

## Chapter 1

**Section 101.1 Title.** These regulations shall be known as the North Carolina Fire Code as adopted by the NC Carolina Building Code Council on September 14, 2010 to be effective September 1, 2011. References to the International Code shall mean the North Carolina Codes. The North Carolina amendments to the International Code are underlined.

**Section 101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted by the local governing authority having jurisdiction.

**Section 101.6 Requirements of other State agencies, occupational licensing boards or commissions.** The North Carolina State Building Codes do not include all additional requirements for buildings and structures that may be imposed by other State agencies, occupational licensing boards and commissions. It shall be the responsibility of a permit holder, design professional, contractor or occupational license holder to determine whether any additional requirements exist.

**Section 102.1. Construction and design provisions.** The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. When the current North Carolina Building Codes require safety to life requirements for existing buildings, those requirements shall apply.
4. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code or the International Building Code, or when there exists a distinct hazard to life or property.

**Section 102.3 Change of Use or Occupancy.** The provisions of the North Carolina Administrative Code and Policies and applicable NC General Statutes shall apply to all buildings undergoing a change of occupancy.

**Section 102.13 Exception to applicability.** The provisions of this code shall not apply to the following:

1. Occupancy of one and two-family dwellings.
2. Farm buildings located outside the building rules jurisdiction of any municipality.

**Exception:** All buildings used for sleeping purposes shall conform to the provisions of the technical codes.

3. The design, construction, location, installation or operation of equipment for storing, handling, and transporting liquefied petroleum gases for fuel purposes up to the first stage regulator, liquefied natural gases, and anhydrous ammonia or other liquid fertilizers.

4. The design, construction, location, installation or operation of equipment or facilities of a public utility, as defined in General Statute 62-3, or an electric or telephone membership corporation, including without limitation poles, towers and other structures supporting electric or communication lines from the distribution network up to the meter location.

**Exception:** All buildings owned and operated by a public utility or an electric or telephone membership corporation shall meet the provisions of the code.

5. The Storage and Handling of Hazardous Chemicals Right to Know Act. North Carolina General Statute 95-173 through 95-218.

6. Open burning pursuant to General Statute 113-60.21 through 113-60.31 under the jurisdiction of the North Carolina Department of Environment and Natural Resources.

**103.2 Appointment.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**103.3 Deputies.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**103.4 Liability.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**103.4.1 Legal defense.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.3 Right of entry.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.3.1 Warrant.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.4 Identification.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.5 Notices and orders.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.6 Official records.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.8 Modifications.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.9 Alternate materials and methods.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.10 Fire investigations.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**104.10.1 Assistance from other agencies.** Deleted.

**105.1.2 Permits.** Operational permits listed as mandatory in Section 105.6 shall be obtained from the fire code official and are legally enforceable. For decisions on any appeals of the provisions of mandatory permits, see the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

Operational permits listed as optional in Section 105.6 must be adopted by local ordinance to be legally issued by the fire code official. A permit listed as optional does not make any of the technical provisions of this code optional.

Decisions on any appeals of the provisions of optional permits which are adopted by local ordinance shall be issued by the local governing body having jurisdiction.

**105.2.3 Time limit on application.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**105.3.1 Expiration.** An operational permit shall remain in effect until reissued, renewed or revoked or for such a time as prescribed in the permit. Permits are not transferable and any change in occupancy, operation, tenancy, or ownership shall require a new permit to be issued.

**105.3.2. Extension of operational permits.**

**105.3.8 Validity of permit.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**105.4 Construction documents.** Construction documents shall be in accordance with this section. See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**105.4.6 Retention of construction documents.** See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**105.6.1 Aerosol products. Optional Permit.** An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.

**105.6.2 Amusement buildings. Mandatory Permit.** An operational permit is required to operate a special amusement building.

**105.6.3 Aviation facilities. Optional Permit.** An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

**105.6.4 Carnivals and fairs. Mandatory Permit.** An operational permit is required to conduct a carnival or fair.

**105.6.5 Cellulose nitrate film. Optional Permit.** An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.

**105.6.6 Combustible dust-producing operations. Mandatory Permit.** An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.

**105.6.7 Combustible fibers. Optional Permit.** An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m<sup>3</sup>).

**Exception:** A permit is not required for agricultural storage.

**105.6.8 Compressed gases. Optional Permit.** An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in Table 105.6.8.

**Exception:** Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

**105.6.9 Covered mall buildings. Mandatory Permit.** An operational permit is required for:

1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.
2. The display of liquid- or gas-fired equipment in the mall.
3. The use of open-flame or flame-producing equipment in the mall.

**105.6.10 Cryogenic fluids. Optional Permit.** An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10.

**Exception:** Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

**105.6.11 Cutting and welding. Optional Permit.** An operational permit is required to conduct cutting or welding operations within the jurisdiction.

**105.6.12 Dry cleaning plants. Optional Permit.** An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in exist existing dry cleaning equipment.

**105.6.13 Exhibits and trade shows. Mandatory Permit.** An operational permit is required to operate exhibits and trade shows.

