

DEPARTMENT OF PUBLIC SAFETY

Division of Fire Safety

FIRE CODE ENFORCEMENT AND CERTIFICATION OF FIRE INSPECTORS FOR PUBLIC SCHOOLS, CHARTER SCHOOLS AND JUNIOR COLLEGES

8 CCR 1507-30

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

SECTION 1 – PURPOSE AND AUTHORITY TO PROMULGATE RULES

- 1.1 Sections 22-32-124, 23-71-122 and 24-33.5-1203 C.R.S. establish the authority and duty of The Division of Fire Safety to conduct or oversee construction plan reviews and inspections required by the adopted Fire Code for buildings and structures of public schools, institute charter schools, charter schools and junior colleges.
- 1.2 Sections 22-32-124 and 23-71-122 C.R.S. establish the authority of the local fire department or the Division of Fire Safety to inspect buildings and structures of a Board when deemed necessary to assure that they are maintained in accordance with the adopted Fire Code.
- 1.3 Section 24-33.5-1211 C.R.S. establishes the authority and duty of The Division of Fire Safety to certify persons to conduct Fire Code plan reviews and inspections for buildings and structures of public schools, institute charter schools, charter schools and junior colleges. The Director of the Division of Safety is authorized to establish fees and charges necessary to defray the anticipated costs of the program.
- 1.4 The Director of the Division of Fire Safety is authorized by the provisions of section 24-33.5-1203.5, C.R.S., to promulgate rules and regulations in order to carry out the duties of the Division of Fire Safety. This regulation is adopted pursuant to the authority in section 24-33.5-1203.5, C.R.S. and is intended to be consistent with the requirements of the State Administrative Procedures Act, section 24-4-101 et seq. (the “APA”), C.R.S.

SECTION 2 – DEFINITIONS

- 2.1 The definitions provided in 24 33.5 1202, C.R.S., shall apply to these rules and regulations. The following additional definitions shall also apply:
 - 2.1.1 BOARD – means the school district, charter school, institute charter school, junior college, or their designated representative.
 - 2.1.2 COMPANY – means a corporation, partnership, firm or association, two or more persons having a joint or common interest, or any other legal or commercial entity.
 - 2.1.3 CEU – means continuing education units. Each 10 hours of related professional development activities equals one CEU.
 - 2.1.4 C.R.S. – means Colorado Revised Statutes
 - 2.1.5 CONSTRUCTION – means work that is not considered as maintenance or service, and that requires a permit or annual permit as indicated in the rules promulgated by the Division of Oil and Public Safety.
 - 2.1.6 DIVISION OF FIRE SAFETY – The Division of Fire Safety in the Office of Preparedness,

Security, and Fire Safety in the Department of Public Safety.

2.1.7 DIVISION OF OIL AND PUBLIC SAFETY – The Division of Oil and Public Safety in the Department of Labor and Employment.

2.1.8 EMPLOYEE – means a paid or volunteer member of a fire department.

2.1.9 FIRE CODE OFFICIAL – means the designated authority charged with the administration and enforcement of the Fire Code. Refer to SECTION 3 for information pertaining to the definition of the Fire Code Official.

2.1.10 ICC – means International Code Council and its Legacy Codes.

2.1.11 INDIVIDUAL (or PERSON) – means a person, including an owner, manager, officer, employee, or individual.

2.1.12 INSPECTION, TESTING AND MAINTENANCE PROGRAM – means a program conducted by the building owner to satisfy the periodic inspection, testing and maintenance requirements of fire protection and life safety systems as required by applicable codes and standards.

2.1.13 INSTALLATION – means the initial placement of equipment or the extension, modification or alteration of equipment after the initial placement.

2.1.14 LOCAL AUTHORITY HAVING JURISDICTION (AHJ) – means the Building Department, Fire Chief, Fire Marshal or other designated official of a county, municipality, or special district that has fire protection and life safety systems enforcement responsibilities and employs or otherwise provides a Certified Fire Inspector.

2.1.15 MAINTENANCE – means to sustain in a condition of repair that will allow performance as originally designed or intended.

2.1.16 MAINTENANCE INSPECTIONS – refers to periodic inspections conducted by the local fire department or the Division of Fire Safety to verify conformance with the adopted Fire Code, rules and standards. Such maintenance inspections shall not be considered to relieve the building owner of the responsibility to conduct an inspection, testing and maintenance program for fire protection and life safety systems as required by the adopted Fire Code and Standards.

