CHAPTER 22.  FIRE SAFETY CODE - REGULATIONS

COMCOR 22.00.01  Hazardous Materials Use Permit

COMCOR 22.00.02  Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems*

COMCOR 22.00.03  Fire Safety Code - Fee Schedule for Permits, Licenses and Exceptions

COMCOR 22.00.04  Regulation Adopting and Amending Certain Editions of the National Fire Codes re Building Construction and Protective Features**

COMCOR 22.00.06  Fire Safety Code - Fire Protection Systems*

COMCOR 22.00.07  Fire Safety Code - Building Construction**

* COMCOR 22.00.06 supersedes COMCOR 22.00.02 in part - see editor's note at the beginning of COMCOR 22.00.02.

** COMCOR 22.00.07 supersedes COMCOR 22.0004 in part - see editor's note at the beginning of COMCOR 22.00.04.

COMCOR 22.00.01 Hazardous Materials Use Permit

22.00.01.01 Statement of Purpose


These regulations require all facilities using, processing, transferring, storing, or manufacturing hazardous substances that exceed a minimum threshold level to report these substances and their locations, develop contingency plans in the event of accidental release, and provide these plans to the Office of Emergency Management and Homeland Security on behalf of the Local Emergency Planning Council. Revisions to this Regulation may be made using Method 2, in accordance with Chapter 22 of the Montgomery County Fire Code.

22.00.01.02 Definitions

(a) Corporate responsible officer. The term "corporate responsible officer" means that individual of a regulated facility who is responsible for ensuring compliance with the applicable federal, state, and local hazardous or toxic substance control laws and regulations including reporting requirements.

(b) EPCRA. Title III of the Superfund Amendments and Reauthorization Act of 1986, also known as the Emergency Planning and Community Right-to-Know Act of 1986.

(c) Extremely Hazardous Substances. The term "extremely hazardous substance" means any substance listed in Appendices A and B of Title 40 of the Code of Federal Regulations, Part 355 (40 CFR 355), Emergency Planning and Notification, as published in the U.S. Environmental Protection Agency "Title III List of Lists, Consolidated List of Chemicals Subject to Reporting Under the Emergency Planning and Community Right-to-Know Act, as amended.

(d) Facility. The term "facility" includes, but is not limited to:

1. Any single industrial, commercial, educational, recreational, agricultural, research, or institutional occupancy;
2. Located within a contiguous boundary; or
3. Confined to a single detached structure.

(e) Facility Emergency Coordinator. The term "facility emergency coordinator" (FEC) means a designated employee of a regulated facility who is responsible for maintaining a working knowledge of the site, building, and chemicals or hazardous substances stored on site, is the primary contact for emergency services, including Fire Departments and Police, and the Office of Emergency Management and Homeland Security during emergency communications with the facility, is responsible for ensuring compliance with
The following schedule of reporting and planning requirements is hereby adopted, pursuant to the authority contained in Chapter 22, Montgomery County Fire Safety Code, of the Montgomery County Code, 1984, as amended.

(a) Registration. Regardless of exemption from federal reporting requirements under the federal EPCRA, the occupant of any facility which uses, processes, transfers, stores, or manufactures one or more hazardous substances and falls within one of the facility
The classifications below must annually register the facility with the Office of Emergency Management and Homeland Security.

1. The Corporate Responsible Officer must register a regulated facility within 30 days of:
   (A) meeting the registration requirement, regardless of facility classification; or
   (B) any change in hazardous inventory which upgrades facility classification.

2. The Corporate Responsible officer of a regulated facility must notify the Office of Emergency Management and Homeland Security within 90 days of any significant change in hazardous inventory which downgrades a facility classification.

3. Facility registration is current for one year from the date of registration with the Office of Emergency Management and Homeland Security. However, if under 22.00.01.03(e)(4), the Office of Emergency Management and Homeland Security adjusts the annual registration date, facility registration will remain current until the assigned registration date.

4. New facilities must register with the Office of Emergency Management and Homeland Security within 30 days from the date of issue of their occupancy certificate.

5. The certificate of registration issued by the Administrator must be conspicuously displayed at the regulated facility.

   b) Classification of facilities. For the purpose of this regulation, all facilities which use, process, transfer, store, or manufacture hazardous substances or extremely hazardous substances are classified according to the following criteria:

   1. SARA Facility. Any facility subject to the reporting and planning requirements of EPCRA.

   2. High Use Facility. Any facility that has a hazardous inventory at any time during the year:
      (A) Equal to or greater than 2000 pounds or 220 gallons aggregate quantity of hazardous substances, but less than the reporting requirements of EPCRA; or
      (B) Equal to or greater than 10 pounds, of any single extremely hazardous substance as published in 40 CFR § 355 (but less than the TPQ for reporting as a SARA facility); or
      (C) That includes Uninterruptible Power Supply (UPS) systems equal to or greater than 10 pounds, of any single extremely hazardous substance as published in 40 CFR § 355 (but less than the TPQ for reporting as a SARA facility) which utilizes Flooded Lead Acid Batteries. See Section III(b)(3)(E) for UPS systems utilizing Valve Regulated Lead Acid (VRLA) batteries where the electrolyte is suspended in either a gel or a fiberglass mat.

   3. General Use Facility. Any facility that has a hazardous inventory at any time during the year:
      (A) Less than 2000 pounds or 220 gallons aggregate quantity of hazardous substances, but equal to or greater than 500 pounds or 55 gallons aggregate; or
      (B) Greater than 2 pounds and less than 10 pounds (but less than the TPQ for reporting as a SARA facility) of any single extremely hazardous substance as published in 40 CFR § 355; or
      (C) That Includes Uninterruptible Power Supply systems equal to or greater than 10 pounds, of any single extremely hazardous substance as published in 40 CFR § 355 (but less than the TPQ for reporting as a SARA facility) which utilizes Valve Regulated Lead Acid (VRLA) batteries where the electrolyte must be suspended in either a gel or a fiberglass mat. See Section III(b)(2)(C) for UPS systems utilizing Flooded Lead Acid Batteries. A General Use Facility also includes:
      (D) Facilities dispensing fuels to the general public from underground tanks, without vehicle servicing or repair capabilities are classified as General Use. Permanent above ground storage tanks installed in accordance with NFPA 30, "Flammable and Combustible Liquids Code", and approved by the Assistant State Fire Marshal for Montgomery County, are classified as General Use.
      (E) Laboratories, including but not limited to medical, school, research, and commercial facilities, under the direct supervision of a technically qualified individual, regardless of inventory requirements as stated elsewhere in this regulation, are classified as General Use, where inventory of:
         (1) any single hazardous substance is equal to or greater than 5 pounds or 1 gallon, or
         (2) any single extremely hazardous substance, as published in 40 CFR § 355, is greater than 1 pound.

   4. Light Use Facility. Any facility which has a hazardous inventory at any time during the year:
(A) Equal to or greater than 50 pounds or 5 gallons aggregate quantity of hazardous substances but less than the reporting threshold of a General Use Facility, or

(B) Equal to or greater than 1 pound, and less than 2 pounds of any single extremely hazardous substance as published in 40 CFR § 355 (but less than the TPQ for reporting as a SARA facility). A Light Use Facility also includes:

(C) Laboratories, including but not limited to medical, school, research, and commercial facilities, under the direct supervision of a technically qualified individual, are classified as Light Use, where any single extremely hazardous substance, as published in 40 CFR § 355, does not exceed 1 pound.