**105.6.14 Explosives. Mandatory Permit.** An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 33.

**Exceptions:**

1. Fireworks allowed by North Carolina General Statute 14-414.

2. Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 3306.

**105.6.15 Fire hydrants and valves. Optional Permit.** An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.

**Exception:** A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.

**105.6.16 flammable and combustible liquids.** An operational permit is required:

1. **Optional Permit.** To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOT) nor does it apply to piping systems.

2. **Optional Permit.** To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:

2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the code official, would cause an unsafe condition.

2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

3. **Optional Permit.** To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

4. **Optional Permit.** To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel dispensing facilities or where connected to fuel burning equipment.

**Exception:** Fuel oil and used motor oil used for space heating or water heating.

5. **Optional Permit.** To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.

6. **Mandatory Permit.** To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.

7. **Mandatory Permit.** To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or combustible liquid tank.

8. **Mandatory Permit.** To change the type of contents stored in a flammable or combustible

liquid tank to a material which poses a greater hazard than that for which the tank was designed and constructed.

9. **Mandatory Permit.** To manufacture, process, blend or refine flammable or combustible liquids.

10. **Mandatory Permit.** To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.

11. **Mandatory Permit.** To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.

**105.6.17 Floor finishing. Optional Permit.** An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m<sup>2</sup>) using Class I or Class II liquids.

**105.6.18 Fruit and crop ripening. Optional Permit.** An operational permit is required to operate a fruit or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

**105.6.19 Fumigation and thermal insecticidal fogging. Mandatory Permit.** An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.

**105.6.20 Hazardous materials. Optional Permit.** An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20.

**105.6.21 HPM facilities. Optional Permit.** An operational permit is required to store, handle or use hazardous production materials.

**105.6.22 High-piled storage. Optional Permit.** An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m<sup>2</sup>).

**105.6.23 Hot work operations. Optional Permit.** An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside a structure.

**Exception:** Work that is conducted under a construction permit.

3. Fixed-site hot work equipment such as welding booths.
4. Hot work conducted within a hazardous fire area.
5. Application of roof coverings with the use of an open-flame device.

6. When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees or hot work operations under their supervision.

**105.6.24 Industrial ovens. Optional Permit.** An operational permit is required for operation of industrial ovens regulated by Chapter 21.

**105.6.25 Lumber yards and woodworking plants. Optional Permit.** An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft<sup>3</sup>) (236 m<sup>3</sup>).

**105.6.26 Liquid- or gas-fueled vehicles or equipment in assembly buildings. Mandatory Permit.** An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

**105.6.27 LP-gas. A permit may be required and issued by the NC Department of Agriculture for LP-gas equipment used for storage, handling, transporting, and utilizing liquefied petroleum gas for fuel purposes.**

**105.6.28 Magnesium. Optional Permit.** An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

**105.6.29 Miscellaneous combustible storage. Optional Permit.** An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m<sup>3</sup>) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.

**105.6.30 Open burning. Optional Permit.** An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

**Exception:** Recreational fires.

**105.6.31 Open flames and torches. Optional Permit.** An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a hazardous fire area.

**105.6.32 Open flames and candles. Optional Permit.** An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

**105.6.33 Organic coatings. Optional Permit.** An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.

**105.6.34 Places of assembly. Optional Permit.** An operational permit is required to operate a place of assembly.

**105.6.35 Private fire hydrants. Mandatory Permit.** An operational permit is required for the removal from service, use or operation of private fire hydrants.

**Exception:** A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.

**105.6.36 Pyrotechnic special effects material. Mandatory Permit.** An operational permit is required for use and handling of pyrotechnic special effects material.

**105.6.37 Pyroxylin plastics. Optional Permit.** An operational permit is required for storage or

handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.

**105.6.38 Refrigeration equipment. Optional Permit.** An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

**105.6.39 Repair garages and motor fuel-dispensing facilities. Optional Permit.** An operational permit is required for operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities.

**105.6.40 Rooftop heliports. Optional Permit.** An operational permit is required for the operation of a rooftop heliport.

**105.6.41 Spraying or dipping. Mandatory Permit.** An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 15.

**105.6.42 Storage of scrap tires and tire byproducts. Optional Permit.** An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m<sup>3</sup>) of total volume of scrap tires and for indoor storage of tires and tire byproducts.

**105.6.43 Temporary membrane structures, tents and canopies. Mandatory Permit.** An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
  - 2.1. Individual tents having a maximum size of 700 square feet (65 m<sup>2</sup>).
  - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m<sup>2</sup>) total.
  - 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.
3. Funeral tents and curtains or extensions attached thereto, when used for funeral services.

**105.6.44 Tire-rebuilding plants. Optional Permit.** An operational permit is required for the operation and maintenance of a tire-rebuilding plant.

**105.6.45 Waste handling. Optional Permit.** An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.

**105.6.46 Wood products. Optional Permit.** An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m<sup>3</sup>).



**105.7 Required construction permits.** The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.14. See the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes for general information concerning construction permits.

