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**FIRE INSPECTION AND HAZARD ABATEMENT**

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**OBJECTIVE:**

To establish a Capital City Fire/Rescue policy for conducting fire and life safety inspections to further fire prevention efforts.

**GUIDELINE:**

**24.1** The individual conducting the inspection will have the building owner or their representative present to accompany the inspector whenever possible.

**24.2** . To the extent possible, consistent with available resources, the following occupancies shall be inspected as a matter of routine:

- a) Assembly occupancies
- b) Business occupancies
- c) Educational occupancies, including daycares
- d) Factory occupancies
- e) Hazard occupancies
- f) Institutional occupancies
- g) Mercantile occupancies
- h) Residential occupancies
- i) Storage occupancies

**24.2.1** Other occupancies may be inspected when specifically assigned by the Fire Marshal as a result of public complaint.

**24.2.2** Inspections will not be conducted in facilities which are outside of the jurisdiction of CCF/R, where code compliance can not be enforced, i.e. federal government buildings on federal property.

**24.2.3** In preparation for inspections, building files and pre fire plans are to be reviewed when possible to assure that all outstanding violations and final orders to correct have been addressed.

**24.2.4** Occupancies will be inspected using the following sequence of law: City & Borough Ordinance, Alaska State Statute, International Fire & Building Codes and other nationally recognized standards approved by the Fire Marshal.

**24.2.5** The 2003 International Fire Code will be used to provide information on the minimum basic requirements which should be met.

### **24.3 Right of Entry**

**24.3.1** The right of entry for the purpose of conducting a fire inspection is provided in CBJ Ordinance Title 19.01.104.6 "Right of Entry". If you are refused entry for an inspection, contact the Fire Marshal for direction.

**24.3.2** The power to inspect to abate fire hazards does not assign a specific duty to inspect; that is, an inspector is not required to inspect all buildings. However, the courts have held that an inspection when undertaken must be done professionally and that all violations of state fire safety regulations that a competent inspector of your level of training would note must be identified, must be ordered to correct and the inspector must follow up and, if necessary, force compliance with fire code as specified by state statutes and regulations.

**24.3.3** Entry may be gained to an occupancy through the request to those in control of the building or a portion thereof. A tenant has the expectation and right of privacy in that portion of the building occupied by him/her. Note areas where you were denied access on the report.

**24.3.3.1** Entry into a dwelling unit within an apartment or hotel should not be requested or accepted unless the invitation is tendered by the tenant. Unoccupied units may be inspected.

**24.3.4** Requests to inspect should be made during reasonable hours; i.e. normal business hours for the establishment to be inspected. This may vary greatly depending on the occupancy being inspected.

**24.3.5** Inspections should be arranged in advance to maintain good relations with the property owner or occupant. An attempt should be made to accommodate their schedule to the best of our ability whenever possible.

**24.3.6** Inspection files of CCF/R Fire Prevention Division are public record and open to inspection by the public upon request. No records may be released from CCF/R on building inspections or fire investigations with out prior approval of the Fire Marshal or Fire Chief.

**24.3.7** The CCF/R Engine Company Inspection program is to be coordinated through the Fire Marshal or Deputy Fire Marshal.

**24.3.7.1** Follow up inspections will be conducted by the appropriate shift that conducted the initial inspection.

#### **24.4.0 Posting of Buildings**

**24.4.1** A building may be posted as condemned pursuant to CBJ Ordinance Title 19.01.111.4 "Authority to Condemn Building Systems".

**24.4.2** Posting should be undertaken in two situations. These situations include:

- a) In the event that an extreme hazard to life exists which can not be immediately rectified.
- b) A significant hazard to life exists, which the person in authority over the building has failed to correct within the time specified in a legal Order to Correct.

**24.4.3** Condemning a building is accomplished by contacting the Fire Marshal and turning the case over to the Building Department.

#### **24.5 Warrants**

**24.5.1** If entry to inspect is denied, courteously exit the occupancy without making further comment and contact the Fire Marshal.

