

**AN ORDINANCE ESTABLISHING THE ADOPTION, ADMINISTRATION, AND  
ENFORCEMENT OF THE 2009 EDITION OF THE  
INTERNATIONAL FIRE CODE FOR HERTFORD COUNTY**

Be it ordained by the Commissioners of Hertford County, by the authority of North Carolina General Statutes 153A-351, 153A-352, and 153A-354, that on June 1, 2012 this ordinance as set forth herein shall be in full force and effect according to the authority granted under North Carolina General Statutes aforementioned, within the incorporated city limits and its extra territorial jurisdiction, which adopts this ordinance pursuant to the authority granted under North Carolina General Statute 153A-351.

The Hertford County Board of Commissioners does ordain the following:

Section 1. An ordinance of Hertford County, adopting the 2009 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Hertford County, providing and issuance of permits and collection of fees therefore.

Section 2. That a certain document, three (3) copies of which are on file in the office of the Clerk to the Board of Hertford County, being marked and designated as the International Fire Code 2009 edition, including Appendix Chapters B through H, as published by the International Code Council, be and is hereby adopted as the Fire Code of Hertford County, in the State of North Carolina regulating and governing the safeguarding of life and property from fire and explosive hazards arising storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Fire Code on file in the Office of Fire Marshal in Hertford County and hereby referred to, adopted and made a part thereof, as fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance.

Section 3.

- A. Scope. These regulations shall be known as the North Carolina Fire Code as adopted by the North Carolina Building Code Council on September 14, 2010 to be effective September 1, 2011. References to the International Code shall mean the North Carolina Codes. The North Carolina amendments to the International Code are underlined.
- B. Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this

code, shall be guilty of a Class 3 Misdemeanor, punishable by a fine not more than \$500.00 or by imprisonment not exceeding 30 days, or both such fine and imprisonment.

- C. Failure to Comply. Any person who shall continue any work after having been served a stop work order, except such work as the person directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$50.00 and more than \$500.00.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. Hertford County Commissioners hereby declare that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the Clerk to the Board is hereby ordered and directed to cause this ordinance to be published.

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders, matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.