

DEPARTMENT OF PUBLIC SAFETY

Division of Fire Prevention and Control

8 CCR 1507-101

BUILDING AND FIRE CODE ADOPTION AND CERTIFICATION OF INSPECTORS FOR FIRE & LIFE SAFETY PROGRAMS ADMINISTERED BY THE STATE OF COLORADO

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to Section 24-33.5-1203.5, C.R.S., the Director of the Colorado Division of Fire Prevention and Control shall promulgate rules and adopt codes as necessary to carry out the duties of the Division of Fire Prevention and Control. This rule is proposed pursuant to this authority and is intended to be consistent with the requirements of the State Administrative Procedures Act, Section 24-4-101, et seq., C.R.S.

C.R.S. Title 24 Article 33.5 Part 12 directs that fire suppression systems installed in commercial and residential occupancies are designed, installed, inspected and maintained according to the codes and standards adopted by the Director of the Division of Fire Prevention & Control.

The Division of Fire Prevention and Control is authorized to certify a person with fire suppression system inspector and/or plan review responsibilities by the provisions of section 24-33.5-1206.4, C.R.S.


The Division of Fire Prevention and Control is authorized to certify a person with third-party building inspector responsibilities by the provisions of section 24-33.5-1213.5, C.R.S.

The purpose of this rule change is to address the need to update, through amendment, the code provisions that address the use of antifreeze solutions in fire suppression systems for the purposes of freeze protection. Installation design parameters and their associated system modifications, cost of the antifreeze product, and lack of listed antifreeze product availability have created significant hardships in complying with the provision outlined in the currently adopted edition of the code that all antifreeze systems would be required to replace the antifreeze with a "listed" antifreeze by September 30, 2022. The rule change provides relief of this hardship, while still maintaining an industry-recognized appropriate level of safety.

Additionally, this rule change adds the requirements to certify special inspectors under the third-party building inspector certification program to support the need to document the qualifications of an individual performing such work within the programs administered by the Colorado Division of Fire Prevention and Control.

This rule change also allows for general clean-up of grammatical and formatting inconsistencies or errors.

The implementation of rules to carry out the purpose of amending the code requirements related to the use of antifreeze solutions in fire suppression systems for the purposes of freeze protection is necessary for the immediate preservation of the public peace, health, or safety; delay in the promulgation of these rules would be contrary to the purpose of Section 24-33.5-1203.5, C.R.S.



Mike Morgan, Division Director
Colorado Department of Public Safety
Division of Fire Prevention and Control

11/17/2022
Date of Adoption

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

APPLICABILITY

These rules and regulations apply to all buildings and life safety systems subject to the oversight of the Colorado Department of Public Safety, Division of Fire Prevention and Control and persons conducting Fire and Life Safety and Building Code plan reviews and inspections on behalf of the Division pursuant to the provisions of C.R.S. 44-30-515, C.R.S. 24-4-103, C.R.S. 24-33.5-2003 and 2008, and C.R.S. Title 24 Article 33.5 Part 12.

ARTICLE 1 - AUTHORITY TO ADOPT RULES AND REGULATIONS

- 1.1 The Director of the Division of Fire Prevention and Control is authorized by the provisions of section 24-33.5-1203.5, C.R.S., to promulgate rules in order to carry out the duties of the Division of Fire Prevention and Control.
- 1.2 Statutory Authority to Adopt Codes and Standards
 - 1.2.1 Section 44-30-515, C.R.S. establishes the authority and duty of the Division of Fire Prevention & Control to establish minimum safety standards for limited gaming structures.
 - 1.2.2 Section 24-33.5-1203.5(2), C.R.S. establishes the authority and duty of the Director of the Division of Fire Prevention & Control to establish minimum codes and standards for waste tire facilities.
 - 1.2.3 Section 24-33.5-1212.5, C.R.S. establishes the authority and duty of the Director of the Division of Fire Prevention & Control to establish minimum codes and standards for health facility buildings or structures.
 - 1.2.4 Sections 24-33.5-1213.3, 22-32-124, and 23-71-122, C.R.S. establish the authority and duty of the Director of the Division of Fire Prevention & Control to establish minimum codes and standards for public school buildings or structures.
 - 1.2.5 Section 24-33.5-1206.3, C.R.S. establishes the authority and duty of the Director of the Division of Fire Prevention & Control to establish minimum codes and standards for the design, installation, inspection, and testing of fire suppression systems in commercial and residential structures.
 - 1.2.6 Section 24-33.5-2004(7), C.R.S. establishes the authority and duty of the Director of the Department of Public Safety to promulgate rules to implement the provision of part 20, including the adoption of minimum standards for the discharge of fireworks, as required by Section 24-33.5-2003, C.R.S.
 - 1.2.7 Section 24-33.5-2008, C.R.S. establishes the authority and duty of the Director of the Division of Fire Prevention & Control to establish minimum codes and standards for the storage of fireworks in an area where the governing body has not adopted a fire code.
- 1.3 Statutory Authority to Certify Inspectors

- 1.3.1 Section 24-33.5-1211 C.R.S. establishes the authority and duty of the Division to certify persons to conduct Fire and Life Safety Code plan reviews and inspections on behalf of the Division.
- 1.3.2 Section 24-33.5-1213.5 C.R.S. establishes the authority and duty of the Division to certify persons to conduct Third-party Building Code inspections on behalf of the Division.
- 1.3.3 Section 24-33.5-1206.4 C.R.S. establishes the authority and duty of the Division to certify a person to conduct fire suppression system inspections and plan reviews on behalf of the Division.

