



City of White Plains

Business Resource Guide

Welcome

Welcome and thank you for your interest in locating or expanding your business in White Plains. This Business Resource Guide is intended to provide basic information to business and commercial property owners and to be used as a guide in the Building and Public Works permit application process. This Guide will explain when permits are required, discuss the information needed for filing, the types of permits issued and the plan review and construction inspection process. Please note, this Guide may not answer all questions or account for all situations so we recommend that you refer to the contact information below and contact us directly to ensure you have all the information you need to move forward.

Disclaimer: *This Guide is intended solely for the purpose of providing the public with general information and convenient access to data resources. The general information provided should not be used as a substitute for legal, engineering, or any other types of professional advice. Users of this Guide are responsible for checking the accuracy, completeness, content, currency, suitability, and timeliness of all information. The City of White Plains makes no representations, guarantees or warranties, express or implied, as to the accuracy, completeness, content, currency, suitability, and timeliness of the information provided herein and expressly disclaims liability for errors or omissions in its contents. Unauthorized attempts to modify any information contained in this Guide or utilize this Guide for other than its intended purposes are prohibited. All information in this Guide is subject to change without notice. In any situation where the official printed documents or publications of the City of White Plains differ from the text contained in this Guide, the official printed documents or publications shall take precedence.*

Contact Information

Department of Building
70 Church Street
White Plains, NY 10601
Phone: (914) 422-1269
Fax: (914) 422-1471

[White Plains Building Department](#)

Department of Public Works
255 Main Street, 3rd Floor
White Plains, NY 10601
Phone: (914) 422-1206
Fax: (914) 422-1469

[White Plains Department of Public Works](#)

Office hours both the Building and Public Works Departments are 9:00 a.m. to 5:00 p.m. Monday through Friday, except legal holidays.

DEPARTMENT OF BUILDING

I. Permits

Permits are required for a change in use or occupancy (regardless of whether any work is done in the space). Permits are also required for new building construction, additions or alterations to any structure or space and the addition or replacement of equipment and devices. All crane work, whether on public or private property, requires a Hoisting permit with a Hoisting and Riggers Annual License obtained through the City of White Plains. Types of permits include Building, Mechanical, HVAC, Plumbing, Electrical, Fire Alarm and Sign, Awning & Canopy among others. Separate permits are required for each.

No work shall begin until permit(s) are issued. A permit is not permission to occupy or begin business operations. That cannot be done until final inspections are complete and a letter of compliance and/or a certificate of occupancy, whichever is required, is received from the Building Department. Any changes to the plans or scope of work require the filing of an Amendment to the plans. The permit must be posted in a conspicuous location, easily visible to the public.

A. General requirements

Proposed work or occupancy changes may run from simple principal permitted uses subject to Building Department review and approval to special permit uses that require approval by other approving agencies or board (s) prior to Building Department review. Refer to zoning maps and schedule of use tables to determine permissible uses and whether the proposed use requires a special permit. Uses subject to a special permit will be referred to the appropriate approving agency by the Building Department.

Change of Use or Tenancy - with or without alteration work - requires a Building Permit. When no alteration work is contemplated the Building Department will notify the Fire Prevention Bureau to perform their inspections. They will check updated records, fire alarm and/or sprinkler upgrades, extinguishers, exit signage and emergency contact numbers. Alteration work will require the appropriate permit such as Electrical, Fire Alarm etc., in addition to Building Short Form.

Alteration work - to structure or systems and devices requires the appropriate permit along with construction drawings and/or specifications.

Exterior changes to a building including new storefront, change in color or material and any exterior modifications or renovation, requires a Building Permit and approval from the Design Review Board (DRB).

Detailed drawings, including a photograph of the existing exterior as well as a sample of proposed materials and colors, must be included with the application for the permit. See Meeting Schedule at the back of this Guide for time, date and location of DRB meetings.

B. Filing of permits

Permits must be filed in person at the Building Department between the hours of 9:00 am and 1:00 pm, Monday through Friday. For an application to be deemed complete at the time of filing the following information must be included:

- A fully completed Building Department form with required signatures and notary.
- Two (2) sets of contract documents, that is, dimensioned floor plans indicating the scope of work and egress, proposed use and occupant load and notes / specifications.
- The drawings must be prepared, signed and sealed by a New York State registered design professional (such as a licensed architect and/or engineer) if the proposed work includes any structural work, involves life safety, or if alterations cost more than \$20,000.
- Contractor name and contact information, if known at the time of filing, along with the proper required insurance.
- Required fee.

