

NEW YORK CITY FIRE DEPARTMENT

Notice of Adoption of
Amendments to Fire Department Rule
3 RCNY §109-02, entitled
“Consolidation of Administrative Code Provisions
For Enforcement Purposes”

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE FIRE Commissioner of the City of New York pursuant to Sections FC102.6.2 and FC102.6.3 of the New York City Fire Code (Title 29 of Administrative Code of the City of New York), and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Fire Department has adopted the above final rule.

The public hearing was held on April 11, 2022. The rule shall take effect on April 21, 2022.

The Notice of Adoption, final rule and the Statement of Basis and Purpose of Final Rule, will be available on the Fire Department’s website (www.nyc.gov/fdny) and NYC RULES (www.nyc.gov/NYCRULES).

Statement of Basis and Purpose of Final Rule

The Fire Department hereby amends Fire Department rule 3 RCNY 109-02, entitled “Consolidation of Administrative Code Provisions For Enforcement Purposes” (“Section 109-02”), as set forth in this rule.

Local Law No. 47 of 2022, effective April 15, 2022, revised the numbering of all chapters and sections of the New York City Fire Code (Chapter 2 of Title 29 of the Administrative Code of the City of New York) following FC Chapter 10, to conform to the format of the International Fire Code, the model code upon which the New York City Fire Code is based.

Section 109-02 consolidates Fire Code sections into violation categories for enforcement purposes. As amended, Section 109-02 substitutes the new Fire Code section numbers for the existing section numbers, deletes any Fire Code sections that have been repealed, and adds to the appropriate violation categories the section numbers of new Fire Code provisions. The additions include:

- Violation Category 12 is amended to clarify that it encompasses emergency alarm systems and in-building auxiliary radio communication systems.
- Multiple violation categories have been amended to reference FC608, which was comprehensively revised by Local Law 47 with respect to stationary energy storage systems.
- Multiple violation categories have been amended to reference sections of FC Chapter 40, a new chapter regulating distilleries.

As amended, Section 109-02 applies to FDNY Summonses (violations returnable before the Office of Administrative Trials and Hearings) issued by the Fire Department with a date of occurrence on or after April 15, 2022.

A Statement of Early Implementation has been signed by the Mayor and Acting Fire Commissioner to make these amendments to Section 109-02 effective on April 21, 2022.

New material is underlined.

Material to be deleted is in [brackets].

Asterisks (***) indicate unamended text.

Terms used in the rule that are defined in the Fire Code or elsewhere in the Fire Department's rules are indicated by *italics*.

Guidance with respect to the interpretation of the Fire Code and Fire Department rules may be obtained using the Public Inquiry Form on the Fire Department's website, <http://www1.nyc.gov/site/fdny/about/resources/code-and-rules/nyc-fire-code.page>.

Section 1. Section 109-02 of Chapter 1 of Title 3 of the Rules of the City of New York is amended to read as follows:

§ 109-02 Consolidation of Administrative Code Provisions For Enforcement Purposes

- (a) Scope. This section establishes violation categories for the purpose of enforcing the provisions of the New York City Fire Code (FC) (Title 29 of the Administrative Code); Title 15 of the Administrative Code (Fire Prevention and Control); the New York City Construction Codes (Title 28 of the Administrative Code); the *rules* promulgated by the *Department* and codified in Title 3 of the Rules of the City of New York (3 RCNY); and/or other laws, *rules* and regulations enforced by the *Department*. These violation categories will be cited by *Department* personnel in connection with the issuance of *FDNY summonses* returnable to *OATH*, in lieu of citation to a particular code or *rule* section.
- (b) Violation Categories. The following violation categories are established for the aforementioned enforcement purposes:

Violation Category 1: Portable Fire Extinguishers and Fire Hoses

Failure to provide and/or maintain required portable fire extinguishers, fire hoses or other portable fire extinguishing devices, in violation of FC 303.5; 307.4; 307.5; 308.5; 308.6; 309.2; 309.3; [309.4; 309.7;]310.7; 315.3; 317.5; 319.6; 325.9; 603.3; 609.4; 609.6; 609.9; 901.4; 906.1; 906.2; 906.3; [1105.2; 1105.3; 1105.4; 1105.5; 1105.6; 1107.7; 1110.6; 1208.4; 1407.3; 1415.1; 1417.3; 1418.1; 1504.4; 1504.5; 1505.5; 1506.4; 1510.1; 1908.8; 1909.5; 2003.5;]2005.2; 2005.3; 2005.4; 2005.5; 2005.6; 2007.7; 2010.6; [2106.3;]2108.4; [2205.5; 2208.7; 2210.6; 2211.6]2305.5; [2306.10;]2308.7; 2310.6; 2311.7; 2311.8.7; 2404.4; 2404.5; [2404.12; 2404.13;]2405.5; 2406.4; 2410.1; [2508.2; 2604.2; 2707.9;] 2808.8; 2809.5; 2903.5; [2903.6; 2906.6;]3006.3; 3104.12; 3104.13; 3206.10; 3307.3; [3309.9;]3315.1; 3317.3; [3403.2; 3404.3; 3405.4; 3406.2; 3406.4; 3406.8;]3408.2;

3504.2; [3506.5;]3605.2.3; 3703.6; 3706.6; [and 3808.2]4006.14; 5007.9; 5306.7; 5606.8; 5609.6; 5703.2; 5704.3; 5705.4; 5706.2; 5706.4; 5706.8; 5707.8; 5806.5; and 6108.2; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 2: Combustible Waste Containers

Failure to provide a required container for *combustible waste* and/or store *combustible waste* in a required container, in violation of FC 304.3; 310.6; 609.4; [1404.2; 1503.4; 1509.3; 2204.1; 2210.5; 2211.2] 2304.1; 2310.5; 2311.2; 2403.4; 2409.3; [2903.1] 3304.2; 3703.1; 4005.2; 4006.9; and [4204.1] 6504.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 3: Permits

Failure to obtain, renew or otherwise possess a *Department permit* required for any material, operation or *facility* regulated by the Fire Code, in violation of FC105.6; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 4: Unlawful Quantity or Location of Regulated Material

Manufacturing, storing, *handling*, using, transporting, selling or possessing *hazardous materials*, combustible materials, or other materials regulated by the Fire Code in an amount in excess of the quantity authorized by *Department permit* and/or the quantity or location restrictions for such materials set forth in the Fire Code or the *rules*, in violation of FC 105.1; 303.7; 308.3; 308.4; 308.5; 308.6; [309.1;]309.2; 313.3; 314.4; 315.5; 315.7; 317.7; 605.11; 608.9; [1206.2; 1206.3; 1406.3; 1406.4; 1406.5;]2106.2; 2106.3; [2210.2; 2306; 2307; 2308;]2310.2; 2410.1; [2703.1; 2703.11; 2706.6; 2806.2; 2806.3; 2806.4; 2806.5; 2904; 2905;]3206; 3207; 3208; 3306.3; 3306.4; 3306.5; [3404.3; 3404.4; 3405.3; 3504.1; 3504.2; 3508.3;]3704; 3705; [3805.3; 3809.12;]4003.3; 4003.4; [and 4204.1] 5003.1; 5003.11; 5006.6; 5106.2; 5106.3; 5106.4; 5106.5; 5704.3; 5704.4; 5705.3; 5705.5; 5804.1; 5804.2; 5811.3; 6105.3; 6109.12; 6306.3; 6504.5; and 6504.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 5: Recordkeeping

Failure to maintain and/or produce required recordkeeping, including records of inspections, tests, servicing, fire watch, emergency preparedness drills and other operations and maintenance, in violation of FC 105.3; [107.2;]107.7; 311.5; 317.5; [401.3.6.1 (incorporating by reference former FC 405.5);]401.4; 401.5; 401.7; 401.8; 412.3; 510.3; 604.3; 604.4; 606.1; 606.14; 608.12; 609.7; 609.10; 611.4; 901.6; 901.7; 901.9; 903.5; 904.6; [904.11;]906.2; 907.18; 907.20; 908.5; 909.1; 909.2; 910.2; [1106.5; 1201.4; 1205.4; 1408.1]2006.5; 2006.6; 2101.4; 2105.4; 2105.5; [2201.10; 2204.3; 2204.4; 2206.2; 2208.1; 2208.2; 2209.1; 2210.3]2301.10; 2304.3; 2304.4; 2306.2; 2308.1; 2308.2; 2309.1; 2310.3; [2603.5; 2604.3; 2707.5; 3008.8; 3303.2; and 3307.16]3308.1; 3503.5; 3504.3; 3706.4; 5003.3; 5007.5; 5308.8; 5601.5; 5603.1; 5603.2; 5603.5; 5603.6; 5604.9; 5607.19;

5607.20; 5608.9; and 5704.2; and/or such other Fire Code or rule sections as provide therefor.

