

**MEMORANDUM**

July 17, 2012

TO: Planning, Housing, and Economic Development Committee  
FROM: Jeff Zyontz, Legislative Attorney  
SUBJECT: Proposed Executive Regulations 9-12AM and 10-12AM

On June 26, the Council deferred action on Executive Regulations 9-12 and 10-12. The regulations failed to indicate the extent to which it would supersede Regulations 6-06AM and 7-06AM.

Staff recommends approval of Executive Regulations 9-12AM and 10-12AM.

**Background**

On July 12, 2012, the County Executive transmitted 2 regulations:

9-12AM Fire Safety Code – Fire Protection Systems  
10-12AM Fire Safety Code – Building Construction

The Council may approve or disapprove these regulations. It may not amend the regulations. Typically, the Council might ask the Executive to amend a regulation before adoption; amendments are sometimes an alternative to disapproving the regulations originally submitted. Under the County code, the Council has 60 days to act on a method 2 regulation. If it fails to act, the regulation is approved as proposed.<sup>1</sup>

---

<sup>1</sup> §2A-15 Method (2).

- (A) The issuer must send a copy of the proposed regulation to the County Council after the deadline for comments published in the Register.
- (B) The Council by resolution may approve or disapprove the proposed regulation within 60 days after receiving it.
- (C) If necessary to assure complete review, the Council by resolution may extend the deadline set under subparagraph (B).
- (D) If the Council approves the regulation, the regulation takes effect upon adoption of the resolution approving it or on a later date specified in the regulation.
- (E) If the Council does not approve or disapprove the proposed regulation within 60 days after receiving it, or by any later deadline set by resolution, the regulation is automatically approved.
- (F) If a regulation is automatically approved under this method, the regulation takes effect the day after the deadline for approval or on a later date specified in the regulation.

**Regulation 9-12AM, Fire Safety Code – Fire Protection Systems**  
**Regulation 10-12AM, Fire Safety Code – Building Construction**

DPS now has responsibility for enforcing fire safety standards for new construction. The current regulations are under the authority of the Department of Fire and Rescue Services (FRS).<sup>2</sup> Part of the reason DPS wants to adopt the new regulations is to reflect the change in responsibility. The current FRS regulations cover both new construction and renovation. The two Fire Safety code regulations adopt the 2009 provisions of the National Fire Codes, with amendments only for changes that require permits (new construction and alterations to buildings, systems, or conditions). The amended regulations state in Section 1 that they supersede Regulations 6-06AM and 7-06AM only to the extent that those regulations apply to situations where permits are required.

The 2003 National Fire Code is in effect and will remain in effect for situations which do not require a permit until 6-06AM and 7-06AM are amended. FRS is in the process of revising the provisions of Regulations 6-06AM and 6-06AM, for which it still has authority. It is only when new FRS regulations and Regulations 9-12AM and 10-12AM are adopted that the current regulations will be fully superseded. Because 6-06AM and 7-06AM remain in effect for situations that do not require a permit, the cover page of the regulations do not indicate that the current regulations are superseded.

<u>This packet contains</u>	<u>© number</u>
Regulation 9-12AM Fire Safety Code – Fire Protection Systems	
Cover letter	1
9-12AM Amendments Noted	2 – 11
9-12AM Clean	12 – 21
Regulation 10-12AM Fire Safety Code – Building Construction	
Cover letter	22
10-12AM Amendments noted	23 – 51
10-12AM Clean	52 – 80
Draft Resolutions	81 – 82

---

<sup>2</sup> See COMAR 6-06AM and 7-06AM.

[http://www6.montgomerycountymd.gov/content/council/pdf/agenda/col/2006/061128/20061128\\_05.pdf](http://www6.montgomerycountymd.gov/content/council/pdf/agenda/col/2006/061128/20061128_05.pdf).

REC REG

JZ  
8  
SEP  
6  
11  
9



069383

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

July 12, 2012



RECEIVED  
MONTGOMERY COUNTY  
GENERAL

2012 JUL 12 PM 3:11

TO: Roger Berliner, President  
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Executive Regulation 9-12AM  
Fire Safety Code – Fire Protection Systems

I am forwarding for County Council approval proposed Executive Regulation 9-12AM, Fire Safety Code – Fire Protection Systems. This amendment updates the proposed regulation originally sent to the County Council on June 18, 2012. A Legislative Attorney for the Council recommended amending Section 1, of Executive Regulation 9-12, in order to add the following: these regulations supersede Regulation No. 6-06AM only to the extent that regulation No. 6-06AM applies to new construction and alterations to existing buildings, existing systems, or existing conditions. The proposed amended regulation includes this change.

IL:lf

Attachments

①





# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

Montgomery County Regulation on:

FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS  
Montgomery County Department of Permitting Services

Issued by: County Executive  
Regulation No: 9 -12

Authority: Code Section 22-13  
Supersedes: None

Council Review: Method 2 under Code Section 2A-15  
Register Vol. 29, Issue 4

Comment Deadline: April 30, 2012

Effective date:  
Sunset date: None

**SUMMARY:**

This regulation adopts and modifies certain standards published by the National Fire Protection Association (NFPA) involved with the installation, testing and maintenance of certain fire protection systems as required by the Montgomery Country Building Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. The changes do not retroactively apply to unaltered existing buildings, existing systems or existing conditions permitted or approved before the date of adoption of this regulation.

The Department of Permitting Services has been delegated the authority by the Fire Chief (of Montgomery County Fire and Rescue Services) to adopt regulations pursuant to Chapter 22 of the Montgomery County Code in the cases of a new building, a new system, or new conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

**ADDRESSES:**

Department of Permitting Services  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, MD 20850

**STAFF:**

For further information, contact Joseph Felton, Manager, Division of Building Construction, 240-777-6208.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 1** In accordance with the procedures authorized in Chapter 22, "Fire Safety Code", of the Montgomery County Code, 1996, this Executive Regulation applies to the design, installation, and maintenance of fire protection systems in buildings or structures. Where there are differences between this regulation and the Montgomery County Building Code, the more restrictive provision(s) will apply.

In this regulation the term "Fire Chief" means the Fire Chief of the Montgomery County Fire and Rescue Service and includes the Fire Chief's designees.

The Department of Permitting Services has been delegated authority by the Fire Chief to enforce the requirements of the Montgomery County Fire Safety Code as it pertains to new facilities, elements, structures, and conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

These regulations supersede Regulation No. 6-06AM only to the extent that Regulation No. 6-06AM applies to new construction and alterations to existing buildings, existing systems, or existing conditions.

**Sec. 2** All references to the National Fire Codes and standards adopted in these regulations are to those codes, standards, recommended practices, and manuals in the National Fire Codes, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269. Unless otherwise noted, all references are to those codes and standards published in the 2009 edition of National Fire Protection Association's Fire Code (NFPA 1) and are adopted in their entirety.

Terms used in this regulation which are defined in the state adopted consensus codes shall have the definitions of the consensus code.

**Sec. 3** Designs for smoke management systems shall be submitted for review and approval as part of a building permit. Submittals for smoke management systems shall include:

- (a) Plans and specifications
- (b) Engineering calculations and/or computer model
- (c) Floor plans
- (d) System diagrams and details



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- (e) Sequence of operations and control layout
- (f) Preliminary test procedures
- (g) Acceptance test procedures
- (h) Pass/fail criteria
- (i) Maintenance requirements including periodic testing criteria

**Sec. 4** NFPA 13, paragraph 8.1.1, add new paragraph (8) as follows:

- (8) Sprinklers are required under attached balconies or porches unless at least 50 percent of the longest exterior side is open to the atmosphere.

**Sec. 5** NFPA 13, Section 8.3.2.4, add the following: "Intermediate temperature sprinkler heads shall only be installed if an acceptable layout can not be achieved without a sprinkler head in the high temperature area."

**Sec. 6** NFPA 13, paragraph 8.4.5.1, add: Listed residential sprinkler heads shall be used in dwelling units except Detention and Correctional occupancies.

**Sec. 7** NFPA 13, paragraph 8.15.7, add: Any canopy with the potential for extended vehicle standing or parking below shall have sprinkler protection on the underside of the canopy.

**Sec. 8** NFPA 13, paragraph 8.15.14.1, add a sentence at the beginning that reads: For new ceiling installations, drop-out ceilings shall be prohibited.

**Sec. 9** NFPA 13, paragraph 8.15.10.3 is deleted.

**Sec. 10** NFPA 13, paragraph 8.15.19.1 is amended as follows: In new installations expected to supply sprinklers below a ceiling and in any speculative areas subject to tenant changes, minimum one inch sprinkler outlets shall be provided.

**Sec. 11** NFPA 13, paragraphs 8.16.1.1.1 and 8.17.1.1, add: When a sprinkler system serves more than one level, each level must be consistently and separately valved by a listed and approved control valve. In addition, where a sprinkler system is required to activate a building fire alarm system, the sprinkler system shall have a separate and distinct water flow detecting device for each floor and zone.

Exception 1: In buildings not exceeding three floors and 3000 square feet per floor.

Exception 2: Unoccupied and unused attics may be zoned with the level below.

Exception 3: Mezzanines not exceeding 3000 square feet in area.

Exception 4: Detention and correctional facilities.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 12** NFPA 13, paragraph 8.17.2, add the following requirements for fire department connections:

- (a) Shall be located within 100 feet from a fire hydrant, and between 18 and 48 inches from grade to the centerline of the inlets.
- (b) Number of 2 1/2 in. inlets:

System Demand (gpm)	No. of Inlets
up to 749	2
750-999	3
1000 and above	4
- (c) Multiple connections for the same building shall be interconnected.
- (d) When a section of a building is fed by a connection (i.e., partial systems), permanent all weather identification signs shall be provided on connections.
- (e) Shall be sized at least as large as the main sprinkler system riser pipe or the fire pump discharge line, whichever is larger.

**Sec. 13** NFPA 13, paragraph 11.1, add: Calculations for new systems or new portions of systems shall meet the criteria below.

- (a) Highest hazard and most demanding use allowed by building construction permit or property zoning.
- (b) Storage use: Available storage height for high storage of a class 4 non-encapsulated material.
- (c) Laboratory use: ordinary group 2 for class A, B, or C labs.
- (d) All uses: 20% safety factor. For systems without a pump, this is based on the demand pressure only at the supply point. For systems with a pump, this is based on both the demand pressure and demand flow at the pump discharge. All design options, except grids, must be explored.

Exception to safety factor only: Owner occupied buildings may use a lower safety factor if a pump would be necessary to achieve the 20%.

**Sec. 14** NFPA 13, paragraph 23.1.2, add: Pressure and flow availability as determined by a hydraulic information sheet received from a public utility shall be used for new taps. Pressure and flow availability for existing taps shall be determined by an interior flow test. In any case, the supply information shall be corrected for the low hydraulic gradient. Fire pumps and fire pump/tank supplies shall only be used where it is demonstrated that the public water supply is inadequate.

**Sec. 15** NFPA 13, paragraph 24.2.1. Add a new paragraph:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

24.2.1.13 Sprinkler heads shall not be installed in plastic pipe until after the hydrostatic test is passed.

Sec. 16 NFPA 13D, paragraph 1.1, add: This standard also applies to Day care homes containing 12 clients or less if located within converted one and two family dwellings or townhouses.

Sec. 17 NFPA 13D, paragraph 4.3. Add a new paragraph:

4.3.3 Sprinkler heads shall not be installed in plastic pipe until after the hydrostatic test is passed.

Sec. 18 NFPA 13D, paragraph 6.1, add: Pressure and flow availability as determined by a public utility must be used and shall be adjusted to the low hydraulic gradient. Booster pumps and pump/tank supplies shall only be used where it is demonstrated that the public water supply is inadequate as determined by the director of the Department of Permitting Services.

Sec. 19 NFPA 13D, paragraph 6.2: Add section (6)

(6) System specific data plate on durable material to be fixed at sprinkler system main riser.

Sec. 20 NFPA 13D, paragraph 6.2.2(6), add to the end of the sentence "and shall be raised a minimum of 1 ½ inches of the floor."

Sec. 21 NFPA 13D, section 7.5.5.1, add: Where possible to maintain listed coverage, sprinkler heads shall be positioned so as to eliminate the need to install sprinkler heads of a higher temperature rating.

Sec. 22 NFPA 13D, paragraph 7.5.5, add new paragraph 7.5.5.4:

7.5.5.4 Dry type sprinklers shall be used in areas which are not heated to at least 40 degrees F.

Sec. 23 NFPA 13D, paragraph 8.2.5, add paragraph 8.2.5.1.1:

8.2.5.1.1 Sprinkler heads in closets shall not be located directly above shelves.

Sec. 24 NFPA 13D, paragraph 8.4, add: All calculations shall include at least a 10% safety factor to account for minor field changes, unless a booster pump is necessary to obtain this safety



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

factor.

- Sec. 25 NFPA 13D, paragraph 8.6.4, add the following after garages: "...unless located partially or wholly beneath living space."
- Sec. 26 NFPA 13R, paragraph 6.4.2. Add a new paragraph:
- 6.4.2.3 Sprinkler heads shall not be installed in plastic pipe until after the hydrostatic test is passed.
- Sec. 27 NFPA 13R, paragraph 6.6.3, add: Pressure and volume availability as determined by a public utility shall be used and shall be adjusted to the low hydraulic gradient. Booster pumps and pump/tank supplies shall only be used where it is demonstrated that the public water supply is inadequate.
- Sec. 28 NFPA 13R, paragraph 6.7.4.2 is replaced to read: "The fire department connection shall be a minimum of one 2 ½ inch inlet with a feed line sized at least as large as the main system riser. The fire department connection shall be located on a fire department access road and be 18 to 48 inches from the centerline of the inlet to finish grade."
- Sec. 29 NFPA 13R, paragraph 6.8.1.5.3.2 is amended to add subparagraph (e):
- (e) Sprinkler heads in closets shall not be located directly above shelves.
- Sec. 30 NFPA 13R, paragraph 6.8.1.5.3.3 is amended to add subparagraph (e):
- (e) Unprotected bulkheads or soffits behind the spray of side wall sprinklers shall not exceed 8 inches in width for residential sidewalls and 12 inches for dry sidewalls.
- Sec. 31 NFPA 13R, paragraph 6.8.4, add: All calculations shall include at least a 10% safety factor to account for minor field changes, unless a listed fire pump is necessary to obtain this safety factor.
- Sec. 32 NFPA 14, paragraph 4.7.2 is amended as follows: Each fire hose valve shall be provided with 2 1/2 in. hose connection, 2 1/2 in. to 1 1/2 in. reducer, cap, and chain.
- Sec. 33 NFPA 14, paragraph 5.1.2, add:
- (1) Systems shall be automatic wet type.
  - (2) Standpipe systems in unheated areas shall be automatic dry type.
  - (3) Standpipe systems in detached open parking garages may be the manual dry type, if



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

the piping is air supervised for breaks or open valves.

- (4) Occupant use hose is prohibited in new or existing buildings.
- (5) New standpipe systems shall be Class I only.

**Sec. 34** NFPA 14, paragraph 6.4 (Fire Department Connections), add:

- (1) Number of 2 1/2 in. inlets:

<u>System Demand (gpm)</u>	<u>No. of Inlets</u>
<u>up to 749</u>	<u>2</u>
<u>750-999</u>	<u>3</u>
<u>1,000 and above</u>	<u>4</u>

- (2) Multiple connections on the same building shall be interconnected.
- (3) When a section of a building is fed by a connection (i.e., partial systems), permanent all weather identification signs shall be provided on connections.

**Sec. 35** NFPA 14, paragraph 7.3.2(1), amend to read:

"At the highest intermediate landing between floor levels or each main landing in every required exit stairway."

**Sec. 36** NFPA 14, paragraph 7.3.2.3, add:

- (1) Measurement shall be parallel or at right angles to walls.
- (2) Supplemental hose valves outside the stairs shall not be located within tenant spaces, unless hose reach requirements cannot be met by placement of valves in public corridors or by use of wall hydrants for spaces opening to the exterior. Hose valve locations shall be marked by the placement of signs, the striping of columns, or other approved methods.

**Sec. 37** NFPA 14, paragraph 7.8.1.1, add exceptions:

Exception 1: In high-rise buildings, where booster pumps are necessary to produce the required residual pressures, pumps and piping systems must be sized to provide for the demand of the hydraulically most remote hose station, or the sprinkler system demand, whichever is greater. The standpipe system must also be sized to provide the required flow and pressure for all hose stations required to be flowing, when supplied by 150 psi at 1000 gpm at the fire department connection(s). Two sets of calculations will, therefore, be required under this exception.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject:  
FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS

Number: 9-12AM

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

Exception 2: Systems in buildings that are not high-rise, and dry systems with no automatic water supply, may be sized to obtain the required flows and pressures, when supplied by 150 psi at 1000 gpm at the fire department connection(s).

Exception 3: In existing buildings, after shell occupancy, hose valves added to correct reach violations created by tenant modifications may be supplied by 3 inch pipe without recalculation.

Sec. 38 NFPA 20, paragraph 5.18.1.2, add: A relief valve shall be permitted to be installed to reduce operating pressure below 175 psi at high gradient.

Sec. 39 NFPA 20, paragraph 5.18.7 is amended entirely to state: For other than static water supplies, relief valves shall not be piped back into the source of the supply.

Sec. 40 NFPA 72, paragraph 4.4.6.1, add the following sentence: An annunciator with the following features is required when the building is greater than one story, over 20,000 square feet in area per floor, or has more than one type of alarm initiating device.

Exception 1: Apartments protected by a 13R sprinkler system.

Exception 2: Any building not exceeding two stories above grade and 3,000 square feet per floor.

- (a) Annunciator shall have a visible signal for each different floor, zone, and device type. Supervised computer screen or printer type annunciators may be used to meet this requirement if the zone identification is approved by the Fire Chief.
- (b) Unless otherwise approved by the authority having jurisdiction, zones shall not exceed a single floor, 20,000 square feet, or 300 linear feet. Sprinkler systems shall be permitted to be zoned in accordance with the applicable sprinkler standard.
- (c) If two or more zones per floor are required, a graphic outline on or adjacent to the annunciator shall be provided showing the building outline, zone boundaries, "you are here" notation, north compass arrow, all stairways, stairway identification numbers, all standpipe risers, elevators, and the building address.
- (d) A lamp type annunciator shall have a lamp test switch unless the annunciator circuits are supervised.
- (e) The annunciator shall be located at, and visible from, the main fire department entrance unless the building has a fire command center.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

(f) If two or more buildings are controlled by one alarm system, an annunciator shall be installed in each building with a pilot lamp indicating the building of alarm origination.

