



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES
OFFICE OF STATE FIRE MARSHAL

Policy Directive # 3
Replaces: Directive # 3, dated 3/97
Administered by: OSFM

Date: July 1, 2001
Duration: Until Revised
Authority: Deputy State Fire Marshal

SUBJECT: ABATEMENT PROCEDURES

PURPOSE:

- (1) To provide local fire marshals with standardized forms for the notification of property owner/occupants of fire and life safety hazards.
- (2) To standardize abatement procedures and/or enforcement actions initiated under: §29-306, §29-295, §29-313, §29-315, §29-317, §29-324, §29-325, §29-326, §29-328, §29-329, §29-335, §29-341, §29-349, §29-357, AND §29-367.
- (3) To establish a standard procedure for notification of the appropriate State's Attorney having jurisdiction when abatement notices are not complied with.
- (4) To establish a standard procedure for notification of the State Fire Marshal's Office when abatement notices are not complied with.

DISCUSSION:

This policy develops the procedures to follow in abating fire/life safety hazards relative to the Statutes relating to fire prevention or safety, or any regulation made pursuant thereto. Although the abatement procedures are defined under § 29-306 of the General Statutes, exactly how to apply those procedures has been left to each individual marshal's discretion.

In State of Connecticut vs. Richard Bucciarelli, CR20-10198, the court has stated "Because Chapter 541 and § 29-306, in particular, grant such broad discretion to those administering the fire safety laws, the criminal enforcement provisions of § 29-306, fail, in the court's opinion, to meet the due process standards of definitiveness and clarity required by both state and federal constitutions."

As a result of this view taken by the court of the "reasonable time" wording contained in § 29-306, this standardized procedure has been developed to comply with the constitutional requirements of due process relative to criminal prosecutions.

As in the past, this Office maintains the division of the abatement process into two (2) distinct phases.

- (1) **Initial Phase:** Discovery of violations, issuance of abatement order, development of a plan of correction, application for modifications and requests for extensions of time, with such orders being complied with in the prescribed period of time; and
- (2) **Follow-up Phase:** Applied when the initial phase is not successful or when the abatement order is ignored or otherwise not complied with.

PROCEDURE:

Initial Phase

I. Document discovery of violations/hazards:

(a) Issue Abatement Order of Fire/Life Safety Hazards to owner/occupant:

- (1) Attach initial inspection report.
- (2) Send by certified, return receipt requested, United States Mail or other service having proof of delivery.
- (3) Include a copy of the Modification Form and Extension of Time Form.

(b) Advise owner/occupant of their responsibility:

- (1) Contact local fire marshal; AND
- (2) Advise that all violations/hazards have been remedied(Policy Directive #3, Addendum #1); OR
- (3) Request modification process (Policy Directive #5); OR
- (4) Request extension of time for completion (Policy Directive #3, Addendum #2); OR
- (5) Appeal of decision, method to accomplish (Policy Directive #6).

Follow-up Phase

I. No response to Abatement Order of Fire/ Life Safety Hazards:

(a) Re-inspection

- (1) To determine the progress of corrective action.
- (2) Document that no corrective action has taken place; or
- (3) Document that corrective action is improper or inadequate.

(b) Issue Notice of Referral for Criminal Prosecution.

- (1) Attach Abatement Order of Fire/ Life Safety Hazards.
- (2) Attach latest Inspection Report.
- (3) Send by certified mail, return receipt requested.

(c) Send a copy of the Notice of Referral for Criminal Prosecution Report to Corporation Counsel. (Town/City Attorney or Fire District Attorney)

(d) Send a copy of the Notice of Referral for Criminal Prosecution Report to the Office of State Fire Marshal (OSFM).

(e) Submit an Arrest Warrant Application establishing probable cause to the appropriate State's Attorney having jurisdiction.

(f) Upon the issuance/execution of an arrest warrant or the initiation of an injunction to close or restrict the use of the property, please notify the OSFM in writing. (C.G.S. § 29-306)

CONCLUSION:

It is most important that abatement orders be filed and the local fire marshal's office monitor the structure or premises to insure violations are corrected within the prescribed time frame.

The local fire marshal, of course, may grant specific reasonable time extensions for the completion of corrections and/or utilize the modification process if progress toward correction is being achieved.

NOTE: There is **NO** reason to notify our Office during any of the preceding steps except when seeking an injunction for closing or restricting the use of a facility. Up to this point, the matter is a "Local" one.

When violations are of such a magnitude or seriousness to be considered an immediate threat to life safety, every effort should be made at the local level to resolve the problem. This should include making the Fire Chief having jurisdiction aware of the situation. However, if after exhausting all available means, including contacting the State's Attorney having jurisdiction, the life threatening situation cannot be resolved, seek an injunction from the court for the purpose of closing or restricting usage of the facility to the public until the hazard is corrected. Since this is a civil action, the local fire marshal must request the corporation counsel to institute the action.

Although this procedure at first might appear to be somewhat overwhelming, in reality its implementation in its entirety will be limited to those rare instances when a small percentage of the population refused to or otherwise does not comply.

If Connecticut General Statutes relating to fire prevention or safety, or any regulation made pursuant thereto are to be an effective instrument of insuring public safety, it will be through the efforts of the local fire official applying the codes within his/her jurisdiction and insuring violations are detected and abated.

Abatement of the violations of Statutes relating to fire prevention or safety, or any regulation made pursuant thereto has been and will continue to remain a function of the local fire marshal. The foregoing will standardize procedures in accomplishing this task.

