

**RULES AND REGULATIONS OF
THE SAFETY FIRE COMMISSIONER**

The Rules and Regulations of the Safety Fire Commissioner are hereby amended by repealing Chapter 120-3-19 entitled, "Fire Protection Sprinkler Contractors" in its entirety and substituting in lieu thereof a new Chapter 120-3-19 entitled, "Rules and Regulations for Enforcement of the Georgia Fire Sprinkler Act," to read as follows:

CHAPTER 120-3-19

**RULES AND REGULATIONS FOR ENFORCEMENT OF THE
"GEORGIA FIRE SPRINKLER ACT"**

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120-3-19-.01 Promulgation and Purpose.

(1) The Georgia Safety Fire Commissioner in accordance with the authority set forth in the Official Code of Georgia Annotated, Section 25-11-12 promulgates these Rules and Regulations of the Safety Fire Commissioner entitled, "Rules and Regulations for Enforcement of the Georgia Fire Sprinkler Act."

(2) The purpose of these rules and regulations is to establish the State's minimum requirements for persons who design, install, alter, inspect, maintain, test, service and/or repair water-based fire protection sprinkler systems except for those water-based automatic sprinkler systems for use in single-family dwellings or limited water-based systems permitted to be connected directly to a domestic water supply system as allowed by the NFPA Life Safety Code which has been adopted by the Commissioner's Rules and Regulations.

120-3-19-.02 Application. Whenever the provisions of this Chapter of the Rules and Regulations of the Georgia Safety Fire Commissioner offer alternatives, as far as fire safety requirements are concerned, that were not permissible under previous editions of any Rules and Regulations of the Georgia Safety Fire Commissioner covering the same subject matter, the provisions of this Chapter may be used by the Authority Having Jurisdiction in determining whether a building is in compliance with the provisions of O.C.G.A. Title 25, Chapter 2, of the Georgia Code, and the Rules and Regulations promulgated thereunder.

120-3-19-.03 Definitions.

(1) "**Authority having jurisdiction**" means the organization, office, or individual responsible for approving equipment, an installation, or a procedure.

(2) "**Certificate**" or "**certificate of competency**" means the document issued by the Commissioner to a certificate holder who has demonstrated adequate technical knowledge and ability to design in accordance with recognized standards as adopted by the Commissioner and to perform and supervise the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems.

(3) "**Certificate holder**" means an individual who has been issued a certificate of competency by the Commissioner.

(4) "**Commissioner**" means the Georgia Safety Fire Commissioner.

(5) "**Construction documents,**" "**Documents for construction**" or "**Construction shop drawings**" means documents which set and dictate the installation parameters of water based fire protection systems.

(6) "**Contract documents**" means the written and/or graphical guideline(s), prepared by a registered architect or engineer, which establish but does not dictate specific criteria for the design parameters of water based fire protection systems.

(7) "**Direct supervision,**" or "**Supervision**" means to personally superintend the design and/or installation of water-based fire protection systems, by personally regulating the activity of a project through intermittent and verifiable personal contact at an installation or installations in progress.

(8) "**Documents**" means those materials used for reference purposes which direct or confirm direction or agreement.

(9) "**Employed full time**" means a minimum of thirty and one half hours of paid service per week, per employer.

(10) "**Fire protection sprinkler contractor**" means an individual, partnership, corporation, association, limited liability company, limited liability partnership, joint venture or other business entity that supervises, performs, or supervises and performs the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems. Such term does not include local building officials, fire inspectors, or insurance inspectors when acting in their official capacities.

(11) "**Fire protection sprinkler contractor license**" means the document issued by the Commissioner to the fire protection sprinkler contractor which authorizes the fire protection sprinkler contractor to engage in the business of fabrication, installation, repair, alteration, maintenance, or inspection of water-based fire protection systems.

(12) "**Fire protection sprinkler system**" means an integrated system of overhead and underground piping designed in accordance with fire protection engineering standards. The installation includes one or more automatic water supplies. The portion of the system above ground is a network of specially sized or hydraulically designed piping installed in a building, structure, or area, generally overhead, to which sprinklers are attached in a systematic pattern. The valve controlling each system riser is located in the system riser or its supply piping. The system is usually activated by heat from a fire and discharges water over the fire area.

