

DELAWARE STATE FIRE PREVENTION COMMISSION

Statutory Authority: 16 Delaware Code, Section 6604(1) (16 Del.C. §6604(1))
1 DE Admin. Code 709

FINAL

FINAL ORDER ADOPTING REGULATION CHANGES

709 Fire Service Standards

WHEREAS, 1 DE Admin. Code 709, Fire Service Standards ("Regulation 709") references Delaware Code sections that have been amended or otherwise moved to other sections of the Delaware Code (see House Bill No. 464 as amended by House Amendment No. 1 (145th General Assembly));

WHEREAS, pursuant to 29 Del. C. § 10113(b)(5), the Delaware State Fire Prevention Commission seeks to amend Regulation 709 to make non-substantive changes to correct for these technical errors;

NOW THEREFORE, IT IS HEREBY ORDERED as follows:

1. The statutory reference in the heading preceding Section 1.0 in Chapter 1, relating to the Office of State Fire Marshal, shall be changed from "(16 Delaware Code 6601-6612)" to "(16 Delaware Code §§ 6612-6616)".
2. The statutory reference in Section 2.0 in Chapter 1 relating to the Delaware State Fire School shall be changed from "(16 Delaware Code 6613-6618)" to "(16 Delaware Code §§ 6617-6625)".
3. The statutory reference in Section 3.0 in Chapter 1 relating to the authorization of new fire companies, resolution of boundary and other disputes, and cessation of necessary fire protection services shall be changed from "(16 Delaware Code 6619)" to "(16 Delaware Code § 6607)".
4. A copy of Regulation 709, showing the above amendments, is attached hereto as Exhibit A.

IT IS SO ORDERED, this 19th day of April, 2022, by the Commission:

Ronald H. Marvel, Chairman	Alan Robinson, Jr., Vice Chairman
Lynn Truitt	Richard Perillo
Joe Leonetti, Sr.	Bill Betts
William Kelly	

709 Fire Service Standards

Chapter 1 Responsibilities of the State Fire Prevention Commission

Relative to Commission and Office of State Fire Marshal (16 Delaware Code ~~6601-6612~~ §§6612-6616).

1.0 The Commission shall:

- 1.1 Select a Chairman and Vice Chairman from among its members.
- 1.2 Hold regular meetings once per month.
- 1.3 Hold special meetings when called by the Chairman, Vice-Chairman, in the absence of the Chairman, or by three members of the Committee.
- 1.4 Have the power to promulgate, amend, and repeal regulations for the safeguarding of life and property from the hazards of fire and explosion.
- 1.5 Hold a public hearing on each regulation, amendments, or repealer.
- 1.6 Have the power to summon witnesses and administer oaths.
- 1.7 Appoint the State Fire Marshal for a term of 4 years.
- 1.8 Set the salary of the State Fire Marshal.
- 1.9 Fill an unexpired term when a vacancy exists in the position of State Fire Marshal.
- 1.10 Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, or refusal made by the State Fire Marshal, based on the enforcement of the State Fire Code.
- 1.11 Hear and decide requests for special exceptions or interpretations of any regulation upon appeal.
- 1.12 Be allowed to authorize a variance to regulations.

- 1.13 File in the Office of State Fire Marshal all decisions, authorizations or interpretations made under (10), (11), and (12) above, in writing and signed by the Chairman, within 20 days following the appeal.
- 1.14 Be empowered, along with the State Fire Marshal and the Attorney General, to institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove unlawful erection, construction, reconstruction, alteration, or use of a building, structure, or equipment in violation of the State Fire Codes.
- 1.15 Annually, transmit to the Governor a full report of its proceedings including a financial statement covering the preceding fiscal year.

2.0 Relative to Delaware State Fire School (16 Delaware Code ~~6643-6648~~ §§6617-6625).

The Commission shall:

- 2.1 Have complete jurisdiction over, and complete management and control of the Delaware State Fire School.
- 2.2 Have full power and authority:
 - 2.2.1 To make all rules and regulations necessary for the governing of said institution;
 - 2.2.2 To appoint a Director and such Instructors, experimental helpers, secretaries and laborers as may be necessary, and to remove the same at their judgment and discretion;
 - 2.2.3 To fix compensations and provide for payment thereof;
 - 2.2.4 To have full management, possession and control of the lands, buildings, structures and property belonging thereto;
 - 2.2.5 To provide for the courses of study and curriculum of the institution;
 - 2.2.6 To make rules and regulations for the admission of trainees to said institution;
 - 2.2.7 To visit and inspect said institution and every department thereof, and to provide for the proper keeping of accounts and records thereof;
 - 2.2.8 To make and prepare all necessary budgets of expenditures for the enlargement, proper furnishings, maintenance, support and conduct of said institution;
 - 2.2.9 To select and purchase all property, furniture, fixtures and paraphernalia necessary for said institution from time to time;
 - 2.2.10 To build, construct, change, enlarge, repair and maintain any and all buildings or structures of said institution that may at any time be necessary for said institution;
 - 2.2.11 To purchase and acquire all lands and property necessary for same, of every nature and description whatsoever;
 - 2.2.12 To care for and maintain the same and to do and perform every other matter or thing requisite to the proper management, maintenance, support and control of said institution.
- 2.3 Have authority to acquire real or personal property by purchase, gift or donation and have water rights; make contracts; and undertake by contract or by its agent and employees, and otherwise than by contract, and project and operate and maintain such projects.
- 2.4 Be empowered to accept grants of money or materials or property of any kind upon such terms or conditions as the grantor may impose.
- 2.5 Perform all acts and do all things necessary or convenient to carry out the powers granted above.
- 2.6 Be empowered to fix and collect admission fees and other fees that it may deem necessary to be charged for training given.
- 2.7 Employ a Director for the State Fire School and shall employ, on the recommendation of the Director, such other Instructors, helpers, secretaries, and laborers as may be necessary.
- 2.8 Have the power to prescribe and make the necessary rules and regulations for the use of the buildings, equipment and other facilities when they are not in use for the purpose set forth.
- 2.9 Consult the Advisory Board on any Fire School matters whether administrative or technical and receive recommendations thereon.

