

CHAPTER 4

EMERGENCY PLANNING AND PREPAREDNESS

SECTION 401 GENERAL

401.1 Scope. Reporting of emergencies, coordination with emergency response forces, emergency plans, and procedures for managing or responding to emergencies shall comply with the provisions of this section.

Exception: Firms that have approved on-premises fire-fighting organizations and that are in compliance with approved procedures for fire reporting.

401.2 Approval. Where required by this code, fire safety plans, emergency procedures, and employee training programs shall be approved by the code enforcement official.

401.3 Emergency forces notification. In the event an unwanted fire occurs on a property, the owner or occupant shall immediately report such condition to the fire department. Building employees and tenants shall implement the appropriate emergency plans and procedures. No person shall, by verbal or written directive, require any delay in the reporting of a fire to the fire department.

401.3.1 Reserved.

401.3.2 Alarm activations. Upon activation of a fire alarm signal, employees or staff shall immediately notify the fire department.

401.3.3 Emergency evacuation drills. Nothing in this section shall prohibit the sounding of a fire alarm signal for the carrying out of an emergency evacuation drill in accordance with the provisions of Section 405.

401.4 Security device. Any security device or system that emits any medium that could obscure a means of egress in any building, structure or premise shall be prohibited.

SECTION 402 DEFINITIONS

402.1 Definition. The following word and term shall, for the purposes of this chapter and as used elsewhere in this code, have the meaning shown herein.

EMERGENCY EVACUATION DRILL. An exercise performed to train staff and occupants and to evaluate their efficiency and effectiveness in carrying out emergency evacuation procedures.

SECTION 403 PUBLIC ASSEMBLAGES AND EVENTS

403.1 General. When, in the opinion of the code enforcement official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall pro-

vide one or more fire watch personnel, as required and approved, to remain on duty during the times such places are open to the public, or when such activity is being conducted. The fire watch personnel shall keep diligent watch for fires, obstructions to means of egress and other hazards during the time such place is open to the public or such activity is being conducted and take prompt measures for remediation of hazards, extinguishment of fires that occur and assist in the evacuation of the public from the structures.

403.1.1 Public safety plan. Except in Group A or E occupancies, where the code enforcement official determines that an indoor or outdoor gathering of persons has an adverse impact on public safety through diminished access to buildings, structures, fire hydrants and fire apparatus access roads or where such gatherings adversely affect public safety services of any kind, the code enforcement official shall have the authority to order the development of, or prescribe a plan for, the provision of an approved level of public safety. See Part 18 of NYS Sanitary Code, Title 10 NYCRR, for outdoor gatherings.

403.1.2 Contents. The public safety plan, where required by Section 403.1.1, shall include provisions for emergency vehicle access, fire protection, pedestrian and vehicle access for attendees and emergency services personnel, vendor and food concession distribution, and parking. The public safety plan shall be submitted to the code enforcement official for approval.

SECTION 404 FIRE SAFETY AND EVACUATION PLANS

404.1 General. Fire safety and evacuation plans shall comply with the requirements of this section.

404.2 Where required. An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

1. Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 2,000.
2. Group B, when any of the following conditions are met:
 - 2.1. The building is occupied by more than 500 persons; or
 - 2.2. There are more than 100 occupants below the lowest level of fire department vehicle access or above the highest level of fire department vehicle access.
3. Group E.
4. Group H.
5. Group I.
6. Group R-1.

7. Group R-4.
8. High-rise buildings.
9. Group M buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
10. Covered malls exceeding 50,000 square feet (4645 m²) in aggregate floor area.
11. Underground buildings.
12. Buildings with an atrium and having an occupancy in Group A, E or M.
13. Group R-3 bed and breakfast dwellings.
14. Group R-2 senior citizen housing.

404.3 Contents. Fire safety and evacuation plan contents shall be in accordance with Sections 404.3.1 and 404.3.2.

404.3.1 Fire evacuation plans. Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for accounting for employees and occupants after evacuation has been completed.
4. Identification and assignment of personnel responsible for rescue or emergency medical aid.
5. The preferred and any alternative means of notifying occupants of a fire or emergency.
6. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
7. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
8. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

404.3.2 Fire safety plans. Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy and procedures for notifying, relocating, or evacuating occupants.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:

- 4.1. Exits.
- 4.2. Primary evacuation routes.
- 4.3. Secondary evacuation routes.
- 4.4. Accessible egress routes.
- 4.5. Areas of refuge.
- 4.6. Manual fire alarm boxes.
- 4.7. Portable fire extinguishers.
- 4.8. Occupant-use hose stations.
- 4.9. Fire alarm annunciators and controls.

