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May 27, 2015

Mayor Paul Pontieri, Jr.  
Members of the Village Board  
Village of Patchogue  
14 Baker Street  
Patchogue, New York 11772

Report Number: S9-14-50

Dear Mayor Pontieri and Members of the Village Board:

The Office of the State Comptroller works to help village officials manage their resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support village operations. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations and Village Board governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard assets.

In accordance with these goals, we conducted an audit of 10 municipalities (seven cities and three villages) throughout New York State. The objective of our audit was to determine if the use of municipal resources resulted in an effective enforcement of the Fire Code<sup>1</sup> (i.e., fire safety of buildings). We included the Village of Patchogue (Village) in this audit. Within the scope of this audit, we examined the Village's process for evaluating fire safety plans and procedures for the period January 1 through December 31, 2013. Following is a report of our audit of the Village. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law.

This report of examination letter contains our findings and recommendations specific to the Village. We discussed the findings and recommendations with Village officials and considered their comments, which appear in Appendix A, in preparing this report. While Village officials believe the Department of State (DOS) and not the Comptroller's Office is responsible for overseeing Fire Code enforcement, Village officials agreed with our recommendations and indicated they plan to take corrective action. Appendix B includes our comments on issues Village officials raised in their response. At the completion of our audit of the 10 municipalities, we

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<sup>1</sup> 2010 Fire Code of New York State

prepared a global report that summarizes the significant issues we identified at all the municipalities audited.

## **Summary of Findings**

We found that the Village could improve its controls for evaluating fire safety plans and evacuation plans and confirming that evacuation drills are performed for buildings in its jurisdiction. The Village generally does not review or approve fire safety plans or evacuation plans. It also does not confirm whether buildings conduct emergency evacuation drills each year, as required.

We sampled five buildings to determine if the fire safety plans and evacuation plans on file were complete and in conformance with the 2010 Fire Code of New York State (Fire Code). We found that four of the buildings have a fire safety plan or an evacuation plan that does not comply with the Fire Code. Four of the buildings also did not conduct the required number of evacuation drills.

## **Background and Methodology**

The Village has a population of approximately 12,300 residents and is governed by a seven-member Village Board (Board), comprising a mayor and six board members. The Village's 2013 budget totaled \$11.1 million, which includes the Village Building Department's (Department) budget of \$342,633. The Department is responsible for monitoring fire safety for 515 buildings located in the Village.

The Chief Inspector oversees the general management of the Department and of Fire Code<sup>2</sup> enforcement. In an effort to monitor fire safety within the Village, the Department's budget includes funding for a Fire Marshall, who is responsible for reviewing and approving fire safety plans (fire plan) and evacuation plans, as well as verifying the required number of evacuation drills (drills) are performed at the buildings within the Department's jurisdiction.

The Fire Code<sup>3</sup> establishes the minimum requirements for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises. It also provides safety to fire fighters and emergency responders during emergency operations.

The Fire Code requires both an approved fire plan and an evacuation plan to be prepared and maintained for most buildings. The plans must be reviewed or updated at least once a year, or as necessitated by changes in staff assignments, occupancy or building layout. The plans must be available in the workplace for reference and review by employees, and copies must be provided to the code enforcement official upon request.

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<sup>2</sup> The 2010 Fire Code of New York State is the most up-to-date version available (see also 19 NYCRR 1225.1 [c] which amends section 610 of the Fire Code). The Fire Code is part of the New York State Uniform Fire Prevention and Building Code.

<sup>3</sup> 2010 Fire Code of New York State Chapter 1 Section 101.3

The Executive Law<sup>4</sup> and New York State Codes, Rules and Regulations (NYCRR)<sup>5</sup> generally provide that cities, counties, towns and villages are responsible for enforcing the New York State Uniform Fire Prevention and Building Code<sup>6</sup> (Uniform Code). However, the State Education Department is responsible for Uniform Code enforcement with respect to school districts' and boards of cooperative education services' buildings.

Administration and enforcement of the Uniform Code generally are made through local law, ordinance or other appropriate regulation. However, a local government has the option to decline that responsibility; when this occurs, the responsibility passes to the respective county. Counties are afforded a similar option. If a local government and a county each exercise their option not to enforce the Uniform Code, the statute provides that the Secretary of State shall, directly or by contract, administer and enforce the Uniform Code.

