILDING CODE”**.

SECTION 2. PURPOSE, INTENT AND STATUTORY AUTHORITY.

This local law provides for additional amendments to the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in Lewis County. Lewis County Local Law No. 7-2022 provided amendments to Local Law No. 9-2006 to reflect the addition of departmental procedural changes to the Uniform code and Energy Code.

This local law is enacted pursuant to Municipal Home Rule Law (“MHL”) § 10(1)(i), which provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law. Except as otherwise provided in the Uniform Code and Energy Code and other state laws, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law.

SECTION 3. DEFINITIONS.

In this local law:

“Board of Legislators”: the Board of Legislators for the County of Lewis.

“Building Permit”: a permit issued pursuant to section 5 of this local law. The term “Building Permit” shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

“Building Safety Inspector”: a person who performs fire safety and property maintenance inspections on existing buildings.

“Certificate of Occupancy/Compliance”: a certificate issued pursuant to subdivision (b) of section 8 of this local law which signifies the legal compliance and closure under a Building Permit.

“Code Enforcement Officer (CEO)”: An inspector or investigator, certified by New York State, employed by the County of Lewis, who is responsible for inspections of building and structures and the issuance of building permits in the County of Lewis in compliance with the Uniform Code and Energy Code. The CEO is also responsible for preventing, detecting, investigating, and enforcing violations of the Uniform Code related to public health, safety, welfare, building standards, land use, and other municipal regulations. The CEO shall possess substantial background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for a CEO.

“Compliance Order”: an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 16 of this local law. This shall include, but not be limited to issuing Notice of Violation(s)/Orders to Comply and Remedy.

“Department of Building and Fire Codes”: the County department comprised of a Department Head/Director, Code Enforcement Officers, Building Safety Inspectors and other support staff, charged with the responsibilities and enforcement under this local law.

“Energy Code”: the NY State Energy Conservation Construction Code, as currently in effect and as may be amended from time to time.

“Operating Permit”: a permit issued pursuant to section 10 of this local law. The term “Operating Permit” shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

“Permit Holder”: the person to whom a Building Permit has been issued.

“Person”: an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“Stop Work Order”: an order issued pursuant to section 7 of this local law to direct a Person to cease any and all construction activities.

“Temporary Certificate of Occupancy”: a certificate issued pursuant to subdivision (d) of section 8 of this local law that permits a person to occupy a structure prior to the issuance of a final Certificate of Occupancy/Compliance.

“Third Party Inspector”: an authorized inspector with specialized expertise hired by the owner, acting through a registered design professional or in-kind organization, to ensure compliance with the Uniform Code.

“Uniform Code”: the NY State Uniform Fire Code, Building Code, Residential Code, Fuel Gas Code, Existing Building Code, energy Conservation Construction Code, Mechanical Code, Plumbing Code and Property Maintenance Code, as currently in effect and as may be amended from time to time.

SECTION 4. CODE ENFORCEMENT OFFICER AND BUILDING SAFETY INSPECTOR.

- A. The Lewis County Department of Building and Fire Code was created under Local Law No . 6-2006, and as amended under Local Law No. 7-2022. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code and this local law.
 1. The Building Safety Inspector shall perform fire safety and property maintenance inspections on existing buildings, ensuring compliance with the Uniform Code.
 2. The Code Enforcement Officer shall have the following powers and duties:
 - (a) To receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy/Compliance, Temporary Certificates of Occupancy, Operating Permits, and the plans, specifications and construction documents submitted with such applications;
 - (b) Upon approval of such applications, to issue Building Permits, Certificates of Occupancy/Compliance, Temporary Certificates of Occupancy, Operating Permits, and to include in same such terms and conditions as the Code Enforcement Officer may determine to be appropriate;
 - (c) To conduct construction inspections, inspections prior to the issuance of Certificates of Occupancy/Compliance, Temporary Certificates of Occupancy, and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints pertaining to construction and property maintenance

violations, and all other inspections required or permitted under any provision of this local law;

- (d) To issue Stop Work Orders;
- (e) To review and investigate complaints;
- (f) To issue orders pursuant to subdivision (a) of section 16 (Violations) of this local law;
- (g) To maintain records;
- (h) To collect fees as set by the Board of Legislators;
- (i) To pursue administrative enforcement actions and proceedings;
- (j) In consultation with the County Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code or this local law; and
- (k) To exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law and the Uniform Code.
- (l) One or more Building Safety Inspectors may be appointed by the Director of the Building and Fire Codes Department to act under the supervision and direction of a Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law.

3. A Lewis County Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel. The Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

B. Notwithstanding the residency requirements contained in Public Officers Law §3, neither the Code Enforcement Officer nor any Building Safety Inspector employed hereunder shall be required to be a resident of the County of Lewis as a qualification of employment provided that he or she is a resident of a county that is contiguous to Lewis County within one (1) month

of the date of appointment. If the person appointed as Code Enforcement Officer or Building Safety inspector ceases to be a resident of either the County of Lewis or a contiguous county, the appointee shall be deemed to have voluntarily resigned from his or her office and the employment of such person shall terminate.

- C. Neither the Code Enforcement Officer nor any Building Safety Inspector shall engage in any activity inconsistent with his or her duties or inconsistent with the interests of Lewis County hereunder; nor shall he or she, during the term of his or her employment, be engaged directly or indirectly in any building business, in the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building or the preparation of plans of specifications thereof within the County of Lewis, excepting that this provision shall not prohibit any such individual from such activities in connection with the construction of a building or structure owned by him or her or any member of his or her immediate family, and not constructed for sale. This provision shall not apply to support staff notwithstanding their employment in the County Department of Building and Fire Codes, subject to the provisions of the Lewis County Code of Ethics.
- D. The Code Enforcement Officer and any Building Safety Inspector employed hereunder shall be full time (40 hour per week) employees and shall devote their full professional time and effort to the duties of the office and position. Furthermore, because towns and villages within Lewis County have the option of delegating the authority of enforcing the Uniform Code to Lewis County, which includes the collection of fees for such services, the Board of Legislators finds that it would be a conflict of interest for the Code enforcement Officers and any Building Safety Inspectors hired by the County, to be engaged in the ownership, management operation or participation of any business for compensation (in whatever form) that provides building inspection and/or code enforcement for any municipality within Lewis County. Therefore it shall be deemed a term and condition of employment that a Lewis County Code Enforcement Officer and/or a Building Safety Inspector shall not, without the prior written consent of the Board of Legislators: own, operate, manage, finance, join, control, or participate in the ownership, management, operation, financing or control of, or be connected as a shareholder, director, officer, partner, principal, agent or enterprise engaged in the inspection of buildings and/or structures for the purpose of enforcing the Uniform Code for any municipality within Lewis County.

