

## NFPA 1

### Fire Code

#### 2012 Edition

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NOTICE: An asterisk (\*) following the number or letter designating a paragraph indicates that explanatory material on the paragraph can be found in Annex A.

Changes other than editorial are indicated by a vertical rule beside the paragraph, table, or figure in which the change occurred. These rules are included as an aid to the user in identifying the changes from the previous edition. Where one or more complete paragraphs have been deleted, the deletion is indicated by a bullet (•) between the paragraphs that remain.

A reference in brackets [ ] following a section or paragraph indicates material that has been extracted from another NFPA document. As an aid to the user, the complete title and edition of the source documents for extracts in mandatory sections of the document are given in Chapter 2 and those for extracts in informational sections are given in Annex G. Editorial changes to extracted material consist of revising references to an appropriate division in this document or the inclusion of the document number with the division number when the reference is to the original document. Requests for interpretations or revision of extracted text shall be sent to the technical committee responsible for the source document.

Information on referenced publications can be found in Chapter 2 and Annex G.

### Chapter 1 Administration

#### 1.1 Scope.

1.1.1 The scope includes, but is not limited to, the following:

- (1) Inspection of permanent and temporary buildings, processes, equipment, systems, and other fire and related life safety situations
- (2) Investigation of fires, explosions, hazardous materials incidents, and other related emergency incidents
- (3) Review of construction plans, drawings, and specifications for life safety systems, fire protection systems, access, water supplies, processes, hazardous materials, and other fire and life safety issues
- (4) Fire and life safety education of fire brigades, employees, responsible parties, and the general public
- (5) Existing occupancies and conditions, the design and construction of new buildings, remodeling of existing buildings, and additions to existing buildings
- (6) Design, installation, alteration, modification, construction, maintenance, repairs, servicing, and testing of fire protection systems and equipment
- (7) Installation, use, storage, and handling of medical gas systems
- (8) Access requirements for fire department operations
- (9) Hazards from outside fires in vegetation, trash, building debris, and other materials
- (10) Regulation and control of special events including, but not limited to, assemblage of people, exhibits, trade shows,

amusement parks, haunted houses, outdoor events, and other similar special temporary and permanent occupancies

- (11) Interior finish, decorations, furnishings, and other combustibles that contribute to fire spread, fire load, and smoke production
- (12) Storage, use, processing, handling, and on-site transportation of flammable and combustible gases, liquids, and solids
- (13) Storage, use, processing, handling, and on-site transportation of hazardous materials
- (14) Control of emergency operations and scenes
- (15) Conditions affecting fire fighter safety
- (16) Arrangement, design, construction, and alteration of new and existing means of egress

• **1.1.2 Title.** The title of this *Code* shall be NFPA 1, *Fire Code*, of the National Fire Protection Association (NFPA).

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1.1.2.1 Anytime a reference is made to NFPA 1 or NFPA 101 within this code it shall be the Florida specific version of NFPA 1 and NFPA 101.

1.2\* **Purpose.** The purpose of this *Code* is to prescribe minimum requirements necessary to establish a reasonable level of fire and life safety and property protection from the hazards created by fire, explosion, and dangerous conditions.

#### 1.3 Application.

1.3.1 This *Code* shall apply to both new and existing conditions.

#### 1.3.2\* Referenced Standards.

1.3.2.1 Details regarding processes, methods, specifications, equipment testing and maintenance, design standards, performance, installation, or other pertinent criteria contained in those codes and standards listed in Chapter 2 of this *Code* shall be considered a part of this *Code*.

1.3.2.2 Where no applicable codes, standards, or requirements are set forth in this *Code* or contained within other laws, codes, regulations, ordinances, or bylaws adopted by the authority having jurisdiction (AHJ), compliance with applicable codes and standards of NFPA or other nationally recognized standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this *Code*.

1.3.2.3 Nothing herein shall diminish the authority of the AHJ to determine compliance with codes or standards for those activities or installations within the AHJ's responsibility.

1.3.2.4 **Retroactivity of Referenced Standards to Existing Conditions.** Unless otherwise specified by 1.3.2.4.1 through 1.3.2.4.3, the current provisions of the referenced standards shall not apply to facilities, equipment, structures, or installations that existed or were approved for construction or installation prior to the effective date of this *Code*.

1.3.2.4.1 Where specified by a reference standard for existing occupancies, conditions, or systems, the provisions of the referenced standards shall be retroactive.

1.3.2.4.2 Facilities, equipment, structures, and installations, installed in accordance with a reference standard, shall be maintained in accordance with the edition of the standard in effect at the time of installation.

1.3.2.4.3 In those cases where the AHJ determines that the existing situation constitutes an imminent danger, the AHJ shall be permitted to apply retroactively any portions of the current referenced standards deemed appropriate.

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1.3.2.5 The **Florida Building Code** shall be referred to anytime a reference is made to the building code or to NFPA 220, Standard on Types of Building Construction in this Code or an adopted standard.

### 1.3.3 Conflicts.

**1.3.3.1** When a requirement differs between this *Code* and a referenced document, the requirement of this *Code* shall apply.

**1.3.3.2** When a conflict between a general requirement and a specific requirement occurs, the specific requirement shall apply.

**1.3.4 Multiple Occupancies.** Where two or more classes of occupancy occur in the same building or structure and are so intermingled that separate safeguards are impractical, means of egress facilities, construction, protection, and other safeguards shall comply with the most restrictive fire safety requirements of the occupancies involved.

**1.3.5 Vehicles and Vessels.** Vehicles, vessels, or other similar conveyances, when in fixed locations and occupied as buildings, as described by Section 11.6 of NFPA 101, *Life Safety Code*, shall be treated as buildings and comply with this *Code*.

### 1.3.6 Buildings.

**1.3.6.1** Buildings permitted for construction after the adoption of this *Code* shall comply with the provisions stated herein for new buildings.

**1.3.6.2\*** Buildings in existence or permitted for construction prior to the adoption of this *Code* shall comply with the provisions stated herein or referenced for existing buildings (see 10.3.2).

**1.3.6.3** Repairs, renovations, alterations, reconstruction, change of occupancy, and additions to buildings shall conform to this *Code*, NFPA 101, and the building code.

**1.3.6.4** Newly introduced equipment, materials, and operations regulated by this *Code* shall comply with the requirements for new construction or processes.

**1.3.7 Severability.** If any provision of this *Code* or the application thereof to any person or circumstance is held invalid, the remainder of the *Code* and the application of such provision to other persons or circumstances shall not be affected thereby.

### 1.4 Equivalencies, Alternatives, and Modifications.

**1.4.1 Equivalencies.** Nothing in this *Code* is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety to those prescribed by this *Code*, provided technical documentation is submitted to the AHJ to demonstrate equivalency and the system, method, or device is approved for the intended purpose.

**1.4.2 Alternatives.** The specific requirements of this *Code* shall be permitted to be altered by the AHJ to allow alternative methods that will secure equivalent fire safety, but in no case shall the alternative afford less fire safety than, in the judgment of the AHJ, that which would be provided by compliance with the provisions contained in this *Code*.

