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# OREGON STATE FIRE MARSHAL FIRE AND LIFE SAFETY AWARENESS I A SCOPE OF AUTHORITY OUTLINE

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**Audience:**

The following lesson plan is for volunteer and career fire service personnel and is based on Oregon Revised Statute (ORS), Oregon Administrative Rules, Oregon Fire Code (OFC), and National Fire Protection Association (NFPA).

**Subjects:**

Scope of Authority – provides a foundational training about Oregon Revised Statutes, Oregon Administrative Rules, and Oregon’s Attorney General Opinions related to: powers and duties of the State Fire Marshal (SFM) and assistants to State Fire Marshal, inspection procedures, due process and investigation of fires, reporting of fires, dispute resolution process and protecting buildings from fire.

**Objectives:**

Participants will be better equipped to protect Oregon communities from fire safety issues by:

- Understanding their scope of authority and where that authority is derived
- Identify components of Oregon law and their application to the Office of State Fire Marshal (OSFM) and Oregon’s fire service
- Identify roles and responsibilities of the State Fire Marshal (SFM) and assistants to the State Fire Marshal (ASFM)
- Identify components related to Protecting Buildings from Fire
- Identify the Dispute Resolution Process

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## MODULE 1 A LESSON OUTLINE

## REFERENCE

### Module I A – Scope of Authority

### Module I A:

#### I. Introduction to Oregon Law

- A. Introduction to Oregon Law
  - 1. Oregon Revised Statutes
  - 2. Oregon Administrative Rules
  - 3. Oregon Attorney General Opinions

#### II. State Fire Marshal's Authority

- A. General powers & duties of SFM & deputies
  - 1. Enforce laws and Make Rules
    - a. Prevention of fires
      - (i) Make rules to protect life and property from fire OAR Div 40 adoption of OFC and OFC mini-code Authority to approve fire code modifications OAR 39
      - (ii) Enforcement
      - (iii) Authority to adopt sprinkler standards
    - b. Storage and use of combustibles and explosives
    - c. Constructions, maintenance, and regulations of fire escapes
    - d. Fire Protections equipment standards
  - 2. Investigate fires
  - 3. Grant exempt status
  - 4. Adult foster homes

#### III. Assistants to the State Fire Marshal (ASFM)

- A. Who is an assistant to the State Fire Marshal
  - 1. Subject to direction of State Fire Marshal
- B. Explosives
  - 1. Defined

#### OAR 837.39

#### II.A.1 ORS 476.030

II.A.1.i. ORS 476.030

II.A.1.i. **OAR 837-040-0020**

II.A.1.b. OAR 837-039-0015

II.a.ii. **ORS 476 & ORS 455**

II.A.1.iii. **AG 6311**, Oct. 89

II.A.2. ORS 476.030

II.A.3. ORS 476.030

II.A.4. ORS 476.030

II.B. ORS 479.170

II.A.2 **ORS 476.030**

III.A.3 **ORS 476.030 & OAR 837.39**

III.A.4. ORS 476.030

III B ORS 480

<p><b>III. Assistants to the State Fire Marshal (cont.)</b></p> <p>C. Fire Inspections</p> <ol style="list-style-type: none"> <li>1. Entry and inspection of premises</li> <li>2. Responsibilities of local fire officers</li> <li>3. Responsibilities of volunteer fire officers</li> </ol> <p>D. Fire Investigations</p> <ol style="list-style-type: none"> <li>1. Investigation of fires</li> <li>2. Right of entry</li> </ol> <p>E. Records of Fires</p> <ol style="list-style-type: none"> <li>1. Reporting of fires generally</li> <li>2. Reporting Fire Fatalities</li> <li>3. OSFM fire reporting forms</li> </ol> <p><b>IV. Protecting Buildings from Fire</b></p> <p>A. Protecting Buildings</p> <ol style="list-style-type: none"> <li>1. Interfering or preventing entry</li> <li>2. Ordering repair of a building</li> <li>3. Ordering removal of material</li> <li>4. Imminent Threat</li> </ol> <p><b>V. Dispute Resolution Process</b></p> <p>A. Informal</p> <p>B. Formal</p>	<p>III.C.1. <b>ORS 476.150</b></p> <p>III.C.2. AG OP 6491, May 68</p> <p>III.C.3. OP 6512, June 68</p> <p>III.D.1. ORS 476.210(1)</p> <p>III.D.2. ORS 476.070</p> <p>III.E.1. ORS 476.210(2)</p> <p>III.E.3. ORS 476.210(2)</p> <p>III.E.1. ORS 476.210(2)</p> <p>IV.A ORS 479.170</p> <p>IV.A.1 ORS 476.150</p> <p>IV.A.2 ORS 479.170</p> <p>IV.A.3 ORS 479.170</p> <p>IV.A.4 ORS 470.170 &amp; OAR 137.039.0070</p> <p>V.B.1 OSFM Dispute Resolution Process</p> <p>V.B.2 ORS 479.180</p>
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## **FLSA 1 A SCOPE OF AUTHORITY: REVIEW OF THE LAWS DISCUSSED**

### **OREGON REVISED STATUTE**

ORS 476 State Fire Marshal; Protection from Fire Generally

ORS 479 Protection of Buildings from Fire

ORS 480 Explosives; Flammable Materials; Pressure Vessels

ORS 455 Building Code

### **OREGON ADMINISTRATIVE RULE**

OAR 837 Div. 39 Administration of Fire Prevention Programs

OAR 837 Div. 40 Fire and Life Safety Regulations

### **ATTORNEY GENERAL OPINIONS**

OP 6491 Responsibility of Local Fire Officers

OP 6512 Responsibility of Volunteer Fire Officers

OP 6311 Fire Department Access and Water Supply