

AN ORDINANCE TO REVISE SUBPART A, CHAPTER 46. FIRE PREVENTION AND PROTECTION CODE OF ROCKDALE COUNTY. TO ELIMINATE OUTDATED CODE REFERENCES AND PROVISIONS; TO ALIGN WITH CURRENT STATE RULES AND REGULATIONS; TO PROVIDE FOR REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE AN ADOPTION DATE.

WHEREAS, the Board of Commissioners recognizes the importance of fire prevention services, including plan review, permitting, and inspections, to ensure the safety of residents, businesses, and developments within Rockdale County; and

WHEREAS the Board of Commissioners seeks to update and amend Chapter 46, Fire Prevention and Protection as codified in Subpart A, Code of Ordinances to remove conflicting provisions to align regulations with current fire safety rules and standards; and

WHEREAS, Rockdale County Fire Rescue has reviewed county code as codified in Subpart A, Chapter 46, Fire Prevention and Protection and identified various conflicting regulatory standards, referencing “Southern Building Codes”, which are no longer in publication, creating potential conflicts with current state model codes, and regulatory standards; and

WHEREAS, the Board of Commissioners finds it necessary and in the best interest of the public to implement a structured fee schedule to support the efficiency and sustainability of fire prevention operations; and

WHEREAS, Rockdale County Fire Rescue has recommended the establishment of a fee schedule to recover costs associated with providing fire prevention services for building and development projects.

NOW THEREFORE, BE IT ORDAINED that it is the intention of the Board of Commissioners of Rockdale County, Georgia and it hereby is ordained by the authority of same that the provisions of this Ordinance shall become and be made a part of the Code of Rockdale County, Georgia, and the sections of the code and this ordinance may be renumbered to accomplish that intention, and that Chapter 46 of Subpart A in Part I is hereby repealed in its entirety and a new Chapter 46 is hereby adopted in lieu thereof as follows:

Section 1

That a new Article I, Chapter 46 of the Code of Rockdale County, Georgia be adopted, which new Article shall provide as follows: **ARTICLE I. - GENERAL**

Section 2

That new Sections 46-1 through Section 46-6 of Article I of the Code of Ordinances of the Rockdale County, Georgia be adopted to read as:

Sec. 46-1. State Minimum Fire Safety Standards; Adoption of Codes.

- (a) For the purpose of establishing rules and regulations for the safeguarding to a reasonable degree of life and property from hazards of fire arising from the storage, handling and use of hazardous substances or materials. The state fire safety standards adopted in the rules and regulations promulgated by the safety fire commissioner pursuant to O.C.G.A. § 25-2-4 including all subsequent revisions thereof pertaining to “state rules and regulations”, referenced as 120-3-3-.04, State Minimum Fire Safety Standards; the current edition of the International Fire Code (IFC), including Appendices B, C, and D hereafter reference as Rockdale County Fire Prevention Code.
- (b) A copy of this article and sections being filed with the county clerk, and that code is hereby adopted and incorporated as fully as if set out at length herein, the provisions of such code being effective and controlling within Rockdale County.

Sec. 46-2. Administrative Procedures for Codes.

- (a) In accordance with § 8-2-26 (2023), the governing body of any municipality or county adopting any state minimum standard code shall have the power:
- (b) To adopt by ordinance or resolution any reasonable provisions for the enforcement of the state minimum standard codes, including procedural requirements for hearings and appeals from decisions of local inspectors or procedures necessary for the proper administration and enforcement of the codes.
- (c) To provide for inspection of buildings or similar structures to ensure compliance with local codes and ordinances.
- (d) To require permits, certificates and fees for the purpose of regulating hazardous conditions to life and property due to fire; construction, alteration, removal, demolition, use, and occupancy, including maintenance of required fire protection systems for buildings and structures within the limits of the county.

Sec. 46-3. Adoption of Fire, Life Safety, and Accessibility Standards by Reference.

- (a) The following codes are hereby adopted by reference in the form referenced below or as amended by the state department of community affairs as though they were copied herein fully:
 - (1) Fire Code, current edition as published by the National Fire Protection Association.
 - (2) Life Safety Code, current edition as adopted State of Georgia.
 - (3) International Mechanical Code, as adopted State of Georgia.
 - (4) International Fuel Gas Code, as adopted State of Georgia.
 - (5) International Building Code, as adopted State of Georgia.
 - (6) International Residential Code, for one and two-family dwellings, as adopted State of Georgia.
 - (7). Georgia 120-3-20 or otherwise known as Georgia Accessibility Code.
 - (8). International Energy Conservation Code, as adopted State of Georgia.
 - (9). International Swimming Pool & Spa Code, as adopted State of Georgia.
 - (10). National Electrical Code as adopted State of Georgia.
- (b) In each of the codes referenced above, when reference is made to the duties of certain officials named in the codes, the county officer who has duties corresponding to those of the named official in the code shall be deemed to be the county officer responsible for enforcing the provisions of the code

- (c) Notwithstanding any other provision of law or any local ordinance to the contrary, in the event of a conflict between the state rules and regulations and any other code adopted by reference herein, the provisions of the state rules and regulations shall prevail. Subject to the foregoing, in the event of any conflict between any specific code or standard, the following may act as the guide:

Codes Reference Guide

<u>Area</u>	<u>Primary</u>	<u>Supplement</u>
Occupancy classification	LSC	IBC
Building construction types including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.	IBC	LSC
Means of egress	LSC	None
Standpipes	IBC	IFC
Interior finish	LSC	None
HVAC systems	IMC	None
Vertical openings	LSC	None
Sprinkler systems minimum construction standard	LSC	None
Fire alarm systems	LSC	None
Smoke alarms and smoke detection systems	State Statute and LSC	None
Portable fire extinguishers	IFC	None
Cooking equipment	LSC and NFPA 96	None
Fuel fired appliances	IFGC	NFPA 54
Liquid petroleum gas	NFPA 58	IFGC
Compressed natural gas	NFPA 52	None
LSC=Life Safety Code IFC=International Fire Code IBC=International Building Code IMC=International Mechanical Code IFGC=International Fuel Gas Code NFPA=National Fire Protection Association		

- (d) In the event of any conflict between this Code and the state minimum fire safety standards as adopted by the state, the more stringent code shall apply.

Sec. 46-4. Definitions.

The following words and terms as used in the Rockdale County Fire Prevention Code shall have the following meanings.

- (a) **The Board of Appeals** refers to the county board of commissioners.

- (b) **Fire Chief.** The chief officer of the fire department serving the jurisdiction, or a duly authorized representative.
- (c) **Fire Marshal.** An officer also referred to as fire code official charged with the administration and enforcement of the code,
- (d) **Fire Marshal's Office.** is established within the jurisdiction charged with the implementation, administration and enforcement of the code under the direction of the Fire Marshal.

Sec. 46-5. Fire Chief; Duties, Authority and Responsibility.

- (a) The Fire Chief shall be designated by the board of commissioners. Upon nomination by the chairman and approval by the full board, a person shall be designated as the chief of the fire department, who shall be the administrative head of the department. The duties of the chief and all other persons designated by the board as employees of the fire department shall be established by the board. The Fire Chief shall be a department head under the laws applicable to the board of commissioners.
- (b) The Fire Chief, or fire department personnel under the chief's direction shall:
 - (1) Respond to and ensure prompt extinguishment of fires which may endanger life or property within Rockdale County.
 - (2) Enforce all regulations of the fire department and directives of the board of commissioners.
 - (3) Have authority and command at the scene of a fire involving any endangered property, including areas surrounding the property, all county personnel present including police officers.
 - (4) Issue periodic reports as requested by the board of commissioners of department emergency operations including but not limited to the number and description of any buildings destroyed, an estimate of property damage sustained, persons injured and all fire related deaths.
 - (5) Investigate fires to identify the area of origin and cause, and to determine whether the crime of arson has been committed.
 - (6) Implement pre-emergency procedures for high/moderate hazard commercial buildings throughout the county in order to familiarize emergency responders with building layout, fire protection features and water supply to facilitate the most expedient manner of attack in the case of fire.
 - (7) Perform such other duties as may be required of the Fire Chief by this subsection, or by the board of commissioners.

Sec. 46-6. Fire Chief to Enforce Certain Ordinances; Police Powers.

- (a) The chief of the fire department shall enforce the provisions of this subchapter and all state laws under his or her jurisdiction pertaining to the prevention, suppression, or extinguishing of fires. The Fire Chief shall have the powers of a police officer in performing their duties under this subchapter, and when he or she is on duty at a fire.
- (b) Under the police powers conferred by law to the board of commissioners the chief of the county fire department, the county Fire Marshal, and inspectors assigned to the county Fire Marshal's office, and any other fire officer designated by the chief, shall have the power and authority to investigate arson and suspicious fires, and issue citations for violations of adopted codes and standards.
- (c) Any of these officers may also be sworn in as law enforcement officers with the power and authority to make arrests. Prior to taking the required oath, such designated officers shall have successfully completed

all POST required courses and be POST certified. The oath of office as a law enforcement officer shall be administered by officials authorized to administer oaths to law enforcement personnel.

Section 3

That a new Article II, Chapter 46 of the Code of Rockdale County, Georgia be adopted, which new Article shall provide as follows: **ARTICLE II. – FIRE PREVENTION.**

Section 4

That new Sections 46-7 through Section 46-15 of Article II of the Code of Ordinances of the Rockdale County, Georgia be adopted to read as:

Sec. 46-7. Fire Marshal's Office.

There is hereby created under the authority of the Fire Chief, the Fire Marshal's Office. The purpose of the Fire Marshal's Office is to provide a practical level of safety to the public and surrounding properties, ensuring regulatory compliance and enforcement of fire prevention and life safety rules, regulations and ordinances of the county.

- (a) The Fire Chief of the jurisdiction shall appoint a Fire Marshal or fire code official based on qualifications consistent with recognized professional standards. The appointment of the Fire Marshal shall continue during good behavior and satisfactory service. The Fire Marshal's employment shall otherwise be governed by county personnel policy.
- (b) Except as otherwise expressly provided herein, the Fire Marshal shall manage the duties of staff assigned to the Fire Marshal's Office, including implementation, administration and enforcement of the provisions of all codes, regulations, and ordinances related to fire prevention and life safety. Furthermore, the term "authority having jurisdiction" or its equivalent, as may be used in adopted Fire Standards under this section shall mean the Fire Marshal or Fire Marshal's Office thereof.
- (c) The Fire Marshal, Fire Marshal's Office, and fire department shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition within the county jurisdiction.
- (d) The Fire Marshal's Office will keep and maintain records of fire investigations within the county, including injuries, fatalities and statistics to the extent of such fires and damage caused for the duration specified by the GA Local Government Record Retention Schedule. The Fire Marshal shall make periodic reports to the Fire Chief or as requested on fire prevention activities.

