



this section and the rules. The commissioner may prescribe by rule the qualifications of the person preparing such plans.

**401.3.2 Types of emergency preparedness plans.** This chapter establishes the following three types of emergency preparedness plans, which reflect the use, size, complexity and risk vulnerability of the building or occupancy; the presence of building staff and/or other building occupants capable of implementing such plan; the availability of voice communication capability; and other considerations:

1. Level 1: comprehensive fire safety/emergency action plan (FC401.4).
2. Level 2: fire and emergency preparedness plan (FC401.5).
3. Level 3: fire and emergency preparedness guide and notices (FC401.6).

**401.3.3 Maintenance on premises.** A copy of the emergency preparedness plan shall be maintained at the premises for which such plan is required and kept readily available for inspection at all times. The department may require that the emergency preparedness plan be maintained at an approved location on the premises in an approved first responder box secured by a citywide standard key to ensure availability of the plan at all times.

**401.3.4 Building information card and floor plans.** In buildings or occupancies required to prepare a comprehensive fire safety and emergency action plan, and in high-rise buildings and large-area buildings required to prepare a fire and emergency preparedness plan, or such other building or occupancy as required by this chapter or the rules, a building information card depicting and/or setting forth the fire safety information prescribed by the commissioner by rule shall be maintained on the premises and submitted or otherwise made available to the department as set forth in the rules. When required by this code or rule, floor plans for any such building or occupancy shall be submitted to the department in an approved manner.

**401.3.5 Periodic review and revision.** Emergency preparedness plans and building information cards shall be reviewed and updated as necessitated by changes in staff assignments, use or occupancy, or the design and arrangement of the premises, but at least annually. An entry shall be made in the log book required by FC401.8 documenting such review, and indicating the general nature of any amendments to be made to such plan. Submission of an amended emergency preparedness plan shall not be required solely by reason of staffing changes or revisions to the building information card. Fire and emergency preparedness guides and notices shall be reviewed prior to each distribution required by this code or the rules, and shall be revised within 60 days of any change in building construction or service equipment materially affecting the content of such guide or notice.

**401.3.6 Applicability to existing buildings and occupancies.** The preparation of an emergency preparedness plan shall constitute an operational requirement. Except as otherwise provided in this section, owners of buildings and occupancies required by this chapter to have a comprehensive fire safety and emergency action plan shall have 24 months from the promulgation of rules implementing such emergency preparedness plan provisions

of this chapter to prepare such plan and submit it to the department for acceptance. Owners of buildings and occupancies required by this chapter to have any other emergency preparedness plan shall have 18 months from the promulgation of rules implementing such emergency preparedness plan provisions of this chapter to prepare such plan and, if required by this chapter, submit it to the department for acceptance.

**401.3.6.1 New and existing buildings and occupancies.** Until rules implementing the emergency preparedness plan provisions of this chapter take effect, buildings and occupancies required to prepare an emergency preparedness plan under this code shall comply with the emergency preparedness plan requirements set forth in the Fire Code and rules in effect on the date prior to the effective date of this section.

**401.3.6.2 Updating of existing fire safety and evacuation plans.** Any owner of a Group B office building existing on the effective date of this section that is required by this chapter to have a comprehensive fire safety and emergency action (Level 1) plan and:

1. for which building a fire safety and evacuation plan was submitted and approved by the department prior to January 1, 2000, and has not been comprehensively amended since January 1, 2011, shall prepare and submit for department approval within 3 years of the effective date of this section a comprehensive fire safety and emergency action (Level 1) plan complying with the requirements of this chapter and the rules. This provision shall not be construed to extend the time for compliance with provisions of this chapter requiring the preparation and periodic review and revision of such plans.
2. for which building a fire safety and evacuation plan was submitted and approved by the department on or after January 1, 2000, but prior to January 1, 2011, and has not been comprehensively amended since January 1, 2011, shall prepare and submit for department approval within 5 years of the effective date of this section a comprehensive fire safety and emergency action (Level 1) plan complying with the requirements of this chapter and the rules. This provision shall not be construed to extend the time for compliance with provisions of this chapter requiring the preparation and periodic review and revision of such plans.

**401.3.7 Existing emergency preparedness staffing.** Any building or occupancy that prior to the effective date of this section obtained department approval of the voluntary installation of a fire alarm system with two-way voice communication and was required to provide a fire safety director or other specified emergency preparedness staffing shall maintain such staffing unless a higher level of staffing is required by this chapter.

**401.3.8 Cooperation.** All owners, employers of building occupants (including lessees of tenant spaces and similar occupancies) and building occupants shall cooperate in the development and coordination of emergency preparedness plans, including designation of building occupants to assist in the implementation of such plan.

## **401.4 Comprehensive fire safety/emergency action plan (Level 1)**

**401.4.1 General.** The commissioner shall promulgate rules establishing standards, procedures and requirements for a written comprehensive fire safety and emergency action plan that addresses the safety of occupants of premises in the event of a fire, explosion, biological, chemical or nuclear incident or release, natural disaster, or other emergency, or the threat thereof, or a declaration of emergency by a lawful authority, and for the coordination of the emergency response to a medical emergency at the premises.

**401.4.2 Form.** The rules shall specify the form of the comprehensive fire safety and emergency action plan and supporting documentation.

**401.4.3 Content.** The rules shall specify the information to be contained in the comprehensive fire safety and emergency action plan, which shall include the following information and documentation, and/or such other information and documentation as the commissioner may prescribe:

1. The designation of an FLS director and other FLS staff, and their respective duties and responsibilities, including FLS staff responsible for the operation of building elevators, fire protection systems, mechanical ventilation systems, building utilities, and other building service equipment.
2. The procedures for reporting a fire or other emergency to the department, including the primary and alternative means of such reporting.
3. The procedures for coordinating with firefighting, emergency medical service and other emergency response personnel, including notifying such personnel upon arrival of the location of the emergency and the response thereto.
4. The means provided for receiving and monitoring public emergency notification systems in accordance with FC401.9.
5. The procedures for notifying building occupants of a fire or other emergency, including the primary and alternative means of such notification, the alarm or tone sounded to alert building occupants, and the information communicated to building occupants.
6. The actions to be taken in response to a fire and each type of non-fire emergency, and whether the response will require the sheltering in place, in-building relocation, partial or full evacuation of building occupants, or combination thereof, and the procedures for each such response.
7. The procedures for accounting for building occupants after such occupants have been in-building relocated, or partially or fully evacuated to a safe area.

8. The procedures for identifying any persons on the premises who are qualified and willing to provide cardio-pulmonary resuscitation or other emergency medical care to building occupants upon notification by the FLS director.
9. Site plans indicating the following:
  - 9.1. Surrounding buildings and streets, including cross streets, and fire apparatus access roads.
  - 9.2. The location of building occupant assembly areas.
10. A written description of the following building components and service equipment and their location, as applicable:
  - 10.1. Access to and egress from the building, including entrances and exits.
  - 10.2. Corridors and exit passageways providing access to exit stairwells or exit discharges.
  - 10.3. Stairwells with letter designation.
  - 10.4. Access and convenience stairs.
  - 10.5. Elevators, with bank letter and car number designations.
  - 10.6. Fire command center.
  - 10.7. Floor warden and firefighter telephones.
  - 10.8. Manual fire alarm boxes.
  - 10.9. Fire department connections, and sprinkler and standpipe system control valves.
  - 10.10. Areas of the building not protected by a sprinkler system.
  - 10.11. Emergency power generators and associated fuel storage.
  - 10.12. Evacuation and in-building relocation routes.
  - 10.13. Areas of refuge and in-building relocation areas.
  - 10.14. Any evacuation assistance devices.
  - 10.15. Automatic external defibrillators required by law to be maintained for public use.

11. Sprinkler system and standpipe system riser diagrams, identifying the locations of the following, as applicable:
  - 11.1. Water supply.
  - 11.2. Fire department connections.
  - 11.3. Gravity and pressure tanks.
  - 11.4. Fire pumps.
  - 11.5. Water supply control valves.
  - 11.6. Piping, except branch sprinkler piping.
12. Locations of hazardous material storage in quantities requiring a permit, and hazardous material operations and facilities regulated by this code.
13. Procedures for identifying in advance building occupants who require assistance to participate in the plan because of an infirmity or disability or other special need, and approved procedures for providing for such assistance.
14. A fire safety maintenance program.
15. A building information card in accordance with FC401.3.4.

