

OFFICE OF THE NEW YORK STATE COMPTROLLER



DIVISION OF LOCAL GOVERNMENT
& SCHOOL ACCOUNTABILITY

Fire Safety

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State of New York Office of the State Comptroller

Division of Local Government and School Accountability

May 2015

Dear Local Officials:

A top priority of the Office of the State Comptroller is to help local government officials manage government resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations and municipal governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard local government assets.

Following is a report of our audit entitled Fire Safety. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law.

This audit's results and recommendations are resources for local government officials to use in effectively managing operations and in meeting the expectations of their constituents. If you have questions about this report, please feel free to contact the local regional office for your municipality, as listed at the end of this report.

Respectfully submitted,

*Office of the State Comptroller
Division of Local Government
and School Accountability*



State of New York Office of the State Comptroller

EXECUTIVE SUMMARY

The 2010 Fire Code of New York State (Fire Code)¹ establishes the minimum requirements needed to establish good practices for protecting people and property from the hazards of fire, explosion and dangerous conditions in new and existing buildings, structures and premises. It also provides for safety to fire fighters and emergency responders during emergency operations.

The Fire Code² requires an approved fire safety plan and evacuation plan to be prepared and maintained for most buildings. The plans must be reviewed or updated at least once a year, or as necessitated by changes in staff assignments, occupancy or building layout. The plans must be available in the workplace for reference and review by employees, and copies must be provided to the code enforcement official upon request.

The Executive Law³ and New York State Codes, Rules and Regulations (NYCRR)⁴ generally provide that cities, counties, towns and villages are responsible for enforcing the New York State Uniform Fire Prevention and Building Code⁵ (Uniform Code). However, the State Education Department is responsible for Uniform Code enforcement with respect to school districts and boards of cooperative education service buildings.

Administration and enforcement of the Uniform Code generally are made through local law, ordinance or other appropriate regulation. However, a local government has the option to decline that responsibility; when this occurs, the responsibility passes to the respective county. Counties are afforded a similar option. If a local government and a county each exercise their option not to enforce the Uniform Code, the statute provides that the Secretary of State shall, directly or by contract, administer and enforce the Uniform Code.

The Uniform Code requires every city, county, town and village charged with enforcing the Uniform Code to maintain a system of records that supports its code enforcement activities. Buildings that contain an area of public assembly must be inspected each year, while all other buildings requiring a fire safety and evacuation plan must have a fire safety inspection at least every three years. It also requires local governments to annually submit to the Secretary of State a report of their activities relative to administration and enforcement of the Uniform Code.⁶

¹ 2010 Fire Code of New York State Chapter 1 Section 101.3

² The 2010 Fire Code of New York State is the most up-to-date version available (see also 19 NYCRR 1225.1 [c], which amends section 610 of the Fire Code). The Fire Code is part of the New York State Uniform Fire Prevention and Building Code.

³ Section 381 (2)

⁴ 19 NYCRR Part 1203

⁵ 19 NYCRR 1225.1

⁶ 19 NYCRR 1203.4

Scope and Objective

The objective our audit was to determine if local government officials' use of municipal resources resulted in an effective enforcement of the Fire Code (i.e., fire safety of buildings) within their jurisdictions for the period January 1 through December 31, 2013. Our audit addressed the following related questions:

- Do local governments evaluate whether fire safety and evacuation plans comply with the requirements of the Fire Code?
- Do local governments verify that the number of evacuation drills conducted annually comply with the Fire Code?

Audit Results

Although we found that municipalities are taking some actions to evaluate fire safety and evacuation plans for buildings in their respective jurisdictions, they could do more to ensure, when required, that such plans comply with the Fire Code. They also should do more to confirm these buildings perform the required number of evacuation drills each year.

We audited 10 municipalities comprising the Cities of Ithaca, North Tonawanda, Plattsburgh, Poughkeepsie, Rome, Saratoga Springs and White Plains, and the Villages of Lindenhurst, Hempstead and Patchogue.

We found that none of the municipalities fully complied with their Fire Code responsibilities. For example, officials from five municipalities (Hempstead, Lindenhurst, North Tonawanda, Plattsburgh and Poughkeepsie) do not review or approve fire safety or evacuation plans. While Patchogue officials historically have not reviewed or approved the plans, they began to do so in 2014. Rome was the only municipality in which officials said they confirm that buildings conduct the required number of drills.

We visited 96 buildings⁷ including, but not limited to, adult care facilities, hotels, preschools, private schools and residential facilities. We found 73, or 76 percent, of the buildings did not have a fire safety plan on file that met the minimum Fire Code requirements. Forty-four, or 46 percent, of the buildings did not have an evacuation plan on file that complied with the Fire Code. Finally, 54, or 56 percent, of the buildings did not conduct the required number of evacuation drills.

