



# HOWARD COUNTY

## 2018

# FIRE PREVENTION CODE



Calvin Ball, County Executive



**Title 17. Public Protection Services.**  
**Subtitle 1. Fire and Rescue Services.**

**Section 17.104. Howard County Fire Prevention Code.**

(a) *Adoption of National Codes:* Except as provided in subsection (b) of this section, the NFPA 1, Fire Code 2018 edition (published by the National Fire Protection Association), is adopted as the Howard County Fire Prevention Code as if the national code is set out in full in this Subtitle.

(b) The county may adopt regulations to administer the provisions of this Subtitle.

(c) *local amendments to the Howard County Fire Prevention Code:* The following amendments modify certain provisions of the adopted code:

(1) General:

(i) The term “Code Official”, “Enforcement Officer”, or “Fire Official” shall mean the Director, Chief or AHJ of the Department of Fire and Rescue Services or the Chief’s authorized designee.

(ii) Wherever the name of the municipality is to be indicated, insert “Howard County, Maryland”.

(iii) Wherever the term “this code” is used, it refers to this Subtitle, which shall be known as the Howard County Fire Prevention Code.

(iv) The term “Code Enforcement Agency” shall mean the Department of Fire and Rescue Services.

(2) Subsection 1.1.1(2)

Delete this subsection and substitute the following:

Investigation of fires, explosions, potentially explosive devices, hazardous material incidents, and other related emergency incidents. These duties may be performed in conjunction with other public agencies.

(3) Subsection 1.1.1(3)

Delete this subsection and substitute the following:

In conjunction with the Department of Planning And Zoning, review of site development plans for adequate access, water supply, and other life safety issues.

In conjunction with the Department of Inspections, Licenses and Permits, the

review of design and construction drawings, plans, and specifications for life safety systems, fire protection systems, and other fire and life safety issues.

(4) Subsection 1.1.1(5)

Delete this subsection and substitute the following:

The inspection of existing occupancies, structures, and areas. In conjunction with the Department of Inspections, Licenses, and Permits, the inspection of the construction and design of new buildings and alterations and additions to existing buildings.

(5) Subsection 1.1.1(6)

Delete this subsection and substitute the following:

The maintenance and testing of existing fire protection systems and equipment and, in conjunction with the Department of Inspections, Licenses and Permits, the design, alteration, modification, and installation of new and existing fire protection systems and equipment.

(6) Subsection 1.1.1(16)

Delete this subsection and substitute the following:

In conjunction with the Department of Inspections, Licenses and Permits, the arrangement, design, construction and alteration of new and existing means of egress.

(7) Subsection 1.3.3.1

Delete this subsection and substitute the following:

When this Code and any other referenced codes or code sections have conflicting requirements, the most restrictive requirement shall apply. The AHJ may accept alternative features or requirements that provide the same level of fire safety as the requirements of this Code. The AHJ's acceptance of alternatives shall be in writing.

(8) Subsection 1.3.3.1.1

Add new subsection 1.3.3.1.1 after subsection 1.3.3.1 as follows:

If sections of this Code are less restrictive than the latest adopted version of the Maryland State Fire Prevention Code, the applicable provisions of the Maryland State Fire Prevention Code shall apply.

(9) Section 1.4.2

Delete this section and substitute the following:

The AHJ may accept alternate methods of satisfying intent of this code if the material, method, or work is at least the equivalent of that required by this code in quality, effectiveness, durability, and safety and meets or exceeds the intent of this Code.

(10) Section 1.7.1

Delete this section and substitute the following:

Administration. The provisions of this code and sections 17.105, 17.106, 17.107, and 17.111 of the Howard County Code shall apply without restriction, unless specifically exempted.

(11) Section 1.7.5

Insert the following at the end of this section:

In addition to the enforcement authority of the AHJ and the enforcement authority granted to the Department of Police by Section 1.7.4 and Section 65.1.3 of this Code, the Director of the Department of Inspections, Licenses and Permits, or the Director's authorized designee, may enforce the provisions of this code when:

- (1) Reviewing plans for or inspecting new construction;
- (2) Requested to conduct specific inspections authorized by the AHJ; or
- (3) Inspecting commercial or residential buildings, structures, sites, or areas.

(12) Subsection 1.7.7.1

Delete this subsection and substitute the following:

The AHJ shall designate persons authorized to inspect all buildings, structures, sites, or areas, including single-family dwellings where required by this Code, for the purposes of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with firefighting operations, endanger life or any violations of the provisions or intent of this Code or any other ordinance affecting fire safety.

(13) Subsection 1.7.7.1.1

Add new subsection 1.7.7.1.1 after subsection 1.7.7.1 as follows:

Personnel performing inspections may document inspections through any appropriate means including the use of photography and video recording.

(14) Subsection 1.7.7.7

Add new subsection 1.7.7.7 after subsection 1.7.7.6 as follows:

A person who refuses to allow an inspection of a building, structure, site, or area when the inspection is authorized by this code is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a Fire Official may enforce this section with civil penalties pursuant to Title 24, "Civil Penalties," of the Howard County Code. A violation of this subsection is a class A offense. Each day that a violation continues is a separate offense.

(15) Subsection 1.7.9.1

Add new subsection 1.7.9.1 after section 1.7.9 as follows:

A person interfering or causing a condition that would interfere with the enforcement of this code is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a Fire Official may enforce this section with civil penalties pursuant to Title 24, "Civil Penalties," of the Howard County Code. A violation of this subsection is a class A offense. Each day that a violation continues is a separate offense.

(16) Subsection 1.7.10.1

Add new subsection 1.7.10.1 after section 1.7.10 as follows:

A person impersonating a Fire Official is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a Fire Official may enforce this section with civil penalties pursuant to title 24, "civil penalties," of the Howard County Code. A violation of this subsection is a class A offense. Each day that a violation continues is a separate offense.

(17) Subsection 1.7.11.1

Delete this subsection and substitute the following:

Authority. The AHJ may investigate the origin, cause, and circumstances of any fire, explosion, potentially explosive device, hazardous materials incident, or other emergency situation. These duties may be performed in conjunction with other public agencies.

(18) Subsection 1.7.11.1.1

Add new subsection 1.7.11.1.1 after subsection 1.7.11.1 as follows:

To the extent permitted by law, the County may pursue legal action to seek reimbursement of costs for emergency services provided in response to arson, malicious burns, explosive device, and hoax explosive device incidents from the person or persons who committed the crime(s).

(19) Subsection 1.7.11.2

Delete this subsection and substitute the following:

Evidence. The AHJ may take custody of all physical evidence relating to the cause of a fire, explosion, hazardous materials incident, or other emergency situation.

(20) Subsection 1.7.11.5

Add new subsection 1.7.11.5 after subsection 1.7.11.4 as follows:

A person interfering or causing a condition that would interfere with an investigation is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both.

Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a Fire Official may enforce this section with civil penalties pursuant to Title 24, "civil penalties," of the Howard County Code. A violation of this subsection is a class A offense. Each day that a violation continues is a separate offense.

(21) Subsection 1.7.13.1

Delete this subsection and substitute the following:

When requested by the Department of Inspections, Licenses, and Permits, the Department of Fire and Rescue Services shall assist the Department of Inspections, Licenses and Permits with the inspection of new construction, alterations, or the installation of processes or equipment covered by this code.

- (22) Subsections 1.7.13.2 through 1.7.13.4  
Delete these subsections.
- (23) Subsection 1.7.15.1  
Add new subsection 1.7.15.1 after section 1.7.15  
Work subject to a stop work order by the AHJ shall immediately stop. The AHJ may rescind a stop work order after the situation has been corrected and inspected by the AHJ or an inspection by the Department of Inspections, Licenses and Permits deems the building is safe.
- (24) Subsection 1.7.15.2  
Add new subsection 1.7.15.2 after subsection 1.7.15.1 as follows:  
In addition to any other enforcement action, a person failing to obey an order to stop work, abate a condition, cease a use, or immediately evacuate a building, structure, site, or area is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this section with civil penalties pursuant to Title 24, "Civil Penalties," of the Howard County Code. A violation of this subsection is a class A offense. Each day that a violation continues is a separate offense.
- (25) Subsection 1.7.16.4  
Add new subsection 1.7.16.4 after subsection 1.7.16.3 as follows:  
The AHJ may order the evacuation of a building or structure if the fire detection or suppression system is not in working order, the building or structure is overcrowded, or there is a violation of this code that creates a hazardous condition, emergency, or imminent danger.
- (26) Subsection 1.7.17.4  
Add new subsection 1.7.17.4 after subsection 1.7.17.3 as follows:  
Individuals designated as standby fire personnel (fire watch) must:
- (1) Have a functional knowledge of the building layout and the building's systems;
  - (2) Be able to operate valves, climb stairs, dial phones, and speak calmly and clearly in a stressful situation;



- (3) Manage people in an emergency; and
  - (4) Have the knowledge and ability to operate a fire extinguisher.
- (27) Subsection 1.7.17.4.1  
Add new subsection 1.7.17.4.1 after subsection 1.7.17.4 as follows:  
Standby fire personnel shall walk the entire building at least one time each hour in order to check for smoke or fire and to ensure that all means of egress are accessible and unobstructed.
- (28) Subsection 1.7.17.4.2  
Add new subsection 1.7.17.4.2 after subsection 1.7.17.4.1 as follows:  
Standby fire personnel may also be required to operate a fire extinguisher. However, the primary responsibility of standby fire personnel is the evacuation and safety of the building's occupants.
- (29) Subsection 1.7.17.4.3  
Add new subsection 1.7.17.4.3 after subsection 1.7.17.4.2 as follows:  
Standby fire personnel shall not have any other duties while they are serving as standby fire personnel.
- (30) Subsection 1.7.17.4.4  
Add new subsection 1.7.17.4.4 after subsection 1.7.17.4.3 as follows:  
The standby fire personnel shall have the ability to communicate with the Howard County Police Department, Division Of Communications (911 Center).
- (31) Subsection 1.7.17.4.5  
Add new subsection 1.7.17.4.5 after subsection 1.7.17.4.4 as follows:  
Standby fire personnel shall maintain a log every hour and shall note the area checked, the time it was checked and by whom. The log shall be maintained on the premises.
- (32) Subsection 1.7.17.4.6  
Add new subsection 1.7.17.4.6 after subsection 1.7.17.4.5 as follows:  
The property owner shall designate the lesser of either (1) one person per 100,000 sq. ft of building space; or (2) one person for every five (5) floors. The AHJ may require additional standby fire personnel. When multiple personnel are required, they shall have the ability to communicate with each other.

(33) Subsection 1.7.17.4.7

Add new subsection 1.7.17.4.7 after subsection 1.7.17.4.6 as follows:

In the event of an emergency, the standby fire personnel shall:

- (1) Evacuate the occupants;
- (2) Call 911 and report the emergency and provide an exact building address and location of smoke or fire;
- (3) Notify other standby fire personnel;
- (4) Activate the impaired fire alarm and/or sprinkler system if possible; and
- (5) Direct responding fire personnel to the smoke/fire area.

(34) Subsection 1.7.17 .5

Add new subsection 1.7.17.5 after subsection 1.7.17.4 as follows:

A person failing to provide approved standby fire personnel (fire watch) or failing to carry out the duties of standby fire personnel is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this section with civil penalties pursuant to Title 24, "civil penalties," of the Howard County Code. A violation of this section is a class A offense. Each day that a violation continues is a separate offense.

(35) Subsection 1.8.1.1

Add new subsection 1.8.1.1 after subsection 1.8.1 as follows:

The incident commander has additional powers set forth in section 17.105 of the Howard County Code.

(36) Section 1.9.3

Delete this section and substitute the following:

Any suit brought against the AHJ or any other individual who the AHJ has delegated the authority to enforce this Code because of an act or omission performed in the enforcement of this Code or other pertinent law implemented through the enforcement of this code or enforced by the AHJ shall be defended by Howard County in accordance with Maryland law and the Howard County Code.

(37) Section 1.10

Delete this section in its entirety.

- (38) Section 1.11.1  
At the end of this section add “and the Maryland Public Information Act.”
- (39) Section 1.11.2  
At the end of this section add “in accordance with the Howard County Records Retention Policy.”
- (40) Section 1.11.3  
Delete this section in its entirety.
- (41) Subsection 1.12.1.1  
Add subsection 1.12.1.1 after subsection 1.12.1 as follows:  
The AHJ may adopt regulations governing the issuance of any permit, certificate, or approval required by law. A permit required by a state or other County agency shall be obtained and a permit required by the Howard County Department of Inspections, Licenses and Permits shall be obtained for the construction, renovation, or alteration of any building, structure, area, or fire protection equipment.
- (42) Subsection 1.12.6.13  
In the first line, delete “permits shall” and substitute “permits may”.
- (43) Section 1.12.8  
Delete this section and substitute the following:  
A permit for a hazardous material is required in accordance with Table 1.12.8(a) through Table 1.12.8(d), and for a hazardous material identified in Subsection 60.1.1.1 of this Code.
- (44) Section 1.13.2  
In the section title, delete “mandatory”. In the first sentence, delete “shall” and substitute “may”.
- (45) Subsection 1.13.12.4  
Delete this section.
- (46) Section 1.14.1  
Delete this section and substitute the following:  
When requested by the Department of Inspections, Licenses and Permits, the AHJ shall assist in the review of new construction, modifications, alterations, and the installation of equipment.

(47) Section 1.14.2 through Section 1.14.5

Delete these sections.

(48) Subsection 1.15.1.1

Add new subsection 1.15.1.1 after subsection 1.15.1 as follows:

Incidents that may require a third party review include but are not limited to:

- (1) A person requests an equivalent method, alternative, or modification to a code requirement; or
- (2) There is insufficient evidence of compliance with the code on technical matters, uses, operations, or equipment.

(49) Section 1.16.1

Delete this section and substitute the following:

Nothing in this section shall prevent enforcement of this Code using any other means provided by law, including equitable and criminal enforcement. Except in the case of a class A offense and as set forth in subsection 1.16.2.1 of this Code, if the AHJ determines that a violation of this Code exists, the AHJ shall issue a written notice of violation. Any violation that has not been abated within the time specified by the AHJ shall be a class A violation for failure to abate, pursuant to subsection 17.104(c)(25) of this section.

