

FIRE DEPARTMENT VARIANCE OF GENERAL APPLICATION Case No. F-2007-099		CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA
		TITLE 4 – BUILDING CONSTRUCTION AND OCCUPANCY CODE
SUBJECT OF VARIANCE: EXTENSION OF TIME TO MEET FIRE SUPPRESSION SYSTEM CERTIFICATE HOLDER QUALIFICATIONS		REFERENCE CODE SECTION(S): F901.9.1(R) 1.3, F901.9.2(R)
CODE AND SECTION(S) AT ISSUE DATE: 2007 Philadelphia Fire Code, §F-901.9.1(R)1.3 and §F-901.9.2(R)		ISSUE DATE: October 29, 2007
ISSUED BY: Lloyd Ayers, Fire Commissioner		
RECOMMENDED BY: Board of Safety and Fire Prevention		Page 1 of 2

DISCUSSION:

The *Philadelphia Fire Code* states the following regarding fire suppression system certificate holders:

F-901.9.1(R) General Provisions

1. Definitions

1.3 Fire suppression systems certificate holder. A Fire Suppression Systems Certificate Holder is a person who has satisfied the requirements of these regulations (regulations of the Fire Code) and has been issued a Fire Suppression System Certificate in one or more categories by the Department of Licenses and Inspections authorizing such person to inspect and certify new and existing fire suppression systems for conformance to The Philadelphia Code and referenced standards.

F-901.9.2(R) Fire suppression certificate and license. Before a contractor can install, alter, repair, test, service, inspect, certify or remove from service any fire suppression equipment, such contractor shall meet certain requirements to obtain a license, including employing one or more persons holding a Fire Suppression System Worker Certificate in the classification relating to the work performed issued by the Department of Licenses and Inspections and a Level II or higher certification in the applicable field issued by the National Institute for Certification in Engineering Technology (NICET).

A variance of general application was requested by the applicant on behalf of all sprinkler contractors doing business in the City of Philadelphia for a three-year grace period for persons who previously met requirements of a previous addition of the Fire Code related to certificate holders and who had been issued a certificate holder license, but have not attained a Level II certification from NICET in the applicable field.

The 1994 Fire Code established minimum qualifications for persons who were or desired to certify installations, and or service and test fire suppression systems. One of the qualifications was the requirement to pass an examination related to fire suppression systems work. A revision to the 1997 Fire Code in January of 2000 required new applicants to obtain a Level II certificate from NICET in the applicable field.

The 2004 Fire Code modified the previous qualifications and required all persons certifying installations, and or servicing and testing fire suppression systems to hold a NICET Level II certification in the applicable field. The 2007 (current) Fire Code maintained the requirements of the 2004 edition. With the adoption of the 2007 Fire Code and the use of a new computer software system, the Department of Licenses and Inspections began enforcement of the requirement of the NICET Level II certification for all persons certifying fire suppression systems.

A significant number of those persons who previously certified fire suppression systems have not obtained the NICET Level II certification and are now ineligible to certify systems. The purpose of the variance appeal is to permit those persons who previously held a certificate to continue to certify systems and be granted a period of time to attain the NICET Level II certification in the applicable field.

VARIANCE:

The Board of Safety and Fire Prevention (Board) considered the request. They noted that although the requirement for the NICET Level II certification has been in effect since 1/1/04, enforcement of the requirement occurred several years later without advanced notice. After consultation with the Fire Department and the Department of Licenses and Inspections, the Board recommended the following variance that the Fire Commissioner granted.

1. Those persons who previously held a Fire Suppression Certificate Holder License shall be permitted, after application for renewal of their license (with the Department of Licenses and Inspections, Commercial and Industrial Fire Inspection Unit at 215-685-3718), to continue to certify fire suppression systems.
2. By 12/31/08 those persons shall attain a NICET Level I certification in the applicable field and provide a copy of the certification to the Department of Licenses and Inspections.
3. By 12/31/09 those persons shall attain a NICET Level II certification in the applicable field and provide a copy of the certification to the Department of Licenses and Inspections.
4. Beginning on 1/1/10 all persons who have been or desire to certify fire suppression systems shall meet the qualifications of the 2007 Fire Code or the code in effect at that time.