

Legislation Text

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Adding a new Chapter 9-2500 to The Philadelphia Code, entitled “Fire Suppression System Workers;” providing for the examination and certification of fire suppression system workers and the permitting of fire suppression system apprentices; prohibiting the performance of fire suppression system work without the necessary certification and/or permit; and providing for penalties; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-2500 is hereby added to The Philadelphia Code as follows:

CHAPTER 9-2500. FIRE SUPPRESSION SYSTEM WORKERS

§ 9-2501. *Definitions.*

(1) *Contractor.* A person that offers to undertake the installation, alteration, repair, testing, servicing, maintenance, inspection and/or certification of fire suppression systems, or any part of such systems.

(2) *Fire Prevention Code.* Subcode F of the Building Construction and Occupancy Code (Title 4 of The Philadelphia Code) and the regulations adopted thereunder.

(3) *Fire Suppression System.* An automatic or manual system designed to protect occupants and/or buildings or structures from fire. Such systems include, but are not limited to, water sprinkler, water spray, foam-water, foam-water spray, carbon dioxide, foam extinguishing, dry chemical, wet chemical, halogenated and other chemical systems used for fire protection. Such systems also include the supply mains, yard hydrants, standpipes and hose connections to sprinkler systems. Additionally, tank heaters, air lines and thermal systems used in connection with sprinklers, tanks and pumps dedicated for fire suppression use are included.

(4) *Fire Suppression System Certificate.* A Certificate I or Certificate II issued under the Fire Prevention Code.

(5) *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.

(6) *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.

§ 9-2502. *Prohibited Conduct.*

(1) No person shall engage, or cause or direct any other person to engage, in work on a fire

suppression system who does not have a valid fire suppression system certificate in the classification relating to the work performed or apprentice permit.

(2) No contractor shall solicit, by sign, listing or any other form of advertisement, work on a fire suppression system unless it employs duly certified and permitted persons.

(3) No person shall knowingly or recklessly make any misrepresentation or omission regarding the status of a person's fire suppression system certification or apprentice permit with the intent to influence, persuade, or induce an individual to contract for fire suppression system work.

(4) No person shall knowingly or recklessly make a misrepresentation or omission regarding fire suppression system work which has been performed or which is to be performed.

(5) The provisions of this Chapter are meant to supplement, and not replace, the provisions of the Fire Prevention Code, provided, however, that to the extent the provisions conflict in any respect, the provisions of this Chapter shall prevail. This Chapter provides requirements in connection with obtaining a fire suppression systems Certificate I or II in addition to those set forth in the Fire Prevention Code. The Certificate I or Certificate II of any certificate holder issued before the effective date of this Chapter shall remain valid for a period of three years from the effective date of this Chapter and thereafter must be renewed pursuant to this Chapter. This Chapter is not intended to regulate requirements related to work on portable fire extinguishers or the requirements for obtaining a fire suppression systems Certificate III.

§ 9-2503. Powers And Duties Of Department of Licenses And Inspections.

(1) The Department shall issue fire suppression system certificates and apprentice permits under this Chapter and enforce the provisions of this Chapter.

(2) The Department may adopt regulations regarding the issuance of certificates and permits under this Chapter and regarding enforcement of this Chapter that are not inconsistent with this Chapter.

§ 9-2504. Fire Suppression System Certification.

(1) To obtain a fire suppression system certificate, an applicant must pay an application fee of \$150 and either:

(a) take and pass an examination pursuant to the Fire Prevention Code;

(b) meet the qualifications for reciprocity pursuant to Section 9-2506 of this Chapter; or

(c) meet the requirements of Section 9-2507 of this Chapter during the one-year grace period established by that section and apply for such certification within the time frame specified in that section.

(2) To take an examination pursuant to the Fire Prevention Code to obtain a fire suppression system certificate, an applicant is required to provide the Department, in addition to any other information required by the Department, evidence demonstrating that he or she has successfully completed a registered fire suppression system apprenticeship program.