**1.4.3 Modifications.** The AHJ is authorized to modify any of the provisions of this *Code* upon application in writing by the owner, a lessee, or a duly authorized representative where there are practical difficulties in the way of carrying out the provisions of the *Code*, provided that the intent of the *Code* shall be complied with, public safety secured, and substantial justice done.

**1.4.4** Buildings with equivalency, alternatives, or modifications approved by the AHJ shall be considered as conforming with this *Code*.

**1.4.5** Each application for an alternative fire protection feature shall be filed with the AHJ and shall be accompanied by such evidence, letters, statements, results of tests, or other supporting information as required to justify the request. The AHJ shall keep a record of actions on such applications, and a signed copy of the AHJ's decision shall be provided for the applicant.

**1.4.6 Approval.** The AHJ shall approve such alternative construction systems, materials, or methods of design when it is substantiated that the standards of this *Code* are at least equaled. If, in the opinion of the AHJ, the standards of this *Code* shall not be equaled by the alternative requested, approval for permanent work shall be refused. Consideration shall be given to test or prototype installations.

### 1.4.7 Tests.

**1.4.7.1** Whenever evidence of compliance with the requirements of this *Code* is insufficient or evidence that any material or method of construction does not conform to the requirements of this *Code*, or to substantiate claims for alternative construction systems, materials, or methods of construction, the AHJ shall be permitted to require tests for proof of compliance to be made by an approved agency at the expense of the owner or his/her agent.

**1.4.7.2** Test methods shall be as specified by this *Code* for the material in question. If appropriate test methods are not specified in this *Code*, the AHJ is authorized to accept an applicable test procedure from another recognized source.

**1.4.7.3** Copies of the results of all such tests shall be retained in accordance with Section 1.11.

### 1.5 Units.

**1.5.1 International System of Units.** Metric units of measurement in this *Code* are in accordance with the modernized metric system known as the International System of Units (SI).

**1.5.2 Primary and Equivalent Values.** If a value for a measurement as given in this *Code* is followed by an equivalent value in other units, the first stated value shall be regarded as the requirement. A given equivalent value could be approximate.

**1.6 Enforcement.** This *Code* shall be administered and enforced by the AHJ designated by the governing authority. (See Annex C for sample wording for enabling legislation.)

### 1.7 Authority.

**1.7.1 Administration.** The provisions of this *Code* shall apply without restriction, unless specifically exempted.

**1.7.2\* Minimum Qualifications to Enforce this Code.** The AHJ shall establish minimum qualifications for all persons assigned the responsibility of enforcing this *Code*.

### 1.7.3 Interpretations.

**1.7.3.1** The AHJ is authorized to render interpretations of this *Code* and to make and enforce rules and supplemental regulations in order to carry out the application and intent of its provisions.

**1.7.3.2** Such interpretations, rules, and regulations shall be in conformance with the intent and purpose of this *Code* and shall be available to the public during normal business hours.

**1.7.4 Enforcement Assistance.** Police and other enforcement agencies shall have authority to render necessary assistance in the enforcement of this *Code* when requested to do so by the AHJ.

**1.7.4.1** If deemed necessary by an AHJ for a complete, accurate, and thorough firesafety plan review or inspection, the AHJ may request assistance from a building, electrical, mechanical, plumbing, or similar specialty inspector; however, nothing in this rule gives authority or jurisdiction to any person other than a firesafety inspector certified under Section 633.216, Florida Statutes, to perform firesafety inspections required by law, rule, ordinance, or code.

**1.7.5 Delegation of Authority.** The AHJ shall be permitted to delegate to other qualified individuals such powers as necessary for the administration and enforcement of this *Code*.

**1.7.6 Inspection.**

**1.7.6.1** The AHJ shall be authorized to inspect, at all reasonable times, any building or premises for dangerous or hazardous conditions or materials as set forth in this *Code*.

**1.7.6.2** The AHJ shall have authority to order any person(s) to remove or remedy such dangerous or hazardous condition or material. Any person(s) failing to comply with such order shall be in violation of this *Code*.

**1.7.6.3** To the full extent permitted by law, any AHJ engaged in fire prevention and inspection work shall be authorized at all reasonable times to enter and examine any building, structure, marine vessel, vehicle, or premises for the purpose of making fire safety inspections.

**1.7.6.4** Before entering, the AHJ shall obtain the consent of the occupant thereof or obtain a court warrant authorizing entry for the purpose of inspection except in those instances where an emergency exists.

**1.7.6.5** As used in 1.7.6.4, emergency shall mean circumstances that the AHJ knows, or has reason to believe, exist and that can constitute imminent danger.

**1.7.6.6** Persons authorized to enter and inspect buildings, structures, marine vessels, vehicles, and premises as herein set forth shall be identified by credentials issued by the governing authority.

**1.7.7** Where conditions exist and are deemed hazardous to life or property by the AHJ, the AHJ shall have the authority to summarily abate such hazardous conditions that are in violation of this *Code*.

**1.7.8 Interference with Enforcement.** Persons shall not interfere or cause conditions that would interfere with an AHJ carrying out any duties or functions prescribed by this *Code*.

**1.7.9 Impersonation.** Persons shall not use a badge, uniform, or other credentials to impersonate the AHJ.

**1.7.10 Investigation.**

**1.7.10.1 Authority.** The AHJ shall have the authority to investigate the cause, origin, and circumstances of any fire, explosion, release of hazardous materials, or other hazardous condition.

**1.7.10.2 Evidence.** The AHJ shall have the authority to take custody of all physical evidence relating to the cause of the fire, explosion, release of hazardous materials, or other hazardous condition.

**1.7.10.3 Limiting Access.** The AHJ shall have the authority to limit access to emergencies or other similar situations.

**1.7.10.4 Trade Secret.** Information that could be related to trade secrets or processes shall not be made part of the public record except as could be directed by a court of law.

**1.7.11 Plans and Specifications.**

**1.7.11.1** The AHJ shall have the authority to require plans and specifications to ensure compliance with applicable codes and standards.

**1.7.11.2** Plans shall be submitted to the AHJ prior to construction unless otherwise permitted by 1.7.11.4.

**1.7.11.3** The construction documents for each phase shall be complete in themselves, so that review and inspection can properly be made. Preliminary plans of the total building shall be submitted with the construction documents, and with sufficient detail, so that proper evaluation can be made. Areas and items not included in the phase to be permitted shall be shown as not included. [5000:1.7.6.3.3.3]

**1.7.11.4** The AHJ is authorized to exempt detached one- and two-family dwellings and accessory structures from the submittal of plans.

**1.7.11.5** Plans shall be submitted to the AHJ prior to the change of occupancy of any existing building.

**1.7.11.6** Plans shall be submitted to the AHJ prior to the alteration of the means of egress or fire protection systems of any existing building.

**1.7.11.7** Plans shall be submitted to the AHJ for other conditions as deemed necessary by the AHJ to determine compliance with the applicable codes and standards.

**1.7.11.8** The AHJ shall be authorized to require permits for conditions listed in 1.7.11.2, 1.7.11.5, and 1.7.11.6, unless otherwise permitted by 1.7.11.9.

