

FINAL BILL REPORT

HB 2701

C 88 L 20
Synopsis as Enacted

Brief Description: Concerning inspection and testing of fire and smoke control systems and dampers.

Sponsors: Representatives Ormsby, Eslick and Riccelli.

House Committee on Local Government
Senate Committee on Local Government

Background:

Local jurisdictions are responsible for enforcing the State Building Code, which includes the International Fire Code. Local jurisdictions can also impose additional building requirements. Enforcement of these codes and requirements can be the responsibility of the local building department, code enforcement, or fire department, depending on the circumstances and the organization of the jurisdiction.

Fire dampers are designed to resist the passage of flame in the event of a fire. Installed in ducts and air transfer openings, a fire damper is designed to close automatically when flames are detected. This may be done by means of a fusible link that, when melted, causes a screen or partition to close and obstruct the duct or air transfer opening. Smoke dampers are designed to resist the passage of smoke. Smoke dampers typically operate as part of a larger smoke detection system. Fire and smoke dampers can be combined together in combination dampers. Smoke control systems are mechanical systems that control the movement of smoke during a fire.

Certain buildings may be required to have fire dampers, smoke dampers, or a smoke control system installed.

Summary:

The owners of buildings equipped with fire, smoke, or combination dampers must have all newly installed dampers inspected within 12 months of installation, and all dampers must be inspected every four years (or every six years for dampers in a hospital). Owners of buildings with smoke control systems must have newly installed systems tested within 12 months of installation, and all smoke control systems must be inspected every six to 12

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months, depending on the National Fire Association Standard applicable to the smoke control system. Dampers and smoke control systems must be installed, inspected, and maintained in accordance with the manufacturer's guidelines and industry standards. The required inspections and testing of dampers and smoke control systems must be done by a contractor or engineer with the requisite certifications, and a building engineer or other individual knowledgeable about the building must be available to the inspector by phone or in person during the inspection.

If the building passes the inspection, then the inspector must issue a certificate of compliance that lists all of the dampers and smoke control systems inspected and tested. If the building does not pass the inspection, then the inspector must provide the building owner with a deficiency report identifying the deficiency and the basis for the finding of noncompliance. The building owner must remedy any deficiency within 120 days, unless the local authority extends the compliance period.

The State Building Code Council and the Director of Fire Protection are required to work together to implement the inspection requirements for dampers and smoke control systems.

If the building owner does not remedy the issues identified in the inspection within 120 days, or has not complied with the required testing schedule, then a local code official can issue the building owner with a citation. This citation is a civil infraction subject to all applicable local fees and remedies for noncompliance. The local authority may require the building owner to conspicuously post the citation at all entrances to the building until a certificate of compliance has been issued for the building, or the citation has been dismissed. If the violations are not remedied within 120 days of the initial citation, then an additional citation with a monetary penalty of 5 cents per square foot of occupied space may be issued. If the violations are not corrected within a further 120 days, then a citation may be issued with a penalty of 10 cents per square foot of occupied space, and the building's facilities manager must attend a four-hour life-safety course. Additional citations may be issued every 60 days until the violations are corrected and any previously issued penalties have been paid; such citations must also carry a monetary penalty of 10 cents per square foot of occupied space. Revenue from these penalties is deposited into the Fire Service Training Account. The per-square-foot monetary penalties may only be imposed when other penalties are not required by the local authority.

Votes on Final Passage:

House	97	0	
Senate	45	0	(Senate amended)
House	97	0	(House concurred)

Effective: July 1, 2021