

Resolution No.: 15-1720  
Introduced: November 28, 2006  
Adopted: November 28, 2006

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: County Council

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**SUBJECT:** Approval of Executive Regulations:  
Regulation 5-06AM, Fire Safety Code – Fee Schedule for Inspections, Permits  
Licenses, Certificates and Exceptions  
Regulation 6-06AM, Fire Safety Code – Fire Protection Systems  
Regulation 7-06AM, Fire Safety Code – Building Construction

**Background**

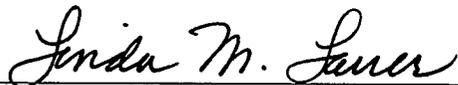
1. On October 9, 2006, the Council received proposed Executive Regulations 5-06, Fire Safety Code - Fee Schedule for Inspections, Permits Licenses, Certificates and Exceptions, 6-06, Fire Safety Code – Fire Protection Systems, and 7-06, Fire Safety Code – Building Construction.
2. The Council must review Regulations 5-06, 6-06, and 7-06 under method (2) of Section 2A-15 of the County Code.
3. The Public Safety Committee received overviews of the proposed regulations and the Executive's implementation plan on July 17 and 31 and September 18 and 25.
4. The Public Safety Committee reviewed the proposed regulations on October 9 and 16, and requested certain amendments. The Committee recommended approval with the requested amendments.
5. The Council held a worksession on the proposed regulations on October 24, and concurred with the Public Safety Committee's recommendations.
5. The Executive amended Regulations 5-06, 6-06, and 7-06 as the Council requested, and reissued and re-numbered them Executive Regulations 5-06AM, 6-06AM, and 7-06AM to indicate that they were amended after transmittal to the Council.

**Action**

The County Council for Montgomery County, Maryland, approves the following resolution:

Executive Regulations 5-06AM, *Fire Safety Code - Fee Schedule for Inspections, Permits Licenses, Certificates and Exceptions*, 6-06AM, *Fire Safety Code – Fire Protection Systems*, and 7-06AM, *Fire Safety Code – Building Construction*, are approved.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Fire Safety Code – Fee Schedule for Inspections, Permits, Licenses, Certificates & Exceptions	Number	5-06AM
Originating Department	Montgomery County Fire and Rescue Service	Effective Date	November 28, 2006

Montgomery County Regulations on:

FIRE SAFETY CODE - FEE SCHEDULE FOR INSPECTIONS, PERMITS, LICENSES,  
CERTIFICATES & EXCEPTIONS  
MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Issued by: County Executive  
 Regulation No:  
 COMCOR: Division 06  
 Authority: Code Section 22-13  
 Supersedes: Executive regulation 28-03  
 Council Review: Method (2) under Code Section 2A-15  
 Register Vol. 23, Issue 8  
 Effective date: November 28, 2006  
 Sunset date: None

SUMMARY: Changes to the existing fee schedule regulation include:

- Sec. 2. Establish and implement an invoicing system for payment for services and penalties for non-payment;
- Sec. 2. Revise and update re-inspection fees for non-compliance;
- Sec. 4. Revise and update existing fees by 15% to adjust for labor costs;
- Sec. 4. Establish and implement new hourly-based fees for complex structure inspections;
- Sec. 4. Establish and implement a risk-based schedule for regular inspections and associated fees as required by the Montgomery County Fire Safety Code, Section 22-23;
- Sec. 4. Establish and implement annual operational permits for all fire protection systems;
- Sec. 5. Establish and implement new activity-based general permit fee categories and revise and update existing term limits to no longer than 12 calendar months;
- Sec. 6. Establish and implement corporate and employee license requirements to work on any fire protection system;



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Originating Department Montgomery County Fire and Rescue Service	Effective Date	

- Sec.6. Revise and update agency required inspection fees to include hourly inspector costs;
- Sec.9. Establish and implement new fees for development plan review, consultation services, and property information research; and
- Sec.11. Index the fees charged to labor costs.

ADDRESSES: Division Chief Michael Love, Fire Marshal  
Montgomery County Fire and Rescue Service  
Executive Office Building, 101 Monroe Street, 12<sup>th</sup> Floor  
Rockville, Maryland 20850

STAFF: For further information, contact:  
Battalion Chief Michael Donahue  
Fire Code Enforcement Section  
Montgomery County Fire and Rescue Service  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, MD 20850.  
240-777-2457.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject	Fire Safety Code – Fee Schedule for Inspections, Permits, Licenses, Certificates & Exceptions	Number	5-06AM
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## Sec. 1 Statement of Purpose.

The following schedule of required inspections, permits, licenses, fees, and plan review is adopted pursuant to the authority contained in Chapter 22, "Fire Safety Code", of the Montgomery County Code, 1996, as amended. Fees included in the schedule are for fire safety code required permits, certificates, licenses, exceptions, examinations, plans review, inspections and testing specified in the Fire Safety Code and adopted regulations as enforced by the Montgomery County Fire and Rescue Service.

## Sec. 2. General Provisions.

The following provisions apply to all types of permits, licenses, certificates, and fees:

- a. Display. All required permits, licenses, and certificates must be prominently displayed in all buildings or sites. Copies of permits, licenses, and certificates must be readily accessible upon demand when prominent display is not feasible.
- b. Fee Payment. All fees authorized in this regulation must be paid as specified below.
  - 1. All fees listed under Section 4.a. and Section 8 of this regulation must be paid before any construction, installation or work is started, and before a permit, certificate, license, examination, plans review, inspection, test or other service, is provided.
  - 2. Additional fees due as a result of additional devices not identified at time of application must be paid prior to approval or acceptance of permitted activity.
  - 3. Fire Safety Code Exception request fees must be paid in full at time of application.
  - 4. All other fees will be invoiced and must be paid by cash, check or money order within 30 days after the invoice date, unless otherwise required under this regulation.
  - 5. Failure to pay a required fee within 30 days after the invoice date will result in the addition of penalty charges at the rate of 1.5% compounded daily, not to exceed three times the original fee amount.
  - 6. Failure to pay a required fee within 90 days after the invoice date will result in the revocation of any permit, certificate, or license, and the suspension of future services until the fee is paid in full.



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7. All activities of municipal, county, and state government requiring a permit, license, certificate, exception, examination, plans review, inspection or testing are fee exempt.
8. The Fire Chief or the Fire Chief's designee may waive or reduce any fee required under this regulation if:
  - A. Payment of the fee would cause the applicant undue hardship;
  - B. The fee is incurred because of circumstances beyond the applicant's control (for example, severe weather); or
  - C. It otherwise would be in the public interest to reduce or waive the fee.

The Fire Chief's decision regarding any reduction or waiver of a fee is final.