3.0 Relative to authorization of new fire companies, resolution of boundary and other disputes, and cessation of necessary fire protection services (16 Delaware Code ~~6649~~ §6607).

The Commission shall:

- 3.1 Be empowered to promulgate, amend, and repeal regulations related to the exercise of Commission powers and responsibilities defined below.
- 3.2 With the exception of cities with a population greater than 50,000.

- 3.2.1 Determine whether new fire companies or substations shall be authorized;
- 3.2.2 Have authority to prohibit the suspension of fire protection services.
- 3.3 Have authority to confirm the established geographical boundaries of areas served by all existing fire companies and to resolve boundary disputes.
- 3.4 Have authority to enter binding orders resolving disputes or grievances within or between fire companies.
- 3.5 Within its discretion bring an action in the Court of Chancery to temporarily restrain or enjoin any act or practice which constitutes a violation of an order of the Commission.

4.0 With respect to reports from insurance companies.

The Commission shall:

- 4.1 Accept reports on fire losses from insurance companies on forms provided by the Commission.
- 4.2 Within its discretion, provide, with the approval of the Attorney General's Office, a written report to a person of the result of investigation of fire or explosion.

Chapter 2 Introduction

1.0 Purpose

This regulation establishes the procedures for the State Fire Prevention Commission's exercise of its powers under 16 Del.C. Ch. 66. This regulation sets forth the manner in which the Commission shall review questions pertaining to the delivery of adequate fire protection services in this State, including, but not limited to, questions concerning the authorization of new fire companies and substations, the cessation of fire protection services by a fire company or substation and the resolution of boundary and other disputes between fire companies. The Commission expressly reserves the right to dismiss any grievance or complaint on its own motion if it deems such grievance or complaint to be insubstantial.

2.0 Definitions

“County Firemen's Association (C.F.A.)”

- New Castle County Volunteer Firemen's Association
- Kent County Volunteer Firemen's Association
- Sussex County Volunteer Firemen's Association

“Delaware Volunteer Firemen's Association (D.V.F.A.)”

“et seq.” (other)

“Findings-Results” This term shall refer to the results of the CFA or the DVFA evaluation of the grievance. Findings shall be in brief written form supplied to the grieving parties and the Commission, and if the Grievance was;

- A. Settled
- B. Not Settled

“Fire Company” means an organization organized and equipped to provide fire suppression, and Authorized by the State Fire Prevention Commission.

“Fire Company Member” This term shall refer to any individual maintained on the membership rolls of a fire company in this State and any individual whose membership is terminated for any reason from such a company less than 60 days before the filing of a Grievance under Section 4.1 of this Regulation.

“Substation” means a fire station operated and controlled by a fire company at a location remote from its main station and Authorized by the State Fire Prevention Commission.

3.0 Public Complaints

- 3.1 Any individual, group, organization, association, corporation, government agency or other governmental unit (hereinafter referred to as complainant) having a dispute or complaint, must present such complaint or dispute in writing to the company's President, Chief, or Board of Directors. A copy of this complaint shall be forwarded to the commission within 10 days.
- 3.2 If the matter cannot be resolved on the company level within 60 days after such presentation, then the complainant may request that the Commission review the matter by submitting the complaint to the

Commission setting forth in writing, on a form that may be secured from the Commission, the facts requiring the Commission's review.

- 3.3 If the Commission determines that the review of the complaint is warranted, then the Chairman shall set the matter for an informal fact-finding or public hearing within 45 days from the date of the complaint's receipt. All such hearings shall conform insofar as is practicable to the methods and procedures set forth in Subchapter III of the Administrative Procedures Act, 29 **Del.C.** Ch. 101. In any event, the Commission shall enter a decision or final order within 60 days from the conclusion of such hearing.
- 3.4 No member, or past member of a fire company may file a complaint under this Section concerning facts or circumstances which occurred during the period of his membership with a fire company and was related to the activities of such company. Members of fire companies are to seek the resolution of fire protection and ambulance disputes through the procedures established in section 4.0.
- 3.5 The Commission may, after 3.2, appoint from its members, a Commissioner to assist parties in arbitrating a grievance. All parties must request and agree to this step in writing. This is an option of -the parties concerned. If agreements cannot be made, the process continues.
 - 3.5.1 General Guidelines
 - 3.5.1.1 This process will be with parties concerned only the President, Secretary or Chief and the grieving party may attend.
 - 3.5.1.2 It will be informal, at a State Office Building.
 - 3.5.1.3 No record will be made, no notes, no tape recordings.
 - 3.5.1.4 Legal Counsel will not be permitted.
 - 3.5.1.5 If the problem in question is solved, a signed release withdrawing the grievance will complete this process.

4.0 Procedures Involving a Grievance Between:

- 4.1 A fire company member and/or members which impacts public safety.

NOTE: For the purpose of this regulation, Ladies Auxiliaries, whether incorporated as part of a fire company or not, shall be considered fire company members and fall under this section of the regulation.

- 4.2 Two fire companies concerning an issue under the authority of the Fire Commission.
- 4.3 Two or more fire companies concerning boundary disputes.
 - 4.3.1 Upon receipt of a grievance involving any of the grievances listed in Section 4.0, the following procedure shall be followed;
 - 4.3.2 At its regularly scheduled meeting, the Commission shall review the grievance for the purpose of determining its merits. Grievances may be dismissed at this time by the Commission on its own motion if the Commission determines that the grievance lacks substance, merit or compliance with Section 4.0.
 - 4.3.3 Acceptance of the grievance by the Commission will result in the following actions;
 - 4.3.3.1 Copies of the grievance immediately sent to all parties involved accompanied by a letter from the Commission requesting immediate attention and attempts to resolve. Within 60 days receipt of letter, the following is required from each party;
 - 4.3.3.1.1 A letter signed by the grievant or both the President and Chief of the grievant fire company AND both the President and Chief of the fire company involved, identifying that the grievance has been resolved,
- OR
 - A letter identifying each party's position on the grievance along with either; (1) their acceptance of mediation as identified within 4.3.4.1 through 4.3.4.4 or (2) their desire to skip this section, immediately moving to subsection 4.3.5.

NOTE: Considering the time and resources which stand to be spent in mediation, the intent of this subsection is to require "Up Front" acknowledgment and acceptance of the mediation process by both parties.

