



Town of Brookhaven

Department of Public Safety
Division of Fire Prevention



Christopher J. Mehrman
Chief Fire Marshal

Information Bulletin

Topic: Carbon Monoxide Requirements

Intended Audience: Public - Commercial Property Owners

Release Date: February 09, 2018

Release by: Christopher J. Mehrman, Chief Fire Marshal

This bulletin is an effort to clear up any confusion and misinterpretation related to the Town of Brookhaven's Carbon Monoxide Law and the recent decision by the New York State Uniform Fire Prevention and Building Codes Council. If you should require additional information please feel free to contact my office at either (631) 451-6262 or fireprevention@brookhavenny.gov. Additionally, your fire alarm installer / contractor can provide valuable information regarding carbon monoxide requirements. This Division has been working closely with the local association comprised of fire alarm installers / contractors on Long Island. Updated information will also be provided at www.brookhavenny.gov/fire.

*To be clear, if your building has carbon monoxide detection installed pursuant to a permit and a certificate of compliance has been issued for the system by the Division of Fire Prevention, your system meets and in most cases, exceeds the state code requirements. You do not need to do anything additional with regard to carbon monoxide detection. The only exception to the above is educational occupancies which **may** in limited cases, require an additional device in classrooms, depending on the route of HVAC ductwork. The Division of Fire Prevention is currently reviewing those installations but thus far all have been in compliance with state code.*

On December 5, 2017 the NYS Uniform Fire Prevention & Building Codes Council, (referred to as the Codes Council) declined to approve the Town of Brookhaven's More Restrictive Local Standard (MRLS) for carbon monoxide detection in commercial occupancies. Important to know is that the Town filed the petition for this MRLS in April of 2014. The NYS Executive Law in effect at that time allowed the Town's MRLS to be fully enforced until the Codes Council reviewed the Town's petition and rendered a decision. Due to the Codes Council's other responsibilities and schedule, the Town's petition was not heard until December 5, 2017 (3 ½ years after it was filed).

One of the main reasons the Town's MRLS was not approved was due to the inability of the Town to prove to the Codes Council that "Special Conditions" exist in Brookhaven Town that made the Town different from rest of New York State. This is a difficult task, as the Codes Council supports the concept of having a uniformed fire prevention and building code throughout New York State.

Primarily, it is very important for commercial property owners and operators of businesses within the Town of Brookhaven to know that the systems and devices that were installed or are currently being installed under an approved permit issued by the Division of Fire Prevention, legally meet the requirements of the New York State law pertaining to carbon monoxide detection and should be maintained as installed. ***There is no reason to remove the systems or devices already installed, as you are in full compliance with all New York State carbon monoxide laws.***

Property owners who have not yet begun the process of installing the carbon monoxide detection in compliance with the Town of Brookhaven's former carbon monoxide law, **now have a choice**;

1. Property owners may either install carbon monoxide alarms and install and maintain them in compliance with the State's carbon monoxide code;
OR
2. Property owners may voluntarily install detection as part of your fire alarm system as previously required by the Town's local law (Town Code), as this method still meets the minimum requirements of the New York State Code.

WHAT DOES THIS ALL MEAN;

1. The Town of Brookhaven, Division of Fire Prevention can no longer **require** more than what New York State's code requires as it pertains to carbon monoxide detection.
2. The Town is required to enforce all applicable portions of the New York State Uniform Fire Prevention and Building Code (2015 International Building & Fire Codes and the 2017 Uniform Code Supplement).
3. Should a property owner opt to remove the already installed carbon monoxide detection system or detectors, integrated into the fire alarm system, a permit shall be obtained for such work. Please contact the Division of Fire Prevention for submission requirements.
4. Should a property owner choose to install carbon monoxide alarms, in compliance with New York State code (2015 International Building & Fire Codes and the 2017 Uniform Code Supplement), they will be required to submit a notarized affidavit attesting that said installation is in compliance with the applicable codes. A form will be developed by the Division of Fire Prevention and made available in the coming weeks.

Anticipated Questions and Answers:

Q. What is the difference between a carbon monoxide alarm and a carbon monoxide detector?

A. A carbon monoxide alarm is a standalone device (frequently purchased from a home center) that when carbon monoxide is detected it warns the occupants by sounding (“Beeping”). A carbon monoxide detector is a device attached to a system (commonly a fire alarm system) that when it detects carbon monoxide it warns the occupant by sounding (“Beeping”), and additionally, since it is part of a system, the fire department is automatically notified to respond to the location to assist in mitigating the cause of the carbon monoxide and render aid to anyone ill from the effects of carbon monoxide.

Q. Do I still need to install carbon monoxide detection in my commercial property?

A. Yes, New York State Law requires carbon monoxide detection in most buildings.

Q. If I previously installed carbon monoxide detection, installed in compliance with the Town of Brookhaven’s carbon monoxide law, can it stay, and do I need to do anything else?

A. As the detection system was installed under a permit and in compliance with a legally enforceable MRLS, the system should stay in place and you simply need to maintain the detection as part of the repair and maintenance required with your existing fire alarm system.

Q. I have submitted plans for the installation of carbon monoxide detectors (as part of a new or existing fire alarm system) in my building and I have received a permit but my fire alarm contactor has not begun to install, what should I do?

A. You have options. You can voluntarily move forward with the installation and you will be in compliance with the state carbon monoxide codes; or you can have your fire alarm contractor submit, in writing, an official request to void the permit and you will not need to complete the installation. You are legally required to install some sort of carbon monoxide detection in compliance with state law.