**Sec. 41** NFPA 72, paragraph 5.7.3.2.3.3, add new paragraph 5.7.3.2.3.3.1:

5.7.3.2.3.3.1 Detectors which activate required extinguishing systems on a cross-zoned or multiple-zone basis shall be spaced at a maximum of one-half of their allowed or listed square footage spacing.

**Sec. 42** NFPA 72, paragraph 5.7.4.2.2, add: Activation of duct smoke detectors shall sound an audible alarm in a normally occupied area or through the building fire alarm system, and shall be identified as duct detector. Where connected to the building alarm, the signal shall be supervisory only and shall not initiate the building evacuation alarm unless a confirmation or verification feature is provided.

**Sec. 43** NFPA 72, paragraph 5.7.1.7 is amended as follows: Detectors located at the top of shafts and stairs shall be on a supervisory circuit only unless a confirmation or verification feature is provided. The location shall be identified at the annunciator or fire alarm control panel.

**Sec. 44** NFPA 72, paragraph 5.11.2, add: Standpipe or main water flow indicators, if provided, shall sound a supervisory signal only.

**Sec. 45** NFPA 72, the second sentence under paragraph 5.13.4 is changed to read: "The center of each manual fire alarm pull station shall be between 42 and 48 inches above the floor level."

**Sec. 46** NFPA 72, paragraph 5.13, is amended by adding subparagraph 5.13.9

5.13.9 When fire alarm systems are not monitored by a UL listed central station, an approved permanent sign shall be installed adjacent to each manual fire alarm box. The sign shall read as follows:

Local Alarm Only:

- (1) Activate Alarm.
- (2) Exit Building
- (3) Call Fire Department



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

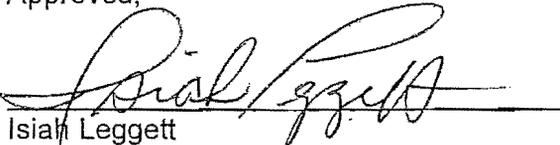
Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

Sec. 47 NFPA 72, paragraph 6.10.1.15 is amended by changing "two" to "six".

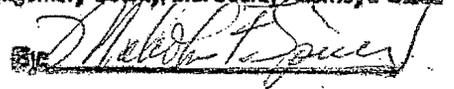
Sec. 48 NFPA 72, paragraph 11.8.3.5, add new paragraph (11):

(11) Enclosed rooms with a closet such as dens, libraries, studies, or sitting rooms which could be used as a sleeping area shall be treated as bedrooms.

Approved,

  
Isiah Leggett  
County Executive

Approved as to form and legality  
Montgomery County, Md. County Attorney's Office





# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

Montgomery County Regulation on:

FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS  
Montgomery County Department of Permitting Services

Issued by: County Executive  
Regulation No: 9-12AM

Authority: Code Section 22-13

Supersedes: None

Council Review: Method 2 under Code Section 2A-15

Register Vol. 29, Issue 4

Comment Deadline: April 30, 2012

Sunset date: None

**SUMMARY:**

This regulation adopts and modifies certain standards published by the National Fire Protection Association (NFPA) involved with the installation, testing and maintenance of certain fire protection systems as required by the Montgomery County Building Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. The changes do not retroactively apply to unaltered existing buildings, existing systems or existing conditions permitted or approved before the date of adoption of this regulation.

The Department of Permitting Services has been delegated the authority by the Fire Chief (of Montgomery County Fire and Rescue Services) to adopt regulations pursuant to Chapter 22 of the Montgomery County Code in the cases of a new building, a new system, or new conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

**ADDRESSES:**

Department of Permitting Services  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, MD 20850

**STAFF:**

For further information, contact Joseph Felton, Manager, Division of Building Construction, 240-777-6208.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 1** In accordance with the procedures authorized in Chapter 22, "Fire Safety Code", of the Montgomery County Code, 1996, this Executive Regulation applies to the design, installation, and maintenance of fire protection systems in buildings or structures. Where there are differences between this regulation and the Montgomery County Building Code, the more restrictive provision(s) will apply.

In this regulation the term "Fire Chief" means the Fire Chief of the Montgomery County Fire and Rescue Service and includes the Fire Chief's designees.

The Department of Permitting Services has been delegated authority by the Fire Chief to enforce the requirements of the Montgomery County Fire Safety Code as it pertains to new facilities, elements, structures, and conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

These regulations supersede Regulation No. 6-06AM only to the extent that Regulation No. 6-06AM applies to new construction and alterations to existing buildings, existing systems, or existing conditions.

**Sec. 2** All references to the National Fire Codes and standards adopted in these regulations are to those codes, standards, recommended practices, and manuals in the National Fire Codes, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269. Unless otherwise noted, all references are to those codes and standards published in the 2009 edition of National Fire Protection Association's Fire Code (NFPA 1) and are adopted in their entirety.

Terms used in this regulation which are defined in the state adopted consensus codes shall have the definitions of the consensus code.

**Sec. 3** Designs for smoke management systems shall be submitted for review and approval as part of a building permit. Submittals for smoke management systems shall include:

- (a) Plans and specifications
- (b) Engineering calculations and/or computer model
- (c) Floor plans
- (d) System diagrams and details
- (e) Sequence of operations and control layout



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

- (f) Preliminary test procedures
- (g) Acceptance test procedures
- (h) Pass/fail criteria
- (i) Maintenance requirements including periodic testing criteria

**Sec. 4** NFPA 13, paragraph 8.1.1, add new paragraph (8) as follows:

- (8) Sprinklers are required under attached balconies or porches unless at least 50 percent of the longest exterior side is open to the atmosphere.

**Sec. 5** NFPA 13, Section 8.3.2.4, add the following: "Intermediate temperature sprinkler heads shall only be installed if an acceptable layout can not be achieved without a sprinkler head in the high temperature area."

**Sec. 6** NFPA 13, paragraph 8.4.5.1, add: Listed residential sprinkler heads shall be used in dwelling units except Detention and Correctional occupancies.

**Sec. 7** NFPA 13, paragraph 8.15.7, add: Any canopy with the potential for extended vehicle standing or parking below shall have sprinkler protection on the underside of the canopy.

**Sec. 8** NFPA 13, paragraph 8.15.14.1, add a sentence at the beginning that reads: For new ceiling installations, drop-out ceilings shall be prohibited.

**Sec. 9** NFPA 13, paragraph 8.15.10.3 is deleted.

**Sec. 10** NFPA 13, paragraph 8.15.19.1 is amended as follows: In new installations expected to supply sprinklers below a ceiling and in any speculative areas subject to tenant changes, minimum one inch sprinkler outlets shall be provided.

**Sec. 11** NFPA 13, paragraphs 8.16.1.1.1 and 8.17.1.1, add: When a sprinkler system serves more than one level, each level must be consistently and separately valved by a listed and approved control valve. In addition, where a sprinkler system is required to activate a building fire alarm system, the sprinkler system shall have a separate and distinct water flow detecting device for each floor and zone.

- Exception 1: In buildings not exceeding three floors and 3000 square feet per floor.
- Exception 2: Unoccupied and unused attics may be zoned with the level below.
- Exception 3: Mezzanines not exceeding 3000 square feet in area.
- Exception 4: Detention and correctional facilities.

**Sec. 12** NFPA 13, paragraph 8.17.2, add the following requirements for fire department connections:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

- (a) Shall be located within 100 feet from a fire hydrant, and between 18 and 48 inches from grade to the centerline of the inlets.
- (b) Number of 2 1/2 in. inlets:
 

System Demand (gpm)	No. of Inlets
up to 749	2
750-999	3
1000 and above	4
- (c) Multiple connections for the same building shall be interconnected.
- (d) When a section of a building is fed by a connection (i.e., partial systems), permanent all weather identification signs shall be provided on connections.
- (e) Shall be sized at least as large as the main sprinkler system riser pipe or the fire pump discharge line, whichever is larger.

**Sec. 13** NFPA 13, paragraph 11.1, add: Calculations for new systems or new portions of systems shall meet the criteria below.

- (a) Highest hazard and most demanding use allowed by building construction permit or property zoning.
- (b) Storage use: Available storage height for high storage of a class 4 non-encapsulated material.
- (c) Laboratory use: ordinary group 2 for class A, B, or C labs.
- (d) All uses: 20% safety factor. For systems without a pump, this is based on the demand pressure only at the supply point. For systems with a pump, this is based on both the demand pressure and demand flow at the pump discharge. All design options, except grids, must be explored.

Exception to safety factor only: Owner occupied buildings may use a lower safety factor if a pump would be necessary to achieve the 20%.

**Sec. 14** NFPA 13, paragraph 23.1.2, add: Pressure and flow availability as determined by a hydraulic information sheet received from a public utility shall be used for new taps. Pressure and flow availability for existing taps shall be determined by an interior flow test. In any case, the supply information shall be corrected for the low hydraulic gradient. Fire pumps and fire pump/tank supplies shall only be used where it is demonstrated that the public water supply is inadequate.

**Sec. 15** NFPA 13, paragraph 24.2.1. Add a new paragraph:

**24.2.1.13** Sprinkler heads shall not be installed in plastic pipe until after the hydrostatic test is passed.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 16** NFPA 13D, paragraph 1.1, add: This standard also applies to Day care homes containing 12 clients or less if located within converted one and two family dwellings or townhouses.
- Sec. 17** NFPA 13D, paragraph 4.3. Add a new paragraph:
- 4.3.3** Sprinkler heads shall not be installed in plastic pipe until after the hydrostatic test is passed.
- Sec. 18** NFPA 13D, paragraph 6.1, add: Pressure and flow availability as determined by a public utility must be used and shall be adjusted to the low hydraulic gradient. Booster pumps and pump/tank supplies shall only be used where it is demonstrated that the public water supply is inadequate as determined by the director of the Department of Permitting Services.
- Sec. 19** NFPA 13D, paragraph 6.2: Add section (6)
- (6) System specific data plate on durable material to be fixed at sprinkler system main riser.
- Sec. 20** NFPA 13D, paragraph 6.2.2(6), add to the end of the sentence "and shall be raised a minimum of 1 ½ inches of the floor."
- Sec. 21** NFPA 13D, section 7.5.5.1, add: Where possible to maintain listed coverage, sprinkler heads shall be positioned so as to eliminate the need to install sprinkler heads of a higher temperature rating.
- Sec. 22** NFPA 13D, paragraph 7.5.5, add new paragraph 7.5.5.4:
- 7.5.5.4** Dry type sprinklers shall be used in areas which are not heated to at least 40 degrees F.
- Sec. 23** NFPA 13D, paragraph 8.2.5, add paragraph 8.2.5.1.1:
- 8.2.5.1.1** Sprinkler heads in closets shall not be located directly above shelves.
- Sec. 24** NFPA 13D, paragraph 8.4, add: All calculations shall include at least a 10% safety factor to account for minor field changes, unless a booster pump is necessary to obtain this safety factor.
- Sec. 25** NFPA 13D, paragraph 8.6.4, add the following after garages: "...unless located partially or wholly beneath living space."



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 26** NFPA 13R, paragraph 6.4.2. Add a new paragraph:

**6.4.2.3** Sprinkler heads shall not be installed in plastic pipe until after the hydrostatic test is passed.

**Sec. 27** NFPA 13R, paragraph 6.6.3, add: Pressure and volume availability as determined by a public utility shall be used and shall be adjusted to the low hydraulic gradient. Booster pumps and pump/tank supplies shall only be used where it is demonstrated that the public water supply is inadequate.

**Sec. 28** NFPA 13R, paragraph 6.7.4.2 is replaced to read: "The fire department connection shall be a minimum of one 2 ½ inch inlet with a feed line sized at least as large as the main system riser. The fire department connection shall be located on a fire department access road and be 18 to 48 inches from the centerline of the inlet to finish grade."

**Sec. 29** NFPA 13R, paragraph 6.8.1.5.3.2 is amended to add subparagraph (e):

(e) Sprinkler heads in closets shall not be located directly above shelves.

**Sec. 30** NFPA 13R, paragraph 6.8.1.5.3.3 is amended to add subparagraph (e):

(e) Unprotected bulkheads or soffits behind the spray of side wall sprinklers shall not exceed 8 inches in width for residential sidewalls and 12 inches for dry sidewalls.

**Sec. 31** NFPA 13R, paragraph 6.8.4, add: All calculations shall include at least a 10% safety factor to account for minor field changes, unless a listed fire pump is necessary to obtain this safety factor.

**Sec. 32** NFPA 14, paragraph 4.7.2 is amended as follows: Each fire hose valve shall be provided with 2 1/2 in. hose connection, 2 1/2 in. to 1 1/2 in. reducer, cap, and chain.

**Sec. 33** NFPA 14, paragraph 5.1.2, add:

- (1) Systems shall be automatic wet type.
- (2) Standpipe systems in unheated areas shall be automatic dry type.
- (3) Standpipe systems in detached open parking garages may be the manual dry type, if the piping is air supervised for breaks or open valves.
- (4) Occupant use hose is prohibited in new or existing buildings.
- (5) New standpipe systems shall be Class I only.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 34** NFPA 14, paragraph 6.4 (Fire Department Connections), add:

(1) Number of 2 1/2 in. inlets:

System Demand (gpm)	No. of Inlets
up to 749	2
750-999	3
1,000 and above	4

(2) Multiple connections on the same building shall be interconnected.

(3) When a section of a building is fed by a connection (i.e., partial systems), permanent all weather identification signs shall be provided on connections.

**Sec. 35** NFPA 14, paragraph 7.3.2(1), amend to read:

"At the highest intermediate landing between floor levels or each main landing in every required exit stairway."

**Sec. 36** NFPA 14, paragraph 7.3.2.3, add:

(1) Measurement shall be parallel or at right angles to walls.

(2) Supplemental hose valves outside the stairs shall not be located within tenant spaces, unless hose reach requirements cannot be met by placement of valves in public corridors or by use of wall hydrants for spaces opening to the exterior. Hose valve locations shall be marked by the placement of signs, the striping of columns, or other approved methods.

**Sec. 37** NFPA 14, paragraph 7.8.1.1, add exceptions:

Exception 1: In high-rise buildings, where booster pumps are necessary to produce the required residual pressures, pumps and piping systems must be sized to provide for the demand of the hydraulically most remote hose station, or the sprinkler system demand, whichever is greater. The standpipe system must also be sized to provide the required flow and pressure for all hose stations required to be flowing, when supplied by 150 psi at 1000 gpm at the fire department connection(s). Two sets of calculations will, therefore, be required under this exception.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	<b>Number:</b> 9-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

Exception 2: Systems in buildings that are not high-rise, and dry systems with no automatic water supply, may be sized to obtain the required flows and pressures, when supplied by 150 psi at 1000 gpm at the fire department connection(s).

Exception 3: In existing buildings, after shell occupancy, hose valves added to correct reach violations created by tenant modifications may be supplied by 3 inch pipe without recalculation.

**Sec. 38** NFPA 20, paragraph 5.18.1.2, add: A relief valve shall be permitted to be installed to reduce operating pressure below 175 psi at high gradient.

**Sec. 39** NFPA 20, paragraph 5.18.7 is amended entirely to state: For other than static water supplies, relief valves shall not be piped back into the source of the supply.

**Sec. 40** NFPA 72, paragraph 4.4.6.1, add the following sentence: An annunciator with the following features is required when the building is greater than one story, over 20,000 square feet in area per floor, or has more than one type of alarm initiating device.

Exception 1: Apartments protected by a 13R sprinkler system.

Exception 2: Any building not exceeding two stories above grade and 3,000 square feet per floor.

- (a) Annunciator shall have a visible signal for each different floor, zone, and device type. Supervised computer screen or printer type annunciators may be used to meet this requirement if the zone identification is approved by the Fire Chief.
- (b) Unless otherwise approved by the authority having jurisdiction, zones shall not exceed a single floor, 20,000 square feet, or 300 linear feet. Sprinkler systems shall be permitted to be zoned in accordance with the applicable sprinkler standard.
- (c) If two or more zones per floor are required, a graphic outline on or adjacent to the annunciator shall be provided showing the building outline, zone boundaries, "you are here" notation, north compass arrow, all stairways, stairway identification numbers, all standpipe risers, elevators, and the building address.
- (d) A lamp type annunciator shall have a lamp test switch unless the annunciator circuits are supervised.
- (e) The annunciator shall be located at, and visible from, the main fire department entrance unless the building has a fire command center.
- (f) If two or more buildings are controlled by one alarm system, an annunciator shall be installed in each building with a pilot lamp indicating the building of alarm origination.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street ; Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 41** NFPA 72, paragraph 5.7.3.2.3.3, add new paragraph 5.7.3.2.3.3.1:

**5.7.3.2.3.3.1** Detectors which activate required extinguishing systems on a cross-zoned or multiple-zone basis shall be spaced at a maximum of one-half of their allowed or listed square footage spacing.

**Sec. 42** NFPA 72, paragraph 5.7.4.2.2, add: Activation of duct smoke detectors shall sound an audible alarm in a normally occupied area or through the building fire alarm system, and shall be identified as duct detector. Where connected to the building alarm, the signal shall be supervisory only and shall not initiate the building evacuation alarm unless a confirmation or verification feature is provided.

**Sec. 43** NFPA 72, paragraph 5.7.1.7 is amended as follows: Detectors located at the top of shafts and stairs shall be on a supervisory circuit only unless a confirmation or verification feature is provided. The location shall be identified at the annunciator or fire alarm control panel.

**Sec. 44** NFPA 72, paragraph 5.11.2, add: Standpipe or main water flow indicators, if provided, shall sound a supervisory signal only.

**Sec. 45** NFPA 72, the second sentence under paragraph 5.13.4 is changed to read: "The center of each manual fire alarm pull station shall be between 42 and 48 inches above the floor level."

**Sec. 46** NFPA 72, paragraph 5.13, is amended by adding subparagraph 5.13.9

**5.13.9** When fire alarm systems are not monitored by a UL listed central station, an approved permanent sign shall be installed adjacent to each manual fire alarm box. The sign shall read as follows:

Local Alarm Only:

- (1) Activate Alarm
- (2) Exit Building
- (3) Call Fire Department

**Sec. 47** NFPA 72, paragraph 6.10.1.15 is amended by changing "two" to "six".



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS	Number: 9-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

Sec. 48 NFPA 72, paragraph 11.8.3.5, add new paragraph (11):

- (11) Enclosed rooms with a closet such as dens, libraries, studies, or sitting rooms which could be used as a sleeping area shall be treated as bedrooms.

Approved,

A handwritten signature in cursive script, appearing to read "Isiah Leggett", written over a horizontal line.

Isiah Leggett  
County Executive

Approved as to form and legality  
Montgomery County, Md. County Attorney's Office

By: A handwritten signature in cursive script, appearing to read "Nelson F. Smith", written over a horizontal line.

