

# TOWN OF MILO, NEWYORK

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Construction Guide - Construction without a Building Permit  
*“As-Built Construction”*

**Introduction.**

It takes everyone in a community to keep our homes, schools, offices, stores, and other buildings safe for public use. Your safe construction practices help protect you, your family, your friends, and your investment. With that in mind, the Town understands that misunderstandings occur as it pertains to applicable code requirements and when should an owner obtain a Building Permit. For that reason, the Town's Department of Code Enforcement and Administration created this informational brochure to help owners who conducted as-built construction.

**What is as-built construction?**

As-built construction is construction, whether an addition, alteration, modification, new, replacement and/or restoration that was conducted without a Building Permit or without required inspections during the Building Permit process.

**How do I rectify as-built construction?**

Whether the work was conducted without a Building Permit or without required inspections during the Building Permit process, the owner shall:

1. Obtain or renew, if expired and less than four (4) years from the date of issuance, a Building Permit from the Town; and
2. Employ a registered design professional licensed in the State of New York to provide "as-built" construction documents, inspect all work and submit a Certificate of Construction Completion to the Town's Code Enforcement Officer; and
3. If electrical work was also conducted, an electrical certificate from an independent electrical inspection agency shall also be submitted to the Town's Code Enforcement Officer; and
4. A Certificate of Installation as it pertains to carbon monoxide and smoke detectors shall be submitted to the Code Enforcement Officer for work conducted at a residential use; and
5. A Final Inspection and Test Report shall be submitted to the Code Enforcement Officer for any installed fire detection and fire protection (a.k.a. sprinklers) systems. Such report shall be completed by the NYS licensed fire alarm installer or the authorized representative of the fire protection contractor.

**Will a penalty be charged for as-built construction?**

No. The Town wants to help its residents comply with the applicable requirements of the New York State Uniform Fire Prevention and Building Code. It has been our experience that a majority of as-built construction was a misunderstanding of applicable code requirements and owners generally desire to comply with the law.

**Important fact.**

Your home or business is an investment. If your as-built construction does not comply with the New York State Uniform Fire Prevention and Building Code, the value of your investment could be reduced. Property insurers may not cover work done without permits and inspections. If you decide to sell a home or building that has had modifications without a permit, you may be required to tear down the as-built construction, leave such building and/or structure unoccupied, or make costly repairs. Additionally, an owner who can show that code requirements were strictly and consistently met has a strong ally if something happens to trigger a potentially destructive lawsuit. Lastly, your permit also allows the Town to protect the public by reducing the potential hazards of unsafe construction and ensuring public health, safety, and welfare. By following this informational brochure, your as-built construction will meet minimum standards of safety and will be less likely to cause injury to you, your family, your friends, or future owners.