



HOKE COUNTY FIRE PREVENTION AND PROTECTION ORDINANCE

**FIRE CODES – PERMITS – INSPECTIONS
FEES & FINES
OPEN BURNING
VIOLATIONS & PENALTIES
HAUNTED HOUSES
HYDRANT REGULATIONS**

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Chapter 1

HOKE COUNTY FIRE PREVENTION AND PROTECTION ORDINANCE

Section 1.1 Title

These regulations shall be known as the “Fire Prevention and Protection Ordinance of Hoke County, North Carolina.”

Section 1.2 Intent of the Ordinance

- (1) The intent of this ordinance is to prescribe regulations for safeguarding life and property within the unincorporated limits of Hoke County and in any municipality which requests it to apply, from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from hazardous conditions in the use or occupancy of buildings or premises.
- (2) This ordinance shall be in effect within the corporate limits of any municipality within Hoke County if requested by the governing body of the municipality and approved by the Board of County Commissioners.
- (3) This ordinance shall not be construed to impose any liability on the County of Hoke for any damage to persons or property by reason of any inspection or re-inspection authorized herein, or failure to inspect or re-inspect, or permits issued or denied, or by reason of the approval or disapproval of any equipment.
- (4) All fire prevention ordinances heretofore adopted by Hoke County are hereby repealed.

Section 1.3 Authority and Mission

The North Carolina Fire Prevention Code and the Fire Prevention and Protection Ordinance of Hoke County shall be enforced by the Hoke County Fire Marshal and his authorized representatives or as otherwise provided herein. The mission of the Hoke County Fire Marshal’s Office is to minimize the risk of fire and other hazards to the life and property of the citizens of the County. To accomplish this, the Fire Marshal’s Office shall provide effective fire prevention, fire investigation, arson mitigation, fire inspections and code enforcement and assist the fire departments and rescue squads in the County.

Section 1.4 Code and Amendments

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, or exposure to hazardous materials, the N.C. Building Code - Fire Prevention Code and Appendixes of said code, including Chapter 1 of the code, the Permits chapter, along with the North Carolina Amendments of said code is hereby adopted by reference and is set forth herein as the Fire Code for Hoke County. Any amendments to the aforementioned NCBC-FPC, which are adopted, amended, and published by the North Carolina State Building Code Council, shall be effective in Hoke County at the time such amendments are declared in effect by the North Carolina State Building Code Council.

Section 1.5 Jurisdiction

In accordance to the general statutes of the State of North Carolina and the provisions of the Hoke County Fire Prevention and Protection Ordinance, it will be the responsibility of the Hoke County Fire Marshal's Office to issue all fire prevention permits, conduct all fire inspections, within the unincorporated limits of Hoke County and in any municipality which requests it to apply and enforcement of the NCBC-FPC / HCFPP0.

Section 1.6 Definitions and Abbreviations

For the purpose of this code, certain abbreviations, terms, phrases, words and their derivatives shall be construed as set forth in this section.

Words used in the present tense include the future. Words in the masculine gender include the feminine and neuter. Words in the feminine and neuter gender include the masculine. The singular number includes the plural and plural number includes the singular.

Section 1.6.1 Words Not Defined

Words not defined herein shall have the meanings stated in the North Carolina Building Code General Construction, N.C. Electrical Code, N.C. Fire Prevention Code, N.C. Gas Code, N.C. Mechanical Code or N.C. Plumbing Code. Words not defined in the N.C. Building Codes shall have the meanings stated in the Webster's Eleventh New Collegiate Dictionary, as revised.

Section 1.6.2 Definitions

Alteration – Any construction or renovation to an existing structure other than repair or addition.

Amusement Device – A mechanically operated device that is used to convey persons in any direction as a form of amusement.

Appeals – To make an appeal of a ruling or decision. Is a way to appeal the Fire Marshal's refusal to issue, or decision to revoke a permit. Appeals shall be in accordance with G.S. 143-140, 141. All appeals shall follow the prescribed method as set forth in the statutes not only as to permits but also as to any interpretation or variation of the Fire Code.

Asphalt Kettle – Any vessel or container used to process, heat, hold for heating or dispense flammable or combustible roofing materials that are in liquid form or will take form as a result of being exposed to such vessel or container.

Bonfire – An outdoor fire. Bonfires may be used for ceremonial and religious purposes (schools, civic groups, churches). Materials used for Bon-Fires must also comply with the EPA regulations.

Burning Ban – Warning issued for any outdoor burning when conditions or local circumstances make such fire hazardous.

Certificate of Compliance – At the completion of this work done under a permit, the appropriate contractor must put in writing that all work done met or exceeded all codes (NCBC-FPC, NPFA or HCFPPO) that applied to that particular permit.

Civil Citation – Is a written notice of any violations of the NC Fire Prevention Code or the Hoke County Fire Prevention and Protection Ordinance.

Construction Permit - A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.6 of the NCBC-FPC and this ordinance.

Decorative Material – All materials applied over the building interior finish for decorative, acoustical or other effect (such as curtains, draperies, fabrics, streamers, and surface surface coverings) and all other materials utilized for decorative effect (such as batting, cloth, cotton, hay, straw, stalks, straw, vines, leaves, trees, moss and similar items), including foam plastics and materials containing foam plastics. Decorative materials do not include floor coverings, ordinary wood shades, interior finish and materials 0.025 inch (0.64 mm) or less in thickness applied directly to and adhering tightly to a substance.

Fees – A charge for professional services, licenses, permits, etc. Fees will be according to current schedule as adopted by the Hoke County Board of Commissioners for all services and fire inspections conducted by the Hoke county fire Marshal’s Office.

Fines – A sum of money paid as a penalty. The penalties for violations of this ordinance and the NC State Building Codes will be based on the current Hoke County Civil Citations Fee Schedule as adopted by the Hoke County Board Of Commissioners.

Fire Flow Testing – Are tests conducted on water distribution systems to determine the rate of flow available at various locations for firefighting purposes.

Fire Hydrant – A device used to gain access to water from a supply source.

Fireworks – See Section 3302.1, NCFPC

Fireworks, 1.4G. See section 3302.1, NCFPC

Fireworks, 1.3G. See Section 3302.1 NCFPC

Governing Body – A city, county, state, agency or other political government subdivisions or entity authorized to administer and enforce the provisions of this code, as adopted or amended.

GPM – Gallons Per Minute.

Haunted House – Are any building with several rooms or one room displaying scary scenes or scenes that are to represent life like scenes and is used by organizations or individuals for fundraisers or profit. All haunted houses shall meet the requirements of Chapter 6 of this ordinance and the N.C. Fire Prevention Codes for Special Amusement Buildings.

HCBOCC – Hoke County Board of County Commissioners

HCFPPO – Hoke County Fire Prevention and Protection Ordinance

High Rack Dry Storage for boats – Applies to construction and operation of storage areas for boats, also applies to the construction and operations of marinas, boatyards, yacht clubs, boat condominiums, docking facilities, and all associated piers, docks and floats.

Inter-Departmental Approval – Is approval between other departments for different projects or jobs. Before any permits are issued for any projects it will be the responsibility of the contractor to obtain approval from the Building & Land Development Department, Environmental Health, Fire Marshal’s Office and/or any other department(s) that may issue permits.

Kiosks – A small structure open at one or more sides used to display or sell merchandise

NCBC-FPC – North Carolina Building Code - Fire Prevention Code

NFPA – National Fire Protection Association

Nuisance Burning – When during a burn, the smoke and/or odors create a neighborhood nuisance, causes physical irritation exacerbating a documented medical condition, visibility impairment, evidence of soot or ash on property or structure other than the property on which the burning is done, the smoke and odors do not rise, hangs close to the ground, crosses a street or highway and causes a hazard, or three or more separate businesses or homes complain during the burning it shall be ceased and all fires will be extinguished.

Open Burning – As described in 302.1 of the NCFPC. The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudgepots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time of combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

Operational Permit – An operational permit allows an applicant to conduct an operation or a business for which a permit is required by Section 105.6 of the NCBC-FPC and this ordinance for either a prescribed period or until renewed or revoked.

Plan Review – Is a review process used for the determination of compliance with this ordinance and the Fire Code, and shall be completed within a reasonable time of receipt of the plans after they are received in the Fire Marshal’s office. The plan review shall not apply to one and two family dwellings. Plan Review shall apply to all buildings and occupancies in the NC Building Code General Construction and the NC Building Code Fire Prevention and Chapter 9 of this ordinance. The provisions of this code (NCBC-FPC/HCFPPO) shall apply equally to existing as well as new buildings.

Storage Tank – Any tank used for storage of flammable or combustible liquids or hazardous materials above or below ground.

Violations – Anyone or anything that violates any of the provisions of the NCBC-FPC or the Hoke County Fire Prevention and Protection Ordinance.

Violation Notice - The notice of violation specifies a period during which the violator must correct the violation. If the violation is not corrected within the specific time, the violator shall be guilty of a new and separate offense.

Re-Inspection Fee – Is when an applicant does not have everything ready for re-inspection or no one is there to allow for the re-inspection to be completed. A fee will be imposed for this violation.

Chapter 2

PERMIT, APPLICATION AND REVIEW

Section 2.1 Definition

Permit is an official document issued by the Fire Marshal's Office authorizing performance of a specified activity, use, operation or installation. This includes, but is not limited to the following types of permits: Use Permit, Special Use Permit, Burning Permit, Operational Permit, Construction Permit and Permits for Fire Protection Systems, Storage Tanks, and any other items needing a permit.

Section 2.2 Permits Required

In accordance with the detailed requirements of the County, a permit shall be obtained from the Fire Marshal's Office pursuant to the procedure set forth in Chapter 1 of the N.C. Building Code - Fire Prevention Code, along with the N.C. Amendments and this ordinance. Permits shall be obtained to conduct those activities or operations as set forth in the permit and inspection/service fee schedule as approved by the Hoke County Board of Commissioners. All permits will be issued on an individual basis upon demonstration of compliance with the applicable Fire Code Regulations. Required operational, construction or special use permits as defined by this ordinance or the NCBC-FPC shall be issued before work is started to erect, construct, enlarge, install, alter, repair, move, improve, remove, convert or demolish any building, structure, or service system. Other permits may be required to be issued in conjunction with the permits. These may include zoning permits, building permits, and/or food service permits. It shall be the responsibility of the applicant to obtain any and all other applicable permits before operating or undertaking the use for which the permit was issued.

Section 2.3 Information Required With Applications

- 2.3.1** An application for a permit shall be filed with the Fire Marshal's Office on a form furnished for that purpose, provided by the County and shall include the applicant's answers in full to questions set forth in such forms. Applications for permits shall be accompanied by appropriate fees and such data as may be required by the Fire Marshal.
- 2.3.2 Contractor's License Required.** When the General Statutes requires that general construction, plumbing, mechanical, electrical, fire protection, or gas work be performed by the appropriately licensed individual(s), no permit for such type work shall be issued to an unlicensed person or firm.
- 2.3.3 Drawings and Specifications Requirements.** Three (3) copies of drawings and specifications, drawn to scale with sufficient clarity and detail to indicate the nature and character of work shall accompany the application for a permit. **Such plans shall be included as a part of the submittals of the design of the overall building – in the event of new construction, and shall be provided as part of the renovation plans, in the event renovation plans are required for the structure.** Such plans are design plans and specifications and not shop drawings by the manufacturer or installer. Such drawings and specifications shall contain

information, in the form of notes or otherwise, as to technical properties of the materials, where such properties are essential to show compliance with the technical codes.

All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

The Fire Marshal's Office may also request two (2) copies of the shop drawings of the specific systems, as developed by the manufacturer and installer of the system if it is deemed necessary by the complexity of the proposed specific system.

2.3.4 Additional Data. The Fire Marshal's Office and/or the Building Inspection Department may require details, computations, stress diagrams, professional certification and other data necessary to describe the construction or installation of a system.

2.3.5 Fire Resistive Integrity. Drawings and specifications for all buildings shall indicate how required fire resistive integrity will be maintained, where a penetration of a required fire resistive wall, floor or partition will be made for electrical, gas, mechanical, plumbing or communication conducts, pipes and systems. The drawings shall indicate in sufficient detail how the fire integrity will be maintained.

2.3.6 Structural Integrity. Drawings and specifications for all buildings shall indicate how structural integrity, including lateral stability, will be maintained where a penetration of a wall or floor or roof takes place and where each wall, floor or roof assembly supports service systems.

Section 2.4 Plan Review

Shall apply to all buildings and occupancies in the N.C. Building Code General Construction and the N.C. Building Code Fire Prevention and Chapter 9 of this ordinance. The provisions of this code (NCBC-FPC/HCFPPO) shall apply equally to existing as well as new buildings. **This review will be for the determination of compliance with this ordinance and the Fire Code, and shall be completed within a reasonable time of receipt of plans.** The results of this plan review shall be submitted to the Building Inspection Department. **If the Fire Marshal's review of these plans indicates the need for a fire permit, as outlined in this ordinance and the Fire Code or if there are corrections to be made to the plans, the building permit shall not be issued until the fire permit has been applied for or until the corrections are made to the plans. The review of plans will be charged a fee as determined by the Hoke County Commissioners.** This plan review shall not apply to one and two family dwellings.

2.4.1 Fees

See Permit Fee Schedule

2.4.2 Fines

See Civil Citations Fine Schedule

2.4.3 Revocation

The Fire Marshal may revoke a permit upon determination that the permit holder, or any agents or employees of the permit holder, has violated any provision of the N.C. Building Code - Fire Prevention Code or of this Ordinance, or any stated condition of the permit. The Fire Marshal shall advise the permit holder, in writing, of the reason for the revocation.

2.4.4 Appeals

An applicant for a permit, or a permit holder, as appropriate, may appeal the Fire Marshal's refusal to issue, revocation of a permit or to any interpretation or variation of NCBC-FPC. Appeals shall be in accordance with G.S. 143-140, 141. **See Attachment "B" Chapter 12.**

2.4.5 Non-transferable

Any permits issued shall not be transferable. Permits shall be valid only as specified on the permit for the time period, use, and/or project specified.

Section 2.5 Sprinkler/Standpipe Application, Review and Permits

2.5.1 Permit Required

A permit will be required to be obtained from the Fire Marshal's Office for the installation of a new sprinkler and or standpipe system. A permit will also be required for any renovations or modifications to any existing systems.

