



**State of New York  
Department of State  
Division of Code Enforcement and Administration**

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**Rules and Regulations - Department of State**

**TITLE 19 (NYCRR)  
CHAPTER XII - OFFICE OF FIRE PREVENTION AND CONTROL**

**PART 434 - MINIMUM STANDARDS FOR CODE ENFORCEMENT PERSONNEL  
IN THE STATE OF NEW YORK**

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**§434.1 Purpose and definitions.**

(a) *Purpose.* The purpose of this Part is to establish uniform minimum training standards designed to increase the level of competency and reliability of code enforcement personnel, to improve and expand the professional training available to such personnel, to encourage the active participation of local governments in the code enforcement training standards process, and to develop training criteria that will enhance each local government's ability to protect the lives and property of its citizens from improper construction, fire and other related hazards.

(b) *Definitions.*

(1) *Administrator* means the State Fire Administrator.

(2) *Code enforcement instructor* means any person employed or engaged in the teaching of code enforcement training courses as required in this Part.

(3) *Code enforcement personnel* or *code enforcement official* means a person charged with inspection of buildings and structures or with any other aspect of enforcement and/or administration of building or fire codes.

(4) *Commission* means the New York State Fire Fighting and Code Enforcement Personnel Standards and Education Commission.

**§434.2 Certification of training program; curriculum requirements.**

(a) Code enforcement training programs shall receive certification from the administrator in the following areas: basic, in-service, advanced in-service and promotional/supervisory.

(b) An application for certification of a code enforcement training program shall be made in writing to the administrator and shall contain evidence of satisfaction of the following requirements:

- (1) The program shall contain subject matter that meets or exceeds the criteria which may otherwise be prescribed in this Part.
- (2) The program shall meet or exceed the minimum number of hours of instruction which may be prescribed in this Part.
- (3) A record keeping system shall be kept which is sufficient to show the trainee's degree of success in completing the program.
- (4) Instruction shall be by instructors certified pursuant to the requirements of this Part.
- (5) Instruction facilities and equipment shall comply with the requirements of this Part.

### **§434.3 Facilities and equipment required for code enforcement training programs.**

The following facilities and equipment shall be provided when the particular curriculum so necessitates:

- (a) classroom of sufficient size, with adequate lighting, heat, ventilation and restrooms;
- (b) blackboards, overhead slide and film projectors, audio-visual software (transparencies, slides, tapes, films, charts, blueprints) and hardware, including but not limited to 35mm slide projectors, overhead projectors, 16mm film projectors, screens and easels;
- (c) flashlights, measuring devices, safety equipment and such other tools and/or equipment as the training may require;
- (d) hardware, structural components and such other representative devices as might be required for training models or props; and
- (e) structural facilities or portions thereof which allow for practical application of the curriculum. Such structures and facilities should include examples typical of those encountered during fire safety maintenance inspections, site or building construction compliance inspections, building systems inspections (including but not limited to: plumbing, electrical, mechanical, heating, ventilation and fire protection systems), and any other facility or occupancy inspection as may be required by the standards.

### **§434.4 Instructor certification; minimum qualifications.**

(a) Code enforcement training program instructors shall be certified upon written application to the administrator therefor. Instructor certification shall be granted in two categories, standard and special, upon satisfaction in writing to the administrator of the requirements set forth herein.

(b) To receive Standard Code Enforcement Instructor certification, the applicant shall:

- (1) have successfully completed a minimum of three credits in teacher training;
- (2) possess the physical capacity to perform instructional duties;
- (3) have satisfied any one of the following requirements:

(i) had at least three years' experience as a code enforcement officer and have completed a certified basic training program as provided in this Part;

(ii) been a full-time training technical or field representative of the State of New York having duties or expertise specifically related to code enforcement programs;

(iii) been a Standard Fire Instructor certified by the administrator and have completed a certified basic training program as provided in this Part; or

(iv) have been awarded at least an associate's degree in building construction or engineering, code administration, or inspection technology from an accredited institution and have had at least one year of full-time experience in the enforcement of fire and/or building codes and have completed a certified basic training program as provided in this Part; and

(4) have successfully completed the prescribed training regimen required by the Department of State for trainers employed by the department. Such regimen consists of participation at a minimum of three presentations of each program which the applicant desires to teach, with increasing participation and responsibility in the presentation of the material at each subsequent presentation. Successful completion of this training regimen shall be evidenced through monitoring the presentation of a program in its entirety.

