

Ordinance No. 2014-03

TOWN OF BEECH MOUNTAIN

**AN ORDINANCE TO AMEND THE TOWN OF BEECH MOUNTAIN
REGULATIONS REGARDING SMOKE DETECTORS, FIRE
EXTINGUISHERS, AND CARBON MONOXIDE ALARMS**

WHEREAS, The Town of Beech Mountain strives to protect the safety and welfare of its citizens and visitors; and

WHEREAS, The Town of Beech Mountain requires owners and managers of rental property to annually sign affidavits attesting that they meet the Town's requirements for Automatic Smoke Detectors, Fire Extinguishers, and Carbon Monoxide Alarms; and

WHEREAS, several of the provisions in the Town of Beech Mountain's Code of Ordinances regarding Automatic Smoke Detectors, Fire Extinguishers, and Carbon Monoxide Alarms no longer reflect the recent versions of the North Carolina State Building and/or Fire Codes.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEECH MOUNTAIN THAT:

SECTION I. The Town of Beech Mountain Code of Ordinances, Sections: §95.21 'Automatic Smoke Detector Outlets Required in Rental Residential Dwelling Units,' §95.22 'Fire Extinguishers Required,' §95.23 'Carbon Monoxide Alarms Required,' §95.24 'Building Owner Responsible,' and §95.28 'Enforcement and Inspections' are hereby adopted by the Town Council and codified as follows:

§ 95.21 AUTOMATIC SMOKE DETECTOR REQUIRED IN RENTAL RESIDENTIAL DWELLING UNITS.

(A) Each residential rental dwelling unit shall have operable smoke alarms as provided below:

(1) In dwellings constructed after the establishment of North Carolina State Building Code requirements for hard-wired automatic smoke detectors, such smoke detectors shall be installed in the numbers and locations as prescribed by the North Carolina State Building Code in effect at the time when such structures were constructed.

(2) In dwellings that were altered or modified such that the installation or upgrade of automatic smoke detectors was required, such smoke detectors shall be installed in the numbers and locations as prescribed by the North Carolina State Building Code under such circumstances.

(3) In dwellings that were constructed prior to the establishment of North Carolina State Building Code requirements for hard-wired automatic smoke detectors, approved battery powered or 120-volt (plug-in type) approved automatic smoke detectors may be used to fulfill the requirement for operable smoke detectors in rental residential dwelling units. Such devices shall be installed in the numbers and locations as prescribed by the North Carolina State Building Code, as amended. This provision shall not be construed to affect requirements of the North Carolina State Building Code to upgrade or install automatic smoke detectors when altering or modifying existing buildings.

(Ord. passed 12-9-2003)

§ 95.22 FIRE EXTINGUISHERS REQUIRED.

Each dwelling unit shall be provided with a minimum of one fire extinguisher complying with the North Carolina State Fire Code, Section 906, with a minimum 4-A, 10BC rating, properly hung and displayed on each living level.

(Ord. passed 12-9-2003)

§ 95.23 CARBON MONOXIDE ALARMS REQUIRED.

All rental resident dwelling units shall contain at least one operable carbon monoxide alarm installed in accordance with the manufacturer's recommendations. Such alarms shall be installed in the numbers and locations as prescribed by the North Carolina State Building Code.

(Ord. passed 12-9-2003)

§ 95.24 BUILDING OWNER RESPONSIBLE.

The owner(s) of rental residential dwelling units shall be responsible for installing or having qualified persons install automatic smoke detectors as required by this subchapter. The owner(s) are also responsible for providing the fire extinguishers required by § 95.22 above and the carbon monoxide alarms required by § 95.23 above.

(Ord. passed 12- -2003; Ord. passed 12-9-2003)

§ 95.28 ENFORCEMENT AND INSPECTORS.

The Town Manager shall designate an employee or employee(s) who shall be responsible for enforcing this subchapter. Inspectors shall be qualified by the Code Officials Qualification Board.

SECTION IV. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Town of Beech Mountain Code of Ordinances as soon as practicable.

SECTION V. SEVERABILITY CLAUSE. If any section, part or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Town Council in passing this Ordinance that its parts shall be severable and all other parts of the Ordinance shall not be affected thereby and they shall remain in full force and effect.

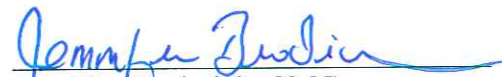
SECTION VI. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the Town Council of Beech Mountain, North Carolina, at which a quorum was present and which was held on the 11th day of March, 2014.

This Ordinance Adopted the 11th day of March, 2014.


Richard Owen, Mayor

Attest:


Jennifer Broderick, CMC
Clerk to the Board

