Resolution No.:	18-558
Introduced:	July 19, 2016
Adopted:	July 19, 2016

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

SUBJECT: Resolution to Extend Time for Council action on Executive Regulation 8-16, *Fire Safety Code – Building Construction* (Department of Permitting Services)

Background

1. On July 7, 2016, the County Council received Executive Regulation 8-16, *Fire Safety Code – Building Construction.*

2. The regulation will accommodate certain changes to the law proposed in Expedited Bill 29-16, Fire Safety Code – Administration – Reorganization, which is currently before the Council and would transfer the Fire Compliance Section to the Department of Permitting Services.

3. The Council must review the regulation under Method (2) of Section 2A-15 of the County Code.

4. Under Method (2), if the Council does not approve or disapprove a regulation with 60 calendar days after the Council receives the regulation, the regulation automatically takes effect.

5. Code Section 2A-15 allows the Council to extend the deadline for action on a regulation under Method (2).

Action

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

The time for consideration of Executive Regulation 8-16, *Fire Safety Code – Building Construction*, (Department of Permitting Services), is extended to December 31, 2016.

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 – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

Montgomery County Regulation on:

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

Issued By: County Executive
Regulation No: 8-16
COMCOR 22.00.07

Authority: Code Section 22-13 and 22-14
Amends: Executive Regulation 20-13
Council Review: Method 2 under Code Section 2A-15
Register Vol. 30, Issue 5
Effective Date: August 1, 2016
Comment Deadline: May 31, 2016

SUMMARY: This regulation amends Executive Regulation 20-13 and adopts and modifies the applicable editions of various National Fire Protection Association (NFPA) standards – most notably NFPA 1, 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. New buildings, new systems, or new conditions are subject to this regulation. 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 subject to this regulation only when an inimical or distinct hazard exists. This regulation also incorporates the provisions of Executive Regulation 29-08AM, which established the requirements for effective fire department apparatus and water supply in urban, suburban and rural settings in Montgomery County.

ADDRESSES: Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850

STAFF: For further information, contact Hemal Mustafa, Manager, Division of Building Construction, 240-777-6226.

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

COMCOR 22.00.07 Fire Safety Code – Building Construction

22.00.07.01

In accordance with the procedures authorized in Chapter 22, "Fire Safety Code," of the Montgomery County Code, as amended, 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 construction, alteration, use or occupancy of buildings, structures, sheds, tents, lots or premises. 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 "Director" means the Director of the Department of Permitting Services and includes the Director's designees.

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

New buildings, new systems, or new conditions are subject to this regulation. 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 subject to this regulation only when an inimical or distinct hazard exists.

This regulation amends and replaces Executive Regulation No. 20-13.

22.00.07.02

Unless otherwise noted, all references to the National Fire Codes and Standards adopted in this regulation 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, as amended.

Terms used in this regulation that are defined in the state adopted consensus codes have the meanings used in the consensus code.

For the purpose of this regulation, the Director is the designated Authority Having Jurisdiction (AHJ) in NFPA 1.

22.00.07.03

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

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. 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 dates or editions of the individual codes and standards are as listed in this section.

NFPA No.	CODE OR STANDARD
1	Fire Code – 2015 edition
101	Life Safety Code – 2015 edition
130	Standard for Fixed Guideway Transit and Passenger Rail Systems – 2014 edition
214	Standard on Water Cooling Towers – 2011 edition
720	Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment – 2015 edition
850	Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations – 2015 edition

22.00.07.04

The Director 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.

22.00.07.05

Amend NFPA 1, paragraph 1.7.12.2 to add a second sentence "The AHJ is authorized to require plans to bear the stamp of a registered design professional."

22.00.07.06

Delete NFPA 1, Section 1.10.

22.00.07.07

Delete NFPA 1, Subsection 1.11.3.

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

22.00.07.08

Amend NFPA 1, Subsection 1.12.1, to add a new subsection 1.12.1.1 as follows: 1.12.1.1 Permits, certificates, notices, approvals or orders required by this code are governed by the policies and procedures of the AHJ.

22.00.07.09

Amend NFPA 1, Paragraph 1.12.6.13 to replace "Permits shall" with "Permits may".

22.00.07.10

Amend NFPA 1, Subsection 1.12.8 to replace "shall" with "may".

22.00.07.11

Amend NFPA 1, Subsection 1.13.2 to delete "Mandatory." And replace with "shall" with "may".

22.00.07.12

Delete NFPA 1, Paragraphs 1.13.12.4 and 1.16.4.2.

22.00.07.13

Amend NFPA 1, Section 2.2 to delete the referenced publication NFPA 5000 Building Construction and Safety Code, 2015 edition. Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code adopted by Montgomery County. Delete the reference publication NFPA 150 Standard on Fire and Life Safety in Animal Housing Facilities, 2013 edition. Add the referenced publication NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition.

22.00.07.14

Amend NFPA 1, Section 3.3 to add the following Subsection: 3.3.278 Fireworks. Any composition or device for the purpose of producing a visible or audible effect for entertainment purposes by combustion, deflagration or detonation, and that meets the definition of Consumer Fireworks or Display Fireworks as set forth in NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition, and as referenced in Public Safety Article §10-101, Annotated Code of Maryland.

22.00.07.15

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

Amend NFPA 1, Subsection 3.3.14 to add the following paragraph: 3.3.14.13 Consumer Fireworks Retail Sales Area. The portion of a consumer fireworks retail sales facility or store, including the immediately adjacent aisles, where consumer fireworks are located for the purpose of retail display and sale to the public.

22.00.07.16

Amend NFPA 1, Section 3.3.183.6 to delete phrase "more than 3 but".