2.5.2 Permit Issuance and Fee

The permit fee will be based on the service and permit fee schedule. Once the plans are approved then a permit will be issued to the contractor. The fee for the permit must be paid when the permit is issued. A copy of the permit along with the approved set of plans will be returned to the contractor.

2.5.3 Application and Plans Required

Plans, blueprints and or hydraulic calculations for the system being installed, along with a permit application, shall be submitted to the Fire Marshal's Office for review and approval prior to the issuance of a permit. No work may commence until a permit has been issued. **Four** (4) sets of all plans, blueprints and hydraulic calculations shall be submitted. One set will be returned with the appropriate remarks from the plan review. One set will be kept on file in the Fire Marshal's Office and one set will be kept in the Building Inspector's Office. The other two (2) sets will have notations from the plan review and shall be returned to the designer of record for inclusion of any modification into the shop drawing process. All submittals for review must be signed when required by code or General Statute. Plans not signed when required will not be reviewed. The set

returned approved to the contractor will be the job copy, and must be kept on the job site at all times. All drawings must be prepared in accordance with NFPA standards. All plans must be drawn to scale and accompanied by required sections and completely legible. Drawings not legible or without complete information will be returned without review and will require additional submittal. **Fire resistive and structural integrity must also be shown in detail and how it will be maintained.**

2.5.4 Inspections Required

The Fire Marshal's Office must be notified at least **48** hours in advance to schedule any inspections. Inspections required include:

1. Inspection of pressure testing of all piping.
2. Rough-in inspection of any concealed piping.
3. Inspection of any hydrants, yard or Hoke County to insure proper placement to meet code standards.
4. Final inspection and complete system testing.

It will be the responsibility of the contractor to have the necessary personnel present to conduct any tests.

2.5.5 Materials Test and Certification

Once a system has been deemed approved by the Fire Marshal's Office, the contractor will be responsible for issuing a materials test and certification letter to the Fire Marshal's Office. This letter shall state that the system has been installed in accordance with the appropriate NFPA Standards and N.C. Building Codes General Construction & N.C. Building Codes – Fire Prevention Code along with the N.C. Amendments of the N.C. State Building Code. The letter shall state that the system has been tested and all materials used are approved for their use and the system is in full operation and the system meets or exceeds the appropriate NFPA Standards and the of N.C. Building Codes. A letter shall be submitted for any new system or any renovation work or when a permit has been issued.

2.5.6 Inspection Report and Finalization

An inspection report will be completed after each inspection conducted on the sprinkler and/ or standpipe system. A copy will be left with the contractor with the remaining copies of the inspection report filed in the Fire Marshal's Office. Once all the necessary requirements have been met for the sprinkler and/or standpipe system, the inspector may then consider the permit complete and final and may note as such on the permit. No permit may be considered final until all requirements including receipt of the permit fee are completed.

Section 2.6 Fire Alarm System Application, Review and Permits

2.6.1 Permit Required

A permit will be required to be obtained from the Fire Marshal's Office for the installation of a new fire alarm system or renovations to an existing fire alarm system.

2.6.2 Permit Issuance and Fee

The permit fee will be based on the service and permit fee schedule found in the Service and Permit Fee Schedule. Once the plans are approved a permit will be issued to the contractor. The permit fee must be paid when the permit is issued. A copy of the plans and the permit will be returned to the contractor once the permit fee is paid.

2.6.3 Applications and Plans Required

Prior to the issuance of an alarm system permit, plans showing the alarm system installation or renovations, along with a permit application, shall be submitted to the Fire Marshal's Office for approval. Such plans shall be included as a part of the submittals of the design of the overall building – in the event of new construction, and shall be provided as part of the renovation plans, in the event renovation plans are required for the structure. Such plans are design plans and specifications and not shop drawings by the manufacturer or installer. These plans shall show the location and types of all devices, alarm panels and equipment, various alarm zones, wiring methods, monitoring, and other such specifications as necessary to ascertain the specific type of system being required by the project. These plans and specifications should be submitted for approval prior to the installation of any equipment or wiring. **Three (3) sets** of these plans shall be submitted. One set will be kept on file at the Fire Marshal's Office and one set will be kept in the Building Inspector's Office. The other two (2) sets will have notations from the plan review and shall be returned to the designer of record for inclusion of any modifications into the shop drawing process. The Fire Marshal's Office may also request two (2) copies of the shop drawings of the specific alarm system, as developed by the manufacturer and installer of the system, if it is deemed necessary by the complexity of the proposed fire alarm. In the event that two (2) sets of shop drawings are required, one set will be maintained at the Fire Marshal's Office while the second set will be initialed and indicated as approved and returned to the designer of record for transmittal of the information to the manufacturer and to the installation contractor. All systems shall meet NFPA standards and any other applicable NFPA requirements. **Fire Resistive and Structural Integrity must also be show in detail and how it will be maintained.**

2.6.4 Inspections Required

It will be the responsibility of the alarm contractor to contact the Fire Marshal's Office at least 48 hours in advance to schedule an inspection. An inspection will be required on all rough in wiring prior to any concealment by building finishes. A final inspection will be conducted once the entire system is completed and ready for operation. A complete check of all devices will be required such as pull-stations, smoke detectors, etc. All zones in a structure or premises shall be tested. It will be the responsibility of the contractor to have the necessary personnel present to conduct the test.

2.6.5 Materials Test and Certification

Once the system has been deemed approved by the Fire Official, the contractor will be responsible for issuing to the Fire Marshal's Office, a materials test and certification letter. This letter shall state that the system has been installed, in accordance to the appropriate NFPA Standards and N.C. Building Code General Construction and NCBC-FPC along with the N.C. Amendments of the N.C. State Building Code, has been tested, all materials used are approved for their use and the system is in full operation. This letter shall also include a certificate of compliance as required by NFPA standards.

2.6.6 Inspection Report and Finalization

An inspection report will be completed after each inspection conducted on the Alarm System. A copy will be left with the Alarm Contractor with the remaining copies of the inspection report filed in the Fire Marshal's Office. Once all the necessary requirements have been met for the alarm system, the inspector may then consider the permit complete and final and may note as such on the permit. No permit may be considered final until all requirements including receipt of the permit fee are completed.

Section 2.7 Automatic Fire Extinguishing System Permits

Definition: Automatic Fire-Extinguishing System

An approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of the fire, etc. **Examples of such systems include: as defined in the NCBC-FPC**

2.7.1 Permit Required

A permit will be required to be obtained from the Fire Marshal's Office for the installation of a new fire suppression system or renovations to an existing fire suppression system.

2.7.2 Permit Issuance and Fee

The permit fee will be based on the service and permit fee schedule. Once the plans are approved then a permit will be issued to the contractor. Once the permit fee is paid, then a copy of the permit along with the approved plans will be returned to the contractor.

2.7.3 Application and Plans Required

Prior to the issuance of a fire suppression system permit, plans showing the system installation or renovations, along with a permit application, shall be submitted to the Fire Marshal's Office for approval. These plans shall be shop drawings as developed by the manufacturer or installation company for that particular fire suppression system and shall be developed in complete detail. **Four**

(4) sets of these plans shall be submitted. One set shall be kept on file at the Fire Marshal's Office and one set will be kept in the Building and Land Development Office. The other two sets will have the notations from the plan review and will be returned to the contactor. One set of the returned drawings shall be kept at the job site. These plans shall show the location and type of all devices and equipment. The various alarm zones, wiring methods, piping methods, monitoring and other such criteria shall be indicated. All systems shall meet NFPA requirements. **Fire resistive and structural integrity must also be shown in detail how it will be maintained.**

2.7.4 Inspection Required

It will be the responsibility of the contractor to contact the Fire Marshal's Office at least 48 hours in advance to schedule an inspection. An inspection will be required on all rough in wiring or piping prior to any concealment by building finishes. A final inspection will be conducted once the entire system is completed and ready for operation. A check of all devices will be required. Any system utilizing pull-stations or cables with fusible links shall be tested for proper operation for the fire official. The contractor shall conduct any tests deemed necessary by the fire official to determine the system operation capabilities. It will be the responsibility of the contractor to have the necessary personnel present to conduct the test.

2.7.5 Materials Test and Certification

Once the system has been deemed approved by the fire official, the contractor will be responsible for issuing to the Fire Marshal's Office, a materials test and certification letter. This letter shall state that the system has been installed in accordance to the appropriate NFPA standards and N.C. Building Codes along with N.C. Amendments of the N.C. State Building Code. The letter shall state that the system has been tested and all materials used are approved for their use and the system is in full operation.

2.7.6 Inspection Report and Finalization

An inspection report will be completed after each inspection conducted on the automatic Fire suppression system. A copy will be left with the contractor with the remaining copies of the inspection report filed at the Fire Marshal's Office. Once all the necessary requirements have been met for the automatic fire suppression system, the inspector may then consider the permit complete and final and may note as such on the permit. No permit may be considered final until all requirements including receipt of the permit fee are completed.

Chapter 3

PERMIT TYPES

Section 3.1 General: Permits shall be in accordance with Section 105 of the 2012 N.C. Building Code – Fire Prevention Code along with amendments and the Hoke County Fire Prevention and Protection Ordinance.

A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of the NCBC-FPC where a permit is required by Section 105.6 or 105.7 of the code. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

1. **Transferring Permits:** Permits are not transferable. Any change in occupancy operation tenancy or ownership shall require that a new permit be issued. Permits shall be valid only as specified on the permit for the time period, use, and/or project specified. Permits shall be valid only for the individual listed on the permit application.
2. **Revocation of Permits:** The Fire Marshal and or Fire Code Official may revoke a permit upon determination that the permit holder, or any agents or employees of the permit holder, has violated any provision of the N.C. Building Code Fire Prevention or of this Ordinance, or any stated condition of the permit. The Fire Marshal or Fire Code Official shall advise the permit holder, in writing, of the reason for the revocation.
3. **Renewal of Permits:** All permits will be valid for a period of 1, 2, or 3 years and will be renewable upon completion of fire inspection in accordance with Section 105 of the NC Fire Prevention Code. Renewal fees will be based on fee schedule for Permits as adopted by the Hoke County Commissioners.
4. **Expiration of Permits:** An operational permit shall remain in effect until re-issued renewed or revoked or for such a period of time as specified in the permit.

3.1.1 Permits Required:

Permits required by this code and ordinance shall be obtained from the Fire Marshal's Office. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

3.1.2 Types Of Permits: There shall be three types of permits as follows:

- (1) Operational Permit: A permit that allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6

of NCBC-FPC and this ordinance for either:

- 1.1 A prescribed period.
- 1.2 Until renewed or revoked.

(2) Construction Permit: A permit that allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7 of NCBC-FPC and this ordinance.

(3) Special Use Permits: Special use permits are for and/or allows special tests, inspections, certain applications, operations, assemblies, to maintain, store or handle certain materials, special events and services for which a permit is required by section 105.6 of NCBC-FPCC and this ordinance.

Permits for the Same Location: When more than one permit is required for the same location, the fire code official is authorized to consolidate such permits into a single permit provided that each provision is listed in that permit.

Tents used at funerals are exempt from all fees and do not require any permits.

Section 3.2 Storage Tanks Application, Review and Permits (Commercial or Businesses)

3.2.1 Permit Required

A permit will be required to be obtained from the Fire Marshal's Office for the removal or installation of new or existing above ground or below ground storage tanks used for flammable, combustible liquids or hazardous materials.

3.2.2 Permit Issuance and Fee

The permit fee will be based on the service and permit fee schedule. Once the plans are approved, then a permit will be issued to the contractor. Once the permit fee is paid, then a copy of the permit along with the approved plans will be returned to the contractor.

3.2.3 New Installations

Application and Plans Required

Plans and a permit application shall be submitted to the Fire Marshal's Office for approval prior to issuance of the permit. Four (4) sets of these plans shall be submitted. One set will be kept on file at the Fire Marshal's Office. The other set will have the notations from the plan review and will be returned to the contractor to be kept on the job site. A permit shall be obtained for the installation of stationary tanks for the storage of flammable and combustible liquids or hazardous materials in stationary tanks. Plans shall be submitted with each permit application. The plans shall include the method of storage and dispensing,

quantities and types of liquids to be stored, distances from tanks and dispensers to property lines and buildings and right of ways, vehicle access, fire appliances, collision barriers, design and construction of tanks, and tank supports, seismic design of tank supports, secondary containment, tank venting and vapor recovery provisions, emergency controls and any additional information required by the fire official.

3.2.4 Inspections Required

It will be the responsibility of the contractor to contact the Fire Marshal's Office at least 48 hours in advance to schedule an inspection.

- (a) An inspection will be required on all rough in wiring or piping prior to any concealment.
- (b) Testing and inspection of tank pressure test (all underground tanks will require an inspection prior to and after installation into the excavated burial area).
- (c) A final inspection will be conducted once the entire system is completed and ready for operation.
- (d) A check of all devices will be required.
- (e) The contractor shall conduct any tests deemed necessary by the fire official to determine the system operation capabilities.
It will be the responsibility of the contractor to have the necessary personnel present to conduct the test.

3.2.5 Materials Test and Certification

Once a system has been deemed approved by the Fire Marshal's Office, the contractor will be responsible for issuing to the Fire Marshal's Office, a materials test and certification letter. This letter shall state that the system has been installed in accordance to the appropriate NFPA Standards and N.C. Building Codes along with N.C. Amendments of the N.C. State Building Code. The letter shall state that the system has been tested and all materials used are approved for their use and the system is in full operation and the system meets or exceeds the appropriate NFPA Standards and N.C. Building Codes. A letter shall be submitted for any new system or any renovation work or when a permit has been issued.

3.2.6 Inspection Report and Finalization

An inspection report will be completed after each inspection has been conducted on the storage tank installation. A copy will be left with the contractor with the remaining copies of the inspection report filed at the Fire Marshal's Office. Once all the necessary requirements have been met for the storage tank system, the inspector may then consider the permit complete and final and may note as such on the permit. No permit may be considered final until all requirements including receipt of the permit fee are completed.

Section 3.3 Open Burning (Within 50 Feet of a Structure)

3.3.1 Permits are required for burning of leaves, tree branches or yard trimmings originating on the premises.

A. In accordance to the Fire Prevention Code, any outdoor open burning conducted within the County requires a permit to be issued by the one of the agencies that issue burning permits. The outdoor open burning must meet all provisions of the Fire Code and North Carolina Administrative Code Title 15A, Chapter 2, Subchapter 2D, .1900, Control and Prohibition of Open Burning prior to the issuance of any permit. No permit shall be issued for the burning of refuse that is in violation of any state or local Air Quality Open Burning Regulations.