2.1.17 NICET – means the National Institute for Certification in Engineering Technologies.

2.1.18 NFPA – means the National Fire Protection Association.

2.1.19 PROFESSIONAL ENGINEER – means licensed in the State of Colorado as an engineer and working within competence, training and/or education pertinent to fire protection and life safety.

2.1.20 SERVICE (or REPAIR) – means to repair in order to return the system to operation as originally designed or intended.

SECTION 3 – DEFINITION OF FIRE CODE OFFICIAL AND DELEGATION OF AUTHORITY

3.1 The Fire Code Official for buildings and structures of public schools, institute charter schools, charter schools and junior colleges shall be the Division of Fire Safety.

- 3.2 Where the local authority having jurisdiction has Certified Fire Inspectors at the appropriate level for the task, the responsibility of conducting the necessary construction plan reviews and inspections required by the adopted Fire Code will be delegated to the local authority having jurisdiction in the location of the structure. Upon delegation of this responsibility, the local authority having jurisdiction shall be considered as the Fire Code Official.
- 3.3 If the local authority declines to perform the plan review or any subsequent inspection, or if a certified fire inspector is not available, the Division of Fire Safety shall perform the construction plan reviews and inspections required by the adopted Fire Code and shall be considered as the Fire Code Official.

SECTION 4 – PLAN REVIEW

- 4.1 Construction plan reviews shall be performed by persons certified as Fire Inspector III – Plans Examiner
- 4.2 Refer to the Public School Building Permit rules promulgated by the Division of Oil and Public Safety for additional information for the Building Permit Application Process.
- 4.3 The Board must notify the Fire Code Official of an upcoming project in accordance with the Division of Oil and Public Safety Rules for project notification.
- 4.4 Preliminary Review:
- 4.4.1 The Board may elect to have a preliminary review with the Fire Code Official. This may be by way of a meeting or a preliminary review document package. Preliminary reviews are recommended for project with a projected cost exceeding 1,000,000.
- 4.4.2 Refer to Division policies for recommendations on the content of preliminary review packages.
- 4.4.3 The Division of Oil and Public Safety, the Fire Code Official, or the school Board may request a meeting or teleconference at any time during the preliminary review. The Division of Oil and Public Safety shall make reasonable accommodations for such meeting or teleconference.
- 4.5 Construction Document Review
- 4.5.1 For all construction projects not covered under an annual building permit, the Board shall submit a complete package of Construction Documents to the local fire department and to the Division of Fire Safety in accordance with the Division of Oil and Public Safety Rules for plan review. Refer to Division policies for recommendations/requirements on the content of Construction Document submittals.
- 4.5.1.1 A copy of the fully completed permit application.
- 4.5.1.2 For project that will be reviewed by the Division of Fire Safety, submit the following:
- 4.5.1.2.1 One full set of construction drawings, signed and wet stamped by the design professional in responsible charge, and by all design professionals in each of the design disciplines represented in the project.
- 4.5.1.2.2 One full set of construction specifications, signed and wet stamped by the design professional in responsible charge, and by all design

professionals in each of the design disciplines represented in the project.

4.5.1.2.3 One full set of construction documents in *.dwf, *.dxf, *.pdf, or other approved electronic format on compact disk or other approved electronic storage device.

4.5.1.3 For projects that will be reviewed by the local Fire Official, submit the following to the Division of Fire Safety:

4.5.1.3.1 One full set of construction documents in *.dwf, *.dxf, *.pdf, or other approved electronic format on compact disk or other approved electronic storage device.

4.5.1.3.2 If revisions or addendums are issued during, or as a result of, the plan review process, such documents shall also be submitted in .dwf, .dxf, or .pdf format on compact disk or other approved electronic storage device.

4.5.1.3.2 Contact the local Fire Official completing the review for their submittal requirements.

4.5.2 Deferred design submittals for fire protection and fire alarm systems are permitted, however construction documents shall provide sufficient information to show compliance with Fire Code requirements and coordination between fire systems and other building systems (i.e. HVAC systems, security systems).

4.5.3 For delegated review and inspection arrangements, the Fire Code Official shall concurrently forward their list of comments and corrections to the Division of Oil and Public Safety and the Division of Fire Safety for inclusion in the consolidated report of both building and fire code reviews.

4.5.5 If the project is reviewed and permitted by a Prequalified Building Department, as defined in 7 C.C.R 1107-7, Section 3-2, the Fire Code official shall concurrently forward their list of comments and corrections to the Prequalified Building Department and to the Division of Fire Safety.