**105.7.10. L.P.-gas.** A construction permit for the installation of or modification to an LP-gas system may be required and approved by the North Carolina Department of Agriculture.

### **Section 106 Inspections**

In order to preserve and protect public health and safety and to satisfy the requirements of General Statute 153A-364 and General Statute 160A-424, political subdivisions assuming inspection duties, as set out in General Statute 153A-351 and General Statute 160A-411, shall have a periodic inspection schedule for the purpose of identifying activities and conditions in buildings, structures and premises that pose dangers of fire, explosion or related hazards. Such inspection schedule shall be approved by the local governing body and shall be submitted to the Office of State Fire Marshal of the Department of Insurance. In no case shall inspections be conducted less frequently than described in the schedule below:

<u>Once every year</u>	<u>Hazardous, Institutional, High-Rise, Assembly except those noted below, and Residential except one-and two family dwellings and only interior common areas of dwelling units of multi-family occupancies.</u>
<u>Once every two years</u>	<u>Industrial and Educational (Except public schools).</u>
<u>Once every three years</u>	<u>Assembly occupancies with an occupant load less than 100, Business, Mercantile, Storage, Churches, Synagogues, and miscellaneous Group U occupancies.</u>

Frequency rates for inspections of occupancies as mandated by the North Carolina General Statutes shall supersede this schedule. Nothing in this section is intended to prevent a jurisdiction from conducting more frequent inspections than the schedule listed above or the schedule filed with the Office of State Fire Marshal of the Department of Insurance.

On unattended or vacant structures, the Fire Code Official shall affix a letter on the premises in a conspicuous place at or near the entrance to such premises requesting an inspection in accordance with Section 106 of this code. This order of notice shall be mailed by registered or certified mail with return receipt requested, to the last known address of the owner, occupant or both. If the owner, occupant or both shall fail to respond to said notice within ten (10) calendar days, these actions by the Fire Code Official shall be deemed to constitute an inspection in accordance with this section.

## **SECTION 108 BOARD OF APPEALS**

See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

## **SECTION 109**

## **VIOLATIONS**

For violations of the *North Carolina Fire Prevention Code* or a local Fire Prevention Code that has received prior approval of the Building Code Council, either the local Fire Official or the State Commissioner of Insurance or other State Official with responsibility under General Statute 143-139 may, in addition to other remedies, institute any appropriate action or proceedings, including civil remedies set out in General Statute 160A-175 or General Statute 153A-143, that have been adopted as ordinances within that jurisdiction.

### **SECTION 111 STOP WORK ORDERS**

See the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

### **SECTION 113 FEES**

Deleted

### **SECTION 114 MAINTAINING A FIRE HAZARD**

**114.1 Fire Hazard.** No person shall knowingly maintain a fire hazard.

### **SECTION 115 LOCAL MODIFICATION**

**115.1 Local Modifications.** For local modification see the provisions of the North Carolina Administrative Code and Policies and applicable North Carolina General Statutes.

**115.2 Local government modification approved by the Building Code Council.** A list of jurisdictions shall be maintained by the NC Department of Insurance, Office of State Fire Marshal.

## CHAPTER 2

### DEFINITIONS

**APPROVED.** Acceptable to the fire code official for compliance with the provisions of the applicable code or referenced standard.

**COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAM.** A program in excess of the required curriculum for high school students in attendance at a college, community college or university.

**EXISTING.** Buildings, facilities or conditions which are already in existence, constructed or officially authorized prior to the adoption of this code.

**FIRE HAZARD.** Any thing or act which increases or may cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire, or which may obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire.

**GROUP B add the following to the list of Group B occupancies**

Education occupancies for high school students participating in Cooperative Innovative High School Programs taught at colleges, community colleges or universities.

**GROUP E.** Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12<sup>th</sup> grade. Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 508.3.1 of the *International Building Code* and have occupant loads of less than 100, shall be classified as Group A-3 occupancies. Education occupancies for high school students participating in Cooperative Innovative High School Programs taught at colleges, community colleges or universities shall be classified as Group B occupancies.

**Day care.** The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five children older than 2 ½ years of age shall be classified as a Group E occupancy.

**LABELED.** Appliances. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

**LISTED.** Appliances. Equipment, materials, products or services included in a list published by an organization acceptable to the fire code official and concerned with evaluation of products or

services that maintains periodic inspection of production of listed equipment or materials or periodic evaluation of services and whose listing states either that the equipment, material, product or service meets identified standards or has been tested and found suitable for a specified purpose.

**NIGHT CLUB.** An establishment meeting all of the following:

1. Has a posted capacity or occupant load that exceeds one occupant per 15 square feet net;
2. Provides live or recorded entertainment by performing artists; and
3. Serves alcoholic beverages.

**TEMPORARY OVERFLOW SHELTER.** A shelter that provides temporary overflow accommodations from an approved shelter in accordance with Section 318.