B. Debris burning falling under the jurisdiction of the North Carolina Division of Forest Resources shall meet their required permit conditions. All requirements of the Fire Code shall be met along with any other State Laws.

C. At this time there is no charge for permits.

D. Those provisions listed in the North Carolina Administrative Code regarding the Control and Prohibition of Open Burning shall take precedent in all cases where open burning is requested. Permits may not be issued for any outdoor burning under any of the following conditions:

- a. Open burning of rubbish or waste material,
- b. Open burning for land clearing when such burning is located within 1,000 feet from any residential structure other than a dwelling structure located on the property of which the burning is done and/or
- c. Open burning of leaves, tree branches or yard trimmings originating on the premises of private residences, unless the location is not at least 50 feet from any structure and adequate provisions are made to prevent fire from spreading to within 50 feet of any structure or other property.

3.3.2 Burning Site Requirements

A. The location of the material to be burned shall be a minimum of 50 feet from any structure located on the property of which the burning is done. If a possible hazard exists, the Fire Official may require this distance to be increased.

B. Piles of material to be burned should be done in a safe matter. This would also Include:

BONFIRES for different events. Bonfires used for ceremonial and religious purposes (schools, civic groups, churches) may take place anytime of the day, when all regulations are met. Materials used for Bonfires must also comply with the EPA regulations & HCFPPO.

C. An area 10 feet wide shall be cleared completely around the material to be burned.

D. Only natural materials, such as limbs, brush, grass, leaves, may be burned. Heavy oils, asphalt materials, construction material, polar solvents, treated lumber, trash, paper or items containing natural or synthetic rubber, or any materials other than plant growth **shall not be burned.**

E. A competent person shall constantly attend the fire until such fire is extinguished.

F. A garden hose with suitable water supply or other fire extinguishing equipment, as deemed acceptable by the fire official, shall be readily available for immediate use during the course of the fire until such fire is extinguished.

3.3.3 Permit Issuance Procedure

A. Outdoor burning which includes, but is not limited to bonfires, clearing land in certain areas, burning leaves and brush or other burning that does not meet the North Carolina Forest Services requirements, may require the following:

1. A site inspection may be required before burning is to be done.
2. The applicant shall verify all information and shall read all the rules and regulations on the open burning permit. The applicant will then be required to sign the permit acknowledging the understanding and responsibility to obey these regulations.
3. It will be the responsibility of the applicant to keep this permit available at the burn site at all times.

B. The following types of open burning are permissible:

1. The material burned originates on the premises of private residences and is burned on those premises and are natural materials, such as limbs, brush, grass, leaves, yard trimmings may be burned;
2. There are no public pickup services available;
3. Non-vegetable materials, such as household garbage or other man-made materials are not burned;
4. The burning is started no earlier than 8:00 a.m. and no additional combustible material is added to the fire between 6:00 p.m. and 8:00 a.m. on the following day;
- 5. The burning does not create a nuisance; and**
6. Material is not burned when the Division of Forest Resources & Hoke County Fire Marshal Office has banned burning for that area.

3.3.4 Nuisance Burning

A. If any time during the burning, the smoke and/or odors create a neighborhood Nuisance by causing physical irritation exacerbating a documented medical condition, visibility impairment, evidence of soot or ash on property or structure other than the property on which the burning is done, the smoke and odors do not rise, hangs close to the ground, crosses a street or highway and causes a hazard, **and three or more separate businesses or homes complain, the burning shall be ceased and all fires will be extinguished.**

B. If at any time during the burning, the regulations regarding open burning are not met or are neglected in any way, the fire shall be extinguished

C. All open burning which includes but not limited to brush, limbs, leaves, farm lands, fields and clearing of land shall stop in the event of a burning ban issued by the North Carolina Forest Service or the Hoke County Fire Marshal Office in junction with the North Carolina Forest Service.

D. Willful neglect and/or willful violations of the Fire Prevention Code shall be subject to a civil citation. Any such action shall be brought to the Fire Marshal with proper documentation to be acted upon.

3.3.5 Burning Ban

A. In the event that the Hoke County Fire Marshal's Office issues a ban on outdoor burning within 50 feet of a structure, then in accordance to state law all Open Burning Permits issued shall be deemed invalid with no issuance of any new permits until such ban is lifted by the Hoke County Fire Marshal's Office. **During this ban, no open burning shall be conducted at all within 50 feet of a structure; this includes any outdoor burning at residences. A civil citation may be issued for violations.**

B. A burning ban on outdoor burning within 50 feet of a structure may be issued by the Hoke County Fire Marshal's Office in the event that atmospheric conditions or local circumstance make such fire hazardous. Atmospheric conditions that warrant a burning ban include, but are not limited to:

1. Extended periods of low humidity (below 50%)
2. High winds
3. Elevated temperatures
4. Lack of substantial rainfall.

C. Local conditions that may warrant a burning ban include, but are not limited to:

1. Flammable and/or combustible liquid spills or leaks close to a burning site.
2. A hazardous materials incident where the proximity of the burn site could cause a possible ignition source or prove hazardous to operations controlling the incident.
3. The proximity of adjacent structures or other such hazards.

D. In the event a burning ban is issued all permit holders shall be notified through the news media that the permit is invalid and fires shall be extinguished immediately. In conjunction with North Carolina Forest Service burning ban the Hoke County Fire Marshal's Office shall issue a burning ban of all-open burning within 100 feet of a structure and all fires shall be extinguished immediately. The local press shall be notified by the Fire Marshal's Office that such ban is in effect and that no permits will be issued until such ban is lifted and no open burning will be allowed.

E. Any burning ban issued by the Fire Marshal's Office shall be repealed in the same manner.

3.3.6 Extinguishing illegal fires, nuisance burning, and fires when burning bans are in effect or all other fires that fall under this ordinance, the NCFPC and the State regulations.

A. The responding fire department has the authority to extinguish any fires that does not meet this ordinance, the NCFPC., State regulations which includes but are not limited to illegal fires, nuisance burning, fires when burning bans are in effect.

B. The Fire Marshal's Office or its authorized representative have the authority to extinguish any fire(s) that does not meet this ordinance, the NCFPC., State regulations which includes but are not limited to illegal fires, nuisance burning, fires when burning bans are in effect. **If any citations are to be issued that fall under this ordinance they shall be done by the Fire Marshal's Office.**

C. The Fire Marshal's Office or its authorized representative does not have to be present to extinguish the fire(s). If the owner or person(s) burning refuse to let the fire department extinguish the fire(s) then the fire department can have the Fire Marshal's Office paged or law enforcement having jurisdiction and a representative from that office will respond to assist the fire department.

D. The Fire Marshal's Office or law enforcement having jurisdiction will respond to any nuisance burning when the person will not allow the fire department to extinguish the fire.

E. The Fire Marshal or a representative of that office will respond to any illegal burning when needed. **The Fire Marshal or a representative of that office does not need to be present to extinguish the fire.** The fire department can extinguish the fire and notify the Fire Marshal's Office any information about the fire and they will investigate it. **If there is a problem with the person who is burning illegally the Fire Marshal or law enforcement having jurisdiction will respond to assist the fire department.**

F. If any citations are to be issued that fall under this ordinance or NCFPC. it shall be conducted by the Fire Marshal's Office.

Section 3.4 Fireworks Permits

3.4.1 Fireworks for Public and Private Display Permits

3.4.2 Permit Required

A. In accordance to the Fire Prevention Code, no person shall use or explode any fireworks for public display without having first obtained a permit from the Fire Marshal's Office and meeting the requirements of the Fire Prevention Code.

B. A permit fee in accordance to the permit and fee schedule shall be required prior to issuance of the permit and shall be collected by the Fire Marshal's Office at the time of application for such permits.

3.4.3 Permit Issuance Procedure

A. Any person wishing to obtain a permit for fireworks for public or private display shall first receive approval from the Hoke County Commissioners. Once approval is received they shall submit an application with the Fire Marshal's Office and pay the designated fee.

B. Under the Fire Prevention Code, the permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire official for the payment of damages.

C. The fire official responsible for making the site inspections shall make such inspections as deemed necessary to assure the site is in compliance.

D. Once the fire official is satisfied that the site is ready and in compliance with the provisions of the fire code, then the permit shall be issued. The permit shall not be transferable. The permit shall be valid only as specified as per the conditions of the permit.

3.4.4 Permit Revocation

A. If due to atmospheric conditions or other such conditions that may cause a danger to life and/or property from the display of the fireworks, or if there is a burning ban in place, the Fire Marshal may revoke the permit.

B. In the event that a permit is revoked due to atmospheric conditions, the applicant shall be entitled to a full refund of the permit fee.

C. Failure to abide by the rules and regulations of the Fire Code shall be subject to a Civil Citation and immediate revocation of the permit. In this case, the permittee, **shall** not be entitled to a refund of the permit fee.

3.4.5 Fireworks on Display

Permit Required

A. In accordance to the HCFPPO, it shall be unlawful for any person to possess,

store, offer for sale, sell at retail, without having first obtained a permit if one is required, from the Fire Marshal's Office and meeting the requirements of the HCFPPO & NCBC-FPC. All fireworks offered for sale must meet those allowed by North Carolina General Statute 14-414 and NCBC-FPC.

B. A permit fee in accordance to the permit and fee schedule shall be required prior to issuance of the permit and shall be collected by the Fire Marshal's Office at the time of application for such permits.

3.4.6 Seizure and Disposal of Fireworks

The fire official shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of N.C. Building Code – Fire Prevention, N.C. Building Code and N.C. General Statute 14-414. Failure to abide by the rules and regulations of the Fire Code shall be subject to a Civil Citation.

Section 3.5 Other Permits

Other permits needed according to Chapter 1 Section 105.6 of the N.C. Building Code Fire Prevention along with all N.C. Amendments and this ordinance in order to perform an operation or task will need to be obtained from the Fire Marshal's Office. Any violation of Chapter 1 or other Chapters of the N.C. Building Code Fire Prevention along with N.C. Amendments or this ordinance, a Civil Citation can be issued.

3.5.1 Application for permit.

Applications for permits shall be made to the Fire Marshal on forms provided by the County and shall include full and complete answers from the applicant to inquiries set forth in such forms. The appropriate fees shall accompany applications for permits, if a fee is required, and such data as may be required by the Fire Marshal. All applications will be available at the Fire Marshal's Office. Failure to submit an application shall be just cause to deny issuance of a permit.

3.5.2 Review and Issuance.

The Fire Marshal shall review all applications submitted. An onsite inspection shall be conducted to determine compliance with applicable provisions of the Fire Code. If an application for a permit is rejected by the Fire Marshal, the applicant shall be advised in writing of the reasons for such rejection. Permits for activities requiring the applicant to provide evidence of financial responsibility to the jurisdiction shall not be issued unless proof of required financial responsibility in the form of a bond or letter of credit is furnished.

Section 3.6 Operational Permits: The following is a list of jobs/tasks that will need operational permits.

1. Amusement Buildings
2. Aviation Facilities

3. Carnivals and Fairs
4. Combustible Dust-Producing Operations
5. Covered Mall Buildings
6. Exhibits and Trade Shows
7. Explosives (blasting, storage, manufacturing, etc.)
8. Fireworks
9. **Flammable and Combustible Liquids Storage**
10. Fumigation and Thermal Insecticidal Fogging
11. Hazardous materials
12. HPM facilities
13. High-piled or High rack storage
14. Liquid or Gas Fueled Vehicles or Equipment in Assembly Buildings
15. Open burning
16. Places of assembly
17. Private Fire Hydrants
18. Pyrotechnic special effects material
19. Spraying or dipping – Includes Paint Booths – Body Shops
20. **Storage of scrap tires and tire by-products**
21. Temporary membrane structures, tents and canopies (exceeding 400 sq. feet)
22. Waste handling (wrecking yards, junk yards, waste material handling facilities)

Section 3.7 Construction Permits: The following is a list of jobs/tasks that will need a construction permit for the business to do the job or task. **(These permits must be issued before any work begins. These are considered Mandatory Permits required by the NCBC-FPCC)**

1. Automatic fire extinguishing systems and related equipment
2. Compressed gases
3. Fire alarm and detection systems and related equipment
4. Fire pumps and related equipment
5. Flammable and combustible liquids
6. Hazardous materials
7. Industrial ovens
8. LP gas
9. Private hydrants
10. Spraying or dipping
11. Standpipe systems and related equipment
12. Temporary membrane structures, tents and canopies

The permit fee shall be based upon the Service and Permit Fee Schedule.

Tents used at funerals are exempt from all fees and are not required to get any permits.

Chapter 4

FEE ADMINISTRATION

Section 4.1 Permit Fees

Permit Fees will be charged according to the current schedule as adopted by the Hoke County Board of Commissioners.

- 4.1.1 An individual permit with appropriate permit fee shall be charged for each event or project.
- 4.1.2 Special use permit fees for specific events, projects or time periods shall be for the amount specified for that particular permit.
- 4.1.3 Special use permits may not be combined.
- 4.1.4 Use permit - appropriate permit fee shall be charged.
- 4.1.5 New fire alarm/sprinkler/standpipe/fire suppression systems - appropriate permit fee shall be charged.
- 4.1.6 Renovations to fire alarms/sprinklers/standpipe/fire suppression systems - appropriate permit fee shall be charged.
- 4.1.7 New installations & removals of storage tanks used for flammable/combustible liquids or hazardous materials - appropriate permit fee shall be charged.
- 4.1.8 Places of assembly - see service and permit fee schedule.

County Operations and Buildings, Fire, Rescue, EMS, are exempt from operational permit fees. They will still need to get the necessary permits depending on the operation when they are needed. Tents used at funerals are exempt from all fees and do not have to get any permits.

*****NO ONE IS EXEMPT FROM ANY CONSTRUCTION PERMIT FEES OR SPECIAL USE PERMIT FEES*****

Except as listed in section 102.10 of NCBC-FPCC

PERMITS SHALL BE IN ACCORDANCE WITH SECTION 105 OF THE NORTH CAROLINA BUILDING FIRE CODE ALONG WITH N.C. AMENDMENTS & THE HOKE COUNTY FIRE PREVENTION & PROTECTION ORDINANCE

4.1.9 SERVICE AND PERMIT

FEE SCHEDULE

GENERAL: PERMITS SHALL BE IN ACCORDANCE WITH SECTION 105 OF THE N.C. NG CODE – FIRE PREVENTION AND ITS APPENDIXES ALONG WITH N.C. AMENDMENTS AND THE HOKE COUNTY FIRE PREVENTION AND PROTECTION ORDINANCE

PERMITS REQUIRED: Permits required by this code and ordinance shall be obtained from the fire official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designed therein at all times and shall be readily available for inspection by the fire code official.

TYPES OF PERMITS: There shall be three types of permits as follows:

(1) Operational Permit: An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 and this ordinance for either:

1.3 A prescribed period.

1.4 Until renewed or revoked.

(2) Construction Permit: A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.6 and this ordinance.

(3) Special Use Permits: Special use permits are for and/or allows special tests, inspections, certain applications, operations, assemblies, to maintain, store or handle certain materials, special events and services for which a permit is required by section 105.6 of NCBC-FPCC and this ordinance.

4.1.10 SERVICE AND PERMIT FEE SCHEDULE FOR OPERATIONAL PERMITS

OPERATIONAL AND SPECIAL USE PERMITS AND FEES

<u>Fire Permit Type</u>	<u>Fee</u>
Amusement Buildings Permit	\$100 Per year
Burning Permit - Residential and Farms	No Charge
Burning for Fire Department Training	No Charge

Burning Permit - Bon Fire	\$100 Per event
Carnival and fair	\$100 Per event
Circus tent Permit	\$250 Per event
Covered Mall Building Displays - Includes Gasoline Powered Equipment Permit	\$100 Per event
Exhibits/trade show Permit	\$100 Per event
Explosives Blasting Permit	\$250 Per event
Explosive year around storage or manufacturing Permit	\$500 Per year
Private Fire Hydrant Permit	\$100 Per Hydrant
Fireworks for public display - outdoors Permit	\$250 Per event
Fireworks for public display - indoors Permit	\$450 Per event
Fumigation and thermal insecticidal fogging Permit	\$100 Per event
Hazardous Materials Storage - Includes Flammable/Combustible materials Permit	\$150 Per year
Hazardous Material Manufacturing Facilities Permit	\$250.00 Per year
High-piled or High rack storage Permit	\$150 Per year
LP or gas equipment or vehicle in assembly building Permit	\$100 Per event
Pyrotechnic special effects material Permit	\$100 Per event
Pyroxylin plastic - Storage Permit	\$100 Per year
Special Assemblies Permit - Gun Shows, Craft Shows, etc.	\$100 Per event
Spraying or dipping Permit - includes paint body shops	\$100 Per year

Storage of scrap tires and tire by-products Permit	\$100 Per year
Tents-Structures-Stands used for Display of Fireworks	\$150 - 7 days
Tents-Structures-Stands used for Display of Fireworks	\$250 - 14 days
Tents-Structures-Stands used for Display of Fireworks	\$450 - 30 days
Tents and Canopies Permit - Public usage > 400 Sq. Ft.	\$100 Per event (not to exceed 180 days in a calendar year)
Use of Air Supported Structures Permit	\$100 Per event (not to exceed 180 days in a calendar year)
Temporary kiosks or displays for merchandising	\$100 Per event (not to exceed 180 days in a calendar year)
Tire rebuilding facilities Permit	\$100 Per year
Waste handling (wrecking yards-junk yards-waste handling facilities) Permit	\$100 Per year

4.1.11 FIRE INSPECTION FEES

Fire Inspection Fees

All commercial occupancies identified by the NCFPC that require a mandated Fire Inspection as adopted by the Hoke County Commissioners are required to pay an inspection fee determined by square footage of the identified building or facility.

Annual Fire Inspections:

Assembly (A-1, A-2, A-3, A-4, A-5)	Up to 2,500 sq. ft. \$100.00
	2,501-10,000 sq. ft. \$150
	10,001-50,000 sq. ft. \$200
	50,001-100,000 sq. ft. \$250
	100,001-150,000 sq. ft. \$300

150,001-200,000 sq. ft. \$350

Over 200,000 sq. ft. \$350

Factory/Industrial:

Up to 2,500 sq. ft. \$100

2,501-10,000 sq. ft. \$150

10,001-50,000 sq. ft. \$200

50,001-100,000 sq. ft. \$250

100,00 -150,000 sq. ft. \$300

150,001-200,000 sq. ft. \$350

Over 200,000 sq. ft. \$400

Educational:

Day Cares (Not in residential home)

Up to 2,500 sq. ft. \$100

Public and Private Schools (Inspected every 6 months)

2,501-10,000 sq. ft. \$150

10,001-50,000 sq. ft. \$200

50,001-100,000 sq. ft. \$250

100,001-150,000 sq. ft. \$300

150,001-200,000 sq. ft. \$350

Over 200,000 sq. ft. \$400

Hazardous:

Up to 2,500 sq. ft. \$100

2,501-10,000 sq. ft. \$150

10,001-50,000 sq. ft. \$200

50,001-100,000 sq. ft. \$250

100,001-150,000 sq. ft. \$300

150,001-200,000 sq. ft. \$350

Over 200,000 sq. ft. \$400

Institutional:

Nursing Home, Hospital, Mental Health Facility, Rest Homes, Assisted-Living, Group Home,	Up to 2,500 sq. ft. \$100
Jail -Detention Center	2,501-10,000 sq. ft. \$150
	10,001 -50,000 sq. ft. \$200
	50,001-100,000 sq. ft. \$250
	100,001-150,000 sq. ft. \$300
	150,000-200,000 sq. ft. \$350
	Over 200,000 sq. ft. \$400
High-Rise:	Up to 2,500 sq. ft. \$100
	2,501-10,000 sq. ft. \$150
	10,001-50,000 sq. ft. \$200
	50,001-100,000 sq. ft. \$250
	100,001-150,000 sq. ft. \$300
	150,001-200,000 sq. ft. \$350
	Over 200,000 sq. ft. \$400
Residential:	
Day Care (in a residence)	\$100 Per visit
Family Care (in a residence)	\$100 Per visit
Foster Home (in a residence)	\$100 Per visit
Group home	\$100 Per visit
Apartments, Boarding house Hotels, Dorms	1-10 units \$100
	11-20 units \$150
	21-40 units \$200
	41-100 units \$250
	101-200 units \$300
	201-300 units \$350

301-400 units \$400
 401-500 units \$450
 Over 500 units \$500

2 and 3-Year Fire Inspection Fee – per Chapter #9:

Up to 2,500 sq. ft. \$100
 2,501-10,000 sq. ft. \$150
 10,000 -50,000 sq. ft. \$200
 50,001- 100,000 sq. ft. \$250
 100,001-150,000 sq. ft. \$300
 150,001-200,000 sq. ft. \$350
 Over 200,000 sq. ft. \$400

Additional Inspections:

1st Reinspection fee	\$30 per visit
2st Reinspection fee	\$60 per visit
3st Reinspection fee	\$90 per visit
(Re-Inspection Fee doubles each time after the 3 rd Re-Inspection)	
A.L.E. - ABC Inspection	\$100 per visit
Courtesy/Requested Inspections	\$100 Per visit

4.1.12 SERVICE AND PERMIT FEE SCHEDULE FOR CONSTRUCTION PERMITS

CONSTRUCTION PERMIT and RE-INSPECTION FEES (For Mandatory Permits)

Re-inspection - New construction or Renovation	2nd Visit	\$60.00
Re-inspection - New construction or Renovation	3rd	\$100.00
Re-inspection - New construction or Renovation	4th >	\$200.00

New Sprinkler/Standpipe/Fire Pump Test	\$150.00
New Fire Alarm Certification Test	\$150.00
New Automatic Fixed System Certification Test	\$150.00
New Private Fire Hydrant Inspection	\$100 Per Hydrant
Renovation of Standpipe systems	\$100.00
Renovations of Fixed Fire Suppression System	\$100.00
Renovation of Fire Alarm System	\$100.00
Renovation of Sprinkler System	\$100.00
Storage Tanks and piping containing or used for Flammable/Combustible Liquids or Hazardous Materials (Aboveground or Underground)	
Removal	\$150 Per tank
New Installation	\$150 Per tank
Renovation	\$150 Per tank

4.1.13 PLANS REVIEW FEE SCHEDULE FOR CONSTRUCTION PERMITS

Sprinkler Plan Review	\$100.00 Per Riser
Fire Alarm Plan Review	\$100.00 Per 50 Devices
Tank Plan Review	\$100.00 Per Tank
Automatic Extinguishing Systems Plan Review	\$100.00 Per System

Combined Building Inspectors Office and Fire Marshal's Office - Building and Site Plans Review:

Building Plans Review

Up to 5,000 sq ft	\$140.00
5,001 to 10,000 sq ft	\$280.00
10,001 to 15,000 sq ft	\$420.00
15,001 to 25,000 sq ft	\$560.00
25,001 to 40,000 sq ft	\$840.00
Greater than 40,000 sq ft	\$980.00
Re-Review Fee (applies after first re-review)	1/2 of original fee

Building Plans Review-for projects up to 5,000 sq. ft. only:

Electrical Plan Review Only	\$75.00
Mechanical Plan Review Only	\$75.00
Plumbing Plan Review Only	\$75.00
	\$75.00

Building Plans Review-for other projects;

Cell Tower	\$75.00
Small & Minor Project	\$75.00
Pole Sign	\$75.00
Retaining wall (engineered)	\$75.00

Site Plans Review

Non-Residential	\$500.00 plus \$20.00 per 1,000 sq ft of building
Residential	\$500.00 plus \$20.00 per unit or lot
Revisions or re-reviews beyond first review	1/2 of original fee

Any person or contractor beginning work on any project requiring a plans review or permit prior to obtaining that permit will be subject to a Civil Citation and Double Permit Fee.

4.2 CIVIL CITATION FEES

4.2.1 ISSUANCE OF NOTICE OF VIOLATIONS OR CIVIL CITATIONS BY FIRE INSPECTORS

North Carolina State certified fire inspectors of the Hoke County Fire Marshal’s Office are empowered to issue notices of violation and civil citations when such fire inspectors have reasonable cause to believe that any person or business has violated any provision of the North Carolina State Building Code, Fire Prevention Code, as amended, or this ordinance. The notice of violation or civil citation may be delivered in person to the violator or, if the violator cannot be readily found, the notice of violation or civil citation may be mailed by certified mail. The notice of violation or civil citation shall specify the penalty to be imposed on the violator and shall direct the violator to appear to the Fire Marshal’s office within 30 days to pay the penalty or, alternatively, to pay the penalty by mail.

4.2.2 The notice of violation may specify a period (minimum of 30 days and maximum of 90 days) during which the violator must correct the violation. If the violation is not corrected within the specific time, the violator shall be guilty of a new and separate offense.

Violation(s) consisting of locked and/or blocked exits, impedance of the occupants to quickly evacuate a structure or premise, or conditions posing imminent danger to the occupants on or about the premise or Violation (s) of Occupancy Limits established pursuant to the North Carolina State Building and/or Fire Code must be fixed / corrected during the time of the inspection if at all possible.

4.2.3 On a first or second offense, if the violator does not pay the penalty within 30 days after issuance of the notice of violation or civil citation, a delinquency charge of \$10.00 will be added to the amount specified in the notice of violation or civil citation and the notice of the delinquency charge shall be mailed to the violator. A **criminal summons or warrant** may be issued if the penalty plus delinquency charge are not paid within 5 days after the date of the delinquency notice.

On a third offense of the same code violation during the same calendar year, there is a per day civil fee until the violation is corrected.

4.2.4 If the penalty and delinquency charge are not paid within the time allowed, the Fire Marshal’s office may have a criminal summons issued against the violator for the violation of the NCSBC, NCBC-FPC, as amended, or this ordinance. Upon conviction, the violator shall be subject, in addition to any criminal penalty the court may impose pursuant to the provisions contained in the NCSBC or this ordinance, to the penalty specified in the notice of violation or civil citation and the delinquency charge.

4.2.5 CIVIL CITATIONS

Violation of the NCBC-FPC and Hoke County Fire Prevention and Protection Ordinance for not posting the Address Numbers (may issue citation)

First Offense.....	50.00
Second Offense.....	75.00
Third Offense.....	100.00

Violation(s) of the N.C. Fire Code, Building Code, and/or County Code including all referenced enforceable material contained within (may issue citation)

First Offense	150.00
Second Offense	100.00
Third and any Subsequent Offenses (Per each day that violations continues)	200.00

Violation(s) of Occupancy Limits established pursuant to the North Carolina State Building and/or Fire Code (may issue citation)

First Offense.....	100.00
Second Offense.....	250.00
Third and any Subsequent Offenses (Per each day that violation continues).....	500.00

Violation(s) consisting of locked and/or blocked exits, impedance of the occupants to quickly evacuate a structure or premise, or conditions posing imminent danger to the occupants on or about the premise (shall issue citation)

First Offense	250.00
Second Offense	500.00
Third and any Subsequent Offenses (Per each day that violation continues).....	1000.00

Violation(s) consisting of parking in Fire Lane, blocking of Fire Hydrant, failure to place Hazardous Materials Warning Signs (NFPA 704) where required by the Code, False alarms due to malfunctions of alarm systems (may issue)

First Offense	50.00
Second Offense.....	100.00
Third Offenses (Per each day that violation continues).....	200.00

Violation (s) of the Open Burning section of this Ordinance, the County Permit Section, and the State Fire Code (may issue)

First Offense	50.00
Second Offense	100.00
Third Offense (Per each day that violation continues)	200.00

Violation(s) of Combustible Landscaping Material

Violation(s) for failing to abated Combustible Landscaping Material within (7) days of a written notice shall constitute a \$250.00 per day fine.

Any violation incurring more than a year after issuance of the initial citation shall be treated as a first offense for purposes of establishing and imposing penalties.

Chapter 5

GENERAL PROVISIONS

(Fire Lanes, Hydrants, False Alarms, Hazardous Materials, Address Numbers, Storage, etc.)

Section 5.1 Fire Lanes.

- 5.1.1 Fire Lane(s) requirement - In accordance with the Fire Code, the Fire Marshal shall have the authority to designate fire lanes necessary for fire apparatus accessibility.
- 5.1.2 Marking - All designated fire lanes shall be marked as specified by the Fire Marshal. A “NO PARKING – FIRE LANE” sign of the type specified by the Fire Marshal shall be installed adjacent to the fire lane perimeter. Additional signs shall be posted at intervals not exceeding 75 feet.
- 5.1.3 All fire lanes previously designated and described by the County prior to this amendment shall remain as fire lanes and maintained as such. The parking of motor vehicles or other obstruction of a required fire lane shall be prohibited at all times per the Fire Code.
- 5.1.4 Any person who shall park in a fire lane shall be subject to a civil citation, issued either by the Fire Marshal’s Office or by a Law Enforcement Agency having jurisdiction.

Section 5.2 Fire Hydrants (located on commercial and residential property)

- 5.2.1 No person shall remove, tamper with, paint (change the color of the hydrant so that it does not meet the NFPA Standards for hydrant marking) or render any fire hydrant inoperative or inaccessible except as may be necessary during emergencies, maintenance, drills, training, prescribed testing or when permitted by the Fire Official.
- 5.2.2 No person shall place or keep any fence, growth (trees, flowers, shrubs, plants, and etc.) stones, signs, trash or other material near any fire hydrant that would prevent such hydrant from being immediately discernible or in any other manner hinder the fire department from gaining immediate access to a fire hydrant. A clear space of not less than three (3) feet shall be provided on all sides of a fire hydrant.
- 5.2.3 No person shall park a vehicle, boat, trailer or any other item or permit it to stand, whether attended or unattended, within fifteen (15) feet in either direction of a fire hydrant.
- 5.2.4 Hydrants to be used as fire protection shall have as a minimum two 2-½-inch outlets and one 4-½ inch outlet. This would allow the minimum requirements of the Insurance Service Office. Pipe systems should be arranged in loops whenever possible. **The Hoke County Utilities Department in coordination with the Hoke County Fire Marshal’s will be in charge of making the decision on the minimum water supply piping size to insure we have the necessary water pressure needed to meet the water flow requirements at the hydrant.** The size

of the pipe is recommended to be as follows: That no pipe less than 6 inch in diameter is be used as a main water supply line; no less than 6 inch pipe to be used for two outlet hydrants or to supply the hydrant from the main; 8 inch or larger pipe to be used if possible it is a dead end main or if more than one hydrant is to be supplied; 12 inch or larger pipe to be used for the primary main as much as possible. Hydrants should be set plumb with the centerline of their outlets about 18 inches above the ground. When hydrants are installed before grading is complete, the final grade line and accessibility should be considered.

- 5.2.5 Although the installation of fire hydrants is usually performed by Hoke County Utilities Department personnel, the Utilities Department shall check with the Fire Marshal's Office for the location, spacing, and distribution of the fire hydrant. This will insure that are we meeting the NFPA standards and the Insurance Service Office requirements. By meeting these two requirements, we will be providing the most adequate water supply for fire protection for the citizens of Hoke County who live and work in that area. **The maximum distance between fire hydrants shall not exceed 1000 feet in rural areas. In closely built areas such as; subdivisions, townhouses, commercial/industrial the maximum distant separating fire hydrant shall be 500 feet or less, or as determined by the Fire Marshal's Office. Hydrants shall be located as close to the street and intersections as possible. Hydrants that must be located in areas subject to heavy traffic need protection against damage from collision.** **(Hydrants must be inspected and approved prior to final plot approval.)**

5.2.6 Hydrant Testing and Maintenance

Due to requirements by the Insurance Rating Services and other requirements by the insurance industry, fire hydrants shall be serviced a minimum of twice a year. The Hoke County Utilities Department, Fire Departments and the Fire Marshal's Office will be overseeing this section. The following is a list of guidelines to go by to perform those requirements:

- a) Clean around hydrant (this would include removing weeds, etc.)
- b) Remove small caps and check gaskets in caps (rotate or replace as necessary.)
- c) Open hydrant slowly and flush hydrant with caps off.
- d) Close hydrant slowly. **(Do not over tighten the hydrant when closing)**
- e) Brush or clean hydrant cap threads as needed and **lubricant the cap threads.**
- f) **Oil hydrant. (Lubricant used to oil hydrant and cap threads will be a food grade grease).**
- g) Replace caps and energize (open slowly) hydrant. Completely open hydrant slowly and wait 10 to 15 seconds before closing hydrant.
- h) Check for any leaks.
- i) Close hydrant slowly.
- j) Fill out proper paperwork (hydrant maintenance sheet). Make any notes of work that needs to be done.
- k) Proceed to next hydrant.

- 5.2.7 **Fire Flow Testing and Marking of Hydrants (when flow testing is performed, the Hoke County Utilities Department must be notified.)**

Fire flow tests are conducted on water distribution systems to determine the rate of flow available at various locations for fire fighting purposes. Additional benefit derived from fire flow tests is the indication of possible deficiencies (such as tuberculation of piping or closed valves, or both), which can be corrected to ensure adequate fire flows as needed.

5.2.7.1 All hydrants in each fire district shall be flow tested. All equipment used and the testing procedure need to be done by NFPA Standards. **See Attachment “C” Chapter 12**

5.2.7.2 All fire hydrants in the Hoke County Rural Fire Protection Districts will be painted or properly marked with reflective tape a uniform color and color coded.

- a) All hydrants will be painted the base color of Red.
- b) All hydrants will be color coded to the level of available gallons per minute they produce.

The following color codes represent different levels of water flow from Hoke County hydrants:

FIRE HYDRANT COLOR CODES		
COLOR	CLASS	FLOW (GPM)
BLUE	AA	1500 AND UP
GREEN	A	1000 -- 1499
YELLOW	B	500 -- 999
RED	C	LESS THAN 500
WHITE	DEAD NO FLOW	

The outlets of the hydrant needed to obtain the flow will be color coded. (Example, if a hydrant flows 1000 GPM from the steamer port, the steamer port will be painted or properly marked with reflective tape - GREEN. If a hydrant has just two 2 ½ inch outlets and, it takes both to achieve a 750 GPM flow, then both are to be painted properly marked with reflective tape - Yellow).

- c) Drafting standpipes will be coded Orange.
- d) Hydrants that are supplied from private water systems, or have special requirements, will have a black band painted on the bonnet.
- e) A hydrant number determined by the Hoke County Utility Department will be painted or properly marked with reflective t ape on each hydrant.

5.3 Hazardous Materials Disclosure.

5.3.1 Hazardous materials disclosure shall be as specified in G.S. 95-173 through G.S. 95-218.

5.3.2 Hazard Identification Signs.

The increasing use of a wide variety of chemicals, many of which introduce problems other than flammability, lead to the need for a simple hazard identification system. The purpose of such a system would be to safeguard the lives of those individuals who may be concerned with fire and spills occurring in these facilities or businesses. This system provides simple, readily recognizable and easily understood markings, which will give, at a glance, a general idea of the inherent hazards of any material and the order of severity of these hazards as they relate to fire prevention, exposure, and control. Its objectives are to provide an appropriate alerting signal and on the spot information to safeguard the lives of the fire department, rescue squad, EMS members, and law enforcement during emergencies at these facilities. It will also make employees aware of the potential hazards and bring the facility into compliance with Hazardous Chemicals Right To Know Act.

The 704 symbols are usually seen on the exterior surfaces of buildings and aboveground storage tanks. The 704 symbols shall be required to identify any area that is deemed to be a hazard. This determination is to be made by the Fire Marshal.

(a) Signs required. Per the Fire Code, hazard and identification signs as outlined in NFPA 704 shall be placed accordingly at all entrances to and in locations where hazardous materials are stored, handled, or used in excess of the exempt amounts.

(b) Size of Signs and Types. The size and type of signs used to identify hazardous materials shall be of the type and size specified in NFPA standard. A reference guide on the sizes of signs and signals will be made available to the public from the Fire Marshal's office upon request.

1. The NFPA adopted the 704 system of identifying hazardous materials in 1961.

2. The 704 system provides hazards as they relate to fire prevention, fire exposure, and fire control.

3. The colors, which are diamond shaped, indicate the following type hazards:

- A. Blue - Health
- B. Red - Flammability of the products
- C. Yellow - Reactivity of products
- D. White - Specific information entered here

4. Numbers range from zero (0) through four (4) and are inserted on the diamond-shaped colors (Blue, Red, and Yellow) to indicate the degree of hazards present. (0) Being the least hazardous to (4) being the most hazardous.
5. Notations are also used in the white diamond to indicate special hazards. Materials, which demonstrate unusual reactivity with water, shall be identified with the letter “W” with a horizontal line through the center of the “W”. Materials which possess oxidizing properties shall be identified by the letters OXY. Materials possessing radioactivity hazards shall be identified by the standard radioactivity symbol.
6. Symbols are indicated for the most dangerous hazardous material when more than one type of hazardous material is present.
7. Although 704 symbols are subject to change, depending on changes in the area of storage or use of hazardous materials, they should be removed from an area only when hazardous materials are no longer present.
8. Symbols should be located where they can be readily seen by responding fire departments and other emergency agencies and located as near as is practical to the area of the hazard.
9. The sign must be easily seen from the roadway. The sign must be a minimum of 30 x 30 inches in size (type and size specified in NFPA standard).
10. A current Material Safety Data Sheet for all chemicals stored on the property should be put in a waterproof container located near the entrance to the property.
11. The owners of the business will be given 60 days from date of inspection to comply.
12. Storage of Hazardous Materials. Hazardous materials which, when mixed, react violently or evoke toxic vapors or gases or which, in combination, become hazardous by reason of toxicity, oxidizing power, flammability or other properties shall be separated from each other in storage by distance, partitions or other approved manner so as to preclude accidental contact between them.
13. Warning Signs. The Fire Marshal may require warning signs wherever hazardous materials are stored, processed or handled. Such warning signs shall be conspicuously lettered in accordance with NFPA standard.
14. Exception: This section shall not apply to hazardous materials in transport, which are placard in accordance with Department of Transportation regulations, or applicable provisions of other NFPA Codes and Standards listed in the NFPA Manuals.

5.4 Display of Address Numbers.

All new and existing buildings shall display their assigned address numbers in accordance with the N.C. Building Code – Fire Prevention Code along with all N.C.

Amendments and the Hoke County Addressing & Road Naming Ordinance. Minimum number size for single family or duplex structures shall be four (4) inches in height. Minimum number size for all other structures must be four (4) inches in height. Numbers for all commercial, business, public assembly, educational and any other structures that is open to the public must be posted on the building face that is readily visible from the road. Unit designators must be posted at each unit within three (3) feet of the front entrance of the unit. In the event that a structure or its posted number is not visible from the road from which the number is assigned, the number must also be posted at or near every driveway or access to the structure. Violation of this section can result in a Civil Citation being issued.

5.5 Key Boxes

The fire official shall have the authority to require a key box to be installed in an accessible location where access to or within a structure or area is difficult because of security. In accordance with the NCBC-FPC. Hoke County uses the Knox Box System.

5.6 Combustible Landscaping Material Prohibited

The fire official shall have the authority to prohibit the use of pine straw or any other landscape cover material with a fire rate of spread more than 24 inches per minute. Combustible Landscaping Material shall not be placed, kept, or stored within 16 feet of buildings with combustible exterior construction including, but not limited to, vinyl, aluminum, masonite, or wood siding.

(a) Exception: Detached single family residential structures not utilized as an “R-4 Home Daycare” or “R-4 Residential Care Home” as defined in the North Carolina Building Code.

(b) Civil Penalties: Violations not abated within (7) days of a written notice shall constitute a \$250.00 per day fine.

Frequently Asked Questions

1. Do I have to remove existing pine straw that was in place prior to September 1, 2012?

No, all existing pine straw may remain but any additional pine straw within 16 feet of combustible exterior construction is prohibited.

2. What constitutes combustible exterior construction and non-combustible exterior construction?

Combustible exterior construction includes but is not limited to vinyl, aluminum, masonite, or wood siding. Non-combustible exterior construction includes but is not limited to brick, stone, Hardi-Plank, stucco, concrete, or metal siding.

3. If I have non-combustible exterior construction extending 10 feet vertically and then combustible construction above that, can I utilize pine straw?

No, the non-combustible exterior construction would have to extend at least 16 feet vertically from the ground.

4. Does this ordinance apply to townhomes?

Yes. Although townhomes may be individually owned, they are considered multi-family and this ordinance would apply.

5. When I install other landscape cover materials such as bark, do I have to remove the existing pine straw?

No, you can either remove the existing pine straw or place the new landscape cover material over the existing pine straw.

6. If I have pine trees that drop pine needles within 10 feet of combustible exterior construction, do I have to keep the pine needles raked up at least 16 feet from the exterior walls?

No, pine needles that naturally fall from trees are not considered landscape cover material.

7. If I have non-combustible exterior construction with combustible window seals or frames or a deck, is my exterior wall still considered to be non-combustible construction?

Yes, even with combustible window seals and frames or a deck, the wall would still be considered non-combustible.

8. Why does the ordinance reference a specific fire rate of spread of more than 24?

The Hoke County Fire Departments have an average response time of eight minutes. If a landscape cover material has a fire rate of spread of 24-inches per minute, the flame would spread 16 feet in eight minutes. Thus, the ordinance requires a 16-foot separation.

9. What is the fire rate of spread for other landscaping materials?

Pine Straw – 90, Large Pine Bark – 4.8, Small Pine Bark – 6.3, Cypress – 11.5.

10. What is a “R-4” Home Daycare or Residential Care Home?

A “R-4” Home Daycare provides accommodations for 6 to 16 children for less than a 24-hour period. A “R-4” Residential Care Home provides residential care/assisted living for 6 to 16 occupants.

Cooking, heating, or any other purpose prohibited in Multi-Family dwelling.

Under the authority of Chapter 8, Section 8 – 8.11.0, of the Hoke County Fire Prevention and Protection Code the use of hibachi grill, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose, shall not be used or kindled on any balcony or under any overhanging portion or within **10 ft** (3 m) of any structure in a multi-family dwelling. Listed electric ranges, grills, or similar electrical apparatus shall be permitted.

For the following reasons:

- Improper use of starter fuel resulting in burn.
- Numerous fire safety complaints to the Hoke county Fire Marshal's Office by persons within or near the building.
- Wind velocity affecting open flame.
- Fire hazard conditions high or extreme.
- Resultant Fire Department response due to persons observing assumed building fire from a distance and/or reports of smoke odor from an assumed building fire in the area.
- Lack of attendance resulting in unwarranted smoke pollution or the danger of explosive gas build up.
- Hot coals/ashes in close proximity to combustibles.

Open fires and cooking fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply or other fire-extinguishing equipment readily available for use.

Can I cook with a Barbeque Grill on my apartment's balcony?

Every year, residential complexes suffer severe damage or loss from fires that begin with an open-flame cooking device being operated on a balcony. Communities surrounding Hoke County have seen several of these incidents. Rules governing the operation of open-flame cooking devices, such as barbeque grills, are presented in the 2012 NC Fire Prevention Code, which Hoke County has adopted.

Please note: these rules apply only to multi-family structures larger than a duplex. The Code does not prevent the use of cooking devices on the decks of single-family and two-family dwellings.

Chapter 6

HAUNTED HOUSE

Section 6 Haunted Houses

“Halloween Haunted Houses” is classified as a Special Amusement Building, which present a difficult problem in trying to meet the provisions of the Fire Code and maintain a safe environment. The following provisions will be required to be met to assure the safety of all persons participating and attending “Halloween Haunted Houses.” In addition, all the provisions in the NCFPC 914.7 are required to be met in order to receive a permit to operate a “Halloween Haunted Houses”.

NCFPC - 914.7 Special Amusement Buildings. Special Amusement buildings shall comply with Sections 914.7 and 914.7.2 of the NCFPC.

914.7.1 Automatic sprinkler system. Special amusement buildings shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1., where the special amusement building is temporary, the sprinkler water supply shall be of an approved temporary means.

Exception: Automatic are not required where the total floor area of a temporary special amusement building is less than 1000 square feet (93 m²) and the travel distance from any point to an exit is less than 50 feet (15 240 mm)

914.7.2 Automatic Smoke Detectors. Special amusement buildings shall be equipped with an automatic smoke detection system in accordance with 907.2.1.2

6.1 Permit Required

A Mandatory Special Amusement Building Permit is required to be obtained from the Fire Marshal’s Office for anyone wishing to open a “Halloween Haunted House “ to the public. The permit fee shall be based upon the Service and Permit Fee Schedule. This permit shall be completed on a Permit form.

6.2 Permit Issuance Procedure

6.2.1 The person wishing to obtain a Permit for the “Haunted House” shall first contact the Fire Marshal’s Office. An appointment for a Fire Inspection shall be made to inspect the building planned to be used as a “Haunted House.” The Permit Fee should be paid at this time.

6.2.2 A copy of the guidelines for use of Haunted Houses will be given to the applicant. The fire inspection should not be conducted until the requirements for safety systems of the building are in place and the facility is ready for use. If all requirements are met then a permit will be issued at that time.

6.3 INSPECTION and REVOCATION of PERMIT

6.3.1 At any time the “Haunted House“ is open to the public; a fire inspection can be

conducted by a fire official to assure compliance with all guidelines and the Fire Code.

- 6.3.2 In the event that the NCFPC – Fire Code 914.7 is not being met, then the person that obtained the Mandatory Special Amusement Permit will be subject to a Civil Citation. If the violations are of such a severe nature as to be hazardous to the lives and/or well-being of the public, then the Fire Official will revoke the Mandatory Special Amusement Permit, which will terminate the further use of the Haunted House. If the violations are corrected, then the Mandatory Special Amusement Permit may be reinstated with add additional Permit Fee charge.
- 6.3.3 In the event a Special Use Permit is revoked and the occupant refuses to comply with the required regulations, a refund of the permit fee will not be allowed.

6.4 Regulations Regarding the use of “Halloween Haunted Houses“

The requirements of the **NCFPC - 914.7 Special Amusement Buildings shall be incorporated in the scaled sketch of the “Halloween Haunted House”**. Special Amusement buildings shall comply with Sections 914.7 and 914.7.2 of the NCFPC.

914.7.1 Automatic sprinkler system. Special amusement buildings shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1., where the special amusement building is temporary, the sprinkler water supply shall be of an approved temporary means.

Exception: Automatic are not required where the total floor area of a temporary special amusement building is less than 1000 square feet (93 m²) and the travel distance from any point to an exit is less than 50 feet (15 240 mm)

914.7.2 Automatic Smoke Detectors. Special amusement buildings shall be equipped with an automatic smoke detection system in accordance with 907.2.1.2

1. A scaled sketch showing locations and widths of egress and exits is required. A log showing: a description, event, performance dates and times and name of person or persons responsible for the event.

2. Emergency exits shall be provided throughout the structure to insure the safe and prompt egress of occupants in the event of an emergency. These exits shall not be covered or concealed in any way and shall be available for immediate use without any type of hindrance. These exits shall be marked “EXIT “. All Exit signs shall be of a florescent type with minimum size three-inch letters. The Fire Official may require lighted Exits and Emergency Lights if he deems it necessary. All staff personnel shall know the location of all exits and the proper procedures to follow when leading people to an exit.

3. Workers are to be stationed at or near each exit while the haunted house is opened to the public.

4. All exits must remain unlocked and unblocked while the structure is occupied.

5. The Haunted House must have workers in each room at all times of operation. Each worker shall have a flashlight and hand held alarm (whistle, horn, etc.) to warn of an emergency.

6. All steps, ramps or outside porches shall be lighted at all times.
7. Lights shall be installed in all areas of the structure that will be occupied. They shall be turned on in the event of an emergency to provide sufficient light for a safe means of exiting the building.
8. Multi-purpose portable fire extinguishers shall be installed near each exit and throughout the structure so that the maximum travel distance to an extinguisher does not exceed 25 feet. All fire extinguishers shall be rated 10 pounds ABC extinguisher.
9. All staff shall know the location and be trained in the use of all fire extinguishers.
10. No combustible or flammable liquid type equipment to be used in structure.
11. No open flame, candle(s), or pyrotechnics shall be used within the structure or near proximity (50 feet) of the structure.
12. No smoking shall be allowed within the structure or within 50 feet of the structure. (No Smoking signs must be posted within the structure and around the structure)
13. The use of straw, hay, live vegetation, moss, vines, split bamboo, leaves, cloth, foam plastics, paper, cotton batting, and other similar material shall not be used unless the materials are flame resistant as determined by the Fire Prevention Code. The Fire Official will need to approve any items used and the flame retardant chemical used to treat those items.
14. Spliced electrical cords, homemade switching devices and/or open junction boxes and connections shall not be permitted. Extension cords shall not be used as a wiring method.
15. The number of persons allowed inside the structure will be based on the size of the structure. Each group shall be lead through the structure by a competent staff person. There shall be at least one empty room in between each group. All staff persons leading groups shall be familiar with all the guidelines required for Haunted Houses.
16. In the event of an emergency, a warning signal will be sounded to notify all occupants to evacuate the structure.
17. There shall be a meeting each night with all personnel who will be working that night prior to opening the structure to the public to go all rules and regulations that need to be followed including emergency evacuation procedures.
18. Other considerations for the safety of the public that may be necessary such as decorations, fire lanes, etc. shall be enforced by the fire official.

Chapter 7

Interior Finish, Decorative Materials and Furnishings

1. Where approved by the Fire Marshal certain decorative material may be used and shall meet the flame propagation performance criteria of NFPA 701 and shall not exceed 10% of the specific wall or ceiling area to which it is attached, as noted in 807.1.2 of the NCFPC.
2. The use of pyrotechnics in the performing arts in conjunction with theatrical, musical, or similar productions before an audience, performers, or support personnel shall follow all state building codes and NFPA Standards. **(See Attachment “D” Chapter 12 for references and refer to NCFPC Chapter 33)**
3. It is strongly recommended that Natural Cut Christmas Trees be **treated and maintained flame resistant** throughout its use.
Exception: Christmas Trees located in areas protected by approved automatic sprinkler system.
4. Live Christmas Trees with their roots protected by an earth ball may be permitted provided they are maintained in a fresh condition and are not allowed to become dry.
5. Artificial Christmas Trees **shall** be labeled or otherwise identified or certified by the manufacturer as being “flame retardant” or “flame resistant”.
6. Only UL listed electrical lights and wiring **shall** be used on Christmas Trees and similar decorations.
7. Extreme Caution should be taken when using electrical lights on metal artificial Christmas Trees.
8. Open flames **shall not** be located on or within the height of the Christmas tree or other similar combustible materials.
9. Natural cut Christmas Trees **shall not** be located near heating vents or other fixed or portable heating devices that could cause the tree to dry out or to be ignited.
10. When installing cut Christmas Trees indoors, the tree **shall** have the bottom end of the trunk cut off at least ½ inch above the end to help the tree absorb water. The tree **shall** be placed in a suitable stand with adequate water. The water level **shall** be checked and maintained on a daily basis. The tree shall be removed from the building immediately upon evidence of dryness.
11. Properly treated cotton as referenced in the NCFPC Chapter 8 – 807 may be used. A cotton substitute, magic glass or similar product, which is fire retardant, may also be used.

12. **Do not** block passageways, exits or fire protection equipment with decorations. If in doubt about where you can and cannot place decorations, contact the Fire Marshal's Office at 704-694-9332.

13. **Do not** cover any corridor wall with decoration that would exceed 20% of the wall space.

14. Facilities **shall** have written certification that items were treated to make them fire retardant.

15. Candle safety:

(a) **Never** use candles on a tree or place near an evergreen tree.

(b) Make sure candles are mounted in a secure and non-flammable base that will not tip over.

(c) Adequate safe guards are to be provided to avoid danger or ignition of combustible materials or injury to occupants.

(d) Candles **shall not** be left unattended or where small children can reach them.

(e) Any and all live vegetation used **shall** be of flame resistant materials or **shall** be rendered flame resistant by treating with a fire retardant coating and maintained flame resistant.

(f)) Candles **shall** not block or impede exit widths.

(g) Immediately upon completion of the service all flames **shall** be properly extinguished.

(h) **Permits are required for use of candles in public places. Churches are exempt.** All others contact the Fire Marshal's Office for the permits.

17. The above guidelines **shall** also apply to scenery used in all stage productions.

Chapter 8

VIOLATIONS AND PENALTIES

Section 8 Violation

8.1 Notice of Violation.

A notice of violation is to be considered a warning citation for fire code violations.

8.2 CIVIL CITATION

Any person who shall violate any of the provisions of the N.C. Fire Code or this ordinance adopted by the Hoke County Board of Commissioners or fail to comply therewith, or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement of specifications or plans submitted and approved there under or any certificate or permit issued there under, and from which no appeal has been submitted within the 30 day period of interpretation, or who shall fail to comply with such an order as affirmed or modified by the Fire Marshal or by a court of competent jurisdiction, within the time fixed therein shall severally for each such violation and noncompliance respectively, be subject to penalties as specified in the service and permit fee schedule approved by the Hoke County Board of Commissioners. These penalties shall be recovered by the County in a Civil Action in the nature of debt if the offender does not pay the penalties within a period of 30 days after the issuance of the notice of violation. The notice of violation shall be in writing, signed by the Fire Marshal and/or the Fire Official charged with the enforcement of the N.C. Fire Code or this ordinance, and shall be delivered or mailed to the offender either at his/her residence or place of business or at the location where the violation occurred. Each day's continuing violation shall be a separate and distinct offense. Any action to recover such penalties may be joined in an action for appropriate equitable remedy, including injunctions and orders of abatement and including an action to recover damages by the County in abating, correcting, limiting, and otherwise dealing with the harmful effects of the offending action.

8.3 Summary Abatement

The Fire Marshal shall have the authority to summarily abate any condition that is in violation of any provision of the Fire Code and/or HCFPPPO and that presents an immediate fire hazard to life or property.

8.4 False Alarms

It shall be unlawful for any person to give, signal, or transmit or for any person to cause or permit to be given, signaled, or transmitted, in any manner any false alarm.

8.4.1 False Alarms Due to Malfunctions of Alarm Systems

False alarms shall be prosecuted as set forth in the N.C. Fire Code in accordance with applicable General Statutes. Fire alarm systems that prove to be a nuisance by virtue of frequent activation without cause such as fire, smoke, alarm station pulling, act of God, etc., will subject the owner/occupant of the business or residence to a fine of \$100.00 per activation after the fire department responds **four (4) times in one calendar year. The fine shall be levied for each offense occurring after the allowed false alarms. The time period shall be from January 1 – December 31 of each year. The fines shall be dispersed as follows: the respective fire district \$75.00, County of Hoke \$25.00. In the event, the business or residence continues to have false alarms for two consecutive years the fine of \$100.00 for each offense will be doubled.**

8.5 Open Burning Violations

A Civil Citation may be issued if any of the parts of the Open Burning section of this ordinance or the N.C. Building Code Fire Prevention along with N.C. Amendments are violated. The citation will be based on the violation.

8.6 Carelessness with Fire

No person shall willfully/deliberately, or through carelessness or negligence, set fire to or cause the burning of any material, in such manner as to endanger the safety of any person or property. See Carelessness with Fire Citation Form

8.7 Accumulations of Waste Materials

It shall be unlawful to accumulate or store combustible waste matter outside of, beneath, or around commercial buildings.

- 8.7.1** Roofs, courts, yards, vacant lots and open spaces shall be kept free and clear of deposits or accumulations of waste paper, hay, grass, straw, weeds, litter, combustible waste or rubbish of any kind. All weeds, grass, vines, or other growth, when same endangers property, or is liable to be set fire to, shall be cut down and removed by the owner or occupant of the property.

8.8 Unsafe, Defected Buildings or Systems

All buildings or service systems, which are unsanitary, constitute a fire hazard, or constitute a hazard to safety or health, bad conditions of walls, overload floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress are considered unsafe. All such unsafe building or service systems shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the technical codes. (G.S. 153A-365, 153A-366, 153A-367, 153A-368, 153A-369, 153A-370 and 153A-371). **(See Attachment “A” Chapter 12 as reference for copies of G.S. 153A- 365 thru 153A-371)**

8.9 Code Violations

Code Violations will be based on this ordinance and the State Building Codes.

8.10 Penalties

The penalties for violations of this ordinance and the N.C. State Building Codes will be based on the current Hoke County Fire Prevention and Protection Ordinance Civil Citations Schedule.

Chapter 9

FIRE INSPECTION SCHEDULE AND FEES

Section 9 Inspections

The Hoke County Fire Marshal's Office will respond to any fire safety-related or Fire Code complaint made to that office. Otherwise, inspections of occupancies and businesses will be provided per the N.C. Building Code – Fire Prevention according to the following schedule:

Frequency rates for inspection of occupancies as mandated by the N.C. General Statutes shall supersede this schedule.

