

CHAPTER 92: FIRE PROTECTION AND PREVENTION

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§ 92.01 INTERFERENCE WITH FIREFIGHTERS; FALSE ALARMS.

(A) As provided in G.S. § 58-82-1, no person may willfully interfere in any manner with firefighters engaged in the performance of their duties.

(B) As provided in G.S. § 14-286, no person may wantonly and willfully give a false alarm or damage fire alarm, detection or extinguishing equipment.

(1981 Code, § 12-1) Penalty, see § 92.99

§ 92.02 RIDING ON FIRE DEPARTMENT APPARATUS.

No person other than a member of the Fire Department may mount or ride upon any fire engine, wagon or apparatus before it leaves the station or while on its way to or from a fire or at any other time, except by permission of the Fire Chief.

(1981 Code, § 12-2) Penalty, see § 92.99

§ 92.03 CONGREGATING AT FIRES.

It shall be unlawful for persons to congregate on the streets, sidewalks or other areas adjacent to a fire so as to interfere with the operations of members of the Fire Department.

(1981 Code, § 12-3) Penalty, see § 92.99

§ 92.04 INSPECTION OF PREMISES FOR FIRE HAZARDS.

(A) As provided in G.S. § 58-79-20, the Fire Chief or his or her duly authorized agent may enter into all buildings and premises during reasonable hours to inspect for combustible materials or inflammable conditions dangerous to the safety of the building or premises.

(B) (1) When any officer making an inspection in accordance with division (A) above discovers combustible materials in inflammable conditions, he or she shall order the occupant or person in charge of the premises to remove or remedy the materials or conditions.

(2) Unless the person to whom the order is directed appeals to the Commissioner of Insurance within 24 hours, as provided in G.S. § 58-79-20, the order shall be complied with forthwith.

(1981 Code, § 12-9)

§ 92.05 ADOPTION OF TECHNICAL CODES AND STANDARDS BY REFERENCE.

(A) There is hereby adopted by reference and incorporated herein that certain code known as *North Carolina Fire Code, Current Edition*. Copies of the fire prevention and protection code and all technical codes and standards adopted by reference shall be filed with, and available for public inspection in the office of the Fire Chief.

(B) Amendments to codes and standards adopted by reference herein which are adopted and published by the State Building Code Council shall be effective in the town at such time amendments become a part of *North Carolina Fire Code, Current Edition*.

(1) The following Appendices to the North Carolina Fire Code are adopted:

- (a) Appendix B - Fire Flow Requirements for Buildings;

- (b) Appendix C - Fire Hydrant Locations and Distribution;
- (c) Appendix D - Fire Apparatus Access Roads;
- (d) Appendix F - Hazard Ranking; and
- (e) Appendix J - Building Information Sign.

(Ord. passed 7-27-2020)

§ 92.06 OPEN BURNING.

(A) Except as provided in division (D) below, no person may burn or cause to be burned any material outside of a building without a permit issued by the Fire Chief.

(B) The Fire Chief shall issue the permit, authorizing the named applicant to burn specified materials at a designated location on a specified date, if he or she finds that the applicant will comply with the requirements of division (C) below and that no atmospheric conditions or other local circumstances exist that would make the requested burning hazardous.

(C) (1) Burning shall be permitted only on property owned or occupied by the person doing the burning, or his or her agent, and only in accordance with the terms of the permit.

(2) Burning shall not be allowed within 50 feet of any structure, except as provided in division (D) below.

(3) No outside burning shall be allowed within the primary fire district.

(4) Outdoor fires shall be constantly attended, and the person in charge shall have a garden hose or other fire extinguishing equipment readily available for use.

(D) No outdoor burning of trash, leaves, grass and the like is permissible.

(E) Nothing in this section shall relieve any person of the requirements of any other provision of law governing outdoor burning or pollution from burning.

(1981 Code, § 12-12) Penalty, see § 92.99

§ 92.07 FIRE LIMITS.

(A) The primary fire limits shall be shown on the fire zone map as approved and modified from time to time by the Board. A copy of this map shall be maintained in the office of the Town Clerk.

(B) As provided in G.S. § 160A-436, within the primary fire zone no frame or wooden building or structure or addition thereto may be erected, altered, repaired or moved (either into the limits or from one place to another within the limits), except in accordance with a building permit issued by the Building Inspector and approved by the Commissioner of Insurance.

(1981 Code, § 12-16) Penalty, see § 92.99

§ 92.08 FIRE CHIEF.

When used in this chapter, the term **FIRE CHIEF** refers to the Town Fire Chief or to any other person designated by the Manager to perform the duties assigned to the Fire Chief by this chapter.

(1981 Code, § 12-17)

§ 92.09 FIRE AND LIFE SAFETY DIVISION.

(A) The Fire and Life Safety Division shall be a division within the Fire Department and supervised by the Fire Chief.

(B) The Fire and Life Safety Division shall conduct inspections of buildings and premises for the purpose of ensuring compliance with the North Carolina Fire Code, Current Edition and any amendments or appendices.

(C) The Fire and Life Safety Division shall be responsible for Public Education and Fire Prevention programs.

(D) Fire Marshal refers to the person designated by the Manager to perform the duties assigned to the Fire Marshal by this chapter.

(E) The Fire Marshal shall be appointed by the Town Manager and supervised by the Fire Chief. The Fire Marshal shall implement inspections and training outlined in this chapter in accordance with the North Carolina Fire Code, Current Edition and any amendments or appendices.

(Ord. passed 7-27-2020)

§ 92.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) A violation of §§ 92.01 through 92.04, 92.06, 92.07 as well as the provisions of the Fire Code adopted by reference in § 92.05 shall constitute a misdemeanor, punishable as provided in G.S. § 14-4.

(C) A violation of any of the sections listed in division (B) above shall also subject the offender to a civil penalty of \$25. If a person fails to pay this penalty within 10 days after being cited for a violation, the town may seek to recover the penalty by filing a civil action in the nature of debt.

(D) The town may seek to enforce this chapter through any appropriate equitable action.

(E) Each day that a violation continues after the offender has been notified of the violation shall constitute a separate offense.

(F) The town may seek to enforce this chapter by using any one or any combination of the foregoing remedies.

(1981 Code, § 12-18)