22.00.07.17

Amend NFPA 1, Section 3.3.183.7 and Section 6.1.4.1 to delete phrase "four or more".

22.00.07.18

Amend NFPA 1, Section 3.3.183.22 to replace the word "three" with "five" and delete the phrase ", if any, accommodated in rented rooms."

22.00.07.19

Amend NFPA 1, Section 3.3.183.25 and Section 6.1.9.1 to replace the word "four" with "six".

22.00.07.20

Amend NFPA 1, Section 4.5.8.1 to delete the phrase "for compliance with the provisions of this Code".

22.00.07.21

Amend NFPA 1, Section 4.5.8.3 to delete the phrase "by the Code".

22.00.07.22

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".

22.00.07.23

Amend NFPA 1, Sections 10.4.1 and 10.4.2 to replace "AHJ" with "AHJ or incident commander".

22.00.07.24

Amend NFPA 1, Section 10.10.6.1 to replace "grill" with "gas-fired, charcoal or electric grill" and "10 feet (3

meters)" with "20 feet (6.1 meters)"

22.00.07.25

Amend NFPA 1, Section 10.10.6.2 to replace "grill" with "gas-fired, charcoal or electric grill".

22.00.07.26

Delete NFPA 1, Section 10.10.6.3.

22.00.07.27

Amend NFPA 1, Subsection 10.11.1 to add the following Subparagraph and Paragraph:

10.11.1.1.1 Subject to the approval of the AHJ, individual suites within structures and rear exterior entrances and/or access from service corridors must be clearly identified.

10.11.1.4 Where required by the AHJ, symbols in compliance in with NFPA 170, 2012 edition, Standard for Fire Safety and Emergency Symbols, must be used.

22.00.07.28

Amend NFPA 1, Sections 10.11.1.2 and 10.11.1.3 to replace "address numbers" with "premises identification".

22.00.070.29

Amend NFPA 1, Section 10.13.1 to add the following new paragraph

10.13.1.2 The AHJ must:

(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.

22.00.07.30

Amend Paragraph 10.13.1.1 to replace "Christmas" with "Unless otherwise approved by the AHJ, Christmas".

22.00.07.31

Amend NFPA 1, Paragraph 10.13.3.1 to replace "by the manufacturer" with "by a tested laboratory recognized by the Office of the State Fire Marshal".

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

22.00.07.32

Amend NFPA 1, Section 10.13.9.1 to replace "1/2 inch (13 mm)" with "2 inches (50 mm)" and add the following sentence: "A natural cut tree must not exceed 10 feet (3 m) in height, excluding the tree stand."

22.00.07.33

Amend NFPA 1, Section 10.14.2 to insert the phrase ", but not limited to," after the words "such as".

22.00.07.34

Amend NFPA 1, Section 10.14.11.2.6 to replace "any vehicles" with "any vehicles, buildings".

22.00.07.35

Amend NFPA 1, Section 10.14.11.3.1 add the following at the end of the section "or within the fuel break described in Section 10.14.11.2.6."

22.00.07.36

Amend NFPA 1, Section 10.15 to add a new subsection 10.15.6 as follows:

> 10.15.6 The AHJ may require that outdoor storage of any combustible material be enclosed by an approved fence or other protective enclosure to prevent unauthorized access.

22.00.07.37

Amend NFPA 1, Section 10.15.1 to replace "10 ft (3 m)" with "15 ft (4.6 m)" and "property line" with "property line, building, or adjacent pile of combustible material"; and add the following: The AHJ may increase the separation distance if a higher hazard to the adjoining property exists.

22.00.07.38

Amend NFPA 1, Section 10.15.5 to add the phrase "and 10,000 ft^2 in area".

22.00.07.39

Amend NFPA 1, Subsection 10.18.7 to replace "repaired" with "repaired on any balcony, under any overhanging portion, or".

22.00.07.40

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

11.1.9 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 must be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the clear space must not be less than the width of the equipment. No storage of any materials must be located within the designated clear space. Exception: Where other specialized dimensions are required or permitted by NFPA 70.

22.00.07.41

Add NFPA 1, Sections 11.1.7.2.1 and 11.1.7.2.2 to read:

11.1.7.2.1 In new buildings, excluding one and two family dwellings, a shunt trip to disconnect the electrical service to the building must 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.

11.1.7.2.2 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 must be provided as for new installations.

22.00.07.42

Amend NFPA 1, Section 11.1.7.3 to add the following subparagraph:

11.1.7.3.2 Doors to electrical control panel rooms must 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.

22.00.07.43

Amend NFPA1, Subsection 11.3.6.2 to add a second sentence: All new keys must be cut to a uniform key code to comply with the Maryland State Elevator Code.

22.00.07.44

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

22.00.07.45

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

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

11.9.1.2 In new installations, the emergency command center must also comply with the provisions of Section 911 of the International Building Code, 2015 edition.

22.00.07.46

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

(8) Fire pump status indicators and remote starting.

22.00.07.47

Amend Subsection 11.12.1 to add the following section:

11.12.1.1 The provisions of this section do not apply to detached parking shade structures, carports, solar trellises and similar structures.

22.00.07.48

Amend NFPA 1, Section 13.2.2.2 to delete the existing wording and replace with the following:

All new buildings must 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 is permitted.

22.00.07.49

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 8.15.15 are prohibited.

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

22.00.07.50

Amend NFPA 1, Section 13.3.1.8.2.1 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."

