



GREEN TAG/RED TAG

AMERICAN SOCIETY OF CERTIFIED ENGINEERING TECHNICIANS

ORLANDO CHAPTER
ORLANDO, FL

February 7, 2013



2012 FLORIDA STATUTES

633.082 Inspection of fire control systems, fire hydrants, and fire protection systems. - -

(2) Fire hydrants and fire protection systems installed in public and private properties, except one-family or two-family dwellings, in this state shall be inspected following procedures established in the nationally recognized inspection, testing, and maintenance standards NFPA-24 and NFPA-25 as set forth in the edition adopted by the State Fire Marshal. Quarterly, annual, 3-year, and 5 year inspections consistent with the contractual provisions with the owner shall be conducted by the certificateholder or permittees employed by the certificateholder pursuant to s. 633.521, except that:

(a) Public fire hydrants owned by a governmental entity shall be inspected following procedures established in the inspection, testing, and maintenance standards adopted by the State Fire Marshal or equivalent standards such as those contained in the latest edition of the American Water Works Association's Manual M17, "Installation, Field Testing, and Maintenance of Fire Hydrants."

(b) County, municipal, and special district utilities may perform fire hydrant inspections required by this section using designated employees. Such designated employees need not be certified under this chapter. However, counties, municipalities, or special districts that use designated employees are responsible for ensuring that the designated employees are qualified to perform such inspections.



2012 FLORIDA STATUTES

633.082 Continued

(3) The inspecting contractor shall provide to the building owner or hydrant owner and the local authority having jurisdiction a copy of the applicable inspection report established under this chapter. The maintenance of fire hydrant and fire protection systems as well as corrective actions on deficient systems is the responsibility of the owner of the system or hydrant. *Equipment requiring periodic testing or operation to ensure its maintenance shall be tested or operated as specified in the Fire Prevention Code, Life Safety Code, National Fire Protection Association standards, or as directed by the agency having jurisdiction, provided that such agency shall not require a sprinkler system not required by the Fire Prevention Code, Life Safety Code, or National Fire Protection Association standards to be removed regardless of its condition.* This section does not prohibit governmental entities from inspecting and enforcing firesafety codes.

FFPC, NFPA 1 – 10.4.3 Existing life safety features obvious to the public, if not required by the Code, shall be either maintained or removed.

A10.4.3The presence of a life safety feature, such as sprinklers or fire alarm devices, creates a reasonable expectation by the public that these safety features are functional. When systems are inoperable or taken out of service but the devices remain, they present a false sense of safety.



RULE 69A-3.012

69A-3.012 Standards of the National Fire Protection Association and Other Standards Adopted.

(1) Except as specifically modified by statute or by State Fire Marshal's rules, the Florida specific edition of NFPA 101, the Life Safety Code, 2009 edition and the Florida specific edition of NFPA 1, the Uniform Fire Code, 2009 edition, as adopted within Rule Chapter 69A-60, F.A.C., entitled the "2010 edition of the Florida Fire Prevention Code," are hereby adopted and incorporated by reference and are applicable to those buildings and structures specified in paragraphs (a) and (b) of subsection (1) of Section 633.022, F.S. In Addition, the following standards, except as specifically modified in the rule chapters in Rule Title 69A are hereby adopted and incorporated by reference and shall take effect on the effective date of this rule, as a part of the uniform fire safety standards adopted by rule by the State Fire Marshal and are applicable to those buildings and structures specified in paragraphs (a) and (b) of subsection (1) of Section 633.022, F.S.:

NFPA 25-2008 edition, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, except that quarterly flow tests shall be required for those systems supplied by a municipal water supply.



2012 FLORIDA STATUTES

633.539 Requirements for installation, inspection, and maintenance for fire Protection systems. –

2)Equipment shall be inspected, serviced, and maintained in accordance with the manufacturer's maintenance procedures and with applicable National Fire Protection Association standards. The inspection of fire protection systems shall be conducted by a certificateholder or holder of a permit issued by the State Fire Marshal. The permitholder may perform inspections on fire protection systems only while employed by the certificateholder. This section does not prohibit the authority having jurisdiction or insurance company representatives from reviewing the system in accordance with acceptable oversight standards.

