

GENERAL ORDINANCE NO.11-2017

BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA-ISAAC, SHEPHERD AND BREEN:

A GENERAL ORDINANCE AMENDING THE CODE OF THE CITY OF YONKERS CHAPTER 59, ENTITLED "FIRE CODE" BY REPEALING AND REPLACING A NEW ARTICLE REGARDING EMERGENCY PLANNING AND PREPAREDNESS FOR SHELTERS

The City Council of the City of Yonkers, in City Council convened, does hereby ordain and enact as follows:

Section 1. General Ordinance No. 1-2017 adopted by the City Council on January 17, 2017 and approved by the Mayor on January 26, 2017, amending the Code of the City of Yonkers Chapter 59 by adding a new Article XXVI is hereby repealed.

Section 2. Chapter 59 of the Code of the City of Yonkers entitled "Fire Code" is hereby amended by adding a new Article XXVI entitled "Emergency Planning and Preparedness for Shelters" to read as follows:

• Chapter 59. Fire Code

Article XXVI Emergency Planning and Preparedness for Shelters

§ 59-310. Scope.

This Article governs emergency reporting, planning and preparedness for buildings occupied or designed to be occupied to provide emergency shelter for more than 10 homeless persons for more than 30 days in a year.

§59-311. Emergency Preparedness Plans

A. The emergency preparedness plans required by this Article shall serve to assure that procedures are in place that can be timely implemented in the event of a fire or other emergency to provide the information, guidance, direction and assistance needed to protect the safety of building occupants, including, if necessary, effecting their evacuation, relocation or sheltering in place. Such emergency preparedness plans shall further serve to assure that knowledgeable assistance is readily available on the premises to emergency response personnel responding to a fire or other emergency at the premises.

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- B. The Fire Commissioner shall promulgate rules for a comprehensive fire safety and action plan which shall include the following information and documentation, and/or such other information and documentation as the Fire Commissioner may prescribe:
- (1) The designation of the Fire Emergency Plan (FEP) coordinator as described in §59.318, by name and position at the premises, and other FEP staff, by name and/or position at the premises, if required.
 - (2) The procedure by which a fire or other emergency is reported to the Fire Department, and the FEP staff responsible for ensuring such reporting.
 - (3) The procedure for notifying building occupants of a fire or other emergency, and the FEP staff responsible for ensuring such notification.
 - (4) The procedure for coordinating with firefighting, emergency medical service and other emergency response personnel, including notifying such personnel upon arrival of the location of the emergency and the response thereto, and the FEP staff responsible for such coordination.
 - (5) Procedures for identifying and assisting building occupants who require assistance because of an infirmity, disability or other special need.
 - (6) Procedures for accounting for employees and occupants after evacuation has been complete.
 - (7) Identification of fire prevention measures appropriate to the occupancy, to be included in staff training and drills, and the FEP staff or building staff responsible for addressing any unsafe conditions, including:
 - i. Unobstructed and unimpeded access to means of egress.
 - ii. Proper storage and removal of combustible materials and combustible waste on the premises.
 - iii. Maintenance of decorative vegetation.
 - iv. Proper use of extension cords, outlets and electrical equipment.
 - v. Maintenance of sprinkler head clearances.
 - vi. Posting and maintenance of "No Smoking" signs required by this code.
 - vii. Posting and maintenance of Occupancy Signs.
 - (8) The procedure for the ongoing monitoring of the premises during regular business hours to verify compliance with the following requirements, and the FEP staff responsible for such monitoring:
 - i. Access to the means of egress is unobstructed and unimpeded.
 - ii. The premises does not exceed the posted and/or design occupant load.

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- iii. Allowable use of open flames and open-flame devices is being conducted properly and safely.
- iv. The prohibition against smoking, where required by this code or the rules, is being observed.
- v. Inspection and maintenance of life safety systems and equipment in accordance with the appropriate reference standards.