ARTICLE 2 - DEFINITIONS

- 2.1 The definitions provided in 24-33.5-1202, C.R.S., apply to these rules. The following additional definitions also apply:

“Authority Having Jurisdiction” or “AHJ” means the Division, Building Department, Fire Chief, Fire Marshal, or other designated official of a county, municipality, special authority, or special district that has code enforcement responsibilities and employs a building inspector or certified fire inspector.

“Building Department” means the Building Department (or a contracted third party acting on their behalf) of the Division, authority, county, town, city, or city and county.

“Business Entity” means any organization or enterprise and includes, but is not limited to, a sole proprietor, an association, corporation, business trust, joint venture, limited liability company, limited liability partnership, partnership or syndicate. For the purposes of these rules the Business Entity may elect to be represented by a designated representative through a written delegation of authority.

“Certificate of Compliance” means an official document issued by applicable local building and/or fire code Authority Having Jurisdiction and approved by the Division, stating that materials and products meet specified standards, or that work was performed in compliance with approved construction documents.

“Certificate of Occupancy” means an official document issued by the Authority Having Jurisdiction which authorizes a building or structure to be used or occupied for a specified purpose.

“Construction” means work that is not considered as maintenance or service and that requires a permit as prescribed in the adopted codes and standards of the local Authority Having Jurisdiction or the Division.

“C.R.S.” means Colorado Revised Statutes.

“Department” means the Department of Public Safety.

“Designated Representative” means a person designated by the Business Entity to act on their behalf through a written delegation of authority and is allowed to act in such manner as outlined in these rules.

“Director” means the Director of the Division of Fire Prevention and Control.

“Division” means the Division of Fire Prevention and Control in the Department of Public Safety.

“Executive Director” means the Executive Director of the Colorado Department of Public Safety.

“Fire Code Official” means the designated authority charged with the administration and enforcement of the Fire Code.

“ICC” means the International Code Council.

“Individual” or **“Person”** means a person, including an owner, manager, officer, employee, or individual.

“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.

“Installation” means the initial placement of equipment or the extension, modification, or alteration of equipment after the initial placement.

“Maintenance” means to sustain in a condition of repair that will allow performance as originally designed or intended. Maintenance does not include replacement of elements of a system which alter the performance criteria of the system as approved by the Authority Having Jurisdiction.

“Maintenance and Complaint Inspections” means periodic inspections or inspections conducted based on an allegation of nonconformance conducted by the local fire department or the Division to verify conformance with the adopted codes, rules, and standards. Such inspections are not to 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 codes, rules, and standards.

“NICET” means the National Institute for Certification in Engineering Technologies.

“NFPA” means the National Fire Protection Association.

“Qualified Fire Department” means a fire department that has Certified Fire Inspectors at the appropriate level for the fire prevention-related task being performed and provides fire protection service for the Business Entity’s buildings and structures.

“Service (Or Repair)” means to repair in order to return the system to operation as originally designed or intended.

“Special Inspector” means individuals that have been certified by the Division to perform special inspections services in accordance with Article 4.1 of this rule.

“Temporary Certificate of Occupancy” means an official document issued by the Authority Having Jurisdiction which authorizes a building or structure to be temporarily used or occupied for a period not to exceed 90 days, unless an extension has been granted by the Authority Having Jurisdiction.

“Third-Party Inspector” means building inspectors that have been certified by the Division to perform third party inspection services in accordance with Article 4.1 of this rule.

ARTICLE 3 - CODES, DOCUMENTS, AND STANDARDS INCORPORATED BY REFERENCE

- 3.1 The technical requirements of these rules are supported primarily by codes developed by the International Code Council and the National Fire Protection Association. These two organizations are membership associations dedicated to building safety and fire prevention. These rules establish minimum requirements where the Division is the Authority Having Jurisdiction for building systems using prescriptive and performance related provisions, which are widely used to construct residential and commercial buildings. The appropriate portions of the adopted codes (particularly in relation to classification of occupancy) will be applied as prescribed by the adopted codes themselves. Where there are differing provisions for new and existing construction, all new work taking place after July 1, 2021 must meet the requirements for new construction, as amended by the provisions of IEBC and NFPA 101, and subject to the restrictions of Section 3.4.2 of this rule.

3.2 The following codes and their referenced standards are adopted and promulgated as minimum standards for the construction and maintenance of all property, buildings, and structures subject to the oversight of the Colorado Department of Public Safety, Division of Fire Prevention and Control pursuant to the provisions of C.R.S. 44-30-515 and C.R.S. Title 24 Article 33.5 Part 12.:

3.2.1 The following Building Codes are adopted by these regulations. Wherever Division or Department regulations refer to a Building Code, the following codes and standards will be enforced by the Division where applicable:

International Building Code - 2021 Edition, First Printing: October 2020 (Copyright 2020 by International Code Council, Inc. Washington D.C.).

