



Town of Shallotte
ACTION AGENDA ITEM
2025

TO: Board of Aldermen

ACTION ITEM #:

MEETING DATE: 01/28/2025

FROM: Paul Dunwell, Fire/Rescue Chief

DATE SUBMITTED: 11/27/2024

EXT. #

ISSUE/ACTION REQUESTED:

Requesting approval of amendments made to Code of Ordinances Chapter 93: Fire Prevention

PUBLIC HEARING:

YES NO

BACKGROUND/PURPOSE OF REQUEST:

The Town of Shallotte and Town Manager asked the Fire Chief to review and check for consistency Chapter 93: Fire Prevention of the Code of Ordinances.

The Fire Chief met with the Brunswick County Fire Marshal's Office and obtained the language to amend Chapter 93: Fire Prevention to satisfy the regulations regarding fire code enforcement as specified in the Brunswick County Fire Prevention Ordinance and NC Fire Code.

The recommended amendments do not change the current code enforcement services being provided by Brunswick County but do eliminate language which may conflict with Brunswick County Fire Prevention Ordinance and align the Town's ordinance with the County's. The amendments further recognize the proper authority for the administration of fire code enforcement activities and punitive actions for fire code violations within the Town of Shallotte.

Chapter 93: Fire Prevention is not to be confused with Chapter 98: Open Burning as both are addressed separately by the Code of Ordinances.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

YES NO

CAPITAL PROJECT ORDINANCE REQUIRED:

YES NO

PRE-AUDIT CERTIFICATION REQUIRED:

YES NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

YES NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

YES NO N/A

ADVISORY BOARD RECOMMENDATION:

TOWN MANAGER'S RECOMMENDATION:

FINANCE RECOMMENDATION:

ATTACHMENTS:

1. Code of Ordinances, Chapter 93: Fire Prevention, markup
 - 2.
 - 3.
-

ACTION OF THE BOARD OF ALDERMEN

APPROVED:
DENIED:

ATTEST:

CLERK TO THE BOARD

**DEFERRED
UNTIL:**

SIGNATURE

OTHER:

CHAPTER 93: FIRE PREVENTION

Section

93.01	ADOPTION OF THE NORTH CAROLINA FIRE CODE AND BRUNSWICK COUNTY FIRE PREVENTION CODE ORDINANCE BY REFERENCE
93.02	NORTH CAROLINA GENERAL STATUTES GOVERNING FIRE PROTECTION WITHIN THE TOWN
93.03	FALSE FIRE ALARM
93.04	FIRE HYDRANT AND FIRE HYDRANT PLACEMENT
93.05	FIRE PROTECTION MEASURES
93.06	FIRE INSPECTIONS FEES
93.07	PLAN REVIEW FEES
93.08	TEMPORARY POWER
93.09	PENALTY

§ 93.01 ADOPTION OF THE NORTH CAROLINA FIRE CODE AND BRUNSWICK COUNTY FIRE PREVENTION CODE ORDINANCE BY REFERENCE

The North Carolina State Building Code: International Fire Code with NC Amendments Volume V Fire Prevention and associated appendices are most current edition of the North Carolina Fire Code and most current edition of the Brunswick County Fire Prevention Ordinance is hereby adopted by reference as fully as though set forth herein as the Fire Prevention Code for the Town. An official copy of the code shall be kept in the office of the Fire Marshal.

§ 93.02 NORTH CAROLINA GENERAL STATUTES GOVERNING FIRE PROTECTION WITHIN THE TOWN

Most of the statutory provisions relating cities and Towns are contained in Chapter 160A of the North Carolina General Statutes. Articles 14 and 19 of that chapter, respectively entitled "Fire Protection" and "Planning and Regulation of Development," specifically apply to fire protection within corporate limits. These statutes and the Town ordinances govern the operation of the fire department.

§ 93.03 FALSE FIRE ALARM

Purpose.

The purpose of this section is to establish regulations governing commercial and institutional fire alarm systems requiring response by the Town of Shallotte Fire Department. The terms of this section shall in no way prohibit alarm companies from providing service by private source to other offices within or outside the Town of Shallotte.

Definitions.