Exec REG



069384

JZ  
CR  
SBF  
LF  
JG

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive



RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

2012 JUL 12 PM 3:11

MEMORANDUM

July 12, 2012

TO: Roger Berliner, President  
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Executive Regulation 10-12AM  
Fire Safety Code – Building Construction

I am forwarding for County Council approval proposed Executive Regulation 10-12AM, Fire Safety Code – Building Construction. This amendment updates the proposed regulation originally sent to the County Council on June 18, 2012. A Legislative Attorney for the Council recommended amending Section 1, of Executive Regulation 9-12, in order to add the following: these regulations supersede Regulation No. 7-06AM only to the extent that regulation No. 7-06AM applies to new construction and alterations to existing buildings, existing systems, or existing conditions. The proposed amended regulation includes this change.

IL:lf

Attachments

22





# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: <b>FIRE SAFETY CODE – BUILDING CONSTRUCTION</b>	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

Montgomery County Regulation on:

FIRE SAFETY CODE - BUILDING CONSTRUCTION  
Montgomery County Department of Permitting Services

Issued By: County Executive

Regulation No: 10-12

Authority: Code Section 22-13

Council Review: Method 2 under Code Section 2A-15

Register Vol. 29, Issue 4

Comment Deadline: April 30, 2012

Effective Date:

Sunset Date: None

**SUMMARY:**

This regulation adopts the applicable editions of various National Fire Protection Association (NFPA) standards – most notably NFPA 1, Uniform Fire Code and NFPA 101, Life Safety Code – as adopted by the Maryland State Fire Prevention Code. These codes and the associated codes and standards incorporated by reference are adopted to set the minimum requirements to establish a reasonable level of safety from the hazards created by fire, explosion, and dangerous conditions. The changes do not retroactively apply to unaltered existing buildings, existing systems or existing conditions permitted or approved before the date of adoption of this regulation unless an inimical hazard exists.

The Department of Permitting Services has been delegated the authority by the Fire Chief (of Montgomery County Fire and Rescue Services) to adopt regulations pursuant to Chapter 22 of the Montgomery County Code in the cases of a new building, a new system, or new conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

**ADDRESSES:** Department of Permitting Services  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, MD 20850

**STAFF:** For further information, contact Mike Pokorny, Senior Permitting Services Specialist, Division of Building Construction, 240-777-6235.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject:  
FIRE SAFETY CODE – BUILDING CONSTRUCTION

Number: 10-12AM

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

Sec. 1 In accordance with the procedures authorized in Chapter 22, "Fire Safety Code," of the Montgomery County Code, 1996, this Executive Regulation applies to the safeguarding of life, property, and the public welfare from the hazards of fire and explosion arising from the improper storage, handling, or use of substances, materials, or devices and from conditions hazardous to life, property, and the public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises.

In this regulation the term "Fire Chief" means the Fire Chief of the Montgomery County Fire and Rescue Service and includes the Fire Chief's designees.

The Department of Permitting Services has been delegated authority by the Fire Chief to enforce the requirements of the Montgomery County Fire Safety Code as it pertains to new facilities, elements, structures, and conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

This regulation supersedes Regulation No. 7-06AM only to the extent that Regulation No. 7-06AM applies to new construction and alterations to existing buildings, existing systems, or existing conditions.

Sec. 2 Unless otherwise noted, all references to the National Fire Codes and Standards adopted in these regulations are to those codes, standards, recommended practices and manuals in the National Fire Codes, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269. The references to these National Fire Codes and Standards are set forth in Section 22-14 of the Montgomery County Code, 1996.

Terms used in this regulation which are defined in the state adopted consensus codes shall have the definitions of the consensus code.

Sec. 3 Standards Adopted. The following standards published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, are incorporated in these regulations except as expressly amended. The dates or editions of the individual codes and standards are as listed in this section.

NFPA No.	CODE OR STANDARD
----------	------------------



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- 1 Uniform Fire Code – 2009 edition
- 42 Code for the Storage of Pyroxylin Plastic – 2002 edition
- 101 Life Safety Code – 2009 edition
- 130 Standard for Fixed Guideway Transit and Passenger Rail Systems – 2007 edition
- 214 Standard on Water Cooling Towers – 2005 edition
- 720 Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment – 2009 edition
- 850 Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations – 2005 edition

**Sec. 4** The Fire Chief must review this regulation and propose amendments within six months after the date the State Fire Prevention Commission adopts new amendments to NFPA 1 and NFPA 101 into the State Fire Prevention Code.

**Sec. 5** Delete NFPA 1, Section 1.9.

**Sec. 6** Delete NFPA 1, Section 1.10.

**Sec. 7** Delete NFPA 1, Subsection 1.11.3.

**Sec. 8** Amend NFPA 1, Section 1.12.1, add a new subsection 1.12.1.1 as follows: 1.12.1.1 Permits, certificates, notices, approvals or orders required by this code shall be governed by the policies and procedures of the AHJ.

**Sec. 9** Amend NFPA 1, Section 1.12.7 to change the word "shall" to "may".

**Sec. 10** Amend NFPA 1, Section 2.2 to delete the referenced publication NFPA 5000 Building Construction and Safety Code, 2009 edition. Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code adopted by Montgomery County.

**Sec. 11** Amend NFPA 1, Section 3.3.115 to add "and as referenced in Public Safety Article Section 10-101, Annotated Code of Maryland."

**Sec. 12** Amend NFPA 1, Section 3.3.170.6 to delete phrase "more than 3 but".



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: <b>FIRE SAFETY CODE – BUILDING CONSTRUCTION</b>	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 13 Amend NFPA 1, Section 3.3.170.7 and Section 6.1.4.1 to delete phrase “four or more”.
- Sec. 14 Amend NFPA 1, Section 3.3.170.20 to replace the word “three” with “five” and delete the phrase “,if any, accommodated in rented rooms.”
- Sec. 15 Amend NFPA 1, Section 3.3.170.23 and Section 6.1.9.1 to replace the word “four” with “six”.
- Sec. 16 Amend NFPA 1, Section 4.5.8.1 and Section 10.4.1 to delete the phrase “for compliance with the provisions of this Code”.
- Sec. 17 Amend NFPA 1, Section 4.5.8.3 and Section 10.4.3 to delete the phrase “by the Code”.
- Sec. 18 Amend NFPA 1, Section 10.1.2 to add the phrase “except as amended by COMAR 29.06.01.07, COMAR 29.06.01.08, and COMAR 29.06.01.09”.
- Sec. 19 Amend NFPA 1, Section 10.5.1 to replace “AHJ” with “AHJ or incident commander”.
- Sec. 20 Amend NFPA 1, Section 10.11.6 to replace “grill” with “gas-fired, charcoal or electric grill” and “10 feet (3 meters)” with “20 feet (6.1 meters)”
- Sec. 21 Delete NFPA 1, Section 10.11.6.1
- Sec. 22 Amend NFPA 1, Subsection 10.12.1 to add the following Subparagraph and Paragraph:  
  
10.12.1.1 Subject to the approval of the AHJ, individual suites within structures and rear exterior entrances and/or access from service corridors shall be clearly identified.  
  
10.12.1.4 Where required by the AHJ, symbols in compliance in with NFPA 170, Standard for Fire Safety and Emergency Symbols, shall be used.
- Sec. 23 Amend NFPA 1, Sections 10.12.1.2 and 10.12.1.3 to replace “address numbers” with “premises identification”.
- Sec. 24 Replace NFPA 1, Table 10.14.1.1 with the following table:

<u>Occupancy</u>	<u>No Trees Permitted</u>	<u>Cut Tree Permitted with Automatic Sprinkler</u>	<u>Cut Tree Permitted without Automatic Sprinkler</u>	<u>Balled Tree Permitted</u>
------------------	---------------------------	--	---	------------------------------



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

		Systems	Systems	
Ambulatory Health Care		X	X	X
Apartment Buildings		Within Unit	Within Unit	X
Assembly		X	X	X
Board and Care		X		X
Business		X	X	X
Day Care Centers		X		X
Day Care Family		X	X	X
Detention and Correctional	X			
Dormitories		X	X	X
Educational	X			
Health Care		X	X	X
Hotels		X	X	X
Industrial		X	X	X
Lodging and Rooming		X	X	X
Mercantile		X	X	X
One- and Two- Family		X	X	X
Storage		X	X	X

**Sec. 25** Amend NFPA 1, Section 10.14.1 to add the following new paragraph

**10.14.1.2** The AHJ shall:

- (1) Approve the placement of a natural cut or balled tree;
- (2) Limit the number of natural cut or balled trees displayed; and
- (3) Order the removal of any tree if the tree poses a hazard to life or safety.

**Sec. 26** Amend NFPA 1, Paragraph 10.14.3.1 to replace "by the manufacturer as being fire retardant" with "by a tested laboratory recognized by the Office of the State Fire Marshal".

**Sec. 27** Amend NFPA 1, Section 10.14.9.1 to replace "1/2 inch (13 mm)" with "2 inches (50 mm)" and add the following sentence: "A natural cut tree shall not exceed 10 feet (3 m) in height, excluding the tree stand."

**Sec. 28** Amend NFPA 1, Section 10.15.2 to insert the phrase ", but not limited to," after the words "such as".

**Sec. 29** Amend NFPA 1, Section 10.15.11.2.6 to replace "any vehicles" with "any vehicles, buildings."

**Sec. 30** Amend NFPA 1, Section 10.15.11.3.1 add the following at the end of the section "or within the fuel break described in Section 10.15.11.2.6."

**Sec. 31** Amend NFPA 1, Section 10.16, add a new subsection 10.16.6 as follows:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

10.16.6 The AHJ shall have the authority to require that outdoor storage of any combustible material be enclosed by an approved fence or other protective enclosure to prevent unauthorized access.

Sec. 32 Amend NFPA 1, Section 10.16.1 to replace “10 ft (3 m)” with “15 ft (4.6 m)” and to replace “property line” with “property line, building, or adjacent pile of combustible material”.

Sec. 33 Amend NFPA 1, Section 10.16.3 to add the following:  
The separation distance shall be allowed to be increased where the AHJ determines that a higher hazard to the adjoining property exists.

Sec. 34 Amend NFPA 1, Section 10.16.5 to add the phrase “and 10,000 ft<sup>2</sup> in area”.

Sec. 35 Amend NFPA 1, Section 11.1 to add the following subsection:

11.1.11 Clearance. A clear space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the clear space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated clear space. Exception: Where other specialized dimensions are required or permitted by NFPA 70.

Sec. 36 Add NFPA 1, Sections 11.1.9.2.1 and 11.1.9.2.2 to read:

11.1.9.2.1 In new buildings, excluding one and two family dwellings, a shunt trip to disconnect the electrical service to the building shall be provided as follows:

- (a) In the emergency command center, where an emergency command center is in the building.
- (b) At the fire alarm annunciator, where there is a fire alarm annunciator and where there is no emergency command center.
- (c) In an appropriately sized and weatherproof fire department access box on the address side of the building, where there is no emergency command center or fire alarm annunciator.

11.1.9.2.2 In existing buildings, excluding one and two family dwellings, where there are significant upgrades to the building electrical service, such as modifying or replacing the switchgear, a disconnecting means shall be provided as for new installations.

Sec. 37 Amend NFPA 1, Paragraph 11.1.9.3 to add the following subparagraph:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

11.1.9.3.3 Doors to 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 inch (25 mm) high and not less than ¼ inch (6.4 mm) in stroke width.

Sec. 38 Amend NFPA 1, subsection 11.9.1 to replace "approved by the fire department" with "approved by the AHJ".

Sec. 39 Amend NFPA 1, Section 11.9.1 to add the following subsections:

11.9.1.1 In new installations, the emergency command center shall have a door directly to the exterior of the building on the address side. The exterior door to the emergency command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the door to the emergency command center. The exterior door to the emergency command center shall be identified on the exterior face as the emergency command center in a manner acceptable to the Fire Chief.

11.9.1.2 In new installations, the emergency command center shall also comply with the provisions of Section 911 of the International Building Code, 2009 edition.

Sec. 40 Amend NFPA 1, Section 11.9.5(8) to read as follows:

(8) Fire pump status indicators and remote starting.

Sec. 41 Amend NFPA 1, Sections 13.1.9, 13.1.10 and 13.7.1.4.4 to add: When a property owner or the owner's agent cannot be contacted to establish a fire watch, the Montgomery County Fire and Rescue Service at their discretion may provide the fire watch and charge the property owner the inspection overtime rate per person per hour.

Sec. 42 Amend NFPA 1, Section 13.2.2.2 to delete the existing wording and replace with the following: All new buildings shall be equipped with an approved standpipe system where required by the building code adopted by Montgomery County. Where a Class III system is required, a Class I system shall be permitted.

Sec. 43 Amend NFPA 1, Section 13.3.1.2 to add the following subsection:

13.3.1.2.1 For new ceiling installations, drop-out ceilings as referenced in NFPA 13, Subsection 8.15.14 shall be prohibited.

Sec. 44 Amend NFPA 1, Section 13.3.1.7.2 to read: "Where supervised automatic sprinkler protection



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

is required by another section of this Code, waterflow alarms shall be automatically transmitted to a listed central station.”

**Sec. 45** Amend NFPA 1, Section 13.3.2.1 to add the following subsection:

13.3.2.1.1 All new buildings shall be equipped with automatic sprinkler system or other automatic fire suppression system where required by Section 903 of the building code adopted by Montgomery County. Exception: Day care facilities that comply with the sprinkler requirements of the NFPA 101 Life Safety Code (2009 edition).

**Sec. 46** Amend NFPA 1, Section 13.3.2.24.2 by adding at the beginning of the section the phrase “Except as modified by 13.3.2.24.4,” and adding a new subsection 13.3.2.24.2.4 which reads:

13.3.2.24.2.4 The requirement of 13.3.2.24.2 shall not apply to existing apartment occupancy high-rise buildings.

**Sec. 47** Amend NFPA 1, Sections 13.3.3.1 and 13.3.3.2 to delete the phrase “installed in accordance with this Code.”

**Sec. 48** Amend NFPA 1, Section 13.4.1 to add the following subsection:

13.4.1.1.1 No fire pump component, including the pump, driver, or controller, shall be permitted to be installed in below ground vaults or pits unless otherwise approved by the AHJ.

**Sec. 49** Amend NFPA 1, Section 13.5.2 to add the following phrase at the end of the section “as modified by Montgomery County Executive Regulation 29-08AM ‘Fire Safety Code – Fire Department Apparatus Access and Water Supply’”.

**Sec. 50** Amend NFPA 1, Section 13.6.2 to add the phrase “, unless otherwise permitted by the AHJ.”

**Sec. 51** Amend NPFA 1, Section 13.7.1.4.8.6 is amended as follows:

(a) Add the following sentence to the end of the section: “This paragraph does not permit the omission of manual fire alarm boxes in accordance with other provisions of this subsection unless specifically permitted by Chapters 11 through 43.

(b) Add two new subsections as follows:

13.7.1.4.8.6.1 Zoned fire alarm systems shall have manual pull stations located at the entrance to each exit enclosure and at the main exit.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

13.7.1.4.8.6.2 When a fire alarm system is required in a multiple tenant building, for each tenant exiting directly to the exterior of the building, a manual pull station and approved occupant notification shall be located at each required or marked exit.

- Sec. 52 Amend NFPA 1, Section 13.7.1.4.8.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection shall be provided and shall comply with NFPA 72 Section 4.4.4.1."
- Sec. 53 Amend NFPA 1, Section 13.7.1.4.10.2.1, delete the phrase "lobby,".
- Sec. 54 Amend NFPA 1, Section 13.7.1.4.10.4 by adding the following at the end of the sentence: "only when the initial fire alarm signal is automatically transmitted without delay to a listed central station in accordance with 13.7.1.4.11."
- Sec. 55 Amend NFPA 1, Section 13.7.1.4.10.7 by adding a second sentence to read: "Required audibility shall be met with all intervening doors (between any space and the audible devices) closed."
- Sec. 56 Amend NFPA 1, Section 13.7.1.4.10.9 by adding: Where voice type occupant notification is used, automatic pre-recorded messages shall be used complying with Section 13.7. Live voice as the sole notification method is prohibited – except that previously "approved" live voice systems shall be permitted to remain.
- Sec. 57 Amend NFPA 1, Section 13.7.1.4.11.2 by deleting the list of four items and replace the phrase "any of the following means acceptable to the authority having jurisdiction" with "by a listed central station fire alarm system".
- Sec. 58 Delete NFPA 1, Section 13.7.1.4.11.3.
- Sec. 59 Amend NFPA 1, Section 13.7.1.4.12.2(3) by adding the following sentence: "Manual fire alarm initiation shall not activate floor or zone-dependent smoke control systems."
- Sec. 60 Delete NFPA 1, Section 13.7.1.4.14.10.3
- Sec. 61 Delete NFPA 1, Sections 13.7.2.10.2.2 and 13.7.2.12.3.2
- Sec. 62 Amend NFPA 1, Section 13.7.2.14.4 to add at the end of the sentence, "...only if the existing smoke alarms are battery operated."



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 63** Amend NFPA 1, Section 13.7.2.16.1.4.4 and Section 13.7.2.16.2.2.1 by adding at the end of the sentence, "...and have secondary battery back-up power."
- Sec. 64** Amend NFPA 1, Section 13.7.2.17.1 and Section 13.7.2.18.1 are amended to read as follows: Class A mercantile occupancies and multiple story Class B mercantile occupancies shall be provided with a fire alarm system in accordance with Section 13.7 and NFPA 101.
- Sec. 65** Amend NFPA 1, Section 13.7.2.22.1.2 and Section 13.7.2.22.1.3 to replace the phrase "Storage occupancies" with "Storage occupancies less than three stories".
- Sec. 66** Amend NFPA 1, Sections 13.7.2.23.2 and 13.7.2.24.2 to add the following exception:  
Exception: Day-care occupancies located in school facilities where enrollment is limited to children capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection.
- Sec. 67** Amend NFPA 1, Section 13.7.2.23.3 to add the following subsection:  
13.7.2.23.3.4 Approved battery-operated smoke alarms, rather than house electrical service-powered smoke alarms required by 13.7.2.23.3.3, shall be permitted where the facility has testing, maintenance, and battery replacement programs that ensure reliability or power to the smoke alarms.
- Sec. 68** Amend NFPA 1, Section 13.7.2.24.3.4 to delete the word "existing".
- Sec. 69** Amend NFPA 1, Section 13.7.2.27.2.1 by adding a new subsection 13.7.2.27.2.1.1 as follows:  
13.7.2.27.2.1.1 In buildings having staged evacuation the voice fire alarm system shall send a predetermined message to the floor where the alarm originated, to the floor immediately below and to the floor immediately above, providing information and direction to the occupants. Any subsequent alarm(s) on other than the initial fire floor must initiate the voice fire alarm as described above. The voice fire alarm shall be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it shall not sound automatically in elevator cars and enclosed exit stairways. Communicating levels shall be considered one floor/fire area for the audible and visual fire alarm signals.
- Sec. 70** Add NFPA 1, Section 13.9 to read as follows: "In new buildings, an emergency command center in accordance with Section 11.9 shall be required in buildings, other than parking garages, with a gross floor area greater than 100,000 square feet."
- Sec. 71** Amend NFPA 1, Section 14.5.2.7 to add the phrase "and all stairway doors shall be unlocked simultaneously without unlatching upon a signal from the fire command center." to items (2)



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

and (3).