International Mechanical Code - 2021 Edition, First Printing: March 2020 (Copyright 2020 by International Code Council, Inc. Washington D.C.).

International Energy Conservation Code - 2021 Edition, First Printing: January 2021 (Copyright 2021 by International Code Council, Inc.).

International Existing Building Code- 2021 Edition, First Printing: December 2020 (Copyright 2020 by International Code Council, Inc.).

International Residential Code, 2021 Edition, First Printing: December 2020 (Copyright 2020 by the International Code Council, Inc. Washington, D.C.).

NFPA 170 Standard for Fire Safety and Emergency Symbols – 2021 Edition, First Printing: October 2020 (Copyright 2020 by National Fire Protection Association). This supersedes all references to NFPA 170 within the International Building Code.

3.2.2 The following Fire Codes are adopted by these regulations. Wherever Division or Department regulations refer to a Fire Code, the following codes and standards will be enforced where applicable:

International Fire Code, 2021 Edition, First Printing: October 2020 (Copyright 2020 by the International Code Council, Inc. Washington, D.C.).

International Wildland-Urban Interface Code, 2021 Edition, First Printing: August 2020 (Copyright 2020 by International Code Council, Inc.).

NFPA 3 Standard for Commissioning of Fire Protection and Life Safety Systems, 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 4 Standard for Integrated Fire Protection and Life Safety System Testing 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 99 Health Care Facilities Code – 2012 Edition, Fourth Printing: April 2013 (Copyright 2011 by National Fire Protection Association). This supersedes all references to NFPA 99 within the International Fire Code.

NFPA 170 Standard for Fire Safety and Emergency Symbols – 2021 Edition, First Printing: October 2020 (Copyright 2020 by National Fire Protection Association). This supersedes all references to NFPA 170 within the International Fire Code.

3.2.3 The following Life Safety and Health Facility Construction Codes and Standards are adopted by these regulations. Wherever Division regulations refer to a Life Safety Code, the following codes, standards, and guidelines will be enforced where applicable:

NFPA 101 Life Safety Code – 2012 Edition, First Printing: September 2011 (Copyright 2011 by National Fire Protection Association).

NFPA 101A Guide on Alternative Approaches to Life Safety – 2013 Edition, First Printing:

June 2013 (Copyright 2013 by National Fire Protection Association).

NFPA 99 Health Care Facilities Code – 2012 Edition, Fourth Printing: April 2013 (Copyright 2011 by National Fire Protection Association).

NFPA 3 Standard for Commissioning of Fire Protection and Life Safety Systems, 2015 Edition (Copyright 2015 by National Fire Protection Association Inc.).

NFPA 4 Standard for Integrated Fire Protection and Life Safety System Testing 2015 Edition (Copyright 2015 by National Fire Protection Association Inc.).

NFPA 170 Standard for Fire Safety and Emergency Symbols – 2021 Edition, First Printing: October 2020 (Copyright 2020 by National Fire Protection Association). This supersedes all references to NFPA 170 within the Life Safety Code.

3.2.4 The following standards are adopted by the Division for the design, installation, and maintenance of Fire Suppression Systems within the State of Colorado:

NFPA 3 Standard for Commissioning of Fire Protection and Life Safety Systems, 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 4 Standard for Integrated Fire Protection and Life Safety System Testing 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 11 Standard for Low, Medium, and High Expansion Foam 2016 Edition (Copyright 2015 by National Fire Protection Association Inc.).

NFPA 12 Standard for the Installation of Carbon Dioxide Extinguishing Systems 2018 Edition (Copyright 2017 by National Fire Protection Association Inc.).

NFPA 12A Standard for the Installation of Halon 1301 Fire Extinguishing Systems, 2018 Edition (Copyright 2017 by National Fire Protection Association Inc.).

NFPA 13 Standard for the Installation of Sprinkler Systems, 2019 Edition, (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 13D Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 13R Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 14 Standard for the Installation of Standpipe and Hose Systems, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 15 Standard for Water Spray Fixed Systems for Fire Protection, 2017 Edition (Copyright 2016 by National Fire Protection Association Inc.).

NFPA 16 Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 17 Standard for Dry Chemical Extinguishing Systems, 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 17A Standard for Wet Chemical Extinguishing Systems, 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 18 Standard for Wetting Agents, 2021 Edition (Copyright 2020 by National Fire

Protection Association Inc.).

NFPA 18A Standard for Water Additives for Fire Control and Vapor Mitigation, 2017 Edition (Copyright 2016 by National Fire Protection Association Inc.).

NFPA 20 Standard for the Installation of Stationary Pumps for Fire Protection, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 22 Standard for Water Tanks for Private Fire Protection, 2018 Edition (Copyright 2017 by National Fire Protection Association Inc.).

NFPA 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 25 Standard for the Inspection, Testing, and Maintenance of Water Based Fire Protection Systems, 2020 Edition (Copyright 2019 by National Fire Protection Association Inc.).

1. In the Division's adoption of NFPA 25 (2020 edition) section 5.3.4.4 is deleted in its entirety and replaced with the following:

5.3.4.4

Except as permitted by 5.3.4.4.1 and 5.3.4.4.3, all antifreeze systems shall utilize listed antifreeze solutions.