22.00.07.51

Amend NFPA 1, Section 13.3.2.1 to add the following subsection:

13.3.2.1.1 All new buildings must 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 2015 edition.

22.00.07.52

Amend NFPA 1, Section 13.3.2.26.2 by adding at the beginning of the section the phrase "Except as modified by 13.3.2.26.2," and adding a new subsection 13.3.2.26.2.4 which reads:

13.3.2.26.2.4 The requirement of 13.3.2.26.2 does not apply to existing apartment occupancy high-rise buildings.

22.00.07.53

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

22.00.07.54

Amend NFPA 1, Section 13.4.1 to add the following subsection:

13.4.1.1.1 A fire pump component, including the pump, driver, or controller, must not be installed in below ground vaults or pits unless otherwise approved by the AHJ.

22.00.07.55

Amend NFPA 1, Section 13.6.1.2 to add the phrase ", unless otherwise permitted by the AHJ."

22.00.07.56

Amend NFPA 1, Section 13.6.4.1.2.1 to replace "certified" with "certified or licensed as required by the AHJ".

22.00.07.57

Delete Sub-subparagraphs 13.6.4.1.2.1.1, 13.6.4.1.2.1.2, 13.6.4.1.2.1.3, 13.6.4.1.2.1.4, 13.6.4.1.2.1.5, 13.6.4.1.2.1.6, 13.6.4.1.2.2.

22.00.07.58

Amend NPFA 1, Section 13.7.1.7.6 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:

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

13.7.1.7.6.2 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 must be located at each required or marked exit.

22.00.07.59

Amend NFPA 1, Section 13.7.1.7.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection must be provided and must comply with NFPA 72 Section 10.3 (2013 edition)."

22.00.07.60

Amend NFPA 1, Section 13.7.1.9.2.1, delete the phrase "lobby".

22.00.07.61

Amend NFPA 1, Section 13.7.1.9.4 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 13.7.1.10".

22.00.07.62

Amend NFPA 1, Section 13.7.1.9.7 by adding a second sentence to read: "Required audibility must be met with all intervening doors (between any space and the audible devices) closed."

22.00.07.63

Amend NFPA 1, Section 13.7.1.9.9 by adding: Where voice type occupant notification is used, automatic pre-recorded messages must be used complying with Section 13.7. Live voice as the sole notification method is prohibited – except that previously "approved" live voice systems are permitted to remain.

22.00.07.64

Amend NFPA 1, Section 13.7.1.10.2 by deleting the list of four items and replace the phrase "via any of the following means acceptable to the AHJ" with "by a listed central station fire alarm system".

22.00.07.65

Delete NFPA 1, Section 13.7.1.10.3.

22.00.07.66

Amend NFPA 1, Section 13.7.1.11.2(3) by adding the following sentence: "Manual fire alarm initiation must not activate floor or zone-dependent smoke control systems."

22.00.07.67

Delete NFPA 1, Section 13.7.1.13.9.5

22.00.07.68

Amend NFPA 1, Sections 13.7.2.5.5 and 13.7.2.6.5 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.

22.00.07.69

Delete NFPA 1, Sections 13.7.2.16.5.2 and 13.7.2.18.5.2

22.00.07.70

Amend NFPA 1, Section 13.7.2.13.1.3 to add at the end of the sentence, "...only if the existing smoke alarms are battery operated."

22.00.07.71

Amend NFPA 1, Section 13.7.2.21.3.5 and Section 13.7.2.22.7.1 by adding at the end of the sentence, "...and have secondary battery back-up power."

22.00.07.72

Amend NFPA 1, Section 13.7.2.23.1 and Section 13.7.2.24.1 to read as follows: Class A mercantile occupancies and multiple story Class B mercantile occupancies must have a fire alarm system in accordance with Section 13.7 and NFPA 101.

22.00.07.73

Amend NFPA 1, Section 13.7.2.28.1.2 and Section 13.7.2.28.1.3 to replace the phrase "Storage occupancies" with "Storage occupancies less than three stories".

22.00.07.74

Amend NFPA 1, Section 13.7.2.29.2.1 by adding a new subsection 13.7.2.29.2.1.1 as follows:

> 13.7.2.29.2.1.1 In buildings having staged evacuation the voice fire alarm system must 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 must be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it must not sound automatically in elevator cars and enclosed exit stairways. Communicating levels are considered one floor/fire area for the audible and visual fire alarm signals.

22.00.07.75

Add NFPA 1, Section 13.10 to read as follows: "In new buildings, an emergency command center in accordance with Section 11.9 is required in buildings, other than parking garages, with a gross floor area greater than 100,000 square feet."

22.00.07.76

Amend NFPA 1, Section 14.5.2.8 to add the phrase "and all stairway doors must be unlocked simultaneously without unlatching upon a signal from the fire command center." to items (2) and (3).

22.00.07.77

Amend NFPA 1, Section 14.5.2.8.1 to add an item (6), to read:

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

22.00.07.78

Amend NFPA 1, Table 14.8.1.2 to add the following:

Use		(ft^2 per person)	(m^2 per person)
Assembly Use	Tennis court (area of play)	50 net	15.24
Assembly Use	Bars	1 person / 18 linear in. [9]	1 person / 455 linear mm [9]
Business Use	Core/shell	65	6

[9]: Measured at the patron side of the bar

22.00.07.79

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

22.00.07.80

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.

22.00.07.81

Amend NFPA 1, Section 18.1 to add the following subsections:

The National Fire Protection Association (NFPA) 1141, Standard for Fire Protection Infrastructure for Land Development in Suburban and Rural Areas, 2012 Edition, and NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, 2012 Edition, applies to all new community and commercial development or redevelopment, road reconstruction, and any changes to existing fire department access. If there is any conflict between NFPA 1, Fire Code, and NFPA 1141 or NFPA 1142, the most stringent requirement must prevail except as otherwise provided in:

1. the Montgomery County Fire Safety Code Chapter 22;
2. this regulation; or
3. performance-based design guidance as defined in paragraph 18.1.6.b.