(c) To receive Special Code Enforcement Instructor certification, the applicant shall satisfy to the administrator that he possesses the special skills, knowledge or abilities that would qualify him to teach certain particular subjects of code enforcement training. Such special skills, knowledge or abilities must be demonstrated in writing and shall consist of evidence of the applicant's satisfaction of one of the following:

- (1) the holding of a supervisory position in the occupational field for which special instructor certification is sought;
- (2) substantial teaching experience in the field of instruction for which special instructor certification is sought;
- (3) an educational degree or professional certification in the field of instruction for which special instructor certification is sought; or
- (4) such skills, knowledge, abilities or training as would serve in the aggregate, in the administrator's judgment, as an equivalent to the above requirements.

#### **§434.5 Certification of code enforcement personnel.**

(a) The administrator shall certify code enforcement personnel as having successfully completed the basic training program, in-service training programs, and advanced in-service training programs set forth in this Part as follows:

(1) Basic training.

(i) Except as otherwise provided in subparagraph (ii) of this paragraph, each code enforcement official shall successfully complete a basic training program which includes the subject areas set forth in section 434.6 of this Part within one year of initial appointment. If employment as a code enforcement official is interrupted during the first year following initial appointment, the time within which the basic training program must be completed shall be extended by a period equal to the lesser of:

- (a) the period of such interruption in employment; or
- (b) one year.

The failure to complete the basic training program within the time period established under this subparagraph shall result in the forfeiture of any of any accrued basic training credit. The administrator shall issue a certificate attesting to the satisfactory completion of the basic training program to a code enforcement official who successfully completes the basic training program within the time period established under this subparagraph.

(ii) A code enforcement official who has not completed the basic training program shall be deemed to have satisfied the basic training requirement if he or she:

- (a) commenced employment as a code enforcement official prior to January 1, 1985;
- (b) successfully completed, prior to January 1, 2003, an examination based upon the subject areas contained in the basic training program; and
- (c) obtained a certificate from the administrator attesting to the satisfactory completion of such examination.

(2) Annual in-service training.

(i) Each code enforcement official shall successfully complete a minimum of 24 hours of annual in-service training in the topic areas set forth in section 434.7 of this Part in each calendar year following the calendar year in which he or she obtained basic training certification. For the purposes of satisfying such annual in-service training requirement, on-line training presentations which are certified by the administrator may be accepted for no more than six hours annually.

(ii) A code enforcement official who has not completed a minimum of 24 hours of annual in-service training by the end of

a calendar year shall be permitted to complete the in-service training required for such calendar year within a three-month grace period that shall expire on March 31st of the following year. However:

(a) courses taken during the grace period for the purpose of satisfying the annual in-service training requirement for the prior calendar year shall not be credited toward satisfying the annual in-service training requirement for the calendar year during which such courses are taken; and

(b) no code enforcement official shall be permitted to use such grace period more than once every three years.

(For example, if a code enforcement official completes 20 hours of in-service training during calendar year 2007, he or she will be permitted to satisfy the annual in-service training requirement for 2007 by taking an additional four hours of in-service training during the grace period that will expire on March 31, 2008. However, the four hours of training taken during that grace period will be credited only toward satisfying the annual in-service training requirement for calendar year 2007 and will not be credited toward satisfying the annual in-service training requirement for calendar year 2008. Further, that code enforcement official will not be permitted to use a grace period for the purposes of satisfying the annual in-service training requirements for calendar year 2008 or calendar year 2009, but will be permitted to use a grace period for the purpose of satisfying the annual in-service training requirement for calendar year 2010.)

(iii) A code enforcement official who attains professional certification from the International Codes Council in any of the "Inspector Categories," "Plans Examiner Categories," or "Code Official Categories" established by the International Codes Council and existing on the effective date of this paragraph shall be deemed to satisfy the annual in-service training requirement for the calendar year in which such professional certification was obtained.

(iv) The administrator shall issue a certificate attesting to the satisfaction of the annual in-service training requirement for a calendar year to a code enforcement official who:

(a) successfully completes the annual in-service training program during such calendar year (or during any applicable grace period); or

(b) obtains any professional certification described in subparagraph (iii) of this paragraph during such calendar year.

