Ordinance No. 8-16

An ordinance to repeal and reenact with amendments Chapter 9 of the Rockville City Code, entitled "Fire Code" so as to adopt and incorporate by reference the State of Maryland Fire Prevention Code with amendments as the Fire Code of the City of Rockville.

BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF ROCKVILLE, in public meeting assembled, that the Chapter 9 of the City Code, entitled "Fire Code", is repealed and reenacted with the amendments, to read as follows:

Chapter 9. FIRE CODE

ARTICLE I. IN GENERAL

Sec. 9-01. Scope.

This Chapter shall apply to the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and/or maintenance of all buildings, structures, properties and their service equipment, within the City of Rockville. It supersedes Ordinance No. 8-75, adopted June 2, 1975. Its purpose is to adopt the 2015 editions of the Fire Code (NFPA 1) and the Life Safety Code (NFPA 101), and all associated NFPA codes or standards incorporated by reference and the latest editions of certain other NFPA codes not incorporated by reference into NFPA 1 or NFPA 101, with modifications necessary to achieve uniformity and consistency with certain State of Maryland, Montgomery County, and City of Rockville laws and ordinances, as well as certain Community Planning and Development Services policies and procedures. Where this ordinance differs from any other City of Rockville ordinances or the State of Maryland Fire Prevention Code (COMAR 29.06.01), it does not preempt or negate any more restrictive provisions adopted or enacted by those ordinances and the more restrictive provision(s) shall apply.

The provisions of this Chapter shall not apply to any building, area or premises within the City, which is owned by any department or agency of the Government of the United States or the State of Maryland.

Sec. 9-02. Purpose.

The purpose and the intent of this Chapter is to prescribe minimum requirements and controls to safeguard life, property public welfare and the welfare of emergency responders 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, tents, lots or premises. Where no specific standards or requirements are specified in this Chapter, or contained within other applicable laws, regulations, or ordinances, compliance with the standards of the National Fire Protection Association (NFPA), International Code Council

(ICC), and other nationally recognized safety standards as are approved by the authority having jurisdiction shall be deemed as prima facie evidence of compliance with this intent.

Sec. 9-03. Definitions.

The definitions contained in this section apply throughout this Chapter and are in addition to the definitions contained in the individual articles and any document referred to therein:

Accessory building means a building subordinate to, and located on the same lot with a main building, the use of which is clearly incidental to that of the main building, or to the use of the land, and which is not attached by any part of a common wall or common roof to the main building.

Administrative authority means the City Manager and the City Manager's designees and duly authorized agents.

Alternative means a system, condition, arrangement, material, or equipment submitted for approval to the authority having jurisdiction as a substitute for a code requirement.

Approved means acceptable to the authority having jurisdiction.

Authority having jurisdiction (AHJ) means an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or procedure.

Building means a structure having one (1) or more stories and a roof, designed primarily for the shelter, support, or enclosure of persons, animals, or property of any kind.

City Fire Marshal means the officer or other designated authority charged with the administration and enforcement of the fire code and who is recognized by the State Fire Marshal's Office as the Assistant State Fire Marshal for the City of Rockville.

COMAR means Code of Maryland Regulations.

Demolition means the complete razing of a building or structure.

Fire Department means an organization of people trained to prevent, control, and extinguish fires and to rescue people from fires and other dangerous situations. A Fire Department may be staffed by career or volunteer members, or a combination of both.

Fire hazard means any situation, process, material, or condition that, on the basis of applicable data, can cause a fire or explosion or that can provide a ready fuel supply to augment the spread or intensity of a fire or explosion, all of which pose a threat to life or

property.

Fire marshal means a government official designated and authorized by the City Fire Marshal or their designee to provide delivery, management, and/or administration of fire protection and life safety related codes and standards, investigation, education, and/or prevention services for local, county, state, provincial, federal, or private sector jurisdictions as adopted or determined by that entity.

Fire protection system means any fire alarm device or system, fire detection device or system, smoke control device or system, or fire extinguishing device or system, or their combination, which is designed and installed for detecting, controlling a fire or smoke, or the extinguishing of a fire, or otherwise altering occupants or the Fire Department, or both that a fire has occurred.

Fire watch means the assignment of a person or persons to an area for the express purpose of notifying the Fire Department, the building occupants, or both of an emergency; preventing a fire from occurring; extinguishing small fires; or protecting the public from fire or life safety dangers.