Lastly, we found that five municipalities (Lindenhurst, Hempstead, North Tonawanda, Saratoga Springs and White Plains) did not submit their 2013 Uniform Code Administration and Enforcement Report to the New York State Department of State, as required.

⁷ We judgmentally chose a sample of 96 buildings for our audit testing. We selected buildings that are occupied by children or elderly individuals, and/or which have a high number of daily occupants or visitors. Figure 6 details each building type we visited during the audit.

Responses From Local Officials

The results of our audit and recommendations have been discussed with local officials and their comments have been considered in preparing this report.

Introduction

Background

The Fire Code⁸ outlines the minimum requirements needed to establish good practices for protecting people and property from the hazards of fire, explosion and dangerous conditions in new and existing buildings, structures and premises. It also provides for safety to fire fighters and emergency responders during emergency operations.

The Fire Code requires an approved fire safety plan (fire plan) and evacuation plan to be prepared and maintained for most buildings. The plans must be reviewed or updated at least once a year, or as necessitated by changes in staff assignments, occupancy or building layout. The plans must be available in the workplace for reference and review by employees, and copies must be provided to the code enforcement official upon request.

The Executive Law⁹ and New York State Codes, Rules and Regulations (NYCRR) generally provide that cities, counties, towns and villages are responsible for enforcing the Uniform Code. However, the State Education Department is responsible for Uniform Code enforcement with respect to school districts and boards of cooperative education service buildings.

Administration and enforcement of the Uniform Code generally are made through local law, ordinance or other appropriate regulation. However, a local government has the option to decline that responsibility; when this occurs, the responsibility passes to the respective county. Counties are afforded a similar option. If a local government and a county each exercise their option not to enforce the Uniform Code, the statute provides that the Secretary of State shall, directly or by contract, administer and enforce the Uniform Code.

The Uniform Code requires every city, county, town and village charged with enforcing the Uniform Code to maintain a system of records that supports its code enforcement activities. Buildings that contain an area of public assembly must be inspected each year, while all other buildings requiring a fire safety and evacuation plan must have a fire safety inspection at least every three years. It also requires local governments to annually submit to the Secretary of State a report of their activities relative to administration and enforcement of the Uniform Code.¹⁰

⁸ 2010 Fire Code of New York State Chapter 1 Section 101.3

⁹ Section 381 (2)

¹⁰ 19 NYCRR 1203.4

We audited 10 municipalities in seven cities and three villages across the State to determine whether the use of municipal resources resulted in an effective enforcement of the Fire Code (i.e., fire safety of buildings) during the period January 1 through December 31, 2013. Our audit focused on high risk buildings¹¹ in these municipalities. Figure 1 provides relevant statistics for these municipalities.

Figure 1: City and Village Statistics for Audited Departments				
Municipality	Population (2010 Census)	2013 Municipal Budget (Millions)	Responsible Department Budget - 2013 (000s)	Responsible Department
City of Ithaca	30,000	\$51.7	\$10,000	Fire Department
City of North Tonawanda	31,270	\$35.5	\$3,600	Fire Department
City of Plattsburgh	20,000	\$22.9	\$272	Building and Zoning Department
City of Poughkeepsie	33,000	\$42.6	\$814	Building, Planning and Zoning Department
City of Rome	33,700	\$31.6	\$1,200 ^a	Fire Department and Office of Inspectors
City of Saratoga Springs	26,500	\$38.9	\$4,600	Fire Department
City of White Plains	57,000	\$157.8	\$25,100	Fire Department
Village of Hempstead	55,000	\$72.8	\$518	Building Department
Village of Lindenhurst	27,253	\$13.1	\$215	Building Department
Village of Patchogue	12,300	\$11.1	\$343	Building Department

^a The City Fire Department's budget of \$1.1 million and the Office of Inspector's budget of \$75,750

Objective

The objective our audit was to determine if local government officials' use of municipal resources resulted in an effective enforcement of the Fire Code within their jurisdictions. Our audit addressed the following related questions:

- Do local governments evaluate whether fire safety and evacuation plans comply with the requirements of the Fire Code?
- Do local governments verify that the number of evacuation drills conducted annually comply with the Fire Code?

Scope and Methodology

For the period January 1 through December 31, 2013, we interviewed local officials; reviewed municipal policies and procedures used to review and approve fire safety and evacuation plans and confirm evacuation drills are conducted; and obtained and reviewed building

¹¹ We defined high risk buildings as those that are occupied by children or elderly individuals, or which have a high number of daily occupants or visitors.

fire safety plans, evacuation plans and evacuation drill logs to determine if they complied with the Fire Code. We also looked for evidence each municipality reviewed and approved each plan and confirmed each building conducted the required drills to determine whether the municipality is effectively enforcing the Fire Code.

We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). More information on such standards and the methodology used in performing this audit is included in Appendix C of this report.

