

CHAPTER 12

FIRE PROTECTION

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Article I

INTERFERENCE WITH FIRE FIGHTING ACTIVITIES

Section 12-1 Interference with Firemen; Fire Alarms.

- a) As provided in G.S. 69-39, no person may willfully interfere in any manner with firemen 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.
- c) Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-2 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 driver or officer in command. Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-3 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. Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Sections 12-4 through 12-8 Reserved.

Article II

FIRE PREVENTION

Section 12-9 Inspection of Premises for Fire Hazards.

- a) As provided in G.S. 69-4, the fire chief or chief of police may enter into all buildings and premises during reasonable hours to inspect for combustible materials or inflammable conditions dangerous to the safety of such building or premises.
- b) When any officer making an inspection in accordance with subsection (a) discovers combustible materials or inflammable conditions, he shall order the occupant or person in charge of the premises to remove or remedy such materials or conditions. Unless the person to whom the order is directed appeals to the Commissioner of Insurance within twenty-four hours, as provided in G.S. 69-4, the order shall be complied with forthwith.
- c) Failure to comply with an order issued pursuant to subsection (b) above is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-10 Blocking of Obstructing Exits.

- a) No person may block or substantially obstruct any fire escape, balcony, hallway, stairway, aisle, corridor, ramp, or other passageway or means of egress from any building, other than a single family residence, during the hours such building is occupied.

- b) No person having control over any fire escape or other area listed in subsection (a) may cause, suffer, or permit any such area to be blocked or substantially obstructed while the building to which these areas relate is occupied.
- c) No person may lock doors in means of egress against the path of exit of travel when the building served by the means of egress is occupied.
- d) Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-11 Marking and Lighting of Exits.

- a) In rooms accommodating or designed to accommodate more than fifty persons, doorways (other than those normally used for entrance or clearly visible from all points in the room) shall be marked by exit signs (approved by the fire chief) that are sufficiently illuminated to be readily visible when the room or space is occupied.
- b) Where the exit doorways are not visible from all locations in public corridors, directional signs approved by the fire chief shall be placed on walls or otherwise displayed in conspicuous locations to direct occupants to exit doorways.
- c) Fire escapes, stairways, hallways, and other means of egress shall be adequately lighted (not less than 1.0 foot candle on walking surfaces) at all times that the building served thereby is occupied.
- d) Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-12 Number of Occupants Permitted.

- a) All rooms accommodating or designed to accommodate fifty or more persons shall be posted with a legible sign, conspicuously located, stating the maximum number of persons permitted in that room.
- b) The owner or other person having control of the assembly of persons in any room where a sign posted pursuant to subsection (a) shall prevent occupancy of that room by more people than is authorized.
- c) The number of permitted occupants shall be determined by the fire chief.
- d) Violation of subsection (b) above is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-13 Fire Extinguishers Required.

The owner or other person in charge of every premises used for non-residential purposes shall install sufficient portable fire extinguishers (of a kind and in locations prescribed by the fire chief) to afford reasonable protection to persons and property. Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-14 Open Burning.

- a) Except as provided in subsection (b) and (d), no person may burn or cause to be burned any material, including any solid waste or yard debris, outside of a building. The term solid waste includes trash, garbage, plastics, building and construction material, paper, cardboard, tires, rubber products, wire, wood that has been treated, painted or finished, or household and agricultural materials. The term yard debris includes leaves, weeds, brush, tree cuttings, or dead wood.
- b) A person may cook food outdoors in a grill, hibachi or cooker so long as the grill, hibachi or cooker is located in a safe area in the yard away from a porch, overhang, or balcony, and the person takes reasonable precautions to prevent danger from fire and pollution.
- c) The McAdenville Fire Department may do live burning for training purposes after obtaining all county, state and federal permits required.
- d) Nothing in this section shall relieve any person of the requirements of any other provisions of law governing outdoor burning or pollution from burning.
- e) Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-15 Fire Lanes.