- 4.3.3.2 Commission's letter will also clearly identify the potential consequences involved as a result of the grievance, specifically emphasizing the responsibilities and potential consequences to those presenting the grievance.

- 4.3.3.3 Commission shall take whatever actions may be practical during this 60 day time period for the purpose of fact finding or investigating the grievance in order to further substantiate validity.
- 4.3.4 A four member mediation team consisting of two from the originating county and one from each other county shall be immediately assigned from the Delaware Volunteer Firemen's Association (DVFA) mediation group. Within 60 days of assignment, this team shall be responsible for meeting with all parties for the purpose of mediating a settlement to the grievance. The following procedures shall apply to meetings of all parties;
 - 4.3.4.1 All proceedings are to be informal with representation limited to a maximum of three individuals, not including witnesses, representing the grievant and three fire company members.
 - 4.3.4.2 No legal representation is to be present.
 - 4.3.4.3 Notes are permissible and may be referenced to form future opinions. Summaries of each mediation meeting including facts provided and major points presented shall be required to be submitted to the Commission at the conclusion of the mediation process if mediation efforts are unsuccessful.
 - 4.3.4.4 Proceedings shall be documented as to the date, time, those in attendance and the facts as presented to the mediation team.

NOTE: As identified in Section 4.3.3, failure by any party to agree to all elements of this mediation process shall result in by-passing Section 4.3.4 and moving directly to 4.3.5.

There are three possible outcomes from the above mediation process;

- 4.3.4.4.1 Mediation efforts are successful which requires a single written document identifying all facts of the agreement and signed by the grievant or both the President and Chief of the grievant fire company AND both the President and Chief of the fire company involved.
- 4.3.4.4.2 Mediation efforts are unsuccessful with the recommendations provided to the Commission by the mediation team based on the facts identified during hearing(s).
- 4.3.4.4.3 Mediation efforts are unsuccessful with no recommendations provided by the mediation team.
- 4.3.5 If the grievance cannot be resolved through the mediation process outlined in Section 4.3.4, the Commission shall schedule, at its next available regularly scheduled meeting, a review of the grievance through either:
 - 4.3.5.1 An informal fact-finding hearing in which the facts developed in the course of applying Sections 4.3.3 and 4.3.4 are considered

OR

- 4.3.5.2 A formal hearing at which time previously developed facts as well as direct testimony and evidence will be considered.

4.4 Extensions

- 4.4.1 The Commission may grant extensions of time to the mediation team from the time limits established in Sections 4.3.3 and 4.3.4 if the circumstances warrant no prejudice results to the parties involved.

4.5 Waivers

- 4.5.1 The Commission may waive the procedures set forth in Sections 4.0 whenever it determines that public safety or the good of the fire service is in jeopardy. Whenever such a determination is made, the Commission shall issue a written statement identifying the reasons for its action. Once this action has been taken, the Commission shall take whatever actions it deems necessary, consistent with its statutory authority.

5.0 Arbitration Team and Policy

- 5.1 An arbitration team shall be appointed by the evaluating Association and such team shall consist of three or more members.
- 5.2 All proceedings conducted by the arbitration team shall be documented with regard to date, time, and those in attendance.
- 5.3 All information obtained will be restricted to the Arbitration Team until such meetings have been concluded. The findings shall be forwarded to the Grievant parties and the State Fire Prevention Commission.

- 5.4 If assistance is needed by the County Association or the State Association, the State Fire Prevention Commission may be contacted through the Commission Chairman to act upon the request.
- 5.5 At no time shall any Commissioner interfere with any arbitration.

6.0 Grievance Form

See Attachment.

Chapter 3 Minimum Requirements for the Establishment of New Fire Companies

1.0 General Requirements

- 1.1 Any person or persons, group or organization desiring to establish a new fire company within the State of Delaware shall immediately advise the Commission of their intent by letter.
- 1.2 The Commission shall, upon receipt of the notification, send a copy of these Regulations to the person or persons, group or organization and shall advise them of a date to appear before the Commission.
 - 1.2.1 The Commission will notify existing fire companies serving an area when a petition is filed for a new fire department in that area.
- 1.3 All sections of these Regulations shall be complied with before final approval will be given.
- 1.4 Existing fire companies serving the proposed district shall continue to serve the district until the new company receives probational approval.
- 1.5 It is necessary for the person or persons, group or organization, or municipalities desiring to form a new fire company to follow certain steps in complying with these Regulations. The steps to be followed are:
 - 1.5.1 Compliance with Section 2.0 - Location of fire department and district to be served.
 - 1.5.2 Compliance with Sections 3.0, 4.0, and 5.0 - Constitution, bylaws, members, financial backing and responsibility.
 - 1.5.3 Compliance with Sections 6.0, 7.0, 8.0, 9.0, and 10.0 - Training, fire station construction, submittal of plans, communications, alarm receiving, alerting equipment, and equipment.

Upon compliance with 1.5.1 the Commission will establish the need for a fire company in the area and may authorize the person or persons, group or organization, or municipalities the right to proceed to step 1.5.2.

Upon compliance with 1.5.2 the Commission will grant approval of an administrative organization and will authorize the organization the right to proceed to step 1.5.3.

Upon compliance with step 1.5.3 the Commission will authorize a one-year probational approval for the fire company and will determine that a fire company has been established to serve the area outlined in Section 2.0.
- 1.6 At the end of the one-year probational period, the fire company will be judged on its performance, financial ability, members, training, and equipment. If all is judged to be satisfactory, the Commission will authorize the fire company to be placed on permanent status. The Commission Advisory Board may advise and make recommendations at any time during this process.

2.0 Location of Fire Department and District to be served

- 2.1 The Commission shall not authorize the establishment of a new fire company within four miles of any existing fire company or companies unless the Commission determines that an existing fire company is not reasonably equipped, manned, organized, financed, disciplined to deliver, or is not actually delivering adequate fire protection in accordance with recognized safety standards to the area it serves. Title 16, Chapter 66, Section 6619.
- 2.2 The Commission shall determine whether any new fire companies 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 seeking authorization to maintain an effective fire company and fire protection needs of the area involved. Title 16, Chapter 66, Section 6619.
- 2.3 The location of fire stations 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 runs, and the availability of department members.
- 2.4 A certified plot plan showing the proposed location of the station shall be submitted to the Commission for approval.

