

**CRANE PERMIT APPLICATION**

**NOTE: No individual shall operate a crane, or knowingly permit any individual to operate a crane, without the operator holding a valid certificate of competence issued by the Industrial Commissioner of the State of New York. (Art. 28-D General Business Law)**

DATE: \_\_\_\_\_  
JOB SITE: \_\_\_\_\_  
OWNER'S NAME AND ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
OWNER'S PHONE NO. \_\_\_\_\_  
CONTRACTOR'S NAME AND ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
CONTRACTOR'S PHONE NO. \_\_\_\_\_

**IMPORTANT:**  
APPLICANT MUST COMPLY WITH GENERAL BUSINESS LAW. OPERATOR OF CRANE MUST HAVE STATE OF NEW YORK CRANE OPERATOR'S LICENSE. COPY OF LICENSE FOR CERTIFICATION MUST BE SUBMITTED.

AS A CONDITION OF ANY PERMIT, THE BUILDING INSPECTOR MAY REQUIRE THAT PROVISION BE MADE AT THE EXPENSE OF THE PERMIT HOLDER TO PRESERVE AND PROTECT FROM INJURY ADJOINING PROPERTY OF STRUCTRES AND FOR THE SAFETY OF PUBLIC.

NO. OF LICENSE: \_\_\_\_\_  
NAME OF OPERATOR: \_\_\_\_\_

I HEREBY AGREE TO BE RESPONSIBLE FOR ANY EXPENSE INCURRED BY THE CITY OF NEWBURGH IN CONNECITON WITH THIS PERMIT.

**SIGNED:** \_\_\_\_\_

PERMIT FEES:  
\$300.00 FEE IS CHARGED FOR THE FIRST THREE DAYS OF USE OF CRANE  
\$ 50.00 FEE IS CHARGED FOR EACH DAY OF USE THEREAFTER.

DATE:	RECEIPT NO.	FEE
_____	_____	_____ (3 DAYS)
_____	_____	_____
_____	_____	_____

**APPROVED:** \_\_\_\_\_  
**BUILDING INSPECTOR**

### 139-8 CRANES

- (A) No person shall use, move, remove or cause or permit to be used, moved or removed any crane in connection with construction operations without obtaining a permit from the Building Inspector.
- (B) The Building Inspector in considering the application for a crane permit shall require proof of compliance with Article 28-D of the General Business Law.
- (C) The Building Inspector may set restrictions on the operation or moving of any crane as required in their judgment to protect the public or property.
- (D) The fee for a crane permit shall be \$300.00 for up to three days and an additional \$50.00 per day for each day in excess of three days.

### 139-9 EXCAVATIONS

- (A) No person shall perform or cause to be performed any excavation within the City to a depth greater than 10 feet below either the legally established curb level or to a depth greater than 10 feet below the average surface level of an adjoining property without having first obtained a permit from the Building Inspector.

**CITY OF NEWBURGH  
BUILDING INSPECTOR'S OFFICE**

123 Grand Street  
Newburgh, New York 12550

Phone: 569-7400  
Fax: 569-0096

**PLEASE BE ADVISED, THE FOLLOWING INFORMATION IS REQUIRED UPON SUBMITTING A PERMIT TO THE BUILDING INSPECTOR' OFFICE: BUILDING PERMIT APPLICATIONS WILL NOT BE ACCEPTED IF THE ITEMS LISTED BELOW ARE NOT SUBMITTED**

1. All questions to be filled out
2. Drawings and or plans to be submitted
3. For any type of structures, additions, or fences, a copy of survey is also required.
4. **Workman's Compensation Insurance Certificate to be submitted along with Disability Insurance for the contractor. (Please read letter regarding Workman's Compensation Insurance included in package)**
5. Certificate Holder is City of Newburgh
6. Application fee is as follows:
  - New Residential: \$200.00 plus \$.20 sq. ft. of floor area
  - Renovation of Residential: \$10.00 per thousand dollars of approx. cost of project.
  - New Commercial: \$300.00 plus \$.20 sq. ft. of floor area
  - Renovation of Commercial: \$10.00 per thousand dollars of approx. cost of project.
  - Fence: \$25.00
  - Sidewalk: \$50.00
  - Curbcuts / permits: \$75.00
  - Swimming Pool: \$25.00
  - Scaffold: \$25.00
  - Reinspection for building permit of the same site for the same purpose (residential) \$40.00
  - Reinspection for building permit of the same site for the same purpose (commercial) \$75.00
  - Failure to obtain a permit prior to commencement of work is FIFTY (50%) PERCENT OF THE APPLICATION FEE FOR A RESIDENTIAL STRUCTURE OR \$200.00 FOR A COMMERCIAL STRUCTURE