633.547 Disciplinary action; fire protection system contractors; grounds for denial, nonrenewal, suspension, or revocation of certificate or permit.-

- 2) The following acts constitute cause for disciplinary action:
 - (a) Violation of any provision of this chapter or of any rule adopted pursuant thereto.
 - (g) Improperly servicing, repairing, testing, or inspecting a fire protection system, standpipe system, or underground water supply main connecting to the system.
- 3) The State Fire Marshal is authorized to take the following disciplinary action:
 - (a) She or he may suspend the certificateholder for a period not to exceed 2 years from all operations as a contractor during the period fixed by the State Fire Marshal, but she or he may permit the certificateholder to complete any contracts then incomplete.
 - (b) She or he may revoke a certificate for a period not to exceed 5 years.



RULE 69A-46.035

69A-46.035 Standards of the National Fire Protection Association to be Complied With.

The following standards of the National Fire Protection Association which are adopted in Rule Chapter 69A-3, F.A.C., including the editions as adopted therein, shall be complied with by all those holding certificates of competency as fire protection system contractors pursuant to the provisions of Chapter 633, F.S.:

(22) NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-based Fire Protection Systems, except that quarterly flow tests will be required for those systems supplied by a municipal water supply.

Declaratory statement Casselberry 35158-00 – Only a duly certified firesafety inspector or a certified fire protection contractor may flow water as part of an inspection.



2012 FLORIDA STATUTES

633.071 Standard service tag required on all fire extinguishers and preengineered systems; serial number required on all portable extinguishers; standard inspection tags required on all fire protection systems. –

3) The State Fire Marshall shall adopt by rule specifications as to the size, shape, color, information, and data contained thereon of inspection tags to be attached to all types of fire protection systems and information required on an inspection report of such an inspection.



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Rule: 69A-46.041

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Rule Title: Inspection Requirements for Fire Protection Systems

Department: [DEPARTMENT OF FINANCIAL SERVICES](#)

Division: [Division of State Fire Marshal](#)

Chapter: [FIRE PROTECTION SYSTEM CONTRACTORS AND SYSTEMS](#)



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Latest version of the final adopted rule presented in Florida Administrative Code (FAC):



Effective

Date:

5/18/2008

History

Notes:

Specific Authority [633.01 FS](#). Law Implemented [633.071](#), [633.082](#), [633.065](#), [633.547\(2\)\(e\) FS](#). History–New 10-20-93, Amended 11-21-01, Formerly 4A-46.041, Amended 5-18-08.

Rulemaking notices presented in Florida Administrative Weekly (FAW) since Jan 6, 2006 and Rule versions presented in Florida Administrative Code (FAC)

69A-46.041 Inspection Requirements for Fire Protection Systems.

(1) A Fire Protection Contractor, contracting to perform inspecting, testing, and maintenance service on a fire protection system shall comply with the requirements of Chapter 633, F.S., and the applicable NFPA standards as adopted in Rule Chapter 69A-3, F.A.C.

(2) Each system that has been inspected, tested, or maintained by a fire protection contractor, or his or her permitted Water-Based Fire Protection Inspector, shall have a record tag of durable and weather resistant material placed on the riser.

(Suggested changes – Identify each type of system and location of control valve)

(3) Inspection Tags.

(a) After inspection and testing, an inspection tag shall be completed indicating all work that has been done, and then attached to the system riser in such a position as to permit convenient inspection and not hamper activation or operation. A new inspection tag shall be attached to the system riser each time an inspection and test service is performed.

(Suggested changes – Main water control valve)

(69A-46.041 continued)

(b) Inspection tags must be a minimum dimension of 133 mm (5 ¼ inches) in height and 89 mm (3 ½ inches) in width, and a maximum dimension of 178 mm (7 inches) in height and 102 mm (4 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information shall be in a minimum of 10 pt type and in all capital letters;
2. The licensed Fire Protection System Contractor I or II's name and licensed physical address;
3. The license number of the Fire Protection System Contractor I or II;
4. The permit number of the Water-Based Fire Protection Inspector;
5. The permitted Water-Based Fire Protection Inspector's signature;

New rules effective July of 2008 required inspectors to be NICET Level I to renew their permits and must be NICET Level II by next renewal.