**1.7.11.9** The AHJ is authorized to exempt detached one- and two-family dwellings and accessory structures from the permit requirement of 1.7.11.8.

**1.7.11.10** No construction work shall proceed until the AHJ has reviewed the plans for compliance with the applicable codes and standards and the applicable permits have been issued.

**1.7.12 Inspection of Construction and Installation.**

**1.7.12.1** The AHJ shall be notified by the person performing the work when the installation is ready for a required inspection.

**1.7.12.2** Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the AHJ shall have the authority to require that such work be exposed for inspection.

**1.7.12.3** When any construction or installation work is being performed in violation of the plans and specifications as approved by the AHJ, a written notice shall be issued to the responsible party to stop work on that portion of the work that is in violation.

**1.7.12.4** The notice shall state the nature of the violation, and no work shall be continued on that portion until the violation has been corrected.

**1.7.13 Certificate of Occupancy.** When the building code requires a certificate of occupancy, the certificate of occupancy shall not be issued until approved by the AHJ for fire code enforcement.

**1.7.14 Stop Work Order.** The AHJ shall have the authority to order an operation, construction, or use stopped when any of the following conditions exists:

- (1) Work is being done contrary to provision of this *Code*.
- (2) Work is occurring without a permit required by Section 1.12.
- (3) An imminent danger has been created.

#### 1.7.15 Imminent Dangers and Evacuation.

**1.7.15.1** When, in the opinion of the AHJ, an imminent danger exists, the AHJ shall be authorized to order the occupants to vacate, or temporarily close for use or occupancy, a building, the right-of-way, sidewalks, streets, or adjacent buildings or nearby areas.

**1.7.15.2** The AHJ shall be authorized to employ the necessary resources to perform the required work in order to mitigate the imminent danger.

**1.7.15.3** Costs incurred by the AHJ in the performance of emergency work shall be the responsibility of the property owner or other responsible party creating such imminent danger.

#### 1.7.16 Standby Fire Personnel.

**1.7.16.1** The AHJ shall have the authority to require standby fire personnel or an approved fire watch when potentially hazardous conditions or a reduction in a life safety feature exist due to the type of performance, display, exhibit, occupancy, contest or activity, an impairment to a fire protection feature, or the number of persons present.

**1.7.16.2** The owner, agent, or lessee shall employ one or more qualified persons, as required and approved, to be on duty.

**1.7.16.2.1** The cost of standby fire personnel shall be at no cost to the AHJ.

**1.7.16.3\*** Such standby fire personnel or fire watch personnel shall be subject to the AHJ's orders at all times and shall be identifiable and remain on duty during the times such places are open to the public, when such activity is being conducted, or as required by the AHJ.

#### 1.7.17 Public Fire Education.

**1.7.17.1** The AHJ shall have the authority to develop and implement a public fire safety education program as deemed necessary for the general welfare with respect to the potential fire hazards within the jurisdiction.

**1.7.17.2** The AHJ shall have the authority to ensure duly authorized public fire safety education programs or public fire safety messages are disseminated to the general public.

#### 1.8 Duties and Powers of the Incident Commander.

**1.8.1 Authority.** The incident commander conducting operations in connection with the extinguishment and control of any fire, explosion, hazardous materials incident, natural disaster, rescue, and/or other emergency shall have authority to direct all operations of fire extinguishment, mitigation of a hazardous materials incident, natural disaster, rescue, and/or control and to take necessary precautions to save life, protect property, and prevent further injury or damage.

**1.8.2 Controlling Scene.** During any emergency described in 1.8.1, including the investigation of the cause of such emergency, the incident commander or authorized representative shall be permitted to control or prohibit the approach to the scene of such emergency by any vehicle, vessel, or person.

**1.8.3 Obstruction of Operations.** Persons shall not obstruct the operations of the fire department or disobey any command of the incident commander or authorized representative or any part thereof, or any order of a police officer assisting the fire department.

**1.8.4 Scene Barrier.** The incident commander or authorized representative in charge of an emergency scene shall have the authority to establish barriers to control access in the vicinity of such emergency and to place, or cause to be placed, ropes, guards, barricades, or other obstructions across any street or alley to delineate such emergency scene barrier.

**1.8.5** Persons, except as authorized by the incident commander in charge of the emergency, shall not be permitted to cross barriers established in accordance with 1.8.4.

#### 1.9 Liability.

**1.9.1** The AHJ, and other individuals charged by the AHJ, or the incident commander of emergency operations, charged with the enforcement of this *Code* or any other official duties, acting in good faith and without malice in the discharge of their duties, shall not thereby be rendered personally liable for any damage that could accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of their duties.

**1.9.2** The fire department and AHJ, acting in good faith and without malice in the discharge of the organizations' public duty, shall not thereby be rendered liable for any damage that could accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of such duties.

**1.9.3** Any suit brought against the AHJ, the incident commander, or such individuals because of such act or omission performed in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this *Code* or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

**1.9.4** This *Code* shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this *Code* or any permits or certificates issued under this *Code*.

#### 1.10 Fire Code Board of Appeals.

**1.10.1 Establishment of Fire Code Board of Appeals.** A Board of Appeals shall be established to rule on matters relating to the fire code and its enforcement.

##### 1.10.1.1 Membership.

**1.10.1.1.1** The members of the Board of Appeals shall be appointed by the governing body of the jurisdiction.

**1.10.1.1.2** The Board of Appeals shall consist of five or seven principal members and one ex officio member representative of the AHJ. Each principal member shall be permitted to have an alternate with similar experience to serve in his or her stead when necessary.

**1.10.1.1.2.1** The jurisdiction governing body shall have the authority to appoint alternates who shall serve when a principal member is unable to fulfill their obligations. Alternates shall have the full authority and responsibility of principal members when serving in place of a principal member.

**1.10.1.1.3** Members and alternate members shall be appointed based on their education, experience, and knowledge.

**1.10.1.1.4** Members and alternates shall be appointed to a 3-year term.

**1.10.1.1.5** Members and alternates shall be composed of individuals experienced in the following fields or professions:

- (1) Engineering or architectural design
- (2) General contracting
- (3) Fire protection contracting
- (4) Fire department operations or fire code enforcement
- (5) Building code enforcement
- (6) Legal
- (7) General public

**1.10.1.1.5.1** Members and alternates shall not be employees, agents, or officers of the jurisdiction.

**1.10.1.1.5.2** Members and alternates shall be residents of the jurisdiction.

**1.10.1.1.5.3** No more than one member shall represent the same field or provision listed in 1.10.1.1.5.

**1.10.1.1.6** The representative of the AHJ shall be an ex officio member and shall be entitled to participate in all discussions. The ex officio member shall not be entitled to a vote.

**1.10.1.1.7** No member of the Board of Appeals shall sit in judgment on any case in which the member holds a direct or indirect property or financial interest in the case.

**1.10.1.1.8** The board shall select one of its members to serve as chair and one member to serve as vice chair.

**1.10.2 Rules and Procedures of the Board of Appeals.** The Board of Appeals shall have the authority to establish rules and regulations for conducting its business that are consistent with the provisions of this *Code*.