- a) As provided in G.S. 20-162, no person may park a motor vehicle in or otherwise obstruct a fire lane that is designated and marked as provided in this section. However, notwithstanding the foregoing, persons loading or unloading supplies or merchandise may park, temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended.
- b) Whenever the fire chief determines that a portion of a street, road, other access way, or parking lot located adjacent to, near to or leading to a building used for residential purposes (other than single-family houses or duplexes) or according to the criteria set forth in subsection (c), he shall specifically describe to the person in control of such area (the owner or occupant) the precise dimensions and location of such area and require such person to make such area in accordance with the provision of subsection (d).

- c) A fire lane may be established in any area described in subsection (b) that needs to remain unobstructed so that fire fighting vehicles and other emergency vehicles have adequate access to buildings. Subject to subsection (d), the precise dimensions and location of each fire lane shall be determined by the fire chief, exercising his best professional judgment in furtherance of the objective stated in the previous sentence.
- d) Upon being provided with the information described in subsection (b) of this section, the person entitled to control over the area where the fire lanes have been established (the occupant or the owner) shall clearly mark the fire lanes as follows:
 - 1) If the fire lane is designated adjacent to a curb, the lane shall be marked by painting the curb yellow for the entire length of the fire lane and by posting legible signs alongside of the fire lane within three feet of the curb that state “No Parking, Fire Lane, Tow Away Zone.” These signs shall be placed not lower than four feet from the ground nor higher than seven feet. Sufficient signs shall be placed so that no portion of the yellow pavement marking designating the fire lane is more than fifty feet from such a sign. When so designated, the fire lane shall comprise an area sixteen feet wide running adjacent to the yellow curb marking.
 - 2) If the fire lane is designated adjacent to the edge of a travel lane along which there is no curb but along which signs may be placed without obstructing the flow of traffic, then the lane shall be marked by posting legible signs alongside the fire lane that state “No Parking, Fire Lane, Tow Away Zone.” These signs shall be placed not lower than four feet from the ground nor higher than seven feet. Such signs shall be placed at the extreme limits of the fire lane and at intervals of not more than eight feet. When so designated, the fire lane shall comprise an area sixteen feet wide running adjacent to the edge of the travel lane where the fire lane signs are posted.

If the fire lane is designated in an area not adjacent to a curb and not in an area where signs can be conveniently posted, lanes shall be marked by outlining the perimeter of the lane with a yellow line not less than three inches wide, and painted on the pavement within the fire lane the words “No Parking, Fire Lane, Tow Away Zone” in letters not less than three inches high, so that no portion of the fire lane is more than thirty feet from the painted words “Fire Lane.”

- e) Violation of this section is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4 by costs of court and a fine greater than \$50.00 but not to exceed \$500.00.

Section 12-16 Responses to Rescue Emergencies.

- a) The Fire Chief or his designee shall have the authority to summarily abate, control, or mitigate technical rescue situations that generally endanger the health or safety of the general public.

- b) The Fire Chief or his designee shall have the authority to enter public or private property, with or without the property's owner's consent, to respond to mitigate such technical rescue incidents.
- c) The Fire Chief or his designee shall determine the type, amount and quantity of equipment and personnel required to adequately control, abate and mitigate all technical rescue situations.
- d) Technical rescue shall include, but not be limited to, any or all of the following types of incidents:
 - 1) Confined space incidents;
 - 2) Full or partial structural collapse;
 - 3) Trench cave-in;
 - 4) Vehicle extrications;
 - 5) Other unusual rescue situations.

Section 12-17 through 12-20 Reserved.

Article III

MISCELLANEOUS

Section 12-21 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 Council. A copy of this map shall be maintained in the fire department.
- 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.
- c) The Town may seek appropriate relief for violations of this section through actions for abatement or injunctive relief through a court of competent jurisdiction. Failure to obtain proper permitting as described in subsection (b) above is punishable as a misdemeanor pursuant to N.C.G.S. § 14-4.

Section 12-22 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 Council to perform the duties assigned to the fire chief by this chapter.