Sec. 72 Amend NFPA 1, Section 14.5.2.7.1 to add an item (6), to read:

(6) Entry levels shall provide free access to an approved second exit. These levels shall be designated in "core/shell" building permit drawings with future tenant layouts arranged accordingly.

Sec. 73 Amend NFPA 1, Table 14.8.1.2 to add on the chart for Business Use "for calculating occupant loads in shell use business use is 65 square feet (6.0 square meters) per person."

Sec. 74 Amend NFPA 1, Section 14.10.1.3.1 to add new subsection 14.10.1.3.1.1:

14.10.1.3.1.1 In non-sprinklered new buildings, parallel paths of travel shall be considered remote if not less than forty (40) feet apart, or separated by assemblies having continuous one hour fire resistance with self-closing and positive latching twenty (20) minute fire [resistance] protection rated opening protectives. In fully sprinklered buildings and existing buildings paths of travel shall be considered remote if not less than thirty (30) feet apart, or separated by assemblies with self-closing opening protectives which are resistant to the passage of smoke. This minimum separation of paths shall not supersede minimum separation of exits or doors in 14.10.1.3.2.

Sec. 75 Amend NFPA 1, Section 14.11.2.3 by adding two sentences at the end of the section as follows:

In new installations, the door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, in new installations, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".

Sec. 76 Amend NFPA 1, Section 14.13.1.2 to replace the word "only" in the first sentence with ", but not be limited to."

Sec. 77 Amend NFPA 1, Section 14.14.8.3.1 to add: If the sign is on the door, then the door must be equipped with an approved self-closing device.

Sec. 78 Amend NFPA 1, Section 18.1.1.1 and Section 18.1.1.2 to replace the word "fire department" with "AHJ".



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE -- BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 79** Amend NFPA 1, Section 18.2.2 to add the following subsection:

18.2.2.4 In new installations, not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or fire department response location.

**Sec. 80** Amend NFPA 1, Section 18.2.2.1, add two new subsections as follows:

18.2.2.1.1 All occupancies other than 1 and 2 family dwellings shall be provided with an approved access box.

Exception 1: The requirement for an access box shall not apply when the occupancy provides 24-hour on-site staffing with access to all areas in the building or complex. At least one person must staff a fixed location proximate to the main building or complex entrance to provide ready access for the fire department.

Exception 2: For multiple occupancies located within a single structure, a single access box shall be permitted with approval of the Fire Chief.

Exception 3: For multiple structures within a residential building complex, a single access box shall be permitted with approval of the Fire Chief.

18.2.2.1.2 The size, contents, and location of the access box shall be determined by the Fire Chief in cooperation with the occupancy owner or management.

**Sec. 81** Amend NFPA 1, Section 18.2.3 to add the following: The AHJ shall have the authority to require and designate public or private fire lanes and fire department access roads as considered necessary.

**Sec. 82** Amend NFPA 1, Section 18.2.3.1.3 to delete "When not more than two one- and two-family dwellings or private garages, carports, sheds, and agricultural buildings, and detached buildings or structures 400 ft<sup>2</sup> (37 m<sup>2</sup>) or less are present,".

**Sec. 83** Amend NFPA 1, Section 18.2.3.2.1 to replace the phrase "exterior door" with "exterior door acceptable to the AHJ".

**Sec. 84** Amend NFPA 1, Section 18.3.1 to add the following sentence: Regardless of new or existing conditions, Section 18.3.1.1 shall apply.

**Sec. 85** Amend NFPA 1, Section 18.3.1 to add the following subsection:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

18.3.1.1 For new and existing conditions, the hydrant closest to the property shall be capable of delivering a minimum of 1000 gallons per minute with 20 psi residual pressure. The next closest hydrant shall be capable of flowing a minimum of 500 gallons per minute at the same time.

**Sec. 86** Amend NFPA 1, Section 18.3.3 to add the following subsection:

18.3.3.1 For buildings without automatic sprinklers within areas provided with a municipal water supply, the distance from the building to the closest hydrant shall not exceed 400 feet when measured along the path of fire department access.

**Sec. 87** Amend NFPA 1, Section 20.3.4.1.1 to delete the phrase "more than 3, but" and after the "," after "12".

**Sec. 88** Amend NFPA 1, Section 20.3.4.2.3.5.1 to add the following exception. Exception: Day-care homes.

**Sec. 89** Amend NFPA 1, Section 20.3.4.2.3.5.4 to add the following exception. Exception: Day-care homes with not more than three clients for overnight lodging.

**Sec. 90** Amend NFPA 1, Section 20.5.2.3.6 by adding a sentence as follows: "If more than three residents are not able to participate in the drill, the facility shall be considered as a Health Care Occupancy and shall be reevaluated in accordance with NFPA 101, Section 43.7.

**Sec. 91** Amend NFPA 1, Section 25.2.2.1 to add the phrase "or other approved testing standard approved by the State Fire Marshal".

**Sec. 92** Amend NFPA 1, Section 31.3.6.2.2 to add the following item:

(9) Piles containing leaves and other extraneous or hogged material, such as whole tree chip piles, shall be turned or reclaimed at least every 3 months.

**Sec. 93** Amend NFPA 1, Section 31.3.6.3.1 to delete the existing wording and replace with the following:

Piles may not exceed 18 feet in height, 50 feet in width, and 350 feet in length. Piles shall be subdivided by fire lanes having at least 25 feet of clear space at the base of piles.

**Sec. 94** Delete NFPA 1, Section 31.3.6.3.2, Section 31.3.6.3.2.1, Section 31.3.6.3.2.2, and Section 31.3.6.3.2.3.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 95** Amend Section 42.7.5 to add the following subsections:

42.7.5.7 Management/owners officials or employees shall conduct daily site visits to ensure that all equipment is operating properly.

42.7.5.8 Regular equipment inspection and maintenance at the unattended self-service facility shall be conducted.

42.7.5.9 Fuel dispensing equipment shall comply with one of the following:

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

**Sec. 96** Amend NFPA 1, Section 42.7.5.5 to add the following:

The following information shall be conspicuously posted in this area:

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

**Sec. 97** Amend NFPA 1, Section 50.2.1 to add the following subsections:

50.2.1.10 Commercial Outdoor Cooking Operations. These requirements apply to commercial outdoor cooking operations such as those that typically take place under a canopy or tent type structure at fairs, festivals and carnivals. This includes but is not limited to deep frying, sautéing, and grilling operations.

50.2.1.10.1 Tent and Canopy Requirements.

50.2.1.10.1.1 Tents or canopies where cooking equipment not protected in accordance with NFPA 96 is located shall not be occupied by the public and shall be separated from other tents, canopies, structures, or vehicles by a minimum of 10 feet (3050 mm) unless otherwise approved by the AHJ.

50.2.1.10.1.2 All tent and canopy material shall comply with flame resistance requirements of Section 25.2.2.

50.2.1.10.2 LP Gas Fuel Requirements.

50.2.1.10.2.1 LP gas tank size shall be limited to 60 lbs. The total amount of LP gas on site shall not exceed 60 lbs for each appliance that is rated not more than 80,000 btu/hr and 120 lbs for each appliance rated more than 80,000 btu/hr.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

50.2.1.10.2.2 Tanks must be maintained in good physical condition and shall have a valid hydrostatic date stamp.

50.2.1.10.2.3 Tanks shall be secured in their upright position with a chain, strap or other approved method that prevents the tank from tipping over.

50.2.1.10.2.4 Tanks shall be located so that they are not accessible to the public. LP gas tanks shall be located at least 5 feet from any cooking or heating equipment or any open flame device.

50.2.1.10.2.5 All LP gas equipment shall be properly maintained and comply with the requirements of NFPA 58.

50.2.1.10.2.6 Regulators. Single-stage regulators shall not supply equipment that is rated more than 100,000 btu/hr rating. Two-stage regulators shall be used with equipment that is rated more than 100,000 btu/hr.

50.2.1.10.3 General Safety Requirements.

50.2.1.10.3.1 All electrical cords shall be maintained in a safe condition and shall be secured to prevent damage.

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

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

Sec. 98 Annex O - In-Building Public Safety Radio Enhancement System of NFPA 1 is adopted.

Sec. 99 NFPA 1, Section O.3.2 is modified to read as follows:

"Radio Coverage. Radio coverage shall be provided throughout the building such that a minimum of 95% of the building (including all underground levels, basements, elevators, stairways, etc.) is covered at a minimum of 95% of the time."

Sec. 100 Delete NFPA 1, Sections O.3.2.1 and O.3.2.2 and renumber Section O.3.2.3 as O.3.2.1.

Sec. 101 Amend NFPA 1, Section O.3.5.5 to read as follows:

"At a minimum, a two inch diameter conduit/conduit sleeves shall be provided vertically from



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

the roof level to the lowest level of the structure. This conduit will provide a vertical path for cable to all levels and should pass through the in-building public safety radio enhancement system equipment room. At a minimum, one 20-amp AC circuit and building ground shall be located at the public safety radio enhancement system equipment and any outside antenna locations.

**Sec. 102** Modify NFPA 1, Section O.3.6.3 to read as follows:

“Secondary Power Source. The secondary power source shall provide enough capacity to power the in-building public safety radio enhancement system for 12 hours at 100 percent system operation capacity. Where the building is provided with a generator, the generator shall supply secondary power to the in-building public safety radio enhancement system.”

**Sec. 103** Delete NFPA 1, Section O.3.7.2

**Sec. 104** Modify NFPA 1, Section O.3.9.3 to read as follows:

“Test procedures. The test plan shall ensure testing throughout the building. Test procedures shall be as directed by the design professional and the AHJ. Using the Montgomery County control channel, each floor shall be RF (radio frequency) signal level mapped utilizing a calibrated, portable spectrum analyzer. Each floor shall be divided into equal grids of no larger than 50 feet by 50 feet. Individual testing points shall not be spaced greater than 50 feet apart. Each grid shall meet the required signal strength level, and provide a Delivered Audio Quality (DAQ) of not less than 3.5. (DAQ 3.5 is defined as ‘Speech understandable with repetition rarely required. Some noise/distortion.’) A maximum of two non adjacent grids will be allowed to fail on the same floor. Failure of any two adjacent grids is considered a failure for the entire floor. Critical rooms, including, but not limited to, such areas as the fire command/control center, fire pump room, emergency generator room, stairwells with a standpipes, and other staging areas as identified by the AHJ shall not fail coverage at all. ”

**Sec. 105** Modify NFPA 1, O.3.10.1 to read as follows:

“The design and acceptance testing of the in-building public safety radio enhancement system shall be performed under the supervision of a Maryland registered professional engineer a minimum of 5 years of experience in the design, installation, and alignment of bi-directional amplifier systems.”

**Sec. 106** Modify NFPA 1, O.3.11 to read as follows:

“Maintenance. The building owner shall maintain a service contract for emergency repair of the system. The service contract shall be such that telephone support is available within 2



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

hours and on-site service can be provided within 24 hours of recognition that the in-building public safety radio enhancement system is not operating correctly. A copy of the contract shall be submitted to the AHJ at the time of acceptance testing. If the building owner drops the service contract, the contractor shall notify the AHJ within 24 hours.”

**Sec. 107** Amend NFPA 80, as referenced by NFPA 1, sections 8.4.2.1.2, 10.4.1.2, 11.4.1.2, 11.4.3.2.2, and 13.4.2 to add the following: Release of fire doors and shutters shall not be solely by fusible link and shall be accomplished by one or more of the following:

- (a) Approved local smoke detection at the doors.
- (b) Approved area smoke detection per NFPA 72, or
- (c) Full automatic sprinkler protection per NFPA 13 with water flow interlock.

**Sec. 108** Amend NFPA 96, as referenced by NFPA 1, section 1.1.1, to add an exception to read:

In places of worship and day care facilities, protection shall be permitted to consist of the following:

- (1) Electrical range with not more than four heating elements, each heating element shall be electronically controlled to limit the element temperature to below 670 degrees F.
- (2) A shunt trip shall be installed for the electric range. If building is equipped with a fire alarm system, the shunt trip shall be interconnected with the fire alarm system. If the building is not equipped with a fire alarm system, other automatic means/devices, approved by DPS, to cut off power to the unit shall be installed in the kitchen.
- (3) Kitchen shall be located not more than one story above the level of exit discharge.
- (4) Kitchen shall be located not more than one story below the level of exit discharge.
- (5) Kitchen shall be separated from adjoining areas by fire barriers with a fire resistance rating of one hour or greater, OR, the kitchen shall be protected with automatic sprinklers.

**Sec. 109** Amend NFPA 92A, Section 5.3.1(2) by adding the following: At a minimum, the design shall achieve the performance objectives in the condition with two doors open simultaneously. If there is a door directly to the outside from the stair, the exterior door shall be one of the two doors used in the design.

**Sec. 110** Amend NFPA 92B, Section 5.2.3.1 by adding the following: The design fire shall be not less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.

**Sec. 111** Amend NFPA 92B, Section 5.2.4 by adding the following: At the steady phase, the design fire shall be not less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 112** Amend NFPA 101 Section 2.2 by adding Section 2.2.1 to read as follows: Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code that is in effect in Montgomery County.
- Sec. 113** NFPA 101, section 3.3 is amended as follows:
- (a) Subsection 3.3.57, add the following new subsection and definition:  
  
3.3.57.3 Bulkhead Door. A type of door assembly covering an opening in the ground providing direct access to a basement, the floor of which is not more than 8 feet below ground level. The door consists of a single rigid leaf or two overlapping rigid leaves or covers which need to be pushed or lifted upwards in order to be opened. A person, after opening the door, can walk up a series of steps to escape to the outside.
  - (b) Amend Subsection 3.3.131.1 to change the definition of "Day-Care Home" by deleting the phrase "...more than three, but..."
  - (c) Amend Subsection 3.3.178.4 to change the definition of "Day Care Occupancy" by deleting the phrase "...four or more ..."
  - (d) Amend Subsections 3.3.178.12 to change the definition of "Residential Board and Care Occupancy to replace the word "four" with "six".
- Sec. 114** Amend NFPA 101, Section 4.5.8 and Section 4.6.13.1 to delete the phrase "for compliance with the provisions of this Code".
- Sec. 115** Amend NFPA 101, Section 4.6.13.3 to delete the phrase "by the Code".
- Sec. 116** Amend NFPA 101, section 4.8, add the following subsection:  
  
4.8.2.4 Emergency plans shall be maintained in a location approved by the authority having jurisdiction.
- Sec. 117** Amend NFPA 101, subsection 6.1.4.1 by deleting the phrase "...four or more ..."
- Sec. 118** Amend NFPA 101, subsection 6.1.9.1 to change the definition of "Residential Board and Care Occupancy" to replace the word "four" with "six".
- Sec. 119** Amend NFPA 101, subsection 7.2.1.5.7, add the phrase "and all stairway doors shall be

(40)



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

unlocked simultaneously without unlatching upon a signal from the fire command center.” to items (2) and (3).

Sec. 120 Amend NFPA 101, subsection 7.2.1.5.7.1, add an item (6), to read:

(6) Entry levels shall provide free access to an approved second exit. These levels shall be designated in "core/shell" building permit drawings with future tenant layouts arranged accordingly.

Sec. 121 Amend NFPA 101, Section 7.2.1.6.3 to replace the phrase "in Chapters 11 through 43" with the phrase "by the AHJ and Chapters 11 through 43".

Sec. 122 Amend NFPA 101, Section 7.2.2.1 to add the following subsection: 7.2.2.1.3 In new installations, not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or fire department response location.

Sec. 123 Amend NFPA 101, section 7.2.2.4.5.2(1), by replacing the word "Existing" with "Interior".

Sec. 124 Delete NFPA 101, subsections 7.2.3.9.2(3)(b) and 12.2.2.2.4.

Sec. 125 Amend NFPA 101, subsection 7.3.1.2 by adding on the chart for Business Use "for calculating occupant loads in shell use business use is 65 square feet (6.0 square meters) per person."

Sec. 126 Amend NFPA 101, subsection 7.5.1.3.1 by adding new subsection 7.5.1.3.1.1:

7.5.1.3.1.1 In non-sprinklered new buildings, parallel paths of travel shall be considered remote if not less than forty (40) feet apart, or separated by assemblies having continuous one hour fire resistance with self-closing and positive latching twenty (20) minute fire protection rated opening protectives. In fully sprinklered buildings and existing buildings paths of travel shall be considered remote if not less than thirty (30) feet apart, or separated by assemblies with self-closing opening protectives which are resistant to the passage of smoke. This minimum separation of paths shall not supersede minimum separation of exits or doors in 7.5.1.3.2.

Sec. 127 NFPA 101, subsection 7.7.2.3 is amended by adding two sentences at the end of the section as follows:

In new installations, the door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, in new



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

installations, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".

Sec. 128 NFPA 101, Subsection 7.9.1.2, replace the word "only" in the first sentence with "but not limited to,".

Sec. 129 Amend NFPA 101, subsection 7.10.8.3.1 by adding: If the sign is on the door, then the door must be equipped with an approved self-closing device.

Sec. 130 Amend NFPA 101, subsection 8.6.6(3) by adding a second sentence:

Areas shall be considered to satisfy the requirements of 'readily obvious' when the communicating space is provided with automatic smoke detection and alarm in accordance with NFPA 72.

Sec. 131 NFPA 101, subsection 8.6.7(6)(b) at the end of the sentence add the phrase "in a location approved by the AHJ".

Sec. 132 Amend NFPA 101 by adding new section 9.1.5 as follows:

### 9.1.5 In-Building Public Safety Radio Enhancement System

9.1.5.1 All newly constructed below ground floors of a building, all floors in buildings greater than 25,000 ft² per floor, and all floors of buildings greater than 3 stories in height shall meet minimum emergency radio communication system performance criteria adopted by Montgomery County. Proof that minimum performance criteria are met shall be provided in writing to the Fire Chief.