## CHAPTER 3

### GENERAL PRECAUTIONS AGAINST FIRE

**311.1.1 Abandoned structures.** Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the International Building Code .

**311.2.2 Fire protection.** Fire alarm, sprinkler and stand-pipe systems shall be maintained in an operable condition at all times.

#### **Exceptions:**

1. When the premises have been cleared of all combustible materials and debris and, in the opinion of the fire code official, the type of construction, fire separation distance and security of the premises do not create a fire hazard.

2. Where buildings will not be heated and where fire protection systems will be exposed to freezing temperatures, fire alarm and sprinkler systems are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply) provided the building has no contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons.

**318 Temporary Overflow Shelter.** Subject to the approval of the Building and Fire Code Official, temporary overflow shelters shall be permitted in churches and other similar Group A-3 occupancies; and Group R fire protection systems may be omitted.

## CHAPTER 4

### EMERGENCY PLANNING AND PREPAREDNESS

**404.2 Where required.** An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

1. Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an occupant load less than 2,000.
2. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
3. Group E.
4. Group F buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
5. Group H.
6. Group I.
7. Group R-1.
8. Group R-2 college and university buildings.
9. Group R-4.
10. High-rise buildings.
11. Group M buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge .
12. Covered malls exceeding 50,000 square feet (4645 m<sup>2</sup>) in aggregate floor area.
13. Underground buildings.
14. Buildings with an atrium and having an occupancy in Group A, E or M.
15. Other occupancy groups having a fire alarm system.

**Table 405.2** Amend as follows:

**TABLE 405.2  
FIRE AND EVACUATION DRILL  
FREQUENCY AND PARTICIPATION**

<b>GROUP OR OCCUPANCY</b>	<b>FREQUENCY</b>	<b>PARTICIPATION</b>
Group A	Quarterly	Employees
Group B <sub>c</sub>	Annually	Employees
<u>Group B<sub>e</sub></u>	<u>Quarterly</u>	<u>All occupants</u>

Group E	Monthly	All occupants
Group I	Quarterly on each shift	Employees
Group R-1	Quarterly on each shift	Employees
Group R-2 <sup>d</sup>	Four annually	All occupants
Group R-4	Quarterly on each shift	Employees
High-rise buildings	Annually	Employees

- a. The frequency shall be allowed to be modified in accordance with Section 408.3.2.
- b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.
- c. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- d. Applicable to Group R-2 college and university buildings in accordance with Section 408.3.
- e. Cooperative Innovative High School Programs taught at colleges, community colleges or universities when required to have a fire alarm system in accordance with Section 907.2.2 or as required in accordance with Section 404.2.

**CHAPTER 5**  
**FIRE SERVICE FEATURES**  
**SECTION 510**  
**EMERGENCY RESPONDER RADIO COVERAGE**  
**Deleted.**

**CHAPTER 6**  
**BUILDING SERVICES AND SYSTEMS**

**603.5.3 Special day care provisions.** In adult and child day care facilities, masonry fireplaces, listed fuel burning space heaters, fireplaces and floor furnaces that are provided with a protective screen attached securely with substantial supports that will prevent accidental burning will be allowed. Unvented fuel burning heaters and portable electric heaters of all types are prohibited.

**604.6 Operational inspection and testing of emergency lighting unit equipment.** Emergency lighting unit equipment, including means of egress illumination and exit signs, not covered by NFPA 110 and NFPA 111 shall be inspected and tested in accordance with this section.

**604.6.1 Exit sign illumination inspection.** Internally illuminated exit signs with secondary battery power shall be visually inspected for operation of the primary and secondary sources of illumination at intervals not to exceed 30 days.

**604.6.2 Functional test.** A functional test shall be conducted on every required emergency lighting unit equipment at 30-day intervals for not less than 30 seconds.

**Exception:** Self-testing/self-diagnostic, battery-operated emergency lighting unit equipment that automatically performs a test for not less than 30 seconds and diagnostic routine not less than once every 30 days and indicates failures by a status indicator shall be exempt from the 30-day functional test, provided that a visual inspection is performed at 30-day intervals.

**604.6.3 Annual test.** An annual test shall be conducted on every required battery-powered emergency lighting unit equipment for not less than 11/2 hours. Equipment shall be fully operational for the duration of the test.

**607.1. Emergency Operation.** New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1.



**CHAPTER 7  
FIRE RESISTANCE-RATED CONSTRUCTION**

**[B] 703.5 Identification.** Walls and partitions required to have protected openings (fire walls, fire barriers, fire partitions, smoke barriers, smoke partitions) shall be permanently identified with signs or stenciling. Such identification shall be above any ceiling or other concealed space.  
Example wording:

2-HOUR FIRE BARRIER, PROTECT ALL OPENINGS.

**Section 704.1 Enclosure.** Deleted.

**CHAPTER 8  
INTERIOR FINISHES**

**805.2 Group I-2.** The requirements in Section 805.2.1 through 805.2.2 shall apply to facilities classified as Group I-2.