Please note: Additional information may be required depending on the proposed use, such as additional drawings for referral to other city departments or boards or energy compliance certificates for additions, alteration to building envelope or changes to HVAC equipment. Food service / preparation uses must also obtain Westchester Board of Health clearances.

C. Fees

Fees for additions, alterations, HVAC, fire detection / suppression and electrical are based on the total estimated cost of construction for that particular permit application. The fee is \$100.00 for the first \$1,000.00 of estimated cost plus \$15.00 for each additional \$1,000.00 or part thereof.

The plumbing fee is \$75.00 for the first \$1,000.00 and \$30.00 for each additional \$1,000.00. Special permit fees are based upon the square footage of the project.

Fees are due at the time of application and may be paid by check, money order or credit card (Visa, MasterCard, and American Express). Credit card payment will be limited to a maximum of \$2,500.00.

D. Plan review and inspection

After a permit application has been deemed complete, it will be assigned to a Plan Review Code Enforcement Official at the Building Department. At that time it will be reviewed for Zoning and Building code compliance. If there are significant code issues or missing information found during the full review the C.E.O will notify the applicant. Questions regarding the ongoing process or regarding zoning and codes should be directed to the applicant's plan reviewer. The owner or contractor will be notified when the permit is issued and ready for pick up at the Building Department. Also, at that time an inspector will be assigned to each permit. It is the contractor's responsibility to contact the inspector to schedule required inspections. In addition, Electrical and Plumbing work must be performed by a tradesperson licensed by Westchester County.

II. Cabarets

A cabaret use is a special permit use requiring Common Council approval.

A "Cabaret" is any room, space or area used in connection with a business enterprise, in which musical entertainment, singing, dancing or other form of amusement by performers and/or by patrons is allowed. A "cabaret" is only permitted in connection with a "restaurant." Food from a printed menu must be available for order at all times the Cabaret is in operation. However, the following shall not constitute a "cabaret":

A "restaurant" or "bar" located in a "hotel" having more than 50 sleeping rooms; or a "restaurant" or "café" that provides incidental Entertainment, without dancing, either by:

- electrical devices such as, but not limited to stereos, radios or media players, but not including music provided by a disc jockey;
- not more than four (4) persons playing non-amplified music; or
- a person with or without a portable low-wattage amplifier associated with a single instrument or microphone.

There are two types of “Cabaret” categories:

“Cabaret, Accessory” is a “cabaret” in which the Entertainment and/or dancing do not, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a “restaurant.”

“Cabaret, Primary” is a “cabaret” in which the Entertainment and/or dancing, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a “restaurant.”

Cabarets are permitted. In the CB-1, 2, 3, 4, UR-4 & LI zoning districts. “Cabarets” shall not be located within 150 feet of any residential district, nor within 200 feet on any “lot line” of a place of worship, hospital, “domiciliary care facility”, or “community residence,” nor shall any “primary cabaret” be located within 300 feet of any “dwelling unit.”

An Initial cabaret permit application requires approval from the Common Council. Renewal of an existing cabaret permit is processed by directly with the Department of Building.

For more information, click [cabarets](#).

III. Outdoor Dining

Outdoor Dining, such as rooftop dining or dining on private property, requires a Building Department permit. Establishments may operate these “year round.”

The application requires 25 sets of the site plan and a written statement describing the nature of the proposed use as well as additional parking to be provided. This is required for restaurants where outdoor dining results in increased capacity of the restaurant.

Outdoor dining requires that the restaurant owner either remove tables from inside the establishment by the same amount that are being added outside, or provide additional parking spaces or pay a fee in lieu, for those additional spaces, in order to meet the Zoning Ordinance’s off street parking requirements. In addition to a Building Department permit, outdoor dining requires approval by the Common Council.

Note: For sidewalk cafes, please see Department of Public Works Section III.

IV. Signs and Awnings

All signs, including permanent signs on walls or on the ground, any temporary signage, including any display, insignia or symbol used to identify and promote a business, and all awnings and canopies, require a permit from the Building Department and approval from the Design Review Board, when placed out of doors in view of the general public.

