

DELAWARE STATE FIRE PREVENTION COMMISSION

Statutory Authority: 16 Delaware Code, Section 6603 (16 Del.C. §6603)

FINAL ORDER

Delaware State Fire Prevention Regulations, Part IX, Fire Service Standards Chapter 4 Minimum Requirements of the Establishment of Fire Companies and Sub Stations

Nature of the Proceedings

The State Fire Prevention Commission ("the Commission") held a properly noticed, public hearing on August 19, 2008 to receive comment on proposed additions, revisions, deletions, and modifications to the Commission Regulations specifically Part IX, Fire Service Standards, Minimum Requirements of the Establishment Fire Companies and Substations, to update the regulation related to substations and to make the regulation applicable to the establishment of additional Emergency Medical Service (EMS) stations as well as fire substations.

Summary of the Evidence

No written comments were received. No members of the public attended the hearing.

Findings of Fact

Based upon the evidence received, the Commission finds the following facts to be supported by the evidence:

1. The public was given notice and an opportunity to provide the Board with comments in writing and by testimony at the public hearing on the proposed amendments to Part IX, Fire Service Standards, Minimum Requirements of the Establishment Fire Companies and Substations of the Commission's Regulations. The Commission received no written or verbal comments on the proposed amendments.
2. The Commission finds that the proposed amendments to the rules and regulations are necessary to update the regulations related to fire department substations and to make the regulations applicable to the establishment of additional Emergency Medical Service (EMS) stations.

The Law

The State Fire Prevention Commission's rulemaking authority is provided by 16 Del. C. § 6603, § 6619(a) and § 6717(a).

Decision and Effective Date

There were no changes to the proposed amendments as a result of the public hearing. The Commission hereby adopts the proposed amendments to Part IX, Fire Service Standards, Minimum Requirements of the Establishment Fire Companies and Substations to be effective ten (10) days following publication of this order in the Register of Regulations.

Text and Citation

The text of the revised rules remains as published in the Register of Regulations, Vol. 12, Issue 1, July 1, 2008.

IT IS SO ORDERED this 16th of September, 2008.

STATE FIRE PREVENTION COMMISSION

Marvin C. Sharp, Jr., Chairman
Bob Ricker, Vice Chairman
Willard (Bill) Betts, Jr.
Kenneth H. McMahon
Douglas S. Murray, Sr.
David J. Roberts
Alan Robinson

Chapter 4 Minimum Requirements ~~of for~~ the Establishment of Additional Stations for Existing Fire and/or EMS Companies/Departments and Sub Stations in the State of Delaware

1.0 General requirements

- 1.1 ~~Fire companies desiring to establish a new substation and/or~~ Existing fire and/or EMS companies/ departments desiring to establish additional station(s) within the State of Delaware shall immediately advise the State Fire Prevention Commission of their intent by letter.
- 1.2 ~~The Commission shall, upon receipt of the notification, send a copy of these regulations to the fire company and the bordering companies and shall advise them of a date to appear before the Commission.~~ and/or EMS companies/departments. The Commission shall notify the parties in writing of the date and time to appear before the Commission. The company/department making the request will be required to appear before the Commission to make a brief presentation and answer questions concerning the proposed additional station(s). Bordering companies/departments may send a written response or a written request to appear before the Commission at the scheduled hearing.
- 1.3 It is necessary for the fire and/or EMS company/department ~~desiring to form a new substation and/or the~~ additional station to follow certain steps to comply with these regulations. The steps to be followed are:
 - 1.3.1 Compliance with Section 2 - Authorization of ~~substation and/or~~ additional station(s).
 - 1.3.2 Compliance with ~~3, 4, 5, 6, and 7~~ - Fire station construction and submittal of plans.
 - 1.3.3 Communications and alarm receiving and alerting equipment.
 - 1.3.4 Equipment, ~~ambulance/rescue apparatus, and~~
 - 1.3.5 Waivers/Exemptions.
- 1.4 Temporary/emergency fire and/or EMS station
 - 1.4.1 The Commission may waive the procedures set forth herein whenever it determines that the health and safety of the public or the good of the ~~F~~fire and/or EMS ~~S~~service in general requires such a waiver.

