



Fire Prevention Ordinance

Section 12

February 7, 2005

CHAPTER 12

TOWN OF WILLIAMSTON

FIRE PREVENTION

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DEFINITIONS

For the purposes of this ordinance, the following definitions shall apply:

AGST:	Above ground storage tank or a tank designed and approved to store flammable or combustible liquids or gases at or above normal atmospheric pressure while situated above ground.
Authority Having Jurisdiction:	The Chief of the fire department or his designee.
Knox Box:	A rapid entry key security system consisting of a hardened steel box installed at a strategic location outside of a building in which master keys to a facility are placed. The Knox Box is then locked by a representative of the fire department. In the event of an emergency, the fire department has rapid access to the building via use of the keys stored in the Knox Box.
N.C.A.C.:	The North Carolina Administrative Code.
N.C.D.E.N.R.:	The North Carolina Department of Environment and Natural Resources.
N.C.G.S.:	The General Statutes of the State of North Carolina.
NFiPA:	The National Fire Protection Association.
NFiPA 72:	The National Fire Alarm Code.
NFiPA 101:	The Life Safety Code.
UGST:	Underground storage tank, or a tank designed and approved to store flammable or combustible liquids or gases at or above normal atmospheric pressure while situated underground.

CHAPTER 12

FIRE PREVENTION

TITLE:

This ordinance shall be known and may be cited as the Fire Prevention Code of the Town of Williamston, North Carolina.

SECTION 12-1 JURISDICTION

This chapter is effective as allowed by law, in all areas of the municipality, the municipal extraterritorial jurisdiction, and within the Williamston and Skewarkee Fire Districts.

SECTION 12-2 PURPOSE

It is the purpose of this chapter to prescribe regulations consistent with the most current edition of the North Carolina Fire Prevention Code, and nationally recognized good practices for the safeguarding of life and property from the hazards of fire and explosions arising from the storage, handling, and the use of flammable, combustible, and hazardous substances, materials and devices, and from conditions hazardous to life and property in the use or occupancy of buildings or premises.

SECTION 12-3 RELATIONSHIP TO LAWS AND STANDARDS

The provisions of the North Carolina Fire Prevention Code, as amended periodically, are incorporated by reference herein. In the event that any provision of this ordinance is in material conflict with a provision of the North Carolina Fire Prevention Code, then the State code provision shall take precedence over the conflicting provision of this ordinance.

SECTION 12-4 APPLICATION OF ORDINANCE

- a) The provisions of this ordinance shall apply to new and existing conditions and structures, and to the repair, use, occupancy and maintenance of existing buildings or structures specified in the North Carolina Fire Prevention Code, and to other conditions hazardous to life or property.

- b) Nothing contained in this ordinance shall be construed as applying to the transportation of any substance shipped in compliance with regulations prescribed by state and federal law or as applying to the military forces of the United States.
- c) This ordinance shall apply only to commercial occupancies and common areas of multi-family dwellings. This ordinance shall not apply to one and two family dwellings or individual living spaces located in multi-family dwellings.

SECTION 12-5 DUTIES OF THE FIRE CHIEF

The duties of the Fire Chief shall include but are not limited to:

- a) Keeping the Town Administrator and the Board of Commissioners informed of the progress and development of the Fire Department.
- b) Keeping the Town Administrator and the Board of Commissioners informed of any matters pertaining to the present condition and future expansion of the Fire Department.
- c) Serving as the Town Administrator's and Board of Commissioner's advisor concerning requirements of the State fire insurance rating bureau.
- d) Conducting fire prevention inspections of public schools required by N.C.G.S. 115C, and fire prevention inspections of licensed day care facilities, licensed foster care homes, and licensed rest home facilities as required by North Carolina state law.
- e) Conducting periodic fire inspections of buildings, structures and premises within the Town's corporate limits and within the Town's extraterritorial jurisdiction, and within the Williamston and Skewarkee fire districts.
- f) Conducting investigations of fires of a suspicious nature so as to determine their point of origin and cause.
- g) Assisting school authorities in developing and managing fire prevention programs for each public school within the Town's corporate and extraterritorial limits.
- h) Maintaining an adequate staff of fire inspectors certified by the North Carolina Code Officials Qualification Board to properly execute all provisions of this chapter.

SECTION 12-6 AUTHORITY TO ENTER PREMISES

The Fire Chief or his designee may, at all reasonable hours, enter any building or premises for the purpose of conducting any inspection or investigation allowed under provisions of this ordinance, and for which he is authorized by North Carolina General Statutes.

