


The Uniform Fire Prevention and Building Code


30 YEARS OF BUILDING SAFETY IN NEW YORK STATE
1984 - 2014



Where do we begin?


Code of Hammurabi - 1772 BC

"If a builder build a house for a man and do not make its construction firm, and the house which he has built collapse and cause the death of the owner of the house, that builder shall be put to death."



How did we get here?

FIRE!
"... the rapid oxidation of a material in the exothermic chemical process of combustion, releasing heat, light, and various reaction products."



Great Chicago Fire
October 8, 1871

Earliest known NY ordinance

- New Amsterdam - 1648
- Appointed Firewardens
- Prohibited wood (or lath and plaster) chimneys
- Not retroactive
- Subject to Firewarden approval



Where did NY's "modern" codes originate?

- Tenement housing
- Overcrowding
- Living conditions
- Fire safety



Early NYS Laws Regulating Buildings

- ▶ First Tenement House Act 1867
 - ▶ Fire escapes, windows in each room
- ▶ Second Tenement House Act (Old Law) 1879
 - ▶ Windows face source of air and light
- ▶ Tenement House Act (New Law) 1901
 - ▶ Ventilation, indoor toilets, fire safeguards
 - ▶ Applicable to "cities of the first class"
- ▶ Multiple Dwelling Law (NYC) 1929
- ▶ Multiple Residence Law (NYS) 1952



Its not just about housing...

Triangle Shirtwaist Factory
New York, NY
March 1911
146 fatalities



Two influential disasters...

COCOANUT GROVE

- ▶ Boston, MA
- ▶ November 28, 1942
- ▶ 492 Fatalities



WINECOFF HOTEL

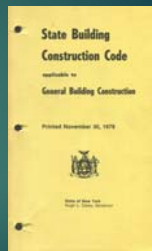
- ▶ Atlanta, GA
- ▶ December 7, 1946
- ▶ 119 fatalities



New York responds...

STATE BUILDING CONSTRUCTION CODE

Predecessor to the Uniform Code
Based on early 1950's version of BOCA Building Code
First publication - 1952
Four parts
General Building Construction
Multiple Dwellings
One- and Two Family Dwellings
Plumbing
Voluntary municipal adoption



Remember this?

"This Code Manual is a guide prepared for building officials, architects, engineers, builders, owners and others to assist them in the interpretation, application and enforcement of the State Building Construction Code"



Tragedies that shaped the Uniform Code...



Holiday Inn
Greece, NY
November, 1978
10 fatalities



Stouffer's Inn
Harrison, NY
December, 1980
26 fatalities



Hyatt Regency
Kansas City, MO
July, 1981
114 fatalities
216 injured

And in the same year as Stouffer's...

MGM Grand Hotel Fire
November 21, 1980
85 fatalities



1981 - Special Governor's Task Force on Building and Fire Codes

- ▶ The level of loss, life, injury and property damage as a result of fire demonstrates that the people of the State of New York have not been receiving the basic level of protection to which they are entitled;
- ▶ There does not exist a single, adequate, enforceable code establishing minimum standards for fire protection and construction, maintenance and use of buildings and that extensive areas of the State are not subject to any code at all;
- ▶ The enforcement system is characterized by a lack of trained personnel, as well as inconsistent qualifications for personnel administering and enforcing codes;
- ▶ The threat to the public health and safety posed by fire remains a real and present danger for the people of the state; and
- ▶ The multiplicity of fire protection and building construction code requirements increases the cost of doing business in the state and artificially induces high construction costs.

“The present level of loss of life, injury to persons, and damage to property as a result of fire demonstrates that the people of the state have yet to receive the basic level of protection to which they are entitled in connection with the construction and maintenance of buildings.”

STATEMENT OF LEGISLATIVE PURPOSE

Chapter 707 of the Laws of New York

Executive Law – Article 18

UNIFORM FIRE PREVENTION AND BUILDING CODE ACT

- ▶ Establish statewide minimum level of protection from hazards of fire
- ▶ Provide for promulgation of a State uniform code
 - ▶ Building construction
 - ▶ Fire prevention
- ▶ “In full force and effect” throughout the State
- ▶ Encourage local governments to exercise “full powers”
 - ▶ Administration and enforcement
- ▶ Uniform, statewide approach to training and qualification of personnel

