

AMENDING CHAPTER 10
AN ORDINANCE AMENDING CHAPTER 10 OF THE GREENSBORO CODE OF
ORDINANCE
WITH RESPECT TO FIRE PREVENTION AND PROTECTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That sections 10-1 – 10-33 of the Greensboro Code of Ordinance is hereby amended to read as follows:

Sec. 10-1. Limitations.

Nothing contained in this chapter shall be construed as applying to the military or naval forces of the United States. In the event of a conflict or inconsistency between any provisions of this chapter and the state building code, the latter shall prevail and supersede any such provision in this chapter.

(Code 1961, § 7-1; Ord. No. 17-72, § 1, 6-20-17)

Sec. 10-2. Reward for persons identifying and assisting in the conviction of persons giving false alarm of fire, false report of bomb, tampering with water system, and/or tampering with or discharging any fire protection equipment, or damaging emergency and exit lighting equipment.

- (a) A reward of fifty dollars (\$50.00) is hereby authorized to be paid for information leading to the conviction of any person alleged to have made a false report concerning any bomb or any other destructive device, or any person alleged to have turned in a false alarm within the corporate limits of the city by means of any fire alarm systems, telephone or otherwise, or of any person alleged to have unlawfully opened, closed, operated or otherwise tampered with any valves or hydrants which are a part of the water system of the city, or of any person alleged to have tampered with or maliciously discharged any fire protection equipment, damaged any emergency or exit lighting equipment.
- (b) The council shall be the sole judge as to who shall be entitled to the collection of the reward hereinabove mentioned, and a reward shall be paid only by order of the council from nontax revenue in the general fund of the city. In the event a reward is claimed by more than one (1) person and the council shall find that more than one (1) person is entitled to receive the reward, the reward of fifty dollars (\$50.00) shall be equally divided among those found by the council to be entitled thereto. Not more than one (1) reward of fifty dollars (\$50.00) shall be paid for one (1) false alarm, regardless of the number of persons convicted of the giving such false alarm.

(Code 1961, § 7-4; Ord. No. 14-6, § 1, 1-7-14)

Editor's note(s)—Ord. No. 14-6, § 1, adopted Jan. 7, 2014, changed the title of § 10-2 from "Reward for persons convicted of giving false alarm of fire, false report of bomb, tampering with water system" to "Reward for persons identifying and assisting in the conviction of

persons giving false alarm of fire, false report of bomb, tampering with water system, and/or tampering with or discharging any fire protection equipment, or damaging emergency and exit lighting equipment." This historic notation has been preserved for reference purposes.

Charter reference(s)—Rewards authorized, § 5.01.

Sec. 10-3. Permit for self-service gasoline installation and operation.

In correlation with the regulations imposed by the fire prevention code relative to the installation and operation of self-service gasoline pumps, all development plans, including installation of safety equipment, site location and proposed methods of operation, shall be subject to review by the fire inspector and the building inspector and in addition shall comply with all standards approved and adopted by the city council. No installation or operation of such self-service gasoline pumps shall be made without obtaining permits required by the fire prevention bureau and the building inspection department.

(Code 1961, § 7-6)

Sec. 10-4. Compliance.

Compliance with the provisions of this chapter shall be enforced by the fire inspection officer of the Greensboro Fire Department. Failure to comply with any of the regulations of this chapter shall be unlawful and a violation of the fire ordinance and all remedies authorized by law for noncompliance with the fire ordinance, including the issuance of a civil penalty citation, may be exercised to enforce any violation.

(Ord. No. 88-61, § 1, 4-28-88)

Sec. 10-5. Violations and penalties.

- (a) Any person, firm, corporation or agent who shall violate any provision of this chapter shall be subject to a civil penalty of hundred fifty dollars (~~\$150.00~~ ~~50.00~~). Except as set forth herein, any person, firm, corporation or agent who shall violate any technical provisions of the fire prevention code which creates an imminent safety to life hazards shall be subject to a civil penalty of one hundred fifty dollars (\$150.00) per violation. Any person, firm, corporation or agent who shall exceed any lawfully posted occupancy shall be subject to a civil penalty of one hundred fifty dollars (~~\$150.00~~) per person in excess of the posted occupancy. Any person, firm, corporation or agent who fails to maintain a counting procedure (such as mechanical counters) approved by the fire code official, shall be subject to a civil penalty of one hundred fifty dollars (\$150.00) per missing counter or inaccurate counter. Depending on the number of entrances and exits, at least one "in" counter and at least one "out" counter shall be maintained to provide an accurate count of all occupants inside the building at any time. Any person, firm, corporation or agent who shall lock, block or obstruct an exit shall be subject to a civil penalty of five hundred dollars (\$500.00) per exit for a first violation, one thousand dollars (\$1,000.00) per exit for a second violation and one thousand five hundred dollars (\$1,500.00) per exit for a third and all subsequent violations. Any person, firm, corporation or agent who shall tamper with or maliciously