SECTION 12-7 INSPECTION OF BUILDINGS AND PREMISES

It shall be the duty of the Fire Chief to inspect, or cause to be inspected, according to the attached schedule, all buildings and premises except the interiors of one and two family dwellings, for the purpose of (1) ascertaining and causing to be corrected any conditions liable to cause fire or to endanger life from fire, and (2) enforcing the North Carolina Fire Prevention Code, or any violations of the provisions or intent of this ordinance creating a fire hazard. The Fire Chief or his designee shall charge inspection fees for inspections of buildings according to the schedule set forth in this ordinance, except when such buildings are owned by state or local government, and for all reinspections made to ascertain compliance with a notice of violation and order of correction issued under this ordinance.

The following Inspection Schedule is adopted for the Town of Williamston:

Once every year (Hazardous, Institutional, High Rise, Assembly and Residential except one and two family dwellings and only interior common areas of dwelling units of multi-family occupancies)

Once every two years (Educational (except public schools) and Industrial)

Once every three years (Business, Mercantile, Storage, Churches and Synagogues)

SECTION 12-8 PERMITS

Chapter 1, section 105 of the North Carolina Fire Prevention Code titled Permits, is hereby adopted by reference. All persons, corporations or entities desiring to open a business, expand an operation, or manufacture a new product for which a permit is required, within the Town of Williamston, the extraterritorial jurisdiction, or the Williamston or Skewarkee fire districts, shall obtain all permits required by this section before a Permit to operate and certificate of occupancy is issued. The Fire Chief or his designee shall issue all applicable Fire Prevention Code Permits to businesses which require such permits under the North Carolina Fire Prevention Code. Permits will be valid for the period shown on the face of the permit. The Fire Chief or his designee shall charge a fee for such permits in accordance with the fee schedule set forth in Appendix "A" of this ordinance. All permits required by the North Carolina Fire Prevention Code or this ordinance may be combined into a single permit at the rate of the highest permit fee applicable. Non-profit or other tax supported agencies may be exempt from permit fees. Renewal of permits shall coincide with the mandatory state inspection schedule for all occupancies.

SECTION 12-9 SITE PLAN APPROVAL

The Fire Chief or his designee shall review construction or development site plans to ensure compliance with chapter 6 of the North Carolina Fire Prevention Code before final site plan approval is granted.

SECTION 12-10 NEW CONSTRUCTION APPROVAL

- a) The Fire Chief or his designee shall review and approve all commercial and multi-family residential building plans to ensure compliance with the North Carolina Fire Prevention Code before final approval is granted.
- b) The Fire Chief or his designee shall conduct inspections of buildings under construction to insure compliance with the provisions of the North Carolina Fire Prevention Code before the Building Inspector issues a certificate of occupancy for the building.

SECTION 12-11 IMMEDIATELY DANGEROUS OR HAZARDOUS CONDITIONS

Whenever the Fire Chief or his designee finds in any building or upon any premises dangerous conditions or materials as described below, he shall order such dangerous conditions or materials be removed or remedied in such manner as the Fire Chief or his designee may specify:

- a) Dangerous storage or unlawful amounts of combustible, flammable, or explosive or otherwise hazardous materials;
- b) Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible, flammable or explosive or otherwise hazardous materials;
- c) Dangerous accumulations of rubbish, waste paper, boxes, shavings, or other highly combustible materials;
- d) Accumulations of dust or waste material in air conditioning or ventilation systems, or of grease in kitchen or other exhaust ducts, or inadequate clearances to unprotected combustible materials from hoods, grease extractors, and ducts;
- e) Obstructions to or in fire escapes, designated access openings in exterior walls for fire department use, stairs, passageways, doors or windows liable to interfere with the operations of the fire department or impede egress of occupants in the case of fire, including locked or blocked fire exits;

- f) Overcrowding in violation of occupancy limits established pursuant to the North Carolina State Building Code and required under the North Carolina Fire Prevention Code.