Sec. 46-8. Permits, Local Amendments.

Permits shall be required for any operation or business as required by the International Fire Code (IFC) and shall comply with all requirements mandated by Rockdale County Ordinances.

- (a) Modify IFC, Chapter 1 – Required operational permits, delete subsection Fire hydrant & valves and relace with new subsection to read as follows:

The fire code official is authorized to issue operational permits to regulate special hazard buildings or operation as specified in title 25-2-13(b) including but not limited to blasting operations, fireworks displays or storage.

- (b) Modify IFC, Chapter 1 Fees, subsection Schedule of permit fees to read as follows:

A fee for each permit shall be paid in accordance with the established fee schedule, hereafter referenced as Fire Service Fees for services related to construction, development plan reviews and inspections to ensure regulatory compliance. Application of permit fees shall not apply to Rockdale County owned and occupied governmental facilities.

- (c) Modify (IFC) Chapter 9 – Fire Department Connections, subsection Location to read as follows:

Prior to installation, fire department connections (FDC) shall be within 50ft of a fire hydrant as approved by the fire code official, shall not obstruct access to the buildings for other responding fire emergency vehicles, and shall be placed at a distance of 1½ times the height away from the building.

Sec. 46-9. Third-party Maintenance and Reporting of Records for Fire and Life Safety Systems.

- (a) Where any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this chapter, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously tested and maintained in accordance with applicable standards. Maintenance, testing, and inspections shall include, without limitation, the following:

- (1) Automatic fire sprinkler system
- (2) Commercial hood cleaning
- (3) Commercial kitchen hood
- (4) Emergency generator
- (5) Fire alarm system
- (6) Fire doors
- (7) Fire pumps
- (8) Foam system (including five (5) year test)
- (9) Private hydrant system
- (10) Smoke control system
- (11) Special suppression system
- (12) Spray booth
- (13) Standpipe

- (b) Records of all installations, inspections, tests, and maintenance required by this chapter shall be provided electronically to the city's designated electronic reporting system.

Sec. 46-10. Inspections, Investigations, and Enforcement.

- (a) All buildings, structures, and facilities shall acquire a certificate of occupancy issued by the Fire Marshal's office prior to occupancy. The certificate shall be displayed in a conspicuous place in the business establishment at which address the certificate was issued. Any change in occupancy use shall obtain a new certificate prior to occupancy or issuance of a business license. Said fire safety compliance certificate will be issued upon satisfactory completion of all required technical codes, applicable laws and ordinances.
- (b) The Fire Marshal's Office shall inspect or cause to be inspected at various intervals all construction work pertaining to fire codes and shall make any orders as may be necessary for the enforcement of the laws and ordinances governing the same. A final inspection shall be made of every building, structure, site,

premises or facility for safeguarding of life and property from fire, explosion, and other hazards for use and occupancy of such.

- (c) The Fire Marshal's Office shall examine all plans for buildings or developments for evidence of compliance with applicable requirements of specific code sections.
- (d) Owners, their agents or designees, of all buildings, tenant spaces, and/or commercial sites covered by this article are required to submit plans and specifications of the project to the Fire Marshal's Office prior to obtaining the necessary construction permits. An eighty-percent completion inspection and a final inspection shall be performed by the Fire Marshal's officer prior to the occupancy of the facility.
- (e) The Fire Marshal's Office may require tests or other investigations to be conducted by an agency satisfactory to the jurisdiction when appliances, devices, equipment, or systems intended for installation do not specifically meet the requirements of the code but meet the intent of this Code.
- (f) The Fire Marshal or designee shall investigate or cause to be investigated every fire covered by this article by which property has been destroyed or damaged and, so far as possible, shall determine the cause. Such investigation shall begin immediately upon the occurrence of such fire when deemed safe. The Fire Marshal shall notify the other authorities designated by law to pursue the investigation of such matters and shall further cooperate with other governmental agencies in the collection of evidence and the prosecution of any resulting case.

Sec. 46-11. Construction Documents.

- (a) Submittals. The seal of an appropriate registered design professional, architect, or engineer, in accordance with state laws, rules and regulations, with signature currently licensed by the state shall be affixed to all plans submitted. Plans must be submitted in such form and detail as required by the fire official. Such documents for review shall be accompanied by fee(s) in accordance with fire prevention fee schedule.
- (b) Construction documents shall include a life safety plan of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the life safety code and relevant laws, ordinances, rules and regulations as determined by the fire official.
- (c) It shall be the responsibility of the applicant to ensure that the construction documents include all the fire protection requirements and are in compliance with the applicable codes and standards.
- (d) Construction documents accepted by the fire official are approved with the intent that such construction documents comply in all respects with building and fire codes. Review and approval by the fire official shall not relieve the applicant of the responsibility of compliance with this Code.
- (e) Where field conditions necessitate any substantial change from the approved construction documents, the fire official shall have the authority to require the corrected construction documents to be submitted for approval.
- (f) Revocation. The fire official is authorized to revoke a permit issued under the provisions of this Code when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based.