(13) "**Fire protection system designer**" means a person who develops construction shop drawings, construction documents and/or documents for construction pertaining to water-based fire protection systems.

(14) "**Fire protection system designer license**" means a document issued by the Commissioner which authorizes the fire protection system designer to engage in the business of producing construction shop drawings, construction documents and/or documents for construction pertaining to water-based fire protection systems.

(15) "**Fire protection system inspector**" means an individual who performs inspections only on water-based fire protection systems in accordance with applicable codes and standards as adopted by the Commissioner. Such term does not apply to state, local, and insurance inspectors while acting in their official capacities.

(16) "**Fire protection system inspector's license**" means a document issued by the Commissioner, which authorizes the fire protection system inspector to engage in the business of inspecting water-based fire protection systems.

(17) "**Fire pump**" means a pump supplying water at the flow and pressure required by water-based fire protection systems.

(18) "**Foam-water spray system**" means a special system pipe connected to a source of foam concentrate and to a water supply and equipped with foam-water spray nozzles for fire protection agent discharge (foam and water sequentially in that order or in reverse order) and distribution over the area to be protected. System operation arrangements parallel those for foam-water sprinkler systems.

(19) "**Foam-water sprinkler system**" means a special system pipe connected to a source of foam concentrates and to a water supply and equipped with appropriate discharge devices for fire protection agent discharge and distribution over the area to be protected. The piping system is connected to the water supply through a control valve that is usually actuated by operation of automatic detection equipment installed in the same area as the sprinklers. When this valve opens, water flows into the piping system, and foam concentrate is injected into the water. The resulting foam solution discharging through the discharge devices generates and distributes foam. Upon exhaustion of the foam concentrate supply, water discharge will follow and continue until manually shut off. Existing deluge sprinkler systems that have been converted to the use of aqueous film forming foam are classified as foam-water sprinkler systems.

(20) "**Inspection**" means a visual examination of a water-based fire protection system or portion thereof to verify that it appears to be in operating condition and is free of physical damage.

(21) "**Maintenance**" means work performed to keep equipment operable or to make repairs without altering the operation of the water-based system.

(22) "**Private fire service main**" means that pipe and its appurtenances on private property that are one or more of the following:

- (a) Between a source of water and the base of the system riser for water-based fire protection systems;
- (b) Between a source of water and inlets to foam-making systems;
- (c) Between a source of water and the base elbow of private hydrants or monitor nozzles;
- (d) Used as fire pump suction and discharge piping outside of a building; and
- (e) Beginning at the inlet side of the check valve on a gravity or pressure tank.

(23) "**Private water tank**" means a tank supplying water for water-based fire protection systems which is located on private property.

(24) "**Single-family dwelling**" means any one- and two- family dwelling or one- and two-family row houses (townhouses) separated by a two hour fire wall.

(25) "**Standpipe system**" means an arrangement of piping, valves, hose connections, and allied equipment installed in a building or structure with the hose connections located in such a manner that water can be discharged in streams or spray patterns through attached hoses and nozzles for the purpose of extinguishing a fire, thus protecting a building or structure, its contents, and its occupants. This is accomplished by connection to water supply systems or by pumps, tanks, and other equipment necessary to provide an adequate supply of water-to-hose connections.

(26) "**Superintend**" means the act of directing others' work.

(27) "**Testing**" means a procedure used to determine the status of a system as intended by conducting periodic physical checks on water-based fire protection systems such as, but not limited to, waterflow tests, fire pump tests, alarm tests, and trip tests of dry pipe, deluge, or preaction valves. These tests follow up on the original installation acceptance test(s) at intervals specified in the appropriate standards related to such systems, as adopted by other Rules and Regulations of the Safety Fire Commissioner.

(28) "**Water-based fire protection system**" means any one system or any combination of a number of systems designed to deliver water to an apparatus designed to extinguish or retard the advancement of fire. Such systems include fire protection sprinkler systems, standpipe systems, private fire service mains, fire pumps, private water tanks, water spray fixed systems, foam-water spray systems, and foam-water sprinkler systems. The term "fire sprinkler system" is used interchangeably with this term.