discharge fire protection equipment, or damage any emergency or exit lighting equipment shall be subject to a civil penalty of one hundred fifty dollars (\$150.00) for a first violation, three hundred dollars (\$300.00) for a second violation and four hundred dollars (\$400.00) for a third and all subsequent violations. No penalty shall be assessed until the person alleged to be in violation has been notified of the violation by certified mail, return receipt requested, or by personal service (inspection), or by arrest resulting in prosecution. Any fire inspection officer who has a reason to believe that a violation of this chapter or the aforesaid technical provisions of the fire prevention code has been committed shall either send a civil penalty citation to the violator by certified mail or personally deliver such citation to the violator stating the nature of the violation, the penalty to be imposed upon the violator, and shall direct the violator to pay the penalty to the city tax collector's office within fourteen (14) days of receipt. Also, the owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent or any other person who participates or acts in concert, assists, directs, creates, or maintains any condition that is volatile of the requirements of this chapter or the aforesaid technical provisions of the fire prevention code, may be held responsible for the violation and subject to penalties and remedies herein provided. Any person, firm, corporation or agent who shall work without permits or is issued a stop work order shall be subject to a civil penalty of five thousand dollars (\$5000.00) for a first violation, seventy-five hundred dollars (\$7500.00) for a second violation, ten thousand dollars (\$10,000) for a third violation, fifteen thousand dollars (\$15000.00) for a fourth violation and for all subsequent violations twenty thousand dollars (\$20,000) with a referral to North Carolina Department of Insurance and the appropriate licensing board.

- (b) For each day the violation is not corrected, the violator will be guilty of an additional and separate offense and subject to additional civil penalty. Civil penalties assessed under this section are considered restorative; intended to provide compensation to the city for costs associated with the city's program to monitor, control, prosecute, cure and/or correct the violation. As such, the amount declared herein is presumed to provide sufficient restoration to the city for its costs.

The assessment of civil penalties herein is not intended to be an exercise of powers delegated to other agencies or entities created by the General Assembly to regulate the proscribed conduct.

- (c) If the civil penalty is not paid within the time prescribed in the citation, the fire inspection officer may have a criminal summons issued against the violator and may initiate a civil action in the nature of debt to collect all civil penalties. In addition to any criminal penalty the court may impose pursuant to G.S. 14-4, the violator shall be subject to the civil penalties provided by this chapter.
- (d) In addition to or in lieu of the penalty, the fire inspection officer or other appropriate authority may seek a mandatory injunction seeking enforcement of this ordinance [section].
- (e) Nothing in this section shall preclude the issuance of an arrest warrant where appropriate.
- (f) The chief fire inspection officer shall cause all civil penalty citations to ~~be serially numbered in triplicate and shall cause~~ the records of the issuance and disposition of said tickets to be so maintained that they can be accounted for. The director of finance, or
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his/her/their representative, shall periodically investigate the records for the purpose of determining the disposition of said ticket forms and shall report the results of such investigation to the city manager.

(Ord. No. 88-61, § 1, 4-2-88; Ord. No. 96-130, §§ 1, 2, 10-22-96; Ord. No. 00-101, §§ 2, 3, 6-6-00; Ord. No. 04-168, § 1, 9-7-04; Ord. No. 08-259, § 1, 10-7-08; Ord. No. 14-6, § 2, 1-7-14; Ord. No. 14-7, § 1, 1-7-14; Ord. No. 20-163, § 3, 12-15-20)

Sec. 10-6. Smoking prohibited in specified public places.

- (a) *Generally.* No person shall smoke or carry a lighted cigar, cigarette, pipe or match or use any spark, flame or fire-producing device in any of the following places:
- (1) Elevators, regardless of capacity, for use by the general public.
 - (2) Public areas of museums, art galleries, public libraries, Natural Science Center, and indoor public recreational centers (other than those facilities owned by the City of Greensboro or any of its agencies or authorities where smoking is prohibited).
 - (3) Seating areas and adjacent aisles of the theatres.
 - (4) Retail stores designed and arranged to accommodate more than two hundred (200) persons, or in which twenty-five (25) persons are regularly employed. The prohibition of this subparagraph shall not apply to smoking rooms, restrooms, restaurants, executive offices or beauty parlors in retail stores when specifically approved by the fire inspector by written order to the person having control of the premises upon a finding that such use therein does not constitute a fire hazard.
 - (5) Duly designated nonsmoking area of a restaurant. For this purpose, the owner of every restaurant, whether currently in existence or to be established in the future, with an indoor seating capacity of fifty (50) or more seats shall designate a nonsmoking area consisting of at least twenty-five (25) percent of the indoor seating capacity of the restaurant. In areas where smoking is prohibited, existing physical barriers and ventilation systems shall be used to the greatest extent possible to minimize the smoke in adjacent nonsmoking areas. Provided, this subparagraph shall not apply to: Bars and cocktail lounges; nor shall the seating capacity of any bar or lounge located within a restaurant be included in the calculation of the total seating capacity of the restaurant nor rooms used for private functions or banquets.
 - (6) In any building owned, leased as lessor, or the area leased as lessee and occupied by the City of Greensboro or any of its agencies or authorities.
 - (7) Any place in or on a city owned vehicle or in or on a public transportation vehicle owned or leased by the City of Greensboro or any of its agencies or authorities.
- (b) *Reserved.*
- (c) *Sign removal prohibited.* No person shall remove or deface any placard required to be erected by or under the authority of this section.
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(d) *Civil penalty.* Any person violating subsection (a) during the first year from the effective date hereof (1 January 1990) shall be given a warning of violation only. Thereafter, any person who shall violate subsection (a) shall be subject to payment of a civil penalty of twenty-five dollars (\$25.00). Any person, or his/her/their agent, having control of any premises or place who knowingly permits a violation of subsection (a) without requesting the violator to comply shall be subject to payment of the civil penalty provided for herein. Any duly authorized local government official is authorized to either send a civil penalty citation to the violator by certified mail or personally deliver such citation to the violator stating the nature of the violation, the amount of the penalty, and directing that the violator pay the penalty to the city tax collector's office within fourteen (14) days of receipt. Civil penalties assessed under this section are considered restorative; intended to provide compensation to the city for costs associated with the city's program to monitor, control, prosecute, cure and/or correct the violation. As such, the amount declared herein is presumed to provide sufficient restoration to the city for its costs.