"Alarm" means any electronic or mechanical device, which emits any signal, whether electronic, audible, silent or recorded, and which is designed, intended or used for the detection or existence of a fire. "Alarm" shall include any device, which initiates, and emergency telephone number assigned to the Brunswick County 911 Central Communication (C Com). Any procedure by which a third party telephone any emergency telephone number and requests Fire Department service on the basis of having received an automatic alarm signal from a subscriber of such person or alarm business represented by such person; or an audible signal or siren that when sounded is detected by a third party that results in a fire department response.

"False Alarm" means the activation of an alarm for the purpose of summoning the fire department; or which causes the fire department to be summoned, at a time when no fire or emergency exists on the premises.

A. False Alarm includes those caused by:

- ~~(1) Error or mistake—any action by any person, firm or corporation, or other entity or agency thereof, owning or operating any dwelling, building or place, which result in the activation of any alarm system when no emergency exists.~~
- ~~(2) Malfunction—any activation of any alarm system caused by a flaw in the normal operation, design, installation, maintenance of the system, by faulty equipment or by a change in the environment or premises upon or within which the alarm system is operating.~~
- ~~(3) Intentional misuse—any intentional activation of an alarm system when no fire or other emergency is in progress.~~

B. An alarm will not be considered a false alarm if it is determined that the alarm was caused by:

- ~~(1) Natural or man made catastrophe or an act of God. Such events include tornadoes, floods, earthquakes or other similarly violent conditions.~~
- ~~(2) Vandalism causing physical damage to the premises.~~
- ~~(3) Telephone line outage.~~
- ~~(4) Attempted entry of a location causing visible, physical or other evidence of damage to said location.~~
- ~~(5) Severe weather causing physical damage to premises.~~
- ~~(6) The testing of a local/audible alarm system by a licensed alarm business agent or employee who is present at the premises servicing, repairing or installing the alarm when such testing does not result in the alarm being activated for an uninterrupted period exceeding (60) seconds.~~
- ~~(7) Unauthorized entry.~~

"Subscriber" means any person, firm, corporation or partnership owning or leasing an alarm system, or on whose premises an alarm system is maintained for the protection of such premises or property.

Continuing Audible Alarms

All audible alarms must be reset and cease to sound after fifteen (15) minutes of continuous activation. Alarms installed after the effective date of this article shall be equipped with an automatic reset device. An alarm that sounds continuously in excess of fifteen (15) minutes from the time the fire department arrives at the alarm location shall constitute a violation of this article. Every subsequent sixty minute period following the initial fifteen (15) minutes during which the alarm continues to sound shall constitute a civil penalty for each sixty minute period of continuous operation of an alarm, not to exceed two hundred dollars (\$200.00) for any twenty four hour period.

Alarm Responses

If within any fiscal year, the fire department responds to two (2) false alarms at the same premises or location, the Town shall send a letter requesting the subscriber to stop further false alarms and informing him of the consequences of continued false alarms, specifically the civil penalty fee. There will be no fee assessed for the first two (2) false alarms within a fiscal year. Beginning with the third false alarm, a civil penalty citation shall be issued to the subscriber for each additional false alarm.

Penalty

~~For the first two (2) false alarms issued within the fiscal year, no civil penalty is issued.~~

~~The third (3rd) false alarm civil penalty of \$25.00 shall be paid the Town within fourteen (14) days of issuance in full satisfaction of the assessed civil penalty.~~

~~The fourth (4th) false alarm issued in the fiscal year a civil penalty of \$50.00 shall be paid to the Town within fourteen (14) days of issuance in full satisfaction of the assessed civil penalty.~~

~~The fifth (5th) false alarm issued in the fiscal year a civil penalty of \$100.00 shall be paid to the Town within fourteen (14) days of issuance in full satisfaction of the assessed civil penalty.~~

~~Each successive citation issued thereafter within the fiscal year, the civil penalty will increase in \$100.00 increments and shall be paid to the Town within fourteen (14) days of issuance in full satisfaction of the assessed civil penalty. If the civil penalty is not paid within the time prescribed in the citation, the Town may initiate a civil action in the nature of debt to collect such civil penalty.~~

~~Any violation of this ordinance in which a civil penalty is not prescribed shall be a misdemeanor as prescribed in North Carolina General Statutes 104-4.~~

~~Severability.~~

~~If any provision of this chapter, for any reason, is held to be unconstitutional or invalid, such provision shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.~~