**1.10.3 Authority of the Board of Appeals.**

**1.10.3.1** The Board of Appeals shall provide for the reasonable interpretation of the provisions of this *Code* and issue rulings on appeals of the decisions of the AHJ.

**1.10.3.2** The ruling of the Board of Appeals shall be consistent with the letter of the *Code* or when involving issues of clarity, ensuring that the intent of the *Code* is met with due consideration for public safety and fire fighter safety.

**1.10.3.3** The Board of Appeals shall have the authority to grant alternatives or modifications through procedures outlined in Section 1.4 of the *Code*.

**1.10.3.4** The Board of Appeals shall not have the authority to waive the requirements of the *Code*.

**1.10.3.5** The Board of Appeals decisions shall not be precedent setting.

**1.10.4 Means of Appeals.**

**1.10.4.1** Any person with standing shall be permitted to appeal a decision of the AHJ to the Board of Appeals when it is claimed that any one or more of the following conditions exist:

- (1) The true intent of the *Code* has been incorrectly interpreted.
- (2) The provisions of the *Code* do not fully apply.
- (3) A decision is unreasonable or arbitrary as it applies to alternatives or new materials.

**1.10.4.2** An appeal shall be submitted to the AHJ in writing within 30 calendar days of notification of violation. The appeal shall outline all of the following:

- (1) The *Code* provision(s) from which relief is sought
- (2) A statement indicating which provisions of 1.10.4.1 apply

(3) Justification as to the applicability of the provision(s) cited in 1.10.4.1

(4) A requested remedy

(5) Justification for the requested remedy stating specifically how the *Code* is complied with, public safety is secured, and fire fighter safety is secured

**1.10.4.3\*** Documentation supporting an appeal shall be submitted to the AHJ at least 7 calendar days prior to the Board of Appeals hearing.

**1.10.5 Meetings and Records.**

**1.10.5.1** Meetings of the Board of Appeals shall be held at the call of the chair, at such other times as the board determines, and within 30 calendar days of the filing of a notice of appeal.

**1.10.5.2** All hearings before the Board of Appeals shall be open to the public.

**1.10.5.3** The Board of Appeals shall keep minutes of its proceedings showing the vote of each member on every question or, if the member is absent or fails to vote, these actions shall be recorded.

**1.10.5.4** The Board of Appeals shall keep records of its examinations and other official actions.

**1.10.5.5** Minutes and records of the Board of Appeals shall be public record.

**1.10.5.6** A quorum shall consist of not less than 5 members or alternates.

**1.10.5.7** In varying the application of any provision of this *Code*, or in modifying an order of the AHJ, a two-thirds vote of the quorum shall be required.

**1.10.6 Decisions.**

**1.10.6.1** Every decision of the Board of Appeals shall be entered in the minutes of the board meeting.

**1.10.6.2** A decision of the Board of Appeals to modify an order of the AHJ shall be in writing and shall specify the manner in which such modification is made, the conditions upon which it is made, the reasons therefore, and justification linked to specific code sections.

**1.10.6.3** Every decision shall be promptly filed in the office of the AHJ and shall be open for public inspection.

**1.10.6.4** A certified copy shall be sent by mail or delivered in person to the appellant, and a copy shall be publicly posted in the office of the AHJ for 2 weeks after filing.

**1.10.6.5** The decision of the Board of Appeals shall be final, subject to such remedy as any aggrieved party might have through legal, equity, or other avenues of appeal or petition.

**1.10.6.6** If a decision of the Board of Appeals reverses or modifies a refusal, order, or disallowance of the AHJ, or varies the application of any provision of this *Code*, the AHJ shall take action immediately in accordance with such decision.

**1.11 Records and Reports.**

**1.11.1** A record of examinations, approvals, equivalencies, and alternates shall be maintained by the AHJ and shall be available for public inspection during business hours in accordance with applicable laws.

**1.11.2** The AHJ shall keep a record of all fire prevention inspections, including the date of such inspections and a summary

of any violations found to exist, the date of the services of notices, and a record of the final disposition of all violations.

### 1.11.3 Emergency Response Records.

**1.11.3.1** The fire department shall keep a record of fire and other emergency responses occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent and damage caused by such fires or emergencies.

**1.11.3.2** The fire department shall report its incident record data, collected in accordance with 1.11.3, to the recognized state agency responsible for collecting such data.

**1.11.4** All records required to be kept shall be maintained until their usefulness has been served or as required by law.

### 1.12 Permits and Approvals.

**1.12.1** The AHJ shall be authorized to establish and issue permits, certificates, and approvals pertaining to conditions, operations, or materials hazardous to life or property pursuant to Section 1.12.

**1.12.2** Applications for permits shall be made to the AHJ on forms provided by the jurisdiction and shall include the applicant's answers in full to inquiries set forth on such forms.

**1.12.2.1** Applications for permits shall be accompanied by such data as required by the AHJ and fees as required by the jurisdiction.

**1.12.2.2** The AHJ shall review all applications submitted and issue permits as required.

**1.12.2.3** If an application for a permit is rejected by the AHJ, the applicant shall be advised of the reasons for such rejection.

**1.12.2.4** Permits for activities requiring evidence of financial responsibility by the jurisdiction shall not be issued unless proof of required financial responsibility is furnished.

### 1.12.3 Conditions of Approval.

**1.12.3.1** Any conditions of the initial approval by the AHJ of a use, occupancy, permit, or construction shall remain with the use, occupancy, permit, or construction unless modified by the AHJ.

**1.12.3.2** The AHJ shall be permitted to require conditions of approval be memorialized via recording in the public records, as part of the plat, permit, or other method as approved by the AHJ.

### 1.12.4 Approvals by Other AHJs.

**1.12.4.1** The AHJ shall have the authority to require evidence to show that other regulatory agencies having jurisdiction over the design, construction, alteration, repair, equipment, maintenance, process, and relocation of structures have issued appropriate approvals.

**1.12.4.2** The AHJ shall not be held responsible for enforcement of the regulations of such other regulatory agencies unless specifically mandated to enforce those agencies' regulations.

### 1.12.5 Misrepresentation.

**1.12.5.1** Any attempt to misrepresent or otherwise deliberately or knowingly design; install; service; maintain; operate; sell; represent for sale; falsify records, reports, or applications; or other related activity in violation of the requirements prescribed by this *Code* shall be a violation of this *Code*.

**1.12.5.2** Such violations shall be cause for immediate suspension or revocation of any related approvals, certificates, or permits issued by this jurisdiction.

**1.12.5.3** Such violations shall be subject to any other criminal or civil penalties as available by the laws of this jurisdiction.

### 1.12.6 Permits.

**1.12.6.1** A permit shall be predicated upon compliance with the requirements of this *Code* and shall constitute written authority issued by the AHJ to maintain, store, use, or handle materials; to conduct processes that could produce conditions hazardous to life or property; or to install equipment used in connection with such activities.

**1.12.6.2** Any permit issued under this *Code* shall not take the place of any other approval, certificate, license, or permit required by other regulations or laws of this jurisdiction.

**1.12.6.3** Where additional permits, approvals, certificates, or licenses are required by other agencies, approval shall be obtained from those other agencies.