2.0 Authorization of substation and/or additional station

- 2.1 The Commission shall determine whether any new substation and/or additional station shall be authorized in any part of the State. In making such determination, the Commission shall consider among things the ability, financial or otherwise, of the company/department seeking authorization to maintain an effective fire and/or EMS company and fire and/or EMS protection needs of the area involved. Title 16, Chapter 66, Section 6619.
- 2.2 The location of the ~~substation and/or~~ additional fire and/or EMS station(s) shall be within the requesting company/department's district boundaries. The location shall be selected, taking into account the location of high life hazards, concentrations of values, topographical conditions, bridges, man-made barriers such as railways or limited access highways, ~~traffic congestion, the number and~~

~~extent of urns, the locations of neighboring fire and/or EMS stations and the availability of department members.~~

2.3 A certified plot plan showing the proposed location of the station shall be submitted to the Commission ~~for approval.~~

2.4 Neighboring fire and/or EMS companies/departments may join together to combine resources for an additional station(s) provided all parties appear before the Commission in support of the request.

3.0 **Fire/EMS station construction and submittal of plans**

3.1 The ~~substation and/or~~ additional station(s) shall be of adequate size to provide space for at least two pieces of ~~apparatus emergency equipment.~~

3.2 The ~~substation and/or~~ additional station(s) ~~within existing district~~ shall be of fire resistive or non-combustible construction in accordance with any and all building codes, fire codes and zoning requirements within the local jurisdiction and must provide proper rest room facilities.

3.3 The ~~substation and/or~~ additional station(s) shall be equipped with an emergency power supply ~~as approved by the Commission to keep the station(s) operational during a power outage.~~

3.4 Preliminary and final plans, specifications, etc., shall be submitted to the Commission for approval along with a copy of the appropriate permits from the County or Jurisdictional Building Department and Fire Marshal's Office before work is started.

3.5 A pre-existing building may be approved, providing it meets the standards and requirements set forth in this Section. Preliminary and final plans, along with a copy of the appropriate permits from the County or Jurisdictional Building Department and Fire Marshal's Office, must still be submitted and approved by the Commission.

4.0 **Communications and alarm receiving and alerting equipment**

4.1 The fire/EMS emergency phone shall be on a private phone line direct to the ~~County/local dispatch call board/dispatching center.~~

4.2 Fire/EMS alerting equipment shall be ~~sirens, and or tone activated radio receiving equipment. any of the following: siren, tone activated radio, pager or whatever might be the latest technology in use in the respective county/state at that time, such as alpha/numeric pagers, cell phone/text messaging or internet systems.~~

4.3 The station(s) shall be equipped with the proper computer, fax and printer equipment necessary to transmit and receive data from the local dispatch center, hospitals, state and county agencies including but not limited to fire and EMS reports required by the state.

4.4 All fire and EMS units shall be equipped with the proper radio/computer equipment to communicate with the local dispatch center and local/state agencies.

4.35 Fire/EMS alerting communications equipment shall be tested ~~according to county policy. as agreed upon by the fire and EMS community and the respective county/state.~~

5.0 **Equipment**

5.1 Personal protection

5.1.1 ~~There shall be a minimum of fifteen sets of running gear. Running gear shall include, but not be limited to, the following approved items: helmet, bunker coat, bunker pants, boots, gloves, and eye protection. NFPA No. 1971, 1972, 1973, 1974. personal protection equipment. This equipment shall include, but not be limited to, the following items: helmet, bunker coat, bunker pants, boots, gloves, eye protection and PASS device. All equipment shall meet the appropriate NFPA standard.~~

5.1.2 Stations that will house a BLS unit shall also provide proper protection for the BLS crew to operate safely at emergency incidents. This equipment shall include, but not be limited to, head protection, reflective outer wear, gloves and eye protection.

5.2 Fire apparatus

- 5.2.1 The fire apparatus shall be that which meets the needs of the requesting company and ~~with the~~ is approved of by the Commission.
- 5.2.2 All fire, rescue and aerial apparatus shall conform to the provisions outlined in the Appropriate Chapters of NFPA No. 1901. If pumping apparatus is provided, Section 10.3 shall be complied with.

6.0 ~~Ambulance/rescue apparatus~~

- ~~6.1 All ambulances shall comply with Commission Regulations.~~
- ~~6.2 All rescue apparatus shall comply with Delaware State Volunteer Firemen's Association Requirements.~~
- ~~6.3 All ambulance and/or rescue apparatus shall be equipped with a Mobil Radio which is capable with existing County Dispatch Center.~~

~~7.0~~ 6.0 Waivers/Exemptions

- ~~7.1~~ Fire and/or EMS company/department requests for waivers for certain equipment will be considered.
- ~~7.2~~ Consideration will be given to the requesting company/department to move equipment as needed.

12 DE Reg. 436 (10/01/08) (Final)