- c. Refund. If a building project or permitted activity has been abandoned or discontinued, the person who has paid the total fee for a permit may return the permit for cancellation. When it has been cancelled, 50 percent of the fee must be refunded, if:
  1. No work has been done under the permit; and
  2. The written request is made within six months of the issuance of the permit or during the term of the permit (whichever is less).
  3. Revoked, suspended or invalid permits are not eligible for refunds.
- d. Reissuance. If a permit, license, or certificate becomes void, is lost or stolen, the document may be reissued at a flat charge of \$50, provided all conditions of issuance can still be met and no code changes have occurred. Otherwise, the charge for reissuance is the original permit fee.
- e. Extensions. The fee to extend the term of plan review, testing/inspection, tank, and special permits (after written application and before the expiration of the original permit) is \$50.
- f. Transfer. Permits and Permit fees are not transferable.
- g. New Construction Reinspection and Overtime Inspection Fees.
  1. Resinspection for non-compliance \$35 per 1/4 hour, including travel time



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- 2. Overtime inspection (When available) \$75.00 per 1/4 hour, including travel time
- 3. A cancellation within 48 hours before an inspection will be counted as an inspection.
- 4. These fees are per unit or portion of system involved, minimum \$25. It is the responsibility of the person requesting the reinspection/retest to provide the inspector with a fee paid receipt from this office, when a reinspection/retest fee is required.
- h. Permit Application Revisions. Revision for change of legal description and/or ownership must pay the minimum permit fee.
- i. Exemptions. There is no fee for any plan review or test/inspection for any fire protection system that is not required by Montgomery County Code or Regulations or Maryland State Code or Regulations. This exemption does not apply to any system which is installed for reasons of a Code alternative or exception, or equivalency.
- j. Duplicate Plans. After the original review, applicants must pay 25% of the original fee, minimum \$25, subject to availability of original reviewed plans.

### Sec. 3 Exception Requests.

All requests for code exceptions must include a non-refundable processing fee of \$300 per Code section, or subsection involved.

### Sec. 4 Code Required Fire Protection Systems Permit and Inspection Fees.

a. New Systems and Modifications – Term - Field installation must be started within 1 year or permit becomes void. The base fee for a code required fire protection system inspection is \$60.00. The base fee for townhomes and single family detached dwellings is \$85.00. The fees below also apply to the initial inspection per phase of construction of fire protection systems that are required by law:

- 1. Fire Alarm and Detection Systems (including main control panel). \$115.00 per story to be controlled, plus \$6.00 per device (maximum \$250 per story).



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2. Fire Alarm and Detection Systems (devices or household control panel). \$12.00 per device, minimum \$115.00 (maximum \$250.00 per story).
  3. Halon, CO2, or Clean Agent Systems (including controls, alarms, detection). \$0.60 per pound of agent.
  4. Fire Sprinkler and Combined Sprinkler/Standpipe Systems. \$2.30 per head. For single family detached homes and townhouses, where a use and occupancy fee is not assessed, a fee of \$.015 per square foot of occupancy space will also be collected.
  5. Standpipe Systems.
    - A. \$115.00 per standpipe riser.
    - B. \$30.00 per each addition of a hose valve to an existing system
  6. Fire Pump. \$230.00
  7. Dry or Wet Chemical Extinguishing Systems (including hood & duct). \$230.00 per system.
  8. Fire Main Flush Test. \$50.00 per test witnessed.
  9. Underground Fire Main Hydrotest. \$60.00 per test witnessed.
  10. Smoke Control System. \$500.00 per individual system.
  11. Emergency Generator Test. \$115.00 per generator.
- b. Complex Structures – Structures requiring the integration and interoperability of two or more fixed fire protection and/or life safety systems, and requiring on-going inspections to ensure compliance are complex structures. After the initial inspection per phase of construction, inspections will be at the rate of \$140.00 per inspector-hour.
  - c. Systems Maintenance – All code required fire protection systems must be maintained in good working order at all times and must be inspected annually for compliance with the applicable NFPA standard. Annual inspections and tests are the responsibility of the building owner.
  - d. Systems inspections and tests must be witnessed by the Fire Marshal according to the schedule below. A permit to operate each fire protection system must be issued annually



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after the required inspection has been satisfactorily completed and documented. A single permit document may be issued to operate multiple fire protection systems in a single occupancy operated by a single owner or tenant.

1. Assembly occupancies – annually.
2. Educational occupancies – annually.
3. Institutional occupancies – annually.
4. High hazard occupancies – annually.
5. Mercantile occupancies – every other year after initial inspection.
6. Business occupancies – every third year after initial inspection.
7. Storage occupancies – every third year after initial inspection.
8. For all occupancies not requiring witnessed systems inspections in a given year, owners must forward documentation to the Fire Marshal verifying an inspection was conducted. The Fire Chief must issue a permit after receipt of the inspection documentation and fee.
9. The permit fee to operate a fire protection system is \$50.
10. A fee of \$140.00 per inspector-hour will be charged for witnessed inspections and tests, calculated in quarter-hour increments and rounded to the nearest dollar.

## Sec. 5 General Permit Fees and Terms.

Fees for the following items are \$70.00 except as noted:

### Amusement and entertainment

- a. To conduct or operate any scary (haunted) house, crop maze, carnival, fair, exhibit, trade show, concert, or other public event that presents an unusual life safety or fire hazard. Permit Term – 3 calendar months.
- b. To conduct or operate any fireworks shoot. Permit Term – 30 calendar days.
- c. To use any flame effects before an audience. Permit Term – 30 calendar days.



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### Flammable and combustible liquids and gasses

- d. To install, remove, repair or alter a stationary tank for the storage of flammable or combustible liquids, dispensing devices, or associated piping. Permit Term - 6 months.
- e. For placing any flammable or combustible liquid stationary tank temporarily or permanently out of service. Permit Term - 3 months.
- f. To remove, abandon, place temporarily out of service or otherwise dispose of any flammable or combustible liquid tank. Permit Term - 3 months.
- g. To conduct floor resurfacing and refinishing operations involving the use and application of flammable liquids or materials. Permit Term - 30 days.
- h. For spraying or dipping operations utilizing more than one gallon of flammable or combustible liquids on any working day. Permit Term – 12 calendar months.
- i. For the operation of a bulk storage plant and/or for storage and dispensing of any formulation of natural gases or liquefied petroleum gases. Permit Term – 12 calendar months.

### Flammable and combustible solids

- j. To store or handle combustible fibers in excess of 100 cubic feet. Permit Term –12 calendar months.
- k. To conduct or maintain any tire recapping or rebuilding plant. Permit Term – 12 calendar months.
- l. To store in excess of 100,000 board feet of lumber. Permit Term – 12 calendar months.
- m. To use explosives for up to one month, \$100.00; \$5 for each additional month. Permit Term - not to exceed 12 calendar months.
- n. To operate any commercial rubbish-handling facility or site. Permit Term – 12 calendar months.

### Hot Work

- o. To conduct any cutting or welding operations except those activities contained in a fabrication shop. Permit Term – Site specific, 12 calendar months.



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p. To use an open flame torch for the application of roofing materials or stripping of paint. Permit Term – Site specific, 6 calendar months.

q. To place and operate a tar kettle. Permit Term – Site specific, 3 calendar months.

### Motor vehicles

r. To use any building, shed, or enclosure as a place of business for the purpose of repairing or refurbishing any motor vehicle, including aircraft. Permit Term – 12 calendar months.

s. To operate any motor vehicle wrecking yard. Permit Term – 12 calendar months.

t. To operate any motor vehicle refueling facility, including aircraft. Permit Term – 12 calendar months.

### Miscellaneous

u. To operate any commercial establishment not elsewhere covered in this regulation. \$25.00. Permit Term – 12 calendar months, or change in ownership or use group.

## **Sec. 6 License Fees.**

### Fire protection systems and equipment

a. Corporate – For a firm to engage in the business of servicing portable fire extinguishers. \$100 per year. License Term – 12 calendar months.

b. Corporate – For a firm to engage in the business of installing, repairing, modifying, or servicing any fixed fire protection systems. \$200 per year. License Term – 12 calendar months.

c. Employee – To install, repair, modify, or service any fixed fire protection system or portable fire extinguishers. \$50.00 per year. License Term – 12 calendar months.