SECTION 5. BUILDING PERMITS.

- A. Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code, and as said code(s) may be amended,

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 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 Lewis County Department of Building and Fire Codes.

B. Exemptions. No Building Permit 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 144 square feet (13.88 square meters);
2. Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);
3. 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;
4. Installation of fences which are not part of an enclosure surrounding a swimming pool;
5. Construction of retaining walls unless such walls support a surcharge or impound Class I, II or III A liquids;
6. Construction of temporary motion picture, television and theater stage sets and scenery;
7. Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
8. Installation of partitions or movable cases less than 5'-9" in height;
9. Painting, wallpapering, tiling, carpeting, or other similar finish work;
10. Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

11. 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
 12. Repairs, provided that such repairs do not involve (i) the removal or cutting away of a loadbearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.
- C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code.
- D. Applications for Building Permits. Applications for a Building Permit shall be made via the most current process that has been implemented by the Department of Building and Fire Codes. 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 determine that the intended work complies with all applicable requirements of the Uniform Code and any other law or regulation pertinent to the application for the permit. The application shall include or be accompanied by all of the following information and documentation, but may not be limited to:
1. a description of the proposed work;
 2. the tax map number and the street address of the premises where the work is to be performed;
 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 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with

the Uniform Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

- 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 paragraph 5 of Section D. above. 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. 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. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform 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. Work under the permit shall commence as soon as possible upon receipt of the permit, and shall become invalid if work has not commenced within six (6) months of the issued permit. 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 Permit categories are determined by the nature of the work to be performed, the building season, and the information set forth in the application and other documents required. The following Building Permit Duration Schedule has been established by adoption of the Local Law by the

Lewis County Board of Legislators. Such Permit Duration Schedule may thereafter be amended from time to time by adopted Resolution by the Lewis County Board of Legislators, upon the recommendation of the Director/Department Manager of the Lewis County Department of Building and Fire Codes:

1. **THREE MONTH DURATION PERMITS:** Building permits for the following shall become invalid after 3 months following the date of issuance, unless extended or shortened by the Code Enforcement Officer in his/her sole discretion:
 - Septic System Permit
 - Pool Permit
 - Electrical Permit
 - Mechanical Permit
 - Solid Fuel Permit - Occupied building
 - Demolition Permit - Condemned Structure - (unless duration is otherwise ordered by Board of Legislators.)

2. **SIX MONTH DURATION PERMITS:** Building permits for the following shall become invalid after 6 months following the date of issuance, unless extended or shortened by the Code Enforcement Officer in his/her sole discretion:
 - Manufactured Home Permit
 - Porch/Deck Permit
 - Demolition Permit -Not condemned structure

3. **TWELVE MONTH DURATION PERMITS:** Building permits for the following shall become invalid after 12 months following the date of issuance, unless extended or shortened by the Code Enforcement Officer in his/her sole discretion:
 - Solid Fuel Permit- Unoccupied building
 - Accessory Structure Permit
 - Residential Alterations

4. **THIRTY-SIX MONTH DURATION PERMITS:** Building permits for the following shall become invalid after 36 months following the date of issuance, unless extended or shortened by the Code Enforcement Officer in his/her sold discretion:
 - New residential and/or commercial building permit

- J. Building Permits not fully executed within set time frame. A Building Permit which is about to expire pursuant to this subdivision may be renewed in the discretion of the Code Enforcement Officer, upon application by the Permit Holder, payment of the applicable fee, and by approval of the new

application by the Code Enforcement Officer. An extension fee shall be equal to the amount of the original permit fee.

- K. 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, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit upon such reasonable time demonstrated by the Permit Holder that: (1) all work then completed is in compliance with all applicable provisions of the Uniform Code, and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code.
- L. Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit or for an amended Building Permit.

SECTION 6. CONSTRUCTION INSPECTIONS.

- A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.
- B. Elements of work to be inspected. The following elements of the construction process shall be inspected where applicable:
 1. work site prior to the issuance of a Building Permit;
 2. footing and foundation;
 3. preparation for concrete slab;
 4. framing;
 5. building systems, including underground and rough-in;
 6. fire resistant construction;
 7. fire resistant penetrations;
 8. solid fuel burning heating appliances, chimneys, flues or gas vents;

9. Energy Code compliance; and
 10. a final inspection after all work authorized by the Building Permit has been completed.
- C. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code. Work not in compliance with any applicable provision of the Uniform Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code, reinspected, and found satisfactory as completed.

SECTION 7. STOP WORK ORDERS.

- A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:
1. any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 2. any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 3. any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.
- B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.
- C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof,

to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

- D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.
- E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 16 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 8. CERTIFICATES OF OCCUPANCY/COMPLIANCE.

- A. Certificates of Occupancy/Compliance required. A Certificate of Occupancy/Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy/Compliance.
- B. Issuance of Certificates of Occupancy/Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy/Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code. The Code Enforcement Officer or a Third Party Inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy/Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy/Compliance, shall be provided to the Code

Enforcement Officer prior to the issuance of the Certificate of Occupancy/Compliance:

1. a written statement of structural observations and/or a final report of special inspections, and
2. flood hazard certifications.

C. Contents of Certificates of Occupancy/Compliance. A Certificate of Occupancy/Compliance shall contain the following information:

1. the Building Permit number, if any;
2. the date of issuance of the Building Permit, if any;
3. the name, address and tax map number of the property;
4. if the Certificate of Occupancy/Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy/Compliance is issued;
5. the use and occupancy classification of the structure;
6. the type of construction of the structure;
7. the assembly occupant load of the structure, if any;
8. if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
9. any special conditions imposed in connection with the issuance of the Building Permit; and
10. the signature of the Code Enforcement Officer issuing the Certificate of Occupancy/Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate may be occupied safely; (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational; and (3)

that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed the allotted time duration for which the Building Permit is active, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code.

- E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy/Compliance or a Temporary Certificate of Occupancy was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

SECTION 9. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department or the Director of Emergency Management, providing fire fighting services for a property within the County shall promptly notify the County Department of Building and Fire Codes of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 10. OPERATING PERMITS.

- A. Operating Permits required. Operating Permits shall be required for uses and occupancies as set forth under 19 NYCRR Section 1203.3(g), and as may be amended.
- B. Applications for Operating Permits. An application for an Operating Permit shall be made via the most current process that has been implemented by the County Department of Buildings and Fire Codes. Such application shall include information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant, owner and/or operator.

- C. Inspections. The Code Enforcement Officer or a Third Party Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.
- D. Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.
- E. Duration of Operating Permits. Operating Permits shall remain in effect until reissued, renewed, revoked, suspended, or expired.
- F. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.
- G. Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS.