Features of Article 18

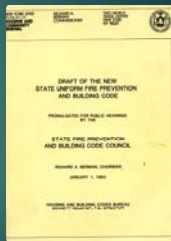
- ▶ Uniform Fire Prevention and Building Code
 - ▶ Mandatory throughout NYS
 - ▶ Exception: Cities > 1 million
 - ▶ Local amendments
- ▶ State Fire Prevention and Building Code Council
 - ▶ Authority to amend and update
 - ▶ MRLS review
- ▶ Municipal enforcement
 - ▶ Minimum standards by DOS
 - ▶ Opt-out mechanism
- ▶ Training of enforcement personnel
 - ▶ CEO certification
 - ▶ In-service
- ▶ Financial assistance
 - ▶ 54g

Statewide implementation 2 options

- | | |
|--|---|
| <p>NO LOCAL CODE</p> <ul style="list-style-type: none"> ▶ SBCC applies 3/1/1982 ▶ Uniform Code supersedes SBCC 1/1/84 | <p>LOCAL CODE</p> <ul style="list-style-type: none"> ▶ Local code remains in effect until 12/31/1983 ▶ Uniform Code supersedes local code 1/1/84 |
|--|---|

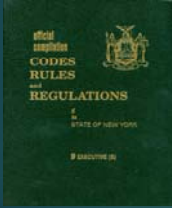
Uniform Code Draft

- Published January 1, 1983
- Compilation of SBCC documents
- 6 subcommittees
- 11 public hearings

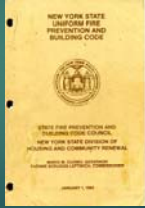


Uniform Fire Prevention and Building Code – January 1, 1984

Official version



Unofficial version



Development of the Uniform Code 3 phases

1984-1996

Code Council administered by DHCR
Emphasis on code interpretations
Code Council governmental designees cannot vote
Lack of quorum
Infrequent updates

1996-2003

Code Council administered by DOS
Emphasis on MRLS
Code Council governmental designees can vote
Quorum improved
Reference standards updated
Code seen as obstacle to development

2003-present

Code Council implements International Codes
Technical subcommittees
Commitment to 3 year update cycle
Regulatory process
ARRA
Debate on national issues
Sprinklers
Energy



Uniform Code - Evolving priorities

Initial

- ▶ Fire safety
- ▶ Building construction
- ▶ Structural stability
- ▶ Reference standards
- ▶ Housing / property maintenance
- ▶ Accessibility

Recent

- ▶ Existing buildings
- ▶ Quality control
- ▶ Building technology
- ▶ Energy conservation
- ▶ Sustainability
- ▶ Resilience



Uniform Code Summary

- ▶ Statutory authority Executive Law – Article 18
- ▶ Promulgating body State Fire Prevention and Building Code Council
- ▶ Effective date January 1, 1984
- ▶ Applicability Statewide
 - ▶ Exception Municipalities > 1,000,000 population
- ▶ Enforcement Cities, Towns, Counties
 - ▶ Exception Opted out municipalities
- ▶ Local amendments More Restrictive Local Standards
- ▶ Regulatory oversight 1984 – 1996 DHCR
1996 – present DOS



Since 2003

Based on International Codes
 2000
 2003
 2006*



How do we learn?

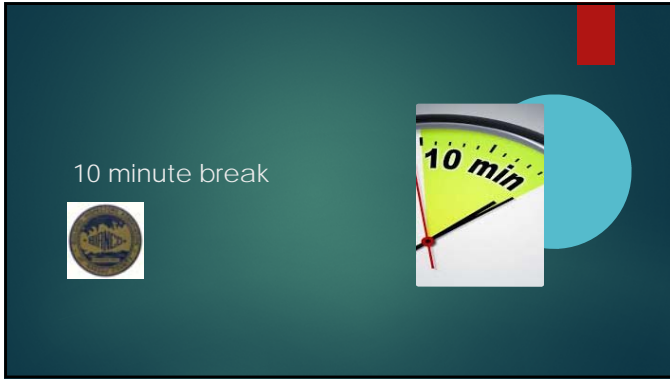
"Each of us can make a difference. Learn from the past and prepare for the future."
Francis L. Brannigan, SFPE



