



MOORESVILLE FIRE DEPARTMENT

FIRE MARSHAL'S OFFICE

457 North Main Street, Mooreville NC 28115
704-660-7110

Fire Code Citation Program

The goal of the Mooreville Fire Department is for voluntary compliance in correcting any Fire Code violations found during our fire inspection programs. We hope that education about the fire code requirements and their potential for harm will cause the owner/occupant to take corrective action.

However, there are times where we must use a citation as a response to fire code violations that endanger the public. Citations impose an immediate financial impact on those responsible for these code violations in an attempt to discourage repeat offenses.

Citations

If an officer with the Fire Marshal's office determines that a violation of the Fire Code has occurred, a citation may be issued to the individual who committed the violation. Citable violations include, but are not limited to:

- Failure to obtain any required permits or failure to adhere to permit conditions.
- Failure to adhere to assigned occupant load limits within occupancy.
- Blocked or obstructed exits; exit corridor or aisle obstructed or width reduced.
- Fire alarm device or fire extinguishing system blocked, obstructed or otherwise rendered unusable.
- Parking in a posted or marked fire lane on a private street or public property, blocking or obstructing any fire hydrant or fire department connection
- Possession or use of illegal fireworks.
- Illegal Storage/use of fireworks or explosives.
- Illegal occupancy in violation of Building/Fire Code.
- Burning in violation of Fire Code and Town Ordinances.
- Repetitive false alarms in occupancies or businesses equipped with fire, smoke and/or sprinkler flow detection systems.



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- Knowingly maintaining a fire hazard by failure to correct fire code violations that have been noted in writing.
- Violations that could constitute or contribute to an immediate and/or imminent hazard to life and/or property.

Process of Citation

Any notice of violation, with the exception of the issuance of criminal process, will specify a period during which the violator must correct the violation. If the violation is not corrected within such specified time, the violator is subject to being cited for a new and separate offense(s).

The following process will be followed unless there is an immediate or life safety issue.

1. Written violations of the fire code will be issued to the owner, occupant, or representative of the property owner, with time given to correct the violation.
2. If no corrections are made:
 - a. A civil citation may be issued; and
 - b. Criminal charges may be sought (All fire code violations are a Class 3 Misdemeanor)

Process to Appeal Citations

An administrative appeal process has been established to review a civil citation. An appeal of a civil citation must be filed with the Fire Marshal's office no later than **ten business days** after the date of the citation. *Please note that appeals brought as a result of criminal charges cannot be appealed using the administrative appeal process – appeals of criminal convictions must be made through the court system.*

You must serve written notice of your appeal by completing the appeal form (please follow the directions on the form). Submit the appeal form either as an attachment to an e-mail (mail to: gstyers@ci.mooreville.nc.us), in person, or mail to:

Mooreville Fire Department
Fire Marshal's Office
457 North Main Street
Mooreville, NC 28115
704-664-1338

It is the responsibility of the person filing the appeal to ensure its delivery to the Mooreville Fire Department. Upon receipt of the appeal form, the Fire Marshal's Office will review it for completeness. The Fire Code Board of Appeals makes all final decisions after review of the evidence presented. Our goal is to conduct this review no more than 30 days after receiving the appeal form.



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Steps for Appeal Process

1. The Staff of the Mooresville Fire Department Fire Marshal's Office issues a civil citation.
2. Notice of appeal of the civil citation by the recipient of the citation is given by completing the Fire Code Citation Appeal Form.
3. Board of Appeals hearing date is set and appeal is heard.
4. Final decision is made by Board of Appeals

The purpose of the Town of Mooresville Fire Code Appeals Board is only to hear appeals concerning violations of Mooresville Town Ordinances.

The Fire Code Appeals Board does not have the authority to hear appeals involving violations of the North Carolina Fire Code; in case of the appeal of a citation alleging a violation of the North Carolina Fire Code, such appeals must be directed to the North Carolina Department of Insurance.

Citation Fee Schedule

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| Fire Lane Violations | \$ 25.00 |
| Open Burning without a permit, per violation | \$ 500.00 |
| Failure to secure a permit, per violation | \$ 250.00 |
| General Fire Code Violations | \$ 100.00 |
| Subsequent Violation of same code | \$ 50.00 |
| Life Safety Violations | \$ 500.00 |
| No Key Holder Response | \$ 125.00 |
| False Alarm Ordinance | \$ 125.00 |