



## **Building owners need to complete their Local Law 26 requirements to improve safety**

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In September it will be seven years since the September 11 terrorist attacks on the World Trade Center. In the wake of the 9/11 tragedy, city officials, real estate owners, property managers, architects and construction professionals reviewed and revised the city's high-rise building codes in an effort to improve building safety. The majority of building owners have completed their Local Law 26 requirements to improve safety for building occupants, however too many have not. There are a large number of owners who have not completed their LL26 compliance work due to the expense or simply out of ignorance of their legal obligation to do so.

A large number of clients of Hyline Safety Company who relied on us to install LL26 Photoluminescent Egress Guidance Systems have been calling my office in recent days. Many property owners have received Violations Notices about the following provision of Local Law 26:

### **Emergency Power Source for Exit Signs**

Local Law 26 requires office buildings, education buildings, hotels, and mercantile buildings over 75 feet to connect an emergency power source or storage battery equipment to all illuminated exit signs.

Owners of all existing buildings that are required to comply with the provisions of subdivision (c) of section 27-384 (power source of exit signs) shall file with the department, on or before July 1, 2007, a report of an architect or engineer certifying that all required exit and/or directional signs are connected to an emergency power source or to storage battery equipment...

This requirement applies to a few thousand Office Buildings, Educational Buildings, Hotel Buildings, High-rise >75 ft mercantile, high-rise >75 ft. industrial, high-rise > 75 ft. institutional buildings.

For the applicable buildings all illuminated exit signs must be provided with an emergency power source or storage battery equipment meeting the requirements of the Department of Buildings, whether or not these exit signs are on circuits that are separate from the general lighting and power circuits taken off ahead of the main switch.

While most buildings already have the proper signs they have not submitted their required report to the DOB proving their compliance. The DOB is cracking down on Life Safety issues and even if you are in compliance your property needs to file the required reports or the DOB does not consider your property in compliance.

One of the first changes that went into effect under LL26 relates to improving occupancy signage to show occupants of commercial high-rise buildings the way out if power is lost or smoke obscures overhead lighting. There is now a law (LL26 RS 6-1) calling for photo luminescent (glow-in-the-dark) exit path markings and directional signs (installation deadline was July 1, 2006). The required photoluminescent low mounted egress markings make emergency evacuations run more efficiently and help to provide safe evacuation in emergency situations such as power outages, fire and

resulting smoke conditions. Many building owners and managers continue to act surprised by this law. Hyline Safety Company continues to install LL26 glow-in-the-dark systems through NYC.

Though these revisions to the high-rise building codes have now become law, the process of implementing the requirements has truly just begun. There likely will be further modifications to existing laws and the laws applied will likely extend into other occupancy groups to improve all buildings safety irrespective of their zoning classification.

With all the new changes, property owners and managers, life / fire safety and security officers responsible for such issues need to know if new codes apply to their building and what is necessary to be code-compliant. They must actively conduct property and hazard risk assessments. Owners/managers are encouraged to seek expert advice to make informed decisions about the measures needed to be code-compliant and the retrofit and new construction costs associated with new code compliance.

Many building owners have been actively working on or have already completed their Office Building Emergency Action Plan. A professionally prepared Emergency Action Plan establishes best practices and accounts for numerous possible scenarios. Safety threats come in many forms and evacuation can place occupants of a building in harms way if the situation does not call for an evacuation. Building managers are required to communicate with tenants about the proper emergency response and evacuation or in building relocation (seeking inner areas of refuge) procedures, and conduct requisite semi-annual drills so that tenants are aware of the safety systems and exit procedures in their buildings. Building owners/managers must submit their EAP to FDNY, to ensure that their plans meet with city standards and the property has established a well conceived plan in advance of any incident.

According to the DOB many buildings have not filed the required reports of compliance for assorted requirements of Local Law 26. Eventually building owners will receive DOB violations for non-filing of the required reports. The Environmental Control Board sets the penalties for noncompliance. Fines begin at \$500 and can go up to \$5,000 per violation, if their are recurring violations of safety rules fines go up from there for each subsequent inspection. Additionally, the FDNY has joint jurisdiction to issue their own violations under the New York City Fire Prevention Code, and the FDNY has its own penalty schedules.

For building owners the fines are a nuisance and can be costly but this only scratches the surface of the real issue. The much more important issue owners need to realize is their liability exposure. A local law requirement designed to improve safety has been decreed; Disobeying this law opens property owners up to the potential for being held criminally negligent if a tragedy should occur as a result of non-compliance.

Property owners are well advised to look to Local Law Compliance experts to inform them of the many revisions and additions to local laws and building codes taking place to help improve high-rise building safety. Building owners should count on additional modifications that will be required to improve safety for their buildings' occupants occurring in the coming months and years.

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