6. The day, month and year (to be punched), and
7. The facility name and address.

(69A-46.041 continued)

8. Affixing this tag shall not be construed to invalidate the owner's responsibility to maintain the system as provided in Section 633.082, F.S.

9. The reverse of the non-compliant tag shall include at least four separate boxes for the listing of repair work as follows:

- a. Date of Repair:
- b. Repaired by (Signature):
- c. Print Name:
- d. Type of Repair:
- e. Permit Number: (if repair is made by a Water Based Fire Protection Inspector, Permit Number must be noted.)

Repairs that are made are to be noted on reverse side to tag. Typically repairs are done by service technicians (not certified inspectors). Therefore, existing tag remains and no green tag would be placed on the system until the next scheduled inspection.

(d) Inspection tags may be printed and established for a five-year period of time.

(69A-46.041 continued)

(e) An inspection tag shall only be removed by the Fire Protection System Contractor or his permitted Water-Based Fire Protection Inspector.

You may have an opinion as to how long a tag should remain on the system but no specific information is included in the rule. WFS intention is to leave the tags on the system and change them at the next annual inspection since the quarterly requirements are not as inclusive as the annual.

(4) Compliance and Noncompliance Tag.

(a) If a fire protection system is found to be in compliance with the applicable NFPA standards, a **GREEN** Compliance Tag shall be attached to either the main riser or main control valve in such a manner as to be plainly visible and not more than 60 inches above the finished floor.

Note that the rule specifies main riser or control valve and not more than 60 inches above the floor. Control valve may be outside! May be at the base of a standpipe riser!

(69A-46.041 continued)

(b) If a fire protection system is found to have deficiencies and is not in compliance with the applicable NFPA standards, a completed **RED** Noncompliance Tag shall be attached to the main control valve of the system to indicate that corrective action is necessary. If the system is operational but not in compliance with the applicable NFPA standards, the building owner or authorized representative and occupant shall be notified by copy of the NFPA 25 inspection report within 30 days of the inspection. *If the system is not operational, the contractor or inspector shall notify the building owner or authorized representative, the occupant, and the authority having jurisdiction within 24 hours of the time of the inspection.* (Suggested changes – Building owner or authorized representative shall notify the occupants)

Note the only location for the Red Tag is on the main control valve. As well, the notification requirement specifies the timing but not the method.

(69A-46.041 continued)

(5) The contractor shall maintain all records of any fire protection system having been inspected, serviced and maintained.

(6) These records shall be made available to the State Fire Marshal upon request.

(7) The contractor or his or her permitted Water-Based Fire Protection Inspector shall complete in detail the inspection reports as required in NFPA 25, as adopted in Rule Chapter 69A-3, F.A.C., that outlines all points of the inspection, test, and maintenance as required by the applicable NFPA standards. A copy of the inspection report shall be provided to the owner at the completion of each inspection performed.

(Suggested changes – or authorized representatives within 30 days of the inspection)

(8) The inspection report shall include a detailed explanation of every deficiency, and indicate if the inspection is a weekly, monthly, quarterly or annual inspection. The inspection report shall include the name of the permitted Water-Based Fire Protection Inspector, the inspector permit number, the inspector's signature, the date and time of the inspection, and the signature of the owner or the owner's representative.

Requirements for information not previously on most inspection reports. Also, many times Owner or Owner's representative not on site to sign report.



RULE 69A-46.041

(69A-46.041 continued)

(9) Pursuant to the provisions of Section 633.082, F.S., it is the owner's responsibility to maintain the fire protection system. Affixing an inspection tag as required herein does not invalidate responsibility nor shall a transfer of risk be construed.

