



Fire Prevention Ordinance

Presented by

Kevin Tipton, Fire Marshal

Board of County Commissioners Briefing

July 18, 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 Ordinance



Proposed Revisions & Updates

(In Red)



- Any owner or occupant failing to comply with such order within a reasonable period after service shall be subject to a penalty of ~~\$100.00~~ **\$500.00** for each violation deemed to be "Life Safety" and ~~\$25.00~~ **\$100.00** per violation for every other violation.
- The service of any such order may be made upon the occupant of the premises to whom it is directed, either by delivering a copy to such occupant personally, **electronic delivery (email)**, or by leaving it with any person in charge of the premises, or if no such person is found upon the premises, by affixing a copy thereof in a conspicuous place or on the door to the entrance of said premises.
- The county fire marshal shall submit an annual report of activities to the ~~County Manager~~ **Emergency Services Director**, which shall contain all proceedings under this ordinance and any recommendations for amendments which the fire marshal deems appropriate.
- Appendices and Hazardous Material
- The fire marshal ~~may~~ **shall** require warning signs wherever hazardous materials are stored, processed, or handled. Such warning signs shall be conspicuously lettered in accordance with NFPA 704.



- **ADOPT APPENDIX B OF THE NORTH CAROLINA FIRE PREVENTION CODE IN IT'S ENTIRETY.**
This appendix deals with required fire water flows for sprinklers and hydrants on commercial building projects.
- **ADOPT APPENDIX D OF THE NORTH CAROLINA FIRE PREVENTION CODE IN IT'S ENTIRETY.**
This appendix is critical to Buncombe County. It specifies minimum ingress, egress, cul-de-sac and other emergency services access issues.

❖ State law requires adoption by the governing body to make these enforceable.

❖ To be moved from the appendices in the 2024 revision cycle



Open Burning

- Air Quality Ordinance- Chapter 26 Article III (Ord. No. 14014, art. IV, § II, 1-11-71)
General.
 - A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this ordinance and the Air Quality Ordinance- Chapter 26 Article III (Ord. No. 14014, art. IV, § II, 1-11-71)
 - Prohibited open burning. (Non-Vegetative Waste)
 - Fire Marshal authority over open burning.
 - Required prescribed burning for wildfire and eradication.
 - Extinguishment Authority.
 - Location for burning and setbacks.



Open Burning, cont.d

- Permit Requirements.
- Bonfires and Recreational Fires.
- Exceptions and approved container and devices.
- Violations including civil and criminal penalties.



Proposed Next Steps

- Request for Board Action – August 1st BOCC Regular Meeting
- Develop & Implement Public Education Campaign in coordination with CAPE – 14 days
- Enforcement effective 30 days after the end of campaign period



Questions