Historic Buildings Catalog means the inventory of properties that may meet the City's Historic District Designation Criteria and that must be reviewed according to the Criteria by the Historic District Commission before demolition may occur. Refer to Chapter 25, Article 22 of City of Rockville Zoning Ordinance.

Impaired means a condition where a fire protection system or unit or portion thereof is damaged, disabled or out of order, in whole or in part; and the condition can result in the fire protection system or unit not functioning in the event of a fire or other emergency.

Incident Commander means the individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources.

New building or *new condition* means a building, structure, installation, plant, equipment, renovation, or condition:

(a) For which a building permit is issued on or after the effective date of this chapter;
(b) On which actual construction is started on or after the effective date of this chapter in a jurisdiction where a building permit is not required;
(c) Which represents a change from one occupancy classification to another on or after the effective date of this chapter; or
(d) Which represents a situation, circumstance, or physical makeup of any structure, premise, or process that was commenced on or after the effective date of this chapter.

NFPA means National Fire Protection Association.

Notice means the verbal or written statement that gives an order, information or

warning

Out of Service means when a fire protection system is damaged or impaired to a degree that it is unable to provide the basic level of fire protection it was intended to provide.

Owner means any person who alone, or jointly or severally with others shall have legal title to any building, property, structure, or premises with or without accompanying actual possession thereof and shall include his duly authorized agent or attorney, a purchaser, devisee, fiduciary and any person having a vested or contingent interest in the property in question.

Permit means a document issued by the authority having jurisdiction for the purpose of authorizing performance of a specified activity.

Repair means the reconstruction or renewal of any part of an existing building, structure or system for the purpose of its maintenance. The term "repair" or "repairs" shall not apply to any change in construction.

State Fire Marshal's Office or State Fire Marshal means the State Fire Marshal for the State of Maryland and/or a duly authorized representative from the Headquarters, or a Regional Office, of the State of Maryland's Office of the State Fire Marshal.

Structure means a combination of materials that requires permanent location on the ground or attachment to something having permanent location on the ground.

Trade secret means a confidential formula, pattern, device, or compilation of information that:

(a) Is used in an employer's business;
(b) Gives the employer an opportunity to obtain an advantage over competitors who do not know or use the information; and
(c) Is known only to the employer and those employees to whom it is necessary to confide the information.

WSSC means the Washington Suburban Sanitary Commission.

Sec. 9-04. Remedial intent.

This Chapter is hereby declared to be remedial and shall be liberally construed to secure the beneficial purposes intended hereby. Any requirement essential for the structural or fire safety of a proposed or existing building or structure, or essential for the health and safety of the occupants thereof, and which is not specifically covered by this Chapter, shall be determined by the enforcing authority for this chapter on a basis consistent with the general tenor and objectives of this Chapter.

Sec. 9-05. Compliance with other applicable laws, ordinances, regulations.

(a) Nothing in this Chapter shall be so construed so as to excuse compliance with any other applicable law or regulation.

(b) The owner of any property in a Historic District Zone must receive a Certificate of Approval from the City of Rockville Historic District Commission before exterior alterations or demolition may occur. Demolition of any property may not occur without Historic District Commission approval in accordance with the City of Rockville Zoning Ordinance Section 25.04.04.b.1. Exterior alterations to any building listed in the City's Historic Building Catalog may not occur without Historic District Commission approval if it is the subject of an application for nomination, historic evaluation, or demolition in accordance with the City of Rockville Zoning Ordinance Section 25.22.03.

Sec. 9-06. Administration.

The City Manager, as the administrative authority, may designate the Chief of Inspection Services and the City Fire Marshal, or any other qualified employee of the City who is certified as a Special Assistant State Fire Marshal or its equivalent to administer any or all of the provisions of this Chapter. The person so authorized may delegate any or all of the powers and duties under this Chapter to qualified assistants, subordinates, or other employees of the City.

Sec. 9-07. Duties of the City Fire Marshal.

