

## Chapter 14

### **FIRE-RESCUE-EMS SERVICES, FIRE PREVENTION\***

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**\*Cross references**—Administration, ch. 2; purposes of master plan, § 2-182; buildings and building regulations, ch. 6; electric utility, ch. 10; massage business operators, § 16-109; motor vehicles and traffic, ch. 18; police and fire signals, § 20-10; parks and recreation, ch. 22; police, ch. 26; solid waste, ch. 28; water and wastewater, ch. 38.

**State law references**—Setting fires unlawfully, G.S. 14-136 et seq.; fire protection, ch. 69; authority of firemen, G.S. 58-82-1 et seq.; firemen's and rescue squad workers' relief and pension fund, G.S. 58-86-1 et seq.; retirement benefits, G.S. 160A-163; fire protection in municipalities, G.S. 160A-291 et seq.



**ARTICLE I. IN GENERAL****Sec. 14-1. Composition.**

(a) The Department of Fire-Rescue-EMS-Inspections Services shall consist of the Chief of the department and a sufficient number of personnel, fulltime career and volunteer, to maintain and operate the department.

(b) The City Manager shall have general control of the department.  
(Code 1972, § 7A-21; Code 1993, § 7-1)

**State law reference**—Firemen appointed, G.S. 160A-291.

**Sec. 14-2. Chief of the department.**

The Chief of the department shall perform the duties required of him by city, state and federal guidelines to ensure the proper administration and operation of the department.  
(Code 1993, § 7-2)

**Cross reference**—Residency requirements, § 12-1 et seq.

**State law reference**—Duties of fire chief, G.S. 160A-292.

**Sec. 14-3—14-23. Reserved.****ARTICLE II. FIRE-RESCUE-EMS SERVICES****Sec. 14-24. Authority of the Chief.**

(a) The Chief of the department shall have power to make such rules for its government as is deemed necessary not inconsistent with the laws of the federal and state government or the ordinances of the city.

(b) The Chief of the department shall command the Department of Fire-Rescue-EMS-Inspections Services and his orders shall be obeyed, and for any willful disobedience of the orders of the officer in command, the offending party may be dismissed from the department. The Chief of the department is hereby vested with all the powers of police officers of the city insofar as to make arrests during the existence of a fire.

(Code 1972, §§ 7A-22, 7A-23; Code 1993, § 7-27)

**State law references**—Firemen appointed, G.S. 160A-291; duties of fire chief, G.S. 160A-292.

**Sec. 14-25. Area of operations.**

Fire-Rescue-EMS-Inspections apparatus will operate in the designated response areas of the city and county. In addition, those towns and departments inside and outside the response

area having mutual aid and/or other contractual agreements with the department shall be served. Under disaster conditions, operations may extend beyond these areas upon the recommendation of the Chief of the department and approval by the City Manager.

(Code 1993, § 7-28)

**Cross reference**—Administration, ch 2.

**Sec. 14-26. Fire-Rescue-EMS apparatus to have right-of-way.**

(a) In the event of an alarm, departmental apparatus shall have the right-of-way in and upon the streets, lanes, alleys, squares, malls and crossings when responding to emergencies. No person shall obstruct or neglect to make way for such apparatus.

(b) Upon the approach of any emergency vehicle giving a warning signal by appropriate light and warning bell, siren or exhaust whistle, audible under normal conditions from a distance of not less than one thousand (1,000) feet, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right edge or curb, clear of any intersection of streets or highways, and shall stop and remain in such position until the apparatus has passed the location and it is then safe to proceed, or unless otherwise directed by a police officer.

(c) It shall be unlawful for the driver of any vehicle, other than one on official business, to follow any departmental apparatus traveling in response to an emergency call closer than one (1) block, or to drive into or park such vehicle within five hundred (500) feet of where a department vehicle has stopped in answer to the call.

(Code 1993, § 7-29)

**State law references**—Approach of law enforcement, fire department or rescue squad vehicles or ambulances; driving over fire hose or blocking fire-fighting equipment; parking, etc., near law enforcement, fire department, or rescue squad vehicle or ambulance, G.S. 20-157.

**Cross reference**—Motor vehicles and traffic, ch. 18.

**Sec. 14-27. False alarms.**

It shall be unlawful for any person to give or cause to be given any false alarm of fire.

(Code 1972, § 7A-6; Code 1993, § 7-30)

**Cross reference**—Offenses and miscellaneous provisions, ch. 20.

**State law references**—Giving false fire alarms; molesting fire-alarm, fire detection or fire extinguishing equipment, G.S. 14-286.

**Sec. 14-28. Driving over a fire hose.**

Without the specific direction of a departmental official, it shall be unlawful for any person to drive a motor vehicle over a fire hose or any other equipment belonging to the department.