**1.12.6.4** The AHJ shall have the authority to require an inspection prior to the issuance of a permit.

**1.12.6.5** A permit issued under this *Code* shall continue until revoked or for the period of time designated on the permit.

**1.12.6.6** The permit shall be issued to one person or business only and for the location or purpose described in the permit.

**1.12.6.7** Any change that affects any of the conditions of the permit shall require a new or amended permit.

**1.12.6.8** The AHJ shall have the authority to grant an extension of the permit time period upon presentation by the permittee of a satisfactory reason for failure to start or complete the work or activity authorized by the permit.

**1.12.6.9** A copy of the permit shall be posted or otherwise readily accessible at each place of operation and shall be subject to inspection as specified by the AHJ.

**1.12.6.10** Any activity authorized by any permit issued under this *Code* shall be conducted by the permittee or the permittee's agents or employees in compliance with all requirements of this *Code* applicable thereto and in accordance with the approved plans and specifications.

**1.12.6.11** No permit issued under this *Code* shall be interpreted to justify a violation of any provision of this *Code* or any other applicable law or regulation.

**1.12.6.12** Any addition or alteration of approved plans or specifications shall be approved in advance by the AHJ, as evidenced by the issuance of a new or amended permit.

**1.12.6.13\*** Permits shall be issued by the AHJ and shall indicate the following:

- (1) Operation, activities, or construction for which the permit is issued
- (2) Address or location where the operation, activity, or construction is to be conducted
- (3) Name, address, and phone number of the permittee
- (4) Permit number
- (5) Period of validity of the permit
- (6) Inspection requirements
- (7) Name of the agency authorizing the permit (AHJ)
- (8) Date of issuance
- (9) Permit conditions as determined by the AHJ

**1.12.6.14** Any application for, or acceptance of, any permit requested or issued pursuant to this *Code* shall constitute agreement and consent by the person making the application or accepting the permit to allow the AHJ to enter the premises at

any reasonable time to conduct such inspections as required by this *Code*.

**1.12.7 Revocation or Suspension of Permits.**

**1.12.7.1** The AHJ shall be permitted to revoke or suspend a permit or approval issued if any violation of this *Code* is found upon inspection or in case any false statements or misrepresentations have been submitted in the application or plans on which the permit or approval was based.

**1.12.7.2** Revocation or suspension shall be constituted when the permittee is duly notified by the AHJ.

**1.12.7.3** Any person who engages in any business, operation, or occupation, or uses any premises, after the permit issued therefore has been suspended or revoked pursuant to the provisions of this *Code*, and before such suspended permit has been reinstated or a new permit issued, shall be in violation of this *Code*.

F **1.12.8** Permits shall be required in accordance with Table  
 L 1.12.8(a) through Table 1.12.8(d). The authority having  
 F jurisdiction shall have the authority to require permits for the  
 L operations in table 1.12.8(a).  
 F

**Table 1.12.8(a) Permit Requirements**

Operations and Materials	Permit Required	Cross Reference Section Number
Aerosol products	To store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 lb (226.8 kg)	61.1.2
Aircraft fuel servicing	To provide aircraft fuel servicing	42.10.1.2
Aircraft hangars	For servicing or repairing aircraft	21.1.1
Aircraft refueling vehicles	To operate aircraft refueling vehicles	42.10.1.2
Airport terminal buildings	For construction and alteration	21.2.2.1
Ammonium nitrate	For storage	Chapter 74
Amusement parks	For construction, alteration, or operation of amusement park fire protection safety features	10.15.1
Asbestos removal	For the removal of asbestos	16.8.2
Automatic fire suppression systems	For installation, modification, or removal from service of any automatic fire suppression system*	13.1.1.1; 50.4.2
Automobile wrecking yards	To operate automobile wrecking yards	22.2
Automotive fuel servicing	To provide automotive fuel servicing	42.2.2.1; 42.11.2.2.4; 42.11.3.1
Battery systems	To install or operate stationary lead-acid battery systems having an electrolyte capacity of more than 100 gal (378.5 L) in sprinklered buildings or 50 gal (189.3 L) in nonsprinklered buildings	52.2
Candles, open flames, and portable cooking	To use in connection with assembly areas, dining areas of restaurants, or drinking establishments	17.3.2; 20.1.1.1
Carnivals and fairs	To conduct a carnival or fair	10.15.1
Cellulose nitrate film	To store, handle, use, or display	20.15.7.2
Cellulose nitrate plastic	To store or handle more than 25 lb (11.3 kg)	43.1.1.4
Change of occupancy	For the change of occupancy classification of an existing building	1.7.11.5
Cleanrooms	For construction, alteration, or operation	23.3

Table 1.12.8(a) *Continued*

Operation and Materials	Permit Required	Cross Reference Section Number
Combustible fibers	For storage or handling of combustible fibers greater than 100 ft <sup>3</sup> (2.8 m <sup>3</sup> )	45.1.3
Combustible material storage	To store more than 2500 ft <sup>3</sup> (70.8 m <sup>3</sup> ) gross volume	10.19.2; 19.1.1; 31.2
Commercial rubbish-handling operation	To operate	19.1.1
Compressed gases	1. To store, use, or handle compressed gases in excess of the amounts listed in Table 1.12.8(b) 2. When the compressed gases in use or storage exceed the amounts listed in Table 1.12.8(b), a permit is required to install, repair damage to, abandon, remove, place temporarily out of service, close, or substantially modify a compressed gas system 3. For additional permit requirements for compressed gases facility closures, see 63.1.2	63.1.2
Construction	For the construction of a building or structure	1.7.11.8
Consumer fireworks (1.4G)	1. For the sale, on-site handling, and manufacture of consumer fireworks (1.4G) 2. For the storage of consumer fireworks (1.4G) in excess of the amount listed in Table 1.12.8(d)	65.5.2 65.10.3.2
Covered mall buildings	Annual requirement for facilities that utilize mall area for exhibits or displays with 4 conditions	20.1.5.5.1
Crop maze	To operate a crop maze	10.15.11.1
Cryogenics	To produce, store, or handle cryogenics in excess of amounts listed in Table 1.12.8(c) <i>Exception: Where federal or state regulations apply or for fuel systems of a vehicle.</i>	63.1.2
Cutting and welding operation	For operations within a jurisdiction	41.1.5; 41.3.2.2; 41.3.2.2.2
Display fireworks (1.3G)	For possession, transportation, storage, manufacture, sale, handling, and discharge of display fireworks within the jurisdiction	65.2.3; 65.5.2
Drycleaning plants	To engage in business of drycleaning or to change to a more hazardous cleaning solvent	24.2
Dust-producing operations	To operate a grain elevator, flour mill, starch mill, feed mill, or plant pulverizing aluminum, coal, cocoa, magnesium, spices, sugar, or other similar combustible material	40.2
Exhibit and trade shows	For operation of all exhibits and trade shows held within a jurisdiction	20.1.5.5.1
Explosives	1. Manufacture, sell, dispose, purchase, storage, use, possess, or transport of explosives within the jurisdiction 2. For additional permit requirements for blasting operations, see 65.9.2	65.9.2
Fire alarm and detection systems and related equipment	For installation, modification, or removal from service of any fire alarm and detection systems and related equipment*	13.1.1.1
Fire apparatus access roads	For the construction of a fire apparatus access road	18.1.2