9.1 Annual: 9.1.1 through 9.1.5 are done a minimum of once a year
Hazardous, Institutional, High rise, Assembly, Private School, Day Care Centers, Common areas of Residential (1 and 2 family) and only interior common areas of dwelling units of multi-family occupancies.

9.1.1 Assembly Occupancy (Annual)

Amusement Park Building, Auditorium - (Less than 1000 capacity), Auditorium - (1000 or greater capacity), Bowling Alleys, Court Rooms, Dance Hall, Night Club, Exhibit Halls, Libraries, Meeting Centers, Haunted Houses, Motion Picture Theaters, Museums, Passenger Depots, Public Assembly Hall, Recreation Facility, Restaurant, Stadiums, Grandstands and Tents.

9.1.2 Educational (schools are done a minimum of two times a year)

Public elementary, middle, and high School.

9.1.3 Hazardous Occupancy (Annual)

Chemical Processing and/or Storage, Manufacturing Facility, Compressed/Flammable/Combustible Gas Storage, Distribution Facility, Dry Cleaners, Explosive Facility Storage-Use, Manufacturing, Distribution, Flammable/Combustible Liquid Processing-Storage, Manufacturing, Flammable/Combustible Liquid – Storage Distribution Centers, Hazardous Material, Handling and Processing, Storage Facility, Hazardous Production Material Facility, Hazardous Material, Waste Disposal Facility, L.P. and Natural Gas Distribution Facility and Laboratories / Research Development Centers.

9.1.4 Institutional Occupancy (Annual)

Correction Facilities, Detention Centers, Detoxification Facilities
Hospitals / Mental Hospitals, Jails, Reformatories, Residential Custodial Facilities, Nursing Homes, and Day Care Centers.

9.1.5 Residential Occupancy (Annual)

Apartments (Commons Area), Boarding Houses, Day Care Homes, Dormitories, Fraternities and Sororities, Group Homes (Not Classified as Group I) Hotels/Motels, Residential Care Facilities (Not Classified as Group I).

9.2 Once Every Two Years: 9.2.1 through 9.2.2 are done a minimum of every two years

Industrial and Educational (Except public schools done a minimum of twice a year)

9.2.1 Educational above the 12th Grade (Every 2 years)

9.2.2 Industrial Occupancy (Every 2 years - will need permit to match operation)

Assembly Plant, Factory, Furniture/Woodworking, Manufacturing Facility, Processing Plant, Textile, Fabrication Facility.

9.3 Once Every 3 Years: 9.3.1 through 9.3.4 are done a minimum of every 3 years

Business, Mercantile, Storage, and Churches/Synagogues.

9.3.1 Assembly Occupancy (Every 3 years)

Church and Synagogues.

9.3.2 Business Occupancy (Every 3 years)

Automobile Dealerships (No Service Work), Automobile Dealerships (With Service Work) Automotive Self - Service Stations (No Service Work), Automotive Full-Service Stations Automotive Repair Garages, Car Washes, Dry Cleaning (Not Classified as Hazardous) Florists and Nurseries, Greenhouses, Laboratories (Not Classified as Hazardous) Laundries (Full and Self - Service), Machine Shops, Print Shops, Telephone Exchanges, Offices, Radio and TV Stations.

9.3.3 Mercantile Occupancy (Every 3 years)

Convenience Stores (Dispenses Flammable / Combustible Liquids), Department Stores Drug Stores, Markets, Retail Stores, Shopping Centers, Sales Rooms, Covered Malls Super Markets/Grocery Stores, and Wholesale Stores (other than warehouse).

**** NOTE FIREWORKS PROVISION - to be added if the facility sells or stores for sale. ****

9.3.4 Storage Occupancy (Every 3 years)

Aircraft Hangers, Helistops, Private Garages, Storage Warehouse and Wholesale Warehouse.

9.4 Fire Inspection Fee

The NCFPC mandated Fire Inspections are conducted by the Hoke County Fire Marshal's Office. All associated Fire Inspection fees as noted in Chapter 4 – 4.1.11 and noted below will be charged to the owner/occupant of the commercial occupancy being inspected, in accordance with the Fire Inspection Fee Scheduled adopted by the Hoke County Commissioners in the HCFPPO.

Fire Inspection Fees

All commercial occupancies identified by the NCFPC that require a mandated Fire Inspection as adopted by the Hoke County Commissioners and by reference in Chapter #4

The Re-Inspection Fee doubles each time after the 3rd Re-Inspection.

Chapter 10

REPORTING A HAZARD OR VIOLATION

SECTION 10 Hazards and Violations

The Fire Marshal's Office will respond to any complaint regarding a life safety hazard, illegal burning, and any other fire code violation or fire ordinance violation in Hoke County.

10.1 How to Report a Hazard or Violation

A hazard or violation may be reported at any time. They may be reported directly to the Fire Marshal's Office during normal working hours. After normal working hours or on weekends and holidays call the Hoke County Communications Center on their non-emergency number. They will notify the on-call personnel from the Fire Marshal's Office.
Monday through Friday 8 AM to 5 PM Call 910-875-4126
Weekdays after 5 PM and before 8 AM Call 910-875-2135
Weekends and Holidays Call 910-875-2135

10.2 Required Information for Complaints

All complaints will require the following information to be recorded in order for the complaint to be processed:

1. Name of the person filing the complaint
2. Address and phone number of person filing complaint
3. Location of hazard or violation
4. Type of problem, hazard or violation

10.3 Records

A written record of all complaints will be maintained in the Fire Marshal's Office. A report will be attached to the complaint stating any violations or hazards found and what actions were taken.

CHAPTER 11

FORMS

Carelessness With Fire

(Within 50 Feet of A Structure)

No person shall, willfully/deliberately, or through carelessness or negligence, set fire to or cause the burning of any material, in such a manner as to endanger the safety of any person or property.

Elements: A person is guilty of this offense if:

- (1) He/she willfully, deliberately, or through carelessness or negligence
- (2) sets on fire / causes to be set on fire / cause the burning of
- (3) any material or object – name the material or object:
(examples are: any structure, woods, brush, grass, land or fields, any vehicle, any furniture, clothes, toys or goods, wares, construction material, household garbage or personal property of any kind.)
- (4) in such a manner as to endanger the safety of any person or property
- (1) Choose one or more: Willfully; Deliberately; Carelessly; Negligently
- (2) Choose one or more: Set Fire To / Cause To Be Set Fire / Cause the Burning Of
- (3) Describe the material which was burned:
- (4) Name the person and/or describe the property which was endangered:
- (5) Describe the manner in which the fire was set and how the person and/or property was endangered:

Punishment: Violation of this Section of this code, (May issue)

First Offense.....	50.00
Second Offense.....	100.00
Third Offense and each Offense thereafter.....	200.00

CIVIL CITATION FORM

The notice of violation may specify a period during which the violator must correct the violation. If the violation is not corrected within the specific time, the violator shall be guilty of a new and separate offense.

**HOKE COUNTY
FIRE PREVENTION AND PROTECTION ORDINANCE
CIVIL CITATION**

The following civil citation is hereby issued to:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Occupancy: _____

Vehicle License #: _____

Place of violation: _____

Date: _____ Time: _____

You are in violation of Section (s) _____

_____ in that (describe acts, omissions, or conditions which constitute violation):

This citation is issued for a violation which occurred or existed on _____ at the

following location: _____ and was investigated by:

_____ Title: _____.

This violation(s) subjects you to a civil penalty in the amount of \$_____ which must be paid within 30 days. If this penalty is not paid within 30 days of the date and time shown below, a delinquency charge of \$10.00 will be added. A **criminal summons or warrant** may be issued if the penalty plus delinquency charge are not paid within 5 days after the date of the delinquency notice.

Penalty continues at \$_____ per day until the violation (s) have corrected.

This citation, was issued at _____ (am / pm), the _____ day of _____,

and must be paid at the Fire Marshal's Office, at 429 E. Central Ave, Raeford, NC 28376 by

5:00 p.m. on _____.

Issued By: _____

Title: _____

HOKE COUNTY OPEN BURNING PERMIT FORM

HOKE COUNTY OPEN BURNING PERMIT (Within 50 Feet of a Structure or Bon-Fires)

I DO HEREBY GIVE PERMISSION TO _____

TO BURN _____ AT _____
Material Street Address

CITY: _____

Burning is to follow all EPA regulations, NC Forestry Service Statutes, and the Hoke County Fire Prevention and Protection Ordinance.

Open burning of leaves, tree branches or yard trimmings originating on the premises of private residences and burned on those premises in areas where no public pick up facilities are available and such burning is done between 8:00 A.M. and 6:00 P.M. and shall not create a nuisance. Bon-Fires used for ceremonial and religious purposes (Schools, Civic Groups, Churches) may take place after 6 P.M. when all regulations are meet. Materials used for Bon-Fires must also comply with the EPA regulations.

Burning to take place on day _____, date _____ and shall not create a nuisance. If three or more separate complaints from businesses or homes are received during the burning, it shall be ceased and all fires will be extinguished.

Responsible Party

Issued By

Burning under authority of this permit does not release the permit holder from complying with EPA (N.C. Air Pollution Control Requirements), N.C. Forest Service Statues and the Hoke County Fire Prevention and Protection Ordinance regulations.

If at any time during the burning, the regulations regarding open burning are not met or are neglected in any way, the fire shall be extinguished and a civil citation may be issued.

I have read the guidelines for open burning and received a copy of those guidelines.

Responsible Party

Witnessed By

***** GUIDELINES FOR BURNING PERMITS *****
(Within 50 feet of a Structure or for Bon-Fires)

_____ **YARD TRIMMINGS ONLY (Leaves, Limbs, Grass, Vines, etc.)**

_____ **Must originate on the premises**

_____ **Burning is done between 8:00 A.M. and 6:00 P.M.**

_____ **Bon-Fires may be done after 6 PM (Bon-Fires must meet Bon-Fire requirements)**

_____ **There are no public trash pickup facilities**

_____ **Fire must be at least 50 feet from any structure and must not spread to within 50 ft.**

_____ **Fire must not create a nuisance when burned**

_____ **A competent person shall constantly attend the fire until such fire is extinguished**

_____ **Must provide fire control tools to match the size of the pile being burned
(garden hoses, rakes, shovels, extra help, etc.)**

_____ **No construction or waste material are to be burned (furniture, old tires, shingles, etc.)**

_____ **Piles of material shall not exceed 30 feet in diameter, 10 feet in height, or 10,000 cubic feet**

_____ **An area 10 feet wide shall be cleared completely around the material to be burned**

_____ **A copy of the Air Quality Regulations has been furnished**

_____ **I was advised that this permit does not release me from compliance with all open burning regulations**

_____ **If a burning ban has been issued all fires shall be extinguished immediately**

_____ **If at any time during the burning, the regulations regarding open burning are not met or are neglected in any way, the fire will be extinguished and a civil citation may be issued.**

Responsible Party

Witnessed By

Date

REPORTING A HAZARD OR VIOLATION FORM

**HOKE COUNTY FIRE MARSHAL OFFICE
REPORTING A HAZARD OR VIOLATION**

Name of Person Filing Complaint

Address of Person Filing Complaint

Phone Number of Person Filing Complaint

Location of Hazard (address - name of business – name of owner or operator if known)

Type of Problem, Hazard or Violation Reported:

A written record of all complaints will be maintained in the Fire Marshal's Office. A report will be attached to the complaint stating any violations or hazards found and what actions were taken.

HYDRANT OBSTRUCTED FORM

HOKE COUNTY FIRE MARSHAL OFFICE
Obstructed Fire Hydrant Form

DATE: _____ OBSTRUCTED HYDRANT(S)

ADDRESS WHERE HYDRANT IS OBSTRUCTED OR BLOCKED:

Street: _____

City: _____ State: _____ Zip: _____

North Carolina General Statute 20-162 and the N.C. Building Code Fire Prevention Code along with N.C. Amendments and Hoke County Fire Prevention and Protection Ordinance states:

G.S.20-162 & HCFPPO 5.2.3 No person shall park a vehicle, boat, trailer or other item or permit it to stand, whether attended or unattended, within fifteen (15) feet in either direction of a fire hydrant.

HCFPPO 5.2.2 “No person shall place or keep any fence, growth (trees, flowers, shrubs, plants, etc.), stones, signs, trash or other material near any fire hydrant that would prevent such hydrant from being immediately discernible or in any manner hinder the fire department from gaining immediate access to a fire hydrant. A clear space of not less than three (3) feet shall be provided on all sides of a hydrant. Every hydrant must remain visible and be accessible to the fire department at all times. There must be adequate space for the fire department to be able to connect their hoses and turn on the hydrant.

HCFPPO 5.5.1 No person shall remove, tamper with, paint (change the color of the hydrant so it does not meet the NFPA Standard 291 for hydrant marking) or render any fire hydrant inoperative or inaccessible except as may be necessary during emergencies, maintenance, drills, training, prescribed testing or when permitted by the Fire Official.

For this reason, we would ask for your cooperation in removing the materials surrounding the hydrant located on your property. This matter must be taken care of within 30 days or a civil citation may be issued at that time.

Hoke County Fire Marshal Office Representative

CHAPTER 12

REFERENCES

Attachment “A”
Copy of G.S. 153A-365 thru 153A-371

G.S. 153A-365 - Defects in buildings to be corrected.

If a local inspector finds any defect in a building, or finds that the building has not been constructed in accordance with the applicable State and local laws and local ordinance and regulations, or finds that a building because of its condition is dangerous or contains fire-hazardous conditions, he shall notify the owner or occupant of the building of its defects, hazardous conditions, or failure to comply with the law. The owner and the occupant shall each immediately remedy the defects, hazardous conditions, or violations of law in the property each owns.

G.S. 153A-366 - Unsafe building condemned.

The inspector shall condemn as unsafe each building that appears to him to be especially dangerous to life because of its liability to fire, bad conditions of walls, overload floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes; he shall affix a notice of the dangerous character of the building to a conspicuous place on the exterior wall.

G.S. 153A-367 - Removing notice from condemned building.

If a person removes a notice that has been affixed to a building by a local inspector, that states the dangerous character of the building, he/she shall be guilty of a Class 1 misdemeanor.

G.S. 153A-368 - Action in the event of failure to take corrective action.

