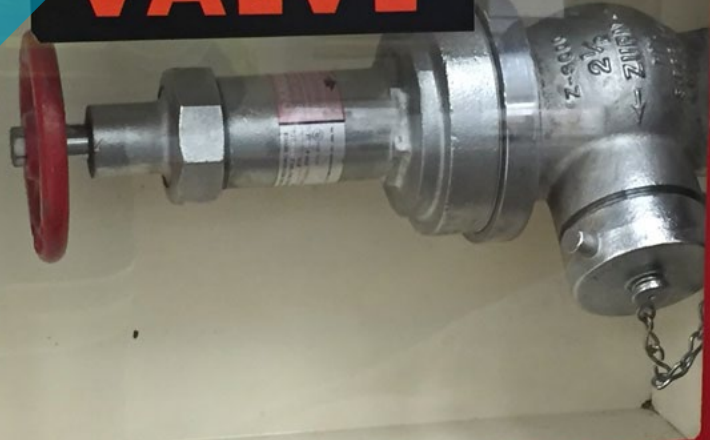


**FIRE DEPT.
VALVE**



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Audit Department

**Fire Prevention Needs
Additional Oversight to Ensure
Timely, Fair, and Unbiased Fire
Plan Reviews**

Background

- The Clark County Fire Prevention Bureau conducts fire prevention plan reviews and field inspections for new construction, tenant improvements, and building modifications in accordance with the Nevada Revised Statutes and Clark County Fire Code.
- In 2024, the Fire Prevention Bureau completed 73,551 inspections and 16,151 plan reviews.
- On September 15, 2021, Southern Nevada Fire Protection, Inc. filed a complaint against Clark County and the Fire Prevention Bureau. They alleged unequal treatment compared to competitors in how Fire Prevention applied and enforced freeze protection requirements for outdoor pipes. They claimed this treatment caused the denial or delay of their fire plans.
- This audit was part of a settlement agreement for that lawsuit.



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Objectives

- Determine whether policies, procedures, and internal controls are designed and operating effectively to ensure fire protections plans are reviewed in a fair and timely basis and personal bias is not a factor in the review and approval of fire prevention plans; and
- Determine whether Fire Prevention has been consistent with review and approval of all fire sprinklers, standpipes and fire pump plans, including freeze calculation requirements.



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Conclusion

Fire Prevention does not have procedures in place to ensure fair, timely, and unbiased plan reviews.



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Findings

High Risk

- Additional processes are needed to ensure fair, timely, and unbiased fire plan reviews.
- Accella user rights should be periodically reviewed and user groupings should be modified.

Medium Risk

- A heat loss calculation was missing in one plan despite being included in similar submissions.
- There were errors in fee assessments and permits were approved before receiving payment in full.



#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews

- Fire plan checkers select which plans they want to review, and there is no supervisory review process after they are reviewed.
 - This could allow plan checkers to inconsistently or incorrectly apply codes without correction.
- Once a plan checker reaches the top of their pay scale, they no longer receive evaluations.
 - Evaluations are important for employee development and potential training needs or discipline.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

- There is no guidance for plan checkers to follow when it is unclear whether a heat loss/freeze calculation is necessary.
 - This can result in decisions that lack of uniformity.
- There is no process to monitor conflicts of interest. Potential conflicts of interest are evaluated during an employee's hiring process, and secondary employment notification is required annually by County policy. None of these requirements address personal relationships.
 - Staff could review plans for companies that they or their families have an interest in without management's knowledge.
 - This could lead to inappropriate approvals or disapprovals or other unfair treatment.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

- Staff certification status is not monitored.
 - Certifications are required for many of the positions to ensure qualified staff.
- There are no written policies and procedures for intake staff.
 - This can result in inconsistent or inefficient operations.
- The informal escalation process was not posted on the website.
 - Customers have no knowledge of the actions they can take if they disagree with a plan checker's decision.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

- Checklists customers can use to ensure their submissions meet requirements were not posted on the website.
 - The fire sprinkler plan checklist was posted during the course of our audit.
- The fee schedule does not include a charge for resubmittals.
 - Customers may submit noncompliant plans multiple times and use the County's expertise through comments to finalize them.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

