

Fact Sheet



Reporting Kitchen Exhaust and Suppression System Code Violations - Written Complaints, Response, Enforcement and Resolution.

Mutualistic Fire Protection – A Team Function!

Fire Protection Industry service of fire extinguishers, kitchen suppression systems and hood and duct exhaust systems is generally focused on the safety and longevity of the commercial kitchen, its owners, chefs and workers. The Authority Having Jurisdiction (AHJ) fire chief, fire marshal and fire inspectors are servants of the people within their jurisdiction that may include; patrons, customers, business owners, visitors and service and maintenance organizations.

It is a given fact that within your jurisdiction fire protection service technicians are maintaining given commercial cooking establishments twice a year. This semi-annual service is required by NFPA and State standards. With this level of service, technicians are going to find dangerous situations or practices that cannot resolve by them. When fire and life safety violations are found and presented to the kitchen manager or responsible party, they may, for a

variety of reasons not remedy the out dated fire extinguisher, the suppression system tank due for hydrostatic testing, the exhaust system that has baked on creosote within the ductwork or a section of duct that is in-assessable because the original plan review did not allow for a service access door along a 40 foot span of duct.

Hazardous conditions like these can only be resolved when they are made known to the AHJ in a timely fashion. There are mainly three ways the AHJ can learn of such violations of law.

1. An aggressive annual fire inspection completed by knowledgeable inspectors can reveal infractions, code violations or equipment malfunctions.
2. The inspector asks for and reads the fire protection technician's "Service and Deficiency Report", this report and photographs of the system are required to be left with the owner after every service or cleaning.



3. Receiving a written complaint generated by a service technician directly to the local or regional AHJ.

This Safety Fact Sheet, is directed at the proper handling of a service technician's (the witness or source) written safety complaint of violation.

When a technician teams with the AHJ by complaint, as a witness, they are revealing violations that are found in their own customer's kitchen. This is required by NFPA 96:11.6.15, but, by doing so, the technician places themselves and their company in jeopardy of losing the account. To protect this business relationship with insightful and considerate care the AHJ needs to understand the following:

1. The complainant is a protected source. (Always protect the source!)
2. The complaint may in fact reveal violation(s) of law which generates an investigation with the intended goal of compliance resolution or appearances before a judge in a court of law.
3. All information received through the investigation is and must be held confidential in the strictest sense. (Confidentiality is to be maintained by you, the complainant and your attorney, to provide a solid court case, appearance and outcome.)

When responding to a fire protection industry complaint we do not respond with haste as if we were responding to a fire. To protect the source, we must respond as if we were responding to a hazardous materials spill; slowly, intelligently and completely prepared:

1. From date of complaint, this preparation should take about 4 to 6 weeks before you call or enter the violating establishment.
2. Make an appointment for a normal fire and life safety inspection (required yearly). Upon arrival do a complete inspection of the establishment.
3. Be sure not to let the responsible party see your paperwork or be able to identify who your source is by your actions.
4. Ask the responsible, for the last "Service and Deficiency Report" and read it carefully.
5. As you are inspecting, you will unavoidably run across the report and/or complaint violations. When the violation(s) is revealed, then follow your normal enforcement protocols to compliance.



Responding to the complaint with this insightful care will surely protect your source and generate more opportunities for this type of mutualistic or cooperative interaction. Protecting the source builds trust and respect between you and the fire protection industry. They are a desirable ally to have on your side.

Utah State Fire Marshal's Office
5272 South College Drive, Suite 302
Murray, UT 84123

801-284-6350 Telephone
801-284-6351 Fax
firemarshal.utah.gov