(Code 1972, § 7A-2; Code 1993, § 7-31)

**State law references**—Approach of law enforcement, fire department or rescue squad vehicles or ambulances; driving over fire hose or blocking fire-fighting equipment; parking, etc., near law enforcement, fire department, or rescue squad vehicle or ambulance, G.S. 20-157.

**Sec. 14-29. Congregating at emergency scenes.**

It shall be unlawful to congregate on the streets, alleys or blocks next to the scene of an emergency to the extent that it interferes with departmental operations. The extent of interference shall be determined by the Incident Commander.

(Code 1972, § 7A-3; Code 1993, § 7-32)

**Sec. 14-30. Interfering with Fire-Rescue-EMS personnel, apparatus or equipment.**

It shall be unlawful for any person to interfere with departmental personnel in the discharge of their duties, to loiter about any station or meddle with the apparatus or equipment.

(Code 1972, § 7A-4; Code 1993, § 7-3)

**State law references**—Molesting fire alarm, fire detection or fire extinguishing system, G.S. 14-286; approach of law enforcement, fire department or rescue squad vehicles or ambulances; driving over fire hose or blocking fire-fighting equipment; parking, etc., near law enforcement, fire department, or rescue squad vehicle or ambulance, G.S. 20-157; parking near fire hydrant or fire station or in fire lane, G.S. 20-162; interference with firefighters, G.S. 58-82-1.

**Sec. 14-31. Riding Fire-Rescue-EMS apparatus.**

It shall be unlawful for any person to enter upon or ride on departmental apparatus without the consent or invitation of the person in charge of the apparatus.

(Code 1972, § 7A-5; Code 1993, § 7-34)

**Sec. 14-32—14-52. Reserved.****ARTICLE III. FIRE PREVENTION****Sec. 14-53. Purpose.**

There is hereby adopted by the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain codes known as the current North Carolina Fire Code, its appendices, and related General Statutes of which codes not less than one (1) copy of each will be filed in the office of the City Clerk and the same are hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling within the limits of the city and the extraterritorial jurisdiction.

(Code 1993, § 7-70; Ord. No. 02-2, 1-14-2002)

**State law reference**—Authorization of the provisions of this article is provided by, G.S. 160A-414, financial support, and G.S. 160A-175, enforcement of ordinances.

**Sec. 14-54. Conflict with state code.**

In the event any conflict should arise between the provisions of such fire prevention code and the provisions of this Code, provisions of the state code shall prevail.

(Code 1993, § 7-71)

**Sec. 14-55. 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:

*Fire prevention official* means any authorized City of Washington Fire Prevention Inspector.

*Municipality* means, when used in the fire prevention code, the City of Washington.  
(Code 1993, § 7-72)

**Sec. 14-56. Fire prevention official to enforce.**

The fire prevention official, as authorized by the Chief of the department, shall be charged with the administration and enforcement of the current North Carolina Fire Code, and its appendices. All persons empowered with the administration and enforcement of this code shall possess an appropriate valid certificate issued by the North Carolina Code Officials Qualification Board.

(Code 1993, § 7-73; Ord. No. 02-2, 1-14-2002)

**Sec. 14-57. Duties of the fire prevention official.**

(a) The fire prevention official shall receive applications for permits and certification of inspections, issue or deny permits, make necessary inspections, issue or deny certificates of inspection, issue orders to correct violations, revoke permits or certificates of inspections, levy fines, bring judicial actions against actual or threatened violations, keep adequate records, and take any other actions that may be required in order to enforce the code.

(b) The fire prevention official shall keep complete, permanent and accurate records in convenient form of all applications received, permits or certificates of inspection issued, inspections and reinspections made, defects and violation found, and all other actions.

(Code 1993, § 7-74)

**Sec. 14-58. Inspection required.**

(a) Inspection shall be made in accordance with the current North Carolina Fire Code, and its appendices, all technical and standards adopted by reference in this article.

(b) All new buildings and structures shall be inspected initially and thereafter in accordance with the minimum fire code inspection schedule outlined in the current North Carolina Fire Code, and its appendices and fees charged as provided for in this article. All existing buildings and structures shall be inspected when there is a change of ownership or occupancy and thereafter as provided for other existing buildings and structures. All existing buildings or structures shall be inspected in accordance with the minimum fire code inspection schedule outlined in the current North Carolina Fire Code, and its appendices and fees charged accordingly.

(Code 1993, § 7-75; Ord. No. 02-2, 1-14-2002)

**Sec. 14-59. Permits.**

(a) No person shall maintain, store, handle materials or conduct processes which produce conditions hazardous to life or property or install equipment used in connection with such activities without a permit as required by the fire prevention official and prescribed in the current North Carolina Fire Code, and its appendices. The fire prevention official shall evaluate all applications and issue, if approved, such permits. Before a permit may be issued, the fire prevention official shall inspect and approve receptacles, vehicles, buildings, structures, storage areas, devices, processes, and conditions related to the permit.

