

Nevada State Fire Marshal Division  
Minutes of Workshop - August 22, 2018, 10:30 AM  
Stewart Facility  
107 Jacobsen Way, Carson City NV 89711

**Present:**

Bart J. Chambers – State Fire Marshal, Chief  
Dennis Pinkerton – State Fire Marshal, Training Bureau Chief  
Albert Ruiz – State Fire Marshal, Plans Examiner Bureau Chief  
Gwen Barrett – State Fire Marshal, Administrative Assistant  
Joseph Westerlund - Tonopah Public Utilities, Utility Manager  
Chris Mulkerns - Tonopah Public Utilities, Admin Manager  
Victoria Hauan - Office of Traffic Safety, Impaired Program  
Susie Riolo – State Fire Marshal, Licensing  
Brett Lee - Truckee Meadows Fire Protection District, Fire Inspector  
Danny Brennan – State Fire Marshal, Licensing Bureau Chief  
Dave Ruben - Carson City Fire Department, Fire Marshal  
Richard McKnight - State Fire Marshal Division, Training Unit  
Tom Martinez - State Fire Marshal Division, Training Unit  
Michael Kolpak– State Fire Marshal, Investigator  
Lynn Nielson – City of Henderson, Building and Fire Safety Division  
Duane Resop – Clark County School District, Director/Building Official  
Doug Sartain – Certified Fire Protection, President  
Steve-Systems of Nevada  
Lee Marx- AMFE  
Nathan Hastings, Deputy Attorney General; teleconference  
Mark Samousky- City of Henderson, Fire Safety Plans Examiner  
Stephen J. DiGiovanni - Clark County Fire District, FPE  
Edward Kaminski - Clark County Fire District, FPE  
Ben Standlee - Alarmco, FOM  
Dale Way - NLF, DFM  
Linda Bingaman - Elko County Fire Protection District, Chief  
John Macinic - Elko County Building and Safety  
Steve Hamilton, - Elko County Fire  
Thomas Ingersoll - Elko County Building Department  
John Boykin - State Fire Marshal Division, Officer

**1. CALL TO ORDER (Non-Action Item)**

Chair Chambers called the Workshop to order

**2. VERIFICATION OF NOTICE OF COMPLIANCE WITH OPEN MEETING LAW (Non-Action Item)**

Chair Chambers verified with Gwen Barrett that compliance has been met in accordance with the Nevada Open Meeting Law.

### 3. INTRODUCTIONS (Non-Action Item)

Chair Chambers asked for introductions and affiliations.

### 4. PUBLIC COMMENT (Non-Action Item)

There was no public comment

### 5. WORKSHOP ON NAC 477

Chief Chambers thank everybody in attendance for taking the time to attend this workshop. The purpose of the workshop is to solicit comments from interested persons on the topics that have been previously provided in regards to Nevada Administrative Code (NAC) 477.

Proposed changes to regulations may include but are not limited to: fee increases, including fees for certificate of compliance, hazardous materials, plans examination, and licensing. The proposed changes may include replacing or updating words in the text, clarifying language simplifying categories, and other possible suggestions, and review of the current fire code. We will start with the first page of the document and go all the way through.

## Proposed Changes to General Provisions, by page number

**Page 1:** There we no questions.

**Page 2:** There we no questions.

#### **Page 3:**

- Chief Chambers thanked Lynn Nielson for the information from the last public workshop
- NFPA 54 and 58; The Petroleum Board, is in the process of updating their statute as well, to mirror what they have in NAC 477.

#### **Page 4:**

- NFPA 1041, 2019 edition, effective 1/01/2019; that information has been presented to Legislative Counsel Bureau (LCB.) We may be removing that and going with the 2012 edition of 1041.  
Lynn Nielson indicated that some are guides, not standards, i.e.; 402, 921, 1402, and 1452. Chief Chambers indicated that he is working with LCB to remove the guides and only have standards listed.

#### **Page 5:**

- Lynn Nielson asked what the intent was of adopting NFPA 3000. Chief Chambers replied the intent is to give the agencies the ability to utilize NFPA 3000 for the Asher Program and provide agencies the ability to utilize NFPA 3000 for anything

pertaining to an active shooter and to support the agencies as well as the building officials, if need be, in significant areas.

