

**RULES FOR THE IMPLEMENTATION OF
EMERGENCY PLANNING AND PREPAREDNESS PLANS FOR
SHELTERS WITHIN THE CITY OF YONKERS**

*Promulgated by the Fire Commissioner of the City of Yonkers
Effective Date: August 10, 2017*

The Yonkers City Council has adopted a general ordinance amending Chapter 59 of the Code of the City of Yonkers by adding Article XXVI entitled “Emergency Planning and Preparedness for Shelters.” This newly added Article governs emergency reporting, planning and preparedness in the event of a fire or other emergency 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. These rules have been promulgated by the Fire Commissioner of the City of Yonkers pursuant to Article XXVI, Ch. 59-311(B), and delineate the required procedures for implementation of an emergency preparedness plan (“EPP”).

An EPP is a written document that guides occupants’ initial actions during emergencies such as fires, hazardous chemical releases, and severe weather. A well-developed EPP can result in fewer and less severe injuries and less damage to facilities during emergencies.

Annexed to these rules are the following templates that must be tailored to each shelter:

- Exhibit A: Emergency Preparedness Plan Template
- Exhibit B: EPP Log Book Template

The Yonkers Fire Department’s Office of Fire Prevention can be reached at 914-377-7525.

I. Emergency Preparedness Plans

As noted by Chapter 59-311 of the City Code, an EPP shall be implemented in the event of a fire or other emergency. Please refer to the annexed “Exhibit A” for a template of an EPP. The term “other emergency” includes any unforeseen situation that threatens employees, occupants, or the public at the shelter or facility, and causes physical or environmental damage. An emergency may be natural or manmade and includes, without limitation, the following:

- Fires;
- Floods;
- Toxic Gas Releases;
- Flammable and Combustible Gas Releases;
- Explosions;
- Civil Disturbances;
- Workplace violence resulting in bodily harm and trauma; and
- Tornadoes.

Note: the attached EPP is only a template and must be tailored to each individual building or shelter that is subject to Chapter 59 of the Code of the City of Yonkers.

II. Approval of Emergency Preparedness Plans

Section 311(G) of Chapter 59 of the City Code requires that an EPP for each applicable shelter is submitted to the Fire Department for acceptance. Plans submitted for acceptance shall be sent by U.S. Mail or delivered in-person to the following address:

Yonkers Fire Department
Office of Fire Prevention
470 Nepperhan Ave, 2nd Fl
Yonkers, New York 10701

Submission of Plans by facsimile or electronic mail will not be accepted.

III. Designation of Fire Emergency Plan (FEP) Coordinator

The designation of the Fire Emergency Plan coordinator shall contain all the identifying information as noted in Chapter 59, Section 311(B)(1) of the City Code. All required information pertaining to the designation of the coordinator shall be noted in an approved form and submitted to the Fire Department simultaneously with the EPP. For a template of the form that may be used for the designation of fire emergency plan coordinators, please see “*Exhibit A.*”

Each shelter that is required to implement an EPP shall submit one (1) designation form providing all required information for the shelter coordinator and deputy coordinator(s). The designation form shall be kept on premises at all times and updated immediately upon any changes in the fire emergency plan (“FEP”) staff. The form shall be made readily available for inspection upon request by a member of the Yonkers Fire Department.

IV. Procedures for Reporting a Fire or Other Emergency

To report a fire or other emergency, call **911**. Any member of the FEP staff shall be responsible for reporting a fire or other emergency as soon as possible upon discovery of the emergency situation. A person shall not, by verbal or written directive, require any delay in the reporting of a fire to the fire department or to the 911 system. When making such an emergency call, the FEP staff shall immediately identify the facility as a shelter.

V. Procedure for Notifying Building Occupants of a Fire or Other Emergency

In the case of a fire or other emergency, the FEP shelter coordinator (“FEPSC”) or deputy FEP shelter coordinator (“FEPDSC”) shall ensure that all occupants are notified via one or a combination of the following methods:

- 1) Verbally through the building’s public address (PA) system;
- 2) Verbally through staff personnel; or
- 3) Verbally through the building’s internal alarm system.