### (3) Advanced in-service training.

(i) Each code enforcement official who received basic training certification prior to January 1, 2002 was required to receive the advanced in-service training which is now described in section 434.8(a) of this Part prior to January 1, 2003.

(ii) Each code enforcement official, including but not limited to each code enforcement official who received the advanced in-service training which is now described in section 434.8(a) of this Part, shall successfully complete an advanced in-service training program as described in section 434.8(b) of this Part for each amendment of the New York State Uniform Fire Prevention and Building Code which:

(a) becomes effective after the effective date of this subparagraph; and

(b) is designated by the administrator as a major revision.

Such advanced in-service training program must be completed not later than six months after the effective date of such major renovation of the New York State Uniform Fire Prevention and Building Code. The administrator shall issue a certificate attesting to satisfactory completion of an advanced in-service training program to a code enforcement official who successfully completes such advanced in-service training program within the applicable time period.

(4) Code enforcement personnel who commenced employment prior to January 1, 1985 and have not received certification of having successfully completed a certified basic training program shall complete the advanced in-service training program set forth in section 434.8 of this Part, provided the individual first successfully completes an examination based upon the subject areas contained in a certified basic training program.

### (b) Course waivers.

(1) The specific course requirements of the basic training program described in this Part may be waived by the State Fire Administrator where it is shown that the applicant has successfully completed New York State Fire or Code Enforcement Training courses, federally-sponsored courses, or courses offered by an accredited college, university or professional society which are equivalent to the basic training course requirements of this Part. Adequate documentation supporting a request for waiver shall

include information verifying course content, attendance, grade awarded, as the case may be, and shall be submitted to the State Fire Administrator in such format as he shall require.

(2) Applicants for a waiver of any course included in the basic training program shall be required to successfully complete an examination for that portion of the basic training program for which a waiver is being sought. The failure to achieve a passing score in such examination shall result in the denial of the waiver and the applicant shall remain subject to all basic training requirements set forth in this Part.

#### **§434.6 Minimum basic code enforcement training for probationary and nonpermanent code enforcement personnel.**

Basic training programs shall contain at least 114 hours of instruction in subject areas as follows:

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|---|------------------|
| (a) CODE ENFORCEMENT PRACTICES AND ORGANIZATION   | (8 hrs.)         |
| Training program overview   | (1 hr.)          |
| Historic role of codes  | (1 hr. 30 min.)  |
| Requirements of inspectors  | (2 hrs.)         |
| Building system technology  | (3 hrs.)         |
| Successfully complete an examination on the knowledge, skills and abilities covered in Code Enforcement Practices and Organization          | (30 min.)        |
| (b) OCCUPANCY CLASSIFICATIONS AND HAZARD RECOGNITION (14 hrs.)  |                  |
| Zoning classifications, land usage and fire limits  | (1 hr.)          |
| Property-occupancy classifications  | (3 hrs.)         |
| Local inspection and code responsibilities  | (2 hrs. 30 min.) |
| Fire/health hazard recognition and safety requirements (fire prevention and housing maintenance)  | (5 hrs.)         |
| Hazardous materials (flammable liquids, compressed gases, explosive commodities and toxic substances)                                       | (2 hrs.)         |
| Successfully complete an examination on the knowledge, skills and abilities covered in Occupancy Classifications and Hazard Recognition     | (30 min.)        |
| (c) BUILDING CONSTRUCTION AND STRUCTURAL DESIGN CRITERIA  | (23 hrs.)        |
| Elements affecting egress   | (4 hrs.)         |
| Building space requirements   | (2 hrs.)         |
| Structural types and classifications  | (3 hrs. 15 min.) |
| Structural materials, components and assemblies   | (7 hrs.)         |
| Conversions, alterations and additions to existing buildings  | (45 min.)        |
| Building maintenance and fire inspection exercises (industrial, institutional, assembly and multiple residence)                             | (5 hrs. 30 min.) |
| Successfully complete an examination on the knowledge, skills and abilities covered in Building Construction and Structural Design Criteria | (30 min.)        |
| (d) BUILDING SYSTEMS (10 hrs.)  |                  |
| Mechanical systems components (conveyance)  | (2 hrs.)         |
| Electrical systems and components   | (2 hrs.)         |
| Cooking, heating and air-handling systems and components  | (4 hrs.)         |
| Plumbing systems and components   | (1 hr. 30 min.)  |
| Successfully complete an examination on the knowledge, skills and abilities covered in Building Systems                                     | (30 min.)        |
| (e) CONSTRUCTION SITE SAFETY AND VISITATION   | (7 hrs. 30 min.) |

