



City of Port Jervis
Bureau of Fire Prevention

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Operating Permit Application

| | | | | | |
|----------------------------|--|------------------|------|---------------|----------|
| Applicant | Business Name | | | | |
| | Address | | City | State | Zip Code |
| | Telephone | Work Telephone | | Email Address | |
| | Business Owner Name | | | | |
| | Address | | City | State | Zip Code |
| | Telephone | Work Telephone | | Email Address | |
| Property Owner Information | Name | | | | |
| | Contact Name (If LLC or Corp.) | | | | |
| | Address | | City | State | Zip Code |
| | Telephone | Mobile Telephone | | Email Address | |
| Permit Information | Type of Operating Permit requesting, as identified by the attached list: | | | | |
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| | Detailed description of activity being conducted on premises: | | | | |
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[NY] 105.5 Required operating permits. An *operating permit* is required by the stricter of the *authority having jurisdiction's Code Enforcement Program* or a *Part 1203—Compliant Code Enforcement Program* to conduct an activity or to use a category of *building* as required in Sections 105.5.1 through 105.5.61. No *person* or entity shall conduct such activity or use such category of *building* without obtaining an *operating permit* from the *authority having jurisdiction*. The procedures for applying for, issuing, revoking, and suspending *operating permits* shall be as set forth in the stricter of the *authority having jurisdiction's Code Enforcement Program* or a *Part 1203-Compliant Code Enforcement Program*.

Exceptions:

1. Where specifically identified in the *code enforcement program*, an *authority having jurisdiction* may exempt the requirement for an *operating permit* for the processes or activities, or the *buildings*, structures, or facilities listed in Sections 105.5.1 through 105.5.61, provided that the use is expressly authorized by a *certificate of occupancy* or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with Section 1203.3(h), and condition assessments are performed in compliance with Appendix C of the *Property Maintenance Code of New York State*, as applicable.
2. An *operating permit* shall not be required if periodic inspections are performed for compliance with the applicable provisions of the *Uniform Code* to conduct such activity or to use such category of *building* to the satisfaction of the *authority having jurisdiction*.

[NY] 105.5.1 Additive manufacturing. An *operating permit* is required to conduct *additive manufacturing* operations regulated by Section 319.3.

[NY] 105.5.2 Aerosol products, aerosol cooking spray products and plastic aerosol 3 products. An *operating permit* is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products, aerosol cooking spray products or plastic aerosol 3 products in excess of 500 pounds (227 kg) net weight.

[NY] 105.5.3 Amusement areas. An *operating permit* is required to operate a *special amusement area*.

[NY] 105.5.5 Carnivals and fairs. An *operating permit* is required to conduct a carnival or fair.

[NY] 105.5.6 Cellulose nitrate film. An *operating permit* is required to store, handle or use cellulose nitrate film in a Group A occupancy.

[NY] 105.5.7 Combustible dust-producing operations. An *operating permit* is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing *combustible dusts* as defined in Chapter 2.

[NY] 105.5.8 Combustible fibers. An *operating permit* is required for the storage and handling of *combustible fibers* in quantities greater than 100 cubic feet (2.8 m³).

Exception: A *permit* is not required for agricultural storage.

[NY] 105.5.9 Compressed gases. An *operating permit* is required for the storage, use or handling at *normal temperature and pressure* (NTP) of *compressed gases* in excess of the amounts listed in Table 105.5.9.

[NY] 105.5.10 Covered and open mall buildings. An *operating permit* is required for:

1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.
2. The display of liquid- or gas-fired equipment in the mall.
3. The use of open-flame or flame-producing equipment in the mall.

[NY] 105.5.11 Cryogenic fluids. An *operating permit* is required to produce, store, transport on site, use, handle or dispense *cryogenic fluids* in excess of the amounts listed in Table 105.5.11.

Exception: *Permits* are not required for vehicles equipped for and using *cryogenic fluids* as a fuel for propelling the vehicle or for refrigerating the lading.

[NY] 105.5.12 Cutting and welding. An *operating permit* is required to conduct cutting or welding operations within the jurisdiction.

Exceptions:

1. Where work is conducted under the authorization of a *building permit*.

2. Where performed by the occupant of a detached one- or two-family *dwelling*.

[NY] 105.5.13 Dry cleaning. An *operating permit* is required to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

[NY] 105.5.14 Energy storage systems. An *operating permit* is required for stationary and mobile energy storage systems regulated by Section 1207.

[NY] 105.5.15 Exhibits and trade shows. An *operating permit* is required to operate exhibits and trade shows.

[NY] 105.5.16 Explosives. An *operating permit* is required for the manufacture, storage, handling, sale or use of any quantity of *explosives, explosive materials*, fireworks or pyrotechnic special effects within the scope of Chapter 56.

Exceptions:

1. Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

2. Outdoor use of *sparkling devices* as defined by Penal Law Section 270.

[NY] 105.5.18 Flammable and combustible liquids. An *operating permit* is required:

1. To use or operate a pipeline for the transportation within facilities of *flammable* or *combustible liquids*. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOT) nor does it apply to piping systems.

2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:

2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *fire code official*, would cause an unsafe condition.

2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes.

6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where *flammable* and *combustible liquids* are produced, processed, transported, stored, dispensed or used.

7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground *flammable* or *combustible liquid* tank.

8. To change the type of contents stored in a *flammable* or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed.

9. To manufacture, process, blend or refine *flammable* or *combustible liquids*.

10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4.

11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4.

[NY] 105.5.20 Fruit and crop ripening. An *operating permit* is required to operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

[NY] 105.5.21 Fumigation and insecticidal fogging. An *operating permit* is required to operate a business of fumigation or insecticidal fogging, and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.

[NY] 105.5.22 Hazardous materials. An *operating permit* is required to store, transport on site, dispense, use or handle hazardous

materials in excess of the amounts listed in Table 105.5.22.

[NY] 105.5.23 HPM facilities. An *operating permit* is required to store, handle or use hazardous production materials.

[NY] 105.5.24 High-piled storage. An *operating permit* is required to use a building or portion thereof with more than 500 square feet (46 m²), including aisles, of *high-piled combustible storage*.

[NY] 105.5.25 Hot work operations. An *operating permit* is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside a structure.

Exception: Work that is conducted under a *building permit*.

3. Fixed-site hot work equipment, such as welding booths.

4. Hot work conducted within a wildfire risk area.

5. Application of roof coverings with the use of an open-flame device.

6. Where *approved*, the *authority having jurisdiction* shall issue a permit to carry out a hot work program. This program allows *approved* personnel to regulate their facility's hot work operations. The *approved* personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision.

[NY] 105.5.26 Indoor plant cultivation. An *operating permit* is required for plant cultivation where a carbon dioxide (CO₂) enriched environment is created.

[NY] 105.5.29 Lithium batteries. An *operating permit* is required for an accumulation of more than 15 cubic feet (0.42 m³) of lithium-ion and lithium metal batteries, where required by Section 320.2.

[NY] 105.5.34 Mobile food preparation vehicles. An *operating permit* is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors.

[NY] 105.5.36 Open burning. An *operating permit* is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be complied with.

Exception: *Recreational fires*.

[NY] 105.5.37 Open flames and torches. An *operating permit* is required to remove paint with a torch.

[NY] 105.5.38 Open flames and candles. An *operating permit* is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

[NY] 105.5.40 Outdoor assembly event. An *operating permit* is required to conduct an *outdoor assembly event* where planned attendance exceeds 1,000 persons.

[NY] 105.5.41 Places of assembly. An *operating permit* is required to operate a place of assembly.

[NY] 105.5.42 Plant extraction systems. An *operating permit* is required to use plant extraction systems.

[NY] 105.5.44 Pyrotechnic special effects material. An *operating permit* is required for use and handling of pyrotechnic special effects material.

[NY] 105.5.45 Pyroxylin plastics. An *operating permit* is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics.

[NY] 105.5.49 Spraying or dipping. An *operating permit* is required to conduct a spraying or dipping operation utilizing *flammable* or *combustible liquids*, or the application of combustible powders regulated by Chapter 24.

[NY] 105.5.50 Storage of scrap tires and tire byproducts. An *operating permit* is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m³) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.

[NY] 105.5.51 Temporary membrane structures, special event structures and tents. An *operating permit* is required to operate an air-supported temporary membrane structure, a temporary *special event structure* or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.

2. Tents, curtains and extensions attached thereto, when used for funeral services.
3. Tents open on all sides, which comply with all of the following:
 - 3.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 3.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.
 - 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

[NY] 105.5.52 Tire-rebuilding plants. An *operating permit* is required for the operation and maintenance of a tire-rebuilding plant.

[NY] 105.5.55 Temporary heating or cooking in tents or membrane structures. An *operating permit* is required to operate temporary heating or cooking equipment within tents or membrane structures.

[NY] 105.5.58 Sugarhouse alternative activity provisions. An *operating permit* is required to conducting an alternative activity at a *sugarhouse*.

[NY] 105.5.59 Parking garages. An *operating permit* is required for parking garages as defined in the *Property Maintenance Code of New York State*.

[NY] 105.5.60 Hazardous buildings. An *operating permit* is required for *buildings* whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by the *authority having jurisdiction*.

[NY] 105.5.61 Other. An *operating permit* is required for other processes or activities or for operating any type of building, structure, or facility at the discretion of the *authority having jurisdiction*.

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| Date of last inspection: | | | |
| Does the premise have a current Certificate of Occupancy? | Yes <input type="checkbox"/> No <input type="checkbox"/> | Type: Permanent <input type="checkbox"/> Temporary <input type="checkbox"/> | |
| Date of issuance for Certificate of Occupancy (if applicable) | | | |
| Has a Certificate of Compliance been issued for the premises? | Yes <input type="checkbox"/> No <input type="checkbox"/> | Date Issued: | |
| Are there any open Building Permits for the premises? | Yes <input type="checkbox"/> No <input type="checkbox"/> | Type and description of work: | |
| Are there any open violations of the NYS Uniform Code or City of Port Jervis Code? | Yes <input type="checkbox"/> No <input type="checkbox"/> | If yes provide description (attach additional sheets if necessary): | |
| Have any variances to the Uniform Code been granted for the premises? | Yes <input type="checkbox"/> No <input type="checkbox"/> | If yes provide description (attach additional sheets if necessary): | |

I hereby certify that the foregoing information (and all information in attached sheets, if any) is true and complete.

| | | |
|---------------------|------------------------|------------------|
| Applicant Signature | Applicant Name (Print) | Application Date |
|---------------------|------------------------|------------------|

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|---------------|------------|-----------------|---------------|------------------------------|
| PERMIT NUMBER | ISSUE DATE | EXPIRATION Date | BLDG PERMIT # | Craig Becker, Fire Inspector |
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Notes _____