4.5.6 The Fire Code Official has 20 business days, upon receipt of a complete review package, to submit the completed fire review to the Division of Oil and Public Safety or the Prequalified Building Department. The Fire Code Official may request, in writing, an extension from the Division of Oil and Public Safety on the basis of the complexity of the building plans. Extension requests shall be copied to the affected Board.

4.5.7 The Division of Oil and Public Safety, the local fire department and/or the Division of Fire Safety and the Board may request a meeting or teleconference at any time during the construction document review. The Division of Oil and Public Safety shall make reasonable accommodations for such meeting or teleconference.

4.6 Deferred Submittals / Shop Drawings

4.6.1 Shop (Installation) drawings for fire alarm and fire suppression systems shall be submitted to the Fire Code Official for review and approval prior to beginning installation of the system.

4.6.1.1 Fire sprinkler shop drawing shall be submitted to the Fire Code Official in accordance with C.C.R. 1507-11 - Colorado Fire Suppression Program and the

requirements of the Fire Code and NFPA 13 – *Installation of Sprinkler Systems* .

- (1). Provide a minimum of four (4) complete copies of the submittal.
- (2). Submittal packages shall contain the minimum information required by the adopted Fire Code and NFPA 13.

4.6.1.2 Fire alarm shop drawings shall be submitted to the Fire Code Official in accordance with the requirements of the Fire Code and NFPA 72 – *National Fire Alarm Code* .

- (1). Provide a minimum of four (4) complete copies of the submittal.
- (2). Submittal packages shall contain the minimum information required by the adopted Fire Code and NFPA 72.

4.6.2 Minimum qualifications for fire suppression and fire alarm system design and installation.

4.6.2.1 Fire Suppression Systems

- (1). Any installation, modification, alteration, or repair of a fire suppression system shall be in accordance with C.C.R. 1507-11 - Colorado Fire Suppression program.

4.6.2.2 Fire Alarm Systems

- (1). The design of any new system or alteration of an existing fire alarm system using the prescriptive requirements of NFPA 72 shall be performed by a person that is currently a professional engineer or certified by NICET at a level III or level IV in fire protection engineering technologies - fire alarm systems, or another nationally recognized organization approved by the Division of Fire Safety.
- (2). The design of any new system or alteration of an existing fire alarm system using performance based design methods as described by NFPA 72 or alternative materials and methods as described by the adopted Fire Code shall be performed by a person that is currently a professional engineer.
- (3). The installation of a fire alarm system shall be performed by or supervised by a person that is currently certified at a minimum of NICET level II in fire protection engineering technologies – fire alarm systems, or another nationally recognized organization approved by the Division of Fire Safety.

4.7 Small Projects

4.7.1 Small projects that are limited to remodel or repair and that do not change the building footprint, occupancy, occupant load or egress arrangements are exempt from the requirements listed in Rule 4.5.2. Such projects shall not adversely affect the existing fire protection and life safety systems in the building. Sufficient information shall be submitted to illustrate the extent of the project and prove that the fire protection and life safety aspects of the building are not adversely affected.

4.7.2 Small projects involving minor modification, repair or replacement of existing fire protection

and life safety systems are exempt from the requirements of Rule 4.5.2, provided such projects will not adversely affect the protection provided by the existing systems.

4.7.2.1 Small sprinkler system projects.

- (1). A submittal is required in accordance with C.C.R. 1507-11 - Colorado Fire Suppression program.

4.7.2.2 Small fire alarm system projects.

- (1). A submittal is required for work involving the addition, deletion or relocation of fire alarm system devices.
- (2). The addition of devices onto an existing system requires updated standby battery and voltage drop calculations to prove that the existing system has sufficient capacity to support the new devices.

4.7.3 Projects limited to the addition or upgrade of fire protection and fire alarm systems to an existing building are exempt from the requirements of Rule 4.5.2. System installation drawings shall be submitted in accordance with the requirements of Rule 4.6.

SECTION 5 – CONSTRUCTION INSPECTIONS

5.1 Construction inspections shall be conducted by a person certified as Fire Inspector II or Fire Inspector III – Plans Examiner.

5.2 Construction documents shall be reviewed for Fire Code conformance by the Fire Code Official as described in Section 4 - Plan Review. Work shall not commence without approval from the Fire Code Official.