5.3.4.4.1 *

For systems installed prior to September 30, 2012, listed antifreeze solutions shall not be required where one of the following conditions is met:

(1)* The concentration of the antifreeze solution shall be limited to 30 percent factory premixed propylene glycol by volume or 38 percent factory premixed glycerine by volume.

(2)* Antifreeze systems with concentrations in excess of 30 percent but not more than 40 percent factory premixed propylene glycol by volume and 38 percent but not more than 50 percent factory premixed glycerine by volume shall be permitted based upon an approved deterministic risk assessment prepared by a qualified person approved by the authority having jurisdiction.

5.3.4.4.2

Newly introduced solutions shall be factory premixed antifreeze solutions (chemically pure or United States Pharmacopeia 96.5 percent).

5.3.4.4.3

Premixed antifreeze solutions of propylene glycol exceeding 30 percent concentration by volume shall be permitted for use with ESFR sprinklers where the ESFR sprinklers are listed for such use in a specific application.

NFPA 72 National Fire Alarm and Signaling Code, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.). (The documentation requirements of Sections 7.3, 7.4, 7.5, and 7.8 are hereby also adopted as part of these rules.)

NFPA 170 Standard for Fire Safety and Emergency Symbols – 2021 Edition, First Printing: October 2020 (Copyright 2020 by National Fire Protection Association).

NFPA 291: Recommended Practice for Fire Flow Testing and Marking of Hydrants, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 409 Standard on Aircraft Hangars, 2016 Edition (Copyright 2015 by National Fire

Protection Association Inc.).

NFPA 418 Standard for Heliports, 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 423 Standard for Construction and Protection of Aircraft Engine Test Facilities, 2016 Edition (Copyright 2014 by National Fire Protection Association Inc.).

NFPA 750 Standard on Water Mist Fire Protection Systems, 2019 Edition (Copyright 2018 by National Fire Protection Association Inc.).

NFPA 770 Standard on Hybrid (Water and Inert Gas) Fire-Extinguishing Systems, 2021 Edition (Copyright 2020 by National Fire Protection Association Inc.).

NFPA 1142 Standard on Water Supplies for Suburban and Rural Firefighting, 2017 Edition (Copyright 2016 by National Fire Protection Association Inc.).

NFPA 2001 Standard on Clean Agent Fire Extinguishing Systems, 2018 Edition (Copyright 2017 by National Fire Protection Association Inc.).

NFPA 2010 Standard for Fixed Aerosol Fire-Extinguishing Systems, 2020 Edition (Copyright 2019 by National Fire Protection Association Inc.).

- 3.2.5 The following Codes and Standards are adopted by these regulations. Wherever Division or Department regulations refer to a Code or Standard for persons dealing with fireworks, the following codes and standards will be enforced where applicable:

49 C.F.R. Part 173 as of July 1st, 2021; U.S. Department of Transportation.

NFPA 160 Standard for the Use of Flame Effects Before an Audience, 2021 Edition, First Printing: October 2020 (Copyright 2020 by National Fire Protection Association).

NFPA 170 Standard for Fire Safety and Emergency Symbols – 2021 Edition, First Printing: October 2020 (Copyright 2020 by National Fire Protection Association).

NFPA 1123, Code for Fireworks Display- 2018 Edition (Copyright 2017 by National Fire Protection Association Inc.).

NFPA 1124, Code for the Manufacture, Transportation, and Storage, and Retail Sales of Fireworks and Pyrotechnic Articles - 2013 Edition, Printing: August 2012 (Copyright 2012 by National Fire Protection Association – Quincy, MA).

NFPA 1126, Code for the Use of Pyrotechnics Before a Proximate Audience- 2021 Edition (Copyright 2019 by National Fire Protection Association Inc.).

- 3.2.6 The following Codes and Standards are adopted by these regulations. Wherever Division or Department regulations refer to Standards for Persons Performing Fire Inspections or Fire Plan Examinations, the following codes and standards will be enforced where applicable:

NFPA 1031, Standard for Professional Qualifications for Fire Inspector and Plan Examiner, 2014 Edition (Copyright 2013 by National Fire Protection Association Inc.).

- 3.3 The Division will maintain electronic copies of the complete texts of the adopted codes and standards, which are available for public inspection during regular business hours. Interested parties may inspect the referenced incorporated materials and/or be obtain certified copies of the adopted codes for a reasonable fee by contacting the Fire and Life Safety Section Chief at the Division, 690 Kipling St, Lakewood, CO, and/or The State Depository Libraries. Copies of the adopted codes and standards are available directly from the organization originally issuing the

codes and standards: the International Code Council, Inc., through the International Code Council Regional Office Bookstores, reached by calling 888-ICC-SAFE or on the web at www.iccsafe.org; the National Fire Protection Association, reached by calling 800-344-3555 or on the web at www.nfpa.org; and U.S. Department of Transportation rules, available via the Electronic Code of Federal Regulations on the web at www.ecfr.gov.