(a) Enforcement of laws and regulations - The City Fire Marshal shall enforce all laws and regulations applicable within the corporate limits of the City of Rockville that relate to:

(1) The prevention of fire;
(2) The storage, sale, and use of explosives, combustibles, or other dangerous materials or articles, in solid, liquid, or gaseous form;
(3) The installation and maintenance of all kinds of equipment intended to control, detect, or extinguish fire;
(4) The means and adequacy of egress, in the case of fire, from buildings and all other places in which individuals work, live, or congregate, except buildings that are used solely as dwelling houses for no more than two (2) families;
(5) The maintenance of fire protection and the elimination of fire hazards on land and in buildings, structures, and other property, including those under construction; and
(6) The investigation of the cause, origin, and circumstances of fire and explosions, and the suppression of arson.

i. The City Fire Marshal may choose to delegate this responsibility to Montgomery County Department of Fire and Rescue Services or the Office of the State Fire Marshal.
ii. A change in responsibility for the investigation of the cause, origin, and circumstances of fire shall be indicated in writing by the City Fire

Marshal to the organization assuming or being relieved of the responsibility for investigations.

(b) Implementation of fire safety programs – The City Fire Marshal shall implement fire safety programs in the City to minimize fire hazards and disasters and loss of life and property from these causes, including:

(1) The establishment and enforcement of fire safety practices throughout the City;
(2) Preventative inspection and correction activities;
(3) Coordination of fire safety programs with the Fire Department and other State of Maryland agencies and political subdivisions exercising enforcement aspects; and
(4) Critical analysis and evaluation of City fire loss statistics to determine problems and solutions.

(c) Assistance in fire prevention matters – The City Fire Marshal, or his/her authorized representative, shall assist in fire prevention matters or request of:

(1) A chief of a Montgomery County Fire Department or other Fire Department operating under a mutual aid agreement with Montgomery County; or
(2) A legally designated fire marshal of Montgomery County; or
(3) The State Fire Marshal's Office.

(d) Modification of provisions – The City Fire Marshal may modify or vary provisions and requirements of this Chapter.

(1) A modification or variation may only be granted where an alternative is provided which achieves a comparable level of fire safety and/or prevention or where a requirement cannot physically be achieved on a specific property, building or structure.
(2) Modifications and variances shall be administered through the code modification process of the Inspection Services Division.

Sec. 9-08. Powers of the City Fire Marshal.

The City Fire Marshal is empowered to administer the provisions of this Chapter and perform such other duties as may be set forth in other sections of the Rockville City Code, and as may be conferred and imposed from time to time by law, regulation or directive of the City Manager. The City Fire Marshal shall also be empowered to exercise the following duties within the jurisdiction of the City:

(1) Those powers set forth in Public Safety Article, Title 6-305; and
(2) The review and approval of plans for buildings, structures and the storage of hazardous or combustible chemicals, petroleum products, or other such materials for conformance with this Chapter; and
(3) The issuance of permits authorized or required under this Chapter; and

(4) Inspection of all buildings, properties, and structures, except buildings that are lawfully and solely used as dwelling houses for no more than two (2) families, and all storage sites and facilities containing substantial quantities of hazardous or combustible materials for the purpose of ascertaining and causing to be corrected any condition reasonably believed to cause fire or explosion, contribute to the spread of fire, interfere with firefighting operations, endanger life or property, or violate the provisions of this Chapter or any other law, ordinance or regulation involving fire or safety, or fire prevention; and

(5) The issuance of warnings, orders, decisions, and directives relating to the enforcement of the provisions of this Chapter; issuance or revocation of any permit issued under this Chapter; evacuations as hereinafter provided; and the unlawful continuance of any unsafe condition or activity in violation this Chapter; and

(6) The issuance of municipal infraction citations pursuant to Section 1-9 of the City Code or such misdemeanor prosecutions pursuant to Section 1-10 of the Rockville City Code. In addition, the City Fire Marshal may seek those additional legal and equitable remedies provided for in Section 1-11 of the Rockville City Code.

Sec. 9-09. Duties of the Fire Department.

(a) The employees of the Fire Department are requested to make a report in writing to the Chief of Inspection Services Division or the City Fire Marshal of all fires and explosions occurring within the City of Rockville. Such reports should be delivered to the Chief of Inspection Services Division or the City Fire Marshal within twenty-four (24) hours of the first report of the fire or explosion to the Fire Department.

(b) The members of the Montgomery County Department of Fire & Rescue Service are hereby authorized to enforce the requirements of this Chapter.

Sec. 9-10. Fire Department authority to combat fires and related emergencies and conduct rescue operations.