- (1) System performance testing shall be performed in accordance with technical standards for systems and testing personnel established by Montgomery County.
- (2) Compliance testing shall be performed at time of occupancy.
- (3) Field testing may be performed upon reasonable notification of the owner or occupant by any authorized fire and rescue personnel.

Exception: One and two family dwellings and town homes.

9.1.5.2 In existing buildings, where emergency radio communication system performance is reported to be inadequate, the Fire Marshal shall be permitted to require a technical analysis to determine the level of performance of the emergency radio communication system. Where the



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject:  
FIRE SAFETY CODE – BUILDING CONSTRUCTION

Number: 10-12AM

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

analysis demonstrates unacceptable performance, an in-building public safety radio enhancement system shall be provided.

9.1.5.3 Where installed to achieve the minimum emergency radio communication system performance criteria, an in-building public safety radio enhancement system shall be designed in accordance with Annex O of NFPA 1, as amended.

9.1.5.4 All testing, design, installation, inspection, and maintenance required by Section 9.1.5 shall be performed by personnel approved by the Fire Marshal.

Sec. 133 Amend NFPA 101, subsections 9.6.1.6 and 9.7.6.1 by add: When a property owner or the owner's agent cannot be contacted to establish a fire watch, the Montgomery County Fire and Rescue Service at their discretion may provide the fire watch and charge the property owner the inspection overtime rate per person per hour.

Sec. 134 NFPA 101, subsection 9.6.2.6 is amended as follows:

(a) Add the following sentence to the end of the section: "This paragraph does not permit the omission of manual fire alarm boxes in accordance with other provisions of this subsection unless specifically permitted by Chapters 11 through 43."

(b) Add two new subsections as follows:

9.6.2.6.1 Zoned fire alarm systems shall have manual pull stations located at the entrance to each exit enclosure and at the main exit.

9.6.2.6.2 When a fire alarm system is required in a multiple tenant building, for each tenant exiting directly to the exterior of the building, a manual pull station and approved occupant notification shall be located at each required or marked exit.

Sec. 135 Amend NFPA 101, Section 9.6.2.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection shall be provided and shall comply with NFPA 72 Section 4.4.4.1."

Sec. 136 NFPA 101, add new subsection 9.6.2.11 to read: "Where required by another section of this code, carbon monoxide alarms or carbon monoxide detectors shall be installed in accordance with NFPA 720."

Sec. 137 Amend NFPA 101, Section 9.6.3.2.1 to delete the phrase "lobby,".

Sec. 138 Amend NFPA 101, Section 9.6.3.4, to adding the following at the end of the sentence: "only when the initial fire alarm signal is automatically transmitted without delay to a listed central



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

station in accordance with 9.6.4."

**Sec. 139** NFPA 101, Section 9.6.3.7, add a second sentence to read: "Required audibility shall be met with all intervening doors (between any space and the audible devices) closed."

**Sec. 140** Amend NFPA 101, Section 9.6.3.9 by adding: Where voice type occupant notification is used, automatic pre-recorded messages shall be used complying with Section 9.6. Live voice as the sole notification method is prohibited.

Exception: Previously "approved" live voice systems, shall be permitted to remain.

**Sec. 141** Amend NFPA 101, Section 9.6.4.2 by deleting the list of four items and replace the phrase "any of the following means acceptable to the authority having jurisdiction" with "by a listed central station fire alarm system".

**Sec. 142** NFPA 101, delete subsection 9.6.4.3.

**Sec. 143** NFPA 101, subsection 9.6.5.2(3), add the following sentence: "Manual fire alarm initiation shall not activate floor or zone-dependent smoke control systems."

**Sec. 144** NFPA 101, delete subsection 9.6.7.4.3

**Sec. 145** Amend NFPA 101, Section 9.7.1.1 to add the following subsection: 9.7.1.1.1 For new installations, drop-out ceilings as referenced in NFPA 13, Subsections 8.15.14 shall be prohibited.

**Sec. 146** NFPA 101, subsection 9.7.2.2, the first sentence is amended to read: "Where supervised automatic sprinkler protection is required by another section of this Code, waterflow alarms shall be automatically transmitted to a listed central station."

**Sec. 147** NFPA 101, subsection 9.7.3.1 is amended to read: "Where water as an extinguishing agent is not compatible with the fire hazard or is prohibited by law, statute or ordinance, the affected area shall be equipped with an approved automatic fire suppression system utilizing a suppression agent that is compatible with the fire hazard. Such system shall be installed in accordance with the appropriate standard as determined in Table 9.7.3.1."

**Sec. 148** NFPA 101, Section 9.7.5 delete the phrase "required by this Code".

**Sec. 149** Amend NFPA 101, Section 11.8.3.1 by adding the phrase "except for existing high-rise apartment occupancy buildings" at the end of the first sentence.

44



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 150** NFPA 101, subsection 11.8.4.1, add new subsection 11.8.4.1.1:

11.8.4.1.1 In buildings having staged evacuation the voice fire alarm system shall send a predetermined message to the floor where the alarm originated, to the floor immediately below and to the floor immediately above, providing information and direction to the occupants. Any subsequent alarm(s) on other than the initial fire floor must initiate the voice fire alarm as described above. The voice fire alarm shall be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it shall not sound automatically in elevator cars and enclosed exit stairways. Communicating levels shall be considered one floor/fire area for the audible and visual fire alarm signals.

**Sec. 151** Amend NFPA 101, section 11.8.6.1, add a new subsection 11.8.6.1.1 to read:  
“In new installations, the emergency command center shall have a door directly to the exterior of the building on the address side. The exterior door to the emergency command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the door to the emergency command center. The exterior door to the emergency command center shall be identified on the exterior face as the emergency command center in a manner acceptable to the Fire Chief.”

**Sec. 152** NFPA 101, subsections 11.8.6.2 (8) and (10), are amended to read as follows:

(8) Emergency generator status indicators, and remote starting.

(10) Fire pump status indicators and remote starting.

**Sec. 153** NFPA 101, subsection 11.8.6, add a new subsection 11.8.6.3 to read: “The emergency command center shall also comply with the provisions of Section 911 of the International Building Code, 2009 edition.

**Sec. 154** Amend NFPA 101, Section 11.11.2.1 to add the phrase “or other approved testing standard approved by the State Fire Marshal”.

**Sec. 155** Amend NFPA 101, Section 12.2.4.1 is amended by completely replacing the text with the following:

12.2.4.1 Exits shall comply with the following, except as otherwise permitted by 12.2.4.4:

(1) The number of means of egress shall be in accordance with Section 7.4.

(2) Not less than two separate exits shall be provided on every story.

(3) Not less than two separate exits shall be accessible from every part of every story.

**Sec. 156** NFPA 101, subsection 14.2.11.1.1(1) is amended by adding the following after “...tools”, “keys,



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

special knowledge, or excessive force.”

**Sec. 157** Amend NFPA 101, sections 16.1.1 and 17.1.1, to add subsections 16.1.1.6 and 17.1.1.6 as follows: Day-care centers providing day care for school age children before and after school hours in a building which is in use as a public or private school are not required to meet the provisions of this chapter, but shall meet the provisions for educational occupancies.

**Sec. 158** NFPA 101, subsections 16.2.11.1.1 and 17.2.11.1.1 to add the following item:

(4) For windows at grade the minimum net clear opening shall be permitted to be 5.0 square feet.

**Sec. 159** Amend NFPA 101, subsection 16.2.11.1.2, to add the following item to the list:

(3) Group Day-Care Homes and Family Day-Care Homes which are protected by hard-wired, interconnected smoke alarms or detectors in each room or space of the building (including corridors). Such smoke alarms or detectors are not necessary in bathrooms, closets, attached garages, or attic spaces without storage. In addition, if the building's furnace, hot water heater, and/or clothes dryer is fueled by natural gas or propane gas, then these areas shall be protected by sprinklers supplied by the domestic system.

**Sec. 160** Amend NFPA 101, subsections 16.3.4.5 and 17.3.4.5 to add the following exception:

Exception: Day-care occupancies located in school facilities where enrollment is limited to children capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection.

**Sec. 161** NFPA 101, add new subsection 16.3.5.4 to read: Buildings containing new day care centers above or below the level of exit discharge shall be protected throughout with full automatic sprinkler protection installed in accordance with section 9.7.

**Sec. 162** NFPA 101, subsections 16.6.1.1.2, and 17.6.1.1.2, delete the phrase "...more than 3, but.."

**Sec. 163** NFPA 101, subsections 16.6.1.4.1.1, 16.6.1.4.1.2, 17.6.1.4.1.1 and 17.6.1.4.1.2 are amended as follows:

(a) Subsections 16.6.1.4.1.1 and 17.6.1.4.1.1, delete the phrase "more than three but" and replace the phrase "seven clients" with "nine clients".

(b) Subsections 16.6.1.4.1.2 and 17.6.1.4.1.2, change the phrase "at least seven" to "at least nine."



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

Sec. 164 NFPA 101, subsections 16.6.1.7.1 and 17.6.1.7.1, replace items (1) and (2) with the following items:

- (1) The minimum staff-to-client ratio shall be not less than one staff for up to eight clients, including the caretaker's own children incapable of self-preservation.
- (2) There shall be not more than four clients incapable of self-preservation, including the caretaker's own children incapable of self-preservation.
- (3) A staff-to-client ratio of at least one staff to every two clients incapable of self-preservation shall be maintained at all times.
- (4) The staff-to-client ratio shall be permitted to be modified by the authority having jurisdiction where safeguards in addition to those specified in this section are provided.

Sec. 165 NFPA 101, subsection 16.6.2.1 and 17.6.2.1, add the following sentence: "Bulkhead doors shall not be permitted to serve as a primary means of escape."

Sec. 166 NFPA 101, subsections 16.6.2.2 (Reserved) and 17.6.2.2 (Reserved) are amended as follows:

### SLIDING DOOR.

For family day-care homes, a sliding door used as a required means of egress shall comply with the following conditions:

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

Sec. 167 NFPA 101, subsections 16.6.2.3 (Reserved) and 17.6.2.3 (Reserved) are amended as follows:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

SPECIAL MEANS OF ESCAPE REQUIREMENTS: For family day-care homes, dead-bolt locks shall be provided with approved interior latches, or these locks shall be of a captured key design from which the key cannot be removed from the interior side of the lock when the lock is in the locked position. These locks shall be unlocked at all times when the home is occupied for the purpose of family day care. Exception: A double-keyed dead-bolt lock may be used on the secondary means of escape if the key is readily accessible and the lock is unlocked at all times the home is occupied for the purpose of family day care.

**Sec. 168** NFPA 101, subsection 16.6.3.4 add the following subsection:

16.6.3.4.4 Approved battery-powered smoke alarms rather than house electrical service-powered smoke alarms required by 16.6.3.4.3 shall be permitted where the facility has testing, maintenance and battery replacement programs that ensure reliability of power to the smoke alarms.

**Sec. 169** NFPA 101, subsections 16.7.4.1 and 17.7.4.1 add an Exception:

Exception: Day-Care Homes.

**Sec. 170** NFPA 101, subsections 16.7.5 and 17.7.5, add an Exception:

Exception: Day-Care Homes with no more than three clients for overnight lodging.

**Sec. 171** NFPA 101, subsection 17.2.11.1.2 add the following item to the list:

- (3) Group Day-Care Homes and Family Day-Care Homes which are:
  - (a) Protected by hard-wired, interconnected smoke alarms or detectors in each room or space of the building (including corridors). Such smoke alarms or detectors are not necessary in bathrooms, closets, attached garages, or attic spaces without storage; and,
  - (b) When the building's furnace, hot water heater, and/or clothes dryer is fueled by natural gas or propane gas, these areas are protected by sprinklers supplied by the domestic system.

**Sec. 172** Amend NFPA 101 as follows:

- (a) Subsection 17.6.3.4.4, delete "Existing..."
- (b) Section 22.4.5.1.3 to delete the phrase "or 22.4.5.1.5".
- (c) Sections 22.4.5.1.4(1) and 23.4.5.1.4(1) to replace the phrase "2 minutes" with "30 seconds".
- (d) Sections 22.4.5.1.4(2) and 23.4.5.1.4(2) to replace the phrase "2 minute" with "30 seconds".
- (e) Delete NFPA 101, Sections 22.4.5.1.5 and 23.4.5.1.5.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- (f) Delete NFPA 101, Sections 22.4.5.2 and 23.4.5.2.  
(g) Section 23.4.5.1.3 to delete the phrase "or 23.4.5.1.5".

- Sec. 173** Amend NFPA 101, subsection 24.1.1.1 to replace the word "three" with "five" and to delete the phrase "if any, accommodated in rented rooms".
- Sec. 174** Amend NFPA 101, subsections 24.2.2.3.3, 32.2.2.3.1(3), and 33.2.2.3.1(3) to insert the phrase "not less than 5.0 ft<sup>2</sup> when at grade" after the phrase "5.7 ft<sup>2</sup>".
- Sec. 175** NFPA 101, subsection 24.3.4.3, add at the end of the sentence, "...only if the existing smoke alarms are battery operated."
- Sec. 176** NFPA 101, add new subsection 24.3.4.4 to read: Carbon monoxide alarms or detectors shall be installed in any dwelling unit containing a fuel burning appliance, fireplace, or having an attached garage.
- Sec. 177** NFPA 101, subsection 26.1.1.1, change "buildings" to "buildings that do not qualify as one- and two-family dwellings".
- Sec. 178** NFPA 101, add new subsections 26.3.4.7, 28.3.4.7, 30.3.4.7, 32.2.3.4.5, and 32.3.3.4.10 to read: "Carbon monoxide alarms or detectors shall be installed as follows:  
  
(a) In any dwelling unit or sleeping unit, where the unit is served by or contains a fuel burning appliance or fireplace; and  
(b) In common areas, where the common areas are served by a fuel burning appliance or fire place."
- Sec. 179** NFPA 101, subsection 28.3.4.1 is amended by changing "28.3.4.6" to "28.3.4.7".
- Sec. 180** NFPA 101, subsection 28.3.4.3.5, in only the first sentence, delete all wording after "provided".
- Sec. 181** NFPA 101, delete subsections 29.3.4.5.2 and 31.3.4.5.2.
- Sec. 182** Amend NFPA 101, Section 30.2.4.1, after the word "exits" insert the phrase "which are provided on every story and which are"
- Sec. 183** Amend NFPA 101, Section 30.3.4.3.2 to delete phrase "unless the building complies with either 30.3.4.3.3 or 30.3.4.3.4".
- Sec. 184** NFPA 101, delete subsections 30.3.4.3.3 and 30.3.4.3.4.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

- Sec. 185** Delete NFPA 101, Section 31.3.5.12
- Sec. 186** NFPA 101, Sections 32.7.3.6 and 33.7.3.6 add a sentence as follows: "If more than three residents are not able to participate in the drill, the facility shall be considered as a Health Care Occupancy and shall be reevaluated in accordance with Section 43.7."
- Sec. 187** NFPA 101, subsections 33.2.3.4.3.5 and 33.3.3.4.7.1, add at the end of the sentence, "...and have secondary battery back-up power."
- Sec. 188** NFPA 101, subsection 36.3.4.1 and 37.3.4.1 are amended to read as follows: General. Class A mercantile occupancies and multiple story Class B mercantile occupancies shall be provided with a fire alarm system in accordance with section 9.6.
- Sec. 189** NFPA 101, subsection 36.4.4.4.3.2, to add "where approved alternative visible means of occupant notification is provided".
- Sec. 190** Delete NFPA 101, Sections 36.4.4.8(1)(b) and 37.4.4.8(1)(b).
- Sec. 191** NFPA 101, subsections 38.2.4.7 and 39.2.4.7, are added as new sections to read as follows:  
  
Any two story business occupancy building not exceeding 3000 square feet gross floor area per floor shall be permitted a single exit with an approved outside stairway, or a single totally enclosed interior stairway to the second floor having discharge directly outside the building, if the total travel distance to the outside of the building does not exceed 100 feet, the travel distance to the interior stairway does not exceed 75 feet, and such interior stairway does not communicate with any other floor. An interior single exit stairway shall be permitted to be arranged as a floor communicating stair, with one (1) hour fire resistance rated opening protectives at the entrances from each level, and protection provided as follows: The building shall be provided with a non-supervised AC hard-wired smoke detection and alarm system in accordance with NFPA 72, arranged to sound an alarm audible throughout each level, and the stairway shall be provided with approved automatic sprinkler protection, with sprinklers located at the top of the stair and over each landing and on the tenant side of each interior fire door leading to the stairway, in accordance with NFPA 13.
- Sec. 192** Amend NFPA 101, Section 38.3.2.1 by adding Section 38.3.2.1.1 to read as follows:  
  
38.3.2.1.1 General storage areas with a floor area not greater than 100 square feet shall be exempt from the provisions of 8.7.
- Sec. 193** NFPA 101, subsection 39.2.2.2.4 is amended to read: "The re-entry provisions of 7.2.1.5.7 shall apply."



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

Sec. 194 Amend NFPA 101, Section 39.3.2.1 by adding Section 39.3.2.1.1 to read as follows:

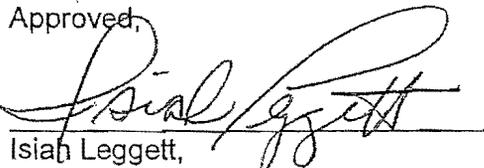
39.3.2.1.1 General storage areas with a floor area not greater than 100 square feet shall be exempt from the provisions of 8.7.

Sec. 195 NFPA 101, subsection 39.3.4.3(2) is amended to read: "Sound an audible alarm in a constantly attended location and transmit a signal to a listed Central Station."

Sec. 196 NFPA 101, subsections 40.3.4.3.1, 42.3.4.3.1 and 42.8.3.4.3.1 are amended to read: "The required fire alarm system shall provide occupant notification in accordance with 9.6.3."

Sec. 197 Amend NFPA 101, Sections 42.3.4.1.2 and 42.3.4.1.3 to replace the phrase "Storage occupancies" with "Storage occupancies less than three stories".

Approved,

  
Isiah Leggett,  
County Executive

Approved as to form and legality  
Montgomery County, Md. County Attorney's Office  




# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

Montgomery County Regulation on:

FIRE SAFETY CODE - BUILDING CONSTRUCTION  
Montgomery County Department of Permitting Services

Issued By: County Executive  
Regulation No: 10-12AM

Authority: Code Section 22-13  
Council Review: Method 2 under Code Section 2A-15  
Register Vol. 29, Issue 4  
Sunset Date: None

**SUMMARY:**

This regulation adopts the applicable editions of various National Fire Protection Association (NFPA) standards – most notably NFPA 1, Uniform Fire Code and NFPA 101, Life Safety Code – as adopted by the Maryland State Fire Prevention Code. These codes and the associated codes and standards incorporated by reference are adopted to set the minimum requirements to establish a reasonable level of safety from the hazards created by fire, explosion, and dangerous conditions. The changes do not retroactively apply to unaltered existing buildings, existing systems or existing conditions permitted or approved before the date of adoption of this regulation unless an inimical hazard exists.

