



## **RULES AND REGULATIONS**

The Suffolk County Portable Fire Extinguisher and Automatic Fire Extinguishing Systems Licensing Board, hereafter referred to as the Suffolk County Fire Extinguisher Licensing Board (FELB) has issued these rules and regulations. These Rules and Regulations will facilitate the administration of Article III of Chapter 294 of the Suffolk County Code through the Suffolk County Department of Fire, Rescue and Emergency Services' Fire Marshals Office. This board, in adopting necessary rules and regulations, has used recognized standards such as, but not limited to, those of the National Fire Protection Association, those recognized by federal law or regulation, and those published by nationally recognized standards-making organizations or the manufacturer's installation manuals. Terms used in this Rules and Regulation document are as defined in Section 294-13 of the law.

A Suffolk County certificate of registration is required for each facility where the installation, maintenance and servicing of portable fire extinguishers, automatic fixed extinguishing systems or hydrostatic testing of cylinders for portable fire extinguishers and/or fixed extinguishing systems is performed.

A Suffolk County license is required for each individual performing installation, maintenance and servicing of portable fire extinguishers, automatic fixed extinguishing systems or hydrostatic testing of cylinders for portable fire extinguishers and/or fixed extinguishing systems.

Requests for clarification must be submitted in writing to the Fire Extinguisher Licensing Board in regard to interpretation of Suffolk County Code, Chapter 294 Article III, the Rules and Regulations of the Fire Extinguisher Licensing Board, or their applicability.

Additional licenses may be required. It is the responsibility of the licensee to acquire additional licenses, if required, by a town, village or any other political subdivision related to fire extinguisher and/or extinguishing system maintenance, servicing, testing or installation.

### 1. Certificate of Registration

#### A. Application

An original completely executed notarized application shall be submitted.

#### 1. Applications shall be accompanied by the following:

- a. Details of investigation by a regulatory body for a violation in the conduct of business (if applicable).
- b. Details of convictions and/or pending criminal charges (if applicable).
- c. Provide copies of any license issued by another municipality (if applicable).
- d. Checks made payable to the *Suffolk County Treasurer* in the amounts necessary.

- e. Copies of current manufacturers' training certification(s).
  - f. Certificate of insurance and a declaration page evidencing \$1 million per occurrence, \$2 million aggregate, listing the Suffolk County Department of Fire, Rescue and Emergency Services as the certificate holder.
  - g. Certificate of insurance for workers' compensation listing the Suffolk County Department of Fire, Rescue and Emergency Services as the certificate holder (if applicable).
  - h. Copy of business certificate or corporate filing receipt; and if any assumed name certificate.
  - i. Copy of the U.S. Department of Transportation cylinder hydrostatic testing license (if applicable).
  - j. High Pressure Hydrostatic Testing Subcontract Verification Form with a registered facility for the purposes of performing high pressure hydrostatic testing of cylinders. An agreement must be in force for the duration of the certificate of registration term and attested to upon initial application for a certificate of registration and all subsequent renewal applications for a certificate of registration using FELB Verification Form. In these instances, the registered facility holder performing high pressure hydrostatic testing for another registered facility must maintain the hydrostatic test record sheets separate for each agreement in place and retain said records for a period of time consistent with the record retention requirements of the U.S. Department of Transportation.
- B. Facility Inspection
- 1. Upon receipt and processing of a written certificate of registration application, an inspection of the applicant's facility will be scheduled. The inspection will cover the minimum requirements to qualify for a certificate of registration as detailed in Paragraphs A, B and C of Section 294-23 of the Suffolk County Code, as applicable, and other pertinent requirements as listed on the attached Inspection Checklist (FELB Inspection Form).
  - 2. The Suffolk County Fire Extinguisher Licensing Board may perform a facility inspection at any time during the application process as well as during the entire certificate of registration term.
- C. Examination of Qualifications
- 1. The Suffolk County Fire Extinguisher Licensing Board will examine the qualifications and fitness of all applicants and then make a recommendation to the Commissioner on whether or not a certificate of registration will be issued.
  - 2. An application that has been dormant for ninety (90) days or more may be deemed withdrawn or denied.
  - 3. If an applicant fails to remedy any deficiencies contained in an application within ten (10) business days from the date of notification of said deficiencies,

the application may be deemed withdrawn or denied.