**401.4.4 Submission and acceptance.** Every comprehensive fire safety and emergency action plan shall be submitted to the department for acceptance in the manner prescribed by the department. Acceptance of such plans shall be obtained prior to occupancy of the building or occupancy.

**401.4.5 Fire and life safety staff.** The owner of any premises required by this chapter to have a comprehensive fire safety and emergency action plan shall designate competent persons to act as FLS staff, including a person designated to serve as FLS director. The owner shall employ or otherwise retain sufficient FLS staff to implement such plan during regular business hours and to otherwise comply with the requirements of this chapter and the rules. The persons designated as FLS staff shall possess such qualifications and/or hold such certificates of fitness as are required by this chapter or the rules.

**401.4.5.1 Fire and life safety director.** The comprehensive fire safety and emergency action plan shall designate an FLS director and deputy FLS directors who shall hold an FLS director certificate of fitness. The FLS director shall have the following duties and responsibilities and such other duties and responsibilities as the commissioner may prescribe by rule:

1. The FLS director shall be present in the building at all times during regular business hours. When the FLS director is absent during regular business hours, a deputy FLS director shall be present in the building and shall perform the duties of the FLS director. When a building other than a Group R-1 transient residential building or occupancy is occupied, but the number of building occupants falls below the level requiring the presence of an FLS director, the FLS building evacuation supervisor may perform the duties of the FLS director. The FLS director shall endeavor to ensure that adequate FLS staff is present during regular business hours, and, in the absence of designated staff, shall designate interim FLS staff.
2. In the event of a fire, a medical emergency or other non-fire emergency in the building, the FLS director shall report to the fire command center or designated alternative location; implement such fire safety and/or non-fire emergency actions as are warranted by the circumstances, in accordance with the provisions of the comprehensive fire safety and emergency action plan, this code and the rules; notify arriving emergency response personnel of the nature of the emergency and the response thereto; and comply with the directions of the emergency response personnel and/or other lawful authority.
3. The FLS director designated shall be fully familiar with the provisions of the comprehensive fire safety and emergency action plan and shall conduct the FLS staff training and fire and non-fire emergency drills required by FC 401.4.5.2 and 401.7.

**Exception:** FLS staff training and fire and non-fire emergency drills may be conducted by a person holding a certificate of fitness as FEP coordinator or fire drill conductor under the personal supervision of the FLS director.

**401.4.5.2 Training.** FLS staff shall be trained in the performance of their duties in accordance with the comprehensive fire safety and emergency action plan.

**401.4.5.2.1 Initial training.** FLS staff shall receive initial training in the contents of the comprehensive fire safety and emergency action plan upon their designation as FLS staff. Such training shall familiarize them with:

1. their duties in the event that it is necessary to implement fire safety or non-fire emergency actions in accordance with such plan; and
2. appropriate fire prevention measures for the occupancy.

**401.4.5.2.2 Refresher training.** With the exception of the FLS director, FLS staff shall receive, and participate in, periodic refresher training to maintain their state of readiness.

**401.4.5.2.3 Duration and frequency of training.** The duration and frequency of initial and refresher training of FLS staff shall be in accordance with FC Table 401.4.5.2.3.

**FC TABLE 401.4.5.2.3  
FLS STAFF TRAINING**

FLS STAFF MEMBER	INITIAL TRAINING DURATION		REFRESHER TRAINING DURATION AND FREQUENCY	
	FIRE SAFETY	NON-FIRE EMERGENCY	FIRE SAFETY	NON-FIRE EMERGENCY
Deputy FLS directors (all occupancies)	Not applicable	Not applicable	1 hour annually	1 hour semiannually
FLS building evacuation supervisors	2 hours	3 hours	1 hour annually	1 hour semiannually
All other FLS staff	1 hour	2 hours	1 hour annually	1 hour annually

**401.4.5.2.4 Training methods.** FLS staff training sessions shall be provided in the form of live instruction and, if desired, computerized training. At least one-half (½) of the FLS staff training sessions required each year shall be in the form of live instruction, which may incorporate video presentations and/or review of other educational materials. The balance of the required training sessions may be conducted in the form of approved computerized training, without live instruction, provided that such computerized training is interactive, and includes an evaluation of the FLS staff members' understanding of the training materials.

**401.4.5.2.5 Recordkeeping.** A written record of FLS staff training shall be maintained in the log book required by FC401.8. An entry shall be made in such log book for each training session conducted.

## **401.5 Fire and emergency preparedness plan (Level 2)**

**401.5.1 General.** The commissioner shall promulgate rules establishing standards, procedures and requirements for a written fire and emergency preparedness plan that provides for fire safety and non-fire emergency preparedness in buildings or occupancies of a lesser size, complexity, and/or risk vulnerability than those requiring a comprehensive fire safety and emergency action plan, and for the coordination of the emergency response to a medical emergency at the premises.

**401.5.2 Form.** Fire and emergency preparedness plans shall have a simplified, standardized format that allows for completion by persons without specialized qualifications. The rules promulgated by the commissioner shall specify the form of such plans and any supporting documentation.

**401.5.3 Content.** The rules promulgated by the commissioner shall specify the information to be contained in the fire and emergency preparedness plan, which shall include the following information and documentation, and/or such other information and documentation as the commissioner may prescribe:

1. The designation of the FEP coordinator, by name, certificate number and position at the premises, and other FEP staff, by name and/or position at the premises, and certificate number, if required.



2. The procedure by which a fire or other emergency is reported to the department, and the FEP staff responsible for ensuring such reporting.
3. The procedure for notifying building occupants of a fire or other emergency, and the FEP staff responsible for ensuring such notification.
4. The procedure for coordinating with firefighting, emergency medical service and other emergency response personnel, including notifying such personnel upon arrival of the location of the emergency and the response thereto, and the FEP staff responsible for such coordination.
5. The procedure for monitoring a public emergency notification system in accordance with FC401.9.
6. Procedures for identifying and assisting building occupants who require assistance because of an infirmity, disability or other special need.
7. Identification of fire prevention measures appropriate to the occupancy, to be included in staff training and drills, and the FEP staff or building staff responsible for addressing any unsafe conditions, including:
  - 7.1. Unobstructed and unimpeded access to means of egress.
  - 7.2. Proper storage and removal of combustible materials and combustible waste on the premises.
  - 7.3. Maintenance of decorative vegetation.
  - 7.4. Proper use of extension cords, outlets and electrical equipment.
  - 7.5 Maintenance of sprinkler head clearances.
  - 7.6 Posting and maintenance of “No Smoking” signs required by this code.
8. The procedure for the ongoing monitoring of the premises during regular business hours to verify compliance with the following requirements, and the FEP staff responsible for such monitoring:
  - 8.1. Access to the means of egress is unobstructed and unimpeded.
  - 8.2. The premises does not become overcrowded.
  - 8.3. Allowable use of open flames and open-flame devices is being conducted properly and safely.

8.4. The prohibition against smoking, where required by this code or the rules, is being observed.

**401.5.4 Submission and acceptance.** Fire and emergency preparedness plans prepared for a high-rise building or a large-area building shall be submitted for department acceptance, prior to occupancy of the building or occupancy, in the manner prescribed by the department. All other fire and emergency preparedness plans shall be maintained on the premises and made available for review by a department representative. If such plan is unavailable or determined to be deficient, the department may order that a plan prepared in compliance with this chapter and the rules be submitted to the department for acceptance. Nothing contained herein shall preclude the department from establishing by rule a procedure for the on-line preparation and filing of all fire and emergency preparedness plans required pursuant to this chapter.

**401.5.5 Fire and emergency preparedness staff.** The owner of any premises required by this chapter to have a fire and emergency preparedness plan shall designate competent persons to act as FEP staff, including a person designated to serve as the FEP coordinator pursuant to FC401.5.5.1. An owner of such a premises shall not be required to employ or otherwise retain staff solely for purposes of complying with the requirements of this chapter, but shall designate persons employed or otherwise working at the premises to serve as FEP staff and assign them the duties and responsibilities necessary to implement the fire and emergency preparedness plan and otherwise comply with the requirements of this chapter and the rules.

