



VILLAGE OF WHISPERING PINES CODE OF ORDINANCES



Chapter B – Fire Prevention and Fire Protection (Amended 11/13/19)

Article I – Fire Prevention Code Enforcement

Section 1. The Village may enter into a contract with Moore County or another governmental agency to have such agency perform required fire prevention code enforcement within the Village. In that event, inspection fees for inspection of private property shall be paid by the property owner in accordance with the fee structure of such agency, unless otherwise specified in the contract.

Section 2. In order to preserve and to protect public health and safety it shall be the duty of the Fire Rescue Chief (FRC)/designee to inspect or cause to be inspected, according to the North Carolina Fire Code periodic inspections for the purpose of identifying activities and conditions in buildings, structures, and premises that pose dangers of fire, explosion or related hazards. It shall also be the duty of the FRC/designee to inspect or cause to be inspected as often as may be necessary, all buildings and premises, except the interiors of residential dwellings (unless invited for investigation of life safety concerns), for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire/hazards, or any violation of the provisions or intent of any ordinance of the Village affecting fire and life safety hazards.

Section 3. Whenever any person makes a verbal or written complaint that any business or premises constitutes a fire or life safety hazard to a Village employee, said complaint shall be forwarded to the FRC/designee so that the FRC/designee can have it inspected immediately.

Article II – General Authority at an Emergency Incident

Section 1. Subject to the supervision of the Village Manager, the FRC shall have control and management authority of the Fire Rescue Department (FRD), apparatus and its personnel. Whenever a fire or other emergency occurs, threatening/causing harm to life or property in the Village, it shall be the duty of the FRC/officer-in-command (OIC) to report to the place of the incident, coordinate the provision of fire rescue services in conjunction with the public safety needs of the community and participate in the incident management system.

Section 2. The senior ranking officer / firefighter of the FRD on the scene will be the OIC. The OIC at any emergency incident shall have authority to summon aid.

Section 3. The OIC has the authority to keep any and all idle, disorderly or suspicious persons away from the vicinity of an emergency incident. No person may refuse to follow the reasonable directives of the FRC or OIC issued pursuant to this section.

Section 4. The OIC at all fire incidents shall attempt to determine the origin and cause of every fire. When the cause and origin are undetermined and/or suspicious in nature, the OIC will request the assistance of the Moore County Fire Marshal.

Article III – Responsibilities of Residents and Non-resident Visitors

Section 1. Interfering with Fire Rescue Personnel or Apparatus

No person shall interfere with or hinder fire rescue personnel in the discharge of their duties; nor shall any unauthorized person be present at the FRD or handle any fire rescue apparatus or equipment.

Section 2. Who May Ride Fire Rescue Apparatus

No person other than an employee/member of the FRD shall ride any fire rescue apparatus to an emergency incident, without the approval of the FRC. Minors under adult supervision and adults not employed by the FRD may ride fire rescue apparatus in an observer capacity, while participating in a parade or for the purposes of public education, with the approval of the FRC.

Section 3. Interfering With Fire Alarm Systems

No person shall interfere carelessly or willfully with a fire alarm system whether public or private.

Section 4. Fees

The FRD shall furnish said fire protection and emergency services free of charge to all persons and property located within its area of responsibility, except that a fee may be charged for the cost of materials, equipment depreciation, and labor expended in the course of a response to a release or potential release of hazardous substances or large-scale events beyond the scope of day to day operations.

Section 5. Use of Fire Rescue Station

The FRD may, at the discretion of the FRC, allow the use of its facilities by a non-profit group for the purposes of supporting the FRD and/or its fire rescue personnel. Such uses may include fundraising, education, meetings, cook-outs, banquets and other uses to promote the general welfare, safety, morale, good fellowship and recreation of the FRD personnel. No such use shall be permitted without the prior approval of the FRC.

Article IV – Fire Hazards

Section 1. Open Burning Within Corporate Limits (Amended 10/13/21)

A. No person shall burn or cause to be burned outside of a building any materials, unless:

1. The burning meets all applicable NC Fire Codes and the NC Division of Air Quality standards; and
2. The purpose of the burning is firefighter training, cooking or warmth. No permit is required.

B. Exception. Open burning in portable, outdoor fireplaces, chimenas or a fire pit is allowed if done in a container that is wholly constructed of non-combustible material such as steel, brick, or masonry, and meets the following requirements:

1. Only natural materials, firewood/commercial logs or charcoal may be burned. The burning of any synthetic material is prohibited.
2. All fire containers must be located away from any structure, combustible material, or property line.
 - a. Freestanding fireplaces must be located a minimum of twenty-five (25) feet away from any structure or combustible material.
 - b. Portable devices must be located a minimum of fifteen (15) feet away from any structure or combustible material.
 - c. All fire containers must be located a minimum of eight (8) feet from any property line.
3. A portable fire extinguisher or other approved extinguishing equipment, such as a garden hose, must be readily available.
4. A fire pit includes freestanding and portable devices intended to contain and control outdoor fires. The fire pit cannot exceed five (5) feet in diameter, nor may the fire pit exceed thirty (30) inches in height as measured from the ground. Fire pits may be used in accordance with the manufacturer's specification and these regulations.
5. Cooking will be done using appropriate devices/grills in accordance with the manufacturer's specification and these regulations.

6. In all cases, the FRC or OIC is authorized to order the extinguishment by the responsible person, or the FRD, of any burning that creates a hazardous situation or nuisance.
- C. All persons who shall burn as permitted above shall keep and maintain a careful and competent supervisor in charge of such burning. Permitted fire must be completely extinguished whenever fire is unattended. Fires escaping from such burning shall be prima facie evidence of neglect of this provision.
- D. Fires for the disposal of vegetative material generated because of a natural disaster, such as a hurricane or tornado are prohibited.
- E. No person shall kindle or maintain any bonfire or campfire or shall knowingly furnish the material for any such fire, or authorize any such fire to be kindled or maintained on or in any street, avenue, road or lane, or public ground, or upon any private lot within the limits of the Village.

Section 2. Obstruction of a Fire Exit

No person shall at any time, place any obstruction of any kind whatsoever before or upon any fire escape, balcony, or ladder intended as a means of escape from fire. It shall be the duty of every Village employee who shall discover any fire escape encumbered in any manner to forthwith report the same to the FRC, who shall immediately notify the owner or owners, their agent or agents, tenant or tenants, to remove such obstructions and said obstructions shall thereupon be immediately removed.

Section 3. Improved Lots Kept Free from Fire Hazard

It shall be unlawful to permit, yard debris or fallen trees to accumulate or remain on any improved lot.

Section 4. Penalties for Violation

Penalties for violation of the provisions of this ordinance shall be in accordance with Chapter J of the Code of Ordinances.