



**MIKE CAUSEY**  
INSURANCE COMMISSIONER & STATE FIRE MARSHAL

**BRIAN TAYLOR**, CHIEF STATE FIRE MARSHAL

**MEMORANDUM**

**DATE:** November 23, 2020

**TO:** NC Code Officials and Other Interested Parties

**FROM:** Brian Taylor  
Chief State Fire Marshal *BT*

**RE:** **Tent Structures and Unlabeled Modular Buildings for Purposes of COVID-19 Testing and/or Vaccine Distribution**

**Purpose:**

Due to the current Covid-19 pandemic the nation and state are experiencing at this time several building units have appeared in North Carolina for use as Covid-19 testing facilities. Due to the urgency of the ongoing situation these units have been located without having certification as code compliant buildings and local jurisdiction have contacted this office for guidance regarding the acceptance of these units as unlabeled modular buildings. These buildings do not carry a NC modular label the manufacturer(s) are not currently or have not been in the past certified under the NC modular program assuring compliance for closed constructed buildings. The following guidelines are to help assist in facilitating the use of these building units and the use of tents or canopies. The purpose of this guidance letter is to prevent any hinderance of the current and important need for rapid and mass testing for the citizens of North Carolina, but still provide minimum safety conditions for the use intended as prescribed by the Building Codes.

**NOTE:** During the period that the Governor requires social distancing for the purpose of controlling the spread of COVID-19 the following guidance is provided to allow reasonable and safe accommodations for temporary modular unit and tent (membrane) type structures. Modular units and tents shall be allowed for a period of 180 days or until the Governor removes requirements for social distancing, whichever comes first. The 180-day limit may be extended up to another 180 days upon request by the owner if approved by the local code official having jurisdiction and the Governor's social distancing requirement is still in place.

**OFFICE OF STATE FIRE MARSHAL**

**Section (a)**  
**Modular Building Units or Modules**

- 1a The local inspection jurisdiction must be satisfied that the unit meets the intent of the effective Codes at the time permits are issued. This may be accomplished through documentation by either a NC professional engineer, a North Carolina modular 3rd party verification, or the local inspection jurisdiction. Further evaluation may be needed for continued use beyond the initial 180-day temporary use permit.
- 2a The 2018 NC Building Code, Section 3103, Temporary Structures applies to this structure. A building permit is only required for temporary buildings that exceed 120 square feet; however, the local inspection jurisdiction may want to issue a building permit for smaller structures for tracking purposes. **An electrical permit is always required for connection and service from the main building to all such temporary buildings.**
- 3a The standard construction documents should minimally include conformance to the structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements. The assumed use of the temporary building is Group B accessory to the main building occupancy. The main building toilet facilities are deemed to be adequate for this use.
- 4a The structural documents should include the minimum design live and wind loads. The bearing must be adequate to support a floor load (50-psf) and roof load (20-psf). The structure may bear on grade without concrete footings if allowed by the manufacturer and the grade surface is adequate for the required calculated bearing load. The anchorage must be adequate to resist the wind loads for overturning and uplift must be considered and verified by the local inspection department for the structural load conditions in their jurisdiction
- 5a The temporary building should be located to have a fire separation distance as required by the NC Building Code, Table 602. unless the temporary building meets the same construction type as the existing adjacent building. If both buildings are of the same construction type, then Table 602 does not apply. The temporary building will not be considered as adding to the building area or fire area of the existing building.
- 6a The “means of egress” from both the main building and the temporary building must be unobstructed. The following photo is provided as an example for customer accessibility:



- 7a A 2A/10BC fire extinguisher should be installed in the employee side of the temporary building in accordance with the NC Fire Code, Section 906.

**NOTE:** Use of an unlabeled modular unit under the above conditions does not negate the requirement for full code compliance when the unit is relocated for use other than that specified in this letter.

### **Section (b)** **Tent, Canopies and other Membrane Structures**

- 1b Tents shall be limited to maximum size of 800 square feet.
- 2b Tents shall not be placed where it affects entrance to or egress from the existing buildings.
- 3b Tents shall not be occupied when snow or 1/4" or more of ice is present on the roof of the tent.
- 4b Tents shall not be occupied when wind speeds exceed or are expected to exceed 58 mph which equates to a severe thunderstorm as defined by the National Weather Service.
- 5b The membrane of the tent shall comply with NC Building Code, Section 3102.3.1 which requires the membrane to meet the fire propagation performance criteria of Test Method 1 or Test Method 2 of NFPA 701 and labeled as required.
- 6b The frame of the tent shall be noncombustible material or aluminum.
- 7b Tents shall be anchored as required by the manufacturer.
- 8b Tents 120sf or less are not required by NC Building Code, Section 3103.1.2 to have a building permit and because the tents are limited to 800 square feet, no fire permit is required per NC Fire Prevention Code, Section 3103.2.2.
- 9b Support ropes and/or guide wires, if used, shall be clearly marked or have barriers in place to prevent pedestrian injury.
- 10b Combustion type heating shall not be allowed under tents that have enclosed or partially enclosed sides excluding a maximum 12" band around the top of the tent. Portable gas-fired heaters shall not be used within the tents.
- 11b An electric heating unit shall be allowed in any tent if the unit is:
- In compliance with the North Carolina Electrical Code.
  - Properly connected to an electrical source

- Listed and labelled for such use
- Placed as required by the manufacturer and the listing

12b Tents shall be handicap accessible unless equivalent accommodation are provided such as equal accommodation within an adjacent handicap accessible building or provided to patrons without exiting their vehicle.