**401.5.5.1 Fire/emergency preparedness coordinator.** A manager or other responsible FEP staff member employed at the premises shall be designated in the fire and emergency preparedness plan as the FEP coordinator and shall hold an FEP coordinator certificate of fitness. A person holding a certificate of fitness as an FLS director may serve as the FEP coordinator without obtaining a separate certificate of fitness. The FEP coordinator shall have the following duties and responsibilities and such other duties and responsibilities as the commissioner may prescribe by rule:

1. The FEP coordinator shall be fully familiar with the provisions of the fire and emergency preparedness plan and shall conduct the FEP staff training and fire and non-fire emergency drills required by FC 401.5.5.2 and 401.7.

**Exception:** FEP staff training and fire and non-fire emergency drills may be conducted by a person holding a certificate of fitness as fire drill conductor under the general supervision of the FEP coordinator.

2. The FEP coordinator need not be personally present on the premises during regular business hours, but shall be responsible for overseeing and monitoring the performance of the duties and responsibilities of the FEP staff set forth in the fire and emergency preparedness plan.

3. The FEP coordinator shall endeavor to ensure that adequate FEP staff is present during regular business hours, and, in the absence of designated FEP staff, shall designate interim FEP staff.

**401.5.5.2 Training.** FEP staff shall be trained in the performance of their duties in accordance with the fire and emergency preparedness plan.

**401.5.5.2.1 Initial training.** FEP staff shall receive 1 hour of initial training in the fire and emergency preparedness plan upon their designation as FEP staff. Such training shall familiarize them with:

1. their duties in the event the fire and emergency preparedness plan is implemented; and
2. appropriate fire prevention measures for the occupancy.

**401.5.5.2.2 Refresher training.** With the exception of the FEP coordinator, FEP staff shall receive 30-minutes quarterly refresher training.

**401.5.5.2.3 Training methods.** FEP staff training shall be provided in the manner set forth in FC401.4.5.2.4.

**401.5.5.2.4 Recordkeeping.** A written record of FEP staff training shall be maintained in the log book required by FC401.8. An entry shall be made in such log book for each training session conducted.

### **401.6 Fire and emergency preparedness guide and notices (Level 3)**

**401.6.1 General.** The commissioner shall promulgate rules establishing standards, procedures and requirements for a:

1. fire and emergency preparedness guide that serves to inform building occupants and building staff about the building, fire prevention measures and fire and non-fire emergency preparedness; and/or
2. fire and non-fire emergency notices that serve to inform building occupants, building staff and visitors as to whether to shelter in place or evacuate the building, and other procedures to be followed in the event of a fire or non-fire emergency.

**401.6.2 Form.** The fire and emergency preparedness guide and notices shall be in such form as prescribed by the commissioner by rule.

**401.6.3 Content.** The rules promulgated by the commissioner shall specify the information to be contained in the fire and emergency preparedness guide and notices, which shall include the following information, and/or such other information and documentation as the commissioner may prescribe:

1. Fire and Emergency Preparedness Guide.

1.1. Construction type.

1.2. Fire protection systems.

1.3. Voice communication systems.

1.4. Means of egress.

1.5. Guidance with respect to sheltering in place, evacuation and other procedures to be followed in the event of fire or non-fire emergency.

1.6. Lessons learned from fires in similar occupancies.

1.7. Medical emergencies.

2. Fire and Emergency Preparedness Notices.

2.1. Construction type.

2.2. Guidance with respect to sheltering in place, evacuation and other procedures to be followed in the event of fire or non-fire emergency.

**401.6.4 Distribution and posting.** The fire and emergency preparedness guide shall be distributed to building occupants and building service employees as set forth in the rules. The fire and emergency preparedness guide shall be posted within each dwelling unit and at such other locations as set forth in the rules.

**401.6.5 Occupancy-specific requirements.** The form, content, distribution and posting of the fire and emergency preparedness guide and notices may vary by occupancy. Occupancies required to prepare a fire and emergency preparedness guide and/or notices shall be as set forth in this chapter or the rules.

**401.7 Drills and education for fire and non-fire emergencies.** Fire and non-fire emergency drills and education shall be conducted, in the manner prescribed in this section and the rules, in buildings and occupancies required to have an emergency preparedness plan pursuant to this chapter, except Group R-2 apartment buildings and occupancies, and in such other buildings and occupancies as provided in this chapter.

**401.7.1 Content.** Drills and other forms of education shall be conducted to enhance the fire and non-fire emergency preparedness of building occupants, including building staff and employees of building tenants. Drills shall serve to familiarize building occupants as to the proper actions to take in the event of a fire or other emergency, the primary and secondary evacuation and in-building relocation routes, and fire prevention measures appropriate to the

occupancy. The commissioner shall promulgate rules prescribing standards, procedures and requirements for the conduct of fire and non-fire emergency drills and educational sessions, including their subject matter and duration. Drills shall be in the form of live instruction, except as authorized by the rules.

**401.7.2 Combined drills and education.** A single drill or educational session shall address both fire and non-fire emergency preparedness. All drills and educational sessions shall make mention that different directions may be given to building occupants depending upon whether there is a fire or other emergency, and the nature of the non-fire emergency.

**401.7.3 Timing.** Drills shall be scheduled in a manner that best assures the participation of regular building occupants. Drills may be conducted on different work shifts and/or during non-business hours to facilitate the participation of building occupants.

**401.7.4 Participation in drills and education.** Except as otherwise provided in this chapter, all building occupants in the building or occupancy, or part thereof, wherein a fire and non-fire emergency drill or educational activity is being conducted, shall participate in such drill or educational activity, including building staff and FLS or FEP staff with responsibility for such building or occupancy, or part thereof. Owners and employers of building occupants, including lessees of tenant spaces and similar occupancies, shall require such participation.

**401.7.5 Alarm activation.** The fire alarm system shall be activated each time a fire drill or non-fire emergency drill is conducted to initiate the drill and familiarize building occupants with the alarm tones. Nothing in this code shall be construed to prohibit the activation of the fire alarm signal for the purposes of conducting a fire drill or a non-fire emergency drill.

**Exception:** In buildings or occupancies in which all building occupants are not required by this code to participate in the drill, the fire alarm system need not be activated to initiate the drill, provided that, in accordance with the rules, another means is employed to familiarize those building occupants participating in the drill with the fire alarm tones that would be sounded in the event of an actual emergency.

**401.7.6 Frequency.** The frequency of required combined fire and non-fire emergency drills for each type of occupancy shall be in accordance with FC Table 401.7.6.

**FC TABLE 401.7.6  
DRILL PARTICIPATION AND FREQUENCY**

TYPE OF BUILDING OR OCCUPANCY	REQUIRED PARTICIPATION	FREQUENCY
Group A	Regular building occupants. Participation of patrons, guests and visitors not required.	Semiannually
Group M		
Group R-1, except homeless shelters and dormitories <sup>a</sup>		
Group R-1 homeless shelters and emergency shelters	All building occupants	Monthly
Group B office <sup>a</sup>	All building occupants	Semiannually
Group B colleges and universities	All building occupants	In accordance with New York State Education Law
Group E educational		
Group R-1 dormitory		

Group E day care facilities	All building occupants	Monthly
Group F	All building occupants	Monthly
Group H	All building occupants	Semiannually
Group I-1	All building occupants	Bimonthly <sup>b</sup>
Group I-2	Regular building occupants. Participation of patients and visitors not required.	Semiannually
Group S	Regular building occupants. Participation of visitors not required.	Semiannually

a. In the 2 years following acceptance of a comprehensive fire safety and emergency action plan, drills shall be conducted quarterly.

b. In the first year of occupancy of an I-1 building or occupancy, drills shall be conducted monthly.

**401.7.7 Non-fire emergency education.** When required by this chapter, building occupants shall receive non-fire emergency education. In buildings and occupancies in which non-fire emergency drills are not conducted, such education shall consist of the distribution of educational materials explaining the different types of non-fire emergencies and the types of responses to such emergencies, including sheltering in place, relocating within the building, or evacuating the building. Such materials shall be distributed to building staff and employees of building tenants prior to their commencing work at the premises.

**401.7.8 Recordkeeping.** Drills and education shall be documented by entries in the logbook required to be maintained in accordance with FC401.8.

**401.8 Emergency preparedness recordkeeping.** Buildings and occupancies required to have an emergency preparedness plan pursuant to this chapter, except buildings and occupancies required to prepare a fire and emergency guide and notice, shall maintain a log book in accordance with this section.