The Uniform Code requires every city, county, town and village charged with enforcing the Uniform Code to maintain a system of records that supports its code enforcement activities. Buildings that contain an area of public assembly must be inspected each year, while all other buildings requiring a fire safety plan and an evacuation plan must have a fire safety inspection at least every three years. It also requires local governments to annually submit to the Secretary of State a report of their activities relative to administration and enforcement of the Uniform Code.<sup>7</sup>

We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). Such standards require that we plan and conduct our audit to adequately assess those operations within our audit scope. Further, those standards require that we understand the management controls and those laws, rules and regulations that are relevant to the operations included in our scope. We believe that our audit provides a reasonable basis for the findings, conclusions and recommendations contained in this report. More information on such standards and the methodology used in performing this audit is included in Appendix D of this report.

## **Audit Results**

Fire Safety Plan – Local governments must evaluate compliance with the Fire Code. Therefore, the Village must verify that certain buildings in its jurisdiction have fire plans that comply with the Fire Code. The Fire Code establishes the seven basic requirements each fire plan must contain. For example, the fire plan must include a procedure for reporting a fire or other emergency. The fire plan also must have a list of major fire hazards associated with the normal use and occupancy of the premise, including maintenance and housekeeping procedures. Appendix C details the seven fire plan requirements.

A properly developed fire plan can help ensure that responsible parties notify building occupants of an emergency and that evacuations will occur when necessary. It can also ensure that responsible parties promptly notify the Department of an emergency and convey relevant information, such as identification of hazardous material. The Fire Marshall is responsible for ensuring that each

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<sup>4</sup> Section 381 (2)

<sup>5</sup> 19 NYCRR Part 1203

<sup>6</sup> See 19 NYCRR 1225.1

<sup>7</sup> See 19 NYCRR 1203.4

building requiring a fire plan has one that complies with the Fire Code. Furthermore, the NYCRR requires the Village to keep records relating to the fire safety and property maintenance inspections it conducts.

To determine if the Fire Marshall reviews and approves fire plans as required by law, we visited five buildings<sup>8</sup> and obtained the fire plans on file. We looked for evidence that the Fire Marshall reviewed and approved each of the fire plans within the NYCRR timeframe. We also reviewed the fire plans for completeness with Fire Code requirements and found that four buildings did not have fire plans that complied with the Fire Code. These buildings comprised a preschool and two private schools, which had incomplete plans, and one banquet hall that did not have a fire plan. The missing building fire plan components for each of these buildings with an incomplete plan is detailed in Figure 1. The remaining building had a fire plan that complied with the Fire Code.

**Figure 1: Missing Building Fire Safety Plan Components<sup>a</sup>**

<b>Building</b>	<b>Fire and Emergency Reporting</b>	<b>Life Safety Strategy</b>	<b>Site Plans</b>	<b>Floor Plans</b>	<b>Fire Hazards</b>	<b>Fire Prevention and Control System</b>	<b>Fuel Hazard Sources</b>
Preschool			✓	✓	✓		✓
Private School			✓	✓	✓		✓
Private School	✓		✓	✓	✓	✓	✓

<sup>a</sup> See Appendix C for the specific fire safety plan requirements

We found no written evidence that the Fire Marshall reviewed or approved the fire plans within the statutory timeframe. The Fire Marshall said he generally does not review or approve fire plans because his time is better spent on other aspects of fire safety. He said that, in calendar year 2013, he reviewed about 10 fire plans. Village officials stated they implemented a new review and approval process<sup>9</sup> in calendar year 2014;<sup>10</sup> however, officials could not recall specifically when they implemented the new process.

The Fire Code states it was established, among other things, to ensure the protection of human life and property.<sup>11</sup> Our review found that four of the five buildings we visited either did not have a fire plan or their plans were incomplete and did not comply with the Fire Code. Missing and incomplete fire plans may lead to an increased chance of a loss of life or property damage.