Responses From Local Officials

The results of our audit and recommendations have been discussed with local officials and their comments have been considered in preparing this report.

Fire Safety and Evacuation Plans

The Fire Code states it was established, among other things, to ensure the protection of human life and property.¹² Unless they opt out of responsibility, local governments must evaluate compliance with the Fire Code. Therefore, municipal officials must verify that certain buildings in their jurisdiction have a fire safety plan and evacuation plan that complies with the Fire Code.

Local officials need to improve their compliance with Fire Code requirements. The 10 municipalities we audited could not support that they properly reviewed and approved fire plans and evacuation plans. We visited 96 buildings and found that 73 (76 percent) did not have a fire plan on file, or the fire plans were incomplete and did not comply with the Fire Code. Incomplete fire plans may lead to a greater chance of a loss of life or increased property damage. We also found that 44 of the 96 buildings (46 percent) had evacuation plans but they were incomplete and did not comply with the Fire Code. As a result, building occupants may not be prepared to react to an emergency evacuation.

Fire Safety Plans

The Fire Code establishes the seven basic requirements each fire safety plan (fire plan) must contain. For example, the fire plan must include a procedure for reporting a fire or other emergency. The fire plan also must have a list of major fire hazards associated with the normal use and occupancy of the premise, including maintenance and housekeeping procedures. Furthermore, the New York State Codes, Rules and Regulations (NYCRR) require the municipalities to keep records relating to the fire safety and property maintenance inspections they conduct. Appendix B details the seven fire plan requirements.

A properly developed fire plan can help ensure that responsible parties notify building occupants of an emergency and that evacuations will occur when necessary. It can also ensure that responsible parties promptly notify the responsible department of an emergency and convey relevant information, such as identification of hazardous material.

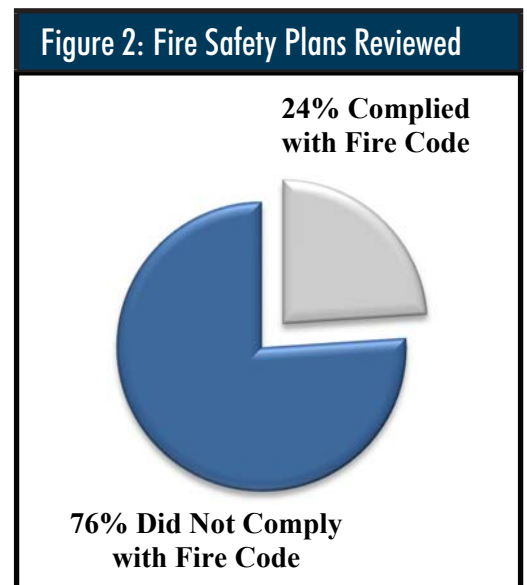
Municipalities have varying departments who are responsible for ensuring each building requiring a fire plan has one that complies with the Fire Code. To determine if the municipalities review and approve fire plans as required by law, we visited 96 buildings and

¹² 2010 Fire Code of New York State Chapter 1 Section 101.3

obtained the fire plans on file. We looked for evidence that the municipalities reviewed and approved each of the fire plans within the timeframe set forth in the NYCRR. We also reviewed the fire plans for completeness with the Fire Code requirements. We found that 73 of the 96 buildings (76 percent) did not have a fire plan on file, or the fire plans we examined were incomplete and did not comply with the Fire Code. These buildings consisted of adult care facilities, assemblies, a banquet hall, hospitals, a fraternity, hotels, a library, a mall, preschools, a theater, private schools and residential facilities. The remaining 23 buildings (24 percent) had a fire plan that complied with the Fire Code. Figure 2 highlights building fire safety plan compliance by municipality and Figure 6 in Appendix B highlights fire safety plan compliance and non-compliance by building type.

Figure 2: Municipality Fire Safety Plan Compliance

Municipality	Fire Safety Plans Reviewed	Noncompliant Fire Safety Plans
City of Ithaca	18	15
City of North Tonawanda	4	4
City of Plattsburgh	3	3
City of Poughkeepsie	5	4
City of Rome	16	11
City of Saratoga Springs	17	9
City of White Plains	19	14
Village of Hempstead	5	5
Village of Lindenhurst	4	4
Village of Patchogue	5	4
Total	96	73



The 10 municipalities we audited could not support that they complied with the Fire Code’s fire plan review and approval requirements. For example:

- Officials from five municipalities (Hempstead, Lindenhurst, North Tonawanda, Plattsburgh and Poughkeepsie) do not review or approve fire plans. Hempstead officials told us that they thought Nassau County reviewed and approved the fire plans for them, but these responsibilities were not transferred

to the County and, therefore, fire plans were not reviewed or approved.

