



## **City of Asheville Bi-Annual Periodic Fire Inspections**

### **Dear Business Manager:**

The Asheville City Government is mandated to conduct periodic inspections of all commercial, educational, institutional, and multi-family residential buildings to ensure compliance with fire and life safety regulations. This is a program administered by the Asheville Fire Department through our Fire Marshal's Office. Their Assistant Fire Marshals (AFM's) are responsible for conducting periodic fire prevention inspections. Each assistant fire marshal conducts fire inspections of every commercial premise located within the City of Asheville. The Fire Department is required, in accordance with direction from the City Council, to assess a fee for these inspections.

Each structure is inspected and the hazards found are listed for the owner or occupant. Also, enforcement of the fire code allows for identification of unsafe property such as open, vacant structures, which are a danger to the community and firefighters. Several items, which are of primary importance to life safety, are fire alarm systems, fire sprinkler systems, exit doors, emergency lighting, exit signs, and other fire extinguishing systems.

In an effort to assist business owners in complying with fire and life safety regulations, we are providing an inspection check list of common violations. The check list will assist occupants in surveying their building on a periodic basis and eliminate potential violations. The inspection check list and fee schedule are located on the last pages of this handout. The Fire Marshal recommends this check list be reviewed monthly and prior to the mandated inspection to eliminate any obvious fire and life safety violations.

### **Here we answer some "Frequently Asked Questions about the Fire Inspections, Inspection Fees, and Billing."**

#### **When did these inspections start?**

- The North Carolina Legislature mandated every structure, other than 1 & 2 family dwellings, be inspected for fire code violations on a structured time line. This was in response to a tragic factory fire in Hamlet, NC that killed 25 workers in 1991. All local jurisdictions were mandated to adopt the fire inspection schedule by law.

#### **No one asked for this fire inspection, why did you make one?**

- The State of North Carolina requires the inspection on a frequency based on the type of occupancy and mandates that the fire inspector have access during normal business hours. Some inspections are mandated due to North Carolina occupational licensing requirements, such as a daycare license or ABC permit.

**How often will I be inspected?**

- Your business is classified as a being in a “Moderate Risk” occupancy group, as established by the NC Office of State Fire Marshal. Moderate risk occupancies are inspected every 24 months. These include Factory-Industrial uses and private schools.
- These are building uses that have an average probability of a fire or other emergency occurring, but due to the type and/or quantity of materials stored, used, or handled on site, or because of processes typically performed in their operations, a fire may be more intense or the emergency more severe. Additionally, these occupancies would have a higher than average risk of injury or death to the occupants in a fire or other emergency due to occupants’ age and/or presence of higher risk processes.

**How much will I be charged?**

- It depends on the building sizes and uses. The initial inspection fee is based on the following of two factors: the square footage or, in the case of private schools the number of buildings.
- If violations are found and cannot be immediately corrected, a re-inspection of the premises would be in order. If all violations are corrected at the time of re-inspection there will be no re-inspection fee; however, if violations are not corrected a second re-inspection of the premises will be required and there will be a charge for that inspection. There is a fee for any subsequent re-inspections required to ensure compliance, until all corrections have been made. A detailed fee schedule is on the last page of this handout.

**Who will be making the fire inspection at my business?**

- Uniformed firefighters with specialized training as Assistant Fire Marshals conduct the fire inspections. They have expertise in preventing fires, enforcing the codes, and know first hand how fires endanger lives and property. They sometimes ask other specialists, such as Building or Electrical Inspectors, to assist them on some technical matters.

**I pay property taxes, so why will I get a bill for my fire inspection?**

- Prior to the state mandate of periodic time requirements for fire inspections, the department was averaging about 4 to 6 years for occupancies the State now requires to be inspected every 1 to 3 years. Asheville City Council elected to charge fees for the unfunded mandate from the State rather than raise property taxes. The costs of the inspections are benchmarked with other NC Cities. For the 13-14 fiscal year, these fees offset approximately 75% of our actual costs with the remaining 25% funded through taxes.

**Who decides how much of a fire inspection fee to charge?**

- Each year the Chief of the Fire Department submits a proposed budget with fees and charges identified. A committee of City Council members meets with each Department Director and reviews the fees. They make recommendations and suggest changes in the fee structure. Sometimes the fees increase based just on an adjustment for inflation; this year there were no changes from the previous year’s fees. The fees are adopted within the City’s budget in June of each year.

**It would be more convenient if the inspector would make the inspection and subsequent re-inspection when we are not so busy.**

- We can rearrange the inspection visit to suit your best time. Just let your Assistant Fire Marshal know that today is inconvenient and we can establish another time that is best for you.

**How do I receive my fire inspection bill?**

- The City of Asheville Finance Department has this responsibility and will mail you a bill. Fire Marshal's staff are not allowed to accept funds from you for your bill.

**Is this my landlord's bill, because I don't own the building?**

- The State law requires the use of the building to be inspected; therefore, we bill the business we inspect. You may have a lease that makes the building owner responsible for certain items. This is a matter left up to you and the owner.

**We were planning on moving out, do I still have to pay?**

- Yes, the fee is for the inspection made while you were at that business address, not for a future time or future location.

**I have been inspected before and don't remember getting a bill?**

- We can check and determine when we last inspected, if an invoice was mailed, and the date of payment. However, it is possible that the invoice was never sent, the owner or corporate office paid, or a mistake was made last time. ETJ areas have not been charged for inspections the last few years.

**I need more time to get things fixed. Can you change the re-inspection date?**

- We try to give all businesses the same re-inspection time, span of a couple of weeks. We realize some things cannot be done in that time frame. Contact your fire inspector to discuss a different compliance date. Reasonable efforts at compliance will justify a new re-inspection date.

**What happens if I do not fix my fire code violations?**

- First we will try to see if you just didn't understand what was required and try to help you, help yourself. However, fire code violations endanger you, us, your business, and the public. Violations may have significant repercussions when left uncorrected. Reinspection fees are progressively higher, if you have unresolved violations. NC State law also provides for both civil monetary penalties and possible criminal charges. We would prefer to work with you, so that these actions are not needed.

**Additional questions may be directed to your local Assistant Fire Marshal or to the City of Asheville Fire Marshal at 828-259-5641.**

**FEES FOR STATE MANDATED PERIODIC FIRE INSPECTIONS\***  
**MODERATE RISK OCCUPANCIES – inspected and fees charged every 24 months**

Moderate Risk Occupancies: Uses that have an average probability of a fire or other emergency occurring, but due to the type and/or quantity of materials stored, used, or handled on site, or because of processes typically performed in their operations, a fire may be more intense or the emergency more severe. Additionally, these occupancies would have a higher than average risk of injury or death to the occupants in a fire or other emergency due to occupants’ age and/or presence of higher risk processes.

	<b>First Inspection Fee</b>	<b>Reinspection Fee if all Violations Cleared</b>	<b>Reinspection fee if violations NOT Cleared</b>	<b>Second Reinspection Fee if all Cleared</b>	<b>Second Reinspection Fee if NOT Cleared</b>
<b><u>1.1 Educational Group E – Private Schools</u></b>					
<b><u>1.2 Factory – Industrial – Group F</u></b>					
a. Less than 501 sq. ft.	\$25.00	\$0.00	\$50.00	\$0.00	\$100.00
b. 501 to 2,500 sq. ft.	\$75.00	\$0.00	\$150.00	\$0.00	\$300.00
c. 2,501 to 10,000 sq. ft.	\$125.00	\$0.00	\$250.00	\$0.00	\$500.00
d. 10,001 to 20,000 sq. ft.	\$175.00	\$0.00	\$350.00	\$0.00	\$700.00
e. 20,001 to 40,000 sq. ft.	\$225.00	\$0.00	\$450.00	\$0.00	\$900.00
f. 40,001 to 80,000 sq. ft.	\$275.00	\$0.00	\$550.00	\$0.00	\$1,100.00
g. 80,001 to 120,000 sq. ft.	\$325.00	\$0.00	\$650.00	\$0.00	\$1,300.00
h. 120,001 to 150,000 sq.ft.	\$375.00	\$0.00	\$750.00	\$0.00	\$1,500.00
i. 150,001 to 200,000 sq.ft.	\$425.00	\$0.00	\$850.00	\$0.00	\$1,700.00
j. 200,001 sq. ft. plus	\$500.00	\$0.00	\$1,000.00	\$0.00	\$2,000.00
<b><u>2.1. Educational Group E – Public Schools</u></b> (See footnote 9 for Public Schools)					
a. Each school site	\$250.00	\$0.00	\$500.00	\$0.00	\$1,000.00

**\* Application Footnotes:**

1. For Multi-occupancy buildings, other than residential or institutional, fees are per occupancy.
2. For single buildings where there are more than four occupancies, all occupants agree to a continuing inspection date, and a single invoice is paid through the building owner(s) or agent, a 33.3% discount on the first inspection fee is available. NO discounts are available on reinspections due to non-compliance.
3. For multiple buildings owned by the same owner(s) the fees are per building as defined by the NC State Building Code.
4. Subsequent reinspections beyond the second reinspection with violations not cleared will result in doubled fees with each necessary reinspection of continuing violations, with no fee cap.
5. High-rise buildings shall be assessed a fee for the common use areas.
6. Inspections will match the State mandated minimum inspection frequency. The Fire Chief can authorize a specific occupancy classification to be inspected more frequently, but not less frequently.
7. At the time of the periodic inspection for the occupancy or business operation, if an operational permit is required, that permit fee is included with the periodic inspection fee for that permit type.
8. Occupancies that are current with fire inspection fees as outlined above are not charged staff time for staff fire safety training. Occupancies that are not current or not covered by the above fee schedule will be charged according to the hourly rate fee schedule for staff fire safety training.
9. Asheville City public schools are inspected every six months, as required by state statute; however, these fees are billed on an annual basis. All Buncombe County owned school buildings are inspected by Buncombe County Government.
10. Premises, complexes, and/or uses that are not covered by the above fee schedule will be charged according to the hourly rate fee schedule for the specialist rank.
11. Large assembly occupancies used primarily for worship and that are not used for exhibition or display purposes are inspected on a 36 month schedule regardless of occupant load, in accordance with the North Carolina State Fire Code.
12. Parking garages, greenhouses, sheds, stables, tanks, and towers will be charged according to the hourly rate fee schedule for the specialist rank.
13. Accessory buildings, such as clubhouses, maintenance sheds, etc, are inspected independently based on their occupancy type.

## PRE-FIRE INSPECTION CHECKLIST

Please inspect your premises for the fire and life-safety items listed below. If item is in compliance with requirements, please place a check on the line. If item is not in compliance, please correct the item(s) as soon as possible. Our goal, as well as yours, is to maintain fire and life-safety and a pleasant environment for your and your patrons. Thank you for your prompt attention to these matters. **This list is a general guideline only for common violations that can be readily determined by the occupant.**

### A. EXITS

- |   |  |
|---|--|
| <input type="checkbox"/> Exit Door/Aisle is not obstructed.                               | <input type="checkbox"/> Evacuation plans known by all employees.  |
| <input type="checkbox"/> Illuminated exit signs maintained in working order.              | <input type="checkbox"/> Exit door opens easily.   |
| <input type="checkbox"/> Emergency lighting maintained in proper working order            | <input type="checkbox"/> Doors with panic hardware shall have no other locks.  |
| <input type="checkbox"/> Proper lock/hardware on exit door. (No flush bolts, hasps, etc.) | <input type="checkbox"/> Sign over door "Door to remain unlocked while occupied", if main entrance door is equipped with a double keyed deadbolt. <i>These signs are available from the Fire Dept.</i> |
| <input type="checkbox"/> Clear discharge area around building exits maintained.           |  |

### B. EXTINGUISHERS/FIRE PROTECTION EQUIPMENT

- |   |   |
|---|---|
| <input type="checkbox"/> Extinguisher(s) installed as required.   | <input type="checkbox"/> Fire Extinguishers not obstructed and mounted                                      |
| <input type="checkbox"/> Hood extinguishing system 6-mo. Service  | <input type="checkbox"/> Fire extinguisher top does not exceed 5' from floor                                |
| <input type="checkbox"/> Extinguisher has been serviced within the past year completed and new service tag has been attached. | <input type="checkbox"/> Fire alarm system in proper working order.<br>(Annual Alarm Test Records are kept) |
| <input type="checkbox"/> Class K extinguisher installed for Commercial Kitchen Equipment.                                     | <input type="checkbox"/> 18" clearance below sprinkler heads and storage.                                   |

### C. ELECTRICAL

- |   |   |
|---|---|
| <input type="checkbox"/> No extension cords in use in place of permanent wiring.        | <input type="checkbox"/> No broken or faulty switch/outlets.  |
| <input type="checkbox"/> Electrical panel is not overloaded/obstructed/access blocked.  | <input type="checkbox"/> Electrical cords do not extend through walls, ceilings, floors, under doors, or floor coverings. |
| <input type="checkbox"/> No multi-plug adapters in use, other than approved power taps. | <input type="checkbox"/> No exposed wiring not in conduit.  |
| <input type="checkbox"/> There are no spliced or frayed cords/wires.                    | <input type="checkbox"/> No missing/broken electrical cover plate(s).   |
| <input type="checkbox"/> Spacer(s) in electrical panel gap(s) provided.                 | <input type="checkbox"/> Approved power taps plugged directly into a wall outlet.   |
| <input type="checkbox"/> Circuit breakers are labeled.                                  |   |

### D. APPLIANCES/MECHANICAL DEVICES

- |  |  |
|--|--|
| <input type="checkbox"/> No propane tanks being stored/used inside the building. | <input type="checkbox"/> All appliances are properly vented. |
|--|--|

### E. STORAGE/COMBUSTIBLE MATERIAL/HOUSEKEEPING

- |   |   |
|---|---|
| <input type="checkbox"/> Street address posted with minimum 6" numbers with contrasting background, visible from street; 4" Suite Addresses | <input type="checkbox"/> Compressed gas cylinders secured, includes "empties".                          |
| <input type="checkbox"/> No combustible material stored near ignition source  | <input type="checkbox"/> Flammable liquid properly stored.  |
| <input type="checkbox"/> No accumulation of waste combustible materials.  | <input type="checkbox"/> Area around building free of combustible material (weeds, trash, boxes, etc.). |
| <input type="checkbox"/> Storage of oily rags in non-combustible container w/lid.   | <input type="checkbox"/> "Fire Lane" signs installed as required  |

Effective for the City of Asheville for FY 2012-2013 only.