Sec. 46-12. Fire Alarm Ordinance.

- (a) In addition to NFPA 101 Life Safety Code, all buildings with fire sprinkler systems must have a fire alarm system, designed per NFPA72.

- (b) Blueprint drawings with information regarding the fire alarm system, including detailed specifications, wiring, diagrams, elevation diagram (showing false ceiling areas), and floor plans, shall be submitted to the Fire Marshal for approval prior to installation of any equipment or wiring (one set of approved plans shall be located at the construction site).
- (c) All systems must notify emergency forces automatically upon activation.
- (d) It shall be unlawful for any person to knowingly activate an alarm system to summon Rockdale County Fire Rescue when there is no actual or threatened need for the immediate assistance of Rockdale County Fire Rescue.
- (e) It shall be unlawful for any person to install, operate or maintain any automated dialing device which is programmed to transmit a prerecorded message or code signal directly to Rockdale County Dispatch as an alarm signal.
- (f) It shall be unlawful for any alarm user in the jurisdiction of the governing authority to allow an excessive number of alarm responses to occur at a protected premise for which the alarm user is responsible.
- (g) Alarm responses to a protected premise in excess of three times in any consecutive four-month period or five times in any consecutive 12-month period are deemed to be an excessive number and shall be a violation of this chapter.
- (h) An alarm user with an alarm system in violation of section 46-15(F) of this chapter shall cause their alarm system to be inspected by an alarm company licensed to conduct business as an alarm company. The inspection shall entail a complete examination of the alarm system including, but not limited to, satisfactory design and installation of the equipment, proper functioning of the equipment and user education in the operation of the equipment. The alarm company shall record the details of the inspection and make such record available to the alarm user.

Sec. 46-13. Fire Protection Sprinkler Ordinance.

- (a) Hotels, motels, dormitories, lodging houses or rooming houses, residential board and care facilities, multifamily residential dwellings including townhomes and condominiums, educational occupancies, day care occupancies, and health care facilities, regardless of type of construction shall have complete, automatic fire sprinkler systems installed in accordance with NFPA installation standards.
- (b) All group home care occupancies must install a sprinkler system in accordance with NFPA 13R.
- (c) Assembly occupancies are required to install an automatic sprinkler system where one of the following conditions exist:
 - (1) The building or space exceeds five thousand (5,000) square feet;
 - (2) The building or space has an occupant load of one hundred (100) or more;
 - (3) The building or space is located on a floor other than the level of exit discharge.
- (d) Multifamily dwellings up to and including three (3) stories in height shall be sprinkled with an approved sprinkler system modified to include full sprinkler coverage in all attics and breezeways;
- (e) In addition to the NFPA Code any residential occupancies containing more than two (2) dwelling units must install an approved automatic sprinkler system per NFPA 13, 13R, or 13D design requirements, as approved by the local Fire Marshal, including townhouses and condominiums.
 - (1) Exception - Automatic residential sprinkler systems for townhouses shall be permitted to be designed and installed in accordance with NFPA 13D and shall be modified to include full sprinkler coverage in all attics and breezeways.

- (f) All buildings six thousand (6,000) square feet or more in an area under a common roof where vehicles are pulled inside for the purpose of maintenance, repair, storage, or installation of all accessories shall be fully sprinkled with an approved sprinkler system except where vehicle bay areas in a building are less than or equal to six hundred (600) square feet, it shall be permissible to place up to six (6) sprinkler heads off of the domestic water supply in lieu of sprinkling the entire building. In so doing, calculations must be performed by an approved sprinkler contractor certified by the State of Georgia and such calculations must be shown on the plans submitted for approval by the Fire Marshal's office.
- (g) Each automatic sprinkler system required by this article shall be in accordance with one (1) of the following:
 - (1) NFPA 13, Standard for the Installation of Sprinkler Systems
 - (2) NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes
 - (3) NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height.
- (h) All buildings or structures installing a 13R sprinkler system must also install a sprinkler system in the attic.
 - (1) Exception: Paragraphs (a) through (h); Plans submitted prior to adoption of the ordinance from which this article is derived, must meet the sprinkler requirements adopted at the time plans were submitted.
- (i) To provide enhanced fire safety and protection, a "fire wall" shall not be considered to be a separate building so as to avoid the required automatic fire extinguishing system requirements.
- (j) Approved ventilation hoods and hood fire suppression equipment shall be installed in restaurants or other occupancies, including food trucks, with food preparation facilities having cooking appliances capable of producing grease laden vapors, such as ranges, deep fat fryers, grills, broilers, or other similar appliances. The standards for approval of such facilities shall be based on the fire code, including NFPA 96, Ventilation Control and Fire Suppression of Commercial Cooking Operations.
- (k) Buildings shall be equipped with an approved standpipe system when required by the building or fire code. Required standpipes shall be installed in accordance with the building code, fire code, and NFPA 14, Installation of Standpipe and Hose Systems. Site plans with fire hydrant and FDC location must be submitted for review by the local Fire Marshal, prior to installation.
- (l) The fire department connection (FDC) must be placed at the main entrance (driveway), or as approved by the AHJ and out of the collapse zone of the building with no obstructions, and within fifty (50) feet of a fire hydrant. The FDC should stand between thirty-six (36) inches to forty-eight (48) inches above grade. No person shall put any post or installation or structure or landscaping closer than thirty-six (36) inches to any fire department connection (FDC) or hydrant or visible obstruct the view of the FDC from the entrance.
- (m) Before any fire protection system is installed, plans shall be submitted by the contractor installing the sprinkler system to the Fire Marshal's office, which shall review the plans for compliance with NFPA standards prior to stamping the plans as "reviewed." Plans must show:
 - (1) Proposed system design over building layout.
 - (2) Copy of Georgia State License.
 - (3) All sets of working plans shall be signed and a certified seal placed thereon.
 - (4) Hydraulic calculations. Information sheets (cut sheets) on materials.

