

Chapter 10

FIRE PROTECTION AND PREVENTION*

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ARTICLE I. IN GENERAL

Sec. 10-101. Fire prevention code.

Insofar as it does not conflict with the other provisions set forth in this chapter, the fire prevention code recommended by the American Insurance Association, being particularly the 1976 edition thereof, is hereby adopted by reference as if fully set forth in this section.
(Code 1976, § 4.17)

Secs. 10-102–10-199. Reserved.

ARTICLE II. FIRE DEPARTMENT†

Sec. 10-201. Organization.

(a) The fire department shall consist of the chief of the fire department and a sufficient number of firemen, voluntary, part or full time, to maintain and operate the department. The council shall appoint the fire chief and approve the appointment to the department of all members.

changed (b) The department may from time to time adopt its own rules and regulations governing the department subject to the approval of the council. However, any such rules and regulations may include provisions for at least one (1) training period each month and that any member who is absent for two (2) consecutive meetings without a bona fide reason be dropped from the department.

(Code 1976, § 4.1)

State law reference—Authority to appoint fire chief and firemen, G.S. § 160A-291.

***Cross references**—Buildings and building regulations, Ch. 5; fires in parks, § 16-215; planning, zoning and subdivision control, Ch. 17; flood damage prevention, § 17-401 et seq.; traffic and motor vehicles, Ch. 20; following fire apparatus, § 20-801; crossing fire hose, § 20-802; utilities, Ch. 21.

†Cross references—Officers and employees, § 2-401 et seq.; authority of police and fire department officials, § 20-301; authorized emergency vehicles, § 20-306 et seq.

Sec. 10-202. Duties of chief.

The duties of the fire chief, subject to supervision by the manager shall be as follows:

- (1) To exercise general control of the department, the personnel, apparatus and fire alarm systems;
- (2) To command the department and supervise the firefighting and extinguishing of all fires and to have the authority to keep away from the vicinity of all fires, any and all idle, disorderly or suspicious persons;
- (3) To inspect or cause to be inspected all trucks and other equipment of the fire department each and every week to ascertain that such equipment is being kept in proper condition and report annually to the council the condition of all equipment;
- (4) To inspect or cause to be inspected all fire hydrants and fire alarm systems at least once every three (3) months and make a report of such inspection to the manager.

(Code 1976, § 4.2(1)-(4))

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Sec. 10-203. Fire inspector.

The fire chief is to assume the functions of fire inspector, and as such, he or his designated agent shall have authority to enter any and all premises, at a reasonable time, for purposes of inspection.

- (1) *Routine inspection.* He shall make annual inspections of all structures located within the fire district.
- (2) *Inspections upon complaint.* He shall, upon receipt of a complaint, forthwith investigate.
- (3) *Records.* He shall investigate the causes of fires and shall keep records of his findings as to origin, location, owner, extent of damage injury and amount of insurance carried. The findings must be reported to the state insurance commissioner at regular intervals.
- (4) *Orders for removal of fire hazards.* He shall cause the removal of fire hazards by serving proper order to owner or agent of premises in question, such order to state a reasonable time limit for compliance.

(Code 1976, § 4.2(5))

Sec. 10-204. General authority; traffic.

(a) The officer in command shall have authority to summon aid and no citizen so summoned may refuse help in extinguishing the fire or in protecting exposed property.

(b) During the continuance of a fire, the fire chief, his assistant or the manager shall have authority to call upon any citizen to render assistance in pulling down or demolishing any building or in removing goods from a building on fire or in danger of fire, but not without the consent of the officer of the fire department or the police department who may be in charge.

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(c) It shall be unlawful for any person or persons to congregate on the streets or alleys near a fire in a manner which would interfere with the activities of the fire department.

(d) In the event of an alarm of fire, the apparatus of the fire department responding to it shall have the right-of-way in and upon all streets, lanes, alleys, and other public ways.

(e) The drivers of vehicles, upon the approach of fire apparatus, shall immediately bring their vehicle to a stop on the right-hand side of the street in the direction in which they are facing and shall not move their vehicle until such apparatus has passed.

(Code 1976, § 4.3)

State law reference—Yielding right-of-way to fire department vehicle, G.S. §§ 20-156, 20-157.

Sec. 10-205. Following fire equipment.

It shall be unlawful to follow any fire apparatus which is responding to a call, by automobile or any other vehicle, unless such is used for transporting firemen to the scene of fire, at a distance closer than one (1) city block, or to pass such apparatus or to park within the same block in which fire is in progress.

(Code 1976, § 4.4)

State law reference—Similar provisions, G.S. § 20-157(b), (c).

Sec. 10-206. Interfering with firemen or fire apparatus.

No person shall interfere with a fireman in the discharge of his duty or hinder him in the performance of such duty; nor shall any person other than members of the fire department loiter about any fire station or change, handle or meddle in any manner with fire engine or any other fire apparatus.

(Code 1976, § 4.5)

State law reference—Similar provisions, G.S. § 69-39.

Sec. 10-207. Only firemen may ride on trucks without permission.

No person other than a bona fide member of the fire department shall mount any fire engine, wagon or apparatus before it leaves the station or while on its way to or from a fire, or at any other time, unless by permission of the driver or officer in command of such engine, wagon or other apparatus.