~~§ 93.04 FIRE HYDRANT AND FIRE HYDRANT PLACEMENT~~

~~The intent and the purpose of this ordinance is to encourage safe development as it relates to fire suppression and particularly the installation of fire hydrants at safe and convenient distances from new development. The following regulations shall apply to all new major subdivisions, multi family dwelling units and commercial developments in the Town and extra-territorial jurisdiction. Site plan and/or zoning compliance permit for major subdivisions, multi family dwelling units or construction of any commercial project shall not occur prior to meeting the following:~~

~~A. Fire Hydrants and Fire Protection Measures:~~

~~(1) Fire Hydrants. The following requirements shall be met for each new hydrant erected in the Town of Shallotte and extra-territorial jurisdiction:~~

- ~~a. All hydrants must have 3 ports (outlets) one (1) 4 1/2" inches in diameter, two (2) 2 1/2" inches in diameter all bearing National Standard Threads (NST). The Town of Shallotte's Fire Marshal and/or Fire Chief shall determine port locations.~~
- ~~b. Hydrant outlets shall be placed 18" to 24" above ground at finished grade.~~
- ~~c. All hydrants shall have at lateral gate valve within 10' of hydrant for that hydrant only.~~
- ~~d. When running the water line to the hydrant, there shall be no dead end laterals off main lines and water lines shall be looped.~~
- ~~e. All new hydrants that are installed by independent contractors shall be reviewed, inspected and approved by the Fire Marshal and/or Fire Chief before the hydrant is dedicated to the Town.~~

~~f. All hydrants that are not in service shall be bagged to visibly identify that the hydrant is "not in service" and shall remain bagged until the hydrant is dedicated and placed in service.~~

~~g. All newly installed fire hydrant locations shall be identified with a blue reflector that will be permanently installed in the center road of travel lane closest to the fire hydrant.~~

~~h. Water lines servicing hydrants shall be no smaller than 6 inches in size.~~

~~i. Water lines servicing hydrant will not be downsized and then upsized~~

~~j. All hydrants on Town water lines shall be painted red in accordance with the Fire Department's guidelines.~~

~~k. No hydrant shall be fenced in or barricaded in any manner so as to impede access,~~

~~l. No hydrant may be used by any person or organization other than the Town of Shallotte or Fire Department personnel without written permission (permit) from the Utilities Director.~~

~~m. If permission is granted for the use of a fire hydrant, no appliance, hose, or fitting may be left attached to the hydrant. While using such hydrant, an individual must be present at the hydrant and be capable of immediately restoring hydrant to normal operating condition.~~

~~§ 93.05 FIRE PROTECTION MEASURES.~~

~~A. Fire Department Connections (FDCs):~~

~~(1) A Fire Hydrant shall be located within one hundred and fifty (150) feet of a Fire Department Connection.~~

~~B. Fire Alarm System:~~

~~(1) All commercial locations with a fire alarm system shall have a legend and operating instructions posted at the annunciator panel.~~

~~(2) Fire alarm systems monitored by a central station shall not be monitored until a temporary certificate of occupancy (TCO) has been issued.~~

~~C. Interference with a Firefighter:~~

~~(1) As provided in N.C.G.S. 69-39, no person shall willfully interfere in any manner with firemen engaged in the performance of their duties.~~

~~(2) It shall be unlawful for persons to congregate on the street, sidewalks, or other areas adjacent to a fire scene so as to interfere with the operations of members of the fire department or other public safety officers.~~

~~D. Fire Watch:~~

~~(1) A fire watch shall be established in the event of a fire alarm, and/or sprinkler system becomes non-monitored and/or unprotected due to system failure as a result of construction, renovations, ect.~~

~~(2) The Fire Watch shall be staffed with competent and qualified personnel identified by the Fire Marshal and/or Fire Chief, the owner shall be billed for the fire watch at a rate of forty (\$40.00) dollars per hour per fire watch individual and one hundred (\$100.00) dollars per hour per fire apparatus. Fire watch shall be documented in hourly intervals and records shall be kept on file. In the event of a fire the fire watch individual shall notify e-com (911 center) upon detection of a fire conditions.~~

E. Permits for hazardous materials and fire hazard activities:

~~The owner or operator of any facility in the Town and ETJ engaged in the manufacturing, storage or use of hazardous materials or engaged in operations which produce conditions considered to present an extra or unusual fire hazard to life or property shall obtain a permit from the fire department prior to the commencement of such activities. Without limiting the generality of the foregoing, permits shall be required for the following activities:~~