(a) The Incident Commander conducting operations in connection with the extinguishment and control of any fire, explosion, or other emergency shall have full power and authority to direct all operations of fire extinguishment or control, and to take the necessary precautions to save life, protect property, and prevent further injury or damage. In the pursuit of such operation, the Incident Commander may control or prohibit the approach to the scene of such emergency by any vehicle, vessel, or thing and all persons not actually employed in the extinguishment of such fire or involved in other actions germane to the emergency.

(b) Penalty for Interference. Any person who obstructs the operations of the Fire Department in connection with extinguishing any fire, or actions relative to other emergencies, or disobeys any lawful command of the Incident Commander in charge of the emergency, or any part thereof; or any lawful order of a police officer assisting the Fire Department shall be in violation of this Chapter and subject to the penalties established by law.

Sec. 9-11. Duties of the Police Department.

All employees of the City of Rockville Police Department shall make a report in

writing to the Chief of Inspection Services Division or the City Fire Marshal of all fires and explosions occurring within the City of Rockville. Such reports should be delivered to the Chief of Inspection Services Division or the City Fire Marshal within twenty-four (24) hours of the first report of the fire or explosion to the City of Rockville Police Department.

Sec. 9-12. Right of entry.

(a) The administrative authority shall, upon exhibiting the proper credentials or proof of identify on request, have the right to enter any building, property, structure, or premises (except those areas actually occupied as a dwelling unit) without consent of the occupants, at any time during business or operating hours, and at such other times as may be necessary in an emergency that immediately endangers life, property, or public safety, for the purpose of performing duties under this Chapter or enforcing the provisions thereof. In the case of multi-family dwellings, they shall have such right to enter without consent only such areas as storage rooms, laundries, boiler rooms, utility rooms, hallways, basements, and similar spaces not part of individual dwelling units provided, however, that such authorities may enter any dwelling unit for the purpose of enforcing this Chapter with the consent of the occupant thereof, or without legal procedure, or if there is a present emergency such as a fire, explosion, or the like, or immediately following such emergency.

(b) Implied Consent. Any application for, or acceptance of, any permit or license requested or issued pursuant to this code constitutes agreement and consent by the person, agency, entity, or group making application or accepting the permit, to allow fire officials to enter the premises to conduct such inspections as required to enforce this Code.

(c) Impersonation of officials. Any person, who with fraudulent design on person or property, falsely represents that the person is a fire marshal, shall be guilty of a misdemeanor.

Sec. 9-13. Evacuation.

(a) When, in the opinion of the authority having jurisdiction, there is actual and/or potential danger to the occupants or those in the proximity of any building, property, structure, or premises because of any violation of this Chapter constituting a dangerous or hazardous condition, the authority having jurisdiction or the Fire Department may order the immediate evacuation of said building, property, structure, or premises. All of the occupants so notified shall immediately leave the building, property, structure, or premises; and persons shall not enter or re-enter until authorized to do so by the authority having jurisdiction or the Fire Department. The authority issuing the evacuation order shall order such dangerous or hazardous conditions and materials removed or remedied. Buildings or premises deemed unsafe by the authority having jurisdiction or the Fire Department for violations of this Chapter or the presence of dangerous or hazardous conditions may be reopened for use by the authority having jurisdiction, the Fire Department, or their authorized representative after inspections of the said building and a determination as to the safety and habitability of the building or premises.

(b) Unlawful Continuance. Any person who shall refuse to leave, interfere with the evacuation of other occupants, or continue any operation after having been given an evacuation order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor.

Sec. 9-14. FireWatch.

(a) Purpose. The Chief of Inspection Services Division, the City Fire Marshal, or their designee may order or authorize the use of a fire watch when a building or premises presents a hazard to life or property as the result of fire or other emergency, or when it is determined that any fire protection equipment or life safety system is inoperable, impaired, defective, inadequate, has been taken out of service, or when otherwise deemed necessary by the Chief of Inspection Services Division or the City Fire Marshal, or their authorized designees.

(b) Limitations. The intent of this Section is to allow for the continuity of operation and avoid evacuation of an existing and occupied building or premises, while providing a minimum level of occupant safety. It is not the intent of this Section to authorize the use of a fire watch to permit the occupancy of currently unoccupied building or premises.

(c) Requirements. Personnel conducting the fire watch will follow the policy and procedures produced by the Fire Marshal.