5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

404.4 Maintenance. Fire safety and evacuation plans shall be reviewed or updated annually or as necessitated by changes in staff assignments, occupancy, or the physical arrangement of the building.

404.5 Availability. Fire safety and evacuation plans shall be available in the workplace for reference and review by employees, and copies shall be furnished to the code enforcement official for review upon request.

404.6 Evacuation notices. In Group R-1 occupancies, Group R-3 bed and breakfast dwellings and Group R-2 senior citizen housing occupancies, a notice shall be posted on the exit door from each sleeping unit or dwelling unit that shall include the following information:

1. Location of nearest exits and fire alarms;
2. Procedures to be followed when a fire or smoke detector gives warning; and
3. Procedures to be followed in the event of fire or smoke development.

SECTION 405 EMERGENCY EVACUATION DRILLS

405.1 General. Emergency evacuation drills complying with the provisions of this section shall be conducted in the occupancies listed in Section 404.2. Drills shall be designed in cooperation with the local authorities.

405.2 Frequency. Required emergency evacuation drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure.

**TABLE 405.2
FIRE AND EVACUATION DRILL
FREQUENCY AND PARTICIPATION**

| GROUP OR OCCUPANCY | FREQUENCY | PARTICIPATION |
|------------------------|-------------------------|------------------------|
| Group A | Quarterly | Employees |
| Group B ^a | Three Annually | All occupants |
| Group B ^c | Two Annually | All occupants |
| Group E ^a | Monthly ^a | All occupants |
| Group I | Quarterly on each shift | Employees ^b |
| Group R-1 | Quarterly on each shift | Employees |
| Group R-2 ^a | Four Annually | All Occupants |
| Group R-4 | Quarterly on each shift | Employees ^b |

- a. Applicable to Group B or Group R-2 college or university facilities and Group E occupancies, in conformance with Section 408.3.
- b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.
- c. Applicable when any of the following conditions are met:
1. An occupied floor is more than 75 feet above the lowest level of fire department vehicle access.
 2. The building is occupied by more than 500 persons.
 3. There are more than 100 occupants below the lowest level of fire department vehicle access or above the highest level of fire department vehicle access.

405.3 Leadership. Responsibility for the planning and conduct of drills shall be assigned to competent persons designated to exercise leadership.

405.4 Time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

405.5 Record keeping. Records shall be maintained of required emergency evacuation drills and include the following information:

1. Identity of the person conducting the drill.
2. Date and time of the drill.
3. Notification method used.
4. Staff members on duty and participating.
5. Number of occupants evacuated.
6. Special conditions simulated.
7. Problems encountered.
8. Weather conditions when occupants were evacuated.
9. Time required to accomplish complete evacuation.

405.6 Notification. Where required by the code enforcement official, prior notification of emergency evacuation drills shall be given to the code enforcement official.

405.7 Initiation. Where a fire alarm system is provided, emergency evacuation drills shall be initiated by activating the fire alarm system.

405.8 Accountability. As building occupants arrive at the assembly point, efforts shall be made to determine if all occupants have been successfully evacuated or have been accounted for.

405.9 Recall and reentry. An electrically or mechanically operated signal used to recall occupants after an evacuation shall be separate and distinct from the signal used to initiate the evacuation. The recall signal initiation means shall be manually operated and under the control of the person in charge of the premises or the official in charge of the incident. No one shall reenter the premises until authorized to do so by the official in charge.

SECTION 406 EMPLOYEE TRAINING AND RESPONSE PROCEDURES

406.1 General. Employees in the occupancies listed in Section 404.2 shall be trained in the fire emergency procedures described in their fire evacuation and fire safety plans. Training shall be based on these plans and as described in Section 404.3.

406.2 Frequency. Employees shall receive training in the contents of fire safety and evacuation plans and their duties as part of new employee orientation and at least annually thereafter. Records shall be kept and made available to the code enforcement official upon request.

406.3 Employee training program. Employees shall be trained in fire prevention, evacuation and fire safety in accordance with Sections 406.3.1 through 406.3.3.