(29) "**Water-spray fixed system**" means a special fixed pipe system connected to a reliable fire protection water supply and equipped with water-spray nozzles for specific water discharge and distribution over the surface or area to be protected. The piping system is connected to the water supply through an automatically or manually activated valve that initiates the flow of water. An automatic valve is actuated by operation of automatic detection equipment installed in the same area as the water-spray nozzles.

120-3-19-.04 Powers and Duties of the Commissioner; Delegation of Authority.

(1) The Commissioner is charged with the duty and responsibility for the enforcement of this chapter.

(2) Any authority, power, or duty vested in the Commissioner by any provision of this chapter may be exercised, discharged, or performed by any deputy, assistant, or other designated employee acting in the Commissioner's name and by his or her delegated authority.

(3) The Commissioner may, at his or her discretion, have the competency and license test prepared by others.

(4) The Commissioner is authorized to enter into a reciprocal agreement with the state fire commissioner or state fire marshal of other states for the waiver of the competency test of any applicant resident in such other jurisdiction, provided that:

(a) The laws of the other jurisdiction are substantially similar to this chapter; and

(b) The applicant has no place of business within this state nor is an officer, director, stockholder, or partner in any corporation or partnership doing business in this jurisdiction as a fire protection sprinkler contractor.

120-3-19-.05 Application to become certificate holder; certificate fee; demonstration of applicant's competence and knowledge; limitations on issuance of certificate; expiration and renewal of certificate.

(1) Any individual desiring to become a certificate holder shall submit to the Commissioner a completed application on forms prescribed by the Commissioner. Such individual shall remit with his or her application a non-refundable certificate fee of \$100.00 plus a one-time filing fee of \$50.00 except as otherwise provided by Chapter 11 of Title 25 of the Official Code of Georgia Annotated and this Chapter of the Rules and Regulations. Such fee shall not be prorated for portions of a year.

(2) Prior to obtaining a certificate, the applicant shall demonstrate his or her competence and knowledge of water-based fire protection systems by:

(a) successfully completing a competency test by current certification by NICET at Level III or Level IV in automatic sprinkler system layout and/or by successfully completing such other or additional examinations as the Commissioner may designate. For renewal of such certificate, proof of maintaining NICET Certification at or above Level III in Automatic Sprinkler System Layout is required; or

(b) submitting to the Commissioner a certification from either the state fire commissioner or state fire marshal of another jurisdiction whenever a reciprocal agreement has been entered into between the jurisdiction and the State of Georgia pursuant to the provisions of this chapter.

(3) If the applicant has paid the required fees and has met one of the requirements of subsection (2) of this section, the Commissioner shall issue a certificate of competency in the name of the applicant, unless such applicant has been cited under other provisions of this chapter. Such certificate shall expire annually on December 31st of each year and shall be nontransferable from company to company or person to person.

(4) In no case shall a certificate holder be allowed to obtain a certificate of competency for more than one fire protection sprinkler contractor or more than one office location at a time. If the certificate holder should leave the employment of a fire protection sprinkler contractor or change office locations, he or she must notify the Commissioner in writing within 30 days.

(5) A certificate holder desiring to renew his or her certificate shall submit a renewal application to the Commissioner and remit therewith a renewal fee of \$100.00 for the upcoming year, between August 1st and no later than December 1st of the current year.

120-3-19-.06 Licensing of each location; application; fee; prerequisites.

(1) Where a fire protection sprinkler contractor has multiple office locations for the purpose of design, installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems, each location shall be separately licensed under the provisions of these regulations.

(2) Any organization or individual desiring to become a fire protection sprinkler contractor shall submit to the Commissioner a completed application on forms prescribed by the Commissioner. Such organization or individual shall remit with his or her application a nonrefundable license fee of \$50.00 plus a filing fee of \$50.00. Such fee shall not be prorated for portions of a year.

(3) Prior to obtaining a sprinkler contractor's license, the applicant shall:

(a) Submit to the Commissioner a copy of any and all current certificates of competency held by employees of the applicant; and,

(b) Submit to the Commissioner proof of comprehensive liability insurance coverage. The liability insurance policy shall provide coverage in an amount not less than \$1 million and shall cover any loss to property or personal injury caused by the fire protection sprinkler contractor. The policy must be purchased from an insurer authorized to do business in the State of Georgia.