\*\* Exception: Fee for building permit denial is \$25.00

**Time frame for the issuance of permit is approximately 2 weeks, unless additional information is needed.**

**CITY OF NEWBURGH  
BUILDING INSPECTOR'S OFFICE**

123 Grand Street  
Newburgh, NY 12550

Phone: 845-569-7400  
Fax: 845-569-0096

**TO ALL GENERAL CONTRACTORS WITH WORKERS COMPENSATION INSURANCE**

For businesses listed as the general contractors on building permits, proof that they are in compliance with Section 57 of the Workers Compensation Law is on one of the following forms that indicate that they are:

- Insured (CE-200)
- Disability (DB120.1)
- Accord Insurance Form is no longer accepted
- Self Insured ( S1-12)

Under the mandatory coverage provisions of the WCL, any residence that is not a 1,2,3 or 4 family, owner occupied residence is considered a business (income or potential income property) and must prove compliance by filling out one of the above forms.

**AS OF DECEMBER 1<sup>ST</sup>, 2008, PROCEDURES FOR EXEMPTION FROM WORKMANS COMPENSATION WILL BE AS FOLLOWS:**

- **NEW FORM (CE-200)**

This form will **ONLY** be available online. The applicant is to fill out the CE-200 online and upon completion, print out a copy so that you can submit to the municipality with the building application. Applicants without access to a computer may obtain a paper application by writing or visiting any Workers Compensation Board district office. ([www.wcb.state.ny.us](http://www.wcb.state.ny.us) under the heading "Forms")

If you have any further questions, please contact:

Workers Compensation Office  
41 North Division Street  
Peekskill, New York 10566  
(914) 788-5775

## Form CE-200 (12/08)

**Effective December 1, 2008**, please use the following revised Form CE-200 as part of the enforcement of Section 57 and Section 220 of the New York State Workers' Compensation Law and Section 125 of the General Municipal Law (Form CE-200 replaces the old forms WC/DB-100, WC-DB-101 and C-105.21.):

### **Form CE-200, Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage**

This certificate can **ONLY** be used to attest to a government entity that the applicant requesting a permit, license or contract from that government entity is not required to carry New York State specific workers' compensation and/or disability benefits insurance.

**IMPORTANT:** *These certificates cannot be used to waive the workers' compensation rights or obligations of any party.* The applicant may **NOT** use this certificate to show either another business or that business's insurance carrier that such insurance is not required.

If appropriate, the applicant requesting a permit, license or contract from a government entity must complete Form CE-200, print a copy of it and give it to the **government entity** issuing the permit, license or contract.

The Board may investigate entities using this certificate to claim exemption from the coverage requirements of the Law. Any false statement, misrepresentation or concealment will subject business owners to **felony** criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws.

Form CE-200 reflects a totally new process for granting exemptions from workers' compensation and disability benefits insurance coverage requirements. Historically, the WC/DB-100 exemption forms were: 1) valid for multiple permits, licenses or contracts for which the applicant applied, 2) had to be notarized, and 3) had to be stamped by the New York State Workers' Compensation Board.

Effective December 1, 2008, this process radically changes. **Exemptions** will no longer be valid for multiple permits, licenses or contracts for which the applicant applied. Further, exemptions no longer have to be notarized; nor do they have to be stamped by the NYS Workers' Compensation Board. (Please note that **government agencies may continue to use insurance and Self-Insurance certificates** for multiple permits, licenses or contracts issued to a specific legal entity during the coverage period listed on insurance/self-insurance related certificates).

**Starting December 1, 2008, ONLY** applicants eligible for **exemptions** must file a **new CE-200** for **each** and **every** new or renewed permit, license or contract issued by a government agency. Each CE-200 will specifically list the issuing government agency and the specific type of permit, license or contract requested by the applicant. Applicants for building permits will also need to supply additional information including identifying the specific job location and the estimated cost of the project.