- A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or the Building Safety Inspector at the following intervals:
 - 1. Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly with an occupant load of 50 or greater, shall be performed at least once every twelve (12) months.
 - 2. Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.
 - 3. Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every thirty-six (36) months.

B. Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or Building Code Inspector at any time upon:

1. the request of the owner of the property to be inspected or an authorized agent of such owner;
2. receipt by the Department of Building and Fire Codes of a written statement alleging that conditions or activities failing to comply with the Uniform Code exist; or
3. receipt by the Department of Building and Fire Codes of any other information, reasonably believed by the Department to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code exist;

Provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

C. OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b. Notwithstanding any other provision of this section to the contrary:

1. the Code Enforcement Officer or Building Safety Inspector shall not perform fire safety and property maintenance inspections of a building or structure which contains an area of public assembly if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;
2. the Code Enforcement Officer or Building Safety Inspector shall not perform fire safety and property maintenance inspections of a building or structure occupied as a dormitory if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;
3. the Code Enforcement Officer or Building Safety Inspector shall not perform fire safety and property maintenance inspections of a multiple dwelling not included in paragraphs (1) or (2) of subdivision A of this

section if OFPC performs fire safety and property maintenance inspections of such multiple dwelling at intervals not exceeding the interval specified in paragraph (3) of subdivision A of this section; and

4. the Code Enforcement Officer or Building Safety Inspector shall not perform fire safety and property maintenance inspections of a non-residential building, structure, use or occupancy not included in paragraphs (1) or (2) of subdivision A of this section if OFPC performs fire safety and property maintenance inspections of such non-residential building, structure, use or occupancy at intervals not exceeding the interval specified in paragraph (3) of subdivision A of this section.

SECTION 12. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

- A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within Lewis County as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:
 1. Design criteria to include ground snow load; wind design loads; seismic category, potential damage from weathering, frost, and termite; winter design temperature. whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature.
 2. Heating and cooling equipment design criteria for structures within the scope of the Residential Code of New York State. Design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the Residential Code.
 3. Flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:
 - (a) Accompanying Flood Insurance Rate Map (FEMA) or FEMA Firmette mapping;
 - (b) Flood Boundary and Floodway Map (FBFM);
 - (c) Related supporting data along with any revisions thereto.
- B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision A of this

section, shall maintain such record within the Department of Building and Fire Codes and shall make such record available to the public.

SECTION 13. COMPLAINTS.

The Code Enforcement Officer shall review and investigate written or verbal complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code. The Code Enforcement Officer may investigate verbal complaints which allege or assert the existence of such violation(s), provided that such investigation(s), if any, shall be conducted solely at his or her discretion. The Code Enforcement Officer shall review and investigate any observed conditions or activities that fail to comply with the Uniform Code, this local law or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code. The process for responding to a complaint (verbal or written) or an observed violation condition shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

1. performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
2. if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with a Notice of Violation/Order to Comply and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 16 (Violations) of this local law;
3. if appropriate, issuing a Stop Work Order;
4. if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 14. RECORD KEEPING.

- A. The Code Enforcement Officer and the Building Safety Inspector shall keep permanent official records of all transactions and activities, including but not limited to records of:
1. all applications received, reviewed and approved or denied;
 2. all plans, specifications and construction documents approved;

3. all Building Permits, Certificates of Occupancy/Compliance, Temporary Certificates or Occupancy, Stop Work Orders, and Operating Permits issued;
 4. all inspections and tests performed;
 5. all statements and reports issued;
 6. all complaints received;
 7. all investigations conducted;
 8. all other features and activities specified in or contemplated by this local law; and
 9. all fees charged and collected.
- B. All such records shall be public records open for public inspection during normal business hours, subject to personal, confidential information. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 15. PROGRAM REVIEW AND REPORTING.

- A. The Department Director/Manager of the Building and Fire Codes shall annually submit to the Board of Legislators a written report and summary of all business conducted by the Code Enforcement Officers and the Building Safety Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law, and a report and summary of all appeals or litigation pending or concluded.
- B. The Department Director/Manager of the Building and Fire Codes shall annually submit to the Secretary of State, on behalf of the County of Lewis, on a form prescribed by the Secretary of State, a report of the activities of the County of Lewis relative to administration and enforcement of the Uniform Code.
- C. The Department Director/Manager of the Building and Fire Codes shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials the County of Lewis is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of the County in connection with administration and enforcement of the Uniform Code.

SECTION 16. VIOLATIONS.

- A. **Compliance Orders.** The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, or this local law, and as they may be amended. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall: (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code or this local law; (4) specify the provision or provisions of the Uniform Code or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time.
- B. **Compliance Orders Service.** The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail / certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.
- C. **Appearance Tickets.** The Code Enforcement Officer and the Building Safety Inspector are authorized to issue appearance tickets to an appropriate Court for any violation of the Uniform Code.
- D. **Civil Penalties.** In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy/Compliance, Temporary Certificate of Occupancy, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of the County of Lewis.

- E. Injunctive Relief. An action or proceeding may be instituted in the name of the County of Lewis, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy/Compliance, Temporary Certificate of Occupancy, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, or this local law, an action or proceeding may be commenced in the name of the County of Lewis, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Chair of the Board of Legislators of the County of Lewis.
- F. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section or in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 17. FEES.

A fee schedule has been established by Resolution of the Board of Legislators of the County of Lewis. Such fee schedule may thereafter be amended from time to time by Resolution of the Board of Legislators. The fees set forth in, or determined in accordance with such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy/Compliance, Temporary Certificates of Occupancy, Operating Permits,

fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 18. INTERMUNICIPAL AGREEMENTS.

The Board of Legislators of the County of Lewis may, by resolution, authorize the Department of Building and Fire Codes to enter into an agreement(s), in the name of the County of Lewis, with other local municipalities to carry out the terms of this local law, provided that such agreement(s) does not violate any provision of the Uniform Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law, as any or all may be amended from time to time.

SECTION 19. PARTIAL INVALIDITY.

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 20. REPEALER.

This local law shall be deemed to amend Local law No. 7-2022 *in toto*, and upon its effective date shall supersede and replace said local law in all respects.

SECTION 21. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

RESOLUTION NO. __ - 2026

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5- 2026), COUNTY OF LEWIS**

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 7, 2026, a proposed Local Law entitled "THE AMENDED LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM FIRE PREVENTION AND BUILDING CODE."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on August 4, 2026, at 5:00 p.m., before the Lewis County Board of Legislators in the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York.