5.3 Project sites shall be inspected by the Fire Code Official to verify conformance with the Fire Code and approved construction documents. Refer to Division policies for guidelines on required inspections.

5.4 A Certified Fire Suppression System Inspector shall perform inspections of fire suppression systems in accordance with C.C.R. 1507-11 – Colorado Fire Suppression Program.

5.4.1 If the Certified Fire Inspector II also holds a Fire Suppression System Inspector certification, the inspector may perform both inspections.

5.4.2 If the Certified Fire Inspector II is not also a Certified Fire Suppression System Inspector, the Fire Code Official shall obtain the services of a Certified Fire Suppression System Inspector to perform the suppression system inspections.

5.5 For delegated inspection arrangements, the certified inspector shall sign for approved inspections on the inspection card. Inspectors shall provide their name and their fire inspector certification number in the appropriate locations on the inspection card.

SECTION 6 – MAINTENANCE INSPECTIONS AND INSPECTION, TESTING AND MAINTENANCE PROGRAMS

6.1 Maintenance Inspections.

6.1.1 The fire department providing fire protection service or the Division of Fire Safety may perform inspections of the buildings and structures when deemed necessary to assure

that they are maintained in accordance with the adopted Fire Code and Standards.

6.1.1.1 If the fire department is unable or unwilling to perform maintenance inspections, the Division of Fire safety shall have the authority and duty to perform them.

6.1.2 The Division recommends that maintenance inspections be conducted by persons certified at a minimum of Fire Inspector I.

6.1.3 Records of maintenance inspections shall be maintained by the fire department. Such records shall be made available for review by the Division of Fire Safety upon request.

6.1.3.1 Fire departments performing maintenance inspections are required to notify the Division that such inspections are being performed and provide notice when inspections are completed. If notice is not provided, the Division shall assume that the inspections are not being performed and will have the duty to perform them.

6.1.4 Nothing in this Section 6.1 shall prohibit the fire department providing fire protection services from conducting routine assessments of buildings and structures, or prevent the department from correcting violations that pose an immediate threat to life safety. Additionally, nothing in this Section 6.1 shall prohibit the Fire Department from seeking enforcement action in a court of competent jurisdiction.

6.1.5 A fire department providing fire protection service for buildings and structures of a board that chooses to perform Fire Code inspections may refer notices of deficiencies to the Division for evaluation and enforcement.

6.1.5.1 Notices of deficiencies and requests for evaluation and enforcement shall be submitted in writing to the Public School Fire Safety Program Administrator as described in Section 13 of this Rule.

6.2 Inspection, Testing and Maintenance Programs.

6.2.1 The Board shall ensure that building systems are inspected, tested, and maintained as required by the adopted codes and standards.

6.2.2 Personnel employed by a Board performing inspection, testing, and maintenance programs are not required to be certified Fire Inspectors.

6.2.2.1 Exception: Work conducted on system components that would require permits, licensing, or certifications under any adopted codes, laws, or regulations.

6.2.3 Inspection, Testing, and Maintenance Records shall be retained for at least two years. Records shall indicate the procedure or inspection performed, the organization that performed the procedure or inspection, the results, and the date. The Board shall provide these records for review by the local fire department having certified Fire Inspectors or to the Division of Fire Safety.

SECTION 7 – FIRE INSPECTOR CERTIFICATION

7.1 Fire Inspectors performing construction plan review and inspections shall be “Certified Fire Inspectors” as defined in section 24-33.5-1202 (2.5) C.R.S. Inspectors shall be certified to the appropriate level defined in Sections 4 through 6 of this rule for the task performed.

7.2 Applicants shall complete the following items for application as a Certified Fire Inspector:

7.2.1 Complete the application form for fire inspector certification, which is available from the Division of Fire Safety.

7.2.2 If not taking the fire inspector certification examination, provide a resume and sufficient proof of equivalent qualification including education, training and experience.

7.2.3 Pay the required certification fee.

7.3 Fire Inspector Written Examinations

7.3.1 The written examination shall consist of multiple-choice questions derived from the adopted Codes, NFPA Standards and Rules promulgated by the Division of Fire Safety.

7.3.2 Applicants must correctly answer eighty percent (80%) of the questions on the examination to become certified.

7.3.3 Applicants that do not achieve a passing score may retake the examination after thirty (30) days have elapsed, and upon re-application and payment of the application fee.

7.4 Fire Inspector Certification is valid for a period of three years from the date of issuance, unless earlier suspended or revoked.