406.3.1 Fire prevention training. Employees shall be apprised of the fire hazards of the materials and processes to which they are exposed. Each employee shall be instructed in the proper procedures for preventing fires in the conduct of their assigned duties.

406.3.2 Evacuation training. Employees shall be familiarized with the fire alarm and evacuation signals, their assigned duties in the event of an alarm or emergency, evacuation routes, areas of refuge, exterior assembly areas, and procedures for evacuation.

406.3.3 Fire safety training. Employees assigned fire-fighting duties shall be trained to know the locations and proper use of portable fire extinguishers or other manual fire-fighting equipment and the protective clothing or equipment required for its safe and proper use.

SECTION 407 HAZARD COMMUNICATION

407.1 General. The provisions of Sections 407.2 through 407.7 shall be applicable where hazardous materials are located on the premises.

407.2 Material Safety Data Sheets. Material Safety Data Sheets (MSDS) for all hazardous materials shall be readily available on the premises.

407.3 Identification. Individual containers of hazardous materials, cartons or packages shall be marked or labeled in accordance with applicable federal regulations. Buildings, rooms and spaces containing hazardous materials shall be identified by hazard warning signs in accordance with Section 2703.5.

407.4 Training. Persons responsible for the operation of areas in which hazardous materials are stored, dispensed, handled or

used shall be familiar with the chemical nature of the materials and the appropriate mitigating actions necessary in the event of a fire, leak or spill. Responsible persons shall be designated and trained to be liaison personnel for the Fire Department. These persons shall aid the Fire Department in preplanning emergency responses and identification of the locations where hazardous materials are located, and shall have access to Material Safety Data Sheets and be knowledgeable in the site emergency response procedures.

407.5 Hazardous Materials Inventory Statement. Where required by the code enforcement official, a Hazardous Materials Inventory Statement (HMIS) shall be provided to the code enforcement official.

407.6 Hazardous Materials Management Plan. Where required by the code enforcement official, a Hazardous Materials Management Plan (HMMP) shall be provided to the code enforcement official.

407.7 Facility closure plans. A facility closure plan in accordance with Section 2701.6.3 to terminate storage, dispensing, handling or use of hazardous materials shall be submitted to the code enforcement official.

SECTION 408

USE AND OCCUPANCY-RELATED REQUIREMENTS

408.1 General. In addition to the other requirements of this chapter, the provisions of this section are applicable to specific occupancies listed herein.

408.2 Group A occupancies. Group A occupancies shall comply with the requirements of Sections 408.2.1 and 408.2.2 and Sections 401 through 406.

408.2.1 Seating plan. The fire safety and evacuation plans for assembly occupancies shall include the information required by Section 404.3 and a detailed seating plan, occupant load, and occupant load limit. Deviations from the approved plans shall be allowed provided the occupant load limit for the occupancy is not exceeded and the aisles and exit accessways remain unobstructed.

408.2.2 Announcements. In theaters, motion picture theaters, auditoriums and similar assembly occupancies in Group A used for noncontinuous programs, an audible announcement shall be made not more than 10 minutes prior to the start of each program to notify the occupants of the location of the exits to be used in the event of a fire or other emergency.

Exception: In motion picture theaters, the announcement is allowed to be projected upon the screen.

408.3 Group B and Group R-2 college and university facilities and Group E occupancies. Group B and Group R-2 college and university facilities and Group E occupancies shall comply with the requirements of Sections 408.3.1 and 408.3.2, and Sections 401 through 406.

408.3.1 Group B and Group R-2 occupancies. In college or university facilities, at least one drill shall be held between September 1 and December 1. Where summer sessions are conducted, at least one drill shall be held during the first week of such session. At least one of such required

drills shall use fire escapes, where provided. In Group R-2 facilities, one required drill shall be held during hours after sunset or before sunrise in buildings where students are provided sleeping accommodations.

408.3.2 Group E occupancies. The frequency and timing of drills shall be in accordance with the requirements of Section 807.1 of the Education Law, which requires not less than 12 drills annually, eight of which shall take place between September 1 and December 1. At least one-third of the drills shall use fire escapes, where provided. At least one drill shall be held during a lunch period, or pupils shall be instructed in procedures to be followed during a lunch period. At least four additional drills shall be held during hours after sunset or before sunrise, where students reside at the school. At least two additional drills shall be held during the first week of summer school.