Applicants must submit a complete application form, detailed scale drawings, color photographs of the existing storefront and adjoining storefront and color samples of all materials to be used.

V. Changes to building exterior

Any exterior changes to a commercial building, including new storefront, change in color or material type and any exterior modification or renovation, requires a Building Department Permit and approval from the Design Review Board (DRB).

Applicants must submit a complete application form, design drawings indicating scope of work, building elevation(s) showing the alterations, material samples and colors proposed for use and photos of existing site including adjoining properties. When the application is determined to be complete, it will be referred to the Design Review Board. The DRB will require the applicant to appear at one of its scheduled meetings. See Meetings Schedule.

DEPARTMENT OF PUBLIC WORKS

I. Code Enforcement

In general, contact DPW's Code Enforcement Bureau if you are planning any of the following:

- Any type of sidewalk repair
- Erecting scaffolding over the sidewalk
- Driveway expansion or any changes within the property rights of way to the curb
- Blocking any City-owned land including a city streets or rights of way
- Operating a crane on city owned property
- Storing a dumpster or "pod" on city owned land

II. Garbage and Recycling

Garbage and recycling is tailored to specific needs in the downtown business area. Commercial customers are required to submit a Solid Waste Management Plan to Public Works to determine eligibility for Municipal pick up of garbage and recycling. Contact the Department of Public Works Sanitation Bureau at (914) 422-1217 for more information.

III. Sidewalk Cafes

A sidewalk café is outdoor dining in the public right of way. These "seasonal" outdoor dining areas operate from April 15th – November 1st. A Sidewalk Café incident to and in conjunction with a restaurant may be located in non-residential and Business Zoning Districts in which restaurants are permitted principal or special permit uses, in compliance with Chapter 7-9 of Title VII of the Municipal Code. The Commissioner of Department of Public Works issues seasonal licenses to permit operation between April 15 and November 1 of any calendar year. Sidewalk café's do not require additional parking spaces on the part of the restaurant owner.

Sidewalk café awnings and umbrellas must have a minimum of seven feet clearance from the sidewalk.

Advertising on umbrellas is limited to the name of the restaurant.

Note: For outdoor dining, please see Department of Building Section III.

IV. Right of Way and Sidewalk Repairs

Chapter 7-3 of Title VII of the City Charter states that property owners are responsible for the maintenance and repair of the area between the curb line and the property line. This includes the cutting of grass, weeds and other rank growth exceeding six inches in height and any sidewalks in that vicinity.

Property owners should contact DPW's Code Enforcement Bureau to obtain a permit for sidewalk repairs and for right-of-way maintenance work prior to commencing work.

V. Sidewalk Vaults

A vault permit from the Department of Public Works is required if a property owner decides to have underground access to his/her building via the public right of way (i.e. sidewalk area). To accomplish this, a permit from the Building Department will also be necessary to ensure the structural integrity of the foundation walls. In addition, a second Public Works permit is necessary to utilize the public right of way. The DPW Vault Permit must be renewed on an annual basis (expiring September 30th) until such time as the vault is no longer desired, at which point a vault closure permit must be obtained from Public Works.

Call DPW's Code Enforcement Bureau for questions or permits related to sidewalk vaults. Please also see Chapter 7-4 of Title VII of the City's Municipal Code (entitled "Vaults.")

VI. Traffic Plates

The use of steel traffic plates will be in accordance with Chapter 7-3 of Title VII of the White Plains Municipal Code as amended. In addition to other requirements, the Code requires a sign two hundred feet before the plate reading "Plate Ahead" and a sign five feet before the plate reading "Raise Plow." A daily fee of \$11.00 for each traffic lane affected will be charged during the time period specified in the Code. Plates shall be used for the minimum possible time and only when specifically requested by the applicant at the time of the issuance of the permit, or as directed, at any time by the Commissioner of Public Works.

VII. Moratorium on Construction

No street openings, street obstructions or maintenance operations will be allowed in streets located in or contiguous to any B District or C District, exclusive of the C-O Campus Office District, as set forth in the Zoning Ordinance, nor in streets designated as County roads, on any day during the period beginning on the second Monday preceding Thanksgiving Day and ending on the first day of January, on any day during the week immediately preceding Easter Sunday, nor, in the discretion of the Commission, on days occurring during periods of unusually heavy traffic, except in cases of emergency specifically certified by the Commissioner.

