



### Attestation for Expedited Use of LPG-Fueled Portable Space Heaters

*This form cannot be completed on-line. You must download/save it to a computer or mobile device.  
For full use of form features you must use Adobe Acrobat.  
All areas highlighted in red must be completed prior to submission.*

Person Completing This Attestation:

Telephone Number:

Email Address:

Name of Restaurant, Bar or Other Establishment:

Address of Business:

Employer Identification Number (EIN):

Hours of Operation for Outdoor Dining Areas:

Specify whether this location is an Open Restaurants Program participant:   Yes       No

Briefly describe where you intend to use propane-fueled heaters (for example, sidewalk, a privately-owned lot parking lot, a front yard, rear yard, courtyard, rooftop, balcony, or terrace):

I attest to the following:

1. I have read the FDNY Guidance about "[Comfort Heating for Restaurant Patrons in Outdoor Dining Areas.](#)"
2. I have read the study materials for the [T-93 certificate of fitness for Temporary Supervision of Storage, Handling, and Use of Propane \(LPG\) Containers and Propane-Fueled Portable Space Heaters in Outdoor Dining Areas.](#)
3. I have read the specific manufacturer’s recommendations associated with each heater I intend to use for comfort heating of patrons.
4. I acknowledge that use of portable space heaters fueled by propane of any size is not allowed on any street or roadway, even if the street has been closed to vehicular traffic (such as with the Open Streets program).
5. I will abide by all requirements and recommendations specified in the Fire Department’s Guidance for Comfort Heating for Restaurant Patrons in Outdoor Dining Areas, the certificate of fitness study guide and manufacturer’s instructions/recommendations.
6. I will have a total of \_\_\_\_\_ LPG portable space heaters at the premises.

Please provide the name of the manufacturer and model number for each and every LPG-fueled heater, as well as whether it uses 20-pound or one-pound propane containers.

7. I am providing accurate site plans for each outdoor dining area, demonstrating the specific location(s) of all propane-fueled heaters and how they are in compliance with the minimum clearances (distance requirements) described in Fire Department guidance.
- [Instructions: If you are unable to attach in pdf with button, attach site plan with completed attestation in email to FDNY Business, [\(as described below\)](#).]*
8. I will promptly provide updated information to the Department on an ongoing basis as new heating equipment is obtained and put into use by contacting [FDNY.BusinessSupport@fdny.nyc.gov](mailto:FDNY.BusinessSupport@fdny.nyc.gov). I understand that the terms of this attestation apply to future information I provide to the Fire Department and I agree to its terms.
9. I acknowledge that 20-pound propane containers shall not be moved into or through a building under any circumstances, and heaters that use 20-pound containers are not allowed in places that require transport through a building.
10. I acknowledge that a person holding a certificate of fitness is responsible for personally supervising the connecting and disconnecting of propane containers from heaters.
11. I acknowledge that a person holding a certificate of fitness is required to provide proper and constant supervision of propane heaters of any size and must be on the premises at all times while a propane container is connected to a heater.
12. Within three weeks of submitting this attestation I will ensure that relevant person(s) obtain the required Certificate of Fitness (T-93).
13. I agree to indemnify, protect and hold harmless the City, its officers, agents and employees from and against any and all suits, demands, claims, loss, damage, charges or expense, whether direct or indirect, to which they may be subjected by reason of any damage, loss, or injury to persons or property caused by or resulting from the storage, handling and use of propane and propane-fueled heaters or any wrongful act or negligence by the owner, its employees, contractors or vendors associated with such activities.
14. I will not store 20-pound propane containers at the premises unless and until a permit for storage is issued (unless such storage has already been approved or is otherwise authorized by the Fire Code). I acknowledge that a permit to store 20-pound propane containers at the premises requires me to make an application to the Fire Department for such a permit. (Additional information about this process is available [here](#). Applicants should complete this attestation and then consider whether to apply for storage of LPG).
15. I will not use and store more than 45 one-pound containers at the premises and I agree to store one-pound propane containers as required by the guidance.
- a. Total quantities of one-pound LPG containers at the premises, including the containers in use and/or storage for space heating or other authorized purposes (such as food warming, browning, temporary exhibitions or demonstrations), shall be no more than 45 one-pound containers; and
  - b. Durable signage shall be provide indicating "No Smoking" and "LPG Storage;" and
  - c. When outdoor storage (not on sidewalks or roadway) is available at the premises, one-pound containers shall be stored outdoors at least ten feet from any heat source and from any building/structure openings (including doors, windows and vents), and shall be stored in a secured area or a locked metal cabinet, or
  - d. If outdoor storage is not available, one-pound propane containers shall be stored above grade in a metal cabinet, in an area protected by a sprinkler system. Such cabinet shall be installed away from sources of heat.
16. I agree to keep a copy of this attestation and site plans for each outdoor dining area at the premises and make it available upon request by Fire Department representatives.
- [Instructions: When you submit this attestation to [FDNY.BusinessSupport@fdny.nyc.gov](mailto:FDNY.BusinessSupport@fdny.nyc.gov), please copy (cc:) yourself to receive a copy of the completed Attestation for printing.]*
17. I acknowledge that if Fire Department inspectors observe noncompliant conditions, I may be ordered to remove heaters and/or propane containers.

**Signature Instructions:**

Form **must** be signed.

1. You can use Adobe "fill and sign option", or

Sign: \_\_\_\_\_

2. You can add a digital signature by clicking on the red arrow under the signature line, or

Date: \_\_\_\_\_

3. You can \_\_\_\_\_ and sign it on the line. Scan completed document and site plan.

Email completed, signed attestation form with site plan attachment to [FDNY.BusinessSupport@fdny.nyc.gov](mailto:FDNY.BusinessSupport@fdny.nyc.gov)