- NAC 477.283, Lynn Nielson pointed out g-4 has five not six. All agreed that the verbiage will be cleaned up.
- Chief Chambers also would like add the definition of “residential group R-4.” Revised by adding transitional living facilities or re-integration facilities, to the list.

**Page 6:** Steve DiGiovanni had two items:

- Section 5051 - prescribing a certain size for the addresses. That would conflict with what they have locally and would like to know SFM’s intent for enforcement of this section. Chief Chambers answered that the intent and enforcement is actually not so much enforcing, as it is to work with the agencies. With the multiple school shootings over the past 15 years, some of the concerns in trying to glean from the reports, especially on campuses or large complexes would be the utilization some type of drone. I recommend this to identify the crucial areas so first responders can identify buildings that potentially have a threat, and work with schools to ensure that we know which building is which; the cafeteria, gym, chemistry lab, etc. Stephen DiGiovanni asked what buildings it would apply to and Chief Chambers would like to see it with all new construction instead of going back with existing construction. Steve DiGiovanni expressed concern that it would be in conflict with what they have now. Lynn Neilson said that if it is to apply to all buildings, it will need to be rewritten in a larger scope. Duane Resop thinks that it would be beneficial to include numbers and letters to assist all responders. It was agreed that they will send their comments to Chief Chambers.
- Chapter 11 - retroactive requirement for carbon monoxide detectors is being inserted. The NRS is interpreted as only those requirements that are in the NRS and nothing greater would like to know the intent with keeping the carbon monoxide retroactive. Chief Chambers indicated that is being looked into because of the air bnbs; Nye County indicates they have close to 700 air bnbs, Douglas County has had an issued, and Washoe County is also facing this. If air bnbs are being run as businesses, and some counties do not have business licenses, it would behoove us to make sure that these types of facilities/businesses have the appropriate protection. Steve DiGiovanni will send his input to Chief Chambers. There was further discussion about air bnbs and Lynn Nielson indicated that the City of Henderson Municipal Code is working on an ordinance change and will send the draft to Chief Chambers for review. Thomas Ingersoll indicated they do not require permits, but they are not aware of any problems with the air bnbs.

**Page 7:** It was agreed that the occupancy classification would match Chapter 3 and add the “transitional living facility, re-integration facility.”

**Page 8, 9, and 10:** no comments

**Page 11:**

Doug Sartain noted “a conviction of a felony is basis for a denial” and offered that “basis” leaves it open for interpretation and suggested using stronger language such as “absolute denial.” It was agreed that stronger language would be used. Doug Sartain also inquired about maintaining accurate records of all services performed. Chief Chambers will make a note and put a timeline in there.

**Page 12, 13, 14, 15, 16, 17, and 18:** no comments

**Page 19:** Discussion about the impairment tag; Doug Sartain would like to see two tags – Impairment and Deficiency. Lee Marx agreed. Deficient requires immediate action, whereas impairment does not. Staff will reach out after the meeting.

**Page 20:** Doug Sartain referred to NAC 477.400 line item number one; clarifying that an employee is to continue to work even if he’s not licensed past the 90 days. He suggested eliminating number 2 in its entirety, Lee Marx agreed. Chief Chambers noted their comments; we will strike the timeframe and look at eliminating number two.

**Page 21, 22, and 23:** no comments

**Page 24:** Doug Sartain suggested adding “and Impairment” after deficiencies.

**Page 25:** no comments

**Page 26:** Doug Sartain asked for clarification on 5(b). Susie Riolo replied that it is to ensure that sprinkler companies know they can lube, replace the cap and chain, and that you have to have a general license with the contractor’s board to install anything below the flange. There was discussion between Doug Sartain and Susie Riolo about the flange. Doug Sartain said that keeping it to just the flange would have a ginormous impact on industry, and suggested he could send a diagram to include in NAC. Susie Riolo noted that it will be taken under advisement. Chief Chambers suggested wording to include “Privately owned fire hydrants may provide only the installation, maintenance, repair, and servicing. The licensee must also hold a valid license appropriate to the work performed, as issued by the State Contractor’s Board, if the licensee install any new, privately-owned fire hydrants, or performs any maintenance or repair below the first flange of a privately owned fire hydrant, or below the first 90-degree flanged. Both Doug Sartain and Lee Marx agreed with the suggestion.