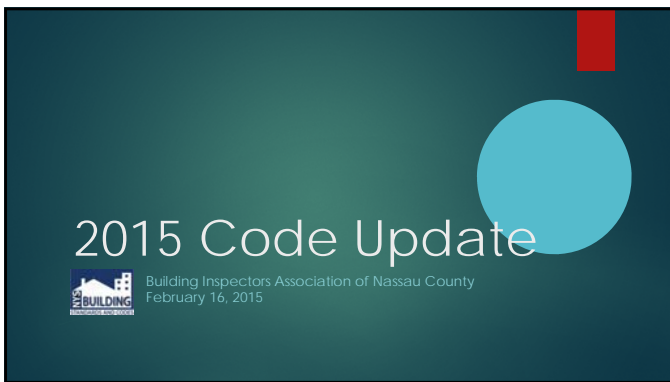
Fire in America
 Paul Robert Lyons



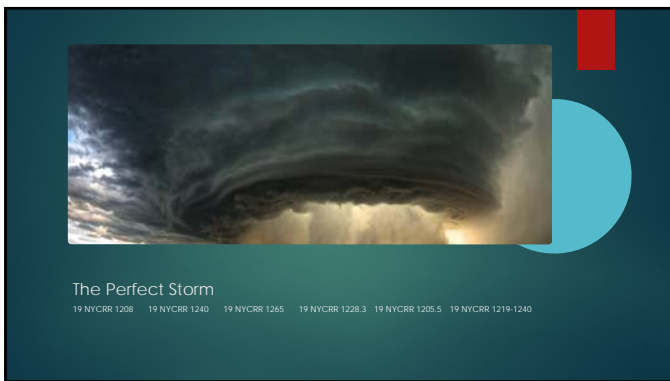
10 minute break

A slide with a dark teal background. On the left, there is a small circular seal. In the center, there is a close-up of a yellow clock face with the text "10 min" and a red hand pointing to the 10-minute mark. To the right of the clock is a large light blue circle. A small red rectangle is in the top right corner.

2015 Code Update

A slide with a dark teal background. On the left, there is a logo for the Building Inspectors Association of Nassau County. To the right of the logo, the text "Building Inspectors Association of Nassau County" and "February 16, 2015" is displayed. A large light blue circle is on the right side. A small red rectangle is in the top right corner.

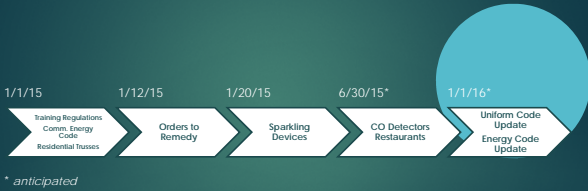
The Perfect Storm

A slide with a dark teal background. The top half features a dramatic image of a storm with dark, swirling clouds and a bright light source. Below the image, the text "The Perfect Storm" is written. At the bottom, a list of codes is provided: "19 NYCRR 1208 19 NYCRR 1240 19 NYCRR 1265 19 NYCRR 1228.3 19 NYCRR 1205.5 19 NYCRR 1219-1240". A large light blue circle is on the right side. A small red rectangle is in the top right corner.

2015 Regulatory Progress Guide

Department of State – Division of Building Standards and Codes 2015 Regulatory Progress Guide				
Description of Rule	Effective Date	Regulation (19 NYCRR)	DOS Link	Notes
Training of Code Enforcement Personnel	1/1/2015	Part 1208	http://www.dos.ny.gov/dos/bdsc/regulations/19nycrr1208.html	CEO and BSI Certification In-service Requirements Professional-electives
Commercial Energy Code Update – 2012 IECC / ASHRAE 90.1-2010	1/1/2015	Part 1240	http://www.dos.ny.gov/DSCA/energycode_code.htm	2 compliance paths – as modified by 2014 Supplement
Residential Structures w/ Glass Type Construction	1/1/2015	Part 1205	http://www.dos.ny.gov/dos/bdsc/regulations/19nycrr1205.html	Executive Law Article 18 § 382-b
Orders to Remedy	1/12/2015	Part 1203.5	http://www.dos.ny.gov/dos/bdsc/regulations/19nycrr1203-5.html	Executive Law Article 18 § 382(d) Technical bulletin
Sparkling Devices	1/20/2015	Part 1228.3	http://www.dos.ny.gov/dos/bdsc/regulations/19nycrr1228-3.html	Chapter 477 of the Laws of 2014 Chapter 696 of the Laws of 2014
CO Detectors in Restaurants	6/27/2015 (anticipated)	TBD	TBD	Steven Nelson's Law Executive Law - Article 18 §378(5-b)
Uniform Code Update 2015 International Codes	1/1/2016 (anticipated)	Part 1219 – 1228	http://www.dos.ny.gov/dos/bdsc/regulations/19nycrr1219-1228.html	Minimal NYS amendments Statutory requirements administrative
Energy Code Update 2015 IECC/ASHRAE 90.1-2013	1/1/2016 (anticipated)	Part 1240	http://www.dos.ny.gov/DSCA/CodeUpdate.html	Minimal NYS amendments Statutory requirements Administrative

