CHAPTER ___ FIRE AND LIFE SAFETY

SECTION 1. AUTHORITY

Pursuant to NCGS Chapters 143, 153A, and 160D, and other applicable law, Caldwell County hereby establishes these Ordinances.

SECTION 2. PURPOSE

The purpose of this Chapter is to establish a program for the prevention of fires and the protection of life and property in Caldwell County from the damage caused by uncontrolled fire and other conditions which are otherwise dangerous to human life, public welfare, or structural integrity of a building or structure. This Chapter incorporates the North Carolina State Building Codes as law for Caldwell County; prescribes and enforces regulations in a manner consistent with the laws of North Carolina and generally recognized practices for fire prevention; defines the duties of the Caldwell County Fire Marshal; defines and implements the powers and duties of Caldwell County and the Fire Marshal in the investigation and prevention of fire and the enforcement of the North Carolina Fire Prevention Code; and prevents interference with firefighting and fire prevention activities.

SECTION 3. DEFINITIONS

The definitions outlined in NC Building Code, which are not expressly set forth in this Chapter, shall apply to and are incorporated by reference into this Chapter.

The following words, terms and phrases, when used in this Chapter, shall the meanings ascribed to them in this Section, except were the context clearly indicates a different meaning:

Administrative Code & Policies, North Carolina means a document adopted by the NC Building Code Council, intended to provide for administration and enforcement of the NC Building Code and enforced by Code Officials legally authorized to practice such enforcement and employed by Caldwell County Government. The Administrative Code & Policies are incorporated by reference into the North Carolina Building, Accessibility, Plumbing, Mechanical, Electrical, Fire Prevention, Fuel Gas, Energy Conservation, Existing Buildings, Rehabilitation, and Residential Code, hereinafter referred to collectively as the Technical Codes; and are intended to provide for the administrative aspects of each.

Alteration means a reconfiguration or addition to an existing building system, equipment, or components regulated by the NC Building and Technical Codes to meet a new or specific objective for code compliance.

Approved means acceptable to the code official for compliance with the provisions of the

applicable code or referenced standard.

Board means the Caldwell County Board of Commissioners.

Building Official means the public officer appointed as the Caldwell County Building Official and authorized assistants, deputies, agents, and/or designees.

Compliance Inspection means a follow-up, or subsequent inspection, conducted by the appropriate Code Official to verify code compliance of a specific violation discovered during an inspection.

County means Caldwell County, North Carolina.

Fire Chief means the chief officer of the Fire Department serving the fire district or their authorized representative.

Fire Code Official means the Fire Chief or authorized representative charged with the administration and/or enforcement of the NC Fire Prevention Code.

Fire Department means any organization or agency which provides fire protection, public education, fire prevention, emergency medical care, and rescue services within Caldwell County.

Fire District means a designated boundary established by Caldwell County, where fire protection, public education, fire prevention, emergency medical care, and rescue services are provided for by a specific Fire Department within the district.

Fire Marshal means the Caldwell County Fire Marshal and authorized representatives.

Good Cause means adequate or substantial grounds or reason to permit a particular action based on specific information.

High-Piled Combustible Storage means storage of combustible materials in closely packed piles or combustible materials on pallets, racks, or shelves where the top of storage is greater than 12 feet in height. High-piled combustible storage also includes certain high-hazard commodities, such as rubber tires, Group A plastics, flammable liquids, idle pallets, and similar commodities, where the top of storage is greater than 6 feet in height.

Imminent Danger/Threat means any condition existing within a building or structure, or within a space within a building or structure, posing a dangerous or threatening condition or situation that, if not immediately corrected, could result in an event which could lead to severe harm or death.

Modification means the redesign or replacement of existing building systems, equipment, or components regulated by the NC Building and Technical Codes to current or modern standards and requirements.

NCGS means the North Carolina General Statutes.

Notice of Violation means a written document detailing a list of violations associated with a specific building, structure, or premises resulting from an inspection.

NC Building Code means the current editions of the NC State Building Code, NC State Residential Code, NC State Plumbing Code, NC State Mechanical Code, NC State Fuel Gas Code, NC State Energy Conservation Code, National Electrical Code, NC State Building; Existing Building Code, NC State Building; Fire Code, and State of NC Regulations for Manufactured Homes.

Occupant means a person who, by legal contract with an owner of a building, structure, or property, occupies a specific building structure, property, or space within for the purpose of operating a business or other occupation.

Occupancy Classification means every building or structure, and any portion thereof which is classified based on its primary function or use into one of the occupancy groups, or subgroups in accordance with the NC State Building Code.

Owner means any individual, corporation, firm, partnership, association, organization, and/or any other group acting as a unit holding legal title to any structure and/or premises with or without accompanying actual possession thereof, including an authorized agent or attorney, purchaser, devisee, fiduciary and any person having a vested or contingent interest in the premises.

Periodic Inspection means any inspection scheduled according to the outlined inspection schedule in the NC Fire Prevention Code per occupancy classification.

Permit Applicant means a person applying for a permit through the procedures required by the Code Official.

Permit Holder means a person who is appropriately credentialed and/or is legally responsible for any actions specifically designated on a permit.

Permit Scope means the specifically approved actions, work, or operations covered by a permit issued for a permit-required construction or operation.

Permit Type means a specific permit category in accordance with the NC State Building Code.

Plan of Action means a written plan submitted by the responsible party stating in detail the actions to be taken to correct violations found during an inspection including specific timeframes and/or dates for completion.

Re-occurring Violation means a specific violation of the NC Building Code, found to be

consistently occurring, within the same building, structure, or property where a prior Notice of Violation has been given for same.

Responsible Party means an individual, including heirs, executors, administrators, assigns and personal representatives of the individual, and/or a firm, partnership, corporation, governmental agency or other legal entity and successors, assigns, and agents of such individuals or entities who control a property through ownership, lease, occupancy and/or other forms of possession. The term shall also include a person or entity with direct or indirect control or management of a specific property.

Scope of Work means a document provided by a permit applicant or permit holder detailing the operation and/or construction project.

Self-Certification/Self-Certified means a method of proving a code violation has been corrected or remedied by providing proof through means acceptable to the Code Official.

Service System means any building system associated with providing a service to a particular building, structure, or premises, and regulated by the Technical Codes.

State means the State of North Carolina.

State Law means the laws, regulations, and rules of North Carolina.

Stop Work Order means a written directive issued by a code official for any building, or part thereof, which is being demolished, constructed, reconstructed, altered, or repaired in a manner in violation of local or State Law, or is in a hazardous condition, and must state what is required to correct all violations.

Technical Codes means those referred to in the North Carolina Administrative Code & Policies definition.

Unsafe Condition means structures or existing equipment that are, or could become, unsafe or deficient because of inadequate means of egress or which constitute a fire hazard or are otherwise dangerous to human life or public welfare, or which involve illegal or improper occupancy or inadequate maintenance.

Violation means a condition or situation not in compliance with the NC Building Code.

SECTION 4. JURISDICTION

This Chapter applies within the area of Caldwell County and shall be enforced within the area of Caldwell County outside of municipal corporate limits. Upon request by resolution from the governing body of any municipality within Caldwell County, the County may, but is not required to, exercise jurisdiction in such municipality for purposes of this Chapter.

SECTION 5. FIRE MARSHAL'S ADMINISTRATION OF ORDINANCE

The Board shall appoint a duly qualified Fire Marshal responsible for this Chapter's impartial administration of this Chapter.

SECTION 6. INVESTIGATION OF FIRES AND EXPLOSIONS

As authorized by NCGS 58-79-1, the Fire Marshal, or the Fire Chief of a Fire Department, shall have authority to investigate or cause to be investigated the circumstances, events, and actions leading to the ignition of a fire or to any explosion and to collect evidence and data to determine the origin and cause of any fire or explosion that occurs within the jurisdictional boundaries. The Fire Marshal may conduct fire or explosion origin and cause investigations or participate in such investigations in other jurisdictions upon request.

The Fire Chief of a Fire Department may request the Fire Marshal to conduct an origin and cause investigation for a fire or an explosion. Prior to requesting assistance from the Fire Marshal, a preliminary investigation should be made by the Fire Chief of the Fire Department to gather any critical information pertinent to the incident. The Fire Chief must report any preliminary findings to the Fire Marshal.

SECTION 7. ADDITIONAL DUTIES OF THE FIRE MARSHALL

In addition to enforcement of the provisions of this Chapter, the Caldwell County Fire Marshal shall:

(a) Advise the Board on improvements in the firefighting and training activities under the supervision and control of the County;

(b) Coordinate firefighting and training activities under the County's supervision or control;

(c) Coordinate fire prevention activities under the County's supervision or control;

(d) Assist contracted fire protection agencies in developing and improving firefighting and fire prevention capabilities;

(e) Make periodic inspections and reports of school buildings and childcare facilities as required by State Law. A Fire Marshal shall not make electrical inspections unless qualified to do so under State Law and holds a valid certificate issued by the North Carolina Code Officials Qualification Board;

(f) Perform those duties and activities as set forth in the Caldwell County Emergency Operation Plan;

(g) Perform necessary duties as it pertains to the operation of emergency management;

and

(h) Perform any other duties and activities as the Board may from time to time require of the Fire Marshal.

SECTION 8. RIGHT OF ENTRY, INSPECTION AND NC BUILDING CODE ENFORCEMENT AUTHORITY

The Fire Marshal is authorized to enter and examine any building, structure, marine vessel, vehicle, or premises, except for one- and two-family dwellings, within the jurisdiction of this Chapter pursuant to State Law.

SECTION 9. RESPONSE AUTHORITY

The Fire Marshal, Emergency Manager, or designee has the authority to respond to any incident within the jurisdictional boundaries of the County and to participate in any function or capacity necessary to ensure the mitigation of any incident as requested by the incident commander.

SECTION 10. NC STATE BUILDING AND TECHNICAL CODES ADOPTED

The County hereby adopts the NC State Building and Technical Codes. The codes, standards, and appendices referenced in the NC Building and Technical Codes shall be part of the requirements of this Chapter.

SECTION 11. COMMERCIAL BUILDING AND STRUCTURE PLAN REVIEW PROCESS

A person or entity wishing to make application for new commercial building construction, repair, alteration, change of occupancy, or addition, to an existing building; or alteration or modification of an existing building service system shall first complete and submit the required permit application along with required documentation to Central Permitting for review. Documents are reviewed for compliance with the NC Building and Technical Codes. The person making the application is the Permit Applicant and is responsible for all required submittals. The permit applicant is responsible for submitting the necessary documentation to inquire as to the extent of documentation necessary to meet code compliance per the Building and Technical Code, as required by the Code Official.

SECTION 12. REQUIRED DOCUMENTATION

(a) Based on the scope of work, the following are required on all commercial projects, for permit-required construction for a Building Permit:

1. Scope of Work;

2. Completed Commercial Plan Review Application;

3. Site Plan;

4. Structural Plan;

5. Life Safety Plan; and

6. Project Value Letter.

(b) The following are required for a permit-required construction pertaining to the appropriate Technical Codes:

1. Plumbing Plan;

2. Electrical Plan;

3. Mechanical Plan; and

4. Fire Protection Plan.

SECTION 13. PERMIT REQUIRED FOR CONSTRUCTION & OPERATIONS REGULATED BY THE NC FIRE PREVENTION CODE

An Owner who intends to conduct an operation or business or install or modify a fire protection system and independent equipment, regulated by the NC Fire Prevention Code, or to cause any such work to be performed, shall first make application to the Fire Marshal to secure the required permit.

When required by the NC Fire Prevention Code, a permit shall be issued by the Fire Marshal. Permits are issued to a single Permit Holder. The Permit Holder is responsible for all work being conducted within the permit scope. The Permit Holder must provide an application for permit, associated documentation or specifications, and any other requirements in accordance with the NC Administrative Code and Policies. When required by the Building and Technical Codes, associated permits must be applied for and issued in conjunction with the required construction or operational permits of the NC Fire Prevention Code.

(a) Operational Permits:

1. A permit application and a Scope of Work are required to be submitted for review and must detail the operation being performed. The details must be represented on the permit upon issuance and is known as the Permit Scope.

2. Each different permit-required operation in accordance with of the NC Fire Prevention Code requires separate permitting and is known as the Permit Type.

3. A separate fee shall be assessed for each different Permit Type in accordance with the Board's fee schedule.

4. Where a single building, or multiple buildings within an associated property of a single business or facility, has two or more permit-required operations of the same permit type, even though the Permit Scope may not be identical, a single permit can be issued to cover the Permit Scope for all operations provided each Permit Scope is specifically listed on the permit.

5. A permit issued for a permit-required operation remains valid until the permit-required operation is no longer within the parameters of the Permit Scope, the entity associated with the permit ceases to exist, or the entity is sold to another entity.

(b) Construction Permits:

1. Permit applications for permit-required construction must specifically detail the work being performed, and all details represented on the permit.

2. Each different permit-required construction in accordance with the NC Fire Prevention Code requires separate permitting.

3. Where a permit-required construction for a specific permit type requires work from more than one entity, each different entity must be permitted and inspected.

4. A separate application and fee are required for each permit issued when two or more permit scopes are associated with a single permit type for permit-required construction.

5. Where permit-required construction of the same permit type is required for more than one building or structure on the same lot or associated property of a business or facility, a single permit shall not be allowed to extend beyond the footprint of each independent building or structure, unless permitted by the NC State Building Code.

6. Where a single building has two or more permit-required construction projects of the same permit type but requires different design criteria and/or different acceptance criteria, a single permit is required for each additional design and/or acceptance criteria.

7. A permit holder for a new construction project must be a NC licensed contractor.

SECTION 14. ALTERATIONS & MODIFICATIONS OF EXISTING EQUIPMENT OR SERVICE SYSTEMS

Alterations or modifications to existing equipment or a Service System, regulated by the NC Fire Prevention Code, shall not commence before a permit is applied for and secured

when required. The permit holder for an existing building may be the Owner, Occupant, or Responsible Party, provided all work is performed by the appropriate, licensed entity when required by State Law and acceptable to the Fire Code Official.

SECTION 15. SUPPORTING DOCUMENTATION

Supporting documentation required for a permit must be submitted in the format and detail required by the Code Official. Drawings and specifications shall be provided to scale with sufficient clarity and detail to indicate the work's nature and character. The Code Official may require any details or documentation necessary to determine compliance. Documents may be required to be sealed by a registered design professional when required by State Law or the Code Official.

SECTION 16. COMMERCIAL BUILDING & STRUCTURE PLAN REVIEW PROCESS

All submitted applications for construction or operational permits are subject to plan review pursuant to the North Carolina Fire Prevention Code, local ordinances, state laws, and/or other regulatory documents prior to a permit being issued.

SECTION 17. APPROVAL OF PLANS

All commercial plans or plan sets are reviewed by the appropriate code enforcement official for compliance with the NC Building Code.

SECTION 18. DURATION OF PERMITS

An operational permit remains in effect until reissued, renewed, or revoked for such a time as prescribed on the permit. Permits are non-transferable, and any change in occupancy, operation, tenancy, or ownership requires a new permit. Construction permits are valid as specified in State Law or until the permitted work has passed final inspection and a Certificate of Compliance is issued.

SECTION 19. INSPECTIONS ON PERMITS

Inspections shall be conducted to verify compliance with permit-required construction and operations regulated by the NC Building and Technical Codes. The Code Official is authorized to conduct as many inspections as necessary to ensure compliance, based upon permit type and acceptance procedures.

SECTION 20. SCHEDULING INSPECTIONS

Only the Permit Holder is authorized to schedule inspections on permits. The Permit

Holder is permitted to authorize a designated representative who can schedule inspections on permits.

SECTION 21. FEES FOR INSPECTIONS

Fees shall not be assessed for initial inspections required on permits. The Code Official is authorized to assess a fee, when the Permit Holder schedules an inspection on a permit which is not ready or does not have the permitted work in compliance.

SECTION 22. CERTIFICATE OF COMPLIANCE

The Code Official issues a Certificate of Compliance when the conditions of a permit are deemed to be in full compliance and all inspections are completed.

SECTION 23. STOP WORK ORDER

When in the course of their duties, a Code Official discovers a commercial building or structure, or part thereof, is being demolished, constructed, reconstructed, altered, or repaired in a hazardous manner, or in substantial violation of a State Law or local building law or local building ordinance or regulation, or in a manner that endangers life or property, the Code Official will notify the responsible party when possible. The Code Official places a Stop Work Order in accordance with State Law. The Stop Work Order must be in writing and directed to the person doing the work and state the specific work to be stopped, the exact reasons for the stoppage, and the conditions under which the work may be resumed. Appeals to the issuance of a Stop Work Order shall be in accordance with State Law.

SECTION 24. PERIODIC INSPECTIONS FOR HAZARDOUS OR UNLAWFUL CONDITIONS

In order to preserve and protect public health, safety and welfare, and to satisfy the requirements of State Law. The County has a periodic inspection schedule, based upon the minimum frequency outlined in the NC Fire Prevention Code, to identify activities and conditions in buildings, structures, and premises posing a danger of fire, explosion, or related hazards, and conditions posing an inimical threat to human life, safety, and health.

SECTION 25. INSPECTION AUTHORITY

Under the Fire Marshal’s authority, the Fire Code Official has the authority to enter and examine any building, structure, marine vessel, vehicle, or premises, for the purpose of conducting inspections, in accordance with the NC Fire Prevention Code. The Fire Code Official is authorized to conduct inspections deemed necessary to determine the extent of compliance needed to remain in compliance with NC Building Code.

SECTION 26. EXISTING BUILDINGS

Existing buildings, structures, and premises shall be maintained to the extent required by the NC State Building Code cycle in effect when initially approved for occupancy. Changes in occupancy/use, additions, alterations, repairs, changes, or modifications to components of the means of egress, or storage features shall not be permitted unless a new permit is obtained, the permitted work inspected, and approval granted by the appropriate Code Official(s).

SECTION 27. EXISTING BUILDINGS

It shall be unlawful for a person, firm, or corporation to erect, construct, alter, repair, remove, demolish, or utilize a building, occupancy, premises, or system regulated by the NC Building Code, or cause same to be done, in conflict with, or in violation of any of the provisions of the NC Building Code and this Chapter.

SECTION 28. VIOLATIONS

If during a scheduled inspection, the Fire Code Official discovers a violation of the NC Building Code, the Code Official will prepare a written Notice of Violation. The notice must be served upon the Owner, Occupant, or the Responsible Party, and enforcement procedures followed. Hazards or violations identified during an inspection pertaining to the Technical Codes must be brought to the attention of the appropriate Code Official for remedy. Any Code Official who is authorized to practice code enforcement within the County's jurisdiction, upon receiving notification of a violation, is authorized at all reasonable hours, for the purpose of examination, to enter all buildings and premises within the jurisdiction upon presenting proper credentials. If entry is refused, an administrative search warrant will be sought.

SECTION 29. PENALTIES

(a) Criminal. Any person, contractor, firm, or corporation who violates the provisions of this Chapter shall, upon conviction, be guilty of a Class 1 misdemeanor, with a maximum penalty of 120 days in jail and a discretionary fine, as provided by law. Each 30 days of continued violation shall be considered a separate offense.

(b) Civil. When a violation constitutes an unsafe condition, as defined by State Law, the County may assess fees in accordance with State Law and the County’s fee schedule.

SECTION 30. OWNER / OCCUPANT & RESPONSIBLE PARTY

Correction and abatement of violations are the responsibility of the Responsible Party. Where an Owner or Occupant creates or permits a violation of the NC Building Code, the Owner or Occupant shall be held responsible for the abatement of such violations.

SECTION 31. COMPLIANCE WITH NOTICES OF VIOLATION

A Notice of Violation issued or served shall be complied with by the Owner, Occupant, or Responsible Party responsible.

SECTION 32. ENFORCEMENT OF VIOLATIONS OF NC STATE BUILDING CODES

(a) Violations of State Building Codes. When a violation is discovered during an inspection, the Fire Code Official provides a Notice of Violation to the Responsible Party who is responsible for repairing or remedying the violation.

(b) Correction of Violations. The Responsible Party is required to provide self-certification of corrections of any violation by a means acceptable to the Code Official. If the violation is not self-certified, and the same violation is discovered during the following scheduled periodic inspection or subsequent inspections, a civil penalty shall be assessed in accordance with State Law and the County's fee schedule.

(c) Unsafe Buildings and Conditions. If a premises, a building or structure, or any Service System, in whole or in part, constitutes a clear and inimical threat to human life, safety, or health, the Code Official shall issue orders for the Responsible Party to remedy the condition within a specified time frame. In addition, temporary alternatives may be required by the Code Official, to minimize exposure or subjection to unsafe conditions.

(d) Initial inspection. The Responsible Party is given a specific, reasonable period to repair or remedy the unsafe condition. A first compliance inspection is scheduled for a period of no less than 30 days from the initial inspection.

(e) Approved Plan of Action. The Fire Code Official has the authority to approve an extended time frame for abating a violation and/or unsafe condition. The Responsible Party must make such a written request and specify a reasonable time frame and specific measures to be enacted to meet compliance. The Responsible Party must demonstrate good cause as to the reason for the request. If approved, the plan of action must be followed, and a temporary alternative may be required by the Code Official to permit continued use.

(f) Extension of an Approved Plan of Action. The Fire Code Official is authorized to permit one extension of an approved plan of action due to extenuating circumstances, based upon proof hardship, or circumstances beyond the control of the Responsible Party.

(g) Imminent Danger and/or Imminent Threat of Danger. If an imminent threat or a dangerous condition is discovered, the building shall be evacuated immediately.

(h) Structural Hazards. Where an apparent structural hazard is caused by the faulty

installation, operation, or malfunction of any of the items or devices governed by the NC Building Code, the Fire Code Official shall immediately notify the Building Code Official.

(i) Evacuation. The Fire Code Official or the Fire Department official in charge of an incident is authorized to order the immediate evacuation of any occupied building, structure, or space within a building deemed unsafe or having hazardous conditions presenting an imminent danger to building occupants. People must immediately leave the structure or premises, and not enter until authorized to do so by the Fire Code Official or the Fire Department official in charge of the incident.

(j) Summary Abatement. Where violations of the NC Building Code are deemed hazardous to life and property, the Fire Code Official or Fire Department official in charge of an incident is authorized to abate the conditions or require the Responsible Party to abate the conditions.

(k) Service Utilities. The Fire Code Official has the authority to authorize disconnection of utility service to a building, structure, or Service System to safely execute emergency operations or to eliminate an immediate hazard constituting an imminent danger. The Fire Code Official will notify the serving utility and, when possible, the Owner, Occupant, or Responsible Party of the decision to disconnect before taking such action. When the Responsible Party is not available, or cannot be located, notification will be sent via certified mail, return receipt requested.

(l) Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof is prohibited. The Fire Code Official, upon finding any overcrowding conditions or obstructions in aisles, passageways, or other means of egress, or upon finding any condition constituting a life safety hazard, is authorized to cause the event or business to be stopped until the condition or obstruction is corrected.

SECTION 33. KEY BOXES FOR EMERGENCY ENTRY BY FIRE DEPARTMENTS

A key box conforming to UL 1037 shall be provided for: any newly constructed structure or facility; an existing structure or facility undergoing a change in use or occupancy classification; or if travel along a fire apparatus access road is restricted because of a secured doors, gates, or other type of barricade; and the associated structure of facility has a means of automatically initiating a fire department response. The location of the key box must be approved by the Fire Chief of the district in which the structure or facility is located.

SECTION 34. APPROVED WATER SUPPLY REQUIRED

Subject to the Fire Code Official's approval of an adequate water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are constructed or changes to occupancy or use occur.

SECTION 35. LOCATION OF FIRE HYDRANTS

Public fire hydrants shall be located along an apparatus access within 1,000 feet of any newly constructed building or structure. Where a building or structure is situated on a property and is located more than 400 feet from a fire hydrant along an apparatus access, the Fire Code Official is authorized to require a private fire hydrant to be installed on the property. The installation of a public fire hydrant must be contracted with the responsible water purveyor. Where it is not feasible or possible to install a fire hydrant, the Fire Code Official is authorized to permit alternative methods of supplying water, such as a Fire Department water tanker.

SECTION 36. POSTING OF OUCCPANT LOAD IN COMMERCIAL BUILDINGS OR STRUTURES USED FOR ASSEMBLY PURPOSES

Commercial Buildings and Structures, or portions of buildings and structures with an occupancy classification as a Group A, Assembly occupancy, shall be required to post an occupant load posting, signed by a Fire Code Official. The occupant load shall be based on the interior design and layout and egress features associated with the same, notwithstanding the design occupant load required for building construction as required by the NC Building Code.

SECTION 37. FIRE DEPARTMENT CONNECTIONS

Where a building or structure has an automatic sprinkler system installed requiring a demand of greater than 0.25 over 2,500 square feet, the fire department connection shall be a Large Diameter Hose (L.D.H., Storz) connection acceptable to the Fire Chief of the department providing fire protection for that district. Fire department connections shall be located so that fire apparatuses and hoses connected to supply the system do not obstruct access to the buildings for other fire apparatuses. The location of fire department connections must be approved by the Fire Chief of the department serving that district.

SECTION 38. COUNTY FIRE PROTECTION & CONTRACTS FOR FIRE PROTECTION SERVICES

The County may do any of the following: establish, organize, equip, support, prescribe the duties of, and maintain a fire department; provide financial assistance to incorporated volunteer fire departments; contract for firefighting or prevention services with one or more counties, cities, or other units of local government or with an agency of the State government, or with one or more incorporated volunteer fire departments; and for these purposes appropriate funds. The Board may also designate fire districts or parts of existing districts and prescribe the boundaries thereof for the purpose of insurance grading, fire service districts, and response districts.

A contract pursuant to this Section shall not exceed 10 years in duration and have at

least a 180-calendar day termination provision.

Where the County is under contract with an entity for the provision of fire protection services and the entity merges or dissolves or ceases to provide fire protection services for any reason, any real or personal property purchased, in whole or in part, with funds provided by the Board, shall revert to the County for allocation for the purposes of insuring fire protection.

SECTION 39. CONSTRUCTION OR USE OF A STRUCTURE FOR FIRE PROTECTION

Prior to the use, construction, erection, relocation of any building, structure, or property as a fire department or fire station to which public funds provided through property tax assessments are utilized to secure, erect, finance, or otherwise encumber, the Fire Marshal and the NC Department of Insurance shall be consulted and be participating parties in the planning of such. The Fire Chief of the Fire District shall present such plans to the Board and receive approval prior to proceeding to bids for contract purposes.

SECTION 40. INJUNCTIVE RELIEF

As authorized by NCGS 153A-123(e), the County may enforce this Chapter through an action in the appropriate division of the General Court of Justice in the County to restrain any violation of this Chapter and to compel compliance with any provision of this Chapter. The County may seek a mandatory or prohibitory injunction and an abatement order commanding the violator to correct the unlawful condition or cease the unlawful use of the property. In any such action, the County may seek an order to direct that any building or other structure on the property which causes or contributes to or is used in any violation of this Chapter be closed, demolished or removed; that fixtures, furniture, or other movable property that causes or contributes or facilitates a violation be removed from buildings on the property; and any other action necessary to allow the property to be used in conformity with this Chapter be taken.

SECTION 41. COMPUTATION OF TIME

Neither the County nor any of its Commissioner's, agents, employees, or officers shall be liable for any damage to persons or property arising from any inspection or re-inspection authorized or required by this Chapter or from the failure to inspect or re-inspect or from the issuance or denial of a permit or the approval or disapproval of any equipment as authorized in this Chapter.

In computing any period prescribed by this Chapter for performing an act, the day of the act, or event upon which the designated period begins to run is not to be included. The last day of the period is to be included unless the last day is a Saturday, Sunday, a day recognized by resolution of the Board as a holiday for employees of the County Government, or a day on which weather or other conditions have caused the County to close its offices for the transaction of business, in which event the period to perform an act runs until the end of the

next day which is not one of the days mentioned in this sentence for which the last day of the period is not included.