If the FEP staff intend to utilize any other method of notifying building occupants of a fire or other emergency, such method shall be noted in the EPP and approved by the Yonkers Fire Department.

VI. Procedure for Coordinating with Emergency Response Personnel

(a) Notation of Shelter Information in the EPP

The EPP for each shelter shall include sufficient information pertaining to the shelter's daily operations such that FEP staff may efficiently coordinate with emergency response personnel in case of an emergency. Each EPP shall, at a minimum, contain the following information:

- 1) Name and 24-hour contact information for the Director, Manager, or person responsible for the daily operations of the shelter;
- 2) Whether the shelter operator is an owner or lessee of the real property on which the facility is located and if the shelter is a lessee or contractor, then the EPP shall include contact information for the property owner as well as for the shelter operator;
- 3) The regular operating hours of the shelter;
- 4) Information as to the type of shelter that is in operation including whether any group of occupants are not permitted on the shelter's premises and information noting the maximum number of occupants permitted on the shelter's premises including whether or not minors are permitted occupants of the shelter; *and*
- 5) Whether the shelter serves food to its occupants. If so, a full description of the cooking and/or catering services at the facility.

(b) Duties of FEP Staff

In the case of a fire or other emergency, the FEPSC or FEPDSC shall do the following:

- (i) report to the fire command center or the designated alternative location;
- (ii) implement the EPP, if appropriate, in accordance with its terms and the provisions of these rules;
- (iii) notify arriving personnel and the incident commander of the fire or emergency agency, of all actions taken to protect or evacuate building occupants, including accounting for all occupants at the time of the emergency; and
- (iv) shall not interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of an emergency vehicle in any way, or to interfere with, attempt to interfere

with, conspire to interfere with, obstruct or hamper any fire department or other emergency responder's operation.

VII. Procedures for Identifying and Accounting for Employees and Occupants

Each EPP shall contain information sufficient to account for employees and occupants of the premises in addition to identifying and assisting building occupants who require assistance because of an infirmity, disability, or other special need. The FEPSC, or FEPDSC, shall identify building occupants that would require assistance during an evacuation, and assign trained staff to assist those occupants during an evacuation.

(a) Log Book

As mandated by §59-316 of the City Code, buildings and occupancies required to have an EPP shall maintain a log book. Notwithstanding any other requirements as noted in the City Code, the log book shall also contain the following information:

- 1) The full name and location of each occupant present on the premises on a daily basis;
- 2) The signature, if practicable, of each occupant present on the premises on a daily basis including the time when such occupant enters and leaves the premises;
- 3) Information indicating whether the occupant is an adult or minor; and
- 4) Notation as to whether an occupant requires assistance because of an infirmity, disability or other special need.

If an occupant is unable or unwilling to write his or her name in the log book, an FEP staff member shall print the occupant's name in the log book if such name is known to the FEP staff member.

The log book shall be maintained for no less than five (5) years from the date of each daily entry. Attached to these Rules as "*Exhibit B*" is an approved template of a log book format that shall be tailored to each individual shelter.

(b) Contingency Plans

Each shelter operator shall create a contingency plan for transporting occupants to an off-site location if the shelter facility is uninhabitable. The contingency plan shall be noted in the EPP and include the 24-hour contact information for the agency, organization, or company that is responsible for transporting occupants to an off-site location in the event of an emergency.

VIII. Identification of Fire Prevention Measures

Identification of fire prevention measures appropriate to the occupancy to be included in staff training and drills include the following:

(a) **Unobstructed and unimpeded access to means of egress.**

Required exit accesses, exits, exit discharges, emergency power systems including all appurtenant components, and emergency lighting equipment including routine maintenance, inspection and operational testing shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency where the building area served by the means of egress is occupied. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress.

Security devices affecting means of egress shall be subject to approval of the City fire code official. Security devices and locking arrangements in the means of egress that restrict, control, or delay egress shall be installed and maintained as required by the New York State Uniform Code.

(b) **Proper storage and removal of combustible materials and combustible waste on the premises.**

Combustible materials shall be stored in an orderly fashion. They shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur. Combustible materials shall not be stored in mechanical rooms and shall not be stored in any area that blocks a means of egress.