Violation Category 6: Signs, Postings, Notices and Instructions

Failure to provide and/or maintain required signs, postings, notices, and/or instructions, in violation of FC 105.3; 107.1; 107.4; 310.3; 310.4; 310.5; 316.2; 315.7; 401.2; [401.3.6.1 (incorporating by reference former FC 408.8; 408.9; 408.11; 408.14)]401.5; 401.6; 405.5; 406.2; 408.5; 410.4; 501.4; 503.2; 503.4; 504.4; 505.2; 505.4; 505.5; [510.1]509.1; 510.3; 603.1; 605.3; 606.7; 607.2; [608.7]608.11; [609.3]609.7; 703.2; 903.5; 904.3; 904.8; 904.10; 904.11; 906.6; 907.19; 912.4; [1027.7]1027.8; [1103.2; 1105.7; 1106.3; 1204.2; 1205.1; 1404.1; 1405.4; 1406.2; 1409.1; 1418.1; 1503.2; 1507.4; 1510.6; 1607.1; 1703.3]2003.2; 2005.7; 2006.3; 2104.2; 2105.1; [2107.1; 2204.1; 2204.2; 2205.4; 2208.1; 2208.8; 2209.1; 2210.5; 2210.6; 2211.8; 2305.3]2304.1; 2304.2; 2305.4; 2308.1; 2308.8; 2309.1; 2310.5; 2310.6; 2403.2; [2404.6]2407.4; 2410.6; 2507.1; 2603.3; [2603.6; 2609.3; 2609.5; 2703.5; 2703.6; 2703.7; 2703.11; 2704.3; 2906.5; 2906.6; 3003.2]3007.1; [3008.8]3104.6; 3205.3; 3304.1; [3304.6]3305.4; 3306.2; [3307.3; 3307.13]3309.1; 3318.1; [3403.5; 3404.2; 3404.3; 3405.4; 3406.2; 3406.4; 3406.8; 3503.1]3503.6; 3509.3; 3509.5; [3705.3]3706.5; 3706.6; [3807.2; 3903.3; 4003.3; 4006.2; 4006.6]4006.12; [and 4303.3]5003.5; 5003.6; 5003.7; 5003.11; 5004.3; 5303.2; 5307.6; 5308.8; 5503.4; 5604.6; 5607.9; 5607.10; 5607.16; 5608.6; 5703.5; 5704.2; 5704.3; 5705.4; 5706.2; 5706.4; 5706.8; 5707.6; 5803.1; 6005.3; 6107.2; 6203.3; 6303.3; 6306.2; 6306.6; 6603.3; and 6703.3; Administrative Code sections 28-103.1 and 15-127(c)(3); and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

Violation Category 7: Labels and Markings

Failure to provide and/or maintain a required and/or approved label, or other marking, in violation of FC 107.1; 112.3; [309.1]309.2; 309.3; 313.5; 316.2; 315.7; 504.4; 505.1; 505.3; 505.4; 509.1; [510.4]511.7; 512.4; 603.6; 603.9; 605.7; [609.3;] 609.4; 803.1; 803.2; 905.3; 906.2; [1403.1; 1406.2; 1606.1; 2107.2; 2206.7; 2208.2; 2211.5; 2211.8]2306.7; 2308.2; [2404.2]2506.1; [2703.5; 2703.7; 2803.2; 3003.2]3007.2; 3104.2; [3203.4;] 3303.1; 3306.2; [3403.5; 3404.2; 3404.3; 3405.4; 3406.4; and 3704.2]5003.5; 5003.7; 5103.2; 5303.2; 5503.4; 5703.5; 5704.2; 5704.3; 5705.4; 5706.4 ; and 6004.2; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or rule sections as provide therefor.