C. Fire and emergency preparedness staff. The fire and emergency preparedness plan shall designate an FEP shelter coordinator and a sufficient number of deputy FEP shelter coordinators, with such qualifications, duties and authority as set forth in the rules.

D. FEP shelter coordinator. The FEP shelter coordinator and deputy FEP shelter coordinators designated in the fire and emergency preparedness plan shall have the following duties and responsibilities and such other duties and responsibilities as prescribed by rule:

(1) The FEP shelter coordinator shall be present in the building at all times while the building is occupied. When the FEP shelter coordinator is absent, a deputy FEP shelter coordinator shall be present in the building and shall perform the duties of the FEP shelter coordinator.

(2) In the event of a fire, a medical emergency or other emergency, the FEP shelter coordinator shall report to the fire command center or designated alternative location, and, if appropriate, implement the fire and emergency preparedness plan in accordance with its terms and the provisions of the rules, and notify arriving emergency response personnel and incident commander of the fire or other emergency, the building response thereto, and the building's fire protection systems.

(3) The FEP shelter coordinator and deputy FEP shelter coordinators designated shall be fully familiar with the provisions of the fire and emergency preparedness plan. The FEP shelter coordinator shall conduct staff training and quarterly fire and other emergency drills.

E. Buildings or parts thereof occupied or operated to be occupied by emergency shelters shall be continuously patrolled by trained staff personnel. Every area of the building shall be patrolled at least once every hour.

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- F. There shall be posted on or immediately adjacent to the main entrance door of guest rooms in buildings and occupancies and any emergency shelter a notice that provides the following information and guidance to building occupants, and/or such other information as the Fire Commissioner may prescribe by rule:
- (1) A floor plan indicating visual representation of the location of Primary and Secondary Evacuation routes, accessible egress routes, areas of refuge, exits and exterior occupant assembly points.
 - (2) Location of manual fire alarm boxes and fire alarm annunciators and controls.
 - (3) Portable fire extinguisher locations
 - (4) A written description and/or visual representation of the procedures to be followed in the event of a fire, smoke condition or other emergency.
- G. Every comprehensive fire safety and emergency action plan shall be submitted to the Fire Department for acceptance in the manner prescribed by the Fire Department. Acceptance of such plans shall be obtained prior to occupancy of the building or occupancy.

§59-312. Maintenance on Premises

A copy of the emergency preparedness plan shall be maintained on the premises and kept readily available for inspection at all times. The Fire Department may require that the emergency preparedness plan be maintained at an approved location on the premises in an approved first responder box secured by a citywide standard key to ensure availability of the plan at all times.

§59-313. Periodic Review and Revision

Emergency preparedness plans shall be reviewed and updated as necessitated by changes in staff assignments, use or occupancy, or the design and arrangement of the premises, but at least annually. An entry shall be made in the log book required by §59-316 documenting such review, and indicating the general nature of any amendments to be made to such plan. Submission of an amended emergency preparedness plan shall not be required solely by reason of staffing changes. Fire and emergency preparedness guides and notices shall be reviewed prior to each distribution required by this Article or the rules, and shall be revised within 60 days of any change in building construction or service equipment materially affecting the content of such guide or notice.

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§59-314. Applicability to Existing Buildings and Occupancies

The preparation of an emergency preparedness plan shall constitute an operational requirement. Except as otherwise provided in this section, owners and operators of new buildings and occupancies required by this chapter to have an emergency preparedness plan shall prepare such plan and submit it to the Fire Department for approval prior to legally occupying the structure. Owners and operators of existing buildings and occupancies shall prepare such plan and submit it to the Fire Department for approval within three (3) months of from the promulgation of rules implementing such emergency preparedness plan provisions of this article.

§59-315. Existing Emergency Preparedness Staffing

Any building or occupancy that prior to the effective date of this section obtained Fire Department approval of the voluntary installation of a fire alarm system with two-way voice communication and was required to provide a fire safety warden or other specified emergency preparedness staffing shall maintain such staffing unless a higher level of staffing is required by this Article.