(3) *The Department shall issue a certification card to persons who meet the qualifications for a certificate. Certificate holders shall carry such card at all times when performing fire suppression system work.*

§ 9-2505. *Fire Suppression System Apprentice Permitting.*

(1) *To obtain a fire suppression system apprentice permit, an applicant must pay an application fee of \$75 and either:*

- (a) *meet the qualifications for reciprocity pursuant to Section 9-2506 of this Chapter; or*
- (b) *obtain a permit under subsection (2) of this Section.*

(2) *The Department shall issue a fire suppression system apprentice permit to any person who:*

- (a) *completes an application for such a permit established by the Department; and*
- (b) *is enrolled in a registered fire suppression system apprenticeship program.*

(3) *A fire suppression system apprentice permit issued by the Department shall be valid only for such time as the holder is enrolled in a registered fire suppression system apprenticeship program in accordance with this Chapter.*

(4) *Nothing in this Chapter shall be construed to prohibit a fire suppression system apprentice who is issued a permit pursuant to this Chapter from engaging in work regulated by this Chapter, provided the apprentice is working under the supervision of a fire suppression system certificate holder certified in the relevant classification of work.*

§ 9-2506. *Reciprocity.*

The Department shall issue a certificate or apprentice permit without examination, and by reciprocity, to any currently practicing fire suppression system worker who:

- (1) *completes an application for certification or permit by reciprocity established by the Department;*
- (2) *holds a similar authorization granted by any other state or local jurisdiction which establishes qualification requirements equal to, or greater than, those established under this Code (provided that the state or local jurisdiction grants such authorizations to any currently practicing, competent person holding a certificate or apprentice permit under this Code); and*
- (3) *pays a fee of \$150.*

§ 9-2507. *Grace Period For Transition To Full Certification And Permitting Requirements.*

(1) *No person shall be required to possess any certificate or permit mandated by this Chapter in the first 180 days from the effective date of this Chapter. During the period from 181 days after the effective date of this Chapter through one year after the effective date of this Chapter, no person shall be required to possess any*

certificate or permit mandated by this Chapter provided he or she has submitted the necessary certificate or permit application within 180 days from the effective date of this Chapter.

(2) The Department shall issue a fire suppression system certificate without examination to any person who submits an application for a fire suppression system certificate during the 180 day period after the effective date of this Chapter, provided the applicant pays the required application fee and submits evidence demonstrating he or she has:

(a) performed at least 10,000 hours of documented full-time practical experience working on fire suppression systems; or

(b) has completed a registered fire suppression system apprenticeship program.

§ 9-2508. *Registry of Fire Suppression System Certificate And Permit Holders.*

To promote the effective enforcement of this Chapter, the Department shall maintain a central registry of the names of all persons to whom it has issued fire suppression system certificates and apprentice permits. This list shall be available for inspection to the public and shall be updated each month to reflect new licenses or permits issued. This list shall also identify the names of any person whose certificate or permit has been revoked or suspended.

§ 9-2509. *Expiration Of Certificates And Permits.*

Any fire suppression system certificate or apprentice permit issued by the Department under this Chapter shall be valid for a period of three years from the date it is issued and must thereafter be renewed. The Department shall renew for a period of three years any certificate or permit issued under this Chapter upon receiving from the renewal applicant a completed renewal form, as established by the Department and the required renewal fee. Renewal fees for certifications shall be \$150. Renewal fees for apprentice permits shall be \$75.

§ 9-2510. *Penalties.*

(1) Any person who violates any provision of this Chapter or regulation adopted by the Department under this Chapter is subject to a fine of not less than \$50 or more than \$300 for each violation.

(2) Each day a person performs fire suppression system work without having a required certificate or apprentice permit in violation of this Chapter shall be a separate violation of this Chapter for which such person shall be liable. Each day a person, corporation, partnership or other business entity employs a person to perform fire suppression system work who does not have a certificate or apprentice permit in violation of this Chapter shall be a separate violation of this Chapter for which such person or entity shall be liable.

(3) The Department may revoke or suspend a certificate or apprentice permit for any violation of this Chapter or regulation adopted by the Department under this Chapter or upon a finding of technical incompetence.

(4) The Department shall not permit any person who is found in violation of any provision of this Chapter to apply for a certificate or apprentice permit for a period of up to one year. This prohibition may be waived by the Department in its discretion upon a showing of good cause by the applicant.

(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.

Explanation:

Italics indicate new matter added.