

NEW YORK CITY FIRE DEPARTMENT

Notice of Public Hearing

Proposed Amendment to 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 intends to amend Fire Department rule 3 RCNY §4601-01, entitled “New and Amended Fees.” New material is underlined and material to be deleted is [bracketed].

A public hearing will be held on Thursday, July 12, 2012, at 10:30 a.m., in the Auditorium at Fire Department Headquarters at 9 MetroTech Center, Brooklyn, New York 11201-3857. Written comments regarding this ratemaking may be submitted to the Counsel to the Department, at Fire Department Headquarters, by the above date. Written comments may also be submitted electronically to the City of New York at www.nyc.gov/NYCRULES.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are requested to notify the Counsel to the Department at the foregoing address by June 19, 2012.

The Notice of Public Hearing, Proposed Rule and Statement of Basis and Purpose of Proposed Rule, will be available on the Fire Department’s website (www.nyc.gov/fdny) and NYCRULES (www.nyc.gov/NYCRULES).

Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9 a.m. and 5 p.m. at the Fire Department Headquarters.

This proposed rule is exempt from the requirements of Section 1043(d) of the New York City Charter pursuant to Section 1043(d)(4)(iii), on the ground that it is solely concerned with the establishment or modification of the amount of a fee or fees.

This Department did not include this proposed rule in a regulatory agenda because the need for such rule was not anticipated.

Paragraph 45 of subdivision (e) of §4601-01 of Title 3 of the Rules of the City of New York is proposed to be amended to read as follows:

§ 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 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: Proposed amendments are shown by single underlining and blue highlighting. Prior (adopted) amendments are shown by double underlining and yellow highlighting. Retain both blue highlighted and yellow highlighted bracketing, underlining and text in publication of rule.

STATEMENT OF BASIS AND PURPOSE OF PROPOSED 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), are proposed to be 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 proposes to increase 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 revised publication draft) (6/6/12)