Construction site accidents/hazards, causes and prevention	(1 hr. 15 min.)
Construction site code application exercises (minimum three sites)	(5 hrs. 45 min.)
Successfully complete an examination on the knowledge, skills and abilities covered in Construction Site Safety and Visitation	(30 min.)
<b>(f) FIXED FIRE SAFETY SYSTEMS AND PORTABLE EQUIPMENT</b>	<b>(8 hrs. 30 min.)</b>
Fire protection principles	(1 hr.)
Fire notification/evacuation systems	(1 hr. 15 min.)
Fire/smoke detection systems	(1 hr. 15 min.)
Fire/smoke control systems and components	(45 min.)
Fire suppression systems	(3 hrs.)
Emergency power and communication requirements	(45 min.)
Successfully complete an examination on the knowledge, skills and abilities covered in Fixed Fire Safety Systems and Portable Equipment	(30 min.)
<b>(g) PLANS REVIEW AND BUILDING SPECIFICATIONS</b>	<b>(8 hrs.)</b>
Building and architectural symbols	(1 hr. 15 min.)
Plans and specifications review and interpretation	(6 hrs. 15 min.)
Successfully complete an examination on the knowledge, skills and abilities covered in Plans Review and Building Specifications	(30 min.)
<b>(h) CODE INTERPRETATION AND APPLICATION</b>	<b>(14 hrs.)</b>
General provisions of the Uniform Code	(1 hr.)
One-and two-family dwellings	(1 hr. 45 min.)
Multiple dwellings	(1 hr. 45 min.)
General occupancy/building construction	(5 hrs.)
Public assembly	(1 hr.)
Facilities for the physically handicapped	(1 hr.)
Manufactured housing	(1 hr.)
Energy conservation	(1 hr.)
Successfully complete an examination on the knowledge, skills and abilities covered in Code Interpretation and Application	(30 min.)
<b>(i) CODE ENFORCEMENT ADMINISTRATION</b>	<b>(21 hrs.)</b>
Legal aspects of code enforcement	(3 hrs. 45 min.)
Investigative procedures	(1 hr.)
Public education and awareness programs	(2 hrs.)
Administrative and supervisory methods	(3 hrs.)
Reports and records	(6 hrs. 15 min.)
Oral and written communications	(1 hr.)
Interpersonal relationships	(1 hr. 30 min.)
Building permits and certificates of occupancy	(2 hrs.)
Successfully complete an examination on the knowledge, skills and abilities covered in Code Enforcement Administration	(30 min.)

**§434.7 In-service code enforcement personnel training.**

Code enforcement personnel shall annually receive a minimum of 24 hours of in-service training in the main topic areas listed below. At least one hour of such training shall be in each of such main topic areas. Subtopics designated under main topic areas represent only a few suggested subtopics. Any subtopic relevant to the main topic areas, and included in a program approved by the State Fire Administrator, will be considered as meeting the requirements of this Part.

<b>(a) CODE ENFORCEMENT PRACTICES AND ORGANIZATION</b>	<b>(1-hour minimum)</b>
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Inspection techniques update  
Building system technology update  
The code inspector and the law  
The code inspector and diplomacy

(b) OCCUPANCY CLASSIFICATIONS AND HAZARD RECOGNITION (1-hour minimum)

Property-occupancy classification  
Fire and health recognition  
Hazardous materials storage  
Solid fuel-burning equipment  
Unvented kerosene heaters

(c) CONSTRUCTION AND STRUCTURE DESIGN CRITERIA (1-hour minimum)

Construction techniques update  
Design criteria update  
Facilities for the disabled

(d) BUILDING SYSTEMS (1-hour minimum)

Conveyance  
Heating, ventilating and air conditioning  
Plumbing  
Electrical  
Fire protection  
Masonry and concrete

(e) PLANS REVIEW AND BUILDING SPECIFICATIONS (1-hour minimum)

Plan review administration  
Plan review technique

(f) CODE INTERPRETATION AND APPLICATION (1-hour minimum)

