

BOARD OF ALDERMEN

ITEM NO. D(4)

AGENDA ABSTRACT

MEETING DATE: November 18, 2008

TITLE: A Request to Adopt an Amendment to Chapter 12 (Fire Protection) of the Town Code

DEPARTMENT: Fire-Rescue Department	PUBLIC HEARING: NO
ATTACHMENTS: A. Ordinance B. Excerpt from 4/1/08 BOA Minutes	FOR INFORMATION CONTACT: Travis Crabtree, 918-7349

PURPOSE

In an effort to enhance the public's safety in our community, several fire protection ordinance amendments are provided for the Board to consider based on previous emergencies that have occurred within our town.

INFORMATION

On April 1, 2008 a presentation was given to the Board of Aldermen recommending several potential ordinance amendments to assist in controlling the fire problem which had occurred in town. An overview of several fires and their causes covering the past three decades was presented along with potential cost impacts for each specific ordinance amendment. The presentation was received with very positive reviews. The town attorney and the fire chief reviewed the recommendations with respect to state law and the North Carolina Fire Code to determine which ordinances were plausible for the town to pursue without special legislation. These amendments allow for affordable fire protection with respect to the target locations where fires have occurred locally. In addition, proactive measures are incorporated to preserve the commercial base of our downtown by obtaining early emergency notification due to signs of fire (smoke and heat) and providing a barrier from combustible landscaping throughout the Town of Carrboro.

Many buildings in town require a change of use/occupancy before a new business can move into an existing structure. This change of use/occupancy essentially requires a complete upgrade on most, if not all disciplines of the inspections department. The Building, Electrical, Plumbing, Mechanical, Fire, and Accessibility Codes will all impact the structure in an effort to increase the safety and welfare of the public (and firefighters) by bringing the building into compliance with the new editions of the North Carolina Codes.

If the Furniture Follies building (Mercantile occupancy) were built new today, it would require a sprinkler system under the current state building and fire codes because it is over 12,000 sq ft in size (this particular square footage is not the same for every occupancy class). Currently, the Carrboro Town Code requires a fire sprinkler system to be installed regardless of occupancy class if it is over 6,000 sq. ft.

Many buildings in town have already complied with the current sprinkler ordinance adopted through special legislation that was created after the tragic fire on Mother's Day 1996, when five UNC students were killed in their fraternity house. Buildings that have complied include the current Arts Center, Gourmet Kingdom, Harris Distributing, Glass Half Full, and the Century Center, just to name a few.

Automatic fire sprinkler systems have existed for over a century and provide the best protection to all citizens and customers inside the building during operating hours, as well as protecting the structure 24 hours a day, 365 days per year. Additionally, the installation of an automatic fire sprinkler system provides up to 20% insurance savings, paying for itself over time and it protects firefighters during a potential emergency.

In 2004, the Saffelle Building (next door to the Furniture Follies) burned down. The Saffelle building (approximately 21,550 sq. ft.) was a similar structure to the Furniture Follies building (approximately 21,000 sq. ft.) with respect to the construction type, and size. Recently in June of 2007, a fire occurred in the main showroom (approximately 16,250 sq. ft.) of a furniture store in Charleston, South Carolina taking the lives of nine firefighters. This building was very similar in respect to its contents, size, and construction type as Furniture Follies.

The Fire-Rescue Department feels that the life safety aspects outweigh the financial impact of the few businesses that may fall under the current Town Code section. In an effort to help economic development, the second ordinance amendment proposed is to incorporate a true fire wall in existing buildings. This would give the building owner or landlord the option of installing a life safety fire sprinkler system or divide the building into smaller fire compartments. The Building Inspections Department and the Fire-Rescue Department feel that this allows for greater flexibility in existing buildings without compromising the safety of the occupants and the firefighters during an emergency by keeping the fire compartments relatively small. In effect, the fire wall could divide a single building that is large enough to require fire sprinklers, into two buildings that would each be small enough not to require fire sprinklers. This language is consistent with the North Carolina Building Code in regards that a true fire wall can create separate buildings.

A list of possible options are as follows:

1. Leave the town code as is, currently it is more restrictive than the North Carolina Building and Fire Codes (change of use requires sprinkler system when area is over 6,000 sq ft)
2. Change our town code by using true fire walls to create and regulate smaller spaces that are less than 6,000 sq ft (this is still more restrictive than the state Building code)
3. Change our town code to a larger square footage before a sprinkler system is required
4. Change our town code to reflect what the current Building and Fire codes require in regards to sprinkler systems

FISCAL AND STAFF IMPACT

The impact of the proposed ordinances will require additional time during our normal fire inspection process that occurs at each commercial facility for existing buildings to ensure compliance and during the plans review process for new buildings and developments by creating additional comments for review and approval. The time frame will vary on each project/property, however, the time frame would be minimal for most projects.

RECOMMENDATION

Staff recommends that the Board of Aldermen approve the attached ordinance amending Chapter 12 of the Town Code.