Table 1.12.8(a) *Continued*

Operations and Materials	Permit Required	Cross Reference Section Number
Fire hydrants and water-control valves	To use a fire hydrant or operate a water-control valve intended for fire suppression purposes	13.1.1.1
Fire pumps and related equipment	For installation of, modification to, or removal from service of any fire pumps, jockey pumps, controllers, and generators*	13.1.1.1
Flame effects	Use of flame effects before an audience	65.4.2
Flammable and combustible liquids	<p>1. To use or operate, repair, or modify a pipeline for the on-site transportation of flammable or combustible liquids</p> <p>2. To store, handle, or use Class I liquids in excess of 5 gal (18.9 L) in a building or in excess of 10 gal (37.9 L) outside of a building</p> <p><i>Exception to item (2): A permit is not required for the following:</i></p> <p>(a) <i>The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant, or mobile heating plant unless such storage in the opinion of the chief would cause an unsafe condition</i></p> <p>(b) <i>The storage or use of paints, oils, varnishes, or similar flammable mixtures when such liquids are stored for maintenance, painting, or similar purposes for a period of not more than 30 days</i></p> <p>3. To store, handle, or use Class II or Class III-A liquids in excess of 25 gal (94.6 L) in a building or in excess of 60 gal (227.1 L) outside a building</p> <p><i>Exception to item (3): Fuel oil used in connection with oil-burning equipment</i></p> <p>4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes</p> <p>5. To install, construct, alter, or operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed, or used</p> <p>6. To install, alter, clean, repair, line with a protective coating, remove, abandon, place temporarily out of service, or otherwise dispose of a flammable or combustible liquid tank</p> <p>7. To change the type of contents stored in a flammable or combustible liquid tank to a material other than those for which the tank was designed and constructed</p>	66.1.5
Fruit ripening	To operate a fruit-ripening process	63.1.2
General storage	To store materials indoors or outdoors, representing a broad range of combustibles, including plastics, rubber tires, and roll paper	34.1.2
Grandstands, bleachers, and folding and telescopic seating	For construction, location, erection, or placement of grandstands, bleachers, and folding and telescopic seating	25.1.2
Hazardous materials	<p>1. To store, transport on site, dispense, use, or handle hazardous materials in excess of the amounts listed in Table 1.12.8(d)</p> <p>2. To install, repair, abandon, remove, place temporarily out of service, close, or substantially modify a storage facility or other area regulated by Chapter 60 when the hazardous materials in use or storage exceed the amounts listed in Table 1.12.8(d)</p>	Chapter 60

Table 1.12.8(a) *Continued*

Operations and Materials	Permit Required	Cross Reference Section Number
High-piled combustible storage	To use any building or portion thereof as a high-piled storage area exceeding 500 ft <sup>2</sup> (46.45 m <sup>2</sup> )	20.15.8.2
High-powered rocketry	For the manufacture, sale, and use of high-powered rocketry	65.8.2; 65.7.2
Hot work operations	To conduct hot work	17.3.2; 41.1.5; 41.3.4
Industrial ovens and furnaces	For operation of industrial ovens and furnaces covered by Chapter 51	51.1.2
Laboratories	For construction, alteration, or operation	26.3
Liquefied petroleum gases	1. To store, use, handle, or dispense LP-Gas of 125 gal (0.5 m <sup>3</sup> ) (water capacity) aggregate capacity or greater 2. To install or modify LP-Gas systems	42.11.2.2.4 69.1.2
Liquid- or gas-fueled vehicles	To display, compete, or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings	20.1.5.5.1
Lumberyards and woodworking plants	For storage of lumber exceeding 100,000 board ft	31.2
Marine craft fuel servicing	To provide marine craft fuel servicing	42.9.1.4
Means of egress	For the modification of a means of egress system in an existing building	1.7.11.6
Membrane structures, tents, and canopies — permanent	For construction, location, erection, or placement	25.1.2
Membrane structures, tents, and canopies — temporary	To erect or operate an air-supported temporary membrane structure or tent having an area in excess of 200 ft <sup>2</sup> (18.6 m <sup>2</sup> ) or a canopy in excess of 400 ft <sup>2</sup> (37.2 m <sup>2</sup> ) <i>Exception: Temporary membrane structures, tents, or canopy structures used exclusively for camping.</i>	25.1.2
Motion picture and television production studio soundstages and approved production facilities	To design, construct, operate, and maintain soundstages and approved production facilities used in motion picture and television industry productions	32.2
Oil- and gas-fueled heating appliances	To install oil- and gas-fired heating appliances	11.5.1.8
Open burning	1. To conduct open burning 2. For additional permit requirements for open burning, see 10.11.1	10.11.1
Open fires	1. For kindling or maintaining an open fire 2. For additional permit requirements for open fires, see 10.11.4 <sup>†</sup>	10.11.1
Organic coatings	For operation and maintenance of a facility that manufactures organic coatings	43.1.1.4
Organic peroxide formulations	To store, transport on site, use, or handle materials in excess of amounts listed in Tables 1.12.8© and (d)	Chapter 75
Outside storage of tires	To store more than 500 tires outside	33.1.2
Oxidizers	To store, transport on site, use, or handle materials in excess of amounts listed in Tables 1.12.8© and (d)	Chapter 70

Table 1.12.8(a) *Continued*

Operations and Materials	Permit Required	Cross Reference Section Number
Parade floats	To use a parade float for public performance, presentation, spectacle, entertainment, or parade	10.17.1
Places of assembly	To operate a place of assembly	10.15.1; 20.1.1.1
Pyrotechnic articles	For the manufacture, storage, sale, or use of pyrotechnic articles within the jurisdiction	65.2.3; 65.3.3; 65.5.2; 65.10.3.2
Pyrotechnics before a proximate audience	For the display and use of pyrotechnic materials before a proximate audience	65.3.3
Pyroxylin plastics	For storage, handling, assembly, or manufacture of pyroxylin plastics	43.1.1.4
Private fire hydrants	For installation, modification, or removal from service of any private fire hydrants	13.1.1.1
Refrigeration equipment	To install or operate a mechanical refrigeration unit or system regulated by this <i>Code</i>	53.1.3
Repair garages and service stations	For operation of service stations and repair garages	30.1.1.3; 30.2.1.1
Rocketry manufacturing	For the manufacture of model rocket motors	65.7.2
Rooftop heliports	For construction, modification, or operation of a rooftop heliport	21.3.2.1
Solvent extraction	For storage, use, and handling	44.3
Spraying or dipping of flammable finish	For installation or modification of any spray room, spray booth, or preparation work station, or to conduct a spraying or dipping operation utilizing flammable or combustible liquids or powder coating	43.1.1.4
Standpipe systems	For installation, modification, or removal from service of any standpipe system*	13.1.1.1
Special outdoor events	For the location and operation of special outdoor events	10.15.1
Tar kettles	To place a tar kettle, a permit must be obtained prior to the placement of a tar kettle	16.7.1.2; 17.3.2
Tire storage	To use an open area or portion thereof to store tires in excess of 500 tires	33.1.2; 34.1.2
Torch-applied roofing operation	For the use of a torch for application of roofing materials	16.6.1
Water supply system for fire flow	For the construction of a water supply system for fire flow	18.1.2
Wildland fire-prone areas	For use of hazardous areas within fire-prone areas	17.3.2
Wood products	To store wood chips, hogged material, wood by-products, lumber, or plywood in excess of 200 ft <sup>3</sup> (5.7 m <sup>3</sup> )	31.2

\*Maintenance performed in accordance with this *Code* is not considered a modification and does not require a permit.