(4) A fire protection sprinkler contractor license shall expire annually on December 31st of each year. A license holder desiring to renew his or her license shall submit a renewal application to the Commissioner and remit a renewal fee of \$50.00 for the upcoming year, between August 1st and no later than December 1st of the current year.

120-3-19-.07 Inspector's license.

(1) Any individual desiring to become a fire protection sprinkler system inspector shall submit to the Commissioner a completed application on the prescribed forms. Such individual shall remit with his or her application a nonrefundable license fee of \$50.00 plus a fee of \$50.00. Such fees shall not be prorated for portions of a year.

(2) Prior to obtaining a license, the applicant shall demonstrate evidence of his or her competence and employment by a sprinkler contractor by successfully completing a competency test. Newly hired applicants, not currently licensed, shall have twenty-four months from the date they are hired to pass all work elements for NICET Level III Certification in Inspection and Testing of Water-Based Systems. No first time applicant shall change their place of employment and be considered as "new applicant". Current license holders shall have twenty-four months from the effective date of these regulations, to pass all work elements for NICET Level III Certification in Inspection and Testing of Water-Based Systems. If these requirements are not met, within the time allotted, the license shall be returned to this office within ten working days after the twenty-four months have lapsed, and shall become null and void. The license shall not be re-issued until these requirements are met.

(3) The applicant shall submit to the Commissioner proof of employment by a licensed fire protection sprinkler contractor who has comprehensive liability insurance coverage. The liability insurance policy shall provide coverage in an amount not less than \$1 million and shall cover any loss to property or personal injury caused by the fire protection sprinkler inspector. The policy must be purchased from an insurer authorized to do business in Georgia.

(4) A fire protection sprinkler system inspector license shall expire annually on December 31st of each year. A license holder desiring to renew his or her license shall submit a renewal application to the Commissioner and remit a renewal fee of \$50.00 for the upcoming year, between August 1st and no later than December 1st of the current.

120-3-19-.08 Fire protection system designer license.

(1) Any individual desiring to become a fire protection system designer shall submit to the Commissioner a completed application on forms prescribed by him or her. Such individual shall remit with his or her application a nonrefundable license fee of \$50.00 plus a one-time filing fee of \$50.00. Such fee shall not be prorated for portions of a year.

(2) Prior to obtaining a license, the applicant shall demonstrate his or her competence and knowledge of water-based fire protection systems by:

(a) meeting the provisions of Chapter 15 of Title 43 of the Official Code of Georgia Annotated; or,

(b) providing proof that all work elements necessary for NICET Level II Certification in Automatic Sprinkler System Layout have been passed. Current license holders shall have twenty-four months from the adoption of these rules and regulations to meet this requirement. If this requirement is not met within the time allotted, the license shall be returned to the Commissioner's office within ten working days after the twenty-four months have lapsed, and shall become null and void. The license shall not be re-issued until the foregoing requirement is met.

(3) A fire protection system designer license shall expire on December 31st of each year. A license holder desiring to renew his or her license shall submit a renewal application to the Commissioner and remit a renewal fee of \$50.00 for the upcoming year, between August 1st and no later than December 1st of the current year.

120-3-19-.09 Requirement that installation, repair, etc., be performed or supervised by certificate holder.

(1) No person shall act as a fire protection sprinkler contractor unless a certificate holder is employed full time, in office or on site or combination thereof, to supervise or perform the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems.

(2) Supervision shall be verified by the following method: Signed and dated documentation verifying visits to the project site, by the Certificate of Competency holder or their designee who is authorized by the Certificate of Competency holder to sign the site supervision form on behalf of the Certificate of Competency holder. Such documentation shall be kept on the site and shall be available to any Code Official on demand. The Certificate of Competency holder or their designee as described above, and the owner or owner's representative or the general contractor's representative shall sign such documentation. Such documentation shall be on forms prescribed by the Safety Fire Commissioner. Such verification is required unless waived by the Authority Having Jurisdiction, in writing

(3) Upon project completion, the Certificate of Competency holder shall sign and date the documentation verifying that the completed installation meets all applicable codes and standards adopted by the Safety Fire Commissioner. The Authority Having Jurisdiction shall not waive the requirement, at project completion, for a signed verification indicating that the completed installation meets all applicable codes and standards.