Violation Category 8: Storage, Accumulation and Removal of Combustible Material and Waste

Storage of combustible material, failure to timely remove *combustible waste* from the *premises*, and/or allowing the accumulation of *combustible waste* and/or vegetation upon a *premises*, in violation of FC 304.1; 304.2; 307.5; 309.3; 311.3; 311.5; 315; 317.5; 318.3; 319.3; 325.8; 606.10; 804.2; 1027.3; 1027.4; [1103.3; 1106.4; 1205.1; 1404.2; 1405.3; 1605.1;]2003.3; 2006.4; 2105.1; [2210.5]2304.1; 2310.5; [2404.5; 2503.3]2505; 2505.1; [2604.1; 2604.3; 2609.4; 2703.12; 2704.11; 2705.3]2803.3; 2808; [2903.1; 3003.5]

3104.5; 3104.22; [3204.3]3304.2; [3304.7]3305.3; 3403.3; [3404.4; 3406.2]3504.1; [3504.2]3504.3; 3509.4; 3603.2; 3604.2; [3604.3]3703.1; [3807.3;] 4005.2; 4006.9; 4007.5; [4203.2; and 4204.1]5003.12; 5004.11; 5005.3; 5303.5; 5504.3; 5604.7; 5704.4; 5706.2; 5707.4; 5804.2; 5810.5; 5904.3; 6107.3; 6503.2; and 6504.1; Administrative Code Section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 9: Rooftop Access and Means of Egress

Failure to provide required rooftop access to, or required *means of egress* from, any *premises* or part thereof, free from obstructions or impediments, including unobstructed passage across the building parapet, unobstructed landing areas, and unobstructed clear paths, and *overcrowding* by reason of the presence of persons in locations that obstruct or impede egress, and/or failure to maintain rooftop access or *means of egress*, in violation of FC 315.2; 318; 501.4; 504; 512.2; 801.6; 1001.2; 1027; [1411.1; 1411.2; 1504.3]2404.3; [2404.4; 2404.18; 2804.3; 3003.3]3104.4; 3104.18; 3311.1; 3311.2; [3404.3; 3406.4; 3506.3; 3809.4; and 4203.3]5104.3; 5303.3; 5704.3; 5706.4; 5806.3; 6109.4; and 6503.3; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 10: Overcrowding

Failure to limit the number of persons in a *premises* or any part thereof, in violation of FC 107.6; 202; 403.2; and 1027.3; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 11: General Maintenance

Failure to maintain devices, equipment, systems, *facilities* or *premises*, or part thereof, in good working order (except as otherwise provided in Violation Categories 6 and 7), in clean condition, or in compliance with other general maintenance or housekeeping requirements, in violation of FC 107.1; 111.1; 304.1; 309.3; 315.6; 325.8; 607.5; 609; [1027.6]1027.7; [1303.2; 1405.3]2105.1; 2203.2; [2211.2]2311.2; 2406.4; 2407.4; 2408.3; 3205.4; [and 3304.8]3305.3; 4006.11; 5003.2.6; 5308.6; and 5604.8; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 12: Fire Protection Systems

Failure to provide and/or maintain *fire protection systems* and other emergency building systems, including *sprinkler systems* and other *fire extinguishing systems*, *standpipe systems*, fire pumps, *fire alarm systems*, *emergency alarm systems*, *in-building auxiliary radio communication systems*, and/or other devices, and equipment associated with [*fire protection systems*] such systems, or to prevent *unnecessary alarms* and *unwarranted alarms*, in violation of FC 309.3; 509.2; 510; 608.9; 901.1; 901.6; 901.7; 901.9; 903.5; 903.6; 904.5; 904.6; [904.7; 904.8; 904.9; 904.10; 904.12; 904.13;] 905.12; 907.20;

[908.10]908; 909.1; 909.2; 910.2; 912.6; 913.5; 914.2; 2108.2; 2108.3; 2306.8; 2308.7; 2309.3; 2310.6; 2311.8; 2404; 2405; 2406; 2407; 2703.12; 2903; [and 3406.4]3605; 4003.5; 4007.4; 5004.9; 5104.4; 5106.3; 5307.5; 5609.6; 5704; 5706.4; and 6004; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 13: Flame-Resistant Materials

Failure to provide and/or maintain *flame-resistant materials*, in violation of FC 306.3; 310.7; 804.4; 805; [2404.2; and 2706.11]3104.2; 3104.4; 3604.2; and 5006.11; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 14: Fire-Rated Doors and Windows