The Department of Permitting Services has been delegated the authority by the Fire Chief (of Montgomery County Fire and Rescue Services) to adopt regulations pursuant to Chapter 22 of the Montgomery County Code in the cases of a new building, a new system, or new conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

**ADDRESSES:**

Department of Permitting Services  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, MD 20850

**STAFF:**

For further information, contact Joseph Felton, Manager, Division of Building Construction, 240-777-6208.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 1** In accordance with the procedures authorized in Chapter 22, "Fire Safety Code," of the Montgomery County Code, 1996, this Executive Regulation applies to the safeguarding of life, property, and the public welfare from the hazards of fire and explosion arising from the improper storage, handling, or use of substances, materials, or devices and from conditions hazardous to life, property, and the public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises.

In this regulation the term "Fire Chief" means the Fire Chief of the Montgomery County Fire and Rescue Service and includes the Fire Chief's designees.

The Department of Permitting Services has been delegated authority by the Fire Chief to enforce the requirements of the Montgomery County Fire Safety Code as it pertains to new facilities, elements, structures, and conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

This regulation supersedes Regulation No. 7-06AM only to the extent that Regulation No. 7-06AM applies to new construction and alterations to existing buildings, existing systems, or existing conditions.

**Sec. 2** Unless otherwise noted, all references to the National Fire Codes and Standards adopted in these regulations are to those codes, standards, recommended practices and manuals in the National Fire Codes, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269. The references to these National Fire Codes and Standards are set forth in Section 22-14 of the Montgomery County Code, 1996.

Terms used in this regulation which are defined in the state adopted consensus codes shall have the definitions of the consensus code.

**Sec. 3** Standards Adopted. The following standards published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, are incorporated in these regulations except as expressly amended. The dates or editions of the individual codes and standards are as listed in this section.

<u>NFPA No.</u>	<u>CODE OR STANDARD</u>
1	Uniform Fire Code – 2009 edition



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

42	Code for the Storage of Pyroxylin Plastic – 2002 edition
101	Life Safety Code – 2009 edition
130	Standard for Fixed Guideway Transit and Passenger Rail Systems – 2007 edition
214	Standard on Water Cooling Towers – 2005 edition
720	Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment – 2009 edition
850	Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations – 2005 edition

- Sec. 4** The Fire Chief must review this regulation and propose amendments within six months after the date the State Fire Prevention Commission adopts new amendments to NFPA 1 and NFPA 101 into the State Fire Prevention Code.
- Sec. 5** Delete NFPA 1, Section 1.9.
- Sec. 6** Delete NFPA 1, Section 1.10.
- Sec. 7** Delete NFPA 1, Subsection 1.11.3.
- Sec. 8** Amend NFPA 1, Section 1.12.1, add a new subsection 1.12.1.1 as follows: 1.12.1.1 Permits, certificates, notices, approvals or orders required by this code shall be governed by the policies and procedures of the AHJ.
- Sec. 9** Amend NFPA 1, Section 1.12.7 to change the word "shall" to "may".
- Sec. 10** Amend NFPA 1, Section 2.2 to delete the referenced publication NFPA 5000 Building Construction and Safety Code, 2009 edition. Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code adopted by Montgomery County.
- Sec. 11** Amend NFPA 1, Section 3.3.115 to add "and as referenced in Public Safety Article Section 10-101, Annotated Code of Maryland."
- Sec. 12** Amend NFPA 1, Section 3.3.170.6 to delete phrase "more than 3 but".
- Sec. 13** Amend NFPA 1, Section 3.3.170.7 and Section 6.1.4.1 to delete phrase "four or more".



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

- Sec. 14** Amend NFPA 1, Section 3.3.170.20 to replace the word “three” with “five” and delete the phrase “,if any, accommodated in rented rooms.”
- Sec. 15** Amend NFPA 1, Section 3.3.170.23 and Section 6.1.9.1 to replace the word “four” with “six”.
- Sec. 16** Amend NFPA 1, Section 4.5.8.1 and Section 10.4.1 to delete the phrase “for compliance with the provisions of this Code”.
- Sec. 17** Amend NFPA 1, Section 4.5.8.3 and Section 10.4.3 to delete the phrase “by the Code”.
- Sec. 18** Amend NFPA 1, Section 10.1.2 to add the phrase “except as amended by COMAR 29.06.01.07, COMAR 29.06.01.08, and COMAR 29.06.01.09”.
- Sec. 19** Amend NFPA 1, Section 10.5.1 to replace “AHJ” with “AHJ or incident commander”.
- Sec. 20** Amend NFPA 1, Section 10.11.6 to replace “grill” with “gas-fired, charcoal or electric grill” and “10 feet (3 meters)” with “20 feet (6.1 meters)”
- Sec. 21** Delete NFPA 1, Section 10.11.6.1
- Sec. 22** Amend NFPA 1, Subsection 10.12.1 to add the following Subparagraph and Paragraph:
  - 10.12.1.1.1** Subject to the approval of the AHJ, individual suites within structures and rear exterior entrances and/or access from service corridors shall be clearly identified.
  - 10.12.1.4** Where required by the AHJ, symbols in compliance in with NFPA 170, Standard for Fire Safety and Emergency Symbols, shall be used.
- Sec. 23** Amend NFPA 1, Sections 10.12.1.2 and 10.12.1.3 to replace “address numbers” with “premises identification”.
- Sec. 24** Replace NFPA 1, Table 10.14.1.1 with the following table:

Occupancy	No Trees Permitted	Cut Tree Permitted with Automatic Sprinkler Systems	Cut Tree Permitted without Automatic Sprinkler Systems	Balled Tree Permitted
Ambulatory Health Care		X	X	X
Apartment Buildings		Within Unit	Within Unit	X
Assembly		X	X	X



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

Board and Care		X		X
Business		X	X	X
Day Care Centers		X		X
Day Care Family		X	X	X
Detention and Correctional	X			
Dormitories		X	X	X
Educational	X			
Health Care		X	X	X
Hotels		X	X	X
Industrial		X	X	X
Lodging and Rooming		X	X	X
Mercantile		X	X	X
One- and Two- Family		X	X	X
Storage		X	X	X

**Sec. 25** Amend NFPA 1, Section 10.14.1 to add the following new paragraph

**10.14.1.2** The AHJ shall:

- (1) Approve the placement of a natural cut or balled tree;
- (2) Limit the number of natural cut or balled trees displayed; and
- (3) Order the removal of any tree if the tree poses a hazard to life or safety.

**Sec. 26** Amend NFPA 1, Paragraph 10.14.3.1 to replace “by the manufacturer as being fire retardant” with “by a tested laboratory recognized by the Office of the State Fire Marshal”.

**Sec. 27** Amend NFPA 1, Section 10.14.9.1 to replace “1/2 inch (13 mm)” with “2 inches (50 mm)” and add the following sentence: “A natural cut tree shall not exceed 10 feet (3 m) in height, excluding the tree stand.”

**Sec. 28** Amend NFPA 1, Section 10.15.2 to insert the phrase “, but not limited to,” after the words “such as”.

**Sec. 29** Amend NFPA 1, Section 10.15.11.2.6 to replace “any vehicles” with “any vehicles, buildings.”

**Sec. 30** Amend NFPA 1, Section 10.15.11.3.1 add the following at the end of the section “or within the fuel break described in Section 10.15.11.2.6.”

**Sec. 31** Amend NFPA 1, Section 10.16, add a new subsection 10.16.6 as follows:

**10.16.6** The AHJ shall have the authority to require that outdoor storage of any combustible material be enclosed by an approved fence or other protective enclosure to prevent unauthorized access.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 32** Amend NFPA 1, Section 10.16.1 to replace “10 ft (3 m)” with “15 ft (4.6 m)” and to replace “property line” with “property line, building, or adjacent pile of combustibile material”.
- Sec. 33** Amend NFPA 1, Section 10.16.3 to add the following:  
The separation distance shall be allowed to be increased where the AHJ determines that a higher hazard to the adjoining property exists.
- Sec. 34** Amend NFPA 1, Section 10.16.5 to add the phrase “and 10,000 ft<sup>2</sup> in area”.
- Sec. 35** Amend NFPA 1, Section 11.1 to add the following subsection:  
**11.1.11 Clearance.** A clear space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the clear space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated clear space. Exception: Where other specialized dimensions are required or permitted by NFPA 70.
- Sec. 36** Add NFPA 1, Sections 11.1.9.2.1 and 11.1.9.2.2 to read:  
**11.1.9.2.1** In new buildings; excluding one and two family dwellings, a shunt trip to disconnect the electrical service to the building shall be provided as follows:  
(a) In the emergency command center, where an emergency command center is in the building.  
(b) At the fire alarm annunciator, where there is a fire alarm annunciator and where there is no emergency command center.  
(c) In an appropriately sized and weatherproof fire department access box on the address side of the building, where there is no emergency command center or fire alarm annunciator.  
**11.1.9.2.2** In existing buildings, excluding one and two family dwellings, where there are significant upgrades to the building electrical service, such as modifying or replacing the switchgear, a disconnecting means shall be provided as for new installations.
- Sec. 37** Amend NFPA 1, Paragraph 11.1.9.3 to add the following subparagraph:  
**11.1.9.3.3** Doors to 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 inch (25 mm) high and not less than ¼ inch (6.4 mm) in stroke width.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 38** Amend NFPA 1, subsection 11.9.1 to replace “approved by the fire department” with “approved by the AHJ”.

**Sec. 39** Amend NFPA 1, Section 11.9.1 to add the following subsections:

11.9.1.1 In new installations, the emergency command center shall have a door directly to the exterior of the building on the address side. The exterior door to the emergency command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the door to the emergency command center. The exterior door to the emergency command center shall be identified on the exterior face as the emergency command center in a manner acceptable to the Fire Chief.

11.9.1.2 In new installations, the emergency command center shall also comply with the provisions of Section 911 of the International Building Code, 2009 edition.

**Sec. 40** Amend NFPA 1, Section 11.9.5(8) to read as follows:

(8) Fire pump status indicators and remote starting.

**Sec. 41** Amend NFPA 1, Sections 13.1.9, 13.1.10 and 13.7.1.4.4 to add: When a property owner or the owner’s agent cannot be contacted to establish a fire watch, the Montgomery County Fire and Rescue Service at their discretion may provide the fire watch and charge the property owner the inspection overtime rate per person per hour.

**Sec. 42** Amend NFPA 1, Section 13.2.2.2 to delete the existing wording and replace with the following: All new buildings shall be equipped with an approved standpipe system where required by the building code adopted by Montgomery County. Where a Class III system is required, a Class I system shall be permitted.

**Sec. 43** Amend NFPA 1, Section 13.3.1.2 to add the following subsection:

**13.3.1.2.1** For new ceiling installations, drop-out ceilings as referenced in NFPA 13, Subsection 8.15.14 shall be prohibited.

**Sec. 44** Amend NFPA 1, Section 13.3.1.7.2 to read: “Where supervised automatic sprinkler protection is required by another section of this Code, waterflow alarms shall be automatically transmitted to a listed central station.”

**Sec. 45** Amend NFPA 1, Section 13.3.2.1 to add the following subsection:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**13.3.2.1.1** All new buildings shall be equipped with automatic sprinkler system or other automatic fire suppression system where required by Section 903 of the building code adopted by Montgomery County. Exception: Day care facilities that comply with the sprinkler requirements of the NFPA 101 Life Safety Code (2009 edition).

**Sec. 46** Amend NFPA 1, Section 13.3.2.24.2 by adding at the beginning of the section the phrase "Except as modified by 13.3.2.24.4," and adding a new subsection 13.3.2.24.2.4 which reads:

**13.3.2.24.2.4** The requirement of 13.3.2.24.2 shall not apply to existing apartment occupancy high-rise buildings.

**Sec. 47** Amend NFPA 1, Sections 13.3.3.1 and 13.3.3.2 to delete the phrase "installed in accordance with this Code."

**Sec. 48** Amend NFPA 1, Section 13.4.1 to add the following subsection:

**13.4.1.1.1** No fire pump component, including the pump, driver, or controller, shall be permitted to be installed in below ground vaults or pits unless otherwise approved by the AHJ.

**Sec. 49** Amend NFPA 1, Section 13.5.2 to add the following phrase at the end of the section "as modified by Montgomery County Executive Regulation 29-08AM 'Fire Safety Code – Fire Department Apparatus Access and Water Supply'".

**Sec. 50** Amend NFPA 1, Section 13.6.2 to add the phrase ", unless otherwise permitted by the AHJ."

**Sec. 51** Amend NPFA 1, Section 13.7.1.4.8.6 is amended as follows:

(a) Add the following sentence to the end of the section: "This paragraph does not permit the omission of manual fire alarm boxes in accordance with other provisions of this subsection unless specifically permitted by Chapters 11 through 43.

(b) Add two new subsections as follows:

**13.7.1.4.8.6.1** Zoned fire alarm systems shall have manual pull stations located at the entrance to each exit enclosure and at the main exit.

**13.7.1.4.8.6.2** When a fire alarm system is required in a multiple tenant building, for each tenant exiting directly to the exterior of the building, a manual pull station and approved occupant notification shall be located at each required or marked exit.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

- Sec. 52** Amend NFPA 1, Section 13.7.1.4.8.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection shall be provided and shall comply with NFPA 72 Section 4.4.4.1."
- Sec. 53** Amend NFPA 1, Section 13.7.1.4.10.2.1, delete the phrase "lobby,".
- Sec. 54** Amend NFPA 1, Section 13.7.1.4.10.4 by adding the following at the end of the sentence: "only when the initial fire alarm signal is automatically transmitted without delay to a listed central station in accordance with 13.7.1.4.11."
- Sec. 55** Amend NFPA 1, Section 13.7.1.4.10.7 by adding a second sentence to read: "Required audibility shall be met with all intervening doors (between any space and the audible devices) closed."
- Sec. 56** Amend NFPA 1, Section 13.7.1.4.10.9 by adding: Where voice type occupant notification is used, automatic pre-recorded messages shall be used complying with Section 13.7. Live voice as the sole notification method is prohibited – except that previously "approved" live voice systems shall be permitted to remain.
- Sec. 57** Amend NFPA 1, Section 13.7.1.4.11.2 by deleting the list of four items and replace the phrase "any of the following means acceptable to the authority having jurisdiction" with "by a listed central station fire alarm system".
- Sec. 58** Delete NFPA 1, Section 13.7.1.4.11.3.
- Sec. 59** Amend NFPA 1, Section 13.7.1.4.12.2(3) by adding the following sentence: "Manual fire alarm initiation shall not activate floor or zone-dependent smoke control systems."
- Sec. 60** Delete NFPA 1, Section 13.7.1.4.14.10.3
- Sec. 61** Delete NFPA 1, Sections 13.7.2.10.2.2 and 13.7.2.12.3.2
- Sec. 62** Amend NFPA 1, Section 13.7.2.14.4 to add at the end of the sentence, "...only if the existing smoke alarms are battery operated."
- Sec. 63** Amend NFPA 1, Section 13.7.2.16.1.4.4 and Section 13.7.2.16.2.2.1 by adding at the end of the sentence, "...and have secondary battery back-up power."
- Sec. 64** Amend NFPA 1, Section 13.7.2.17.1 and Section 13.7.2.18.1 are amended to read as follows: Class A mercantile occupancies and multiple story Class B mercantile occupancies shall be provided with a fire alarm system in accordance with Section 13.7 and NFPA 101.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 65** Amend NFPA 1, Section 13.7.2.22.1.2 and Section 13.7.2.22.1.3 to replace the phrase "Storage occupancies" with "Storage occupancies less than three stories".
- Sec. 66** Amend NFPA 1, Sections 13.7.2.23.2 and 13.7.2.24.2 to add the following exception:  
  
Exception: Day-care occupancies located in school facilities where enrollment is limited to children capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection.
- Sec. 67** Amend NFPA 1, Section 13.7.2.23.3 to add the following subsection:  
  
**13.7.2.23.3.4** Approved battery-operated smoke alarms, rather than house electrical service-powered smoke alarms required by 13.7.2.23.3.3, shall be permitted where the facility has testing, maintenance, and battery replacement programs that ensure reliability or power to the smoke alarms.
- Sec. 68** Amend NFPA 1, Section 13.7.2.24.3.4 to delete the word "existing".
- Sec. 69** Amend NFPA 1, Section 13.7.2.27.2.1 by adding a new subsection 13.7.2.27.2.1.1 as follows:  
  
**13.7.2.27.2.1.1** In buildings having staged evacuation the voice fire alarm system shall send a predetermined message to the floor where the alarm originated, to the floor immediately below and to the floor immediately above, providing information and direction to the occupants. Any subsequent alarm(s) on other than the initial fire floor must initiate the voice fire alarm as described above. The voice fire alarm shall be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it shall not sound automatically in elevator cars and enclosed exit stairways. Communicating levels shall be considered one floor/fire area for the audible and visual fire alarm signals.
- Sec. 70** Add NFPA 1, Section 13.9 to read as follows: "In new buildings, an emergency command center in accordance with Section 11.9 shall be required in buildings, other than parking garages, with a gross floor area greater than 100,000 square feet."
- Sec. 71** Amend NFPA 1, Section 14.5.2.7 to add the phrase "and all stairway doors shall be unlocked simultaneously without unlatching upon a signal from the fire command center." to items (2) and (3).
- Sec. 72** Amend NFPA 1, Section 14.5.2.7.1 to add an item (6), to read:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

(6) Entry levels shall provide free access to an approved second exit. These levels shall be designated in "core/shell" building permit drawings with future tenant layouts arranged accordingly.

**Sec. 73** Amend NFPA 1, Table 14.8.1.2 to add on the chart for Business Use "for calculating occupant loads in shell use business use is 65 square feet (6.0 square meters) per person."

**Sec. 74** Amend NFPA 1, Section 14.10.1.3.1 to add new subsection 14.10.1.3.1.1:

**14.10.1.3.1.1** In non-sprinklered new buildings, parallel paths of travel shall be considered remote if not less than forty (40) feet apart, or separated by assemblies having continuous one hour fire resistance with self-closing and positive latching twenty (20) minute fire [resistance] protection rated opening protectives. In fully sprinklered buildings and existing buildings paths of travel shall be considered remote if not less than thirty (30) feet apart, or separated by assemblies with self-closing opening protectives which are resistant to the passage of smoke. This minimum separation of paths shall not supersede minimum separation of exits or doors in 14.10.1.3.2.

