



# **Concord Department of Fire & Life Safety**

## **Fire Marshal's Office**

### **Division Guidelines & Procedures Manual**

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# Department Guidelines and Procedures Manual

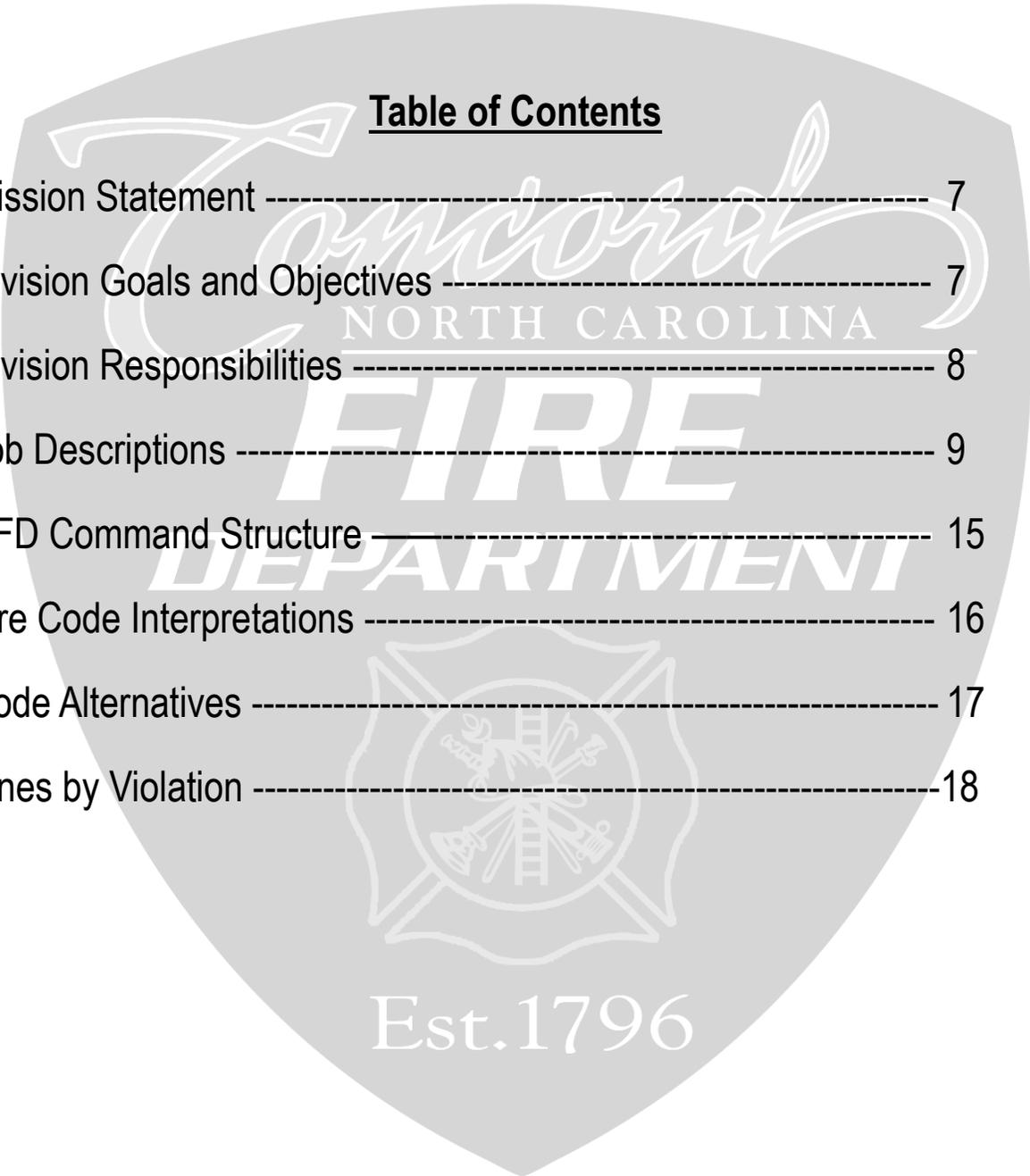
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# I. Concord Fire Marshal's Office Overview



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## **Mission Statement**

**01.01**

The Concord Department of Fire and Life Safety, Fire Marshal's Office Division exist to protect the shareholders of the City of Concord from personal injury, loss of life or the destruction of valuables and/or property from life safety hazards, fire, or hazardous materials release through the completion of thorough and competent Fire/Life Safety Inspections and Fire/Hazardous Materials or Life Safety Violation Investigations.