**24.5.2** If it is believed that a dangerous condition exists, an administrative search warrant may be applied for.

**24.5.3** The warrant is to be issued by the State of Alaska Court System. Care must be taken to properly serve the warrant and return those copies as required by the court.

**24.5.3.1** As part of the return, include a statement of all violations noted on the premises.

**24.5.4** If problems are anticipated with the property owner, request assistance from the Fire Marshal or Juneau Police Department.

#### **24.6.0 Orders To Correct**

**24.6.1** The responsible party, as determined by the building files or tenant on site, must be legally advised of fire code violations.

**24.6.1.1** This will be done in writing. The notification may be hand delivered or mailed certified with return receipt requested.

**24.6.1.2** All correspondence will be copied to the CCF/R Fire Prevention Division to be placed in the buildings permanent file.

**24.6.2** The following guidelines are offered for establishing completion dates. They are to be used with discretion and professional judgment. More or less

time to complete corrections may be given depending on the specific situation involved.

**24.6.3** Corrections of all violations are to be initiated immediately by the property owner or responsible party following the inspection. Completion dates are established as a follow up tool to assure that code violations have been corrected.

a) Dangerous or hazardous conditions shall be corrected immediately or the building may be posted. These conditions are such that they must be corrected immediately before the inspector leaves the premises

Examples: Totally blocked or locked exits, open containers of volatile flammable liquids, defective mechanical equipment continued use which may cause fire or explosion.

b) Hazards to life or property which may result or contribute to injury, death or loss of property if not corrected should be corrected in one day or up to 30 days, based upon the inspector's evaluation of the situation.

Examples: Partially obstructed corridors, non-complying containers of combustible or flammable liquids, required fire suppression or detection systems are inoperable. (Fire watch should be ordered pending reactivation of system).

**24.6.4** Extensions of established completion dates may be made by the inspector if the party requesting the extension has established that a good faith effort to comply is being made but due to climactic conditions, transportation or supply problems, or other reasons acceptable by the inspector, compliance is not possible within the time established.

**24.6.4.1** Extensions shall not be granted for conditions which continue or create a dangerous or hazardous condition.

**24.6.4.2** As a guideline, total extension should not exceed one time the original compliance period.

Example: Thirty days are given to comply. One 30 day extension may be granted.

**24.6.4.3** In the event that compliance is not gained, forward the case to the Fire Marshal.

**24.6.5** When two or more inspectors conduct a joint inspection, a single report will be filed. The senior inspector will designate who is to prepare the report.

## **24.7.0 Professional Demeanor**

**24.7.1** Public relations are a major responsibility of all inspectors. Be professional and pleasant in all situations. Loud, over bearing, officious behavior

is inappropriate. On the other hand, inspectors are not to be subservient in the face of provocation or belligerence.

## **24.8.0 Files and Records**

**24.8.1** A file will be maintained for each facility in the Fire Marshals office.

**24.8.1.2** As a matter of routine, pictures of major fire hazards should be taken during inspections and will be made part of the file.

**24.8.2** Prior to closing out an inspection, Orders to Correct are to be reviewed for completeness, legibility, clarity of the write ups, the proper citation of code and the appropriateness of the completion dates is established.

## **24.9.0 Fire Inspection Reports**

**24.9.1** The fire inspection report form will be used to the extent possible on all inspections.

**24.9.2** The fire inspection form is the only record of inspection. Care must be taken to assure that all blocks on the form are filled out as applicable, addresses are correct and that signatures are obtained from the person who accepts the report. Signatures must be recorded on the inspection form.

**24.9.3** If an unusual situation or circumstance exists which requires further study or consideration, explain to the responsible party that further study is necessary and that he/she will be notified in person or by mail of the final findings. This action is to be noted on the fire inspection form.

**24.9.4** Complete the entire fire inspection form and deliver a carbon copy to the responsible party as a part of the exit interview. Explain the violations observed and cite the specific section of the code which has been violated.

**24.9.5** A letter shall be sent for each building inspection that is conducted where multiple violations are found.

- a) Following each violation, cite the specific section of the code which has been violated.
- b) Identify which corrections are to begin immediately and must be completed by the date specified.
- c) Emphasize the responsibility of the property owner or occupant to respond, in writing, wherein final completion of each required correction must be clearly indicated.
- d) Note special circumstances on the report which were encountered during the inspection, i.e. "All rooms not entered due to the operation of the building".