Uniform Code update  
Legal interpretation

(g) PUBLIC POLICY CONSIDERATIONS AFFECTING BUILDING CONSTRUCTION AND MAINTENANCE (1-hour minimum)

Historic preservation  
Access and egress for the disabled  
Code enforcement for publicly owned buildings  
Energy conservation  
Temporary structures  
The code inspector and government  
Public improvement inspections

**§434.8 Advanced in-service code enforcement personnel training.**

(a) Each code enforcement official who received a basic training certification prior to January 1, 2002 was required to receive a minimum of 48 hours of advanced in-service training in the International Codes prior to January 1, 2003. Each code enforcement official who was required to receive such advanced in-service training and who did receive such advanced in-service training prior to January 1, 2003 was eligible to receive certification from the administrator for satisfaction of the in-service training requirement set forth in section 435.7 of this Title for the calendar year in which such advanced in-service training was completed. The advanced in-service training referred to in this subdivision contained instruction in subject areas as follows:

(1) CODE ORGANIZATION AND APPLICATION (8 hrs. 30 min.)

International Code training program overview	(2 hrs. 30 min.)
International Code Organization	(2 hrs. 30 min.)
Applicability of the International Codes (Building, Residential, Fire, Property Maintenance, Fuel Gas, Plumbing, Mechanical, Energy Conservation)	(3 hrs.)
Successfully complete an examination on the knowledge, skills and abilities covered in Code Organization and Application	(30 min.)
<b>(2) OCCUPANCY CLASSIFICATIONS AND HAZARD RECOGNITION</b>	<b>(9 hrs. 30 min.)</b>
Occupancy classifications	(3 hrs.)
Building maintenance and fire safety requirements (industrial, institutional, assembly and multiple residence)	(3 hrs.)
Hazardous materials (flammable liquids, compressed gases, explosive commodities and toxic substances)	(3 hrs.)
Successfully complete an examination on the knowledge, skills and abilities covered in Occupancy Classifications and Hazard Recognition	(30 min.)
<b>(3) BUILDING CONSTRUCTION AND STRUCTURAL DESIGN CRITERIA</b>	<b>(19 hrs. 30 min.)</b>
Elements affecting egress	(4 hrs.)
Building space requirements	(4 hrs.)
Structural types and classifications	(2 hrs.)
Structural materials, components and assemblies	(7 hrs.)
Conversions, alterations and additions to existing buildings	(2 hrs.)
Successfully complete an examination on the knowledge, skills and abilities covered in Building Construction and Structural Design Criteria	(30 min.)
<b>(4) BUILDING SYSTEMS</b>	<b>(10 hrs. 30 min.)</b>
Mechanical systems components (conveyance)	(1 hr.)
Electrical systems and components	(1 hr.)
Heating and air-handling systems and components	(1 hr.)
Plumbing systems and components	(1 hr.)
Fire safety systems	(6 hrs.)
Successfully complete an examination on the knowledge, skills and abilities covered in Building Systems	(30 min.)

(b) Each code enforcement official, including but not limited to each code enforcement official who was required to receive the advanced in-service training which is now described in subdivision (a) of this section, shall periodically receive advanced in-service training as determined by the administrator, not to exceed 24 hours, to coincide with each amendment of the Uniform Fire Prevention and Building Code and its standards which is designated by the administrator as a major revision. Each hour of instruction in such advanced in-service training program shall be counted toward satisfaction of the annual in-service training requirement under sections 434.5(a)(2) and 434.7 of this Part for the calendar year in which such hour of instruction is received, as well as toward satisfaction of the advanced in-service training requirement. Each such advanced in-service training program shall contain instruction in such subject areas as shall be designated by the administrator, including but not necessarily limited to the following:

**CODE UPDATES**

- Updates to the Uniform Fire Prevention and Building Code or the State Energy Conservation Construction Code
- Changes in the International Codes source documents
- New York State modifications to the International Codes
- New York regulatory changes

**§434.9 Reserved.**

**§434.10 Exemptions; revocation.**

(a) Exemptions from specific provisions of this Part may be granted to any code enforcement training programs which, in the opinion of the commission, are equal to or exceed the provisions of this Part.

(b) Revocation in whole or in part of exemptions granted to a training program shall be made if, in the opinion of the commission, such training program does not equal or exceed the provisions of this Part.