

NEW YORK CITY FIRE DEPARTMENT

Notice of Promulgation of two New Rules,
3 RCNY §104-02, entitled
“Professional Certification of Fire Alarm System Installations,”
and 3 RCNY §105-01, entitled
“Approval of Fire Alarm System Installations”

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Fire Commissioner of the City of New York by Section 489 of the New York City Charter and Chapter 1 of the New York City Fire Code, codified in Title 29 of the New York City Administrative Code, and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Fire Department hereby promulgates two new rules, 3 RCNY §104-02, entitled “Professional Certification of Fire Alarm System Installations” and 3 RCNY §105-01, entitled “Approval of Fire Alarm System Installations.” The entire rules are underlined to indicate that they are new.

The public hearing was held on May 28, 2009. The promulgation of 3 RCNY §104-02 and 3 RCNY §105-01 shall take effect on December 1, 2009.

This notice, the rule, and the statement of basis and purpose will be available for at least 90 days on the Fire Department Internet website at:

www.nyc.gov/fdny

§ 104-02 Professional Certification of Fire Alarm System Installations

[Reserved]

- (a) Scope. This section sets forth the standards, requirements and procedures for the professional certification of the design and installation of fire alarm systems.
- (b) Definitions. The following terms shall, for purposes of this section and as used elsewhere in the *rules*, have the meanings shown herein:

Core building system. Fire alarm system devices and equipment in and around the central or main building stairwells, elevators and utility risers of any buildings, except buildings classified in Occupancy Group R-3. A fire alarm system includes the fire command center (commonly referred to as a fire command station), fire pump, main sprinkler water flow switch, main sprinkler valve tamper switch, elevator lobby smoke detectors, central station connections, elevator in readiness operation, and core alarm boxes, warden phones and other fire alarm communications devices. Such fire alarm systems are also commonly referred to as the "base" building system.

Letter of approval. The written determination of the Department that a fire alarm system installation has been installed and is operating in compliance with the Building Code, Electrical Code and Fire Code requirements for such installation enforced by the Department.

Professional certification. The submission to the Department of a signed, personal verification by a registered design professional that accompanies an application and/or design and installation documents filed with the Department and attests that such application or design and installation documents do not contain any false information and that such application or design and installation documents are in compliance with all applicable laws, rules and regulations.

(c) General Provisions

- (1) Professional certification of fire alarm system installations. Fire alarm system installations may be professionally certified, as set forth in FC104.2.1, in accordance with the provisions thereof and this section, in buildings for which a letter of approval has been issued for the core building system. A core building system may not be professionally certified.
- (2) Qualifications. Only registered design professionals may professionally certify that fire alarm system installations are in compliance with the Fire Code, Building Code, applicable provisions of Department and Department of Buildings rules, and other applicable laws, rules and regulations.

- (3) Format of design and installation documents. *Design and installation documents* and related submissions shall be in the format set forth in R105-01(b)(4) or as otherwise designated by the *Department*.
- (4) Letter of approval. *Letters of approval* for *fire alarm system* installations that have been *professionally certified* will indicate that the *fire alarm system* installation, or part thereof, was approved by the *Department* based upon *professional certification* pursuant to FC104.2.1.
- (5) Audit. All *fire alarm system* installations that have been *professionally certified* are subject to audit.
- (6) Disqualification for false certification. Pursuant to FC104.2.1.1, in addition to the penalties for violating provisions of the applicable laws, rules and regulations, *registered design professionals* who submit false or fraudulent documents certifying compliance with the requirements of the Fire Code and *rules* may be disqualified from submission of *professionally certified* applications under the Fire Code.

(d) Submission and Approval Procedure

- (1) Submission of professional certification. A completed Fire Department fire alarm professional certification form for any *fire alarm system* installation, or part thereof, that is being *professionally certified* in lieu of a *Department* inspection in accordance with the provisions of FC104.2.1 and R104-02, shall be submitted to the *Department*, together with the submissions required by R105-01(c)(2)(A)(2), (3) and (4), including the *design and installation documents* approved for the installation; “as-built” *design and installation documents* of the *fire alarm system* installation and the facility in which it is installed, as actually constructed; and the applicable fee for review of such an *application*. Such submission shall be made at the earliest date following the completion of such installation, but in all cases prior to occupancy of any building, or part thereof, that is to be newly occupied or reoccupied.
- (2) Acceptance and issuance of letter of approval. *Professionally certified design and installation documents* will be accepted for filing, and a *letter of approval* issued. The *Department* may review such *professionally certified design and installation documents* for completeness and/or other purposes, and if it determines they are deficient, may deny or rescind acceptance and issuance of the *letter of approval*.
- (3) Filing with Department of Buildings. The “as built” *design and installation documents* submitted to and accepted by the *Department* will be electronically filed with the *Department of Buildings* by the

Department as part of the applicant's Department of Buildings application, unless another manner of filing such documents with the Department of Buildings is prescribed by the Department.