- 3.4 In the event that a new edition of a code or standard is adopted, the code or standard current at the time of permit application will remain in effect through the work authorized by the permit.
 - 3.4.1 This rule does not include later amendments or editions of the incorporated material.
 - 3.4.2 In conjunction with C.R.S. 44-30-515(1)(a) no retroactive provisions of the adopted codes shall apply to any structure licensed for limited gaming and operating prior to July 1, 2011. In these cases, the construction provisions of the adopted building codes shall only apply to new construction or remodeling work taking place after July 1, 2011.
- 3.5 All electrical work shall be conducted, inspected, and approved in accordance with the provisions of the State of Colorado's Electrical Board's rules and regulations.
- 3.6 All plumbing work shall be conducted, inspected, and approved in accordance with the provisions of the State of Colorado's Examining Board of Plumber's rules and regulations.

ARTICLE 4 - BUILDING CODE AND FIRE CODE & SUPPRESSION SYSTEMS INSPECTOR QUALIFICATION

- 4.1 Division, Special, and Third-Party Building Code Inspectors
 - 4.1.1 Wherever Division regulations refer to Division, Special, and Third-Party Building Inspectors, they must be qualified as Third-Party or Special Inspectors in accordance with this Article 4.1.
 - 4.1.2 Applicants seeking initial or renewal of Building Code Inspector certification must have the following minimum qualifications:
 - A. Third-Party Inspector:
 - 1. Hold current appropriate building inspector qualifications from ICC or other similar national organization (acceptable to the Division) and have demonstrated education, training, and experience; or
 - 2. Have at least five years of demonstrated education, training, and experience in commercial building inspections and receive national certification within one year after the date of qualification. Qualified applicants that have at least five years of demonstrated education, training, and experience in appropriate building inspections will be issued certifications for one year. Certification renewal will be contingent on the applicant obtaining commercial building inspector certification from ICC or other similar national organization (acceptable to the Division) prior to the expiration date of the applicant's inspector certification.
 - B. Special Inspector:
 - 1. Provide documentation of qualifications in conformance with the requirements of the code adopted by the Division.
 - 4.1.3 Duties of Third-Party Inspectors
 - A. Third-Party Inspectors contracted by the Business Entity shall conduct the required inspections and require corrections or modifications as necessary to

ensure that a building or structure is constructed in conformity with the Building Code adopted by the Division.

- B. Third-Party Inspectors contracted by the Business Entity shall enforce only the codes adopted by the Division.
- C. The Business Entity shall only use inspectors that are qualified by the Division to work on Health Facility or School projects. The Division shall be notified electronically in writing by the Business Entity of their selection of Third-Party Inspectors and which inspections they will be conducting on behalf of the Division.
- D. Third-Party Inspectors contracted by the Business Entity shall cause copies of their inspection reports to be sent to the Division.
- E. If all inspections are not completed but a building requires immediate occupancy, and if the Business Entity has passed the appropriate inspections that indicate there are no life safety issues, the qualified Third-Party Inspectors contracted by the Business Entity shall notify the Division of the same. Upon receipt of this notice and review of the circumstances to ensure the safety of the temporary occupancy, the Division may issue a Temporary Certificate of Occupancy to allow the Business Entity to occupy the buildings and structures.
- F. Limitations /Permissible Activities.
 - 1. A Certified Third-Party Inspector may not also be a registered contractor.
 - 2. A Certified Third-Party Inspector may not work directly for or contract with a registered contractor or contractor for the provision of inspection services.
 - 3. A Certified Third-Party Inspector may not work directly for or contract with a registered Design Professional whose company has been involved in the design or layout of the project.
 - 4. A Certified Third-Party Inspector shall contract directly, or through his employer, with the affected School Board for the provision of inspection services.

4.1.4 Duties of Special Inspectors

- A. Special Inspectors contracted by the Business Entity shall conduct the required special inspections as outlined in the currently adopted building code and as required by the Statement of Special Inspections received from the Registered Design Professional in responsible charge or the Registered Engineer of Record.
- B. Special Inspectors contracted by the Business Entity shall enforce only the codes adopted by the Division.
- C. The Business Entity shall only use Special Inspectors that are qualified by the Division for the specific special inspections as required by the Statement of Special Inspections received from the Registered Design Professional in responsible charge or the Registered Engineer of Record to work on School projects.
- D. Special Inspectors contracted by the Business Entity shall cause copies of their inspection reports to be sent to the Division
- E. Limitations/Permissible Activities.
 - 1. A Special Inspector must be qualified in accordance with the codes

adopted by the Division.

2. A Special Inspector may not work directly for, or contract with, a registered contractor or contractor for the provision of inspection services.
3. A Special Inspector may work directly for the registered design professional in responsible charge and/or the engineer of record provided they are qualified as a special inspector in accordance with the codes adopted by the Division.
4. A Special Inspector shall contract directly, or through his/her employer, with the affected School Board for the provision of inspection services.

4.1.5 General Requirements for all Third-Party and Special Inspector Certifications

- A. An inspector must apply for certification in a format provided by the Division. Application instructions are available on the Division's website (www.colorado.gov/dfpc); from the Division's offices at 700 Kipling St, Suite 4100, Denver, CO 80215; or by telephone at 303-239-4100.
- B. The applicant must submit the completed application along with the registration fee and all required supporting documentation prior to action by the Division. No cash payments will be accepted.

4.1.6 Duration of Certification

- A. Third-Party and Special Inspector Certifications are valid for a period of three-years from the date of issuance, unless earlier suspended or revoked.