The assessment of civil penalties herein is not intended to be an exercise of powers delegated to other agencies or entities created by the General Assembly to regulate the proscribed conduct.

(e) *Misdemeanor and civil violation.* A violation of either subsection (b) or subsection (c) shall constitute a misdemeanor and shall also subject the person in violation to a payment of a civil penalty of twenty-five dollars (\$25.00).

(Ord. No. 89-128, § 1, 9-28-89; Ord. No. 89-151, §§ 1—3, 11-16-89; Ord. No. 91-142, § 1, 11-18-91; Ord. No. 93-60, § 1, 6-7-93; Ord. No. 93-61, § 1, 6-7-93; Ord. No. 93-62, § 1, 6-7-93; Ord. No. 93-115, §§ 1, 2, 9-20-93; Ord. No. 04-168, § 3, 9-7-04; Ord. No. 06-27, § 1, 2-7-06; Ord. No. 07-180, § 1, 8-21-07; Ord. No. 20-163, § 3, 12-15-20)

Sec. 10-7 Periodic Inspections

There shall be a charge for periodic inspections to ensure compliance with the fire code. The charges shall be as outlined.

<u>PERIODIC INSPECTIONS</u>			
<u>Occupancies</u>	<u>Up to 499 sq. ft.</u>	<u>\$55</u>	<u>Per Inspection</u>
	<u>500 – 2,499 sq. ft.</u>	<u>\$75</u>	
	<u>2,500 – 9,999 sq. ft.</u>	<u>\$100</u>	
	<u>10,000 – 49,999 sq. ft.</u>	<u>\$150</u>	
	<u>50,000 – 99,999 sq. ft.</u>	<u>\$250</u>	
	<u>100,000 – 149,999 sq. ft.</u>	<u>\$350</u>	

	<u>150,000 – 399,999 sq. ft.</u>	<u>\$450</u>	
	<u>400,000 – 499,999 sq. ft.</u>	<u>\$550</u>	
	<u>500,000 – 599,999 sq. ft.</u>	<u>\$650</u>	
	<u>600,000 – 699,999 sq. ft.</u>	<u>\$750</u>	
	<u>700,000 – 799,999 sq. ft.</u>	<u>\$850</u>	
	<u>800,000 – 899,999 sq. ft.</u>	<u>\$950</u>	
	<u>900,000 – 999,999 sq. ft.</u>	<u>\$1,050</u>	
	<u>1,000,000+ sq. ft.</u>	<u>\$1,150</u>	
<u>Residential / Apartments</u>	<u>Residential units up to 15</u>	<u>\$35</u>	<u>Per inspection</u>
	<u>Residential units greater than 15</u>	<u>\$2.30</u>	<u>Per unit / inspection</u>
	<u>Residential high-rises</u>	<u>Varies</u>	<u>Refer to occupancy sq. ft. pricing above</u>

Sec. 10-87. Reinspection fees for noncompliance.

~~There shall be no charge for the initial general inspection or initial reinspection to ensure compliance with the fire code pursuant to an order issued setting forth a "notice for noncompliance with codes."~~ There shall be a charge of one hundred fifty dollars (\$150.00) for the first reinspection with violations, three hundred dollars (\$300.00) for the second reinspection with violations, and four hundred dollars (\$400.00) for each subsequent reinspection of a building or premises which has not been brought into code compliance after the general inspection has been conducted.

(Ord. No. 89-37, § 1, 3-6-89; Ord. No. 96-130, § 3, 10-22-96; Ord. No. 07-119, § 1, 6-26-07; Ord. No. 11-126, § 1, 6-21-11)

Sec. 10-98. Plan review fee.

The fire prevention bureau shall review plans for construction, tanks, fire protection systems, fire alarm systems, industrial processes, and other reviews requiring fire code compliance.

Plans submitted for review shall contain complete information and detail. As specified by reviewers, plans shall be drawn to scale, professionally designed and sealed by a North Carolina registered architect and/or professional engineer.

Charges for plan review on behalf of the city by the fire prevention bureau shall be based upon the following schedule:

Each building, based upon square footage of the building beginning at:

~~0—999 \$ 75.00~~

~~1,000—2,499 \$100.00~~

~~2,500—9,999 \$150.00~~

~~10,000—49,999 \$275.00~~

~~Sprinkler/standpipe systems 125.00~~

~~Sprinkler/standpipe performance test fee, minimum up to three hours 150.00~~

~~Plus, for each additional hour 150.00~~

~~Fire alarm system 125.00~~

~~Fire alarm performance test fee, per inspector necessary to perform service 150.00~~

~~Spray booth/area 30.00~~

~~Storage room (flammables, combustibles, toxics, etc.) 30.00~~

~~Compressed gas systems 30.00~~

~~Automatic extinguishing system (not covered elsewhere) 75.00~~

~~Automatic hood extinguishing performance test fee 100.00~~

~~Tank (aboveground, below ground) per tank 75.00~~

~~Industrial process 30.00~~

~~LP gas system 30.00~~

~~Private fire hydrants (where not part of sprinkler installation) 30.00~~

~~Miscellaneous plans (not covered elsewhere) 30.00~~

Each system, room, booth, area, process, or installation of one (1) to five (5) hydrants shall constitute a separate fee. Plans review fee entitles the submitter to an initial review and one (1) re-submittal to correct errors or omissions.