**Page 27:** Chief Chambers wants to be sure that we have something that’s mirroring the TLFs in reintegration facilities in 477.562, 2 (a-e). There were no questions or comments.

**Page 28, 29, 30, 31, 32, and 33:** no comments

**Page 34:** Lynn Nielson suggested including the 2018 International Fire Code as it related to firework storage.

**Page 35, 36, and 37:** no comments

**Page 38 and 39:**

- Doug Sartain suggested adding the word “impairment” to 477.780.
- Lee Marx began a discussion about 477.810 (2)- keeping the annual inspection report on site. Most reports are done digitally, the reports are online. He suggested changing the wording to say “access to the report.” Lee Marx suggested all service reports for fire alarms, sprinkler, etc. could be done in that manner. Stephen DiGiovanni commented that every single impairment and deficiency has to be reported to within 24 hours or at least by the next business day, and that it is potentially needless paperwork. Doug Sartain agreed and believes industry would agree that it should be reported only when the system is completely down and non-operable. Susie Riolo wanted to understand why Doug Sartain and Stephen DiGiovanni want a deficiency tag. They both commented that there needs to be something to draw the attention of insurance companies, underwriters, and inspectors. Lee Marx reminded everyone that he does everything digitally. Susie Riolo understands both sides but is trying to understand, when this policy has been in effect as long as she has been with SFM, why there would be four (4) months on a deficiency on a system providing fire protection. Dave Ruben agrees that the 30-day time period works fine, but we need to be notified within one business day for impairments, and agreeing with Stephen DiGiovanni, most of the departments within the State do not have enough staff to deal with an onslaught of paper for one-day notifications of a deficiency, and is in favor of the 30-days.

Discussion ensued in regards to deficiency, impairment, notification timeframe, repair timeframe, etc. Chief Chambers suggested that perhaps a copy of the annual inspection report must be maintained onsite or electronically and set to the owner. And with regards to the 30-day for deficiencies, so long as it is kept on record we will need to make sure we’re notified so appropriate regulatory action can take place. Doug Sartain agreed and added that they send a letter with every discrepancy that is signed by County Chief Page. Dave Ruben added that he wants be sure that they align 477.370 deficiency reporting with the 477.810 30-days. They all agreed to put together some comments and documents to send to Chief Chambers in preparation of the next Workshop.

**Page 40:**

Lynn Nielson noticed a new section of 477.095 and asked for some information on that. Danny Brennan provided background; it is a way to formalize the process and assign responsibility. Chief Chambers added that it will impact the rurals a bit; if an agency goes after an AFG Grant, the feds will be looking for NFIRS participation.

**Page 41:**

- Lynn Nielson referenced NAC 477.910, number 4, and would like to see the tampering become a felony. Chief Chambers replied that that foundation is already in the codes, we specifically put it into state buildings.
- Joseph Westerlund mentioned that NAC 445A , Safe Drinking Water Standards, references fire standards. he would like have NAC 477 make reference to NAC 445A. It can be used as a pointer to at least identify something that can glean back to the requirements of 445A.
- Thomas Ingersoll referenced NAC 477.920 and he is looking at a variance to increase the size without sprinklering the building. Chief Chambers said they are triggered at 5,000 feet.

**Page 41, 42: no comments**

Chief Chambers referenced NAC 477.325 and the potential to add fees for inspections outside of normal business hours, re-inspections, inspections where no fee is specifically indicated for additional review of plans or specifications, etc. The information will be ready for the next Workshop. There was discussion about Interlocals and Special Deputy cards. Chief Chambers brought up increasing fees of 20%, which have not been increased in over 20 years. Industry understands the fee increases and looks forward to improved services and ID cards.

**End Workshop**