4.1.7 Certification Renewal

- A. Renewal of certification is the responsibility of the certified individual.
- B. Third-Party Inspector Certification renewal requires the renewal of the national certification outlined in 4.1.2. Submit proof of national certification renewal with the renewal application.
- C. Special Inspector Certification renewal requires documentation verifying continued experience and/or training in the special inspection disciplines applied for.
- D. Applications for renewal shall be submitted no more than 30 days prior to expiration, A grace period for renewal may be extended for up to 30 days after expiration, after which a late application fee will be assessed.
- E. All applicants shall have no longer than 30 days from the original submittal to correct deficiencies in their application including missing materials or fees. Applications older than 30 days with deficiencies will be considered vacated applications and the fees surrendered.
- F. Applicants submitting more than 60 days after expiration shall submit all documentation required of a new applicant.

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

A. Denial of Certification

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

- a. Failure to meet requirements specified in these rules pertaining to the issuance of certificates and/or the renewal of certification.
 - b. Any conduct as described in Article 4.1.7.B.2 pertaining to good cause for disciplinary action.
 - c. Fraud, misrepresentation, or deception in applying for or securing certification, or in taking any written certification examination.
 - d. Aiding and abetting another person in procuring or attempting to procure certification for any person who is not eligible for certification.
- B. Revocation, suspension, or limitation of certification.
- 1. Any certification issued by the Division may be suspended, summarily suspended, revoked, or limited for good cause in accordance with the Administrative Procedures Act, Section 24-4-101, et seq., C.R.S.
 - 2. Good cause for disciplinary sanctions listed in this Article (denial, revocation, suspension, annulment, limitation, or modification of certification) shall include, but not be limited to:
 - a. Evidence that the minimum standards for certification set forth in these rules have not been met.
 - b. Material misstatement or misrepresentation on the application for certification.
 - c. Proof of unfitness.
 - d. Proof of individual's failure to meet, and continue to meet, performance standards at the level certified.
 - e. Obtaining or attempting to obtain certification or recertification by fraud, misrepresentation, deception, or subterfuge.
 - f. Materially altering any Division certificate, or using and/or possessing any such altered certificate.
 - g. 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.
 - h. Representing qualifications at any level above the person's current certification level.
 - i. Failure to pay required fees for certification.
- C. If the Division finds that grounds exist for the denial, revocation, suspension, annulment, limitation, or modification of certification of any applicant, action shall be taken according to the provisions of the Colorado Administrative Procedure Act, Section 24-4-101, et seq., C.R.S.
- D. Upon the denial, revocation, suspension, annulment, limitation, or modification of any applicant, all certificates, cards, patches or other identification issued by the

Division for said certification and accreditation levels shall be returned to the Division.

4.2 Fire & Suppression Systems Inspector Qualification

4.2.1 Wherever Division regulations state that Fire Inspectors performing construction plan review and inspections must be “Certified Fire Inspectors” or “Certified Fire Suppression Systems Inspector” as defined in section 24-33.5-1202 (2.5) and (3), C.R.S., the following shall apply.

4.2.2 General Requirements for all Fire Inspector Certifications

- A. An inspector must apply for certification in a format provided by the Division. Application instructions are available on the Division’s website (www.colorado.gov/dfpc); from the Division’s offices at 700 Kipling St, Suite 4100, Denver, CO 80215; or by telephone at 303-239-4100.
- B. The applicant must submit the completed application along with the registration fee and all required supporting documentation prior to action by the Division. No cash payments will be accepted.
- C. The application must be accompanied by a letter from the agency's chief executive or code official responsible for inspection and plan review attesting for every jurisdiction for which they are providing inspection or plan review services:
 - 1. That the individual is currently employed by, volunteers with or is contracted by a county, municipality, special district, or state agency that has fire inspection, plan review, and enforcement responsibility;
 - 2. That the agency is responsible for such enforcement in their jurisdiction;
 - 3. That the individual has the responsibility to conduct fire plan reviews and/or inspections on behalf of the jurisdiction; and
 - 4. That the individual meets the qualifications (knowledge, skills and ability) to conduct fire plan reviews and/or inspections.
- D. The applicant must provide evidence of certification, education and/or training directly related to plan review and/or inspections appropriate for the certification being sought, to include topics relevant to Fire Suppression Systems. Courses must be taught by recognized organizations or institutions including (acceptable to the Division), but not limited to:
 - 1. Regionally accredited post-secondary institutions
 - 2. National Fire Protection Association
 - 3. International Code Council
 - 4. National Fire Academy
 - 5. American Fire Sprinkler Association
 - 6. National Fire Sprinkler Association
 - 7. Sprinkler Fitters Local 669, Joint Apprenticeship and Training Committee
 - 8. IFMA Fire Protection Institution

