

**FIRE PREVENTION AND PROTECTION ORDINANCE OF OCONEE  
COUNTY, GEORGIA**

AN ORDINANCE ESTABLISHING REVIEW AND INSPECTION OF  
CERTAIN BUILDINGS IN OCONEE COUNTY RELATED TO FIRE CODE AND  
LIFE SAFETY AND FOR OTHER PURPOSES THERETO.

ENACTMENT CLAUSE

For the purpose of promoting the health, safety and general welfare of the present and future inhabitants of the unincorporated areas of Oconee County and to prescribe regulations governing conditions hazardous to life and property from fire, explosion, or related emergencies, those certain codes and standards adopted and amended by the rules and regulations of the Safety Fire Commissioner, Rules and Regulations for the State Minimum Fire Safety Standards of the State of Georgia, under authority of O.C.G.A. § 25-2-4, § 25-2-12, and § 50-13-21, the Board of Commissioners does hereby ordain and enact into law the following:

**ARTICLE ONE: GENERAL PROVISIONS**

**Section 1. Title:** This Ordinance shall be known and may be cited as the Fire Code.

**Section 2. Definitions:** All terms used herein shall have the definitions ascribed to them in the State Minimum Codes for Construction as adopted by the Georgia Department of Community Affairs.

**Section 3. Enforcement of Codes:** All codes, ordinances, standards, and pamphlets adopted in this Ordinance and by the Rules and Regulations of the Safety Fire Commissioner, Rules and Regulations for the State Minimum Fire Safety Standards, shall be construed as the standard for fire code compliance among buildings and structures within the unincorporated areas of Oconee County and shall prevail in matters of life safety over all other local codes, ordinances, or standards which apply to the same building components or systems covered by this Ordinance, and shall be known as the Fire Code. Those codes and standards pertaining to Fire and Life Safety adopted and amended by the Georgia Department of Community Affairs shall accompany those codes and standards adopted by the Georgia Safety Fire Commissioner's office. The final approving authority for fire code compliance covered in this section shall be the Oconee County Fire Marshal.

**Section 4. Scope and Applicability:** This ordinance shall apply to all restaurants, buildings or structures of public assembly, schools, public and private, day cares, multi-family housing, assisted

living facilities, personal care homes, county owned or operated facilities, and all others buildings or structures addressed in the Rules and Regulations of the Safety Fire Commissioner within the unincorporated jurisdiction of Oconee County.

## **ARTICLE TWO: EXISTING BUILDINGS**

**Section 1. Existing Buildings:** Existing buildings or structures or portions of the same shall provide demonstrated compliance as approved by the Fire Marshal.

**Section 2. Existing Buildings and Historical Buildings:**

(1) In accordance with O.C.G.A. § 8-2-203, the provisions of Title 8, Chapter 2, Article 3, of the Georgia Code, "Application of Building and Fire Related Codes to Existing Buildings," (O.C.G.A. § 8-2-200 et seq.) are hereby adopted by reference.

(2) The building official and fire marshal for Oconee County, Georgia are hereby authorized to enforce the provisions of this section and O.C.G.A. § 8-2-200 et seq.

(3) The building official and fire marshal, upon reviewing an existing building or special historic building to which this section is applicable, may, in their discretion based on the standards contained in O.C.G.A. § 8-2-200 et seq., require compliance alternatives as indicated therein; however, this paragraph is only applicable as to buildings constructed prior to December 31, 1945, and no exceptions to this building or fire codes pursuant to this section are permitted on buildings constructed after January 1, 1946.

(4) This section is not applicable to buildings being used for residential uses or those used for industrial uses as specified in the Oconee County Unified Development Code.

(5) No exceptions or compliance alternatives are allowed with respect to the Georgia State Fire Code, the most current edition as adopted by the State of Georgia.

**Section 3. Change in Use or Occupancy:** No change shall be made in use or occupancy of any building or structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code, as may be applicable, as well as those of the International Building Code (IBC), as adopted by the Department of Community Affairs. Pursuant to O.C.G.A. § 25-2-14, due to a change of use or occupancy of a building or structure the building or structure shall be treated as a proposed (new) building

**Section 4. Enforcement:** The provisions of this Ordinance shall be enforced by the Fire Marshal, authorized personnel of the Oconee County Department of Fire and Rescue Fire Department, any sworn officer of the Oconee County Sheriff's Department, and Code Enforcement officers.