(c) **Maintenance of, and the restrictions on the use of, decorative vegetation.**

The use of decorative vegetation shall not obstruct any portion of a means of egress and shall not be located near any open flame, heat vent or heat-producing device. The use of natural cut trees is prohibited except in facilities protected by an approved automatic sprinkler system. Natural cut trees shall not be located within an exit, corridor, lobby or vestibule.

(d) **Proper use of extension cords, outlets and electrical equipment.**

Identification and abatement of electrical hazards including, but not limited to, working space and clearance, proper use of extension cords and multi-plug adapters, appliances, etc.

(e) **Maintenance of sprinkler head clearances.**

Maintenance of fire detection, alarm, and extinguishing systems, fire standpipe systems, fire pump systems, mechanical smoke exhaust systems, and smoke and

heat vents and all other fire protection systems and appurtenances. These shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems shall be inspected, tested and maintained or removed. Operation and maintenance of commercial kitchen exhaust hoods, ductwork, and suppression systems.

(f) Posting and maintenance of “No Smoking” signs required by this code.

“No Smoking” signs shall be conspicuously posted in the shelter facility, and the shelter operator shall vigorously enforce the “no smoking” policy at all times.

(g) Posting and maintenance of Occupancy Signs.

Posting and maintenance of Occupancy Signs including monitoring the premise to ensure the posted occupancy is not exceeded nor any change of use of any space occurs that deviates from the approved certificate of occupancy.

IX. Procedure for Ongoing Monitoring of Premises

To ensure the ongoing monitoring of the shelter premises in accordance with Chapter 59-311 (B)(8) of the City Code, FEP staff shall comply with the following:

(a) Frequency

Every area of the building shall be patrolled at least once every hour during the facility’s regular operating hours. The log book that is maintained by each shelter shall include information as to which FEP staff member monitored particular portions of the premises on a daily basis to ensure compliance with all the requirements set forth in Chapter 59-311 (B) of the City Code. Contact information for all FEP staff shall be noted in the EPP or log book.

(b) Non-Compliance

If, during the daily monitoring of the premises, it is discovered that there is a lack of compliance with any of the requirements set forth in Chapter 59-311 (B) of the City Code, an FEP staff member shall immediately rectify the condition or notify another FEP staff member to immediately rectify the condition.

Any incident of non-compliance with the applicable requirements shall be noted in the log book under the “comments” column within twenty-four (24) hours of the discovery of such non-compliance, and such information shall be kept on the premises for no less than five (5) years from the date of each daily entry. Where a required fire protection system is found to be non-compliant or out of service, the FEP staff member shall immediately notify the fire department.

X. Qualification, Duties & Authority of FEP Shelter Coordinators and Deputy Coordinators

The operator of any occupancy occupied or designed to be occupied to provide emergency shelter for more than 10 homeless persons for more than 30 days a year shall designate competent persons to act as FEP staff, including a person designated to serve as the FEP coordinator.

(a) Qualifications

The FEPSC and FEPDSC shall be trained and show competence in fire prevention, evacuation and fire safety. Competence in fire prevention, evacuation and fire safety shall be determined by the Fire Commissioner and shall be established by showing satisfactory completion of a relevant degree, certification, course, or a combination of formal education and practical experience in fire prevention and/or firefighting. Courses, degrees, or certifications that shall be sufficient to constitute competence in fire preventions, evacuation and fire safety include, but are not limited to, the following:

- 1) Degree in Fire Science from an accredited college or university in the U.S.;
- 2) A Certificate of Fitness in a related field from another NYS municipality; or
- 3) Prior work experience totaling no less than 12 months in a same or closely related position.

(b) Duties

The FEPSC, or FEPDSC in the absence of the shelter coordinator, shall ensure compliance with Chapter 59 of the City Code. The FEPSC and FEPDSC shall be fully familiar with the provisions of the fire and EPP for their shelter as well as the legal occupancy limits and permissible use of each space within the shelter. Furthermore, the FEPSC shall be responsible for ensuring that the EPP is updated with applicable information including, but not limited to, contact information for all FEP staff, utility company emergency contact information, and training log information.

