

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to amend the rule setting forth the National Fire Protection Association NFPA amendment relating to the national fire alarm and signaling code to add language relating to Fire Service Access Elevators annunciators.

- **When and where is the hearing?** DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11am on 10/24/22.

- Join through Internet – Desktop app:

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://tinyurl.com/Buildings202210Fire>

Enter your name when prompted and click the “**Join now**” button. If you don't have computer audio or prefer to phone in for audio, select “**Phone audio**” under “**Other join options**” then click the “**Join now**” button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- Join through Internet - Smartphone app:

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://tinyurl.com/Buildings202210Fire>

When prompted select “Join meeting”. Type your name and then select “Join meeting” again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

Alternatively, open the Teams app and select “Join a meeting”. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select “Join meeting”.

Meeting ID: 235 212 010 541

Passcode: WfM9Dg (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: +1 646-893-7101

Phone Conference ID: 979 059 038#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at 212-566-3843.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing dobrules@buildings.nyc.gov by 10/17/22 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit comments by 10/24/22.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by email at dobrules@buildings.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by 10/11/22.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at dobrules@buildings.nyc.gov.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter and section 28-103.19 of the New York City Administrative Code authorize DOB to make this proposed rule. This proposed rule was not included in DOB's regulatory agenda for this Fiscal Year because it was not contemplated when DOB published the agenda.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

This proposed rule provides details regarding the design and installation of fire service annunciators associated with fire service access elevators ("FSAE") to assist in compliance with the code requirements referred to below.

An FSAE is an elevator that remains in service for firefighters to reach the upper levels of a building within a reasonable amount of time and to stage their firefighting operations at a level below the actual fire. An annunciator is a graphic panel which provides visual signals and is used in a building's fire command center(s) containing one or more indicator lamps, alphanumeric displays or other similar types of display that provide a quick on-site visual reference as to where an alarm or trouble signal is reported within the protected premises. It assists the New York City Fire Department (FDNY) in managing its response at the site of an incident.

Section 403.6.1 of the New York City Building Code ("BC") requires at least one FSAE in buildings with an occupied floor more than 120 feet above the lowest level of fire department vehicle access, in accordance with BC Section 3007.

BC Section 3007.7 requires that the FSAE be monitored by a standard emergency interface system meeting the requirements of National Fire Protection Association ("NFPA") standard 72. NFPA 72 Section 18.11 states that annunciators are to be designed, arranged and located in accordance with the requirements of the organizations intended to use the equipment, which in New York City is FDNY.

Section one of the proposed rule adds a new section 3007-01 to Title 1 of the Rules of the City of New York to address the applicability of NFPA 72 to fire service access elevator annunciators. Section one also provides that a building with a temporary certificate of occupancy may be issued a certificate of occupancy prior to installation of the FSAE annunciator and the timeframe for such installation in such buildings as well as in buildings that have already been issued a certificate of occupancy.

Section two of the proposed rule adds a new section 3007-02 to Title 1 of the Rules of the City of New York to add requirements for hoistway lighting for fire service access elevators.

Section three of the proposed rule repeals section 3616-04 of Title 1 of the RCNY, because the provisions of that section have been included in Section BC Q107 of Appendix Q of the 2022 Building Code and replaces it with a new section 3616-04 to amend NFPA 72 with regard to FSAE annunciators.

The Department of Buildings' authority for this proposed rule is found in sections 643 and 1043 of the New York City Charter and section 28-103.19 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate unamended text.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Chapter 3000 of Title 1 of the Rules of the City of New York is amended by adding a new section 3007-01 to read as follows:

§3007-01 Fire service annunciators.

(a) Applicability of NFPA 72. The provisions of National Fire Protection Association ("NFPA") standard 72 Section 21.5 as amended and adopted by §3616-04 of the rules of the Department shall apply to the design and installation requirements for fire service annunciators associated with fire service access elevators ("FSAE") installed as required by sections 403.6.1 and 3007.7 of the Building Code.

(b) Temporary and final certificates of occupancy. Buildings with an occupied floor more than 120 feet above the lowest level of fire department access that have received a temporary certificate of occupancy prior to the effective date of this rule may be issued a certificate of occupancy before the installation of a fire service annunciator. Such buildings, and buildings with an occupied floor more than 120 feet above the lowest level of fire department access that have been issued a certificate of occupancy without such fire service annunciator, must comply with the design and installation requirements identified in subdivision a of this section by no later than three years from the effective date of this rule.

§2. Chapter 3000 of Title 1 of the Rules of the City of New York is amended by adding a new section 3007-02 to read as follows:

§3007-02 Fire service access elevator (FSAE) hoistway lighting. Where hoistway lighting is required to be provided in accordance with Building Code section 3007.5.2, the following lighting control requirements shall apply:

(a) A three-position ON-AUTO-OFF switch shall be provided for FSAE hoistway lighting controls.

(b) One switch for each hoistway containing FSAE shall be provided.

(c) Each switch's label descriptor shall include a reference to the FSAE car designation (e.g. A-1).

§3. Section 3616-04 of Chapter 3600 of Title 1 of the Rules of the City of New York, relating to National Fire Alarm and Signaling Code, is REPEALED and a new section 3616-04 is added to read as follows:

§3616-04 National Fire Protection Association (“NFPA”) 72 Amendment Relating to the National Fire Alarm and Signaling Code.

Pursuant to Section 28-103.19 of the New York City Administrative Code, NFPA 72 (2016 edition) is hereby amended as follows:

18.11 Delete and replace with the following: **Standard Emergency Service Interface.** Where required by the enforcing authority; governing laws, codes, or standards; or other parts of this Code, annunciators, information display systems, and controls for portions of a system provided for use by emergency service personnel must be designed, arranged, and located in accordance with the requirements of Sections 18.11.1 through 18.11.3.