18.1.4 Definitions.

a. Fire Department Apparatus Access. Any approved load-bearing, all weather surfaces, including public, private, or access roads, driveways, parking lots, shoulders, and buffers, whose use is required to access more than one residential dwelling unit or any non-residential occupied

building. Not all roadways are required for fire department apparatus access. In addition to these access surfaces, the Director may require, and must approve, all suitable gates, access boxes, and fire lanes to ensure adequate fire department apparatus access.

b. Fire Lane. A road or path developed or reserved to allow fire apparatus to pass through congested areas. The Director must require and approve all fire lanes on new or existing roads to be clearly marked to prohibit vehicles or obstructions from impeding fire department apparatus access.

c. Director. For purposes of this Regulation, the Director of the Department of Permitting Services (MCDPS) includes the Director's designees.

d. One- and Two-Family Dwellings. Detached one- and two-family dwellings and attached single-family dwellings (townhomes) not more than three stories in height with a separate means of egress.

e. Operating Bay. Clear and unobstructed fire department apparatus load bearing surface along fire department apparatus access that increases operating width to a minimum of 26 feet wide. It may be defined by bollards and accessed via 3 inch mountable curb. The minimum length of an operating bay is 50 feet.

18.1.5 Fire Department Apparatus Access.

The Director must review and approve fire department apparatus access for all new development, and any changes made to fire department apparatus access. A fire department apparatus access plan is required as part of any development plan. Fire department access improvements may be required at the time of road reconstruction, surrounding new development, or redevelopment. The Director may require at least two fire department apparatus access roads into new developments when, in the Director's opinion, there is substantial risk that a single fire department access road into a community may become impassable.

18.1.6 Alternative Application.

The alternative application of performance-based design, as specified in Chapter 5 of NFPA 1, Fire Code, applies to any fire department apparatus access requirement identified in this Regulation.

a. Performance-based design is the preferred application in all cases. It is the intent of this regulation to be administered in a manner consistent with Chapter 49 of the Montgomery County Code and its executive regulations. Performance-based design guidance as defined in paragraph 4(b) must be used to resolve any conflicts between this regulation and Chapter 49.
b. MCDPS must develop and issue a performance-based design guidance document with assistance from the Departments of Permitting Services, Transportation, and Environmental Protection, Montgomery County Planning Board, and design professionals.

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

22.00.07.82

Amend NFPA 1, Section 18.1.3.1 and Section 18.1.3.2 to replace the word "fire department" with "AHJ".

22.00.07.83

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 must be accessible by an internal corridor from the main entrance of the building or fire department response location.

22.00.07.84

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 must have an approved access box.

Exception 1: The requirement for an access box does 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 is permitted with approval of the AHJ.

Exception 3: For multiple structures within a residential building complex, a single access box is permitted with approval of the AHJ.

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

22.00.07.85

Amend NFPA 1, Section 18.2.3 to add the following: The AHJ is authorized to require and designate public or private fire lanes and fire department access roads as considered necessary.

22.00.07.86

Amend NFPA 1, Section 18.2.3 to add the following subsections:

18.2.3.2.3 Access Requirements for Occupied Structures.

18.2.3.2.3.1 One- and two-family dwellings of three stories or less, with no superimposed dwelling unit or portion of a dwelling unit, and having no window sill greater than 27 feet from grade on the same side of the structure as fire department apparatus access, must provide access to the occupied interior through a main, side-hinged door, via a clear and unobstructed walkable grade, within 150 feet of fire department apparatus access, unless otherwise approved by the AHJ.

18.2.3.2.3.2 One- and two-family dwellings more than three stories, or dwellings with superimposed dwelling units or a portion of a dwelling unit or having window sills greater than 27 feet from grade on the same side of the structure as fire department apparatus access, must provide access to the occupied interior through a main, side-hinged door, via a clear and unobstructed walkable grade, within 50 feet of fire department apparatus access, unless otherwise approved by the AHJ.

18.2.3.2.3.3 A non-residential occupied structure must provide access to the occupied interior through a main, side-hinged door, via a clear and unobstructed walkable grade, within 50 feet of fire department apparatus access.

18.2.3.2.3.4 When fire department apparatus access to a new building cannot be provided, the Director may require compensatory actions in the form of additional fire protection features. Compensatory action may include, but is not limited to upgraded sprinkler protection, onsite water supply, and early notification fire alarm systems.

18.2.3.2.3.5 A building must be protected throughout by an approved automatic sprinkler system if any portion of its footprint is more than 150 feet of 15 foot wide clear and unobstructed walkable grade from a fire department apparatus access point.

18.2.3.2.3.6 No portion of a building footprint in a building protected throughout by an approved automatic sprinkler system can be more than 450 feet of 15 foot wide clear and unobstructed walkable grade from a fire department apparatus access point.

18.2.3.4.1.1.1 Width of Fire Department Apparatus Access.

Fire department apparatus access must be at least 20 feet wide, unless specifically excepted in this Regulation, or as approved by the Director. Clear width may include, but is not limited to, multiple features of the cross-section, such as travel lanes, bike lanes, and load-bearing shoulders. Clear width excludes obstructive features such as, but not limited to, parking lanes and non-mountable curbs.

a. On-street parking is allowed on one side if the load-bearing fire department apparatus access is at least 28-feet wide.

b. On-street parking is allowed on both sides if the load-bearing fire department apparatus access is at least 36-feet wide. The required width may increase with additional roadway features, such as pedestrian refuges.

c. Fire department apparatus access serving one- and two-family dwellings of three stories or less, with no superimposed dwelling units or portions of dwelling units, and having no window sill greater than 27 feet from grade on the same side of the structure as fire department apparatus access, may be 26-feet wide and allow parking on one side, if there are 50-foot long operating bays at 300-foot intervals.