- D. A certificate of registration holder must notify the Suffolk County Department of Fire, Rescue and Emergency Services within seven (7) business days of any of the following circumstances:
  - 1. A change in any information contained in an applicant's application on file including, but not limited to, relocation of business operations, change of name under which the applicant conducts business or change of ownership or officers.
  - 2. Termination of any employees listed on the application or upon the hiring of any new employee(s) not listed on the application on file.
  - 3. Any change in U.S. Department of Transportation status as it relates to high pressure hydrostatic testing, including the nature of change in status and the reason for the change.
  - 4. Cancellation and/or change of insurance.
- E. Certificate of registration holders must maintain current certification(s) on all systems installed, maintained and serviced and provide the Suffolk County Fire Extinguisher Licensing Board with a copy of each certification upon issuance and/or renewal. Should a certification lapse or be withdrawn, notification must be made to the Suffolk County Fire Extinguisher Licensing Board within seven (7) business days.
- F. A certificate of registration is not transferable and remains the property of the Suffolk County Department of Fire, Rescue and Emergency Services. Upon the suspension or revocation of a certificate of registration, it shall be surrendered immediately to the Suffolk County Department of Fire, Rescue and Emergency Services. Failure to comply may prevent the issuance of a new certificate of registration.
- G. In the event of the death of an individual holding a Certificate of Registration, the certificate will remain in force for up to thirty (30) calendar days following the death to allow submission of an application for a new Certificate of Registration.
- H. Certificates of registration issued by Suffolk County shall be conspicuously displayed at all times for public view in a registered facility.
- I. Applicants and certificate of registration holders shall abide with all provisions of Article III of Chapter 294 of the Suffolk County Code.
- J. Fee Schedule
  - 1. Application (non-refundable) ..... \$200.00
  - 2. Certificate of Registration ..... \$800.00
  - 3. Out of County Inspection (non-refundable) ..... \$350.00

2. License

A. Application

An original completely executed notarized application shall be submitted.

1. Applications shall be accompanied by the following:
  - a. Details of investigation by a Regulatory Body for a violation in the Conduct of Business (if applicable).
  - b. Details of convictions and/or pending criminal charges (if applicable).
  - c. Provide copies of any license issued by another municipality (if applicable).
  - d. Checks made payable to the *Suffolk County Treasurer* in the amounts necessary.
  - e. One (1) recent photograph (2-inch by 2-inch) of applicant.
  - f. Copies of current manufacturers' training certification(s)
  - g. Copy of driver's license

B. Written Examination(s)

1. To qualify for a license the applicant must take a written examination to prove competency in the expected skills needed for the type of license and endorsements (other than high pressure cylinder hydrostatic testing) being applied for. High pressure cylinder hydrostatic testing requires a valid U.S. Department of Transportation certification for same.
2. The applicant will be scheduled to take a written examination based on the type of equipment being serviced and maintained; portable fire extinguishers, automatic fire extinguishing systems, or both.
3. A base examination consisting of fifty (50) questions taken from information found in the most current version of the National Fire Protection Association's (NFPA) publication titled "Standard for Portable Fire Extinguishers" (NFPA 10) and Section 904 of the Fire Code of New York State must be taken by all applicants.
4. Applicants seeking a license to service and maintain automatic fire extinguishing systems must also answer additional sets of questions specific to automatic fire extinguishing systems using dry and wet agents and/or automatic fire extinguishing systems using clean agents. These additional sets of questions are based on the current version of NFPA documents titled "Standard on Carbon Dioxide Extinguishing Systems" (NFPA 12); "Standard on Halon 1301 Fire Extinguishing Systems" (NFPA 12A); "Standard for Dry Chemical Extinguishing Systems" (NFPA 17); "Standard for Wet Chemical Extinguishing Systems" (NFPA-17A); "Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations" (NFPA 96); "Standard on Clean Agent Fire Extinguishing Systems" (NFPA 2001); and, Section 904 of the Fire Code of New York State.
5. The examination(s) is not an open book test and no reference or study materials may be brought into the test area.

