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ORDINANCE NO. _____

A ORDINANCE TO AMEND LITTLE ROCK, ARK., REV. CODE, CHAPTER 12 (1988), FIRE PREVENTION AND PROTECTION, BY ADDING A NEW ARTICLE IV, ENTITLED "THIRD-PARTY INSPECTIONS AND REPORTING SYSTEM" TO PROVIDE REQUIREMENTS FOR INSPECTION, TESTING AND MAINTENANCE REPORTING THROUGH A THIRD-PARTY INSPECTION REPORTING SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Arkansas Fire Prevention Code requires periodic testing and maintenance of certain Fire Protection Systems Alarms, devices, equipment and other features; and,

WHEREAS, the Fire Code Official is authorized by the Arkansas Fire Prevention Code to approve reports of inspection by approved agencies or individuals; and,

WHEREAS, pursuant to Sections 107.2.1 and 108.2 of the Arkansas Fire Prevention Code and Standards, required tests and Inspection Reports shall be available to the Fire Code Official at all times and such records shall be filed as directed by the Fire Code Official; and,

WHEREAS, the City has adopted the provisions of the Arkansas Fire Prevention Code and Standards, current edition, and the provisions of Technical Codes and Standards, and has made the same applicable as the Fire Prevention Code of the City of Little Rock, Arkansas, in Chapter 8, Section 8-2, of the City of Little Rock Code of Ordinances; and,

WHEREAS, the City desires to amend Chapter 12 of Little Rock, Ark., Rev. Code (1988), Fire Prevention and Protection, to add a new Article IV entitled "Third-Party Inspections and Reporting System" to provide requirements for inspection, testing and maintenance reporting through a Third-Party Inspection Reporting System.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS

Section 1. Chapter 12 of the City of Little Rock Code of Ordinances, codified Little Rock, Ark., Rev. Code (1988), is hereby amended by adding a new Article IV entitled "Third Party Inspections and Reporting System" and which shall read as follows:

Sec. 12-69. – Penalty.

Any person convicted of a violation of any of the provisions of this article shall be punished as provided in Section 1-9.

1 **Sec. 12-70. – Third Party Inspections and Reporting System.**

2 (a) *Inspections and Maintenance Required.* The owner of the property where any device,
3 equipment, alarm, system and any other feature is required for compliance with the
4 provisions of this Article, or is otherwise installed on the property, shall cause
5 maintenance, testing and inspections of all such devices, equipment, alarms, systems and
6 features in accordance with this Article and applicable referenced standards and specified
7 intervals. If, following inspection and testing, any device, equipment, alarm, system and
8 any other feature does not meet manufacture's specifications, or fails to perform as
9 intended, then it shall be repaired or replaced in accordance with Subsection (e) below.
10 Maintenance, testing and inspections shall include, but not be limited to, the following fire
11 protection systems:

- 12 (1) Automatic Fire Sprinkler System
- 13 (2) Commercial Kitchen Hood System
- 14 (3) Fire Alarm System

15 (b) *Qualifications of Inspectors.* Only qualified personnel shall make inspections or perform
16 testing required by the current editions of the Arkansas Fire Prevention Code and the
17 adopted provisions of technical codes. Qualified personnel shall include, but not be
18 limited to:

- 19 (1) Personnel who are factory-trained and certified for the type and brand of
20 device, equipment, alarm, system or feature being inspected, or tested.
- 21 (2) Personnel who are certified by a nationally-recognized certification
22 organization approved by the City.
- 23 (3) Personnel who are registered, licensed or certified by Arkansas or the City
24 to perform the required inspections and testing.
- 25 (4) Personnel of the Fire Department.

26 (c) *Reporting of Inspections and Tests.* Records of all installations, inspections, tests and
27 maintenance required by this Section shall be provided electronically to the City's
28 Designated Electronic Reporting System. Completed records shall be submitted no later
29 than fifteen (15) days following the applicable installation, inspection, test and
30 maintenance. The submitted report shall contain all information required by the City's
31 Designated Electronic Reporting System. The fee for any report filed using the Electronic
32 Reporting System shall not exceed Fifteen Dollars (\$15.00) for each type of Fire
33 Protection System.

34 (d) *Retention of Records.* Records of any device, equipment, alarm and system inspections,
35 tests and maintenance required by the current editions of the Arkansas Fire Prevention

1 Code and the adopted provisions of technical codes shall be maintained on the premises
2 for a minimum of three (3) years following the date of any inspection, test and
3 maintenance and shall be copied to the Fire Department and its contractors pursuant to
4 either the provisions of the City Code, or upon the request of the Fire Code Official.

5 (e) *Repairs.* If any device, equipment, alarm, system and any other feature fails its inspection
6 or operational test, within thirty (30) days of such inspection or test, the property owner
7 shall make all necessary repairs to make the item fully operational. Defective parts must
8 be replaced with manufacturer-approved parts. If repair is not possible, the item must be
9 replaced with devices, equipment, alarms, systems and features in accordance with this
10 Code and applicable referenced standards. Completed records shall be submitted no later
11 than fifteen (15) days following the applicable maintenance, repair or replacement. The
12 submitted report shall contain all information required by the City's Designated
13 Electronic Reporting System. The fee for any report filed using the Electronic Reporting
14 System shall not exceed fifteen dollars (\$15.00). Upon the request of the Fire Code
15 Official, additional inspections and testing may be required of the repaired or replaced
16 device, equipment, alarm, system or other feature.

17 **Section 2. *Severability.*** In the event any title, section, paragraph, item, sentence, clause, phrase, or
18 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
19 adjudication shall not affect the remaining portions of the ordinance, which shall remain in full force and
20 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
21 ordinance.

22 **Section 3. *Repealer.*** All ordinances and resolutions, and parts thereof, which are in conflict with any
23 provision of this ordinance are hereby repealed to the extent of such conflict.

24 **Section 4. *Emergency Clause.*** *Since the City's Fire Prevention and Protection Code was intended to*
25 *be a comprehensive Codification of Ordinances dealing with Fire Prevention and Protection within the*
26 *City of Little Rock, Arkansas, and such regulation is essential to protect the public health, safety and*
27 *welfare; an emergency is declared to exist and this ordinance shall be in full force and effect from and*
28 *after the date of this adoption.*

29 **PASSED: April 2, 2024**

30 **ATTEST:**

APPROVED:

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33 _____
34 Susan Langley, City Clerk

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34 Frank Scott, Jr., Mayor

1 **APPROVED AS TO LEGAL FORM:**

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4 **Thomas M. Carpenter, City Attorney**

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