18.2.3.4.1.2 Vertical Clearance.

a. All buildings, parts of buildings, or other obstructions extending over apparatus access must have a minimum of 13.5 feet vertical clearance from the finished driveway surface. Vertical clearance for any overhead obstruction over arterial roadways must be at least 16 feet from the finished surface. This requirement does not preclude the planting of street trees if maintained appropriately for fire department apparatus access.

18.2.3.4.3.1.1 Minimum and Maximum Turning Radii.

The minimum interior turning radius for fire department apparatus access is 25 feet. The minimum exterior turning radius for fire department apparatus access is 50 feet. This is only required at turning points on fire department apparatus access routes. Performance-based approval of alternative turning radii may be allowed if apparatus movement into opposing lanes of traffic is minimized and unrestricted fire department apparatus access is maintained.

18.2.3.4.4.1 Provision of Dead-End Apparatus Turn-Around.
Dead-end fire department apparatus access greater than 150-feet long must provide an approved apparatus turnaround. Approved designs include a cul-de-sac at the closed end at least 90-feet in diameter, or a T-turnaround, with each leg of the tee at least 60 feet long and 20-feet wide.

18.2.3.4.4.2 Fire Department Apparatus Access Requirements: Surface. Load-Bearing. Clearance.

a. At-grade fire department apparatus access must have all-weather surface, and must be capable of bearing the heaviest piece of apparatus in the MCFRS fleet at the time of Director review and approval.
b. Elevated decks designated as "fire department apparatus access" must have all-weather surface, and be load-bearing up to 75 pounds per square inch, or as specified in Chapter 20 of NFPA Standard 1901, Automotive Fire Apparatus, whichever is greater, or as approved by the Director.

22.00.07.87

Amend NFPA 1, Subsection 18.2.3.2.1 to replace the phrase "exterior door" with "exterior door acceptable to the AHJ".

22.00.07.88

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

Amend NFPA 1, Section 18.3 to add the following subsections:

18.3 Water Supplies.

a. In municipally-supplied areas, hydrants must be spaced not more than 500 feet apart, and within 400 feet from any dead-ends in apparatus travel.

b. In non-municipally supplied areas, static water sources compliant with NFPA 1142, Water Supplies for Suburban and Rural Firefighting, must be sited not more than one mile travel distance along fire department apparatus access routes. If an acceptable water supply does not exist within one mile travel distance from the furthest part of the subdivision at the time of development:

   1. Any residential subdivision of more than one dwelling unit must dedicate an easement along the fire department apparatus access route to MCFRS that is appropriate in size for the grading and installation of an underground cistern. An easement may be located outside the boundaries of the subdivision or at another accessible location.

   2. Any easement or renewal of an easement must be recorded on the plat or plats of subdivision among the land records of Montgomery County using a model easement provided by the Director, and identified as "MCFRS Public Safety Water Supply Easement." Any release of an easement must also be recorded in the land records.

   3. If public safety improvements are made on an easement, the improvements must be recorded in the land records and identified as "MCFRS Public Safety Water Supply".

   4. Any easement created under this regulation for the purpose of water supply may be released at any time by the Director if an alternate, more appropriate site becomes available.

   5. Non-residential development must install a new, or upgrade an existing water supply, that is acceptable to the Director.

22.00.07.89

Amend NFPA 1, Section 18.5.1 to add the following sentence: Regardless of new or existing conditions, Section 18.5.1 must apply.

22.00.07.90

Amend NFPA 1, Section 18.5.1 to add the following sentence: Regardless of new or existing conditions, Section 18.5.1.1 must apply.

22.00.07.91

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

Amend NFPA 1, Section 18.5.1.1 to add the following subsections:

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

18. 5.1.2.1 For buildings without automatic sprinklers within areas provided with a municipal water supply, the distance from the building to the closest hydrant must not exceed 400 feet when measured along the path of fire department access.

22.00.07.92

Amend NFPA 1, Section 18.5.6 to add the following subsection:

18.5.6.1 Fire hydrants must be located no farther than 7 feet from edge of pavement or face of curb along a designated fire department vehicular access route unless approved otherwise by the AHJ.

22.00.07.93

Amend NFPA 1, Subsection 20.2.4.2.3 to delete the existing wording and replace with the following:

Fire emergency egress drills must be conducted as follows:

(1) Not less than one fire emergency egress drill must be conducted every month the facility is in session, unless the following criteria are met:

(a) In climates where the weather is severe, the monthly fire emergency egress drills are permitted to be deferred; and

(b) In educational occupancies which are:

(i) Fully protected by an automatic sprinkler system, five (5) fire emergency egress drills must be conducted annually. At least two of the required drills must be conducted in the first four months of the school year; or

(ii) Not fully protected by an automatic sprinkler system, eight (8) emergency egress drills must be conducted annually. At least three (3) of the required drills conducted in the first four (4) months of the school year.

(2) All occupants of the building must participate in the fire emergency egress drill.

(3) Except for educational occupancies that are open a year-round basis, one fire emergency egress drill must be conducted within the first 30 days of operation.

22.00.07.94

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

22.00.07.95

Amend NFPA 1, Section 20.3.4.2.3.6 to add the following exception. Exception: Day-care homes with not more than three clients for overnight lodging.

22.00.07.96

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 is considered as a Health Care Occupancy and must be reevaluated in accordance with NFPA 101, Section 43.7.

22.00.07.97

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

22.00.07.98

Amend NFPA 1, Subsection 26.1.5 to add the following paragraphs:
26.1.5.2 When requested by the AHJ, a hazard assessment must be conducted by a technically qualified person acceptable to the AHJ.

