



# Fire Suppression Contracting: Requirements and Enforcement



# Outline

1. Introduction to Fire Suppression System Contractor Licensing
2. Code Requirements- §9-1005, Fire Suppression System Contractor License
3. Code Requirements- §9-2500, Fire Suppression Workers & Apprentices
4. The Future of Enforcement
  - Enforcement Goals
  - Site Investigations (311 complaints)
  - License Investigations

# Intro- Fire Suppression Contracting

- Philadelphia regulates Fire Suppression Contracting largely through two sections of the Philadelphia Code: §9-1005 (Fire Suppression System Contractors) and §9-2500 (Fire Suppression System Workers)
- 9-1005 establishes requirements and responsibilities related to Fire Suppression System Contractor licenses— that is, the license that a person or business must hold in order to obtain fire suppression permits.
- 9-2500 establishes requirements and responsibilities related to what individuals may perform fire suppression work—that is, who can actually do the work authorized by a fire suppression permit.
- These two code sections overlap **a lot**. Both set important standards that must be met at every site in the City where fire suppression work is happening.

# §9-1005- Fire Suppression Contracting

- Requires that any person working as a “fire suppression system contractor” have a fire suppression systems contractor license
- What does it mean to work as a “fire suppression system contractor”?
  - A person who performs or offers to perform the installation, alteration, repair, testing, servicing, maintenance, inspection and/or certification of fire suppression systems, or any part of such systems.
- This is an annual license and must be renewed each year.

# §9-1005- Fire Suppression Contracting

- License Requirements:
  - One full time employee who is a holder of NICET certificate at Level II or higher AND one full time employee who holds a §9-2500 Fire Suppression System Worker Certificate must be kept on staff at all times
    - Instead of a NICET Cert level II holder, a licensee can employ a Professional Engineer registered in PA that provides the Department with a signed and sealed statement of qualifications in the field of fire suppression systems
  - The NICET certificate Level II (or higher) holder (or employed P.E.) is responsible for the design of fire suppression systems; the oversight of installation, testing, repair and inspection of such systems by Fire Suppression System Workers; and may prepare and sign documents related to work performed on fire suppression systems. Fire Suppression System Workers may sign annual certification forms.



# §9-1005- Fire Suppression Contracting

- If a contractor no longer employs a Fire Suppression Systems Worker certificate holder, it must immediately stop performing all fire suppression work.
- If a contractor no longer employs a NICET Level II (or higher) certificate holder, it may continue working on existing work in progress for 6 months but cannot seek out approval from the Department for more work.
  - The best practice is to keep your Fire Suppression Contractor license on eCLIPSE up-to-date with all of your employed NICET holders and Fire Suppression Systems Workers. Log in to eCLIPSE and navigate to your fire suppression contractor license object to do this. If you have trouble doing this, email [AIU@phila.gov](mailto:AIU@phila.gov) and we'll provide you with instructions
  - Insurance Requirements:
    - workers' compensation (\$100,000 per accident/employee, \$500,000 policy limit)
    - general liability (\$500,000 per occurrence)
    - motor vehicle (\$300,000)
- You must be current on all City of Philadelphia taxes



# §9-2500- Fire Suppression Workers and Apprentices

- This section of the Code sets forth requirements on what individuals can perform “work on a fire suppression system”
- Definition of “work on a fire suppression system”: the layout, on-site fabrication, testing, inspection, certification, work and practice concerning the construction, installation, alteration, extension, removal, repair, servicing, maintenance or renovation of fire suppression systems. (§9-2501(6))
- The requirements are simple. Fire Suppression Work may only be performed by:
  - Individuals that hold a Fire Suppression System Certification (aka an individual that is a certified Fire Suppression System Worker)
  - Individuals that hold a Fire Suppression System Apprentice Permit AND are being supervised on-site by a Fire Suppression System Worker

# §9-2500- Fire Suppression Workers

- Fire Suppression System Certification Requirements
  - Take and pass an examination pursuant to the Fire Prevention Code;
  - Successfully complete a registered fire suppression system apprenticeship program
  - Uncommon alternative: § 9-2506 alternatively allows for reciprocity– that is, applicants are not required to pass an examination or complete a registered apprenticeship program if that applicant already holds the worker certification or apprentice permit they are applying for in a different jurisdiction. However, that jurisdiction must have established qualification requirements equal to, or greater than, those established under the Philadelphia Code

# §9-2500- Fire Suppression Apprentices

- Fire Suppression System Apprentice Permit Requirements
  - Permittees must be in a registered fire suppression system apprenticeship program.
- ***Registered Fire Suppression System Apprenticeship Program-*** A program of apprenticeship training registered with the United States Department of Labor or a State Apprenticeship Council involving at least 8,000 hours of documented practical experience in the installation or maintenance of fire suppression systems and at least 800 hours of classroom, shop or related instruction in the fire suppression system trade.  
(§9-2501(5))
- The Fire Suppression System Apprentice Permit is only valid when the permittee is actively enrolled in an apprenticeship program
- Fire Suppression System Apprentice Permit Holders may perform any type of fire suppression work, so long as they are being supervised by an on-site Fire Suppression System Certification holder (aka a Fire Suppression System Worker)