- ~~(1) Storage of hazardous materials in buildings.~~
- ~~(2) Above ground storage of flammable or hazardous material.~~
- ~~(3) Below ground storage of flammable or hazardous material.~~
- ~~(4) The storage, use or handling of explosive materials.~~
- ~~(5) Aerial display of fireworks.~~
- ~~(6) Any activities requiring a permit under the Fire Prevention Code.~~

~~Applications for permits shall be made to the Division of Safety & Fire Prevention on forms provided by the Town. Applications for permits shall be accompanied by such data as may be required by the Fire Marshal.~~

- ~~(a) A permit shall be issued by the Division of Safety & Fire Prevention upon the payment of all applicable permit fees as set forth in the fee schedule and compliance with applicable provisions of the Fire Prevention Code, NFPA 704, the reporting requirements of the Superfund Amendments and Reauthorization Act of 1986 and the provisions of this chapter. The permit fees shall be in addition to any privilege license fees. A permit may be denied if the applicant fails to meet the requirements of this section. If the permit is denied, the Fire Marshal shall advise the applicant, in writing, of the reasons for such denial.~~
- ~~(b) Unless otherwise specified in the fee schedule, a permit issued pursuant to this section shall extend for the twelve month period beginning July 1 and ending June 30. Renewal applications are due not later than July 1 of each year. However, if a person begins an operation subject to the provisions of this section after June 1 of any year, the permit shall be issued before the business is begun. Permits for special activities shall be valid only for the permitted event or occurrence, and a new permit shall be obtained for each event or occurrence.~~
- ~~(c) Permit(s) will be valid for the same period as specified in the inspection schedule in Chapter 1, Section 106 NC Fire Code.~~
- ~~(d) Permits are not transferable to other locations or persons, firms or corporations. When an owner or operator is required to obtain more than one (1) permit, the permits may be consolidated onto one (1) permit form. Such consolidated permit form~~

~~shall list all the hazardous materials or operations covered by the separate permits. When an owner or operator is required to obtain more than one (1) permit for the activities conducted at any location, the owner or operator shall pay the fees as set forth in the fee schedule for each permitted activity.~~

- ~~(e) Any person, firm or corporation who fails to obtain a permit as required by this section shall be required to pay twice the amount of the standard permit fee prior to the issuance of a permit.~~
- ~~(f) Permits fee(s) shall not exceed five hundred dollars (\$500.00) in operational permit consolidation(s) per occupancy.~~
- ~~(g) Operational Permits will apply if one of the following occurs: during a new construction situation, Change of use, Change of Occupancy or Failing to bring occupancy into compliance within 120 days from initial inspection for existing occupancies.~~
- ~~(h) Construction Permits will apply to all new and existing occupancies.~~
- ~~(i) Fee Schedule:~~

Operational Permits

Description	Permit Fee
ABC Permit (Change of use, renter, business requiring ABC Permit)	\$50.00
Aerosol Products Excess 500 pounds	\$50.00
Amusement Buildings	\$100.00
Aviation Facilities	\$50.00
Carnivals and Fairs (Per Event)	\$100.00
Battery Systems Greater than 50 gallons	\$50.00
Cellulose nitrate film (Group A Occupancy) Greater than 25 pounds	\$150.00
Combustible Dust Operation	\$100.00
Combustible Fibers Greater than 100 cubic feet	\$50.00
Compressed Gases Excess of table 105.6.9	\$50.00
Cryogenic Fluids Excess of table 105.6.11	\$50.00
Cutting and Welding Operations	\$50.00
Dry Cleaning Plants	\$50.00
Exhibits and trade shows	\$100.00
Explosives Division 1.1 through 1.6 (storage)	\$100.00
Explosives Division 1.1 and 1.2 (use)	\$100.00
Explosives Division 1.3 (use)	\$100.00
Explosives Division 1.4 and 1.5 (use)	\$100.00
Pyrotechnic Special Effect Materials (use)	\$100.00

