



NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Andrew M. Cuomo, Governor

Jerome M. Hauer, Commissioner

MEMORANDUM

TO: Agency and Authority Heads

FROM: Jerome M. Hauer, Commissioner
Bryant Stevens, State Fire Administrator

DATE: July 9, 2013

SUBJECT: Fire and Building Code Citations and Permits issued by NYC

We have been made aware that State agencies, with custody of State owned buildings in the City of New York, may have been improperly cited for violations of City's building and fire codes, rules and regulations and/or have received invoices for various City issued permits.

Pursuant to Executive Law §378 and 19 NYCRR Part 1204, State owned property, within the City of New York, is subject to the NYS Uniform Fire Prevention and Building Code. A custodial State Agency or Authority is responsible for the administration and enforcement of the State Code with respect to its buildings and property. Accordingly, the City of New York does not have the authority to inspect and enforce its code or collect associated City permit fees on State property.

Please do not confuse the above with the importance of granting access to FDNY personnel for the purposes of pre-incident planning and building familiarization, which provides emergency responders with critical preparedness information.

If your Agency or Authority has been cited for violations of the City's building or fire codes or similarly billed for associated City permit fees, on property owned by the State, you may wish to contact the Office of Fire Prevention and Control at: (518) 474-6746 to assist with determining the appropriate action.