### Agency required license inspections

d. Family or Group Day Care. \$50.00, plus hourly inspector fee of \$140

e. Nursery or Day Care Centers. \$50.00, plus hourly inspector fee of \$140



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- f. Board & Care, 6-16 residents. \$50.00, plus hourly inspector fee of \$140
- g. Board & Care, over 16 residents. \$50.00, plus hourly inspector fee of \$140
- h. Health Care, Detentional. \$50.00, plus hourly inspector fee of \$140
- i. Other licensed facility. \$50.00, plus hourly inspector fee of \$140
- j. Private Educational Institutions.
  - 1. Preschool. \$50.00, plus hourly inspector fee of \$140
  - 2. Elementary School. \$50.00, plus hourly inspector fee of \$140
  - 3. Middle School. \$50.00, plus hourly inspector fee of \$140
  - 4. High School. \$50.00, plus hourly inspector fee of \$140

**Sec. 7 Certificate Fees.**

Capacity certificate. \$115.00 per assembly room; \$5.00 for each duplicate certificate. Permit Term – 12 calendar months, or change of ownership or use group.

**Sec. 8 Use and Occupancy Fees.**

Fees for Use and Occupancy or other inspections not covered by other sections of this regulation, except enforcement generated inspections:

- a. 0 - 5,000 sq. ft. \$210.00
- b. 5,001 - 10,000 sq. ft. \$345.00
- c. 10,001 - 20,000 sq. ft. \$415.00
- d. 20,000 sq. ft. or larger \$415.00, plus \$0.01 per sq. ft.
- e. Inspector-hour fee \$140.00
- f. The fee for a use and occupancy fire code inspection must be paid at the time of application. The maximum fee is \$5,000.00.



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## Sec. 9 Miscellaneous Fees.

- a. Photocopies (file documents, etc.) \$1.00/ page.
- b. Photo evidence copies. \$50.00 per request, plus \$15.00 per DVD.
- c. Development Plan Review. Review of planned building group developments for fire code compliance. \$175.00 per hour, calculated in quarter-hour increments rounded to the nearest dollar.
- d. Consultation services. Pre-design and construction consultation, or plan reconciliation with Fire Protection Engineer. \$175.00 per hour, calculated in quarter-hour increments rounded to the nearest dollar.
- e. Property Research. Research of premise files for fire and life safety history to third party companies. \$140.00 per hour, calculated in quarter-hour increments rounded to the nearest dollar.

## Sec. 10 Automation Fee.

An automation enhancement fee is 10% of the regular fee, which is set by this Executive Regulation, for any permit, license, or activity for which the Fire Safety Code requires a fee. The automation enhancement fee is in addition to the regular fee and must be paid at the same time that the regular fee is due.

## Sec. 11 Indexing of Fees to Labor Costs

The Fire Chief must adjust the fees in this regulation on July 1 of each year.

- a. The fees may be raised annually by a percentage that does not exceed the rate of increase, if any, in the approved personnel costs for the MCFRS Code Enforcement Section between the then-current fiscal year which begins on July 1 and the preceding fiscal year. Fees may be raised only to the extent necessary to fund the cost of operating the MCFRS Code Enforcement Section.
- b. For any fee of \$100 or more, the revised fee must be calculated to the next highest five dollars. For any fee under \$100, the revised fee must be calculated to the next highest dollar.



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- c. The Fire Chief must publish the amount of the fee adjustment in the Montgomery County Register and notify the County Council not later than July 1 of each year, beginning with July 1, 2007.
- d. Except for the fee adjustment authorized in this section, all revisions to the Fire Safety Code fees must be processed as amendments to this regulation.

## Sec. 12 Program Quality Assurance

The Fire Chief must ensure that the inspection and systems testing requirements of regulations adopted under the Fire Safety Code are performed to the highest practicable standard. Program measures must include evaluations of program results, service quality and efficiency.

Approved:

Douglas M. Duncan,  
County Executive

APPROVED AS TO FORM AND LEGALITY.  
Montgomery County Attorney's Office

By:



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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

<b>Subject</b>	Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems	<b>Number</b>	6-06AM
<b>Originating Department</b>	Montgomery County Fire and Rescue Service	<b>Effective Date</b>	November 28, 2006

Montgomery County Regulation on:

## FIRE SAFETY CODE - FIRE PROTECTION SYSTEMS Montgomery County Fire and Rescue Service

Issued by: County Executive  
Regulation No: 6-06AM

Authority: Code Section 22-13  
Supersedes: Executive Regulation 10-97  
Council Review: Method 2 under Code Section 2A-15  
Register Vol. 23, Issue 8  
Effective date: November 28, 2006  
Sunset date: None

**SUMMARY:** This regulation adopts the 2003 edition of the National Fire Protection Association's Uniform Fire Code (NFPA 1) and all associated NFPA codes or standards incorporated by reference to conform to the Maryland State Fire Prevention Code (MSFPC) and is intended to reduce the burden on business owners, developers, and design professionals of working from multiple code editions. The changes do not retroactively apply to buildings permitted and approved before the date of adoption of this regulation.

Unless otherwise enumerated below, changes to this regulation reflect reorganization changes made by the National Fire Protection Association to the model codes previously adopted under Section 22-13 of the Montgomery County Fire Safety Code. In all cases below, the Fire Chief has determined that an inimical hazard exists requiring regulations that exceed the minimum requirements of the MSFPC (*see Public Safety Article Section 6-206 establishing the State Fire Prevention Code as minimum requirements and authorizing local jurisdictions to adopt more stringent requirements*).



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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<b>Subject</b>	Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems	<b>Number</b>	6-06AM
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Sec. 3 provides a more inclusive definition of fire protection system than chapter 22 to cover systems not envisioned at the time of original passage. This section also establishes and implements requirements for fire protection system operating permits; Sec. 4 extends the licensing requirements of the State and existing Montgomery County Fire Code from sprinkler contractors and persons maintaining portable fire extinguishers to all persons and companies conducting installation, service, repair or modification of any fire protection system as defined in this proposed regulation; Sec. 17 establishes and implements a new, more stringent requirement for the number of sprinkler heads installed under a non-flat ceiling to ensure adequate fire flow ; Sec. 20 through Sec. 27, and Sec. 31 establish and implement new, more stringent requirements for sprinkler systems installed in one and two-family homes; Sec. 33 establishes and implements a new, more stringent requirement specifying the location of fire department sprinkler connections; Sec. 42 through Sec. 44 establish and implement new, more stringent requirements for the installation of eccentric reducers and relief valves on fire protection systems; and Sec. 52 through Sec. 56 establish and implement new, more stringent requirements for fire alarm systems.

**ADDRESSES:** Division Chief Michael Love, Fire Marshal, Montgomery County Fire and Rescue Service, Executive Office Building, 101 Monroe Street, Rockville, Maryland 20850

**STAFF:** For further information, contact Battalion Chief Michael Donahue, Office of Fire Code Enforcement, Montgomery County Fire and Rescue Service, 240-777-2470.



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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<b>Subject</b>	Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems	<b>Number</b>	6-06AM
<b>Originating Department</b>	Montgomery County Fire and Rescue Service	<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.

**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 2003 edition of National Fire Protection Association's Uniform Fire Code (NFPA 1) and are adopted in their entirety.

The Fire Chief must review these regulations 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. 3** Fire Protection System Permit. A permit must be obtained from the Fire Chief to operate any fire protection system in any building or other structure, except one and two family dwellings.

