



## Legislation Text

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**File #:** Res 1088-2005, **Version:** \*

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### Res. No. 1088

Resolution calling on the State Legislature to amend state law so that all state-created public authorities, including the Port Authority and New York City Transit Authority, are subject to the building and fire codes of the city of New York.

By Council Members Vallone Jr., Fidler, Gentile, Gerson, McMahon, Sears, Weprin and Oddo

Whereas, Investigations conducted after the Port Authority-owned World Trade Center was bombed in 1993 revealed that the building lacked several safety features that are required as part of the city's building and fire codes; and

Whereas, These safety features were not required because the Port Authority, as a state created public authority, is exempt from the city's building and fire codes; and

Whereas, At a recent hearing of the Public Safety Committee to discuss the New York City Transit Authority's use of HEETs and other limited access exit devices, the Police and Fire Departments stated that such devices compromise public safety, yet the Transit Authority is exempt from the local requirement that it submit construction designs and comport with the regulatory controls of the FDNY and Department of Buildings; and

Whereas, The city's building and fire codes reflect decades of collective public safety wisdom in one of the most dense urban environments in the world; and

Whereas, The city's building and fire codes are designed to ensure that buildings and other infrastructure conform to the strictest standards of safety and are continually updated to reflect new vulnerabilities; and

Whereas, However, dozens of state-created authorities that own and operate buildings and other critical

infrastructure in the city, including the subway system, vehicle tunnels, and the Freedom Tower, are not required to comply with these comprehensive public safety codes; and

Whereas, Although the Port Authority has voluntarily agreed to be subject to the city's building code in the design of the Freedom Tower, such adherence of state authorities to the building and fire codes must be mandated; and

Whereas, In light of the recent London Underground bombings, the need for adherence to strict building and fire safety standards is more crucial than ever; now, therefore, be it

Resolved, That the Council of the city of New York calls on the State Legislature to amend state law so that all state-created public authorities, including the Port Authority and New York City Transit Authority, are subject to the building and fire codes of the city of New York.

TB; LS#3132