**Evacuation Plan** – Buildings requiring a fire plan must also maintain an evacuation plan. The Fire Code establishes the eight basic requirements each evacuation plan must contain. For example, an evacuation plan must include emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only. The evacuation

<sup>8</sup> We judgmentally chose a sample of five buildings for our audit testing. We selected buildings that are occupied by children or elderly individuals or which have a high number of daily occupants or visitors.

<sup>9</sup> The new process includes reviewing and approving fire plans and evacuation plans and verifying that buildings conduct evacuation drills.

<sup>10</sup> We notified the Village on June 26, 2014 that we would audit its fire safety monitoring practices.

<sup>11</sup> 2010 Fire Code of New York State Chapter 1 Section 101.3

plan also must include procedures for accounting for employees and occupants after an evacuation has been completed. Appendix C details the eight evacuation plan requirements. The Fire Marshall is also responsible for ensuring that each building requiring an evacuation plan has one that complies with the Fire Code. Furthermore, the NYCRR requires the Village to keep records relating to the fire safety and property maintenance inspections it conducts.

To determine if the Fire Marshall reviews and approves evacuation plans as required by law, we also obtained the evacuation plans on file for the five buildings previously discussed. We looked for evidence that the Fire Marshall reviewed and approved each plan within the statutory timeframe. We also reviewed the evacuation plans for completeness with the Fire Code requirements.

We found that four of the five buildings’ evacuation plans (80 percent) did not meet Fire Code requirements. A banquet hall did not have an evacuation plan on file and three buildings had incomplete evacuation plans on file. The missing evacuation plan components for each incomplete evacuation plan is detailed in Figure 2. One building had an evacuation plan that met Fire Code requirements.

**Figure 2: Missing Evacuation Plan Components <sup>a</sup>**

<b>Building</b>	<b>Escape Routes</b>	<b>Critical Equipment</b>	<b>Occupant Accounting</b>	<b>Rescue/ Emergency Aid</b>	<b>Occupant Notification Method</b>	<b>Emergency Reporting</b>	<b>Contact</b>	<b>Emergency Communication System</b>
Preschool		✓		✓				
Private School	✓	✓				✓		✓
Private School		✓		✓	✓	✓	✓	✓

<sup>a</sup> See Appendix C for the specific evacuation plan requirements

Like the fire plans, we found no evidence that the Fire Marshall reviewed or approved the evacuation plans within the statutory timeframe. Again, the Fire Marshall said he does not review or approve evacuation plans because his time is better spent on other aspects of fire safety. As a result, the Village has no assurance that each Village building requiring an evacuation plan has one that meets minimum Fire Code requirements. In addition, building occupants may not be prepared to react to an emergency evacuation.

Evacuation Drills – The Fire Code also requires buildings to have a specified number of drills conducted each year. Drills help ensure that building occupants are prepared to respond to an emergency evacuation, and the drills can identify improvement opportunities. The number of drills required is based on how a building is used. For example, a private school is required to conduct 12 drills each year while an office building must conduct two. Appendix C details the building types and drill requirements. The Village must verify that the required number of drills are being conducted each year and the Fire Marshall is responsible for verifying that the drills have been performed. Furthermore, the NYCRR requires the Village to keep records relating to the fire safety and property maintenance inspections it conducts.

We also obtained evidence to determine whether the required drills were conducted annually at the five buildings previously discussed. We found that, in calendar year 2013, four buildings (80 percent) did not conduct the required number of drills. The four deficient buildings comprised a banquet hall, a preschool and two private schools. Figure 3 compares the drill requirements to the number of drills performed at each building. One building conducted the required number of drills.

<b>Figure 3: Fire Code Evacuation Drill Requirements Compared to Drills Performed</b>			
<b>Building Type</b>	<b>Annual Evacuation Drill Requirement<sup>a</sup></b>	<b>Drills performed</b>	<b>Variance</b>
Banquet Hall	4	0	(4)
Preschool	12	9	(3)
Private School	12	9	(3)
Private School	12	10	(2)
<sup>a</sup> See Appendix C			

We did not find evidence that the Fire Marshall confirmed that the required number of drills were conducted at the buildings because he does not confirm that buildings conduct the required number of drills each year. Again, the Fire Marshall said that his time is better spent on other aspects of fire safety. As a result, the Village has no assurance that drills are being performed at each building as required. When the required number of drills are not performed, building occupants are likely less prepared to conduct an emergency evacuation, which could affect an evacuation outcome.