## CHAPTER 9 FIRE PROTECTION SYSTEMS

### SECTION 902.

**NIGHT CLUB.** An establishment meeting all of the following:

1. Has a posted capacity or occupant load that exceeds one occupant per 15 square feet net;
2. Provides live or recorded entertainment by performing artists; and
3. Serves alcoholic beverages.

**903.2.1.2. Group A-2.** An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464 m<sup>2</sup>).
2. The fire area has an occupant load of 300 or more, except 100 or more for nightclubs; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

**903.2.1.3. Group A-3.** An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. The fire area has an occupant load of 300 or more; or

**Exceptions:**

1. This requirement shall not apply to assembly occupancies used primarily for worship with fixed seating and part of a separated use.
2. This requirement shall not apply to assembly occupancies used primarily for worship consisting of a single multipurpose room that are not used for exhibition or display and are part of a separated use.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

**903.2.6.1 Dry pipe system.** When dry pipe sprinkler systems are installed, upon activation a full flow of water shall be delivered to the most remote point of the system in no more than 60 seconds.

**903.2.7. Group M.** An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m<sup>2</sup>).

2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).
4. Deleted

**903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

**Exception:** An automatic sprinkler system is not required in new adult and child care facilities in existing Groups R-3 and R-4 occupancies.

**903.2.12. During construction.** Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Section 1414.

**903.3.1.3 NFPA 13D sprinkler systems.** Where allowed, automatic sprinkler systems installed in one-and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D.

**903.6 Existing buildings.** Deleted.

**905.11 Existing buildings.** Deleted.

**906.2 General Requirements.** Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.

**Exceptions:**

1. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.
2. Thirty-day inspections shall not be required for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:
  - 2.1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
  - 2.2. Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
  - 2.3. The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
  - 2.4. Electronic monitoring devices and supervisory circuits shall be tested every three years.
  - 2.5. A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10.
3. In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.

**907.2.3 Group E.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

**Exceptions:**

1. In other than child daycare centers, Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
  - 2.1. Interior corridors are protected by smoke detectors.
  - 2.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved detection devices.
  - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
  - 2.4. The capability to activate the evacuation signal from a central point is provided.
  - 2.5. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from where a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official .
3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

**907.2.6.2 Group I-2.** An automatic smoke detection system shall be installed in corridors in Group I-2 and spaces permitted to be open to the corridors by Section 407.2 of the International Building Code. The system shall be activated in accordance with Section 907.6. Hospitals shall be equipped with smoke detection as required in Section 407.2 of the International Building Code.

**Exceptions:**

1. Corridor smoke detection is not required in smoke compartments that contain patient sleeping units where such units are provided with smoke detectors that comply with UL 268. Such detectors shall provide a visual display on the corridor side of each patient sleeping unit and shall provide an audible and visual alarm at the nursing station attending each unit.
2. Corridor smoke detection is not required in smoke compartments that contain patient sleeping units where patient sleeping unit doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing, provided that the integral detectors perform the required alerting function.

**907.2.10. Group R-4.** Fire alarm systems and smoke alarms shall be installed in Group R-4 occupancies as required in 907.10.1 through 907.2.10.4.

**907.2.10.4. Adult and child day care in Group R-4.** A manual fire alarm system listed for residential use shall be installed in new adult or child day care facilities in existing R-4 occupancies.

**907.3 Where required in existing buildings and structures.** Deleted.

**907.6.2.1 Audible Alarms.** Audible alarm notification appliances shall be provided and emit a distinctive sound that is not to be used for any purpose other than that of a fire alarm.

**Exceptions:**

1. Visible alarm notification appliances shall be allowed in lieu of audible alarm notification appliances in critical care areas of Group I-2 occupancies.

2. In Group I-2 occupancies, Group B ambulatory health care facilities and licensed large residential care facilities where occupants are incapable of evacuating themselves because of age, physical or mental disabilities, or physical restraint, audible notification appliances shall be permitted to meet the Private Mode requirements of NFPA 72 in patient care and treatment areas.

**910.4.4 Wiring and Control.** Wiring for operation and control of smoke exhaust fans shall be connected ahead of the main disconnect and protected against exposure to temperatures in excess of 1,000°F (538°C) for a period of not less than 15 minutes. Controls shall be located so as to be immediately accessible to the fire service from the exterior of the building and protected against interior fire exposure by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or horizontal assemblies constructed in accordance with Section 712 of the International Building Code, or both.

**911.5 Liquefied petroleum gas distribution facilities.** Liquefied petroleum gas distribution facilities shall comply with Chapter 119, Article 5 of the General Statutes of North Carolina, and the North Carolina Administrative Code, Title 2, Chapter 38, Section 0.700, as enforced by the North Carolina Department of Agriculture and Consumer Services through the provisions of NFPA 58.