(5) **Exempt Facility**: The following facilities or substances are exempt for the purposes of this regulation:

(A) Privately held farms as defined as follows: a tract of land, with or without associated buildings, that is devoted to agriculture, i.e., is, the science or art of cultivating and managing the soil, growing and harvesting crops and other plants, forestry, horticulture, hydroponics, breeding or raising livestock, poultry, fish, game, and fur-bearing animals, dairying, beekeeping, and similar activities, but does not include cooperatives, nurseries, agricultural supply houses, and like commercial establishments.

(B) Any facility storing any prepackaged substance to the extent it is used in routine agriculture or any fertilizer prepackaged for household use and held for sale by a retailer to the ultimate consumer.

(C) Private domiciles.

(D) Any facility owned, leased, or in space within a facility controlled by the federal government or the State of Maryland. For the safety and welfare of emergency response personnel, it is highly recommended that exempt governmental facilities be encouraged to voluntarily provide the requested information, where security is not at issue.

(E) Any substance that is a food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration (FDA). With regard to food additives, a chemical is a food additive only when in use as a food additive, and not when it is stored or used for other purposes, or is being sold to another business for use as a food additive.

(F) Any substance present as a solid in any manufactured item to the extent exposure to that substance does not occur under normal conditions of use.

(G) Any substance to the extent it is used for normal personal, family, or household purposes, or is present in the same container and concentration and is labeled as a product for distribution and use for personal, family, or household purposes.

(c) **Information requirements**. The Corporate Responsible Officer is required to provide to the Office of Emergency Management and Homeland Security, on behalf of the LEPC, the following information at the time of registration, unless otherwise specified in this regulation:

1. **Business or corporation name**. The legal corporate title of the regulated facility, the common name of the business, the name of the owner, and the employer identification number (federal tax number).

2. **Facility address**. The actual address at which the regulated facility is located, including street numbers, street name, nearest cross-street, city, and zip code.

3. **Corporate responsible officer (CRO)**. The CRO is the primary contact for the Office of Emergency Management and Homeland Security during non-emergency communications with the facility. A contact address, if different from the facility address, daytime telephone number, evening telephone number, and official company title must be provided. The person appointed CRO must be clearly identified. Any change in the CRO must be forwarded to the Office of Emergency Management and Homeland Security within 30 days of the change.

4. **Facility Emergency Coordinator (FEC)**. The FEC is the primary contact for the Office of Emergency Management and Homeland Security during emergency communications with the facility. A contact address within the state, if different from the facility address, daytime telephone number, evening telephone number, and official company title must be provided. The person appointed FEC must be clearly identified. Any change in the FEC must be forwarded to the Office of Emergency Management and Homeland Security within 30 days of the change.

5. **Twenty-four hour emergency telephone number**. This emergency phone number must provide direct contact on a 24 hour basis with the Facility Emergency Coordinator or designee with specific knowledge of the hazards present.

6. **Hazardous Substances Inventory**. The listing and designation of quantities of hazardous substances must be arranged alphabetically by product name or chemical name in accordance with the requirements of 22.00.01.03(b). Where a product name does
not exist, the substance must be listed by generic name. 

(7) **Hazardous substance data location.** The location of Material Safety Data Sheets (MSDS) or hazardous waste manifests within the facility must be provided. MSDS and hazardous waste disposal records must be kept in a location clearly identified, and easily accessible to emergency service personnel and employees.

(8) **Emergency notifications.** The Facility Emergency Coordinator must certify that the applicant has an emergency notification plan for employees, other occupants of the building, and the adjacent community, if an accidental release or spill occurs.

(9) **SIC.** The Standard Industrial Code assigned by the United States Chamber of Commerce.

(10) **Number of Employees.** Number of full-time employees for the purpose of reporting under EPCRA.

(d) **Supplemental requirements.** Only those facilities classified as General Use Facilities, High Use Facilities, or SARA Facilities are required to submit supplemental information and diagrams under this section of the regulation. Filing requirements of this section of the regulation are intended to meet the reporting requirements for EPCRA facilities under federal regulations.

1. **Hazardous substance location.** The room or specific location within the building or on the grounds must be identified along with the quantity of hazardous substances and extremely hazardous substances.

   (A) For the purposes of this section, the most recently submitted Tier II reporting forms are acceptable. However, for each substance listed, a notation indicating the type and size of a typical container must be provided.

   (B) If Tier II forms are not used to fulfill the requirements of this section, then an alphabetical listing of substances by product name or chemical name must be provided and include the chemical abstract service number, physical and health hazards, inventory amount, storage location, and typical container type and size.

2. **Facility diagram.** An accurate, clear and legible facility diagram must be provided in 8 ½ inch by 11 inch format. Where necessary to maintain clarity, the diagram may be broken out onto several pages. The scale of the diagram must be provided. The diagram must indicate, at a minimum:

   (A) The location of substances by name or storage code;

   (B) Access and egress points;

   (C) Automatic fire alarm and extinguishing systems, fire protection systems, or other control system locations and control rooms;

   (D) Unusual facility hazards; and

   (E) Immediate facility exposures (adjacent properties).

3. **Application submittal and review.**

   (1) Application with accompanying appropriate fee must be submitted to the Office of Emergency Management and Homeland Security at the time of registration. Thereafter, application and appropriate fee must be submitted:

   (A) Annually;

   (B) As assigned; or

   (C) With any change in hazardous inventory which would change the facility classification.

   (2) The Office of Emergency Management and Homeland Security must review and give timely notice to the submitting facility of application acceptance, or request revision or clarification.

   (A) Applications which are returned to the submitting facility must be accompanied by a statement indicating revisions or clarifications needed.

   (B) Applications returned to a facility for revision or clarification must be resubmitted to the Office of Emergency Management
(3) The time period for submitting an application under this regulation may be extended for cause at the discretion of the OEMHS Manager. Requests for an extension must be:

(A) Made on company letterhead or, where no letterhead exists, must be notarized by a certified notary public;

(B) Signed by the CRO; and

(C) Received in the Office of Emergency Management and Homeland Security no later than 14 days prior to the time for application submittal.

(D) If the extension is denied, the OEMHS Manager must provide written explanation to the CRO for such denial.

(4) The Office of Emergency Management and Homeland Security may schedule annual application submittal dates.

(5) Where no significant changes in inventory or facility have occurred, a facility may meet annual application submittal requirements by certifying that the existing information on the renewal application is correct and accurate and that there are no changes, signing and dating where indicated, and submitting the appropriate fee.

22.00.01.04 Fee Schedule

The following schedule and accompanying fees is hereby adopted, pursuant to the authority contained in Chapter 22, Montgomery County Fire Safety Code, of the Montgomery County Code, 1984 as amended. Fees included are for program administration, registration, application review, and inspection(s).

(a) Basic fees. Fees required by this section must be paid by the Corporate Responsible Officer on behalf of the regulated facility at the time of facility registration.

(1) Light Use Facility.