Uniform Code Administration and Enforcement Report – The NYCRR<sup>12</sup> requires every local government charged with administration and enforcement of the Uniform Code to annually submit to the Secretary of State a report of its activities relative to administration and enforcement of the Uniform Code (report). Village officials assigned the responsibility of filing the report with the DOS to the Building Department. The Building Department filed the 2013 report with the DOS. Therefore, the Village complied with the NYCRR.

### **Recommendations**

The Fire Marshal should:

1. Review and approve fire plans and evacuation plans in accordance with the Fire Code.
2. Keep documented evidence detailing when fire plans and evacuation plans were reviewed and approved.
3. Determine whether the required number of drills are conducted in accordance with the Fire Code and maintain documented evidence of these reviews.
4. Ensure that buildings requiring a fire plan and evacuation plan have plans that meet the minimum Fire Code requirements.

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<sup>12</sup> 19 NYCRR 1203.4

The Board has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report should be prepared and forwarded to our office within 90 days, pursuant to Section 35 of the General Municipal Law. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. The Council should make the CAP available for public review in the Clerk's office.

We thank Village officials and staff for the courtesies and cooperation extended to our auditors during this audit.

Sincerely,

Gabriel F. Deyo  
Deputy Comptroller

## **APPENDIX A**

### **RESPONSE FROM VILLAGE OFFICIALS**

The Village officials' response to this audit can be found on the following pages.



*MAYOR*  
PAUL V. PONTIERI, JR.  
*DEPUTY MAYOR*  
JOHN A. KRIEGER  
*VILLAGE CLERK*  
PATRICIA M. SEAL

*INCORPORATED*  
**VILLAGE OF PATCHOGUE**

*TRU*  
LORI B. D  
SALVATORE P. F  
THOMAS E.  
WILLIAM H  
JOSEPH E. KEYI

December 19, 2014

**VIA FED EX OVERNIGHT**

Hon. Thomas P. DiNapoli, New York State Comptroller  
Office of the State Comptroller  
110 State Street  
Albany, New York 12236

Re: Village of Patchogue "Fire Safety and Evacuation Plan" Audit

Dear Comptroller DiNapoli:

We are in receipt of a "Fire Safety and Evacuation Plan" audit (S9-14-50) for the period of January 1, 2013 through December 31, 2013. The Village continues to object to this audit and has significant reservations with regard to the underlying authority and jurisdiction of the Comptroller to conduct such an audit.

See  
Note 1  
Page 11

As we previously noted in the Village Attorney's letter of July 24, 2014, the Village has carefully reviewed General Municipal Law Sections 33 and 34, as well as the Court of Appeals decision in McCall v. Barrios-Paoli, 93 NY2d 99 (1999) and its progeny as cited in the July 10, 2014 notification letter of your office. We find no support in the statutes or case law for the Comptroller to conduct such a "fire safety" audit. While we concede that the Comptroller has broad constitutional authority to examine the financial affairs and accounts of local governments, eventually there comes a boundary of that legal authority. In the McCall case, the Court of Appeals closed their decision with the following "note of caution" that while the Comptroller's authority is broad, the Court of Appeals remains prepared to review "proposed audits or address any other issues that might, in individual instances, circumscribe the authority we recognize today." (93 NY2d at 113)

Our objection remains grounded on the duplicative review and enforcement authority of the Department of State, Division of Building Standards and Codes. In 1981, that Division was specifically charged with administering the mandatory statewide Uniform Prevention and Building Codes and State Energy Conservation Construction Codes in accordance with Chapter 707 of the Laws of 1981. The comprehensive authority is precisely the same authority which the Comptroller proposes to exercise in this audit.

