



**NASSAU COUNTY FIRE COMMISSION
OFFICE OF THE FIRE MARSHAL**

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FIRE MARSHAL BULLETIN

November 16, 2023

Requirement to Notify the Building Official of a Fire Involving Structural Damage

To: All Nassau County Fire Department Chief Officers or Incident Commander:

This advisory is to provide information regarding the requirements for Fire Department notification of the *building official* of any fire or explosion involving any structural damage pursuant to Section 112 of the 2020 edition of the Fire Code of New York State.

112.1 Fire department notification. The fire chief shall notify the *building official* of any fire or explosion involving any structural damage, fuel-burning appliance, chimney, flue, or gas vent.

Building Official – the building code official or the NYS code enforcement official designated by the town, village, or city government officials to enforce the requirements and standards of the Uniform Fire Prevention and Building Codes of New York State.

It is understood that the Fire Chief or designated fire department incident commander at the scene of a structural fire or hazardous condition in a residence, building or structure has the responsibility for fire scene operations, fire scene safety and requests for fire cause and origin investigation. Consider adding this notification process to your signal 10 / working fire procedures to make this required notification either early in the incident or when fire suppression and extinguishment operations have terminated, and the fire cause and origin scene examination is complete. The Fire Chief or designated fire department incident commander at the scene is required to request the response to the scene of the building official to assume responsibility, and the associated liability, of the unsafe structure. The building official shall ensure the prevention of unnecessary access and prevent the occupancy of the structure until such time is has been determined to be safe for entry by property owners, tenants and construction or remediation contractors. Failure of the fire chief or IC to notify the *building official* of any fire or explosion involving any structural damage may result in the unnecessary liability being placed upon the Fire Chief or designated fire department incident commander.

On numerous occasions at structural fire scenes utilities such as electric, natural gas, and water are requested to be shut off to the residence / building / structure by the Fire Chief or designated fire department incident commander, for the safety of first responders and to mitigate further fire safety concerns or water damage concerns in the damaged structure. These actions result in conditions that leave the structure uninhabitable and require licensed remediation and further actions by the affected utilities. As per the aforementioned code the liability of re-occupying an affected structure lies with the building code official from the Authority Having Jurisdiction (AHJ) and requires the proper notification and transfer of that liability.