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FIRE ESCAPE INSPECTION POLICY AND PROCEDURE

I. General:

This policy establishes the minimum requirements for fire escape inspection within the City of Rochester (the "City") per the New York State Uniform Fire Prevention and Building Code (the "Uniform Code").

It is the purpose of this policy to establish:

i. Applicability of inspection criteria.
ii. Inspection staff responsible for the inspections.
iii. Inspection procedures for fire escape systems.
iv. Minimum requirements for evaluation and documentation of fire escapes.

II. Definitions:

[2020 BCNYS] Building Official:

The officer or other designated authority charged with the administration and enforcement of this code or a duly authorized representative.

[CoR] Code Enforcement Official:

An authorized representative of the Commissioner of Neighborhood and Business Development who has completed the State of New York's training for code enforcement personnel and has obtained and maintains certification from the State Fire Administrator according to the Executive Law and the regulations promulgated thereunder.

[2020 BCNYS] Dwelling Unit:

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

[2020 BCNYS] Exterior Exit Stairway:

An exit component that serves to meet one or more means of egress design requirements, such as the required number of exits or exit access travel distance, is open to yards, courts, or public ways.

[MRL] Fire Escape:

A combination of outside balconies and stairs providing an unobstructed means of egress from a building.

[2020 PMCNYS] Imminent Danger:

A condition that could cause serious or life-threatening injury or death at any time.

[2020 BCNYS] Registered Design Professional:

An individual who is a licensed and registered architect (RA) per Article 147 of the New York State Education Law or a licensed and registered professional engineer (PE) per Article 145 of the New York State Education Law.

[2020 BCNYS] Stairway:

One or more flights of stairs, either exterior or interior, with the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one level to another.

[2020 BCNYS] Story:

That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

III. Scope:

The City currently has many rental properties with existing fire escape systems installed in many different configurations. Most of this equipment is between fifty and one hundred years old. Without routine maintenance, deterioration can result in conditions that are unsafe for use by occupants or firefighters during an emergency. It is significant to determine when and why installing these systems was required historically and which codes necessitate that they are inspected and maintained.

This policy applies to all properties with dwelling units within the City, which undergo inspection per 19 NYCRR Part 1203, the Uniform Code, or the City of Rochester Property Code. The criteria for determining the applicable inspection requirements will be established by dividing the fire escape system into two distinct categories (It is important to note that the Building Official has the authority to make this determination on a case by case basis).

Category 1:

Existing buildings, one or two stories, and less than three dwelling units (Includes all properties that are not "Category 2").

- Existing fire escape equipment was most likely installed as previously required by City Code (Chapter 90). These types of systems may contain ladders.

Category 2:

Multi-family buildings three stories or greater with fire escape stairways and balconies that are part of the required emergency egress system.

- Installation was required by the New York State Multiple Residence Law (1952).
- This category also includes any newly constructed fire escapes built per the Uniform Code.

"Category 1" pertains to fire escape equipment installed on buildings that were not required by the codes as mentioned above, but instead local law and shall not be subject to the evaluation procedures established by this policy. Maintenance of this equipment is still mandatory; however, routine visual inspections will continue for all fire escape equipment as part of the Certificate of Occupancy renewal process.

"Category 2" pertains to fire escape systems where the Multiple Residence Law or the Uniform Code have required them to meet minimum requirements for means of egress. These fire escape stairways (and balconies) shall be subject to *Section 1104.16 of New York State's Fire Code*. The following procedure is intended to prescribe the necessary inspections and documentation.

IV. Responsible Inspector:

Working in conjunction with the City of Rochester Fire Marshal's Office, the City of Rochester Division of Code Enforcement will be the primary agency for inspection and enforcement of fire escape systems. This inspection procedure will align with the current Certificate of Occupancy renewal process established by The City of Rochester Property Code.

Referrals from the Fire Marshal's office based on required routine inspections or incident findings shall be sent to the area Code Enforcement Official and Supervisor.
(Note: For this policy, the "Fire Code Official" can be used interchangeably with the Building Official or Code Enforcement Official.)

V. Procedure:

Initial Inspection Process:

a. At the first "initial" C of O renewal inspection, following the effective date of this policy, the Building Official shall perform a visual inspection of the fire escape(s).
b. The Building Official will verify the course of direction for inspection requirements by use and number of stories.
c. The Building Official shall determine whether or not the fire escape is in imminent danger of failure or collapse based upon key visual indicators.
    i. Key visual indicators may include:
        1. Missing pieces
        2. Deformation of original components shape and or size
        3. Poor connections due to rust development
        4. Loose or absent attachment between pieces
        5. Degraded connections to the support structure or building
        6. Unacceptable or poorly completed repairs

Category 1:

The Building Official may request the Owner/Property Manager/Representative to traverse physically, load, shake, pull or move any part of the fire escape equipment to determine observable hazards.

Category 2:

The Owner shall work with a registered design professional to evaluate and document all the fire escape system components for structural adequacy and safety. The inspection report shall be submitted to the Building Official stating that the fire escape has been examined. That all identified deficiencies have been mitigated, and the fire escape is structurally safe and compliant. *See Section VI and attached report template.*

Evaluation and Reporting:

a. When the Building Official determines any fire escape equipment is in imminent danger of failure, hazardous, or defective, the Owner will be put on notice, which requires the fire escape to be examined by a registered design professional.
    i. If a fire escape component is determined to be unsafe during the inspection process, the Fire Marshal and Building Official shall be notified immediately.
b. Any minor deficiencies identified during the evaluation process shall be mitigated directly.
c. Any substantial repairs shall be performed under a building permit through the City of Rochester. Where permits are required for extensive repairs, a plan for mitigating deficiencies stamped by a registered design professional and essential calculations shall be submitted for review and approval.
    i. During this repair, an alternative plan for emergency egress may be required. Determination by the Fire Marshal is required when this condition is found.