Regulatory Timeline



Training of Code Enforcement Personnel

- ▶ Effective Date: January 1, 2015
- ▶ 19 NYCRR 1208
 - ▶ Replaces 19 NYCRR Part 434 and 435
- ▶ Statutory Authority – Executive Law Article 18 § 376-a
 - ▶ Secretary of State (replaces State Fire Administrator)
- ▶ Applies to CEO's and BSI's
 - ▶ Code Enforcement Officials
 - ▶ Building Safety Inspectors
 - ▶ Previously Code Compliance Technicians (CCT)

Commercial Energy Code Update

- ▶ Effective Date: January 1, 2015
- ▶ 19 NYCRR Part 1240
 - ▶ 2012 IECC – Commercial Provisions
 - ▶ ASHRAE 90.1-2010
 - ▶ 2014 Supplement
- ▶ Statutory Authority – Energy Law Article 11 § 104
 - ▶ State Fire Prevention and Building Code Council
- ▶ Applies Statewide
 - ▶ Including NYC

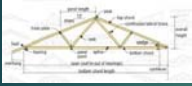
Compliance Paths

2012 IECC Or ASHRAE STANDARD Energy Standard for Buildings Except Low-Rise Residential Buildings AS Modified By

Truss Type Construction - Residential

- ▶ Effective Date: January 1, 2015
 - ▶ Adopted as Emergency Rule
 - ▶ Simultaneously proposed as Permanent Rule
 - ▶ Public Hearing – March 2, 2015
- ▶ 19 NYCRR Part 1265
- ▶ Statutory Authority – Executive Law Article 18 § 382-b
 - ▶ State Fire Prevention and Building Code Council
- ▶ Applies Statewide
 - ▶ Except NYC


Residential Truss Construction 19 NYCRR Part 1265




- ▶ Applies to 1&2 family & townhouses, Group R
 - ▶ R1/R2 Hotels and motels subject to Part 1264
- ▶ New construction, additions, rehabilitation
- ▶ Three systems
 - ▶ Truss type construction
 - ▶ Pre-engineered wood
 - ▶ Timber construction
- ▶ Notification – form
 - ▶ Submitted to AHJ
- ▶ Sign/symbol
 - ▶ Affixed to electric box - exterior

Residential Truss Identification

Sign/Symbol (§1265.4)




Sample Form (§1265.4)



Sparkling Devices

- ▶ Effective Date: January 20, 2015
 - ▶ Adopted as Emergency Rule
 - ▶ Simultaneously proposed as Permanent Rule
 - ▶ Public Hearing – March 24, 2015
- ▶ 19 NYCRR 1228.3
- ▶ Statutory Authority – Chapter 477 of the Laws of 2014
 - ▶ State Fire Prevention and Building Code Council
- ▶ Applies in Cities or Counties that adopt a Local Law
 - ▶ Exception: NYC
 - ▶ Niagara County: LL public hearing – February 17, 2015

Sparkling Devices
19 NYCRR 1228.3



- ▶ Definition – Sparkling devices
 - ▶ Ground based/hand held
 - ▶ Cylindrical/cone fountain
 - ▶ Wooden sparklers
 - ▶ Novelties
 - ▶ Party poppers/snappers
- ▶ Use in/near buildings & structures
- ▶ Retail sales
- ▶ Displays
- ▶ Reference standards
 - ▶ NFPA 495
 - ▶ NFPA 1124

Orders to Remedy

- ▶ Effective Date: January 12, 2015
- ▶ 19 NYCRR Part 1203
 - ▶ § 1203.1 – amended
 - ▶ § 1203.5 – new
- ▶ Executive Law Article 18 § 382(2)
 - ▶ Secretary of State
- ▶ Applies to local governments that enforce the Uniform Code
 - ▶ Minimum standards for administration and enforcement
 - ▶ Enacted through municipal Local Law
- ▶ State agencies – 19 NYCRR Part 1201/1202

Orders to Remedy
19 NYCRR 1203.5



- ▶ Violation notice / order to remedy
 - ▶ Must include a statement mandating full compliance within 30 days
 - ▶ Must be served within 5 days
 - ▶ May be < 30 days
- ▶ All other provisions of Art 18 apply
 - ▶ Fines (\$1000/day)
 - ▶ Imprisonment < or = 1 year

Statement – 1203.5(b)

"NOTICE: Full compliance with this order to remedy is required by _____ [specify date], which is thirty (30) days after the date of this order. If the person or entity served with this order to remedy fails to comply in full with this order to remedy within the thirty (30) day period, that person or entity will be subject to a fine of not more than \$1,000 per day of violation, or imprisonment not exceeding one year, or both."