See  
Note 1  
Page 11

Turning to the substance of the audit, the Patchogue Village Building Department conducts approximately 500 fire safety inspections each year. Our inspectors are highly trained and have years of experience in the field of fire and life safety. This audit gives the public a very misleading impression of the work we do and we are disappointed by the disingenuous and exaggerated assertion that the public is at increased risk if we have not approved a fire safety plan for certain structures. Your audit focused on one discreet element, while the fire inspections actually conducted by the Village have dozens of elements that are required to be included in the inspection. In fact, the element of "fire drills" on which your audit is premised has been deemphasized in favor of more significant protections as evidenced by the lack of service bulletins or training classes by the Department of State, Division of Codes, which is the primary agency charged with its enforcement. (See Chapter 707 of the Laws of 1981, *supra*).

See  
Note 2  
Page 11

Every fire in the United States that resulted in loss of life or property is reported to the US Fire Administration who analyze the circumstances surrounding the fire to help identify approaches that can reduce the number of deaths and injuries in future years. For example, they have identified that sixty percent (60%) of fires in restaurants are in the kitchen. As a result, heightened emphasis is placed on kitchen fire extinguishing equipment, fuel shut offs, fire safe exhaust ducts, etc. Twenty percent (20%) of fires are the result of heating equipment or electrical failures. The Fire Code recognizes this and places special emphasis on preventing or containing fires in these building systems. Our inspectors are trained to look at these significant potential causes and eliminate violations when observed.

Moreover, in the past century, the Fire Service has learned that exiting quickly and safely from a burning building is paramount in reducing injuries. As a result, placement and maintenance of exits is a focus, as is maintenance of fire alarm and sprinkler systems.

See  
Note 3  
Page 11

We have learned how fires happen and where they happen through these statistics and have shaped our enforcement efforts to address these issues. We know through statistics how and why people are injured or killed in a fire event. There is no statistical data or evidence available that supports your position that the public is at an increased risk if the fire marshal has not signed off on a particular fire and safety plan.

See  
Note 2  
Page 11

In conclusion, we respect the Comptroller's authority and will implement its recommendations into our existing fire safety procedures, but request that the Comptroller consider our foregoing objections and explanations in evaluating the foundations of this audit.

Respectfully yours,

Paul V. Pontieri, Jr., Mayor

/kc

c: Brian T. Egan, Village Attorney

Patricia M. Seal, Clerk

Ronald Krawczyk, Treasurer

Gabriel F. Devo, Deputy Comptroller ✓

## **APPENDIX B**

### **OSC COMMENTS ON THE VILLAGE'S RESPONSE**

#### Note 1

The Court of Appeals has construed the Comptroller's authority to not merely include financial audits of accounts but inquiries into the efficiency and effectiveness of a local government's expenditures of funds, such as looking into whether the local government's resources were economically and efficiently administered. Village resources are used to enforce the Fire Code and our audit determined that the use of Village resources has not resulted in the Village's compliance with the Fire Code.

#### Note 2

The Fire Code states it was established, among other things, to ensure the protection of human life and property. The lack of the Fire Marshall's signature on a fire safety plan would not impact the implementation of a building fire safety plan. However, the Fire Marshall can impact the effectiveness of a building fire safety plan by ensuring that the plan meets the minimum Fire Code requirements and requiring corrective action when a fire safety plan is missing or incomplete.

The Fire Code establishes the minimum requirements for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises. It also provides safety to fire fighters and emergency responders during emergency operations. Confirming buildings have a complete fire safety plan helps ensure that building occupants are better prepared to respond when an emergency arises.

#### Note 3

Fire safety plans, evacuation plans and evacuation drills are developed to help ensure that occupants are prepared to safely respond to and evacuate the premises. A complete fire safety plan can protect human life and property by ensuring that important information is conveyed to building occupants and emergency responders. These tools aid occupants in quickly and safely exiting a building.

## APPENDIX C

### **FIRE SAFETY PLANS, FIRE EVACUATION PLANS AND EMERGENCY EVACUATION DRILLS<sup>13</sup>**

#### **Fire Safety Plans Must Include:**

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy and procedures for notifying, relocating or evacuating occupants.
3. Site plans indicating the following:
  - 3.1 The occupancy assembly point.
  - 3.2 The location of fire hydrants.
  - 3.3 The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
  - 4.1 Exits.
  - 4.2 Primary evacuation routes.
  - 4.3 Secondary evacuation routes.
  - 4.4 Accessible egress routes.
  - 4.5 Areas of refuge.
  - 4.6 Manual fire alarm boxes.
  - 4.7 Portable fire extinguishers.
  - 4.8. Occupant-use hose stations.
  - 4.9 Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.
7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

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<sup>13</sup> We obtained the requirements for the Fire Safety Plans, Fire Evacuation Plans and Emergency Evacuation Drills from the 2010 Fire Code of New York State.