§ 105-01 Approval of Fire Alarm System Installations

[Reserved]

- (a) Scope. This section sets forth the standards, requirements and procedures for the submission of design and installation documents for fire alarm system installations for Department review and approval.
- (b) General Provisions
 - (1) Submission and approval required. Pursuant to FC907.1.1, design and installation documents for fire alarm system installations, containing such details as may be required by the Fire Code, Building Code, Electrical Code and this section, shall be submitted for Department review and approval prior to system installation.
 - (2) Certification of design and installation documents. Pursuant to FC105.4.1, design and installation documents must be prepared by a registered design professional. Such documents shall bear the seal of such design professional, which shall serve to certify that the documents are in compliance with applicable provisions of the Fire Code, Building Code, rules, and other applicable laws, rules and regulations.
 - (3) Filings upon completion of installation. Upon completion of a fire alarm system installation that comprises any part of a core building system, the owner shall submit a request for inspection pursuant to R105-01(c)(2). Upon completion of a fire alarm system installation that does not comprise part of a core building system, the owner shall submit such a request or a professional certification of the installation.
 - (4) Format of design and installation documents. The design and installation documents required by this section shall be formatted (to scale) either to the standard size of 24 inches by 36 inches in dimension, or to the folio size of 11 inches by 17 inches in dimension, as specified in this section, or in such other format as may be designated by the Department. The Department may require, pursuant to FC105.4, submission of design and installation documents and related submissions, in an electronic format designated by the Department.

(c) Submission and Approval Procedure

(1) Submission and approval of design and installation documents

- (A) Submissions. Applications for approval of fire alarm systems shall first be filed with the Department of Buildings, and a Department of Buildings application number obtained. Thereafter, two (2) sets of engineering drawings complying with the requirements of Building Code Section BC907.1.1 and bearing the Department of Buildings application number, shall be submitted to the Department, by filing them at the Bureau of Fire Prevention's plan intake window, together with a copy of all forms filed in connection with the Department of Buildings application, and a Department design and installation document examination application form. One set of the engineering drawings shall be formatted to standard (24 x36) size and one to folio (11 x17) size.
- (B) Approval. The Department will review the design and installation documents submitted pursuant to R105-01(c)(1)(A), and, if determined to be in compliance with the requirements of the laws, rules and regulations enforced by the Department, stamp such documents approved.
- (C) Retention of approved engineering drawings. The Department will retain an electronic copy of the approved engineering drawings in folio (11 x 17) size, and return both sets of approved original engineering drawings to the applicant. The applicant shall retain the approved original engineering drawings, and make the standard (24 x 36) size set available to the Department representative at the time of inspection pursuant to R105-01(c)(3)(A).

(2) Department inspection filing

- (A) Submissions. Applications for Department inspection of a fire alarm system installation shall include the following documentation and such other information and documentation as the Department may require:
- (1) the Department's "request for inspection" application form;
- (2) "as built" design and installation documents of the fire alarm system installation, and the facility in which it is installed, as actually constructed, formatted in folio (11 x 17) size, and containing:

(a) the information required by *Building Code Section 907.1*; and

(b) the Input/Output programming matrix and written certification required by R105-01(c)(2)(A)(3) and (4).

If such "as built" *design and installation documents* cannot be filed at the time of submission of the request for inspection because installation work has not been completed, such "as built" documents may be submitted thereafter but no later than the date of inspection of the installation, either by filing them at the *Bureau of Fire Prevention's* plan intake window or by providing them to the Department representative at the time of inspection of the installation.

(3) a completed Input/Output programming matrix that defines the sequence of operation, as set forth in Annex A to Section A.10.6.2.3(9) of NFPA Standard 72; and

(4) a written statement from a *registered design professional*, a person holding a license to engage in the business of installing, servicing and maintaining fire alarm systems issued by the New York Secretary of State pursuant to Article 6-D of the New York State General Business Law, or a master electrician licensed by the *Department of Buildings* and registered with the New York Secretary of State in accordance with such Article 6-D, certifying that a functional test has been conducted of the *fire alarm system* and the system operates as designed and in accordance with the Input/Output programming matrix. If such functional test cannot be conducted at the time of submission of the request for inspection because installation work has not been completed, such written certification may be submitted to the *Department* in accordance with R105-01(c)(2)(A)(2).

(B) Acceptance. The *Department* will review such *application* for inspection and supporting documentation for completeness and/or other purposes, and if satisfactory, will authorize an inspection.

(3) Inspection and approval of fire alarm system installation

(A) Availability of documents. The standard (24 x36) size approved original engineering drawings of the *fire alarm system* installation, pursuant to R105-01(c)(1)(C), and a set of "as built" *design and*

installation documents of the installation, pursuant to R105-01(c)(2)(A)(2), shall be made available for inspection by the Department representative at the time of inspection of the fire alarm system installation.

(B) Filing with Department of Buildings. The “as built” design and installation documents submitted to and accepted by the Department will be electronically filed with the Department of Buildings by the Department as part of the applicant’s Department of Buildings application, unless another manner of filing such documents with the Department of Buildings is prescribed by the Department.

STATEMENT OF BASIS AND PURPOSE OF FINAL RULES:

The Fire Department is promulgating two new rules relating to the approval of the design and installation of fire alarm systems.

Section 104-02 sets forth standards, requirements and procedures for the professional certification, pursuant to FC104.2.1, of the design and installation of fire alarm systems. Section 105-01 sets forth standards, requirements and procedures for the submission for Department review and approval of design and installation documents for fire alarm systems.

These rules were originally proposed as part of the third installment of the Fire Department’s repeal and repromulgation of its rules, but were not included in the final promulgation of those rules. They are now being separately promulgated.

104-02/105-01 (8/20/09)