(50) Subsection 1.16.1.1

Add new subsection 1.16.1.1 after subsection 1.16.1 as follows:

The fire official may issue a citation authorized by Title 24 of the Howard County Code without issuing a notice of violation first for any class A offense. Without limitation, a violation of any of the following provisions of this Code is a Class A offense:

- (1) Section 1.7.7, Inspections;
- (2) Section 1.7.9, Interference with enforcement;
- (3) Section 1.7.10, Impersonation;
- (4) Section 1.7.11, Investigation;
- (5) Section 1.7.15, Stop work order;
- (6) Section 1.7.16, Imminent dangers and evacuation;
- (7) Section 1.7.17, Standby and Fire Watch personnel;
- (8) Section 4.4.3, Means of egress;

- (9) Section 10.2.8, Reckless Endangerment;
  - (10) Sections 13.1.2, 13.1.6.1, 13.1.8, 13.1.9, and 13.1.14 Regarding fire protection systems;
  - (11) Section 14.4, Means of egress reliability;
  - (12) Section 20.1.5.8.3, Regarding exceeding occupancy limits;
  - (13) Section 60.1, Hazmat permitting; or
  - (14) Chapter 65, Regarding explosives, fireworks, flame effects before audience and model rocketry.
- (51) Subsection 1.16.2.1
- Delete this section and substitute with the following:
- Where a notice of violation is required, it may be served in one of the following methods:
- (1) Personal service;
  - (2) Certified or registered mail, restricted delivery, return receipt requested;
  - (3) First class mail to the last known address of the alleged violator; or
  - (4) When service cannot be obtained by one of these methods, a copy of the notice of violation may be posted in a conspicuous place on the property.
- (52) Subsection 1.16.2.2
- Delete this subsection in its entirety
- (53) Subsection 1.16.4.3
- Delete this subsection
- (54) Section 1.16.6
- Add new section 1.16.6 after section 1.16.5 as follows:
- When there is any violation of this subtitle, this code, or any action taken under this code, the fire official may institute appropriate action to prevent, enjoin, abate, or remove the violation. Alternatively and in addition to and concurrent with all other remedies provided by law, the fire official may enforce this subtitle and this code by the use of civil penalties pursuant to Title 24, “civil penalties,” of the Howard County Code. A violation of this code is a class C offense except as otherwise specified in this code.
- (55) Subsection 1.16.6.1
- Add new subsection 1.16.6.1 after section 1.16.6 as follows:

If a person refuses or fails to comply with any provision of this subtitle, or to correct a violation within the time specified in the notice of violation, or an imminent danger exists, the Fire Official may petition the court for an order permitting entry upon the property to abate the violation at the owner's expense or to take custody of unlawful hazardous materials.

(56) Section 1.17

Delete this section and substitute the following:

Authority to adopt fees. The County Council may adopt by resolution a schedule of fees for services performed by the AHJ including, without limitation, issuing permits and performing inspections, and for other services performed pursuant to this code.

(57) Section 2.1

Delete this section and substitute the following:

General. The documents listed in this chapter are requirements of this code as if they were fully set forth in this code, except for the:

- (1) NFPA 5000, building construction and safety code 2018 edition;
- (2) NFPA 54, national fuel gas code, 2018 edition; and
- (3) NFPA 70, national electric code, 2017 edition.

(58) Section 2.1.1

Add new section 2.1.1 after section 2.1 as follows:

Except for specific text extracted from NFPA 1, a reference in this code to "NFPA 5000, Building Construction And Safety Code 2018 Edition" means the Howard County Building Code adopted in Title 3, Subtitle 1 of the Howard County Code.

(59) Subsections 2.1.1.1 and 2.1.1.2

Amend each section to add "Where permitted by the AHJ," to the beginning.

(60) Section 2.1.2

Add new section 2.1.2 after section 2.1.1 as follows:

Except for specific text extracted from NFPA 1, a reference in this code to "NFPA 54, national fuel gas code, 2018 -edition" means the Howard County Plumbing and Gasfitting Code adopted in Title 3, Subtitle 3 of the Howard County Code.

- (61) Section 2.1.3  
Add new section 2.1.3 after section 2.1.2 as follows:  
Except for specific text extracted from NFPA 1, a reference in this code to “NFPA 70, National Electrical Code, 2017 edition” means the Howard County Electrical Code adopted in title 3, subtitle 2 of the Howard County Code.
- (62) Section 2.2  
Delete the referenced publication NFPA 150 Standard on Fire and Life Safety in Animal Housing Facilities, 2016 edition.
- (63) Section 3.2.2  
Delete this section and substitute the following:  
Authority having jurisdiction (AHJ). For the purposes of this code the authority having jurisdiction is the Howard County Department of Fire and Rescue Services.
- (64) Subsection 3.2.8.1  
Add new subsection 3.2.8.1 after section 3.2.8. As follows:  
May. May is permissive and discretionary. When this code states “the AHJ may require” indicates a requirement, provision, or practice that can be mandated by the AHJ depending upon the situation or circumstances.
- (65) Section 3.3.2  
At the end of this section, add the following:  
The AHJ shall specify the type of box or device.
- (66) Subsection 3.3.14.10.1  
Add subsection 3.3.14.10.1 after subsection 3.3.14.10  
Consumer fireworks retail sales area. The portion of a consumer fireworks retail sales facility or store, including the immediately adjacent aisles, where consumer fireworks are located for the purpose or retail display and sale to the public.
- (67) Section 3.3.19a  
Add new section 3.3.19 a after section 3.3.19 as follows:  
Barbecue grill. Equipment used for outdoor cooking that uses electricity, charcoal, liquid propane gas, natural gas, or other fuel for its heat source.
- (68) Section 3.3.34a  
Add new section 3.3.34a after section 3.3.34 as follows:

Bulkhead door. A type of door assembly covering an opening in the ground that provides direct access to a basement, the floor of which is not more than 8 feet below ground level. The door consists of either a single rigid leaf or two overlapping rigid leaves, or covers that need to be pushed or lifted upward in order to be opened. After opening the door, a person can walk up a series of steps to escape to the outside. A bulkhead door is also called a hurricane door

(69) Subsection 3.3.54.2

Delete “2.2” and substitute “2.1.3”.

(70) Subsection 3.3.54.3

Delete this subsection and substitute the following:

A reference in this code to the “mechanical code” means the International Mechanical Code adopted pursuant to title 3, subtitle 1 of the Howard County Code.

(71) Subsection 3.3.54.4

Delete “2.2” and substitute “2.1.2”.

(72) Section 3.3.121

At the end of this section add “A use-in-common driveway, access place road, or fire department apparatus access road serving more than one single family dwelling may be considered a fire department access road or fire lane.”

(73) Section 3.3.126

delete this section and substitute the following:

Fire lane. A fire department access road, curb, or roadway that is designated by the AHJ as required for access by emergency vehicles and that is marked with approved signs or other notices in accordance with this code.

(74) Section 3.3.130

Amend this section to add “, or that meets the definition in § 10-101 of the Public Safety Article of the Annotated Code of Maryland”.

(75) Subsection 3.3.130.1

Amend this subsection to add “or as determined by the AHJ.”

(76) Section 3.3.159

Delete this section and substitute the following:



Imminent danger. A condition or practice in an occupancy, structure, site, or area that poses a danger that could reasonably be expected to cause death, physical injury, or damage to property.

(77) Section 3.3.169a

Add new section 3.3.169a after section 3.3.169 as follows:

Lock-up. Except in a detention or correctional occupancy, an area where occupants are restrained and mostly incapable of self-preservation because of security measures that are not under the occupant's control.

(78) Subsection 3.3.192.6

Delete this subsection.

(79) Subsection 3.3.192.7

Delete "four or more".

(80) Subsection 3.3.192.7a

Add new subsection 3.3.192.7a after subsection 3.3.192.7 as follows:

Family day-care home. A day-care home, generally within a dwelling unit, in which 8 or fewer clients receive care, maintenance, and supervision by an individual other than a relative or legal guardian for less than 24 hours per day.

(81) Subsection 3.3.192.7b

Add new subsection 3.3.192.7b after subsection 3.3.192.7a as follows:

Group day-care home. A day-care home, generally within a dwelling unit, in which not less than 9, but not more than 12, clients receive care, maintenance, and supervision by an individual other than a relative or legal guardian for less than 24 hours per day.

(82) Subsection 3.3.192.7c

Add new subsection 3.3.192.7c after subsection 3.3.192.7b as follows:

Day care center. A day care occupancy in which more than 12 clients receive care, maintenance, and supervision by an individual other than a relative or legal guardian, for less than 24 hours per day.

(83) Subsection 3.3.192.17

Delete this subsection and substitute the following:

Lodging or rooming house. A building or portion of a building that:

- (1) Does not qualify as a one- or two-family dwelling;

- (2) Provides sleeping accommodations for 6 or more people but not more than 16 people on a transient or permanent basis;
  - (3) Does not provide personal care services;
  - (4) May or may not provide meals; and
  - (5) Does not have separate cooking facilities for individual occupants.
- (84) Subsection 3.3.192.25  
Amend this subsection to delete “three” and substitute “five” and delete “, if any, accommodated in rented rooms”.
- (85) Subsection 3.3.192.28  
Delete this subsection and substitute the following:  
Residential board and care occupancy. A building or portion of a building that is used for lodging and boarding of six or more residents, not related by blood or marriage to the owner or operator, for the purpose of providing personal care services.
- (86) Section 3.3.208a  
Add new section 3.3.208a after section 3.3.208 as follows:  
Person:
- (1) An individual, corporation, firm, partnership, association, organization, or any other group acting as a unit; or
  - (2) An executor, administrator, trustee, receiver, or other representative appointed according to law.
- (87) Section 3.3.226  
Delete this section and substitute the following:  
Recreational fire. The outside open burning of any material for pleasure, religious, ceremonial, cooking, or similar purposes that is subject to the rules and regulations set forth by the AHJ.
- (88) Subsection 4.4.3.1.4  
Add new subsection 4.4.3.1.4 after subsection 4.4.3.1.3 as follows:  
Visual obscuration systems associated with security or burglar alarm systems are not permitted.
- (89) Subsection 4.5.8.1  
Amend this section to delete “for compliance with the provisions of this Code”.

- (90) Subsection 4.5.8.3  
Amend this section to delete “by the Code”.
- (91) Subsection 6.1.8.1.1  
Amend this section to delete “three” and substitute “five” and to delete “, if any accommodated in rented rooms”.
- (92) Section 10.1.2  
Amend this section to add “except as amended by Title 17, Subtitle 1, Section 17.104 of the Howard County Code”
- (93) Subsection 10.1.2.1  
Add new subsection 10.1.2.1 after subsection 10.1.2 as follows:  
When provisions of the Life Safety Code (NFPA 101) conflict with this code, the more restrictive requirements shall apply.
- (94) Section 10.2.7  
Delete this subsection as well as Table 10.2.7.1
- (95) Section 10.2.8  
Add new section 10.2.8 after section 10.2.7 as follows:  
Reckless endangerment. Any person who recklessly engages in conduct, in violation of any provision of this code, that creates a substantial risk of death or serious physical injury is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, or in addition to and concurrent with all remedies provided by law or equity, the fire official may enforce this section with civil penalties pursuant to Title 24 of the Howard County Code. A violation of either section is a class A offense. Each day that a violation continues is a separate offense.
- (96) Section 10.4.1  
Delete section 10.4.1 and substitute the following:  
Whenever a fire or emergency occurs in a building or there is a reason to believe a fire or emergency exists in a building, the building shall be immediately evacuated and may not be reoccupied without permission of the fire official in charge. If the building is provided with a manual fire warning system, a person who has knowledge of the fire or emergency shall activate the manual fire warning system. Complete evacuation is not required when alternative procedures

have been detailed in a fire plan, including a plan to shelter in place that has been approved by the AHJ.

(97) Section 10.9.5

Add new section 10.9.5 after section 10.9.4 as follows:

In addition to the requirements set forth in this section and requirements for specific occupancies as set forth in this code, the requirements of Title 12, Subtitle 6 of the Howard County Code shall apply.

(98) Section 10.10.1

Delete this section and substitute the following:

Except for cooking and recreational fires that meet the requirements of section 12.108 of the Howard County Code, open fires are prohibited.

(99) Subsection 10.10.1.1

Delete this subsection and substitute the following:

Unless open flame devices or candles meet the following requirements, a person shall not use or allow to be used, open flames or burning candles in connection with any public meeting or gathering for the purpose of deliberation, entertainment, amusement, instruction, education, recreation, display, or similar purpose in any occupancy open to the public, including assembly, business, educational, daycare and or mercantile occupancies. Candles or open flame devices not meeting the following requirements may be used in connection with a worship service in any place of worship if it is used in such a manner as not to create a hazardous condition, emergency, or imminent danger. For a candle or device to be approved by the AHJ, the candle or device shall meet the requirements set forth below and all referenced and applicable codes.

(1) Candles, disposable or refillable fuel cartridges, or other open-flame decorative lighting shall not use class I, II, or IIIA liquids or liquefied petroleum gases (lpg). Examples include, but are not limited to the following:

- (a) Class I: gasoline, alcohol, turpentine;
- (b) Class II: diesel fuel, kerosene;
- (c) Class IIIA: mineral oil, linseed oil, oil based paints; and
- (d) Liquefied petroleum gases: propane, butane, butylenes, propylene

- (2) Except for candles, liquid or solid fueled lighting devices shall have a self-extinguishing captive-free floating snuffing device and shall not leak fuel at a rate of more than 1/4 teaspoon per minute if tipped over.
  - (3) Devices or holders shall be constructed to prevent the spilling of liquid fuel or wax at the rate of more than 1/4 teaspoon per minute when the device or holder is not in an upright position.
  - (4) Except for units that self-extinguish and do not spill fuel or wax at the rate of more than 1/4 teaspoon per minute if tipped over, devices or holders shall be designed to return to the upright position after being tilted to an angle of 45 degrees.
  - (5) Except where openings on the sides are not more than 3/4 of an inch in diameter, flames of candles, disposable or refillable fuel cartridges, or other open-flame decorative lighting shall be enclosed. The opening on the top and the distance to the top shall be such that a single layer of tissue paper placed on the top will not ignite in 10 seconds and the fuel container shall have no means of adjusting the height of the flame.
  - (6) Except where an open flame device self-extinguishes if the device is tipped over, chimneys shall be made of non-combustible material and shall be securely attached to the open-flame device.
  - (7) Disposable or refillable liquid fuel cartridges shall not be under pressure and shall be safely sealed for storage. The fuel container shall be sealed so that it cannot be refilled on the premises and so that the burner assembly cannot be removed from the fuel container.
  - (8) Chimney shades, if used, shall be made of non-combustible materials and securely attached to the open-flame device holder or chimney. The base, device, or holder and any decoration around or near the base must be noncombustible. Devices must be located so as to avoid ignition of any combustibles.
- (100) Subsections 10.10.1.2, 10.10.1.3 and 10.10.1.4  
Delete these subsections.
- (101) Section 10.10.2  
Add “sky lanterns,” after “candles,”

(102) Subsection 10.10.4.5

Add new subsection 10.10.4.5 after subsection 10.10.4.4 as follows:

Fuel for the fire shall consist only of seasoned dry firewood and shall be ignited with something other than a flammable liquid such as a small quantity of paper.

