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Issuance #454

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AUG 10 1994

DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013

JOEL A. MIELE, SR. P.E., Commissioner
(212) 312-8100

Richard C. Visconti, R.A.
First Deputy Commissioner
Technical Affairs/Operations
(212) 312-8120

TECHNICAL
POLICY AND PROCEDURE NOTICE # 9/94

TO: Distribution

FROM: Richard C. Visconti, R.A.
First Deputy Commissioner

DATE: August 8, 1994

SUBJECT: Individualized Residential Alternative (IRA) Facilities

EFFECTIVE: Immediately

BACKGROUND:

The State of New York Office of Mental Retardation & Development Disabilities (OMRDD), pursuant to Title 14 NYCRR Part 686.16 shall certify the facility class known as Individual Residential Alternative (IRA). A facility in this class for eight or fewer persons, shall meet the Building Code for New York City in Section 635-7.1 (a)(9)(i)(b) of this title.

PURPOSE:

To establish uniform guidelines for accepting applications for an IRA facility.

SPECIFICS:

An IRA facility shall be classified as a J-3 occupancy if located in a one or two-family dwelling, and a J-2 occupancy, if located in a multiple dwelling. OMRDD shall provide a letter identifying the facility as an IRA and indicate that fire safety evacuation needs have been reviewed by OMRDD pursuant to applicable State Regulations. A sample of such letter is attached.

The application shall be reviewed pursuant to the applicable J-3 (for one or two family dwellings only, not for group homes) or J-2 Occupancy Classification of the new Building Code, and a permit shall be issued accordingly.

The following memoranda and interpretations are not applicable to IRA facilities:

1. Community Residences for Mentally Disabled, dated July 16, 1987.
2. Community Residences, dated July 14, 1981.
3. Community Residences for the Mentally Disabled, dated March 10, 1980.
4. Community Residences, dated January 8, 1980.
5. Group Homes, dated December 17, 1975.
6. Group Homes, dated April 4, 1975.

Certificates of Occupancy that are issued relative to such program will note that "This residence is a New York State certified Individualized Residential Alternative for eight or fewer persons pursuant to Title 14 NYCRR Part 686.16. Persons admitted to this facility have had their safety evacuation needs assessed and that the IRA has implemented a facility evacuation plan. The Office of Mental Retardation and Development Disabilities shall issue a written notice to the New York City Department of Buildings, if and when this IRA Program is decertified by OMRDD and its license revoked."

The license for the IRA must be received prior to the issuance of a Final Certificate of Occupancy.

RCV:AL:sr

Attachment

SAMPLE LETTER

FOR USE WITH THE NEW YORK CITY
DEPARTMENT OF BUILDINGS
RELATIVE TO IRA PROGRAMS

Dear _____:

Please be advised that the New York State Office of Mental Retardation and Development Disabilities (OMRDD) intends to license the premises located at _____, New York as an Individualized Residential Alternative (IRA) for eight or fewer people to be operated by _____.

Pursuant to Title 14 NYCRR Part 686.16, an IRA of this size shall meet the J-3 Classification of the Building Code of the City of New York where the facility is located in a one or two-family dwelling, or the J-2 Classification of said Code where the facility is located in a multiple dwelling.

In issuing a license for this IRA, OMRDD will verify that all persons admitted to this facility have had their safety evacuation needs assessed, and that the IRA has implemented a facility evacuation plan.

OMRDD will issue a written notice to the New York City Department of Buildings if and when this IRA program is decertified by OMRDD and its license revoked.

Sincerely,