Failure to provide, protect and/or maintain a required door or window, including fire-rated doors, self-closing doors, access doors, or fire-rated glass, in violation of FC 315.2; 703.1; 703.2; 703.4; 704.1; 904.3; [2306.6; 2604.1; and 2804.6]3206.3; 3206.6; 3207.2; 3208.2; 3504.1; 4003.4; 5003.8; 5104.3; 5104.6; 5306.2; and 5705.3; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 15: Fire-Rated Construction

Failure to provide and/or maintain required fire-rated construction, including walls and other partitions, in violation of FC 309.3.3; 311.2; 311.5; 315.2; 315.7; 608.9; 608.13; 703.1; [1404.8; 1803.14]2108.3; [2306.3; 2604.1]2703.14; [2706.6; 2904; and 3006.2]3206.3; 3304.8; 3504.1; 3704; 4003.4; 4007.4; 5003.8; 5006.6; and 5306.2; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 16: Ventilation

Failure to provide and/or maintain required and/or approved natural or mechanical ventilation, including required devices, equipment or systems, in violation of FC [309.1;] 309.2; 309.3; 310.7; [608.6]608.9; 609; 904.3; [904.11; 1204.2; 1205.2; 1205.3; 1405.2; 1504.2; 1504.3; 1504.4; 1504.5; 1505.3; 1505.4; 1506.3; 1507.3; 1509.2; 1510.5; 1803.14; 2005.5]2104.2; 2105.2; 2105.3; 2108.3; [2211.4; 2211.7]2311.4; 2311.8; 2404.2; 2404.3; 2404.4; 2404.5; 2405.3; 2405.4; 2406.3; 2407.3; 2409.2; 2410.5; 2703.14; 2905.5; 3003.1; [3006.2; 3007.2; 3008.5]3305.2; [3404; 3405; 3406; 3506.3; and 3803.2]4003.4; 4003.7; 5004.3; 5306.2; 5307.5; 5308.5; 5309.2; 5704; 5705; 5706; 5806.3; and 6103.2; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 17: Certificates of Fitness and Certificates of Qualification

Failure to obtain and/or produce a *certificate of fitness* and/or *certificate of qualification* for the supervision and/or operation of materials, operations and/or *facilities*, in violation of FC 303.4; 306.2; 307.6; 310.7; 313.5; 317.3; 325.6; 401.3; [401.3.6.1 (incorporating by reference former FC 401.6; 401.7; 403.1);] 401.4; 401.5; 403.1; 404.3; 405.3; 405.4; 406.2; 407.2; 407.3; 408.3; 410.3; 410.4; 413.3; 414.2; 414.3; 415.1; 510.2; 511.2; 601.4; 603.1; 604.5; 606.1; 606.6; 608.7; 608.10; 608.13; 609.3; [609.4]609.5; 609.6; 801.7; 901.6; 901.7; 903.5; 904.5; 905.1; 906.2; 907.20; 908.5; 914.3; [1110.6; 1201.4; 1403.6; 1404.5; 1406.2; 1408.1; 1418.1; 1501.4; 1701.4]2010.6; 2101.4; [2201.7; 2201.8; 2211.1]2301.7; 2301.8; 2308.1; 2309.1; 2311.1; 2401.4; 2601.4; [2404.20; 2603.4; 2604.2; 2706.4; 2707.7; 2801.3; 2906.4; 2906.8; 3001.4; 3101.4]3104.20; [3201.4; 3301.5]3303.6; 3304.5; 3306.2; 3308.1; 3318.1; [3401.6; 3406.2; 3406.4; 3501.4]3503.4; 3504.2; [3510.3]3510.4; [3601.4; 3701.5]3706.4; 3706.8; [3801.5; 3901.5; 4001.4]4001.6; [4101.5; 4201.5; 4301.5; and 4401.5]5006.4; 5007.7; 5101.3; 5301.4; 5307.4; 5401.4; 5501.4; 5601.3; 5601.5; 5604.3; 5606.8; 5608.5; 5608.6; 5608.8; 5608.9; 5609.4; 5701.6; 5706.2; 5706.4; 5801.4; 5810.3; 5901.4; 6001.5; 6005.3; 6101.5; 6109.15; 6201.5; 6301.4; 6401.5; 6501.5; 6601.5; and 6701.5; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 18: Certificates of Approval, Certificates of License and Company Certificates