26.1.5.3 When requested by the AHJ, a list of hazardous materials used in each laboratory must be provided. The list must specify the chemical name, quantity and hazard class.

26.1.5.4 New laboratories or laboratories where the NFPA 45 laboratory hazard classification changes must post an information placard near the main entrance to the laboratory. The placard must state the building name or address, room number, NFPA 45 laboratory hazard classification, edition of NFPA 45, maximum allowable quantities of flammable liquids both inside a storage cabinet and open use, and a maximum quantities of flammable gases permitted within the laboratory.

22.00.07.99

Amend Chapter 26 to add the following section and subsection:

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

26.3 Construction

26.3.1 All laboratories, laboratory suites, or laboratory units within the scope of NFPA 45, regardless of the laboratory hazard classification in NFPA 45, must be separated by at least one-hour fire resistance rated construction from non-laboratory areas. If a higher fire resistance rating is required by Table 5.1.1 in NFPA 45 or the Building Code, the higher fire resistance rating must be used. Rooms that are in incidental use to the lab are considered part of the laboratory for the purpose of this requirement and do not require additional separation.

22.00.07.100

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, must be turned or reclaimed at least every 3 months.

22.00.07.101

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

Piles must not exceed 18 feet in height, 50 feet in width, and 350 feet in length. Piles must be subdivided by fire lanes having at least 30 feet of clear space at the base of piles.

22.00.07.102

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.

22.00.07.103

Amend NFPA 1, Section 42.7.5 to add the following subsections:

42.7.5.7 Management/owners officials or employees must 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 must be conducted.

42.7.5.9 Fuel dispensing equipment must comply with one of the following:
(1) The amount of fuel being dispensed is limited in quantity by preprogrammed card; or
(2) Dispensing devices must be programmed or set to limit uninterrupted fuel delivery of not more than 25 gallons and must require a manual action to resume continued delivery.

22.00.07.104

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

Amend NFPA 1, Section 42.7.5.5 to add the following:

The following information must 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.

22.00.07.105

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 must not be occupied by the public and must 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 must 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 is limited to 60 lbs. The total amount of LP gas on site must 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 must have a valid hydrostatic date stamp.

50.2.1.10.2.3 Tanks must 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 must be located so that they are not accessible to the public. LP gas tanks must 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 must be properly maintained and comply with the requirements of NFPA 58.

50.2.1.10.2.6 Regulators. Single-stage regulators must not supply equipment that is rated more than 100,000 btu/hr rating. Two-stage regulators must 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 must be maintained in a safe condition and must be secured to prevent damage.

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

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

22.00.07.106

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 must not be solely by fusible link and must 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.

22.00.07.107

Amend NFPA 92A, Section 5.3.1(2) by adding the following: At a minimum, the design must 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 must be one of the two doors used in the design.

22.00.07.108

Amend NFPA 92B, Section 5.2.3.1 by adding the following: The design fire must be 5000 Btu/s (5275 kW) or more unless approved by the AHJ.

22.00.07.109

Amend NFPA 92B, Section 5.2.4 by adding the following: At the steady phase, the design fire must be 5000 Btu/s (5275 kW) or more unless approved by the AHJ.

22.00.07.110

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

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 is permitted to consist of the following:

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

22.00.07.111

Amend NFPA 101, Section 2.2 by adding Section 2.2.1 to read as follows: Wherever NFPA 5000, 2012 edition is referenced, other than for extracted text, substitute the building code that is in effect in Montgomery County.

22.00.07.112

Amend NFPA 101, Section 2.2 to add the referenced publication NFPA 1124 Code for Manufacture, Transportation, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition.

22.00.07.113

NFPA 101, Section 3.3 is amended as follows:

(a) Subsection 3.3.62, add the following new subsection and definition:

3.3.62.3 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 3.3.142.1 to change the definition of "Day-Care Home" by deleting the phrase "...more than three but..."

(c) Amend Subsection 3.3.190.4 to change the definition of "Day Care Occupancy" by deleting the

phrase "...four or more ..."

(d) Amend Subsection 3.3.190.12 to change the definition of "Residential Board and Care Occupancy to replace the word "four" with "six".

22.00.07.114

Amend NFPA 101, Section 4.5.8 and Section 4.6.12.1 to delete the phrase "for compliance with the provisions of this Code".

22.00.07.115

Amend NFPA 101, Section 4.6.12.3 to delete the phrase "by the Code".

22.00.07.116

Amend NFPA 101, Section 4.8.2, add the following subsection:

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

22.00.07.117

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

22.00.07.118

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".

22.00.07.119

Amend NFPA 101, subsection 7.2.1.5.8, add the phrase "and all stairway doors must be unlocked simultaneously without unlatching upon a signal from the fire command center." to items (2) and (3).

22.00.07.120

Amend NFPA 101, subsection 7.2.1.5.8.1, add an item (6), to read:

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

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

22.00.07.121

Amend NFPA 101, subsection 7.2.1.5.12 to replace "required" with "provided"

22.00.07.122

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".

22.00.07.123

Amend NFPA 101, subsection 7.2.1.7.1 to delete "required to be".

22.00.07.124

Amend NFPA 101, subsection 7.2.1.7.3 to delete "Required".

22.00.07.125

Amend NFPA 101, Section 7.2.2.1 to add the following subsection: 7.2.2.1.3 In new installations, at least one exit stair that serves all stories of the building must be accessible by an internal corridor from the main entrance of the building or fire department response location.

22.00.07.126

Amend NFPA 101, Section 7.2.2.4.6.2(1), by replacing the word "Existing" with "Interior".

