**CHAPTER 20: FIRE PREVENTION AND PROTECTION**

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*Authority to regulate explosives, see G.S.  160A‑183*

*Fire protection, see G.S.  16GA‑291 et seq.*

*General ordinance‑making power, see G.S.  160A‑174*

***ARTICLE I. IN GENERAL***

**20‑1 PENALTY.**

Any violation of this chapter subjects the offender to a civil penalty of $100, as provided in  1‑6.

(2001 Code,  20‑1)

**20‑220‑30 RESERVED.**

***ARTICLE II. FIRE DEPARTMENT***

***Statutory reference:***

*Fire protection, see G.S.  160A‑291 et seq.*

**20‑31 CREATION.**

The Town Volunteer Fire Department is created for the purpose of preventing and extinguishing fires and the protection of life and property within the limits of the town.

(1970 Code,  4‑1; 2001 Code,  20‑31)

**20‑32 COMPOSITION.**

The Fire Department shall consist of the Chief of the Fire Department, one Assistant Fire Chief and a sufficient number of firefighters to maintain and operate the Fire Department.

(1970 Code,  4‑2; 2001 Code,  20‑32)

**20‑33 SUPERVISION.**

The Chief of the Fire Department shall, in the performance of his or her duties under this article, be under the general supervision of the governing body of the Fire Department.

(1970 Code,  4‑3; 2001 Code,  20‑33)

**20‑34 CHIEF, DUTIES.**

The duties of the Chief of the Fire Department shall include, but are not limited to, the following.

(A) The Chief shall formulate a set of rules and regulations to govern the Department subject to the approval of the governing body of the Fire Department; and he or she shall be responsible for the personnel, morale and general efficiency of the Department.

(B) The Chief shall at least once a month conduct suitable drills or instructions in the operation and handling of equipment, first aid, rescue work, salvage, a study of the buildings in the town, fire prevention, water supplies and all other matters generally considered essential to good firemanship and safety of life and property from fire.

(C) The Chief of the Fire Department shall take charge of and supervise the fighting and extinguishing of all fires; provided that, in the absence of the Chief of the Fire Department from the scene of a fire, the superior member of the Fire Department present shall exercise the duties of the Chief of the Fire Department.

(D) The Chief of the Fire Department shall report to the governing body of the Fire Department the condition of all equipment at least annually and at other times as the Town Manager may require.

(E) The Chief or his or her designated agent is empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found.

(F) Any person served with a notice to abate any fire hazard or hazards shall comply with the notice and promptly notify the Chief.

(G) The Chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.

(H) The Chief of the Fire Department shall inspect or cause to be inspected all fire hydrants and fire alarm systems and report their condition to the Town Manager as the Town Manager may require.

(I) The Chief is required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.

(1970 Code,  4‑4; 2001 Code,  20‑34)

***Cross-reference:***

*Officers and employees, see  2‑91 et seq.*

**20‑35 DEPARTMENTAL RULES AND REGULATIONS.**

The Fire Department may, from time to time, adopt its own rules and regulations governing the Department, subject to the approval of the governing body of the Fire Department.

(1970 Code,  4‑5; 2001 Code,  20‑35)

**20‑36 EQUIPMENT.**

(A) The Fire Department shall be equipped with the apparatus and other equipment, as may be required from time to time, to maintain its efficiency and properly protect life and property from fire.

(B) Recommendations of apparatus and equipment needed shall be made by the Chief and after approval by the Board of Commissioners shall be purchased in a manner as may be designated by the Board.

(C) No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in any way by the Department.

(D) No person shall enter any place where a fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless accompanied by or having the special permission of an officer or member of the Department.

(E) All equipment of the Department shall be safely and conveniently housed in fire stations provided for that purpose.

(1970 Code,  4‑6; 2001 Code,  20‑36)

***Statutory reference:***

*Assault on emergency personnel, see G.S.  14‑288.9*

**20‑3720‑60 RESERVED.**

***ARTICLE III. FIRE HAZARDS***

***Statutory reference:***

*General ordinance‑making power, see G.S.  160A‑174*

**20‑61 RIDING FIRE TRUCKS.**

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 the engine, wagon or other apparatus.

(1970 Code,  4‑9; 2001 Code,  20‑61)

**20‑62 LOTS KEPT FREE OF FIRE HAZARDS.**

It shall be unlawful for any person to permit or suffer rubbish, refuse or articles of a combustible or flammable nature to accumulate or remain on his or her property.

(1970 Code,  4‑23; 2001 Code,  20‑62)

**20‑63 BURNING TRASH OUTSIDE FIRE LIMITS.**

Trash or rubbish shall not be burned on any private lot outside of the fire limits, except within a safely constructed enclosure made of wire mesh or in a similar safety device and except upon the procurement of a valid permit from the Fire Department.

(1970 Code,  4‑21; 2001 Code,  20‑63)

***Cross-reference:***

*Solid waste, see Ch. 30*

**20‑64 CHIMNEYS OR SMOKESTACKS.**

All chimneys, smokestacks or similar devices for conveying smoke or gases to the outer air from stoves, furnaces, fire boxes or ovens shall be maintained in a manner as not to create a fire hazard and endanger adjacent property.

(1970 Code,  4‑24; 2001 Code,  20‑64)

**20‑65 BLASTING.**

It shall be unlawful for any person to do any blasting within the town without first having secured a permit from the Fire Chief, which permit shall be approved by the Town Manager.

(1970 Code,  4‑26; 2001 Code,  20‑65)

***Statutory reference:***

*Authority to regulate explosives, see G.S.  160A‑183*