

**NC Department of Insurance
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Fire Apparatus Access Roads in One or Two Family Residential Subdivisions

Code: 2009 Fire Prevention Code
Section: 503

Date: September 1, 2011

Question: Does the NC Fire Code give the code official enforcement authority to regulate fire apparatus access roads in one or two family residential subdivisions?

Answer: Yes, Section 101.3.2.11 of the Administrative Code and Policies establishes that the construction of one or two family dwellings and townhouses is regulated by the NC Residential Code. Section 101.3.2.6 of the NC Administrative Code and Policies states that the NC Fire Code is not applicable to the maintenance, repair, or occupancy of one- or two-family dwellings and townhouses. Section 102.10 of the NC Fire Code supports this in its reference to the fire code exemption of the occupancy of 1 & 2 family dwellings. The key wording in this reference is the occupancy of the dwelling.

In line with the scope of the residential code and an individual's expectation to privacy, the fire code does not apply to the structure or to the contents within. However the fire code does apply to elements outside the home, and within the subdivision, to assure that the emergency responders can reach the home. This includes elements within the project site, such as the subdivision roads, fire hydrants and other protection elements purposefully not put in the residential code.

More specifically, Section 503 of the NC Fire Code establishes the requirements for fire apparatus to have access to all structures. This would include one or two family dwellings and townhouses that are located in residential subdivisions. Several references in Section 503 refer to requirements for access roads to structures regulated by the NC Residential Building Code. For example, Section 503.1.1 exception no. 1 allows the code official to modify access road design when the structure is equipped throughout with a 13D residential sprinkler system (13D systems are allowed only in one or two family and townhouse construction). This same section gives an exception for no more than two Group R-3 occupancies (i.e. a common driveway for a home or duplex is exempted).

In addition to Section 503, Appendix D when adopted by the governing body of the local jurisdiction is also applicable to one and two family and townhouse residential subdivisions. Section D107 specifically addresses one-or two family developments.

Keywords: Occupancy of one and two family dwellings, R-3 occupancies, fire apparatus access road.