- Patchogue officials historically did not review or approve fire plans but said they began to do so early in 2014.¹³
- Officials from four municipalities (Ithaca, Rome, Saratoga Springs and White Plains) indicated that, while they review building fire plans, they do not document or consistently document their reviews.
- Officials from three municipalities (Ithaca, Rome and White Plains) said they approve fire plans, however, they had no evidence to support their approvals.
- Saratoga officials do not approve plans and indicated that they were unaware they should do so.
- Officials from four municipalities (Lindenhurst, Hempstead, North Tonawanda and Plattsburgh) did not have a reliable list of buildings that they could use to identify and monitor which buildings in their jurisdictions are required to have a fire plan on file.

Officials from Poughkeepsie’s City Planning and Zoning Department were not aware they were responsible for reviewing and approving fire plans. Patchogue officials said their time was better spent on other aspects of fire safety, and Hempstead officials erroneously thought Nassau County performed these functions for them. The remaining units said they lack sufficient staff to fully comply with the Fire Code.

Evacuation Plans

The Fire Code establishes the eight basic requirements each evacuation plan must contain. For example, an evacuation plan must include emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only. The evacuation plan also must include procedures for accounting for employees and occupants after an evacuation has been completed. Appendix B details the eight evacuation plan requirements. The department responsible for enforcing the Fire Code must ensure that each building requiring an evacuation plan has one that complies with the Fire Code. Furthermore, the NYCRR requires the municipalities to keep records relating to the fire safety and property maintenance inspections it conducts.

¹³ We notified the Village of Patchogue on June 26, 2014 that we would audit its fire safety monitoring practices. Village officials did not know when, in 2014, they began their monitoring practices.

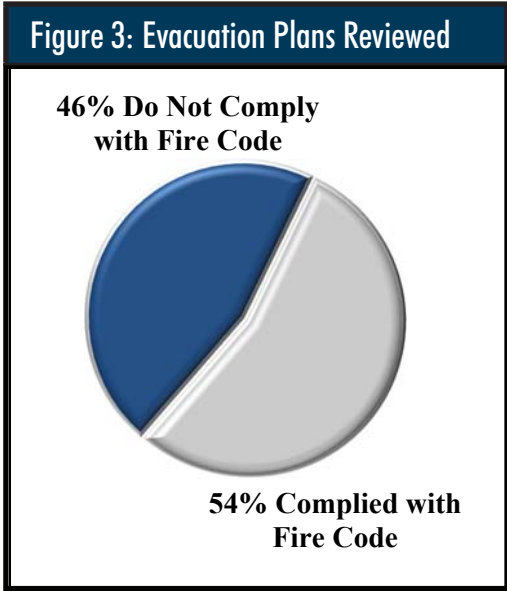
To determine if the municipalities review and approve evacuation plans as required by law, we visited 96 buildings and obtained the evacuation plans on file. We looked for evidence that the municipalities reviewed and approved each of the evacuation plans within the timeframe required by NYCRR. Officials from the 10 municipalities could not support that they complied with the Fire Code's evacuation plan review and approval requirements. For example:

- Officials from five municipalities (Lindenhurst, Hempstead, North Tonawanda, Plattsburgh and Poughkeepsie) do not review evacuation plans.
- Officials from five municipalities (Ithaca, Patchogue, Rome, Saratoga Springs and White Plains) said they review evacuation plans; however, only Rome and Saratoga Springs had evidence to support their reviews.
- Officials from seven municipalities (Lindenhurst, Hempstead, North Tonawanda, Patchogue, Plattsburgh, Poughkeepsie and Saratoga Springs) do not approve evacuation plans.
- Officials from three municipalities (Ithaca, Rome and White Plains) said they approve evacuation plans but had no evidence to support their approval.

Local officials indicated the same reasons for not reviewing and approving evacuation plans as they did for not reviewing and approving fire plans.

We also reviewed the evacuation plans for completeness with the Fire Code requirements. We found that 44 of the 96 buildings (46 percent) had evacuation plans, but they were incomplete and did not comply with the Fire Code. The remaining 52 buildings had an evacuation plan which complied with the Fire Code. Figure 3 highlights building evacuation plan compliance and noncompliance by municipality and Figure 7 in Appendix B highlights evacuation plan compliance and noncompliance by building types.

Figure 3: Municipality Evacuation Plan Compliance		
Municipality	Evacuation Plans Reviewed	Noncompliant Evacuation Plans
City of Ithaca	18	13
City of North Tonawanda	4	4
City of Plattsburgh	3	3
City of Poughkeepsie	5	3
City of Rome	16	4
City of Saratoga Springs	17	3
City of White Plains	19	2
Village of Hempstead	5	4
Village of Lindenhurst	4	4
Village of Patchogue	5	4
Total	96	44



Like the fire plans, we found that the municipalities have no assurance that each building requiring an evacuation plan has one that meets the minimum Fire Code requirements. As a result, building occupants may not be prepared to react to an emergency evacuation.