7.5 Renewal of certification is the responsibility of the certified individual. Renewal shall require an application accompanied by the following:

7.5.1 Complete the application form for fire inspector certification renewal, which is available from the Division of Fire Safety.

7.5.2 Certification renewal is contingent on meeting one of the following educational requirements during the three year certification period:

7.5.2.1 Fifteen hours of continuing education relating to the field of fire protection including, but not limited to, classes, seminars, and training conducted by professional organizations or trade associations; or.

7.5.2.2 Documentation to the Division of Fire Safety of 1.5 CEU's relevant to the field of fire protection by participation in educational and professional activities. CEU's will be granted for the professional development activities as depicted in the table below: (It is important to obtain documentation and keep records of each activity attended during the certification period).

Participation as a student in a seminar or technical session related to fire protection and life safety systems conducted by a qualified organization. Such organizations include, but are not limited to: ICC, NFPA, Society of Fire Protection Engineers, National Fire Sprinkler Association, American Fire Sprinkler	0.1 CEU per clock hour of attendance
--	--------------------------------------

Association, Automatic Fire Alarm Association, Oklahoma State University, National Fire Academy, Fire Marshals Association of Colorado training sessions, etc.	
Attendance at NFPA and/or ICC code development hearings related to fire protection, fire prevention or life safety.	0.1 CEU per clock hour of attendance up to 1.0 CEU per renewal period.
Committee or board service for NFPA and/or ICC for one full year.	0.5 CEU per committee, per year.
Instruction of a seminar or technical session delivered for a related professional association, state or local code enforcement agency, standards writing organization or any related program.	0.1 CEU per clock hour of instruction delivered.
Participation as a student in a university, community college, junior college, technical or vocational school in a course related to fire protection, fire prevention or life safety.	1.0 CEU per credit hour.
Participation as an instructor in a university, community college, junior college, technical or vocational school in a course related to fire protection, fire prevention or life safety.	1.0 CEU per credit hour.
Documented in-house training or continuous employment as a code official, plans examiner, or inspector. Training	Up to 0.3 CEU per renewal period.

shall be documented and approved by the chief executive, fire chief or training officer for the applicant's organization.	
Publication of a paper, book or technical article for a related textbook or professional trade journal.	1.0 CEU per publication.

7.5.2.3 Applicants not meeting the requirements for continuing education specified in Rule 7.6.2.1 or 7.6.2.2 may retake the certification examination required of new applicants as an alternative for renewal.

7.5.2.4 Successful renewal of equivalent ICC certifications shall be considered as acceptable criteria for renewal of the State Fire Inspector certification. Submit proof of ICC renewal with the renewal application.

7.5.3 Payment of the required renewal fee.

7.6 Municipalities, counties, fire protection districts and other state or local authorities employing certified fire inspectors must maintain records of all plan reviews and inspections conducted by the inspector during the three year certification period. Said records shall be made available for review by the Division of Fire Safety, upon request.

7.7 Inspectors must place their name and certification number on all completed inspection and plan registration forms.

7.8 There shall be three levels of certification for Fire Inspectors.

7.8.1 FIRE INSPECTOR I - In order to become certified as Fire Inspector I, a person must meet at least one of the following criteria:

7.8.1.1 Satisfactorily complete the Fire Inspector I certification examination, administered by the Division of Fire Safety, by correctly answering at least 80 percent of the questions.

7.8.1.2 Possess current and valid inspector certification(s) issued by a nationally recognized organization, which includes knowledge in fire protection and life safety systems, plan review and inspection. The following certifications are approved:

(1). ICC Fire Inspector I

(2). Company Officer Fire Inspector – Uniform Fire Code

7.8.1.3 Submit documentation to the Division of Fire Safety to demonstrate that they have the requisite skills and knowledge specified in NFPA 1031 – *Standard for Professional Qualifications for Fire Inspector and Plans Examiner* for Fire Inspector I, including education, training and experience. The following list identifies examples of education, training and experience that may be considered as equivalent to the requisite skills and knowledge for Fire Inspector I. This list

shall not be considered as all inclusive.