Section 2. At least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

RESOLUTION NO. __ - 2026

**RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007
FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE
SHALL BE DEMOLISHED AND REMOVED
AND TO SET HEARING FOR FINAL ORDER
(VILLAGE OF LYONS FALLS)**

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2-2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 322.19-06-15.000, 4119 Center Street, in the Village of Lyons Falls, owned by Frederick G. Marriott, and determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on June 9, 2026, including a recommendation, *inter alia*, that the remaining structure be demolished and removed, together with debris from a second collapsed structure on the back of the same property; and

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Village of Lyons Falls; and

WHEREAS, the Code Enforcement Officer reports that the remaining burned structure is unsafe, in disrepair, and damaged. The structure lacks integrity, is unfit for human occupancy and is definable as unsafe. This building has burned, the initial demolition was incomplete, the foundation is exposed with an unsafe hole, and the structure in the back of the property is collapsed. All of these conditions pose a danger to anyone who may attempt to enter onto the premises. The Code Enforcement Officer condemned the structures and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the remaining structures and exposed foundation are unsafe and dangerous as described in the Local Law; that they cannot be safely repaired; that all remaining structures should be demolished, and the open foundation should be properly

cleared of all debris, including removal of any tanks, and properly filled in. All other debris on the premises should be removed and properly disposed of, together with any other service which may subsequently be deemed necessary for the health and safety of the public.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby finds and determines in accordance with the report of the Lewis County Code Enforcement Officer that:

1. The herein described buildings and property are unsafe and constitute a public nuisance and a danger to the safety, health, and welfare of the community.
2. It is the opinion of the Board of Legislators that the structure, debris and foundation must be demolished and properly removed from the premises, with the foundation properly filled and leveled.
3. Directs that a Notice as described in Section 7 of Local Law No. 2-2007 and copy of this Resolution and Decision be served upon Frederick G. Marriott, or upon his representative, and all others deemed appropriate who may have an interest in the property.

Section 2. By reason of such findings, the Board of Legislators hereby:

ORDERS, that Frederick G. Marriott, or his representative and any other interested parties, appear before this Board of Legislators on August 4, 2026 at 5:00 p.m. to Show Cause before this Board why it should not Order the owner 1) to properly demolish and remove the remaining partial structure and debris, the collapsed structure on the back, and to appropriately fill in the exposed foundation located on parcel Tax Map No. 322.19-06-15.000, 4119 Center Street, in the Village of Lyons Falls, New York in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

ORDERS AND DECREES, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, the Board of Legislators provide for the demolitions and removal and proper fill of the foundation, and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

ORDERS AND DECREES that a Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the owner of record and any other

interested parties not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the buildings or equipment are deemed unsafe or dangerous;
3. an order outlining the manner in which the buildings or equipment are to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such buildings shall commence within thirty (30) days of the service of the notice and shall be completed within forty-five (45) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to demolish and remove the buildings and all debris on the premises and properly fill and grade the open foundation, the Board of Legislators is authorized to provide for the demolition, removal and fill, and to assess all expenses thereof against the land on which it is located and if required, to institute a special proceeding to collect the costs of demolition, removal and fill, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the Lewis County Clerk.

Section 4. This Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

RESOLUTION NO. __ - 2026

RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 4 TO THE CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT (PIN 775400) KNOWN AS CR 17 (WOOD BATTLE ROAD) OVER COBB CREEK

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as CR 17 (Wood Battle Road) over Cobb Creek (PIN 775400; BIN 3340150) (the "Project") in the Town of Harrisburg, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, pursuant to Highway Law § 10 (34-a) and section 15 of Chapter 329 of the Laws of 1991 as amended by section 9 of Chapter 330 of the Laws of 1991, as further amended by Chapter 57 of the Laws of New York of 2014, the State has established the "Marchiselli" Program, which provides certain State-aid for Federal aid highway projects not on the State highway system with project eligibility for Marchiselli Program funds determined by NYS DOT. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing a commitment of 100% of the non-federal share of the Project by Resolution No. 307-2021; and

WHEREAS, the Superintendent of Highways received notice from the NYS DOT that the County will receive additional funding of \$31,000.00 for the Preliminary Engineering/Design Phase of the project; and

WHEREAS, in order for the County to receive the full, additional reimbursement, a "Supplemental Agreement No. 4 to D040400" must be executed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the Chair of the Board of Legislators to execute "Supplemental Agreement No. 4 to D040400" for the additional Preliminary Engineering/Design Phase funding of the project.

Section 2. The Chair of the Lewis County Board of Legislators, or in his absence, the Vice-Chair of the Board, is authorized to execute all additional necessary supplemental agreements on behalf of the Lewis County Board of

Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. A certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to Supplemental Agreement No. 4 to D040400, in connection with the Project.

Section 4. \$31,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Preliminary Engineering/Design Phase for the Bridge Replacement on CR 17 (Wood Battle Road) over Cobb Creek (PIN 775400; BIN 3340150). The following accounts shall be recognized to facilitate the additional funding of this project:

Increase Revenues:

H0512000 345970 Federal	\$ 24,800.00
H0512000 335910 State	\$ 4,560.00
H0512000 350310 Local	\$ 1,550.00
Project HAQ	

Increase Expenditures:

H0512000 4999900	\$ 31,000.00
Project HAQ	

Section 5. The within Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

RESOLUTION NO. __ - 2026

RESOLUTION TO APPROPRIATE FUNDS

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the County Road accounts for rollover and additional revenue expected from the NYS CHIPS program:

Increase Revenue:

D0501000 335011 CHIPS Capital	\$1,013,577.96
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Increase Expenditure:

D0512000 495120 CR Capital Improvement Materials	\$1,013,577.96
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

RESOLUTION NO. __ - 2026

RESOLUTION AUTHORIZING LEWIS COUNTY TO APPLY FOR 2026 NYS DEC WATER QUALITY IMPROVEMENT PROJECT (WQIP) FUNDS TO REPLACE SEVERAL CULVERTS IN LEWIS COUNTY

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department, with assistance from the Lewis County Soil and Water District and the Lewis County Planning and Community Development Department, desires to apply for up to \$6,000,000 in financial assistance to replace four (4) culverts on the Number 3 Road (3) and Cobb Road (1) through the 2026 Consolidated Funding Application (CFA) under the New York State (NYS) Department of Environmental Conservation (DEC) Water Quality Improvement Project (WQIP) funding program; and

WHEREAS, if awarded, the grant requires a commitment of a 25% match from the County, which would be paid for with CHIPS funding; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Lewis County Highway Department, with assistance from the Lewis County Soil and Water District and the Lewis County Planning and Community Development Department, to submit the online Consolidated Funding Application through the NYS DEC Water Quality Improvement Project (WQIP) funding program, to replace four (4) culverts on the Number 3 Road (3) and Cobb Road (1).

Section 2. The Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to sign and submit the application(s) and, if awarded, to accept the funding, sign contract documents, appropriate the project funding to the Lewis County Highway Department, and award project bids to the best value firm to assist with the project.