In the event that openings are not backfilled and satisfactorily resurfaced, or any obstructions removed, during this moratorium, or when permits expire accordingly, the City of White Plains reserves the right to backfill and resurface such openings or remove obstructions, at the permittee's own expense.

VIII. Street Sweepers

The Downtown Business area is swept every other night between the hours of Midnight and 8:00 a.m., weather permitting.

IX. Snow removal

Sidewalks and pedestrian ramps in the business area are to be kept clear of snow and ice with a minimum width of two feet – or preferably, the width of the sidewalk. When a storm ends at night, the sidewalks must be cleared by 10:00 a.m. for businesses and multi-family residences. When a storm ends during daylight, sidewalks must be cleared within 2 hours for businesses. Parking meters should have a clear path from the street to the sidewalk.

On-street car parking impedes snow plowing efforts. When it snows, cars must be removed from the street or they may receive a summons.

If you are having a contractor plow your private driveway or parking lot, snow may not be pushed into or across public streets. It must be plowed to the rear of your property.

X. Storm Water (SWPP) Permit Application

The Engineering Bureau is charged with designing and overseeing all residential and commercial improvement projects located within the City Right

of Way (ROW). Such improvements may include renovations, additions or any new construction. Before any work commences, the City requires that the Department of Public Works' (DPW) Engineering Bureau review your plans, prior to the issuance of a Building Department permit. This helps ensure conformity and compliance to any mandated city or state requirements.

In urban areas, such as White Plains, there are requirements instituted by the Department of Environmental Conservation (DEC) called the New York State Municipal Separate Storm Sewer System (MS4) regulations and the MS4 Permit. The MS4 permit is a mandatory requirement for all projects. These requirements were created with the intent of reducing storm water runoff due to an increase in impervious cover, i.e. pavement or new foundation. Depending on the amount of impervious cover within a project, a more detailed Storm water Pollution Prevention Plan (SWPPP) may be required. This review process protects your project as well as your neighbor's property. DPW's review also addresses sediment and erosion control and site grading. Once all of the Department of Public Works comments on your project are satisfactorily addressed, the Building Department may issue a building permit.

Please note: In addition to Public Works Department reviews, the final plan approval process includes referrals from various city boards including the Planning and Zoning Boards as well as the Common Council.

DEPARTMENT OF PUBLIC SAFETY

I. Video Camera Ordinance

The City of White Plains passed a crime prevention ordinance in February of 2014 that requires certain businesses to install a modest camera system that will record people on video as they enter and leave a business.

In general, the ordinance requires that any business that sells alcohol for consumption, businesses that are open to the public during the overnight hours (any time between 12:00 a.m. Midnight – 4:00 a.m.), and certain other specific business such as pharmacies, pawn shops, and check cashing establishments install and maintain a video camera system that meets the ordinance's requirements.

The ordinance requires that that the covered businesses file a simple one page annual certification form by no later than January 31 of each year. The form may be downloaded in PDF format from the Public Safety website, www.wppublicsafety.com, or it may be picked up at the Department of Public Safety. The form should be completed then scanned and emailed to wppublicsafety@whiteplainsny.gov, faxed to (914) 422-6122, or mailed or hand delivered to White Plains Police Department, Data Management Unit, 77 South Lexington Avenue, White Plains, NY 10601.

The ordinance is posted in on the Public Safety website. Questions may be directed to: wppublicsafety@whiteplainsny.gov.

Appendix 1: FREQUENTLY ASKED QUESTIONS (FAQS)

Q: Which Building Department forms do I use?

A. Generally, use the Building Department Long Form for additions and use the Building Department Short Form for alterations and renovations, HVAC, Electrical, Plumbing, etc. These forms can be found on the Building Department website.

Q. Do I need to be licensed to do contracting work?

A. General building construction only requires that the contractor carries the required insurance. Plumbing and electrical contractors, however, are required to be licensed by Westchester County to perform that work.

Q. What do I do if I change the scope of work for any reason after I obtain my permit?

A. File a Plan Amendment Form indicating the change in scope of work. No new work shall be done until amended plans have been reviewed and issued to the site where work is being done. Revisions that change Zoning requirements or site plan approvals may have to be resubmitted to the approving agency. The 'approving agency' is the general term used in the Zoning Ordinance for the Board responsible for review and approval of a particular application. For example, for site plans it is usually the Common Council or Planning Board. If there is a variance involved, the Zoning Board is the approving agency.