9. State chapters of organizations or institutions listed above
- E. For applicants seeking reciprocity, submit evidence of current and valid certification from another state or jurisdiction which is determined by the Division to be at least equivalent to the requirements stated herein.
 - F. Limitations /Permissible Activities.
 1. A Certified Fire Inspector may not also be a registered contractor.
 2. A Certified Fire Inspector may not work directly for or contract with a registered contractor, contractor, or building owner for the provision of inspection services.
 3. A Certified Fire Inspector may contract directly, or through his employer, with one or more municipalities, counties, fire protection districts or other local AHJs for the provision of inspection services. In such cases where the inspector is performing inspection or plan review services for multiple jurisdictions the agency letter defined in Section 4.2.2.C shall be provided to the Division for all jurisdictions where services are to be provided within 14 days of the assumption of said duties.
- 4.2.3 There are three levels of qualification for Fire Inspectors. Inspectors must be qualified to the appropriate level defined in Sections A through C of this Article for the task performed.
- A. FIRE INSPECTOR I - In order to become qualified as Fire Inspector I, a person must meet at least one of the following criteria:
 1. Possess current and valid inspector qualification(s) issued by a nationally recognized organization (acceptable to the Division), which includes demonstrated knowledge in fire protection and life safety systems, plan review and inspection. The following qualifications are approved:
 - a. ICC Fire Inspector I
 - b. NFPA Fire Inspector I; or
 2. Submit documentation to the Division 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 should not be considered all-inclusive.
 - a. Current Colorado license as a registered professional engineer specializing in fire protection.
 - b. Submit evidence of current and valid qualification in another state, which is determined by the Division to be at least equivalent to the requirements listed herein.
 - B. FIRE INSPECTOR II - In order to become qualified as Fire Inspector II, which also qualifies the individual to conduct inspections of fire suppression systems, a person must meet at least one of the following criteria:
 1. Possess current and valid inspector qualification(s) issued by a nationally recognized organization (acceptable to the Division), which includes demonstrated knowledge in fire protection and life safety systems, plan

review and inspection. The following qualifications are approved:

- a. ICC Fire Inspector II
 - b. NFPA Fire Inspector II; or
2. Submit documentation to the Division 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 should not be considered all-inclusive.
 - a. Current Colorado license as a registered professional engineer specializing in fire protection.
 - b. Submit evidence of current and valid qualification in another state, which is determined by the Division to be at least equivalent to the requirements listed herein.
- C. FIRE INSPECTOR III – PLANS EXAMINER - In order to become qualified as Fire Inspector III – Plans Examiner, which also qualifies the individual to conduct plan review for fire suppression systems, a person must meet at least one of the following criteria:
1. Possess current and valid inspector qualification(s) issued by a nationally recognized organization, which includes demonstrated knowledge in fire protection and life safety systems, plan review and inspection. The following qualifications are approved:
 - a. ICC Fire Inspector II and ICC Fire Plans Examiner
 - b. ICC Fire Inspector II and ICC Building Plans Examiner
 - c. NFPA Fire Inspector II and NFPA Plans Examiner; or
 2. Submit documentation to the Division 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 should not be considered all-inclusive.
 - a. A combination of five (5) years of education and work experience in fire protection and/or code enforcement is required. Education must be an Associate Degree or above in Fire Science, Fire Prevention, Fire Protection Engineering or other Division approved related major. Work experience must be specifically in fire prevention, fire protection, code enforcement, or inspection.
 - b. Current Colorado license as a registered professional engineer specializing in fire protection.
 - c. Submit evidence of current and valid qualification in another state, which is determined by the Division to be at least equivalent to the requirements listed herein.

4.2.4 Duration of Certification

- A. Fire Inspector Certifications are valid for a period of three-years from the date of issuance, unless earlier suspended or revoked.
- B. Certified Fire Inspectors who are separated from employment may not perform plan review or inspection services unless they become employed with a new agency and provide a letter pursuant to Section 4.2.2.C.

4.2.5 Certification Renewal

- A. Renewal of certification is the responsibility of the certified individual. An individual who was certified as a Fire Suppression Systems Inspector or a Fire Suppression Systems Inspector-Plan Reviewer prior to April 1, 2019 may perform all of the responsibilities of a Fire Suppression Systems Inspector or a Fire Suppression Systems Inspector-Plan Reviewer until the certification is expired. Upon application for renewal he or she will need to apply to be certified as a Fire Inspector II or Fire Inspector III-Plans Examiner, whichever is applicable.
- B. Certification renewal requires an application accompanied by the following:
 - 1. A letter in accordance with section 4.2.2.C.
 - 2. Certification renewal is contingent on meeting one of the following educational requirements during the three-year certification period:
 - a. Fifteen hours of continuing education relating to the field of building construction or fire protection, as applicable, including, but not limited to, classes, seminars, and training conducted by professional organizations or trade associations; or.
 - b. Documentation to the Division of 1.5 CEU's relevant to the field of building construction or fire protection as applicable, 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).
 - c. Successful renewal of equivalent ICC or NFPA certifications shall be considered as acceptable criteria for renewal of the State inspector certification. Submit proof of ICC or NFPA renewal with the renewal application.