Date

Certified Mail Return Receipt #

To: <Name>
 <Address>
 <City, State, Zip>

**CONNECTICUT STATE FIRE SAFETY CODE
ABATEMENT ORDER OF FIRE/LIFE SAFETY HAZARDS**

Dear

On _____, at approximately _____ hours, an inspection was conducted of the premises located at _____ Connecticut for the purposes of determining compliance with the Connecticut State Fire Safety Code and the applicable referenced standards, adopted pursuant to Connecticut General Statutes §29-292 and §29-293. The Code and said standards are available for your inspection at this Office.

The violations of the code found on the date of inspection are listed on the attached inspection report.

You are hereby ordered to take the proper corrective action to remove or remedy all listed violations within thirty (30) days from the day that this notice is received, unless otherwise noted on the attached inspection report.

If you believe that compliance with the Code will impose an unreasonable hardship, and that alternative methods of achieving an equivalent level of life safety could be attained, you may request, in writing, a modification of the requirements of said Code as outlined in Connecticut General Statute §29-296. If you believe compliance will take more time than that specified, you may request an extension of time prior to the expiration of the thirty (30) day period, unless otherwise noted on the attached inspection report. Sample forms for application for modification and extension of time for compliance are available from this office. In addition you have the right to appeal this order pursuant to Connecticut General Statutes §29-309 for a period of not more than thirty (30) days from receipt.

Plans/specifications for work to be done shall be submitted to this office prior to the commencement of any construction. This review of all plans/specifications would avoid unnecessary expense that could result from non-complying changes. Please note that the correction of certain violations may require proper permits and approval from the building official and other local agencies prior to any construction.

This is the only order you will receive. This Office will conduct a re-inspection of the premises to determine compliance with this order after the expiration of the thirty-day (30) or the time period noted on the inspection report. Your failure to comply with this order within the time period specified as determined by said re-inspection constitutes your failure to comply with the Connecticut State Fire Safety Code which may subject you to criminal prosecution as prescribed by Connecticut General Statute §29-306 with penalties of a fine not less than two hundred dollars (\$200) nor more than one thousand dollars (\$1,000) or imprisonment of up to six months, or both, as prescribed in Connecticut General Statute §29-295. Non-compliance may also result in a civil proceeding against you as authorized in Connecticut General Statute §29-306.

This Office is looking forward to working with you in the interest of fire and life safety for the community and awaits your timely response regarding this matter.

Sincerely,

Fire Marshal

enc.
Rev 1701 FC

Date

Certified Mail Return Receipt #

To: <Name>
<Address>
<City, State, Zip>

**CONNECTICUT STATE FIRE SAFETY CODE
NOTICE OF REFERRAL FOR CRIMINAL PROSECUTION**

Dear

This is to inform you that on _____, this office referred the matter regarding the Connecticut State Fire Safety Code violations located at _____, Connecticut to the State's Attorney for the Judicial District of _____ for criminal prosecution.

This referral results from the initial inspection conducted on _____, and your failure to respond properly to Abatement Order of Fire/Life Safety Hazards sent to you via certified U.S. Mail on _____, receipt # _____. A re-inspection of the premises conducted on _____, determined that compliance with the Connecticut State Fire Safety Code had not been achieved, nor had steps been taken for alternate methods of compliance with the said Code as outlined in the order.

If there are any questions, please contact the State's Attorney for the Judicial District of _____.

Very truly yours,

Fire Marshal

enc.
c: Office of State Fire Marshal w/o attachments
Corporation Counsel

7/01 FC

Date

<Attorney's Name>

Housing Prosecutor

_____Judicial District

<Address>

<City, State Zip>

Re: **Connecticut State Fire Safety Code Compliance**

<Street>

<City, State>

Dear

The undersigned, being duly sworn as the Fire Marshal for the jurisdiction of _____, Connecticut, hereby requests by this Affidavit, that _____, the owner of said premises located at _____ Connecticut, be referred for criminal prosecution as outlined in C.G.S. § 29-306 as a result of the owner's failure to comply with the Connecticut State Fire Safety Code (C.G.S. § 29-292) and its applicable referenced standards set forth by the provisions of Chapter 541 of the Connecticut General Statutes.

On _____, the undersigned caused an inspection to be performed at the above premises for determining compliance with the Connecticut State Fire Safety Code. The Abatement Order of Fire/Life Safety Hazards citing violations of the said Code has been sent as outlined in Policy Directive #3 dated 7/1/01 as issued by the Office of the State Fire Marshal.

A re-inspection was conducted on _____, for the purpose of determining progress in the correction of the hazards as mentioned above. It has been determined that a portion or all of the violations initially found during the first inspection still exist, and no steps have been taken for alternate methods of compliance with the said Code.

A notice of referral for Criminal Prosecution has been issued by our Office. A complete package containing the case history and the Abatement Procedures is enclosed.

Your assistance in this case will be greatly appreciated. Please contact our office if you require further information or clarification.

Sincerely,

Fire Marshal

c: Corporation Counsel

enc

7/01 FC

Date

Certified Mail Return Receipt #

To: <Name >
<Address>
<City, State, Zip>

**CONNECTICUT HAZARDOUS CHEMICAL CODE
ABATEMENT ORDER OF FIRE/LIFE SAFETY HAZARDS**

Dear

On _____, at approximately _____ hours, an inspection was conducted of the hazardous chemical operation located at _____ Connecticut for the purposes of determining compliance with the Connecticut Hazardous Chemical Code and the applicable referenced standards, adopted pursuant to Connecticut General Statutes, §29-336, §29-337 and §29-339. The Code and said standards are available for your inspection at this Office.

The violations of the Code found on the date of inspection are listed on the attached inspection report.

You are hereby ordered to take the proper corrective action to remove or remedy all listed violations within thirty (30) days from the day that this notice is received unless otherwise noted on the attached inspection report.