- (1). A combination of three (3) years of education and work experience in fire protection and/or code enforcement.
 - (a). Education shall be an Associate Degree or above in Fire Science, Fire Prevention, Fire Protection Engineering or other approved related major.
 - (b). Work experience shall be specifically in fire prevention, fire protection, code enforcement or inspection.
- (2). Evidence of completion of courses that directly relate to fire protection inspections delivered by a recognized organization or institution, including, but not limited to:
 - (a). National Fire Protection Association
 - (b). International Code Council
 - (c). National Fire Academy
 - (d). American Fire Sprinkler Association
 - (e). National Fire Sprinkler Association
 - (f). Society of Fire Protection Engineers
 - (g). Automatic Fire Alarm Association
 - (h). Oklahoma State University
 - (i). University of Maryland
 - (j). Worcester Polytechnic Institute
- (3). Current Colorado license as a registered professional engineer specializing in fire protection.
- (4). Submit evidence of current and valid certification in another state, which is determined by the Division of Fire Safety to be at least equivalent to the requirements listed herein.

7.8.2 FIRE INSPECTOR II - In order to become certified as Fire Inspector II, a person must meet at least one of the following criteria:

- 7.8.2.1 Satisfactorily complete the Fire Inspector II certification examination, administered by the Division of Fire Safety, by correctly answering at least 80 percent of the questions.
- 7.8.2.2 Possess current and valid inspector certification(s) issued by a nationally recognized organization, which includes knowledge in fire protection and life safety systems, plan review and inspection. The following certifications are approved:

- (1). ICC Fire Inspector II
- (2). Uniform Fire Code Inspector

7.8.2.3 Submit documentation to the Division of Fire Safety to demonstrate that they have the requisite skills and knowledge specified in NFPA 1031 – *Standard for Professional Qualifications for Fire Inspector and Plans Examiner* for Fire Inspector II including education, training and experience. The following list identifies examples of education, training and experience that may be considered as equivalent to the requisite skills and knowledge for Fire Inspector II. This list shall not be considered as all inclusive.

- (1). A combination of four (4) years of education and work experience in fire protection and/or code enforcement.
 - (a). Education shall be an Associate Degree or above in Fire Science, Fire Prevention, Fire Protection Engineering or other approved related major.
 - (b). Work experience shall be specifically in fire prevention, fire protection, code enforcement or inspection.
- (2). Evidence of completion of courses that directly relate to fire protection inspections delivered by a recognized organization or institution, including, but not limited to:
 - (a). National Fire Protection Association
 - (b). International Code Council
 - (c). National Fire Academy
 - (d). American Fire Sprinkler Association
 - (e). National Fire Sprinkler Association
 - (f). Society of Fire Protection Engineers
 - (g). Automatic Fire Alarm Association
 - (h). Oklahoma State University
 - (i). University of Maryland
 - (j). Worcester Polytechnic Institute
- (3). Current Colorado license as a registered professional engineer specializing in fire protection.
- (4). Submit evidence of current and valid certification in another state, which is determined by the Division of Fire Safety to be at least equivalent to the requirements listed herein.

7.8.3 FIRE INSPECTOR III – PLANS EXAMINER - In order to become certified as Fire Inspector III – Plans Examiner, a person must meet at least one of the following criteria:

7.8.3.1 Satisfactorily complete the Fire Inspector III - Fire Plans Examiner examination, administered by the Division of Fire Safety, by correctly answering at least 80 percent of the questions.

7.8.3.2 Possess current and valid inspector certification(s) issued by a nationally recognized organization, which includes knowledge in fire protection and life safety systems, plan review and inspection. The following certifications are approved:

- (1). ICC Fire Inspector II and ICC Fire Plans Examiner
- (2). ICC Fire Inspector II and ICC Building Plans Examiner
- (3). ICC Fire Inspector II and 2 years minimum documented plan review experience.
- (4). Uniform Fire Inspector and Building Plans Examiner – Uniform Building Code
- (5). ICC Fire Inspector II and Building Plans Examiner – Uniform Building Code.

7.8.3.3 Submit documentation to the Division of Fire Safety to demonstrate that they have the requisite skills and knowledge specified in NFPA 1031 – *Standard for Professional Qualifications for Fire Inspector and Plans Examiner* for Fire Inspector II and for Fire Plans Examiner II, including education, training and experience. The following list identifies examples of education, training and experience that may be considered as equivalent to the requisite skills and knowledge for Fire Inspector III. This list shall not be considered as all inclusive.