Participation as a student in a seminar or technical session related to building construction or fire protection and life safety systems (depending upon the certification) conducted by a qualified organization ¹ .	0.1 CEU per clock hour of attendance
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.
Participation as a student in a university, community college, junior college, technical or vocational school in a course related to, building construction or fire protection, fire prevention or life safety (depending upon the certification).	1.0 CEU per credit hour.
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 an instructor in a university, community college, junior college, technical or vocational school in a course related to building construction or fire protection, fire prevention or life safety (depending upon the certification)	1.0 CEU per credit hour.
Documented in-house training or continuous employment as a code official, plans examiner, or inspector. Training shall be documented and approved by the chief executive, fire chief or training officer for the applicant's organization.	Up to 0.3 CEU per renewal period.
Publication of a paper, book or technical article for a related textbook or professional trade journal.	1.0 CEU per publication.

¹ Pertinent courses provided by organizations listed in 4.2.2.D, as well as the National Fire Sprinkler Association, National Fire Alarm Association, American Fire Sprinkler Association, and International Fire Marshal's Association are deemed qualified. Courses provided by other entities may be accepted after review by the Division.

3. Payment of the required renewal fee.

- C. Applications for renewal shall be submitted no more than 30 days prior to expiration, A grace period for renewal may be extended for up to 30 days after expiration, after which a late application fee will be assessed.
- D. All applicants shall have no longer than 30 days from the original submittal to correct deficiencies in their application including missing materials or fees. Applications older than 30 days with deficiencies will be considered vacated applications and the fees surrendered.
- E. Applicants submitting more than 60 days after expiration shall submit all documentation required of a new applicant in addition to documentation of continuing education.

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

A. Denial of Certification

1. The Division, in accordance with the Administrative Procedures Act, Section 24- 4-101, et seq., C.R.S., may deny any certificate or refuse to renew a certificate to any applicant for, but not limited to, the following reasons:
 - a. Failure to meet requirements specified in these rules pertaining to the issuance of certificates and/or the renewal of certification.
 - b. Any conduct as described in Article 4.2.6.B.2 pertaining to good cause for disciplinary action.
 - c. Fraud, misrepresentation, or deception in applying for or securing certification, or in taking any written certification examination.
 - d. Aiding and abetting another person in procuring or attempting to procure certification for any person who is not eligible for certification.

B. Revocation, suspension, or limitation of certification.

1. Any certification issued by the Division may be suspended, summarily suspended, revoked, or limited for good cause in accordance with the Administrative Procedures Act, Section 24-4-101, et seq., C.R.S.
2. Good cause for disciplinary sanctions listed in this Article (denial, revocation, suspension, annulment, limitation, or modification of certification) shall include, but not be limited to:
 - a. Evidence that the minimum standards for certification set forth in these rules have not been met.
 - b. Material misstatement or misrepresentation on the application for certification.
 - c. Proof of unfitness.
 - d. Proof of individual's failure to meet, and continue to meet, performance standards at the level certified.
 - e. Obtaining or attempting to obtain certification or recertification by fraud, misrepresentation, deception, or subterfuge.
 - f. Materially altering any Division certificate, or using and/or possessing any such altered certificate.
 - g. 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.

- 5.1.6 Within twenty working days after the informal conference, the Director shall uphold, modify, or strike the allegations within the notice of violation and may issue an enforcement order. The decision and, if applicable, enforcement order shall be delivered to the alleged violator by certified mail, return receipt requested, or by any means that verifies receipt as reliably as certified mail, return receipt requested.
- 5.2 A person who is the subject of, and is adversely affected by, a notice of violation or enforcement order issued pursuant to Article 5 may appeal such action to the Executive Director. The Executive Director shall hold a hearing to review such notice or order and take final action in accordance with Article 11 and may either conduct the hearing personally or appoint an administrative law judge from the department of personnel.
 - 5.2.1 Final agency action shall be subject to judicial review pursuant to C.R.S. Article 4 of Title 24.
 - 5.2.2 An alleged violator who is required to correct an action pursuant to Article 12 shall be afforded the procedures set forth in section 24-4-104(3), C.R.S., to the extent applicable.
- 5.3 The Director may file suit in district court in the judicial district in which a violation is alleged to have occurred to judicially enforce an enforcement order issued pursuant to this section.
- 5.4 In addition to the remedies provided in this Article, the Director is authorized to apply to the district court, in the judicial district where the violation has occurred, for a temporary or permanent injunction to restrain any person from violation any provision of section 5.1 regardless of whether there is an adequate remedy at law.

ARTICLE 6 - FEES AND CHARGES

- 6.1 Inspector Certification Fees: The Division shall charge the following fees for inspector certifications:

Inspector Certification Fees	
Certification or Renewal of Inspectors by document review	\$75.00
Certification or Renewal of Inspectors by reciprocity of equivalent ICC or NFPA certifications	\$25.00
Late renewal fee	\$25.00

- 6.2. Fees may be waived or modified when appropriate at the discretion of the Director or his designee. Request for waiver or modification shall be in writing.

ARTICLE 7 - INQUIRIES

- 7.1 Questions, clarification, or interpretation of these Rules should be addressed in writing to: Fire & Life Safety Section Chief, Colorado Division of Fire Prevention and Control, 700 Kipling St, Suite 4100, Lakewood, CO 80215. Telephone number: (303) 239-4100.

Editor's Notes

History

New rule eff. 03/30/2019.

Rules 2.1, 3.1, 3.2, 4.1.2, 4.1.3-4.1.7, 4.2.2, 4.2.4-4.2.6, 6.1, 6.2, 7.1 eff. 06/30/2021.