**Sec. 75** Amend NFPA 1, Section 14.11.2.3 by adding two sentences at the end of the section as follows:

In new installations, the door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, in new installations, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".

**Sec. 76** Amend NFPA 1, Section 14.13.1.2 to replace the word "only" in the first sentence with ", but not be limited to,"

**Sec. 77** Amend NFPA 1, Section 14.14.8.3.1 to add: If the sign is on the door, then the door must be equipped with an approved self-closing device.

**Sec. 78** Amend NFPA 1, Section 18.1.1.1 and Section 18.1.1.2 to replace the word "fire department" with "AHJ".

**Sec. 79** Amend NFPA 1, Section 18.2.2 to add the following subsection:

**18.2.2.4** In new installations, not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or fire department response location.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 80** Amend NFPA 1, Section 18.2.2.1, add two new subsections as follows:

**18.2.2.1.1** All occupancies other than 1 and 2 family dwellings shall be provided with an approved access box.

Exception 1: The requirement for an access box shall not apply when the occupancy provides 24-hour on-site staffing with access to all areas in the building or complex. At least one person must staff a fixed location proximate to the main building or complex entrance to provide ready access for the fire department.

Exception 2: For multiple occupancies located within a single structure, a single access box shall be permitted with approval of the Fire Chief.

Exception 3: For multiple structures within a residential building complex, a single access box shall be permitted with approval of the Fire Chief.

**18.2.2.1.2** The size, contents, and location of the access box shall be determined by the Fire Chief in cooperation with the occupancy owner or management.

**Sec. 81** Amend NFPA 1, Section 18.2.3 to add the following: The AHJ shall have the authority to require and designate public or private fire lanes and fire department access roads as considered necessary.

**Sec. 82** Amend NFPA 1, Section 18.2.3.1.3 to delete "When not more than two one- and two-family dwellings or private garages, carports, sheds, and agricultural buildings, and detached buildings or structures 400 ft<sup>2</sup> (37 m<sup>2</sup>) or less are present,".

**Sec. 83** Amend NFPA 1, Section 18.2.3.2.1 to replace the phrase "exterior door," with "exterior door acceptable to the AHJ".

**Sec. 84** Amend NFPA 1, Section 18.3.1 to add the following sentence:  
Regardless of new or existing conditions, Section 18.3.1.1 shall apply.

**Sec. 85** Amend NFPA 1, Section 18.3.1 to add the following subsection:

**18.3.1.1** For new and existing conditions, the hydrant closest to the property shall be capable of delivering a minimum of 1000 gallons per minute with 20 psi residual pressure. The next closest hydrant shall be capable of flowing a minimum of 500 gallons per minute at the same time.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 86** Amend NFPA 1, Section 18.3.3 to add the following subsection:

**18.3.3.1** For buildings without automatic sprinklers within areas provided with a municipal water supply, the distance from the building to the closest hydrant shall not exceed 400 feet when measured along the path of fire department access.

**Sec. 87** Amend NFPA 1, Section 20.3.4.1.1 to delete the phrase "more than 3, but" and after the "," after "12".

**Sec. 88** Amend NFPA 1, Section 20.3.4.2.3.5.1 to add the following exception. Exception: Day-care homes.

**Sec. 89** Amend NFPA 1, Section 20.3.4.2.3.5.4 to add the following exception. Exception: Day-care homes with not more than three clients for overnight lodging.

**Sec. 90** Amend NFPA 1, Section 20.5.2.3.6 by adding a sentence as follows: "If more than three residents are not able to participate in the drill, the facility shall be considered as a Health Care Occupancy and shall be reevaluated in accordance with NFPA 101, Section 43.7.

**Sec. 91** Amend NFPA 1, Section 25.2.2.1 to add the phrase "or other approved testing standard approved by the State Fire Marshal".

**Sec. 92** Amend NFPA 1, Section 31.3.6.2.2 to add the following item:

(9) Piles containing leaves and other extraneous or hogged material, such as whole tree chip piles, shall be turned or reclaimed at least every 3 months.

**Sec. 93** Amend NFPA 1, Section 31.3.6.3.1 to delete the existing wording and replace with the following:

Piles may not exceed 18 feet in height, 50 feet in width, and 350 feet in length. Piles shall be subdivided by fire lanes having at least 25 feet of clear space at the base of piles.

**Sec. 94** Delete NFPA 1, Section 31.3.6.3.2, Section 31.3.6.3.2.1, Section 31.3.6.3.2.2, and Section 31.3.6.3.2.3.

**Sec. 95** Amend Section 42.7.5 to add the following subsections:

**42.7.5.7** Management/owners officials or employees shall conduct daily site visits to ensure that all equipment is operating properly.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**42.7.5.8** Regular equipment inspection and maintenance at the unattended self-service facility shall be conducted.

**42.7.5.9** Fuel dispensing equipment shall comply with one of the following:

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

**Sec. 96** Amend NFPA 1, Section 42.7.5.5 to add the following:  
The following information shall be conspicuously posted in this area:

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

**Sec. 97** Amend NFPA 1, Section 50.2.1 to add the following subsections:

**50.2.1.10** Commercial Outdoor Cooking Operations. These requirements apply to commercial outdoor cooking operations such as those that typically take place under a canopy or tent type structure at fairs, festivals and carnivals. This includes but is not limited to deep frying, sautéing, and grilling operations.

**50.2.1.10.1** Tent and Canopy Requirements.

**50.2.1.10.1.1** Tents or canopies where cooking equipment not protected in accordance with NFPA 96 is located shall not be occupied by the public and shall be separated from other tents, canopies, structures, or vehicles by a minimum of 10 feet (3050 mm) unless otherwise approved by the AHJ.

**50.2.1.10.1.2** All tent and canopy material shall comply with flame resistance requirements of Section 25.2.2.

**50.2.1.10.2** LP Gas Fuel Requirements.

**50.2.1.10.2.1** LP gas tank size shall be limited to 60 lbs. The total amount of LP gas on site shall not exceed 60 lbs for each appliance that is rated not more than 80,000 btu/hr and 120 lbs for each appliance rated more than 80,000 btu/hr.

**50.2.1.10.2.2** Tanks must be maintained in good physical condition and shall have a valid hydrostatic date stamp.

**50.2.1.10.2.3** Tanks shall be secured in their upright position with a chain, strap or other approved method that prevents the tank from tipping over.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**50.2.1.10.2.4** Tanks shall be located so that they are not accessible to the public. LP gas tanks shall be located at least 5 feet from any cooking or heating equipment or any open flame device.

**50.2.1.10.2.5** All LP gas equipment shall be properly maintained and comply with the requirements of NFPA 58.

**50.2.1.10.2.6** Regulators. Single-stage regulators shall not supply equipment that is rated more than 100,000 btu/hr rating. Two-stage regulators shall be used with equipment that is rated more than 100,000 btu/hr.

**50.2.1.10.3** General Safety Requirements.

**50.2.1.10.3.1** All electrical cords shall be maintained in a safe condition and shall be secured to prevent damage.

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

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

**Sec. 98** Annex O - In-Building Public Safety Radio Enhancement System of NFPA 1 is adopted.

**Sec. 99** NFPA 1, Section O.3.2 is modified to read as follows:

"Radio Coverage. Radio coverage shall be provided throughout the building such that a minimum of 95% of the building (including all underground levels, basements, elevators, stairways, etc.) is covered at a minimum of 95% of the time."

**Sec. 100** Delete NFPA 1, Sections O.3.2.1 and O.3.2.2 and renumber Section O.3.2.3 as O.3.2.1.

**Sec. 101** Amend NFPA 1, Section O.3.5.5 to read as follows:

"At a minimum, a two inch diameter conduit/conduit sleeves shall be provided vertically from the roof level to the lowest level of the structure. This conduit will provide a vertical path for cable to all levels and should pass through the in-building public safety radio enhancement system equipment room. At a minimum, one 20-amp AC circuit and building ground shall be located at the public safety radio enhancement system equipment and any outside antenna locations."



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

**Subject:**  
FIRE SAFETY CODE – BUILDING CONSTRUCTION

**Number:** 10-12AM

**Originating Department:** DEPARTMENT OF PERMITTING SERVICES

**Effective Date:**

**Sec. 102** Modify NFPA 1, Section O.3.6.3 to read as follows:

“Secondary Power Source. The secondary power source shall provide enough capacity to power the in-building public safety radio enhancement system for 12 hours at 100 percent system operation capacity. Where the building is provided with a generator, the generator shall supply secondary power to the in-building public safety radio enhancement system.”

**Sec. 103** Delete NFPA 1, Section O.3.7.2

**Sec. 104** Modify NFPA 1, Section O.3.9.3 to read as follows:

“Test procedures. The test plan shall ensure testing throughout the building. Test procedures shall be as directed by the design professional and the AHJ. Using the Montgomery County control channel, each floor shall be RF (radio frequency) signal level mapped utilizing a calibrated, portable spectrum analyzer. Each floor shall be divided into equal grids of no larger than 50 feet by 50 feet. Individual testing points shall not be spaced greater than 50 feet apart. Each grid shall meet the required signal strength level, and provide a Delivered Audio Quality (DAQ) of not less than 3.5. (DAQ 3.5 is defined as ‘Speech understandable with repetition rarely required. Some noise/distortion.’) A maximum of two non adjacent grids will be allowed to fail on the same floor. Failure of any two adjacent grids is considered a failure for the entire floor. Critical rooms, including, but not limited to, such areas as the fire command/control center, fire pump room, emergency generator room, stairwells with a standpipes, and other staging areas as identified by the AHJ shall not fail coverage at all. ”

**Sec. 105** Modify NFPA 1, O.3.10.1 to read as follows:

“The design and acceptance testing of the in-building public safety radio enhancement system shall be performed under the supervision of a Maryland registered professional engineer a minimum of 5 years of experience in the design, installation, and alignment of bi-directional amplifier systems.”

**Sec. 106** Modify NFPA 1, O.3.11 to read as follows:

“Maintenance. The building owner shall maintain a service contract for emergency repair of the system. The service contract shall be such that telephone support is available within 2 hours and on-site service can be provided within 24 hours of recognition that the in-building public safety radio enhancement system is not operating correctly. A copy of the contract shall be submitted to the AHJ at the time of acceptance testing. If the building owner drops the service contract, the contractor shall notify the AHJ within 24 hours.”



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 107** Amend NFPA 80, as referenced by NFPA 1, sections 8.4.2.1.2, 10.4.1.2, 11.4.1.2, 11.4.3.2.2, and 13.4.2 to add the following: Release of fire doors and shutters shall not be solely by fusible link and shall be accomplished by one or more of the following:

- (a) Approved local smoke detection at the doors,
- (b) Approved area smoke detection per NFPA 72, or
- (c) Full automatic sprinkler protection per NFPA 13 with water flow interlock.

**Sec. 108** Amend NFPA 96, as referenced by NFPA 1, section 1.1.1, to add an exception to read:

In places of worship and day care facilities, protection shall be permitted to consist of the following:

- (1) Electrical range with not more than four heating elements, each heating element shall be electronically controlled to limit the element temperature to below 670 degrees F.
- (2) A shunt trip shall be installed for the electric range. If building is equipped with a fire alarm system, the shunt trip shall be interconnected with the fire alarm system. If the building is not equipped with a fire alarm system, other automatic means/devices, approved by DPS, to cut off power to the unit shall be installed in the kitchen.
- (3) Kitchen shall be located not more than one story above the level of exit discharge.
- (4) Kitchen shall be located not more than one story below the level of exit discharge.
- (5) Kitchen shall be separated from adjoining areas by fire barriers with a fire resistance rating of one hour or greater; OR, the kitchen shall be protected with automatic sprinklers.

**Sec. 109** Amend NFPA 92A, Section 5.3.1(2) by adding the following: At a minimum, the design shall achieve the performance objectives in the condition with two doors open simultaneously. If there is a door directly to the outside from the stair, the exterior door shall be one of the two doors used in the design.

**Sec. 110** Amend NFPA 92B, Section 5.2.3.1 by adding the following: The design fire shall be not less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.

**Sec. 111** Amend NFPA 92B, Section 5.2.4 by adding the following: At the steady phase, the design fire shall be not less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.

**Sec. 112** Amend NFPA 101 Section 2.2 by adding Section 2.2.1 to read as follows: Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code that is in effect in Montgomery County.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 113** NFPA 101, section 3.3 is amended as follows:

(a) Subsection 3.3.57, add the following new subsection and definition:

**3.3.57.3 Bulkhead Door.** A type of door assembly covering an opening in the ground providing direct access to a basement, the floor of which is not more than 8 feet below ground level. The door consists of a single rigid leaf or two overlapping rigid leaves or covers which need to be pushed or lifted upwards in order to be opened. A person, after opening the door, can walk up a series of steps to escape to the outside.

(b) Amend Subsection 3.3.131.1 to change the definition of "Day-Care Home" by deleting the phrase "...more than three, but..."

(c) Amend Subsection 3.3.178.4 to change the definition of "Day Care Occupancy" by deleting the phrase "...four or more ..."

(d) Amend Subsections 3.3.178.12 to change the definition of "Residential Board and Care Occupancy" to replace the word "four" with "six".

**Sec. 114** Amend NFPA 101, Section 4.5.8 and Section 4.6.13.1 to delete the phrase "for compliance with the provisions of this Code".

**Sec. 115** Amend NFPA 101, Section 4.6.13.3 to delete the phrase "by the Code".

**Sec. 116** Amend NFPA 101, section 4.8, add the following subsection:

**4.8.2.4** Emergency plans shall be maintained in a location approved by the authority having jurisdiction.

**Sec. 117** Amend NFPA 101, subsection 6.1.4.1 by deleting the phrase "...four or more ..."

**Sec. 118** Amend NFPA 101, subsection 6.1.9.1 to change the definition of "Residential Board and Care Occupancy" to replace the word "four" with "six".

**Sec. 119** Amend NFPA 101, subsection 7.2.1.5.7, add the phrase "and all stairway doors shall be unlocked simultaneously without unlatching upon a signal from the fire command center." to items (2) and (3).

**Sec. 120** Amend NFPA 101, subsection 7.2.1.5.7.1, add an item (6), to read:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

(6) Entry levels shall provide free access to an approved second exit. These levels shall be designated in "core/shell" building permit drawings with future tenant layouts arranged accordingly.

**Sec. 121** Amend NFPA 101, Section 7.2.1.6.3 to replace the phrase "in Chapters 11 through 43" with the phrase "by the AHJ and Chapters 11 through 43".

**Sec. 122** Amend NFPA 101, Section 7.2.2.1 to add the following subsection: 7.2.2.1.3 In new installations, not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or fire department response location.

**Sec. 123** Amend NFPA 101, section 7.2.2.4.5.2(1), by replacing the word "Existing" with "Interior".

**Sec. 124** Delete NFPA 101, subsections 7.2.3.9.2(3)(b) and 12.2.2.2.4.

**Sec. 125** Amend NFPA 101, subsection 7.3.1.2 by adding on the chart for Business Use "for calculating occupant loads in shell use business use is 65 square feet (6.0 square meters) per person."

**Sec. 126** Amend NFPA 101, subsection 7.5.1.3.1 by adding new subsection 7.5.1.3.1.1:

**7.5.1.3.1.1** In non-sprinklered new buildings, parallel paths of travel shall be considered remote if not less than forty (40) feet apart, or separated by assemblies having continuous one hour fire resistance with self-closing and positive latching twenty (20) minute fire protection rated opening protectives. In fully sprinklered buildings and existing buildings paths of travel shall be considered remote if not less than thirty (30) feet apart, or separated by assemblies with self-closing opening protectives which are resistant to the passage of smoke. This minimum separation of paths shall not supersede minimum separation of exits or doors in 7.5.1.3.2.

**Sec. 127** NFPA 101, subsection 7.7.2.3 is amended by adding two sentences at the end of the section as follows:

In new installations, the door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, in new installations, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".

**Sec. 128** NFPA 101, Subsection 7.9.1.2, replace the word "only" in the first sentence with "but not limited to,".



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 129** Amend NFPA 101, subsection 7.10.8.3.1 by adding: If the sign is on the door, then the door must be equipped with an approved self-closing device.

**Sec. 130** Amend NFPA 101, subsection 8.6.6(3) by adding a second sentence:

Areas shall be considered to satisfy the requirements of 'readily obvious' when the communicating space is provided with automatic smoke detection and alarm in accordance with NFPA 72.

**Sec. 131** NFPA 101, subsection 8.6.7(6)(b) at the end of the sentence add the phrase "in a location approved by the AHJ".

**Sec. 132** Amend NFPA 101 by adding new section 9.1.5 as follows:

#### 9.1.5 In-Building Public Safety Radio Enhancement System

**9.1.5.1** All newly constructed below ground floors of a building, all floors in buildings greater than 25,000 ft<sup>2</sup> per floor, and all floors of buildings greater than 3 stories in height shall meet minimum emergency radio communication system performance criteria adopted by Montgomery County. Proof that minimum performance criteria are met shall be provided in writing to the Fire Chief.

- (1) System performance testing shall be performed in accordance with technical standards for systems and testing personnel established by Montgomery County.
- (2) Compliance testing shall be performed at time of occupancy.
- (3) Field testing may be performed upon reasonable notification of the owner or occupant by any authorized fire and rescue personnel.

Exception: One and two family dwellings and town homes.

**9.1.5.2** In existing buildings, where emergency radio communication system performance is reported to be inadequate, the Fire Marshal shall be permitted to require a technical analysis to determine the level of performance of the emergency radio communication system. Where the analysis demonstrates unacceptable performance, an in-building public safety radio enhancement system shall be provided.

**9.1.5.3** Where installed to achieve the minimum emergency radio communication system performance criteria, an in-building public safety radio enhancement system shall be designed in accordance with Annex O of NFPA 1, as amended.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

9.1.5.4 All testing, design, installation, inspection, and maintenance required by Section 9.1.5 shall be performed by personnel approved by the Fire Marshal.

**Sec. 133** Amend NFPA 101, subsections 9.6.1.6 and 9.7.6.1 by add: When a property owner or the owner's agent cannot be contacted to establish a fire watch, the Montgomery County Fire and Rescue Service at their discretion may provide the fire watch and charge the property owner the inspection overtime rate per person per hour.

**Sec. 134** NFPA 101, subsection 9.6.2.6 is amended as follows:

(a) Add the following sentence to the end of the section: "This paragraph does not permit the omission of manual fire alarm boxes in accordance with other provisions of this subsection unless specifically permitted by Chapters 11 through 43."