**401.8.1 General.** A log book or other approved system of recordkeeping shall be maintained for purposes of documenting emergency preparedness.

**401.8.2 Format.** A bound log book with consecutive numbered pages, an approved electronic format, or other approved form of recordkeeping, shall be maintained in accordance with the requirements of FC107.7.

**401.8.3 Entries.** Entries shall be made in the log book to document drills, education, staff training, plan review and amendment, plan implementation and/or such other information as the commissioner may require by rule.

**401.9 Access to public emergency notification systems.** While performing the duties of such position, FLS directors and FEP coordinators shall have access to NYC Notify, CorpNet or such other approved public emergency notification system providing notice of New York City emergencies as the commissioner may prescribe by rule. Such access may be by means of any portable or desktop device readily available for use on the premises under their supervision. The commissioner may prescribe by rule buildings and occupancies in which FLS directors and FEP coordinators shall have access to a public emergency notification system.

**401.10 Periodic inspection.** Any building, occupancy, or part thereof required to have a comprehensive fire safety and emergency action plan, fire and emergency preparedness plan,

and/or a public gathering site plan pursuant to the provisions of this chapter or the rules shall be subject to periodic fire safety inspection by the department, including inspection of any such plan to confirm that it has been prepared and/or implemented in compliance with the requirements of this chapter and the rules.

**401.11 Workplace exit inspections.** In addition to any other inspections that the department may conduct, the department shall inspect Group M occupancies to determine whether workplace exits are locked in violation of Section 1001.3.1 of the Building Code. A minimum of fifty unannounced inspections shall be conducted each year. Such inspections shall include, but not be limited to, premises at which violations of such section are known or suspected to have occurred.

## **SECTION FC 402 DEFINITIONS**

**402.1 Definitions.** The following terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meaning shown herein.

**ASSEMBLY AREA.** A designated area outside of a building to which building occupants are directed to report upon implementation of a partial or full evacuation in accordance with a comprehensive fire safety and emergency action plan or a fire and emergency preparedness plan.

**BUILDING OCCUPANTS.** All persons in the building, including employees, building staff and visitors.

**COVERED MALL.** A Group M building housing separate mercantile tenant spaces and/or other similar occupancies and a common pedestrian area (which may include atrium spaces) that provides access to the main public entrances to such tenant spaces and/or occupancies. A covered mall does not include an exterior perimeter building or tenant space (commonly referred to as an anchor store or anchor building) with direct pedestrian access to the covered mall, provided that such building or tenant space has a lawful means of egress independent of the covered mall.

**EMERGENCY SHELTER.** The temporary use and occupancy of a premises, or part thereof, including but not limited to armories, auditoriums, community centers, gymnasiums, houses of worship and schools, that are not designed to be occupied for emergency housing, but are authorized by the Department of Buildings to be operated and/or occupied for such purposes for more than fifteen persons for more than 30 consecutive days.

**EVACUATION.** The emptying of a building or part thereof of building occupants in response to a fire or non-fire emergency.

**FEP.** Fire and emergency preparedness.

**FEP STAFF.** The individuals identified in a fire and emergency preparedness plan as responsible for the implementation of such plan, including but not limited to FEP coordinators.

**FLS.** Fire and life safety.

**FLS STAFF.** The individuals required to implement a comprehensive fire safety and emergency action plan, as identified in such plan, including but not limited to the FLS director, deputy FLS director, members of the FLS brigade and any staff designated as critical operations staff.

**FIRE DRILL.** A training exercise by which building occupants are familiarized with and/or practice the procedures for the safe, orderly and expeditious sheltering in place, in-building relocation, partial or full evacuation, or any combination thereof, in the event of a fire, in accordance with the emergency preparedness plan for the premises.

**HIGH-RISE BUILDING.** Any building designed or constructed in accordance with the 1968 Building Code, any prior Building Code, or other applicable laws, rules and regulations, that is more than six stories or 75 feet (22 860 mm) in height, and any building designed or constructed in accordance with the Building Code that has one or more occupied floors more than 75 feet (22 860 mm) above the lowest level of fire department vehicle apparatus access.

**HIGH-RISE FLOOR.** Any occupied floor in a high-rise building that is at or above the height that causes such building to be classified as a high-rise building.

**IN-BUILDING RELOCATION.** The controlled movement of building occupants from an endangered area of a building to an in-building relocation area within the same building in response to a fire or non-fire emergency.

**IN-BUILDING RELOCATION AREA.** A designated area in a building to which building occupants may be relocated in accordance with the emergency preparedness plan for the premises.

**LARGE-AREA BUILDING.** A building that is not a high-rise building, but is either a Group B office building within the meaning of Section 907.2.2.2 of the Building Code that has a total gross area of more than 100,000 square feet (9290 m<sup>2</sup>) or a building of an occupancy type other than Group R-2 or Group R-3 that has a total gross area of more than 100,000 square feet (9290 m<sup>2</sup>).

**MIXED-OCCUPANCY BUILDING.** A building or structure housing more than one occupancy or type of occupancy required by this chapter to prepare an emergency preparedness plan.

**NON-FIRE EMERGENCY.** A biological, chemical or nuclear incident or release; declaration of emergency by a lawful authority; explosion; medical emergency; natural disaster; or other emergency affecting the premises or the safety of building occupants.

**NON-FIRE EMERGENCY DRILL.** A training exercise by which building occupants are familiarized with and/or practice the procedures for safe, orderly and expeditious sheltering in place, in-building relocation, partial or full evacuation, or combination thereof, in the event of a non-fire emergency, in accordance with the emergency preparedness plan for the premises.



**OFFICE BUILDING.** A Group B occupancy designed and arranged to provide offices and other areas for the conduct of business ordinarily conducted in offices.

**REGULAR BUSINESS HOURS.** Times of day and days of the week during which a building or occupancy is normally occupied and business is conducted, and any time when a building or occupancy required to have a comprehensive fire and emergency action plan is occupied by more than five hundred persons, or more than one hundred persons above or below the street level. The number of persons employed in a building or occupancy during regular business hours shall be computed based on the work shift or other regular work schedule during which the largest number of employees or other persons working at the premises are present at the premises.

**SHELTER IN PLACE.** The precaution of directing building occupants to remain indoors, at their present location, in response to a fire or non-fire emergency.

**VOICE COMMUNICATION CAPABILITY.** The ability to communicate to the occupants of a building or occupancy by means of a fire alarm system with one-way or two-way voice communication.

## **SECTION FC 403 PUBLIC GATHERINGS**

**403.1 General.** The commissioner may establish requirements to ensure fire safety at indoor and outdoor public gatherings, including arcades, bazaars, cafes, carnivals, displays, entertainment, exhibits, rooftop events and street fairs. Such requirements may include preparation and submission to the department of a site plan, including identification of materials, operations and facilities regulated by the Fire Code that will be stored, conducted or maintained in conjunction with the public gathering; pre-event fire safety inspection; provision of fire guards or other qualified personnel; and provision and maintenance of fire apparatus access, and of aisles and other means of access to and egress from the public gathering. Persons conducting such fire watch shall have the duties and responsibilities set forth in FC901.7.2.1 with respect to the areas being monitored in connection with public gatherings. The commissioner may conduct periodic inspections of public gathering places that are used or frequented on a regular basis.

**403.2 Overcrowding prohibited.** Overcrowding shall not be caused, maintained or allowed in any indoor or outdoor area or space used for public gatherings.

**403.3 Limitations on standing.** Where the Building Code, certificate of occupancy or approved seating plan allows audience members to stand at performing arts or other indoor or outdoor events at which seating is provided for the audience, standing areas shall be maintained in accordance with FC407.5.

## **SECTION FC 404 OFFICE BUILDINGS**

**404.1 General.** Group B office buildings and occupancies shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section.

**404.2 Emergency preparedness in office buildings and occupancies with comprehensive fire safety/emergency action plans.** Group B office buildings and occupancies required by FC404.2.1 to have a comprehensive fire safety and emergency action plan shall comply with the emergency preparedness requirements of this section.