If you believe that compliance with the Code will impose an unreasonable hardship, and that alternative methods of achieving an equivalent level of life safety could be attained, you may request in writing a modification of the requirements of said Code as outlined in Connecticut General Statute §29-338. If you believe compliance will take more time than specified, you may request an extension of time prior to the expiration of the thirty (30) day period, unless otherwise noted on the attached inspection report. Sample forms for application for modification and extension of time for compliance are available from this Office. In addition, you have the right to appeal this order pursuant to Connecticut General Statute §29-340.

Plans/specifications for work to be done shall be submitted to this Office prior to the commencement of any construction. This review of all plans/specifications would avoid unnecessary expense that could result from non-complying changes. Please note that the correction of certain violations may require proper permits and approval from the building official and other local agencies prior to any construction.

This is the only order you will receive. This Office will conduct a re-inspection of the premises to determine compliance with this order after the expiration of the thirty-day (30) or the time period noted on the inspection report. Your failure to comply with this order within the time period specified as determined by said re-inspection constitutes your failure to comply with the Connecticut Hazardous Chemical Code which may subject you to criminal prosecution as prescribed by Connecticut General Statute §29-306 with penalties of a fine not less than five hundred dollars (\$500) per violation for the first offense, and not less than one thousand dollars (\$1000) nor more than two thousand dollars (\$2000) or imprisoned not more than six (6) months or both per violation, for each subsequent offense, or in the event a death or injury results from any such violation the fine shall be not more than ten thousand (\$10,000) dollars and the period of imprisonment not more than ten (10) years or both per violation as prescribed in Connecticut General Statute §29-335. Non-compliance may also result in a civil proceeding against you as authorized in Connecticut General Statute §29-306.

This Office is looking forward to working with you in the interest of fire and life safety for the community and awaits your timely response regarding this matter.

Sincerely,

Fire Marshal

enc.
Rev 7/01 HC

Date

Certified Mail Return Receipt #

To: <Name>
 <Address>
 <City, State, Zip>

**CONNECTICUT HAZARDOUS CHEMICAL CODE
NOTICE OF REFERRAL FOR CRIMINAL PROSECUTION**

Dear

This is to inform you that on _____, this office referred the matter regarding the Connecticut Hazardous Chemical Code violations located at _____, Connecticut to the State's Attorney for the Judicial District of _____ for criminal prosecution.

This referral results from the initial inspection conducted on _____, and your failure to respond properly to the Abatement Order of Fire/Life Safety Hazards sent to you via certified U.S. Mail on _____, receipt # _____. A re-inspection of the premises conducted on _____, determined that compliance with the Connecticut Hazardous Chemical Code had not been achieved, nor had steps been taken for alternate methods of compliance with the said Code as outlined in that order.

If there are any questions, please contact the State's Attorney for the Judicial District of _____.

Very truly yours,

Fire Marshal

enc.
c: Office of State Fire Marshal w/o enclosures
Corporation Counsel
Rev 7/01 HC

Date

<Attorney's Name>

Prosecutor

_____Judicial District

<Address>

<City, State Zip>

Re: **Connecticut Hazardous Chemical Code Compliance**

<Street>

<City, State>

Dear

The undersigned, being duly sworn as the Fire Marshal for the jurisdiction of _____, Connecticut, hereby requests by this Affidavit, that _____, the owner of the premises located at _____ Connecticut, be referred for criminal prosecution as outlined in C.G.S. §29-306 as a result of the owner's failure to comply with the Connecticut Hazardous Chemical Code (C.G.S. §29-336 through §29-341) and its applicable referenced standards set forth by the provisions of Chapter 541 of the Connecticut General Statutes.

On _____, the undersigned caused an inspection to be performed at the above premises for determining compliance with the Connecticut Hazardous Chemical Code. The Abatement Order of Fire/Life Safety Hazards citing violations of the said Code had been sent as outlined in Policy Directive #3 dated 7/1/01 as issued by the Office of the State Fire Marshal.

A re-inspection was conducted on _____, for the purpose of determining progress in the correction of the hazards as mentioned above. It has been determined that a portion or all of the violations initially found during the first inspection still exist, and no steps have been taken for alternate methods of compliance with the said Code.

A notice of referral for Criminal Prosecution has been issued by our Office. A complete package containing the case history and the Abatement Procedures is enclosed.

Your assistance in this case will be greatly appreciated. Please contact our Office if you require further information or clarification.

Sincerely,

Fire Marshal

enc.

c: Corporation Counsel

Date

Certified Mail Return Receipt #

To: <Name>
<Address>
<City, State, Zip>

**CONNECTICUT FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE
ABATEMENT ORDER OF FIRE/LIFE SAFETY HAZARDS**

Dear

On _____, at approximately _____ hours, an inspection was conducted of the flammable/combustible liquids located at _____, Connecticut for the purposes of determining compliance with the Connecticut Flammable and Combustible Liquids Code and its applicable referenced standards, adopted pursuant to Connecticut General Statutes (C.G.S.) §29-320 and §29-322. The Code and said standards are available for your inspection at this Office.

The violations of the code found on the date of inspection are listed on the attached inspection report.

You are hereby ordered to take the proper corrective action to remove or remedy all listed violations within thirty (30) days from the day that this notice is received, unless otherwise noted on the attached inspection report.

If you believe that compliance with the Code will impose an unreasonable hardship, and that alternative methods of achieving an equivalent level of life safety could be attained, you may request, in writing, a modification of the requirements of said Code as outlined in C.G.S. §29-321. If you believe compliance will take more time than that specified, you may request an extension of time prior to the expiration of the thirty (30) day period, unless otherwise noted on the attached inspection report. Sample forms for application for modification and extension of time for compliance are available from this Office. In addition, you have the right to appeal this order pursuant to C.G.S. §29-323.

Plans/specifications for work to be done shall be submitted to this office prior to the commencement of any construction. This review of all plans/specifications would avoid unnecessary expense that could result from non-complying changes. Please note that the correction of certain violations may require proper permits and approval from the building official and other local agencies prior to any construction.

This is the only order you will receive. This Office will conduct a re-inspection of the premises to determine compliance with this order after the expiration of the thirty-day (30) or the time period noted on the inspection report. Your failure to comply with this order within the time period specified as determined by said re-inspection constitutes your failure to comply with the Connecticut Flammable and Combustible Liquids Code which may subject you to criminal prosecution as prescribed by C.G.S. §29-306 with penalties of a fine not less than five hundred dollars (\$500) or imprisonment of up to six months, or both per violation for the first offense, and not more than five hundred dollars (\$500) nor more than one thousand dollars (\$1000) or imprisoned not more than one year or both per violation for each subsequent offense, or in the event a death or injury results from any such violation the fine shall be not more than ten thousand dollars (\$10,000) and the period of imprisonment not more than ten (10) years or both per violation as prescribed in C.G.S. §29-324. Non-compliance may also result in a civil proceeding against you as authorized in C.G.S. §29-306.

This Office is looking forward to working with you in the interest of fire and life safety for the community and awaits your timely response regarding this matter.

Sincerely,

Fire Marshal

enc.

Rev 7/01 F&C L

Date

Certified Mail Return Receipt #

To: <Name>
<Address>
<City, State, Zip>

**CONNECTICUT FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE
NOTICE OF REFERRAL FOR CRIMINAL PROSECUTION**

Dear

This is to inform you that on _____, this office referred the matter regarding the Connecticut Flammable and Combustible Liquids Code violations located at _____, Connecticut to the State's Attorney for the Judicial District of _____ for criminal prosecution.

This referral results from the initial inspection conducted on _____, and your failure to respond properly to the Abatement Order of Fire/Life Safety Hazards sent to you via certified U.S. Mail on _____, receipt # _____. A re-inspection of the premises conducted on _____, determined that compliance with the Connecticut Flammable and Combustible Liquids Code had not been achieved, nor had steps been taken for alternate methods of compliance with the said Code as outlined in that order.

If there are any questions, please contact the State's Attorney for the Judicial District of _____.

Very truly yours,

Fire Marshal

enc.
c: Office of State Fire Marshal w/o enclosures
Corporate Counsel

7/01 F&C L

Date

<Attorney's Name>

Prosecutor

_____Judicial District

<Address>

<City, State Zip>

Re: **Connecticut Flammable and Combustible Liquids Code Compliance**

<Street>

<City, State>

Dear

The undersigned, being duly sworn as the Fire Marshal for the jurisdiction of _____, Connecticut, hereby requests by this Affidavit, that _____, the owner of the premises located at _____ Connecticut be referred for criminal prosecution as outlined in C.G.S. §29-306 as a result of the owner's failure to comply with the Connecticut Flammable and Combustible Liquids Code (§29-320 through §29-328) and its applicable referenced standards set forth by the provisions of Chapter 541 of the Connecticut General Statutes.

On _____, the undersigned caused an inspection to be performed at the above premises for determining compliance with the Connecticut Flammable and Combustible Liquids Code. The Abatement Order of Fire/Life Safety Hazards citing violations of the said Code had been sent as outlined in Policy Directive #3 dated 7/1/01 as issued by the Office of the State Fire Marshal.

A re-inspection was conducted on _____, for the purpose of determining progress in the correction of the hazards as mentioned above. It has been determined that a portion or all of the violations initially found during the first inspection still exist, and no steps have been taken for alternate methods of compliance with the said Code.

A notice of referral for Criminal Prosecution has been issued by our Office. A complete package containing the case history and the Abatement procedures is enclosed.

Your assistance in this case will be greatly appreciated. Please contact our Office if you require further information or clarification.

Sincerely,

Fire Marshal

c: Corporation Counsel

enc.

Rev 7/01 F&C L

Date

Certified Mail Return Receipt #

To: <Name>
 <Address>
 <City, State, Zip>

**CONNECTICUT GAS EQUIPMENT AND PIPING CODE
ABATEMENT ORDER OF FIRE/LIFE SAFETY HAZARDS**

Dear

On _____, at approximately _____ hours, an inspection was conducted of the oil burning equipment located at _____, Connecticut for the purposes of determining compliance with the Connecticut Gas Equipment and Piping Code and its applicable referenced standards, adopted pursuant to Connecticut General Statute §29-329. The Code and said standards are available for your inspection at this Office.

The violations of the code found on the date of inspection are listed on the attached inspection report.

You are hereby ordered to take the proper corrective action to remove or remedy all listed violations within thirty (30) days from the day that this notice is received, unless otherwise noted on the attached inspection report.

If you believe that compliance with the Code will impose an unreasonable hardship, and that alternative methods of achieving an equivalent level of life safety could be attained, you may request, in writing, a modification of the requirements of said Code as outlined in Connecticut General Statute §29-329 (c). If you believe compliance will take more time than that specified, you may request an extension of time prior to the expiration of the thirty (30) day period, unless otherwise noted on the attached inspection report. Sample forms for application for modification and extension of time for compliance are available from this Office. In addition, you have the right to appeal this order pursuant to Connecticut General Statute §29-329 (d).

Plans/specifications for work to be done shall be submitted to this Office prior to the commencement of any construction. This review of all plans/specifications would avoid unnecessary expense that could result from non-complying changes. Please note that the correction of certain violations may require proper permits and approval from the building official and other local agencies prior to any construction.

This is the only order you will receive. This Office will conduct a re-inspection of the premises to determine compliance with this order after the expiration of the thirty-day (30) or the time period noted on the inspection report. Your failure to comply with this order within the time period specified as determined by said re-inspection constitutes your failure to comply with the Connecticut Gas Equipment and Piping Code which may subject you to criminal prosecution as prescribed by Connecticut General Statute §29-306 penalties of a fine not less than one hundred dollars (\$100) or imprisonment of up to six (6) months, or both, per violation as prescribed in Connecticut General Statute § 29-329 (e). Non-compliance may also result in a civil proceeding against you as authorized in Connecticut General Statute § 29-306.

This Office is looking forward to working with you in the interest of fire and life safety for the community and awaits your timely response regarding this matter.

Sincerely,

Fire Marshal

enc.
Rev 7/01 Gas

Date

Certified Mail Return Receipt #

To: <Name>
 <Address>
 <City, State, Zip>

**CONNECTICUT GAS EQUIPMENT AND PIPING CODE
NOTICE OF REFERRAL FOR CRIMINAL PROSECUTION**

Dear

This is to inform you that on _____, this office referred the matter regarding the Connecticut Gas Equipment and Piping Code violations located at _____, Connecticut to the State's Attorney for the Judicial District of _____ for criminal prosecution.

This referral results from the initial inspection conducted on _____, and your failure to respond properly to the Abatement Order of Fire/Life Safety Hazards sent to you via certified U.S. Mail on _____, receipt # _____. A re-inspection of the premises conducted on _____, determined that compliance with the Connecticut Gas Equipment and Piping Code had not been achieved, nor had steps been taken for alternate methods of compliance with the said Code as outlined in that order.

If there are any questions, please contact the State's Attorney for the Judicial District of _____.

Very truly yours,

Fire Marshal

enc.
c: Office of State Fire Marshal w/o enclosures
Corporation Counsel
Rev 7/01 Gas

Date

<Attorney's Name>

Prosecutor

_____Judicial District

<Address>

<City, State Zip>

Re: **Connecticut Gas Equipment and Piping Code Compliance**

<Street>

<City, State>

Dear

The undersigned, being duly sworn as the Fire Marshal for the jurisdiction of _____, Connecticut, hereby requests by this Affidavit, that _____, the owner of the premises located at _____, Connecticut be referred for criminal prosecution as outlined in C.G.S. §29-306 as a result of the owner's failure to comply with the Connecticut Gas Equipment and Piping Code (C.G.S. 29-329) and its applicable referenced standards set forth by the provisions of Chapter 541 of the Connecticut General Statutes.

On _____, the undersigned caused an inspection to be performed at the above premises for determining compliance with the Connecticut Gas Equipment and Piping Code. The Abatement Order of Fire/Life Safety Hazards citing violations of the said Code had been sent as outlined in Policy Directive #3 dated 7/1/01 as issued by the Office of the State Fire Marshal.

A re-inspection was conducted on _____, for the purpose of determining progress in the correction of the hazards as mentioned above. It has been determined that a portion or all of the violations initially found during the first inspection still exist, and no steps have been taken for alternate methods of compliance with the said Code.

A notice of referral for Criminal Prosecution has been issued by our Office. A complete package containing the case history and the Abatement Procedures is enclosed.

Your assistance in this case will be greatly appreciated. Please contact our Office if you require further information or clarification.

Sincerely,

Fire Marshal

enc.

c: Corporation Counsel

Date

Certified Mail Return Receipt #

To: <Name>
<Address>
<City, State, Zip>

**CONNECTICUT LIQUEFIED PETROLEUM GAS AND LIQUEFIED NATURAL GAS CODE
ABATEMENT ORDER OF FIRE/LIFE SAFETY HAZARDS**

Dear

On _____, at approximately _____ hours, an inspection was conducted of the liquefied petroleum gas & liquefied natural gas equipment located at _____, Connecticut for the purposes of determining compliance with the Connecticut Liquefied Petroleum Gas & Liquefied Natural Gas Code and its applicable referenced standards, adopted pursuant to Connecticut General Statutes §29-331 and §29-332. The Code and said standards are available for your inspection at this Office.

The violations of the code found on the date of inspection are listed on the attached inspection report.

You are hereby ordered to take the proper corrective action to remove or remedy all listed violations within thirty (30) days from the day that this notice is received unless otherwise noted on the attached inspection report.

If you believe that compliance with the Code will impose an unreasonable hardship, and that alternative methods of achieving an equivalent level of life safety could be attained, you may request, in writing, a modification of the requirements of said Code as outlined in C.G.S. §29-333. If you believe compliance will take more time than that specified, you may request an extension of time prior to the expiration of the thirty (30) day period, unless otherwise noted on the attached inspection report. Sample forms for application for modification and extension of time for compliance are available from this Office. In addition, you have the right to appeal this order pursuant to C.G.S. §29-334.

Plans/specifications for work to be done shall be submitted to this Office prior to the commencement of any construction. This review of all plans/specifications would avoid unnecessary expense that could result from non-complying changes. Please note that the correction of certain violations may require proper permits and approval from the building official and other local agencies prior to any construction.

This is the only order you will receive. This Office will conduct a re-inspection of the premises to determine compliance with this order after the expiration of the thirty-day (30) or the time period noted on the inspection report. Your failure to comply with this order within the time period specified as determined by said re-inspection constitutes your failure to comply with the Connecticut Liquefied Petroleum Gas & Liquefied Natural Gas Code which may subject you to criminal prosecution as prescribed by C.G.S. §29-306 with penalties of a fine not less than five hundred dollars (\$500) or imprisonment of up to six (6) months, or both per violation for the first offense, and not more than five hundred dollars (\$500) nor more than one thousand dollars (\$1000) or imprisoned not more than one year or both per violation for each subsequent offense, or in the event a death or injury results from any such violation the fine shall be not more than ten thousand dollars (\$10,000) and the period of imprisonment not more than ten (10) years or both per violation as prescribed in C.G.S. §29-335. Non-compliance may also result in a civil proceeding against you as authorized in C.G.S. §29-306.