(Suggested changes – and notify the occupants of impairments and deficiencies in accordance with this rule)

NFPA 25 – 2008

Chapter 1 – Administration

1.1 Scope “This document establishes the minimum requirements for the periodic inspection, testing, and maintenance of water-based fire protection systems, including land based and marine applications-----This standard applies to fire protection systems that have been properly installed in accordance with generally accepted practices. Where a system has not been installed in accordance with generally accepted practices, the corrective action is beyond the scope of this standard.”

It is assumed that an existing system was reviewed and approved for compliance and commissioned properly when it was initially placed in service. Inspections required by this standard are not intended to reveal installation flaws or code compliance violations. It is clearly not the intent of this standard to evaluate a system year after year for compliance with an installation standard.

It is not practical to expect an inspector (permit holder) to perform a detailed evaluation of the design and installation aspects of a fire protection system each year as the costs would be prohibitive. Such an evaluation should be conducted by a registered or certified design professional and should only be conducted when required by the building code or insurance company. All inspectors aren't trained to make these kinds of determinations.

NFPA 25 – 2011


Chapter 1 – Administration

1.1.3.1 This standard does not require the inspector to verify the adequacy of the design of the system.

A.1.1.3.1 The requirement to evaluate the adequacy of the design of the installed system is not part of the periodic inspection, testing and maintenance requirements of this standard. However such evaluation is the responsibility of the property owner or designated representative as indicated in Sections 4.1.5 and 4.1.6.



OBSERVATION FORM

		OBSERVATIONS	
SITE ADDRESS			
NAME:		INSPECTOR:	
ADDRESS:		SIGNATURE:	
		DATE:	
CITY, STATE,			
ZIP:			
<p>While performing the inspection of your water -based fire protection system to verify that the system is operational and address "normal wear and tear" of the system in accordance with the requirements of NFPA #25, we identified various potential issues as noted below. It is the Owner's responsibility to have these investigated to determine any system modifications required.</p> <p>.....</p>			
<p>Identification of design and/or installation flaws or code compliance violations is outside the scope of NFPA #25. No engineering survey or comprehensive evaluation was completed as part of this inspection and should not be interpreted to mean one was performed.</p> <p style="text-align: right;">7/1/2009</p>			

Inspections Gone Wrong Can Cost Millions

Contracts And Inspection Forms Should Clearly State Adherence To NFPA 25 Guidelines

By Nacia Lipton

Loss: \$12,000,000 — What happened?

Our contractor performed annual inspections at a shopping center. He had been doing so for years. The strip plaza was sprinklered, but the exterior overhang was not protected by sprinklers. The contractor used industry standard inspection reports, but on several occasions the inspector made notes in the comments section that were outside the scope of NFPA 25. Items such as spacing of heads, temperature ratings of heads, and the need to add a head in an area of the building, were added to the comments section. The inspector never noted the non-sprinklered exterior overhang in his reports.

A fire started outside the building and traveled up the overhang and onto the roof. The anchor store experienced the most damage with the roof collapsing and extensive loss of income.

The property insurance carrier for the store subrogated against the sprinkler contractor for failing to inform them of the non-sprinklered area. When we argued that it was outside the scope of a NFPA 25 inspection, they produced the past inspection reports with the numerous comments made that were also outside the scope of NFPA 25 and related to the design of the system as noted in NFPA 13.

The property carrier argued that the building owner saw the contractor as ‘the expert’ and assumed the report covered all areas of the building and all inadequacies of the sprinkler system.

information in a separate report section or under separate cover. In either case, these deficiencies must be framed with an explanation indicating items noted were outside the scope of the inspection and commenting on them does not imply that a full engineering evaluation or any other type of analysis was completed. Seek guidance on wording and disclaimers from your legal council.

Inspection Form Questions

All inspection forms should align with NFPA 25 requirements.

The inspection form must list only those items within NFPA 25. Items that are the owner’s responsibility (i.e. building heat, changes since last inspection) should be in the owners section of the report and there should be a space provided to gain a signature from the owner’s representative.

“Deficiencies must be framed with an explanation indicating items noted were outside the scope of the inspection.”