- 2.5 A map and narrative description showing the proposed district to be served shall be submitted to the Commission for approval.
- 2.6 Written agreements with all existing, bordering fire companies shall be submitted to the Commission. Such agreements shall outline the areas served by the existing fire companies that will be allocated to the proposed fire company. The agreement shall be signed by the President, Secretary, and Chief of the existing companies in the presence of a notary public. His seal shall be affixed to the agreement.

3.0 Constitution and Bylaws

- 3.1 A proposed constitution and bylaws shall be submitted to the Commission for approval.
- 3.2 The constitution and bylaws shall include, but not be limited to the following:
 - 3.2.1 name of the fire company;
 - 3.2.2 address;
 - 3.2.3 incorporation by the State of Delaware;
 - 3.2.4 membership requirements;
 - 3.2.5 list of charter members (name, address, & social security number);
 - 3.2.6 officers (to include President, Vice President, Secretary, Treasurer, Directors, Chief, 1st and 2nd Assistant Chiefs, and Fire Recorder);
 - 3.2.7 duties of Officers;
 - 3.2.8 meetings;
 - 3.2.9 house rules;
 - 3.2.10 elections;
 - 3.2.11 dues;
 - 3.2.12 order of business.

4.0 Members

- 4.1 There shall be at least twenty-five active fire fighting members.
- 4.2 The members mentioned above must live in the district served by the company for at least one year immediately preceding the application.

5.0 Financial backing and responsibility

- 5.1 The proposed fire company shall submit to the Commission bank statements, financial reports, notarized letters of financial backing, and any other information required to establish whether the company has the financial means and backing to acquire property, buildings, training, and equipment to provide adequate fire protection in accordance with recognized safety standards to the area it serves and maintain an effective fire company for the fire protection needs of the area involved.
- 5.2 An annual financial statement and reports of training shall be submitted to the Commission no later than three (3) months after the close of the fire company's first fiscal year and the following two consecutive years.
- 5.3 Annual Inventory reports shall be submitted in a manner prescribed by the Commission.

6.0 Training

- 6.1 Twenty-five members mentioned in Section 4.0 shall have completed Basic Firefighting Skills and Structural Firefighting Skills as provided by the Delaware State Fire School, (or equivalent approved by the Commission) prior to certification.
- 6.2 The Chief shall have completed the Incident Management level of training as provided by the Delaware State Fire School,(or equivalent approved by the Commission) prior to certification.
- 6.3 At least four members, in addition to completing the forty-eight hours mentioned above (Subsection 6.1) shall have completed twenty-four hours of Pump School as provided by the Delaware State Fire School prior to certification. (or equivalent approved by the Commission).
- 6.4 All active members shall receive at least twenty-four hours of approved additional training the first two years. (Delaware State Fire School/In-Service)
- 6.5 All operators of Fire Apparatus shall have an Emergency Vehicle License, and Commercial or, Non Commercial Drivers License, as required by the State of Delaware.

7.0 Fire station construction and submittal of plans

- 7.1 The fire station shall be of adequate size to provide space for at least three (3) pieces of apparatus. At least two pieces of apparatus shall have direct access to the street so it will not be necessary to remove one vehicle to permit a second vehicle to respond.
- 7.2 The fire station shall be of fire resistive or non-combustible construction in accordance with any and all building codes and zoning requirements within the local jurisdiction.
- 7.3 The station shall be equipped with an emergency power supply as approved by the Commission.
- 7.4 Preliminary and final plans, specifications, etc., shall be submitted to the Commission for approval before work is started.
- 7.5 A pre-existing building may be approved, providing it meets the standards and requirements set forth in this Section. Preliminary and final plans must still be submitted and approved by the Commission.

8.0 Communications

- 8.1 The Fire Department shall maintain a base radio station that is compatible with existing County Dispatch Center.
- 8.2 Each piece of apparatus shall be equipped with a mobile radio which is compatible with the existing County Dispatch Center.
- 8.3 A copy of the Federal Communication Commission license shall be sent to the Commission.

9.0 Alarm receiving and alerting equipment

- 9.1 The fire emergency phone shall be on a private phone line direct to the County call board/dispatching center.
- 9.2 Fire alerting equipment shall be sirens, and or tone activated radio receiving equipment.
- 9.3 Fire alerting equipment shall be tested according to county policy.

10.0 Equipment

- 10.1 Personal protection
 - 10.1.1 There shall be a minimum of twenty-five sets of running gear. Running gear shall include, but not be limited to, the following approved items: helmets, bunker coat, bunker pants, boots, gloves, and eye protection. NFPA No. 1971, 1972, 1973 and 1974 in compliance with the Appendix of these Regulations.
- 10.2 Fire apparatus
 - 10.2.1 Two pieces of pumping apparatus purchased shall conform to the provisions outlined in appropriate Chapters of NFPA No. 1901.
 - 10.2.2 One piece of pumping apparatus, less than two years old from date of most recent Manufactures Certification of Hydrostatic Test, shall be provided. The apparatus shall conform to Sections 10.2 — 10.6 of these regulations. The second piece shall be certified as per 10.3.3 in the last 10 years.
- 10.3 Pump
 - 10.3.1 The pump shall be capable of delivering a minimum of 750 GPM at 150 PSI net pump pressure. Reference in the appropriate Chapter of NFPA No. 1901.
 - 10.3.2 The pump shall conform to the provisions in the appropriate of Chapter of NFPA No. 1901, in regards to design and performance requirements, construction requirements, operating controls and devices, and acceptance requirements.
 - 10.3.3 Pump Certification, as referenced in subsection 10.2.2 shall consist of either: copies of the manufacturer's run-in certification, pump manufacturer's certification of hydrostatic test, or by a third party approved by the Commission.
- 10.4 Water carrying capacity
 - 10.4.1 If the area to be served by the Company has an approved municipal or private water system throughout the district, at least one apparatus shall be capable of carrying 500 gallons of water.
 - 10.4.2 If the area to be served is rural, with no water system, at least one apparatus shall be capable of carrying 1,000 gallons of water.
 - 10.4.3 Water tanks shall conform to the provisions the appropriate section of NFPA No. 1901, in regards to tank construction and tank connections.
- 10.5 Hose compartments
 - 10.5.1 Hose compartments shall be provided to carry not less than 55 Cubic Feet of 2 1/2 inch double jacket, rubber lined hose and 400 feet of 1 1/2 inch double jacket, rubber lined hose (equal or better).