Section 3. This resolution shall take effect immediately.

Move by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

RESOLUTION NO. __ - 2026

RESOLUTION TO AWARD CONSTRUCTION CONTRACT BID TO BP EXCAVATION, LLC FOR THE CULVERT REPLACEMENT PROJECT KOTEL ROAD OVER SOUTH BRANCH OF CRYSTAL CREEK (PIN 775424)

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, the County has commenced a project known as the replacement of Kotel Road over South Branch of Crystal Creek (PIN 775424 and NYS DOT Contract # D040959) and sent out a request for construction, construction inspection and construction support proposals; and

WHEREAS, six (6) sealed bids received were publicly opened on June 16, 2026, at 10:00 a.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Highway Superintendent, in consultation with Barton & Loguidice, the professional engineer consultants on the project recommend that the County award the bid to BP EXCAVATION, LLC, the lowest responsible and qualified bidder, to perform the construction phase of the culvert replacement outlined in the bid specifications in the total amount of \$729,599.50;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid to and authorizes a contract with BP EXCAVATION, LLC, 708 Bronner Road, Little Falls, NY in the amount of \$729,599.50, for the construction phase of Kotel Road over South Branch of Crystal Creek replacement project in the Town of Watson.

Section 2. The Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney.

Section 3. The within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.

**LOCAL LAW (INTRODUCTORY NO. 4 - 2026)
COUNTY OF LEWIS**

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

**A LOCAL LAW AMENDING LOCAL LAW No. 3-2019:
THE RE-ESTABLISHED LEWIS COUNTY TRAIL SYSTEM**

BE IT ENACTED by the Board of Legislators of the County of Lewis, as follows:

SECTION 1. TITLE.

This Local Law shall be known as **"A LOCAL LAW AMENDING LOCAL LAW NO. 3-2019: THE RE-ESTABLISHED LEWIS COUNTY TRAIL SYSTEM."**

SECTION 2. STATUTORY AUTHORITY.

This local law is enacted pursuant to the following authority:

1. Municipal Home Rule Law ("MHL") § 10(1)(i) provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.
2. County Law § 219(1) provides that a county may utilize its reforestation properties "for recreation and kindred purposes." This has been interpreted as authorizing a county to designate reforestation lands for use by all-terrain vehicles ("ATVs"), provided that such use is consistent with forest and wildlife conservation and watershed protection. Opinion Atty. Gen. Op. No. 2002-1.
3. Vehicle and Traffic Law § 2405(2) states that: "a municipality, by ordinance or local law, may designate any appropriate public lands, waters and properties other than highways under its jurisdiction as a place open for travel by ATVs upon written request for such designation by any person, and may impose restrictions and conditions for the regulation and safe operation of ATVs on such public property. . ."

SECTION 3. PURPOSE.

1. The purpose of this Local Law is to amend Local Law No. 3-2019 by incorporation of numerous changes to the provisions as hereinafter set forth.
2. This Local Law will continue to:

- (a) Establish a network of trails and interconnecting roads (“Trail System”) that is available for ATV operation throughout Lewis County;
- (b) Establish a set of guidelines for the potential expansion of such ATV trail system.
- (c) Establish a methodology for managing the trail system and implementing appropriate fees and procedures to mitigate environmental impacts and provide for the long-term preservation of natural resources.

SECTION 4. LEGISLATIVE FINDINGS.

The Board of Legislators hereby restates and makes the following findings in support of this Local Law:

1. That the Board of Legislators received and reviewed a proposed Lewis County Trail Plan (“Trail Plan”) in 2009, which set forth a resource management plan for the development of a network of interconnecting trails throughout Lewis County for outdoor enthusiasts who enjoy the use and operation of all-terrain vehicles (“ATVs”). The Trail Plan contemplated the creation of a Lewis County Trail System (“Trail System”), which is an identified and designated system of trails and interconnecting roads. The Trail System continues to include:
 - Trails located on County Reforestation Lands and/or other lands the County may own
 - Trails located on private lands that are designated as open to the public
 - Railroad Corridors, to the extent agreed to and made a part of the trail system
 - Utility Corridors
 - Recreation Easements
 - Interconnecting Town Roads (as authorized by local law by the respective townships)
 - Interconnecting County Roads (as authorized by local law)
2. The goal of the Trail Plan was to set out the management objectives and guidelines for the development of the Trail System so that the interests of ATV operators could be balanced with the long-term preservation of the environment and the County’s natural resources for future generations.
3. Before taking action with respect to the proposed Trail Plan, the Board of Legislators, acting as lead agency, conducted an extensive review of the potential impacts to the environment pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and

Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”).

4. The Board of Legislators further determined that pursuant to Part 6 NYCRR § 617.6(a)(4), preparation of a draft Generic Environmental Impact Statement (“GEIS”) would better serve the Board in assessing potential environmental impacts.
5. The Board of Legislators has heretofore accepted the Final GEIS and has adopted a Findings Statement in accordance therewith.
6. That the Trail Plan has been reviewed and revised, where necessary, in order to assure that it conforms to the GEIS and its related Findings. Contemporaneously with the adoption of Local Law No. 2- 2009, the Board of Legislators formally approved and adopted by resolution the Trail Plan and System in its final form. Thereafter, in 2019, the Board of Legislators adopted Local Law No. 3-2019 “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”.
7. The Board of Legislators further finds that one of the key elements of the Trail System is the development of trails on County-owned reforestation lands. The Board is equally aware that the reforestation lands are valuable assets to the County and its residents both now and for generations to come. Therefore, the Board finds that it is incumbent upon them to set forth clearly defined rules and regulations as to the use of the reforestation lands, and more particularly the use of the trails thereon.
8. The Board of Legislators further finds that similar considerations pertain to the use of trails that are now or may hereafter become available to the County for incorporation into the Trail System, whether such trails are located on private property, along former railroad beds or utility corridors.
9. Furthermore, the Board of Legislators finds that this Local Law is necessary in order to set forth updated fees and procedures for the development of the Trail System in order to assure that both present and future development complies with the GEIS and its related Findings.
10. As an additional means of regulating the use and operation of ATVs within Lewis County, the Board adopted Local Law No. 3-2009, the “Lewis County ATV Code” which set forth certain rules and regulations as to the operation of ATVs in Lewis County.

SECTION 5. DEFINITIONS.