†Cooking and recreational fires are exempt and do not require a permit.

**Table 1.12.8(b) Permit Amounts for Compressed Gases**

Type of Gas	Amount*	
	ft <sup>3</sup>	m <sup>3</sup>
Corrosive	200	0.57
Flammable	200	0.57
Highly toxic	Any amount	
Inert and simple asphyxiant	6000	169.9
Oxidizing (including oxygen)	504	14.3
Pyrophoric	Any amount	
Toxic	Any amount	
Unstable (reactive)	Any amount	

Note: See Chapters 41, 42, 60, 63, and 69 for additional requirements and exceptions.

\*Cubic feet measured at normal temperature and pressure.

**Table 1.12.8(c) Permit Amounts for Cryogenics**

Type of Cryogen	Inside Building	Outside Building
Corrosive	Over 1	Over 1
Flammable	Over 1	60
Toxic/highly toxic	Over 1	Over 1
Nonflammable	60	500
Oxidizer (includes)	10	50

Note: See Chapter 63.

**Table 1.12.8(d) Permit Amounts for Hazardous Materials**

Type of Material	Amount	
	U.S. Unit	Metric Unit
Cellulose nitrate	25 lb	11.3 kg
Combustible fiber	100 ft <sup>3</sup>	2.8 m <sup>3</sup>
Combustible liquids	See Table 1.12.8(a)	
Consumer fireworks (1.4G)	10 lb	4.5 kg*
Corrosive gases	See Table 1.12.8(b)	
Corrosive liquids	55 gal	208 L
Corrosive solids	500 lb	227 kg
Cryogenics	See Table 1.12.8(c)	
Display fireworks (1.3G)	Any amount	
Explosives	Any amount	
Flammable gases	See Table 1.12.8(b)	
Flammable liquids	See Table 1.12.8(a)	
Flammable solids	100 lb	45.4 kg
Highly toxic gases	See Table 1.12.8(b)	
Highly toxic liquids	Any amount	
Highly toxic solids	Any amount	
LP-Gas	See Table 1.12.8(b)	
Nitrate film (cellulose)	Any amount	

**Table 1.12.8(d) Continued**

Type of Material	Amount	
	U.S. Unit	Metric Unit
Organic peroxides:	See Table 1.12.8(a)	
Class I	Any amount	
Class II	Any amount	
Class III	10 lb	4.5 kg
Class IV	20 lb	9 kg
Class V	Not required	
Unclassified detonatable	Any amount	
Oxidizing gases	See Table 1.12.8(b)	
Oxidizing liquids:	See Table 1.12.8(a)	
Class 4	Any amount	
Class 3	1 gal	3.8 L
Class 2	10 gal	38 L
Class 1	55 gal	208 L
Oxidizing solids:	See Table 1.12.8(a)	
Class 4	Any amount	
Class 3	10 lb	4.5 kg
Class 2	100 lb	45 kg
Class 1	500 lb	227 kg
Pyrophoric gases	See Table 1.12.8(b)	
Pyrophoric liquids	Any amount	
Pyrophoric solids	Any amount	
Toxic gases	See Table 1.12.8(b)	
Toxic liquids	10 gal	38 L
Toxic solids	100 lb	45 kg
Unstable (reactive) gases	See Table 1.12.8(b)	
Unstable (reactive) liquids:		
Class 4	Any amount	
Class 3	Any amount	
Class 2	5 gal	19 L
Class 1	10 gal	38 L
Unstable (reactive) solids:		
Class 4	Any amount	
Class 3	Any amount	
Class 2	50 lb	22.7 kg
Class 1	100 lb	45 kg
Water reactive liquids:		
Class 3	Any amount	
Class 2	5 gal	19 L
Class 1	10 gal	38 L
Water reactive solids:		
Class 3	Any amount	
Class 2	50 lb	22.7 kg
Class 1	100 lb	45 kg

Note: See Chapter 60 for additional requirements and exceptions.

\*Unless the actual weight of the pyrotechnic composition of the consumer fireworks, 1.4G, is known, 25 percent of the gross weight of the fireworks, including packaging, is permitted to be used to determine the weight of the fireworks for the purpose of this table.

**1.13 Certificates of Fitness.**

**1.13.1 Authorization.** The AHJ shall have the authority to require certificates of fitness and collect fees for individuals or companies performing any of the following activities:

- (1) Inspection, servicing, or recharging of portable fire extinguishers
- (2) Installation, servicing, modification, or recharging of fixed fire extinguishing systems
- (3) Installation, servicing, or modification of fire alarm or fire communication systems
- (4) Installation, modification, or servicing of gas or oil-burning heating systems
- (5) Chimney sweep operations
- (6) Installation, inspection, servicing, or modification of range hood systems
- (7) Installation or servicing of private fire service mains and their appurtenances
- (8) Crowd management services required by the *Code*
- (9) Utilization of pyrotechnics before a proximate audience
- (10) Installation, modification, or maintenance of liquefied petroleum gas or liquefied natural gas tanks or systems
- (11) Installation or modification of medical gas systems where a permit is required by Table 1.12.8(a)
- (12) Installation, modification, or maintenance of standpipe systems
- (13) Installation, modification, or maintenance of automatic sprinkler systems
- (14) Installation, modification, or maintenance of fire pumps
- (15) Installation, modification, or maintenance of tanks, wells, or drafting points used for fire protection water supplies

**1.13.2 Mandatory.** The AHJ shall require certificates of fitness and collect fees for individuals or companies performing any of the following activities:

- (1) Use of explosive materials
- (2) Fireworks displays involving display fireworks, 1.3G

**1.13.3** The AHJ shall be responsible for the issuance of certificates of fitness required by the AHJ.

**1.13.4** All applications for a certificate of fitness shall be filed with the AHJ on forms provided by the AHJ.

**1.13.5 Certification of Applicant.**

**1.13.5.1** Every individual or company applying for a certificate of fitness shall furnish to the AHJ evidence of a familiarity with applicable codes, regulations, standards, listings, guidelines, and construction and safety practices for the activity for which the certificate of fitness is issued.

**1.13.5.2\*** The AHJ shall also utilize certification programs provided by national organizations acceptable to the AHJ, where available, to determine evidence of compliance with 1.13.5.1.

**1.13.5.3** The AHJ shall investigate every application for a certificate of fitness.

**1.13.5.4\*** The investigation shall include an examination of the applicant's experience and training in the field of the certificate of fitness for which application has been made.

**1.13.5.5** When the AHJ determines that an applicant is not fit to receive the certificate of fitness because of the applicant's inability to comply with the provisions of this *Code*, the AHJ shall refuse to issue the certificate of fitness.