Add 18.11.1 Fire Service Access Elevators Annunciator Location. The Fire Service Access Elevator (FSAE) annunciator panel must be located at the Fire Command Center (FCC) and installed in such a way that the control switches are protected against tampering by unauthorized individuals. Location of the FCC must be approved by FDNY. Where a building contains more than one FCC, one FSAE annunciator panel must be installed at each FCC.

Add 18.11.2 Listing. All FSAE annunciator panels must be listed to UL Standard 864 (Standard for Control Units and Accessories for Fire Alarm Systems).

Add 18.11.3 Display. FSAE annunciator panels must include a green LED indicating POWER ON, a yellow or amber LED indicating SYSTEM TROUBLE, and a LAMP TEST feature. All LEDs and switches must be arranged to graphically represent the spatial relationship between floors and associated system components. Each individual floor must be labeled with the corresponding floor number. Where marketing floor designations are used, only the marketing floor designation must be displayed on the FSAE annunciator panel. Where approved by FDNY, designs may utilize touchscreen or similar graphic annunciator technologies in lieu of a physical cabinet containing LEDs and switches.

21.5 Delete and replace with the following: **Fire Service Access Elevators.** Where one or more elevators are specifically designated and marked as FSAE, elevator status, power, and temperature and presence of smoke in elevator lobbies, machine rooms, control rooms, machinery spaces, or control spaces must be continuously monitored and displayed on a building fire alarm system annunciator(s) complying with Section 18.11 and the requirements of Section 21.5.1 through 21.5.5.

21.5.1 Delete and replace with the following: **Elevator Status.** Status of the elevator(s), including elevator location within the hoistway, direction of travel, position of landing doors, and occupied/unoccupied status of each such elevator car must be indicated on the annunciator panel or represented on a separate panel(s) provided it is also located at the FCC.

21.5.2 Delete and replace with the following: **Power.** Availability of main and emergency power to operate the elevator(s), elevator controller(s) and machine room ventilation must be displayed on a building fire alarm system annunciator. Individual yellow or amber LEDs for fault condition monitoring must be provided for the following:

- (A) Elevator Normal Power Fault – upon loss of normal power source supplying the FSAE(s), the associated yellow or amber LED must activate and remain lit until such power source is restored.
- (B) Elevator Emergency Power Fault – upon loss of the emergency power source that serves supply to the FSAE(s), the associated yellow or amber LED must activate and remain lit until such power source is restored.
- (C) Elevator Hoistway Ventilation Power Fault – where elevator hoistway ventilation is provided, either through passive or active/mechanical means, loss of power to the associated equipment must activate the yellow or amber LED and the LED must remain lit until such power source is restored.

21.5.3 Delete and replace with the following: **Temperature and Smoke.** Temperature and presence of smoke in associated lobbies and machine rooms must be monitored and displayed as follows:

- (A) Temperature Monitoring: Three separate LEDs for each machine room and for each floor/elevator bank utilized for FSAEs must be provided to indicate associated temperatures in the elevator lobby or elevator landing served by the FSAE. These LEDs must be provided under the headings NORMAL <100 °F (for green), MONITORING 100 °F < > 135 °F (for yellow), and UNSAFE >135 °F (for red). These temperatures must be monitored utilizing a heat detector or temperature monitoring device listed by a Nationally Recognized Testing Lab (See UL Standard 521 (Heat Detectors for Fire Protective Signaling Systems)).
 - (1) When said device in an elevator machine room, lobby, or landing reaches 100 °F, it must send a supervisory signal to the FCC and must light the associated yellow LED.
 - (2) When said device in an elevator machine room, lobby, or landing reaches 135 °F, it must send an alarm signal to the FCC and must light the associated red LED. Activation of any red LED must be latching and must only clear upon reset initiated from the fire alarm control panel.
 - (3) The associated green LED must be lit at all other times when no heat condition at or above 100 °F has been detected in the corresponding elevator lobby or elevator landing.
- (B) Smoke Monitoring: Activation of an elevator machine room, elevator lobby or elevator landing smoke detector must send an alarm signal to the FCC and must light a red LED indicating the associated floor/elevator bank and indicating the device type that activated. Activation of any red LED must be latching and must only clear upon reset initiated from the fire alarm control panel.
 - (1) Where hoistway smoke detection is required by the NYC Construction Codes, the status of the hoistway smoke detector must be displayed on this panel.
 - (2) Where cross-zoning of multiple smoke detectors is used, the activation of the second smoke detector in that corresponding area must light the red LED.
 - (3) Where alarm verification for a single smoke detector is used, the activation of the detector in verified alarm mode must light the red LED.

Add 21.5.3.1 Machine Room-less Elevator. Where a machine room-less (MRL) elevator is provided, smoke and temperature monitoring from the elevator hoistway must be displayed on

this panel in the same manner as requirements applicable to a traditional elevator machine room.

Add **21.5.4 Hoistway Lighting.** Activation of the FSAE hoistway lighting controls to either on or off must generate a supervisory signal reported to the buildings' fire alarm system.

Add **21.5.5 Occupant Evacuation Elevator.** Where a building is provided with both FSAE(s), and Occupant Evacuation Elevator(s), a single graphic annunciator may be provided to indicate all required signals.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Rules Governing Fire Service Access Elevator Annunciators

REFERENCE NUMBER: 2022 RG 065

RULEMAKING AGENCY: Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: September 9, 2022

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Rules Governing Fire Service Access Elevator Annunciators

REFERENCE NUMBER: DOB-155

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

September 9, 2022
Date