

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2006**

No. 46

By Council Members Dilan, Comrie, Gonzalez, Nelson, Seabrook, Stewart, Baez, Sears, Dickens and Weprin (by request of the Mayor). Passed under a Mayor's Message of Necessity.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the maintenance of sprinkler systems in certain residential occupancies.

Be it enacted by the Council as follows:

Section 1. Section 27-2050 of the administrative code of the city of New York is REPEALED.

§2. Subdivision c of section 27-4265 of the administrative code of the city of New York, as amended by local law number 10 for the year 1999, is amended to read as follows:

c. Sprinkler and/or standpipe system maintenance and inspections.

1. In all buildings and spaces, except buildings and spaces classified in occupancy group J-2 or J-3 *and except in every converted dwelling, or every tenement used, in whole or in part, for single room occupancy, regardless of occupancy classification, in which a sprinkler system has been installed pursuant to the requirements of the multiple dwelling law:*

(a) Automatic and non-automatic sprinkler systems shall be inspected at least once a month by a competent person holding a certificate of fitness, employed by the owner, to see that all parts of the system are in perfect working order, and that the fire department connection or connections, if any, are ready for immediate use by the fire

department. A detailed record of each inspection shall be kept for examination by a representative of the fire department.

(b) There shall be kept available at all times in the premises a supply of at least six extra sprinkler heads to replace promptly any fused or damaged sprinklers. There shall be one or more employees instructed in the maintenance of sprinkler systems.

(c) Upon order of the fire commissioner, but at least once every five years, the fire department connection or connections, if any, for a sprinkler and/or standpipe system shall be subjected to a hydrostatic pressure test and the standpipe system shall also be subjected to a flow and pressure test to demonstrate its suitability for fire department use. The test shall be conducted at the owner's risk, by his or her representative and before a representative of the fire department.

2. In buildings and spaces classified in occupancy group J-2 [with four or more dwelling units] *and in every converted dwelling, or every tenement used, in whole or in part, for single room occupancy, regardless of occupancy classification, in which a sprinkler system has been installed pursuant to the requirements of the multiple dwelling law:*

(a) Automatic and non-automatic sprinkler systems shall be inspected at least once a month by a competent person[holding a certificate of fitness], employed by the owner, *holding a certificate of fitness issued by the department, a fire suppression contractor license issued by the department of buildings, or, for a sprinkler system with not more than thirty sprinkler heads, holding a master plumber license issued by the department of buildings,* to see that all parts of the system are in perfect working order, and that the fire department connection or connections, if any, are ready for immediate use by the fire department[, provided, however, that in any such building that does not exceed six stories or seventy-five feet in height and in which a secondary means of egress is provided for all dwelling units and occupiable spaces used by building occupants, and in any such space in a building that does not exceed six stories or seventy-five feet in height and in which a secondary means of egress is provided for all dwelling units and occupiable spaces used by building occupants, a sprinkler system shall be inspected at

least once every six months by a competent person, employed by the owner, holding a certificate of fitness issued by the fire department, a fire suppression contractor license issued by the department of buildings, or, for a sprinkler system with not more than thirty sprinkler heads, holding a master plumber license issued by the department of buildings]. Such inspection shall include a check of [the valve] *all control valves* on [the main supply to] the system, *including the main supply control valve*, making certain the [valve is] *valves are* fully open and sealed in such open position, *a check of the static pressure in the sprinkler system from a pressure gauge, if installed, located at or near the inspector's test connection, making certain the system design pressure is being maintained*, a check to insure that all sprinkler heads are in place and such other requirements as the commissioner may prescribe. A detailed record of each inspection shall be kept for examination by a representative of the fire department.

(b) There shall be kept available at all times in the premises a supply of at least six extra sprinkler heads, to replace promptly any fused or damaged sprinklers, except that a supply of at least three extra sprinkler heads shall be kept available for any sprinkler system installed in accordance with reference standard RS 17-2A. There shall be one or more employees instructed in the location and status of the sprinkler system control valves.

(c) [A] *Upon order of the fire commissioner, but at least once every year, a flow test shall be conducted of a sprinkler system [at least once every thirty months]; provided, however, that in any building or space except any converted dwelling, or any tenement used, in whole or in part, for single room occupancy, regardless of occupancy classification, where there is a pressure gauge installed at or near the inspector's test location that is checked during the required monthly inspection described in subparagraph a of this paragraph to make certain the system design pressure is being maintained, a flow test of the sprinkler system shall be conducted upon order of the fire commissioner, but at least once every thirty months.* Such test shall be conducted at the owner's risk by his or her representative, who shall be a licensed master plumber or

licensed master fire suppression contractor. A report of such test, on a form prepared by the fire department, shall be certified by such licensed master plumber or licensed master fire suppression contractor and shall be kept for not less than five years for examination by a representative of the fire department.

(d) Upon order of the fire commissioner, but at least once every five years, a hydrostatic pressure test shall be conducted of any fire department connection or connections for the sprinkler and/or standpipe system, a flow and pressure test shall be conducted of the standpipe system to demonstrate its suitability for fire department use, and, as required by [paragraph] *subparagraph c* of this [subdivision] *paragraph*, a flow test shall be conducted of the sprinkler system. The tests shall be conducted at the owner's risk, by his or her representative and before a representative of the fire department. A report of such test, on a form prepared by the fire department, shall be kept for not less than five years for examination by a representative of the fire department.

(e) The owner or managing agent of any building subject to the requirements of this section shall maintain a record of each inspection and test and a listing of all outstanding violations issued pursuant to this section. Such records and listing shall be made available for inspection by occupants of such residential building or space during normal business hours.

3. A system of automatic sprinklers in buildings classified in occupancy group [J-2 with not more than three dwellings units and buildings classified in occupancy group] J-3 shall be maintained in perfect working order.

§3. This local law shall take effect 180 days after its enactment; provided, however, that the fire commissioner may take any and all actions necessary to implement the provisions of this local law prior to its effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 25, 2006 and approved by the Mayor on November 9, 2006.

Victor L. Robles, City Clerk of the Council

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 46 of 2006, Council Int. No. 426-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on October 25, 2006: 50 For, 0 Against, 0 Not Voting.

Was signed by the Mayor on November 9, 2006.

Was returned to the City Clerk on November 9, 2006.

Jeffrey D. Friedlander, Acting Corporation Counsel