10.5.2 Provisions shall be made so that at least two 1 1/2 inch line are pre-connected with at least 200 feet minimum (equal or better).

10.5.3 Hose compartments shall conform to NFPA No. 1901 (equal or better).

10.6 Equipment to be carried on combination of apparatus

10.6.1

- 10.6.1.1 1 - 14 ft. ladder with folding hooks on each apparatus.
- 10.6.1.2 2 - fire department ladders. One to extend 24 ft. on one apparatus and one folding 10 ft. on the other apparatus.
- 10.6.1.3 2 - axes, 1 pick head and 1 flat head type on each apparatus.
- 10.6.1.4 2 - Portable hand lights.
- 10.6.1.5 2 - approved portable fire extinguisher Ref. appropriate section of NFPA No. 1901, on each apparatus.
- 10.6.1.6 2 - pike poles or plaster hook, 6 ft. and 8 ft. minimum on each apparatus.
- 10.6.1.7 1 - swivel connection with suction hose thread on end and local large hydrant thread on the other end on each apparatus. (If no hydrants in the district, threads shall conform to nearest hydrants).
- 10.6.1.8 1 - swivel connection with pump suction thread on one end and local 2 1/2 inch on the other end on each apparatus.
- 10.6.1.9 1 - metal strainer of adequate capacity for suction hose on each apparatus.
- 10.6.1.10 15 feet minimum of hard or soft (determined by company) suction hose, 30 ft. in rural areas on each piece of apparatus.
- 10.6.1.11 1200 ft. of 2 1/2 inch or larger supply line capable of 600 PSI with national standard or accepted couplings or hose meeting NFPA standards, NFPA 1961, on each apparatus.
- 10.6.1.12 400 ft. of 1 1/2, 1 3/4, or 2 inch or larger hand line capable of 600 PSI with national standard or accepted couplings or hose meeting NFPA standards, NFPA 1961, on each apparatus.
- 10.6.1.13 1 - Water Extinguisher w/bracket.
- 10.6.1.14 2 - 1/2 inch shut off nozzle capable of discharging at least 95 GPM in both a fog and straight stream on each piece of apparatus.
- 10.6.1.15 1 - 2 1/2 inch shut off nozzle capable of discharging at least 200 GPM in both a fog and straight stream on each piece of apparatus.
- 10.6.1.16 1 - playpipe, threads 2 1/2 inch standard at hose end and 1 1/2 inch standard for nozzle tips with shut off nozzles and not less than 1 inch smooth bore tips on each end on each piece of apparatus.
- 10.6.1.17 4 - combination spanner wrenches for 1 1/2 and 2 1/2 inch hose couplings on each piece of apparatus.
- 10.6.1.18 2 - adjustable hydrant wrenches on each piece of apparatus.
- 10.6.1.19 1 - 2 1/2 inch double female connection on each piece of apparatus.
- 10.6.1.20 1 - 2 1/2 inch double male connection on each piece of apparatus.
- 10.6.1.21 1 - claw tool on each piece of apparatus.
- 10.6.1.22 1 - crowbar, 36 inch on each piece of apparatus.
- 10.6.1.23 1 - 2 1/2 inch siamese, with clapper valves on each piece of apparatus.
- 10.6.1.24 1 - 2 1/2 inch wye on each piece of apparatus.
- 10.6.1.25 1 - wye reducer, 2 1/2 inch female x 1 1/2 male x 1 1/2 inch male on each piece of apparatus.
- 10.6.1.26 1 - 1/2 inch single gate or ball valve on each piece of apparatus.
- 10.6.1.27 1 - first aid kit, 24 unit fire department assortment on each piece of apparatus.
- 10.6.1.28 2 - salvage covers, 12 x 14 ft. on either piece of apparatus.
- 10.6.1.29 3 - sprinkler stoppers or wedges on each piece of apparatus.
- 10.6.1.30 1 - broom on each piece of apparatus.
- 10.6.1.31 1 - scoop shovel on each piece of apparatus.
- 10.6.1.32 3 - hose straps or belts on each piece of apparatus.
- 10.6.1.33 1 - hose clamp on each piece of apparatus.
- 10.6.1.34 125 ft. of manila rope, 5/8 inch diameter on each piece of apparatus.
- 10.6.1.35 1 - hose jacket for 2 1/2 inch hose optional on either piece of apparatus.

- 10.6.1.36 4 - Self-contained breathing apparatus. (30-minute) NIOSH approved on each piece of apparatus. In compliance with NFPA 1981.
- 10.6.1.37 4 - spare bottles for breathing apparatus. (30-minute) NIOSH approved on each piece of apparatus. In compliance with NFPA 1981.
- 10.6.1.38 1 - blanket on each piece of apparatus.
- 10.6.1.39 1 - distributing nozzle (cellar nozzle) optional on either piece of apparatus.
- 10.6.1.40 1 - set of adapters to make connection between national standard thread and thread of surrounding companies (may be waived) optional on either piece of apparatus.
- 10.6.1.41 1 - generator, 2.5 KW on either piece of apparatus.
- 10.6.1.42 1 - smoke ejector, 5,000 CFM on either piece of apparatus.
- 10.6.1.43 200 ft. 12-3 electric cable with locking type connectors on each piece of apparatus.
- 10.6.1.44 1 - Rubber mallet suitable for use on suction hose connections.
- 10.6.1.45 2 - Wheel chocks mounted readily accessible location.
- 10.6.2 All equipment shall be equal to or better than that listed above.
- 10.6.3 Fire company requests for waivers for certain equipment will be considered.

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

1.0 General requirements

- 1.1 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 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 the additional station to follow certain steps to comply with these regulations. The steps to be followed are:
 - 1.3.1 Compliance with Section 2.0 - Authorization of additional station(s).
 - 1.3.2 Compliance with Section 3.0 - Fire station construction and submittal of plans.
 - 1.3.3 Communications and alarm receiving and alerting equipment.
 - 1.3.4 Equipment
 - 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 fire and/or EMS service in general requires such a waiver.