(Code 1976, § 4.6)

Sec. 10-208. Interfering with fire alarm apparatus.

No person shall interfere carelessly or willfully with the fire alarm system or injure the poles, wires, boxes or other apparatus connected therewith.

(Code 1976, § 4.7)

State law reference—Molesting fire alarm, etc., G.S. § 14-286.

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Sec. 10-209. Giving false alarm of fire forbidden.

No person shall give or cause to be given any false alarm of fire by means of the fire alarm system or otherwise.

(Code 1976, § 4.8)

State law reference—Giving false alarm, G.S. § 14-286.

Sec. 10-210. Protection of fire hose.

It shall be unlawful for any person to drive over or in any way damage or mutilate any fire hose while in use at a fire or otherwise.

(Code 1976, § 4.9)

Sec. 10-211. Fire protection outside of town.

If the town agrees with the county, or the owners of property outside the town, to provide fire protection therefor, any employee of the fire department, while engaged in any duty or activity outside the corporate limits of the town pursuant to orders of the fire chief or council, shall have all of the jurisdiction, authority, rights, privileges and immunities, including coverage under the workmen's compensation laws, which they have within the corporate limits of the town.

(Code 1976, § 4.10)

Secs. 10-212—10-299. Reserved.

ARTICLE III. FIRE HAZARDS

Sec. 10-301. Encumbrances before or on fire exit.

No person shall at any time, place any encumbrances of any kind whatsoever before or upon any fire escape, balcony or ladder intended as a means of escape from fire. It shall be the duty of every member of the police and fire department who shall discover any fire escape encumbered in any manner to forthwith report the same through his department channels to the chief of the fire department, who shall immediately notify the owners, their agents, or tenants, to remove such encumbrance and encumbrances shall thereupon be immediately removed.

(Code 1976, § 4.11)

State law reference—Similar provisions, G.S. § 69-12.

Sec. 10-302. Exit signs in theatres and motion picture houses.

Every exit in any theatre or motion picture house shall be plainly indicated by a sign bearing the word "Exit," which sign shall be kept lighted throughout each performance.

(Code 1976, § 4.12)

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Sec. 10-303. Passageways in places of public assemblage to be kept open; exit doors not to be fastened.

(a) All doors, aisles and passageways within and leading into or out of the theatres, churches and all other places of public assemblage, shall, during the entire time which any show, performance, service, exhibition, lecture, concert, ball or other assemblage may be held therein, be kept adequately lighted and free from easels, signs, standards, campstools, chairs, sofas, benches and any other articles that might obstruct or delay the exit of the audience, congregation or assemblage; and doors of such buildings while occupied shall not be fastened so that they cannot easily be opened by anyone from within.

(b) No person shall sit or stand or remain seated or standing, nor shall the owner or operator of such place allow any person to remain, in any such place of public assemblage in any aisle under any circumstances, or in any exit or passage required for the safe exit of the assemblage.

(c) Clear passage from all exits and on outside sidewalks of all theatres and other places of public assemblage shall be maintained at all times.

(d) No aisle, passageway or stairway in any store shall be obstructed with tables, at any time during the hours such store is open to the public.

(Code 1976, § 4.13)

State law reference—Fire escapes to be provided, G.S. § 69-11.

Sec. 10-304. Lots to be kept free from fire hazard.

It shall be unlawful for any person to permit or suffer rubbish, refuse or articles of combustible or inflammable nature to accumulate or remain on any lot or premises.

(Code 1976, § 4.14)

Sec. 10-305. Depositing of wood shavings prohibited.

No person shall deposit wood shavings in any place out of doors within the corporate limits of the town, within eighty (80) feet of any building; provided, however, this section shall not apply to buildings under construction or repair.

(Code 1976, § 4.15)

Secs. 10-306–10-399. Reserved.

ARTICLE IV. FIRE LIMITS

outside
Sec. 10-401. Fire limits.

The fire limits of the town shall be from the northeastern edge of the intersection of West Main Street and "A" Avenue eastward to the western edge of the old S.M. Finger property on

both sides of West Main Street and East Main Street for a distance of one hundred and fifty (150) feet from the northern edge of West and East Main Streets.

(Code 1976, § 4.16)

Cross reference—Buildings and building regulations, Ch. 5.

Secs. 10-402—10-500. Reserved.

ARTICLE V. BONFIRES AND OUTDOOR RUBBISH FIRES

Sec. 10-501. Permit required.

No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on or in any public street, alley, road or other public ground without a permit or other proper authorization. During construction or demolition of buildings or structures no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or other proper authorization.

(Ord. No. 10-91, 11-4-91)

Sec. 10-502. Location restricted.

No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless, (1) the location is not less than fifty (50) feet from any structure and adequate provision is made to prevent fire from spreading to within fifty (50) feet of any structure, or (2) the fire is contained in an approved waste burner located safely not less than fifteen (15) feet from any structure.

(Ord. No. 10-91, 11-4-91)

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Sec. 10-503. Attendance of open fires.

Bonfire and rubbish fire shall be constantly attended by competent persons 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.

(Ord. No. 10-91, 11-4-91)

Sec. 10-504. Fire chief may prohibit.

The chief of the fire department may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

(Ord. No. 10-91, 11-4-91)

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