Legislation Details (With Text)

File #:	200365	**Version:**	1	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	6/11/2020			**In control:**	Committee on Licenses and Inspections
On agenda:				**Final action:**	9/10/2020
Title:	Amending Chapter 9-2500 of The Philadelphia Code, entitled “Fire Suppression System Workers,” to provide for additional licensing requirements for fire suppression system workers, all under certain terms and conditions.				
Sponsors:	Councilmember Henon				
Indexes:					
Code sections:	9-2500 - FIRE SUPPRESSION SYSTEM WORKERS				
Attachments:	1. Bill No. 20036501, As Amended.pdf, 2. CertifiedCopy20036501.pdf				

Date	Ver.	Action By	Action	Result	Tally
9/17/2020	1	MAYOR	SIGNED		
9/10/2020	1	CITY COUNCIL	READ AND PASSED	Pass	16:1
6/23/2020	0	Committee on Licenses and Inspections			
6/23/2020	0	Committee on Licenses and Inspections			
6/23/2020	0	Committee on Licenses and Inspections			
6/23/2020	1	Committee on Licenses and Inspections			
6/11/2020	0	CITY COUNCIL	Introduced and Referred		

Amending Chapter 9-2500 of The Philadelphia Code, entitled “Fire Suppression System Workers,” to provide for additional licensing requirements for fire suppression system workers, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HERBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUISNESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-2500. FIRE SUPPRESSION SYSTEM WORKERS

§ 9-2501. Definitions.

* * *

(2) Fire [Prevention] Code.Subcode F of the Building Construction and Occupancy Code (Title 4 of The

Philadelphia Code) and the regulations adopted thereunder.

(4) Fire Suppression System Certificate. A [Certificate I or Certificate II] *certificate* issued under [the Fire Prevention Code] *Section 9-2504 of the Philadelphia Code*.

(5) Specialty Fire Suppression System Certificate. A certificate issued under Section 9-2505 of The Philadelphia Code.

(6) Commercial Kitchen Fire Extinguishing System Certificate. A certificate issued under Section 9-2506 of the Philadelphia Code.

[(5)]*(7)* Registered Fire Suppression System Apprenticeship Program. A program of apprenticeship training *approved by and* registered with the United States Department of Labor or a State Apprenticeship Council *pursuant to 29 C.F.R. § 29.1 through § 29.13 consisting of* 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)]*(8)* 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 *and initial testing of new fire suppression systems.*

(9) Work On A Commercial Kitchen Fire Extinguishing System. The layout, on-site fabrication, testing, inspections, certification, work and practice concerning the construction, installation, alteration, extension, removal, repair, servicing, maintenance or renovation of a commercial kitchen fire extinguishing system.

§ 9-2502. Prohibited Conduct.

* * *

[(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.]

(*2) No person shall engage, or cause or direct any other person to engage, in the inspection or testing of a water-based fire suppression system, including any inspection or testing activities required pursuant to the Philadelphia Fire Code or the National Fire Prevention Association Standard 25, who does not have a specialty fire suppression system certificate issued in accordance with Section 9-2505 of this Chapter. This section shall not apply to initial testing of new fire suppression systems required prior to first operation.*

(3) No person shall engage, or cause or direct any other person to engage, in work on a commercial kitchen fire extinguishing system who does not have a valid fire suppression system worker certificate under section 9-2504, a valid commercial fire extinguishing system certificate, apprentice permit, or otherwise meets the criteria set forth under Section 9- 2506 of this Chapter.

[(3)]*(4)* 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)]*(5)* 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.

(6) No person shall perform an inspection or test on a fire suppression system, including inspections or tests required by the National Fire Prevention Association Standard 25 or applicable provisions of the Philadelphia Fire Code, unless he or she shall possess a fire suppression system certification and a specialty fire suppression system certificate as required by this Chapter. Any certification or other documentation indicating testing or inspection of a fire suppression system shall be completed only by persons authorized to perform such tests or inspections under this Chapter. Any documentation that fails to comply with these requirements shall be deemed void for purposes of code requirements. This section shall not apply to initial testing of new fire suppression systems required prior to first operation.

