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Int. No. 90

By Council Members Sanchez, Avilés, Nurse, Schulman, Louis, Hudson, Feliz, Stevens, Menin, Hanif, Ung, Abreu and Marmorato (in conjunction with the Bronx Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to provide annual fire hazard-identification trainings to department of housing preservation and development inspectors and department of buildings inspectors, requiring such inspectors to notify owners and tenants of hazards, and requiring reports on inspection data

Be it enacted by the Council as follows:

Section 1. Section 28-103.16 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-103.16 Inspections of completed buildings, structures, signs, service equipment and construction machinery and equipment. a. Inspections. In addition to other required inspections, the commissioner may make or require inspections of completed buildings, structures, signs, service equipment installations and construction machinery and equipment to ascertain compliance with the provisions of this code and other laws that are enforced by the department. Such inspections may be made on behalf of the department by officers and employees of the department and other city departments and governmental agencies; and by approved agencies, special inspectors or other persons when the commissioner is satisfied as to their qualifications and reliability. The commissioner may accept inspection and test reports from persons authorized by this code or by the commissioner to perform such inspections. Such reports shall be filed with the department.

b. Fire hazard-identification trainings for inspectors. 1. Trainings required. The commissioner shall require any person making inspections pursuant to subdivision a of this section to attend fire hazard-identification trainings annually. The fire department shall conduct such trainings in accordance with this

subdivision and make them available to inspectors not less than quarterly.

2. Curriculum and standards. The trainings required by this subdivision shall cover how to identify external and internal fire hazards including, but not limited to, hanging wires; appliances; battery-charged vehicles or devices; flammable materials, liquids, and debris; building defects; and inaccessible exits and fire escapes. The trainings shall meet or exceed the standards developed by the National Fire Prevention Association and meet or exceed the standards imposed by the New York state uniform fire prevention and building code act as described in paragraph (j) of subdivision 2 of section 376-a of the executive law.

3. Violations and notice. Inspectors trained pursuant to this subdivision may use their discretion in determining whether to issue notices of violation to owners for visible fire hazards or to refer such hazards to the fire department for enforcement. An inspector shall inform a tenant of visible hazards in the tenant's dwelling unit, and shall instruct the owner to correct or remove all visible hazards that are found in dwelling units and other areas throughout or connected to the entire building.

4. Report. The commissioner, in collaboration with the commissioner of housing preservation and development and the fire commissioner, shall submit to the mayor and the speaker of the council an annual report on the effectiveness and frequency of the trainings required by this section and section 27-2096.3, which report shall set forth how many trainings were held per year, how many inspectors attended the trainings, what violations were identified, and the number of violations identified, and may also include whether the violations were remedied, and in what timeframe. The commissioner shall publish the report electronically on the department's website no later than 30 days after its submission to the mayor and the speaker of the council.

§ 2. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2096.3 to read as follows:

§ 27-2096.3 Fire hazard-identification trainings for inspectors. a. Trainings required. The commissioner shall require any person making inspections of a dwelling to attend fire hazard-identification trainings annually. The fire department shall conduct such trainings in accordance with this section and make them available to

inspectors not less than quarterly.

b. Curriculum and standards. The trainings required by this section shall cover how to identify external and internal fire hazards including, but not limited to, hanging wires; appliances; battery-charged vehicles or devices; flammable materials, liquids, and debris; building defects; and inaccessible exits and fire escapes. The trainings shall meet or exceed the standards developed by the National Fire Prevention Association and meet or exceed the standards imposed by the New York state uniform fire prevention and building code act as described in paragraph (j) of subdivision 2 of section 376-a of the executive law.

c. Violations and notice. Inspectors trained pursuant to this section may use their discretion in determining whether to issue notices of violation to owners for visible fire hazards or to refer such hazards to the fire department for enforcement. An inspector shall inform a tenant of visible hazards in the tenant's dwelling unit, and shall instruct the owner to correct or remove all visible hazards that are found in dwelling units and areas throughout or connected to the entire building.

d. Report. The commissioner shall collaborate with the commissioner of buildings and the fire commissioner in preparing the report required by paragraph 4 of subdivision b of section 28-103.16.

§ 3. This local law takes effect 180 days after it becomes law.

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