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

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 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, 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.
- 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.

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

3.0 Fire/EMS station construction and submittal of plans

- 3.1 The additional station(s) shall be of adequate size to provide space for at least two pieces of emergency equipment.
- 3.2 The additional station 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 additional station(s) shall be equipped with an emergency power supply 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.

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

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 center.
- 4.2 Fire alerting equipment shall be 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.
- 4.5 Fire/EMS alerting communications equipment shall be tested as agreed upon by the fire and EMS community and the respective county/state.

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

5.0 Equipment

- 5.1 Personal protection
 - 5.1.1 There shall be a minimum of fifteen sets of 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 is approved 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, Chapter 3, subsection 10.3 shall be complied with.

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

6.0 Waivers/Exemptions

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

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

Chapter 5 - Live Fire Training Regulations

1.0 Introduction

- 1.1 **Scope.** This regulation deals with the establishment of procedures for training of fire suppression personnel engaged in structural fire fighting operations under live fire training. Effective July 1, 1995.
- 1.2 **Purpose.** This regulation deals with the training of structural fire fighting under live fire conditions and focuses on training for coordinated interior fire suppression operations with a minimum exposure to risk for the participants.
- 1.3 **General.** Live fire training in a training center burn building or in a suitable acquired building awaiting demolition is an excellent means of training fire fighters. While this type of training provides high levels of realism, it obviously carries with it most of the hazards of interior fire fighting at an actual emergency. Live fire training evolutions must be planned with great care and supervised closely by instructional personnel. The information contained in this regulation is designed to ensure adequate levels of safety while allowing the local organization some flexibility to utilize independent judgement based on local situations and the level of training to be accomplished.
- 1.4 **Definitions.** Unless expressly stated elsewhere, the following terms shall, for the purposes of this regulation, have the meanings indicated below.

“Acquired Building” means a structure acquired by the authority having jurisdiction from a property owner for the purpose of conducting live fire training evolutions.

“Authority Having Jurisdiction” The "authority having jurisdiction" for the purpose of live fire training is the fire chief.

“Demonstration” means a practical showing by example of how a principle or method is applied.

“Instructor” means an individual designated by the authority having jurisdiction to deliver structural fire fighting training; who has the training and experience to supervise students during live fire training evolutions in structures.

“Live Fire” means any unconfined open flame or device that can propagate fire to the building or other combustible materials.

“Officer-in-Charge” means an individual designated by the authority having jurisdiction to be in charge of the live fire training evolution.

“Participant” means any student, instructor, safety officer, visitor, or person who is involved in the live fire training evolution within the operations area.

“Safety Officer” means an individual designated by the authority having jurisdiction to maintain a safe working environment at all live fire training evolutions.

“Student” means any person who is present at the live fire training evolution for the purpose of receiving training.

2.0 Student Prerequisites

- 2.1 Minimum Training. In order to ensure safe operations during a live fire training exercise, all participating personnel shall meet a minimum level of basic training as required by the authority having jurisdiction.
- 2.1.2 Requirements of a minimum basic training for students, crew leaders, instructors, safety officers, and officers in charge participating in live fire training shall be determined by the authority having jurisdiction.

3.0 Structures

- 3.1 General. Strict safety practices shall be applied to all structures selected for live fire training evolutions. These practices will vary greatly in the degree of application when comparing burn building structures to acquired structures. By their nature, burn buildings have been designed specifically for the purpose of repeated live fire training evolutions and include safeguards that only become unacceptably hazardous through misuse or improper maintenance. Acquired structures, on the other hand, were never designed or intended for burn applications and through disrepair may lack even fundamental elements of fire resistance.
- 3.2 Procurement of Acquired Buildings
- 3.2.1 Any building that is considered for a structural fire training shall be properly prepared for the live fire training. Preparation will include following the Delaware Fire Prevention Commission Burn Regulations.
- 3.3 Preparation of Acquired Buildings
- 3.3.1 In preparation for live fire training, an inspection of the structure shall be made to determine that the floors, walls, stairs, and other structural components are capable of withstanding the weight of content, participants, and accumulated water.
- 3.3.2 Removal or neutralization of all hazardous storage and conditions within the structure shall be accomplished. Closed containers and highly combustible materials shall be removed. Oil tanks and similar closed vessels that cannot easily be removed shall be vented sufficiently to eliminate an explosion or

overpressure rupture, and have any hazardous or combustible atmosphere within the tank or other vessel shall be rendered inert. Hazards potentially dangerous to participants such as floor openings, missing stair treads and rails, and other such hazards shall be repaired or made inaccessible.

3.3.3 In order to secure optimum participant personal safety from unforeseen environmental hazards, a careful examination of the building or structure shall be conducted to determine that the following items have been addressed, if applicable, to the specific evolution.

3.3.3.1 floors, railings, and stairs shall be made safe;

3.3.3.2 special attention shall be given to potential chimney hazards;

3.3.3.3 debris creating or contributing to unsafe conditions shall be removed;

3.3.3.4 extraordinary weight above the training area shall be removed or the area below it shall be rendered inaccessible;

3.3.3.5 adequate ventilation opening(s) shall be made in the roof;

3.3.3.6 utilities shall be disconnected;

3.3.3.7 all forms of asbestos deemed hazardous to personnel shall be removed.

3.3.4 Roof ventilation openings that are normally closed but can be opened in the event of emergency may be utilized. These may consist of panels or hinged covers.

3.3.5 Buildings that cannot be made safe as required by section 3-3 shall not be utilized for interior live fire training evolutions.

3.4 Exposures

3.4.1 Adjacent building or property that might become involved shall be properly protected in accordance with the Delaware Fire Prevention Commission Burn Regulations.

3.4.2 Utility service adjacent to the building shall be removed or protected.

3.4.3 Property adjacent to the building that could be affected by the smoke from the building, such as railroads, airports, or heliports; nursing homes, hospitals, or other similar facilities shall be identified and the person-in-charge informed about the date and time of the live fire training evolution.