(103) Subsection 10.10.4.6

Add new subsection 10.10.4.6 after subsection 10.10.4.5 as follows:

If severe winds are prevalent (greater than 10 MPH), the fire may not be ignited.

(104) Subsection 10.10.6.1

Delete this subsection and substitute the following:

Barbecue grills, hibachis, gas-fired grills, charcoal grills, chimineas, luminaries, firepits, lawn-care equipment, or any other fueled equipment used for cooking, heating, or any other purpose, shall not be stored, repaired, used or kindled on a balcony, under an overhanging portion of a building or structure, or within 15 feet of a building or structure. The AHJ may approve electric grills that do not use an alternative fuel. Chimineas, luminaries, fire pits, and similar devices that are part of the approved original construction shall be equipped with spark arrestors and the fire area shall not exceed 3 feet in diameter.

(105) Section 10.10.7

Delete this section and substitute:

Patio heaters with an open flame shall not be within 5 feet of an exit or opening or used in a structure or enclosed area. Patio heaters with an open flame shall be secured, maintained, and kept away from combustibles. The use of any patio heater with an open flame shall be in accordance with manufacturers recommendations. Propane fueled patio heaters shall also meet requirements in 69.3.13 of the NFPA 1.

(106) Subsection 10.11.1.1

Delete this section and substitute the following:

The owner of a structure shall display Arabic numbers designating the address assigned to the structure by the Howard County Department of Planning and Zoning.

- (1) Numbers shall be at least four inches high for single-family detached and attached residences and six inches high for commercial, industrial, and multi-family structures.
- (2) Numbers shall be posted on a contrasting background and displayed in a conspicuous place that is unobstructed and clearly visible from the street named in the official address of the structure.
- (3) In addition to the numbers required on a structure, where the structure has more than one address or where more than one structure share a common entry driveway, numbers shall designate the addresses in sequence on a sign posted at the entry or common driveway.
- (4) The AHJ may require address identification to be located on more than one side of the structure.
- (5) Address numbers at least 6 inches in height shall be installed on the rear access doors to all commercial establishments. Those doors which are located inside of a mall, office building or similar space with assigned suite numbers shall have their suite numbers posted with numerals or alphabet letters at least 2½ inches tall.
- (6) Where no address has been assigned by the Howard County Department of Planning and Zoning, a premises identification means approved by the AHJ shall be used for identification purposes.

(107) Subsection 10.11.1.4

Delete this subsection and substitute the following:

Where required by the AHJ, the assignment of addresses to buildings shall be in accordance with an approved method.

(108) Subsection 10.11.1.5

Delete this subsection.

(109) Subsection 10.11.1.7

Delete this subsection

(110) Subsection 10.11.3.1

Delete this subsection and substitute the following:

Stairs serving three or more stories shall comply with 10.11.3.1.1 through 10.11.3.1.16.

- (111) Subsection 10.11.3.1.2  
Amend this subsection to add “and stair designation” at the end.
- (112) Subsection 10.12.2.1  
Delete this subsection in its entirety.
- (113) Section 10.12.4  
Add new section 10.12.4 after section 10.12.3 as follows:  
A building or structure is a fire hazard if the building or structure or any portion of the building or structure is vacant and unsecured.
- (114) Section 10.12.5  
Add new section 10.12.5 after section 10.12.4 as follows:  
The AHJ may require all utilities to be disconnected in a vacant building or structure.
- (115) Section 10.12.6  
Add new section 10.12.6 after section 10.12.5 as follows:  
The AHJ may require the vacant or abandoned structure to be marked with symbols provided by the AHJ at the structure’s front door that shall indicate one of the following:
- (1) Vacant – Normal stability at time of marking;
  - (2) Vacant – Interior hazards exists to such a degree that interior operations may be conducted only after examination, and with extreme caution; or
  - (3) Vacant- Every effort must be made to conduct operations from the exterior. When absolutely necessary to enter the building, adhere to the following:
    - (a) Approval by the Officer in command is required;
    - (b) Examination must be conducted before unit is committed;
    - (c) Operating force and interior operational time to be kept to a minimum.
- (116) Subsection 10.13.1.1  
Amend this subsection to:
- (1) Insert “Unless otherwise approved by the AHJ,” at the beginning; and
  - (2) Add the following at the end: “and in accordance with the guidelines of the office of the Maryland State Fire Marshal”.



- (117) Subsection 10.13.1.2  
Add new subsection 10.13.1.2 after subsection 10.13.1 as follows:  
The AHJ shall be permitted to: approve the placement of a natural cut or balled tree; limit the number of natural cut or balled trees displayed; and order the removal of any tree if the tree possesses a hazard to life or safety.
- (118) Subsection 10.13.3.1  
Delete “by the manufacturer” with “by a testing laboratory recognized by the office of the state fire marshal or the AHJ”.
- (119) Subsection 10.13.9.1  
Amend this section to delete “1/2 in. (13 mm)” and substitute “2 in. (50 mm)” and add the following sentence: “A natural cut tree shall not exceed 10 ft. (3 m) in height, excluding the tree stand.”
- (120) Subsection 10.13.10.1  
Insert the following at the end of this subsection:  
In accordance with section 17.106 of the Howard County Code.
- (121) Subsection 10.14.11.2.6  
Amend this section to delete “any vehicles” and substitute “any vehicles, buildings,”.
- (122) Section 10.15.1  
Delete this section and substitute the following:  
Outside storage of combustible or flammable material shall not be located within 15 feet of a property line, building, structure, or anything determined as at risk by the AHJ. The volume of material shall not exceed 2,500 cubic feet.
- (123) Subsection 10.15.1.1  
Add new subsection 10.15.1.1 after section 10.15.1 as follows:  
The AHJ may require the area of outside storage be enclosed by a security fence at least six feet in height.
- (124) Subsection 10.15.1.2  
Add new subsection 10.15.1.2 after subsection 10.15.1.1 as follows:  
Outside storage of flammable material which exceeds 2,500 cubic feet in volume shall meet the requirements in this code for the storage of the specific material.

(125) Section 10.15.2

Delete this section.

(126) Section 10.15.3

Add the following at the end of this section:

The separation distance may be increased where the AHJ determines that a hazard to the adjoining property exists.

(127) Section 10.18.1

Delete this section and substitute the following:

Combustible materials shall be stored in the following manner:

- (1) Orderly;
- (2) 36 inches or more from heat producing equipment or in accordance with the manufacturer's recommendation;
- (3) Shall not be within 5 feet of an opening to the building;
- (4) When stored under a window, the window must contain approved fire glass;
- (5) Shall be stored in piles or stacks smaller than a cord of wood – 4 feet by 4 feet by 8 feet; and
- (6) Shall not obstruct the exit and/or the exit discharge.

(128) Section 10.18.7

After "repaired" insert "under any overhanging portion, or"

(129) Subsection 11.1.1.1

Add new subsection 11.1.1.1 after section 11.1.1 as follows:

An electrical appliance, fixture, or consumer product shall not be sold or used unless it is clearly labeled, marked, or stamped with the symbol of an electrical testing laboratory that is certified by the Maryland Office of the State Fire Marshal.

(130) Subsection 11.1.1.2

Add new subsection 11.1.1.2 after subsection 11.1.1.1 as follows:

A minimum clear space of 36 inches in width, 36 inches in depth, and 78 inches in height shall be maintained in front of all electrical service equipment. The clear space shall be maintained on all sides of the equipment if access to these areas is required. Where the electrical service equipment is wider than 36 inches,

the working space shall not be less than the width of the equipment. Nothing shall be stored within designated working spaces except as follows:

- (1) Where other dimensions are required or permitted by NFPA 70.
- (2) Access openings in attics or under-floor areas which provide a minimum clear opening of 22 in by 30 in.

(131) Subsection 11.1.7.3.1.1

Add new subsection 11.1.7.3.1.1 after subsection 11.1.7.3.1 as follows:

Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating “electrical room” or similar approved wording in contrasting letters not less than 1 in. (25 mm) high and not less than ¼ in. (6.4 mm) in stroke width. The disconnecting means for each service, feeder, or branch circuit originating on a switchboard or panel board shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.

(132) Section 11.2.3

Add new subsection 11.2.3 after subsection 11.2.2 as follows:

All push button type HVAC shutoffs shall be blue in color and shall include signage to indicate the type of shutoff.

(133) Subsection 11.3.6.1.1

Add new subsection 11.3.6.1.1 after section 11.3.6.1 as follows:

Keys for new elevators shall be cut to a uniform key code to comply with the Maryland State Elevator Code.

(134) Subsection 11.3.6.3.1

Amend this subsection to add “or as determined by the AHJ” to the end.

(135) Subsection 11.3.6.3.1.3

Amend this subsection to add “or as determined by the AHJ” to the end.

(136) Subsection 11.3.6.3.1.5

Amend this subsection to delete the first “shall” and substitute “may”.

(137) Subsection 11.5.2.4

Add new subsection 11.5.2.4 after subsection 11.5.2.3 as follows:

Kerosene heaters are prohibited in the following occupancies: educational, daycare, hotels and motels, places of assembly, health care, board and care, rooming and lodging, multi-family residential, and other occupancies or situations

where the use or operation of kerosene heaters could create an emergency or imminent danger.

(138) Section 11.9.1

delete “approved by the Fire Department” and substitute “approved by the AHJ”.

(139) Section 12.1

At the end of this section, insert “This Code requires that the building construction, fire protection, and life safety features be maintained by the owner to function as intended”.

(140) Subsection 12.3.3.1.1

Add new subsection 12.3.3.1.1 after subsection 12.3.3.1 as follows:

Missing ceiling tiles shall be replaced. Penetrations or openings in ceiling, wall, and floor assemblies shall be sealed to eliminate the possible spread of smoke or fire.

(141) Section 13.1.2

Before “testing” insert “installation,”.

(142) Section 13.1.3

Amend this section to delete “in Chapters 11 through 43” and substitute “by the AHJ and Chapters 11 through 43”.

(143) Subsection 13.1.4.1

Add new subsection 13.1.4.1 after subsection 13.1.4 as follows:

Unless otherwise approved by the AHJ, a fire department connection for fire protection systems shall be:

- (1) Located on the side of the structure displaying the address or approved by the AHJ;
- (2) Marked in the manner required by this Code; and
- (3) Located within 100 feet of a fire hydrant.

(144) Section 13.1.5

Delete this section and substitute the following:

Except for fire hydrants in a public right-of-way, a minimum clear space of 15 feet in diameter (7.5 feet on all sides) shall be maintained outside of a building or structure to permit access to and operation of fire protection equipment, fire department inlet connections, or fire protection system control valves. A

minimum clear space of 3 feet shall be maintained on interior valves and equipment. An obstruction or condition that deters or hinders access by the AHJ is prohibited.

(145) Subsection 13.1.6.1

Add new subsection 13.1.6.1 after subsection 13.1.6 as follows:

Each licensed company working on fire safety equipment shall forward to the AHJ, on the prescribed form or system, a separate certificate of inspection, along with the appropriate fees, for each fire suppression system that the licensed company may inspect, test or maintain. This certificate of inspection shall be submitted within 48 hours when critical deficiencies or impairments are found, or within seven (7) calendar days for all other inspection classifications. The certificate shall verify that the AHJ standards and specifications regarding the inspection, testing or maintenance have been met and any deficiencies noted at the time of the annual inspection, testing or maintenance shall be noted, with any corrective action taken.

(146) Section 13.1.14

Add new section 13.1.14 after section 13.1.13 as follows:

Except for a person performing installation, maintenance, and repair, a person shall not tamper with or render inoperable any fire protection or life safety system.

(147) Section 13.1.15

Add new subsection 13.1.15 after section 13.1.14 as follows:

appearance of equipment. the AHJ shall be permitted to prohibit any device that has the physical appearance of a life safety or fire protection function but does not perform that life safety or fire protection function.

(148) Section 13.1.16

Add new subsection 13.1.16 after section 13.1.15 as follows:

Unless otherwise approved by the AHJ, the following provisions shall apply to a fire department connection for fire protection systems:

- (1) A fire department connection for fire protection systems shall be located:
  - (a) On the side of the structure displaying the address clearly visible to responding fire department units;

- (b) Within 100 feet of a fire hydrant.
- (2) The appropriate sign shall be mounted on the building's wall between 8 and 12 feet above the fire department connection.
- (3) A free-standing fire department connection shall have the sign mounted on a pole directly behind the connection approximately 6 feet high.
- (4) If required by the AHJ, signs shall have a white reflective background with a red reflective border, red reflective letters and a red reflective arrow. The border shall have a 3/8" stroke. The letters shall be 6" high with a 1" stroke. The arrow shall have a stroke not less than 2". The overall sign measurements shall be 12" by 18".
- (5) Any obstruction or condition that deters or hinders access to a fire department connection is prohibited. A minimum clear space of 15 feet (7.5 feet on all sides) shall be maintained.

(149) Section 13.1.17

Add new Section 13.1.17 after section 13.1.16 as follows:

A violation of either section 13.1.2, 13.1.6.1, 13.1.8, 13.1.9, or 13.1.14 is a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, or in addition to and concurrent with all remedies provided by law or equity, the fire official may enforce this section with civil penalties pursuant to title 24 of the Howard County Code. A violation of either section is a class A offense. Each day that a violation continues is a separate offense.

(150) Subsection 13.2.2.1

Delete this subsection and substitute the following:

Where required by this Code, the Building Code, or the referenced codes and standards listed in chapter 2, standpipe systems shall be installed in accordance with section 13.2.1.

(151) Subsection 13.2.2.2

Add the following at the end of this subsection:

- (6) In an automobile parking garage where the AHJ determines there is inadequate fire service access.

(152) Subsection 13.2.3.1

Add the following at the end of this subsection:

standpipes do not have to be equipped with hose and nozzle for fire department use. However, if provided, the hose and nozzle shall be tested and maintained.