Acceptance and Approval:

a. If minor repairs are required, the Owner shall develop a remediation plan and notify the Building Official once they are ready for re-inspection.
b. For all other deficiencies, the signed and sealed inspection report shall be accepted on the condition of approval from the Building Official. If deemed acceptable, the Building Official shall abate the violation(s) and add all documentation to the case file.

VI. Guidelines for Evaluation and Certification of Condition

A structural assessment is required for the evaluation outlined in this policy. A registered design professional shall conduct this inspection, and a report shall be submitted to the Building Official (See Section 1104.16.5.1 of the Fire Code of New York State).

The following evaluation report template is intended to serve as the minimum documentation for such a report. Additional information submitted to supplement the report documents may include detailed sketches, photos, design calculations, and any comprehensive maintenance program.

In place of a physical and or destructive load testing, a visual walkthrough of the fire escape system and all accessible areas is acceptable as long as the design professional can compile adequate data in determining the design load capacity of the existing equipment.

Fire Escape Evaluation Report

Property Information

Street Address: _____

City: _____ State: _____ Zip: _____

Building Owner, Agent, or Site Contact: _____

Phone: _____ Date of Inspection: _____

Building Characteristics

Year Built: _____ No. of Stories: _____

Occupancy of Building: _____ Approx. Height: _____

Exterior Wall Material(s): □ Brick □ Stone DCMU □ Vinyl □ Stucco □Other:

Number of Exterior Fire Escapes: _____

Location(s): □ Front □ Rear □ Right Side □ Left Side

Registered Design Professional

Name: _____

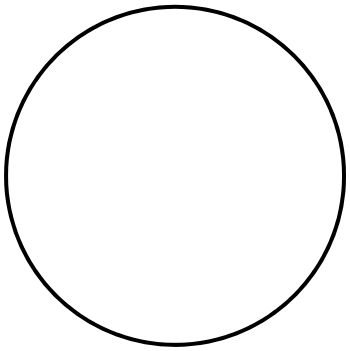
Company Name: _____

Phone: _____

Email: _____

If this condition inspection in response to a written or verbal violation from the Authority has Jurisdiction, please provide a copy of the violation.

Detail your assessment procedure and justification for approval:



_____

(Signature) (Date)

	YES	NO
GENERAL INSPECTION:		
Are there any broken steps, rungs, railings, landings, or supports?		
Are there any visible vertical or horizontal deflections of the fire escape systems?		
Are there any unauthorized, unlawful, or unprofessional modifications?		
Upon visual inspection, does the fire escape system appear to have not retained its general structural integrity as initially designed?		
Are there any obvious missing parts or deficiencies?		
Is the fire escape in need of paint?		
Is the protective coating deteriorated, broken, peeling, or cracking?		
Is there substantial rust?		
Is the fire escape, or access to it, obstructed in any way (e.g., A/C units, window guards, plants, bikes, satellite dishes, stored items, etc.)?		
Are there any items hanging from the fire escape?		
Are there any accessory structures, equipment, tanks, or code-restricted items on, in, or underneath the fire escape?		
Are there any nearby electrical lines or other hazards?		
Are the fire escape and its access lacking clear markings?		
Do access doors and or windows not function properly?		
Is there a top and intermediate handrail missing on either side of the balcony and stairs?		
Does the fire escape not extend to the ground?		

	YES	NO
ANCHORING DEVICES AND CONNECTIONS:		
Are there any missing, loose, damaged, or showing significant material corrosion, rusting, cracking, or other deterioration on any of the following components:		
Bolts, Rivets, and Screws?		
Welds?		
Joints and Plates?		
Stair Stringers?		
Treads?		
Railings?		
Supports?		
Balconies, Platforms, or Landings?		
Do the anchoring devices show any visible corrosion, rusting, cracking, or other deterioration?		
Are there visual signs of insufficient capacity of either the anchor or base material of the building being anchored to?		
Are the lower support legs of the fire escape to grade, not on concrete piers or equivalent bearing conditions?		
Is there any indication that the anchoring devices do not have proper embedment, contact, or installation techniques?		

	YES	NO
COUNTERBALANCE, STAIRS, AND LADDERS:		

Does the counterbalance stair fail to deploy?		
Is the counterbalance stair difficult to move or overly quick to move?		
Are there any missing, loose, or damaged parts of the counterbalance stair, counterweight area, or ladder systems?		
Is there any portion or component that does not function as intended?		
Does the ladder extend from a balcony or point greater than 18 feet above the ground?		
Is there visible wear and deterioration of the cables?		
Is the continuous grip of the handrails and railing impeded by objects or interrupted?		
Are the catwalk and all egress paths not continuous to a safe exit point?		
	YES	NO
MODIFICATIONS AND REPAIRS		
Are there any preexisting modifications or repairs that are inadequate or in need of additional evaluation?		

If any of the questions were answered "YES," please note the defects/problems found:

Additional remarks on observed deficiencies:

Proposed corrections:

To the best of my knowledge and professional opinion, the conditions and statements within this report are true and apply to the fire escape system(s) as of the visual condition inspection date. I have examined the fire escape(s) per this form's criteria and good engineering practice.

The condition of the existing fire escape system is determined to be:

- ☐ Safe and in compliance with the requirements of the Uniform Code.
- ☐ Safe with noted required repairs and or a maintenance program.
- ☐ Unsafe – Recommend load testing or other support systems.
- ☐ Unsafe and hazardous or in imminent danger of failure.