- (a) Fire protection system means any fire alarm device or system, or suppression device or system, which is designed and installed to:
  - 1. detect, control, or extinguish a fire;
  - 2. alert occupants or the fire department, or both, that a fire has occurred; or
  - 3. be used by fire and rescue personnel on scene to aid in suppressing a fire.
- (b) Fire protection systems must be inspected and approved at time of installation and annually thereafter. The Fire Chief must issue a permit upon approval of the system.
- (c) A fire protection systems permit must be obtained prior to installation of any kitchen cooking equipment suppression system.



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<b>Subject</b>	Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems	<b>Number</b>	6-06AM
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**Sec. 4** Fire Protection System License. A contractor or person responsible for the installation, modification, service, or third-party inspection of any fire protection system or any portion thereof in Montgomery County, must obtain and carry on their person a license from the Fire Chief subject to the following criteria:

- (a) Qualifications required.
  - (1) Residential license (13D and 13R sprinkler systems): National Institute for Certification of Engineering Technologies (NICET) Level II Certification, Registered Professional Engineer Certification, or other nationally recognized certification as approved by the Fire Chief.
  - (2) General license (all other fire protection systems): National Institute for Certification of Engineering Technologies (NICET) Level III Certification, Registered Professional Engineer Certification, or other nationally recognized certification as approved by the Fire Chief.
- (b) When required by the system manufacturer for systems other than sprinkler systems, proof of training for installing or maintaining particular system types.
- (c) Proof of financial stability.
- (d) Demonstrated competency in Montgomery County requirements.
- (e) Licenses will be subject to annual renewal.
- (f) The Fire Chief may rescind these licenses for cause.

**Sec. 5** Maintenance of Residential Sprinkler Systems. All leases must have the following provision: "Sprinkler System. In units equipped with fire sprinkler systems, no portion of the system may be changed or altered except by a licensed, certified sprinkler installer. Sprinkler heads must not be painted, covered, obstructed or any item hung from them. Prior to any alteration of the sprinkler system or any changes, additions, or removal of partitions, or walls, plans must be submitted to the Department of Permitting Services".

**Sec. 6** Smoke Control System shop drawing submittals must 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
- (f) Preliminary test procedures
- (g) Acceptance test procedures
- (h) Pass/fail criteria



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<b>Subject</b>	Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems	<b>Number</b>	6-06AM
<b>Originating Department</b>	Montgomery County Fire and Rescue Service	<b>Effective Date</b>	

- Sec. 7** NFPA 12A, add: Halon systems shall not be installed as required protection in accordance with state and/or local building or fire codes due to the environmental impact of discharge testing, the lack of adequate alternative test methods, and availability of alternative agents such as carbon dioxide.
- Sec. 8** NFPA 13, paragraph 8.1.1, add new paragraph (7) as follows:
- (7) Sprinklers are required in attached balconies or porches unless at least 50 percent of the longest exterior side is open to the atmosphere.
- Sec. 9** NFPA 13, paragraph 8.4.5.1, add: Listed residential sprinkler heads must be used in dwelling units except Detention and Correctional occupancies.
- Sec. 10** NFPA 13, paragraph 8.14.7.5, add: Sprinklers are not required under noncombustible or limited exterior canopies over drive up windows. Any canopy with the potential for extended vehicle standing or parking below shall have sprinkler protection on the underside of the canopy.
- Sec. 11** NFPA 13, paragraph 8.14.10.3 (protection of electrical equipment rooms) is deleted.
- Sec. 12** NFPA 13, paragraph 8.14.19.1 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 must be provided.
- Sec. 13** NFPA 13, paragraph 8.14.19.2 is amended as follows: after the word "bushings" delete everything and replace with "for hydrostatic testing only, and must be removed prior to the occupancy of the space."
- Sec. 14** NFPA 13, paragraphs 8.15.1.1.1 and 8.16.1.1, 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 local building fire alarm system, the sprinkler system must 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.



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**Sec. 15** NFPA 13, paragraph 8.16.2, add the following requirements for fire department connections:

- (a) Must be located within 100 feet from a free standing (not wall type) hydrant, and between 18 and 48 inches from grade to the centerline of the inlets.
- (b) Number of 2 1/2 in. inlets:

<u>System Demand (gpm)</u>	<u>No. of Inlets</u>
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) Must be sized at least as large as the main sprinkler system riser pipe or the fire pump discharge line, whichever is larger.

**Sec. 16** NFPA 13, paragraph 11.1, add: Calculations for new systems or new portions of systems must 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. 17** NFPA 13, paragraph 11.2.3.5.1, add: The number of design sprinklers shall be at least 5 under ceilings which are not flat, smooth and level unless specifically listed for a four sprinkler design area.



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**Sec. 18** NFPA 13, paragraph 15.1.2, add: Pressure and flow availability as determined by 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. Booster pumps and pump/tank supplies shall only be used where it is demonstrated that the public water supply is inadequate.

**Sec. 19** 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. 20** NFPA 13D add new paragraph:

**5.1.4** Where a dedicated sprinkler booster pump is provided the following conditions must be met:

- (1) Pumps shall not sit directly on the floor.
- (2) Pumps shall be powered from the house electrical service by a nominal 220-240 circuit as required by Montgomery County Electrical Code.
- (3) Power at the pump shall be supervised passively by motor disconnect within sight that also controls a lighting circuit for other than a stair or pump room.
- (4) Sprinkler system shall be connected to a bathroom toilet to create a passive purge system.
- (5) Pump shall be connected to a time delay relay (run timer).

**Sec. 21** NFPA 13D, paragraph 6.1, add: Pressure and flow availability as determined by a public utility must be used and must be adjusted to the low hydraulic gradient. Booster pumps and pump/tank supplies may 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. 22** NFPA 13D, paragraph 6.2: Add section (5) Well pumps

- (5) A well pump shall have sufficient capacity and pressure to meet the sprinkler system demand. The stored water capacity of sections 6.1.2 and 6.1.3 shall be permitted to be a combination of the water in the well (including the refill rate) plus the water in the holding tank if such tank can supply the sprinkler system.



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**Sec. 23** NFPA 13D, add new paragraph:

**6.2.1** Where a water storage tank(s) is provided the following conditions shall be met:

- (1) Tank shall be provided with an automatic filling valve (float valve or equivalent).
- (2) A method of seeing the water level in the tank shall be provided without having to open the tank.

**Sec. 24** NFPA 13D, paragraph 6.2 (4), add new sentence: "A valve must be provided for routine testing of the pump."

**Sec. 25** NFPA 13D, 7.1.2, delete "the" in the beginning and add "fed by a tank" after piping.

**Sec. 26** 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. 27** 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. 28** NFPA 13D, paragraph 8.1.2, add: The number of design sprinklers shall be at least three under ceilings which are not flat, smooth, and level, unless specifically listed with a two sprinkler design area.

**Sec. 29** NFPA 13D, paragraph 8.2.4 is amended as follows:  
Obstructions:

- (a) Sprinklers shall be positioned so that response time and discharge are not adversely affected by features such as sloped ceilings, beams, lights, and fan motors.
- (b) Unprotected bulkheads or soffits behind the spray of sidewall sprinklers shall not exceed 8 inches in width.
- (c) Sprinkler heads in closets shall not be located directly above shelves.