## CHAPTER 10

**Bring forward all NC Building Code Ad-Hoc committee changes. Make the following change to Section 1008.1.9.6.**

**1008.1.9.6 Special locking arrangements in for Licensed Group I-2 and large residential care facilities as described in Section 421 of the International Building Code.** Buildings protected throughout by an automatic fire detection system or automatic sprinkler system and in compliance with the following may be equipped with approved, listed locking devices:

1. Doors shall unlock upon actuation of the automatic fire detection system or automatic sprinkler system.

2. Door shall unlock upon loss of power controlling the locking device.

**Exception:** Independent standby power is acceptable as long as the automatic fire detection system or automatic sprinkler system when activated has precedence over the standby power and unlocks the door. If a nonemergency situation occurs such as a power outage, the door shall be allowed to remain locked until detection system(s) operate, provided that the power outage does not disable the detection system(s). If any of the detection system(s) are disabled in any way, standby power controlling the locking devices will be interrupted.

3. A special locking system of electromagnetic locks may be utilized when all of the following requirements are met:

3.1. These types of locks may be used only in wards and wings or other portions of a facility that requires security provisions for the protection of its patients.

3.2. These systems may be used provided not more than one such system is located in any egress path.

3.3. A wiring diagram and system components location map shall be provided under glass adjacent to the fire alarm panel.

3.4. An on/off emergency release switch(es) must be capable of interrupting power to all electromagnetically locked doors in the facility. Release switch(es) shall be located and identified at each nurses station serving the locked unit and any other control station responsible for the evacuation of the occupants of the locked units which are manned 24 hours.

3.5. An additional emergency release switch shall be provided for each locked door and located within 3 feet (919mm) of the door and shall not depend on relays or other devices to cause the interruption of power.

3.6. Any required emergency release switch shall interrupt power to the locking device(s). If any required emergency release switch is of the locking type, all staff that are responsible for the evacuation of the occupants of the locked unit must carry emergency release switch keys. Additional convenience release devices may be provided.

4. Each special locking installation shall be approved by the appropriate fire and building inspection authority prior to installation, after installation, and prior to initial use and reviewed periodically thereafter.

5. Emergency lighting shall be provided at the door.

**(No NC amendments to the following Chapters.)**

<b>CHAPTER 11</b>	<b>AVIATION FACILITIES</b>
<b>CHAPTER 12</b>	<b>DRY CLEANING</b>
<b>CHAPTER 13</b>	<b>COMBUSTIBLE DUST PRODUCING OPERATIONS</b>
<b>CHAPTER 14</b>	<b>FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION</b>
<b>CHAPTER 15</b>	<b>FLAMMABLE FINISHES</b>
<b>CHAPTER 16</b>	<b>FRUIT AND CROP RIPENING</b>
<b>CHAPTER 17</b>	<b>FUMIGATION AND THERMAL INSECTICIDAL FOGGING</b>
<b>CHAPTER 18</b>	<b>SEMICONDUCTOR FABRICATION FACILITIES</b>
<b>CHAPTER 19</b>	<b>LUMBER YARDS AND WOODWORKING FACILITIES</b>
<b>CHAPTER 20</b>	<b>MANUFACTURE OF ORGANIC COATINGS</b>
<b>CHAPTER 21</b>	<b>INDUSTRIAL OVENS</b>



## CHAPTER 22

### MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES

**Section 2206.2.3.1 Kerosene storage.** The provisions of Section 2206.1 shall not prohibit above-ground tanks and dispensers for K-1 kerosene when the following conditions are met:

1. The maximum individual and aggregate tank capacity shall be 660 gallons (2498L).

**Exception:** Individual and aggregate tank capacities up to a maximum of 1000 gallons (3785L) where tanks are installed in vaults that comply with 3404.2.8.

2. Only listed UL 142 tanks with spill control in accordance with NFPA 30 shall be used.

**Exception:** Listed secondary containment-type tanks provided that:

- (a) An internal emergency shear valve is installed whenever piping connections are made below the liquid level of the tank; and
- (b) Where the interstitial space is enclosed, emergency venting is installed in accordance with NFPA 30.

3. Normal tank venting shall be provided in accordance with Chapter 34.
4. Tanks shall be equipped with emergency venting that will not permit pressures to exceed 2.5 psig (17.2kPa).
5. Pumps and dispenser shall be listed.
6. Electrical equipment shall comply with Section 3403.1
7. Vehicle impact protection shall be provided in accordance with Section 2206.4 where required by the fire code official.
8. Dispensing devices shall be located at 20 feet (6096 mm) from any dispenser of vehicle fuels, LPG, LNG, or CNG.
9. Tanks and dispensers shall be located at least 5 feet (1524 mm) from buildings on the same lot.
10. Tanks and dispensers shall be located at least 20 feet (6096 mm) from the nearest side of a public way, and at least 20 feet (6096 mm) from any lot line including the opposite side of a public way.

11. Dispensing devices shall be located such that when the hose is fully extended, the nozzle shall not reach within 5 feet (1524 mm) of any building opening.
12. Dispensers shall be visible from the attendant's station. Mirrors or video cameras utilized to achieve compliance with this item shall be approved by the code official.
13. Only approved containers shall be filled from these tanks and dispensers. Vehicles shall not be fueled from them.
14. Portable fire extinguishers shall be provided in accordance with Section 2205.5.