- (1). A combination of five (5) years of education and work experience in fire protection and/or code enforcement.
 - (a). Education shall be an Associate Degree or above in Fire Science, Fire Prevention, Fire Protection Engineering or other approved related major.
 - (b). Work experience shall be specifically in fire prevention, fire protection, code enforcement or inspection.
- (2). Evidence of completion of courses that directly relate to fire protection inspections delivered by a recognized organization or institution, including, but not limited to:
 - (a). National Fire Protection Association
 - (b). International Code Council
 - (c). National Fire Academy
 - (d). American Fire Sprinkler Association
 - (e). National Fire Sprinkler Association
 - (f). Society of Fire Protection Engineers

- (g). Automatic Fire Alarm Association
 - (h). Oklahoma State University
 - (i). University of Maryland
 - (j). Worcester Polytechnic Institute
- (3). Current Colorado license as a registered professional engineer specializing in fire protection.
 - (4). Submit evidence of current and valid certification in another state, which is determined by the Division of Fire Safety to be at least equivalent to the requirements listed herein.

7.9 Denial, revocation, suspension, annulment, limitation or modification of certification.

7.9.1 Denial of Certification

7.9.1.1 The Division of Fire Safety, in accordance with the Administrative Procedures Act, 24-4-101 C.R.S., et seq., as amended, may deny any certificate or refuse to renew a certificate to any applicant for, but not limited to, the following reasons:

- (1). Failure to meet requirements specified in these rules pertaining to the issuance of certificates and/or the renewal of certification.
- (2). Any conduct as described in Section 7.9.2.2 pertaining to good cause for disciplinary action.
- (3). Fraud, misrepresentation, or deception in applying for or securing certification, or in taking any written certification examination.
- (4). Aiding and abetting another person in procuring or attempting to procure certification for any person who is not eligible for certification.
- (5). Creating a disturbance during a state written examination, or conducting themselves in a manner that disrupts other persons taking the examination or prevents the examination proctor from conducting the examination.

7.9.2 Revocation, suspension, or limitation of certification.

7.9.2.1 Any certification issued by the Division of Fire Safety may be suspended, summarily suspended, revoked, or limited for good cause in accordance with the Administrative Procedures Act, 24-4-101 C.R.S., et seq., as amended.

7.9.2.2 Good cause for disciplinary sanctions listed in this section (denial, revocation, suspension, annulment, limitation, or modification of certification) shall include, but not be limited to:

- (1). Evidence that the minimum standards for certification set forth in these rules have not been met.
- (2). Material misstatement or misrepresentation on the application for certification.

- (3). Proof of unfitness.
- (4). Proof of individual's failure to meet, and continue to meet, performance standards at the level certified.
- (5). Obtaining or attempting to obtain certification or recertification by fraud, misrepresentation, deception, or subterfuge.
- (6). Materially altering any Division of Fire Safety certificate, or using and/or possessing any such altered certificate.
- (7). Unlawfully discriminating in the provisions of services based upon national origin, race, color, creed, religion, sex, age, physical or mental disability, sexual preference, or economic status.
- (8). Representing qualifications at any level other than the person's current certification level.
- (9). Failure to pay required fees for certification.

7.9.3 In addition to those items listed in Rule 7.9.2.2, good cause for disciplinary sanctions listed in this section (denial, revocation, suspension, annulment, limitation, or modification of certification) against the certification held by an exam proctor shall include, but not be limited to:

7.9.3.1 Failure to adhere to the policies, procedures, and administrative requirements for delivery, documenting, test administration, and certification as adopted, administered and/or recognized by The Division of Fire Safety.

7.9.3.2 Failure to maintain security over written exams, including unauthorized access or reproduction of examination materials.

7.9.4 If the Division of Fire Safety finds that grounds exist for the denial, revocation, suspension, annulment, limitation, or modification of certification of any applicant, action will be taken according to the provisions of the Colorado Administrative Procedure Act, Section 24-4-101 C.R.S., et. sec., as amended.

7.9.5 Upon the denial, revocation, suspension, annulment, limitation, or modification of any applicant, the person shall return to the Division of Fire Safety, all certificates, cards, patches or other identification issued by the Division for said certification and accreditation levels.

SECTION 8 – CODES AND STANDARDS ADOPTED

8.1 Refer to the Rules promulgated by the Division of Oil and Public Safety for a complete list of codes and standards applicable to public school construction.

SECTION 9 – ENFORCEMENT

9.1 The Director of the Division of Fire Safety shall enforce the requirements of the adopted Fire Code for Public Schools and Junior Colleges in accordance with the provisions of 24-33.5-1213 C.R.S.