408.4 Group H-5 occupancies. Group H-5 occupancies shall comply with the requirements of Sections 408.4.1 through 408.4.4 and Sections 401 through 407.

408.4.1 Plans and diagrams. In addition to the requirements of Section 404 and Section 407.6, plans and diagrams shall be maintained in approved locations indicating the approximate 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.

408.4.2 Plan updating. The plans and diagrams required by Section 408.4.1 shall be maintained up to date and the code enforcement official and fire department shall be informed of all major changes.

408.4.3 Emergency response team. Responsible persons shall be designated the on-site emergency response team and trained to be liaison personnel for the fire department. These persons shall aid the fire department in preplanning emergency responses, identifying locations where HPM is stored, handled and used, and be familiar with the chemical nature of such material. An adequate number of personnel for each work shift shall be designated.

408.4.4 Emergency drills. Emergency drills of the on-site emergency response team shall be conducted on a regular basis but not less than once every three months. Records of drills conducted shall be maintained.

408.5 Group I-1 occupancies. Group I-1 occupancies shall comply with the requirements of Sections 408.5.1 through 408.5.5 and Sections 401 through 406.

408.5.1 Fire safety and evacuation plan. The fire safety and evacuation plan required by Section 404 shall include special staff actions including fire protection procedures necessary for residents and shall be amended or revised upon admission of any resident with unusual needs.

408.5.2 Staff training. Employees shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Such instruction shall be reviewed by the staff at least every two months. A copy of the plan shall be readily available at all times within the facility.

408.5.3 Resident training. Residents capable of assisting in their own evacuation shall be trained in the proper actions

to take in the event of a fire. The training shall include actions to take if the primary escape route is blocked. Where the resident is given rehabilitation or habilitation training, training in fire prevention and actions to take in the event of a fire shall be a part of the rehabilitation training program. Residents shall be trained to assist each other in case of fire to the extent their physical and mental abilities permit them to do so without additional personal risk.

408.5.4 Drill frequency. Emergency evacuation drills shall be conducted at least six times per year, two times per year on each shift. Twelve drills shall be conducted in the first year of operation. Drills are not required to comply with the time requirements of Section 405.4.

408.5.5 Resident participation. Emergency evacuation drills shall involve the actual evacuation of all residents to a selected assembly point.

408.6 Group I-2 occupancies. Group I-2 occupancies shall comply with the requirements of Sections 408.6.1 and 408.6.2 and Sections 401 through 406. Drills are not required to comply with the time requirements of Section 405.4.

408.6.1 Evacuation not required. During emergency evacuation drills, the movement of patients to safe areas or to the exterior of the building is not required.

408.6.2 Coded alarm signal. When emergency evacuation drills are conducted after visiting hours or when patients or residents are expected to be asleep, a coded announcement is allowed instead of audible alarms.

408.7 Group I-3 occupancies. Group I-3 occupancies shall comply with the requirements of Sections 408.7.1 through 408.7.4 and Sections 401 through 406.

408.7.1 Employee training. Employees shall be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment. Training of new staff shall be provided promptly upon entrance on duty. Refresher training shall be provided at least annually.

408.7.2 Staffing. Group I-3 occupancies shall be provided with 24-hour staffing. Staff shall be within three floors or 300 feet (91 440 mm) horizontal distance of the access door of each resident housing area. In Use Conditions 3, 4 and 5, as defined in Chapter 2, the arrangement shall be such that the staff involved can start release of locks necessary for emergency evacuation or rescue and initiate other necessary emergency actions within 2 minutes of an alarm.

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

408.7.3 Notification. Provisions shall be made for residents in Use Conditions 3, 4 and 5, as defined in Chapter 2, to readily notify staff of an emergency.

408.7.4 Keys. Keys necessary for unlocking doors installed in a means of egress shall be individually identifiable by both touch and sight.

408.8 Group R-1 occupancies. Group R-1 occupancies shall comply with the requirements of Sections 408.8.1 through 408.8.3 and Sections 401 through 406.

408.8.1 Evacuation diagrams. A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each hotel, motel or dormitory guestroom.

408.8.2 Emergency duties. Upon discovery of a fire or suspected fire, hotel, motel and dormitory employees shall perform the following duties:

1. Activate the fire alarm system, where provided.
2. Notify the public fire department.
3. Take other action as previously instructed.

