

## POLICY CONCEPT FORM

<b>Name and UO Title/Affiliation:</b>	Krista Dillon, Director of Operations, Safety & Risk Services Kassy Fisher, Assistant Vice President, Finance & Administration
<b>Policy Title/# (if applicable):</b>	Fire Marshal Safety Inspections - 08.00.06
<b>Submitted on Behalf Of:</b>	Safety & Risk Services
<b>Responsible Executive Officer:</b>	Andre Le Duc, Chief Resilience Officer/AVP

**SELECT ONE:**  New Policy  Revision  Repeal

*Click the box to select*

**HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT:**  Yes  No

**If yes, which attorney(s):** Submitted to Bryan Dearing, March 21, 2017

### GENERAL SUBJECT MATTER

*Include the policy name and number of any existing policies associated with this concept.*

The Fire Marshal Safety Inspection Policy – UO Policy Statement 08.00.06 describes a procedure once used by the University for responding to semi-annual and follow-up inspections by the City of Eugene Fire Marshal.

### RELATED STATUTES, REGULATIONS, POLICIES, ETC.

*List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.*

-ORS 476.030 Powers and duties of marshals and deputies,  
<https://www.oregonlaws.org/ors/476.030>

-Oregon Fire Code, to which the UO is subject,  
<https://www.oregon.gov/osp/SFM/Pages/2014ORFireCode.aspx>

- Safety Policy—Physical Space and Environment, <http://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-5-public-safety/safety-physical-space-and-environment>

-Fire Marshal Safety Inspections Procedures, appended below under “Related Resources”

### STATEMENT OF NEED

*What does this concept accomplish and why is it necessary?*

This policy was last updated in 1990 and describes a procedure by which the university ensured its compliance with the Oregon Fire Code. At that time, the University did not have its own fire marshal and relied on the Eugene-Springfield Fire Marshal's Office to complete building inspections as is required by the Oregon Fire Code. Now, however, the UO has its own fire marshal who is authorized by the Eugene-Springfield Fire Marshal's Office to manage our building inspections.

This policy is propose for repeal because a university policy that describes procedures is not needed, nor is a university policy that states the university complies with the state fire code. The university has a safety policy, recently updated, that addresses the fire marshal's role and authority in mitigating hazardous conditions.

Safety and Risk Services (SRS), which employs the UO fire marshal, ensures that the university is in compliance with the state fire code. For reference, appended below is SRS's safety inspection procedure.

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## **AFFECTED PARTIES**

*Who is impacted by this change, and how?*

There are no tangible impacts to repealing the policy.

Inspections are governed by ORS 476.030. The UO, through its fire marshal and as mutually agreed upon with the Eugene-Springfield Fire Marshal's Office, is committed to enforcement of the Oregon Fire Code as adopted by the state fire marshal in order to eliminate conditions hazardous to life, property or public welfare in the occupancy of structures or premises.

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## **CONSULTED STAKEHOLDERS**

*Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)*

<b>Name</b>	<b>Office</b>	<b>Date</b>
<b>Krista Dillon</b>	<b>Safety &amp; Risk Services</b>	<b>3/20/17</b>
<b>Joseph Pedrola</b>	<b>Fire Marshal</b>	<b>3/15/17</b>
<b>Andre Le Duc</b>	<b>Safety &amp; Risk Services</b>	<b>3/15/17</b>
<b>Bryan Dearing</b>	<b>General Counsel</b>	<b>3/20/17</b>

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## **TEXT OF POLICY-- PROPOSED FOR REPEAL**

### **Fire Marshal Safety Inspections**

**Effective Date:**

**04/18/1990**

**Reason for Policy:**

To describe procedure for responding to semi-annual and follow-up inspections by the City of Eugene Fire Marshal

**Policy Statement:**

The University of Oregon through its Facilities Services and University Housing enters into two separate annual contracts with the City of Eugene for semi annual inspections by the Fire Marshal of fire safety installations in all University facilities. The University Housing contract deals exclusively with University Housing properties. These contracts also call for certain follow-up visits to monitor progress on completion of all corrections recommended in the fall and spring inspections.