**(No NC amendments to the following Chapters.)**

**CHAPTER 23        HIGH-PILED COMBUSTIBLE STORAGE**

**CHAPTER 24        TENTS, CANOPIES AND OTHER MEMBRANE STRUCTURES**

## **CHAPTER 25**

### **TIRE REBUILDING AND TIRE STORAGE**

**2506.1 Required Access.** New tire storage yards shall be provided with fire apparatus access roads in accordance with Section 503 and Section 2506.2.

***(No NC amendments to the following Chapters.)***

**CHAPTER 26      WELDING AND OTHER HOT WORK**

**CHAPTER 27      HAZARDOUS MATERIALS**

**CHAPTER 28      AEROSOLS**

**CHAPTER 29      COMBUSTIBLE FIBERS**

## CHAPTER 30

### COMPRESSED GASES

**3001.1 Scope.** Storage, use and handling of compressed gases in compressed gas containers, cylinders, tanks and systems shall comply with this chapter, including those gases regulated elsewhere in this code. Partially full compressed gas containers, cylinders or tanks containing residual gases shall be considered as full for the purposes of the controls required.

Exceptions:

1. Gases used as refrigerants in refrigeration systems (see Section 606).
2. Compressed natural gas (CNG) for use as a vehicular fuel shall comply with Chapter 22, NFPA 52 and the International Fuel Gas Code .

Cutting and welding gases shall also comply with Chapter 26.

Cryogenic fluids shall comply with Chapter 32. Liquefied natural gas for use as a vehicular fuel shall also comply with NFPA 52 and NFPA 59A.

Compressed gases classified as hazardous materials shall also comply with Chapter 27 for general requirements and chapters addressing specific hazards, including Chapters 35 (Flammable Gases), 37 (Highly Toxic and Toxic Materials), 40 (Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids) and 41 (Pyrophoric Materials).

LP-Gas shall comply with Chapter 38 and the North Carolina Fuel Gas Code, Chapter 119, Article 5 of the General Statutes and the North Carolina Administrative Code, Title 2, Chapter 38, Section .0700.

**(No NC amendments to the following Chapters.)**

**CHAPTER 31        CORROSIVES**

**CHAPTER 32        CRYOGENICS**

## CHAPTER 33

### EXPLOSIVES

**Section 3301.1 Scope.** The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives , explosive materials , fireworks and small arms ammunition.

**Exceptions:**

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.
4. The possession, storage and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.
5. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
6. Special industrial explosive devices which in the aggregate contain less than 50 pounds (23 kg) of explosive materials .
7. The possession, storage and use of blank industrial-power load cartridges when packaged in accordance with DOTn packaging regulations.
8. Transportation in accordance with DOTn 49 CFR Parts 100-185.
9. Items preempted by federal regulations.
10. The possession, storage, transportation and use of explosive materials by companies permitted under the provisions of North Carolina General Statute, Chapter 74, Article 7.

**Section 3301.2.4 Financial responsibility.** Before a permit is issued, as required by Section 3301.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of ~~\$100,000~~ 500,000 or a public liability insurance policy for the same amount,

**Section 3302 Definitions**

**DISPLAY OPERATOR** – An individual who exhibits, uses, handles, manufactures, or discharges pyrotechnics at a concert or public exhibition in this State and possesses a Display Operator’s Permit issued by the Office of State Fire Marshal.

**DISPLAY OPERATOR'S PERMIT** – A permit issued by the Office of State Fire Marshal to an individual in accordance with North Carolina General Statutes, Chapter 58, Article 82A.

**FIREWORKS. 1.4G.** (Formerly know as Class C Common Fireworks.) **North Carolina General Statute 14-414.** The following fireworks are allowed to be sold, used or possessed without a permit:

1. Explosive caps designed to be fired in toy pistols, provided that the explosive mixture of the explosive caps shall not exceed twenty-five hundredths (0.25) of a gram for each cap;
2. Snake and glow worms composed of pressed pellets of a pyrotechnic mixture that produce a large, snake-like ash when burning;
3. Smoke devices consisting of tube or sphere containing a pyrotechnic mixture that produce white or colored smoke;
4. Trick noise makers which produce a small report designed to surprise the user which include:
  - 4.1 A party popper, which is a small plastic or paper item containing not in excess of 16 milligrams of explosive mixture. A string protruding from the device is pulled to ignite the device, expelling paper streamers and producing a small report.
  - 4.2 A string popper, which is small tube containing not in excess of 16 milligrams of explosive mixture with a string protruding from both ends. The strings are pulled to ignite the friction-sensitive mixture, producing a small report.
  - 4.3 A snapper or drop pop, which is a small paper-wrapped item containing no more than 16 milligrams of explosive mixture coated on small bits of sand. When dropped, the device produces a small report.
5. Wire sparklers consisting of wire or stick coated with nonexplosive mixture that produces a shower of sparks upon ignition. These items must not exceed 100 grams of mixture per item;
6. Other sparkling devices which emit showers of sparks and sometimes a whistling or crackling effect when burning, do not detonate or explode, do not spin, are hand-held or ground-based, cannot propel themselves through the air and contain not more than 75 grams of chemical compound per tube or not more than 200 grams of chemical compound if multiple tubes are used.