<u>PLAN REVIEW</u>			
<u>Automatic Extinguishing System Review</u>	<u>Review of automatic extinguishing system</u>	<u>\$150</u>	<u>Per Review</u>
<u>Express Review Fee</u>	<u>For first hour</u>	<u>\$1,500</u>	<u>Per Hour</u>

	<u>Per additional hour in 15 increments</u>	<u>\$375</u>	<u>Per 15 Minutes</u>
<u>Fire Alarm System Plan</u>	<u>Reviewing fire alarm</u>	<u>\$150</u>	<u>Per Review</u>
<u>Fire Pump</u>	<u>Reviewing of fire pump</u>	<u>\$150</u>	<u>Per Review</u>
<u>Fire Resubmittals</u>	<u>Regular Resubmission of Review</u>	<u>\$150</u>	<u>Per Plan</u>
	<u>Express (Prioritized) Resubmission</u>	<u>\$900</u>	
<u>Plan</u>	<u>Up to 2,499 sq. ft.</u>	<u>\$100</u>	<u>Per Review</u>
	<u>2,500 – 9,999 sq. ft.</u>	<u>\$150</u>	
	<u>10,000 – 49,999 sq. ft.</u>	<u>\$325</u>	
	<u>50,000 – 99,999 sq. ft.</u>	<u>\$450</u>	
	<u>100,000 – 149,999 sq. ft.</u>	<u>\$500</u>	
	<u>150,000 – 399,999 sq. ft.</u>	<u>\$600</u>	
	<u>400,000 – 499,999 sq. ft.</u>	<u>\$700</u>	
	<u>500,000 – 599,999 sq. ft.</u>	<u>\$800</u>	
	<u>600,000 – 699,999 sq. ft.</u>	<u>\$900</u>	
	<u>700,000 – 799,999 sq. ft.</u>	<u>\$1,000</u>	
	<u>800,000 – 899,999 sq. ft.</u>	<u>\$1,100</u>	
	<u>900,000 – 999,999 sq. ft.</u>	<u>\$1,200</u>	
	<u>1,000,000+ sq. ft.</u>	<u>\$1,500</u>	
<u>Sprinkler System Plan</u>	<u>Review of a sprinkler system</u>	<u>\$150</u>	<u>Per Riser</u>
<u>Standpipe System Review</u>	<u>Review of standpipe</u>	<u>\$150</u>	<u>Per Review</u>
<u>Tank Plan Review</u>	<u>Plan review of tank</u>	<u>\$100</u>	<u>Per Tank</u>
<u>TRC Review</u>	<u>Technical review of project</u>	<u>\$0</u>	<u>Per Review</u>

<p>** Additional hours, after hours, and weekends may have additional charges**</p>
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(Ord. No. 89-37, § 1, 3-6-89; Ord. No. 00-101, § 1, 6-6-00; Ord. No. 07-119, § 2, 6-26-07; Ord. No. 15-090, § 1, 6-16-15)

Sec. 10-~~109~~. Additional Special permit fees.

There shall be a special fee for issuance of permits and inspection of certain activities by the fire prevention bureau as listed below. Charges for permits shall be based upon the following activities:

~~Refuse burning~~ \$ 35.00

~~Blasting:~~

~~Per permit including inspections for 30-day permit~~ 125.00

~~Per permit including inspections for 90-day permit~~ 200.00

~~Resurfacing bowling lanes~~ 40.00

~~Removal of underground tank(s)~~ 100.00

~~Annual institutional facility inspection fee (Educational Group E—Daycare*; Institutional Group I; R-4 and R-3 Group Homes)~~

~~Licensed for 0—25~~ 75.00

~~Licensed for 26—50~~ 125.00

~~Licensed for 51—100~~ 175.00

~~Licensed for 101+~~ 250.00

~~*Does not include private schools~~

~~Annual institutional facility inspection fee (Hospitals)~~ 250.00/building

~~Annual foster care inspection fee~~ 55.00

~~Tent inspection fee~~ 100.00

~~Fireworks event inspection fee:~~

~~Initial event~~ 250.00

~~Subsequent event~~ 125.00

<u>OPPERATIONAL PERMITS</u>			
<u>Amusement Building Permit</u>	<u>Permit to operate an amusement attraction</u>	<u>\$150</u>	<u>Per Attraction</u>
<u>Blasting Permit & Inspection</u>	<u>90 days max</u>	<u>\$300</u>	<u>Per Permit & Inspection</u>
<u>Bonfire / Open Burning Permit</u>	<u>Permit to burn</u>	<u>\$100</u>	<u>Per Fire</u>
<u>Carnival / Fair Permit</u>	<u>Permit to operate a carnival or fair</u>	<u>\$150</u>	<u>Per Event</u>
<u>Fireworks / Pyro / Special Effects Event</u>	<u>Initial</u>	<u>\$300</u>	<u>Per Event</u>
	<u>Subsequent</u>	<u>\$150</u>	
<u>Fire Performing Permit</u>	<u>Permit to perform with fire</u>	<u>\$100</u>	<u>Per Event</u>
<u>Flammable / Combustible Liquids</u>	<u>Permit to store and use on property</u>	<u>\$100</u>	<u>Per Location</u>
<u>Foster Care Permit</u>	<u>Fee per application</u>	<u>\$100</u>	<u>Per Inspection</u>
<u>Fumigation & Insecticidal Fogging</u>	<u>Fee per application of fumigation & insecticidal fogging</u>	<u>\$100</u>	<u>Per Application</u>
<u>Gas Powered Vehicles in Building</u>	<u>Permit to allow vehicle to be displayed in-doors</u>	<u>\$100</u>	<u>Per Vehicle</u>
<u>High Piled Combustible Stock</u>	<u>Permit to have high piled sock</u>	<u>\$100</u>	<u>Per Location</u>
<u>Initial ABC License</u>	<u>Inspection for an ABC license permit</u>	<u>\$150</u>	<u>Per Inspection</u>
<u>Mall Buildings</u>	<u>Permit to have a lease building plan</u>	<u>\$100</u>	<u>Per Plan</u>
<u>Special Events Permit</u>	<u>Issued when an ABC extension or the event exceeds normal business activities; max 12 per year by law</u>	<u>\$300</u>	<u>Per Location</u>
<u>Spraying / Dipping</u>	<u>To permit process</u>	<u>\$100</u>	<u>Per Application</u>
<u>Tank Removal Permit</u>	<u>Removal of underground / above tank</u>	<u>\$100</u>	<u>Per Tank</u>