Fire Hydrants and Valves (Per-Unit)	\$25.00
Flammable and Combustible Liquids (Inside) Greater than 5,001-gallons	\$100.00
Flammable and Combustible Liquids (Outside) Greater than 5,001-gallons	\$100.00
Flammable and Combustible Liquids (Inside) Less than 5,000-gallons	\$100.00
Flammable and Combustible Liquids (Outside) Less than 5,000-gallons	\$100.00
Floor Finishing Excess of 350 square feet	\$100.00
Fruit and crop ripening operations	\$50.00
Fumigation and Thermal Insecticidal Fogging	\$50.00
Hazardous Materials (Business)	\$100.00
Hazardous Materials (Industrial)	\$250.00
Hazardous Production Material Facilities	\$500.00
High-piled Storage Excess of 500 square feet	\$100.00
Hot Work Operations	\$50.00
Industrial Ovens	\$50.00
Lumber Yards & Woodworking Plants	\$50.00
Liquid or gas fueled vehicles or equipment in assembly buildings	\$100.00
LP Gas (See Department of Agriculture)	\$100.00
Magnesium	\$50.00
Miscellaneous Combustible Storage Excess of 2,500 cubic feet	\$50.00
Open Burning (Commercial)	\$100.00
Open Burning (Residential)	\$20.00
Open flames and torches	\$100.00
Open flames and candles (Assembly & Restaurants)	\$50.00
Organic Coatings	\$50.00
Places of Assembly	\$100.00
Private Fire Hydrant Removal	\$50.00
Pyroxylin Plastics Greater than 25 pounds	\$50.00
Refrigeration equipment	\$50.00
Repair Garages Less than 5,000 square feet	\$50.00
Repair Garages Greater than 5,000 square feet	\$100.00
Motor Fuel Dispensing Facilities (100,000-gallon-tank or less)	\$75.00
Motor Fuel Dispensing Facilities (100,000-gallon-tank or More)	\$100.00
Rooftop heliports	\$50.00
Spraying Operations	\$75.00
Dripping Operations - Flammable Finishes	\$75.00

Storage of Scrap tires and tire byproducts	\$75.00
Temporary membrane structures, tents and canopies per membrane, tent or canopy	\$25.00
Tire rebuilding plants	\$75.00
Waste Handling (Wreck Yards, Junk Yards ect.)	\$100.00
Wood Products (Storage)	\$100.00

Construction Permits

Description	Permit Fee
Automatic fire extinguishing systems (Install / Modification)	\$100.00 + \$5.00 per Nozzle/Head
Compressed Gases (Install / Repair, ect.)	\$75.00
Fire Alarm, detection systems (Install / Modification)	\$100.00 + \$5.00 per initiating device
Fire Pumps (Install / Modification)	\$100.00
Flammable and Combustible liquids (Install / Modification)- Aboveground & Underground (Per Tank)	\$100.00
Underground Tank Removal (Per Tank)	\$100.00
Underground Tank Abandoned (Per Tank)	\$100.00
Underground Tank Installation (Per Tank)	\$100.00
Underground Tank Testing (Per Test)	\$100.00
Aboveground Tank Removal (Per Tank)	\$100.00
Aboveground Tank Installation (Per Tank)	\$100.00
Hazardous Materials Installation	\$100.00
Hazardous Materials Removal	\$100.00
Hazardous Materials Abandoned	\$100.00
Industrial Oven Installation	\$50.00
LP Gas Installation (Occupancies covered by Fire Code)	\$100.00
Private Fire Hydrants (Installation / Modification)	\$25.00 per hydrant
Spraying or Dipping (Installation / Modification)	\$100.00
Standpipe Systems (Installation / Modification) w/ Sprinkler System	\$50.00
Standpipe Systems (Installation / Modification) w/o Sprinkler System	\$100.00
Temporary membrane structures, tents and canopies (Erect) per membrane, tent or canopy	\$75.00

§ 93.06 FIRE INSPECTIONS

The ~~Town's Fire Marshal~~ Brunswick County Fire Marshal's Office by contract is responsible for inspecting businesses and Town properties to insure that business owners, employees and the general public are safe from fire and safety hazards in accordance with the current edition of the Brunswick County Fire Prevention Ordinance and the most current edition of the North Carolina Building Code (~~International Fire Code with NC Amendments~~) and all associated appendices as adopted by the North Carolina Building Code Council.