3.4.4 Streets or highways in the vicinity of the building shall be surveyed for potential effects from live fire training evolutions. Appropriate safeguards shall be taken to eliminate any possible hazard to motorists. Such safeguards may include street closing, traffic rerouting, signs, and police traffic control.

3.4.5 Pedestrian traffic in the vicinity of the building shall be kept clear of the operations area of the live burn. Fire lines shall be established for this purpose.

3.5 Water Supply

3.5.1 The water supply for any individual live fire training evolution shall be assessed based on the extent of the evolutions, size and structure of the building and contents to be involved, method of attack to be employed, protection of exposures, and reserves for unexpected problems.

3.5.2 Separate sources shall be utilized for supply of attack lines and backup lines in order to preclude the loss of both water supply sources at the same time.

3.6 Vehicle Parking/Staging

3.6.1 Adequate areas for staging, operating, and parking of the fire apparatus that will be used in the live fire training evolution shall be designated.

3.6.2 An area shall be designated to park fire apparatus and vehicles that are not a part of the evolution so as to not interfere with fire ground operations. Consideration shall be given to locating this area for prompt response of apparatus in the event of an emergency.

3.6.3 If required or necessary, parking areas for police vehicles or for the press shall be designated.

3.6.4 A parking area for an ambulance or emergency medical service vehicle shall be designated. Consideration shall be given to locating this area for prompt response in the event of a personal injury to participants in the evolution.

3.6.5 Consideration shall be given to the designation and layout of ingress-egress routes in order to assure their availability in the event of an emergency.

3.7 Preburn Briefing Session

3.7.1 Prior to conducting actual live fire training evolutions in the building, a preburn briefing session shall be conducted for all participants. All facets of all evolution to be conducted shall be discussed and assignments shall be made for all crews participating in the training session. The location of simulated victims (see subsection 5.2.10) need not be disclosed, provided that the possibility of victims is discussed in the preburn briefing.

- 3.7.2 Prior to conducting any live fire training in the structure, all participants shall have a knowledge and familiarity with the layout of the building in order to facilitate necessary evacuation of the building. Prior to conducting any live fire training in the structure, all participants of the evolution shall be required to have a walk-through of the structure.
- 3.7.3 A building evacuation plan shall be established and an evacuation signal shall be demonstrated to all participants prior to the live fire training evolution.

3.8 Spectator Safety

- 3.8.1 All spectators shall be restricted to an area outside the operations area perimeter established by the fire chief or his designee.
- 3.8.2 Visitors allowed to observe operations and allowed within the perimeter shall be escorted at all times.

4.0 Fuel Materials

4.1 Material Types

- 4.1.1 The fuels that are utilized in live fire training evolutions shall have known burning characteristics of such a nature to be as controllable as possible. Unidentified materials, such as debris found in or around the structure which may burn in an unanticipated way, react violently, or create environmental or health hazards, shall not be used.
- 4.1.2 Class A materials shall be used in only the amounts necessary to create the desired fire size.

Exception: Pressure treated wood, rubber, and plastic materials shall not be used.

4.2 Fire Growth

- 4.2.1 The officer-in-charge shall assess the selected fire room environment for factors that will affect the growth, development, and spread of fire.

5.0 Safety

5.1 Safety Officer/Designee

- 5.1.1 A safety officer shall be appointed by the authority having jurisdiction for all live fire training evolutions.
- 5.1.2 The safety officer shall have the authority, regardless of rank, to intervene and control any aspect of the operations when, in his or her judgement, a potential or real danger, accident, or unsafe condition exists.
- 5.1.3 Responsibilities of the safety officer shall include but not be limited to:
 - 5.1.3.1 prevention of unsafe acts
 - 5.1.3.2 elimination of unsafe conditions
- 5.1.4 The safety officer shall provide for the safety of all persons on the scene including students, instructors, visitors, and spectators.
- 5.1.5 The safety officer shall not be assigned other duties that interfere with safety responsibilities.
- 5.1.6 If the safety officer notices any unsafe act or condition occur, he/she shall report it to the officer-in-charge as soon as possible.

5.2 Other Safety Requirements

- 5.2.1 Sufficient backup lines shall be provided to ensure adequate protection for personnel on training attack lines.
- 5.2.2 The officer-in-charge of the live fire training evolutions shall determine, prior to each specific evolution, how many training attack lines and backup fire lines will be necessary. The officer-in-charge shall then:
 - 5.2.2.1 assign a crew leader to each line, and will not exceed 5 students
 - 5.2.2.2 assign sufficient additional personnel to "backup lines" to provide mobility
- 5.2.3 Additional safety personnel, as deemed necessary by the officer-in-charge, shall be strategically placed within the structure to react to any unplanned or threatening situation or condition.
- 5.2.4 A method of fireground communications shall be established to allow coordination among the incident commander, the interior and exterior sectors, the safety officer, and external requests for assistance.
- 5.2.5 Emergency medical services shall be available to handle any injuries. Written reports shall be made on all injuries and on all medical aid rendered.
- 5.2.6 One person shall be designated as the "ignition officer" to control the materials being burned. The ignition officer shall not be a student.

- 5.2.7 The ignition officer shall wear full protective clothing, including self-contained breathing apparatus (scba) as required in section 5-3, when performing this function.
- 5.2.8 The decision to ignite the training fire shall be made by the instructor-in-charge in coordination with the safety officer. No more than one fire shall be permitted within a building, except in training center burn buildings specifically designed for concurrent, multiple live fire training evolutions.
- 5.2.9 A thorough search of the structure shall be conducted to ensure that no unauthorized persons, animals, or objects are in the building immediately prior to ignition.
- 5.2.10 No person(s) shall be placed inside the building to play the role of a victim.

5.3 Protective Clothing and Equipment

- 5.3.1 Each participant shall wear full protective clothing and self-contained breathing apparatus (scba).
- 5.3.2 Prior to entry into a live fire training evolution, all protective gear shall meet requirements of the authority having jurisdiction.

6.0 Officer

6.1 General

- 6.1.1 The authority having jurisdiction shall designate an individual to deliver structural fire fighting training.
- 6.1.2 Other factors such as extreme temperatures, large groups, and long-duration classes shall be taken into consideration, and additional crew leaders shall be designated as deemed necessary to ensure proper levels of safety.