SECTION 12-12 NOTICE OF VIOLATION AND ORDER TO CORRECT

When the Fire Chief or his designee determines that a violation of this ordinance exists or that any commercial building or structure required to have a permit under the North Carolina Fire Prevention Code does not have a valid permit in effect, he shall issue a notice of violation and order to correct the violation. Such notice and order shall:

- a) State the nature of the violation and the penalty to be imposed;
- b) Direct the violator to pay any unpaid fees and/or civil penalties by mailing the order and a check or money order to the Town of Williamston, or by personally paying the amount at the Town of Williamston Town Hall;
- c) Notify the violator that a failure to pay any unpaid fees or penalties within the prescribed time may subject the violator to civil action in the nature of debt for the collection of any unpaid fees or additional penalties and may be collected by penalty plus any additional penalties, together with the cost of the action to be taxed by the court;
- d) Provide and state that any unpaid penalty must either be paid as set forth above, or the failure to pay must be cleared by the Fire Chief within a specified period of time from the issuance of the violation notice and correction order. The notice and order shall further state that if the violation is not corrected and the order is not cleared within the specified time period, the filing of a civil complaint for the collection of any unpaid penalty may be initiated, together with other legal proceedings, including the filing of criminal charges. As used herein, an order will be deemed "cleared" when either (i) full payment has been made, or (ii) arrangements for payment have been made, or (iii) the violator has made a prima facie showing to the Fire Chief that the notice and order was issued as a result of mistake, inadvertence, or neglect, and (iv) all identified violations of Fire Prevention Codes have been corrected.
- e) Service of Notice of Violation and Order to Correct shall be made upon the owner, operator, or occupant, or other person having control over the premises where the violation exists. Service shall be made by delivering a copy of the notice and order by hand delivery or by registered or certified mail, return receipt requested, sent to owner, operator, occupant, or tenant at his last known address listed in the Martin County Tax Assessors records, or by leaving a copy of the notice and order with an agent or employee of such person. If the owner, operator, occupant or tenant cannot be located on the premises, the Fire Chief or his designee may effectuate service by affixing a copy of the notice and order prominently on the main entrance of the building where the violation exists.

Where correcting the violation will require improvement to real property or may result in administrative penalties against the property owner, the property owner must be notified by mailing a copy of the notice and order to the owner's address as listed in the Martin County Tax Assessors Office.

SECTION 12-13 ENFORCEMENT OF CHAPTER

- a) Failure to comply with the provisions of this chapter shall constitute a misdemeanor under N.C.G.S. 160A-175 and N.C.G.S. 14-4. Additionally, the Fire Chief or his designee may enforce the provisions of this ordinance in civil court and seek any and all appropriate remedies authorized by N.C.G.S. 160A-175. Each day's continuing violation shall constitute a separate and distinct offense.
- b) Compliance with the Fire Chief's Notice of Violation and Order to Correct
 - 1) Immediate Action Orders: The Fire Chief or his designee may issue immediate correction orders for violations of the North Carolina Fire Prevention Code that constitute an imminent hazard to life and property. Failure to correct such violation within twenty-four (24) hours shall result in imposition of a civil penalty in the amount of Two Hundred dollars (\$200.00) per day, per violation, until the violation has been completely corrected and the Fire Chief's Correction Order to correct shall so state. The order shall also state that if the violation is not corrected within twenty-four (24) hours, a civil complaint for collection of penalties and any unpaid fees owed under this chapter may be initiated and that other legal proceedings including criminal prosecution related to the violation may be initiated. The Fire Chief or his designee shall also have the authority to cause all public utilities serving the business, building, or premises where the violation takes place to be terminated, and to affect the closing of the business building or premises until such time as the violation is completely corrected, or the imminent hazard to life removed. Repeated violations shall subject the violator to higher civil penalties set forth in this ordinance.
 - 2) Other Correction Orders: All other correction orders issued under this ordinance for violations that do not constitute imminent hazards shall be corrected within thirty (30) days. Failure to correct such violations within thirty (30) days shall result in the imposition of civil and/or criminal penalties as set out in Appendix "A" of this ordinance.

SECTION 12-14 APPEALS

- a) Any person who has been served with a Notice of Violation and Order for Correction of violations of the North Carolina Fire Prevention Code may appeal the notice and order to the North Carolina Department of Insurance, North Carolina Building Code Council within ten (10) days from the date of issuance.

- b) Any person who has been served with a Notice of Violation and Order for Correction of violations of the provisions of this ordinance which are not violations of the North Carolina Fire Prevention Code, or which relate to fees or penalties charged under this ordinance may appeal to the Town of Williamston Board of Commissioners. Appeals must be filed in writing, within ten (10) days from the date of issuance of the order, and delivered to the Town of Williamston Town Administrator. Upon receipt of a notice of appeal, the Town Administrator will bring the matter of the appeal to the attention of the Mayor and Board of Commissioners at the next scheduled meeting of the Board. The decision of the Board of Commissioners is final.

SECTION 12-15 PRIMARY FIRE DISTRICT

The Town of Williamston Primary Fire District shall include the area of the Town of Williamston defined by the boundaries set herein: the area from the Rail Trail at Railroad Street North to Park Free Drive, and from Haughton Street to Watts Street. Limitations regarding the use, storage, or sale of flammable, combustible, or otherwise hazardous materials shall apply to the Primary Fire District as referred to in the North Carolina Fire Prevention Code, NfiPA Standards, and this Ordinance. Limitations regarding the class and type of construction within the Primary Fire District shall also apply.

SECTION 12-16 INSTALLATION OF ABOVEGROUND TANKS WITHIN THE PRIMARY FIRE DISTRICT

- a) For purposes of this section, the term “motor fuel” shall mean a refined or blended petroleum product used for the propulsion of self-propelled motor vehicles, including all products commonly or commercially known or sold as gasoline.
- b) It shall be unlawful for any person, firm or corporation to erect or maintain an above ground storage tank capable of holding 1,000 gallons or more of motor fuel in the primary fire district. It shall also be unlawful for any person, firm or corporation to allow such above ground storage tank to be erected or maintained on property owned by that person, firm or corporation.
- c) Above ground storage tanks of less than 1,000 gallons capacity shall be thermally protected against a flammable liquid fuel fire for a minimum of two (2) hours duration.

**SECTION 12-17 INSTALLATION AND REMOVAL OF ABOVE GROUND
AND UNDERGROUND STORAGE TANKS IN OTHER
THAN THE PRIMARY FIRE DISTRICT**

- a) Above ground Storage Tanks: Any person, firm or corporation desiring to install an above ground storage tank for the use or storage of any flammable or combustible liquid within any section of the Town of Williamston or the extraterritorial jurisdiction, other than the Primary Fire District must first comply with the provisions of this section.

1) Installation of Above Ground and Underground Storage Tanks

- a) A permit as set out in Appendix “A” of this ordinance shall first be obtained from the Fire Chief or his designee.
- b) At the time the permit is obtained, a copy of the site plan detailing the exact location of the installation of the tank shall be furnished to the Fire Chief or his designee for review. Upon approval of the site plan, the Fire Chief or his designee will issue the permit for the installation of the tank.
- c) After installation, but before any flammable or combustible liquid is introduced into the tank, the Fire Chief or his designee will inspect the installation to insure compliance with all applicable regulations. At this inspection, the Fire Chief or his designee will witness an approved pressure test of the tank and all piping when required.
- d) After all requirements of this section are met, the Fire Chief or his designee will approve the tank for the use stated on the permit.

2) Removal of Above Ground Storage Tanks

- a) A permit as set out in Appendix “A” of this ordinance shall first be obtained from the Fire Chief or his designee.
- b) The contents of the tank shall have been pumped out, and the tank purged to remove any vapors or product left in the tank.
- c) The tank shall be opened and left open to allow the escape of any residual vapors
- d) Prior to the actual removal of the tank, the Fire Chief or his designee will witness a competent person sample the air in the tank for the presence of a concentration of flammable vapors.
- e) Upon approval of all requirements of this section, the Fire Chief or his designee will approve the removal of the tank.

3) Removal of Underground Storage Tanks:

- a) A permit as set out in Appendix “A” of this ordinance shall first be obtained from the Fire Chief or his designee.
- b) At the time of application for permit, proof of approval by the N.C. Department of Environment and Natural Resources as to notification of removal of an UGST must be shown.
- c) All flammable vapors must be removed by purging with confirmation by monitoring with an appropriate combustible gas monitor by a competent person. Removal of flammable vapors shall be conducted by a schooled operator in the use of such equipment.
- d) All suction, inlet, gauge, and vent lines shall be disconnected.
- e) The tank shall be removed from the excavation hole and placed on a transport vehicle. The tank shall be posted with a sign stating, “Tank has contained petroleum product (not vapor free) Not suitable for storage of food or liquid intended for human or animal consumption”.
- f) Tanks shall remain in the ground until ready for removal from site. Tanks are to be removed from site as soon as possible after being removed from the excavation hole. In no case shall a tank remain above ground on site overnight.
- g) In the event of a spill or evidence of a leak, sample(s) of undisturbed soil shall be collected by the property owner or his agent, in accordance with N.C.D.E.N.R. regulations, and analyzed for contamination by a state approved laboratory at the property owners’ expense. The site shall be cleaned of contamination according to N.C.D.E.N.R. regulations. The Fire Chief or his designee shall be notified in writing when the site has been properly cleaned, and may make inspection of the work to assure that the site has been cleaned appropriately.

4) Abandoning Underground Storage Tanks in Place.

- a) A permit as set out in Appendix “A” shall first be obtained from the Fire Chief or his designee.
- b) At the time of application for permit, proof of approval by N.C.D.E.N.R. shall be shown.
- c) All flammable or combustible liquids shall be removed from the tank.
- d) The tank shall be purged and checked for flammable vapors with an appropriate combustible gas monitor by a competent person.

- e) Removal of flammable vapors shall be conducted by person(s) schooled in the use of such equipment.
- f) All suction, inlet, gauge, and vent lines shall be disconnected and removed or capped and sealed.
- g) The tank shall be filled with concrete, sand or other approved material.
- h) In the event of a spill or leak, samples of undisturbed soil shall be collected in accordance with N.C.D.E.N.R. regulations, and analyzed for contamination by a state approved laboratory. The site shall be cleaned of contamination in accordance with N.C.D.E.N.R. regulations. The Fire Chief or his designee shall be notified in writing when the site has been properly cleaned, and may make inspection of the work to assure that the site has been cleaned appropriately.

SECTION 12-18 INSTALLATIONS OF KNOX BOX SYSTEMS

All new or newly renovated commercial buildings, all commercial buildings equipped with an automatic fire sprinkler system, building fire alarm system and businesses established after the implementation of this code shall provide a “Knox Box” key entry system. All existing commercial buildings shall provide a “Knox Box” system in accordance with criteria adopted by the Town. The “Knox Box” shall be mounted at the exterior entrance to the occupancy on the door handle side of the primary entrance at a height of seven (7) feet from finished floor level, or at other location(s) as specified by the Fire Chief or his designee. The “Knox Box” shall be approved by the Town of Williamston Fire Department and shall be in place before a certificate of occupancy is issued. Forms for ordering the “Knox Box” are available from the Fire Department. Average delivery time is five (5) to six (6) weeks. Keys to access the facility or tenant spaces within the facility shall be provided to the Fire Department by the owner/manager or tenant.

SECTION 12-19 SPRINKLERED OCCUPANCIES

- a) All occupancies required by the North Carolina Fire Code to have sprinkler systems installed shall have those systems installed prior to a certificate of occupancy being issued. Plans for all sprinkler systems shall be submitted to the Fire Chief or his designee at least two (2) weeks prior to beginning construction for the purpose of plans review.
- b) A dedicated sprinkler riser room is required providing an entry door to the room from the exterior of the building. The exterior door leading to the dedicated sprinkler riser room shall be labeled with minimum three (3) inch lettering designating “SPRINKLER RISER ROOM” in a contrasting color. Durable vinyl lettering is suggested.

SECTION 12-20 ALARM COMMUNICATION SYSTEM

- a) All buildings equipped with automatic sprinkler systems are required to have alarm communication equipment which complies with NfiPA 72. Equipment must be fully functional and reporting to an Underwriters Laboratories approved central receiving station before a certificate of occupancy is issued for the facility.
- b) When a building is protected by an automatic sprinkler system and has a fire alarm system, the fire alarm control panel or a remote annunciator panel shall be placed in the sprinkler riser room. This control panel shall have the capacity of silencing and resetting the alarm system. Adjacent to the fire alarm control panel shall be a framed zone map. Sprinkler zone nomenclature shall correspond with the zone map.

SECTION 12-21 FALSE FIRE ALARMS

- a) **Definitions**

The following words, terms, and phrases when used in this section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

 - 1) **Alarm System:** Any mechanism, equipment or device which is designed to operate automatically or manually to transmit a signal, message or warning of an occurrence which the Fire Department is expected to respond to.
 - 2) **False Alarm:** Activation of an alarm system eliciting a response by the Fire Department when a situation requiring such a response does not exist. This shall include accidental, avoidable and unnecessary alarm activation due to user error, equipment malfunction, and/or improper or unsuited equipment, but does not include alarms activated by unusually severe weather conditions or other extraordinary circumstances beyond the control of the user.
- b) **False Alarm Policy**
 - 1) If an alarm system generates two false alarms in any thirty (30) day period, the Fire Chief or his designee shall notify the owner or operator of the premises where the alarm system is installed, in writing, that such alarm system is in violation of the Town of Williamston False Alarm Policy.