## **Section 5. Penalties for Violation of this Ordinance:**

(1) Any person violating this Ordinance or the codes or any of the codes, standards, and/or laws incorporated in this Ordinance or who shall violate or fail to comply with any order made pursuant to this Ordinance, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Oconee County Board of Commissioners within the time set forth in this Ordinance shall be deemed guilty of violating a county ordinance and shall be punished by a minimum fine of \$250.00 for the first offense, and minimum fine of \$500.00 for subsequent violations, not to exceed \$1000.00 per day per violation, or by imprisonment in the county jail not to exceed 60 days per violation, or by both fine and imprisonment. The imposition of one penalty shall not excuse the violation nor permit it to continue, and such persons shall be required to correct or remedy such violations or defects within a specified time. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate violation of this Ordinance.

(2) The application of the penalty in subsection (1) of this section shall not be held to prevent the enforced removal of the prohibited condition.

(3) Upon written notice from the Fire Marshal, work on any project that is being performed contrary to the provisions of this Ordinance and the codes or standards adopted in this Ordinance, or otherwise being done in a dangerous or unsafe manner, shall cease immediately. Such notice shall be given to the owner of the property, his agent, or the person doing the work and shall state the conditions under which the work may resume.

(4) Permits or approvals may be revoked by the Fire Marshal, building official or their respective designee, when there has been any false statement or misrepresentation as to any materials or facts contained in plans or other information on which the permit or approval has been based.

## **ARTICLE THREE: ADMINISTRATIVE PROCEDURES**

### **Section 1. Establishment and Duties of the Fire Marshal**

(1) The fire code shall be enforced through the Fire Marshal of the Oconee County Department of Fire and Rescue. The Fire Marshal shall serve under the direction of the Fire Chief and the Public Safety Director.

(2) The Fire Marshal may require a third party firm to be employed at the owner's or contractor's expense for special technical circumstances that may arise before or during construction. The proposed third party firm must be approved by the Fire Marshal or his designee.

**Section 2. Administrative Variances:** A committee comprised of the Fire Marshal, the Fire Chief, and the Public Safety Director, or their designees, shall have the authority to implement systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety as alternatives to those prescribed by the Fire Code, provided technical documentation is submitted to the committee to demonstrate equivalency, and the system,

method, or device is approved for the intended purpose. Variances granted shall be as nearly equivalent as practical to the codes and standards required in this Ordinance.

**Section 3. Equivalent Compliance:** Alternative systems, methods, or devices approved as equivalent by the Fire Marshal shall be recognized as being in compliance with this code.

**Section 4. Extension of Time:** Extensions of time may be granted when it can be shown that the time periods specified in the Fire Code are not physically practical or pose an undue hardship. The granting of an extension on time for compliance shall be based on the showing of good cause and subject to the filing of an acceptable systematic plan of correction with the Fire Marshal.

**Section 5. Appeals:** Any appeal of a decision, interpretation or order of the Fire Marshal or any other County Official made pursuant to the authority of this Ordinance or any request for a variance from the provisions of this Ordinance shall be submitted in writing to the Fire Marshal with either the basis for the appeal or an explanation and reason why the variance should be granted. In response thereto, the Fire Marshal shall furnish a written statement explaining the decision along with a response which approves or denies the request. The Fire Marshal's decision may be appealed in writing within 30 days of the issuance of the written statement to a committee comprised of the Fire Chief, the Public Safety Director, and the County Administrator which shall have the authority to uphold, modify or reverse the Fire Marshal's decision. The appeal shall be filed with the Oconee County Clerk at the Office of the Oconee County Board of Commissioners.

#### **ARTICLE FOUR: NEW CONSTRUCTION/RENOVATIONS**

**Section 1. Submission of Plans and Specifications Required:**

(1) Owners, or their agents, or designees of all buildings, tenant spaces, and commercial sites, subject to this Ordinance, are required to submit plans and specifications of the project to the Fire Marshal prior to obtaining a permit for construction.

