Fire Prevention Ordinance

Presented by
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Board of County Commissioners Meeting

August 1, 2023
Overview & Purpose

• No major ordinance revisions or updates since 2007

• Required to align to current standards set by North Carolina

• Safeguard and meet mission of preventing loss of life and preserving property from fire loss

• Increase opportunities to enhance resident and visitor safety

• Provide service and education to businesses and internal / external customers
Overview & Purpose

• North Carolina Fire Chief Consulting completed an evaluation of the Fire Marshal’s Office

• Final report included a major and overall recommendation to make required revisions to align to North Carolina statutes that address the following:
  • Investigations and Requirements
  • Periodic Inspections Frequencies
  • Remediation
  • New Open Burning Section in Fire Prevention Ordinance *

*major change
Proposed Revisions & Updates Categories
• **Nonsubstantive updates.** Electronic email delivery, annual report to Emergency Services Director, hazardous materials, appendices etc.

• Failure to reasonably comply per violation penalty increase from $100 to $500 for life safety & $25 to $100 for all other violations

• **Delete 30-47 Appendix B & replace in its entirety.** This appendix deals with required fire water flows for sprinklers and hydrants on commercial building projects.

• **Delete 30-48 Appendix D & replace in its entirety.** This appendix is critical to Buncombe County. It specifies minimum ingress, egress, cul-de-sac and other emergency services access issues.
Open Burning Section

• New section of Fire Prevention Ordinance
• Superseded by Chapter 4-1900 of Asheville-Buncombe Air Quality Agency Code
  • This ordinance is controlled by the Air Quality Board with members appointed by the Commissioners and the City of Asheville
  • It remains against Air Quality Ordinance to burn anything unnatural
• No *NEW* bans on burning are recommended or included in this.
• Changes for residents at home - Fire must be constantly attended.
• Changes for land clearing - The same setback rules currently in place and the land clearing burn must be constantly attended.
Open Burning Sections, cont.

• Permit Requirements when applicable have:
  • No cost / Contact 828-250-6620

• Bonfires and Recreational Fires
  • Bonfires –
    • Stacked with a machine and are taller than six feet
    • Used as public events
    • Doesn’t include agriculture clean-up
    • Must have a fire department truck and personnel per the fire code
  • Recreational Fires –
    • Typically, less than six feet in height & not contained by a fire pit
    • Attended as a public event & requires fire supervision
Open Burning Sections, cont.

- Exceptions and approved container and devices
  - A back yard fire at a private residence does not require permits
  - An approved container is any device that keeps the fire from spreading at ground level
  - Must be 15 feet from a structure if the fire is under three feet in diameter and 25 feet if the fire is larger
  - Must be constantly attended until it is extinguished or out

- Violations including civil and criminal penalties
  - The servicing fire department or the fire code official has extinguishment authority of any fire deemed dangerous by them
  - Civil and/or criminal penalties can be issued starting at $500
Request for Board Action & Next Steps

• Request for Board Action – Consider approval of ordinance updates & revisions

• If approved, Staff will develop & Implement Public Education Campaign in coordination with CAPE – 14 days

• Enforcement effective 30 days after the end of campaign period