- (n) Sprinkler system installers, inspectors, and maintenance personnel shall meet the Rules and Regulations for Enforcement of the Georgia Fire Sprinkler Act, O.C.G.A. 120-3-19.
- (o) The responsibility for annual testing and maintenance of any fire protection system is the responsibility of the owner of the property. Systems shall be inspected and tested in accordance with NFPA 13, 13D, or 13R, NFPA 25 and the manufacture's requirements.
- (p) All automatic sprinkler equipment shall always be in proper operating conditions. The occupant of the building containing such equipment shall promptly notify the Fire Marshal or the county fire department in case such sprinkler protection is withdrawn, interrupted, curtailed, or altered.

Sec. 46-14. Sprinkler Requirement for Existing Buildings and Structures.

- (a) The purpose of this section is to encourage the continued use or reuse of legally existing buildings and structures. The intent is to permit repairs, renovations, modifications, reconstructions, additions, and change of use or occupancy in existing buildings.
- (b) Any requirements that are essential for the safety of building occupants and that are not specifically provided for by the life safety code, building code, or fire code, shall be determined by the authority having jurisdiction.
- (c) The provisions of this subsection shall apply to existing buildings and structures constructed prior to the adoption of this section and shall provide a minimum degree of fire and life safety to persons occupying space which does not comply with current codes.
- (d) The legal occupancy of any building or structure existing on the date of adoption of this Code shall be permitted to continue without change, except as otherwise provided, according to the following:
 - (1) 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. (Refer to 103.3 of this Code regarding the requirements applicable to proposed (new) buildings and structures.)"
 - (2) Existing buildings to be deemed a proposed building. For the purposes of O.C.G.A. §25-2-14(b), any existing building or structure listed in paragraph (1) of subsection (b) of O.C.G.A. §25-2-13 and which comes under the jurisdiction of the Office of the Safety Fire Commissioner, pursuant to O.C.G.A. §25-2-12, shall be deemed to be a proposed (new) building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy, or a change to the occupant load or structure issued as a condition of occupancy. The term "substantial renovation", for purposes of this subsection means any construction project involving exits or internal features of such building or structure costing more than the building's or structure's assessed value according to county tax records at the time of such renovation (O.C.G.A. §25-2-14). Where a change of classification is involved, also refer to 102.3 of this Code.

Sec. 46-15. Rendering Equipment Inoperable.

- (a) Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.
- (b) It shall be the responsibility of the property owner to notify the Fire Marshal's office in the event the portable or fixed fire-extinguishing system or device, or fire-warning system is inoperative for any period of time.

Section 5

That a new Article III, Chapter 46 of the Code of Rockdale County, Georgia be adopted, which new Article shall provide as follows: **ARTICLE III. – ADMINISTRATIVE.**

Section 6

That new Sections 46-19 through Section 46-29 of Article III of the Code of Ordinances of the Rockdale County, Georgia be adopted to read as:

Sec. 46-16. Inspections of Buildings; Right of Entry.

When a building or premises is occupied and open to the public, the fire code official shall present credentials to the occupant to make an inspection to enforce the provisions of this code, or where the fire code official has reasonable cause to believe that there exists in a building or on any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the fire code official shall have the authority to enter the building or premises at all reasonable times to inspect and perform duties imposed on the fire code official by this code. If entry is refused, the fire code official or representative in performance of their code enforcement duties, may seek inspection warrants as authorized.

Sec. 46-17. Inspection Warrants.

The Fire Marshal or authorized designee may obtain an inspection warrant as authorized by Sec 46-19 and as specified within this section. The warrant shall authorize said individuals, or their authorized designees, to conduct a search or inspection of property, either with or without the consent of the person whose property is to be searched or inspected, as follows:

- (a) Inspection warrants may be issued by the superior court or other court having jurisdictional authority, when the issuing judge is satisfied that all the following conditions are met:
 - (1) The person seeking the warrant must establish under oath or affirmation that the property to be inspected is to be inspected as a part of a legally authorized program of inspection which includes that property or that there is probable cause for believing that there is a condition, object, activity, or circumstance related to specific requirements of the Fire Marshal's Office which legally justifies such an inspection of that property.
- (b) The issuing judge determines that the issuance of the warrant is authorized by this section.
- (c) The inspection warrant shall be issued subject to the following requirements:
 - (1) The warrant is attached to the affidavit as required to obtain the warrant.

- (2) The warrant describes, either directly or by reference to the affidavit, the property upon which the inspection is to occur and is sufficiently accurate that the executor of the warrant, and the owner or possessor of the property can reasonably determine from it the property for which the warrant authorizes an inspection.
- (3) The warrant indicates the conditions, objects, activities, or circumstances related to requirements of the fire prevention code which the inspection is intended to check or reveal.
- (4) The warrant refers, in general terms, to the fire prevention code provisions sought to be enforced.

Sec. 46-18. Enforcement and Penalties.

- (a) It shall be unlawful for a person, firm, or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, or install system regulated by this code without proper permits or approval of the Fire Marshal's Office.
- (b) Where building owner, authorized agent or occupant responsible for correction and abatement of violations of this code or when an occupant creates or allows any hazardous conditions to exist in violations of this code, the occupant may be held responsible for the abatement of such hazardous conditions.
- (c) Whenever the fire code official or inspector finds a building, tenant space, or storage areas in violation of the code, the fire code official or inspector will identify what corrective actions are required for compliance.
- (d) Failure to comply with correction notice by the fire code official or authorized representatives may result in the issuance of citation, requiring court appearance and subject to penalties for each day a violation continues.

Sec. 46-19. Correction Notice.

- (a) Whenever the fire code official or authorized representative of the Fire Marshal's Office determines that any violation of the fire prevention code is taking place, or when conditions(s) for permit or administrative approvals are not complied with, a notice of violation shall be issued to the owner, owner's agent, occupant or party responsible for such use or activity to cease immediately.
- (b) The notice of violation shall:
 - (1) Be in writing.
 - (2) Include a brief description of the property sufficient to identify where the violation has occurred.
 - (3) List the provisions of the fire prevention code of Rockdale County that has been violated.
 - (4) State the deadline for correction.
- (c) If the violation has not been corrected within a reasonable length of time, which shall not exceed five business days, the owner of the property on which such violation has occurred or the agent, occupier or other party responsible for the violation shall be subject to the penalties set forth in County Fee Schedule provided that either the fire code official or fire prevention officer may, at their discretion, extend the time for compliance with any such notice.
- (d) The fire code official and authorized representatives may issue a warning notice prior to issuance of a notice of violation for any violation set forth in subsection (a).

- (e) If an owner of real property (and, if applicable, the developer, construction contractor, builder or lessee of such property) has received a written notice of a violation of any fire safety standard adopted and fails to take prompt action to correct any such violation, the Fire Marshal, shall issue a Notice to Correct. The Notice to Correct shall contain all parts listed in 46-22(b).
- (f) In the event that any real property contains a condition that appears to be a violation of any fire standard adopted under this title fails to comply with a Notice to Correct and/or such condition reasonably appears to pose an immediate threat of death or serious bodily injury, the Fire Marshal, with written approval from the Fire Chief may undertake any of the following actions and may continue only until the condition that reasonably appears to pose an immediate threat of death or serious bodily injury is remedied:
 - (1) Order that any person located on such property to immediately be evacuated;
 - (2) Direct that any activity occurring on the property immediately cease;
 - (3) Prohibit any person from entering the property; and
 - (4) Take any other steps reasonably necessary to minimize the immediate threat of death or serious bodily injury.

Sec. 46-20. Stop Work Orders and Revocations.

Whenever any building, structure, or premises is being developed, demolished, expanded, renovated, constructed, used, or occupied contrary to the provisions of the fire prevention code, or the public interest is otherwise threatened in a manner requiring immediate action, the fire code official or authorized representatives may order the work stopped and said stop work order shall be posted on the property and delivered or mailed to the owner or person performing said unlawful work. The fire code official may revoke any permit or certificate of occupancy for any land, building or structure that is being constructed, used or occupied in violation of any provision of the fire prevention codes in order to protect the health, safety and general welfare of the residents of the county.

Sec. 46-21. Penalties for Violations.

- (a) In case any building or structure is, or is proposed to be erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, or land is or is proposed to be used in violation of any provision of the fire prevention code, the fire inspector or county may, after due notice to the owner of the violation, issue a citation requiring the violator to appear in the Magistrate Court of Rockdale County.
- (b) The owner of any buildings or premises or parts thereof, where anything in violation of this title exists, and any architect, builder, contractor or any other agent of the owner, or any tenant, who commits or assists in the commission of any violation, shall be guilty of a separate offense.
- (c) Penalties for such violations shall be in accordance with the Rockdale County Code of Ordinances, Section 1-11, "General penalty".
- (d) Each day any violation of code continue shall constitute a separate offense.

Sec. 46-22. Appeals.

Whenever the Fire Marshal has disapproved an application or refused to grant a permit applied for, or when it is claimed that a provision of this section does not apply or that the true intent and meaning of the within mentioned codes have been misconstrued or wrongly interpreted, the applicant shall be entitled to appeal from the decision of the said Fire Marshal to the Fire Chief by filing a written notice of appeal with the Fire Marshal within ten days

of the decision being completed. If the matter is not satisfactorily resolved by the Fire Chief, the applicant may file a written notice of appeal to the county board of commissioners within ten days of the Fire Chief's decision.

Sec. 46-23. Rapid Entry Standard.

- (a) Where access to or within a structure or area is restricted because of secured opening or where immediate access is necessary for lifesaving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location to assist the fire department in gaining rapid entry, therefore, the following rapid entry standard is incorporated.
- (b) In accordance with International Fire Code Section 506.1, the fire code official is authorized to require installation of a key box on-premises in an approved location. The key box shall be of an approved type listed in accordance with Underwrites Listed (UL) 1037 and shall contain keys to gain access as required by fire code official.
- (c) The County fire department has chosen the Knox Company to serve as the county supplier. All key boxes purchased for use in Rockdale County must come from this company.
- (d) As directed by the fire code official, a building owner or tenant shall install a key box and/or key box document vault prior to the issuance of a certificate of occupancy or operational permit for new construction or remodeling projects.
- (e) The key box shall be installed at the front of the building near the main entry door and between six and eight feet above ground unless approved at a higher or lower level by the Fire Marshal.
- (f) The rapid entry system is required within the county for the following buildings:
 - (1) Government facilities.
 - (2) Buildings that have restricted business, industrial, commercial or limited commercial uses.
 - (3) Buildings containing a sprinkler system.
 - (4) Buildings containing a fire alarm system.
 - (5) Buildings containing an automatic fire suppression system; or
 - (6) Buildings that are a facility that is required to prepare and have available material safety data sheets and/or hazardous materials inventory forms under the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) or Tier II Reports.

Sec. 46-24. Entrance Gates and Chains.

Gates or devices restricting fire department access to residential or commercial buildings or recreation areas shall comply with the requirements of the Fire Marshal's office before installation. All gates and/or fences installed; a rapid entry system shall be required. This shall apply to all electric and non-electric gates.

Sec. 46-25. Clearing property of debris and refuse where a building is burned.

- (a) Where a building or structure has burned, the premises must be cleared of all debris and refuse within 90 days thereafter unless such building is under investigation. Any premises under investigation shall be cleared of all debris and refuse within 90 days after notice is sent to the property owner of the close of the investigation. If such premises are not cleared within said period, the same shall constitute a violation and may be treated accordingly.

- (b) If the remains of a building mentioned under subsection (a) of this section constitute a safety hazard, the Fire Marshal's Office may at any time file a complaint with the county board of commissioners to have such condition declared to be a nuisance and for the abatement of same.
- (c) The provisions of this subsection are and shall be construed to be cumulative of all other provisions regarding the condition of property within the county and shall not be construed to alter, amend or repeal any other such provisions.

Sec. 46-26. Outdoor burning

- (a) This section is intended to promote and safeguard public health, safety, air quality, and living conditions of the citizens of Rockdale County relative to outdoor burning.
- (b) This article applies to all outdoor burning within Rockdale County.
- (c) The requirements of this article are supplemental to state laws and regulations governing outdoor burning restrictions and restrictions governing the disposal of construction waste. To the extent any state law, environmental protection division rules, or other adopted codes is more stringent than the requirements contained in this article, such other law, rules, and/or code shall be controlling.
- (d) The Environmental Protection Division's (EPD) Summer Burn Ban is in effect for Rockdale County, GA from May 1 - Sept 30 each year.
- (e) Rockdale County will utilize the Rockdale County Fire Rescue Outdoor Burning Information Pamphlet for regular compliance and updated yearly to reflect the ordinances of Rockdale County burn regulations. The general penalties and fines shall be listed and updated yearly on the Pamphlet. The Minimum General Penalties will be as follows:
 - (1) 1st Violation: Advised of corrective actions, written notice.
 - (2) 2nd Violation: Citation issued and a fine of \$250 assessed.
 - (3) 3rd Violation Any Subsequent Violations: Citation issued and a fine of up to \$1,000.00 assessed per violation and/or up to 60 days in jail.
 - (4) Commercial land clearing without a burning permit: \$500.00 for first violation (at the discretion of the Fire Marshal.)
- (e) Damage to property one's own or another due to an out of control fire is a misdemeanor criminal charge pursuant to O.C.G.A §16-7-63.

Sec. 46-27. Fire watch

- (a) The fire code official is authorized to require Fire watch operations. As a temporary measure, when required fire alarm or fire sprinkler systems are impaired, pending corrective actions. Such operations shall consist of a person or persons to a designated area or building to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purpose of notifying the fire department and/or building occupants of an emergency, preventing a fire from occurring, extinguishing small fires and protecting the public from fire or life safety dangers.
- (b) The Fire Marshal shall have the authority to require standby fire personnel or an approved fire watch in the following situations when deemed essential for the protection of public safety:
 - (1) Potentially hazardous conditions or a reduction in life safety feature exists due to the type of performance, display, exhibit, occupancy, contest or activity being conducted.
 - (2) An impairment of fire protection features, or system has occurred; or

- (3) The number of people present justifies additional fire protection.
- (c) The owner, agent or lessee of an event ("event sponsor") or owner, agent or lessee of real property for which fire watch is required shall employ one or more qualified people, as required and approved, to be on duty. The cost of standby fire personnel shall be paid by the event sponsor or owner, agent or lessee at the approved rate listed on the Rockdale County Fee Schedule.
- (d) All standby fire personnel or fire watch personnel shall be subject to the orders of the Fire Chief, Fire Marshal, or his designee, at all times, shall be identifiable as fire watch personnel and, unless expressly relieved of duty by order of the Fire Marshal, shall remain on duty during the times such places are open to the public, when such activity is being conducted, or while such impairment or condition remains.

Sec. 46-28. Standard for recovery of expenditures related to providing services

(a) General requirements.

- (1) All departments within the county government are hereby authorized to take appropriate steps to generate an invoice for services when, in their judgment, it was necessary to render the services in the best interest of the citizens of the county.
- (2) Services provided by the county may be the result of an accident, carelessness, willful intent, negligence, or failure to take actions that will eliminate reoccurring situations which adversely impact the county's cost of providing services and its ability to provide services for all citizens.
- (3) In lieu of monetary reimbursement, the party receiving the services may replace supplies and equipment expended by the county with equal or greater quantities. Any such materials must be of equal or better specifications than that which was expended. This material reimbursement must be pre-approved by the department head of the department being reimbursed.
- (4) Invoices shall be submitted to the board of commissioners for approval prior to presenting the invoice to the party responsible for paying the reimbursement. An exception to this section will be the invoice procedures used by Rockdale County Fire Rescue involving hazardous materials incidents identified in subsection (e) of this section.
- (5) During incidents involving a spill or the release of the hazardous material, Rockdale County Fire Rescue shall be allowed to submit invoices to the responsible party for paying the reimbursement. Approval by the Fire Chief or his/her designee shall be received prior to presenting the invoice to the party responsible for paying the reimbursement.
- (6) The cost used to calculate the invoice amount shall be based on fair market values for the services, labor rates for county employees, advertised cost of goods and equipment, and the actual cost incurred. Compensation for overtime hours worked will be used in accordance with the county policy for such time.

(b) Preparing and submitting an invoice.

- (1) Department instructions, standard operating procedures, and instructions as published and prepared by the finance department of the county shall be followed when preparing invoices and obtaining approvals. Department heads shall be responsible for determining when invoicing for reimbursement is appropriate.
- (2) The finance department accounts receivable clerk shall be responsible for tracking the invoices and collecting the reimbursements. However, for hazardous materials invoices, the finance specialist for Rockdale County Fire Rescue shall track such invoices and reimbursements to ensure that all such reimbursements are deposited into the correct account

(c) Enforcement.

Failure to reimburse the county as specified by the invoice shall be processed in accordance with the procedures of the finance department's accounts receivable section, policies, and rules.

Sec. 46-29. Emergency responder communication coverage (ERCC) in new and existing buildings (IFC 510).

- (a) Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided in all new and existing buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction. Exceptions:
- (1) Where approved by the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage, or otherwise-required communication-coverage, system.
 - (2) Where it is determined by the official fire code that the communication coverage system is not needed. In order to make this determination, the fire code official may require an approved type of evaluation and/or modeling of communication coverage signal strength be conducted, at the expense of the building owner, for new and existing buildings, new portions of buildings, or buildings or portions thereof otherwise triggering the provisions of this code.
 - (3) In facilities where emergency responder communication coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder communication coverage system.
 - (4) One- and two-family dwellings and townhouses.
- (b) The building shall be considered to have acceptable in-building, two-way emergency responder communication system coverage where signal strength measurements in 95 percent of all areas on each floor of the building, and 99 percent of each critical area as designated below, meet the signal strength requirements. Critical areas shall include the following:
- (1) At all fire alarm control panels.
 - (2) At fire fighter's smoke control panels.
 - (3) At the main electrical panel(s).
 - (4) Throughout emergency and standby power rooms.
 - (5) Throughout a fire command center complying with Section 508.
 - (6) Throughout exit stairs.
 - (7) Throughout areas of refuge.
 - (8) Throughout fire pump rooms.
 - (9) Throughout elevator machine rooms and elevator lobbies.
 - (10) Throughout building lobbies.
 - (11) Locations as determined by the fire code official.
- (c) Maintenance—All systems and components shall be tested annually in accordance with IFC 510.6. A system test and inspection report shall be maintained on site for inspection by the Fire Marshal's office. A tag shall be placed on the head end cabinet indicating the date of the last test and the results of the test.

All test reports shall be submitted to the FMO in an expeditious manner. Any system that fails annual testing should be reported to the FMO within 48 hours of testing. Should a system fail to provide adequate signal, cause interference, or fail to perform as originally installed, the Fire Marshal is authorized to order the testing of the system and repair to original installation standards or the current adopted edition of the standard. The Fire Marshal is authorized to order that cellular signal boosting systems that interfere with the public safety radio system be tested or disconnected pending testing in order to eliminate interference.

Section 7

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 8

This Ordinance shall become effective thirty (30) days from adoption.

Adopted this 8th day of July, 2025.

Rockdale County, Georgia Board of Commissioners

By:

JaNice Van Ness
JaNice Van Ness, Chair & CEO

By:

Tuwanya Smith
Tuwanya Smith, Commissioner Post 1

Attest

By:

Jennifer Rutledge
Jennifer Rutledge, County Clerk

By:

Dr. Doreen Williams
Dr. Doreen Williams, Commissioner Post 2

Approved as to form:

By:

M. Qader A. Baig
M. Qader A. Baig, County Attorney