<u>Tent Inspection</u>	<u>Inspection for event tent</u>	<u>\$150</u>	<u>Per Inspection</u>
<u>Tradeshows / Exhibits</u>	<u>Permit to operate a tradeshow or exhibit</u>	<u>\$150</u>	<u>Per Event</u>

<u>CONSTRUCTION PERMIT FEES</u>			
<u>Battery Systems</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Compressed Gases</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Cryogenic Fluids</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Emergency Responder Radio Coverage</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Flammable / Combustible Liquids</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Gates / Barricades</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Hazardous Materials</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Industrial Ovens</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>LP Gas</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Smoke Control / Exhaust Systems</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Solar Photovoltaic Power Systems</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>
<u>Spraying / Dipping</u>	<u>Permit to construct</u>	<u>\$100</u>	<u>Per Permit</u>

rd. No. 90-38, § 1, 3-15-90; Ord. No. 90-67, § 1, 5-17-90; Ord. No. 91-60, § 1, 5-6-91; Ord. No. 96-130, § 4, 10-22-96; Ord. No. 07-119, § 3, 6-26-07; Ord. No. 07-184, § 3, 8-21-07; Ord. No. 15-090, § 2, 6-16-15)

Sec. 10-11. Additional Inspections

There shall be an inspection fee for inspections conducted for inspections as outlined below.

<u>ADDITIONAL INSPECTIONS</u>			
<u>*AES (Hood) Performance Test</u>	<u>Testing of kitchen hood</u>	<u>\$150</u>	<u>Per Test</u>
<u>*Fire Alarm Performance Test</u>	<u>Testing of fire alarm</u>	<u>\$150</u>	<u>Per Test</u>
<u>*Fire Final Inspection</u>	<u>Projects final inspection</u>	<u>\$150</u>	<u>Per Inspection</u>
<u>*Flammable / Combustible Line Pressure Test</u>	<u>To pressure test product lines</u>	<u>\$150</u>	<u>Per Inspection</u>
<u>*Generator Inspection</u>	<u>To test generator</u>	<u>\$150</u>	<u>Per Inspection</u>
<u>*Miscellaneous Compliance Inspection</u>	<u>Anything not listed above</u>	<u>\$150</u>	<u>Per Inspection</u>
<u>*Sprinkler / Standpipe / Pump Performance Test</u>	<u>Up to 3 hours</u>	<u>\$150</u>	<u>Per Test</u>
	<u>Each additional hour over 3</u>	<u>\$150</u>	<u>Per Additional Hour</u>
<u>*Tank Inspection</u>	<u>Underground or above ground tank inspection</u>	<u>\$150</u>	<u>Per Tank</u>
<u>**3 hours max, \$150 for each additional hour; if additional inspectors are required, \$150/hour per inspector**</u>			

Sec. 10-~~1210~~. Compliance inspection fee.

There shall be a compliance inspection fee for inspection(s) conducted above and beyond state mandated requirements for a particular property in the amount of one hundred dollars (\$100.00).

(Ord. No. 07-119, § 4, 6-26-07; Ord. No. 15-090, § 3, 6-16-15)

Sec. 10-~~1211~~. Key box.

A key box shall be installed on all new construction where a fire alarm system and/or a sprinkler system has been installed, on existing construction where nuisance or repeated alarms

occur, on access gates where access is delayed and on any other occupancy where the fire official deems necessary access is delayed or a delay occurs when returning fire apparatus back to service.

- (1) *[Accessibility.]* The fire official shall require a key box to be installed in an accessible location where immediate access is necessary to verify the existence of a fire or other emergency in buildings equipped or required to be equipped with fire detection or fire suppression systems or equipment.
- (2) *Where required.* Other than one- and two-family dwellings, all new occupancies served by an internal automatic fire detection or suppression system, having a connection to a central monitoring station facility or other recognized NFPA 72 monitoring method, on all new and existing occupancies on gates where controlled access can delay fire department vehicle response, on all existing facilities where frequent or nuisance fire alarms occur, and on all other agreed upon locations.
- (3) *[Specifications for] key boxes.* Approved locks shall be Medico Biaxel Level 7 or equivalent and UL 437 listed for "safety key locks". Key vaults shall be listed under UL 1610 standard for Central Station Alarm Units for Use With UL Listed Alarm Systems, shall be UL listed under UL 1037 standard for Antitheft Alarms and Devices, and shall have a minimum wall thickness of one-fourth ($\frac{1}{4}$) inch and door thickness of one-half ($\frac{1}{2}$) inch plate steel. Fully inserted key shall be able to withstand a minimum of fifty (50) inch pounds torque. Key vaults shall have a weatherproof gasket seal neoprene material or equivalent, and shall be master-keyed. Lock code and key section shall be unconditionally restricted by the key vault manufacturer for use only by the local assigned fire department. All fire department vehicles containing keys shall be recorded and inventoried annually. Lock code restriction shall be traceable to the lock manufacturer and be guaranteed by both the lock manufacturer and the key vault manufacturer. The local fire department shall be in complete control of the rapid key entry system authorization and operation. Entry systems shall utilize approval signatures from the local fire department for release of keys and all lock products from the factory.
- (4) *Installation location.* The key box shall be located on the exterior of a structure, at or near the main entrance, at an entrance adjacent to the sprinkler riser where one is present, or at another location where approved by the fire official. Key box shall be installed no less than four (4) feet and no more than six (6) feet above entrance grade and shall be horizontally within five (5) feet of the opening.
- (5) *Key vault contents.* The vault shall contain keys for the following:
 - a. Main entrance door (mixed occupancy and strip shopping center keys shall be provided for occupancies where system control valves or fire alarm panels exist).
 - b. Alarm rooms.
 - c. Mechanical/sprinkler control rooms.
 - d. Fire alarm control panel.
 - e. Special keys to reset fire alarm initiating devices.