(d) Modifications. The requirements as set forth in Section 9-14 (c) may be modified as determined by the authority having jurisdiction.

(e) Fees. Where a fire watch is ordered in accordance with this section a fee, as set forth by resolution, may be imposed where the fire watch is a result of a failure to maintain a required life safety system.

Sec. 9-15. Service of orders and notices.

Except as otherwise specifically provided by this Chapter, any order or notice issued pursuant to this Chapter shall be served upon the owner, agent, or occupant of the structure to which the order or notice relates or other person responsible for the condition of violation. Service shall be made either by personal service; by delivering the same to the subject premises or the office or usual place of abode of the person being served and leaving it with some person of suitable age and responsibility who shall be informed of the contents thereof; or by mailing a copy thereof to such person by certified mail to the last known address with return receipt requested. If the certified mail is returned without receipt or with receipt showing that it has not been delivered, a posted copy of the order or notice shall be placed in a conspicuous place in or about the structure affected by such order or notice. If service cannot be made by any of the foregoing methods, service may be made by publishing the substance of the order or notice in a newspaper of general circulation within Montgomery County.

Sec. 9-16. Administrative liability.

(a) No officer, agent, or employee of the City shall be personally liable for any damage or loss that may accrue to persons or property as a result of any action required or permitted in the discharge of his/her duties under this Chapter.

(b) The City shall not be liable under this Chapter for any damage or loss to persons or property by reason of the inspection or re-inspection of buildings, properties, structures, or operations authorized hereunder, or failure to inspect or re-inspect such building properties, structures, or operations or by reason of any permit issued hereunder or the approval or disapproval of any equipment authorized herein.

Sec. 9-17. Permits.

(a) No activity requiring a permit by this article shall be undertaken prior to the issuance of a permit.

(b) Application. Application for a permit shall be made on suitable forms provided by the administrative authority. The application shall be accompanied by the payment of fees in the amount established by resolution.

(c) Permit Issuance. No permit shall be issued until plans and specifications showing the proposed work in necessary detail have been submitted to the administrative authority and have been determined from examination of such plans and specifications that they give assurance that the work will be conformed to the provisions of this Chapter. If a permit is denied, the applicant may submit revised plans and specifications. The revised submission shall be accompanied by the payment of fees in the amount established by resolution.

(d) Display of Permits. A copy of the permit shall be posted at each place of operation or construction for which the permit was issued.

(e) Compliance Required. All permits or certificates issued under this Chapter shall be presumed to contain the provision that the applicant and the applicant's agents and employees shall carry out the proposed activity in compliance with all the requirements of this Chapter and any other applicable laws or regulations, whether specified or not, and in complete accord with any approved plans and specifications. Any permit or certificate which purports to sanction a violation of any provision of this Chapter or any applicable law or regulation shall be void, and any approval of plans and specifications in the issuance of such permits or certificates shall likewise be void.

(f) Suspension and Revocation. Any permit, approval, or certificate issued under this Chapter may be suspended or revoked when it is determined by the administrative authority that:

(1) It is used by a person other than the person to whom the permit, approval, or certificate was issued; or
(2) It is used for a location other than that for which it was issued; or

(3) Any of the conditions or limitations set forth in the permit or certificate have been violated; or
(4) The permittee fails, refuses, or neglects to comply with any order or notice duly served upon him or her under the provisions of this Chapter within the time provided therein; or
(5) There has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or application was based. Revocation shall be in writing and shall state the reason for the revocation; or
(6) There exists or arises a hazardous or unsafe condition beyond the scope of the permit, or affecting a permit condition.

(g) Authority to Require Exposure of Installation. Whenever any installation requiring a permit and/or inspection under any provision of this Chapter is covered or concealed without having first been inspected, the authority having jurisdiction may require by written notice that such work shall be exposed for inspection. Any cost of such exposing and recovering shall be borne by the permittee or party responsible for the work requiring inspection.

(h) Authority to Stop Work.

(1) When any construction or installation work is being performed in violation of this Chapter, any applicable permit, or approved plans and specifications, a written notice shall be issued to the responsible party to stop work on that portion of the work that is in violation. The notice shall state the nature of the violation and no work shall be continued on that portion until the administrative authority determines that the violation has been corrected.

(2) In addition to other provisions of this Chapter relating to service of notice, a notice to stop work shall be posted at the job site if practicable.

