



MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

April 6, 2020

Christopher Shonk, Assistant Fire Marshal
Davidson County Fire Marshal's Office
935 North Main Street
Lexington, NC 27292

**RE: Extending Distance from Buildings to Fire Apparatus Access Road
2018 NCFC Section 503.1.1, Exception #1.1**

Mr. Shonk:

This letter is in response to your request for formal interpretation dated October 15, 2019 that was received in NCDOI by email on October 16, 2019. Your letter indicates request for interpretation in two matters which I state below in my own words:

Does 2018 NC Fire Code, Section 503.1.1, Exception #1.1 mean that the fire official must accept the extended distance allowed by the exception because of the use of the word "shall" or is it at the discretion of the fire official to accept the use of the exception?

Does the extended distance allowed by Exception 1.1 extend beyond 200 feet?

Code Analysis:

The word "shall" is an imperative and means it must be followed. The word "shall" in exception 1.1 applies to the 200 feet distance. The word "shall" does not apply to acceptance of the extended distance. The main body of Section 503.1.1, exception #1 determines the authority to accept or deny the use of exceptions 1.1 thru 1.3.

Conclusions:

Section 503.1.1, exception #1 authorizes the fire official to accept or deny use of the exceptions listed under it, including exception #1.1.

The code as written allows the distance from the fire apparatus access road to the building or structure to be extended beyond 200 feet, but that distance is at the discretion of the fire official having jurisdiction per the main body of exception #1. In practical application, if exception 1.1 is used, the distance can be any distance whether less than 200 feet or greater than 200 feet.

As a matter of reference, a copy of your letter of request for formal interpretation (Attachment A below) and associated exhibits are included with this letter.

Please call if you have comments or questions.

Sincerely,



Carl Martin, RA
Chief Code Consultant

cc: File
Robbie Davis, Chairman – BCC
Wayne Hamilton, Chairman Fire Prevention Standing Committee – BCC
Cliff Isaac, Deputy Commissioner of Engineering – NCDOI

ATTACHEMNT A



**APPENDIX E
APPEALS
NORTH CAROLINA
BUILDING CODE COUNCIL**

325 North Salisbury Street, Room 5_44
Raleigh, North Carolina 27603
(919) 647-0009

APPEAL TO NCDOI/NCBCC Hearing Date _____/_____/_____

GS 153A-374, GS 160A-434
Formal Interpretation by NCDOI X
Appeal of Local Decision to NCDOI

GS 143-140, GS 143-141
Appeal of Local Decision to NCBCC
Appeal of NCDOI Decision to NCBCC

APPELLANT Christopher Shonk PHONE: (336) 242-2260
REPRESENTING: Davidson County Fire Marshal
ADDRESS: 925 N. Main Street
CITY: Lexington STATE: NC ZIP: 27295
E-MAIL: chris.shonk@davidsoncounty.gov FAX: () -

North Carolina State Building Code, Volume NC Fire Prevention 2018 - Section 503.1.1

REQUEST ONE: Formal Interpretation by NCDOI Appeal of Local Decision to NCBCC
 Appeal of Local Decision to NCDOI Appeal of NCDOI Decision to NCBCC

Type or print. Include all background information as required by the referenced General Statutes and the attached policies. Attach additional supporting information.

Request a formal interpretation on Section 503.1.1 Exception 1. Looking for clarification on the language "the dimension shall increase to a minimum of 200 feet".

REASON:

Plan Review

Signature: C.M. Shonk Digitally signed by C.M. Shonk Contact Info: (336) 242-2260 Date: 2019.10.15 15:52:55-04'00' Date: 10/15/2019 APPEAL TO NCDOI/NCBCC FORM 3/14/17



Davidson County Fire Marshal's Office

935 North Main Street Lexington, NC 27292 (336)242-2270



Cliff Issac
Deputy Commissioner of Engineering
NC Department of Insurance

Cliff

I am looking for clarification on the following exception to Chapter 5 Section 503.1.1:

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:
 - 1.1. When the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the dimension shall increase to a minimum of 200 feet (60 960 mm).

Specifically the green highlighted text. The way I read this is that the fire apparatus access road is *authorized* (allowed) to be increased beyond the 150' requirement when an approved sprinkler system is installed. The dimension *shall* (it will) increase to a *minimum* (at least) of 200'.

The way I read this is contradictory to exception # 1 which states that the fire code official is allowed to authorize and increase, and that increase will be at least 200' but with no limit. In other words the fire code official can, but is not required to, authorize an increase when a sprinkler system is installed; however, that increase *will* start at 200' but has no end. Am I reading this correct?

I feel that the intent of this provision is to limit the distance to 200', but the way it reads it *requires* the starting point to be 200' and does not provide a stopping point. So it can be up to 3 miles. Can you help me understand what this is trying to say?

Respectfully,

*C. M. Shouk, Assistant Fire Marshal
Davidson County Fire Marshal's Office*