**404.2.1 Comprehensive fire safety/emergency action plan (Level 1).** A comprehensive fire safety and emergency action plan in accordance with FC401.4 shall be prepared for:

1. a high-rise or large-area Group B office building occupied or designed to be occupied by more than five hundred persons, or more than one hundred persons above or below the street level.
2. a Group B office occupancy occupied or designed to be occupied by a total of more than one hundred persons on one or more high-rise floors.
3. any other Group B office building, and any other Group B office occupancy, occupied or designed to be occupied by more than five hundred persons, or more than one hundred persons above or below the street level, that was required to have a fire safety director under the New York City Fire Prevention Code or this code prior to the effective date of this section.
4. any other Group B office building or occupancy as to which the commissioner determines that preparation of such a plan is in the interest of public safety given the location, use or occupancy of the building.

**Exception:** Office buildings and occupancies subject to FC404.2.1(1) and (2) that have lawfully installed an interior fire alarm system.

**404.2.2 Fire and life safety staff.** The comprehensive fire safety and emergency action plan required by FC401.4 shall designate FLS staff consisting of an FLS director, deputy FLS directors, FLS building evacuation supervisors, FLS wardens, deputy FLS wardens, FLS brigade members and searchers, to exercise the authority and perform the duties of their respective FLS assignments. FLS staff shall be provided with initial and refresher FLS staff training in accordance with FC401.4.5.2. FLS brigade members shall be trained in the use of portable fire extinguishers.

**404.3 Emergency preparedness in office buildings and occupancies with fire and emergency preparedness plans.** Group B office buildings and occupancies required by FC404.3.1 to have a fire and emergency preparedness plan shall comply with the emergency preparedness requirements of this section.

**404.3.1 Fire and emergency preparedness plan (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a Group B office building or occupancy occupied or designed to be occupied by more than five hundred persons, or more than one hundred persons above or below street level, other than buildings and occupancies subject to FC404.2.

**404.3.2 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that, in Group B office buildings and occupancies that are provided with voice communication capability (other than buildings and occupancies subject to FC404.2), there shall be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for emergency announcements and other fire safety duties.

## **SECTION FC 405 HOTELS, MOTELS AND OTHER TRANSIENT RESIDENTIAL OCCUPANCIES**

**405.1 General.** Group R-1 buildings and occupancies, including any hotel, motel, boarding house, hostel and single room occupancy, shall comply with the emergency preparedness requirements set forth in FC 401, 405.2, 405.3, 405.5 and 416.

Exceptions:

1. Homeless shelters and emergency shelters, which shall comply with FC 401, 405.4, 405.5 and 416.
2. Dormitories operated by or affiliated with educational institutions, which shall comply with the requirements of FC 401, 410 and 416.

**405.2 Emergency preparedness in transient residential buildings and occupancies with comprehensive fire safety/emergency action plans.** Group R-1 residential buildings and occupancies required by FC405.2.1 to have a comprehensive fire safety and emergency action plan shall comply with the emergency preparedness requirements of this section.

**405.2.1 Comprehensive fire safety/emergency action plan (Level 1).** A comprehensive fire safety and emergency action plan in accordance with FC401.4 shall be prepared for:

1. a high-rise Group R-1 residential building, including hotels and club houses providing similar accommodation.
2. a Group R-1 residential building or occupancy with a total of more than fifty sleeping rooms above street level, or communal sleeping facilities above street level occupied or designed to be occupied by a total of more than fifty lodgers, and which is provided with voice communication capability.

**405.2.2 Fire and life safety staff.** The comprehensive fire safety and emergency action plan required by FC405.2.1 shall designate FLS staff consisting of an FLS director, deputy FLS directors and a sufficient number of FLS brigade members to exercise the authority and perform the duties of their respective FLS assignments. FLS staff shall be provided with initial and refresher FLS staff training in accordance with FC401.4.5.2. FLS brigade members shall be trained in the use of portable fire extinguishers.

**405.3 Emergency preparedness in transient residential buildings and occupancies with fire and emergency preparedness plans.** Group R-1 residential buildings and occupancies required by FC405.3.1 to have a fire and emergency preparedness plan shall comply with the emergency preparedness requirements of this section.

**405.3.1 Fire and emergency preparedness plan (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a Group R-1 residential building or occupancy (other than buildings and occupancies subject to FC405.2) with a total of more than thirty sleeping rooms, or more than fifteen sleeping rooms above street level, or communal sleeping facilities occupied or designed to be occupied by a total of more than thirty lodgers, or more than fifteen lodgers above the street level.

**405.3.2 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that in Group R-1 buildings and occupancies provided with voice communication capability (other than buildings and occupancies subject to FC405.2) there shall be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for emergency announcements and other fire safety duties.

**Exception:** Any Group R-1 residential building or occupancy provided with voice communication capability that was required by the New York City Fire Prevention Code or this code prior to the effective date of this section to have a fire safety director present in the building during regular business hours shall retain such staffing.

**405.4 Emergency preparedness in homeless shelters and emergency shelters.** Group R-1 residential buildings or occupancies operated or occupied as a homeless shelter, and any emergency shelter, shall comply with the emergency preparedness requirements of this section.

**405.4.1 Comprehensive fire safety/emergency action plan (Level 1).** A comprehensive fire safety and emergency action plan in accordance with FC401.4 shall be prepared for:

1. a high-rise Group R-1 homeless shelter.
2. a Group R-1 homeless shelter that is provided with voice communication capability, and either has a total of more than fifty rooms above street level or has communal sleeping facilities above street level occupied or designed to be occupied by a total of more than fifty lodgers.

**405.4.2 Fire and life safety staff.** The comprehensive fire safety and emergency action plan required by FC405.4.1 shall designate fire and life safety staff in accordance with FC405.2.2.

**405.4.3 Fire and emergency preparedness plan (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a Group R-1 building or occupancy operated or occupied as a homeless shelter (other than buildings and occupancies subject to FC405.4.1), and any emergency shelter.

**405.4.4 Fire and emergency preparedness staff.** The fire and emergency preparedness plan required by FC405.4.3 shall designate an FEP shelter coordinator and a sufficient number of deputy FEP shelter coordinators, with such qualifications, duties and authority as set forth in the rules.

**405.4.4.1 FEP shelter coordinator.** The FEP shelter coordinator and deputy FEP shelter coordinators designated in the fire and emergency preparedness plan shall hold an FEP shelter coordinator certificate of fitness, and shall have the following duties and responsibilities and such other duties and responsibilities as prescribed by rule:

1. The FEP shelter coordinator shall be present in the building at all times while the building is occupied. When the FEP shelter coordinator is absent, a deputy FEP shelter coordinator shall be present in the building and shall perform the duties of the FEP shelter coordinator.
2. In the event of a fire, a medical emergency or other non-fire emergency, the FEP shelter coordinator shall report to the fire command center or designated alternative location, and, if appropriate, implement the fire and emergency preparedness plan in accordance with its terms and the provisions of the rules, and notify arriving emergency response personnel and incident commander of the fire or non-fire emergency, the building response thereto, and the building's fire protection systems.
3. The FEP shelter coordinator and deputy FEP shelter coordinators designated shall be fully familiar with the provisions of the fire and emergency preparedness plan. The FEP shelter coordinator shall conduct staff training and fire and non-fire emergency drills required by FC401.

**405.4.5 Fire guard patrols in emergency shelters.** Buildings or parts thereof occupied or operated to be occupied by emergency shelters shall be continuously patrolled by a fire guard. Every area of the building shall be patrolled at least once every hour.

**405.5 Fire and emergency notice.** There shall be posted on or immediately adjacent to the main entrance door of guest rooms in Group R-1 buildings and occupancies and any emergency shelter a notice that provides the following information and guidance to building occupants, and/or such other information as the commissioner may prescribe by rule:

1. A visual representation of the location to each exit stairwell, the route thereto, and the number of doors opening onto the public corridor that must be passed to reach each such stairwell.

2. Location of manual fire alarm boxes.
3. A written description and/or visual representation of the procedures to be followed in the event of a fire, smoke condition or other emergency.

## **SECTION FC 406 APARTMENT BUILDINGS**

**406.1 General.** Apartment buildings and other Group R-2 buildings and occupancies shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section.

**406.2 Emergency preparedness in apartment buildings.** Apartment buildings and other Group R-2 buildings and occupancies shall comply with the following emergency preparedness requirements:

**406.2.1 Fire emergency preparedness guide and notices (Level 3).** Fire and emergency preparedness guide and notices in accordance with FC401.7 and the rules shall be prepared, and periodically reviewed and amended, for a Group R-2 building or occupancy.

