



## **New rules for fire safety guides, checklists and Close The Door signs deadline April 30 - by Evan Lipstein**

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The FDNY has just formalized a new rule 3 RCNY 401-06, entitled, “Fire and Emergency Preparedness Guide, Checklist and Notices.” The FDNY adopted this new rule to implement the provisions of Local Laws 114 and 115 of 2018.

Local Law 114 directed the fire department to develop, in consultation with the Department of Emergency Management (NYCEM) and the Mayor’s Office for People with Disabilities (MOPD), an emergency-planning checklist. This checklist must be given to all apartment building residents, including individuals with limited mobility or other disabilities or special needs, to assist in the development of individualized emergency evacuation plans. The checklist inform residents about the availability of evacuation assistance devices and other means of evacuation and recommended measures that individuals with disabilities or limited mobility should take to prepare to evacuate a building in case of emergency, such as identifying neighbors who can provide assistance in an emergency.

There are special areas of concern when it comes to fire safety in apartment buildings. Families in apartment buildings live close together; affecting each other’s risks associated with fire. While the chances of a fire starting in an apartment are about the same as in a private home, apartment fires have the potential to spread fire, heat and smoke throughout the building affecting the safety of all occupants.

Since 2000, New York City has required apartment building owners to print and distribute residential fire safety guides to apartment building residents and building staff, and to post fire safety notices on the inside of dwelling unit entrance doors and in building lobbies. The purpose of these fire safety guides and notices is to promote fire safety and fire prevention in apartment buildings; help educate residents and building staff about the design and construction of their building, including construction type, fire protection systems and means of egress; and outline emergency procedures to assist residents in the event that they are confronted by a fire and need to determine what action to take to protect themselves and their families.

This new law applies to all residential apartment buildings and occupancies classified in Occupancy Group R-2 except any building or occupancy that is occupied as a homeless shelter and that has a fire alarm system with voice communication capability, school dormitories, college and university dormitories, and student apartments.

The fire department is mandating distribution of an emergency preparedness/evacuation planning checklist to all apartment residents. If you print the guide and checklist it must be printed as a single-sided or double-sided document, stapled or bound, in full-page or booklet format with a page size not smaller than 8.5x11 inches nor larger than 8.5x14 inches. Instead of a printed copy, the owner may distribute the fire and emergency preparedness guide by email if the building residents have provided email addresses. The law further requires that the distribution of the fire and emergency preparedness guide is documented by a USPS certificate of mailing or other proof of mailing, or, if hand delivered, by receipt signed by the building's residents or the building staff member, or by sworn affidavit of the employee or agent of the owner who actually delivered the fire and emergency preparedness guide identifying the date and manner of delivery and the dwelling units to which it was delivered or the names of the building residents or building staff who received it. There is a record keeping requirement, owners must maintain a printed record of the distribution of fire and emergency preparedness guides sent by electronic transmission to show record that they were delivered to residents.

The purpose of the fire and emergency preparedness notice serves to inform building residents and building staff about evacuation procedures and to provide other guidance in the event of a fire or non-fire emergency in the building or occupancy. These notices must be printed and mounted in the following locations: On the inside of every dwelling unit door of each dwelling unit in the building and in a conspicuous location near any common mailbox area customarily used by building occupants, or if there is no common mailbox area, in a conspicuous location in or near the elevators or main stairwell. Each fire and emergency preparedness notice shall be securely affixed, no lower than four feet from the floor, nor higher than five and a half feet from the floor.

The FDNY will also require apartment buildings to post a sign indicating that those escaping a fire should close all doors behind them. The mandated sign must read: "In a Fire, Close All Doors Behind You! Keep Fire and Smoke Out of Building Hallways and Stairs. Keep Apartment and Stairwell Doors Closed at All Other Times. Protect Your Neighbors and Your Home!" The mandated rule posting is on the public hallway side of stairwell doors. The purpose of the "Close The Door" sign is to provide a clear, visible reminder to building residents of the importance of closing each door as one exits one's apartment and building during a fire. Closing these doors serves to contain the fire and smoke within the apartment, assist in firefighting operations and prevent smoke from entering the stairwells through which building residents may need to evacuate.

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