(i) Unlawful Continuance. Any person who shall continue any work in or about the structure after having been issued a verbal or written stop work order, except such work that the person is directed to perform to remove a violation or unsafe condition, shall be guilty of a municipal infraction.

(j) Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within six (6) months after its issuance, or if the work authorized by such permit does not continue to progress or is abandoned for a period of six (6) months after the last approved/valid inspection. Before such work re-commences, a new permit shall be first obtained, and the appropriate fees shall be paid. The authority having jurisdiction can extend the time for action by the permittee if there is reasonable cause. A permittee holding an unexpired permit shall have the right to apply for an extension, in writing, for time to complete such work. The extension shall be requested for a justifiable cause.

The fees shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction

documents for such work. Any person who commences work before obtaining the necessary permits shall be subject to, an investigation fee as set forth by resolution, and 100 percent of the usual permit fee.

Sec. 9-18. Inspections and testing.

(a) It shall be the duty of the administrative authority to make the inspections and tests required by this Article. The responsible party or his/her representative shall request inspections and tests following the City of Rockville Inspection Services Division's established procedure for inspection scheduling.

(b) Nothing in this Article shall be construed to require actual testing of facilities when in the judgment of the administrative authority such testing is unnecessary. No testing deemed necessary by the administrative authority shall be prohibited. In the case of discretionary action in determinations of the administrative authority under the provisions of this article, the relevant facts shall be considered and determinations made in the exercise of reasonable discretion and all such determinations shall be final in the absence of abuse of discretion.

(c) Where an additional inspection under this section is made necessary by failure to complete or properly perform the work inspected, or by failure of work tested to withstand tests, such additional inspection shall not be made until the person requesting such inspection shall pay to the administrative authority the fee established by the resolution.

(d) Protection of trade secrets. Any information reported to or otherwise obtained by the City Fire Marshal or designee of the City Fire Marshal in connection with a permit application or inspection that contains or might reveal a trade secret is, to the extent permitted by State law, confidential.

(1) Information described in Section 9-18, Paragraph (d), may be disclosed only:

i. to other officers or employees responsible for carrying out this Chapter, and only when necessary for determining compliance during the permit review or inspection process.
ii. if relevant to a proceeding under this Chapter.

(2) In a proceeding under this Chapter, the Chief of Inspection Services, the City Fire Marshal, or a court of competent jurisdiction, as applicable, shall issue appropriate orders to protect the confidentiality of a trade secret.

(e) Acceptance tests. It shall be unlawful to occupy any building, property, structure or any portion thereof until required fire protection systems have been tested, accepted, and approved by the City Fire Marshal or designee of the City Fire Marshal.

Sec. 9-19. Tampering with fire safety equipment.

(a) It shall be unlawful to deliberately operate, activate, trip, or use any fire protection system for purposes other than emergencies, maintenance, or prescribed testing.

(b) It shall be unlawful to tamper with or render inoperative any fire protection system.

(c) It shall be unlawful to use, tamper with, or render inoperative any portable fire extinguisher other than during emergencies, maintenance, drills, required and authorized training, or testing.

(d) No person shall use or operate any fire hydrant without the permission of the owner of such hydrant. The provision of this section shall not restrict the use of fire hydrants by the Fire Department in the course of their duties.

(e) Tampering with Fire Department equipment. No person shall molest, tamper with, damage, render inoperative, or otherwise disturb any apparatus, equipment, or appurtenance belonging to or under the supervision and control of the Fire Department without authority from the officer in charge or his/her authorized representative to do so.

(f) Removal. No person shall remove, tamper with, or otherwise disturb any fire hydrant, fire protection system, or portable fire extinguisher required to be installed or maintained under the provisions of this Chapter except for the purpose of extinguishing fire, training purposes, recharging, testing, making necessary repairs, or when approved by the authority having jurisdiction. Whenever fire equipment is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished, except as permitted by the authority having jurisdiction.

(g) Penalties. Any person who tampers with fire safety equipment or Fire Department equipment pursuant to this Section, shall be deemed guilty of a misdemeanor.

Sec. 9-20. Enforcement; violations.