**Sec. 30** 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.



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- Sec. 31** NFPA 13D, paragraph 8.6.4, add the following after garages: "...unless located partially or wholly beneath living space."
- Sec. 32** NFPA 13R, paragraph 6.5.3, 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 may only be used where it is demonstrated that the public water supply is inadequate.
- Sec. 33** NFPA 13R, paragraph 6.6.4.1 is replaced to read: In all apartment buildings, a single 2 1/2 in. fire department connection with a feed line sized at least as large as the main system riser shall be provided when the system has 20 or more sprinklers. The fire department connection shall be located on a street front and be 18 to 48 inches from the centerline of the inlet to finish grade. Paragraph 6.6.4.2 is deleted.
- Sec. 34** NFPA 13R, paragraph 6.7.1.2, add: The number of design sprinklers shall be at least five under ceilings which are not flat, smooth and level unless specifically listed with a four sprinkler design area.
- Sec. 35** NFPA 13R, paragraph 6.7.1.5.3 is amended as follows:  
Obstructions:
- (a) Sprinklers shall be positioned so that response time and discharge are not adversely affected by features such as sloped ceilings, beams, lights, and fan motors.
  - (b) Unprotected bulkheads or soffits behind the spray of side wall sprinklers shall not exceed 8 inches in width.
  - (c) Sprinkler heads in closets shall not be located directly above shelves.
- Sec. 36** NFPA 13R, paragraph 6.7.4, add: All calculations must 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. 37** NFPA 14, paragraph 4.7.2 is amended as follows: Each fire hose valve shall be provided with 2 1/2 in. valved hose connections, 2 1/2 in. to 1 1/2 in. reducers, caps, and chains.
- Sec. 38** 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.



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- (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.

**Sec. 39** NFPA 14, paragraph 6.3 (Fire Department Connections), add:

- (1) Shall be located within 100 feet from a free standing (not wall type) hydrant.
- (2) Number of 2 1/2 in. inlets:

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

- (3) Multiple connections on the same building shall be interconnected.
- (4) 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. 40** 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. 41** 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.

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).



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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. 42** NFPA 20, paragraph 5.14.6.4, add a new sentence: Eccentric reducers must be installed with the flat side on the bottom when fed directly from above.
- Sec. 43** NFPA 20, paragraph 5.18.1.2, add: A relief valve may be installed to reduce operating pressure below 175 psi at high gradient.
- Sec. 44** NFPA 20, paragraph 5.18.7 is amended entirely to state: Relief valves shall not be piped back into the source of the supply.
- Sec. 45** 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) Zones shall not exceed a single floor, 20,000 square feet, or 300 linear feet. Sprinkler systems may 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.
- (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.



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**Sec. 46** NFPA 72, add new paragraph 5.7.3.2.5:

**5.7.3.2.5** 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. 47** NFPA 72, paragraph 5.7.4.2.2, add: Activation of duct smoke detectors must sound an audible alarm in a normally occupied area or through the building fire alarm system, and must be identified as duct detector trouble. If connected to the building alarm, the signal must be supervisory only and must not initiate the building evacuation alarm unless a confirmation or verification feature is provided to minimize unwanted alarms.

**Sec. 48** NFPA 72, paragraph 5.7.1.7 is amended as follows: Detectors located at the top of shafts and stairs must be on a supervisory circuit only unless a confirmation or verification feature is provided to minimize unwanted alarms. The location must be identified at the annunciator or fire alarm control panel.

**Sec. 49** NFPA 72, paragraph 5.10.2, add: Standpipe or main water flow indicators, if provided, must sound a supervisory signal only.

**Sec. 50** NFPA 72, the second sentence under paragraph 5.12.4 is changed to read: "The center of each station must be between 42 and 48 inches above the floor level." Also, this paragraph shall be amended by the addition of the following: Approved "911" instruction signs shall be permanently affixed and maintained at each manual fire alarm station, unless the fire alarm is monitored by a UL listed central station.

**Sec. 51** NFPA 72, paragraph 6.9.9.14 is amended as follows: At least six handsets shall be provided in the fire control room.

**Sec. 52** NFPA 72, paragraphs 11.5.1.1, 11.5.2.1, and 11.5.4.1: delete the exception for each section.

**Sec. 53** NFPA 72, paragraph 11.5.6.1 (4) is deleted.

**Sec. 54** NFPA 72, paragraph 11.5.8.1 (2), delete the exception.

**Sec. 55** NFPA 72, paragraph 11.5.12.1 (2), delete the exception.



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**Sec. 56** NFPA 72, paragraph 11.8.3.5, add new paragraphs (10) and (11):

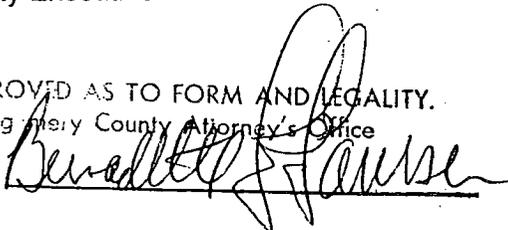
- (10) Separate entrances to sleeping rooms shall be protected separately unless the door leads only to a bathroom or clothes/linen closet.
- (11) Enclosed rooms such as dens, libraries, studies, or sitting rooms which could be used as a temporary sleeping area shall be treated as bedrooms.

Approved,

  
\_\_\_\_\_  
Douglas M. Duncan  
County Executive

APPROVED AS TO FORM AND LEGALITY.  
Montgomery County Attorney's Office

By:

  
\_\_\_\_\_  
Bennett F. Fausch



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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<b>Subject</b>	Regulation Adopting and Amending Certain Editions of the National Fire Codes Regarding Building Construction and Protective Features	<b>Number</b> 7-06AM
<b>Originating Department</b>	Montgomery County Fire and Rescue Service	<b>Effective Date</b> November 28, 2006

Montgomery County Regulation on:

**FIRE SAFETY CODE - BUILDING CONSTRUCTION**  
Montgomery County Fire and Rescue Service

Issued By: County Executive  
 Regulation No:  
 Authority: Code Section 22-13  
 Supersedes: Executive Regulation 22-98AM  
 Council Review: Method 2 under Code Section 2A-15  
 Register Vol. 23, Issue 8  
 Sunset Date: None

**SUMMARY:** This regulation adopts the 2003 edition of the National Fire Protection Association's Uniform Fire Code (NFPA 1) and Life Safety Code (NFPA 101), all associated NFPA codes or standards incorporated by reference, and the latest editions of certain other NFPA codes not incorporated by reference into NFPA 1 or NFPA 101 that appear in the Montgomery County Fire Safety Code. This regulation conforms to the Maryland State Fire Prevention Code (MSFPC) and reduces the burden on business owners, developers, and design professionals of working from multiple code editions.

Unless otherwise enumerated below, changes to this regulation reflect reorganization changes made by the National Fire Protection Association to the model codes previously adopted under to Section 22-13 of the Montgomery County Fire Safety Code. In all cases below, the Fire Chief has determined that an inimical hazard exists requiring regulations that exceed the minimum requirements of the MSFPC (*see Public Safety Article Section 6-206 establishing the State Fire Prevention Code as minimum requirements and authorizing local jurisdictions to adopt more stringent requirements*). Whenever reference is made to NFPA 101, unless otherwise stated, the proposed regulation may be applied retroactively, either prescriptively or through performance, to ensure life safety.



