**Fire Safety & Property Maintenance Inspections Guide**

The Town of Porter has adopted the 2020 Building Code of New York State as published by the International Code Council: Together with the provisions of Part II, Chapter 70, Section 70-11of the Code of the Town of Porter. A complete copy of the 2020 Fire code of new is available to the public for inspection in the Town of Porter Hall – Code Enforcement/Building Inspectors Office and is also readily available online.

* ​​Annual inspection records shall be made available for the following systems at time of inspection.
	+ Portable fire extinguishers
	+ Fire alarm systems
	+ Fire suppression sprinkler systems
	+ Commercial cooking suppression systems and exhaust hood system cleaning
* All exit signs must be in working order.​
* All emergency lighting must be in working order.​
* Storage heights in stock and storerooms including basements.
	+ that are protected by fire sprinklers is 18 inches from the ceiling.
	+ that are not protected by fire sprinklers is 24 inches from the ceiling.
* Proper usage of extension cords and multi-plug adaptors as according to the [diagram](https://www.a2gov.org/departments/fire/prevention/Documents/AAFD%20EXTENSION%20CORD%20DIAGRAM%20%20%282007%29.pdf).​
* Outlets and light switches must be covered with a wall plate.​
* Holes/breaches in the drywall must be fixed.
* Ceiling tiles in drop ceilings must be in place.
* Exits and aisle ways must be kept clear.
	+ 36-inch clearance must be maintained around all sprinkler heads, electrical panels, furnaces, boilers, and water heaters.
	+ 28-inch clearance must be maintained for all **non-public** aisle ways.
* Fire Department Connections (FDC) must be kept clear of vegetation or other obstructions. Inlets must be sealed with manufacturers' caps.
	+ [Locking FDC caps](https://www.a2gov.org/departments/fire/prevention/Documents/KNOX%20BOX%20FDC%20SYSTEM%202014.pdf) may be the best choice for your business.  Contact Local Fire Company for more information.

Inspection Frequently Asked Questions

**1. Under what authority are fire inspections conducted?**

<https://www.nysenate.gov/legislation/laws/EXC/A18> The New York State Legislature adopted Article 18 of the Executive Law to provide for an integrated and comprehensive building and fire prevention code. Article 18, consisting of sections 370 through 383 of the Executive Law, sets forth the process by which the code is to be developed, maintained, administered, and enforced for the protection of all New Yorkers. Both State government and local governments are participants in this process. The code, called the New York State Uniform Fire Prevention and Building Code (“Uniform Code”), took effect January 1, 1984 and prescribed minimum standards for both fire prevention and building construction. It is applicable in every municipality of the State except the City of New York, which was permitted to retain its own code. This is the source law which authorizes inspections and examinations of buildings and premises for the purpose of findings, reports, and recommendations related to fire hazards.

**2. How is the inspection fee structure determined?**

**Town of Porter code** [**§ 70-16** Fees.](https://ecode360.com/27306124#27306124)

A fee schedule shall be established by resolution of the Town Board. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of building permits, amended building permits, renewed building permits, certificates of occupancy/certificates of compliance, temporary certificates, operating permits, Fire safety and Property Maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this chapter.

**3. How is the square footage or footage of the space determined?**

Square Footage is used to evaluate occupant load and Egress path at the design and permitting stage. Square footage information is obtained directly from the Assessment and Property Tax Data, available on the following website link:  <http://www.porter.oarsystem.com/SearchOARS.aspx>.

**4. Is there an expectation that constant upgrades are necessary in order for property owners to meet new building/fire codes?**

No. Inspections will be centered on fire safety violations such as maintaining items already in place in buildings.  These items must be in working order so that the level of fire safety is not reduced. Chapter 46 – Construction Requirements for Existing Buildings of the 2020 Fire Code of New York addresses this concern.  Section 4603.1 states: "The provisions of this chapter shall not be construed to allow the elimination of fire protection systems or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes."

**5. Why have fire safety inspections increased recently?**

The inspection process has been part of the Town Ordinance for more than a decade. Previously, priority for inspections was given to high-risk occupancies such as bars, restaurants, hotels, and businesses that required a fire inspection in order to obtain a specific permit. The expansion to inspect other parcels reflects, in part, a greater emphasis on fire prevention as an effective way to reduce loss of life and property resulting from fires.

**6. Should there be an inspection every time there is a change in tenant? Is the change of occupancy a valid reason to re-inspect?**

Yes. When a change in tenant and or occupancy occurs, a fire inspection as well as inspections by building inspection staff is conducted. This practice was established for safety reasons and is consistent with the building department’s policies and procedures.

**7. How do I appeal a violation sited during my inspection that I feel is incorrect?**

The Code Enforcement Officer or an inspector designated by the Code Enforcement Officer perform Fire Safety and Property maintenance inspections and issue violation notices. The Zoning Board of Appeals has the responsibility of appeals: Section 200-98 stipulates, ZBA with -

[***A.***](https://ecode360.com/16127977#16127977) *Jurisdiction and authority. The Zoning Board of Appeals shall have the following jurisdiction and authority:*

[***(1)***](https://ecode360.com/16127978#16127978) *To hear and decide appeals from, and review orders, decisions or determinations made by the Zoning/Code Enforcement Officer or the Planning Board.* Etc.