




City of Phoenix

FIRE DEPARTMENT
FIRE PREVENTION DIVISION

Explanatory Policy – Business Certificate Qualified Contractor

SUBJECT: Business Certificate Qualified Contractor	EFFECTIVE DATE: July 19, 2019
REFERENCES: The Phoenix Fire Code (2018 Edition) Section 105.9 – 105.10.2	REVIEW DATE: July, 2024
APPROVED:	
 John Mertens, Fire Marshal	

General.

The Fire Code Official shall issue a business certificate to ensure persons or entities that install, modify, alter, add to, test, repair, provide required inspections or service any *fire alarm system*, sprinkler system, standpipe system, fire main, fire pump or any other fire-extinguishing or detection system, device or appliance are qualified contractors.

The following are required, in addition to the application and fee, to obtain a Business Certificate.

1. An Arizona Registrar of Contractors license
2. State of Arizona privilege tax license

The following conditions shall be met to become a qualified contractor:

1. **Employment.** The qualified contractor shall be employed by the company to which the permit is issued. Employment verification may be required.
2. **Nationally recognized standards.** The qualified contractor applicant knows and understands the requirements of applicable standards and the code requirements appropriate for the business certificate being issued. This knowledge and understanding shall be determined by one of the following methods:
 - 2.1. The *fire code official* may accept a National Institute of Certifying Engineering Technicians (NICET) Level 3 or 4 certification in lieu of an examination by a recognized testing agency in the following fire protection equipment categories: *automatic sprinkler systems*; underground fire mains and hydrants; *fire alarm systems*; and special extinguishing systems, all fire protection (hoods).
 - 2.2. The business certificate qualified contractor applicant shall submit and maintain proof to the *fire code official* that his or her NICET certification is current in the proper fire protection equipment field for which they are applying.

The maintenance of the NICET certification shall be a condition of the business certificate qualified contractor. Failure to maintain the required certification shall void business certificate qualified contractor status.
 - 2.3. The *fire code official* may accept a valid Arizona Board-certified professional engineer. Required certificates must be maintained for the permit to be valid for qualified contractor status.
 - 2.4. The *fire code official* may accept a successful completion of an exam by a recognized testing agency.



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Contractor license. The qualified contractor shall be responsible for submitting a current Arizona Registrar of Contractors license to the *fire code official*.

Responsibilities. business certificate holder-qualified contractor shall be responsible for:

1. Ensuring that all installations, modifications, maintenance and testing performed by the company comply with the applicable codes and standards, and
2. Ensuring that the plans submitted for a permit meet minimum requirements of the codes and standards that apply to the particular permit, and
3. Ensuring that the installation is done correctly and completely, and
4. Ensuring that permits are inspected, and green tagged by the Phoenix Fire Department, and
5. Notifying the Fire Prevention office when an employee designated as a competent party is no longer employed by the company.

Qualified contractor expiration. Contractor qualifications shall be renewed every three years ~~after~~ from the date of issuance. When a contractor's qualifications have expired, all work authorized shall stop until updated qualifications have been submitted to Fire Prevention. Renewal shall take place prior to expiration.

Renewal after expiration. Applications for renewal shall be filed in the same manner as an application for a qualified contractor.

Facility self-inspection. Testing, repairing, or servicing of fire protection equipment, devices or appliances may be conducted by facility employees or employees of qualified contractor.

Employment. The competent party or qualified contractors shall be employed by the company to which the permit is issued.

Examinations. The qualified contractor shall successfully pass a prescheduled examination *approved by the fire code official*.

Change of address. The qualified contractor shall notify the Division of Fire Prevention in writing of any address change within 10 calendar days after such change. Failure of the individual to give such notification of a change of address is grounds for revocation of business certificate.

Producing credentials. The qualified contractor shall, upon request, produce and show proper identification business certificate to anyone for whom that individual seeks to render services or to the *fire code official*.

Suspending a qualified contractor business certificate. The following conditions may result in the suspension of a qualified contractor. certificate:

1. A single instance of performing work or an activity without a permit within a two-year period.
2. Three or more documented instances in a two-year period of two or more significant code violations at one construction project, or the completion or covering of work without inspections.

This list of conditions is not all-inclusive.



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Revocation of a business certificate. The *fire code official* may revoke a business certificate-qualified contractor status and require reexamination for due cause including:

1. Three or more instances of performing work or an activity without a permit within a two-year period.
2. The performance of any fraudulent installation including but not limited to installation of sprinklers without connection to a piping system or installation of fire alarm devices without being connected to a *fire alarm control panel*.
3. Suspended or revoked Arizona Registrar of Contractors license.

This list of conditions is not all-inclusive.

Suspension, revocation or confiscation procedures. No suspension, revocation or confiscation of a certificate is lawful unless, prior to the action, the fire department provides the individual or business with notice and an opportunity for a hearing in accordance with this section. If the fire department finds that the public health, safety or welfare imperatively requires emergency action and incorporates a finding to that effect in its order, summary suspension of a permit or certificate may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

Serving notice for suspension or revocation. All parties shall be afforded an opportunity for a hearing after reasonable notice. Unless otherwise provided by law, the notice shall be given at least 15 business days prior to the date set for the hearing.

Minimum notice requirements. The notice shall include:

1. A statement of the time, place and nature of the hearing.
2. A statement that the hearing is authorized in accordance with this section.
3. A reference to the particular section involved.
4. A short and plain statement of the matters asserted. If the fire department is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter upon application a more definite and detailed statement shall be furnished.

Evidence and arguments. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Informal depositions. Unless precluded by law, informal depositions may be made of any contested case by stipulation, agreed settlement, or default.

Notification. Revocation, suspension or confiscation shall be effective when is notified by the *fire code official*.