



BOMA/NY steps up advocacy on safety at City Hall

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BOMA/NY has been a steady presence at City Hall and related New York City agencies and most recently, testified at the invitation of the FDNY on three proposed changes to the Commissioner's Rules segment of the new Fire Code.

Representing BOMA/NY was Ronald Zeccardi, vice president and director of property management for Muss Development, Inc, and the co-vice chair of the Codes & Regulations/Government Affairs Committee. Zeccardi laid out the BOMA/NY positions, which are rooted in practical application/safety considerations, "to be constructive and further improve the interdependent relationship between our two organizations."

The positions are under consideration now and include:

1. #404-02 Building Emergency Action Plans

Proposed new language simplifies the rules, but simpler is not safer. The new rule still calls for stairwell familiarization drills on all floors every three years, but does not address the old requirement that the drill be undertaken on all floors simultaneously.

BOMA/NY asked for clarification of "all floors simultaneously" and asked that it encompass "building-wide, in-building relocation or building-wide stairwell familiarization drill."

2. RCNY #907-01 Unnecessary/unlawful fire alarms

While BOMA/NY certainly understands the need to reduce unlawful or unnecessary fire alarms and the burden they place on the FDNY, it also feels that the reduction of the allowable amount of such alarms - down to 2 every six months from 3 - would affect safety for economic reasons.

Under the new rules, the first time an unlawful/unnecessary alarm goes off, the building is issued a Notice of Violation (NOV), which can be corrected and self-certified within 35 days. If it is not, a building representative must appear in court. The court will assess a fine - regardless of the case outcome - for taking up time on the court docket. If a building receives a second NOV within the next three months, it is considered a repeat offense, which cannot be self-certified. The penalties more than double.

Cost-wise, it is quite possible that a building receiving two NOVs in a three-month period could pay \$6,000 in fines: \$1,000 for the first offense and \$5,000 as a repeat offender.

Some in the industry believe that such fines may cause some buildings to take their alarms off-line to avoid such penalties. BOMA/NY felt a better approach is to have alarms calibrated to sound only in the event of a true emergency.

3. #113-02 and 113-03 EAP and FSD Continuing Education

Education is at the heart of BOMA/NY and so the association easily lent its approval to the proposed changes requiring on-going training in operations, maintenance and record-keeping after FDNY Certificates of Fitness have been acquired. It benefits all to be well versed in the latest techniques of safety and preparedness.