(A) Initial registration fee $ 175.00

(B) Annual registration fee $ 100.00

(C) Seasonal pools annual registration $ 50.00

(open less than 120 consecutive days)

(D) Pools (open 120 days or more per year) $ 100.00

(2) General Use Facility.

(A) Initial registration fee $ 400.00

(B) Annual registration fee $ 250.00

(C) Seasonal pools annual registration $ 115.00

(open less than 120 consecutive days)

(D) Pools (open 120 days or more per year) $ 250.00

(3) High Use Facility.

(A) Initial registration fee $ 800.00

(B) Annual registration fee $ 400.00

(C) Seasonal pools annual registration $ 185.00

(open less than 120 consecutive days)

(D) Pools (open 120 days or more per year) $ 400.00

(4) SARA Facility.
(A) Initial registration fee $1,500.00
(B) Annual registration fee $1,000.00
(C) Seasonal pools annual registration $225.00
(open less than 120 consecutive days)
(D) Pools (open 120 days or more per year) $1,000.00

(b) Miscellaneous fees. Fees required by this section must be paid at the time of service.

(1) Application review resubmittals and revision.

(A) First resubmittal included in original fee.

(B) Each subsequent resubmittal as shown below:

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>Fee</th>
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<tbody>
<tr>
<td>Light use facility</td>
<td>$50.00</td>
</tr>
<tr>
<td>General use facility</td>
<td>$100.00</td>
</tr>
<tr>
<td>High use facility</td>
<td>$150.00</td>
</tr>
<tr>
<td>SARA facility</td>
<td>$200.00</td>
</tr>
</tbody>
</table>

(2) Consultation Fee: The fee for an appointment with the Hazmat Permitting Program Specialist is $100 per hour. This fee will not be broken into hourly increments. The number of minutes will round up to the next highest hour for fee. For example 15 minutes will be charged a 1 hour fee ($100.00) and 1 hour and 5 minutes will be charged a 2 hour fee ($200.00).

(3) Extensions. The fee for a granted extension is $50.00 if submitted within 30 days of the due date. Each additional month is an additional $25.00, up to a maximum of the initial fee, per registration year. Fees must accompany the request. Fees for a granted extension are not refundable and are not considered as partial payment of required registration fees.

(4) Upgrade in facility classification. When a facility is subject to the requirement of 19A.06.01.03(a)(1)(B), the balance of the initial registration fee for the new facility classification must be paid at the time the facility is registered under the new classification. However, if the upgrade in facility classification occurs within 90 days before the annual registration date, the balance of the initial registration fee for the new classification is waived until the annual registration date.

(5) Late Registration. A facility that fails to register as required under Section III(a)(1) or Section III(e)(1) will be subject to a late registration fee in addition to the basic fee, which must be paid at time of registration.

(A) 30 days after the required filing date . . . 10% of the original filing fee in addition to the basic fee.

(B) 60 days after the required filing date . . . 20% of the original filing fee in addition to the basic fee.

(C) 90 days after the required filing date . . . 50% of the original filing fee in addition to the basic fee.

(D) 180 days after the required filing date . . . 100% of the original filing fee in addition to the basic fee.

c) Waiver.

(1) The OEMHS Manager or the OEMHS Manager's designee may waive or reduce any fee required under this regulation if:

(A) Payment of the fee would cause the applicant undue hardship; or

(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.

(2) The OEMHS Manager's decision regarding any reduction or waiver of a fee is final.

22.00.01.05 Enforcement

The following rights of entry and penalties are established for the purposes of ensuring community and emergency responder safety, and compliance with this regulation.
Right of Entry

Pursuant to the authority contained in Title 40 of the Code of Federal Regulations, Part 370.25(d), and Section 22-7 of the Montgomery County Fire Safety Code, the following persons, after designation by the Fire Administrator, have right of entry to conduct facility familiarization and pre-emergency planning inspections, or compliance inspections, or both. The right of entry is concomitant with registering a facility with the Office of Emergency Management and Homeland Security.

1. The officers and official representatives of the Fire and Rescue Departments.
2. The officers and official representatives of the Montgomery County Hazardous Incident Response Team.
3. The officers and official representatives of the Montgomery County Fire and Rescue Service and Division of Volunteer Fire and Rescue Services.
4. The official representatives of the Montgomery County Department of Environmental Protection.

Timing of inspections

A routine inspection conducted under this regulation must be made during normal business hours at the discretion of the inspecting official. However, no advance notice of the inspection is required.

Violations and penalties

Pursuant to the authority contained in Sections 1-19 and 1-20 of the Montgomery County Code, the following penalties are established. Each day a violation continues constitutes a separate offense. Violations of this regulation are subject to criminal and/or civil penalties. Violations and penalties contained in this regulation are in addition to any other violations and penalties that may apply under county, state, or federal laws.

1. **Registration/Planning/Denial of Entry.** Any violation of this regulation is a Class A violation as set out in the Montgomery County Code. Repeat violations or violations of any of the following may result in revocation of the certificate of registration for a period of one year, at the discretion of the Fire Administrator.

   A. Failure to register a facility
   B. Falsely registering a facility
   C. Failure to provide a plan
   D. Misstatements or omissions in a plan or application
   E. Denying entry to authorized official

Right to Hearing

1. Any Corporate Responsible Officer or regulated person aggrieved by a decision of the Fire Administrator or Fire Administrator’s designee made under these regulations may appeal to a separate hearing officer appointed by the Administrator, who after hearing upon notice has the authority to affirm, modify or reverse the decision made.

2. A decision of the hearing officer may be appealed to the County Board of Appeals or, to a municipal Board of Appeals. The Appeals Board has the authority to affirm, modify or reverse the decision of the hearing officer.

3. Any appeal from the decision of the Fire Administrator, Fire Administrator's designee or hearing officer must be made within 10 business days of receipt of official notice of the decision.

4. Any decision of the County Board of Appeals or municipal Board of Appeals may be appealed to a court of competent jurisdiction.

**22.00.01.06 Severability**

If a court holds that any part of this regulation is invalid, such invalidity does not affect the remaining sections of this regulation.

Administrative History: Reg. No. 3-12AM (Method 2); Orig. Dept.: Fire and Rescue Services; Supersedes: Reg. No. 17-03, which superseded Reg. No. 19-93AM, which superseded Reg. No. 30-91AM)

See also COMCOR 08.14.01 Schedule of Fees for Permits, Licenses and Certifications - Method 2

COMCOR 22.00.02 Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems

Editor's note - This Regulation was superseded by Regulation No. 9-12AM (COMCOR 22.00.06) only to the extent that this Regulation applies to new construction and alterations to existing buildings, existing systems, or existing conditions.
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.

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 to those codes and standards published in the 2003 edition of National Fire Protection Association's Uniform Fire Code (NFPA 1) 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.

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 designated 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.

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.

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".

22.00.02.06

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

22.00.02.07

NFPA 12A, add: Halon systems shall not be installed as required protection in accordance with the 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.

22.00.02.08

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.

22.00.02.09

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

22.00.02.10

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.

22.00.02.11

NFPA 13, paragraph 8.14.10.3 (protection of electrical equipment rooms) is deleted.

22.00.02.12

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.

22.00.02.13

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."

22.00.02.14

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.