As used in this Local Law:

1. **Off- Highway Vehicles (OHV's):** Shall have the same meaning as an All Terrain Vehicle (ATV) set forth in § 2281 of the Vehicle & Traffic Law. In addition, an OHV may include other off-road motorized or self-propelled vehicles which are not able to be registered in New York State; and as more fully classified and described below:
 - (a) ATV as defined under VTL §2281, including registered dirt bikes, ATVs, UTVs under the weight and length limits set forth in the VTL, and as may be amended;
 - (b) Other OHVs which are not able to be registered in New York State, provided same is no more than 70 inches in width and no more than 2,500 lbs in weight, or as may be further amended by law. **(THIS CLASSIFICATION OF OHV CAN ONLY ACCESS THE OFF-ROAD TRAILS.)**
2. **Director of Recreation, Forestry and Parks (DRFP):** Shall refer to the individual who holds the position of Lewis County Director of Recreation, Forestry and Parks. Any reference to either "Trails Coordinator" and/or "Conservation Foreman" shall now be deemed to refer to the Director of Recreation, Forestry and Parks.
3. **County:** Shall mean the County of Lewis.
4. **County Reforestation Lands:** Lands purchased, acquired, or accepted by gift by the County of Lewis for purposes of reforestation. Pursuant to County Law § 219, County reforestation lands may be used for "watershed protection, . . . the production of timber and forest products and for recreation and kindred purposes."
5. **Current Trail Development:** Shall refer to:
 - (a) Trails and logging roads located upon County Reforestation Lands or any other County land identified herein and designated by operation of this Local Law as open and available for OHV trail development, subject to the rules and regulations set forth herein and the management guidelines set forth in the Trail Plan, and
 - (b) Trails located in, on or upon private property that heretofore have permitted OHV trails to be developed for use by the public pursuant to an agreement with the landowner, and
 - (i) Have been reviewed by the County in connection with the DGEIS and FGEIS, dated December 18, 2008; and

- (ii) Are authorized by this local law to be incorporated into the Lewis County Trail System by mutual agreement between the landowner and the County.
6. **Amendments to the Trail System:** Shall refer to amendments to the Trail System as the result of:
- (a) County Reforestation Lands that may be designated in the future as being available for OHV development, subject to the rules and regulations set forth herein and the management guidelines set forth in the Trail Plan, or
 - (b) New OHV trails to be constructed where none existed previously on or across County Reforestation Lands that are identified by this Local Law as being available for OHV trail development, or
 - (c) Newly identified trails to be located on or across private lands, including railroad corridors or public or private utility rights-of-way.
- D. **Hazards:** Obstacles in the trail corridor making travel unsafe; something causing unavoidable danger, peril, risk, or difficulty.
- E. **Non-Trail Areas:** Property located directly adjacent to the designated trails in the Trail System. Only those trails that are designated as part of the Lewis County Trail system are open to the public. Adjacent property and/or private trails that are not so designated are to be respected as private property and should not be encroached by OHV users.
- F. **Operate:** shall mean to ride in or on, other than as a passenger, or use or control the operation of an OHV in any manner, whether or not said OHV is under way.
- G. **Operator:** means every person who operates or is in actual physical control of an OHV.
- H. **Railroad Corridors:** existing RR lines no longer in use by the railroad entities, or railroad corridors now owned by the County and specifically designated and incorporated into the County's Trail System. These corridors of land are vast stretches of land, which can be utilized for recreational trails, provided that permission is granted by the owner of the rail corridors.
- I. **Director of Recreation, Forestry and Parks (DRFP):** shall mean the individual who holds the position of Lewis County Director of Recreation, Forestry and Parks, and who was heretofore referred to either as "Trails Coordinator" and/or "Conservation Foreman".

SECTION 6. DESIGNATION OF COUNTY REFORESTATION LANDS FOR CURRENT TRAIL DEVELOPMENT.

1. The Board of Legislators hereby declares that all the trails and logging roads located in and upon County Reforestation Lands previously designated and approved by Local Law 2-2009, Local Law 3-2019, and all additions thereto by Resolution, shall be open for the use and operation of OHVs, subject to the rules and regulations herein set forth and the management guidelines set forth in the Lewis County Trails Plan.
2. The opening of any County Reforestation Land to trail development does not imply that OHV use and operation is permitted in any non-trail area within the parcel of land. The use and operation of OHVs on County Reforestation Lands shall be strictly limited to the designated and signed trails within such parcel, as hereinafter set forth.

SECTION 7. DEVELOPMENT OF OHV TRAILS ON DESIGNATED COUNTY REFORESTATION LANDS.

1. Upon the designation of any County Reforestation Land by the Board of Legislators, through this Local Law or any future local law, as available for Trail Development, the Board of Legislators hereby authorizes the Lewis County Director of Recreation, Forestry and Parks to develop OHV trails in and upon such land in the following manner:
 - (a) Personally inspect the proposed parcel of land and/or the proposed trail and map-out with as much specificity as possible where any proposed OHV trails would be located on the parcel of land (including GPS coordinates for such proposed trails, where possible).
 - (b) Designate such existing truck trails, logging roads or similar trails as open for use by OHVs by marking the same with appropriate signs, provided that
 - (i) The DRFP determines, that such use is consistent with forest and wildlife conservation and watershed protection and does not otherwise interfere with the County's reforestation plans; and
 - (ii) Each such truck trail, logging road or similar trail is clearly marked with signs to be placed thereon by the DRFP.
 - (c) All signs to be used by the DRFP for the purposes set forth in this Local Law shall be of uniform size, shape, lettering and marking; shall include the Lewis County official logo; and shall clearly and concisely inform the

public that the trail is open for the operation of OHVs, or restricted by OHV classification as determined by the DRFP.

2. Nothing contained herein shall be construed to obligate the DRFP to open any particular truck trail, logging road or similar trail or any part thereof for use by all classifications of OHVs on a trail. Such determination, including classification of OHV for access on any or all trails shall be at the sole discretion of the DRFP.

SECTION 8. AMENDMENTS TO THE TRAIL SYSTEM.

1. In the event that the DRFP receives (i) a written request from an individual or organization to open additional County Reforestation Lands or any other land owned or controlled by the County to trail development, or (ii) a written request from an individual or organization to construct a new trail upon a County Reforestation Land that is herein or hereafter being opened for trail development, or (iii) a written request from an individual or organization to open trails on private parcels of land or railroad or utility right-of-ways or corridors, the DRFP shall take the following steps:
 - (a) Perform an initial evaluation of the application, assessing the feasibility of admitting the property based upon several factors, including: the property's overall potential for enhancing the existing trail system; proof of property ownership; the property owner's willingness to execute an access agreement with the County; the property's ability to safely host OHV travel; and such other factors as deemed reasonable and prudent by the DRFP.
 - (b) If the DRFP's initial evaluation of the application indicates that it may be feasible to admit the property, he/she can authorize the performance of a more detailed environmental review pursuant to SEQRA, with the County Legislature or the Lewis County Soil and Water Conservation District serving as Lead Agency for such review.
 - (c) Upon completion of a substantive environmental review, the DRFP will forward to the County Legislature the results of such review, plus a recommendation on property admission. The County Legislature will then finalize its own review of the available information, complete its SEQRA Lead Agency responsibilities, if required, and ultimately decide whether or not to admit the property.
 - (d) In the event that the Board of Legislators deems it appropriate to admit the property to the Trail System, the Board shall amend the Trail System as follows:

- (i) If County Reforestation Land, by local law designating any or all County land as open for the use and operation of OHVs, subject to the rules and regulations herein set forth and the management guidelines set forth in the Lewis County Trails Plan.
 - (ii) If private property, by resolution of the Board of Legislators approving an access agreement between the landowner and the County, and subject to the rules and regulations herein set forth and the management guidelines set forth in the Lewis County Trails Plan.
- (e) Upon admission to the Trail System as set forth above, the property shall be identified and mapped by the DRFP as described in Section 7 above.