(b) Add two new subsections as follows:

**9.6.2.6.1** Zoned fire alarm systems shall have manual pull stations located at the entrance to each exit enclosure and at the main exit.

**9.6.2.6.2** When a fire alarm system is required in a multiple tenant building, for each tenant exiting directly to the exterior of the building, a manual pull station and approved occupant notification shall be located at each required or marked exit.

**Sec. 135** Amend NFPA 101, Section 9.6.2.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection shall be provided and shall comply with NFPA 72 Section 4.4.4.1."

**Sec. 136** NFPA 101, add new subsection 9.6.2.11 to read: "Where required by another section of this code, carbon monoxide alarms or carbon monoxide detectors shall be installed in accordance with NFPA 720."

**Sec. 137** Amend NFPA 101, Section 9.6.3.2.1 to delete the phrase "lobby,".

**Sec. 138** Amend NFPA 101, Section 9.6.3.4, to adding the following at the end of the sentence: "only when the initial fire alarm signal is automatically transmitted without delay to a listed central station in accordance with 9.6.4."

**Sec. 139** NFPA 101, Section 9.6.3.7, add a second sentence to read: "Required audibility shall be met with all intervening doors (between any space and the audible devices) closed."



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

**Sec. 140** Amend NFPA 101, Section 9.6.3.9 by adding: Where voice type occupant notification is used, automatic pre-recorded messages shall be used complying with Section 9.6. Live voice as the sole notification method is prohibited.

Exception: Previously "approved" live voice systems, shall be permitted to remain.

**Sec. 141** Amend NFPA 101, Section 9.6.4.2 by deleting the list of four items and replace the phrase "any of the following means acceptable to the authority having jurisdiction" with "by a listed central station fire alarm system".

**Sec. 142** NFPA 101, delete subsection 9.6.4.3.

**Sec. 143** NFPA 101, subsection 9.6.5.2(3), add the following sentence: "Manual fire alarm initiation shall not activate floor or zone-dependent smoke control systems."

**Sec. 144** NFPA 101, delete subsection 9.6.7.4.3

**Sec. 145** Amend NFPA 101, Section 9.7.1.1 to add the following subsection: 9.7.1.1.1 For new installations, drop-out ceilings as referenced in NFPA 13, Subsections 8.15.14 shall be prohibited.

**Sec. 146** NFPA 101, subsection 9.7.2.2, the first sentence is amended to read: "Where supervised automatic sprinkler protection is required by another section of this Code, waterflow alarms shall be automatically transmitted to a listed central station."

**Sec. 147** NFPA 101, subsection 9.7.3.1 is amended to read: "Where water as an extinguishing agent is not compatible with the fire hazard or is prohibited by law, statute or ordinance, the affected area shall be equipped with an approved automatic fire suppression system utilizing a suppression agent that is compatible with the fire hazard. Such system shall be installed in accordance with the appropriate standard as determined in Table 9.7.3.1."

**Sec. 148** NFPA 101, Section 9.7.5 delete the phrase "required by this Code".

**Sec. 149** Amend NFPA 101, Section 11.8.3.1 by adding the phrase "except for existing high-rise apartment occupancy buildings" at the end of the first sentence.

**Sec. 150** NFPA 101, subsection 11.8.4.1, add new subsection 11.8.4.1.1:

**11.8.4.1.1** In buildings having staged evacuation the voice fire alarm system shall send a predetermined message to the floor where the alarm originated, to the floor immediately below and to the floor immediately above, providing information and direction to the occupants. Any



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

subsequent alarm(s) on other than the initial fire floor must initiate the voice fire alarm as described above. The voice fire alarm shall be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it shall not sound automatically in elevator cars and enclosed exit stairways. Communicating levels shall be considered one floor/fire area for the audible and visual fire alarm signals.

- Sec. 151** Amend NFPA 101, section 11.8.6.1, add a new subsection 11.8.6.1.1 to read:  
"In new installations, the emergency command center shall have a door directly to the exterior of the building on the address side. The exterior door to the emergency command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the door to the emergency command center. The exterior door to the emergency command center shall be identified on the exterior face as the emergency command center in a manner acceptable to the Fire Chief."
- Sec. 152** NFPA 101, subsections 11.8.6.2 (8) and (10), are amended to read as follows:
- (8) Emergency generator status indicators, and remote starting.
  - (10) Fire pump status indicators and remote starting.
- Sec. 153** NFPA 101, subsection 11.8.6, add a new subsection 11.8.6.3 to read: "The emergency command center shall also comply with the provisions of Section 911 of the International Building Code, 2009 edition.
- Sec. 154** Amend NFPA 101, Section 11.11.2.1 to add the phrase "or other approved testing standard approved by the State Fire Marshal".
- Sec. 155** Amend NFPA 101, Section 12.2.4.1 is amended by completely replacing the text with the following:
- 12.2.4.1** Exits shall comply with the following, except as otherwise permitted by 12.2.4.4:
- (1) The number of means of egress shall be in accordance with Section 7.4.
  - (2) Not less than two separate exits shall be provided on every story.
  - (3) Not less than two separate exits shall be accessible from every part of every story.
- Sec. 156** NFPA 101, subsection 14.2.11.1.1(1) is amended by adding the following after "...tools", "keys, special knowledge, or excessive force."
- Sec. 157** Amend NFPA 101, sections 16.1.1 and 17.1.1, to add subsections 16.1.1.6 and 17.1.1.6 as follows: Day-care centers providing day care for school age children before and after school hours in a building which is in use as a public or private school are not required to meet the provisions of this chapter, but shall meet the provisions for educational occupancies.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

**Sec. 158** NFPA 101, subsections 16.2.11.1.1 and 17.2.11.1.1 to add the following item:

(4) For windows at grade the minimum net clear opening shall be permitted to be 5.0 square feet.

**Sec. 159** Amend NFPA 101, subsection 16.2.11.1.2, to add the following item to the list:

(3) Group Day-Care Homes and Family Day-Care Homes which are protected by hard-wired, interconnected smoke alarms or detectors in each room or space of the building (including corridors). Such smoke alarms or detectors are not necessary in bathrooms, closets, attached garages, or attic spaces without storage. In addition, if the building's furnace, hot water heater, and/or clothes dryer is fueled by natural gas or propane gas, then these areas shall be protected by sprinklers supplied by the domestic system.

**Sec. 160** Amend NFPA 101, subsections 16.3.4.5 and 17.3.4.5 to add the following exception:

Exception: Day-care occupancies located in school facilities where enrollment is limited to children capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection.

**Sec. 161** NFPA 101, add new subsection 16.3.5.4 to read: Buildings containing new day care centers above or below the level of exit discharge shall be protected throughout with full automatic sprinkler protection installed in accordance with section 9.7.

**Sec. 162** NFPA 101, subsections 16.6.1.1.2, and 17.6.1.1.2, delete the phrase "...more than 3, but.."

**Sec. 163** NFPA 101, subsections 16.6.1.4.1.1, 16.6.1.4.1.2, 17.6.1.4.1.1 and 17.6.1.4.1.2 are amended as follows:

(a) Subsections 16.6.1.4.1.1 and 17.6.1.4.1.1, delete the phrase "more than three but" and replace the phrase "seven clients" with "nine clients".

(b) Subsections 16.6.1.4.1.2 and 17.6.1.4.1.2, change the phrase "at least seven" to "at least nine."

**Sec. 164** NFPA 101, subsections 16.6.1.7.1 and 17.6.1.7.1, replace items (1) and (2) with the following items:

(1) The minimum staff-to-client ratio shall be not less than one staff for up to eight clients, including the caretaker's own children incapable of self-preservation.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- (2) There shall be not more than four clients incapable of self-preservation, including the caretaker's own children incapable of self-preservation.
- (3) A staff-to-client ratio of at least one staff to every two clients incapable of self-preservation shall be maintained at all times.
- (4) The staff-to-client ratio shall be permitted to be modified by the authority having jurisdiction where safeguards in addition to those specified in this section are provided.

**Sec. 165** NFPA 101, subsection 16.6.2.1 and 17.6.2.1, add the following sentence: "Bulkhead doors shall not be permitted to serve as a primary means of escape."

**Sec. 166** NFPA 101, subsections 16.6.2.2 (Reserved) and 17.6.2.2 (Reserved) are amended as follows:

#### SLIDING DOOR.

For family day-care homes, a sliding door used as a required means of egress shall comply with the following conditions:

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

**Sec. 167** NFPA 101, subsections 16.6.2.3 (Reserved) and 17.6.2.3 (Reserved) are amended as follows:

**SPECIAL MEANS OF ESCAPE REQUIREMENTS:** For family day-care homes, dead-bolt locks shall be provided with approved interior latches, or these locks shall be of a captured key design from which the key cannot be removed from the interior side of the lock when the lock is in the locked position. These locks shall be unlocked at all times when the home is occupied for the purpose of family day care. Exception: A double-keyed dead-bolt lock may be used on the secondary means of escape if the key is readily accessible and the lock is unlocked at all



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

times the home is occupied for the purpose of family day care.

**Sec. 168** NFPA 101, subsection 16.6.3.4 add the following subsection:

**16.6.3.4.4** Approved battery-powered smoke alarms rather than house electrical service-powered smoke alarms required by 16.6.3.4.3 shall be permitted where the facility has testing, maintenance and battery replacement programs that ensure reliability of power to the smoke alarms.

**Sec. 169** NFPA 101, subsections 16.7.4.1 and 17.7.4.1 add an Exception:

Exception: Day-Care Homes.

**Sec. 170** NFPA 101, subsections 16.7.5 and 17.7.5, add an Exception:

Exception: Day-Care Homes with no more than three clients for overnight lodging.

**Sec. 171** NFPA 101, subsection 17.2.11.1.2 add the following item to the list:

- (3) Group Day-Care Homes and Family Day-Care Homes which are:
  - (a) Protected by hard-wired, interconnected smoke alarms or detectors in each room or space of the building (including corridors). Such smoke alarms or detectors are not necessary in bathrooms, closets, attached garages, or attic spaces without storage; and,
  - (b) When the building's furnace, hot water heater, and/or clothes dryer is fueled by natural gas or propane gas, these areas are protected by sprinklers supplied by the domestic system.

**Sec. 172** Amend NFPA 101 as follows:

- (a) Subsection 17.6.3.4.4, delete "Existing..."
- (b) Section 22.4.5.1.3 to delete the phrase "or 22.4.5.1.5".
- (c) Sections 22.4.5.1.4(1) and 23.4.5.1.4(1) to replace the phrase "2 minutes" with "30 seconds".
- (d) Sections 22.4.5.1.4(2) and 23.4.5.1.4(2) to replace the phrase "2 minute" with "30 seconds".
- (e) Delete NFPA 101, Sections 22.4.5.1.5 and 23.4.5.1.5.
- (f) Delete NFPA 101, Sections 22.4.5.2 and 23.4.5.2.
- (g) Section 23.4.5.1.3 to delete the phrase "or 23.4.5.1.5".

**Sec. 173** Amend NFPA 101, subsection 24.1.1.1 to replace the word "three" with "five" and to delete the phrase ",if any, accommodated in rented rooms".



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 174** Amend NFPA 101, subsections 24.2.2.3.3, 32.2.2.3.1(3), and 33.2.2.3.1(3) to insert the phrase “, not less than 5.0 ft<sup>2</sup> when at grade” after the phrase “5.7 ft<sup>2</sup>”.
- Sec. 175** NFPA 101, subsection 24.3.4.3, add at the end of the sentence, “...only if the existing smoke alarms are battery operated.”
- Sec. 176** NFPA 101, add new subsection 24.3.4.4 to read: Carbon monoxide alarms or detectors shall be installed in any dwelling unit containing a fuel burning appliance, fireplace, or having an attached garage.
- Sec. 177** NFPA 101, subsection 26.1.1.1, change “buildings” to “buildings that do not qualify as one- and two-family dwellings”.
- Sec. 178** NFPA 101, add new subsections 26.3.4.7, 28.3.4.7, 30.3.4.7, 32.2.3.4.5, and 32.3.3.4.10 to read: “Carbon monoxide alarms or detectors shall be installed as follows:
- (a) In any dwelling unit or sleeping unit, where the unit is served by or contains a fuel burning appliance or fireplace; and
  - (b) In common areas, where the common areas are served by a fuel burning appliance or fire place.”
- Sec. 179** NFPA 101, subsection 28.3.4.1 is amended by changing “28.3.4.6” to “28.3.4.7”.
- Sec. 180** NFPA 101, subsection 28.3.4.3.5, in only the first sentence, delete all wording after “provided”.
- Sec. 181** NFPA 101, delete subsections 29.3.4.5.2 and 31.3.4.5.2.
- Sec. 182** Amend NFPA 101, Section 30.2.4.1, after the word “exits” insert the phrase “which are provided on every story and which are”
- Sec. 183** Amend NFPA 101, Section 30.3.4.3.2 to delete phrase “unless the building complies with either 30.3.4.3.3 or 30.3.4.3.4”.
- Sec. 184** NFPA 101, delete subsections 30.3.4.3.3 and 30.3.4.3.4.
- Sec. 185** Delete NFPA 101, Section 31.3.5.12
- Sec. 186** NFPA 101, Sections 32.7.3.6 and 33.7.3.6 add a sentence as follows: “If more than three residents are not able to participate in the drill, the facility shall be considered as a Health Care Occupancy and shall be reevaluated in accordance with Section 43.7.”



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

<b>Subject:</b> FIRE SAFETY CODE – BUILDING CONSTRUCTION	<b>Number:</b> 10-12AM
<b>Originating Department:</b> DEPARTMENT OF PERMITTING SERVICES	<b>Effective Date:</b>

- Sec. 187** NFPA 101, subsections 33.2.3.4.3.5 and 33.3.3.4.7.1, add at the end of the sentence, "...and have secondary battery back-up power."
- Sec. 188** NFPA 101, subsection 36.3.4.1 and 37.3.4.1 are amended to read as follows: General. Class A mercantile occupancies and multiple story Class B mercantile occupancies shall be provided with a fire alarm system in accordance with section 9.6.
- Sec. 189** NFPA 101, subsection 36.4.4.4.3.2, to add "where approved alternative visible means of occupant notification is provided".
- Sec. 190** Delete NFPA 101, Sections 36.4.4.8(1)(b) and 37.4.4.8(1)(b).
- Sec. 191** NFPA 101, subsections 38.2.4.7 and 39.2.4.7, are added as new sections to read as follows:
- Any two story business occupancy building not exceeding 3000 square feet gross floor area per floor shall be permitted a single exit with an approved outside stairway, or a single totally enclosed interior stairway to the second floor having discharge directly outside the building, if the total travel distance to the outside of the building does not exceed 100 feet, the travel distance to the interior stairway does not exceed 75 feet, and such interior stairway does not communicate with any other floor. An interior single exit stairway shall be permitted to be arranged as a floor communicating stair, with one (1) hour fire resistance rated opening protectives at the entrances from each level, and protection provided as follows: The building shall be provided with a non-supervised AC hard-wired smoke detection and alarm system in accordance with NFPA 72, arranged to sound an alarm audible throughout each level, and the stairway shall be provided with approved automatic sprinkler protection, with sprinklers located at the top of the stair and over each landing and on the tenant side of each interior fire door leading to the stairway, in accordance with NFPA 13.
- Sec. 192** Amend NFPA 101, Section 38.3.2.1 by adding Section 38.3.2.1.1 to read as follows:
- 38.3.2.1.1** General storage areas with a floor area not greater than 100 square feet shall be exempt from the provisions of 8.7.
- Sec. 193** NFPA 101, subsection 39.2.2.2.4 is amended to read: "The re-entry provisions of 7.2.1.5.7 shall apply."
- Sec. 194** Amend NFPA 101, Section 39.3.2.1 by adding Section 39.3.2.1.1 to read as follows:
- 39.3.2.1.1** General storage areas with a floor area not greater than 100 square feet shall be exempt from the provisions of 8.7.



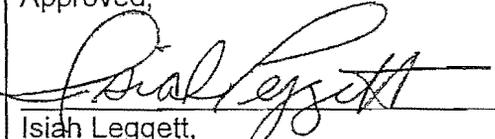
# MONTGOMERY COUNTY EXECUTIVE REGULATION

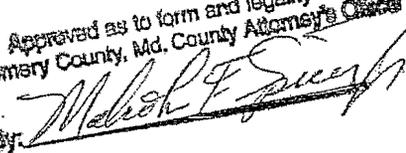
Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE - BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 195** NFPA 101, subsection 39.3.4.3(2) is amended to read: "Sound an audible alarm in a constantly attended location and transmit a signal to a listed Central Station."
- Sec. 196** NFPA 101, subsections 40.3.4.3.1, 42.3.4.3.1 and 42.8.3.4.3.1 are amended to read: "The required fire alarm system shall provide occupant notification in accordance with 9.6.3."
- Sec. 197** Amend NFPA 101, Sections 42.3.4.1.2 and 42.3.4.1.3 to replace the phrase "Storage occupancies" with "Storage occupancies less than three stories".

Approved,

  
Isiah Leggett,  
County Executive

Approved as to form and legality  
Montgomery County, Md. County Attorney's Office  
By: 

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

---

By: County Council

---

**SUBJECT:** Executive Regulation 9-12AM, Fire Safety Code – Fire Protection Systems

**Background**

1. This Regulation adopts the 2009 National Fire Safety code with amendments. It would supersede a portion of prior regulations.
2. The Council reviewed the regulation under method (2) of §2A-15 of the County Code.
3. Under method (2), the regulation takes effect if the Council does not approve or disapprove it within 60 days after the Council receives it, unless the Council extends time. The Council received Executive Regulation 9-12 on June 18, 2012 and then received Executive Regulation 9-12AM on July 12, 2012.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

Executive Regulation 9-12AM, Fire Safety Code – Fire Protection Systems is approved.

This is a correct copy of Council action.

---

Linda M. Lauer, Clerk of the Council

Resolution No: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

---

By: County Council

---

**SUBJECT:** Executive Regulation 10-12AM, Fire Safety Code – Building Construction

**Background**

1. This Regulation adopts the 2009 National Fire Safety code with amendments. It would supersede a portion of prior regulations.
2. The Council reviewed the regulation under method (2) of §2A-15 of the County Code.
3. Under method (2), the regulation takes effect if the Council does not approve or disapprove it within 60 days after the Council receives it, unless the Council extends time. The Council received Executive Regulation 10-12 on June 18, 2012 and then received Executive Regulation 10-12AM on July 12, 2012.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

Executive Regulation 10-12AM, Fire Safety Code – Building Construction, is approved.

This is a correct copy of Council action.

---

Linda M. Lauer, Clerk of the Council