Failure to obtain and/or produce a *certificate of approval*, *certificate of license* or company certificate, in violation of FC 104.7; 112; 608.5; 609.3; 609.5; 801.8; 901.4; 901.6; 906.2; 907.3; 1025.5; [1501.5; 1701.4; 2201.9]2301.9; 2401.5; 2601.4; [2601.7; 3301.5; 3401.8; and 3507.3]3501.7; 4004.5; 5601.3.3; 5601.5; 5608.2; 5608.8; 5609.4; 5701.8; and 5807.3; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 19: Affidavits, Design and Installation Documents and Other Documentation

Failure to prepare, produce, file with the *Department* and/or submit for Department approval affidavits, applications, certifications, *design and installation documents* and/or other required documentation, in violation of FC 105.2; 105.3; 105.4; 401.4; 401.5; 407.4; 504.4; 801.7; 904.6; 907.3; 907.4; 2301.3; 2301.5; 2309.8; [2703.4; and 3406.4]5003.4; 5603.2; 5607.4; 5607.22; 5703.3; 5703.6; 5704.2; 5704.3; 5706.4; and 5810.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 20: Inspection and Testing

Failure to conduct a required initial or periodic inspection or test of any device, equipment, system, *facility* or *premises*, in violation of FC 105.4; [508.4]507.4; [508.5]507.5; [511.2]510.2; 604.4; 606.6; 609.5; 609.6; 703.4; 901.6; 903.5; 903.6; 904.1; 904.4; 904.5; 904.11; 905.12; 906.2; 907.17; 907.20; 908.5; 909.1; 910.2; 912.6; 913.5; 1027.9; [1106.19; 1107.6]2006.19; 2007.6; 2105.4; [2206.9]2306.9; [3403.6; 3404.2; and 3406.4]4001.4; 5003.2.9; 5703.6; 5704.2; 5706.4; and 5807.4; Administrative Code

section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 21: Portable Containers

Failure to provide or use a required *container*, in violation of FC 309.2; [2204.1; 2210.3]2304.1; 2310.3; [3003.1; 3203.1; 3404.3; 3405.2; and 3406.2]4005.1; 5303.1; 5503.1; 5704.3; 5705.2; 5706.2; and 6303.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 22: Stationary Tanks

Failure to provide a required *stationary tank* storage system, including aboveground or underground flammable or combustible liquid storage tank systems, and devices and equipment associated with such systems, in violation of FC 610.2; [1207.3; 2009.2]2107.3; [2206.2]2306.2; 2311.2; 2909.2; [and 3404]4005.1; and 5704; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 23: Storage Facilities

Failure to provide a required storage facility, including storage cabinets, enclosures, rooms or vaults, in violation of FC 309.3; 315.7; 608.9; [609.2]609.4; [1406.3; 1406.4; 2703.8; 2706.8; 2904; 3003.5; 3104;]3306.3; 3306.4; [3404.3; 3504; 3604; 3703]3704; [3809; 3904]4001.1; 4003.4; [4004]4005.3; [4104; 4204; 4304; and 4404]5003.8; 5006.8; 5303.5; 5404; 5704.3; 5804; 5808; 5904; 6003; 6005.3; 6109; 6204; 6304; 6404; 6504; 6604; and 6704; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 24: Storage of Hazardous Materials and Commodities

Failure to provide required racks and shelf storage, and/or failure to store *hazardous materials*, *commodities* or other goods in an approved manner, in violation of FC [2307; 2308]3207; 3208; [and 3404.3]4005.3; and 5704.3; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 25: Electrical Hazards

Failure to provide and/or maintain required electrical devices and/or equipment (except as otherwise provided in Violation Category 27 for electrical lighting hazards), and/or allow electrical hazards to exist, in any *facility* or *premises*, in violation of FC 309.3; 603.1; 604.1; 605; 606.15; 804.3; 904.3; [1106.3; 1106.5; 1204.2; 1404.7; 1503.2; 1504.4; 1504.5; 1505.7; 1506.4; 1510.3; 1604.2; 1703.2; 2004; 2005.6]2006.3; 2006.5; 2104.2; 2301.5; [2201.5; 2204.1; 2208.1; 2208.8; 2209.2; 2211.3; 2211.8]2304.1; 2308.1; 2308.8; 2309.2; 2311.3; 2311.8.8; 2403.2; 2404.4; 2404.5; 2405.7; 2406.4; 2410.3; 2504.2; 2603.2; [2606; 2703.8; 2704.7; 2705.1]2904; 2905.6; [3003.6; 3008.5; 3203.6]3304.7; [3403.1; 3405.3;

