

# NEW YORK CITY FIRE DEPARTMENT

## Notice of Promulgation of Final Rule

### Amended Fire Department Rule 3 RCNY §4601-01, entitled “New and Amended Fees”

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Fire Commissioner of the City of New York pursuant to Section 487(f) of the New York City Charter, and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Fire Department has adopted amendments to Fire Department rule 3 RCNY §4601-01, entitled “New and Amended Fees.”

The public hearing on the proposed fee amendment was held on July 12, 2012. The amended fees shall take effect on August 20, 2012.

The Notice of Promulgation, final amended rule and the Statement of Basis and Purpose of Final Rule, will be available on the Fire Department’s website ([www.nyc.gov/fdny](http://www.nyc.gov/fdny)) and NYC RULES ([www.nyc.gov/NYCRULES](http://www.nyc.gov/NYCRULES)).

Paragraph 45 of subdivision (e) of §4601-01 of Title 3 of the Rules of the City of New York is hereby amended to read as follows, effective August 20, 2012:

**§ 4601-01 New and Amended Fees**

\* \* \*

(e) Permit, Inspection and Plan Review Fees (FC A03). FC A03 is amended to read as follows:

**SECTION FC A03  
PERMITS [AND], INSPECTIONS AND PLAN REVIEW**

**A03.1 Permit[s and], inspection and plan review fees.**

\* \* \*

**45. Plan examinations**

Review of design and installation documents, <u>except as otherwise</u> <u>provided in this subdivision FC A03(45)</u>	<u>[\$210.00]</u> <u>\$420.00</u>
<u>Review of design and installation documents for commercial cooking systems</u>	<u>\$210.00</u>
Review of fire safety and evacuation plan	\$210.00
Review of emergency action plan	
Original application	\$525.00
Amended application (per hour)(total not to exceed \$525.00)	\$210.00
<u>Review of combined fire safety and evacuation plan and emergency action plan</u>	
<u>Original application</u>	<u>\$630.00</u>
<u>Amended application (per hour) (total not to exceed \$630.00)</u>	<u>\$210.00</u>
<u>Review of [professional certification] professionally certified applications</u>	<u>\$210.00</u>

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*Note: Amendments being promulgated are identified for purposes of this notice of promulgation by single underlining and blue highlighting. Prior amendments are shown by double underlining and yellow highlighting. For RCNY or other publication of final rule, retain bracketing and use single underlining for all amendments.*

**STATEMENT OF BASIS AND PURPOSE OF FINAL RULE:**

Fire Department rule 3 RCNY §4601-01 sets forth amendments to the fee provisions of the Fire Code, and reflects these new fees by bracketing and underlining, as applicable, the existing text of Section A03 of Appendix A to the Fire Code.

The fees relating to plan review of design and installation documents, as set forth in FC A03(45), have been amended to more closely reflect the cost incurred in reviewing such documents. The current flat fee of \$210 per submission compensates the Fire Department for one hour of plan review and related administrative tasks.

The Fire Department has analyzed the time expended by the Technology Management Unit of the Bureau of Fire Prevention in reviewing design and installation documents, and has determined that on average the time expended upon such review exceeds two hours.

Accordingly, the Department has increased its plan review fee to \$420, reflecting an average expenditure of two hours per submission.

Plan review of commercial cooking (rangehood) systems is conducted by a different unit within the Bureau of Fire Prevention. The existing fee of \$210 for plan review and related administrative tasks in connection with such submissions has been retained unchanged.

4601-01 (plan review fee) (7/13/12)