



Office of the State Fire Marshal

July 25, 2011

RE: Ability of Local Enforcers to Apply Ill. Adm. Code Requirements with Specific Attention to Automatic Sprinkler System Inspection, Testing and Maintenance

To Whom It May Concern,

The purpose of this correspondence is to verify that authorities of local units of government have the ability to enforce the requirements of the Fire Sprinkler Contractor Licensing Rules promulgated by the Office of the State Fire Marshal (OSFM). These rules are found at 41 Ill. Adm. Code 109 and were developed by the OSFM under the authority of both the Fire Investigation Act [425 ILCS 25] and the Fire Sprinkler Contractor Licensing Act [225 ILCS 317]. More specifically, the Fire Investigation Act provides that the OSFM “shall adopt and promulgate such reasonable rules as may be necessary to protect the public” from fire-related dangers. [425 ILCS 25/9]. Accordingly, the OSFM has adopted NFPA 101, Life Safety Code, as the Illinois Fire Prevention and Safety code. [41 Ill. Adm. Code 100.7]. NFPA 101 expressly adopts NFPA 25, “*Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*” in its entirety. As such, NFPA 25 is considered enforceable State-wide as part of the Illinois Fire Prevention and Safety code.

The Fire Sprinkler Contractor Licensing Act also mandates that the OSFM adopt rules “to protect the health and safety of the public.” [225 ILCS 317/55]. The OSFM’s administrative rules specifically require that fire sprinkler systems shall be installed, repaired and maintained in accordance with the standards and recommended practices in effect at the time of installation or alteration. As you will see below, NFPA 25 “*Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*” is one of the identified compliance standards for Illinois fire sprinkler systems:

Section 109.110 Compliance Standards

- a) *The fire sprinkler system shall be installed, repaired and maintained in accordance with the edition of the following copyrighted standards and recommended practices in effect at the time of installation or alteration. These standards are available from the National Fire Protection Association, 1 Batterymarch Park, Quincy MA 02269-7471.*

1035 Stevenson Drive
Springfield, IL 62703
217/785-0969
217/785-0969 TDD

JRTC 100 W. Randolph, Suite 4 -600
Chicago, IL 60601
312/814-2693
312/814-2693 TDD

2309 W. Main
Marion, IL 62959
618/993-2343

Web site: [HTTP://WWW.SFM.ILLINOIS.GOV](http://www.sfm.illinois.gov)

- 1) *NFPA 13 – Standard for the Installation of Sprinkler Systems;*
- 2) *NFPA 13D – Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes;*
- 3) *NFPA 13R – Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height;*
- 4) *NFPA 14 – Standard for the Installation of Standpipe and Hose Systems;*
- 5) *NFPA 15 – Standard for Water Spray Fixed Systems for Fire Protection;*
- 6) *NFPA 16 – Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems;*
- 7) *NFPA 20 – Standard for the Installation of Stationary Fire Pumps of Fire Protection;*
- 8) *NFPA 22 – Standard for Water Tanks for Private Fire Protection;*
- 9) *NFPA 24 – Standard for the Installation of Private Fire Service Mains and Their Appurtenances;*
- 10) *NFPA 25 – Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems.*

Home rule units may not regulate the installation and repair of fire sprinkler systems in a manner less restrictive than the regulation by the State on the installation and repair of fire sprinkler systems under the Fire Sprinkler Contractor Licensing Act. [225 ILCS 317/45].

If you have further questions concerning this issue please contact me or the OSFM's Legal or Technical Services Division staff for further guidance.

Respectfully,


Larry Matkaitis
State Fire Marshal