**22.00.02.15**

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 ½ in. inlets:

<table>
<thead>
<tr>
<th>System Demand (gpm)</th>
<th>No. of Inlets</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 749</td>
<td>2</td>
</tr>
<tr>
<td>750-999</td>
<td>3</td>
</tr>
<tr>
<td>1000 and above</td>
<td>4</td>
</tr>
</tbody>
</table>

(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.

**22.00.02.16**

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%.

**22.00.02.17**

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.

**22.00.02.18**

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.

**22.00.02.19**

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.

22.00.02.20

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).

22.00.02.21

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.

22.00.02.22

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.

22.00.02.23

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.

22.00.02.24

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

22.00.02.25

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

22.00.02.26

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.

22.00.02.27

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.

22.00.02.28

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.
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.

NFPA 13D, paragraph 8.2.30 is amended as follows:

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.

NFPA 13D, paragraph 8.6.4, add the following after garages: "...unless located partially or wholly beneath living space."

NFPA 13D, paragraph 8.2.32 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.

NFPA 13D, paragraph 8.2.33 is amended as follows:

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.

NFPA 13D, paragraph 8.2.34 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.

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.

NFPA 13R, paragraph 6.6.4.1 is replaced to read: In all apartment buildings, a single 2 ½ 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.

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.

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.

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.

NFPA 14, paragraph 4.7.2 is amended as follows: Each fire hose valve shall be provided with

2 ½ in. valved hose connections, 2 ½ in. to 1 ½ in. reducers, caps, and chains.

NFPA 14, paragraph 5.1.2, add:
(1) Systems shall be automatic wet type.
(2) Standpipe systems in unheated areas shall be automatic dry type.
(3) Standpipe systems in detached open parking garages may be the manual dry type, if the piping is air supervised for breaks or open valves.
(4) Occupant use hose is prohibited in new or existing buildings.
(5) New standpipe systems shall be Class 1 only.

22.00.02.39

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 ½ in. inlets:

<table>
<thead>
<tr>
<th>System Demand (gpm)</th>
<th>No. of Inlets</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 749</td>
<td>2</td>
</tr>
<tr>
<td>750-999</td>
<td>3</td>
</tr>
<tr>
<td>1,000 and above</td>
<td>4</td>
</tr>
</tbody>
</table>
(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.

22.00.02.40

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.

22.00.02.41

NFPA 14, paragraph 7.8.1.1, add exceptions:

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

Exception No. 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.

22.00.02.42

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.

22.00.02.43

NFPA 20, paragraph 5.18.1.2, add: A relief valve may be installed to reduce operating pressure below 175 psi at high gradient.
NFPA 20, paragraph 5.18.7 is amended entirely to state: Relief valves shall not be piped back into the source of the supply.

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 No. 1: Apartments protected by a 13R sprinkler system.

Exception No. 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.

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.

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.

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.

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

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.

NFPA 72, paragraph 6.9.9.14 is amended as follows: At least six handsets shall be provided in the fire control room.
NFPA 72, paragraphs 11.5.1.1, 11.5.2.1, and 11.5.4.1: delete the exception for each section.

22.00.02.53
NFPA 72, paragraph 11.5.6.1 (4) is deleted.

22.00.02.54
NFPA 72, paragraph 11.5.8.1 (2), delete the exception.

22.00.02.55
NFPA 72, paragraph 11.5.12.1 (2), delete the exception.

22.00.02.56
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.

(Administrative History: Reg. No. 6-06AM (Method 2); Orig. Dept.: Fire and Rescue Services; Supersedes: Reg. No. 10-97, which superseded Reg. No. 19-94)

See also COMCOR 22.00.06 Fire Safety Code - Fire Protection Systems.

COMCOR 22.00.03 Fire Safety Code - Fee Schedule for Inspections, Permits, Licenses, Certificates & Exceptions

22.00.03.01 Statement of Purpose
The following fire protection maintenance inspections, permits, licenses, and fees are adopted pursuant to the authority contained in Chapter 22, Fire Safety Code, of the Montgomery County Code, 1996, as amended. Fees are for inspections, testing, permits, licenses, and exceptions specified in the Fire Safety Code and adopted regulations as enforced by the Montgomery County Fire and Rescue Service.

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

a. Display. All required permits and certificates must be prominently displayed in all buildings or sites. Copies of permits 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. The following inspections and permits will be invoiced and must be paid within 60 days after the invoice date.
   A. Fire protection maintenance inspections will be invoiced at the time of service.
   B. Fire protection systems testing will be invoiced at the time of service.
   C. Agency required license inspections will be invoiced at the time of service.
   D. Inspections associated with the issuance of any General Permit.
   E. Operational permits will be invoiced annually on the anniversary of the initial issue date.
   F. Fire code compliance permits will be invoiced annually on the anniversary of the initial issue date.

2. The following fees for permits, licenses, and exceptions must be paid at time of application.
   A. General permits for the term defined in Section 5.
   B. Fire protection contractor license initial application and annual license renewal on the anniversary of the initial approval.
C. Fire safety code modifications and exceptions.

3. Total inspection time includes:
   A. all inspection and/or testing contact time with the inspection(s) or engineer(s); and
   B. Thirty minutes travel time;
   C. Fifteen minutes data entry time.

4. Inspections of large or complex systems may require more than one inspector to complete. The building owner or occupant will be notified in advance of inspections requiring more than one inspector.

5. Inspectors may waive the travel time for inspections of adjacent occupancies.

6. Additional fees due as a result of additional services not identified at time of application must be paid prior to approval or acceptance of permitted activity.

c. Government Activities. All activities of municipal, County, and state government requiring a permit, license, certificate, exception, inspection or testing must conform to the Maryland State Fire Prevention Code and Montgomery County Fire Safety Code and will be charged the applicable fees except where specifically exempted by law. Applicable fees will be charged to the permit, license, certificate, or exception holder.

d. Penalties for Late or Non-payment. Failure to pay a required fee within 60 days after the invoice date will result in the addition of penalty charges.
   1. On day 61 after the original invoice date a first late notice will be mailed to the responsible party and will include notice of the penalty fee added.
   2. Beginning day 61 through day 90 after the original invoice date a penalty of 50% of the original invoice amount will also be due.
   3. On day 91 after the original invoice date a second late notice will be mailed to the responsible party and will include notice of the additional penalty fee added.
   4. Beginning day 91 through day 120 after the original invoice date an additional 50% of the original invoice amount will be added to the penalty due.
   5. On day 121 after the original invoice date a third late notice will be mailed to the responsible party and will include notice that the amount due has been forwarded to the County Attorney or private collection agency for debt collection.
   6. Penalty charges will not exceed 100% of the original invoice amount.
   7. Failure to pay a required fee and accumulated penalty charges within 150 days after the original invoice date may result in one or more of the following:
      A. the revocation of any permit, certificate, or license;
      B. the suspension of future services until the fee is paid in full; or
      C. the issuance of a civil citation for non-payment.

e. The Fire Chief or designee may waive, reduce or approve a payment plan for any fee required under this regulation if:
   1. payment of the fee would cause the applicant undue hardship;
   2. the fee is incurred because of circumstances beyond the applicant's control (for example, severe weather); or
   3. 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.

f. Refund. If a 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).

Revoked, suspended or invalid permits are not eligible for refunds.