# Fire Suppression Contracting- Enforcement

- Audits and Investigations Unit- AIU is responsible for enforcing licensing requirements for contractors and other trade licensees, like fire suppression system contractors, workers, and apprentices.
- AIU is prioritizing strict enforcement of Fire Suppression System Contractor, Worker, and Apprentice requirements in 2021.
- AIU uses two tools to enforce the Code
  - Site Investigations and the issuance of violations
  - License discipline such as suspension or revocation

# Enforcement- Site Investigations

- An AIU Site Investigation is when AIU inspectors go out to an active jobsite and investigate whether the contractors and other trade licensees at that site are in compliance with the Philadelphia Code
  - AIU Inspectors have been recently trained on the requirements set forth in §9-1005 and § 9-2500 and will be strictly enforcing each and every one of those requirements
- Site Investigations are scheduled in response to 311 complaints or based on referral from construction inspectors
- If you are alleging a license compliance violation, your best bet is to submit a 311 complaint and then supplement that complaint with an email to [addinfo@phila.gov](mailto:addinfo@phila.gov).
  - You can expand on your complaint and provide additional information— pictures, video, etc.
  - It will ensure timely review and the quickest possible investigation of the complaint
    - We understand that many complaints are time sensitive and do our best to investigate these as quickly as possible.
- Emails submitted to [addinfo@phila.gov](mailto:addinfo@phila.gov) MUST include the 311-complaint number, or they will be discarded.

# Enforcement- Site Investigations

- What does an AIU site investigation look like?
  - AIU will check the contractor's license status and ensure that they are in good standing
  - AIU will check each worker on site to verify that they are either a Fire Suppression System Worker or a Fire Suppression System Apprentice supervised by an onsite Fire Suppression System Worker
  - Any observed violations will result in the issuance of a "Notice of License Violation". Each violation of §9-1005 or §9-2500 will result in a fine of \$300. Multiple violations will result in a deeper investigation into the cited contractor's practices.
  - The Fire Suppression System Contractor will be cited when violations are observed. So will any individuals violating the requirements set forth in §9-2500 (doing Fire Suppression Work without a certificate or doing Fire Suppression Work as an apprentice without the on-site supervision of a Fire Suppression Worker).

# Enforcement- License Suspension or Revocation

**§9-1005(7)(a)**- *The Department may suspend or revoke any license granted under this Section for any of the following reasons, after an administrative hearing conducted after notice of the proposed suspension or revocation has been sent to the licensee:*

- (.1) repeated failure to comply with the provisions of The Philadelphia Code;
- (.2) failure to obtain or maintain the insurance required by this Section;
- (.5) failure to secure required permits;
- (.7) repeated failure to provide the Department with accurate cost estimates of construction activity on permit applications;
- (.8) performing the installation, alteration, repair, testing, servicing, inspection or certification of a fire protection system in a reckless or grossly negligent manner, or engaging in intentional or knowing misconduct in the providing of such services

## **§ 9-2510- Penalties.**

(5) The Department shall revoke, for a period of up to one year, the fire suppression systems contractor license issued pursuant to the Fire Prevention Code and the contractor license issued pursuant to Code Section [9-1004](#) of any person, corporation, partnership or other business entity that knowingly or recklessly violates any provision of this Chapter.



# Enforcement- 2021 and Beyond

- AIU promises strict enforcement of the §9-1005 and §9-2500 requirements. Philadelphia's Fire Suppression System Contractors, Workers, and Apprentices are on the front lines of protecting public safety, and so we will be holding the industry to the highest standard.
- AIU will continue to swiftly investigate any complaints submitted to 311.
- AIU will continue to receive referrals from construction inspectors who develop reason to believe that a violation of §9-1005 or §9-2500 is occurring.
- AIU will be launching a Fire Suppression Permit Audit in February 2021. Each month AIU will randomly select at least 10 active fire suppression permits and investigate the work occurring under those permits for compliance with §9-1005 and §9-2500.



# Enforcement- 2021 and Beyond (continued)

- Violations will result in the issuance of a Notice of License Violation. This Notice will result in the imposition of a fine, and multiple violations will result in further investigation.
- Any Fire Suppression System Contractor that is knowingly or recklessly violating the requirements set forth in §9-2500 or is repeatedly violating the requirements set forth in §9-1005 may be subject to a license suspension or license revocation.
- We are working with license issuance to improve how we review fire suppression apprentice permit applications to ensure that permits are only issued when we know that the applicant is actively enrolled in a registered Fire Suppression Apprenticeship program.



# Conclusion

- General Questions can be submitted to [AIU@phila.gov](mailto:AIU@phila.gov). No site-specific questions or complaints, please.
- A copy of this slideshow will be emailed to all licensed fire suppression system contractors, workers, and apprentices, and a copy will be uploaded to the L&I website.
- Find a copy of the Philadelphia Code here:  
<https://codelibrary.amlegal.com/codes/philadelphia/latest/overview>