Please ensure that the legal entity name on Form CE-200 exactly matches the legal entity name applying for the permit, license or contract that you are issuing. Please also ensure that Form CE-200 is signed and dated by the applicant.

Each CE-200 will have a certificate number printed on it. You can verify if the CE-200 provided to you by the applicant was actually issued by the Workers' Compensation Board by checking on the Board's website at [www.wcb.state.ny.us](http://www.wcb.state.ny.us).

The applicant is attesting under penalty of perjury that the information contained in the CE-200 is accurate – the Board does not initially verify this information. However, Board staff may investigate applicants filing Form CE-200.

Accordingly, please also verify that the business is eligible for the workers' compensation and/or disability benefits exemption reason described on the CE-200 and notify the Board's investigative staff if there are discrepancies (Board Enforcement Unit phone numbers are listed on page 11 of the instruction manual). For example, if you are licensing a 150 seat restaurant and the applicant indicates on the CE-200 exemption form that he/she is a sole proprietor with no employees, this may indicate a problem.

To make this process as easy and as efficient as possible for business owners, the vast majority of these forms will be processed electronically on-line. Applicants having access to the internet will be able to fill out the CE-200 on the internet and **immediately** upon completion, **be able to print out a hard copy of the CE-200** that they will then submit to the government agency issuing the permit, license or contract. Computers with internet access will also be available for CE-200 electronic application processing at Customer Service Centers located in Workers' Compensation Board District Offices.

Filling out the electronic Form CE-200 on the internet is very similar to filling out a hotel reservation request on the internet for frequent travelers. Applicants will be issued a pin number and a password so that they can easily access their information. Once an applicant enters his/her basic information on the Board's website, it can be retrieved by that applicant in the future by using that pin number and password when the applicant is applying for another permit, license or contract.

Applicants without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. Applicants using the manual process may wait up to four weeks before receiving a CE-200. Once the applicant receives the CE-200, the applicant can then submit that CE-200 to the government agency from which he/she is getting the permit, license or contract. This delay results from Workers' Compensation Board staff having to manually enter information from the applicant's paper application into the web based application. Accordingly, to avoid delays, all applicants for exemptions are strongly encouraged to use the on-line Form CE-200 on the Board's website, [www.wcb.state.ny.us](http://www.wcb.state.ny.us), under the heading "Forms."



**Certificate of Attestation of Exemption  
From New York State Workers' Compensation  
and/or Disability Benefits Insurance Coverage**

*\*\*This form cannot be used to waive the workers' compensation rights or obligations of any party.\*\**

The applicant may use this Certificate of Attestation of Exemption **ONLY** to show a government entity that New York State specific workers' compensation and/or disability benefits insurance is not required. The applicant may **NOT** use this form to show another business or that business's insurance carrier that such insurance is not required.

Please provide this form to the government entity from which you are requesting a permit, license or contract. This Certificate will not be accepted by government officials one year after the date printed on the form.

<p align="center"><b>In the Application of</b> (Legal Entity Name and Address):</p> <p><b>JOHN SMITH</b> 123 MAIN STREET ALBANY, NY 12207 111-111-1111 Federal ID Number: XXXXX6789</p>	<p align="center"><b>Business Applying For:</b> <b>BUILDING PERMIT</b></p> <p align="center">From: <b>CITY OF ALBANY, DEPT OF BUILDING AND CODES</b></p> <p>The location of where work will be performed is 123 ACME AVENUE, ALBANY, NY 12203.</p> <p>Estimated dates necessary to complete work associated with the building permit are from <b>October 14, 2008 to March 31, 2009.</b></p> <p>The estimated dollar amount of project is <b>\$25,001 - \$50,000</b></p>
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**Workers' Compensation Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE SPECIFIC WORKERS' COMPENSATION INSURANCE COVERAGE** for the following reason:

The business is owned by one individual and is not a corporation. Other than the owner, there are no employees, day labor, leased employees, borrowed employees, part-time employees, unpaid volunteers (including family members) or subcontractors.

**Disability Benefits Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE STATUTORY DISABILITY BENEFITS INSURANCE COVERAGE** for the following reason:

The business is owned by one individual or is a partnership (LLC, LLP, PLLP or a RLLP) under the laws of New York State and is not a corporation; or is a one or two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (in a two person owned corporation, each individual must be an officer and own at least one share of stock) or is a business with no NYS location. In addition, the business does not require disability benefits coverage at this time since it has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability Benefits Law.)