**g. Reissuance.** If a permit, license, or certificate becomes void, is lost or stolen, the document may be reissued at a flat charge of $25, 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.

**h. Transfer.** Permits and Permit fees are not transferable.

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**22.00.03.03 Inspections and Permit Fees**

**a. Systems and Structures Maintenance -** All code required fire protection systems and features must be maintained in good working order at all times and must be inspected or tested in compliance with the applicable NFPA standard.

1. The building owner, occupant, or a Montgomery County licensed fire protection contractor must submit annual inspection data clearly indicating compliance or non-compliance with the Montgomery County Fire Safety Code and NFPA code requirements to the Montgomery County Fire Marshal.

2. Building owners and/or occupants must maintain the previous two years of records indicating compliance with the applicable codes on site.

3. Failure to submit the required annual inspection data or maintain the required records may result in an order to conduct an annual test witnessed by the Montgomery County Fire Marshal.

**b. Non-compliance.** All reported or discovered conditions of non-compliance or failures to provide required compliance documentation may result in a Notice of Violation being issued to the responsible party.

**c. Fire Code Compliance Permits.** A Fire Code Compliant Permit is required for all businesses, schools, multi-family buildings, health care facilities, places of worship, and all other commercial buildings or occupancies. Fire Code Compliance Permits must be renewed annually and in accordance with Section 3(g) of this document.

**d. An Operational Permit is required for each fire protection system in any business, school, multi-family building, health care facility, place of worship, or other commercial building or occupancy.** Operational Permits must be renewed annually and in accordance with Section 3(g) of this document.

**e. A building or individual occupancy that is issued an Operational Permit will automatically be issued a Fire Code Compliance Permit at no cost.**

**f. Fire Code Compliance Permits and Operational Permits are valid for one calendar year from the date of issuance and must indicate an expiration date.**

**g. Fire Code Compliance Permits and Operational Permits must be renewed immediately when any of the following occur:**

1. the Use and Occupancy for the building or tenant space issued by the Department of Permitting Services is changed,
2. the owner of the building or tenant space changes,
3. the lessee of the building or tenant space changes.

**h. Fees.**

1. **Fire Code Compliance Permits** $25 per occupancy per year.
   $10 per additional building or tenant space operated by the same owner or lessee within a single property.
   
   No charge when issued concurrent with an Operational Permit.

2. **Operational Permits.** $50 per system per year.
   $10 per additional building or tenant space operated by the same owner or lessee within a single property.

3. **Initial structure or Existing condition inspections.** No charge.

4. **Follow up inspection for non-compliance.** No charge.
5. Subsequent re-inspections for non-compliance. $35 per quarter hour.
6. Overtime inspection (when available) $75 per quarter hour.
7. A cancellation within 24 hours before a scheduled inspection will be counted as an inspection.
8. Witnessed Tests of Systems or Structures $35 per quarter hour.

22.00.03.04 General Permits, Terms, and Fees

Fees for the following items are $70 except as noted. An inspection may be required at the discretion of the Fire Marshal prior to issuance of a permit.

a. Amusement and entertainment

1. 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.
2. To conduct or operate any fireworks shoot. Permit Term - 30 calendar days.
3. To use any flame effects before an audience. Permit Term - 30 calendar days.

b. Flammable and combustible liquids and gasses

1. 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.
2. For placing any flammable or combustible liquid stationary tank temporarily or permanently out of service. Permit Term - 3 months.
3. To remove, abandon, place temporarily out of service or otherwise dispose of any flammable or combustible liquid tank. Permit Term - 3 months.
4. To conduct floor resurfacing and refinishing operations involving the use and application of flammable liquids or materials. Permit Term - 30 days.
5. For spraying or dipping operations utilizing more than one gallon of flammable or combustible liquids on any working day. Permit Term - 12 calendar months.
6. For the operation of a bulk storage plan and/or for storage and dispensing of any formulation of natural gases or liquefied petroleum gases. Permit Term - 12 calendar months.

c. Flammable and combustible solids

1. To store or handle combustible fibers in excess of 100 cubic feet. Permit Term - 12 calendar months.
2. To conduct or maintain any tire recapping or rebuilding plant. Permit Term - 12 calendar months.
3. To store in excess of 100,000 board feet of lumbar. Permit Term - 12 calendar months.
4. To use explosives for up to one month. $100.00; $5 for each additional month. Permit Term - not to exceed 12 calendar months.
5. To operate any commercial rubbish-handling facility or site. Permit Term - 12 calendar months.

d. Hot work

1. To conduct any cutting or welding operations except those activities contained in a fabrication shop. Permit Term - Site specific, 12 calendar months.
2. To use an open flame torch for the application of roofing materials or stripping of paint. Permit Term - Site specific, 6 calendar months.
3. To place and operate a tar kettle. Permit Term - Site specific, 3 calendar months.

e. Motor vehicles
1. 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.

2. To operate any motor vehicle wrecking yard. Permit Term - 12 calendar months.

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

f. Miscellaneous

1. To operate any commercial establishment or conduct any process or activity that poses an unusual fire or life safety risk not otherwise covered in this regulation. $25 Permit Term - 12 calendar months, or until a change in ownership or use group.

2. The fee for any inspection associated with the issuance of a general permit is $35 per inspector quarter-hour.

3. The fee for any other Permit found in NFPA 1 is $25. Permit Term - 12 calendar months, or as noted on permit.

22.00.03.05 License Fees

a. Fire protection systems and equipment

1. Corporate - For a firm to engage in the business of servicing portable fire extinguishers. $100. License Term - 24 calendar months.

2. Corporate - For a firm to engage in the business of repairing, servicing or inspecting, maintaining and testing any fixed fire protection system or structural fire protection element or feature. $200. License Term - 24 calendar months.

3. Employee - To repair, service, or inspect, maintain, and test any fixed fire protection system, structural fire protection element or feature, or portable fire extinguishers. $50. License Term - 24 calendar months.

c. Agency required license inspections

1. Family or Group Day Care. $50

2. Nursery or Day Care Centers. $50, plus inspector fee of $35 per quarter-hour

3. Board & Care, 6-16 residents. $50, plus inspector fee of $35 per quarter-hour

4. Board & Care, over 16 residents. $50, plus inspector fee of $35 per quarter-hour

5. Health Care, Detention. $50, plus inspector fee of $35 per quarter-hour

6. Other licensed facility. $50, plus inspector fee of $35 per quarter-hour

7. Private Educational Institutions. $50, plus inspector fee of $35 per quarter-hour

22.00.03.06 Miscellaneous Fees

a. Photocopies (file documents, etc.). $25 per Report

b. Photo evidence copies. $50 per request, plus $15 per CD/DVD

c. Development Plan Review. $35 per quarter hour

Review of planned building group and other developments for fire code compliance.

d. Consultation services. $35 per quarter hour

Pre-design, construction consultation, Fire Protection Agreements, or plan Reconciliation with Engineer.

e. Property Research. Research of premise files for fire and life safety history to third party companies. $35 per quarter hour after two initial hours at no charge

f. Testimony or Expert Testimony. Expenses and Time charged in one hour increments at $140 per hour

Testimony, pre-trial preparation, or travel of any inspector, investigator or Engineer in any civil proceeding.

