

11 NCAC 05A .0912 NON-COMPLIANCE

(a) Upon completion of an inspection, the OSFM representative will review the inspection results with the fire chief or the chief's designee. Any fire department that fails to meet any of the standards set forth in this Section shall be considered non-compliant for the purpose of determining Fire Insurance District Rating Classifications.

(b) A non-compliant fire department shall have a period of 15 days from the date of the inspection to submit a written corrective action plan to OSFM. The corrective action plan shall address each deficiency found in the inspection and the corrective action the fire department will take in response to the deficiency. If a non-compliant fire department fails to provide a written corrective action plan to OSFM within 15 days from the date of the inspection, OSFM shall consult with the governing body that contracts for the fire district and place the fire department on probation until the fire department provides the written corrective action plan to OSFM, for a period not to exceed three months. If the fire department fails to provide the written corrective action plan to OSFM by the end of the three-month probation period, OSFM shall designate the fire department as "PPC10" (non-certified).

(c) Upon receipt of approval of the corrective action plan from OSFM, the fire department shall have three months to become compliant. If the fire department remains non-compliant after the expiration of the three-month corrective action period, OSFM shall consult with the governing body that contracts for the fire district and place the fire department on probation until the fire department becomes compliant, for a period not to exceed six months. Upon completion of the probationary period, OSFM shall re-inspect the fire department for compliance. If the fire department remains non-compliant, OSFM shall designate the fire department as a "PPC10" (non-certified).

(d) Notwithstanding the provisions of Paragraph (c) of this Rule, a non-compliant fire department that is determined to be non-compliant based on its failure to ensure four eligible firefighters respond to all structure fires shall have a period of 15 days from the date of inspection to submit a written action plan to OSFM and six months from the date of providing the written corrective action plan to OSFM to become compliant. If no structure fires occur in the fire department's fire district within the six-month period following submission of a written corrective action plan to OSFM, OSFM shall re-inspect the fire department for compliance after an additional six months.

*History Note: Authority G.S. 58-36-10; 58-40-25; 58-78A-1(b)(20); 58-78A-2;
Eff. January 1, 2018;
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