Recommendations

Municipal officials should:

1. Identify which buildings must have a fire plan and evacuation plan.
2. Review and approve all fire plans and evacuation plans in accordance with the Fire Code.
3. Keep documented evidence detailing when fire plans and evacuation plans were reviewed and approved.
4. Ensure that buildings requiring a fire plan and evacuation plan have plans that meet the minimum Fire Code requirements.

Evacuation Drills

The Fire Code requires buildings to have a specified number of evacuation drills (drills) conducted each year. Drills help ensure building occupants are prepared to respond to an emergency evacuation and can identify improvement opportunities. The number of drills required are based on how a building is used. For example, a private school is required to conduct 12 drills each year while an office building must conduct two. Appendix B details the building types and drill requirements. The municipalities must verify that the required number of drills are being conducted each year. Furthermore, NYCRR requires municipalities to keep records relating to the fire safety and property maintenance inspections they conduct.

The 10 municipalities we audited could not support they complied with the Fire Code's evacuation drill confirmation requirement. For example:

- Officials from seven municipalities (Hempstead, Ithaca, Lindenhurst, Patchogue, Plattsburgh, Poughkeepsie and Saratoga Springs) said they do not confirm building evacuation drills are performed. Officials provided various reasons for not confirming drills are conducted. For example:
 - o Hempstead officials believed that Nassau County confirmed the drills are performed.
 - o Lindenhurst and Poughkeepsie officials said they were not aware they were required to confirm buildings conduct evacuation drills.
 - o Patchogue officials said their time is better spent on other aspects of fire safety.
- Officials from three municipalities (North Tonawanda, Rome and White Plains) said they confirm evacuation drills are performed. However, they did not always have evidence to support whether they consistently confirm drills are performed. For example, Tonawanda's officials said they only confirm drills are performed at schools and hospitals.

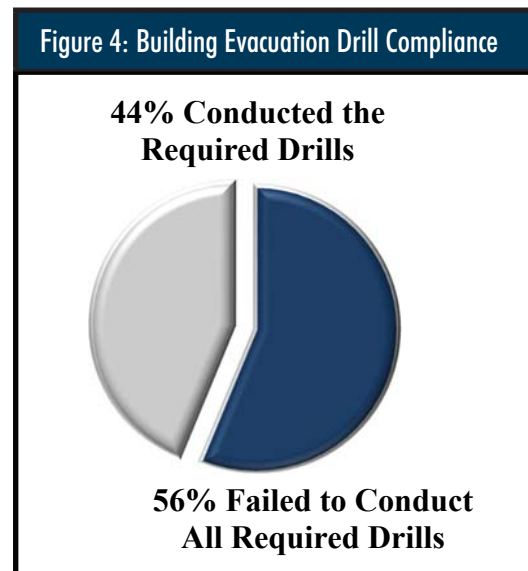
The 10 municipalities are not meeting minimum Fire Code standards for confirming evacuation drills are performed and should improve

their drill verification processes. As a result, the municipalities have no assurance that drills are being performed at each building, as required.

We also obtained evidence to determine whether the required number of drills were conducted annually at the 96 buildings previously discussed. We found that, in calendar year 2013, 54 buildings (56 percent) did not conduct the required number of drills. Figure 4 highlights each municipality’s evacuation drill performance and Figure 8 in Appendix B indicates the type of buildings tested and their compliance with the Fire Code’s evacuation drill requirements.

Figure 4: Municipality Evacuation Drills

Municipality	Buildings Visited	Number of Buildings Not Conducting Required Drills
City of Ithaca	18	13
City of North Tonawanda	4	2
City of Plattsburgh	3	0
City of Poughkeepsie	5	3
City of Rome	16	8
City of Saratoga Springs	17	7
City of White Plains	19	11
Village of Hempstead	5	3
Village of Lindenhurst	4	3
Village of Patchogue	5	4
Total	96	54



When the required number of drills are not performed, building occupants are likely less prepared to conduct an emergency evacuation, which could affect an evacuation outcome.

Uniform Code Administration and Enforcement Report

The NYCRR¹⁴ requires every local government charged with administration and enforcement of the Uniform Code to annually submit a report of its activities relative to administration and enforcement of the Uniform Code (report) to the Secretary of State. We found that five municipalities (Lindenhurst, Hempstead, North

¹⁴ 19 NYCRR 1203.4.

Tonawanda, Saratoga Springs and White Plains) did not file their report. Therefore, these municipalities did not comply with the NYCRR.

Recommendations

Municipal officials should:

5. Identify which buildings must conduct evacuation drills.
6. Determine whether the required number of drills are conducted in accordance with the Fire Code and maintain documented evidence of these reviews.
7. File the Uniform Code Administration and Enforcement Report for each year, as required.

