



NYC officials are clamping down on building and business owners who violate fire safety rules

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New York City officials are clamping down on building and business owners who violate fire safety rules. Since last summer, 221 people have been arrested (104 in the last week), and more than \$50,000 in fines issued as stated in the June 10, 2008 NY Times.

In the past, violations orders were issued, but follow up was inconsistent. The Department of Investigation is now aggressively tracking violators, issuing warrants when necessary. In addition to addressing public safety issues, the continued citywide sweep underscores the serious consequences of ignoring the fire code.

This new surge in enforcement coincides with the City Council's enactment of a new Fire Code for New York City. The new code supersedes the old Fire Prevention Code which is almost a century old. The legislation, Local Law No. 26, was signed by Mayor Bloomberg on June 3, 2008, and took effect on July 1, 2008.

One of the provisions addresses the maintenance of fire rated barriers. By containing the fire and limiting the migration of smoke and toxic fumes, fire rated barriers help to preserve a route of safe egress and limit potential damage and loss of life. Three quarters of fire-related deaths are caused by smoke inhalation. The smallest opening in a barrier acts as a conduit to adjacent areas, including other floors. Areas often overlooked are top of wall joints, pipe chases, and electrical/telecom closets. The maintenance of compromised fire barriers is a common problem as alterations are made to accommodate the changing needs of the building's occupants.

The code requires that "the fire resistance rating of fire-resistance rated construction (including walls, fire stops, shaft enclosures, partitions and floors) shall be maintained. Such elements shall be properly repaired, restored or replaced when damaged, altered, breached or penetrated. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings, and holes made for any reason shall be protected with approved methods capable of resisting the passage of smoke and fire." (Fire Code 703.1)

Owners of existing buildings or businesses will be held responsible for compliance with the new maintenance requirements. Some owners may have knowingly flouted the fire codes, but many just assume they are in compliance. All too often, building managers rely on the tradesmen who create the openings to restore the barrier. Alternately, they depend on their maintenance staff to fill the holes.

Unfortunately, tradesmen and maintenance staff often lack the knowledge and training necessary to

choose from among the over 4,500 systems that are approved for a specific opening. The gaps are filled with joint compound, foam, mortar, grout, or a number of seemingly appropriate material. However, without the correct firestop system, the fire rating will not be restored. A firestop system requires, not only the correct material, but proper installation for the particular opening. To be effective, each system must be installed as it was tested in the laboratory.

FM4991 certified firestop contractors are trained to select and install the appropriate system. They adhere to the strict standards of the Firestop Contractors International Association (FCIA). A good firestop contractor takes full responsibility for compliance, providing the client with all necessary documentation.

In light of recent disasters, a growing number of potential building occupants are demanding building safety, and are seeking more secure facilities. In addition to improving public safety, building owners who rely on FM4991 certified firestop contractors avoid potential liability and ultimately improve their bottom line.

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