(153) Subsection 13.3.1.2

Add the following at the end of this subsection:

Exception: for new ceiling installations, drop-out ceilings as referenced in NFPA 13, subsection 8.15.15, are prohibited.

(154) Subsection 13.3.1.2.1

Add new subsection 13.3.1.2.1 after subsection 13.3.1.2 as follows:

The AHJ may require doors to sprinkler control rooms be marked in an approved manner.

(155) Subsection 13.3.2.2

Delete this subsection and substitute the following:

In a new nonresidential building, a basement that is 2,500 square feet or more shall be protected throughout by an approved automatic sprinkler system. In an existing nonresidential building, a basement exceeding 2,500 square feet shall contain an automatic sprinkler system when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation that an imminent danger exists.

(156) Subsection 13.3.2.7.2

Delete “more than 300” and substitute “100 or more”.

(157) Subsection 13.3.2.7.3

Delete this subsection and substitute the following:

The requirements of 13.3.2.7.2 shall not apply to the following:

- (1) An assembly occupancy that is less than 5,000 square feet in area and that has an occupant load of less than 100 persons;
- (2) A gymnasium, skating rink, or swimming pool that is less than 5,000 square feet in area and that is used exclusively for participant sports with audience facilities for less than 100 persons;
- (3) In an enclosed stadium or arena that is less than 5,000 square feet and that has an occupant load of less than 100 persons; or

- (4) In an unenclosed stadium or arena:
  - (a) In press boxes containing less than 1,000 square feet in area;
  - (b) In storage facilities containing less than 1,000 square feet in area if the area is enclosed with more than 1-hour fire resistance rated construction; or
  - (c) In enclosed areas underneath a grandstand if the area is enclosed with more than 1-hour fire resistance rated construction.
  
- (158) Subsections 13.3.2.7.5.2 and 13.3.2.7.5.3  
Delete these subsections.
  
- (159) Subsection 13.3.2.8.1  
Delete this subsection and substitute the following:  
Where the occupant load exceeds 100, the AHJ may require the occupancy protected throughout by an approved supervised automatic sprinkler system in accordance with NFPA 13.
  
- (160) Subsection 13.3.2.8.2  
Delete “15,000” and substitute “5,000”.
  
- (161) Subsection 13.3.2.8.5.4  
Add subsection 13.3.2.8.5.4 after section 13.3.2.8.5.3 as follows:  
The AHJ may require sprinklers for existing stages and under existing stages when the AHJ determines, based on a life safety evaluation, that an imminent danger exists.
  
- (162) Subsection 13.3.2.9 through 13.3.2.18.7  
Delete these subsections and substitute the following:  
Subsection 13.3.2.9. A new educational occupancy, health care facility, detention or correctional facility, hotel, dormitory, or apartment building shall meet the requirements of the building code. The AHJ may require installation of an approved automatic sprinkler system in an existing educational occupancy, health care occupancy, detention or correction facility, hotel, dormitory, or apartment building when:
  - (1) A life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an emergency, or imminent danger exists; or
  - (2) Required by NFPA 101, Life Safety Code.



(163) Subsection 13.3.2.19.1

Delete this subsection and substitute the following:

Except as provided in subsection 13.3.2.19.2, a new lodging or rooming house serving six or more residents shall be protected throughout by an approved automatic sprinkler system. An automatic sprinkler system may be required in an existing lodging or rooming house serving 6 or more residents when:

- (1) A life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an emergency, or imminent danger exists; or
- (2) Required by NFPA 101, Life Safety Code.

(164) Subsection 13.3.2.19.2

Delete this subsection and substitute the following:

In a building containing less than 5,000 square feet in gross floor area and designed for fewer than 6 residents, an automatic sprinkler system is not required where every sleeping room has a door opening directly:

- (1) to the outside of the building at street or ground level; or
- (2) to the outside leading to an exterior stairway.

(165) Subsection 13.3.2.20.1

Add at the end “in accordance with the Howard County Building Code.”

(166) Subsection 13.3.2.21.1.1

Delete this subsection and substitute the following:

A building with an occupant load of 6 or more residents shall be protected throughout by an approved automatic sprinkler system.

(167) Subsection 13.3.2.21.2.2

Delete this subsection and substitute the following:

In a conversion, an automatic sprinkler system shall not be required in a board and care home that serves 5 or fewer residents when all occupants have the ability to move as a group to a point of safety within 3 minutes.

(168) Subsection 13.3.2.22.1.1

Add the following at the end.

An automatic sprinkler system may be required in an existing facility when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an imminent danger exists.

- (169) Subsection 13.3.2.23.1(2)  
Delete this subsection and substitute the following:  
Throughout a new mercantile occupancy exceeding 5,000 square feet in gross area
- (170) Subsection 13.3.2.23.1  
Add new paragraph (5) as follows:  
(5) An automatic sprinkler system may be required in an existing mercantile occupancy when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation that an imminent danger exists.
- (171) Subsection 13.3.2.24.1  
Add new paragraph (5) at the end as follows:  
(5) The gross floor area is more than 5,000 square feet and has an occupant load of 50 or more persons.
- (172) Subsection 13.3.2.25.1  
Add new subsection 13.3.2.25.1 after subsection 13.3.2.25 as follows:  
An automatic sprinkler system may be required in an existing underground or windowless structure when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an imminent danger exists.
- (173) Subsection 13.3.2.27  
Delete the title and substitute “new and existing storage occupancies”.
- (174) Subsection 13.3.2.27.2  
Delete this subsection and substitute the following:  
General storage. An automatic sprinkler system shall be installed throughout all new storage occupancies with a gross floor area greater than 5,000 square feet.
- (175) Subsection 13.3.2.27.2.1  
Add new subsection 13.3.2.27.2.1 after subsection 13.3.2.27.2 as follows:  
An automatic sprinkler system may be required in an existing storage occupancy when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an imminent danger exists.
- (176) Subsection 13.3.2.27.5  
Delete “20,000” and substitute “2,500”.

- (177) Subsection 13.3.2.29.1  
Add new subsection 13.3.2.29.1. After subsection 13.3.2.29 as follows:  
New and existing day care homes with 12 or fewer clients are not required to be protected by an automatic sprinkler system unless specifically mandated by the AHJ.
- (178) Subsection 13.3.2.29.2  
Add new subsection 13.3.2.29.2 after subsection 13.3.2.29.1 as follows:  
A new day care occupancy with more than 12 clients shall be protected throughout by an approved automatic sprinkler system, regardless of whether there are protected openings.
- (179) Subsection 13.3.2.29.3  
Add new subsection 13.3.2.29.3 after subsection 13.3.2.29.2 as follows:  
An automatic sprinkler system may be required in any existing day care occupancy serving more than 12 clients when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an imminent danger exists.
- (180) Subsections 13.3.3.1 and 13.3.3.2  
Amend this section to delete “installed in accordance with this Code”
- (181) Subsection 13.3.3.3.1  
Add new subsection 13.3.3.3.1 after subsection 13.3.3.3 as follows:  
For new ceiling installations, drop-out ceilings as referenced in NFPA 13, subsection 8.15.15, are prohibited.
- (182) Subsection 13.4.1.1.1  
Add new subsection 13.4.1.1.1 after subsection 13.4.1.1 as follows:  
Unless approved by the AHJ, fire pump components, including pumps, drivers, or controllers, shall not be installed in below-ground vaults or pits.
- (183) Subsection 13.6.1.1  
Delete this subsection and substitute the following:  
Unless the AHJ approves alternative feature or requirement that provides the same level of protection or fire safety as this code, the installation, maintenance, selection, and distribution of a portable fire extinguisher shall be in accordance

with NFPA 10, standard for portable fire extinguishers, section 13.6 and the Public Safety Article of the Annotated Code of Maryland.

(184) Subsection 13.6.1.2

Add the following to the end: “unless otherwise permitted by the AHJ”.

(185) Subsection 13.6.4.1.2.1

Amend this subsection to delete “certified” and substitute “licensed as required by the AHJ”.

(186) Subsections 13.6.4.1.2.1.1 through 13.6.4.1.2.1.6

Delete these subsections in their entirety.

(187) Subsection 13.6.4.1.2.3

Amend this subsection to delete “certified” and substitute “licensed”.

(188) Subsection 13.7.1.7.7.1

Add new subsection 13.7.1.7.7.1 after subsection 13.7.1.7.7 as follows:

The AHJ shall have the authority to approve any device installed to prevent false alarms that is added to a manual fire alarm box or pull station.

(189) Subsection 13.7.1.8.11

Add new subsection 13.7.1.8.11 after subsection 13.7.1.8.10 as follows:

A single station or multiple station smoke alarm shall meet the requirements set forth in the Public Safety Article Of The Annotated Code Of Maryland and the Building Code.

(190) Subsection 13.7.1.8.12

Add new subsection 13.7.1.8.12 after subsection 13.7.1.8.11 as follows:

Electrical installation: smoke alarms shall be installed and maintained in accordance with the electrical code and the most recently adopted edition of NFPA Standard 72.

(191) Subsection 13.7.1.8.13

Add new subsection 13.7.1.8.13 after subsection 13.7.1.8.12 as follows:

The owner or owner’s agent shall install all smoke alarms and shall annually inspect and maintain all smoke alarms in accordance with the manufacturer's warranty and suggested maintenance. The owner or owner’s agent shall maintain a record of the maintenance schedule. Upon notification by a tenant that a smoke alarm is missing or inoperative, the owner or owner’s agent shall repair or replace

the smoke alarm. Notification shall be given by certified mail and first-class mail. If the tenant personally notifies the owner or the owner's agent of a mechanical failure of a smoke alarm, the owner or owner's agent shall provide a written, dated receipt acknowledging the notification.

(192) Subsection 13.7.1.8.14

Add new subsection 13.7.1.8.14 after subsection 13.7.1.8.13 as follows:

Where a smoke alarm is required, a person shall not remove or render any smoke alarm inoperative.

(193) Subsection 13.7.1.8.15

Add new subsection 13.7.1.8.15 after subsection 13.7.1.8.14 as follows:

Except for smoke alarms in a hotel or motel, an owner or owner's agent may require a tenant to pay a refundable deposit for smoke alarms, not to exceed the value of the smoke alarm.

(194) Subsection 13.7.1.8.16

Add new subsection 13.7.1.8.16 after subsection 13.7.1.8.15 as follows:

A dwelling unit occupied by a person who is deaf or hearing impaired shall be equipped with a smoke alarm that, when activated, shall provide a signal that is approved by a nationally recognized testing laboratory for electrical appliances and is sufficient to warn a deaf or hearing-impaired person. An owner or their agent shall provide this type of smoke alarm upon the written request of the deaf or hearing impaired tenant.

(195) Subsection 13.7.1.8.17

Add new subsection 13.7.1.8.17 after subsection 13.7.1.8.16 as follows:

Any battery operated smoke alarm replaced is required to be a 10 year type detector with a sealed battery.

(196) Subsection 13.7.1.10.5

Add new subsection 13.7.1.10.5 after subsection 13.7.1.10.4 as follows:

Where the fire alarm system does not provide for emergency forces notification in accordance with subsection 13.7.1.4.11 , approved signs to provide instruction for emergency forces notification shall be provided and permanently affixed and maintained at each manual fire alarm box.

(197) Subsection 13.7.2.13.1.3

At the end of the subsection add the following:

Standards governing smoke alarms shall be in accordance with Title 9, Subtitle 1 of the Public Safety Article of the Annotated Code of Maryland.

(198) Subsection 13.7.2.14.5.3

Delete this subsection and substitute the following:

In lodging and rooming houses built prior to July 1, 1990, smoke alarms shall be hard wired to the building's power supply. In lodging and rooming houses built after July 1, 1990, smoke alarms shall have an integral battery backup power supply or an approved emergency power supply.

(199) Subsection 13.7.2.14.5.4

Add new subsection 13.7.2.14.5.4 after subsection 13.7.2.14.5.3 as follows:

Except in a building protected by an automatic sprinkler system, smoke alarms are required in an interior corridor serving rooms of lodging and rooming houses. These alarms shall be connected to the building fire alarm.

(200) Subsection 13.7.2.16.1

Add the following at the end of this subsection:

Single station smoke alarms shall be hard-wired directly to the building's power supply. Individual guestroom alarms shall not be connected to the building alarm system.

(201) Subsection 13.7.2.16.5.2

- (1) After "permitted" insert "in hotels and dormitories built prior to July 1, 1990"; and
- (2) At the end of this subsection add "In a hotel, motel, or dormitory built after July 1, 1990, smoke alarms shall have an integral battery backup power supply or an approved emergency power supply."

(202) Subsection 13.7.2.16.5.3

Add new subsection 13.7.2.16.5.3 after subsection 13.7.2.16.5.2 as follows:

Except in a building protected by an automatic sprinkler system, smoke alarms are required in an interior corridor serving a guestroom of a hotel, motel, or dormitory. These alarms shall be connected to the building alarm system.

(203) Subsection 13.7.2.16.5.4

Add new subsection 13.7.2.16.5.4 after subsection 13.7.2.16.5.3 as follows:

Single station smoke alarms shall be installed in each sleeping area of a hotel, motel, or dormitory. Single-station smoke detectors shall be hard-wired directly to the building's power supply. Smoke alarms shall be installed in every room through which a person must pass to get from the sleeping area to the door leading from the guestroom or suite. Individual guestroom alarms shall not be connected to the building's alarm system.

(204) Subsection 13.7.2.16.5.5

Add new subsection 13.7.2.16.5.5 after subsection 13.7.2.16.5.4 as follows:

A hotel or motel shall have available at least one smoke alarm for the deaf or hearing impaired for each 50 units (or portion thereof). The owner or owner's agent of the hotel or motel may require a refundable deposit, not to exceed the cost of the smoke alarm, for the use of a deaf or hearing impaired smoke alarm. The owner or owner's agent of a hotel or motel shall post, in a conspicuous place at the registration desk or counter, a permanent sign stating the availability of smoke alarms for the hearing impaired.

(205) Subsection 13.7.2.18.1.3

Add new subsection 13.7.2.18.1.3 after subsection 13.7.2.18.1.2 as follows:

A dwelling unit in a multifamily residential building shall meet the following requirements:

- (1) A unit built before January 1, 1989, shall have smoke alarms hard-wired to the building's power supply.
- (2) A unit built between January 1, 1989 and July 1, 1990, shall meet the requirements of paragraph i, and, except in an attic, smoke alarms shall be installed on each level of a multilevel individual dwelling unit, including in a basement. All smoke alarms shall be interconnected so that all will sound if one smoke alarm is activated.
- (3) A unit built after July 1, 1990, shall meet the requirements of paragraph i and ii and smoke alarms shall have an integral battery backup power supply.