**406.2.2 Non-sequential or non-standard floor numbering.** The commissioner shall promulgate rules establishing requirements for the electronic submission of floor numbering lists to the department by owners of Group R-2 buildings or occupancies that are 150 feet (45 720 mm) or more in height, and such other occupancies as the commissioner may designate by rule. Such rules shall provide that each owner of a building with non-sequential or non-standard floor numbering, as defined by rule, shall submit to the department a floor numbering list indicating the floor numbers assigned to each floor, and submit an amended floor numbering list within 2 business days of a change in any floor numbering designation.

**406.2.3 Hurricane evacuation notices.** The owner of any Group R-2 building or occupancy within a hurricane evacuation zone, as designated by the commissioner of the office of emergency management, shall cause a hurricane evacuation notice to be posted within the building or occupancy. Such notice shall serve to inform building occupants of the current hurricane evacuation zone designation for that building and the methodology for determining their closest hurricane evacuation centers, through 311 or the online Hurricane Evacuation Zone finder. Such notice shall be in such form as prescribed by the commissioner by rule and shall be posted within a common area of the building and such other locations as set forth in the rules.

**406.3 Responsibility of cooperative or condominium apartment owners.** In Group R-2 buildings and occupancies with a cooperative or condominium form of ownership and management, the board of directors, condominium association or other party generally responsible for maintenance of common areas shall be responsible for the preparation and distribution of the fire and emergency preparedness guide, the posting and maintenance of fire and emergency preparedness notices in common areas, and the preparation and distribution to individual dwelling unit owners or proprietary lessees of fire and non-fire emergency notices for

dwelling unit doors, including instructions and the means for affixing the notice. The owners or proprietary lessees of the individual units in such residential buildings or parts thereof shall be responsible for the posting and maintenance of the fire and non-fire emergency notice on their respective dwelling unit doors.

## **SECTION FC 407 ASSEMBLY OCCUPANCIES**

**407.1 General.** Group A occupancies and public gathering places, other than Group A occupancies operated or occupied exclusively for purposes of religious worship that have an occupant load less than two thousand, shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section. Such occupancies and places shall additionally comply with fire safety precautions required pursuant to FC403.1.

**407.2 Emergency preparedness in assembly occupancies with comprehensive fire safety/emergency action plans.** Group A occupancies required by FC407.2.1 to have a comprehensive fire safety and emergency action plan shall comply with the emergency preparedness requirements of this section.

**407.2.1 Comprehensive fire safety/emergency action plan (Level 1).** A comprehensive fire safety and emergency action plan in accordance with FC401.4 shall be prepared for a Group A building with an occupancy of five thousand or more persons, or any other building or structure that houses one or more Group A occupancies where the combined occupancy of such Group A occupancies is five thousand or more persons.

**407.2.2 Fire and life safety staff.** The comprehensive fire and emergency action plan required by FC407.2.1 shall designate FLS staff consisting of an FLS director and such other FLS staff as the commissioner may prescribe by rule as appropriate for such building or occupancy. FLS staff shall be provided with initial and refresher FLS staff training in accordance with FC401.4.5.2. The commissioner may prescribe by rule that there be present during regular business hours one or more members of the FLS staff who hold a certificate of fitness for place of assembly fire safety.

**407.3 Emergency preparedness in assembly occupancies with fire and emergency preparedness plans.** Group A buildings or occupancies and public gathering places that are required by FC407.3.1 to have a fire and emergency preparedness plan shall comply with the emergency preparedness requirements of this section.

**407.3.1 Fire and emergency preparedness plan (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a Group A building or occupancy or public gathering place not subject to FC407.2 that:

1. is designed to be occupied by three hundred or more persons;
2. is provided with voice communication capability;

3. has a stage or in which entertainment or other activities that are the focus of attention are regularly conducted;
4. is occupied or designed to be occupied as a ballroom, dance hall or night club; or
5. is occupied or designed to be occupied as a bar, catering hall, restaurant or similar establishment, on one or more high-rise floors, including any rooftop area.

**407.3.2 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that in Group A buildings or occupancies and public gathering places that there be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for place of assembly fire safety.

**407.3.3 Assembly spaces without staff.** Halls or other assembly spaces that are rented or otherwise made available for events without dedicated staff, such as social halls in houses of worship and community organizations, are not required to prepare a fire and emergency preparedness plan pursuant to FC407.3.1.

**407.4 Seating plan.** A copy of the seating plan required for Group A occupancies by the Building Code shall be submitted to the department prior to occupancy. A seating plan depicting the arrangement of seating in a place of assembly, location of aisles and such other information as may be required by rule shall be submitted to the Department for its review and approval. A copy of the approved seating plan shall be maintained on the premises and made available for inspection by any department representative.

**407.5 Limitations on standing in Group A occupancies and public gatherings.** Where the Building Code, certificate of occupancy or approved seating plan allows audience members to stand at performing arts or other indoor or outdoor events at which seating is provided for the audience, standing areas shall be maintained in accordance with FC 407.5.1 through 407.5.4.

**407.5.1 Standing areas to be indicated.** The space to be occupied by standing audience members shall be separated from the space to be left clear for passage by a rope, tape or other thin material at a height of not less than 3 feet (914 mm) nor more than 4 feet (1219 mm) above the floor, supported by lightweight posts, all to be constructed and placed so as not to constitute an obstruction in case of panic or emergency. Such standing areas shall be clearly demarcated by durable markings on the floor indicating the boundaries of the standing area.

**Exception:** A single row of standees in an approved or other lawful area designated for such purpose in a performing arts theater, where the location for each such standee is durably marked in an approved manner.

**407.5.2 Standing in aisles.** It shall be unlawful to stand, or allow any person to stand, in or at the head of an aisle.

**407.5.3 Standing in passageways.** Standing is authorized in Group A occupancies and public gathering places in accordance with the following requirements.



1. If the passageway is more than 6 feet (1829 mm) and less than 16 feet (4877 mm) deep, persons may stand therein, provided an unobstructed passageway of at least 6 feet (1829 mm) in depth is left open, and there are no more than four rows of persons standing.
2. If the passageway is more than 16 feet (4877 mm) deep, any number of persons or rows of persons may stand therein, provided that an unobstructed passageway of at least 10 feet (3048 mm) in depth is left open.
3. In places of assembly having a passageway to the rear of the seats, 6 feet (1829 mm) or less in depth, and having in addition an outer passageway in the rear thereof, to which all aisle heads have straight and direct access, a maximum of two rows of persons may be permitted to stand in the passageway to the rear of such seats.

**407.5.4 Standing in balconies.** Only one row of persons shall be allowed to stand in balconies.

**407.6 Announcements.** In performing arts theaters or motion picture theaters, and in any other Group A occupancy in which there is a non-continuous performance or program, other than an occupancy regularly attended by the same audience, an audible announcement shall be made not more than 10 minutes prior to the start of each performance or program informing the occupants of the location of the exits to be used in the event of a fire or other emergency, provided, however, that in any theater the announcement may be projected upon a screen or other surface approved by the commissioner in a manner approved by the commissioner. Notwithstanding the foregoing, the commissioner may grant an exception from such requirement upon a determination that the occupancy has at least one exit clearly visible from every seat or standing area from which members of the audience are authorized to view the performance.

**407.7 Trade shows.** The owner of any Group A occupancy wherein a trade show or other similar temporary exhibition is to be conducted shall, at least one month before the date of such exhibition, submit to the department a written notice and a plan containing the following information and such other information and documentation as the commissioner may prescribe:

1. The dates, times, location, and nature of the trade show or other exhibition, and whether the event will be open to the public or restricted to the trade.
2. The design and arrangement of the trade show or other exhibition, including aisles, display booths, decorations and drapes, and equipment using any hazardous material or open flame.

**SECTION FC 408  
ASSISTED LIVING FACILITIES  
AND SIMILAR OCCUPANCIES**

**408.1 General.** Assisted living facilities, adult homes, community residences, congregate care facilities, enriched housing, halfway houses, intermediate care facilities, residential care facilities, social rehabilitation facilities, substance abuse rehabilitation centers and other Group I-1 buildings and occupancies in which building occupants are capable of self-preservation and capable of responding to a fire or other emergency without assistance from others shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section.

**408.2 Emergency preparedness in assisted living facilities and similar occupancies with fire and emergency preparedness plans (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a Group I-1 building or occupancy with more than twenty-five persons above or below street level.