(4) If the only certificate holder employed by a fire protection sprinkler contractor leaves the employment of the fire protection contractor, the contractor shall notify the Commissioner in writing within 30 days. A new certificate holder must be employed by a fire protection sprinkler contractor within 30 days of such notice.

(5) No fire protection sprinkler contractor shall permit any person under his or her employment or control to install, repair, alter, maintain, or inspect any water-based fire protection system unless such person is a certificate holder or is under the direct supervision of a certificate holder employed by the contractor.

(6) Only fire protection sprinkler contractors or certificate of competency holders shall alter or renovate water-based fire protection systems except as otherwise provided by Chapter 11 of Title 25 of the Official Code of Georgia Annotated and this Chapter of the Rules and Regulations.

(7) Individuals employed by the building owner or a representative of the building owner may repair leaks, replace broken fittings, or perform other routine maintenance that does not alter the piping arrangement or operation of a water-based fire protection system.

(8) Installations shall conform to the Rules and Regulations for the State Minimum Fire Safety Standards as adopted by the Commissioner unless otherwise permitted by Chapter 11 of Title 25 of the Official Code of Georgia Annotated and this Chapter of the Rules and Regulations.

(9) Installations not required by the codes and standards adopted by the Safety Fire Commissioner and whose design criteria and installation requirements have been enacted into law by local county or municipal ordinance, shall be allowed. All other non-code required systems shall meet minimum standards as adopted by the Commissioner, unless otherwise permitted by other sections of this chapter.

(10) It shall be unlawful for any person to begin installation of a fire sprinkler system on any proposed or existing building or structure which comes under the classification in Official Code of Georgia Annotated Section 25-2-13 (b)(1) or which comes under the jurisdiction of the Office of the Commissioner pursuant to Official Code of Georgia Annotated Section 25-2-12 without first having drawings of the designed system approved by the appropriate authority having jurisdiction unless otherwise allowed by the Authority Having Jurisdiction; in writing.

120-3-19-.10 Review of water-based fire protection shop drawings.

(1) Water-based fire protection shop drawings shall be reviewed for code compliance with the state minimum standards by a certificate of competency holder.

(2) The reviewing certificate holder's signature, printed name, and certificate number indicating such compliance shall be indicated on all submitted plans.

(3) Non-code compliance dictated by bid documents shall be reported in the following manner: Non-code compliant shop drawings dictated by bid documents plans and or specifications shall list deficiencies printed or typed, item by item, along with codes and/or standards violated on a departmental form. In addition, the following information shall be provided as set forth in the following order:

(a) the name of the facility and project;

(b) the complete physical address of the project including the city and county;

(c) the owner's name;

(d) the responsible architect's or engineer's name responsible for producing the non-code compliant bid documents including their Georgia registration number, business name, business address and business telephone number; and,

(e) the Sprinkler Contractor's name, Certificate of Competency holder's name, and Certificate of Competency number and signature. The foregoing items shall be provided and outlined on a departmental form by the Certificate of Competency holder, as stated above and shall be submitted with the shop drawings.

120-3-19-.11 Preparation of water-based fire protection system documents for construction by designers.

(1) Only licensed fire protection system designers or other designers under their direct supervision shall prepare water-based fire protection system documents for construction. Certificate of competency holders shall be allowed to prepare water-based fire protection system documents, for construction, for their sprinkler contractor.

(2) All documents shall be representative of code complying water-based fire protection systems complying with the Rules and Regulations for the State Minimum Fire Safety Standards as adopted by the Commissioner unless otherwise permitted by this Chapter of the Rules and Regulations.

(3) All shop drawings shall meet minimum standards of the Rules and Regulations for the State Minimum Fire Safety as adopted by the Commissioner, except for the following:

(a) shop drawings not meeting the codes and standards adopted by the Commissioner whose design has been enacted into law by local county or municipal ordinance;

(b) non-code compliant shop drawings dictated by bid documents of a registered professional engineer or architect. Information regarding such shop drawings shall be provided as specified in 120-3-19-.10; or,

(c) non-required systems whose installations do not conform with the provisions of the Rules and Regulations for the State Minimum Fire Safety may be installed if:

1. approved by the Authority Having Jurisdiction; and,
2. such installations are reported to and filed with the local responding fire department and the Authority Having Jurisdiction; and,
3. such installations are identified as required by the Authority Having Jurisdiction.