22.00.03.07 Technology Fund
A technology fund 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 technology fund fee is in addition to the regular fee and must be paid at the same time that the regular fee is due.

22.00.03.08 Indexing of Fees to Labor Costs

The Fire Chief may 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 Compliance 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 Compliance 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.

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.

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.

(Administrative History: Reg. No. 12-12 (Method 2) supersedes: Reg. No. 5-06AM (Method 2); Orig. Dept.: Fire and Rescue Services; which superseded: Reg. No. 28-03, which superseded Reg. No. 18-03, which superseded Reg. No. 10-98, which superseded Reg. No. 11-97)

**COMCOR 22.00.04 Regulation Adopting and Amending Certain Editions of the National Fire Codes Regarding Building Construction and Protective Features**

*Editor's note*-This Regulation was superseded by Regulation No. 10-12AM (COMCOR 22.00.07) only to the extent that this Regulation applies to new construction and alterations to existing buildings, existing systems, or existing conditions.

22.00.04.01

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.

22.00.04.02

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.

22.00.04.03 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.

<table>
<thead>
<tr>
<th>NFPA NO.</th>
<th>CODE OR STANDARD</th>
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<tbody>
<tr>
<td>1</td>
<td>Uniform Fire Code 2003</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NFPA NO.</th>
<th>CODE OR STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>50A</td>
<td>Standard for Gaseous Hydrogen Systems at Consumer Sites (1999)</td>
</tr>
</tbody>
</table>
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.

22.00.04.04

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.

22.00.04.05

NFPA 1, Section 13.3.2.22, add new subsection 13.3.2.22.2 and renumber the existing subsection as 13.3.2.33.2. New subsection 13.3.2.22.2 reads:

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.

22.00.04.06

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.

22.00.04.07

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.
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.

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.

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.

NFPA 10, 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..."

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.

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

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..."

NFPA 101, subsection 7.2.1.5.7.1, add an item (6), to read:

6. Entry levels shall provide free access to an approved second exit. These levels shall be designated in "core/shell" building permit drawings with future tenant layouts arranged accordingly.
NFPA 101, delete subsections 7.2.3.9.2(3)(b), and 12.2.2.2.4.

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."

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.

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

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.


(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.

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'.

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.

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 ft² 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.
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.

22.00.04.26

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.

22.00.04.27

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 alternative means of detection."

22.00.04.28

NFPA 101, subsection 9.6.2.10.2, add the phrase "and have secondary battery back-up power" at the end of the sentence.

22.00.04.29

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.

22.00.04.30

NFPA 101, subsection 9.6.3.2.1, delete the word "lobby".

22.00.04.31

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."

22.00.04.32

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."

22.00.04.33

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.

22.00.04.34

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."

22.00.04.35

NFPA 101, delete subsection 9.6.4.3.

22.00.04.36

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."

22.00.04.37
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."

22.00.04.38

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."

22.00.04.39

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."

22.00.04.40

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 designated 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.

22.00.04.41

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.

22.00.04.42

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".

22.00.04.43

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

22.00.04.44

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.

22.00.04.45

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.

22.00.04.46

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

22.00.04.47

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).

22.00.04.48

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

22.00.04.49

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.

22.00.04.50

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.

22.00.04.51

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.

Exception 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.

22.00.04.52

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.

22.00.04.53

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

22.00.04.54

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."

22.00.04.55

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.

22.00.04.56

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."

22.00.04.57

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

SLIDING DOOR.

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

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 $\frac{1}{2}$ 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 dare 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.
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.

22.00.04.58

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.

22.00.04.59

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.

22.00.04.60

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.

22.00.04.61

NFPA 101, subsections 16.7.4.1 and 17.7.4.1, add an Exception:

Exception: Day-Care Homes.

22.00.04.62

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.

22.00.04.63

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."

22.00.04.64

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."

22.00.04.65

NFPA 101, subsection 17.6.3.4.4, delete "Existing..."

22.00.04.66

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.
(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).

22.00.04.67

NFPA 101, subsection 24.2.5.1, add the following exception:

Exception: Maximum riser heights of 8¼ inches (210 mm) and minimum tread depths of 9 inches (229 mm) shall be permitted for stairs in new construction. A nosing not less than ¾ inch (19 mm) but not more than 1¼ inch (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

22.00.04.68

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

22.00.04.69

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

22.00.04.70

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

22.00.04.71

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

22.00.04.72

NFPA 101, delete subsections 29.3.4.5.2 and 31.3.4.5.2.

22.00.04.73

NFPA 101, delete subsections 30.3.4.3.3 and 30.3.4.3.4.

22.00.04.74

NFPA 101, subsection 32.3.1.3, replace the phrase "Chapter 7 of NFPA 5000, Building Construction Safety Code" with "33.3.1.3".

22.00.04.75

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."

22.00.04.76

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 1¼" solid wood bonded core doors, in minimum eighteen (18) gauge steel frames."

22.00.04.77

NFPA 101, subsection 36.4.4.4.3.1, delete item (3).
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.

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 1/4" solid wood bonded core doors in minimum eighteen (18) gauge steel frames."

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 permitted to be arranged as a floor communicating stair, with one (1) hour fire resistance rated opening protective 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.

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."

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."

NFPA 101, subsection 39.2.2.2.3 is amended to read: "The re-entry provisions of 7.2.1.5.7 shall apply."

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.

(Administrative History: Reg. No. 7-06AM (Method 2); Orig. Dept.: Fire and Rescue Services; Supersedes: Reg. No. 22-98AM, which superseded Reg. No. 18-94.)

See also COMCOR 22.00.07 Fire Safety Code - Building Construction.

See also COMCOR 08.14.01 Schedule of Fees for Permits, Licenses and Certifications - Method 2.

See also COMCOR 08.24B.01 Overtime Offset Fees.

See also COMCOR 08.24B.02 Adoption of an Automation Enhancement Fee.

COMCOR 22.00.06 Fire Safety Code - Fire Protection Systems

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 design, installation, alteration, 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 "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. 19-13.

### 22.00.06.02

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. Unless otherwise noted, all references are to those codes and standards published in the 2015 edition of National Fire Protection Association's Fire Code (NFPA 1) and are adopted in their entirety.

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.

### 22.00.06.03

NFPA 1, section 1.10 is deleted.

### 22.00.06.04

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

1. Plans and specifications
2. Engineering calculations and/or computer model
3. Floor plans
4. System diagrams and details
5. Sequence of operations and control layout
6. Preliminary test procedures
7. Acceptance test procedures
8. Pass/fail criteria
9. Maintenance requirements including periodic testing criteria

### 22.00.06.05

NFPA 13, section 7.2, add the following: Dry pipe systems may only be installed where heat is not adequate to prevent freezing.

### 22.00.06.06

NFPA 13, sub-paragraph 7.2.3.6.1 is deleted.

### 22.00.06.07

NFPA 13, subsection 8.1.1, add new principle (9) as follows:

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

### 22.00.06.08
NFPA 13, paragraph 8.3.2.1 is amended as follows: In dwelling units, ordinary temperature-rated sprinklers must be used.

22.00.06.09

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

22.00.06.10

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

22.00.06.11

NFPA 13, subsection 8.8.1, add: Extended coverage sprinklers are not permitted in speculative business and mercantile occupancies.