SECTION 9. INTERCONNECTING PUBLIC HIGHWAYS.

1. It is anticipated that the Trail System may include one or more public highways that will interconnect with the trails located on County Reforestation Lands or any other County land, and the off-road trails on private property that have been identified and signed as incorporated into the Lewis County Trail System. Interconnecting public highways may be incorporated into the Lewis County Trail System by adoption of a Local law incorporating same into the Trail System, under the following conditions:
 - (a) The highway in question has been designated for use by ATV traffic by appropriate government action pursuant to Vehicle and Traffic Law § 2405 by the governmental agency having jurisdiction.
 - (b) In the case of a town highway, the DRFP has received a concurring resolution or local law from the town board setting forth their consent or designation that said portion of the town highway is open to ATV access, and therefore can be included as a designated highway into the Lewis County Trail System.
 - (c) In the event that either a town or County highway has not been reviewed pursuant to the GEIS performed by the County and identified on the map attached to the FGEIS, dated December 18, 2008, the DRFP initiates the procedures set forth in Section 7, Paragraph 1 above.
 - (d) The DRFP identifies the highway as being incorporated into the Trail System by placing or causing to be placed thereon appropriate Lewis County Trail signs as well as identifying such highway on maps produced by the Trails Department for public use.

SECTION 10. OPERATION OF OHVs ON THE LEWIS COUNTY TRAIL SYSTEM.

1. No person shall operate an OHV on the Trail System except in conformance with this Local Law, the Lewis County ATV Code and any other applicable law, rule or ordinance.
2. No person shall operate an OHV on the Trail System except where designated and marked for such classified use by appropriate signage as hereinafter provided.
3. No person shall operate an OHV in or on a non-trail area as defined herein, or on a trail not designated for that OHV classification. Any person who operates an OHV on the Trail System:
 - (a) upon a trail that is marked and signed as “closed” or otherwise has not been designated and marked as being “open” for such use and or classification, or
 - (b) operates an OHV outside of the designated and signed trail shall be guilty of trespass and any other identified violation(s) of law, and shall be subject to prosecution under civil and criminal laws, as appropriate.

SECTION 11. LEWIS COUNTY OHV TRAIL PERMITS.

1. Except as hereinafter provided, no person shall operate any OHV on any County Reforestation Land, County property, interconnecting highway portion, or any trail on private property that has been incorporated into the Lewis County Trail System unless such OHV has received a Lewis County Trail Permit in accordance with the provisions of this Local Law, and the Lewis County Trail Permit number for such OHV is in full force and effect and displayed as provided under this Local Law and regulations promulgated hereunder.

An OHV which is to be operated and have access to the Lewis County Trail System shall provide for coverages required of an “owner’s policy of liability insurance”, issued by an insurance carrier authorized to do business in the State of New York. The owner or operator of the OHV shall carry a copy of said insurance coverage at all times while accessing the Trail System, and produce same upon the request of any person having authority to enforce the provisions of this Local Law and NYS VTL §2407, and any person(s) who claims to have suffered personal injury or property damage as a result of the operation of such OHV, as more fully set forth in VTL § 2407.

2. The Lewis County DRFP or her/his designee is hereby authorized to issue a Lewis County Trail Permit or a Trail Pass and assign a Lewis County Trail Permit or Trail Pass number to each such OHV, upon the receipt of a

completed application and payment of appropriate permit fee(s) as hereinafter provided.

- (a) The OHV Permit Season shall run from on or about April 15th (at the discretion of the DRFP based upon trail conditions or parts thereof) through the Tuesday after Columbus Day each year, unless otherwise established by the Board of Legislators on or before its March Board meeting. Notwithstanding the foregoing, the DRFP, after consultation with the Board of Legislators, is authorized to delay the opening date of any or all of the trails within the Trail System based upon weather and environmental conditions. In such event, the DRFP shall post the trails accordingly, provide notice of the date of opening on the County website, Chamber of Commerce website, and provide other means of notification as deemed reasonable and appropriate.
 - (b) A Trail Permit shall be valid from the date of issuance through and including the last day of the Permit Season for which it was issued, except that a trail permit purchased on or after the Tuesday after Labor Day shall be valid for the following Permit Season.
 - (c) A Trail Pass shall be valid for a period not to exceed three (3) consecutive days, provided that in no event shall a Trail Pass allow use of the Trail System beyond the closing date of the Permit Season as set forth above.
 - (d) The DRFP is authorized to provide for and post a free Three (3) Day Pass weekend the first full weekend of August (Friday, Saturday, Sunday), in the sole discretion of the Director.
 - (e) The Board of Legislators authorizes the Director and/or her designee to have vendors/establishments in the County distribute and sell trail maps at their locations, and to submit the revenue received therefrom to the DRFP from time to time during the trail season.
 - (f) Notwithstanding the above, the DRFP shall have the sole discretion to open and/or close any part of the trail system at any time for environmental and safety concerns, trail maintenance, and for any other reason.
3. Fees. Fees for the issuance of a Lewis County Trail Permit are payable to Lewis County and collected by the Recreation Forestry and Parks Department. Said fees shall be as follows:
- (a) A fee of seventy (\$70) dollars per vehicle.