§59-316. Emergency preparedness recordkeeping.

Buildings and occupancies required to have an emergency preparedness plan pursuant to this Article, shall maintain a log book in accordance with this section. Such log book shall be kept on the premises and available to Fire Department personnel if requested.

§59-317. Cooperation

All owners, employers of building occupants (including lessees of tenant spaces and similar occupancies) and building occupants shall cooperate in the development and coordination of emergency preparedness plans, including designation of building occupants to assist in the implementation of such plan.

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§59.318. Fire and Emergency Preparedness Staff

- A. The owner of any premises required by this Article to have a fire and emergency preparedness plan shall designate competent persons to act as FEP staff, including a person designated to serve as the FEP coordinator pursuant to Subsection B of this section. An owner of such a premises shall not be required to employ or otherwise retain staff solely for purposes of complying with the requirements of this Article, but shall designate persons employed or otherwise working at the premises to serve as FEP staff and assign them the duties and responsibilities necessary to implement the fire and emergency preparedness plan and otherwise comply with the requirements of this chapter and the rules.
- B. A manager or other responsible FEP staff member employed at the premises shall be designated in the fire and emergency preparedness plan as the FEP coordinator and shall be trained and show competence in fire prevention, evacuation, and fire safety as approved by the Fire Commissioner. The FEP coordinator shall have the following duties and responsibilities and such other duties and responsibilities as the Fire Commissioner may prescribe by rule:
- (1) The FEP coordinator shall be fully familiar with the provisions of the fire and emergency preparedness plan and shall conduct the FEP staff training and fire and other emergency drills including quarterly fire drills, and those required by Subsection C of this section, however FEP staff training and fire and other emergency drills may be conducted by trained staff personnel under the general supervision of the FEP coordinator.
 - (2) The FEP coordinator need not be personally present on the premises during regular business hours, but shall be responsible for overseeing and monitoring the performance of the duties and responsibilities of the FEP staff set forth in the fire and emergency preparedness plan.
 - (3) The FEP coordinator shall endeavor to ensure that adequate FEP staff is present during regular business hours, and, in the absence of designated FEP staff, shall designate interim FEP staff.

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C. FEP staff shall be trained in the performance of their duties in accordance with the fire and emergency preparedness plan.

(1) FEP staff shall receive initial training in the fire and emergency preparedness plan upon their designation as FEP staff. Such training shall familiarize them with:

i. their duties in the event the fire and emergency preparedness plan is implemented; and

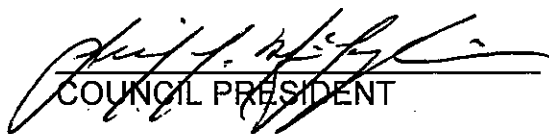
ii. appropriate fire prevention measures for the occupancy.

(2) With the exception of the FEP coordinator, FEP staff shall receive refresher training not less than every two months.

(3) FEP staff shall be periodically instructed and kept informed of their duties and responsibilities under the plan. A written record of instruction and training shall be maintained in a log book for purposes of documenting emergency preparedness. An entry shall be made in such log book for each training session conducted. Such instruction shall be reviewed by the staff not less than every two months. A copy of the plan shall be readily available at all times within the facility.

Section 3. This ordinance shall take effect July 1, 2017.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 13, 2017 BY A VOTE OF 7-0.


COUNCIL PRESIDENT

6/20/17
DATE

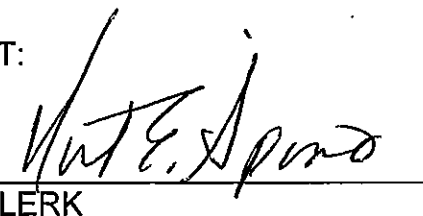
SENT TO MAYOR 6/22/17
DATE



MAYOR

APPROVED 6/22/17
DATE

ATTEST:


CITY CLERK

6/23/17
DATE