

4.7 GOVERNMENT AGENCY GUIDELINES

4.7.1 Scope

Inspections in Federal and State facilities are performed as courtesy inspections. The purpose of these inspections is to utilize our expertise in the area of fire prevention to give recommendations. The Fire Department has no official jurisdiction in New York State owned or United States government owned facilities. In facilities owned by city agencies Fire Department personnel have limited enforcement power. This is due to inter-agency agreements to process V.O.s, N.O.V.s, and Summonses issued to city agencies.

4.7.2 U.S. Government

Uniformed personnel, when performing a Fire Prevention inspection at a United States government installation, shall not issue N.O.V.s, V.O.s, or Summonses to any employee of such a facility. United States government installation shall include all United States Postal Service (USPS) facilities, including rented or leased spaces. Notice of Violation or Violation Orders shall not be issued to the owner, agent or manager of a space rented or leased by USPS.

Recommendations:

1. The recommendation report for corrective action shall be forwarded, in duplicate, to the Bureau of Fire Prevention, Public Buildings Unit, 9 MetroTech Center, Brooklyn, N.Y.
2. The officer shall include in the letterhead report all relevant information concerning the occupancy inspected. Note the name designation of the installation and the street address. If it is a Postal Facility include the code letter. On subsequent reports, inspecting units shall indicate the degree of compliance with and the status of recommendations previously submitted.
3. The Bureau of Fire Prevention shall process the recommendation as follows:
 - a. Evaluate the recommendation.
 - b. Forward the recommendation to the appropriate agency.
 - c. Maintain a file of such recommendations.

4.7.3 New York State

State owned facilities shall generally be treated in the same manner as U.S. government facilities.

- A. Recommendation reports (as per sec. 4.7.2) shall be forwarded to the Bureau of Fire Prevention, Public Buildings Desk, in duplicate.
- B. V.O.s, N.O.V.s., and Summonses shall not be served to employees of a State agency.

4.7.4 New York City

Due to inter-agency agreements, the Bureau of Fire Prevention has the procedures in place to process violations issued to a City agency by Fire Department personnel.

- A. The procedure for processing V.O.s issued to City agencies is facilitated by the Public Buildings Unit of Fire Prevention. This procedure is explained in FP Information Bulletin # 11.
- B. N.O.V.s issued to city agencies shall be processed as follows:
1. All copies of the N.O.V. (except the pink unit copy) shall be forwarded to the Enforcement Unit to be served by this unit's process servers. Do not leave a copy of the N.O.V. at the premises.
 2. Check the "city agency" Respondent box on the N.O.V.
 3. Note date of issuance but do not fill in compliance or hearing dates.
- C. A Summons shall not be issued to a city agency except in the following instances:
1. To a principal or custodian of a public school for a locked exit.
 2. To a New York City Housing Authority manager or superintendent for a standpipe or sprinkler shut-down without prior Fire Department notification.
 3. When directed by the Bureau of Fire Prevention.
- Note:** If a summons for any of the above is issued, forward an additional copy of the A-200, Court Case Record, to the Enforcement Desk, Bureau of Fire Prevention, with the notation "City Agency" marked in RED in the Upper right hand corner of the A-200.
- D. When the situation cannot be corrected by any of the above actions a recommendation may be necessary. The recommendation shall be forwarded on form A-8 and/or special report. Special reports shall be used in unusual instances where an A-8 would prove inadequate. If upon inspection of a city owned or operated facility an A-8 is forwarded to the agency having jurisdiction, forward a duplicate copy of the A-8 to Field Public Communications Unit, Bureau of Fire Prevention with the notation "City Agency" marked in RED in the upper right hand corner of the A-8.