- (b) Fees shall not be pro-rated for the Permit Season, and such fees shall be applicable to the year in which the permit is issued, except that permits purchased on or after the Tuesday after Labor Day shall be valid the following Permit Season.
 - (c) The provisions of paragraph 3a of this subdivision shall not apply to any landowner who has entered into and has an active access agreement with the County to permit the development of one or more OHV trails on his/her property, as more fully set forth in the Access Agreement.
 - (d) As an alternative to obtaining a Trail Permit, an OHV operator may purchase a three (3) day Trail Pass. The fee for the Trail Pass shall be forty (\$40) dollars per vehicle. The trail pass shall allow the holder thereof use of the appropriate Trail System for the classification of the OHV for a period of no longer than three (3) consecutive days.
 - (i) The Trail Pass shall be of such design and material as determined by the DRFP.
 - (ii) To obtain a Trail Pass, an OHV operator must complete an application and provide the same information as is required to obtain a Trail Permit.
 - (iii) The DRFP may establish such other rules and regulations for administering the purchase and sale of Trail Passes as deemed necessary and consistent with the regulations provided in these local laws. All other rules and regulations that apply to Trail Permits shall equally apply to Trail Passes.
4. Application. The owner and/or operator of each OHV intending to use the Lewis County Trail System shall be required to have a current Lewis County Trail Permit or Trail Pass. The permit/pass shall be obtained by submission of an on-line or hard copy application for a Lewis County Permit or Trail Pass to the Lewis County Director of Recreation, Forestry and Parks, or her/his designee, on a form to be prepared and furnished by the Lewis County DRFP for that purpose. Such application shall contain, but not be limited to, the following information:
- (a) Vehicle Identification Number (VIN#) and/or License Plate Number;
 - (b) Check off of all appropriate information, including that the applicant has proper insurance coverage for the vehicle (s);

(c) Proper execution of agreement with any and all waivers, including but not limited to knowledge and understanding of all requirements for operation of OHVs and New York State ATV Laws;

(d) Payment of appropriate fee(s) as provided in Paragraph 3 above.

Upon receipt of a completed application, the DRFP shall issue a Lewis County Trails Permit or Trail Pass, with the appropriate identifying receipt and/or sticker. The Trail Permit/Pass receipt must be carried by the OHV operator at all times, and any issued sticker properly affixed. No duplicate for lost or damaged Permits/stickers will be issued. No OHV shall be considered as validly using or accessing the Lewis County Trail System within the meaning of this section unless a current Lewis County Trail Permit and sticker are issued, possessed, and affixed.

5. Renewal. Every owner/operator of an OHV shall renew his or her Lewis County Trail Permit annually each OHV season, by submitting an application together with the appropriate updated information, attestations, fees and waivers. The Owner is to keep a copy of the permit renewal receipt, and attach to the vehicle any issued sticker.
6. Exemption. No Trail Permits shall be required for the following described OHVs activities on the Trail System:
 - (a) OHVs owned and operated by Lewis County and used by the Lewis County DRFP, Lewis County Sheriff, or any deputy, special patrolman or peace officer employed thereby; Lewis County Emergency Management Services Director and Assistant;
 - (b) OHVs owned and operated by NYS Police, Department of Environmental Conservation, Department of Parks and Recreation or any other department thereof.
 - (c) Search and Rescue Responders and Fire Department Responders to an emergency.
7. Special events. The person(s) or entity in charge of a special event involving the operation of OHVs shall comply with the provisions of section twenty-four hundred eight of the Vehicle and Traffic Law, including but not limited to providing the Lewis County DRFP with at least sixty (60) days prior Notice of the scheduled special event. Governmental agencies having jurisdiction over the proposed special event shall either grant or deny authorization to hold a special event within thirty days after receipt of a full and complete application for authorization as described in VTL §2408. The event shall not

be conducted without prior written authorization from the governmental agencies having jurisdiction over the site(s).

8. The DRFP shall have the sole discretion to reduce or waive permit fees for certain charitable and/or promotional events.
9. Commercial entities and/or businesses in good standing with the County, who apply for and purchase five (5) or more seasonal permits for rent/use by their clientele may receive up to a 50% reduction in the per permit fee at the sole discretion of the DRFP. The DRFP shall have the right to inquire about the commercial/business entity's means of rental of said OHVs for use of the trail system.
10. Responsibility for operation by minors. No owner or other person in possession of any OHV shall authorize or knowingly permit any minor person, as defined under NYS law or as said law may be amended, to operate an OHV on the Lewis County Trail System.
11. Violations.
 - (a) Any person who rides/operates an OHV on the Lewis County Trail System without a valid Permit, shall be fined the sum of \$250 for the first offense; \$500 for the second offense; and shall be subject to the offending OHV being impounded. These fines shall also apply to the record owner of the machine;
 - (b) Any person who enters upon property other than the trail system shall be subject to trespass and any other appropriate violations of the law. Such person(s) shall be fined the sum of \$250 for the first offense and shall be banned from the Trail System for the remainder of the Season with the Trail Permit revoked. Such person(s) shall be fined the sum of \$500 for the second offense and may be permanently banned from the Trail System.
 - (c) Any person who is convicted of violation of the speed limit (25 miles per hour) within the trail system shall receive a fine of \$500 for the first offense; \$1,000 for the second offense and with the immediate revocation of the Trail Permit(s) issued to that person.
 - (d) Any person who violates any other provisions of this the Local Law, the Lewis County ATV Code Local Law, or any other State or Local Law or regulation shall be guilty of a traffic infraction and/or all other appropriate laws and regulations so violated. A person guilty of a first offense shall receive a fine of \$250 in addition to any other fines specifically set forth in the VTL, ECL or other relevant statute. Upon

conviction of a second offense occurring within one calendar year, the offender shall receive a fine of \$500, and all Trail Permits issued to the owner and operator thereof shall be revoked for a period of one calendar year from the date of conviction. The aforesaid is in addition to any other appropriate fines and remedies at law.

12. Rules and regulations. The Lewis County DRFP shall promulgate such other rules and regulations as he or she may deem necessary to carry out the provisions of this article, and submit same to the Lewis County Board of Legislators for approval and adoption as an amendment to this Local Law.

13. Disposition of fees. The Lewis County DRFP shall deposit all monies received from the issuance of Lewis County Trail Permits for OHVs and all fees otherwise collected under this Local Law to the credit of a Recreational Trail Fund established by the Lewis County Treasurer. All such funds shall be dedicated exclusively to the establishment, maintenance and operation of the Lewis County Recreational Trail System.

SECTION 12. REFERENCE TO OHV AND ATV.

Reference to "ATV" in Local Law 3-2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE", and all other ATV Local Laws subsequent thereto including but not limited to Local law No. 3-2019, A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM", and including all Amendments and Additions to the Trail System by Local Law and/or Resolution, shall be deemed to refer to "OHV" in accordance with this Local Law.

SECTION 13. SEVERABILITY.

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

SECTION 14. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. __ - 2026

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4 - 2026), COUNTY OF LEWIS**

Introduced by Legislator Joshua Leviker, Chair of the General Services Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 7, 2026, a proposed Local Law entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 3-2019: THE RE-ESTABLISHED LEWIS COUNTY TRAIL SYSTEM."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on August 4, 2026, at 5:00 p.m., before the Lewis County Board of Legislators in the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York.

Section 2. At least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator __, seconded by Legislator __, and adopted on the 7th day of July, 2026.