22.00.07.127

Delete NFPA 101, Subsection 7.2.3.9.2(3).

22.00.07.128

Amend NFPA 101, Table 7.3.1.2 to add the following:

Use		(ft^2 per person)	(m^2 per person)
Assembly Use	Tennis court (area of play)	50 net	15.24
Assembly Use	Bars	1 person / 18 linear in. [g]	1 person / 455 linear mm [g]
Business Use	Core/shell	65	6

[g]: Measured at the patron side of the bar

22.00.07.129

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

Amend NFPA 101, subsection 7.9.1.2, to replace the word "only" in the first sentence with "but not be limited to,".

22.00.07.130

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.

22.00.07.131

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

Areas are 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.

22.00.07.132

Amend NFPA 101, subsection 8.6.7(6) (b) by adding the following phrase at the end of the sentence: "in a location approved by the AHJ".

22.00.07.133

Amend NFPA 101, Section 9.1 by adding new subsection 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 must meet minimum emergency radio communication system performance criteria adopted by Montgomery County. Proof that minimum performance criteria are met must be provided in writing to the AHJ.

(1) System performance testing must 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.

(3) Field testing may be performed upon reasonable notification to the owner or occupant by any authorized fire and rescue personnel.

Exception: Section 9.1.5.1 does not apply to 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 Director may 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 must 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 must be designed in accordance with NFPA 72, as amended.

9.1.5.4 All testing, design, installation, inspection, and maintenance required by Section 9.1.5 must be performed by personnel approved by the AHJ.

22.00.07.134

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 must 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 must be located at each required or marked exit.

22.00.07.135

Amend NFPA 101, Section 9.6.2.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection must be provided and must comply with NFPA 72 Section 10.14.1 (2013) Edition)."

22.00.07.136

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 must be installed in accordance with NFPA 720."

22.00.07.137

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

22.00.07.138

Amend NFPA 101, Section 9.6.3.4, to add 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."

22.00.07.139

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

22.00.07.140

Amend NFPA 101, Section 9.6.3.9 by adding: 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 are permitted to remain.

22.00.07.141

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

22.00.07.142

Delete NFPA 101, subsection 9.6.4.3.

22.00.07.143

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

22.00.07.144

Delete NFPA 101, subsections 9.6.7.4.3, 9.6.7.4.4 and 9.6.7.4.5

22.00.07.145

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 are prohibited.

22.00.07.146

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 must be automatically transmitted to a listed central station."

22.00.07.147

Amend NFPA 101, subsection 9.8.1 to read as follows:

"Where water as an extinguishing agent is not compatible with the fire hazard or is prohibited by law, statute or ordinance, the affected area must be equipped with an approved automatic fire suppression system utilizing a suppression agent that is compatible with the fire hazard. Such system must be installed in accordance with the appropriate standard as determined in Table 9.8.1."

22.00.07.148

Amend NFPA 101, Section 9.11.1 to delete the phrase "required by this Code".

22.00.07.149

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. Add the sentence "High-rise buildings do not include a structure or building used exclusive for open-air parking".

22.00.07.150

Amend NFPA 101, subsection 11.8.4.1, to add new subsection 11.8.4.1.1:

> 11.8.4.1.1 In buildings having staged evacuation, the voice fire alarm system must 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 must be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it must not sound automatically in elevator cars and enclosed exit stairways. Communicating levels are considered one floor/fire area for the audible and visual fire alarm signals.

22.00.07.151

Amend NFPA 101, section 11.8.6.1, to add a new subsection 11.8.6.1.1 to read:

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

22.00.07.152

Amend 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.

22.00.07.153

Amend NFPA 101, subsection 11.8.6, to add a new subsection 11.8.6.3 to read: "The emergency command center must also comply with the provisions of Section 911 of the International Building Code, 2015 edition."

22.00.07.154

Amend NFPA 101, Section 11.11.2.1 to add the phrase "or other testing standard approved by the AHJ.

22.00.07.155

Amend NFPA 101, Sections 12.2.4.1 and 13.2.4.1 to add the following:

(1) Not less than two separate exits must be provided on every story.
(2) Not less than two separate exits must be accessible from every part of every story.

22.00.07.156

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

22.00.07.157

Amend NFPA 101, Subsections 14.7.2.3 and 15.7.2.3 to delete existing wording and replace with the following:

Fire emergency egress drills must be conducted as follows:

(1) At least one fire emergency egress drill must be conducted every month the facility is in session, unless the following criteria are met:

(a) In climates where the weather is sever, the monthly fire emergency egress drills may be deferred; and
(b) In educational occupancies which are:
(i) Fully protected by an automatic sprinkler system, five (5) annual fire emergency egress drills must be conducted, with at least two (2) of the required drills conducted in the first four months of the school year; or
(ii) Not fully protected by an automatic sprinkler system, eight (8) annual fire emergency egress drills must be conducted, with at least three (3) of the required drills conducted in the first four months of the school year.

(2) All occupants of the building must participate in the fire emergency egress drill.
(3) One fire emergency egress drill, other than for educational occupancies that are open a year-round basis, must be conducted within the first 30 days of operation.

22.00.07.158

Amend NFPA 101, Sections 16.1.1.7 and 17.1.1.7, to add subsections 16.1.1.7.1 and 17.1.1.7.1 as follows: Day-care centers providing day care for school age children before and after school hours in a building that is in use as a public or private school are not required to meet the provisions of this chapter, but must meet the provisions for educational occupancies.

22.00.07.159

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 must be 5.0 square feet.

22.00.07.160

Amend NFPA 101, subsection 16.2.11.1.2, to add the following item:

(3) Group Day-Care Homes and Family Day-Care Homes 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 must be protected by sprinklers supplied by the domestic water supply.