**408.3 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that in Group I-1 buildings or occupancies provided with voice communication capability there shall be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for emergency announcements and other fire safety duties.

**408.4 Special drill requirements.** In addition to the requirements of FC401.7, persons residing in Group I-1 occupancies shall:

1. participate in a full building evacuation on an annual basis.
2. if capable of participating in an evacuation or in-building relocation without assistance, be trained to provide assistance to other such residents to the extent that their physical and mental abilities permit them to do so without additional personal risk.

**408.5 Fire and emergency notice.** A fire and emergency notice in accordance with FC405.5 shall be posted within each dwelling unit in the building or occupancy, on or immediately adjacent to the main entrance door to the dwelling unit.

**SECTION FC 409  
CORRECTIONAL FACILITIES AND OTHER  
SECURED FACILITIES**

**409.1 General.** Correctional facilities, secure psychiatric hospitals and other Group I-3 buildings and occupancies (including prisons, detention centers and pre-release centers) regulated by New York State Department of Correctional Services or the New York State Education Department, shall maintain the emergency preparedness staff and conduct the drills required by the regulations of the New York State Department of Correctional Services, and otherwise comply with the requirements of such regulations.

**409.2 Staffing and staff training.** The following staffing and staff training shall be provided in Group I-3 buildings and occupancies:

**409.2.1 Staffing.** In Group I-3 occupancies, staff trained in emergency preparedness procedures shall be in the building at all times, and within three floors or 300 feet (91 440 mm) horizontal distance of the access door of each resident housing area. Keys necessary for unlocking doors installed in a means of egress shall be individually identifiable by both touch and sight. When movement of occupants from one smoke compartment to another or egress from the building is impeded by staff-controlled manual releases, the staff responsible for controlling such movement or egress must be continuously available to initiate emergency procedures within 2 minutes of an alarm.

**Exception:** Staff shall not be required to be located within three floors or 300 feet (9144 mm) of areas in which all locks may be unlocked automatically in accordance with Section 408.4 of the Building Code.

**409.2.2 Staff training.** The staff responsible for emergency preparedness procedures in Group I-3 occupancies shall be trained in the use of portable fire extinguishers and other manual fire extinguishing equipment.

**409.2.3 Notification.** Provision shall be made to promptly notify emergency preparedness staff of a fire or non-fire emergency.

## **SECTION FC 410 EDUCATIONAL OCCUPANCIES**

**410.1 General.** Schools, colleges, universities and other Group B and Group E educational buildings and occupancies; Group R-1 dormitories operated by or on behalf of educational institutions; and Group E day care facilities shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section.

**410.2 Day care plans.** Group E educational buildings and occupancies regulated by the New York City Department of Health and Mental Hygiene shall prepare and maintain a written safety plan addressing fire safety, medical emergencies and evacuation procedures, in compliance with the rules or other requirements of that agency.

**410.3 Emergency preparedness in Group B educational occupancies with comprehensive fire safety/emergency action plans.** Group B educational buildings and occupancies required by FC410.3.1 to have a comprehensive fire safety and emergency action plan shall comply with the emergency preparedness requirements of this section.

**410.3.1 Comprehensive fire safety/emergency action plan (Level 1).** A comprehensive fire safety and emergency action plan in accordance with FC401.4 shall be prepared for:

1. a high-rise Group B educational building that is provided with voice communication capability.
2. a Group B educational occupancy occupied or designed to be occupied by a total of more than one hundred persons on one or more high-rise floors, that is provided with voice communication capability.

**410.3.2 Fire and life safety staff.** The comprehensive fire and life safety plan required pursuant to FC410.3.1 shall designate an FLS director and such other FLS staff as the commissioner may prescribe by rule as appropriate for the manner in which the building or occupancy, or floors thereof, is used or staffed.

**410.4 Emergency preparedness in educational occupancies and dormitories with fire and emergency preparedness plans.** Educational and dormitory buildings and occupancies required by FC410.4.1 to have a fire and emergency preparedness plan shall comply with the emergency preparedness requirements of this section.

**410.4.1 Fire and emergency preparedness plan (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for the following buildings and occupancies (other than buildings and occupancies subject to FC410.3):

1. a high-rise Group B educational building.
2. a high-rise Group E educational building.
3. a Group B educational occupancy occupied or designed to be occupied by a total of more than one hundred persons on one or more high-rise floors.
4. a Group E educational occupancy occupied or designed to be occupied by a total of more than one hundred persons on one or more high-rise floors.
5. a high-rise Group R-1 dormitory building.
6. a Group R-1 dormitory building or occupancy, with a total of more than fifty sleeping rooms above street level, or communal sleeping facilities above street level occupied or designed to be occupied by a total of more than fifty lodgers.

**410.4.2 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that in a Group B, E or Group R-1 dormitory building or occupancy subject to FC410.4.1 that is provided with voice communication capability there shall be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for emergency announcements and other fire safety duties.

**410.4.3 Fire and emergency notice.** In Group R-1 dormitory buildings or occupancies subject to FC410.4.1, a fire and emergency notice in accordance with FC405.5 shall be

posted within each dwelling unit in the building or occupancy, on or immediately adjacent to the main entrance door to the dwelling unit.

**410.5 Emergency preparedness in dormitories without fire and emergency preparedness plans.** Group R-1 dormitory buildings and occupancies, other than buildings and occupancies subject to FC410.4, shall comply with the following emergency preparedness requirements:

**410.5.1 Fire and emergency preparedness guide and notices (Level 3).** Fire and emergency preparedness guide and notices in accordance with FC401.6 and the rules shall be prepared, and periodically reviewed and amended, for a Group R-1 dormitory.

**410.6 Special drill requirements.** Fire and non-fire emergency drills shall be conducted in all educational buildings and occupancies and dormitories in accordance with FC401.7 and the rules. The frequency and timing of drills in educational occupancies shall be in accordance with the New York State Educational Law. Group E occupancies shall establish procedures for accounting for students after they have been relocated or evacuated during a drill.

## **SECTION FC 411 FACTORIES**

**411.1 General.** Group F buildings and occupancies shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section, except that Group F buildings and occupancies regulated by New York State Labor Law §279 shall maintain the emergency preparedness staff and conduct the drills required by the rules of the New York City Board of Standards and Appeals, as set forth in 2 RCNY §9-01, and otherwise comply with the requirements of such rules, and, if located in a mixed-occupancy building, shall additionally comply with the requirements of FC416.

**411.2 Emergency preparedness in factories with fire and emergency preparedness plans (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a Group F building and occupancy with more than twenty-five persons above or below street level during regular business hours.

## **SECTION FC 412 HIGH HAZARD OCCUPANCIES**

**412.1 General.** Group H buildings and occupancies shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section, except that such requirements shall not apply to Group H buildings and occupancies that have prepared one or more of the following plans in compliance with applicable requirements:

1. An emergency action plan in accordance with the regulations of the United States Department of Labor, as set forth in 29 CFR Section 1910.119.

2. A contingency plan and emergency procedures in accordance with the regulations of the New York State Department of Environmental Conservation, as set forth in 6 NYCRR Part 373.
3. A risk management plan in accordance with the rules of the New York City Department of Environmental Protection, as set forth in 15 RCNY §41-08.

**412.2 Emergency preparedness in high-hazard buildings and occupancies with fire and emergency preparedness plans (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a Group H building and occupancy with more than twenty-five persons above or below street level during regular business hours, excluding Group H buildings and occupancies required to comply with FC412.1(1), (2) or (3).

**412.3 Group H-5 occupancies.** Group H-5 occupancies shall additionally comply with the requirements of Sections 412.3.1 through 412.3.4.

**412.3.1 Plans and diagrams.** Plans and diagrams shall be maintained in an approved location on the premises indicating the plan for each area, the amount and type of HPM stored, handled and used, locations of shutoff valves for HPM supply piping, emergency telephone locations and locations of exits.

**412.3.2 Periodic review and revision.** The plans and diagrams required by FC412.3.1 shall be maintained up to date and the department shall be notified of all changes in use or occupancy, and design and arrangement of the premises.

**412.3.3 Emergency response team.** On-site emergency response personnel shall be familiar with the HPM stored, handled or used on the premises. Responsible persons shall be designated to an on-site emergency response team. An emergency response team shall be staffed for each workshift to coordinate their emergency response activities with emergency response personnel, and shall cooperate with the department in planning emergency responses.