9.1.1 The Director may issue a notice of violation to a person who is believed to have violated the provisions of the Fire Code as determined by an inspection in accordance with the procedures described in 24-33.5-1213 C.R.S.

9.1.2 An enforcement order issued pursuant to 24-33.5-1213 C.R.S. may impose a civil penalty, depending upon the severity of the alleged violation, not to exceed five hundred dollars per violation, for each day of violation; except that the Director may impose a civil penalty not to exceed one thousand dollars per violation, for each day of violation, that results in, or may reasonably be expected to result in, serious bodily injury.

9.1.3 The Director may file suit in the district court in the judicial district in which a violation is alleged to have occurred to judicially enforce an enforcement order issued pursuant to 24-33.5-1213 C.R.S.

9.2 It is not the intent of this Section 9 to remove, limit or modify enforcement authority of the fire department providing fire protection service for buildings or structures of a Board.

SECTION 10 – APPEALS

10.1 Refer to the Rules promulgated by the Division of Oil and Public Safety for appeal procedure.

SECTION 11 – FEES AND CHARGES

11.1 The Division of Fire Safety will charge the following fees for fire inspector certifications:

.	11.1.1	Certification of Fire Inspectors by State examination	\$30.00
.	11.1.2	Certification of Fire Inspectors equivalent qualification review	\$40.00
.	11.1.3	Renewal of Fire Inspector certification	\$20.00
.	11.1.4	Certification or renewal of Fire Inspectors by reciprocity of equivalent ICC or NFPA certifications.	\$10.00

11.2 For construction projects for which a permit is applied for **after the effective date of this rule**, the following fees will be charged for Fire Code inspections performed by the Division of Fire Safety:

11.2.1 Fees are equal to the total projected construction cost multiplied by a factor of \$0.000450, with a minimum inspection fee of \$100.00.

11.2.2 Inspection fees will be charged at the time of permit issuance. Inspections will not be performed until the required fee has been paid.

11.2.3 Re-inspection fees: The Division of Fire Safety shall assess a \$200 re-inspection fee for each inspection or re-inspection, when such portion of work for which the inspection is called is not completed, or when corrections previously called for are not made.

11.2.3.1 This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the adopted code. It is intended to control the practice of calling for inspections before the work is ready for such inspection or re-inspection.

11.2.4 Off-hours inspections: The Division may assess an off-hours inspection fee of \$200 for inspections requested outside of normal business hours.

11.2.4.1 Normal hours are Monday through Friday between 8:00 am and 5:00 pm.

11.2.4.2 Off-hours inspections are scheduled on an “as-available” basis. The Division of Fire Safety is not obligated to provide inspections outside of normal operating hours if an inspector is not available.

11.3 For construction projects that were **permitted prior to the effective date of this rule** , the following fees will be charged for Fire Code inspections performed by the Division of Fire Safety:

11.3.1 Job site inspections will be charged hourly at a rate of \$50.00 per hour for travel time and actual time on site, with one hour minimum charge.

11.3.1.1 Travel to and from job site will be based on the mileage formula of 40 miles of travel equals one hour.

11.3.2 Failure to pay for the inspections performed will result in a notice of violation and enforcement in accordance with Section 9 of this rule.11.3.

11.3.3 Re-inspection fees may be assessed as described in Section 11.2.3.

11.3.4 Off-hours inspection fees may be assessed as described in Section 11.2.4.

11.4 The following fees will be charged for maintenance inspections performed by the Division of Fire Safety:

.	11.4.1	0 – 150 Students	\$125
.	11.4.2	151 – 300 Students	\$250
.	11.4.3	301 – 450 Students	\$375
.	11.4.4	451 or more Students	\$500

11.4.5 Student counts for fees will be based upon the current pupil membership data published at the time of the inspection by the Colorado Department of Education.

11.4.2 Failure to pay for the inspections performed will result in a notice of violation and enforcement in accordance with Section 9 of this rule.11.3.

SECTION 12 – SEVERABILITY

12.1 If any provision of these rules and regulations or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions of these rules and regulations, which can be given effect without the invalid provisions. To this end, all provisions of these rules and regulations are declared to be severable.

SECTION 13 – INQUIRIES

13.1 Questions, clarification, or interpretation of these rules should be addressed in writing to the Public School Fire Safety Program Administrator at the Colorado Division of Fire Safety.

Editor’s Notes

History

Emer. Rule eff. 7/20/2007. Entire Rule eff. 10/30/2007. Entire Emer. Rule eff. 08/18/2008.