22.00.07.161

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.

22.00.07.162

Amend NFPA 101, to add new subsection 16.3.5.4 to read:

16.3.5.4. Buildings containing new day care centers above or below the level of exit discharge must be protected throughout with full automatic sprinkler protection installed in accordance with section 9.7.

22.00.07.163

Amend NFPA 101, subsections 16.6.1.1.2, and 17.6.1.1.2, to delete the phrase "...more than 3, but."

22.00.07.164

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, to replace "7" with "9".

22.00.07.165

Amend NFPA 101, subsections 16.6.1.7.1 and 17.6.1.7.1, to replace items (1) and (2) with the following items:

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

(2) There must 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 must be maintained at all times.

(4) The staff-to-client ratio may be modified by the authority having jurisdiction where safeguards in addition to those specified in this section are provided.

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

22.00.07.166

Amend NFPA 101, subsections 16.6.2.1 and 17.6.2.1, and subsections 16.6.2.4.5 and 17.6.2.4.5 to add the following sentence: "Bulkhead doors are not permitted to serve as a primary means of escape."

22.00.07.167

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 must comply with the following conditions:

(1) The sliding door must not have more than one, easily operated, locking device that does not require special knowledge, effort, or tools to operate;
(2) Draperies, screens, or storm doors that could impede egress must not be present;
(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 must 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 must open to a clear open width of at least 28 inches;
(7) Before day care use, each day the sliding door must be unlocked and tested to the full required width to be sure it is operating properly, and the door must be nonbinding and slide easily;
(8) During periods of snow or freezing rain, door tracks must be cleared out and the door opened periodically throughout the day in order to ensure proper operation.

22.00.07.168

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 must be provided with approved interior latches, or these locks must 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 must 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.

22.00.07.169

Amend NFPA 101, subsection 16.6.3.4 (Reserved) as follows:

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 are permitted where the facility has testing, maintenance and battery replacement programs that ensure reliability of power to the smoke alarms.

22.00.07. 170

Amend NFPA 101, subsections 16.7.5 and 17.7.5, to add an Exception:

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

22.00.07.171

Amend NFPA 101, subsection 17.3.4.5 to 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 water supply.

22.00.07.172

Amend the following NFPA 101, sections and subsections 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".

22.00.07.173

Amend NFPA 101, subsection 24.1.1.2 to replace the word "three" with "five" and to delete the phrase ", if any, accommodated in rented rooms".

22.00.07.174

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^2 when at grade" after the phrase "5.7 ft^2".

22.00.07.175

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

22.00.07.176

Amend NFPA 101, subsection 28.3.4.3.5, to delete all wording after "provided" in the first sentence only.

22.00.07.177

Delete NFPA 101, subsections 29.3.4.5.2 and 31.3.4.5.2.

22.00.07.178

Amend NFPA 101, Section 30.2.4.3, after the word "exits" insert the phrase "which are provided on every story and which are"

22.00.07.179

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".

22.00.07.180

Delete NFPA 101, subsections 30.3.4.3.3 and 30.3.4.3.4.

22.00.07.181

Delete NFPA 101, Section 31.3.5.12

22.00.07.182

Amend NFPA 101, to add new subsections 32.2.3.4.3.5, and 32.3.3.4.9 to read: "Carbon monoxide alarms or detectors must be installed as follows:

(1) In any dwelling unit or sleeping unit, where the unit is served by or contains a fuel burning appliance or fireplace; and
(2) In common areas, where the common areas are served by a fuel burning appliance or fire place."

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

22.00.07.183

Amend NFPA 101, Sections 32.7.3.6 and 33.7.3.6 to add a sentence as follows: "If more than three residents are not able to participate in the drill, the facility is considered as a Health Care Occupancy and must be reevaluated in accordance with Section 43.7."

22.00.07.184

Amend NFPA 101, subsections 33.2.3.4.3.5 and 33.3.3.4.7.1, to add at the end of the sentence, "...and have secondary battery back-up power."

22.00.07.185

Amend NFPA 101 subsection 33.3.3.4.8.1 to delete "33.3.3.4.8.2 and".

22.00.07.0186

Delete NFPA 101 subsection 33.3.3.4.8.2.

22.00.07.187

NFPA 101, subsections 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 must have a fire alarm system in accordance with section 9.6.

22.00.07.188

Amend NFPA 101, subsection 36.4.4.7.3.2, to add "where approved alternative visible means of occupant notification is provided".

22.00.07.189

Amend NFPA 101, Section 38.2.4.4(3) (a) to replace "stories." with "stories, with no openings therein."

22.00.07.190

NFPA 101, subsections 38.2.4.7 and 39.2.4.8, 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 must 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 may 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 must have 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 must have an 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.

22.00.07.191

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 are exempt from the provisions of 8.7.

22.00.07.192

NFPA 101, subsection 39.2.2.2.4 is amended to read: "The re-entry provisions of 7.2.1.5.8 shall apply."

22.00.07.193

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 are exempt from the provisions of 8.7.

22.00.07.194

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."

22.00.07.195

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 provide occupant notification in accordance with 9.6.3."

22.00.07.196

Amend NFPA 1, Table 42.2.5 to replace "50" with "75" and "15" with "23" for Common Path of Travel for Ordinary Hazard Storage Occupancy not protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1).

22.00.07.197

MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 8-16
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: August 1, 2016

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".

22.00.07.198 Severability

The provisions of these regulations are severable. If a court of competent jurisdiction holds that a provision is invalid or inapplicable, the remainder of the regulation remains in effect.

Isiah Leggett
County Executive

Approved as to form and legality:

Charles S. Frederick 10 June 2016
Office of the County Attorney/Date