Q. What if I am instructed by my inspector to do additional work above what is shown on my approved permit plans?

A. Many times conditions change due to field conditions or were not clearly or properly indicated on the plans. In this case the inspector may be requiring this work for code compliance. You may request that the plan reviewer evaluate the condition for you. If you believe the request is above code requirements please contact the Building Commissioner.

Q. How do I schedule an inspection?

A. Once you are ready for a required inspection, phone your inspector between the hours of 8:00 a.m. and 9:30 a.m. to schedule the inspection.

Q. How do I obtain a Certificate of Compliance?

A. Once all the required inspections, including third party inspections, the designer's affidavits and cost affidavits, have been completed and signed off on by the inspectors, a Certificate of Compliance will be issued.

Q. Can I remove the sidewalk vault to my basement that I no longer use?

A. Yes, provided it is done under permits and is designed to support the new sidewalk section. Sidewalks must be in compliance with the Department of Public Works design standards.

Q. *What is my responsibility with respect to the utility vault in the sidewalk in front of my business?*

A. Utility vaults must be maintained free and clear of obstructions that interfere with designed air flow and heat dissipation. Utility vaults shall not be covered nor have sidewalk dining located above them. The structural integrity of the utility vault must be maintained.

Q. *Can I install outside speakers for my sidewalk café, outdoor dining area or to attract business?*

A. Outdoor speakers are not permitted.

Q. *Can I use lighted interior window signs such as "OPEN" or "ATM"?*

A. Such signs visible to the general public are permitted to be lighted provided they do not flash or rotate and do not exceed 25% of window coverage.

Q. *How much of my display window can be covered with signs or displays on the interior glass?*

A. No more than 25% of such window. In addition, in no case shall the aggregate area of all such signs exceed a maximum of 75 square feet per premises.

Q. *I have a restaurant with a hood over my cooking equipment, how often do I have to clean the grease ducts?*

A. Typically once a year, but it may need to be done more frequently depending on usage and the type of foods being cooked.

Q. *Who do I use to clean the grease ducts and do I have to file anything with the city?*

A. All new and existing commercial cooking equipment and kitchen exhaust systems shall be completely cleaned, tested and inspected annually by properly trained and qualified persons, as required by NFPA-96, Chapter 8. The City shall issue a 'License for Commercial Cooking and Kitchen Exhaust and Grease Duct System' upon receipt of the required annual Owner's Verification Report per the White Plains Supplemental Code.

Q. *I am taking over a business where I am making no changes to the space. Do I need a permit?*

A. Yes, we require a Building Permit for the 'Change of Tenancy'. The reason for this is to verify that all the life safety systems are functioning properly and to verify that the paths of egress have not been encumbered by stock, shelving etc.

Q. *Can I display items for sale in the display windows?*

A. Merchandise may be displayed within individual store windows. However, the bulk storage of such merchandise within individual store display windows is prohibited.

Q. When do I put my trash / recycling out for pick up?

A. Call Sanitation at 422-1217 to determine your trash/recycling needs.

Q. What type of trash / recycling containers do I use?

A. Call Sanitation at 422-1217 to make this determination.

Q. Who is responsible for cleaning the sidewalk in front of my business?

A. The property owner – or their tenant – dependent on your lease is responsible for cleaning and maintaining the length of sidewalk that abuts the property and for keeping it free of trash, snow and ice.

Appendix 2: City Boards and Commissions

<u>Board / Commission</u>	<u>Day</u>	<u>Time</u>
<u>Common Council</u>	1st Monday	7:30 p.m.
<u>Conservation Board</u>	3rd Monday	8:00 p.m.
<u>Design Review Board</u>	2nd & 4th Mondays	7:30 p.m.
<u>Planning Board</u>	3rd Tuesday	7:00 p.m.
<u>Transportation Commission</u>	3rd Wednesday	8:30 p.m.
<u>Zoning Board of Appeals</u>	1st Wednesday	7:00 p.m.

On the City website, please also refer to the [Calendar](#) function for specific meeting dates and the [Agendas and Minutes](#) function for copies of meeting agendas and minutes.