Inspection Contracts/Service Agreements — Scope of Work

All inspection contracts and inspection forms should clearly state adherence to NFPA 25 guidelines and the specific components of NFPA 25 that are being contracted. Contracts should also state that items outside the defined scope of work, continue to be the responsibility of the building owner. Seek guidance from your legal council on wording of the inspection contract and disclaimers.

Loss: \$1,000,000 — What happened?

Our contractor, doing a NFPA-25 inspection, detailed many system design problems such as coverage and spacing issues. However, the occupancy had changed and the system was hydraulically inadequate, but it was not obvious to the inspector and nothing was noted on the inspection report. A fire destroyed the building and the contractor sued. The insurance company for the building owner said the owner thought the contractor was reviewing the system for design as well as operability and presented the contractor's inspection reports as proof.

How to Avoid These Losses

Keep Within the Scope of NFPA 25

Train all personnel performing inspections, testing, and maintenance of existing sprinkler systems to limit their work and comments to the scope of NFPA 25.

If something is noted during the inspection that is design related or falls outside of NFPA 25, then it should NOT be included as part of the inspection work. You can include the

Do not take on more liability than you are paid to accept.

Keep within the scope of your contract. Keep within the scope of NFPA 25.

About the Author:

Nacia Lipton specializes in loss control and risk management services for the RelMark Group. RelMark Group provides insurance, claims services, loss control services, and risk management resources to fire sprinkler contractors throughout the United States.

Their program is specifically tailored to the unique challenges of fire sprinkler contractors. RelMark is actively involved in the industry through participation in standards committees, industry associations, and daily relationship with sprinkler contractors.

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Chapter 3 – Definitions

3.3.19 Inspection “A visual examination of a system or portion thereof to verify that it appears to be in operating condition and is free of physical damage.”

The intent of the inspection, as described in NFPA 25, is to look for obvious signs of damage or wear and, most important, to verify that water control valves are open.

Deficiency – none (2002)

3.3.4 Deficiency (2011 Proposed) – “For the purposes of inspection, testing, and maintenance, a condition in which a system or portion thereof is damaged, inoperable, or in need of service.

3.3.18 Impairment “ A shutdown of a system or portion thereof.

3.3.17 Impairment (2008) – “A condition where a fire protection system or unit or portion thereof is out of order, and the condition can result in the fire protection system or unit not functioning in a fire event.”

A.3.3.17 Impairment – “Temporarily shutting down a system as part of performing the routine inspection, testing, and maintenance on that system while under constant attendance by qualified personnel, and where the system can be restored to service quickly, should not be considered an impairment.” If the system is down for more than 4 (10 hours in 2008) hours for system modification or emergency repairs, there should be a procedure in place as far as notification of proper parties, may involve evacuation of the building, fire watch and other procedures as required by your insurance company and local fire marshal.

Inspection:

- (1) no signs of leakage
 - (2) free of corrosion
 - (3) free of foreign materials
 - (4) free of paint
 - (5) free of physical damage
 - (6) in proper orientation
- 2008 – includes position of deflector in relation to the ceiling slope
- (7) glass bulb full
 - (8) no obstruction to spray pattern
- Inspect annually from the floor level

Painted sprinklers should never be cleaned and reinstalled, because the paint can get under the sprinkler cap and act like an adhesive, delaying or preventing sprinkler operation. A light overspray can be tolerated when a representative sample is tested to verify the sprinklers will operate as intended. Sprinklers shall not be altered in any respect or have any type of ornamentation, paint, or coatings applied after shipment from the place of manufacture.



Note: nothing is mentioned about escutcheons. A missing, painted or corroded escutcheon will not affect sprinkler operation.

2008

5.2.1.1.6 Sprinklers that are subject to recall shall be replaced per the manufacturer's requirements

5.2.1.2 The minimum clearance required by the installation standard shall be maintained below all sprinklers. Stock, furnishings, or equipment closer to the sprinkler than the clearance rules allow shall be corrected.

A.5.3.1 Where documentation of the installation date is not available, the start date for the interval should be based upon the sprinkler's manufacture date.