408.8.3 Fire safety and evacuation instructions. Information shall be provided in the fire safety and evacuation plan required by Section 404 to allow guests to decide whether to evacuate to the outside, evacuate to an area of refuge, remain in place, or any combination of the three.

408.9 Group R-2 occupancies. Group R-2 occupancies shall comply with the requirements of Sections 408.9.1 through 408.9.3 and Sections 401 through 406.

408.9.1 Emergency guide. A fire emergency guide shall be provided which describes the location, function and use of fire protection equipment and appliances accessible to residents, including fire alarm systems, smoke alarms, and portable fire extinguishers. The guide shall also include an emergency evacuation plan for each dwelling unit.

408.9.2 Maintenance. Emergency guides shall be reviewed and approved in accordance with Section 401.2.

408.9.3 Distribution. A copy of the emergency guide shall be given to each tenant prior to initial occupancy.

408.10 Group R-4 occupancies. Group R-4 occupancies shall comply with the requirements of Sections 408.10.1 through 408.10.5 and Sections 401 through 406.

408.10.1 Fire safety and evacuation plan. The fire safety and evacuation plan required by Section 404 shall include special staff actions, including fire protection procedures necessary for residents, and shall be amended or revised upon admission of a resident with unusual needs.

408.10.2 Staff training. Employees shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Such instruction shall be reviewed by the staff at least every two months. A copy of the plan shall be readily available at all times within the facility.

408.10.3 Resident training. Residents capable of assisting in their own evacuation shall be trained in the proper actions to take in the event of a fire. The training shall include actions to take if the primary escape route is blocked. Where the resident is given rehabilitation or habilitation training, training in fire prevention and actions to take in the event of a fire shall be a part of the rehabilitation training program. Residents shall be trained to assist each other in case of fire to the extent their physical and mental abilities permit them to do so without additional personal risk.

408.10.4 Drill frequency. Emergency evacuation drills shall be conducted at least six times per year, two times per year on each shift. Twelve drills shall be conducted in the first year of operation. Drills are not required to comply with the time requirements of Section 405.4.

408.10.5 Resident participation. Emergency evacuation drills shall involve the actual evacuation of all residents to a selected assembly point and shall provide residents with experience in exiting through all required exits. All required exits shall be used during emergency evacuation drills.

Exception: Actual exiting from windows shall not be required. Opening the window and signaling for help shall be an acceptable alternative.

408.11 Covered mall buildings. Covered mall buildings shall comply with the provisions of Sections 408.11.1 through 408.11.3.

408.11.1 Lease plan. A lease plan shall be prepared for each covered mall building. The plan shall include the following information in addition to that required by Section 404.3.2:

1. Each occupancy, including identification of tenant.
2. Exits from each tenant space.
3. Fire protection features, including the following:
 - 3.1. Fire department connections.
 - 3.2. Fire command center.
 - 3.3. Smoke management system controls.
 - 3.4. Elevators and elevator controls.
 - 3.5. Hose valves outlets.
 - 3.6. Sprinkler and standpipe control valves.
 - 3.7. Automatic fire-extinguishing system areas.
 - 3.8. Automatic fire detector zones.
 - 3.9. Fire barriers.

408.11.1.1 Approval. The lease plan shall be submitted to the code enforcement official for approval, and shall be maintained on site for immediate reference by responding fire service personnel.

408.11.1.2 Revisions. The lease plans shall be revised annually or as often as necessary to keep them current. Modifications or changes in tenants or occupancies shall not be made without prior approval of the code enforcement official and code enforcement official.

408.11.2 Tenant identification. Each occupied tenant space provided with a secondary exit to the exterior or exit corridor shall be provided with tenant identification by business name and/or address. Letters and numbers shall be posted on the corridor side of the door, be plainly legible and shall contrast with their background.

Exception: Tenant identification is not required for anchor stores.

408.11.3 Maintenance. Unoccupied tenant spaces shall be:

1. Kept free from the storage of any materials.
2. Separated from the remainder of the building by partitions of at least 0.5-inch-thick (12.7 mm) gypsum

board or an approved equivalent to the underside of the ceiling of the adjoining tenant spaces.

3. Without doors or other access openings other than one door that shall be kept key locked in the closed position except during that time when opened for inspection.
4. Kept free from combustible waste and be broom-swept clean.