

Fire Penalty Schedule II: Effective For Notices of Violation With a Date of Occurrence On or After July 1, 2008:

The Penalty Schedule set forth below, Fire Penalty Schedule II, sets forth the penalties that will be imposed in connection with Notices of Violation with a date of occurrence on or after July 1, 2008.

This schedule sets forth penalties for violations of the New York City Fire Code, Fire Department rules and other laws, rules and regulations enforced by the Fire Department. The violation categories set forth below are derived from Section 109-02 of Title 3 of the Rules of the City of New York. All citations preceded by "AC" are citations to the NYC Administrative Code.

The mitigated (MIT) penalty is available if the condition is corrected as of the original hearing date. (A stipulation is available in some cases at the mitigated penalty if there is concurrence by the Fire Department, and good faith efforts to correct have commenced as of the original hearing date.)

A violation is subject to second or subsequent violation penalties when: (1)(a) it is a violation by the same respondent of the same provision of law, rule, or Violation Category as a prior violation that has a date of occurrence within 18 months, or (b) it is a violation by the same respondent of the predecessor provision of law, rule or Violation Category (previously "Rule") that has a date of occurrence within 18 months; and (2) if the respondent is the owner (as defined in the Fire Code) of the premises with respect to which the violation occurred, if the prior violation occurred at the same premises.

SECTION /VIOLATION CATEGORY	DESCRIPTION	FIRST VIOLATION			SECOND OR SUBSEQUENT VIOLATION		
		PENALTY	MIT	MAX	PENALTY	MIT	MAX
Violation Category 1 BF01	Portable Fire Extinguishers and Fire Hoses	\$500	250	1000	1500	750	5000
Violation Category 2 BF02	Combustible Waste Containers	500	250	1000	1500	750	5000
Violation Category 3 BF03	Permits	400	200	1000	1250	625	5000
Violation Category 4 BF04	Unlawful Quantity or Location of Regulated Material	400	200	1000	1250	625	5000
Violation	Posting of Permits and	600	300	1000	1750	900	5000

Category 5 BF05	Record Keeping						
Violation Category 6 BF06	Signs, Postings, Notices and Instructions	500	250	1000	1500	750	5000
Violation Category 7 BF07	Labels/Markings	500	250	1000	1500	750	5000
Violation Category 8 BF08	Accumulation and Removal of Combustible Waste	600	300	1000	1750	900	5000
Violation Category 9 BF09	Means of Egress	600	300	1000	1750	900	5000
Violation Category 10 BF10	Overcrowding	500	250	1000	1500	750	5000
Violation Category 11 BF11	General Maintenance	400	200	1000	1250	625	5000
Violation Category 12 BF12	Fire Protection Systems	900	450	1000	2000	1200	5000
Violation Category 13 BF13	Flame-Resistant Materials	750	375	1000	1750	900	5000
Violation Category 14 BF14	Fire-Rated Doors and Windows	750	375	1000	1750	900	5000
Violation Category 15 BF15	Fire-Rated Construction	750	375	1000	1750	900	5000
Violation Category 16 BF16	Ventilation	600	300	1000	1750	900	5000
Violation Category 17 BF17	Certificates of Fitness and Certificates of Qualification	600	300	1000	1750	900	5000
Violation Category 18 BF18	Certificates of Approval, Certificates of License and Company Certificates	600	300	1000	1750	900	5000

Violation Category 19 BF19	Affidavits, Design/Installation Documents, and Other Documentation	500	250	1000	1500	750	5000
Violation Category 20 BF20	Inspection and Testing	400	200	1000	1250	625	5000
Violation Category 21 BF21	Portable Containers	500	250	1000	1500	750	5000
Violation Category 22 BF22	Stationary Tanks	750	375	1000	1750	900	5000
Violation Category 23 BF23	Storage Facilities	500	250	1000	1500	750	5000
Violation Category 24 BF24	Racks and Shelf Storage	500	250	1000	1500	750	5000
Violation Category 25 BF25	Electrical Hazards	800	400	1000	1750	900	5000
Violation Category 26 BF26	Heating and Refrigerating Equipment and Systems	600	300	1000	1750	900	5000
Violation Category 27 BF27	Electrical Lighting Hazards	600	300	1000	1750	900	5000
Violation Category 28 BF28	Open Fires, Open Flames and Sparks	800	400	1000	1750	900	5000
Violation Category 29 BF29	Designated Handling/Use Rooms or Areas	500	250	1000	1500	750	5000
Violation Category 30 BF30	Fire Safety in Office Buildings, Hotels, and Motels	900	450	1000	2000	1200	5000
AC 15-231 BF31	Fail to Comply with Commissioner's Order to Correct and Certify	1250	None	5000	3500	None	5000

AC 15-220.1 BF32	False Certification	2500	None	5000	4500	None	5000
FC 1404.1 BF33	Smoking on Construction Site	1000	No	1000	2400	No	2400