**24.9.6** Fire inspection forms are to be distributed as follows:

- a) The original (white) copy is forwarded to the Fire Marshal office to be inserted with the building file.
- b) The yellow copy is to be given to the property owner or occupant.
- c) The pink copy is to be retained by the inspector.

**24.9.7** At all time display the utmost tact, consideration and professional demeanor. A convert to fire safety is a life long asset as compared to an angry citizen.

## **24.10 Order To Correct by mail**

**24.10.1** If an onsite inspection is made and a notification of fire hazard and order to correct can be issued to a responsible party at the time of inspection, it should be issued. If there is a question about a violation and more research is required, the order will explain the problem and state additional correspondence may be forth coming.

**24.10.1.1** Any discussion regarding violations that need further research to verify should be general in nature pending the completion of research.

**24.10.2** An order to correct may be mailed on cases where research is required or where a notice can not be issued for some other practical reason.

**24.10.3** When mailing an order to correct, the order will be mailed certified with return receipt requested.

**24.10.3.1** This letter should be mailed within two business days of the completed inspection.

**24,10.3.2** The certified receipt (green card) will be filed by attaching it to a copy of the notice and order to correct letter.

**24.10.4** When making reference to the codes, always use the codes that are currently adopted by the CBJ or the State of Alaska.

## **24.11 Reports of Inspection**

**24.11.1** Upon receipt of a fire protection system report of inspection from any source, the report will be reviewed and evaluated. All fire alarm/detection/suppression systems, if installed, must be maintained in operable condition.

**24.11.2** When writing the letter of correction, include the items noted in the protection/detection system reports to be corrected as well.

**24.11.2.1** If the system is required by code and the building has been modified or added onto, the system must be extended into the modified or added portion of the structure in accordance with the code.

## **24.12 Verification of Compliance**

**24.12.1** During the follow up of an order to correct or a certified letter, administrative means to gain compliance should be used prior to issuing a final order.

**24.12.2** Prior to issuing the final order, a follow up letter will be used as an attempt to gain voluntary compliance.

**24.12.2.1** In the event that good faith efforts to comply have not been made by the property owner, proceed with the issuance of a final order to assure compliance in a timely manner.

**24.12.3** As certification of compliance is received, the fact that the individual violation has been corrected and the date of the letter of certification should be noted on the copy of the original letter. This assists in verifying the status of all violations.

## **24.13. Final Order**

**24.13.1** Carefully review the file of the subject facility for any appeals to the fire marshal.

**24.13.2** Such an appeal must be answered in writing by the fire marshal. The fire marshal's written response constitutes a final order.

**24.13.3** Issuance of a final order may take place following exhaustion of normal administrative methods.

**24.13.4** Final orders shall be addressed to the party who is legally responsible for corrections.

**24.13.4.1** Final orders to corporations shall be addressed to the "designated agent of service" or to the board of directors.

**24.13.5** Final orders to other entities shall be addressed to the party responsible for coordinating or the person in charge of the premises.

**24.13.6** Final orders are to be mailed certified mail with return receipt requested.

**24.13.7** In the event that satisfactory corrections are not made within 30 days following the issuing of a final order, a criminal complaint may be prepared.

## **24.14 Vacant or Unoccupied Buildings**

**24.14.1** In the event it is necessary to inspect a vacant or unoccupied building, extreme prudence should be exercised.

**24.14.2** Entry may be made without a warrant only in those areas normally open to the public, i.e. corridors, stairways etc.

## **24.15 Public Complaints**

**24.15.1** Upon receipt of a written complaint or telephonic complaint from the public, the fire marshal or deputy fire marshal will take action to investigate the complaint fully.

**24.15.2** Sufficient documentation will be generated to order the correction of complaints and to verify the complaint was satisfactorily resolved.

**24.15.3** The complainant should be notified of the final disposition of the complaint following completion of the case.