



CITY OF DURHAM FIRE DEPARTMENT  
Fire Marshal's Office  
2008 East Club Blvd. Durham, NC 27704  
Phone # 919-560-4233

## **NORTH CAROLINA FIRE CODE EXTENSION REQUEST & COMPLIANCE AGREEMENT**

The City of Durham Fire Department's Fire Marshal's Office (DFD-FMO) recognizes that in some instances, an Owner/Occupant may require additional time to address cited NC Fire Code violations beyond the standard code enforcement timeframe of 30 days. It is within the DFD-FMO's discretion to approve requests for extension where an Owner/Occupant (1) submits this signed and completed agreement to the DFD-FMO no later than 5 days prior to your re-inspection date, (2) provides a timeline and project plan for remediating the cited violations, and (3) has a compelling reason for requesting an extension of time.

The City will give full and fair consideration of the Owner/Occupant(s) request. However, this does not in any way assure or guarantee that a request will be approved. Consideration will be given to, among other factors, life safety hazards on the subject property, the history and existence of citations at the property, public welfare and health, and the Owner/Occupant(s) reason(s) for requesting an extension.

The DFD-FMO will review this submitted request and notify the Owner/Occupant of its approval or denial of the request for extension of time to complete the remediate the NC Fire Code violations within 48 hours of the receipt of this request. Approval will be expressed by the Fire Marshal or Deputy Fire Marshal's signature and transmittal of the signed document to the Owner/Occupant.

*Note: If the Fire Marshal or Deputy Fire Marshal DO NOT sign this Extension Request and Compliance Agreement, an extension HAS NOT been granted and the Owner/Occupant must comply with the NC Fire Code by the date identified in the City of Durham Fire Department's Fire Safety Inspection Report.*

**Email To:** [dfdinspect@durhamnc.gov](mailto:dfdinspect@durhamnc.gov)



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**SECTION 1.**

Original Inspection/Non-Compliance Date: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_

Parties to the Agreement:

Name of Owner/Occupant: \_\_\_\_\_

Inspector Assigned to Case: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

**SECTION 2.**

The Owner/Occupant(s) are requesting that the City grant an extension of time to remedy the code violations outlined in the Fire Safety Inspection Report. In consideration of the request for an extension, the Owner/Occupant(s) agree to the following:

1. Complete and submit the attached Timeline and Requirements Form, providing the following:
  - a. A specific deadline date for submission of application for any required permits or other regulatory documents (including all mandatory application documentation)
  - b. A specific deadline date when repairs/work will begin to reach compliance with the Fire Code
  - c. List of violations cited with specific resolution date for each
  - d. A date of completion when the occupancy will be fully NC Fire Code compliant

*Note: The dates of the timeline must reflect steady and reasonable progress towards code compliance and must be approved by the City of Durham Fire Marshal or Deputy Fire Marshal.*

2. Provide a detailed floor plan of changes to the occupancy and a summary of the work to be completed (if applicable).
3. Obtain all necessary permits and other required approvals and perform all repairs in accordance with federal, state and local laws, codes and ordinances.
4. Request and obtain inspections by the City/County Inspections Department and/or the DFD-FMO as required.
5. Adhere to any other City code enforcement concerns in accordance with the City's ordinances.
6. Keep all contact information current and notify the DFD-FMO immediately of any changes.
7. Provide reasons for why the request is necessary.



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**SECTION 3.**

Upon receiving notice from the Owner/Occupant(s) that the violations have been repaired or remediated or at the conclusion of the approved extension, the City of Durham Fire Dept. will perform a Fire Code compliance re-inspection of the subject property/occupancy on an agreed upon date for inspection of the cited property.

The City will issue a Fire Safety Inspection Report documenting fire code compliance when the property passes all NC Fire Code inspections for all cited violations.

*If an extension request is granted, during the time during which the Owner/Occupant(s) adheres to the timeline agreed upon in this Agreement, the City agrees to postpone initiating judicial or quasi-judicial action against the Owner/Occupant(s) in regards to this property/occupancy.*

**SECTION 4.**

**Scope of Agreement:** This Agreement applies only to the specific property identified above. In the event that there are multiple Owner/Occupant(s) in regards to the subject property/occupancy, a completed and signed Compliance & Extension Agreement is required for EACH.

**Amendments and Modifications:** If the Owner/Occupant wishes to modify any of the terms and timelines in this Agreement, such modification/s must be in writing and signed by both Owner/Occupant(s) and the City.

**Once Approved,** If any of the requirements of this Agreement are not adhered to, the City will move forward with the code enforcement process, which may include judicial action.

**SIGNATURES:**

*Note: If the Fire Marshal or Deputy Fire Marshal DO NOT sign this Extension Request and Compliance Agreement, an extension HAS NOT been granted and the Owner/Occupant must comply with the NC Fire Code by the date identified in the City of Durham Fire Department's Fire Safety Inspection Report.*

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Fire Marshal/Deputy Fire Marshal (Print)

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Owner (Print)

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Fire Marshal/Deputy Fire Marshal (Signature) / Date

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Owner (Signature) / Date



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**TIMELINE & REQUIREMENTS FORM**

[Attachment A]

Property Address \_\_\_\_\_

DATES OF  
COMPLETION

**Check all below that apply**

- Property will be rehabbed exceeding enforcement requirements \_\_\_\_\_
- Date property repairs will begin \_\_\_\_\_
- List of violations cited with specific resolution date for each is attached \_\_\_\_\_
- Date of project completion \_\_\_\_\_

VIOLATION	REQUIRED REMEDIATION	COMPLETION DATE

Please attach additional documentation, as needed, to meet the requirements laid out in Section 2 of the Agreement.