I, JOHN SMITH, am the Sole Proprietor with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change so that workers' compensation insurance and/or disability benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability benefits coverage and also immediately furnish proof of that coverage on forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

<b>SIGN HERE</b>	Signature:	Date:
<p>Exemption Certificate Number <b>2008-00197</b></p>		<p>Received <b>October 2, 2008</b> NYS Workers' Compensation Board</p>

# Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

**\*\*This form cannot be used to waive the workers' compensation rights or obligations of any party.\*\***

**Under penalty of perjury**, I certify that I am the owner of the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- I am performing all the work for which the building permit was issued.
- I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- I have a homeowner's insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ◆ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a WC/DB-100 exemption form; OR
- ◆ have the general contractor, performing the work on the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

\_\_\_\_\_  
(Signature of Homeowner)

\_\_\_\_\_  
(Date Signed)

\_\_\_\_\_  
(Homeowner's Name Printed)

Home Telephone Number \_\_\_\_\_

Property Address that requires the building permit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<p><i>Sworn to before me this _____ day of</i></p> <p>_____, _____.</p> <p>_____ <i>(County Clerk or Notary Public)</i></p>
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**Once notarized, this Form BP-1 serves as an exemption for both workers' compensation and disability benefits insurance coverage.**

**LAWS OF NEW YORK, 1998**  
**CHAPTER 439**

The **general municipal law** is amended by adding a new section 125 to read as follows:

125. ISSUANCE OF BUILDING PERMITS. NO CITY, TOWN OR VILLAGE SHALL ISSUE A BUILDING PERMIT WITHOUT OBTAINING FROM THE PERMIT APPLICANT EITHER:

1. PROOF DULY SUBSCRIBED THAT WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS COVERAGE ISSUED BY AN INSURANCE CARRIER IN A FORM SATISFACTORY TO THE CHAIR OF THE WORKERS' COMPENSATION BOARD AS PROVIDED FOR IN SECTION FIFTY-SEVEN OF THE WORKERS' COMPENSATION LAW IS EFFECTIVE; OR

2. AN AFFIDAVIT THAT SUCH PERMIT APPLICANT HAS NOT ENGAGED AN EMPLOYER OR ANY EMPLOYEES AS THOSE TERMS ARE DEFINED IN SECTION TWO OF THE WORKERS' COMPENSATION LAW TO PERFORM WORK RELATING TO SUCH BUILDING PERMIT.

## **Implementing Section 125 of the General Municipal Law**

### **1. General Contractors -- Business Owners and Certain Homeowners**

For **businesses and certain homeowners listed as the general contractors on building permits**, proof that they are in compliance with Section 57 of the Workers' Compensation Law (WCL) is **ONE** of the following forms that indicate that they are:

- ◆ insured (C-105.2 or U-26.3),
- ◆ a Board-approved self-insured employer (SI-12), or
- ◆ are exempt (WC/DB-100),

under the mandatory coverage provisions of the WCL. Any residence that is not a **1, 2, 3 or 4 Family, Owner-occupied Residence** is considered a business (income or potential income property) and must prove compliance by filing one of the above forms.

### **2. Owner-occupied Residences**

For homeowners of a **1, 2, 3 or 4 Family, Owner-occupied Residence**, proof of their exemption from the mandatory coverage provisions of the Workers' Compensation Law when applying for a building permit is to file Form BP-1.

- ◆ Form BP-1 shall be filed if the homeowner of a **1, 2, 3 or 4 Family, Owner-occupied Residence** is listed as the general contractor on the building permit, and the homeowner:
  - ◇ is performing all the work for which the building permit was issued him/herself,
  - ◇ is not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping the homeowner perform such work, or
  - ◇ has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued.
- ◆ If the homeowner of a **1, 2, 3 or 4 Family, Owner-occupied Residence** is hiring or paying individuals a total of **40 hours or MORE** in any week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued, then the homeowner may not file the "Affidavit of Exemption" Form BP-1, but shall either:
  - ◇ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit (Form C-105.2 or Form U-26.3), OR
  - ◇ have the general contractor, performing the work on the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit, provide appropriate proof of workers' compensation coverage, or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit.