





enforcement of its provisions. When the local fire official follows the procedures mandated, the maximum degree of protection under the law is afforded while performing this enforcement function.

This “system” of enforcement requires the local fire official to:

1. Inspect all occupancies governed by the Code per (C.G.S. §29-305);
2. Issue Abatement Orders for ALL violations found. (C.G.S. §29-291c, §29-306 and Policy Directive #3);
3. If the violation is not corrected (within the time limit you establish), you must promptly notify in writing the prosecuting attorney having jurisdiction, sending a copy of such notification to the OSFM. (C.G.S. §29-291c, §29-306 and Policy Directive #3)

Local fire officials **cannot** grant modifications, variations, exemptions, equivalent or alternative compliance, C.G.S. §29-291b and §29-296 clearly places that responsibility with the State Fire Marshal. If a local fire official grants exemptions or alternatives, then that local fire official may face liability for acting outside the statutory authority.

**Procedure:**

The following procedures will accomplish the two purposes outlined at the beginning of this directive, and more importantly, it will keep enforcement and modification efforts within established legal boundaries. Steps will be listed in the sequence they should be followed.

- A. **Inspection:** Inspect all as required by C.G.S. §29-305, (Connecticut State Fire Safety Code) (Connecticut State Fire Prevention Code).
- B. **Abatement Order:** Issue a WRITTEN abatement order for all violations found. Be specific in citing the section and subsection numbers that are being violated.
- C. **Work to Gain Compliance:** Remember the object of the “system” is to gain compliance with code provisions. If a person has made an attempt to correct violations or are taking steps to make corrections, the abatement time period can be extended. The system cannot become impersonal, matter-of-fact, or routine. Each situation is different and requires some interaction between the local code official and the violator.



- D. **Modification Request Form:** When the person feels that compliance with the Code (as cited) would impose practical difficulty or unnecessary hardship, or is otherwise considered unwarranted and they feel alternative methods of achieving compliance could be attained, the attached form must be completed as follows:
1. The person completes the form using your inspection report and facility information sheet (see Policy Directive #3 dated June 1, 2019). Also, any additional information which the applicant feels will support their case such as photographs, sketches, plans/drawings, specifications, etc. are to be provided and attached to the form. A separate form is required for each violation where relief is being sought.
  2. Upon completion of the applicable portions, the form is then submitted to the local authority for review.
  3. The local authority reviews the form for completeness then completes the appropriate portion, dates, and signs it. **(Signature and date is required by the local)**
  4. The local authority will forward to the OSFM for action in accordance with C.G.S. C.G.S. §29-291b and §29-296.
  5. The State Fire Marshal will reply with his/her decision to the applicant with a copy to the local authority.
- Note:** If OSFM action is not in agreement with the local fire marshal's recommendation, the assigned OSFM staff member will contact the local marshal and explain the reason for the action.
- E. **Acceptance:** If the modification is ACCEPTABLE, it should be retained and the violation need not be cited during future inspections.
- F. **Unacceptable:** If the modification is UNACCEPTABLE, it should be filed, however the violation would continue to be abated in the normal manner.
- G. **Right to Appeal:** The right to appeal the decision of the State Fire Marshal will be outlined on the return.