- (4) A unit built after October 10, 2001, shall meet the requirements of paragraph i, ii, and iii and smoke alarms shall be placed in each sleeping area.
- (206) Subsection 13.7.2.28.1.2 and 13.7.2.28.1.3  
Amend these subsections to delete “Storage occupancies” and substitute “Storage occupancies less than three stories”.
- (207) Subsection 14.5.3.1.1(3)  
Add new subsection 14.5.3.1.1(3) (e) after subsection 14.5.3.1.1(3)(d) as follows:  
The request to increase the delay from 15 seconds to 30 seconds must be submitted to the AHJ in writing.
- (208) Subsection 14.5.3.3(11)  
Add the following at the end: “The central control point shall be approved by the AHJ.”
- (209) Subsection 14.5.3.4.6  
Add new subsection 14.5.3.4.6 after subsection 14.5.3.4.5 as follows:  
In lockups, as referenced in section 22.4.5.1.4 of NFPA 101 Life Safety Code, the release time for doors or other physical restraints shall not exceed 30 seconds.
- (210) Subsection 14.13.1.2  
Amend this section to delete “only” in the first sentence and substitute “, but not be limited to,”.
- (211) Subsection 16.2.2.2  
Delete this subsection and substitute the following:  
Trash, debris, rubbish, and building materials shall not be burned on the premises.
- (212) Subsection 18.2.2.1  
Delete this subsection and substitute the following:  
The AHJ shall have the authority to require an access box or boxes to be installed in an accessible location where access to or within a structure or area is deemed difficult by the AHJ. the type of access box or system shall be specified by the AHJ.
- (213) Subsection 18.2.3.2.1  
Amend this subsection to delete “exterior door” and substitute “exterior door acceptable to the AHJ”.



- (214) Subsection 18.2.3.2.1.1  
Delete this subsection.
- (215) Subsection 18.2.3.2.2.1  
Delete this subsection
- (216) Subsection 18.2.3.3.1  
Add new subsection 18.2.3.3.1 after subsection 18.2.3.3 as follows:  
Multiple access roads may be required when a development contains more than 100 residential units.
- (217) Subsection 18.2.3.4  
Amend this subsection to delete “shall” and substitute “may be required by the AHJ to”.
- (218) Subsection 18.2.3.5.1.1  
Delete this subsection and substitute the following:  
Except for use-in-common driveways fire department access roads shall have an unobstructed width of not less than 20 feet, unless approved by the AHJ. Use-in-common driveways shall comply with the Howard County design manual.
- (219) Subsection 18.2.3.5.2  
Add the following to the end of the subsection:  
The access road surface must be approved by the AHJ.
- (220) Subsection 18.2.3.5.6.1  
Delete this subsection and substitute the following:  
Grade. The maximum allowable grade is 15% with the durable and sustained grade of 8%. The transition from the road to the driveway shall not exceed 8%.
- (221) Subsection 18.2.3.6.3  
Add new subsection 18.2.3.6.3 after subsection 18.2.3.6.2 as follows:  
The AHJ may:
- (1) Designate part of any public or private roadway, driveway, or curb as a fire lane; and
  - (2) Designate how the fire lane shall be marked or established.
- (222) Subsection 18.2.3.6.4  
Add new subsection 18.2.3.6.4 after subsection 18.2.3.6.3 as follows:

In determining where and how a fire lane shall be established, the AHJ shall consider the following:

- (1) The width of the roadway or driveway;
- (2) The ability of any necessary emergency equipment to have ingress and/or egress to the occupancy or property;
- (3) The size and turn radius of any necessary emergency vehicle or equipment;
- (4) Access to fire hydrants fire connections, and fire exits;
- (5) Location of buildings or structures; and
- (6) The potential or likelihood that a person would park a vehicle in the area.

(223) Subsection 18.2.3.6.5

Add new subsection 18.2.3.6.5 after subsection 18.2.3.6.4 as follows:

Regarding fire lane designation:, the AHJ may:

- (1) The AHJ may conduct a site visit of the property to determine whether and/or how a fire lane should be designated; and
- (2) The AHJ may require a fire lane to be designated by the placement of fire lane signs, a red painted curb, a red hatched pattern, or any combination thereof.
- (3) No curbs shall be painted red or otherwise resemble a fire lane in any way unless they have been designated as such by the AHJ.

(224) Subsection 18.2.3.6.6

Add new subsection 18.2.3.6.6 after subsection 18.2.3.6.5 as follows:

For any fire lane that the AHJ determines shall be marked with fire lane signs:

- (1) All signs shall comply with the most recently adopted State Highway Administration Standard Sign Book;
- (2) Signs shall be placed at the termination points of the fire lane;
- (3) Signs shall be placed at least every 200 feet; and
- (4) Signs shall be placed in such a way and in a location so that the signs shall not interfere with pedestrian or traffic movement.

(225) Subsection 18.2.3.6.7

Add new subsection 18.2.3.6.7 after subsection 18.2.3.6.6 as follows:

For any fire lane that the AHJ determines shall be marked by a painted curb:

- (1) All curbs shall be painted with red traffic paint;
- (2) The red painted marking shall be at least 6 inches WIDE; and
- (3) Letters stating "NO PARKING FIRE LANE" shall be stenciled onto the red painted marking at each end and every 20 feet of the painted area. The letters shall be stenciled using white paint and shall be three inches high and located on the top surface of the curb as designated by the AHJ.

(226) Subsection 18.2.3.6.8

Add new subsection 18.2.3.6.8 after subsection 18.2.3.6.7 as follows:

For any fire lane that the AHJ determines shall be marked by a red painted cross-hatching pattern:

- (1) The area shall be marked by red paint applied in a hatch pattern composed of parallel diagonal stripes running at a 30 to 60 degree angle across the width of the fire lane;
- (2) The striping used to create the cross hatch pattern shall be at least 6 inches wide and the stripes placed at a maximum of 72 inches apart; and
- (3) Letters stating "NO PARKING FIRE LANE" shall be stenciled using white paint within the cross hatch pattern; and
- (4) The size of the letters may vary depending on the size of the fire lane marking.

(227) Subsection 18.2.3.6.9

Add new subsection 18.2.3.6.9 after subsection 18.2.3.6.8 as follows:

The AHJ shall notify a property owner that a particular area is to be designated as a fire lane. The property owner shall, within 30 days of receipt of notification from the AHJ, install fire lane markings or signs in the location and by the method directed by the AHJ.

(228) Subsection 18.2.3.6.10

Add new subsection 18.2.3.6.10 after subsection 18.2.3.6.9 as follows:

A property owner who fails to install or maintain fire lanes, fire lane markings or signs, or both markings and signs, in accordance with this Section is guilty of a misdemeanor, and upon conviction is subject to a fine of up to \$1,000.

Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a Fire Official may enforce the provisions of this section with civil

penalties pursuant to title 24, "civil penalties," of the Howard County Code. Each day that a violation continues is a separate offense.

(229) Subsection 18.2.4.1.5

Add new subsection 18.2.4.1.5 after subsection 18.2.4.1.4 as follows:

Use in common driveways, or roads with similar names that provide access to structures may be considered a fire department access road.

(230) Subsection 18.3.1.2

Add new subsection 18.3.1.2 after subsection 18.3.1.1 as follows:

Any proposed subdivisions outside of the Public Service Area (PSA), of 10 or more dwellings may be required to provide a 0.141 acre parcel, with dimensions of 100 feet in length by 50 feet in width, on public or emergency access road frontage; for the purpose of installing a rural water supply cistern.

(231) Subsection 18.5.1.1.1

Add new subsection 18.5.1.1.1 after subsection 18.5.1.1 as follows:

All new fire hydrants shall be public unless the AHJ approves the use of private fire hydrants.

(232) Subsection 18.5.2(2)

Delete "800 feet" and substitute "500 feet".

(233) Subsection 18.5.3(2)

Delete "500 feet" and substitute "350 feet".

(234) Subsection 18.5.5.1.1

Add new subsection 18.5.5.1.1 after subsection 18.5.5.1 as follows:

Any replacement private fire hydrants must meet Howard County standards as contained in the Howard County Design Manual.

(235) Subsection 18.5.7.1

Delete "36 in" and substitute "60 in".

(236) Subsection 18.5.10.3.1

Add new subsection 18.5.10.3.1 after subsection 18.5.10.3 as follows:

Private fire hydrants shall be painted yellow, reclaimed water hydrants shall be painted purple, high pressure hydrants shall be painted silver, and gray water hydrants shall be painted green.

(237) Subsection 19.2.1.4

Amend this section to (1) delete “with an individual capacity of 1.5 yd<sup>3</sup> or more” and (2) delete “10 feet” and substitute “15 feet”.

(238) Subsection 20.1.4.9

Add new subsection 20.1.4.9 after subsection 20.1.4.8 as follows:

A temporary special amusement occupancy or attraction that is occupied for less than 60 days, including, but not limited to, a haunted house, maze, or special amusement, shall meet the standards set forth by the AHJ and this code.

(239) Subsection 20.1.5.2.4(3)

Delete this subsection and substitute the following:

Candles shall comply with Section 10.10.1 of this Code.

(240) Subsection 20.1.5.2.4(6)

Insert new subsection 20.1.5.2.4(6) after subsection 20.1.5.2.4(5) as follows:

- (a) All devices in connection with the preparation of food shall be installed and operated to avoid hazard to the safety of occupants. These devices shall be of an approved type and shall be installed in an approved manner.
- (b) It is recommended that only electric devices be utilized.
- (c) Chafing dishes using an open flame must be designed for food warming operations only. only devices (such as sterno cans) designed for use with chafing dishes shall be used. chafing dish containers for the devices must be in place. a snuffing device designed for use with the chafing dish container shall be kept in close proximity to the serving area.
- (d) Extra fuel containers shall be kept at a location remote from the serving area.
- (e) Combustible materials or decorations shall not be used near the serving dishes.
- (f) A responsible person shall be identified to ensure the devices are completely extinguished at the end of the event prior to disposal. devices shall not be disposed of until cool to touch.
- (g) A “flaming sword” or other equipment involving open flames and flamed dishes shall comply with this Section.

- (241) Subsection 20.1.5.3  
Add the following to the end of this subsection:  
(7) Open flame devices used for cooking and pyrotechnic displays shall be approved by the AHJ. A permit for pyrotechnic displays shall be obtained from the Office Of The State Fire Marshal.
- (242) Subsection 20.1.5.5.4.12  
Add at the end of the first sentence, delete “20.1.5.5.4.12.5” and substitute “20.1.5.5.4.12.10”.
- (243) Subsection 20.1.5.5.4.12.6  
Add new subsection 20.1.5.5.4.12.6 after subsection 20.1.5.5.4.12.5 as follows:  
The person who caused the vehicle to be displayed shall provide a name and a 24 hour telephone number for a responsible person for the vehicle. This information shall be kept with the vehicle, the security office and the management office.
- (244) Subsection 20.1.5.5.4.12.7  
Add new subsection 20.1.5.5.4.12.7 after subsection 20.1.5.5.4.12.6 as follows:  
An ignition key and door key shall be made available and may be kept with the security office or the management office.
- (245) Subsection 20.1.5.5.4.12.8  
Add new subsection 20.1.5.5.4.12.8 after subsection 20.1.5.5.4.12.7 as follows:  
At no time shall the placement of the vehicle impede or otherwise block any exit or exit access.
- (246) Subsection 20.1.5.5.4.12.9  
Add new subsection 20.1.5.5.4.12.9 after subsection 20.1.5.5.4.12.8 as follows:  
Electric and hybrid vehicles follow the same requirements as this section.
- (247) Subsection 20.1.5.5.4.12.10  
Add new subsection 20.1.5.5.4.12.10 after subsection 20.1.5.5.4.12.9 as follows:  
LNG and LPG vehicles compressed flammable gases are not allowed. The Office Of The Fire Marshal may permit limited use of flammable gases under AHJ approval.
- (248) Subsection 20.1.5.6.2  
Delete this subsection and substitute the following:

The crowd manager shall receive training, approved by the AHJ, in crowd management techniques.

(249) Subsection 20.1.5.8.3

Delete this section and substitute the following:

When the code official finds an overcrowded condition, obstruction in or to the means of egress, a locked exit door, or any other hazard to life safety, the event shall be stopped until the situation is corrected. The crowd manager, supervisor, and owner shall ensure that the number of patrons in the occupancy (building, structure, site, or area) does not exceed the posted occupant load. The responsible person in charge of the assembly occupancy shall:

- (1) Immediately prior to the beginning of the event point out the number and location of exits;
- (2) State or display the following: "notice. For your safety, look for your nearest exit. In case of an emergency—walk, do not run, to that exit" which shall be stated or displayed in one of the following methods:
  - (a) An oral announcement at the beginning of the event;
  - (b) Showing the notice on the motion picture screen;
  - (c) Printing the notice in bold letters not less than 1/4 inch in height on the back of the event program (nothing but the notice shall be placed on the back of the program); or
  - (d) Having a fixed sign or signs displaying the notice that can be easily read from each point in the assembly room;
- (3) Make an inspection before the event to verify that the doors are unlocked and that the means of egress are free of obstructions;
- (4) Correct any deficiencies found prior to the start of the event; and
- (5) Prevent overcrowding by blocking admittance of any person beyond the posted occupant load.

(250) Subsection 20.1.5.9.1

Delete this section and substitute:

Smoking shall meet the requirements in Title 12, Subtitle 6 of the Howard County Code.

(251) Subsection 20.1.5.9.2

Delete this subsection and substitute:

In rooms or areas where smoking is prohibited, signage shall meet the requirements in Title 12, Subtitle 6 of the Howard County Code.

(252) Subsection 20.1.5.10.4.1

Delete this subsection and substitute the following:

Where required by the AHJ, A room or space shall be posted with an approved legible sign in contrasting colors and conspicuously located near the main exit from the room or space stating the maximum number of occupants permitted within the space. The posting location shall be determined by the AHJ. The maximum number of occupants shall be determined in accordance with the most recently adopted edition of the NFPA life safety code. A room or space which has a multiple-use capacity, shall be posted for all uses. The owner or manager of the occupancy shall install and maintain the signs. Signs shall be supplied by the AHJ.

(253) Subsection 20.1.5.10.4.2

Delete this subsection.

(254) Subsection 20.1.5.10.4.3

Delete this subsection.