6. A passing grade must be achieved on the base examination to be eligible for a grade on the automatic fire extinguishing systems test components.
  7. Seventy percent (70%) is the minimum passing grade.
  8. If a passing grade(s) is (are) not achieved on the initial examination date, applicants will be permitted two (2) additional opportunities to re-take the written test(s).
  9. Recommended Study Material
    - a. The current editions of the National Fire Protection Association Standards titled
    - b. Standard on Carbon Dioxide Extinguishing Systems (NFPA 12);
    - c. Standard on Halon 1301 Fire Extinguishing Systems (NFPA 12A);
    - d. Standard for Dry Chemical Extinguishing Systems (NFPA 17);
    - e. Standard for Wet Chemical Extinguishing Systems (NFPA-17A);
    - f. Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations (NFPA 96); and,
    - g. Standard on Clean Agent Fire Extinguishing Systems (NFPA 2001).
    - h. Section 904 of the Fire Code of New York State.
- C. Proficiency Examination
1. To qualify for a license the applicant will be scheduled for a proficiency examination to demonstrate competency in the expected skills.
- D. Examination of Qualifications
1. The Suffolk County Fire Extinguisher Licensing Board will examine the qualifications and fitness of all applicants and then make a recommendation to the Commissioner on whether or not a license will be issued.
  2. An application that has been dormant for ninety (90) days or more may be deemed withdrawn or denied.
  3. If an applicant fails to remedy any deficiencies contained in an application within ten (10) business days from the date of notification of said deficiencies, the application may be deemed withdrawn or denied.
- E. A license holder must notify the Suffolk County Department of Fire, Rescue and Emergency Services within seven (7) business days of any of the following circumstances:
1. A change in any information contained in the licensee's application on file including, but not limited to, change of employer, change of address, change of name, or change of phone number.
  2. Termination of employment.

- F. License holders must maintain current certification(s) on all systems installed, maintained and serviced and provide the Suffolk County Fire Extinguisher Licensing Board with a copy of each certification upon issuance and/or renewal. Should a certification lapse or be withdrawn, notification must be made to the Suffolk County Fire Extinguisher Licensing Board within seven (7) business days.
- G. A license is not transferable and remains the property of the Suffolk County Department of Fire, Rescue and Emergency Services. Upon the suspension or revocation of a license, it shall be surrendered immediately to the Suffolk County Department of Fire, Rescue and Emergency Services. Failure to comply may prevent the issuance of a new license.
- H. Licensee identification cards issued by Suffolk County shall be carried on the person at all times when performing portable fire extinguisher or automatic fire extinguishing system installation, maintenance, or service. Said licensee identification cards shall bear the name of the Registered Facility the licensee is affiliated with, the license holder's name, the license number and expiration date in addition to other information deemed necessary by the Suffolk County Fire Extinguisher Licensing Board.
- I. Applicants and license holders shall abide with all provisions of Article III of Chapter 294 of the Suffolk County Code.

J. Fee Schedule

- 1. Application (non-refundable) ..... \$100.00
- 2. License..... \$400.00

3. Record Tags/Service Verification Collars

- A. All service record tags shall include the Suffolk County Fire Extinguisher Licensing Board technician's license number in addition to the requirements of Section 294-24 of the Laws of Suffolk County.
- B. In those instances when the current version of NFPA 10 and paragraph 294-24C(1) of the Suffolk County Code are in conflict regarding the placement of verification of service collars on liquefied gas, halogenated agent and carbon dioxide extinguishers that have been recharged without valve removal, the provisions of the current version of NFPA 10 shall take precedence unless additional compelling circumstances dictate otherwise.

4. Hydrostatic Testing

- A. Serial number documentation for all hydrostatic tests with receipts from any and all sub contractors shall be maintained.

5. Servicing

- A. All servicing conducted under the certificate of registration or license shall be in conformance with the Suffolk County Code, the most current editions of the New York State Uniform Fire Prevention and Building Code and the National Fire Protection Association Standard appropriate for the device and any manufacturer's recommendations.

B. Transportation of all pressurized, non-pressurized and empty cylinders shall be in full compliance with New York State and United States Departments of Transportation regulations and standards.

6. Further Information

A. For further information regarding the law, application process, facility inspection, written examination or other matters related to the issuance of a certificate of registration or license for the installation or servicing of portable fire extinguishers and automatic fixed extinguishing systems can be obtained by calling 631-852-4855, Monday through Friday, during normal business hours or by writing to the following address:

Suffolk County Fire Extinguisher Licensing Board  
c/o Suffolk County Fire-Rescue  
P.O. Box 127  
Yaphank, NY 11980-0127

FRES Website: <http://www.suffolkcountyny.gov/departments/firerescue.aspx>

7. These Rules and Regulations may be amended from time to time.