

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2021**

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**No. 34**

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Introduced by Council Members Cornegy, Borelli, Powers, Koslowitz, Cabrera, Kallos, Holden, Ayala, Louis and Rivera.

**A LOCAL LAW**

**To amend the New York city fire code, in relation to fire safety at film production locations and to providing the fire department and local firehouses with information about field conditions at film production locations**

*Be it enacted by the Council as follows:*

Section 1. Section 325 of the New York city fire code, as added by a local law of the city of New York for the year 2021, relating to establishing fire safety provisions for film production locations and requiring production location fire safety managers for certain rigging, filming and production activities, as proposed in introduction number 1849-A, is amended to read as follows:

**325.2 General.** *Production locations shall comply with the fire safety measures required by this section and by NFPA 140, as applicable.*

**325.3 Permits.** *Permits shall be required as set forth in FC105.6.*

**325.4 Interagency coordination.** *The department shall develop and establish, in consultation with the Mayor's Office of Film, Theatre and Broadcasting, or an officer, employee or unit of the Department of Small Business Services as may be authorized to issue permits in accordance with paragraph r of subdivision 1 of section 1301 of the charter or pursuant to its rules, and such other agencies as the department determines to be necessary and appropriate, a protocol and other processes to:*

- 1. Provide to the department real-time access to information submitted to the Mayor's Office of Film, Theatre and Broadcasting, or an officer, employee or unit of the Department of Small Business Services as may be authorized to issue permits in accordance with paragraph*

*r of subdivision 1 of section 1301 of the charter or pursuant to its rules, in connection with permit applications;*

- 2. Provide notification to the local firehouse each time a permit for filming or rigging is issued for activities that occur at a production location within the area of response for such firehouse.*
- 3. Enable the department to evaluate relevant fire safety considerations at production locations, familiarize local firehouses or other members of the department with field conditions, including alterations being performed at such locations, in advance of and during the course of rigging and filming, and provide additional production location information in a timely manner to firefighters and other emergency response personnel during fire and non-fire emergencies; and*
- 4. Coordinate approval of permit applications to allow the department to determine whether any premises associated with the proposed production location is subject to any outstanding department or Department of Buildings violation that the department determines constitutes a life safety hazard sufficient to warrant denial of the application. The Mayor's Office of Film, Theatre and Broadcasting, or an officer, employee or unit of the Department of Small Business Services as may be authorized to issue permits in accordance with paragraph r of subdivision 1 of section 1301 of the charter or pursuant to its rule, shall deny such permit application when the department makes such a determination.*

**325.5 Fire safety at production locations.** The department shall promulgate rules addressing fire safety at production locations. Such rules shall establish fire safety standards, procedures and requirements in consideration of such location's occupancy, construction and condition, including factors such as whether means of egress are impeded and a working sprinkler system exists, and the nature of the production activities to take place at such location, including set construction or other alterations, and whether pyrotechnic or other special effects will be conducted. Such rules may require the following fire safety measures:

1. The presence of one or more production location fire safety managers, to be designated by the permit holder, during production activities determined by the department to require such supervision. Production location fire safety managers shall have such qualifications and duties as set forth in [FC325.3] FC325.6 and the rules.
2. The presence of department representatives or standby fire apparatus during production activities, as determined by the department.
3. Directing the cessation of filming activities when an unsafe condition arises that is detrimental to fire safety, until such time as such condition is corrected.

4. Such other fire safety measures as the department may require.

**[325.3] 325.6 Production location fire safety manager.** When required by the rules, production locations shall be under the personal supervision of one or more production location fire safety managers, each of whom shall hold the required certificate of fitness. The permit holder shall designate such production location fire safety managers before the commencement of the activity authorized by a permit for rigging and shooting pursuant to 43 RCNY § 9-01.

**[325.3.1] 325.6.1 Fire safety manager duties.** The production location fire safety manager shall have such duties and responsibilities as set forth in the rules, including but not limited to:

1. Ensuring compliance with the requirements of this code and other laws, rules and regulations enforced by the department.
2. Personally inspecting and monitoring the production location, confirming that permits or other required approvals have been obtained, and completing fire safety surveys or other recordkeeping.
3. Notifying the permit holder of any conditions detrimental to fire safety in accordance with the rules.

**325.7 Means of egress.** *Means of egress shall be maintained free from obstruction at production locations. Prior approval of the Department of Buildings and/or the department shall be obtained in accordance with applicable laws, rules and regulations for any alteration or obstruction of the means of egress.*

**325.8 Housekeeping.** *All production locations shall be maintained free of accumulation of combustible waste in accordance with FC304.*

**325.9 Portable fire extinguishers.** *The permit holder responsible for a production location shall provide one or more portable fire extinguishers when required by the rules.*

§ 2. This local law takes effect on the same date that a local law amending the New York city fire code, relating to establishing fire safety provisions for film production locations and requiring production location fire safety managers for certain rigging, filming and production activities, as proposed in introduction number 1849-A, takes effect, provided that the fire commissioner may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 25, 2021 and returned unsigned by the Mayor on March 29, 2021.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 34 of 2021, Council Int. No. 1852-A of 2020) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.