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- f. Special rooms where specific fire suppression systems reside.
 - g. Gate access boxes—for use in case of power failure.

The owner shall be responsible for providing all up to date keys in the vault at all times.

(6) *Administration.*

- a. *New occupancies.* The plan review section shall be responsible for the administration of the program on all new occupancies.
- b. *Existing occupancies.* The inspections division, with the assistance of the suppression division, shall be responsible for identifying existing problem occupancies and other agreed upon situations. The plan review section will provide all start up documentation and maintain a current inventory control list.

(7) *Compliance.* All new construction shall be required to complete the installation of the key boxes per the manufacturers installation requirements prior to the issuance of a final certificate of occupancy. All existing structures, gates, etc., shall have up to six (6) months to install such key boxes. Upon expiration of inspection compliance procedures, property owners shall face existing reinspection fee procedures and other citations for non-compliance.

(Ord. No. 02-158, § 1, 8-20-02; Ord. No. 07-119, § 5, 6-26-07)

Secs. 10-~~1312~~—10-20. Reserved.

ARTICLE II. FIRE PREVENTION CODE

Sec. 10-21. Adoption.

- (a) Except as hereinafter amended, the provisions of the North Carolina Fire Prevention Code, current edition, adopted by the North Carolina Building Code Council is hereby adopted and made applicable as the Fire Prevention and Control Ordinance of the city. A copy of same shall be on file in the office of the city clerk.
- (b) Amendments to the North Carolina Fire Prevention Code, which are adopted and published by the North Carolina State Building Code Council shall be effective on the date prescribed by the North Carolina State Building Code Council.
- (c) The North Carolina State Building Code volume that is titled Administration & Enforcement Requirements is hereby referenced for the administration of the North Carolina Fire Prevention Code, current edition for periodic inspection of buildings altered, repaired or rehabilitated in accordance with the Existing Building Code.
- (d) Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three (3) years and shall be provided to the fire district through a third-party inspection reporting system, at a fee of twelve dollars (\$12.00) per system, per annum.

(Code 1961, § 7-2; Ord. No. 00-214, § 1, 12-5-00; Ord. No. 02-22, §§ 1—3, 2-19-02; Ord. No. 13-16, § 1, 2-5-13; Ord. No. 016-69, § 1, 6-21-16)

State law reference(s)—Adoption of technical codes by reference, G.S. § 160A-76.

Sec. 10-22. Amendments.

Before a permit to do blasting in the corporate limits as required under Chapter 19 of the Fire Prevention Code shall be issued, the applicant for such permit shall file with the fire prevention bureau evidence of public liability and property damage insurance in the amount of one million dollars (\$1,000,000.00) for the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judgment results. Each applicant shall provide proper matting as determined by the fire prevention bureau and request inspection prior to commencing actual blasting operations. The city shall not be responsible for any damage to property or injuries to persons by reason of the issuance of a permit or inspections made incidental thereto.

(Code 1961, § 7-3; Ord. No. 88-62, § 1, 4-28-88; Ord. No. 00-214, § 2, 12-5-00)

Sec. 10-23. Burning of leaves.

The burning of leaves, brush, trash or any other refuse is prohibited within the corporate limits. EXCEPTION: The burning of brush by commercial contractors clearing large open areas properly permitted by the fire prevention bureau and in accordance with local air quality burning regulations.

(Ord. No. 00-214, § 3, 12-5-00)

Sec. 10-24. Fire official; authority.

The fire official has the authority to determine that the gathering of persons inside and/or outside of a structure presents unusual and significant impact on public safety or fire safety, including access to buildings, structures, fire hydrants, fire lanes, or the provision of public safety services. The fire official shall have the authority to order the development of or prescribe a plan for the provision of safety services which provides a reasonable degree of safety for the attendees and other affected members of the public. Once such a plan is approved by the fire official, it shall be complied with and is enforceable under the provisions of this code and the North Carolina State Building Code.

(Ord. No. 00-214, § 4, 12-5-00)

Sec. 10-25. Fire hydrant.

It is the owner's responsibility to provide fire hydrant coverage to meet the following criteria on all new construction and additions to existing buildings.

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- (a) A fire hydrant shall be located within five hundred (500) feet of all parts of the building along access roadways with all-weather driving surfaces, distance measured as the fire truck travels.
 - (b) A fire hydrant shall be located within one hundred fifty (150) feet of the fire department connection, along access roadways with all-weather driving surfaces, distance measured as the fire truck travels.
 - (c) The fire hydrant shall face the fire department access roadway and shall be within six (6) feet of the curb line.
 - (d) Fire hydrants shall be located no closer than forty (40) feet to any building that is being protected by that hydrant.