~~(1) On all new, renovated and existing businesses, the inspector shall bill the owner for the fire prevention inspections as outlined:~~

- ~~• Businesses with less than 1,000 total square feet of enclosed area — \$25~~
- ~~• Businesses with 1,001 to 5,000 total square feet of enclosed area — \$50~~
- ~~• Businesses with 5,001 to 10,000 total square feet of enclosed area — \$75~~
- ~~• Businesses with more than 10,001 total square feet of enclosed area — \$100 plus \$5 for every additional 1,000 square feet of enclosed area above 10,001 total square feet.~~

~~These fees address the initial inspection and one follow-up within 30 days of the initial inspection.~~

~~(2) Each subsequent follow-up inspection shall be billed as follows until the business is compliant:~~

- ~~• Businesses with less than 1,000 total square feet of enclosed area — \$25~~
- ~~• Businesses with 1,001 to 5,000 total square feet of enclosed area — \$50~~
- ~~• Businesses with 5,001 to 10,000 total square feet of enclosed area — \$75~~
- ~~• Businesses with more than 10,001 total square feet of enclosed area — \$100~~

~~These fees address subsequent follow-up inspections at 60 and 90 days of the initial inspection.~~

~~(3) Each fire protection system test shall be billed as follows until the system is compliant:~~

- ~~• Businesses with less than 1,000 total square feet of enclosed area — \$25~~
- ~~• Businesses with 1,001 to 5,000 total square feet of enclosed area — \$50~~
- ~~• Businesses with 5,001 to 10,000 total square feet of enclosed area — \$75~~
- ~~• Businesses with more than 10,001 total square feet of enclosed area — \$100~~

~~These fees address each test conducted on sprinkler systems, hood systems, fire alarms, fire pumps, duct detectors, witness fire flow tests, etc.~~

- ~~(4) Any business owner failing to bring the inspected property into compliance after 90 days of the initial inspection shall be referred to the appropriate Town authority for a review of the business's privilege license and revoke all Operation Permits issued.~~
- ~~(5) Any business operating without a Certificate of Occupancy shall be referred to the appropriate Town authority for a review of the business's privilege license.~~
- ~~(6) Any new business shall not receive a Certificate of Occupancy until it is compliant.~~

§ 93.07 PLAN REVIEWS.

~~These fees address each plan review and re-review conducted: site plans, building plans, sprinkler plans, fire alarm plans, etc.~~

- ~~• Plans with less than 1,000 total square feet of enclosed area — \$50~~
- ~~• Plans with 1,001 to 5,000 total square feet of enclosed area — \$75~~
- ~~• Plans with 5,001 to 10,000 total square feet of enclosed area — \$100~~
- ~~• Plans with more than 10,001 total square feet of enclosed area — \$100 plus \$10 for every additional 1,000 square feet of enclosed area above~~

10,001 total square feet.

§ 93.08 TEMPORARY POWER.

~~Temporary Power shall be requested by the project contractor or other appointed representative. The Fire Marshal will inspect the project for compliance with Temporary Power requirements and issue Temporary Power for 30 days. In the event that a time extension is needed it is the responsibility of the project contractor or other appointed representative to request for a Temporary Power Extension which will be issued for an additional 30 days. In the event that a Temporary Power becomes expired the project contractor or other appointed representative will be contacted by the Fire Marshal informing them that Temporary Power is expired and they need to request an extension. Failure to request a Temporary Power Extension after being notified will result in power being pulled from Brunswick Electric Membership Corporation personnel. These fees address temporary power inspections:~~

- ~~• Initial Temporary Power — \$20~~
- ~~• Extension of Temporary Power — \$20~~

§ 93.99 PENALTY.

~~Any person, firm, or corporation violating any section or provision of this chapter shall, upon conviction, be guilty of a misdemeanor and shall be fined not more than \$500.00, or imprisoned not more than 30 days. Each day such violation continues, however, shall be a separate and distinct offense, punishable as hereinbefore provided and fined \$100. For example, a continued violation of one week after receiving notice from the Fire Marshal and/or Fire Chief, Public Utilities Director will accumulate penalties of up to \$1,000.00 fine or imprisonment up to 210 days.~~

~~A violation of any of the provisions of this chapter, the North Carolina Fire Prevention Code or the NFPA Life Safety Code shall subject the offender to a civil penalty of one hundred dollars (\$100.00) for the first violation, three hundred dollars (\$300.00) for the second violation, and five hundred dollars (\$500.00) for the third and subsequent violations, except that any violation for locked exit doors, blocked egress or overcrowding shall subject the offender to a civil penalty of five hundred dollars (\$500.00). If a person fails to pay the civil penalties set forth herein within fifteen (15) days after being cited for a violation, the Town may seek to recover the penalties by filing a civil action in the nature of debt.~~