Recommendations

- Establish the following fire plan review processes to ensure adherence to department standards and compliance with Fire Code requirements:
 - Implement a documented periodic spot check or full review of approved fire plans. Include coverage of all fire plan types and/or staff.
 - Review these plans for adherence to applicable standards and department standards.
 - Perform annual performance reviews for all staff.
- Establish written guidelines for heat loss/ freeze protection requirements.
- Create and implement a formal process to ensure staff maintain certifications as required by their job duties.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

- Update the Fire Prevention website with the escalation process to improve customer service and minimize delays.
- Continue to add NFPA related checklists to the Fire Prevention public website as they become available.
- Complete a business impact statement and resubmit the ordinance to the Board for inclusion of fees on resubmitted plans.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

- Establish a conflict-of-interest process and formalize a written policy to include the following:
 - A cooling-off period to prevent plan checkers from reviewing plans when a conflict of interest exists.
 - Request staff disclose conflict of interest at least annually, and also when new interests are gained, or when an existing conflict changes. Include conflicts for personal relationships and financial interest in fire prevention contractors that may submit plans for review .
 - During the annual conflict of interest assessment, remind staff to avoid reviewing plans when they have a stake in the company that submitted the plan.
- Establish policies and procedures over the submittal, intake and fee assessment process.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

Response

- CCFD will reestablish the quarterly QA audit reviews. These reviews are a random plan selection re-reviewed by a peer based on the appropriate standard or checklist. The details of the review are documented on the QA review form and used to detect review patterns or areas of emphasis. CCFD will also investigate the feasibility of establishing annual performance reviews for staff after they have reached the top of the pay scale.
- CCFD will draft an internal policy to establish guidelines for when freeze protection of piping shall be required. The department is already developing a spreadsheet to indicate the prescribed amount of insulation required based on the pipe size without needing to provide additional calculations.
- CCFD will verify employees are current in all required certifications during the annual safety check. During this check supervisors already verify staff are maintaining required safety equipment, conducting required annual physicals, and verifying NV driver's licenses.
- CCFD will establish a cooling off period for employees who formerly worked for fire protection contractors. An internal policy will also be established to annually monitor potential conflicts of interest. A document will be created for staff to disclose their own, or their family members', potential conflicts of interest. Management will use these disclosures to maintain the appropriate separations and work assignments.



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#1- Additional Processes are Needed to Ensure Fair, Timely, and Unbiased Plan Reviews (continued)

- CCFD is engaged in an ongoing effort to establish desk manuals for the intake and administrative staff. These will be used in part to establish a training program for the group. They will also be used to establish policies and procedures for each position.
- CCFD will post the second opinion process on its website. This process is very similar to the process used by the Building Department.
- CCFD will continue to develop plan review checklists based on the various NFPA standards as well as the adopted fire code. As the checklists are developed, they will be released for public use and posted on the website for use by stakeholders.
- CCFD has included fees for resubmittals and revisions in the upcoming fire code adoption. This adoption is tentatively scheduled to go before the BCC in September with an effective date in January of 2026.



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#2 - Accella User Rights Should be Periodically Reviewed and User Groups Should be Modified

- Accella is the application used by Fire Prevention to process permits.
- We found 31 users with rights that exceeded those needed to perform their job duties.
- Support staff were in the same user groups as senior management, who have access to additional system functions, such as fee modification, override, plan approval without payment.
- This could lead to inappropriate access and activities going undetected.



#2 - Accella User Rights Should be Periodically Reviewed and User Groups Should be Modified (continued)

Recommendations

- Perform a user access review to verify that each group's assigned user rights are appropriate and aligned with their roles and responsibilities.
- Grant the minimum set of rights and permissions necessary to accomplish their assigned departmental tasks for each group.
- Assign users to their appropriate groups.
- Establish policies and procedures for reviewing Accela user access and permissions at least annually in compliance with Technology Directive 1.