(4) The licensed fire protection system designer's signature, printed name, and license number shall be indicated on the shop drawings.

120-3-19-.12 Individuals authorized to inspect and maintain systems.

(1) All inspections, testing and maintenance of water-based fire protection systems shall be done in accordance with the requirements of NFPA 25 as adopted by the Georgia Safety Fire Commissioner's Rules and Regulations Chapter 120-3-3. All inspections, maintenance, and testing required by NFPA 25 and/or other appropriate standards adopted by Chapter 120-3-3 shall only be performed by licensed fire protection system inspectors, certificate of competency holders, or representatives of the building owner as applicable, unless exempted by this chapter.

(2) Representatives of the building owner shall indicate in writing to the Authority Having Jurisdiction their intent to do such inspections and shall provide to the Authority Having Jurisdiction proof of knowledge and expertise pertaining to the systems to be inspected by providing:

(a) the name and physical location of the facility/facilities to be tested, inspected and maintained by the owner's representative(s);

(b) the names and qualifications of the individual(s) conducting such inspections, testing and maintenance which shall be submitted to the Commissioner for evaluation;

(c) the qualifications for each such individual which shall be set forth in as much detail as possible, including but not limited to, an exacting and detailed outline of their qualifications with dates, type and length of related experience;

(d) resumes prepared by each such individual including a statement describing and setting forth their personal qualifications to do the inspections, testing and maintenance; and,

(e) a detailed description of each such individual's knowledge of NFPA-25.

(3) Said representatives of the building owner are exempt only from the license requirements specified in Code Section 25-11-6. All work conducted by said representatives shall be done in accordance with the minimum State Standards as adopted by the Safety Fire Commissioner.

(4) Duly authorized manufacturers' representatives while they are acting in their official capacities are exempt from this chapter.

(5) Inspections and maintenance of water-based fire protection systems owned by a firm, business, or corporation and installed on property under control of the firm, business, or corporation may be performed by an employee of the firm, business, or corporation if annual inspection and maintenance of the water-based system are performed by a current certificate of competency holder or inspector as defined in this chapter. Said employees are exempt from the license requirements specified in Code Section 25-11-6.

120-3-19-.13 Rules and regulations; forms. The Commissioner may promulgate such rules and regulations as he or she deems necessary to carry out the provisions of this chapter. The Commissioner may also prescribe the forms required for the administration of this chapter.

120-3-19-.14 Valid license required for installation or repair of underground facilities or piping connecting to water-based fire protection sprinkler systems; proof of contractor's competency as requirement for license or building permit; effect of chapter on other laws regulating work of contractors.

(1) The installation or repair of any underground facilities or piping which connects to and furnishes water for the water-based fire protection system shall be performed only by a licensed utility contractor, fire protection sprinkler contractor, or licensed plumber in accordance with the minimum fire safety standards adopted by the Commissioner. The installing contractor shall be responsible for the installation of proper underground facilities and piping which provide an adequate flow of water from the fire protection water supply to the water-based fire protection system.

(2) Evidence of inspection shall be given to the owner or his or her representative in the form of a letter indicating the inspector or certificate of competency holder and the license number or certificate number.

(3) Before any local building official shall issue any license or building permit which authorizes the construction of any building or structure containing a water-based fire protection system, such local official shall require a copy of a valid fire protection sprinkler contractor license from the fire protection sprinkler contractor. The fire protection sprinkler contractor shall be required to pay any fees normally imposed for local licenses or permits, but the local official shall impose no requirements on the fire protection sprinkler contractor to prove competency other than proper evidence of a valid certificate of competency, as issued by the Commissioner.

(4) Nothing in this chapter limits the power of a municipality, county, or the state to require the submission and approval of plans and specifications or to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections otherwise authorized by law for the protection of the public health and safety.

120-3-19-.15 Applicability to work performed for state or political subdivision; contract and bid requirements for such work. This chapter shall also apply to any fire protection sprinkler contractor performing work for the state or any municipality, county, or other political subdivision. Officials of the state or any municipality, county, or other political subdivision are required to determine compliance with this chapter before awarding any contracts for the installation, repair, alteration, addition, maintenance, or inspection of a water-based fire protection system. A copy of a valid certificate of competency shall accompany bids tendered for such contracts.