(b) Foster homes shall be exempt from permit and inspection fees.  
(Code 1993, § 7-76; Ord. No. 00-9, 6-26-2000; Ord. No. 01-3, 3-12-2001; Ord. No. 01-7, 7-9-2001; Ord. No. 02-2, 1-14-2002)

**Sec. 14-60. Fees.**

(a) A fee shall be assessed for required permits/fire prevention inspections conducted in accordance with section 14-58 and/or section 14-59 in amounts and according to criteria as established from time to time.

(b) First time fire prevention inspection/permit fees shall be paid along with all other applicable fees at the time of application. Reinspection fees shall be billed upon completion of a final inspection.

(c) Required construction permit fees shall be as established from time to time.

(d) Other fees shall be as established from time to time.  
(Ord. No. 06-17, § 1, 6-19-2006)

**Sec. 14-61. Open burning prohibited.**

No person shall cause, suffer, allow, or permit open burning of refuse or other combustible material within the corporate limits of the city. This prohibition shall not apply to intentional burning for the purpose of firefighting training, the exhibition bonfire set during the annual Washington High School Homecoming, or ceremonial-type campfires with the approval of the Chief of Fire-Rescue-EMS-Inspections that is part of an approved special event. The approval of these ceremonial-type fires will be contingent upon the event organizers meeting the following fire prevention and safety guidelines.

- (a) The grass/sod will be removed from the immediate area of the campfire site.
- (b) The site will be lined with rocks or stones to contain the fire.
- (c) The materials being burned in the fire will be approved by the Fire-Rescue-EMS-Inspections Department.
- (d) The hours of burning will be approved by the Fire-Rescue-EMS-Inspections Department.

- (e) An approved fire extinguisher will be present at all times for immediate extinguishment.
- (f) The event organizers will remove and properly dispose of all items associated with the campfire site and restore the grass/sod to its original state.
- (g) The event organizers will be responsible for obtaining any required approval from the North Carolina Division of Air Quality.
- (h) A permit issued upon approval with an inspection fee as established from time to time. (Code 1993, § 7-78; Ord. No. 01-7, 7-9-2001; Ord. No. 04-22, § 1, 10-18-2004)

**Sec. 14-62. Fire lanes establishment.**

The establishment of fire lanes shall be determined by the fire prevention official in accordance with the current North Carolina Fire Code, and its appendices. Upon the establishment of the fire lane the building occupant shall mark said fire lane to the following specifications. Areas designated as fire lanes shall have its boundaries, borders, and curbs clearly marked with yellow paint. The words "No Parking, Fire Lane" shall be clearly painted yellow within the fire lane with at least ten-inch high lettering. It is the responsibility of the building occupant to maintain the markings clearly and to keep the fire lane free of obstructions.

(Code 1993, § 7-79; Ord. No. 02-2, 1-14-2002)

**Sec. 14-63. Unlawful to block fire lanes.**

No person shall obstruct a designated fire lane with merchandise, building materials, vehicles, displays or any other obstructions of any kind. This prohibition includes designated fire lanes in shopping center or mall parking lots and all other public vehicular areas.

(Code 1993, § 7-80)

**Sec. 14-64. Hazardous materials response recouping cost.**

The city Department of Fire-Rescue-EMS-Inspections may recoup the cost of manpower, as well as the cost of decontamination and/or replacement cost of equipment and supplies used during a hazardous materials response. When recouping cost, the city will bill the individual deemed responsible for the hazardous materials involved in the incident. The actual cost of the incident billed will be the actual cost and overhead to the city.

(Code 1993, § 7-81)

**Sec. 14-65. Lockbox required.**

In accordance with the current North Carolina Fire Code, and its appendices, the owner or occupant of a structure where a fire prevention official has required the installation of a key box, necessary to gain access or entry to that structure, shall install a specific type key box approved by the fire prevention official. The key box shall be located in an accessible location approved by the fire prevention official. The key box shall contain the key necessary to gain

access as required by the fire prevention official. The operator of the building shall immediately notify the fire prevention official and provide the new key at any time a lock is changed or re-keyed and the key to that lock shall be secured in the key box.

(Code 1993, § 7-82; Ord. No. 02-2, 1-14-2002)

**Sec. 14-66. Violations and penalties.**

Any person who shall:

- (a) Violate or fail to comply with any provision of this article or of the current North Carolina Fire Code, and its appendices, as adopted, amended or augmented by this article; or
- (b) Violate or fail to comply with any order made under this article or the current North Carolina Fire Code, and its appendices; or
- (c) Build in violation of any detailed statement of specifications or plans submitted under this article or the current North Carolina Fire Code, and its appendices, or any certificate or permit issued thereunder;

shall be subject to civil penalties as specified in the state fire code. Each day that any violation continues may be considered a separate violation.

(Code 1993, § 7-83; Ord. No. 96-18, 11-11-1996; Ord. No. 99-11, 9-13-1999; Ord. No. 02-2, 1-14-2002)



Chapter 15

**RESERVED**

