

TOWN OF CHADBOURN, NORTH CAROLINA
AN ORDINANCE TO UPDATE THE CHADBOURN FIRE DISTRICT.
SECTION § 30-21- 30-37 OF CHAPTER 30, ARTICLE III
OF THE TOWN OF CHADBOURN CODE OF ORDINANCES

Ordinance #2015-02

ARTICLE III. FIRE DISTRICT

Section 30-31:

This chapter shall be known and may be cited as the Fire District Ordinance of the Town of Chadbourn.

Section 30-32:

Pursuant to the authority conferred by North Carolina General Statutes 160A-435, the Town council do hereby ordain and enact in to law this chapter establishing primary fire district.

Section 30-33: Purpose

This Ordinance establishes standards for the construction, alteration and repair of buildings and structures located within, erected within or moved within or into the Primary Fire District from another location. The construction and maintenance requirements set forth herein are consistent with the North Carolina General Statutes; the North Carolina Edition of the 2012 International Building Code, as currently enforced within the State of North Carolina and the Town of Chadbourn; and, professionally recognized practices designed to produce a reasonable level of life safety and property protection from fire hazards in premises that are located, or capable of being located, within closed proximity to one another.

Section 30-34: Definitions

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Additional Required Protection Features. Fire suppression equipment that is installed in a structure that is designed to lessen the exposure to potential fire damage. Such equipment shall include, but shall not be limited to, automatic fire protection systems and automatic alarm systems, or other properly engineering and approved features that provide increased levels of protection equal to or exceeding automatic fire protection.

Heavy Timber Construction. A type of construction in which the exterior walls are made of noncombustible materials and the interior structural building elements are of solid or laminated wood. To be considered to be Heavy Timber Construction, supporting wood columns and roof framing shall not

be less than six (6) inches in width and eight (8) inches in depth while floor framing members shall not be less than (6) inches in width and ten (10) inches in depth.

Increased Fire Hazard. An increase in the volume of combustible material contained in the erected, repaired, altered, or moved structure that is not otherwise offset by the installation of additional required protection features; or, changes in the building features that allow increased communication of fire from one building to another (such as increasing the number of openings in exterior walls).

Reasonable Routine Maintenance. Replacement of existing portions of the structure with like materials so as to avoid deterioration, or further deterioration, of the structure.

Repair or Alteration. Repairs or alterations to a building that exceed reasonable routine maintenance; that exceed 50% of the current value of the building; or, that changes the exterior finish, exterior configuration, number of openings in exterior walls, or the footprint of the building. This does not include emergency repairs needed to secure the building from water, storms or unauthorized access. For the purpose of this definition, the current value of the structure shall be interpreted to be the assessed tax value of the structure as listed by the Columbus County Tax Office or as determined by a certified appraisal, before the improvement is stated. If the structure has been damaged and is being repaired, the value of the structure shall be interpreted to mean the value before the damage or destruction occurred.

Wood or Frame Structure. A type of constructions whose primary structural elements are formed by a system of repetitive wood or frame members. For the purposes of this ordinance, wood or frame structures shall not include heavy timber, metal frame or masonry construction where the exterior walls are composed of noncombustible materials that support the roof load. Noncombustible veneer facades attached to exterior walls are not considered to be noncombustible exterior walls.

Section 30-35: Application Required

Application for any activity regulated by the provisions of this Section shall be made to the Office of the Building Inspector for the Columbus County prior to the commencement of any work associated with proposed project.

Section 30-36: Primary Fire District Regulations

In accordance with the requirements of the North Carolina General Statutes 160A-435, the Town of Chadbourn hereby establishes a Primary Fire District.

- (A) Primary Fire District Defined. The Primary Fire District shall be as defined within the legal descriptions set forth herein below. In addition, a map of the affected property, based upon the aforementioned legal description, is available for inspections in the Office of the Tow Clerk in the Chadbourn Town Hall and in the Chadbourn Planning Department.

- (B) Enforcement of Building and Fire Codes. All Building and structures erected, repaired, altered or moved within or into the Primary Fire district shall comply with provisions of the North Carolina Edition of the 2012 International Building and Fire Code, as currently enforced within the State of North Carolina and duly adopted and enforced within the Town of Chadbourn.
- (C) Wood or Frame Structures Allowed. In accordance with the North Carolina General Statute 160-436, no wood frame building or structure may be erected, repaired or altered, or moved into or within the limits of the Primary Fire District except in accordance with the procedure set forth below.
1. The proposed construction activity will not contribute to increase fire hazard.
 2. Permit Approval Process
 - a. Upon receipt of the required application, the Building Inspector shall circulate a copy of all application materials to the Fire Inspector for review and comment.
 - b. Following receipt of written comments from the Fire Inspector and the Building Inspector shall review the application and then approve or deny said application. If the application is approved, it is transmitted to the Town Council for review. If the Building Inspector denies the issuance of a permit requested in accordance with these guidelines, he shall set forth the reasons for denial of said permit in writing, a copy of which shall be transmitted to the applicant so that the applicant may appeal the decision of the Building Inspector in accordance with the guidelines set forth below.
 - c. Once approved by the Building Inspector, the application is transferred to the Chadbourn Town Council for review and consideration of approval or denial. If the Town Council approves the application, it is then forwarded to the Office of Insurance Commissioner for the State of North Carolina for review. If the Town Council denies the issuance of a permit requested the accordance with these guidelines, they shall instruct the Town Clerk to prepare, for the signature of the Mayor, an order specifying the reasons for their denial of the request. A copy of the order of denial, the application may appeal the decision of the Town Council in accordance with the guidelines set forth below.
 - d. Once both the Building Inspector and the Town Council have approved the application local, and application is forwarded to the North Carolina Commissioner of Insurance (or designee) for review. The appeal from an adverse decision of the Office of the Commissioner of Insurance may be taken to the appropriate court of jurisdiction.

- (D) Appeals Procedures. Appeals from any adverse decision made on the part of either the Building Inspector or the Town Council with regard to the enforcement of the Primary Fire District Regulations may be taken to the Commissioner of Insurance (or designee). Said appeal may be made by filing a written notice concurrently with the office of the Commissioner of Insurance for the State of North Carolina and with the Columbus County Building Inspector within a period of ten (10) days following the issuance of any order, decision or determination. Further appeals may be taken to the Building Code Council or to the appropriate court of jurisdiction, as provided by the law.

Section 30-37: Statutory Authorization and Enactment

For the purpose of this ordinance, the Primary Fire District shall be described as follow.

Primary Fire District. The Primary Fire District begins at the intersection of the centerlines of Wilson Street and Railroad Avenue to East Second Avenue and West to Colony Street and South to West First Avenue, South to West Railroad Avenue and East along Railroad Ave to North Wilson. The area outlined in black on the attached Map references the Primary Fire District boundaries.

***Attached: Map to references the Primary Fire District boundaries*

Approved and Adopted by Town Council on September 1, 2015

Public Hearing advertised on August 20th and August 27th, 2015 with the News Reporter.

Patricia E. Garrell, Town Clerk

Donald Ray Bass, Mayor