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Sec. 4 establishes and implements more stringent requirements than the MSFPC related to the installation of fire department access boxes on all structures except one and two-family dwellings; Sec. 5 amends out the requirement in the Life Safety Code (NFPA 101) for the retrofit of existing high-rise buildings with sprinkler systems in conformance with the MSFPC and establishes conditions for the development of a specific high-rise regulation providing for protection of existing high-rise buildings with engineered life safety systems; Sec. 9 amends out all references to NFPA 5000 in conformance with the MSFPC and substitutes the Montgomery County Building Code in accordance with Montgomery County law; Sec. 11 through Sec. 14 add definitions to Montgomery County Code to be consistent with the MSFPC; Sec. 15 through Sec. 17 establish and implement exiting and capacity requirements that are more stringent than those in NFPA 101 as adopted in the MSFPC; Sec. 24 establishes and implements new requirements for radio system coverage for new construction not addressed by the MSFPC; Sec. 25 provides the Montgomery County Fire and Rescue Service with new authority to order and provide a fire watch under certain conditions and assess the building owner or operator for costs; Sec. 26, Sec. 33 establish and implement new requirements for fire alarm systems more stringent than those in NFPA 101 as adopted by the MSFPC; Sec. 29 establishes and implements new requirements for carbon monoxide detectors in new construction not addressed by NFPA 101 as adopted by the MSFPC; Sec. 39 establishes and implements non-water based extinguishing system requirements more stringent than those in NFPA 101 as adopted by the MSPFC; Sec. 43, Sec. 44, Sec. 46, and Sec. 47 establish and implement sprinkler requirements for certain assembly occupancies more stringent than those in NFPA 101 as adopted by the MSPFC; Sec. 55 establishes and implements client limits for family day-care more stringent than those in NFPA 101 as adopted by the MSFPC; Sec. 68 through Sec. 73 establish and implement miscellaneous requirements for residential occupancies more stringent than those in NFPA 101 as adopted by the MSFPC; and Sec. 83 establishes and implements more stringent egress requirements than those in NFPA 101 as adopted by the MSFPC.

**ADDRESSES:** Deputy Chief Michael Love, Fire Marshal, Montgomery County Fire and Rescue Service, Executive Office Building, 101 Monroe Street, 12<sup>th</sup> Floor, Rockville, Maryland 20850.

**STAFF:** For further information, contact Battalion Chief Michael Donahue, Office of Fire Code Enforcement, Montgomery County Fire and Rescue Service, 240-777-2470.



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**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.

**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.

**Sec. 3** Standards Adopted.

- a. 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>
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1	Uniform Fire Code 2003
42	Code for the Storage of Pyroxylin Plastic (2002)
50A	Standard for Gaseous Hydrogen Systems at Consumer Sites (1999)
92A	Recommended Practice for Smoke Control Systems (2000)
92B	Guide for Smoke Management Systems in Malls, Atria, and Large Areas (2002)
101	Code for Safety to Life from Fire in Buildings and Structures (2003)



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- 105 Recommended Practice for the Installation of Smoke-Control Door Assemblies (2003)
- 130 Standard for Fixed Guideway Transit Systems (2000)
- 170 Standard for Fire Safety Symbols (2002)
- 214 Water Cooling Towers (2000)
- 720 Recommended Practices for the Installation of Household Carbon Monoxide (CO) Warning Equipment (1998)
- 850 Electric Generating Plants (2000)

b. 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. 4** NFPA No. 1, Section 10.12.1, add new subsection 10.12.1.1 as follows:

10.12.1.1 All occupancies other than 1 and 2 family dwellings shall provide 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.

Exception 4: 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. 5** NFPA 1, Section 13.3.2.22, add new subsection 13.3.2.22.2 and renumber the existing subsection as 13.3.2.22.3. New subsection 13.3.2.22.2 reads:



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**13.3.2.22.2** The requirement of 13.3.2.22.3, that existing high-rise buildings shall be protected throughout by an approved automatic sprinkler system, shall not apply until a separate specific high-rise regulation takes effect that requires protection of existing buildings through an approved, supervised, engineered life-safety system as defined by NFPA 101 Section 31.3.5.10.3 (2003 edition) and includes timetables and conditions for compliance and incentives.

**Sec. 6** NFPA No. 30A, as referenced by NFPA 1, in subsections 7.3.6.1 and 7.3.6.3, add the following Exception:

Exception: In buildings protected throughout with "approved" automatic sprinkler protection, separation must consist of such assemblies having a fire resistance rating of not less than one (1) hour with all openings therein provided with approved minimum twenty (20) minute fire resistance rated opening protectives.

**Sec. 7** NFPA No. 80, as referenced by NFPA 1, subsection 1-10.1, add the following: Release of fire doors and shutters shall not be 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. 8** NFPA No. 96, as referenced by NFPA 1, subsection 1.1.1, add an Exception to read:

Exception: In day care and business occupancies doing food warming only, Home Economics classrooms in schools, and lodging or rooming houses or small board and care in existing structures originally built for single family residential use, protection shall consist of one of the following:

- (1) A listed and approved recirculating residential ventilation hood with range top extinguishing system installed in accordance with the manufacturer's instructions, or
- (2) In a building equipped with approved full automatic sprinkler protection, the sprinkler system is considered to provide surface fire protection. Exhaust from residential range tops shall not leave the room where the range top is located.

**Sec. 9** NFPA 101 is amended by deleting the following reference: NFPA 5000 Building Construction and Safety Code. Wherever NFPA 5000 is referenced, substitute the building code that is in effect in Montgomery County.



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**Sec. 10** NFPA 101 is amended by the addition of new subsection 1.4.4 to read as follows:  
The use of NFPA 101A to justify equivalency concepts is not permitted in new construction.

**Sec. 11** NFPA 101, section 3.3 is amended as follows:

(a) Subsection 3.3.47, add the following new subsection and definition:

**3.3.47.3 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 3.3.110.1 to change the definition of "Day-Care Home" by deleting the phrase "...more than three, but..."

(c) Amend Subsection 3.3.152.4 to change the definition of "Day-Care Occupancy" by deleting the phrase "...four or more ..."

(d) Amend Subsections 3.3.152.13 to change the definition of "Residential Board and Care Occupancy" by changing "A building or portion thereof..." to "A building or portion thereof that does not qualify as a one- and two-family dwelling..."

**Sec. 12** NFPA 101, section 4.8, add the following subsection:

**4.8.2.4** Emergency plans shall be maintained in a location approved by the Fire Chief.

**Sec. 13** Amend NFPA 101, subsection 6.1.4.1 by deleting the phrase "...four or more ..."

**Sec. 14** Amend NFPA 101, subsection 6.1.9.1 to change the definition of "Residential Board and Care Occupancy" by changing "A building or portion thereof..." to "A building or portion thereof that does not qualify as a one- and two-family dwelling..."

**Sec. 15** NFPA 101, subsection 7.2.1.5.7.1, add an item (6), to read:



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(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. 16** NFPA 101, delete subsections 7.2.3.9.2(3)(b), and 12.2.2.2.4.

**Sec. 17** NFPA 101, subsection 7.3.1.2, add on the chart for Business Use "for calculating occupant loads in shell use business use is 6.0 square meters or 65 square feet per person."

**Sec. 18** NFPA 101, subsection 7.5.1.3.1, add 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 resistance 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. 19** NFPA 101, Subsection 7.9.1.2, replace the word "only" in the first sentence with "but not limited to,".

**Sec. 20** NFPA 101, subsection 7.10.8.3.2, add: If the sign is on the door, then the door must be equipped with an approved self-closing device.

**Sec. 21** NFPA 101, subsection 7.12.1, add 7.12.1(4):

(4): In special purpose industrial occupancies, spaces not subject to human occupancy because of the presence of machinery or equipment shall be permitted with 100% of the exits discharging through a level of exit discharge.

**Sec. 22** NFPA 101, subsection 8.6.6(3), add a second sentence: Buildings, wherein the communicating space(s) is (are) provided with automatic smoke detection and alarm in accordance with NFPA 72, will be considered to satisfy the requirements of 'readily obvious'.