6.2 Officer Responsibilities.

- 6.2.1 The officer-in-charge of the live fire training shall be responsible for full compliance with this regulation.
- 6.2.2 Crew leader shall make a head count both when entering and exiting the building during an actual attack evolution conducted in accordance with this regulation. Crew leader shall closely monitor and supervise all assigned students during the live fire training evolution.

7.0 Reports and Records

7.1 General.

- 7.1.1 The authority having jurisdiction shall keep all necessary reports and records required.

Chapter 6 - Burn Regulations

1.0 General Definitions

“Emergency Dispatch Center” means the designated Emergency Dispatch Center for the fire district in which the burn is to take place:

- New Castle County Fire Board
- Kent Center
- Sussex Base
- Rehoboth Center
- Seaford Center
- Milford Center

“Fire Chief” means the elected or appointed individual, their designee or the member of the department serving in that capacity.

“Fire Department” means the Fire Department recognized by the Delaware State Fire Prevention Commission as having jurisdiction in a given area.

“Necessary Permits” means those permits as required by the local, county or state regulations or laws.

“Neighboring Property Owners” means the owners of any adjacent property or structures.

“Property Owner” means the individual or individuals whose name appears on the title or deed to the property.

“Suitable Atmospheric Conditions” means weather conditions as determined by the Department of Natural Resources and Environment Control as suitable for open burning.

“Water Supply Company” means the local or county and/or private corporation that provides water necessary for fire protection to a given area.

2.0 Regulations

- 2.1 Property Owner should contact Fire Department to request the controlled burning.

- 2.1.1 Emergency Dispatch Centers shall refer all questions about burning of brush or buildings to Fire Chief of appropriate district.
- 2.2 The Fire Chief and/or property owner will obtain all approvals that are applicable and provide copies to the Fire Department.
- Department of Natural Resources and Environmental Control
 - County Permits
 - City/Town Permits
 - Historical Society
 - Others as deemed necessary by the Fire Chief
- 2.3 The property owner will provide the Fire Chief/Fire Department with written confirmation that the property is not insured for fire loss.
- 2.4 The Fire Chief will confirm that the property owner has notified all neighboring property owners of the burn. This notification should include an anticipated time and date when the burn will take place.
- The property owner will immediately notify the Fire Chief if a problem occurs.
 - Should a neighboring property owner object to the burn, it will not be conducted until all objections are resolved.
 - The Fire Chief may require written releases from neighboring property owners.
- 2.5 The Fire Chief will ensure that there is ample water and that suitable atmospheric conditions exist before ignition.
- 2.6 The Fire Chief will conform that the property owner has contacted the property utility companies for service disconnect:
- Electric
 - Telephone
 - Cable Television
 - Sewer
 - Water
 - Gas
- 2.7 The property owner is responsible to contact the appropriate water supplier for permission to use water during the controlled burning.
- An existing agreement between the Fire Department and water supplier may eliminate this step.
 - The Fire Chief will be provided with the name of the person and date the property owner made contact.
- 2.8 The Fire Chief and the **property owner**, prior to the burn, will mark the structure.
- Marking will be at the discretion of each fire department.
- 2.9 Prior to ignition, the Fire Chief will ensure that proper safety measures to protect the burn participants and neighboring property have been taken.
- A check list may be used.
- 2.10 Should the structure be sued for training prior to or during burning, the Fire Chief will obtain a letter from the property owner authorizing this use.
- 2.11 The Fire Chief will notify the appropriate emergency dispatch Center prior to ignition.
- 2.12 Immediately prior to ignition, the Fire Chief will make a final inspection of the structure and surrounding area to check for any unsafe conditions or items that would prevent the burning.
- 2.13 Upon completion of the burn, the fire Chief will notify the Department of Natural Resources and Environmental Control the burn is completed.
- 2.14 For any reason, should the Fire Chief feel the burn may not be conducted in a safe and proper manner, the Fire Chief/Fire Department shall have the authority to refuse to burn any property at anytime.
- 2.15 At the conclusion of the burn or training exercise, the Fire Chief shall turn the property back to the owner who is responsible for security.

APPENDIX G

The following are additional National Fire Protection Standards adopted by the Fire Prevention Commission, as cited in the various sections of this Regulation.

NFPA 1971 1991 Edition Protective Clothing for Firefighters

NFPA	1972	1987	Edition Helmets for Structural Firefighting
NFPA	1973	1988	Edition Gloves for Structural Firefighting
NFPA	1974	1987	Edition Footware for Structural Firefighting
NFPA	1901	1991	Edition Pumper Fire Apparatus
NFPA	1961	1992	Edition fire Hose
NFPA	1981	1987	Edition Breathing Apparatus for Firefighting

APPENDIX H

DEFINITIONS 2

“Active Firefighting Member” - shall be any member who has completed at least 48 hours of Fire Service training as approved by the Commission.

“Additional Station” - shall mean a fire station operated and controlled by a fire company at a location remote from its main station.

“Advisory Committee” - shall mean the members of the Delaware State Volunteer Firemen's Association and the County Firemen's Association.

“Approval” or **“Approved”** - shall mean approved by the State Fire Prevention Commission.

“Commission” - shall mean the State Fire Prevention Commission.

“County Firemen’s Association (C.F.A.)” - shall mean the New Castle County Volunteer Firemen's Association, Kent County Volunteer Firemen's Association, and the Sussex County Volunteer Firemen's Association.

“Fire Company” - shall mean an organization organized and equipped to provide fire suppression.

“Fire Company Member” - shall mean any individual maintained on the membership rolls of a fire company in this State and any individual whose membership is terminated for any reason from such a company less than 60 days before the filing of a grievance under Section 4.1 of the Delaware State Fire Prevention Commission Complaint and Grievance Procedure.

“Main Station/Parent Company” - shall be any fire department which is incorporated in the State of Delaware.

“NFPA” - shall mean in accordance with current National Fire Protection Association Standards as adopted by the State Fire Prevention Commission.

“State Firemen’s Association” - shall mean the Delaware State Volunteer Firemen's Association, AKA D.V.F.A.

“SUBSTATION” - shall mean a fire station operated and controlled by a fire company at a location remote from its main station.

25 DE Reg. 1113 (06/01/22) (Final)