(Ord. No. 00-214, § 5, 12-5-00)

Sec. 10-26. Installation; tanks.

The installation of aboveground tanks storing Class I and Class II liquids at commercial service stations open to the public shall be prohibited within the corporate limits. **EXCEPTION:** The storage of K-1 kerosene that complies with Section 907.3.6 of Volume V - North Carolina Fire Prevention Code.

(Ord. No. 00-214, § 6, 12-5-00)

Sec. 10-27. Standards; permits.

The following standards are hereby established as prerequisites for obtaining a permit from the fire prevention bureau for unattended self-service gasoline installations and operations.

- (a) Before anyone shall engage in unattended self-service gasoline operations, a permit application must first be secured from the Greensboro Fire Prevention Bureau. If at any time the fire prevention bureau finds the said occupant operating contrary to these rules, then the permit shall immediately be revoked.
 - (b) Plot and building plans (as applicable) shall be submitted to the fire prevention bureau and building inspections. Such plans shall be approved before construction begins. Required permits for construction and tank installations shall be obtained.
 - (c) Unattended self-service installations shall comply with all applicable codes, ordinances and standards including the North Carolina State Building Code, North Carolina State Fire Code, NFPA 30 and NFPA 30A.
 - (d) All unattended self-service gasoline installations shall be located in the proper zoning district. The facility shall be used only for the sale and dispensing of motor vehicle fuels. The sale of liquefied petroleum gases or kerosene is prohibited. Limited vehicle services will be permitted such as air, vacuums and vending for motor oils.
 - (e) A representative of the fire prevention bureau and the building inspection division shall inspect each facility for compliance with all ordinances and regulations prior to opening for business.
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- (f) Each installation shall be properly lighted during all periods of darkness.
 - (g) All wiring and electrical equipment shall comply with the requirements of the National Electrical Code.
 - (h) Printed safety regulations and operating instructions shall be permanently and conspicuously displayed at all installations. The printed regulations shall include the following:

IN CASE OF FIRE OR SPILL

- (1) Use emergency stop switch, located at _____.
- (2) Call 911 to report the accident: the phone is located at _____.

WARNING

- (1) No smoking.
- (2) Turn off the vehicle motor before refueling vehicle.
- (3) Stay at the nozzle while refueling vehicle.
- (4) No person under sixteen (16) years of age shall be permitted to use any dispensing device.
- (5) It is unlawful to dispense gasoline into unapproved containers (including drums).
- (6) Approved containers shall be firmly set on the ground and shall not be filled on truck beds.
- (7) The use of cellular phones around any fueling station is not permitted.

ANYONE FOUND TO BE IN VIOLATION OF THESE REGULATIONS WILL BE PROSECUTED.

- (i) All dispensing devices must be "listed" by an approved testing laboratory. Coin and currency-type devices are prohibited. A "listed" automatic closing type hose nozzle valve with a latch open device shall be provided. A device that causes or requires the closing of the hose nozzle valve before the product flow can be resumed or before the nozzle valve can be replaced in its normal position in the dispenser is required.
 - (j) A clearly identifiable and easily accessible switch shall be provided at a location remote from dispensing devices, to shut off the power to all dispensing devices in the event of an emergency. The emergency switch shall be more than fifteen (15) feet but less than seventy five (75) feet from the dispenser. Additional emergency controls shall be installed on each group of dispensers or the outdoor equipment used to control the dispensers. Switches shall be manually reset on-site by a company representative.
 - (k) Fire extinguishers with at least 2A:20BC rating shall be located so that an extinguisher will be within seventy-five (75) feet of each pump, dispenser and underground fill pipe opening. All extinguishers must be visible and easily accessible.
 - (l) All product storage tanks shall be installed underground.
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- (m) Dispensers must be at least ten (10) feet from any Type V or Type VI constructed buildings located on the premises. Dispensers shall be a minimum of ten (10) feet from any adjacent property line or other lessee's leased property line up to which a building is or can be constructed upon, and shall be fifteen (15) feet from any street right-of-way. Sturdy steel posts not less than four (4) inches in diameter, shall be installed adjacent to the dispenser in a manner as to prohibit vehicles from bumping against or damaging such dispensers.
 - (n) There shall be a telephone located on the premises with the number to be called in case of emergency, prominently posted. Such telephone shall be used to report spills, malfunctions and other hazardous conditions. The telephone at the central location of the owner shall be answered on a twenty-four hour basis and the operator shall report all hazardous conditions directly to the city communications center. The owner or a responsible representative is required to respond to the facility immediately (not to exceed one hour) for any reported emergency, spill or code violation.
 - (o) The owners of all such facilities shall be responsible for the enforcement of all safety regulations. All reasonable necessary steps shall be taken to maintain the premises in a clean, orderly, safe and sanitary condition at all times. Inspections shall be made every day by employees of the owner in order to insure safety of equipment, and individuals who may use the premises.
 - (p) Provisions shall be made to prevent spilled liquids from flowing into the interior of buildings or endangering other properties.
 - (q) Those companies using gasoline pumps located upon their own property to serve only their own vehicles may leave said pumps unattended provided they have complied with all other provisions of the Fire Prevention Code; such companies are exempt from the other standards set forth above.

(Ord. No. 00-214, § 7, 12-5-00)

Secs. 10-28, 10-29. Reserved.

ARTICLE III. RESPONSE TO HAZARDOUS MATERIALS EMERGENCIES; FEES AND CHARGES¹

Sec. 10-30. Purpose and authority.

The Greensboro Fire Chief or his/her/their designee shall have the authority to summarily abate, control and contain hazardous materials which are emitted into the environment in such a manner as to endanger the health or safety of the general public or the environment. The fire

¹Editor's note(s)—Ord. No. 89-75, § 1, adopted June 15, 1989, purported to amend the Code by adding a new Art. III to Ch. 10. Inasmuch as there already exists an Art. III pertaining to similar subject matter, the provisions of said Ord. No. 89-75 have been construed as amending Art. III in its entirety. Prior to inclusion, Art. III, §§ 10-30—10-32, derived from Ord. No. 89-38, § 1, adopted March 6, 1989.

chief or his/her/their designee shall have the authority to enter public or private property with or without the owner's consent, to respond to such hazardous materials emergencies. The fire chief or his/her/their designee shall determine the type, amount and quantity of equipment and personnel required to adequately abate, control and contain all hazardous materials which are emitted into the environment.

(Ord. No. 89-75, § 1, 6-15-89; Ord. No. 20-163, § 3, 12-15-2020; Ord. No. 20-163, § 3, 12-15-20)

Sec. 10-31. Responsibility; fees and charges.

The property owner and/or the person exercising control over the hazardous materials that create the hazardous material emergency shall be held financially liable for the response, control, containment, equipment and materials costs incurred by the city fire department during the emergency. In incidents involving natural gas/propane leaks, cut lines, and other types of release, the property owner and/or the person performing the work which caused the release shall be held financially liable for the response, control, containment, equipment and materials costs incurred by the city fire department during the emergency. The property owner and/or person exercising control over such hazardous material may provide personnel to assist abatement, removal and remedial measures, provided such personnel have been adequately equipped and trained pursuant to the requirements of state and federal laws. The City of Greensboro shall not be liable for the use of outside personnel. Assistance shall consist of any or all of the following:

- (1) Informing fire department personnel of all matters pertaining to the incident.
- (2) Supplying emergency response plan information for the site.
- (3) Supplying emergency response equipment, personnel and materials.

The city will not charge for abatement, control and containment of hazardous material responses, or fire incidents involving hazardous materials which accrue one hundred seventy-five dollars (\$175.00) or less in charges.

The city will charge for abatement, control and containment of hazardous material responses or fire incidents involving hazardous materials which accrue more than one hundred seventy-five dollars (\$175.00) in charges. In all cases the first one hundred seventy-five dollars (\$175.00) of expenses shall not be charged to the person in default.

Charges for hazardous materials emergency response on behalf of the city by the fire department shall be based upon the following schedule:

- (1) Engine, quint and rescue apparatus shall be one hundred seventy-five dollars (\$175.00) per hour for each apparatus. Charges will be assessed in half-hour increments after the first hour.
- (2) Hazardous materials team response (full) shall be three hundred fifty dollars (\$350.00) for the initial hour. Charges will be assessed in half-hour increments after the first hour.

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- (3) Hazardous materials team response (modified) shall be one hundred seventy-five dollars (\$175.00) for the initial hour. Charges will be assessed in half-hour increments after the first hour.
 - (4) Battalion chief response shall be twenty-five dollars (\$25.00) per hour. Charges will be assessed in half hour increments after the first hour.
 - (5) Reusable entry suits shall be three hundred seventy-five dollars (\$375.00) for each suit.
 - (6) Monitors shall be fifty dollars (\$50.00) for each monitor.
 - (7) Any other actual costs of abatement, control and containment of hazardous materials other than set out above.

Failure to pay the charges as assessed shall give the city the right to levy a lien upon the land or the premises where the hazardous material emergency arose and the levy shall be collected in the same manner as unpaid taxes pursuant to the authority of N.C.G.S. 160A-193.

(Ord. No. 89-75, § 1, 6-15-89; Ord. No. 99-127, § 1, 8-2-99; Ord. No. 05-145, § 1, 6-21-05; Ord. No. 17-72, § 2, 6-20-17)

Sec. 10-32. Fire incidents involving hazardous materials.

In fire incidents that involve hazardous materials or an exposure to hazardous materials, no fee will be assessed for resources normally associated with firefighting operations; however, additional fees will be incurred as a result of the use/application of foam required for vapor suppression or hazard mitigation. Fees shall be assessed for those activities and resources (reference section 10-31) associated with the abatement, control and containment of the hazardous materials involvement or exposure which accrues more than one hundred seventy-five dollars (\$175.00) in charges.

(Ord. No. 89-75, § 1, 6-15-89; Ord. No. 05-145, § 2, 6-21-05; Ord. No. 17-72, § 3, 6-20-17)

Sec. 10-33. Definitions.

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

Full hazardous materials team. Consists of hazardous materials response apparatus, decontamination apparatus and personnel.

Having control over. Shall mean but not be limited to any person using, transferring, storing or transporting a hazardous material immediately prior to release of such hazardous material on to the land or into the air or the waters of the city. (G.S. 143-215.77)

Hazardous material. Any substance which, when discharged in any quantity, may present an eminent and substantial danger to the public health or welfare or to the environment. (G.S. 143-215.77, 215.77A)

Hazardous material response. The sending of fire department equipment to abate hazardous materials which endanger the health or safety of persons or the environment.

Modified hazardous materials team. Consists of hazardous materials response apparatus and personnel.

Person. Include individuals, firms, partnerships, associations, institutions, corporations, local governments and the governmental agencies. (G.S. 143-212)
(Ord. No. 89-75, § 1, 6-15-89; Ord. No. 05-145, § 3, 6-21-05)