**412.3.4 Emergency response drills.** Emergency drills of the on-site emergency response team shall be conducted on a regular basis but not less than once every 3 months. Records of emergency drills conducted shall be maintained in the same manner as records of fire and non-fire emergency drills.

## **SECTION FC 413 HOSPITALS, NURSING HOMES AND OTHER PATIENT AND RESIDENTIAL CARE FACILITIES**

**413.1 General.** Hospitals, nursing homes, adult homes, ambulatory care facilities, community residences, enriched housing, intermediate care facilities and other Group I-2 buildings and occupancies caring for or housing more than three persons not capable of self-preservation and not capable of responding to a fire or other emergency without assistance from others shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section.

**413.2 Emergency preparedness in patient and residential care facilities with fire and emergency preparedness plans (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for a hospital, nursing home, ambulatory care facility or other Group I-2 building or occupancy.

**413.3 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that in all Group I-2 buildings or occupancies provided with voice communication capability there shall be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for emergency announcements and other fire safety duties.

**413.4 Drills.** Fire and non-fire emergency drills in Group I-2 buildings and occupancies may be conducted in accordance with the provisions of FC 413.4.1 and 413.4.2.

**413.4.1 Coded alarm signal.** During drills, coded announcements may be made in lieu of an audible alarm to alert medical and other fire and emergency preparedness staff of such drill.

**413.4.2 Relocation of patients.** During drills, the in-building relocation of patients to safe areas or to the exterior of the building is not required.

**413.5 FEP staff training.** FEP staff training may be conducted throughout the entire building or occupancy or in specific areas thereof, but training shall be conducted in all areas of the building or occupancy within each 1 year period. Such training shall be conducted at least once each month for a total of not less than twelve training drills per year, as follows: at least three drills during the day shift; at least six drills during the evening shift, and at least three drills during the night shift.

## **SECTION FC 414 MERCANTILE OCCUPANCIES AND COVERED MALLS**

**414.1 General.** Department stores, retail and wholesale stores and other Group M buildings and occupancies, including covered malls, shall comply with the emergency preparedness requirements set forth in FC 401, 416 and this section.

**414.2 Emergency preparedness in mercantile occupancies with comprehensive fire safety/emergency action plans.** Group M occupancies that are required by FC414.2.1 to have a comprehensive fire safety and emergency action plan shall comply with the emergency preparedness requirements of this section.

**414.2.1 Comprehensive fire safety/emergency action plan (Level 1).** A comprehensive fire safety and emergency action plan in accordance with FC401.4 shall be prepared for:

1. a high-rise Group M building.

2. a building with one or more Group M occupancies with an aggregate area of more than 300,000 square feet (27 870 m<sup>2</sup>) on high-rise floors.
3. a covered mall of more than 300,000 square feet (27 870 m<sup>2</sup>).

**414.2.2 Fire and life safety staff.** The comprehensive fire safety and emergency action plan required by FC414.2.1 shall designate FLS staff consisting of an FLS director and such other FLS staff as the commissioner may prescribe by rule as appropriate for such building or occupancy, including building occupants designated by lessees of tenant spaces and similar occupancies. FLS staff shall be provided with initial and refresher FLS staff training in accordance with FC401.4.5.2.

**414.3 Emergency preparedness in mercantile buildings and occupancies with fire and emergency preparedness plans.** Group M buildings and occupancies required by FC414.3.1 to have a fire and emergency preparedness plan shall comply with the emergency preparedness requirements of this section.

**414.3.1 Fire and emergency preparedness plan (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for the following buildings and occupancies (other than buildings and occupancies subject to FC414.2):

1. a Group M occupancy of more than 30,000 square feet (2787 m<sup>2</sup>), in which more than twenty-five persons are employed during regular business hours.
2. a building with one or more Group M occupancies with an aggregate area of more than 30,000 square feet (2787 m<sup>2</sup>) in which more than twenty-five persons are employed during regular business hours.
3. a covered mall of more than 30,000 square feet (2787 m<sup>2</sup>).

**414.3.2 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that in a Group M building or occupancy provided with voice communication capability, other than buildings and occupancies subject to FC414.2, there shall be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for emergency announcements and other fire safety duties.

**414.4 Special circumstances.** The commissioner shall, under circumstances prescribed by rule, modify the emergency preparedness requirements for any Group M building or covered mall where the configuration of such building or covered mall, including its pedestrian areas and means of egress, is such that the purposes of this section would be better served by requiring a different type of emergency preparedness plan or reducing the level of the emergency preparedness plan and/or staffing. The owner may request guidance from the department as to the appropriate emergency preparedness plan to be prepared for such a building or covered mall prior to preparation of the emergency preparedness plan required by this section. Such request shall be accompanied by a floor plan and other appropriate documentation of the configuration of the building or covered mall.



## **SECTION FC 415 WAREHOUSES AND OTHER STORAGE OCCUPANCIES**

**415.1 General.** Warehouses and other Group S buildings shall comply with the emergency preparedness requirements set forth in FC401, FC416, and this section.

**415.1.1 Emergency preparedness in buildings and occupancies with fire and emergency preparedness plans (Level 2).** A fire and emergency preparedness plan in accordance with FC401.5 shall be prepared for:

1. a high-rise or large area Group S building in which more than twenty-five persons are employed during regular business hours.
2. a non-high-rise Group S building with an aggregate of more than 20,000 square feet (1858 m<sup>2</sup>) of high-piled combustible storage.

**415.1.2 Fire and emergency preparedness staff.** The commissioner may prescribe by rule that in a Group S building or occupancy provided with voice communication capability there shall be present during regular business hours one or more members of the FEP staff required pursuant to FC401.5.5 who hold a certificate of fitness for emergency announcements and other fire safety duties.

## **SECTION FC 416 MIXED OCCUPANCY BUILDINGS**

**416.1 General.** The owners of a mixed-occupancy building and each occupancy within such building required to have an emergency preparedness plan pursuant to this chapter shall comply with the emergency preparedness requirements of this section with respect to such building and occupancies.

**416.2 Single plan.** In lieu of a separate Level 1 or 2 emergency preparedness plan for each occupancy, a single emergency preparedness plan may be developed for the entire building or multiple occupancies within a single building, provided that it meets or exceeds the level of emergency preparedness required for each occupancy.

**416.3 Coordination of plans.** The owner preparing an emergency preparedness plan for an occupancy in a mixed-occupancy building shall consult the owner responsible for preparing the emergency preparedness plan for each other occupancy within such building with respect to evacuation and in-building relocation procedures, including use of stairwells and elevators and designation of in-building relocation areas and assembly areas.

**416.4 Coordination of drills.** The owner of a mixed-occupancy building and the owner of each occupancy within such a building required to conduct emergency preparedness drills pursuant to this chapter shall conduct a coordinated drill at least once every 2 years.

**416.5 Communications.** The owner of a mixed-occupancy building and the owner of each occupancy within such a building required to have emergency preparedness plan pursuant to this chapter shall arrange for a means of communication between their respective FLS directors, FEP coordinators and/or designated FEP staff, in the event of a fire or other emergency. Such communications may be by telephone (other than a telephone requiring a coin to operate), text message, e-mail, walkie-talkie, or other approved means.

**416.6 Notification of fires and non-fire emergencies and coordination of responses.** In the event of a fire or other emergency in a mixed-occupancy, notification shall be made to the other occupancies and, if necessary, the emergency preparedness staffs of the respective occupancies shall coordinate their responses to the emergency, as follows:

**416.6.1 Fires.** An FLS director, FEP coordinator and/or a designated emergency preparedness staff member who becomes aware of fire on the premises shall promptly notify the FLS director, FEP coordinator and/or designated staff in the other occupancies in the mixed-occupancy building. The staffs shall coordinate the evacuation, in-building relocation and/or sheltering in place of their respective building occupants, and other matters requiring coordination pursuant to their emergency preparedness plans.

**416.6.2 Non-fire emergencies.** An FLS director, FEP coordinator and/or a designated emergency preparedness staff member who becomes aware of a non-fire emergency shall promptly notify the FLS director, FEP coordinator and/or designated emergency preparedness staff for any other occupancy that could be affected by such emergency, or who is situated in the building's entrance lobby and who would be first encountered by firefighters or other emergency personnel responding to the emergency.