- Three copies of the semi annual inspection report conducted under the Facilities Services contract are to be filed with the Coordinator of University Safety Systems, the Facilities Services Director and the Director of Public Safety.
- Three copies of the semi annual inspection report conducted under the University Housing contract are to be filed with the Coordinator of University Safety Systems, the University Housing Director, and the Director of Public Safety.
- Upon receipt of an inspection report, the Coordinator of University Safety Systems shall convene a meeting of the University Fire Safety Committee made up of safety officers from the Office of Public Safety and Facilities Services and auxiliary enterprise representatives as appropriate, to review the report, prioritize corrective actions and to identify corrective actions beyond the scope of normal operations of standard budgets.
- Auxiliary enterprises, i.e., University Housing, Intercollegiate Athletics, Student Health Center and Erb Memorial Union will be informed by the appropriate Safety Officer of corrections to be made. Safety Officers shall follow-up to assure that corrections are made in timely fashion. Upon the completion of corrective action, the Safety Officer will file a job completion form with the Coordinator of University Safety Systems with a copy to the auxiliary enterprise for its records.
- The Facilities Services Director will be given a written report of the findings and priorities established by the Fire Safety Committee. The Facilities Services Director, or the Director's designee shall assign work orders to effect the necessary corrective action. Job completion forms will be filed with the Coordinator of University Safety-Systems upon completion, with a copy retained by Facilities Services for its records.
- At monthly intervals, the Coordinator of University Safety Systems shall file progress reports with the Fire Marshal who conducted the inspection. If negotiated solutions to corrective action

are Fire Marshal Safety Inspection required, the Coordinator of University Safety Systems in consultation with the Facilities Services Director, University Planner as appropriate, and the Director of Public Safety is authorized to act and may consult as appropriate with the Fire Marshal and/or Building Department designees.

- If the Coordinator of University Safety Systems determines that certain corrective actions are not progressing in timely fashion, the Coordinator shall meet with the Director of Facilities Services (and the Director of University Housing as appropriate) to expedite and correct the delay.
- All corrections identified by the University Fire Safety Committee as beyond normal operations or standard budgets shall be described in a written report to the Director of Facilities Services for that Director's special consultation with the Vice-President for Administration. All corrections identified on University Housing properties as beyond normal operations or standard budgets of University Housing shall be referred to the Director of University Housing who shall report to the Vice-President for Administration. The Vice-President may consult with the Fire Marshal or Building Department designee to negotiate acceptable time schedules or adjustments.
- Upon notification of fire correction needs which exceed normal operations of Facilities Services or exceed standard budgets, the Vice-President for Administration shall be responsible for developing a funding and operational plan to meet the identified need.
- It shall be the responsibility of all University employees to cooperate promptly with fire safety correction directions from the Coordinator of University Safety Systems or the designated Safety Officer or Facilities Services staff assigned to perform corrective work. Employees who fail to cooperate shall be reported to the Vice-President for Administration

Reviewed and Approved By:

President's Staff

Date:

04/18/1990

Issued by:

Vice-President for Administration

Date:

10/08/1990

Revision History:

02/08/2010 Policy number revised from 8.000 to 08.00.06

Original Source:

UO Policy Statement

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## RELATED RESOURCES FOR THOSE REVIEWING THIS PROPOSAL

### Fire Marshal Fire Safety Inspections

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#### REASON FOR PROCEDURE

To describe the procedure for conducting fire and life safety inspections, and follow-up re-inspections on all the structures and premises owned, rented or leased by the University of Oregon.

#### POLICY STATEMENT

The University of Oregon through its University of Oregon Fire Marshal's Office, and as mutually agreed upon with the Eugene Springfield Fire Marshal's Office (the governmental authority having jurisdiction) commits itself to the enforcement of the regulations contained in the most recent edition of the Oregon Fire Code adopted by the Oregon State Fire Marshal as authorized in ORS 476.030 in order to eliminate conditions hazardous to life, property or public welfare in the occupancy of structures or premises.

#### UNIVERSITY OF OREGON FIRE MARSHAL'S OFFICE

The University of Oregon Fire Marshal's Office is established within the University of Oregon under the direction of the University Fire Marshal. The function of the University of Oregon Fire Marshal's Office shall be the implementation, administration and enforcement of the provisions of the Oregon Fire Code.

As provided in Oregon Fire Code (code) Section 104, the University Fire Marshal, and the staff of the University Fire Marshal's Office are authorized to enforce the provisions of the code and shall have the authority to render interpretations of the code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of the code and shall not have the effect of waiving requirements specifically provided for in the code. Such policies and procedures shall not be less stringent than the minimum fire code adopted by the Oregon State Fire Marshal.

#### INSPECTION PROGRAM

##### Scheduled Fire Inspections

The University Fire Marshal's Office, under direction of the University Fire Marshal, will conduct scheduled fire and life safety occupancy inspections of all University of Oregon buildings and facilities, and the uses or processes conducted in them. The goal is to inspect all occupancies and portions thereof on a regular basis, with emphasis on high-hazard and high value occupancies.