[(5)]*(7)* 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] *II*.

* * *

§ 9-2505. Specialty Fire Suppression System Certification.

(1) To obtain a specialty fire suppression system certificate, an applicant must pay an application fee of $51 and:

(a) possess a fire suppression certificate issued in accordance with section 9-2504 of this Chapter; and

(b) present proof that he or she has obtained the ASSE 15010 Water-Based Fire Protection Certification administered by the American Society of Sanitary Engineers.

(2) A person working under an apprentice permit issued in accordance with Section 9-2507 may participate in inspections and testing activities provided he or she is only serving in an apprentice capacity under the supervision of a person on site possessing the required certificates under this Chapter.

(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.

(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.

§ 9-2506. Commercial Kitchen Fire Extinguishing System Certification.

(1) To obtain a commercial kitchen fire extinguishing system certificate, an applicant must pay an application fee of $155 and:

(a) present proof that he or she has obtained the National Institute for Certification in Engineering

Technologies (NICET) Level III Certification in Special Hazards Systems or possess a fire suppression certificate issued in accordance with section 9-2504 of this Chapter.

(2) A person working under an apprentice permit issued in accordance with Section 9-2507 or possessing a NICET Level 1 or II Certification in Special Hazards Systems may participate in work on a special hazards fire suppression system under the supervision of a person on site possessing the required certificates under this Chapter.

(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.

(4) Those working under a valid NICET Level 1 or II Certification shall carry such card at all times when performing fire suppression system work.

(5) 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 or a commercial kitchen fire extinguishing system certificate holder.

* * *

§[9-2505] *9-2507.* Fire Suppression System Apprentice Permitting.

* * *

§ [9-2506] *9-2508*. Reciprocity.

* * *

[§ 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] *9-2509*. Registry of Fire Suppression System Certificate and Permit Holders.

* * *

§ [9-2509] *9-2510*. Expiration of Certificates and Permits.

(1) Any fire suppression system certificate, *specialty fire suppression system certificate, commercial kitchen fire extinguishing 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.

(2) 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.

(3) An applicant seeking a renewal of a fire suppression system certificate shall provide proof that he or she has completed at least twenty-four hours of course work or seminars in current NFPA standards at a registered fire suppression system apprenticeship program or an organization approved by the Department. The applicant or licensee shall furnish the Department with a completion certificate indicating the course activity and the length in hours of each course. Additional options for satisfying this requirement shall include:

(a) The submission of a valid ASSE 15010 Water-Based Fire Protection Certification administered by the American Society of Sanitary Engineers shall provide sufficient proof; or

(b) The submission of a valid NICET Level II or higher Certification shall provide sufficient proof.

(4) An applicant seeking a renewal of a specialty fire suppression system certificate shall provide proof that he or she has a current, valid ASSE 15010 Water-Based Fire Protection Certification administered by the American Society of Sanitary Engineers.

(5) An applicant seeking a renewal of a commercial kitchen fire extinguishing system certificate shall provide proof that he or she has a current, valid (NICET) Level III Certification in Special Hazards Systems.

(6) An applicant seeking the renewal of an apprentice permit shall provide proof that he or she is currently enrolled in a registered fire suppression system apprenticeship program.

(7) Renewal fees for fire suppression system and commercial kitchen fire extinguishing system certifications shall be [$150] *$155*. *Renewal fees for specialty fire suppression system certificates shall be $51.* Renewal fees for apprentice permits shall be [$75] *$77*.

* * *

§ [9-2510] *9-2511*. Penalties.

* * *

SECTION 2. This Ordinance shall be effective 18 months after becoming law.

[Brackets] indicate matters deleted

powered by Legistar™

Italics indicate ne matter added