CO Detectors Restaurants



- ▶ Steven Nelson's Law
 - ▶ Executive Law - Article 18 §378 (5-b)
- ▶ Effective date of law: June 27, 2015
- ▶ Applies to:
 - ▶ Restaurants
 - ▶ "Commercial buildings"
- ▶ Retroactive
- ▶ Exception:
 - ▶ No CO emitting appliances, devices or systems
- ▶ Not enforceable by CEO's until Code Council adopts a regulation!

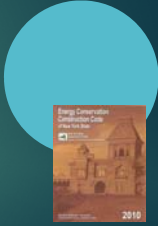
2015 Uniform Code Update

- ▶ Anticipated Effective Date: January 1, 2016
- ▶ 19 NYCRR Part 1219-1228
 - ▶ 2015 International Codes
 - ▶ IBC, IRC, IFC, IEBC, IPC, IMC, IFGC, IPMC
- ▶ Statutory Authority – Executive Law Article 18 § 377
 - ▶ State Fire Prevention and Building Code Council
- ▶ Applies Statewide
 - ▶ Except NYC



2015 Energy Code Update

- ▶ Anticipated Effective Date: January 1, 2016
- ▶ 19 NYCRR Part 1240
 - ▶ Residential and Commercial
 - ▶ 2015 IECC
 - ▶ ASHRAE 90.1-2013
- ▶ Statutory Authority – Energy Law Article 11 § 104
 - ▶ State Fire Prevention and Building Code Council
- ▶ Applies Statewide
 - ▶ Including NYC



New Code Development Strategy

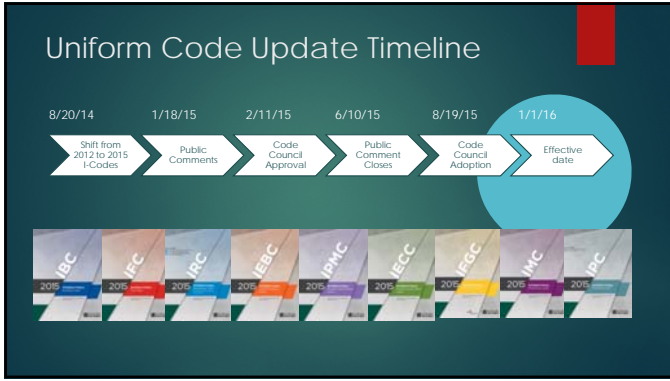
- ▶ **Adopt most current edition of the International Codes**
- ▶ August 20, 2014 – Code Council shift from 2012 to 2015 International Codes
 - ▶ Adopt 2015 I-Codes with minimal NYS amendments
 - ▶ Except statutory / administrative standards (Article 18)
 - ▶ No technical subcommittees
 - ▶ Confidence in ICC process
 - ▶ NYS participation via cdpACCESS
 - ▶ No NYS specific books
 - ▶ Not necessary – minimal NYS amendments
 - ▶ Expedite regulatory process



Discussion – NYS Amendments

- | | |
|--|--|
| ▶ Plumbing fixture max flow rate (Water sense) | ▶ Gas station fire suppression systems |
| ▶ Sawn lumber – grading practices and identification | ▶ Residential sprinkler systems |
| ▶ Accessible dwelling units Type A vs. Type B | ▶ Residential stair geometry |
| ▶ Accessible parking spaces | ▶ Air leakage test 1&2 family and townhouses |
| | ▶ Air leakage protocol R1, R2, R3, R4 |





What is your role?

Participate
Advocate
Educate

ICC
INTERNATIONAL
CODE COUNCIL


ASCE
FASNY

How do I participate?



cdpACCESS

- ▶ ICC's new cloud based system for code development
- ▶ Maintains ICC governmental consensus process
- ▶ Enhances participation at Committee Action and Public Comment Hearings
- ▶ Three main features:
 - ▶ Code change proposal collaboration and submission
 - ▶ Public comment collaboration and submission
 - ▶ Online governmental consensus vote following PCH

Questions?



Thank you!



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