



Robert L. Quinn
Commissioner

State of New Hampshire

DEPARTMENT OF SAFETY

Division of Fire Safety

Office of the State Fire Marshal

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Sean P. Toomey
State Fire Marshal

APPLICATION FOR CERTIFICATION AS A PRIVATE FIREFIGHTING UNIT

The undersigned hereby applies to the New Hampshire State Fire Marshal for certification as a private firefighting unit in accordance with the requirements of the New Hampshire Code of Administrative Rules SAF-C 6011.

Name of Firefighting Unit: _____

Address: _____

Telephone: _____ Fax: _____

Service Area: _____

SECTION 1. OFFICERS OF THE PRIVATE FIREFIGHTING UNIT.

Attach a list that includes the name, title, residence address, place and date of birth of each officer (director, executive director, fire chief, assistant fire chief, deputy fire chief, commissioner, fire engineer, fireward, president, vice-president, secretary, treasurer, or general manager) of the private firefighting unit.

SECTION 2. OWNER OF 10 PERCENT OR MORE INTEREST (if applicable).

Attach a list that includes the name, residence address, place and date of birth, number of shares of stock held (if applicable), and how shares of stock were obtained of every owner of 10 percent or more interest in the private firefighting unit.

SECTION 3. CRIMINAL RECORD CHECKS.

The applicant hereby certifies that a criminal record check has been conducted on the background of all officers and all persons who hold any ownership interest of 10 percent or more and that no officer or person who holds any ownership interest of 10 percent or more has been convicted of a felony.

SECTION 4. PROOF OF LEGAL CORPORATION.

The applicant hereby certifies that the private firefighting unit is a legal corporation capable of transacting business under the laws of the State of New Hampshire (NOTE: attach copy of the certificate of good standing, and, if applicable, the trade name certificate, issued by the Secretary of State).

Name and Address of a legal agent within the state upon whom process may be served:

SECTION 5. LIABILITY INSURANCE.

An applicant shall submit to the state fire marshal a proof of insurance certificate for a commercial general liability policy, including broad form coverage with basic limits and excess limits in amounts agreed upon between the applicant and the governing body of the city, town or village district. The policy shall include professional liability and errors and omissions coverage for all applicant employees, including volunteer and call members. The city, town or village district shall be named as an additional insured party if required by the city, town or village district. NOTE: An insurance binder from an insurance company shall be acceptable only if obtaining the required insurance is contingent upon being awarded a contract for firefighting services.

SECTION 6. WORKER'S COMPENSATION INSURANCE.

An applicant shall submit to the state fire marshal a proof of insurance certificate for workers' compensation coverage for all applicant employees, including volunteer and call members. The workers' compensation coverage shall conform to New Hampshire laws and rules. NOTE: An insurance binder from an insurance company shall be acceptable only if obtaining the required insurance is contingent upon being awarded a contract for firefighting services.

SECTION 7. AGREEMENT.

The applicant agrees to comply with the following conditions and shall:

1. Require all full-time firefighters hired by it to comply with the same educational and training requirements of the New Hampshire Fire Standards and Training Commission as firefighters employed by municipal fire department, unless higher standards are required by a contract;
2. Meet all applicable requirements for emergency medical services set forth in New Hampshire law and rules;
3. Require that, if new motorized fire apparatus is purchased, leased or otherwise acquired by the private firefighting unit, the fire apparatus shall meet or exceed the requirements of National Fire Protection Association (NFPA) 1901, "Standard for Automotive Fire Apparatus", 2016 edition (NFPA 1901);
4. Require that all motorized fire and rescue apparatus shall be maintained in accordance with the manufacturer's recommendations;
5. Require that, if buildings and structures are erected, leased or supplied by the private firefighting unit, they shall conform to applicable federal, state and local fire, safety, sanitary and zoning laws, ordinances, codes, or standards;
6. Conduct an in-service training and education program in accordance with the standards set forth by the New Hampshire fire standards and training commission for all fire personnel employed by the private firefighting unit;
7. Disclose to the board of selectmen, town manager, village district commission, mayor or city manager and update annually a detailed plan showing how the applicant would continue to provide fire services in the event of a job action or strike;
8. Comply with all statutes, laws, rules, regulations and orders of federal, state, county or municipal authorities which shall impose any duties or obligations on the applicant;
9. Participate in and abide by the provisions of any mutual aid agreement, which the governing body of the town, city, or village district has entered into;
10. Cause every fire within its area of operation to be investigated and determine and record, if possible, the cause and origin of each fire;