(a) Any person who shall violate any of the provisions of this Chapter; or shall fail to comply herewith; or shall permit or maintain such a violation; or shall violate or fail to comply with any order made hereunder; or shall build in violation of any details, statements, specifications or plans submitted or approved hereunder; or shall operate not in accordance with the provisions of any certificate, permit, or approval issued hereunder; or who shall fail to comply with such an order as affirmed or modified by the Board of Adjustments and Appeals within the time fixed therein, shall severally for each violation and noncompliance respectively, be guilty of a municipal infraction , unless otherwise provided for by this Chapter. The imposition of penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. Prosecution or lack thereof of the owner, occupant, or the person in charge shall not be deemed to relieve any of the others.

(b) Any order or notice issued or served as provided in this Chapter shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the order or notice pertains. Every order or notice shall set forth a time limit for compliance dependent upon the hazard and danger created by

the violation. In cases of extreme danger to persons or property immediate compliance shall be required. If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the order or notice requires additions or changes in the building or premises such as would immediately become real estate and be the property of the owner of the building or premises such order or notice shall be complied with by the owner unless the owner and occupant have otherwise agreed between themselves, in which event the occupant shall comply.

Secs. 9-21. Emergency repairs.

Immediate emergency repairs are authorized prior to the issuance of any permit required for the repair, when a fire protection system or building construction feature is damaged or impaired to a degree that it is unable to provide the basic level of protection or safety it was intended to provide.

Emergency repairs are permitted under the following provisions:

(a) The City Fire Marshal shall be notified immediately;
(b) A permit for the required work shall be applied for within one (1) business day;
(c) Failure to make application for the required work within the required time frame shall be considered work without a permit, and shall be subject to any applicable fines, fees and enforcement actions;
(d) Any work completed prior to the issuance of the permit is subject to all requirements of the permit approval;
(e) Any work concealed prior to inspection shall be subject to exposure, in accordance with Section 9-17, Paragraph (g) of this Chapter, as required by the authority having jurisdiction;
(f) Any costs associated with repair, correction, or exposure of the repairs in order to comply with permit approval shall be borne by the permittee or party responsible for the work requiring inspection and shall not be borne by the City; and
(g) A fire watch, in accordance with Section 9-14 of this Chapter may be required as determined by the City Fire Marshal or his/her designee.

Sec. 9-22. Appeals from administrative decisions.

(a) *Grounds for appeals*. Any person aggrieved by and desirous of challenging a decision of the administrative authority in connection with the interpretation, application, or modification of any provision of this chapter relating to the manner of construction or materials used in connection with the erection, alteration, or repair of a building or structure or system installed therein, shall appeal such decision to a Board of Adjustments and Appeals. An appeal may be taken when it is claimed that:

(1) The true intent of the code or the rules legally adopted there under have been incorrectly interpreted; or
(2) The provisions of the code do not fully apply; or
(3) An equally good or better form of construction, protection, or system can be used, employed, or provided in a compensatory manner.

(b) *Procedure for making an appeal.* An appeal shall be filed with the City Clerk within seven (7) calendar days from the date of the administrative decision being appealed, and a copy thereof shall be submitted to the Chief of Inspection Services. The appeal shall be in writing and shall contain a detailed statement of the reasons in support of such appeal.

(c) *Board of Adjustment and Appeals*; composition and compensation.

(1) The Board of Adjustment and Appeals shall consist of three (3) persons:

a. A licensed professional engineer or architect chosen by the administrative authority;
b. A licensed professional engineer or architect chosen by the owner of the subject building or structure; and
c. A licensed professional engineer or architect to be jointly chosen by the other two members.

(2) All fees charged by the licensed professional engineers or architects to serve on the Board shall be paid for by the person appealing the administrative decision.

(d) *Hearing.*

(1) The Board of Adjustments and Appeals shall conduct a hearing on the appeal, at which time the appellant, the appellant's representative, representatives of the City who have inspected the subject building or structure or applicable system installed therein, and any other person having knowledge of the matter or whose interests may be affected by the decision on the appeal shall be given an opportunity to be heard. The hearing shall be conducted informally, and the formal rules of evidence shall not apply. The Board may accept written testimony and shall give it such weight as it deserves.

(2) Interpretation, given provisions of the applicable International Code Council, or National Fire Protection Association code or standard, shall be given great deference.

(3) The Board may inspect the structure or building and conduct any other investigation or research necessary in order to render a decision.

(e) *Decision.*

(1) Within fifteen (15) working days of the hearing, the Board shall affirm, modify or reverse the decision of the administrative authority.