22.00.06.12

NFPA 13, paragraph 8.15.7.1, add: Any canopy with the potential for extended vehicle standing or parking below must have sprinkler protection on the underside of the canopy.

22.00.06.13

NFPA 13, Paragraph 8.15.8.2, add new sub-paragraph:

8.15.8.2.1. When sprinklers are required, sprinklers must not be installed directly above shelving.

22.00.06.14

NFPA 13, paragraph 8.15.15.1, is amended as follows: For new ceiling installations, drop-out ceilings are prohibited.

22.00.06.15

NFPA 13, subparagraph 8.16.1.1.1.1 and paragraph 8.17.1.1, add: When a sprinkler system serves more than one level, each level must be consistently and separately valved by a listed and approved control valve. In addition, where a sprinkler system is required to activate a building fire alarm system, the sprinkler system 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.

22.00.06.16

NFPA 13, subsection 8.17.2, add the following requirements for fire department connections:

(a) Must be located within 100 feet from a fire hydrant, and between 18 and 48 inches from grade to the centerline of the inlets.

(b) Number of 2 ½ in. inlets:

<table>
<thead>
<tr>
<th>System Demand (gpm)</th>
<th>No. of Inlets</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to 749</td>
<td>2</td>
</tr>
<tr>
<td>750 - 999</td>
<td>3</td>
</tr>
<tr>
<td>1000 and more</td>
<td>4</td>
</tr>
</tbody>
</table>

(c) Multiple connections for the same building must be interconnected.

(d) When a section of a building is fed by a connection (i.e., partial systems), permanent all weather identification signs must 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.

22.00.06.17
NFPA 13, section 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) 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 in speculative buildings, 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%.

22.00.06.18
NFPA 13, paragraph 11.2.2.3, delete (3) and (4).

22.00.06.19
NEPA 13, subsection 24.1.2, add: Pressure and flow availability as determined by a hydraulic information sheet received from a public utility must be used for new taps. Pressure and flow availability for existing taps must be determined by an interior flow test. In any case, the supply information must be corrected for the low hydraulic gradient. Fire pumps and fire pump/tank supplies must only be used where it is demonstrated that the public water supply is inadequate.

22.00.06.20
NFPA 13, section 25.1, add: (5): Finished surfaces must be completed within a 1' radius of sprinklers before the final inspection.

22.00.06.21
NFPA 13, paragraph 25.2.1.11, add a third sentence: Pendent sprinkler heads must not be installed in plastic pipe until after the hydrostatic test is passed.

22.00.06.22
NFPA 13D, subsection 1.1.1, add a second sentence: This standard also applies to Day Care homes containing 12 clients or less if located within converted one and two family dwellings or townhouses.

22.00.06.23
NFPA 13D, section 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 be used only where it is demonstrated that the public water supply is inadequate as determined by the Director.

22.00.06.24
NFPA 13D, subsection 6.1.1, 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.

22.00.06.25
NFPA 13D, section 6.2: Add (6)

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

22.00.06.26
NFPA 13D, paragraph 7.5.6.1, add: Where possible to maintain listed coverage, sprinkler heads must be positioned so as to eliminate the need to install sprinkler heads of a higher temperature rating.

22.00.06.27
NFPA 13D, subsection 7.5.7, add: Finished surfaces must be completed within a 1’ radius of all sprinklers before the final inspection.
NFPA 13D, paragraph 8.2.5.1, add sub-paragraph 8.2.5.1.1:

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

NFPA 13D, subsection 8.3.4, add the following after garages: "...unless located partially or wholly beneath living space."

NFPA 13D, subsection 9.1.2: Delete Methods (1), (2) and (4).

NFPA 13D, paragraph 11.2.1.4, add a second sentence: When systems utilizing plastic pipe are being hydrostatically tested, pendent sprinklers are not permitted.

NFPA 13R, subsection 5.4.2, add: Antifreeze, dry pipe and preaction systems are prohibited in dwelling units and interior corridors leading to dwelling units.

NFPA 13R, subparagraph 6.4.6.3.2, add: Sprinkler heads in closets must not be located directly above shelves.

NFPA 13R, subsection 6.11.1 is amended to read: "In all apartment buildings, at least one fire department connection must be provided for buildings accessible by the fire department, that exceed 2000 square feet or are more than a single story. The fire department connection must be a minimum of one 2 ½ inch inlet with a feed line sized at least as large as the main system riser. The fire department connection must be located on a fire department access road and be 18 to 48 inches from the centerline of the inlet to finish grade."

NFPA 13R, section 7.4, add: All calculations must include at least a 10% safety factor to account for minor field changes, unless a listed fire pump is necessary to obtain this safety factor.

NFPA 13R, section 9.1, add: Pressure and volume 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 be used only where it is demonstrated that the public water supply is inadequate.

NFPA 13R, section 9.4, add: Domestic pumps are permitted for townhomes.

NFPA 13R, subsection 10.2.2. Add a new paragraph:

10.2.2.3 Pendent sprinkler heads must not be installed in plastic pipe until after the hydrostatic test is passed.

NFPA 14, subsection 4.8.2 is amended as follows: Each fire hose valve must have a 2 ½ in. hose connection, 2 ½ in. to 1 ½ in. reducer, cap, and chain.

NFPA 14, subsection 5.1.2, add:

(1) Systems must be automatic wet type.
22.00.06.41
NFPA 14, section 6.4 (Fire Department Connections), add:

(1) Number of 2 ½ in. inlets:

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</tbody>
</table>

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

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

22.00.06.42
NFPA 14, paragraph 7.3.2.2, add:

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

(2) Supplemental hose valves outside the stairs must 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 must be marked by the placement of signs, the striping of columns, or other approved methods.

22.00.06.43
NFPA 14, subsection 7.8.1, 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 calculation 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).

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.

22.00.06.44
NFPA 20, paragraph 4.7.7.2, add: A relief valve is permitted to be installed to reduce operating pressure below 175 psi at high gradient.

22.00.06.45
NFPA 20, subsection 14.2.3, add: Fire pump control equipment must be inspected and approved by a Montgomery County electrical inspector before a fire pump performance test is performed and witnessed by Montgomery County.

22.00.06.46
NFPA 20, subsection 4.18.7 is amended entirely to state: For other than static water supplies, relief valves must not be piped back into
22.00.06.47
NFPA 72, subsection 10.4.3 is amended by adding paragraph 10.4.3.1

10.4.3.1 When fire alarm equipment is installed in a parking garage or other similar space, if the AHJ determines that the humidity or temperature of the space or both cannot be maintained, then the fire alarm equipment must be listed for outdoor use and the environment where it is installed.

22.00.06.48
NFPA 72, subsection 10.18.3, add the following sentence: An annunciator with the following features is required when the building is greater than one story, has a sprinkler system, 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 must 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 Director or Director's designees.

(b) Unless approved by the authority having jurisdiction, zones must not exceed a single floor, 52,000 square feet, or 300 linear feet. Sprinkler systems are permitted to be zoned under the applicable sprinkler standard.

(c) In zones greater than 22,500 square feet, a graphic outline on or adjacent to the annunciator must be provided showing the building outline, fire alarm and sprinkler zone boundaries, "you are here" notation, north compass arrow, all stairways, stairway identification numbers, sprinkler zones, all standpipe risers, fire department connections, elevators, and the building address.