APPENDIX A

RESPONSES FROM LOCAL OFFICIALS

We provided a draft copy of this global report to the seven cities and three villages we audited and requested a response. We received responses from three cities and two villages. We did not receive responses from the Village of Lindenhurst and the Cities of Poughkeepsie, Saratoga Springs and White Plains. Although we do not have evidence of receiving a global response from the City of Rome, officials indicated that they resent the response to their individual letter intending it as their response to our global report. Interested reader can find the City of Rome's response in their individual letter report (Report Number S9-14-48). We also provided a draft version of the respective individual letter reports to each of the 10 municipalities and received responses from all. The municipalities generally agreed with our audit report. However, officials from the Village of Patchogue had comments on both the global and individual report that we responded to in appendices in both reports.

The following comments are excerpted from those responses.

Overall Comments

Village of Hempstead officials said: "The Village fully intends to comply with the findings and recommendations set forth therein."

City of Ithaca officials said: "The audit process was very useful to the City's Fire Prevention Bureau by identifying elements with its code enforcement practices that can be improved."

City of North Tonawanda officials said: "The information supplied in the report clearly shows deficiencies throughout the State..."

State Code Training

City of Plattsburgh officials said: "Until this audit, we were not aware that we were charged with this responsibility, and while all of our inspectors participate in a minimum of 24 hours of training each year, none believe that it has ever come up in the State Code Training. We offer that not as an excuse, but as a recommendation for inclusion in normal training agendas."

Other Comment

Village of Patchogue officials said "Your audit focused on one discreet element, while the fire inspections actually conducted by the Village have dozens of elements that are required to be included in the inspection. In fact, the element of "fire drills" on which your audit is premised has been deemphasized in favor of more significant protections as evidenced by the lack of service bulletins or training classes by the Department of State, Division of Codes, which is the primary agency charged with its enforcement."

OSC Response

We disagree with Patchogue's statements. The audit focused on the Village's efforts to confirm building fire safety plans, building evacuation plans and building evacuations drills were consistent with the minimum requirements established by the State's Fire Code. The Fire Code requires buildings to conduct a specified number of fire drills each year. When building occupants participate in fire drills, should an emergency arise that requires a quick exit from the building, they will be more likely to exit safely if the occupants are familiar with the building's evacuation plan and have simulated an emergency evacuation.

APPENDIX B

Fire Safety Plans, Fire Evacuation Plans and Emergency Evacuation Drills¹⁵

Fire Safety Plans Must Include

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 location 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.

Fire Evacuation Plans Must Include

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.

¹⁵ We obtained the requirements for the Fire Safety Plans, Fire Evacuation Plans and Emergency Evacuation Drills from the 2010 Fire Code of New York State.

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.

Fire and Evacuation Drill Frequency and Participation Requirements

Figure 5: Fire and Evacuation Drill Frequency and Participation Requirements		
Group or Occupancy	Frequency	Participation
Group A	Quarterly	Employees
Group A ^a	Three Annually	All Occupants
Group B ^b	Two Annually	All Occupants
Group B ^a	Three Annually	All Occupants
Group E	Monthly ^c	All Occupants
Group I	Quarterly on Each Shift	Employees ^d
Group R-1	Quarterly on Each Shift	Employees
Group R-2 ^a	Four Annually	All Occupants
Group R-4	Quarterly on Each Shift	Employees ^d
High-Rise Buildings	Annually	Employees

^a Applicable to college and university buildings in accordance with Fire Code Section 408.3.
^b Group B buildings having an occupant load of 500 or more persons, or more than 100 persons above or below the lowest level of exit discharge.
^c The frequency shall be allowed to be modified in accordance with Fire Code Section 408.3.2.
^d Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Fire Code 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.

Definitions of Each Group or Occupancy From the 2010 Fire Code of New York State With Examples

Group A: Assembly Group A occupancy includes, among others, the use of a building for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or awaiting transportation. Examples include movie theatres, restaurants and arenas.

Group B: Business Group B occupancy includes, among others, the use of a building for office, professional or service-type transactions, including storage of records and accounts. Examples include banks, civic administration and outpatient clinics.

Group E: Educational Group E occupancy includes, among others, the use of a building by six or more people at any one time for educational purposes through the 12th grade. This group also includes day cares with more than five children who are older than two-and-a-half years of age.

Group I: Institutional Group I occupancy includes, among others, the use of a building in which people are cared for or living in a supervised environment. Such occupants have physical limitations because of health or age, are harbored for medical treatment or other care or treatment or are detained for penal or correctional purposes or other purposes in which their liberty is restricted. Examples include hospitals, nursing homes and jails.

Group R: Residential Group R includes, among others, the use of a building for sleeping purposes.

R-1: Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including boarding houses (transient), hotels (transient) and motels (transient).

