

MEMORANDUM

March 30, 2018

TO: County Council

FROM: Jeffrey L. Zyontz, Senior Legislative Analyst *JLZ*

SUBJECT: Expedited Bill 4-18, Transient Housing – Carbon Monoxide Detector

PURPOSE: Public Hearing

Expedited Bill 4-18, - Transient Housing – Carbon Monoxide Detector, sponsored by Lead Sponsor Councilmember Floreen, was introduced on March 6. A Planning, Housing and Economic Development Committee worksession is tentatively scheduled for April 9 at 2:00 p.m.

Bill 4-18 would replace the requirement for a carbon dioxide detector in a short-term residential dwelling with a requirement for a carbon monoxide detector.

Carbon monoxide (CO) and carbon dioxide (CO₂) are often confused. The names sound similar, they both are colorless and odorless gases, and at high concentrations, both can be deadly. The difference is that CO₂ is a common, naturally occurring gas required for all plant and animal life. CO is not common. It is most often a byproduct of the oxygen-starved combustion of fuel.

Carbon monoxide gas is a poisonous gas. Exposure to more than 1,000 parts per million of the gas for just a few hours can cause death. On the other hand, exposure to the same concentration of carbon dioxide would not cause death.

This packet contains:

Expedited Bill 4-18

Legislative Request Report

Circle #

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Expedited Bill No. 4-18
Concerning: Transient Housing – Carbon
Monoxide Detector
Revised: 1/30/18 Draft No. 1
Introduced: March 6, 2018
Expires: September 6, 2019
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Floreen

AN EXPEDITED ACT to:

- (1) amend the type of gas detectors required to issue a bed and breakfast and short-term residential license; and
- (2) generally amend the law governing gas detectors.

By amending

Montgomery County Code
Chapter 54, Transient Lodging Facilities
Sections 54-43

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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

Sec. 1. Sections 54-43 is amended as follows:

54-43. Certification for a License.

An application for a bed and breakfast license or short-term residential rental or a license renewal for either use must be signed by the applicant and include the State Sales Tax and Use Registration number. The applicant must certify that:

- (a) the building in which the bed and breakfast or short-term residential rental is located complies with all applicable zoning standards under Chapter 59 of this Code;
- (b) the total number of overnight guests in the short-term residential rental who are 18 years or older is limited to 6, and the total number of overnight guests over 18 years of age per bedroom is limited to 2;
- (c) only habitable rooms will be used by guests;
- (d) smoke detectors in all units and carbon [dioxide] monoxide detectors in all units using natural gas operate as designed;

* * *

Sec. 2. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on July 1, 2018.

Approved:

Hans D. Riemer, President, County Council

Date

Approved:

Isiah Leggett, County Executive

Date

LEGISLATIVE REQUEST REPORT

Expedited Bill 4-18 *Transient Housing – Carbon Monoxide Detector*

DESCRIPTION:	Expedited Bill 4-18 would replace the requirement for a carbon dioxide detector in a short-term residential dwelling with a requirement for a carbon monoxide detector.
PROBLEM:	Carbon monoxide gas is a poisonous gas. Exposure to more than 1,000 parts per million of the gas for just a few hours can cause death. Exposure to the same concentration of carbon dioxide would not cause death.
GOALS AND OBJECTIVES:	To require a carbon monoxide detector in dwellings licensed for short term residential rentals.
COORDINATION:	The Department of Health and Human Services
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Jeff Zyontz, Senior Legislative Analyst, 240-777-7896
APPLICATION WITHIN MUNICIPALITIES:	To be researched.
PENALTIES:	N/A