11. Report findings of evidence of illegal actions or actual personal injury or death of a person or persons to the state fire marshal when conducting an investigation in accordance with (10) above;
12. Take adequate steps to determine that all fire apparatus, vehicles and ambulances shall at all times be operated in compliance with the applicable state motor vehicle laws pertaining to emergency vehicles;
13. Perform annual testing of all hose, ladders, fire and ambulance apparatus with the results of the tests recorded and maintained as permanent records;
14. Employ no person to fulfill the contract with the city, town, or village district, known to the private firefighting unit or that could have been determined through reasonable diligence has been convicted of a crime that would constitute arson or burglary under New Hampshire law;
15. Permit the state fire marshal or his authorized agents to enter any premises under the private firefighting unit's control during the term of the contract for the purpose of examining records, apparatus, personnel, or facilities if deemed necessary to determine ongoing compliance with the agreement;
16. Disclose to the city, town or village district, upon request, the criminal and motor vehicle records and training records of all employees engaged in firefighting or ambulance duties within the city, town or village district prior to employment, available under New Hampshire laws;
17. Behave in all respects in the same manner as a public fire department with regard to the authority of the state fire marshal and the duty to cooperate with the state fire marshal regarding:
 - a. Fire investigations;
 - b. Fire incident reporting;
 - c. Fire inspections;
 - d. Hazardous materials emergencies; and
 - e. All other matters within the purview of the state fire marshal;
18. Maintain and submit to the city, town, village district or state, as appropriate, all reporting logs and forms and other records required by the city, town, village district or state;
19. Not assign or transfer the private firefighting unit's contract with the city, town or village district without prior written consent from the city, town or village district and the state fire marshal;
20. Conduct a fire prevention campaign to the nature and extent specified in the contract with the governing body of the city, town or village district; and
21. Maintain and make available to the public upon request, the following official records;
 - a. Emergency dispatch center logs;
 - b. Records of fire safety inspections;
 - c. Fire and other emergency incident reports; and
 - d. Fire investigations reports, unless it involves:
 - i. Arson fire;
 - ii. Part of an ongoing criminal investigations; or
 - iii. A juvenile

SECTION 8: CITY, TOWN OR VILLAGE DISTRICT.

The applicant intends to provide firefighting service for the following city, town or village district(s):

NOTE: Attach a copy of any proposed bid specifications or contract, if any.

SECTION 9: CERTIFICATION.

I/We certify that the information submitted for the certification of:

As a private firefighting unit is true and accurate, subject to the penalties of unsworn falsification per RSA 641:3.

SIGNATURES:

Owner or Officer _____ Date: _____

Print Name & Title _____

Officer _____ Date: _____

Print Name & Title _____

Officer _____ Date: _____

Print Name & Title _____

Officer _____ Date: _____

Print Name & Title _____

SUBSCRIBED AND SWORN BEFORE ME AT _____

ON THE _____ DAY OF _____ 20_____.

Notary Public / Justice of the Peace

SECTION 10: APPROVAL.

In accordance with SAF-C 6011, New Hampshire Code of Administrative Rules,

Is hereby certified as a Private Firefighting Unit, effective _____.

Date: _____

Paul J. Parisi, State Fire Marshal

ATTACHMENTS:

The following documents and information must be submitted as part of the application:

1. Name, title, residence address, place and date of birth of each officer of the private firefighting unit.
2. Name, residence address, place and date of birth, number of shares of stock held (if applicable), and how share of stock were obtained of each owner of 10 percent or more interest in the private firefighting unit.
3. Copy of the certificate of good standing issued by the Secretary of State
4. Copy of the trade name certificate issued by the Secretary of State.
5. Proof of liability insurance
6. Proof of worker's compensation insurance.
7. Copy of proposed bid specifications or contract, if any.