

MEMORANDUM

To: All Fire Inspectors
From: Christian Noles, P.E., Chief Fire Protection Engineer
NC Department of Insurance/OSFM
Date: December 20, 2004 (replaces the October 28, 2003 memo)
Re: Fire Retardant Chemicals on Christmas Trees

Compared to previous editions of the North Carolina Fire Prevention Codes, the 2002 North Carolina Fire Prevention Code [NCFPC] contains revised requirements for when fire retardant chemicals are required on Christmas trees. Those requirements are summarized as follows:

Groups B, F, H, R-3, S and U Occupancies. NCFPC Section 804.1.1 allows natural-cut trees in these occupancies, whether the building is equipped with sprinklers or not. Treating the natural-cut trees with fire retardant chemicals is not required.

Groups A, E, M, R-1 and R-2 (common areas) Occupancies. Exception #1 of NCFPC Section 804.1.1 allows natural-cut trees **only** in buildings that are equipped throughout with an automatic sprinkler system designed in accordance with NFPA 13 or NFPA 13R. Treating the natural-cut trees with fire retardant chemicals is not required.

It is important to note that an exception allowing natural-cut trees within interior spaces of apartments was approved by the North Carolina Building Code Council, however approval by the Rules Review Commission will not be issued until 2005. Consistent with the 2003 International Fire Code and the approved code change, it is our recommendation to allow natural-cut trees within apartments in accordance with Section 205 of the NC Administration and Enforcement Code. It should be noted that the interior of dwelling units continue to be outside the inspection schedule in accordance with Section 106 of the NCFPC.

Non-sprinklered Religious Assembly (Group A) Occupancies. Exception #2 of NCFPC Section 804.1.1 allows natural cut trees when both of the following are met:

1. Where, in the opinion of the Fire Official, adequate safeguards have been taken; and
2. The Christmas tree has been treated and maintained flame resistant in accordance with the test procedure listed in Appendix H of the 2002 North Carolina Fire Prevention Code.

Questions regarding the test prescribed in Appendix H of the NCFPC, or firms approved to perform the tests, can be addressed to me at the Office of the State Fire Marshal.

Groups I-1, I-2, I-3, I-4 and R-4 Occupancies. These occupancies do not allow natural-cut trees whether they are treated with fire retardant chemicals or not.

It should be noted that mixed-use buildings, such as hospitals, might not be classified throughout as a Group I-2. Areas of hospitals that are not designated as a Group I or R-4 occupancy may be allowed to have a natural-cut tree.

Artificial Trees. The use of artificial trees is regulated by NCFPC Section 804.4. This section requires artificial decorative vegetation to be flame resistant or flame retardant. While the method for establishing the flame resistant nature of the product is not indicated, it is understood that listing by a third party agency is traditionally recognized.

Should there be any question regarding these issues, please feel free to contact me at (919) 661-5880 Extension 223.