## **Division Purpose Goals and Objectives**

### **Purpose**

In order to better protect the public and pursue the goal of creating a safe community in which to live and work for the citizens of the City, the Fire Prevention Bureau was created. As a division of the Department of Fire & Life Safety, Fire Prevention is charged with regulating and inspecting construction of new buildings and inspection of existing buildings for compliance with the State of North Carolina Building Codes. Furthermore, State laws mandate fire origin and cause be determined to protect the public from crimes, hazardous materials releases and improperly designed equipment and/or appliances.

This division is responsible for performing: Building Site Plan Review for all new commercial and residential development within the City's jurisdiction; issuing and collecting fees for all Fire and Special Use Permits; conduction of all fire inspections that pertain to an issued permit; enforcement of Fire Code and City Ordinances that pertain to minimum standards; performing Fire Inspections in Heavy Industrial, Daycare and Institutional, Educational and Custodial Care Facilities; conducting safety inspection of large spectator events; conduction of fire investigations to determine the origin and cause of fires and/or hazardous conditions and prosecution of suspects involved in Arson, Illegal Burning or Insurance Fraud crimes.

### **Goal 1:**

Enhance the safety of citizen's through the implementation of an effective Fire Prevention/ Code Enforcement Program.

#### **Objectives:**

1. Conduction of Fire Inspections in existing occupancies within the City Limits as mandated in by the North Carolina Fire Code and the State Inspection Schedule.
2. Coordination of competent, thorough Plan Reviews with the Cabarrus County Building Inspections Department to ensure Code compliance in new and upfit construction projects.
3. Ensure fair, consistent Fire Code enforcement for all occupancies regulated by the Fire Code.
4. Maintain training of personnel to the latest fire inspection standards and regulations.
5. Maintain all files and records required by law, associated with Fire Inspection, Permit Issuance and Code Enforcement
6. Maintain a high customer service standard to stakeholders in the conduction of Fire Inspections.

**Goal 2:**

Promoting the safety of citizen's through the implementation of an effective Fire Determination and Investigation Program.

**Objectives:**

1. Conduction of thorough, competent investigations of the origin and cause of fires.
2. Coordination with the Police Department in investigation and prosecution of individuals involved in the commission of a Burning Offenses outlined in North Carolina General Statutes.
3. Maintain training of all personnel to the latest fire cause and origin investigation techniques.
4. Maintain all files and records required by law, associated with Fire Origin and Cause.
5. Maintain a high customer service standard to shareholders in the conduction of Fire Investigations.

**Division Responsibilities**

**Personnel**

The Fire Marshal's Office is compromised of 5 Day Shift Inspection Personnel, (1 Bureau Chief, 2 Deputy Fire Marshals, 5 Assistant Fire Marshals).

Chief of Fire Prevention Bureau: Mark A Brown -	Fire 6
Deputy Fire Marshal: Archie Coble -	Fire 61
Deputy Fire Marshal: Adam Ryerson -	Fire 62
Assistant Fire Marshal: Mike Hill -	Fire 63
Assistant Fire Marshal: Richard Bergeron -	Fire 64
Assistant Fire Marshal: Robert Page -	Fire 65
Assistant Fire Marshal: Travis McGaha -	Fire 66
Assistant Fire Marshal: Norman Franklin -	Fire 68
Assistant Fire Marshal: Jeffery Bostian -	Fire 69

**Workschedule**

The work schedule is 8 hour days/40 hour workweeks for day staff inspection personnel.

**Inspection Districts**

In order to conduct fire inspections within the inspection schedule as required by the Fire Code, the City of Concord has been broken down into Inspection Districts. Occupancy inspection responsibilities are assigned to Fire Prevention Personnel according to Special Assignment, Occupancy and/or Inspection District.

**District and occupancy inspection assignments are as follows:**

- Mike Hill - District: 1 – Assistant Fire Marshal, Occupancy Assignments: Concord Mills Mall, Special Assignment; Fire Investigation Unit Maintenance.
- Travis McGaha - District 2 - Assistant Fire Marshal. Special Assignment: Fire Educator.
- Robert Page - District: 3 - Assistant Fire Marshal, Occupancy Assignments: All Group Homes, Carolina Mall.
- Richard Bergeron - District 4 - Assistant Fire Marshal.
- Adam Ryerson - District: 6 - Deputy Fire Marshal, Personnel Supervisor, Occupancy Assignments: Charlotte Motor Speedway, Race Shops, Pre-Gel America.
- Archie Coble - District: 8 - Deputy Fire Marshal, Lead Plan Reviewer, Occupancy Assignments: Northeast Medical Center, Nursing Homes, All Daycares and All Private Schools.
- Norman Franklin - Assistant Fire Marshal, Special Assignments: Fire Educator, Foster Care Homes
- Jeff Bostian—District 9 - Assistant Fire Marshal, Special Assignments: Fire Educator, School Inspector

- Mark Brown - District: 5, Division Chief - Occupancy Assignments: Events and Expo Center, Special Event Coordination and New Employee Training

**Fire Investigation On-Call Schedule**

All Fire Prevention Personnel are subject to be "On-Call" for fire investigations. Personnel are required to be "On-Call" for approximately 1 week per month. Non-exempt personnel will receive overtime compensation.

**Special Event Standby**

Special Event Standby schedules and directives will be processed and administered at the discretion of the Division Chief.

**Job Descriptions**

**Job Title:** Assistant Fire Marshal

Reports To: Deputy Fire Marshal

FLSA Status: Non-Exempt

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**Job Purpose:**

The purpose of this position is to perform inspections of buildings and structures to ensure fire code standards and conduct fire investigations.

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**Essential Duties and Responsibilities:**

- Performs fire inspections by locating hazardous conditions and code violations, identifying corrective action, conducting fire code compliance follow-ups to ensure corrective measures have been taken, testing fire protection or detection systems, and issuing fines and citations for non-compliance with fire code and regulation.
- Conducts fire investigations by examining fire scenes and collecting evidence, analyzing evidence and other information to determine probable origin of fire, photographing damage and evidence, interviewing witnesses, and preparing and maintain reports of investigation results.
- Assists with coordinating department activities by tracking work and change orders, relaying communications, researching information, and providing related support.
- Assumes the role of Safety Officer by responding to calls involving hazardous materials, monitoring conditions and activities on the fire scene, ensuring adherence to department guidelines, procedures, and policies, and monitoring entry and egress from structures where interior crews are working.

**Supplemental Functions:**

- Performs other similar duties as required.

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**Job Specifications and Qualifications:**

Knowledge:

- Fire codes and regulations;
- Firefighting procedures and methods;
- Building construction, fire protection, and life-safety systems.

Skills:

- Using computers and applicable software applications;
- Fire inspection and investigation;
- Project prioritization;

- Problem solving;
- Customer service;

Communication, interpersonal skills as applied to interaction with coworkers, supervisor, the general public, etc. sufficient to exchange or convey information and to receive work direction.

Education/Experience:

- Associate's Degree in Fire Science or Emergency Preparedness Technology, with three (3) years of experience as a fire investigator; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job.

Licensing and Certifications:

- North Carolina Fire Inspector I;
- North Carolina Firefighter I & II;
- North Carolina Hazardous Materials Awareness and Operations Certification;
- National Incident Management System Certification;
- North Carolina Emergency Medical Technician;
- Valid North Carolina Driver's License.

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**Working Conditions / Physical Requirements:**

Positions in this class typically require: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, seeing and repetitive motions.

Medium Work: Exerting up to 50 pounds of force occasionally, and/or up to 20 pounds of force frequently, and/or up to 10 pounds of force constantly to move objects.

Incumbents may be subjected to electrical currents, fumes, gases, poor ventilation, chemicals, oils, inadequate lighting, work space restrictions, and intense noises.

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The intent of this job description is to provide a representative summary of the types of duties and responsibilities that will be required of the positions given this title and shall not be construed as a declaration of the specific duties and responsibilities of any particular position. Employees may be requested to perform job-related tasks other than those specifically presented in this description. Fair Labor Standards Act (exempt/non-exempt) is designated by position. The employer actively supports Americans with Disabilities Act and will consider reasonable accommodations.

**Job Title:** Deputy Fire Marshal  
**Reports To:** Division Chief  
**FLSA Status:** Non-Exempt

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**Job Purpose:**

The purpose of this position is to supervise fire investigations, conduct tests of fire protection and detection systems, and inspect sites and plans for compliance with fire code.

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**Essential Duties and Responsibilities:**

- Supervises staff by coordinating and monitoring daily activities, ensuring adequate staff training and adherence to policies and procedures, conducting performance reviews, and making hiring, termination, and disciplinary recommendations.
- Provides technical plan review by ensuring new construction and existing buildings meet fire code requirements, reviewing plans for alarm, sprinkler, and fire extinguishing systems, and issuing permits for fire protection systems.
- Performs inspections of buildings and equipment according to established codes and policies and approves applications for permits.
- Conducts acceptance testing on fire protection systems to verify performance per applicable code.
- Manages fire investigations by collecting evidence and witness statements, creating drawings of fire scene, coordinating with various state, local, and federal agencies if fire is determined incendiary, and provide courtroom testimony if necessary.

**Supplemental Functions:**

- Performs other similar duties as required.
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**Job Specifications and Qualifications:**

**Knowledge:**

- Fire codes and regulations;
- Firefighting procedures and methods;
- Fire investigation techniques and methods;
- Special event emergency planning;
- Building construction, plan review, fire protection, and life-safety systems;
- Hazardous material storage, use, methods, and response procedures.

**Skills:**

- Using computers and applicable software applications;
- Project prioritization;
- Problem solving;
- Performing fire inspections and investigations;
- Customer service;
- Supervising and evaluating personnel;
- Communication, interpersonal skills as applied to interaction with coworkers, supervisor, the general public, etc. sufficient to exchange or convey information and to receive work direction.

**Education/Experience:**

Associate's Degree in Fire Science or Emergency Preparedness Technology including Arson Investigation, with three (3) years of experience as a fire investigator, and experience as a firefighter; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job.

Licensing and Certifications:

- North Carolina Fire Inspector Level III Certification;
- Certified Fire Investigator;
- North Carolina Firefighter II;
- North Carolina Hazardous Material Operations Certification;
- North Carolina Emergency Medical Technician;
- North Carolina Fire Officer II;
- North Carolina Hazardous Material Technician;
- Valid North Carolina Driver's License.

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**Working Conditions / Physical Requirements:**

- Positions in this class typically require: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, seeing and repetitive motions.
- Medium Work: Exerting up to 50 pounds of force occasionally, and/or up to 20 pounds of force frequently, and/or up to 10 pounds of force constantly to move objects.
- Incumbents may be subjected to electrical currents, fumes, gases, poor ventilation, chemicals, oils, inadequate lighting, work space restrictions, and intense noises.

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The intent of this job description is to provide a representative summary of the types of duties and responsibilities that will be required of the positions given this title and shall not be construed as a declaration of the specific duties and responsibilities of any particular position. Employees may be requested to perform job-related tasks other than those specifically presented in this description. Fair Labor Standards Act (exempt/non-exempt) is designated by position. The employer actively supports Americans with Disabilities Act and will consider reasonable accommodations.

**Job Title:** Division Chief  
**Reports To:** Deputy Fire Chief  
**FLSA Status:** Exempt

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**Job Purpose:**

The purpose of this position is to ensure compliance with the Fire Prevention Code, develop budgets and work schedules, develop policies and procedures, and assist in public relations.

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**Essential Duties and Responsibilities:**

- Plans, schedules, and manages Fire Prevention Code inspections according to the Fire Code Inspection Schedule of all applicable occupancies within City limits including at construction sites.
- Recommends, plans, and projects future budget requests and staffing recommendations for the Fire Prevention Division.
- Develops Division policies and procedures for the Fire Prevention Division and the Fire Department as needed.
- Maintains Fire Prevention Personnel Division work schedules, time off requests, and job evaluations.
- Acts as Administrator for the fire department Firehouse Records Management Software System and designs reports and manages data entry into the system.
- Ensures that a positive public image for the City and Fire Department is maintained in relation to commercial business inspections and all fire investigations.
- Manages and, directs fire department fire safety public education program development and program delivery.
- Supervises, directs, and coordinates water flow testing to determine water system quality for use in hydraulic calculations necessary to comply with Fire and Building Code requirements.
- Acts as Chief Investigator for fires, explosions, hazardous materials, and other incidents as required, reviews reports, and secures case files and evidence.
- Supervises interviews of witnesses at fire scenes including fire and police personnel to ensure that pertinent information is obtained and conducts follow up briefings with Law Enforcement to update with case progress.
- Conducts special and administrative inspections R&D investigations as directed by the Chain of Command and reports findings to Fire Administration.
- Coordinates fire inspection/investigation/hazardous materials training classes for all Fire Department personnel.
- Attends various meetings as a representative of the Fire department.
- Responds as a Chief Command Officer to emergency incidents as needed.
- Acts as Neighborhood Liaison to a neighborhood in the City.

**Supplemental Functions:**

Performs other similar duties as required.

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**Job Specifications and Qualifications:**

**Knowledge:**

- Fire Science principles;
- Fire safety and education;
- Applicable federal, state, and local laws, rules, and regulations;
- Firefighter I & II standards;
- Supervisory principles;
- Conflict resolution;
- Budgetary Principles.

**Skills:**

- Mechanical repairs;
- Using computers and applicable software applications;
- Supervising and evaluating personnel;
- Prioritizing and assigning work;
- Communication, interpersonal skills as applied to interaction with coworkers, supervisor, the general public, etc. sufficient to exchange or convey information and to receive work direction.

**Education/Experience:**

- Bachelor's Degree in Fire Protection or related field, with ten (10) years experience in fire service and a minimum of eleven (11) months as Battalion Captain or Deputy Fire Marshal; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job.

**Licensing and Certifications:**

- North Carolina Firefighter II;
- North Carolina Emergency Medical Technician;
- North Carolina Hazardous Materials Technician;
- North Carolina Fire Educator III;
- North Carolina Fire Inspector Level III;
- North Carolina Fire Investigator;
- North Carolina Fire Officer III;
- Valid North Carolina Driver's License.

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**Working Conditions / Physical Requirements:**

Positions in this class typically require: climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, seeing and repetitive motions.

Heavy Work: Exerting up to 100 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 20 pounds of forces constantly to move objects.

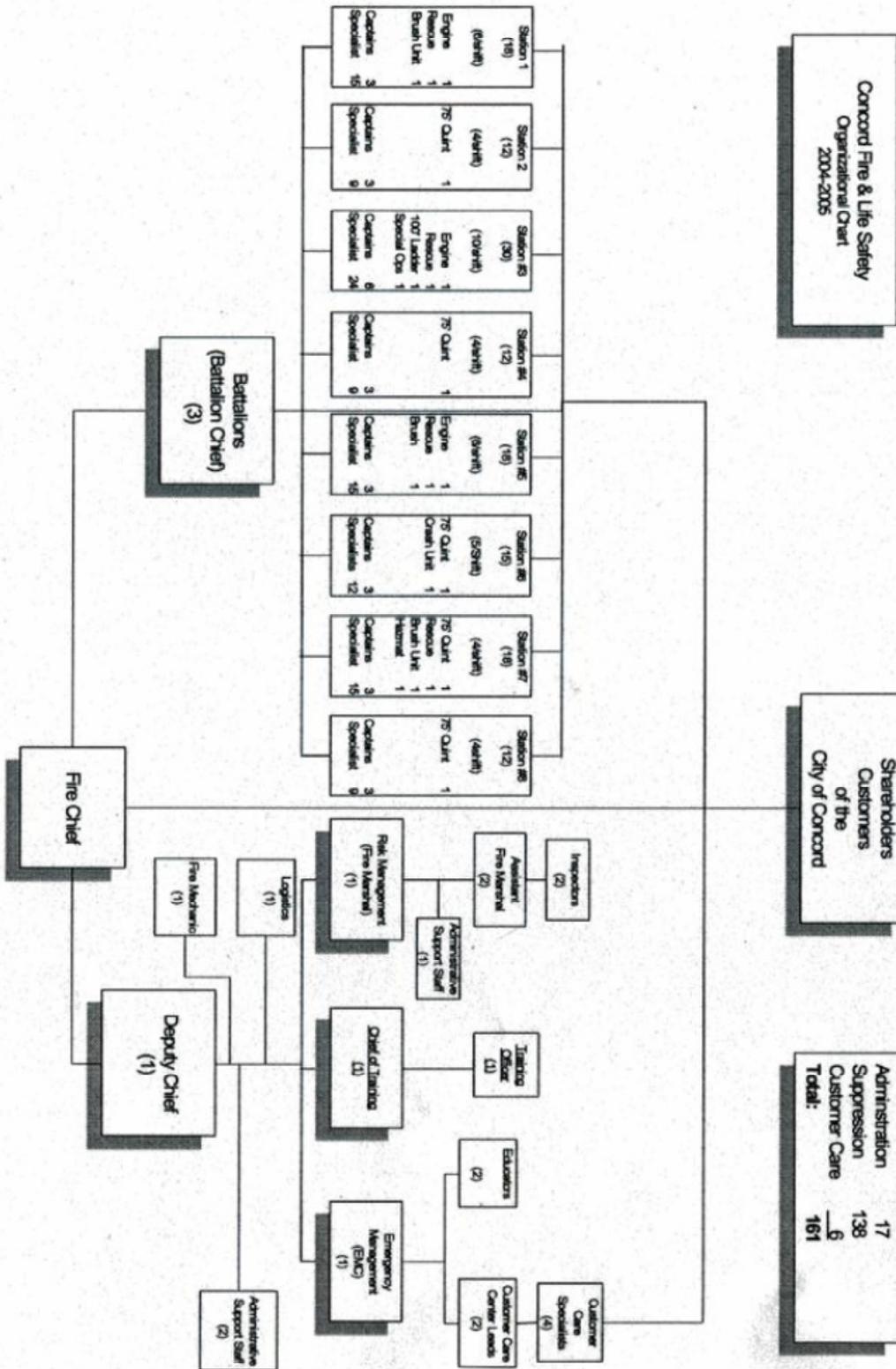
Incumbents may be subjected to moving fumes, odors, dusts, gases, poor ventilation, chemicals, oils, and extreme temperatures.

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The intent of this job description is to provide a representative summary of the types of duties and responsibilities that will be required of the positions given this title and shall not be construed as a declaration of the specific duties and responsibilities of any particular position. Employees may be requested to perform job-related tasks other than those specifically presented in this description. Fair Labor Standards Act (exempt/non-exempt) is designated by position. The employer actively supports Americans with Disabilities Act and will consider reasonable accommodations.

# Concord Department of Fire and Life Safety Command Structure

01.02



## Fire Code Interpretations

## 01.03

From time to time when there is a need for Fire Prevention to render a Fire Code Interpretation, the matter will be handled through the follow manner:

1. All information will be gathered concerning the request for the interpretation. This information will consist of:
  - A. The person, organization or business requesting the interpretation.
  - B. The occupancy name, address and contact number(s).
  - C. Occupancy information including: Occupancy Classification, floor plan and room layout, fire separation, fire protection equipment installed, egress paths and exit door numbers and locations, occupant load, any other relevant occupancy information.
  - D. The Code section(s) affecting the interpretation.
  - E. NFPA and other nationally recognized standards that may have bearing on the interpretation will be identified and researched.
  - F. Other circumstances that may have relevance in the interpretation.
2. Once information has been gathered, the North Carolina Office of the State Fire Marshal (NCOSFM) will be consulted on the issue and informed on the details. A request to NCOSFM will be made to give an opinion on the issue.
3. After an opinion has been received from NCOSFM, the Fire Prevention Division will render an interpretation of the Code(s). Opinions from NCOSFM and Interpretations from Fire Prevention are considered to be final.
4. All Interpretations will be written and published to Fire Marshal's Office Personnel. Upon written request, copies of interpretations published may be obtained by the general public.
  - A. All request for copies of interpretations shall be routed through the Bureau Chief.
5. Personnel failing to conduct inspections and Code Enforcement according to published, written interpretations are subject to disciplinary action.
6. All interpretations must be approved by the Bureau Chief.

In the determination of alternatives to fire and life safety, the following sections of the North Carolina Fire Code shall be utilized:

**Section 102.7 Subjects not regulated by this code.**

Where no applicable standards or requirements are set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the code official to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

**Fire Code Section 102.8 Matters not provided for.**

Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the code official.

**Section 104.7.2 Technical assistance.**

To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the department, the code official is authorized to require the owner or agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

## Fines By Violation

01.05

<b>Knox Box</b>	<b>\$500.00/day (City of Concord Ordinance 34-3)</b> <i>(May be Issued after 75 days and three written notices.)</i>
<b>Burning w/o a Permit</b>	<b>\$50.00 1<sup>st</sup> offense, \$100.00 2nd offense - Residential</b> <b>\$500.00 1<sup>st</sup> offense, \$1000.00 2<sup>nd</sup> offense <u>per stack or pile</u> - Commercial (City of Concord Ordinance 34-4)</b> <i>(May be issued after one written notice residential/ no notice commercial.)</i>
<b>Chapter 10 Violations</b>	<b>\$500.00 /day (City of Concord Ordinance 34-86)</b> <i>(May be issued w/o notice, usual practice is after 75 days and three written notices.)</i>
<b>Locked Exit/ Exit Obstruction</b>	<b>\$500.00 1<sup>st</sup> offense, \$1,000.00 2<sup>nd</sup> offense (City of Concord Ordinance 34-87).</b> <i>(May be issued w/o notice, in usual practice, verbal and written warnings precede citation.)</i>
<b>Fire Detection/Protection</b>	<b>\$250.00 1<sup>st</sup> offense, \$500.00 per day for any recurring violation (City of Concord Ordinance 34-87).</b> <i>(May be issued w/o notice, in usual practice, verbal and written warnings precede citation.)</i>  <i>(Assembly, Hazardous, Institutional System must be in service at all times or immediate fire watch provided or shut down &amp; fine; All others a fire watch must be provided in a <u>reasonable</u> period of time and maintained.)</i>
<b>Access During Const.</b>	<b>\$1,000.00 /day (City of Concord Ordinance 34-87).</b> <i>(May be issued w/o notice, in usual practice, verbal and written warnings precede citation.)</i>
<b>Occupancy w/o COC</b>	<b>\$1,000.00 /day (City of Concord Ordinance 34-87).</b> <i>(May be issued w/o notice, in usual practice, verbal and written warnings precede citation.)</i>  <i>(Issued immediately for new structures and after 45 days for existing, disconnection of utility service may be used in lieu of fines.)</i>
<b>General Violation</b>	<b>\$100.00 (City of Concord Ordinance 34-87).</b> <i>(Issued after 45 days and three written notices This fine is issued per item and not violation. Example: Failure to repair 3 exit lights constitutes a fine of \$300.00 being issued, \$100 per light.)</i>

<b>False Alarm &gt; 3 per 90 days</b>	<p><b>\$250.00 (City of Concord Ordinance 34-87).</b>  <i>(May be issued w/o notice, in usual practice, issued on fourth violation within 90 days after one written notice on the third violation. Alarms in rapid succession are considered an individual occurrence. )</i></p>
<b>Fire Lane Parking Violations</b>	<p><b>\$100.00 (City of Concord Ordinance 34-95).</b>  <i>(May be issued w/o notice when vehicle is not occupied. If vehicle is occupied, request that vehicle be moved.)</i></p>
<b>Key Box Maintenance</b>	<p><b>\$100.00 (City of Concord Ordinance 34-87).</b>  <i>(May be issued w/o notice when Knox box is found to contain no key or incorrect key. In usual practice one written warning precedes citation.)</i></p>
<b>Overcrowding</b>	<p><b>\$500.00 1<sup>st</sup> offense, \$1000.00, 2<sup>nd</sup> offense (City of Concord Ordinance 34-87).</b>  <i>(Issued at the time of the violation after occupancy overcrowding conditions have been corrected. Third Offenses may constitute Court Proceedings. Offenses run calendar year.)</i></p>
<b>Permits</b>	<p><b>Double Fees (City of Concord Fee Schedule)</b>  <i>(Charged for any permit for which work was done prior to permit being issued.)</i></p>
<b>Assault on a Fire Official</b>	<p>The subjection of any authorized fire inspector physical abuse during an inspection shall be fined \$1,000.00 and/or a criminal offense of assault of \$1,000.00. <b>(City of Concord Ordinance 34-87).</b>  <i>(If this charge is necessary leave the business/premises and notify Concord PD to respond to initiate the proceedings.)</i></p>
<b>Matters not provided for</b>	<p>Any other violation of the fire code or City Ordinance not specifically codified shall be fined \$250.00. <b>(City of Concord Ordinance 34-87).</b>  <i>(The Bureau Chief shall be consulted prior to the levying of any fine using this as the reference)</i></p>