This Office is looking forward to working with you in the interest of fire and life safety for the community and await your timely response regarding this matter.

Sincerely,

Fire Marshal
enc.
Rev 7/01 LPG

Date

Certified Mail Return Receipt #

To: <Name>
<Address>
<City, State, Zip>

**CONNECTICUT LIQUEFIED PETROLEUM GAS & LIQUEFIED NATURAL GAS CODE
NOTICE OF REFERRAL FOR CRIMINAL PROSECUTION**

Dear

This is to inform you that on _____, this office referred the matter regarding the Liquefied Petroleum Gas and Liquefied Natural Gas Code violations located at _____, Connecticut to the State's Attorney for the Judicial District of _____ for criminal prosecution.

This referral results from the initial inspection conducted on _____, and your failure to respond properly to the Abatement Order of Fire/Life Safety Hazards sent to you via certified U.S. Mail on _____, receipt # _____. A re-inspection of the premises conducted on _____, determined that compliance with the Connecticut Liquefied Petroleum Gas & Liquefied Natural Gas Code had not been achieved, and nor had steps been taken for alternate methods of compliance with the said Code as outlined in that order.

If there are any questions, please contact the State's Attorney for the Judicial District of _____.

Very truly yours,

Fire Marshal

enc.
c: Office of State Fire Marshal w/o enclosures
Corporation Counsel
Rev 7/01 LPG

Date

<Attorney's Name>

Prosecutor

_____Judicial District

<Address>

<City, State Zip>

Re: **Connecticut Liquefied Petroleum Gas & Liquefied Natural Gas Code Compliance**

<Street>

<City, State>

Dear

The undersigned, being duly sworn as the Fire Marshal for the jurisdiction of _____, Connecticut, hereby requests by this Affidavit, that _____, the owner of the premises located at _____, Connecticut be referred for criminal prosecution as outlined in C.G.S. §29-306 as a result of the owner's failure to comply with the Connecticut Liquefied Petroleum Gas & Liquefied Natural Gas Code (C.G.S. §29-330 through §29-335) and its applicable referenced standards set forth by the provisions of Chapter 541 of the Connecticut General Statutes.

On _____, the undersigned caused an inspection to be performed at the above premises for determining compliance with the Connecticut Liquefied Petroleum Gas & Liquefied Natural Gas Code. The Abatement Order of Fire/Life Safety Hazards citing violations of the said Code had been sent as outlined in Policy Directive #3 dated 7/1/01 as issued by the Office of the State Fire Marshal.

A re-inspection was conducted on _____, for the purpose of determining progress in the correction of the hazards as mentioned above. It has been determined that a portion or all of the violations initially found during the first inspection still exist, and no steps have been taken for alternate methods of compliance with the said Code.

A notice of referral for Criminal Prosecution has been issued by our Office. A complete package containing the case history and the Abatement Procedures is enclosed.

Your assistance in this case will be greatly appreciated. Please contact our Office if you require further information or clarification.

Sincerely,

Fire Marshal

enc.

c: Corporation Counsel

Date

Certified Mail Return Receipt #

To: <Name>
 <Address>
 <City, State, Zip>

**CONNECTICUT OIL BURNING EQUIPMENT CODE
ABATEMENT ORDER OF FIRE/LIFE SAFETY HAZARDS**

Dear

On _____, at approximately _____ hours, an inspection was conducted of the oil burning equipment located at _____, Connecticut for the purposes of determining compliance with the Connecticut Oil Burning Equipment Code and its applicable referenced standards, adopted pursuant to Connecticut General Statutes §29-316 and §29-317. The Code and said standards are available for your inspection at this Office.

The violations of the code found on the date of inspection are listed on the attached inspection report.

You are hereby ordered to take the proper corrective action to remove or remedy all listed violations within thirty (30) days from the day that this notice is received, unless otherwise noted on the attached inspection report.

If you believe that compliance with the Code will impose an unreasonable hardship, and that alternative methods of achieving an equivalent level of life safety could be attained, you may request, in writing, a modification of the requirements of said Code as outlined in Connecticut General Statute §29-317(c). If you believe compliance will take more time than that specified, you may request an extension of time prior to the expiration of the thirty (30) day period, unless otherwise noted on the attached inspection report. Sample forms for application for modification and extension of time for compliance are available from this Office. In addition, you have the right to appeal this order pursuant to Connecticut General Statute §29-317(d).

Plans/specifications for work to be done shall be submitted to this Office prior to the commencement of any construction. This review of all plans/specifications would avoid unnecessary expense that could result from non-complying changes. Please note that the correction of certain violations may require proper permits and approval from the building official and other local agencies prior to any construction.

This is the only order you will receive. This office will conduct a re-inspection of the premises to determine compliance with this order after the expiration of the thirty (30) day or the time period noted on the inspection report. Your failure to comply with this order within the time period specified as determined by said re-inspection constitutes your failure to comply with the Connecticut Oil Burning Equipment Code which may subject you to criminal prosecution as prescribed by Connecticut General Statute §29-306 penalties of a fine not less than one hundred dollars (\$100) or imprisonment of up to six months, or both, as prescribed in Connecticut General Statute §29-317. Non-compliance may also result in a civil proceeding against you as authorized in Connecticut General Statute §29-306.

This Office is looking forward to working with you in the interest of fire and life safety for the community and awaits your timely response regarding this matter.