R-2: Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including apartment houses, boarding houses (nontransient), convents, dormitories, fraternities and sororities, hotels (nontransient), monasteries, motels (nontransient) and vacation timeshare properties.

R-4: Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 16 occupants, excluding staff.

Figure 6: Building Fire Safety Plan Compliance and Noncompliance

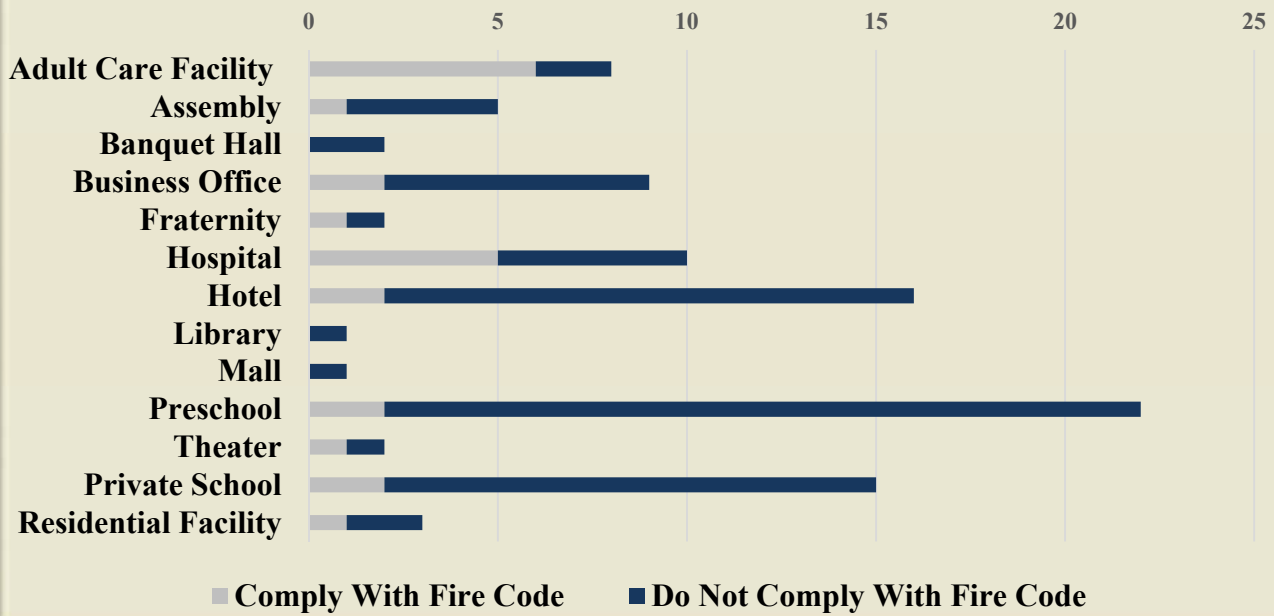


Figure 7: Building Evacuation Plan Compliance and Noncompliance

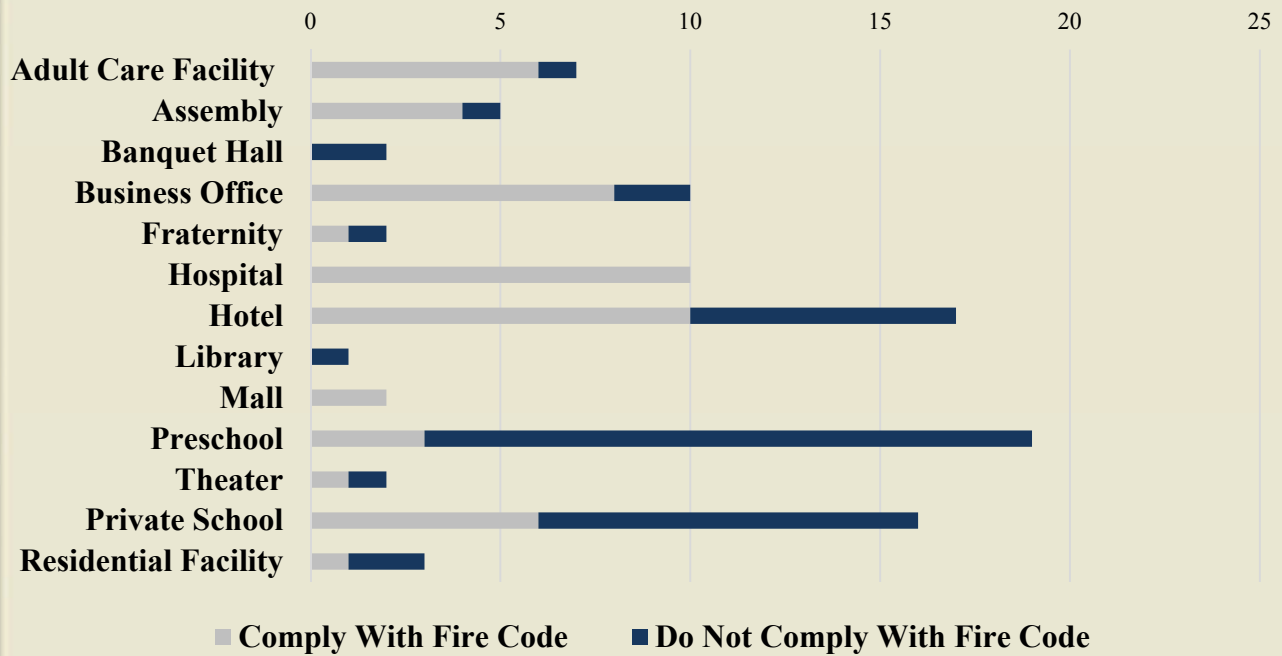
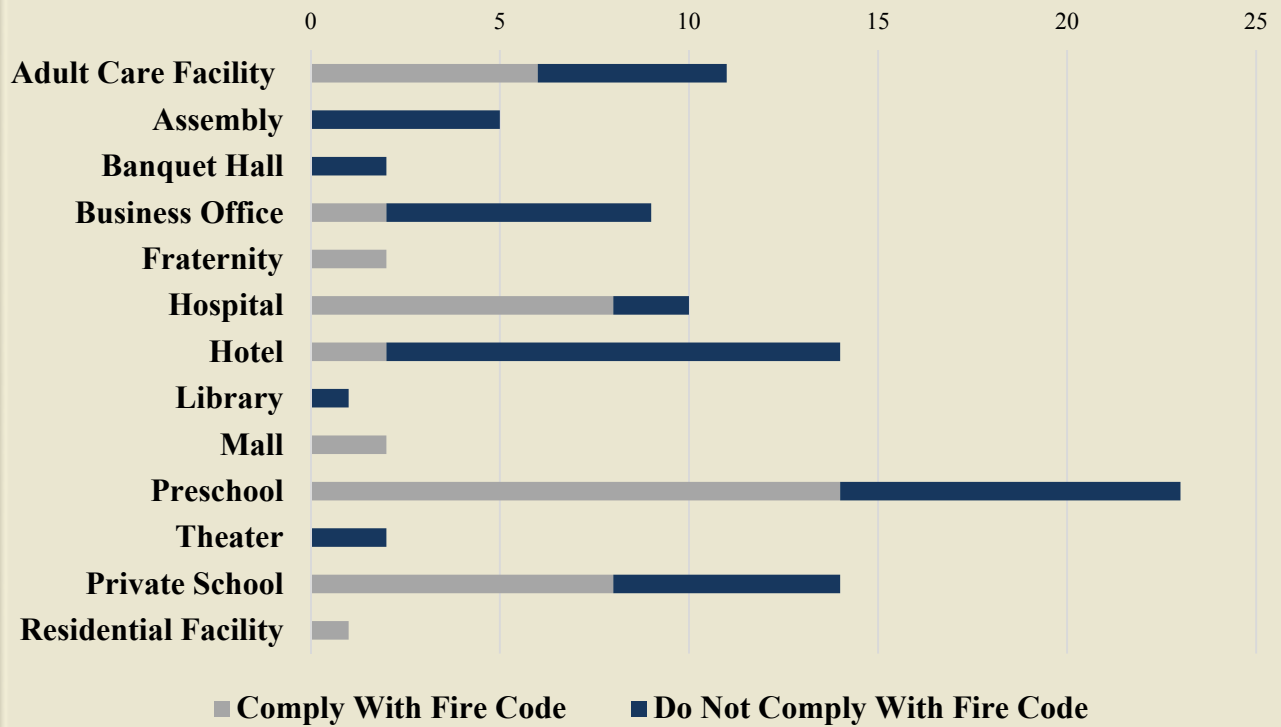


Figure 8: Buildings Tested For Evacuation Drill Compliance



APPENDIX C

AUDIT METHODOLOGY AND STANDARDS

To complete our objective, we visited 10 municipalities and interviewed officials and reviewed procedures used to monitor drill logs, fire safety plans and evacuation plans to determine whether the municipalities are monitoring the fire safety of buildings. We also reviewed the municipalities' policies and procedures for approving/reviewing fire safety and evacuation plans.

We selected a judgmental sample of buildings for the audit period depending on each of the municipalities' internal controls. For each building, we obtained and reviewed the building's drill logs, fire safety plan and evacuation plan. We compared each building's fire safety and evacuation plan to the Fire Code to determine if the plans contained all required components. We also examined each plan to determine if the Department reviewed and approved it. In addition, we compared the number of drills each building occupant conducted to the Fire Code to confirm the building occupant conducted the correct numbers of drills.

We conducted this performance audit in accordance with GAGAS. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

APPENDIX D

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