3406.5; 3406.8; 3504.2]3506; [3704.2; 3809.14; 3904.1; and 3904.2]4001.4; 4003.4; 4003.8; 4004.3; 5003.8; 5004.7; 5005.1; 5303.6; 5308.5; 5503.6; 5604.6; 5703.1; 5705.3; 5706.5; 5706.8; 5804.2; 6004.2; 6109.14; 6204.1; and 6204.2; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 26: Heating and Refrigerating Equipment and Systems

Failure to provide and/or maintain required heating and/or *refrigerating systems* and/or devices and equipment associated with such equipment or systems, in violation of FC 313.6; 315.2; 603.5; 605.10; 606.5; 606.8; 606.9; 606.11; 606.12; 908.1; [908.6; 1204.2; 1303.1; 1403.5; 1503.2; 1504.3; 2005.6]2104.2; [2201.6]2203.1; [2210.2]2301.6; 2310.2; 2403.2; 2404.3; [2404.15]2504.5; 2905.6; 3104.15; 3303.5; [3304.6; 3405.3; 3406.4]4004.5; [and 4204.4]5303.5; 5604.6; 5705.3; 5706.4; and 6504.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 27: Electrical Lighting Hazards

Failure to provide and/or maintain required lighting devices or equipment and/or protection therefor, in violation of FC 605.2; 605.9; 605.11; 804.3; 904.3; [1504.3; 1604.4]2404.3; 2404.4; [2404.9]2504.4; [2705.1]3104.9; [3203.10]3304.7; 4003.8; [and 4203.4]5005.1; 5503.10; and 6503.4; Administrative Code section 28-103.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 28: Open Fires, Open Flames and Sparks

Causing or allowing an *open fire*, *open flame* or sparking device or equipment to be built, kindled, lit, maintained, operated or used, and/or failure to provide protection therefor, in violation of FC 307[307.1; 307.5; 307.6]; 308; [309.1]309.2; [309.5;]309.6; 317.2; 317.5.2; [319.3;]804.3; [1104.6; 1106.10; 1303.1; 1404.3; 1503.2; 1606.2; 1703.2; 2003.6]2004.6; [2005.6]2006.10; 2006.14.1; 2203.1; [2204.1; 2208.1; 2210.5]2304.1; 2308.1; 2310.5; 2403.2; 2408.3.8; [2504.1]2506.2; 2603.2; [2604; 2605.5; 2703.7]2903.6; [2904.6]2905.6; 3304.3; [3304.7; and 3309.11]3404.1; 3504; 3505.5; 3603.3; 3604.3; 3704.6; 4006.12.2; 5003.7; 5601.3.5; 5604.7.2; 5609.8; 5704.2.4; 5704.2.7.6; 5706.2.1; and 6306.3.2; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 29: Designated Handling and Use Rooms or Areas

Failure to provide a required room or area for *handling* and/or use of materials, operations or other activity regulated by the Fire Code, in violation of FC 309.2; 309.3; 310.2; 608.9.4; [1504.2; 1504.5]2404.2; 2404.5; [2601.3; 2705; 3105.1; 3405.3]3501.3; [3505.1; 3605.1; 3703; 3905.1]4003.4; [4005.1]4005.2; 4005.3; 4007.4; [4105.1; 4204.1; 4305.1; and 4405.1]5005; 5405.1; 5705.3; 5805.1; 5808; 5905.1; 6003; 6205.1; 6305.1; 6405.1; 6504.1; 6605.1; and 6705.1; and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

Violation Category 30: Emergency Planning and Preparedness

Failure to comply with emergency planning and preparedness requirements (except as otherwise provided in Violation Categories 5, 6 and 17), in violation of FC Chapter 4, including 401.3.6.1 (incorporating by reference former FC 404); and/or such other Fire Code, Administrative Code, or *rule* sections as provide therefor.

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