(2) Permits must be obtained prior to construction, demolition, change of use or occupancy type in buildings, tenant spaces, or commercial sites and prior to addition, removal, or changes of any fire protection system(s) therein.

(3) A final inspection and approval for a Certificate of Occupancy, for each business establishment, must be obtained from the Fire Marshal prior to either occupying any building covered by this Ordinance or conducting business.

(4) Plans, specifications, and other required information must be submitted to the Fire Marshal prior to obtaining any Temporary Use Permit for activities including but not limited to, certain tents and canopies, fireworks and pyrotechnic displays, blasting or handling of explosives. A permit must be issued and an inspection must be passed prior to conducting the permitted activities.

**Section 2. Required Plans and Drawings:** Construction documents shall be submitted in one or more sets for each proposed project and its respective trades that may be required. Plans submitted shall be in accordance with state law, rules, and regulations. Construction documents shall be

dimensioned, and drawn on suitable material in a professional manner. Electronic media documents are permitted to be submitted when approved by the Fire Marshal. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that the work conforms to the provisions of the fire code, and relevant laws, ordinances, rules and regulations, as determined by the Fire Marshal. The seal and signature of an appropriate design professional, architect, or engineer, in accordance with state laws, rules and regulations, shall be affixed to the respective drawings.

### **Section 3. Revision of Plans**

(1) All drawings, specifications and/or pertinent documents, required to bear the stamp, seal, and signature of a registered design professional shall be revised by the designer of record and bear that professional's seal and signature on all revisions and details. Required revisions to stamped plans are subject to the professional designer of record's approval, which shall be in the form of "hard-line" drawings. Fax transmittals, electronic submittals, or written correspondence may be deemed acceptable alternatives subject to approval by the Fire Marshal or the Building Official.

(2) Certain minor corrections to plans, such as relocation of exit signs, sprinkler heads, smoke detectors or change of door swings, may be redlined as determined by each department. Redlined corrections shall be shown on all required sets of plans and/or specifications and shall bear the name and signature of the individual submitting the project for code compliance review.

(3) Examples of items not allowed to be redlined are as follows; however, this is not an all-inclusive list:

- i. Changes to the means of egress such as direction of travel, number of means of egress, egress width, travel distance, and other egress components.
- ii. Changes to the number of exits
- iii. Changes to the features necessary for accessibility for the disabled
- iv. Changes to fire alarm systems except as stated in the above subsection
- v. Changes to fire sprinkler systems to include site plans except as stated in the above subsection

### **Section 4: Inspections Required**

(1) The Fire Marshal shall inspect all construction work pertaining to fire codes and a final inspection shall be made of every newly constructed building, structure, site, or facility that is governed by the fire code.

(2) An eighty percent completion inspection, a one hundred percent final inspection, and an approval for a Certificate of Occupancy shall be obtained from the Fire Marshal prior to occupying the facility. Fifty percent inspections may be required to inspect methods of sealing penetrations, fire department access, and other matters necessitated by larger projects.

(3) Upon passing a one hundred percent final inspection of buildings, the Fire Marshal shall notify the Oconee County Planning and Code Enforcement Department with an approval to issue a Certificate of Occupancy or Certificate of Completion. Certificates of Occupancy shall be displayed prominently in a public or common area of the building.

**Section 5: Temporary Certificate of Occupancy:**

(1) A Temporary Certificate of Occupancy may be issued for a portion or portions of a facility. The Fire Marshal shall forward written comments to the county Building Official allowing or disallowing occupancy of a partially completed facility.

(2) All facilities described in this section shall be equipped with the following minimum features in order for Temporary Certificate of Occupancy approval from the Fire Marshal's office:

- a. All required portions of the means of egress shall be completed (does not include floor or wall covering).
- b. All exit signage shall be in place and in proper working order.
- c. All illumination of means of egress and emergency lighting fixtures shall be in place and in proper working order.
- d. All required exit components shall be installed and equipped with approved hardware.
- e. All automatic fire sprinkler systems (if so equipped) shall be installed, tested, and in proper working order.
- f. All fire alarm and detection features (if so equipped) shall be installed, tested, and in proper working order.
- g. All other required fire safety features or life safety features shall be installed tested (where applicable), and in proper working order.
- h. All fire or smoke rated assemblies shall be installed and properly sealed.

**ARTICLE FIVE: OTHER PROVISIONS**

**Section 1. Obstruction of a Fire Station:** It shall be unlawful for any person to block any access route or put any obstruction of any nature in front of any fire station owned and operated by Oconee County or at a location where fire service equipment is located.

**Section 2. Fire Lanes and Fire Department Access Roads**

(1) DESIGNATED FIRE LANES

A. Streets or drives adjacent to the following locations shall have designated fire lanes.

1. Any building 22,500 square feet or more with storage facilities, except for storage warehouse occupancies which are equal to or greater than eighty percent of the total building area and which comply with subsection (B) of the section.
2. Places of assembly with an occupant load of 300 or more.

3. The area five feet on each side of fire hydrants, fire department connections, and associated appliances or apertures used for fire protection.
4. All points of exit from nursing homes, hospitals, assisted living facilities, multi-family facilities, multi-storied office buildings and places of assembly.

#### B. MINIMUM REQUIREMENTS FOR EXISTING BUILDINGS

Every existing building shall be accessible to fire department apparatus by way of designated fire lanes and fire apparatus access roads as defined in the International Fire Code as adopted and amended by the Georgia Safety Fire Commissioner.

1. The Fire Marshal or the Fire Chief shall have the authority to require an increase in the minimum widths of fire lanes and fire apparatus access roads where they are inadequate for fire or rescue operations.
2. The creation, deletion, or modification of a fire lane shall be done in the Fire Marshal's best professional judgment in order to provide adequate fire and rescue operations.

#### C. MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION

Fire lanes and fire apparatus access roads for new construction shall be developed in compliance with the currently adopted state minimum fire safety standards.

Where designated fire lanes are required, they shall meet the following criteria:

- (1) The curbing shall be painted traffic yellow. Where curbing is not present, there shall be designated a twenty-foot wide, cross-hatched, traffic yellow way of access kept free of any obstructions.
- (2) Signs meeting the specifications described in the Manual of Uniform Traffic and Control Devices shall be spaced no less than thirty feet apart and legible from both directions of travel.
- (3) The distribution of fire hydrants along fire apparatus access roads shall be determined by reference to Appendices B and C of the currently adopted version of the International Fire Code.
- (4) During construction, when combustibles are brought onto the site in such quantities as deemed hazardous by the Fire Marshal, access roads and a suitable temporary supply of water acceptable to the Fire Chief shall be provided and maintained.

### ARTICLE SIX: MISCELLANEOUS

**Section 1. Severability.** In the event any section, subsection, sentence, clause or phrase of this Ordinance is declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect any other section, subsection, sentence, clause or phrase, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof.

**Section 2. Repeal of Conflicting Ordinances.** All ordinances, resolutions and parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed.

**Section 3. Effective Date.** The provisions of this Ordinance shall be effective and in force upon the date of its adoption, the public welfare demanding it.

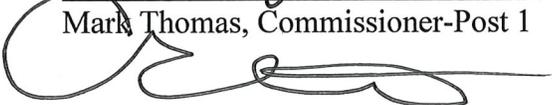
Adopted by the Oconee County Board of Commissioners after a first reading on the 22<sup>nd</sup> day of May, 2018, with a second reading and final action on the 5<sup>th</sup> day of June, 2018.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY:

  
\_\_\_\_\_  
John Daniell, Chairman

  
\_\_\_\_\_  
Mark Thomas, Commissioner-Post 1

  
\_\_\_\_\_  
Chuck Horton, Commissioner-Post 2

  
\_\_\_\_\_  
William E. Wilkes, Commissioner-Post 3

  
\_\_\_\_\_  
Mark Saxon, Commissioner-Post 4

Attest:   
\_\_\_\_\_  
Kathy Hayes, County Clerk