Sincerely,

Fire Marshal

enc.
Rev 7/01 OBC

Date

Certified Mail Return Receipt #

To: <Name>
 <Address>
 <Town, State, Zip>

**CONNECTICUT OIL BURNING EQUIPMENT CODE
NOTICE OF REFERRAL FOR CRIMINAL PROSECUTION**

Dear

This is to inform you that on _____, this office referred the matter regarding the Connecticut Oil Burning Equipment Code violations located at _____, Connecticut to the State's Attorney for the Judicial District of _____ for criminal prosecution.

This referral results from the initial inspection conducted on _____, and your failure to respond properly to the Abatement Order of Fire/Life Safety Hazards sent to you via certified U.S. Mail on _____, receipt # _____. A re-inspection of the premises conducted on _____, determined that compliance with the Connecticut Oil Burning Equipment Code had not been achieved, and nor had steps been taken for alternate methods of compliance with the said Code as outlined in that order.

If there are any questions, please contact the State's Attorney for the Judicial District of _____.

Very truly yours,

Fire Marshal

enc.

c: Office of State Fire Marshal w/o enclosures
Corporation Counsel

Rev 7/01 OBC

Date

<Attorney's Name>

Prosecutor

_____Judicial District

<Address>

<City, State Zip>

Re: **Connecticut Oil Burning Equipment Code Compliance**

<Street>

<City, State>

Dear

The undersigned, being duly sworn as the Fire Marshal for the jurisdiction of _____, Connecticut, hereby requests by this Affidavit, that _____, the owner of the premises located at _____, Connecticut be referred for criminal prosecution as outlined in CG.S. §29-306 as a result of the owner's failure to comply with the Connecticut Oil Burning Equipment Code (C.G.S. §29-316 and §29-317) and its applicable referenced standards set forth by the provisions of Chapter 541 of the Connecticut General Statutes.

On _____, the undersigned caused an inspection to be performed at the above premises for determining compliance with the Connecticut Oil Burning Equipment Code. The Abatement Order of Fire/Life Safety Hazards citing violations of the said Code had been sent as outlined in Policy Directive #3 dated 7/1/01 as issued by the Office of the State Fire Marshal.

A re-inspection was conducted on _____, for the purpose of determining progress in the correction of the hazards as mentioned above. It has been determined that a portion or all of the violations initially found during the first inspection still exist, and no steps have been taken for alternate methods of compliance with the said Code.

A notice of referral for Criminal Prosecution has been issued by our Office. A complete package containing the case history and the Abatement Procedures is enclosed.

Your assistance in this case will be greatly appreciated. Please contact our Office if you require further information or clarification.

Sincerely,

Fire Marshal

enc.

c: Corporation Counsel



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES
OFFICE OF STATE FIRE MARSHAL

Policy Directive # 3, Addendum #1
Replaces: Directive # 3, Addendum # 1 dated 11/85
Administered by: OSFM

Date: July 1, 2001
Duration: Until Revised
Authority: Deputy State Fire Marshal

SUBJECT: ABATEMENT PROCEDURES – Inspection Report Form

PURPOSE:

To provide a standardized format for the documentation of violations relative to fire and/or life safety hazards that are found to exist at a specific address.

DISCUSSION:

This Office has taken steps to standardize the abatement proceedings and/or enforcement actions for non-compliance with the statutes relating to fire prevention or safety, or any regulation made pursuant thereto as outlined in Policy Directive #3, dated July 1, 2001.

The Inspection Report is a component of this standardization and is intended to provide uniformity that presently does not exist due to the wide ranging differences in inspection report forms in use throughout the various jurisdictions.

The use of this form is required and its purpose is for the identification of actual violations *only*. Its usage does not prevent the existing practice of the issuing non-violation recommendations made in the interest of life safety, so long as this is accomplished via a means other than the Inspection Report.

PROCEDURE:

Initial Inspection: An inspection report will be completed for the first inspection of each calendar year.

Subsequent Inspections: A separate form may be used for each follow-up inspection, or a copy of the initial report may be used to note the progress or lack thereof relative to corrective action. This is accomplished by using the "Date Violation Corrected" and "Comments" sections of the form.

Form fields are as follows:

Case No. – Self-explanatory (for municipality use as a tracking guide)

Inspection Date – Initial inspection – use the appropriate date. If using a copy of the initial report for follow-up purposes, note the date the follow-up was conducted in the comment section next to the appropriate violation.

Owner/Occupant – List the person having legal responsibility for correcting the violations.

Address – Self explanatory

Violations – Sequentially numbered

Referenced Regulation – e.g. CT State Fire Safety Code, CT Flammable and Combustible Liquids Code, CT Oil Burning Equipment Code, etc.

Referenced Standard – e.g. NFPA 13 1999 edition as referenced by the CSFSC, NFPA 31 as referenced by the CT Oil Burning Equipment Code, etc.

Violation Location – e.g. Linen storage room third floor, outdoor fuel oil storage tank, etc.

Description of Violation – e.g. Gap at the threshold of door measures 2 inches – must be no more than $\frac{3}{4}$ inch, the outdoor fuel oil storage tank is 23" from the building where a 5' minimum distance is required.

Specific Time for Compliance – To be used for those violations that necessitate correction before the thirty (30) day period given on the notice. e.g. Exit storage, smoke detectors, etc.

Date Violation Corrected – Use for re-inspection.

Comments – At time of re-inspection, note progress or indicate if an extension of time or modification has been granted.