**1.13.5.6** If the refusal is based on the applicant's inability to pass an examination given to determine competency, the applicant shall not be permitted to apply again for the certificate of fitness within a 10-day period following the examination.

**1.13.6** Certificates of fitness shall not be transferable.

**1.13.7** Certificates of fitness shall be issued for the period of time as indicated on the certificate of fitness as determined by the AHJ, but such period of time shall not exceed 3 years.

**1.13.8** Applications for renewal of a certificate of fitness shall be filed in the same manner as an application for an original certificate.

**1.13.9** Each individual or company holding a certificate of fitness shall notify the AHJ in writing of any address change within 10 days after such change.

**1.13.10** A certificate of fitness shall be in the form of an identification card. The card shall contain the following information:

- (1) Purpose for which the certificate of fitness is issued
- (2) Date of expiration
- (3) Information necessary to easily identify the individual to whom the certificate of fitness is issued
- (4) Signature of the individual to whom the certificate of fitness is issued
- (5) Name and signature of the AHJ or a designated representative
- (6) Statement printed thereon in bold type the following:  
**THIS CERTIFICATE IS NOT AN ENDORSEMENT OF THIS INDIVIDUAL OR COMPANY BY THE AUTHORITY HAVING JURISDICTION.**

**1.13.11** Any individual or company to whom a certificate of fitness has been granted shall, upon request, produce and show proper identification and the certificate of fitness to anyone for whom that individual seeks to render services or to the AHJ.

**1.13.12 Revocation or Suspension of Certificates of Fitness.**

**1.13.12.1** The AHJ shall be permitted to revoke or suspend a certificate of fitness issued if any violation of this *Code* is found upon inspection or where any false statements or misrepresentations are submitted in the application on which the approval was based.

**1.13.12.2** Revocation or suspension shall be constituted when notification is served, posted, or mailed to the address of record for the certificate holder.

**1.13.12.3** Failure on the part of an individual to give such notification of a change of address required by 1.13.9 shall constitute grounds for revocation of the certificate of fitness.

**1.13.12.4** Revocations or suspensions of a certificate of fitness by the AHJ are appealable to the Board of Appeals as established in Section 1.10.

**1.14 Plan Review.**

**1.14.1** Where required by the AHJ for new construction, modification, or rehabilitation, construction documents and shop drawings shall be submitted, reviewed, and approved prior to the start of such work as provided in Section 1.14.

**1.14.2** The applicant shall be responsible to ensure that the following conditions are met:

- (1) The construction documents include all of the fire protection requirements.
- (2) The shop drawings are correct and in compliance with the applicable codes and standards.
- (3) The contractor maintains an approved set of construction documents on site.

**1.14.3** It shall be the responsibility of the AHJ to promulgate rules that cover the following:

- (1) Criteria to meet the requirements of Section 1.14
- (2) Review of documents and construction documents within established time frames for the purpose of acceptance or providing reasons for nonacceptance

**1.14.4** Review and approval by the AHJ shall not relieve the applicant of the responsibility of compliance with this *Code*.

**1.14.5** When required by the AHJ, revised construction documents or shop drawings shall be prepared and submitted for review and approval to illustrate corrections or modifications necessitated by field conditions or other revisions to approved plans.

#### **1.15 Technical Assistance.**

**1.15.1** The AHJ shall be permitted to require a review by an approved independent third party with expertise in the matter to be reviewed at the submitter's expense.

**1.15.2** The independent reviewer shall provide an evaluation and recommend necessary changes of the proposed design, operation, process, or new technology to the AHJ.

**1.15.3** The AHJ shall be authorized to require design submittals to bear the stamp of a registered design professional.

**1.15.4** The AHJ shall make the final determination as to whether the provisions of this *Code* have been met.

#### **1.16 Notice of Violations and Penalties.**

**1.16.1 Where Required.** Whenever the AHJ determines violations of this *Code*, a written notice shall be issued to confirm such findings.

##### **1.16.2 Serving Notice of Violation.**

**1.16.2.1** Any order or notice of violation issued pursuant to this *Code* shall be served upon the owner, operator, occupant, registered agent, or other person responsible for the condition or violation by one of the following means:

- (1) Personal service
- (2) Mail to last known address of the owner, operator, or registered agent

**1.16.2.2** For unattended or abandoned locations, a copy of such order or notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises, and the order or notice shall be disseminated in accordance with one of the following:

- (1) Mailed to the last known address of the owner, occupant, or registered agent
- (2) Published in a newspaper of general circulation wherein the property in violation is located

**1.16.2.3** Refusal of an owner, occupant, operator, or other person responsible for the violation to accept the violation notice shall not be cause to invalidate the violation or the notice of violation. When acceptance of a notice of violation is refused, valid notice shall have deemed to have been served under this section provided the methods of service in 1.16.2.1 or 1.16.2.2 have been followed.

**1.16.3 Destruction or Removal of Notice.** The mutilation, destruction, or removal of a posted order or violation notice without authorization by the AHJ shall be a separate violation of this *Code* and punishable by the penalties established by the AHJ.

##### **1.16.4 Penalties.**

**1.16.4.1** Any person who fails to comply with the provisions of this *Code*, fails to carry out an order made pursuant to this *Code*, or violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by the AHJ.

**1.16.4.2** Where the AHJ establishes a separate penalty schedule, violations of this *Code* shall be subject to a \$250.00 penalty.

**1.16.4.3** Failure to comply with the time limits of an order or notice of violation issued by the AHJ shall result in each day that the violation continues being regarded as a separate offense and shall be subject to a separate penalty.

**1.16.4.4** A separate notice of violation shall not be required to be served each day for a violation to be deemed a separate offense.

**1.16.5 Abatement.** Where a violation creates an imminent danger, the AHJ is authorized to abate such hazard in accordance with 1.7.15.

## **Chapter 2 Referenced Publications**

**2.1 General.** The documents referenced in this chapter or portions of such documents are referenced within this *Code* and shall be considered part of the requirements of this document.

- (1)\* Documents referenced in this chapter or portion of such documents shall only be applicable to the extent called for within other chapters of this *Code*.
- (2) Where the requirements of a referenced code or standard differ from the requirements of this *Code*, the requirements of this *Code* shall govern.

**2.2 NFPA Publications.** National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

NFPA 10, *Standard for Portable Fire Extinguishers*, 2010 edition.

NFPA 11, *Standard for Low-, Medium-, and High-Expansion Foam*, 2010 edition.

NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*, 2011 edition.

NFPA 12A, *Standard on Halon 1301 Fire Extinguishing Systems*, 2009 edition.

NFPA 13, *Standard for the Installation of Sprinkler Systems*, 2010 edition.

NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, 2010 edition.

NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, 2010 edition.

NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*, 2010 edition.

NFPA 15, *Standard for Water Spray Fixed Systems for Fire Protection*, 2012 edition.

NFPA 16, *Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems*, 2011 edition.

NFPA 17, *Standard for Dry Chemical Extinguishing Systems*, 2009 edition.

NFPA 17A, *Standard for Wet Chemical Extinguishing Systems*, 2009 edition.