(255) Subsection 20.2.4.2.3

delete this subsection and substitute the following:

Fire emergency egress drills for educational occupancies shall be conducted in accordance with regulations adopted pursuant to the Maryland State Fire Prevention Code and the Code of Maryland Regulations 29.06.01.

(256) Subsection 20.2.4.2.3.1

Add Subsection 20.2.4.2.3.1 after Subsection 20.2.4.2.3 as follows:

The AHJ shall have the authority to require additional egress drills throughout the year.

(257) Subsection 20.3.4.1.1

Delete this subsection and substitute the following:

A family day-care home shall meet the following requirements:

(1) The family day-care home shall not serve more than 8 clients;



- (2) A child shall be counted as a client served if the child:
  - (a) Is under the age of 2 years; and
  - (b) Is the child of the day-care home owner or operator, or of an employee of the family day-care home;
- (3) There shall not be more than 4 children under the age of 2 years; and
- (4) For children under the age of 2 years, an adult to child ratio of at least 1 adult to every 2 children shall be maintained at all times.

(258) Subsection 20.3.4.1.1.1

Add new subsection 20.3.4.1.1.1 after subsection 20.3.4.1.1 as follows:

A group day-care home shall meet the following requirements:

- (1) The home shall not serve more than 12 clients;
- (2) A child shall be counted as a client served if the child:
  - (a) Is under the age of 2 years; and
  - (b) Is the child of the day-care home owner or operator, or of an employee of the group day-care home;
- (3) There shall not be more than 4 children under the age of 2 years;
- (4) The minimum staff to client ratio shall not be less than 2 staff for up to 12 clients or 1 adult for every 6 children; and
- (5) For children under the age of 2 years, an adult to child ratio of at least 1 adult to every 2 children shall be maintained at all times.

(259) Subsection 20.3.4.1.2

Delete this subsection

(260) Subsection 20.3.4.1.7

Add new subsection 20.3.4.1.7 after subsection 20.3.4.1.6 as follows:

A day-care center is governed by the requirements for an educational occupancy if the day-care center provides day care for school-age children before and after school hours and provides care in a building which is in use as a public or private school.

(261) Subsection 20.3.4.2.2.3

Add new subsection 20.3.4.2.2.3 after subsection 20.3.4.2.2.2 as follows:

A bulkhead door shall not be a primary means of emergency egress.

(262) Subsection 20.3.4.2.2.4

Add new subsection 20.3.4.2.2.4 after subsection 20.3.4.2.2.3 as follows: a sliding door used as a required means of egress shall meet the following requirements:

- (1) The sliding door shall have only one, easily operated locking device that does not require special knowledge, effort, or tools to operate;
- (2) There shall not be draperies, screens, or storm doors that could impede egress;
- (3) The sill or track height may not exceed ½ inch above the interior finish floor;
- (4) The surface onto which an exit is made shall be an all-weather surface, such as a deck, patio, or sidewalk;
- (5) The floor level outside the door may be one step lower than the inside, provided that this step meets the requirements in the building code;
- (6) The sliding door shall be open to a clear open width of at least 28 inches;
- (7) Each day before day-care use, the sliding door shall be unlocked and tested to the full required width; and
- (8) During periods of snow or freezing rain, the door track shall be kept clear of snow or freezing rain and the door opened periodically throughout the day in order to ensure proper operation.

(263) Subsection 20.3.4.2.2.5

Add new subsection 20.3.4.2.2.5 after subsection 20.3.4.2.2.4 as follows:

If a deadbolt lock is provided with an approved interior latch, the deadbolt lock shall be of a captured key design from which the key cannot be removed from the interior side of the lock when in the locked position. The lock shall be unlocked at all times when the home is occupied for the family day-care use, except that a double keyed, deadbolt lock may be used on the secondary means of egress if the key is readily accessible and the lock is unlocked when the day-care is in operation.

(264) Subsection 20.3.4.2.3.6

Insert the following at the end of this subsection: except in day care homes with three or fewer clients for overnight lodging.

- (265) Subsection 25.1.3.6  
Add new subsection 25.1.3.6 after subsection 25.1.3.5 as follows:  
If artificial lighting is provided in the tent, then emergency lighting is required in the event that the artificial lighting fails.
- (266) Subsection 25.1.3.7  
Add new subsection 25.1.3.7 after subsection 25.1.3.6 as follows:  
A tent shall not block any exit from a structure or create a situation where the building occupants will exit through the tent to get to a safe area.
- (267) Subsection 25.1.3.8  
Add new subsection 25.1.3.8 after subsection 25.1.3.7 as follows:  
All tents shall have a minimum of one exit. Tents with a capacity of greater than 49 persons shall have two exits. Egress doors shall be of contrasting color. exit signs shall be provided. draperies, hangings or curtains used on exits shall comply with NFPA 1 section 14.10.2.
- (268) Subsection 25.1.5.1.1  
Add new subsection 25.1.5.1.1 after subsection 25.1.5.1 as follows:  
Hay, straw, shavings or similar combustible material shall not be permitted within the structure unless approved by the AHJ.
- (269) Subsection 25.1.9.3 1  
Add new subsection 25.1.9.3.1 after subsection 25.1.9.3 as follows:  
Portable distribution or termination boxes shall be designed so no live wires are exposed. Where installed outdoors, the boxes shall be weatherproof and mounted not less than six inches above the ground.
- (270) Subsection 25.1.9.4  
Add new subsection 25.1.9.4 after subsection 25.1.9.3 as follows:  
If required by the Department of Inspections, Licenses And Permits, All electrical devices, wiring, and generators may be used if inspected and issued a permit prior to use.
- (271) Subsection 25.1.10.1.3.1  
Add new subsection 25.1.10.1.3.1 after subsection 25.1.10.1.3 as follows:  
Fuel fired devices shall be located on the exterior of the tent and air ducted to the tent.

(272) Subsection 25.1.10.1.6

Amend subsection 25.1.10.1.6 as follows:

Delete “installed” and substitute “located” and add the following sentence at the end: “Tanks shall be secured in an upright position and protected from vehicle traffic.”

(273) Subsection 25.1.10.2.3

Amend this section to add the following second sentence: “Electric heaters cannot be used inside a tent unless approved by the AHJ for each use”.

(274) Subsection 25.2.1.3

Add new subsection 25.2.1.3 after subsection 25.2.1.2 as follows:

Any tent over 120 ft<sup>2</sup> requires a permit from Howard County Department Of Inspection, License And Permits. Tents and canopies used for food service require a permit from the Howard County Health Department. Tents shall be permitted on a temporary basis.

(275) Subsection 25.2.1.4

Add new subsection 25.2.1.4 after subsection 25.2.1.3 as follows:

Tents and canopies shall not be set up inside a building unless approved by the AHJ.

(276) Subsection 25.2.2.1

Amend subsection 25.2.2.1 to add “, or approved by the AHJ” to the end.

(277) Subsection 25.2.2.2(3)

Add new subsection 25.2.2.2(3) after subsection 25.2.2.2(2) as follows:

(3) The tent or canopy shall have a label affixed stating that the tent complies with NFPA 701 or equivalent testing standard approved by the AHJ. Non-fixed certification may be acceptable providing it identifies the make and model of the tent.

(278) Subsection 25.2.3.4

Delete this subsection and substitute the following:

A separation of 10 feet is required after every 100 feet of tents. A separation of 10 feet shall be maintained between rows of tents. A row of tents shall not be wider than 40 feet.

(279) Subsection 26.1.6.2

Add new subsection 26.1.6.2 after subsection 26.1.6.1 as follows:

When the AHJ requires a hazard assessment, the assessment shall be conducted by a technically qualified person acceptable to the AHJ.

(280) Subsection 26.1.6.3

Add new subsection 26.1.6.3 after subsection 26.1.6.2 as follows:

When the AHJ requires a hazard assessment, the assessment shall include a completed hazardous materials inventory statement for the chemicals used in each laboratory. This statement shall comply with the hazardous materials permitting process set forth in this code.

(281) Subsection 26.1.6.4

Add new subsection 26.1.6.4 after subsection 26.1.6.3 as follows:

New laboratories, or laboratories where the NFPA 45 Laboratory Hazard Classification changes, shall post an informational placard near the main entrance to the laboratory. The placard shall state the building name or address, room number, NFPA 45 Laboratory Hazard Classification, maximum allowable quantities of flammable liquids both inside a storage cabinet and open use, and maximum quantities of flammable gases permitted within the laboratory.

(282) Section 27.2

Delete this section and substitute the following:

The fire safety requirements for the installation of a manufactured home and a manufactured home site, including an accessory building, structure, and community, shall comply with NFPA 501a, Standard For Fire Safety Criteria For Manufactured Home Installations, Site, And Communities, Section 27.1 of this Code, and title 16, subtitle 5 of the Howard County Code.

(283) Section 31.2.1

Add new section 31.2.1 after section 31.2 as follows:

- (1) A copy of the facility's Natural Wood Waste Recycling Facility or composting permit application, including the Operations Plan and the Emergency Preparedness Manual, shall be sent to the AHJ for review and recommendations to the Department of Planning and Zoning.

- (2) A copy of the information required by paragraph (i) of this subsection shall be submitted to the AHJ with each State permit renewal (5 year renewals).

(284) Subsection 31.3.4.3.2.1

Add new subsection 31.3.4.3.2.1 after subsection 31.3.4.3.2 as follows:

The primary road shall:

- (1) Be kept adequately clear in order to provide access the processing/storage area; and
- (2) Be paved or constructed so as to provide all weather, year round, access by fire apparatus with a weight of 80,000 GVW.

(285) Subsection 31.3.6.2.2

Add new paragraph (9) after paragraph (8) as follows:

- (9) A pile containing leaves and other extraneous or hogged material, such as a whole tree chip pile, shall be turned or reclaimed every three months.

(286) Subsection 31.3.6.3.1

Delete this subsection and substitute the following:

Piles may not exceed 18 feet in height, 50 feet in width, and 350 feet in length.

Two piles shall be divided by a fire lane having at least 30 feet of clear space at the base of the pile.

(287) Subsection 31.3.6.3.2

Delete this subsection.

(288) Subsection 31.3.6.3.2.1 through 31.3.6.3.2.3

Delete these subsections.

(289) Subsection 31.3.6.3.5.1

Add new subsection 31.3.6.3.5.1 after subsection 31.3.6.3.5 as follows:

If the operation is located outside of a municipal water supply the following will apply:

- (1) The AHJ will require a reliable certified water supply system with the capability to supply 1000 gallons per every 10,000 cubic feet of pile. The supply system must be capable of producing a minimum of 250 gpm (preferred is 500gpm) for at least 2 hours.

- (2) The Mulch/Wood Processing operation shall have a Fire Station located within 5 travel miles of the location.
  - (3) If the water supply is static it is to be certified by an engineer and capable to supply the amount required by paragraph (i) of this subsection. If the water supply is below the minimum amount, then the supply must be capable of at least 30,000 gallons at all times. The maximum size of water supply needed may be based on the proposed operation and approved by the AHJ.
  - (4) Based on the amount of material on site, other provisions such as sprinklers, pre-piped systems, or constant monitoring of the pile may be required.
- (290) Section 33.1.2
- Delete this section and substitute the following:
- Where required, a permit for outside storage shall be obtained from the Maryland Department Of The Environment. A permit from the AHJ is required for the storage of 500 tires or more. A person may not store more than 5,000 tires.
- (291) Section 33.1.12
- Add new section 33.1.12 after section 33.1.11 as follows:
- The AHJ may require a security fence around the tire storage area.
- (292) Section 33.1.13
- Add new section 33.1.13 after section 33.1.12 as follows:
- The storage of fewer than 500 tires shall meet the following requirements:
- (1) Tires shall not be stored in vertical stacks;
  - (2) Storage piles shall not exceed 10 feet in height;
  - (3) Storage piles shall not be larger than 1,250 cubic feet; and
  - (4) Tires shall be separated from the property line, buildings, structures, or anything determined as at risk by the AHJ, by a minimum of 25 feet.
- (293) Subsection 33.2.2.3
- Delete “20 ft (6m)” and substitute “10 ft”
- (294) Chapter 35
- Delete this chapter in its entirety.

(295) Subsection 42.7.5.2.1

Add new subsection 42.7.5.2.1 after subsection 42.7.5.2 as follows:

The following information shall be conspicuously posted in a location approved by the AHJ:

- (1) The address of the unattended self-service facility; and
- (2) The telephone number of the owner or operator of the unattended self-service facility.

(296) Subsection 42.7.5.7

Add new subsection 42.7.5.7 after subsection 42.7.5.6 as follows:

An owner, manager, or employee shall conduct a daily site visit to ensure that all equipment is operating properly.

(297) Subsection 42.7.5.8

Add new subsection 42.7.5.8 after subsection 42.7.5.7 as follows:

An owner, manager, or employee shall conduct inspections and maintenance of equipment at regular intervals and in accordance with the manufacturer's instructions.

(298) Subsection 42.7.5.9

Add new subsection 42.7.5.9 after subsection 42.7.5.8 as follows:

Fuel dispensing equipment shall comply with one of the following:

- (1) The amount of fuel being dispensed is limited in quantity by a pre-programmed card; or
- (2) The dispensing device shall be programmed or set to limit uninterrupted fuel delivery of not more than 25 gallons and shall require manual action to resume continued delivery.

(299) Subsection 50.2.1.2

Amend this section to insert "the AHJ and" after "requirements of".

(300) Subsection 50.2.1.9

Amend this subsection to insert, "under a canopy" after "tents" and to insert "and this chapter" to the end.

(301) Subsection 50.2.1.10

Add new subsection 50.2.1.10 after subsection 50.2.1.9 as follows:



Commercial outdoor cooking operations. These requirements apply to commercial outdoor cooking operations such as those that typically take place at fairs, festivals, and carnivals. This includes, but is not limited to, deep frying, sautéing, and grilling operations.

(302) Subsection 50.2.1.10.1

Add new subsection 50.2.1.10.1 after 50.2.1.10 as follows:

Movable cooking equipment shall have wheels removed or shall be placed on blocks or otherwise secured to prevent movement of the appliance during operation.

(303) Subsection 50.2.1.10.2

Add new subsection 50.2.1.10.2 after 50.2.1.10.1 as follows:

Portable fire extinguishers shall be provided in accordance with NFPA 1, Section 13.6 and shall be specifically listed for such use.

