



Fire Prevention Ordinance

Presented by

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Board of County Commissioners Meeting

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BUNCOMBE COUNTY



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- Superseded by Chapter 4-1900 of Asheville-Buncombe Air Quality Agency Code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