**Sec. 23** NFPA 101, subsection 8.6.7(6)(b) is fully changed to read: Manual controls that are located at the annunciator panel or in the Fire Control Room.



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**Sec. 24** NFPA 101, add new section 9.1.5:

**9.1.5** 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 of Type I and II construction 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 must be performed at time of occupancy and annually thereafter.
- (3) Field testing may be performed upon reasonable notification of the owner or occupant by any authorized fire and rescue personnel.

Exception: The requirements of this section shall not apply to areas within an individual dwelling unit.

**Sec. 25** NFPA 101, subsections 9.6.1.7 and 9.7.6.1, 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. 26** NFPA 101, subsection 9.6.2.5, add two new subsections:

- (a) 9.6.2.5.1 Zoned fire alarm systems shall have manual pull stations located at the entrance to each exit enclosure and at the main exit.
- (b) 9.6.2.5.2 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. 27** NFPA 101, subsections 9.6.2.8 and 9.6.2.9, add the following sentence:  
"Environments not suitable for smoke detectors (due to high probability of unwanted alarms) must be provided with listed rate-of-rise or rate compensated heat detection, or approved alternate means of detection."



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- Sec. 28** NFPA 101, subsection 9.6.2.10.2, add the phrase "and have secondary battery back-up power" at the end of the sentence.
- Sec. 29** NFPA 101 add new subsections 9.6.2.12, 24.3.4.4, 26.3.3.6, 28.3.4.6, 30.3.4.6, 32.2.3.4.4, and 32.3.3.4.9: In new construction a carbon monoxide alarm or detector(s) installed in accordance with Chapter 5, Section 5.1, "Recommended Protection", of NFPA 720, shall be installed in any family living unit containing a fuel-burning appliance, fireplace, or having an attached garage.
- Sec. 30** NFPA 101, subsection 9.6.3.2.1, delete the word "lobby".
- Sec. 31** NFPA 101, subsection 9.6.3.4, add text 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. 32** NFPA 101, subsection 9.6.3.7, add a second sentence to read: "Required audibility must be met with any and all intervening doors (between any space and the audible devices) closed."
- Sec. 33** NFPA 101, subsection 9.6.3.9, add: Where voice type occupant notification is used, automatic pre-recorded messages must 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. 34** NFPA 101, subsection 9.6.4.2, delete all text following the word "automatically" in the second section, and replace with "to a listed central station."
- Sec. 35** NFPA 101, delete subsection 9.6.4.3.
- Sec. 36** NFPA 101, subsection 9.6.5.2(3), add the following sentence: "Manual fire alarm initiation must not activate floor or zone-dependent smoke control systems."
- Sec. 37** NFPA 101, subsection 9.7.1.2, the second sentence is amended to read: "The sprinkler piping must be valved with the domestic water system. Any and all work must be performed by a licensed sprinkler contractor."
- Sec. 38** NFPA 101, subsection 9.7.2.2 is amended to read: "Where supervised automatic sprinkler protection is required by another section of this Code, waterflow alarms must be automatically transmitted to a listed central station."



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**Sec. 39** 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. 40** NFPA 101, subsection 11.8.3.1, add new subsection 11.8.3.1.1:

**11.8.3.1.1** 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. 41** NFPA 101, subsections 11.8.5(6) and (8), are amended/added, as applicable, to read as follows:

- (6) Emergency generator status indicators, and remote starting.
- (8) Fire pump status indicators and remote starting only.

**Sec. 42** NFPA 101, subsections 12.2.5.4.1(1), 12.2.5.4.1(2), 13.2.5.4.1(1), and 13.2.5.4.1(2) change "1000" to "250".

**Sec. 43** NFPA 101, section 12.3.5, add new subsection 12.3.5.1 and renumber the existing subsections 12.3.5.1 through 12.3.5.3. New subsection 12.3.5.1 reads: The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7:

- (1) Bars
- (2) Dance Halls
- (3) Discotheques
- (4) Nightclubs
- (5) Assembly occupancies with festival seating



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**Sec. 44** NFPA 101, add new subsection 12.3.5.2 to read: All new Assembly Occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7. Sprinkler protection is not required over recreation areas devoid of fuel loading (such as over pool water surface, ice rink ice surface or a court of noncombustible construction), if provided with draftstopping around the area of omission, in accordance with NFPA 13.

**Sec. 45** NFPA 101, subsections 12.7.6.3 and 13.7.6.3, add:

- (1) It is the duty of the individual in charge to call the attention of those present, immediately before the beginning of the proceedings for which the people are assembled, to the number and location of the exits, and to state that the doors to all exits are unlocked. Before making the announcement, it is the duty of the individual to make an actual inspection to verify that the doors are unlocked and the means of egress are free of obstructions, and to correct any deficiencies found.
- (2) It is the duty of the individual in charge to call the attention of everyone present at the proceedings to the exits by displaying or announcing the following:  
"Notice. For your own safety, look for your nearest exit. In case of emergency, walk, do not run, to that exit".
- (3) The requirements for calling the attention of everyone present at the proceedings to the exits is complied with by one of the following methods:
  - (a) Oral announcements of the notices in this section at the beginning of the proceedings.
  - (b) Showing the notices in this Section on the viewing screen where the motion pictures are shown.
  - (c) Printing the notices in this section in bold type letters not less than ¼ inch in height on the back of programs for the proceedings. Nothing but the notice shall be placed on the back of the program.
  - (d) Having a fixed sign or signs displaying the notices in this section printed in letters of a size and clearness that can be easily read from each point in the assembly room.



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**Sec. 46** NFPA 101, section 13.3.5, add new subsection 13.3.5.1 and renumber the existing subsections 13.3.5.1 through 13.3.5.3. New subsection 13.3.5.1 reads: Where occupant load exceeds 100, the following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7:

- (1) Bars
- (2) Dance Halls
- (3) Discotheques
- (4) Nightclubs
- (5) Assembly occupancies with festival seating

**Sec. 47** NFPA 101, new section 13.3.5.2 is changed to read: Any existing assembly occupancy and required exits with an occupant load of 100 or more shall be protected by an approved automatic sprinkler system in accordance with Section 9.7. This requirement shall not apply to assembly occupancies used only for worship with fixed seating and not part of a mixed occupancy (see 6.1.14.3).

**Sec. 48** NFPA 101, subsection 14.2.11.1.1(1) is amended by adding the following after "...tools", "keys, special knowledge, or excessive force."

**Sec. 49** NFPA 101, sections 16.1 and 17.1, add new subsections 16.1.1.6 and 17.1.1.6: 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. 50** NFPA 101, subsections 16.2.11.1.1(1), 16.2.11.1.1(3), 17.2.11.1.1(3), 17.2.11.1.1(1), 24.2.2.3(3), 32.2.2.3.1(3), and 33.2.2.3.1(3), add the following exception:

Exception: A minimum net clear opening of 5.0 square feet shall be permitted for secondary means of escape at grade.

**Sec. 51** NFPA 101, subsection 16.3.4.5, add the following exceptions:

Exception 1: Day-care occupancies located in school facilities where enrollment is limited to children kindergarten age and older and capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection.



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Exception No. 2: In buildings equipped with a selective fire alarm system, smoke detection at stairwell doors shall only be required at locations that would activate the alarm in the day-care center.