(304) Subsection 50.2.1.11

Add new subsection 50.2.1.11 after subsection 50.2.1.10 as follows:

Hazardous materials and storage of flammable liquids for mobile food vending platforms. The storage and use of flammable liquids shall comply with NFPA 1, and the following:

- (1) Individual containers, cartons, or packages shall be conspicuously marked or labeled in an approved manner.
- (2) Hazardous materials or liquids shall be disposed of in the proper manner and shall not be released into any sewer, storm drain, ditch, drainage canal, creek, stream, river, lake or tidal water or on the ground, sidewalk, street, highway, or into the atmosphere.

(305) Section 50.2.3

Amend this subsection to delete “shall be kept on the premises” and substitute “shall be made available to the AHJ upon request”.

(306) Section 50.4.1

Amend this subsection to delete “AHJ” and substitute “Department of Inspections, Licenses, and Permits”.

(307) Subsection 50.7.1.2

Delete this subsection and substitute the following:

All mobile food vending platforms that use propane or any other heat source for cooking shall be inspected by the AHJ. For purposes of this Code, mobile food vending platform means any pushcart, trailer, enclosed trailer, or enclosed truck that uses propane or any other heat source to prepare food or beverage for sale.

(308) Subsection 50.7.1.2.1

Add new subsection 50.7.1.2.1 after subsection 50.7.1.2 as follows:

Licensing requirements. The owner or operator of a mobile food vending platform shall, before beginning operations, obtain an inspection and inspection sticker from the AHJ as follows:

- (1) The owner or operator of a mobile food vending platform shall provide the following information to the AHJ:
  - (a) Evidence of a current Howard County health inspection;
  - (b) A valid driver's license or government issued ID;
  - (c) Current vehicle registration;
  - (d) Current vehicle inspection sticker/paperwork; and
  - (e) Current vehicle state inspection.
- (2) Inspections of mobile food vending platforms. The AHJ may conduct inspections at any time as deemed necessary to ensure compliance with the provisions of this Code.
  - (a) An inspection is required by any owner or operator of a mobile food vending platform that establishes business for any length of time in Howard County. The owner or operator shall request an annual or one-day inspection sticker at least 10 days prior to conducting business in Howard County.
  - (b) The AHJ shall designate a location to conduct inspections. Inspections or re-inspections shall be at designated times each month or may be arranged by appointment.
  - (c) Once the inspection is satisfactorily completed, the AHJ shall issue an inspection sticker. Except for a one-day inspection sticker, the inspection sticker is valid for one calendar year from the last inspection.

- (d) Mobile food vending platforms that fail the inspection may not operate.
  - (e) Any changes to items, processes, storage or configuration within the scope of the inspection must be approved by the AHJ in order to maintain the validity of an inspection sticker.
  - (f) Hydrostatic dates of propane cylinders will be checked by the AHJ.
- (3) The owner or operator of a mobile food vending platform shall:
- (a) Obtain any other permits as required, including a hazardous materials permit;
  - (b) Pay any other fees as required by law;
  - (c) Display a valid annual or one-day inspection sticker; and
  - (d) Complete a daily checklist.

(309) Subsection 50.7.1.2.2

Add new subsection 50.7.1.2.2 after subsection 50.7.1.2.1 as follows:

Fees related to mobile food vending platforms.

- (1) The AHJ may charge a fee for an inspection or re-inspection of a mobile food vending platform.
- (2) The County Council may adopt by resolution fees for the inspection and re-inspection of mobile food vending platforms.
- (3) An inspection shall not be performed where an operator has failed to pay previous inspection fees. Where an inspection cannot be performed for failure to pay fees, the mobile food vending platform may not operate in Howard County.

(310) Subsection 50.7.1.4.4

Add new subsection 50.7.1.4.4 after subsection 50.7.1.4.3 as follows:

Fire extinguishers are required for all mobile food vending platform as follows:

- (1) All fire extinguishers shall be maintained and inspected on an annual basis. A fire extinguisher (minimum size of 2a 40 bc) is required in addition to any class k extinguisher. If deep fat fryers are used operators shall have and maintain a class k portable fire extinguisher.

- (2) Portable fire extinguishers shall be located in conspicuous locations where they are readily accessible and immediately available for use.
- (3) If the platform is a towed trailer, the fire extinguisher shall be kept in the trailer, when the trailer is operating.
- (4) Fire extinguishers shall bear a current inspection tag validated within the past twelve months or a receipt of purchase within the last twelve months shall be available for inspection.

(311) Subsection 50.7.1.13

Add new subsection 50.7.1.13 after subsection 50.7.1.12 as follows:

Fire protection systems for mobile food vending platforms shall comply with NFPA 1 and the following:

- (1) If more than 2 frying vessels or 10 gallons of frying media are used, a commercial hood (type 1) shall be installed above all commercial cooking appliances or domestic cooking appliances used for commercial purposes.
- (2) At the time of inspection, hood and exhaust systems must be clean and the hood shall have the appropriate sticker attached by a Maryland registered cleaner.
- (3) Ventilation control systems shall be appropriate for the cooking operations conducted. Ventilation systems shall be capable of exhausting all byproducts of cooking operations. The hood must be designed to adequately collect and exhaust fumes, smoke and vapors from the area over which it is installed. Hood systems shall be maintained and cleaned in accordance with this Code, NFPA 1, and NFPA 96.
- (4) All fire extinguishing system shall be inspected by a certified fire protection company every 6 months. Records shall be maintained as required in this Code, NFPA 1, and NFPA 96.
- (5) Records shall be submitted to the ahj in an approved method.

(312) Subsection 50.7.2.2

Add new subsection 50.7.2.2 after subsection 50.7.2.1 as follows:

Electrical requirements. The electrical equipment on a mobile food vendor platform shall be in compliance with the Howard County Electrical Code.

(313) Subsection 50.7.2.3.1

Amend this subsection to delete “50.7.1.8” and substitute “50.7.1.9”.

(314) Subsection 50.7.2.3.4

Amend this subsection to delete “an approved company” and substitute “a gas fitter certified by the Maryland Department of Labor, Licensing, and Regulation” and add the following: The certification documentation shall consist of the following:

- (1) The name of the certified gas fitter;
- (2) The license or certification number that demonstrates the gas fitter is approved to install, inspect, and maintain LP-gas systems;
- (3) The corporate name of the mobile food service business;
- (4) The identifying name on the side of the mobile food vehicle;
- (5) The date of inspection;
- (6) The vehicle tag number and VIN; and
- (7) A signed statement by the certified gas fitter that reads: “The LP-Gas system has been inspected for compliance with the current edition of NFPA 58 and found to be in compliance with the provisions of the code. In addition, leak detection has been conducted on the LP-Gas system piping and the piping has been found to maintain integrity.”

(315) Subsection 50.7.2.4.3.5

Add new subsection 50.7.2.4.3.5 after subsection 50.7.2.4.3.4 as follows:

Containers shall be installed by a gas fitter licensed by the Maryland Department of Labor, Licensing, and Regulation.

(316) Subsection 50.7.2.4.3.6

Add new subsection 50.7.2.4.3.6 after subsection 50.7.2.4.3.5 as follows:

A “no smoking” sign next to or directly above the gas container and visible to the public shall be installed. The sign shall be posted with a minimum of 2 inch lettering.

(317) Subsection 50.7.2.4.3.7

Add new subsection 50.7.2.4.3.7 after Subsection 50.7.2.4.3.6 as follows:

Propane and natural gas tanks shall be shut off while the mobile food vending platform is in motion, unattended, or in overnight storage.

(318) Subsection 50.7.2.4.3.8

Add new subsection 50.7.2.4.3.8 after subsection 50.7.2.4.3.7 as follows:

If an lpg storage compartment is added on the rear of the truck, the bumper shall extend beyond the compartment to provide added impact protection in accordance with NFPA 58—6.23.3.4.

(319) Subsection 50.7.2.4.3.9

Add new subsection 50.7.2.4.3.9 after subsection 50.7.2.4.3.8 as follows:

Mounting and placement of propane and natural gas tanks. The mounting of propane and natural gas tanks must withstand impact equal to four times the weight of the filled propane or natural gas container according to NFPA 58-6.23.3.4. Tanks must be secure (NFPA 58-5.2.4) and conform with NFPA standards relating to the safe mounting of tanks as described in NFPA 58-6.23.3.3.

(320) Section 60.1.1.1

Add new section 60.1.1.1, immediately after section 60.1.1 as follows:

60.1.1.1 Hazmat Permitting. Notwithstanding any other provision of this Code, an annual permit issued by the AHJ is required for any facility that stores, receives, dispenses, uses, or handles any hazardous materials identified in subsection 60.1.1.1(1) of this Code. For the purposes of this section, the term “hazardous material” is equivalent to “hazardous substance” and “hazardous chemical”.

(1) There are five types of hazardous material permits based on the type and quantity of hazardous material:

(a) Type I permits are required for hazardous chemicals identified in 40 CFR part 370, subject to the Threshold Planning Quantity (“TPQ”) where applicable therein.

(b) Type II, Type III, and Type IV permits are required for extremely hazardous substances, as defined in 40 CFR part 355, that have a TPQ of 10 pounds or less, that do not otherwise require a type I permit, as follows:

(i) Type II permits are required for 5 pounds or more, up to 10 pounds.

- (ii) Type III permits are required for 1 pound or more, up to 5 pounds.
    - (iii) Type IV permits are required for amounts less than a pound.
  - (c) Type V hazardous materials permits are required for any substance, in accordance with Section 1.12.8 of this Code, that does not otherwise require a Type I, II, III, or IV permit.
- (2) A permit application will not be accepted unless the following items are submitted with the permit application:
- (a) A general site plan is required for type i, ii, and iii facilities. A general site plan shall be drawn at a legible scale and shall include the location of buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment, and adjacent property uses.
  - (b) A building floor plan is required for type i, ii, and iii facilities. A building floor plan shall be drawn to a legible scale that shall include the identity of each hazardous materials storage areas within the building and shall indicate rooms, doorways, corridors, means of egress, and evacuation routes.
  - (c) A hazardous materials inventory statement (hmis) is required for all facilities. The inventory statement shall include: hazard class, common or trade name, chemical name, major constituents, and concentrations if a mixture. If the hazardous material is waste, the waste category, chemical abstract service number (cas number) found in Title 29 of the Code Of Federal Regulations (CFR), whether the material is pure or a mixture, and whether the material is a solid, liquid, or gas, storage conditions related to the storage type, temperature, and pressure.
  - (d) Safety data sheets (sds) are required for all facilities and for all chemicals listed on the application.

- (e) Type i, ii, and iii facilities are required to provide a copy of a contract with a disposal/clean-up company or a plan to dispose of chemicals or clean-up spills or leaks.
- (3) Any amendments to the hazardous materials inventory statements shall be provided to the AHJ within 30 days of the storage of any hazardous materials that either:
  - (a) Changes or adds a hazard class; or
  - (b) That causes a 5% increase in the amount of any one hazard class.
- (4) The business shall notify the AHJ in writing 30 days prior to vacating the property or area where hazardous materials are located. The AHJ shall conduct an inspection on the last day that the business occupies the property or area to confirm that all hazardous materials have been removed from the property or area. A violation of this subsection is a Class A offense. Each day that a violation continues is a separate offense.
- (5) Applications for a hazardous material permit shall be submitted annually by the following dates:
  - (a) Type i- filing date: March 1<sup>st</sup>
  - (b) Type ii- filing date: August 1<sup>st</sup>
  - (c) Type iii- filing date: September 1<sup>st</sup>
  - (d) Type iv- filing date May 1<sup>st</sup>
  - (e) Type v- filing date: June 1<sup>st</sup>

Failure to apply for a hazardous materials permit is a Class A offense. Each day that a violation continues is a separate offense.

- (6) A violation of this section is a Class A offense. Each day that a violation continues is a separate offense.

(321) Subsection 60.1.1.1.1

Add new subsection 60.1.1.1.1 after subsection 60.1.1.1 as follows:

In addition to this code, applicable requirements of the Public Safety Article of the Annotated Code Of Maryland, shall apply. When a permit conflicts with a provision of this Code, the more stringent requirement applies.



- (322) Section 60.1.2  
Amend this section to delete the first paragraph and substitute the following:  
Except for hazardous materials permit requirements, buildings, and portions thereof, containing high hazard contents limited to any of the following are not required to comply with this chapter.
- (323) Subsection 63.1.1.1.1  
Add new subsection 63.1.1.1.1 after subsection 63.1.1.1 as follows:  
Carbon dioxide (CO<sub>2</sub>) beverage systems shall comply with NFPA 55.
- (324) Section 65.1.1  
Delete this section and substitute the following:  
Except as provided in subsections 65.1.1.1, 65.1.3, 65.1.4, and 65.1.5 of this code, the storage, use, and handling of explosives, fireworks, or model rocketry shall comply with the requirements of this chapter, NFPA standards referenced within this chapter, section 60.1 and section 60.2 of this code, and the requirements set forth in the Public Safety Article of the Annotated Code Of Maryland.
- (325) Subsection 65.1.1.1  
Add new subsection 65.1.1.1 after subsection 65.1.1 as follows:  
Unless the possession or discharge of the device is conducted under a state fire marshal permit and is subject to inspection by the AHJ, a person shall not possess, store, offer for sale, expose for sale, sell, use, burn, discharge, or explode a ground-based sparkling device, including but not limited to, non-aerial, non-explosive cone fountains, and cylindrical fountains.
- (326) Section 65.1.3  
Add new section 65.1.3 after section 65.1.2 as follows:  
In addition to the AHJ, the Howard County Department of Police may enforce section 65.1.1.1 of this code.
- (327) Section 65.1.4  
Add new section 65.1.4 after section 65.1.3 as follows:  
A person possessing, selling, or discharging illegal fireworks, explosives, unlawfully stored hazardous materials, or model rocketry shall forfeit the same to the AHJ. The AHJ may seize illegal fireworks, explosives, unlawfully stored hazardous materials, and model rocketry.

(328) Section 65.1.5

Add new section 65.1.5 after section 65.1.4 as follows:

A violation of this chapter is a class A offense. A person who possess, sells, or discharges illegal fireworks, explosives, unlawfully stored hazardous materials, or model rocketry, or who fails to surrender illegal fireworks, explosives, or model rocketry to the AHJ, or who fails to get approval or follow the regulation set forth for flame effects is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both.

Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a Fire Official may enforce this section with civil penalties pursuant to Title 24, "Civil Penalties," of the Howard County Code. a violation of this subsection is a class A offense. Each day that a violation continues is a separate offense.