Inspected By – Self-explanatory

Approved By – Self-explanatory

Building Information – Self-explanatory

Building Information

Reference No. _____

Building Name: _____

Building Address: _____
Number Street City State Zip

Building Owner: _____ Telephone: _____

Owner's Address: _____
Number Street City State Zip

Contact Person: _____ Telephone: _____

Contact's Address: _____
Number Street City State Zip

Date of Construction: _____ Date of Occupancy for Present Use: _____

Number of Stories (Above grade) _____ Square Feet Per Floor: _____

Construction Type per NFPA 220: TYPE _____, Fire resistive rating of elements: _____ (I.E. Type I (443))

Attic: ☐ Full ☐ Partial ☐ None
Basement – # of Levels: _____ ☐ Full ☐ Partial ☐ None
☐ Finished ☐ Storage ☐ Crawl Space

Modifications for this Building: ☐ Unknown ☐ No ☐ Yes, Modification Numbers: _____

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Type of Occupancy (Check all that apply) ☐ New ☐ Existing ☐ Addition ☐ Renovation of building☐ Change of Occupancy: From _____ to _____☐ Assembly ☐ Detention ☐ Residential Board ☐ Hotel/Motel/DormOccupant Load: _____ persons ☐ with locking II ☐ Large ☐ Small ☐ Lodging/Rooming☐ Educational ☐ with locking III ☐ Prompt ☐ Bed & Breakfast☐ Business ☐ with locking IV ☐ Slow ☐ 1 & 2 Family☐ Single Tenant ☐ with locking V ☐ Impractical ☐ Industrial☐ Multiple Tenant ☐ Apartment ☐ Storage☐ Mercantile No. of Units: _____ ☐ Health Care ☐ High Rise☐ Class A ☐ Day Care ☐ Hospital ☐ Underground☐ Class B ☐ Adult ☐ Nursing Home ☐ Windowless☐ Class C ☐ Family ☐ Ambulatory ☐ Other: _____☐ Covered Mall ☐ Group ☐ LimitedApproved Systems Provided (Check all that apply):☐ Automatic Sprinklers☐ NFPA 13 ☐ Throughout the Building☐ NFPA 13R ☐ Partial: Location _____☐ NFPA 13D ☐ Electrically Supervised☐ CSFSC 7-7.1.2 Isolated Hazardous Area System

Location: _____

☐ Emergency Lighting ☐ NFPA 96 Hood System☐ Smoke Control ☐ Standpipe; ☐ Wet ☐ Dry ☐ Other Systems: _____
☐ Automatic ☐ Supplemented☐ Fire Alarm☐ Manual Activation ☐ Occupant Notification☐ Automatic Activation ☐ General ☐ Zoned☐ Throughout the Building ☐ Voice Evac.☐ Partial Location: _____☐ Water Flow ☐ Special System: _____☐ Other Activation Means: _____

INSPECTION REPORT

Case No. _____ Inspection Date: _____ Owner/Occupant: _____ Address: _____

Violation No.	Regulation / Referenced Standard	Section No. of Referenced Standard	Violation Location	Description of Violation	* Specific Time for Compliance	Date Violation Corrected	Comments:



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES
OFFICE OF STATE FIRE MARSHAL

Policy Directive # 3, Addendum # 2
Replaces: Directive # 3, Addendum # 2 dated 11/85
Administered by: OSFM

Date: July 1, 2001
Duration: Until Revised
Authority: Deputy State Fire Marshal

SUBJECT: ABATEMENT PROCEDURES – Request for Extension

PURPOSE:

To provide a standardized format for the documentation of the circumstances surrounding and the amount of time granted an owner/occupant to remedy a specific violation if compliance cannot be achieved within the thirty (30) day time frame of the Abatement Order.

DISCUSSION:

It is understandable that certain violations are not correctable within thirty (30) days, and as in the past, fire marshals should continue to grant reasonable extensions of time so that such compliance can be achieved.

This procedure is intended to require the owner/occupant to request and justify the need for the time extension in writing and to provide a valuable document for the use of the fire marshal.

It should be noted that this is not an attempt to establish a schedule of time frames for the correction of specific violations. The amount of time to be granted is a local decision based upon the individual circumstances that cause each situation to be different.

Nothing shall prevent the issuance of subsequent extensions if the fire marshal deems appropriate.

PROCEDURE:

I. The owner/occupant shall be provided with the prescribed form by the local fire marshal's office upon request.

- a. The applicant will complete sections 1 through 6. It should be stressed that a single form is to be used for each violation for which an extension of time is requested.
- b. Sections 7 and 8 are to be completed by the local fire marshal.

II. This form is provided for local use only and should not be submitted to the Office of State Fire Marshal. However, if the owner/occupant is being referred to the State's Attorney for non-compliance, all such forms will be submitted as part of the case jacket.

**Request for Extension of Time to Obtain Compliance with a Connecticut
Fire Safety Code Adopted Pursuant to Connecticut General Statutes Chapter 541**

Reference No.: _____

Building/Facility Name: _____

Building/Facility Address: _____
Number Street City State Zip

Building Owner: _____ Telephone: _____

Owner's Address: _____
Number Street City State Zip

Applicant's Name: _____ Telephone: _____

Applicant's Address: _____
Number Street City State Zip

I, the above named applicant being a duly authorized representative for the above noted building/facility, request an extension of time for the completion of corrective action that is necessary to remedy the following cited violation of a Connecticut Fire Safety Code adopted pursuant to Connecticut General Statutes Chapter 541:

Referenced Code: _____ Section No.: _____

Description of violation: _____

I make this request for the following reasons: _____

Period of Time Requested: _____

Signed (Applicant)

Date

Please use a separate request for each violation.

For Municipal Fire Marshal Use Only

This request is the: ☐ Initial ☐ Subsequent; (Number: _____ request).

This request is: ☐ Acceptable ☐ Unacceptable for the following reasons:

Extension Valid to: _____
Date

Signed (Fire Marshal)

Date