(d) A lamp type annunciator must have a lamp test switch unless the annunciator circuits are supervised.

(e) The annunciator must be located at, and be visible from, the main fire department entrance unless the building has a fire command center.

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

(g) The graphic orientation must match the building orientation.

(h) The graphic floor level designations must match the elevator floor level designations.

22.00.06.49
Amend NFPA 72, paragraph 14.4.10.3 to read as follows:

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

22.00.06.50
Amend NFPA 72, paragraph 14.4.10.5 to read as follows:

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

22.00.06.51
Amend NFPA 72, subsection 14.4.10 to add paragraph 14.4.10.7 to read as follows:

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

**22.00.06.52**

NFPA 72, paragraph 17.7.1.7 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. The location must be identified at the annunciator or fire alarm control panel.

**22.00.06.53**

NFPA 72, paragraph 17.7.4.4, 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. Where 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.

**22.00.06.54**

NFPA 72, subsection 17.12.2, add: Standpipe or main water flow indicators, if provided, must sound a supervisory signal only.

**22.00.06.55**

NFPA 72, section 17.14, is amended by adding paragraph 17.14.8.7

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

Local Alarm Only:

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

**22.00.06.56**

NFPA 72, paragraph 24.5.1.15 is amended by changing "two" to "six".

**22.00.06.57**

NFPA 72, paragraph 24.5.2.2 is modified to read as follows:

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

**22.00.06.58**

Amend NFPA 72, add subparagraph 24.5.2.5.6 to read as follows:

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

**22.00.06.59**

NFPA 72, paragraph 29.8.3.4, add new paragraph (14):

(14) Enclosed rooms with a closet such as dens, libraries, studies, or sitting rooms which could be used as a sleeping area must be treated as bedrooms.
See also COMCOR 22.00.02 Regulations Adopting and Amending Certain Standards of the National Fire Code Regarding Fire Protection Systems

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
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.

<table>
<thead>
<tr>
<th>NFPA No.</th>
<th>Code or Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Fire Code - 2015 edition</td>
</tr>
</tbody>
</table>

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.

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


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

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

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."

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

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

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

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".

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

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)".

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

Delete NFPA 1, Section 10.10.6.3.

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

10.11.1.1 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 with NFPA 170, 2012 edition, Standard for Fire Safety and Emergency Symbols, must be used.

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

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

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".

Amend NFPA 1, Section 10.13.9.1 to replace "½ 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."

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

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

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."

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.

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.

Amend NFPA 1, Section 10.15.5 to add the phrase "and 10,000 ft² in area".

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

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.

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, Paragraph 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 1/4 inch (6.4 mm) in stroke width.

22.00.07.43

Amend NFPA 1, 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.

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 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 NFPA 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.".
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:

<table>
<thead>
<tr>
<th>Use</th>
<th>(ft² per person)</th>
<th>(m² per person)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly Use Tennis court (area of play)</td>
<td>50 net</td>
<td>15.24</td>
</tr>
<tr>
<td>Assembly Use Bars</td>
<td>1 person / 18 linear in. (g)</td>
<td>1 person / 455 linear mm(g)</td>
</tr>
<tr>
<td>Business Use Core/shell</td>
<td>65</td>
<td>6</td>
</tr>
</tbody>
</table>

\(g\): 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 Montgomery County 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.

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, Section 18.2.3.2.1 to replace the phrase "exterior door" with "exterior door acceptable to the AHJ".

22.00.07.88

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

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.

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.

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.

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

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.

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.

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

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

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.
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 Moveable 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 for NFPA 13 with water flow interlock.

22.00.07.107

Amend NFPA 92A, Section 5.3.1(2) by adding the following: At 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

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: Whenever 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 Subsections 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.

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 7.2.4.6.2(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:

<table>
<thead>
<tr>
<th>Use</th>
<th>(ft(^2) per person)</th>
<th>(m(^2) per person)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly Use Tennis court (area of play)</td>
<td>50 net</td>
<td>15.24</td>
</tr>
</tbody>
</table>
Assembly Use | Bars | 1 person / 18 linear in. g | 1 person / 455 linear mm g
Business Use | Core/shell | 65 g

\(^g\): Measured at the patron side of the bar

22.00.07.129
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 proved with automatic smoke detection and alarm in accordance with NFPA 72.

22.00.07.132
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 ft\(^2\) 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."
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, 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 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."
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."

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

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 exclusively for open-air parking".

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.

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

11.8.6.1.1 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 AHJ.

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.

Amend NFPA 101, subsection 11.8.6, to add a new subsection 11.8.6.3 to read:

11.8.6.3 The emergency command center must also comply with the provisions of Section 911 of the International Building Code, 2015 edition.

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

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.
Amend NFPA 101, subsection 14.2.11.1(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 severe, 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..."
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".

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.

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."

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 ½ 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.

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.
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".

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".

Delete NFPA 101, subsections 30.3.4.3.3 and 30.3.4.3.4.

Delete NFPA 101, Section 31.3.5.12.

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."

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.

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."

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

Delete NFPA 101 subsection 33.3.3.4.8.2.

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.

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

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

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.
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.

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

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.

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."

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."

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).

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".

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.

(Administrative History: Reg. No. 8-16 (Method 2); Orig. Dept.: Permitting Services; Supersedes Reg. No. 20-13, which superseded Reg. No. 10-12AM)

See also COMCOR 22.00.04 Regulations Adopting and Amending Certain Editions of the National Fire Codes Regarding Building Construction and Protective Features

Notes

1 The corporate responsible officer (CRO) concept has gained wide-spread acceptance in hazardous materials and hazardous waste regulatory enforcement. The purpose is to specifically identify the person responsible for ensuring compliance. The CRO may designate an individual(s) who is (are) responsible for implementation and compliance on site.

2 The intent of the definition is to require separate reporting and planning from the various occupancies within a single large building. Where several buildings exist on a single property, each would require a separate report and plan.
Hazardous substances utilized in the operation of public swimming pools, as defined by Montgomery County Swimming Pool Executive Regulation 62-91 AM, Manual on Public Swimming Pool operation (effective April 23, 1992), are subject to regulation.

For the purposes of this regulation, the term "hazardous substance" includes biochemical hazards, etiologic agents and radionuclides.

Any microorganism capable of producing an infectious disease in a human, animal, or plant.

Any supercooled liquid or solid.

The 2,000 pound or 220 gallon limit was chosen as the approximate weight/volume of four "standard" 55-gallon drums. A discussion of reporting limits is contained in the Federal Register published on October 15, 1987, 52 Fed. Reg. 33351.

Hazardous substances present within the confines of a single family occupancy are not regulated.

Quantities are not required for etiological agents. Quantities of radioactive materials must be given in units of Curies or decimal fraction thereof.

A hazardous substances inventory may be compiled in accordance with the hazard analysis methodologies described in 29 CFR 1919.119, "Process Safety Management of Highly Hazardous Chemicals".

Notification to Montgomery County 9-1-1, county agencies or Departments of a release of a hazardous or extremely hazardous substance does not relieve the Corporate Responsible Officer of other required notifications under applicable state and federal laws.

The purpose behind allowing the scheduling of renewal dates is to permit a balancing of work load.