(329) Subsection 66.21.7.4.3.1.1

Add new subsection 66.21.7.4.3.1.1 after subsection 66.21.7.4.3.1 as follows:

A person shall obtain approval by the Maryland Department of the Environment and the Department of Inspections, Licenses and Permits to remove an underground tank. Removed tanks shall be taken away from the site within 24 hours.

(330) Subsection 69.1.1.4

Add new subsection 69.1.1.4 after subsection 69.1.1.3 as follows:

Cylinders connected to a temporary heating device in a building under construction or being renovated shall be located outside the building and secured in a manner approved by the AHJ. An extra cylinder stored on a construction site shall be secured in manner approved by the AHJ.

(331) Subsection 69.3.12.9.2

Delete this subsection and substitute the following:

Cylinders shall not be located on decks or balconies of dwellings of two or more living units.

(332) Subsection 69.3.13.1.3

Delete this subsection and substitute the following:

Patio heaters shall not be located within 5 feet of an exit or opening or used under a tent or canopy.

(333) Subsection 69.5.3.2.4

Add new subsection 69.5.3.2.4 after subsection 69.5.3.2.3 as follows:

Except for class a mercantile occupancies, in mercantile occupancies the total weight of all cylinders shall not exceed 10 lbs.

**Title 21. Traffic control and transportation.**

**Subtitle 1. Definitions; general provisions.**

**Section 21.101. Definitions.**

(p) *Fire lane* means PART OF A HIGHWAY, ROAD, CURB, OR FIRE DEPARTMENT ACCESS ROAD THAT IS DESIGNATED BY THE DEPARTMENT OF FIRE AND RESCUE SERVICES AS REQUIRED FOR ACCESS BY EMERGENCY VEHICLES AND THAT IS MARKED WITH APPROVED SIGNS OR OTHER APPROVED NOTICES IN ACCORDANCE WITH THE HOWARD COUNTY FIRE PREVENTION CODE.

**Title 21. Traffic control and transportation.**

**Subtitle 2. Standing, stopping, and parking of vehicles; automated enforcement.**

**Section 21.222. Parking prohibited in specified places.**

(a) Except when necessary to avoid conflict with other traffic or in compliance with law or directions of a Police Officer or traffic control device, an individual may not park a vehicle in the following locations :

- (1) Within 15 feet of a fire hydrant;
- (2) Within 20 feet of a crosswalk;
- (3) Within 20 feet of the driveway entrance or exit to any fire station;
- (4) Within 75 feet on the side of a street opposite the driveway entrance or exit to a fire station, when signs or red curb markings are present;
- (5) On a curve or the brow of a hill where solid lines indicating a no-passing zone appear on the surface of the road;
- (6) Within 50 feet of the nearest rail of a railroad crossing;
- (7) Outside of any lines painted on a roadway or public parking area designating a parking space; or
- (8) On a highway or public parking area for more than 18 consecutive hours in a nonoperable, unregistered, untagged or disabled condition.

(b) The Police Department may impound a vehicle for a violation of subsection (a)(8) of this section.

**Section 21.235. Fire lanes.**

(a) *Creation of Fire Lanes:* IN ACCORDANCE WITH THE HOWARD COUNTY FIRE PREVENTION CODE, THE DEPARTMENT OF FIRE AND RESCUE SERVICES SHALL DETERMINE WHETHER A FIRE LANE SHOULD BE DESIGNATED AND SHALL CREATE FIRE LANES CONSISTENT WITH STANDARDS INCLUDED IN THE CODE.

(B) *NOTICE.* THE DEPARTMENT OF FIRE AND RESCUE SERVICES SHALL NOTIFY A PROPERTY OWNER BEFORE DESIGNATING THE AREA ESTABLISHED AS A FIRE LANE.

(C) *Installation of Fire Lane Markings.* The property owner shall install fire lane markings or signs within 20 days of receipt of the notification under subsection (B) of this section.

(D) *Penalties for Failure to Comply:*

A property owner who fails to comply with the requirements of this section is SUBJECT TO PENALTIES AS SET FORTH IN THE HOWARD COUNTY FIRE PREVENTION CODE.

(e) *Parking in Fire Lane Prohibited.* An individual may not stop, stand, or park a vehicle in a fire lane.

(f) *Vehicle in Fire Lane Impounded.* The Police Department may impound a vehicle that is in violation of this section.

***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that *this Act shall become effective 61 days after its enactment.*

## Section 17.105 Unsafe Structures.

- (a) *Definitions:* For the purpose of this section, the following terms are defined as follows:
- (1) *Emergency:* A fire, explosion, medical condition, or other hazard that poses an immediate threat to life or property.
  - (2) *Fire official:* The Chief of the Department of Fire and Rescue Services, or the chief's designee, is a fire official for the purpose of this section.
  - (3) *Imminent danger:* A condition or practice in an occupancy, structure, or area that poses a danger that could reasonably be expected to cause death, physical injury, or damage to property.
- (b) *Power to Abate.* Where there is evidence that an emergency exists, the fire official is authorized to summarily abate the emergency and to maintain order at the scene until the emergency is abated and persons and property are secured.
- (c) *No Liability for Trespass:* Without liability for trespass, when there is evidence that an emergency or imminent danger exists an authorized fire official may enter any building, including private dwellings, or any premises at or in the vicinity of the scene of the emergency or imminent danger for the purpose of abating the emergency, including a medical emergency, or imminent danger.
- (d) *Evacuation:* Authorized fire officials, when operating at an emergency or imminent danger, may:
- (1) Order any individual to evacuate any building, premises or area, including a private dwelling, at or in the vicinity of an emergency or imminent danger for the purpose of protecting a person and the public from injury.
  - (2) Order any convoy, caravan or train of vehicles, craft, or railway cars to be detached or uncoupled for the purpose of protecting persons, the public, and property.
- (e) *Unsafe Buildings:*
- (1) A building or structure that constitutes an emergency or imminent danger shall be posted by the fire official as an unsafe building or structure and occupancy shall be prohibited until the fire official determines that the emergency or imminent danger is abated. The fire official may adopt procedures to implement this section.
  - (2) A building or structure that is unsafe because of structural damage from any cause shall be posted as unsafe in accordance with the procedures set forth in the Howard County Building Code or pursuant to procedures adopted by the fire official.
  - (3) The owner of a building or structure that has been posted as unsafe is responsible for securing the unsafe building or structure to prevent occupancy.
  - (4) The fire official may require all utilities to be disconnected in an unsafe building or structure.

(f) *Penalties:* An individual failing to obey any order given by a fire official when acting pursuant to this section is guilty of a misdemeanor and, upon conviction, is subject to a fine, not exceeding \$1,000, or imprisonment, not exceeding 30 days, or both. Alternatively, or in addition to and concurrent with all remedies at law or at equity, a fire official may enforce the provisions of this section with civil penalties pursuant to Title 24, "Civil Penalties," of the Howard County Code. A violation of this section is a Class A offense.

## **Section 17.106 Rubbish, Debris, Noxious Weeds Declared to be a Nuisance.**

(a) *What Constitutes a Public Nuisance:* Except for weeds, brush and grass on land actively devoted to agricultural or conservation uses, the following are declared a public nuisance: Rubbish, trash, dry brush, noxious weeds or grass exceeding 12 inches in height, or debris or other material of a flammable nature which creates or tends to create a fire hazard endangering life or property or which may interfere with emergency operations or endanger fire service personnel.

(b) *Unlawful to Permit Public Nuisance :* It shall be unlawful for anyone to permit a public nuisance listed in subsection (a) to remain on any lot or parcel of ground.

(c) *Removal; Notice:* The director of fire and rescue services shall send a notice by registered or certified mail to the owner of any lot or parcel of ground where the director determines that a public nuisance exists. The notice shall:

- (1) Require the property owner to abate the nuisance within 10 days;
- (2) State that if the nuisance is not abated within 10 days, the county may abate the nuisance at the expense of the property owner.

(d) *Extension.* If the property owner is unable to comply with a notice within 10 days after its receipt, the property owner shall submit a request for an extension of time. Upon receipt of the request, the fire official may grant an extension of time, not to exceed 90 days. The request for an extension shall:

- (1) Be submitted to the fire official; and
- (2) State the reasons for the request.

(e) *Penalties.*

- (1) A person who fails to comply with a notice issued by the fire official is guilty of a misdemeanor and, upon conviction, is subject to a fine, not exceeding \$1,000, or imprisonment, not exceeding 30 days, or both. Alternatively, or in addition to and concurrent with all other remedies at law or at equity, the Department of Fire and Rescue Services may enforce the provisions of this section with civil penalties pursuant to Title 24, "Civil Penalties" of the Howard County Code. A violation of this section is a Class C offense.



- (2) The fire official may bring action in court to enforce compliance with an order to comply with this subtitle or to correct a nuisance.
- (3) If a person refuses or fails to comply with the provisions of this subtitle or to correct a nuisance within the time specified in the notice of violation, the fire official may petition the court for an order permitting entry upon the property to abate the violation or correct the nuisance at the owner's expense.

## Section 17.107 False Emergency Alarms.

(a) *Definitions:* For purposes of this section, the following definitions shall apply:

(1) *Alarm system:* Alarm system means an automatic alarm system designed to notify the county's Emergency Communication/911 AND THE DEPARTMENT OF FIRE AND RESCUE SERVICES.

(2) *Alarm system contractor:* A person who installs, maintains, monitors, alters, or services an alarm system. An alarm system contractor does not include a person who only manufactures or sells alarm systems.

(3) *Alarm user:*

(i) A person in control of an alarm system within, on, or around any building, structure, facility, or site; or

(ii) The owner or lessee of an alarm system.

(4) *False alarm:* A request for immediate assistance from the Department of Fire and Rescue, regardless of the cause of the request, that is not in response to an actual emergency situation.

(i) A false alarm shall include:

a. A negligently or accidentally activated signal;

b. A signal that is activated as the result of faulty, malfunctioning, or improperly installed or maintained equipment; or

c. A signal that is purposely activated in a nonemergency situation.

(ii) A false alarm shall not include:

a. A signal activated by unusually severe weather conditions or other causes beyond the control of the alarm user or alarm system contractor; or

b. A signal activated within 30 days after a new installation of an alarm system.

(5) *Signal:* The activation of an alarm system that requests a response by the Department of Fire and Rescue Services.

(b) *Intentional Activation.* A person shall not intentionally activate a signal for a non emergency situation. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, is subject to a fine, not exceeding \$1,000, or imprisonment, not exceeding 30 days, or both. In addition to and concurrent with all other remedies provided by law or equity, the Department of Fire and Rescue Services may enforce this section by civil remedies pursuant to Title 24, "Civil Penalties" of the Howard County Code. A violation of this section is a Class A Offense.

(c) *Negligent or Accidental Activation.* The Department of Fire and Rescue Services may issue a civil citation, pursuant to Article 24 "Civil Penalties" of the Howard County Code, to a person for the negligent or accidental activation of an alarm system. A violation of this subsection shall be a Class C offense. The negligent or accidental activation of an alarm system shall be a result of faulty, malfunctioning, or improperly installed or maintained equipment or for a false alarm if the number of activations of false alarms to which the Department of Fire and Rescue Services Responds exceeds:

(1) Three responses within a 30-day period; or

(2) Eight responses within a 12-month period.

## **Section 17.111 Fire Damaged Building or Structure.**

(a) *Policy.* A building or structure significantly damaged by fire may collapse, reignite, cause air pollution, provide rodent habitat, or otherwise threaten the public health, safety, or general welfare. Such buildings should be made safe by either ensuring structural integrity, requiring repair, removing the remnants of such structure or otherwise abating the danger posed by the fire damaged building.

(b) *Definition.* For purposes of this section, a fire damaged building or structure shall mean a building or structure or portion thereof which is either structurally unsound or no longer a structure as a result of fire damage and which causes actual danger to the public health and safety.

(c) *Abatement of Fire Damaged Building or Structure.* It shall be unlawful for any fire damaged building or structure to remain on any lot or parcel of ground, for more than six months, unless approved by the AHJ.

(d) *Notification to Agencies.* Within 5 business days after initial response to a fire, the department of fire and rescue services shall notify the Howard County health officer and the director of the department of inspections, licenses and permits, that a building or structure has been damaged by fire.

- (1) Within 5 business days of receipt of the notification, the director of the department of inspections, licenses and permits, and the Howard County health officer shall cause an inspection of the fire damaged building or structure to determine whether the fire damaged building poses a danger to the health and safety of the public;
- (2) Within 5 business days after the fire, the department of fire and rescue services shall inspect the property to determine whether a fire hazard or imminent danger exists; and
- (3) If it is determined that a violation of the county's fire prevention code, the health code, or the building code exists, a notice of abatement shall be issued within 48 hours of the inspection by the department responsible for administering the code that is being violated.

(e) *Abatement notice.* The county shall send an abatement notice to the owner of any lot or parcel where a fire damaged building is located. The notice shall be served by either registered or certified mail, or by personal service. The notice shall:

- (1) Provide a description of the required abatement.
- (2) Require the property owner to abate the danger posed by the fire damaged structure within a reasonable time.
- (3) Inform the owner that if the danger is not abated, the county may seek a court order to abate the nuisance at the property owner's expense, which abatement may include the demolition of the structure or any portion thereof.
- (4) If, upon investigation, it is determined that a violation of the health code, the fire code or the building code exists, the owner shall be notified of:
  - (i) The specific section in violation;
  - (ii) The deadline for completing abatement; and
  - (iii) The potential civil or criminal penalties, including daily fines, provided by subsection (h) of this section.

(f) *Extension Request.* The property owner may request in writing an extension of time to abate the fire damaged building based upon financial hardship or pending investigation of damage building or other good cause shown. The request must be received within at least 7 business days from the owner's receipt of the county's initial abatement notice as provided in this section.

(g) *Abatement by the County.* If the property owner fails to comply with the notice of abatement, the county may seek a court order to abate the danger to the public health and safety at the property owner's expense.

(h) *Penalties.*

- (1) Any person who fails to comply with a notice of abatement shall be guilty of a misdemeanor and, upon conviction, shall be subject to a penalty of not more than \$100.00 or by imprisonment, not to exceed 30 days, or both.
- (2) Alternatively, and in addition to and concurrent with any other remedies provided by law, including subsection (g) above, this section may be enforced pursuant to the provisions of Title 24, "Civil Penalties," of the Howard County Code. A violation of this shall be a Class B Offense.
- (3) In the event of any conflict between this section the remedies set forth in the fire prevention code, health code or building code for fire damaged buildings, this section shall control.
- (4) Each day a violation of this section exists is a separate offense.

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