- Sec. 52** NFPA 101, add new subsection 16.3.5.4 to read: Buildings containing new day care centers above or below the level(s) of exit discharge must be protected with full automatic sprinkler protection installed in accordance with section 9.7.
- Sec. 53** NFPA 101, subsections 16.6.1.1.2, and 17.6.1.1.2, delete the phrase "...more than 3, but.."
- Sec. 54** NFPA 101, subsections 16.6.1.4.1(A) and (B) and 17.6.1.4.1(A) and (B) are amended as follows:
- (a) Subsections 16.6.1.4.1(A) and 17.6.1.4.1(A), delete "more than three but", change "seven clients" to "nine clients", change "six clients" to "eight clients", and add a new sentence: "Where more than two clients, up to a maximum of four clients incapable of self-preservation are being cared for, a minimum of two staff personnel must be present at all times."
  - (b) Subsections 16.6.1.4.1(B) and 17.6.1.4.1(B), change "at least seven" to "at least nine, and change "no more than three clients" to "no more than four clients."
- Sec. 55** NFPA 101, subsections 16.6.1.7.1 and 17.6.1.7.1, delete the existing wording and replace with the following:
- In family day-care homes, a day-care provider's own children under the age of two years shall be counted as clients served and the following shall apply:
- (1) At any given time, a day-care provider shall not care for more than eight clients, of whom no more than four may be under the age of two years.
  - (2) An adult to child ratio of at least one adult to every two children under the age of two years shall be maintained at all times.
- Sec. 56** 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. 57** NFPA 101, subsections 16.6.2.2 (Reserved) and 17.6.2.2 (Reserved) are amended as follows:



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## SLIDING DOOR.

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

- a. The sliding door shall have not more than one, easily operated, locking device that does not require special knowledge, effort, or tools to operate;
- b. There may not be draperies, screens, or storm doors that could impede egress;
- c. The sill or track height may not exceed 1/2 inch above the interior finish floor;
- d. The surface onto which exit is made shall be an all weather surface such as a deck, patio, sidewalk, etc;
- e. The floor level outside the door may be one step lower than the inside, but not more than 8 inches lower;
- f. The sliding door shall open to a clear open width of at least 28 inches;
- g. 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;
- h. 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. 58** 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 times the home is occupied for the purpose of family day care.



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**Sec. 59** NFPA.101, subsection 16.6.3.4.3, add of the following Exception:

Exception: Battery detectors rather than house electric service-powered detectors shall be accepted when in the opinion of the authority having jurisdiction, the facility has demonstrated testing, maintenance and battery replacement programs that ensure reliability of power to the detectors.

**Sec. 60** NFPA 101, subsections 16.7 and 17.7, add new subsections 16.7.1.1 and 17.7.1.1, respectively as follows: A written prearranged plan of escape in case of fire or other emergency shall be readily available for reference and inspection purposes. This emergency plan shall include a means and procedure to alert all occupants of an emergency.

**Sec. 61** NFPA 101, subsections 16.7.4.1 and 17.7.4.1, add an Exception:

Exception: Day-Care Homes.

**Sec. 62** 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. 63** NFPA 101, subsection 17.3.4.5, add the following language after "one room": "...or Day-care occupancies located in school facilities where enrollment is limited to children kindergarten age and older and capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection."

**Sec. 64** NFPA 101, subsection 17.3.4.5(1), add the following sentence: "In buildings equipped with a selective fire alarm system, smoke detection at stairwell doors shall only be required at locations that would activate the alarm in the day-care center."

**Sec. 65** NFPA 101, subsection 17.6.3.4.4, delete "Existing..."

**Sec. 66** NFPA 101, subsection 24.1.1.1, place a period after the word "dwellings" and replace the remainder of the sentence with the following:

One- and two-family dwellings include:

- (a) A building containing not more than two dwelling units in which each dwelling unit is occupied by members of a single family with not more than five outsiders, if any, accommodated in rented rooms.



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- (b) A living unit for five or fewer individuals with disabilities as defined in (d) of this section.
- (c) A living unit for six to eight individuals with disabilities as defined, in addition to live-in staff, if specific information is presented to the authority having jurisdiction that the residents of the living unit have no unique and specific needs which warrant imposition of the fire safety standards required by either Chapter 26, 32 or 33 of the NFPA 101 Life Safety Code (2003 edition).
- (d) "Individuals with disabilities" means those individuals who have a disability as defined in the Fair Housing Amendment Act of 1988, 42 U.S.C. §3601 et seq. as follows:
  - (1) A physical or mental impairment which substantially limits one or more of such persons' major life activities;
  - (2) A record of having such an impairment; or
  - (3) Being regarded as having such impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in 21 U.S.C., Section 802).

**Sec. 67** NFPA 101, subsection 24.2.5.1, add the following exception:

Exception: Maximum riser heights of 8-1/4 inches (210mm) and minimum tread depths of 9 inches (229mm) shall be permitted for stairs in new construction. A nosing not less than 3/4 inch (19mm) but not more than 1-1/4 inch (32mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279mm).

**Sec. 68** NFPA 101, subsection 24.3.4.3, add at the end of the sentence, "... only if the existing smoke detectors are battery operated."

**Sec. 69** NFPA 101, subsection 26.1.1.1, change "...buildings..." to "...buildings that do not qualify as one- and two-family dwellings..."

**Sec. 70** NFPA 101, subsection 28.3.4.1 is amended to read "...through 28.3.4.6, shall be provided."

**Sec. 71** NFPA 101, subsection 28.3.4.3.5, delete all wording after "provided".



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- Sec. 72** NFPA 101, delete subsections 29.3.4.5.2 and 31.3.4.5.2.
- Sec. 73** NFPA 101, delete subsections 30.3.4.3.3 and 30.3.4.3.4.
- Sec. 74** NFPA 101, subsection 32.3.1.3, replace the phrase "Chapter 7 of NFPA 5000, Building Construction and Safety Code" with "33.3.1.3".
- Sec. 75** 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. 76** NFPA 101, add new subsections 36.1.2.3 and 37.1.2.3: "Structures that are predominantly residential dwellings, and that include mercantile occupancy open to the general public, shall have substantial separation between the occupancies that is resistant to the passage of smoke. Openings shall be protected with self-closing minimum 1 3/4" solid wood bonded core doors, in minimum eighteen (18) gauge steel frames."
- Sec. 77** NFPA 101, subsection 36.4.4.4.3.1, delete item (3).
- Sec. 78** 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. 79** NFPA 101, add new subsections 38.1.2.3 and 39.1.2.3: "Structures that are predominantly residential dwelling, and that include business occupancy open to the general public, must have substantial separation between the occupancies that is resistant to the passage of smoke. Openings must be protected with self-closing minimum 1 3/4" solid wood bonded core doors in minimum eighteen (18) gauge steel frames."
- Sec. 80** NFPA 101, subsections 38.2.4.2 and 39.2.4.2, add new section (6) to read as follows:
  - (6) 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



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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. 81** NFPA 101, subsections 38.3.4.3(2), and 39.3.4.3(2), are amended to read: "Sound an audible alarm in a constantly attended location and transmit a signal to a listed Central Station."
- Sec. 82** 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 must meet Section 9.6.3 as amended."
- Sec. 83** NFPA 101, subsection 39.2.2.2.3 is amended to read: "The re-entry provisions of 7.2.1.5.7 shall apply."
- Sec. 84** NFPA 101, subsection 42.8.2.2.3.1, add the following Exception:  
  
Exception: Subsection 7.2.2.5.1 shall not apply to open air parking structures.

Approved,

Douglas M. Duncan,  
County Executive

APPROVED AS TO FORM AND LEGALITY.  
Montgomery County Attorney's Office

By: