

O.C.G.A. § 25-14-1

TITLE 25. FIRE PROTECTION AND SAFETY
CHAPTER 14. FIRE ALARM CONTRACTORS

O.C.G.A. § 25-14-1 (2008)

§ 25-14-1. Short title

This chapter shall be known and may be cited as the "Georgia Fire Alarm Act."

§ 25-14-2. Definitions

As used in this chapter, the term:

(1) "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 fire alarm systems.

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

(3) "Commissioner" means the Georgia Safety Fire Commissioner.

(4) "Fire alarm contractor" means an individual, partnership, corporation, association, or joint venture that supervises, performs, or supervises and performs the installation, repair, alteration, addition, maintenance, or inspection of fire alarm systems. Such term does not include local building officials, fire inspectors, or insurance inspectors when acting in their official capacities.

(5) "Fire alarm contractor license" means the document issued by the Commissioner to the fire alarm contractor which authorizes the fire alarm contractor to engage in the business of fabrication, installation, repair, alteration, maintenance, or inspection of fire alarm systems.

(6) "Fire alarm system" means an integrated system of circuits designed in accordance with fire alarm engineering standards. The installation includes one or more power supplies. The portion of the system circuitry installed in a building, structure, or area, generally overhead, to which alarms are attached in a systematic pattern. The panel controlling each system is located in an approved location. The system is usually activated by heat or smoke from a fire, automatic fire sprinkler system activation, or by a manual device and initiates an alarm throughout an area.

(7) "Fire alarm system designer" means a person who develops documents pertaining to fire alarm systems.

(8) "Fire alarm system designer license" means a document issued by the Commissioner which authorizes the fire alarm system designer to engage in the

business of producing construction shop drawings pertaining to fire alarm systems.

(9) "Fire alarm system inspector" means an individual who performs inspections only on fire alarm 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.

(10) "Fire alarm system inspector's license" means a document issued by the Commissioner which authorizes the fire alarm system inspector to engage in the business of inspecting fire alarm systems.

(11) "Inspection" means a visual examination of a fire alarm system or portion thereof to verify that it appears to be in operating condition and is free of physical damage.

(12) "Maintenance" means work performed to keep equipment operable or to make repairs without altering the operation of the system.

(13) "Testing" means a procedure used to determine the status of a system as intended by conducting periodic physical checks on fire alarm systems such as, but not limited to, waterflow alarm tests, occupant notification tests, detector sensitivity tests, and interface equipment tests. These tests follow up on the original installation acceptance test(s) at intervals specified in the appropriate standards related to such systems.

(14) "fire alarm system" means any one system or any combination of a number of systems designed to alert building occupants and emergency forces in the event of a fire. Such systems include fire alarm systems, suppression system activation interfaces, and trouble and/or supervisory functions. The term "fire alarm " is used interchangeably with this term.

§ 25-14-3. Powers and duties of the Commissioner; delegation of authority

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

(b) 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.

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

(d) 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:

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

(2) 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 alarm contractor.

§ 25-14-4. Application to become certificate holder; certificate fee; demonstration of applicant's competence and knowledge; limitations on issuance of certificate; expiration and renewal of certificate

(a) 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 nonrefundable certificate fee of \$100.00 plus a one-time filing fee of \$50.00. Such fee shall not be prorated for portions of a year.

(b) Prior to obtaining a certificate, the applicant shall demonstrate his or her competence and knowledge of fire alarm systems by:

(1) Successfully completing a competency test by means prescribed by rules and regulations as adopted and promulgated by the Commissioner; or

(2) 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 two jurisdictions pursuant to the provisions of this chapter.

(c)(1) If the applicant has paid the required fees and has met one of the requirements of subsection (b) of this Code 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 as determined by the rules and regulations and shall be nontransferable.

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

(d) 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 on or before the date determined by the rules and regulations of each year. If the state minimum fire safety standards regarding the installation or maintenance of fire alarm systems or water-spray systems promulgated by the Commissioner have been revised since the date the certificate holder's expiring certificate was issued, the Commissioner may, upon 30 days' notice, require the certificate holder to again meet one of the requirements of subsection (b) of this Code section prior to the renewal of his or her certificate.

§ 25-14-5. Licensing of each location; application; fee; prerequisites

(a) Where a fire alarm contractor has multiple office locations for the purpose of design, installation, repair, alteration, addition, maintenance, or inspection of fire alarm systems, each location shall be licensed under the provisions of this chapter.

(b) Any organization or individual desiring to become a fire alarm contractor shall

submit to the Commissioner a completed application on forms prescribed by him or her. Such organization or 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.

(c) Prior to obtaining a fire alarm contractor's license, the applicant shall:

(1) Submit to the Commissioner a copy of any and all certificate of competency holders' certificates employed by the applicant; and

(2) 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 alarm contractor. The policy must be purchased from an insurer authorized to do business in Georgia.

(d) A fire alarm contractor license shall expire annually as determined by the rules and regulations. 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 on or before the date determined by the rules and regulations of each year.

§ 25-14-6. Inspector's license

(a) Any individual desiring to become a fire alarm 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 one-time filing fee of \$50.00. Such fees shall not be prorated for portions of a year.

(b) Prior to obtaining a license, the applicant shall demonstrate his or her competence and employment by a fire alarm contractor by:

(1) Successfully completing a competency test by means prescribed by rules and regulations as adopted and promulgated by the Commissioner; and

(2) Submitting to the Commissioner proof of employment by a fire alarm 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 alarm inspector. The policy must be purchased from an insurer authorized to do business in Georgia.

(c) A fire alarm system inspector license shall expire annually as determined by the rules and regulations. 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 on or before the date determined by the rules and regulations of each year.

§ 25-14-7. Fire alarm system designer license

(a) Any individual desiring to become a fire alarm system designer shall submit to the Commissioner a completed application on forms prescribed by the Commissioner. 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.

(b) Prior to obtaining a license, the applicant shall demonstrate his or her competence and knowledge of fire alarm systems by means prescribed by rules and regulations as adopted and promulgated by the Commissioner or as set forth in Chapter 15 of Title 43.

(c) A fire alarm system designer license shall expire annually as determined by the rules and regulations. 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 on or before the date determined by the rules and regulations of each year.

§ 25-14-8. Requirement that installation, repair, or other work be performed or supervised by certificate holder

(a) No person shall act as a fire alarm 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 fire alarm systems.

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

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

(d) Only fire alarm contractors or certificate of competency holders shall alter or renovate fire alarm systems except as otherwise provided by this chapter.

(e) 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 fire alarm system.

(f) Installations shall conform to codes as adopted by the Commissioner unless otherwise permitted by this chapter or the rules and regulations promulgated pursuant to this chapter.

(g) It shall be unlawful for any person to begin installation of a fire alarm system on any proposed or existing building or structure which comes under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13 or which comes under the jurisdiction of the Office of the Commissioner of Insurance pursuant to Code Section 25-2-12 without first having drawings of the designed system approved by the appropriate authority having jurisdiction unless otherwise provided by the rules and regulations promulgated pursuant to this chapter.

§ 25-14-9. Review of fire alarm shop drawings

(a) fire alarm shop drawings shall be reviewed for code compliance with the state minimum standards by a certificate of competency holder.

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

(c) Noncode compliance dictated by bid documents shall be reported by means prescribed by the rules and regulations promulgated pursuant to this chapter.

§ 25-14-10. Preparation of fire alarm system documents for construction by designers

(a) Only licensed fire alarm system designers or other designers under their direct supervision shall prepare fire alarm system documents for construction.

(b) All documents shall be representative of code complying fire alarm systems unless otherwise permitted by the rules and regulations promulgated pursuant to this chapter.

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

§ 25-14-11. Individuals authorized to inspect and maintain systems

(a) Inspections, maintenance, and testing required by this chapter shall only be performed by licensed fire alarm system inspectors, certificate of competency holders, or representatives of the building owner. Representatives of the building owner shall indicate in writing to the authority having jurisdiction their intent to do such inspections and provide to the authority having jurisdiction proof of knowledge and expertise pertaining to the systems inspected as specified in the rules and regulations adopted pursuant to this chapter. Said representatives of the building owner are exempt from the license requirements specified in Code Section 25-14-6.

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

(c) Inspections and maintenance of fire alarm 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 provided annual inspection and maintenance of the 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 25-14-6.

§ 25-14-12. 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.

§ 25-14-13. Valid license required for installation or repair of fire alarm systems; proof of contractor's competency required; effect of chapter on laws regulating contractors' work

(a) The installation or repair of any interconnections to separate fire alarm system shall be performed only by a licensed fire alarm contractor 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 conduit which provide an adequate survivability to the interconnected fire alarm systems.

(b) 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.

(c) Before any local building official shall issue any license or building permit which authorizes the construction of any building or structure containing a fire alarm system, such local official shall require a copy of a valid fire alarm contractor license from the fire alarm contractor. The fire alarm 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 alarm contractor to prove competency other than proper evidence of a valid certificate of competency, as issued by the Commissioner.

(d) 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 alarm of the public health and safety.

§ 25-14-14. Applicability to work performed for state or political subdivision; contract and bid requirements for such work

This chapter shall also apply to any fire alarm 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 fire alarm system. Bids tendered for such contracts shall be accompanied by a copy of a valid certificate of competency.

§ 25-14-15. Deposit of fees collected under chapter; authority to accept grants for administration of chapter

(a) All fees collected pursuant to the provisions of this chapter shall be deposited with the Fiscal Division of the Department of Administrative Services.

(b) The Commissioner shall be authorized to receive grants for the administration of this chapter from parties interested in upgrading and improving the quality of fire alarm systems, education of the public pertaining to fire alarm systems, or the upgrading of fire alarm, in general, in Georgia.

§ 25-14-16. Cease and desist order against violators; penalty for violations; order requiring compliance; revocation of certificate for failure to comply with order

(a) Whenever the Commissioner shall have reason to believe that any individual is or has been violating 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 such violation.

(b) Violation of any provision of this chapter or failure to comply with a cease and desist order is cause for revocation of any or all certificates and licenses issued by the Commissioner for a period of not less than six months and not to exceed five years. If a new certificate or license has been issued to the person so charged, the order of revocation shall operate effectively with respect to such new certificates and licenses held by such person. Decisions under this subsection may be appealed as provided by law.

(c) 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.

(d) 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 served by delivery by the Commissioner or his or her agent or by registered or certified mail or statutory overnight delivery, 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.

§ 25-14-17. Additional grounds for revocation or suspension of licenses

In addition to the grounds set forth in Code Section 25-14-16, it is cause for revocation or suspension of certificates or licenses by the Commissioner if it is determined that the holder has:

(1) Rendered inoperative a fire alarm system covered by this chapter, except during a reasonable time during which the system is being repaired, altered, added to, maintained, or inspected;

(2) 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;

(3) Improperly installed, repaired, serviced, modified, altered, inspected, or tested a fire alarm system;

(4) While holding a certificate or license, allowed another person to use the 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;

(5) 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;

(6) 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;

(7) Failed to maintain the minimum insurance coverage as set forth in this chapter; or

(8) Failed to maintain the minimum requirements to obtain a certificate of competency or other licenses.

§ 25-14-18. 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 it shall be restored upon payment of the applicable fee plus a penalty of not more than \$250.00 if said fees are paid within 90 days of expiration. After 90 days new certificates and licenses must be applied for as required for an initial certificate or license.

§ 25-14-19. Systems exempt from chapter

The provisions of this chapter shall not apply to household warning fire alarm systems for use in single-family dwellings permitted by the NFPA Life Safety Code adopted by the Commissioner's rules and regulations.