## **Fire Evacuation Plans Must Include:**

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for accounting for employees and occupants after evacuation has been completed.
4. Identification and assignment of personnel responsible for rescue or emergency medical aid.
5. The preferred and any alternative means of notifying occupants of a fire or emergency.
6. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
7. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
8. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

<b>Figure 4: Fire and Evacuation Drill Frequency and Participation Requirements</b>		
<b>Group or Occupancy</b>	<b>Frequency</b>	<b>Participation</b>
Group A	Quarterly	Employees
Group A <sup>a</sup>	Three Annually	All occupants
Group B <sup>b</sup>	Two Annually	All occupants
Group B <sup>a</sup>	Three Annually	All occupants
Group E	Monthly <sup>c</sup>	All occupants
Group I	Quarterly on each shift	Employees <sup>d</sup>
Group R-1	Quarterly on each shift	Employees
Group R-2 <sup>a</sup>	Four Annually	All Occupants
Group R-4	Quarterly on each shift	Employees <sup>d</sup>
High-rise buildings	Annually	Employees
<p>a) Applicable to college and university buildings in accordance with Fire Code Section 408.3</p> <p>b) Group B buildings having an occupant load of 500 or more persons, or more than 100 persons above or below the lowest level of exit discharge</p> <p>c) The frequency shall be allowed to be modified in accordance with Fire Code Section 408.3.2.</p> <p>d) Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Fire Code Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.</p>		

**Definitions of Each Group or Occupancy From the 2010 Fire Code of New York State With Examples:**

Group A: Assembly Group A occupancy includes, among others, the use of a building for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation. Examples include movie theatres, restaurants and arenas.

Group B: Business Group B occupancy includes, among others, the use of a building for office, professional or service-type transactions, including storage of records and accounts. Examples include banks, civic administration and outpatient clinics.

Group E: Educational Group E occupancy includes, among others, the use of a building by six or more people at any one time for educational purposes through the 12<sup>th</sup> grade. This group also includes day cares with more than five children who are older than two-and-a-half years of age.

Group I: Institutional Group I occupancy includes, among others, the use of a building in which people are cared for or living in a supervised environment. Such occupants have physical limitations because of health or age; are harbored for medical treatment or other care or treatment; or are detained for penal or correctional purposes or other purposes in which their liberty is restricted. Examples include hospitals, nursing homes and jails.

Group R: Residential Group R includes, among others, the use of a building for sleeping purposes.

R-1: Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including boarding houses (transient), hotels (transient) and motels (transient).

R-2: Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including apartment houses, boarding houses (nontransient), convents, dormitories, fraternities and sororities, hotels (nontransient), monasteries, motels (nontransient) and vacation timeshare properties.

R-4: Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 16 occupants, excluding staff.

## **APPENDIX D**

### **AUDIT METHODOLOGY AND STANDARDS**

To complete our objective, we interviewed Suffolk County, Village and Department officials and reviewed procedures used to monitor drill logs, fire plans and evacuation plans to determine whether the Village is effectively enforcing the Fire Code. We also reviewed the Village's policies and procedures for approving/reviewing fire safety and evacuation plans.

We selected a judgmental sample of five buildings for the audit period by selecting buildings that are occupied by children or elderly individuals or have a high number of daily occupants or visitors. We obtained and reviewed each building's drill logs, fire plan and evacuation plan. We compared each building's fire safety plan and evacuation plan to the Fire Code to determine if the plans contained all required components. We also examined each plan to determine if the Fire Marshall reviewed and approved each plan. In addition, we compared the number of drills each building owner conducted to the Fire Code to confirm the building owner conducted the required number of drills. We also interviewed officials to learn if they filed a report of the Village's activities relative to administration and enforcement of the Uniform Code.

We conducted this performance audit in accordance with GAGAS. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.