2) If at any time during the thirty (30) day period following written notification of violation, the same alarm system generates a false alarm, the owner of the business where the alarm system is installed shall be liable to the Town of Williamston for a civil penalty in the following amounts:

First false alarm	\$ 75.00
Second false alarm	150.00
Third false alarm	250.00
Fourth and subsequent	500.00

3) If the owner or operator of the premises is able to demonstrate that an otherwise false alarm may have been triggered by the proper operation of the fire alarm system equipment, the above penalties may be waived.

SECTION 12-22 HAZARDOUS LOCATIONS IDENTIFICATION SYSTEM

All commercial enterprises, businesses or industries in the Town of Williamston, its extraterritorial jurisdiction, or in the Williamston and Skewarkee fire districts which use, store or manufacture on-site, hazardous materials in quantities equal to or greater than the reportable quantities listed in the Environmental Protection Agencies' *List of Lists* must identify such commercial enterprise, business or industry to responding emergency apparatus by the use of the NFiPA 704-M marking system. This nationally recognized four color square-on-point sign uses a numbering system from 0 – 4 to identify the fire, health, reactivity, and specific hazards of the location marked. The proper code for each section of the 704-M sign shall be obtained from the Material Safety Data Sheets maintained by the facility. A minimum sign size of fifteen (15) inches shall be posted at the main entrance to said facility, and shall include the codes for the highest hazards encountered facility wide. A separate twelve (12) inch sign shall be affixed to any outside above ground tank or storage building where hazardous materials meeting the above requirements are stored. Individual signs marking tanks or storage buildings shall indicate the hazard class of the product stored in said tank or building.

SECTION 12-23 HAZARDOUS MATERIALS DATA STORAGE BOXES

- a) All commercial enterprises, businesses or industries in the Town of Williamston, its extraterritorial jurisdiction, or in the Williamston and Skewarkee fire districts which use, store or manufacture on-site hazardous materials that must be reported under State Right-to-Know laws, N.C.G.S. 95-173, et seq., or under Title III of the Federal Superfund Amendments and Reauthorization Act and the regulations promulgated thereunder and the North Carolina State Fire Code, must have an approved on-site hazardous materials data storage box at each facility where hazardous materials may be found.

- b) This data storage box must contain keys providing access to secured portions of the facility. The box shall contain current specific information to assist fire departments and hazardous materials teams responding to emergencies at the facility, including but not limited to facility maps or plans showing the type and location of hazardous materials, Tier II forms, lists of chemicals with CAS (chemical abstract service) numbers, Material Safety Data Sheets (MSDS), telephone numbers for facility employees and other persons to be contacted in case of such emergencies.
- c) All information requested on the data storage sheets must be on forms provided by the Town of Williamston or on an approved format and must be placed in the data storage box. Such information must be updated continuously to insure its accuracy.
- d) The data storage box shall be of the type designated and approved by the Fire Chief or his designee, and shall be located at or near the primary entrance to the facility and installed in accordance with the Fire Chiefs specifications.

SECTION 12-24 STREET ADDRESSES

In accordance with section 603.17 of the North Carolina Fire Prevention Code, all new and existing buildings shall display a number or address in such a manner as to be plainly visible and legible from the street or roadway. The purpose and intent of this section is to provide a uniform system of street addresses for all properties and buildings throughout the Town in order to facilitate provisions of adequate public safety and emergency response service and to minimize difficulty in locating properties and buildings.

- a) Definitions: The following words and phrases when used in this section shall have the following interpretation assigned to them.
 - 1) Address Administrator: The Town employee designated to assign street address numbers to properties in Williamston.
 - 2) Building: A totally enclosed structure having a roof supported by columns or walls. For the purpose of this ordinance, each separate and distinct unit within a single structure shall also be considered a separate building
 - 3) Official Address Number: The street address assigned by the Address Administrator which uniquely identifies a particular building or lot. This term is synonymous with "street address number".
 - 4) Driveway/Private Street: An access way owned and maintained by private interests leading to a building, use or structure.
 - 5) Public Street: A dedicated and accepted public right-of-way for vehicular traffic.

- b) Administration & Application: The Town of Williamston will be responsible for the interpretation and administration of this section including:
- 1) Assigning all numbers for properties and buildings
 - 2) Maintaining address records of each property and building
 - 3) Changing existing addresses when necessary to achieve sequential numbering along a street or regularizing an existing numbering scheme.
 - 4) Designating individual unit addresses within multi-family housing.
- c) Display of Street Address Numbers: Street address numbers shall be clearly displayed so that the location can be identified easily from the street.
- 1) The official address number of single family residential units shall be displayed on the side of the dwelling which is most clearly visible from the street.
 - 2) If the official address number is not visible from the public street or private street that serves as the primary access road to the building on which the address number is located, or if the subject building is located more than fifty (50) feet from such access road, the address numbers shall also be displayed at the end of the driveway or easement nearest the road which provides access to the building. Each number or letter shall be at least six (6) inches in height, and three fourths (3/4) inch in width, and of a contrasting color to the mounting surface.
 - 3) Numerals identifying the address number of a single family dwelling displayed on a road side mailbox shall be at least three (3) inches in height, and of a contrasting color to the mounting surface.
 - 4) Each numeral for buildings containing multiple dwelling units shall be at least eight (8) inches in height and of a contrasting color to the mounting surface, and shall be placed on the side of the building facing the road or on the end of the building nearest the road in such a manner as to be readily visible.
 - a) Individual units of multi-family dwellings shall be identified by affixing the unit number or letter designation above the main entrance door to each individual unit, or by affixing said number or letter to the main entrance door.
 - b) All lettering and numerals used for addresses on multi-family dwelling units shall be at least three (3) inches in height and of a contrasting color to the mounting surface.

- 5) Building addresses for non-residential buildings may be displayed in one of two options:
- a) Option I: Addresses placed directly on the building. Under this option, the letters or numerals will be placed in the front upper quarter portion of the building on the side of the building which is most clearly visible from the street or streets accessing the building.
 - b) Option II: Building addresses may be placed on a sign with individual addresses placed on the door of each leased or owned space. Under this option a sign permit must be obtained from the Town of Williamston Zoning Administrator
 - c) Numerals or letters for non-residential buildings shall be installed in accordance with Table 12-24.1 or as designated by the Fire Chief or his designee.
 - d) Numerals or letters shall be of a color contrasting to the color of the mounting surface.
 - e) The Fire Chief or his designee will have the authority to authorize and approve alternate methods of displaying street address numbers that are in keeping with the intent of this ordinance when strict adherence to these standards cannot reasonably be met.

Table 12-24.1 ADDRESS NUMBER SIZES

<u>DISTANCE FROM BUILDING TO STREET</u>	<u>MINIMUM SIZE</u>
0 – 25 feet	3” in height & ½” in width
26 – 50 feet	6” in height & ¾” in width
51 – 75 feet	12” in height & 1” in width
76 feet and greater	18” in height & 1 ½” width

Note: On multi-story buildings, the size of the letter / numeral will be increased in proportion to the building height and distance from the street.

SECTION 12-25 ENFORCEMENT

- a) No building permit shall be issued until an official street address number has been assigned for the building lot or unit.
- b) No certificate of occupancy shall be issued until the official street address number is properly displayed.
- c) Owners or occupants of buildings that do not comply with the provisions of this section will be notified in accordance with the provisions of this ordinance.

SECTION 12-26 OPEN BURNING PROHIBITED

No person, business or firm shall cause, allow, or permit open burning of refuse or other material within the corporate limits of the Town of Williamston, or within any area of the extraterritorial jurisdiction which would conflict with the provisions of the North Carolina Fire Prevention Code, or the North Carolina Air Pollution Control Act, 15 NCAC 2D.0525, Control and Prohibition of Open Burning, 15A NCAC 2D.1900, and N.C.G.S. 142-215.3(a)(1), and N.C.G.S. 143-215.107(a)(5).

SECTION 12-27 FIRE LANES ESTABLISHMENT

The establishment of fire lanes shall be determined by the Fire Chief or his designee in accordance with the North Carolina Fire Prevention Code, section 602.6. Upon establishment of the fire lane, the building occupant shall mark said fire lane to the following specifications:

- a) Areas designated as fire lanes shall have their boundaries borders, and curbs clearly marked with yellow paint.
- b) The words “No Parking, Fire Lane” shall be clearly marked with yellow paint within the fire lane with a minimum of ten (10) inch high lettering.
- c) It shall be the responsibility of the building occupant to maintain the markings, and to keep the fire lane free of obstructions.
- d) No person shall obstruct a designated fire lane with merchandise, building materials, vehicles, displays or any other obstructions of any kind. This prohibition includes all fire lanes in shopping centers or mall parking lots, and any and all other public vehicular areas. Violation of this section shall subject the offender to a fine of twenty-five (\$25.00) dollars.

SECTION 12-28 HAZARDOUS MATERIALS RESPONSE, RECOUPING COST

The Town of Williamston Fire / Rescue Department may recoup the cost of manpower, apparatus, equipment, and supplies used during the response to a hazardous materials incident. The Town of Williamston will bill the individual or entity deemed responsible for the hazardous materials incident. The amount billed will be the actual cost to the Town. Any bill for costs incurred during a hazardous materials response shall be due upon receipt, and shall be paid within thirty (30) days. In the event that said payment is not received within the time allotted, the Town of Williamston may seek relief as allowed by law, including civil and criminal penalties.

SECTION 12-29 SEVERABILITY

If all or part of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Adopted this the _____ day of _____, 2004

Mayor

Clerk

Appendix A

Schedule of Permits, Fees and Penalties

<i>Occupancy</i>	<i>Fee</i>
Amusement Building	\$15.00
Carnivals and Fairs	\$15.00
Covered Mall Buildings	\$100.00
Exhibits and Trade Shows	\$15.00
Explosives (use, storage, transportation, etc)	\$100.00
Flammable & Combustible Liquids:	
To install, remove, or abandon in place any flammable or combustible liquid storage tank	\$50.00
To manufacture, process, blend or refine flammable or combustible liquids	\$100.00
To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial or manufacturing establishments	\$50.00
Fumigation and Thermal Insecticide Fogging	\$15.00
Liquid or gas fueled vehicles in assembly occupancies	\$100.00
Places of Assembly	\$50.00
Private Fire Hydrants (installation or removal from service)	\$25.00
Pyrotechnics and Fireworks	\$100.00
Spraying or Dipping (using flammable or combustible coatings)	\$50.00
Tents and Canopies (canopies greater than 400 sq ft)	\$25.00
Automatic Fire Extinguishing Systems	\$50.00
Compressed Gas Systems	\$50.00
Fire Alarm and Detection Systems	\$50.00
Fire Pumps	\$50.00
Sprinkler & Standpipe Systems	\$50.00
Hazardous Materials Occupancies	\$100.00

Inspection Fees for Level I, II, or III Occupancies:

No fee will be charged for occupancy inspections as required by the North Carolina Fire Prevention Code. The inspector will provide the person responsible for the occupancy at the time of the inspection with a list of violations of the Fire Prevention Code, and a date for re-inspection will be set. If, at the first re-inspection, all violations have been corrected, no fee will be charged. If all violations have not been corrected, a date for a second re-inspection will be set, and the occupant will be assessed a \$25.00 penalty. If all violations have not been corrected at the second re-inspection, a date for a third re-inspection will be set, and the occupant will be assessed a \$50.00 penalty. If all violations have not been corrected at the third re-inspection, the occupant will be assessed a \$200.00 penalty, and civil or criminal actions may be initiated by the Authority Having Jurisdiction to bring the occupancy into compliance.

Penalties:

A violation of this chapter shall be determined to be in one of two separate categories; Life Safety Violations or General Code Violations.

A Life Safety Violation shall subject the offender to a civil penalty in the amount of \$200.00. Examples of this category of offense include:

- Locked or blocked fire exits while an occupancy is occupied.
- Overcrowding in excess of the posted occupancy limit.
- The use of live fire during exhibits or ceremonies in occupancies without proper approval or permits, or in violation of permits issued by the authority having jurisdiction.
- Storage or use of flammable or explosive materials without, or in violation of a permit.
- Any other violation of NFPA 101, the Life Safety Code.

A General Fire Code Violation shall subject the offender to a civil penalty in the amount of \$50.00. Examples of this category include:

- Failure to obtain proper permits from the Town of Williamston.
- Violations of any permit issued by the Town of Williamston other than violations involving Life Safety.
- Any other violation of the North Carolina State Fire Code.

A civil penalty issued by the Town of Williamston shall be recovered by the Town in a civil action in the nature of a debt if the offender does not pay the penalty within thirty (30) days after being cited for such violation. Each day that any violation continues after notification of such violation and the penalty therefore shall constitute a separate offense.

The citation shall include:

- 1) The name and address (if known) of the violator.
- 2) The ordinance provision violated.
- 3) The date and location of the violation.
- 4) A description of the violation.
- 5) The amount of the civil penalty.
- 6) A statement that if the penalty is not paid to the Town within thirty (30) days, a civil action will be brought against the violator to recover the penalty. The Town Administrator is authorized to sign the complaint on behalf of the Town.
- 7) The signature of the Town official issuing the citation.