~~If said civil penalty is not paid within seventy-two (72) hours, in accordance with G.S. 160A-175, violations of any provision of §93.04 of this chapter shall be a Class 3 misdemeanor as provided in G.S. 14-4 punishable upon conviction by a fine not to exceed \$500.00 or by imprisonment not exceeding thirty (30) days.~~

~~This Ordinance may also be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, The General Court of Justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law.~~

ORDINANCE 25-03

**ORDINANCE AMENDING THE TOWN OF SHALLOTTE'S CODE OF ORDINANCES
AMENDING CHAPTER 93, FIRE PREVENTION ORDINANCE**

WHEREAS, Brunswick County and the Town of Shallotte established an inter-governmental approach for the provision of fire prevention inspections and fire code enforcement to the Town of Shallotte by Brunswick County;

WHEREAS, Brunswick County and the Town of Shallotte each agree that the cooperative endeavor contemplated hereby will be beneficial to both entities; and

WHEREAS, Brunswick County and the Town of Shallotte, in order to set out the provisions and conditions under which said services or resources will be provided, have entered into this Agreement as authorized by Article 20, Part 1 of Chapter 160A of the North Carolina General Statutes.

WHEREAS, to be consistent with the NC Fire Code and the Brunswick County Fire Prevention Ordinance, language within Chapter 93: Fire Prevention of the Town of Shallotte Code of Ordinances must be amended,

THEREFORE, be it ordained by the Board of aldermen of the Town of Shallotte that the following sections of the Code of Ordinances pertaining to Chapter 93: Fire Prevention be deleted:

93.03 FALSE FIRE ALARM
93.04 FIRE HYDRANT AND FIRE HYDRANT
PLACEMENT
93.05 FIRE PROTECTION MEASURES
93.07 PLAN REVIEW FEES
93.08 TEMPORARY POWER
93.99 PENALTY

AND THEREFORE, be it ordained by the Board of aldermen of the Town of Shallotte that the following sections of the Code of Ordinances pertaining to Chapter 93: Fire Prevention be amended:

93.01 ADOPTION OF THE NORTH CAROLINA FIRE

CODE AND BRUNSWICK COUNTY FIRE PREVENTION CODE ORDINANCE BY REFERENCE

§ 93.01 ADOPTION OF THE NORTH CAROLINA FIRE CODE AND BRUNSWICK COUNTY FIRE PREVENTION CODE ORDINANCE BY REFERENCE

The [North Carolina State Building Code: International Fire Code with NC Amendments Volume V – Fire Prevention](#) and associated [appendices](#) are most current edition of the [North Carolina Fire Code](#) and most current edition of the [Brunswick County Fire Prevention Ordinance](#) are hereby adopted by reference as fully as though set forth herein as the Fire Prevention Code for the Town. [An official copy of the code shall be kept in the office of the Fire Marshal.](#)

93.02 NORTH CAROLINA GENERAL STATUTES GOVERNING FIRE PROTECTION WITHIN THE TOWN

§ 93.02 NORTH CAROLINA GENERAL STATUTES GOVERNING FIRE PROTECTION WITHIN THE TOWN

Most of the statutory provisions relating cities and Towns are contained in Chapter 160A of the North Carolina General Statutes. Articles 14 and 19 of that chapter, respectively entitled “Fire Protection” and “Planning and Regulation of Development,” specifically apply to fire protection within corporate limits. These statutes and the Town ordinances govern the operation of the fire department.

93.06 FIRE INSPECTIONS FEES

§ 93.06 FIRE INSPECTIONS FEES

The [Town’s Fire Marshal Brunswick County Fire Marshal’s Office by contract](#) is responsible for inspecting businesses and Town properties to insure that business owners, employees and the general public are safe from fire and safety hazards in accordance [with the current edition of the Brunswick County Fire Prevention Ordinance and the most current edition of the North Carolina Building Code \(International Fire Code with](#)

NC Amendments) and all associated appendices as adopted by the North Carolina Building Code Council.

INTRODUCED at a regular meeting of the Board of Aldermen on January 28, 2025 and adopted at a regular meeting of the Board of Aldermen on January 28, 2025.

SIGNED THIS ____ DAY OF _____, 2025.

TOWN OF SHALLOTTE, NORTH CAROLINA

Mayor

ATTEST:

Town Clerk