

**ORDINANCE NO. 2015 – 492**

**AN ORDINANCE AMENDING PART 5, CHAPTER 2, ARTICLE B –  
FIRE PROTECTION AND PREVENTION ORDINANCE OF THE  
RALEIGH CITY CODE TO ADD A NEW SECTION CONCERNING  
THIRD-PARTY PROTECTION AND CONTROL, INSPECTION, TESTING,  
AND MAINTENANCE REPORTING**

**WHEREAS**, the North Carolina Prevention Code and the National Fire Protection Association Codes and Standards require periodic testing and maintenance of certain fire protection systems alarms, devices, equipment and other features; and

**WHEREAS**, the fire code official is authorized by Section 106.2 of the North Carolina Fire Prevention Code to approve reports of inspection by approved agencies or individuals, and the fire code official is authorized to engage such expert opinion as deemed necessary to report upon detailed or complex technical issues; and

**WHEREAS**, pursuant to Section 107.2.1 of the North Carolina Fire Prevention Code and Standards required tests and inspection reports shall be available to the fire code official at all times and such records shall be filed as directed by the fire code official; and

**WHEREAS**, the City has adopted the provisions of the North Carolina Fire Prevention Code and Standards, current edition, and the provisions of technical codes and standards and has made the same applicable as the Fire Prevention and Protection Ordinance of the City of Raleigh in Article B of Chapter 2 of Part 5 of the Raleigh City Code;

**WHEREAS**, the Raleigh City Council desires to amend its Fire Prevention and Protection Ordinance to require inspection reports to be provided to the City through a third-party inspection reporting system.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA that:**

**Section 1.** Sections 5-2047 through 5-2051 of the Raleigh City Code are renumbered 5-2048 through 5-2052 respectively.

**Section 2.** A new section, Section 5-2047, is hereby written adopted and enacted to read as follows:

**“Sec. 5-2047.**

**THIRD-PARTY INSPECTIONS AND REPORTING SYSTEM.**

**(a) Inspections and Maintenance Required.**

The *owner* of the property where any device, equipment, alarm, system and any other feature is required for compliance of the provisions of this Article or is otherwise installed on the property *shall* cause maintenance, testing and inspections of all such devices, equipment, alarms, systems and features in accordance with this Code and applicable referenced standards and specified intervals. If following inspection and testing, any device, equipment, alarm, system and any other feature does not meet manufacture’s specifications or fails to perform as intended, then it shall be repaired or replaced in accordance with subsection (e) below.

Maintenance, testing and inspections *shall* include, without limitation, the following:

FIRE PROTECTION MEASURE	FIRE CODE Ref.	NFPA Ref.
1. Automatic Fire Sprinkler System	901.6.1 & 901.6.2	25
2. Commercial Hood Cleaning	906.3	96
3. Commercial Kitchen Hood System	901.6.1 & 901.6.2 904.11.6.2	17A
4. Emergency Generator	604.4	110 & 111
5. Fire Alarm System	901.6.1 & 901.6.2	72
6. Fire Doors	703.4	80
7. Fire Escape	1030.2	
8. Fire Pumps	913.5	25
9. Foam System (including 5 yr test)	901.6.1 & 901.6.2	25
10. Private Hydrant System	507.5.2 & 507.5.3	25
11. Smoke Control System	909.20	90 & 92B
12. Special Suppression System	901.6.1 & 901.6.2	12 & 12A 750 & 2001
13. Spray Booth	901.6.1 & 901.6.2	33
14. Standpipe (including 5 yr hydrostatic test)	901.6.1 & 901.6.2	25

Testing of all backflow prevention assemblies installed and maintained per NFPA-25 are regulated by the Department of Public Utilities pursuant to Section 8-2154.

**(b) Qualifications of Inspectors.**

Only qualified personnel shall make inspections or perform testing required by the current editions of the North Carolina Fire Prevention Code and the adopted provisions of technical codes. Qualified personnel shall include, but not be limited to:

- (1) Personnel who are factory-trained and certified for the type and brand of device, equipment, alarm, system, or feature being inspected or tested.
- (2) Personnel who are certified by a nationally recognized certification organization approved by the City.
- (3) Personnel who are registered, licensed or certified by North Carolina or the City of Raleigh to perform the required inspections and testing.
- (4) Personnel of the Fire Department.

**(c) Reporting of Inspections and Tests.**

Records of all installations, inspections, tests and maintenance required by Section 5-2047 shall be provided electronically to the City's designated electronic reporting system. Completed records shall be submitted no later than fifteen (15) days following the applicable Installation, inspection, test and maintenance. The submitted report shall contain all information required by the City's designated electronic reporting system. The fee for any report filed using the electronic reporting system shall be ten dollars (\$10.00).

**(d) Retention of Records.**

Records of all any device, equipment, alarm and system inspections, tests and maintenance required by the current editions of the North Carolina Fire Prevention Code and the adopted provisions of technical codes shall be maintained on the premises for a minimum of three (3) years following the date of any inspection, test and maintenance and shall be copied to the fire department and its contractors pursuant to either the provisions of the City Code or upon the request of the fire control official.

**(e) Repairs.**

If any device, equipment, alarm, system and any other feature fails its inspection or operational test, within thirty (30) days of such inspection or test or the property owner shall make all necessary repairs to make the item fully operational. Defective parts must be replaced with manufacturer approved parts. If repair is not possible, the item must be replaced with devices, equipment, alarms, systems and features in accordance with this Code and applicable referenced standards. Completed records shall be submitted no later than fifteen (15) days following the applicable maintenance, repair or replacement. The submitted report shall contain all information required by the City's designated electronic reporting system. The fee for any report filed using the electronic reporting system shall be ten dollars (\$10.00).

Additional inspections and testing may be required of the repaired or replaced device, equipment, alarm, system or other feature upon the request of the fire code official.

**Section 3.** All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

**Section 4.** If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

**Section 5.** This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

**Section 6.** This ordinance has been provided to the North Carolina Capital Commission as required by law.

**Section 7.** This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar (\$50.00) limit in G.S. 14-4(a) or similar limitations.

**Section 8.** This ordinance shall become effective five (5) days following its adoption.

**ADOPTED:** October 7, 2015  
**EFFECTIVE:** October 12, 2015

**DISTRIBUTION:** Fire – McGrath, Tessinear  
Public Utilities – Massengill, Wheeler  
City Attorney – Seymour, Bachl, Hargrove-Bailey  
Department Heads  
Transcription Svcs – Taylor

*This ordinance was drafted by the City Attorney's Office*