

TO: BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee recommends the adoption of “A LOCAL LAW amending Chapter 131 of the Laws of Westchester County relating to the administration and enforcement of the New York State Uniform Fire Prevention and Building Code.”

You Committee is advised that, the New York State Uniform Fire Prevention and Building Code (“Uniform Code”), enacted by New York State circa 1986 and updated from time to time since, provides the minimum standards for building construction and the protection from hazards of fire across the entire state. Prior to the passage of the Uniform Code, the state legislature found that there were a multiplicity of codes and requirements for building construction and fire prevention at various levels of State and local government (and no standards at all in some jurisdictions), coupled with a lack of qualified individuals enforcing the various codes across the state. The State legislature enacted the Uniform Code to provide a single statewide, enforceable code, consisting of minimum standards, to protect public health and safety and to decrease the cost of building in the state by eliminating multiple jurisdictional requirements. Subject to State approval, the Uniform Code allows for local governments and counties to impose higher or more restrictive standards within such local government or county than that imposed by the Uniform Code.

Your Committee is advised that, a local government, defined as a city, town, or village, is responsible for administration and enforcement of the Uniform Code for buildings located within their boundaries. A local government implements its code enforcement program’s minimum standards through local law, ordinance and/or other regulations. While a county is responsible to administer and enforce the Uniform Code with respect to its own property within its custody, New York State law, however, mandates that a county administer and enforce the Uniform Code through rules and regulations, as opposed to

through local law or ordinance.

Your Committee is further advised that, although the County complies with the Uniform Code with respect to County buildings or projects on County property, the Laws of Westchester County do not specifically provide for the administration and enforcement of the Uniform Code nor assign the responsibility for enforcement of the Code to any specific county officer.

Your Committee is informed that the proposed local law will designate the Commissioner of the Department of Public Works and Transportation (“Commissioner”) as the code enforcement officer for the County. The Commissioner will promulgate written procedures through rules and regulations to ensure that any construction, reconstruction, renovation and/or modification of all buildings, structures, premises, and equipment owned by or under the custody of the county complies with the Uniform Code, in regards to projects that are undertaken by County itself or by an outside contractor on behalf of the County. This amendment coupled with the Commissioner’s rules and regulations will create a code enforcement program that should result in uniformity in code enforcement for County buildings by setting a standard for county code enforcement employees and county engineers to follow as it relates to compliance with the Uniform Code. The health and safety of the public will be enhanced by the implementation of the requirements of this local law.

Your Committee is informed that the proposed Local Law does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 9, 2026, which is on file with the Clerk of the Board of Legislators.

Your Committee, after careful consideration, recommends adoption of this Local Law.

Dated: \_\_\_\_\_, 2026  
White Plains, New York

COMMITTEE ON

**RESOLUTION NO. \_\_\_\_ – 2026**

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. \_\_\_\_ - 2026, entitled “A LOCAL LAW amending Chapter 131 of the Laws of Westchester County relating to the administration and enforcement of the New York State Uniform Fire Prevention and Building Code.” The public hearing will be held at \_\_.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2026 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.