#2 - Accella User Rights Should be Periodically Reviewed and User Groups Should be Modified (continued)

Response

1. CCFD will schedule a review with our IT department to validate all Fire Prevention Accella users have the appropriate access for their assigned job. These permissions will be re-reviewed at least annually.
2. CCFD will establish and grant the minimum rights and permissions to each work group based on job function/task.
3. CCFD will assign users to the appropriate Accella group based on work group job function and task.
4. CCFD will establish a procedure to include the review of user access and permissions as part of the annual safety check/driver's license checks to ensure that rights and permissions are appropriate to job function/task. During this check supervisors already verify staff are maintaining required safety equipment, conducting required annual physicals, and verifying NV driver's licenses.



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#3 - Heat Loss Calculation Missing in One Plan Despite Inclusion in Similar Submissions

- We reviewed 15 fire plans with the assistance of an individual knowledgeable of fire code but independent of the plan review process.
- We found 1 plan that did not have a freeze calculation, while it was required of similar plans.
- The lack of the freeze calculation did not affect the plan's compliance.



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#3 - Heat Loss Calculation Missing in One Plan Despite Inclusion in Similar Submissions (continued)

Recommendation

- Strengthen management oversight and finalize guidelines for the heat loss/freeze protection calculation requirement to enhance consistency when reviewing and approving the fire plans.

Response

- CCFD will finalize the guideline and spreadsheet for the heat loss/freeze protection requirements and provide direction and training for this requirement. These guidelines will be posted for industry use/understanding.



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#4 - Errors in Fee Assessments and Permits Approved without Required Payments

- We found 2 permits issued with unpaid balances on the 2018 fee schedule and 3 permits issued with unpaid balances using the 2023 fee schedule. (totaling \$1,080 and \$1,260 respectively).
- We found errors in the assessed fees for 3 of 40 submissions using the 2018 fee schedule and 7 of 30 submissions using the 2023 fee schedule.



#4 - Errors in Calculated Fees (continued)

TABLE 1. Testing of Fee Assessments Indicates Customers Were Incorrectly Charged

	Invoice Amount	Auditor's Calculation	Difference (+/-)	Error %
Discrepancies In Plans Subject to 2018 Fee Schedule				
1	\$617	\$681	-\$64	-9%
2	\$1,374	\$2,085	-\$711	-34%
3	\$4,210	\$6,252	-\$2,042	-33%
Total	\$6,201	\$9,018	-\$2,817	-31%
Discrepancies In Plans Subject to 2023 Fee Schedule				
1	\$180	\$90	\$90	100%
2	\$180	\$90	\$90	100%
3	\$180	\$90	\$90	100%
4	\$180	\$90	\$90	100%
5	\$270	\$180	\$90	50%
6	\$810	\$630	\$180	29%
7	\$1,543	\$1,208	\$335	28%
Total	\$3,343	\$2,378	\$965	41%

Source: Auditor testing



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#4 - Errors in Fee Assessments and Permits Approved without Required Payments (continued)

Recommendations

- Provide fee assessment training to new and existing staff.
- Periodically monitor staff compliance with the fee assessment process and provide additional training as needed.
- Establish a collection policy for applications and identify additional permits with outstanding or unpaid fees. Attempt to collect the outstanding fees.
- Update the Accela application to ensure applicants make full payment before issuing a construction permit.
- Contact the District Attorney, Civil Division, for further guidance on writing off closed accounts with unpaid and uncollectable balances.



#4 - Errors in Fee Assessments and Permits Approved without Required Payments (continued)

Response

- CCFD will establish and provide fee verification/assessment training to appropriate staff members. Training will be provided prior to the new code adoption.
- CCFD will conduct a monthly audit of a random application for each intake staff member responsible for fee verification/assessment. Training will be provided as needed.
- CCFD will work with IT to develop/refine an Acella report to identify applications with outstanding or unpaid fees. CCFD will establish a procedure for billing and collecting outstanding balances on the applications.
- CCFD will work with IT to ensure that the Acella programming requires full payment prior to the issuance of a construction permit. In previous Acella programming this was a requirement. Will verify that it is functioning and correct as needed.
- CCFD will work through the CCFD assigned Civil DA for guidance on account collections or writing off closed accounts with unpaid and uncollectable accounts.



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