**3308.2. Permit application.** Prior to issuing permits for a fireworks display, plans for the fireworks display, inspections of the display site and demonstrations of the display operations shall be approved . A plan establishing procedures to follow and actions to be taken in the event

that a shell fails to ignite in, or discharge from, a mortar or fails to function over the fallout area or other malfunctions shall be provided to the fire code official. Prior to issuing any fireworks permits regulated by this code, the fire code official shall verify that permission has been granted to conduct a fireworks display by the board of county commissioners in accordance with NC G.S. 14-410.

**3308.3 Approved fireworks displays.** Approved displays shall include only the approved fireworks 1.1G, fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles, 1.4G which shall be handled by an approved, competent operator. Approved Division 1.1G, 1.3G and 1.4G displays shall be handled by a display operator possessing a Display Operator's Permit issued by the Office of State Fire Marshal. Prior to granting approval to any fireworks display the fire code official shall verify that the display operator and the display operator's assistants are properly permitted in accordance with the NC Fireworks Display Operator's rules regulated by the Office of State Fire Marshal.

### **3310. Retail sales.**

3310.1 Fireworks allowed by NC General Statute 14-414 shall be permitted to be sold or possessed without a permit. A minimum of one pressurized water fire extinguisher complying with Section 906 shall be located not more than 15 feet (4572 mm) and not less than 10 feet (3048 mm) from the hazard. "No Smoking" signs complying with Section 310 shall be posted in areas where fireworks are stored or displayed for retail sale. No sale of fireworks shall be made to persons less than 16 years of age.

## CHAPTER 34

### FLAMMABLE AND COMBUSTIBLE LIQUIDS

#### 3404.2.9.1 DELETED

**3404.2.13.1.3 Out of service for one year.** Underground tanks that have been out of service for a period of one year shall be removed from the ground in accordance with Section 3404.2.14 or abandoned in place in accordance with Section 3404.2.13.1.4.

**Exception.** Underground tanks and connected piping that comply with NC UST operating permit requirements for new or upgraded systems may remain out of service indefinitely so long as they remain in compliance with the operation, maintenance and release detection requirements and are safeguarded in accordance with Section 3404.2.13.1.2.

## CHAPTER 35

### FLAMMABLE GASES

**3503.1.1 Special limitations for indoor storage and use.** Flammable gases shall not be stored or used in Group A, E, I, or R occupancies or in offices in Group B occupancies.

#### **Exceptions:**

1. Cylinders of nonliquefied compressed gases not exceeding a capacity of 250 cubic feet (7.08m<sup>3</sup>) or liquefied gases not exceeding a capacity of 40 pounds (18 kg) each at normal temperature and pressure (NTP) used for maintenance purposes, patient care or operation of equipment.
2. Deleted.

**(No NC amendments to the following Chapters.)**

**CHAPTER 36      FLAMMABLE SOLIDS**

**CHAPTER 37      HIGHLY TOXIC AND TOXIC MATERIALS**



## CHAPTER 38

### LP GASES

**3801.1 Scope.** The storage, handling and transportation of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses upstream of the outlet of the first stage regulator shall be governed by Chapter 119, Article 5 of the General Statutes of North Carolina and by the North Carolina Administrative Code, Title 2, Chapter 38.

**3801.2 Permits.** For permits see Chapter 1.

**3801.3. Inspection.** It shall be the duty of the North Carolina Department of Agriculture and Consumer Services to inspect liquefied petroleum gas installations to determine if the provisions of this chapter are being complied with.

**3801.4. Installation.** All liquefied petroleum gas equipment including such equipment installed at utility gas plants shall be installed in accordance with the provisions of NFPA 58 and NFPA 59, except as otherwise provided in this chapter or in laws or regulations legally in effect.

**Section 3802. Definitions.**

**LP-GAS CONTAINER.** Deleted.

**Sections 3803 – 3811.** Deleted.

**(No NC amendments to the following Chapters.)**

CHAPTER 39	ORGANIC PEROXIDES
CHAPTER 40	OXIDIZERS
CHAPTER 41	PYROPHORICS
CHAPTER 42	PYROXYLINS
CHAPTER 43	UNSTABLE MATERIALS
CHAPTER 44	WATER REACTIVE SOLIDS
CHAPTER 45	MARINAS

**CHAPTER 46          CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**

Deleted. See Section 102.1.4.

**CHAPTER 47**

**REFERENCED STANDARDS**

**NFPA**

1123 – 10

1126 – 10

**APPENDIX A**

Deleted.

**(No NC amendments to the following Appendices.)**

**APPENDIX B**

**APPENDIX C**

**APPENDIX D**

**APPENDIX E**

**APPENDIX F**

**APPENDIX G**

**APPENDIX H**

**APPENDIX I**

Deleted

**APPENDIX J**

Deleted