During these inspections, the University Fire Marshal's Office staff enforces the provisions of the code, in order to identify fire hazards and see that they are abated. This should result in fewer and less destructive fires. A secondary inspection purpose is to encourage safe practices among building occupants by promoting awareness about fire and its potential for occurrence, and recommending practices and procedures that improve fire safety.

Additionally, this program familiarizes University Fire Marshal's Office staff with the physical arrangement of the university's buildings on campus, and the hazards therein. This knowledge will enable University Fire Marshal's Office staff to respond to emergency incidents more efficiently and with greater personal safety. It will also enable them to become a resource for emergency responders during emergency operations.

### **Documentation and Abatement of Violations:**

Pursuant to Oregon Fire Code Section 109.2 and in accordance with ORS 479.170, University Fire Marshal's Office staff finding during an inspection a building, premises, vehicle, storage facility or outdoor area that is in violation of the provisions of the code, will prepare a written notice of violation (inspection report) describing the conditions deemed unsafe and, when compliance is not immediate, specifying a reasonable time for re-inspection. Copies of the inspection report will be provided to the responsible party for the occupancy or portion thereof where the violations exist. When all normal enforcement efforts are exhausted without compliance, abatement of violations shall be pursued through enforcement action by the City of Eugene Fire Marshal as authorized in ORS 479.170, 479.990, 476.990 and 480.990.

The University Fire Marshal shall coordinate for the proper abatement of violations of the code discovered during inspections with the pertinent university departments.

In those instances in which due to the nature and/or extent of the violations noted, the budgetary requirements, work and time associated with their abatement is considered to exceeding normal operations for a single university department, the University Fire Marshal will notify the Safety & Risk Services Director of Operations, and shall be responsible for developing a report identifying available abatement solutions and cost estimates.

### **Scope of the Scheduled Fire and Life Safety Inspection Program**

The scope of the University of Oregon Fire Marshal 's Office Inspection Program includes all occupancies and portions thereof including, but not limited to academic, research, housing, athletic, assembly, office, maintenance services and other types of occupancies.

### **Inspection Frequency**

Oregon Revised Statutes provide as follows regarding the required frequency of fire and life safety inspections:

- (ORS 479) - Requires that certain occupancies (institutional, child care, inpatient care, and residential care) subject to licensing requirements by the state be inspected once per year.
- Oregon Fire Code Section 106.2 – This section establishes the Oregon Fire Marshal's Office duty to inspect every building, structure or premises on university property to verify that the requirements of the code are met. This section does not, however, establish the frequency of inspections. The code does not presume to interpret each institution's political, social and economic priorities. Therefore, the code leaves up to each of institution the establishment of different inspection priorities and frequencies based on the availability of inspection resources, the value of premises to the university or the potential disruption to the continuity of services and programs essential to the mission of the university.

The inspection frequency established by the University Fire Marshal is based on:

- The staff available to conduct among other fire and life safety inspections
- The occupancy classification assigned by the code to the different buildings based on the fuel load and occupant load.
- The hazard category assigned by the National Fire Protection Association associated with the building use and occupancy (Low Hazard, Moderate Hazard and High Hazard).

The inspection frequency of scheduled fire inspections for university buildings or portions thereof is as follows:

- **High Hazard Facilities** (i.e.; Autzen Stadium, Resident Housing Facilities, the Central Power Station) annually.
- **Moderate Hazard Facilities** (i.e.; Willamette Hall research and teaching labs, Millrace Woodshop, Romania Chevrolet Building) every two years.
- **Low Hazard Facilities** (Johnson Hall, Oregon Hall, the Collier House) every three years.

#### **New Construction and Tenant Improvement Inspections**

The University Of Oregon Fire Marshal's Office provides permitting, project design review and inspection services to ensure that buildings and systems are constructed in accordance with the Oregon Fire Code. Permitted activities and inspections include additions, redesigns, relocations, alterations or removal of:

- Fire detection and alarm systems
- Fire sprinkler systems
- Fixed fire suppression systems (including hood and duct systems and FM 200 type systems)
- Clean agent based fire suppression systems

#### **Special Inspections**

Special inspections are intended to identify code violations or reveal unsafe situations which may present themselves during special events, peak occupancy times or in response to a citizen fire safety complaint.

#### **COMPLIANCE WITH FIRE SAFETY REGULATIONS**

Pursuant to University of Oregon Safety – Physical Space and Environment Policy, Policy Number IV.05.01, it shall be the responsibility of all University employees to cooperate promptly with fire safety correction directions from the University of Oregon Fire Marshal's Office or the designated Campus Planning and Facilities Management staff assigned to perform corrective work. Employees who fail to cooperate shall be reported to the Safety & Risk Services Director of Operations.