120-3-19-.16 Authority to accept grants for administration of chapter. The Commissioner shall be authorized to receive grants for the administration of this chapter from parties interested in upgrading and improving the quality of water-based fire protection systems, education of the public pertaining to water-based fire protection systems, or the upgrading of fire protection, in general, in the State of Georgia.

120-3-19-.17 Cease and desist order against violators; penalty for violations; order requiring compliance; revocation of certificate for failure to comply with order.

(1) Whenever the Commissioner shall have reason to believe that any individual is or has been engaged in any conduct in violation of any provisions of this chapter, the Commissioner, his or her deputy, his or her assistant, or other designated persons may issue and deliver to the individual an order to cease and desist in such conduct in violation.

(2) Violation of any provision of this chapter or the failure to comply with a cease and desist order is cause for a revocation of any certificate or license issued by the Commissioner for a period of no less than six months and no more than five years. No holder of a certificate or license whose certificate or license has been revoked by order of the Commissioner shall be entitled to obtain another certificate or license for the period of revocation from the effective date of such order. Any order of the Commissioner revoking a certificate or license shall revoke any certificate or license issued prior to the effective date of the such order. Any final order issued by the Commissioner under this subsection may be appealed as provided by law.

(3) Any person who violates this chapter or any rule, regulation, or order issued by the Commissioner under this chapter shall be subject to a civil penalty imposed by the Commissioner of not more than \$1,000.00 for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 or more than \$5,000.00 for a third or subsequent offense for each day a violation persists after such person is notified of the Commissioner's intent to impose such penalty and the right to a hearing with respect to same.

(4) Any order shall contain or be accompanied by a notice of opportunity for hearing which may provide that a hearing will be held if and only if a person subject to the order requests a hearing within ten days of receipt of the order and notice. The order and notice shall be severed by delivery by the Commissioner or his or her agent or by registered or certified mail, return receipt requested. Any person who fails to comply with any order under this subsection is guilty of a misdemeanor and may be punished by law.

120-3-19-.18 Additional grounds for revocation or suspension of licenses. In addition to the grounds set forth in Official Code of Georgia Section 25-11-16, it shall be cause for revocation or suspension of any certificate or license issued by the Commissioner if it is determined that the holder has done any one of the following:

- (a) Rendered inoperative a water-based fire protection system covered by this chapter, except during a reasonable time during which the system is being repaired, altered, added to, maintained, or inspected;
- (b) Falsified any record required to be maintained by this chapter or rules or regulations adopted pursuant to this chapter or current fire codes enforced by the Commissioner;
- (c) Improperly installed, repaired, serviced, modified, altered, inspected, or tested a water-based fire protection system;
- (d) While holding a certificate or license, allowed another person to use the holder's license or certificate or the holder's license or certificate number;
- (e) While holding a certificate or license, used a certificate or license or certificate number or license number other than his or her own valid certificate or license or certificate number or license number;
- (f) Used credentials, methods, means, or practices to impersonate a representative of the Commissioner or the state fire marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction;
- (g) Failed to maintain the minimum insurance coverage as set forth in this chapter; or
- (h) Failed to maintain the minimum requirements to obtain a certificate of competency or other licenses.

120-3-19-.19 Failure to renew certificate or license. The failure to renew a certificate or license by the expiration date as set forth in this chapter will cause the certificate or license to become inoperative. A certificate or license which is inoperative because of the failure to renew, shall be restored upon payment of all applicable fees plus a penalty of not more than \$250.00 if said fees are paid within ninety days of expiration. After a certificate or license has been inoperative for a period of greater than ninety days because of a failure to renew, no new certificate or license shall be issued unless an initial application is made.

120-3-19-.20 Request for Modification of Specific Requirements. Upon receipt of a sworn affidavit stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Georgia Safety Fire Commissioner that specific requirements of this Chapter and the codes and standards adopted herein be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Georgia Safety Fire Commissioner in his or her discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

120-3-19-.21 Notes.

(1) The National Fire Protection Association Standards adopted in this Chapter are on file in the Office of the State Fire Marshal and are available for viewing.

(2) Copies of the National Fire Protection Association Standards may be obtained from the National Fire Protection Association.

120-3-19-.22 Severability. If any Rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the Rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.