If the owner of a building that has been condemned as unsafe pursuant to G.S. 153AA-366 fails to take prompt corrective action, the local inspector shall by certified or registered mail to his last known address or by personal service give him written notice:

- (1) That the building is in a condition that appears to constitute a fire or safety hazard or to be dangerous to life, health, or other property;
- (2) That a hearing will be held before the inspector at a designated place and time, not later than 10 days after the date of the notice, at which time the owner is entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
- (3) That following the hearing, the inspector may issue any order to repair, close, vacate, or demolish the building that appears appropriate.

If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the building in question at least 10 days before the day of the hearing and a notice of the hearing is published at least once not later than one week before the hearing.

G.S. 153A-369 - Order to take corrective action.

If, upon a hearing held pursuant to G.S. 153A-368, the inspector finds that the building is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, he shall issue a written order, directed to the owner of the building, requiring the owner to remedy the defective conditions by repairing, closing, vacating, or demolishing the building or taking other necessary steps, within such period, not less than 60 days, as the inspector may prescribe; provided, that where the inspector finds that there is imminent danger to life or property, he may order that corrective action be taken in such lesser period as may be feasible.

G.S. 153A-370 - Appeal; finality of order not appealed.

An owner who has received an order under G.S. 153A-369 may appeal from the order to the board of commissioners by giving written notice of appeal to the inspector and to the clerk within 10 days following the day the order is issued. In the absence of an appeal, the order of the inspector is final. The board of commissioners shall hear any appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

G.S. 153A-371 - Failure to comply with order.

If the owner of a building fails to comply with an order issued pursuant to G.S. 153A-369 from which no appeal has been taken, or fails to comply with an order of the board of commissioners following an appeal, he is guilty of a Class 1 misdemeanor.

ATTACHMENT “B”
A COPY OF G.S. 143-140 AND G.S. 143-141

Appeal Process

An applicant for a permit, or a permit holder, as appropriate, may appeal the Fire Marshal’s refusal to issue, or decision to revoke a permit. Appeals shall be in accordance with G.S. 143-140, 141. Appeals must be made in writing within 30 days of interpretation. All appeals shall follow the prescribed method as set forth in these statutes not only as to permits but also as to any interpretation or variation of the Fire Code.

G.S. 143-140. Hearings before enforcement agencies as to questions under Building Code. Any person desiring to raise any questions under this Article or under the North Carolina State Building Code shall be entitled to a technical interpretation from the appropriated enforcement agency, as designated in the preceding section. Upon request in writing by any such person, the enforcement agency through an appropriated official shall within a reasonable time provide a written interpretation, setting forth the facts found, the decision reached, and the reasons therefore. In the event of dissatisfaction with such decision, the person affected shall have the options of:

- (1) Appealing to the Building Code Council or
- (2) Appealing directly to the Superior Court, as provided in G.S. 143-141.

G.S. 143-141. Appeals to Building Code Council. (a) Method of Appeal. – Whenever any person desires to take an appeal to the Building Code Council from the decision of a State enforcement agency relating to any matter under this Article or under the North Carolina State Building Code, he shall within 30 days after such decision give written notice to the Building Code Council through the Division of Engineering of the Department of Insurance that he desires to take appeal. A copy of such notice shall be filed at the same time with the enforcement agency from which the appeal is taken. The chairman of the Building Code Council shall fix a reasonable time and place for a hearing, giving reasonable notice to the appellant and to the enforcement agency. Such hearing shall be not later than the next regular meeting of the Council. The Building Code Council shall thereupon conduct a full and complete hearing as to the matters in controversy, after which it shall within a reasonable time give a written decision setting forth its findings of fact and its conclusions. (b) Interpretations of the Code. – The Building Code Council shall have the duty, in hearing appeals; to give interpretations of such provisions of the Building Code as shall be pertinent to the matter at issue. Where the Council finds that an enforcement agency was in error in its interpretation of the Code, it shall remand the case to the agency with instructions to take such action as it directs. Interpretations by the Council and local enforcement officials shall be based on a reasonable construction of the Code provisions. (c) Variations of the Code. – Where the Building Code Council finds on appeal that materials or methods of construction proposed to be used are as good as those required by the Code, it shall remand the case to the enforcement agency with instructions to permit the use of such materials or methods of construction. The Council shall thereupon immediately initiate procedures for amending the Code as necessary to permit the use of such materials or methods of construction. (d) Further Appeals to the Courts. – Whenever any person desires to take a appeal from a decision of the Building Code Council or from the decision of an enforcement agency (with or without an appeal to the Building Code Council), he may take an appeal either to the Wake County Superior Court or to the superior court of the

county in which the proposed building is to be situated, in accordance with the provisions of Chapter 150B of the General Statutes.

ATTACHMENT "C"

FLOW TEST PROCEDURES FOR COUNTY FIRE HYDRANTS

1. PURPOSE

To establish a standard for the capacity flow testing of fire hydrants. While there are several methods available to test a hydrant, the following methods described are for single hydrant and two hydrant testing procedures. During plan reviews the fire marshal's office will use both a single hydrant and two hydrant methods for testing purposes.

2. DEFINITION

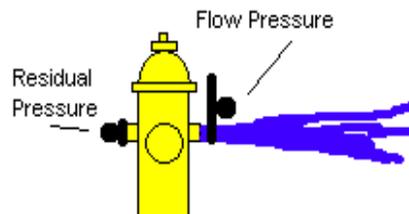
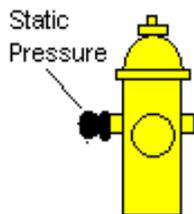
Water is the most available tool used for the extinguishments of fires. The purpose of a fire department performing hydrant flow test is to determine whether the water system can furnish adequate amounts of water to meet the fire flow demands, based on the classification of the occupancy's in the immediate area.

3. EQUIPMENT NEEDED

- A. Hydrant wrench – 2
- B. Hydrant Cap Pressure Gauge – 1
- C. Pitot Flow Gauge (blade or barrel type) – 1
- D. Hydrant Form (to record information)

4. PROCEDURE (One hydrant test method, not be used for plan review flow requirements)

- A. Select the hydrant to be tested.
- B. Perform light maintenance.
- C. Hydrant must be flushed prior to beginning flow test.
- D. Choose which 2 ½" discharge will affect landscaping , traffic, etc. the most and place a pressure cap gauge on this discharge. Open the hydrant fully. Note the pressure on the gauge. This is the static pressure. Record the static pressure on the hydrant report form. Close the hydrant slowly.
- E. Take the 2 ½" cap opposite the pressure cap gauge off the hydrant. Install a barrel type pitot gauge on this discharge opening if you have one.
- F. Open the hydrant fully and note the pressure that is on the cap gauge. This is the residual pressure. Record the residual pressure on the hydrant report form.
- G. Record the pressure reading on the barrel type pitot gauge. The pressure reading shown is the flow pressure. Record the flow pressure on the hydrant report form.
- H. Close the hydrant slowly, remove all equipment, and replace all caps.
- I. Attempt to reposition any disturbed landscaping materials.
- J. Proceed to the next hydrant.



5. PROCEDURE (Two hydrant test method, to be used for plan review flow requirements)

A. Select the hydrants to be tested.

B. Perform light maintenance.

C. Hydrants must be flushed prior to beginning flow test.

D. Choose which 2 ½” discharge will affect landscaping , traffic, etc. the least for flushing the hydrant. Open the hydrant fully. Close the hydrant slowly after flushing the hydrant. Attach the pressure cap gauge to the 2 ½” discharge. Open the hydrant fully. Note the pressure on the gauge. This is the static pressure. Record the static pressure on the hydrant report form.

E. On the second hydrant choose which 2 ½” discharge will affect landscaping , traffic, etc. the least for flushing the hydrant. Open the hydrant fully. Close the hydrant slowly after flushing the hydrant. Install a barrel type pitot gauge on this discharge opening if you have one or use a pitot tube. Open the hydrant fully.

F. With both hydrants open fully note the pressure that is on the pressure cap gauge. This is the residual pressure. Record the residual pressure on the hydrant report form.

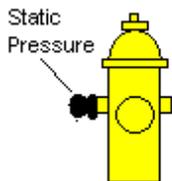
G. Record the pressure reading on the barrel type pitot gauge. The pressure reading shown is the flow pressure. Record the flow pressure on the hydrant report form.

H. Close both hydrants slowly, remove all equipment, and replace all caps.

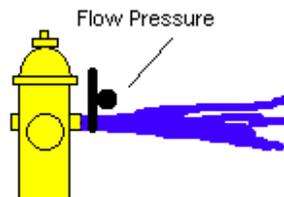
I. Attempt to reposition any disturbed landscaping materials.

J. Proceed to the next hydrants.

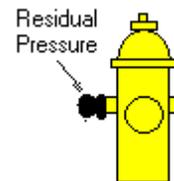
Hydrant A



Hydrant B



Hydrant A



**ATTACHMENT “D”
USE OF PYROTECHNICS BEFORE A PROIMATE AUDIENCE**

The following NFPA standards shall apply to the use of pyrotechnics in the performing arts in conjunction with theatrical, musical, or similar productions before a proximate audience, performers, or support personnel. The following NFPA standards also provide requirements for the protection of property operators, performers, support personnel, and the viewing audiences where flame effects are used indoors or outdoors. The purpose of this standard is to provide minimum requirements to the operation and manufacturers for safe operation of flame effects.

The circumstances of each show or attraction can be unique and can require individual evaluation when determining the need for protective systems. Approval of all equipment, installation, operations or procedures and the need for protective systems or measures will be with the local authority having jurisdiction. (The Fire Marshal’s Office)

The following standards and codes will be used to determine if all requirements are being met.

North Carolina Building Code Fire Prevention	
Standard for Portable Fire Extinguishers.....	(NFPA 10)
Life Safety Code.....	(NFPA 101)
Flame Effects Before an Audience.....	(NFPA 160)
Explosive Materials Code.....	(NFPA 495)
Code for Model Rocketry.....	(NFPA1122)
Code For Fireworks Display.....	(NFPA1123)
Code for Manufacture, Transportation and Storage Fireworks/Pyrotechnic.....	(NFPA1124)
Code for the Manufacture of Model Rocket and High Power Rocket Motors....	(NFPA1125)
Standard for the Use of Pyrotechnics before a Proximate Audience.....	(NFPA1126)
Code for High Power Rocketry.....	(NFPA1127)

Some other codes and standards that may be used are NFPA 30, 54, 55, 58, 59A, and 430.

NOTE -The above referenced NFPA standards shall only be the NFPA standards used and referenced in the 2012 North Carolina Fire Prevention Code.

Hoke County Fire Marshal's Office

Required Information for Fireworks Displays and Flame Effect Displays

The following information **shall** be made in writing and **shall** contain the following information for Fireworks Displays and Flame Effects Displays:

1. The name of the person, group, or organization sponsoring the production.
2. The dates and time of day of the production.
3. The name of the person actually in charge of firing the pyrotechnics.
4. The number, names and ages of all assistants who are to be present.
5. The qualifications of the pyrotechnic operator.
6. Copy of any applicable state and federal licenses held by the operator or assistance(s).
7. Copy of the permittee's insurance carrier or financial responsibility.
8. The number and types of devices to be used.
9. A diagram of the grounds or facilities where the productions is to be held NFPA 1126 Chapter 4 4.3.2 (k).
10. The manner and place of storage of the pyrotechnic materials and devices.
11. The point of on-site assembly of pyrotechnic devices.
12. A material safety data sheet (MSDS) for the pyrotechnic material(s) to be used.

The information along with some of the above information will be needed when flame effects are being used indoors or outdoors:

13. The design criteria in NFPA 160 Appendix B
14. The exact location of the production.
15. The flame effects classification.
16. A site plan showing the following:
 - (a)) A narrative description of the flame effect.
 - (b) The location of flame effect devices to be fired and their controls and control sequence.
 - (c) The area affected by the flame effect device.
 - (d) The location of the audience.
 - (e) The fuels and their estimated consumption.
 - (f) Air for combustion and ventilation for indoor effects.
 - (g) Flammable material piping.

- (h) Storage and holding areas and their capacities.
- (i) Supplemental fire protection features.
- (j) Means of egress.
- (k) Documentation that combustible materials used for construction of the flame effects have been rendered flame retardant.
- (l) Operating instructions shall be available to the authority having jurisdiction when flame effects are in use.

17. A walk-through and a representative demonstration of the pyrotechnics shall be approved by the authority having jurisdiction before a permit is approved.

18. A walk-through and a representative demonstration of the flame effects shall be provided and shall be approved by the authority having jurisdiction before a permit is approved.

NO FIREWORKS DISPLAY OR FLAME EFFECT DISPLAY PERMIT WILL BE ISSUED, IF ALL THE REQUIRED INFORMATION ABOVE HASN'T BEEN PROVIDED OR REQUIRED BY THE HOKE COUNTY FIRE MARSHAL'S OFFICE.

Adopted the 27th of June 2014.

James Leach, Chairman
Hoke County Board of Commissioners

ATTEST:

Linda Revels
Clerk to the Board

	A	B	C	D	E	F
1	Building Inspectors Office and Fire Marshal's Office - Building and Site Plans Review:					
2	<i>Building Plans Review</i>					
3	Up to 5,000 sq ft					
4	5,001 to 10,000 sq ft					
5	10,001 to 15,000 sq ft					
6	15,001 to 25,000 sq ft					
7	25,001 to 40,000 sq ft					
8	Greater than 40,000 sq ft					
9	Re-Review Fee (applies after fir review)					
10	<i>Building Plans Review-for projects up to 5,0 00 sq. ft. only:</i>					
11	Electrical Plan Review Only					\$75.00
12	Mechanical Plan Review Only					\$75.00
13	Plumbing Plan Review Only					\$75.00
14	<i>Building Plans Review-for other projects;</i>					\$75.00
15	Cell Tower					\$75.00
16	Small & Minor Project					\$75.00
17	Pole Sign					\$75.00
18	Retaining wall (engineere d)					\$75.00
19	<i>Site Plans Review</i>					
20	Non-Residential					\$500.00 plus \$20.00 per 1,000 sq ft of building
21	Residential					\$500.00 plus \$20.00 per unit or lot
22	Revisions or rereviews be yond first review					1/2 of original fee
23						
24						
25						
26	Fire Marshal's Office - New Construction or Renovation Inspection Fees					

27	Reinspection - New construction or Renovation	2nd Visit	\$60.00
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