The FEPSC shall conduct and/or oversee FEP staff training as required by Chapter 59-318(C), and fire and other emergency drills including quarterly fire drills.

The FEPSC shall be physically present in the building at all times while the building is occupied. If the FEPSC is absent, a FEPDSC shall be present in the building and shall perform the duties of the FEPSC.

XI. Notice Mandated Pursuant to Chapter 59, Section 311(F) of the City Code

Chapter 59-311(F) of the City Code mandates, amongst other items, that notice be posted notifying building occupants of the building's floor plan, location of manual fire alarm boxes, portable fire extinguisher locations, and written or visual description of the procedures to be followed in an emergency.

For a template of the Notice Form, please refer to the annexed EPP Template "Exhibit A." Note that the attached Notice Form is only a template and must be tailored to each individual shelter that is subject to Chapter 59 of the Code of City of Yonkers.

XII. Maintenance of Emergency Preparedness Plans & Log Books on Premises

A copy of the EPP and the facility's log book shall be maintained on the premises and kept readily available for inspection at all times.

(a) EPP

The location of a hardcopy of the EPP shall be noted in each shelter's EPP and shall be approved by the Yonkers Fire Department. The FEPSC or FEPDSC shall also maintain the facility's EPP in an electronic format. If an EPP is amended, it shall be submitted to the Yonkers Fire Department unless the EPP was amended solely by reason of staffing changes.

(b) Log Book

As noted in Section VII of these Rules, the facility's log book shall be maintained for no less than five (5) years from the date of each daily entry. The physical location of the log book shall be noted in the EPP and approved by the Yonkers Fire Department.

The FEPSC or FEPDSC shall maintain previous log book entries in an electronic format on a monthly basis, and such electronic records shall be maintained for no less than five (5) years from the date of each daily entry.

The City of Yonkers may conduct a random annual audit or inspection of each shelter's log book including any documents maintained in an electronic format. An approved template of a log book is attached hereto as "*Exhibit B.*"

XIII. FEP Staff Training

FEP staff shall be trained in the performance of their duties in accordance with the EPP for their specific shelter. All FEP staff shall adhere to the training requirements as set forth in Chapter 59, Section 318(C) including documenting all instruction and training in the shelter's log book.

(a) Fire or Other Emergency Drill Schedule and Log Form

Pursuant to Chapter 59-318(C)(2) of the City Code, FEP staff are required to receive refresher training not less than every two months. Such refresher training shall include emergency evacuation drills for each shelter that has an approved EPP.

After the completion of each drill, the FEPSC or a FEPDSC shall complete the Drill Schedule and Log contained within the EPP Template annexed hereto as “Exhibit A.” Evacuations made necessary by the unplanned activation of a fire alarm system or by any other emergency shall not be substituted for a required evacuation drill. The Drill Schedule and Log Form shall be kept for no less than five (5) years from the date of each planned emergency drill that is conducted. A copy of this form shall be kept on premises and shall be readily available for inspection upon request by a member of the Yonkers Fire Department.

(b) Required Training Topics

The mandated initial and refresher training for all FEP staff shall include the following topics of instruction for each separate shelter in addition to any required training as set forth in Ch. 59, §§ 311(B)(7), 318(C) of the City Code:

- 1) EPP for the facility;
- 2) Individual roles and responsibilities for each member of the FEP staff;
- 3) Threats, hazards, and protective actions;
- 4) Notification, warning, and communications procedures;
- 5) Evacuation, shelter, and accountability procedures;
- 6) Location and use of common emergency equipment; and
- 7) Emergency shutdown procedures.

(c) Training Frequency of FEP Staff

FEP staff shall receive initial training in the fire and EPP upon their designation as FEP staff. Additionally, FEP staff shall receive training prior to the occurrence of any of the following events:

- 1) Introduction of new equipment, materials, or processes into the shelter environment that affects or is reasonably expected to affect an emergency evacuation route;
- 2) Change of the layout or design of the shelter; or
- 3) Revision or update of emergency procedures.