(2) The agreement of any two (2) members of the Board shall constitute the decision of the Board. Failure to obtain the agreement of any two (2) members of the Board shall constitute a denial of the appeal and an affirmation of the decision of the administrative authority. The Board's findings and decision shall

be rendered in writing, and copies thereof shall be provided to the appellant and any other party who has entered their appearance before the Board and requested a copy of the decision. The decision may contain recommendations for remedial steps to be taken to meet the intent of the applicable code.

(f) *Appeal from decision of Board.* Any person aggrieved by a decision of the Board of Adjustments and Appeals may appeal the decision to the Circuit Court for the County in accordance with the Maryland Rules as set forth in Title 7, Chapter 200.

Sec. 9-23. Penalties.

(a) Municipal infractions. Unless provided otherwise, all violations of this Chapter are municipal infractions. Any person found violating any provision of this Chapter which violation is a municipal infraction, shall be subject to a fine of five hundred dollars ($500.00) and those penalties pursuant to Section 1-9 of the Rockville City Code.

(b) Misdemeanors. Any person found guilty of violating any provision of this Chapter which violation is a misdemeanor, shall be subject to a fine not exceeding one hundred dollars ($100.00) or imprisonment for not more than ninety (90) days, or both such fine and imprisonment. This imposition of a penalty pursuant to Section 1-10 of the Rockville City Code does not prevent license revocation or the imposition of administrative sanctions.

(c) Civil action. The imposition of any criminal penalty under this Chapter shall not preclude the City or any aggrieved person from instituting appropriate action or proceedings to require compliance with the provisions of this Chapter and with administrative orders and determinations made under this Chapter.

Sec. 9-24. Severability.

Should any provision or section of this Chapter be held to be invalid, it is intended that the remaining provision and section of this Chapter shall not be affected and shall continue to apply.

Secs. 9–25 – 9-35. Reserved.

ARTICLE II.

NUMBERING OF BUILDINGS

Sec. 9-36. Assignment of numbers.

The City Manager, or his authorized representative, may assign or reassign building numbers to properties within the corporate limits of the City. All numbers so assigned shall, insofar as practicable, be a continuation of, or in conformance with, the present numbering system or any system hereafter adopted.

Sec. 9-37. Notice to property owners; compliance.

Subsequent to the assignment of numbers, the City Manager shall give written notice of the number assigned to the owner or owners of properties affected. Within thirty (30) days after receipt of the notice, the owners shall affix the proper numbers in conformance with the provisions of this article. In the event an owner refuses or neglects to properly affix the numbers within the period allowed, the City Manager may cause the property to be numbered, and the expense thereof shall be charged against the property and collected as taxes are collected.

Sec. 9-38. Requirements for numbers.

(a) It shall be the responsibility of the owner of any single-family detached or attached residential structure to display, facing the front lot line, numerals at least 5 in. (127 mm) in height designating the address assigned to the structure by the City. It shall be the responsibility of the owner of any commercial, industrial, and multifamily residential structure to display, facing the front lot line and at all entrances facing parking areas, numerals at least 6 in. (152 mm) in height designating the address assigned to the structure by the City.

(b) All address displays shall be posted on contrasting background displayed in a conspicuous place, and in a manner as to be clearly visible from the street to which the structure is addressed. Displays required at entrances facing parking areas shall be clearly visible from such parking areas. When a structure has more than one (1) address, numerals shall be used to designate the address in sequence.

(c) At the discretion of the authority having jurisdiction, commercial, industrial, and multifamily residential structures that have vehicular access to a rear entry door shall have address numerals posted at the rear, at least 6 in. (152 mm) in height, on a contrasting background. Numerals shall be permitted to be posted on doors that are self-closing.

Secs. 9-39 – 9-40. Reserved.

ARTICLE III.
DANGEROUS BUILDINGS

Sec. 9-41. Defined.

All buildings or structures that may have any or all of the following defects shall be deemed dangerous buildings:

(1) Those whose interior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base;

(2) Those which, exclusive of the foundation, show thirty-three (33) percent or more of damage or deterioration of the supporting member or members, or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering;

(3) Those that have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used;

(4) Those which have been damaged by fire, wind, or other causes so as to have become dangerous to life, safety, or the general health and welfare of the occupants or the people of the City;

(5) Those which have become or are so dilapidated, decayed, unsafe, or which so utterly fail to provide the amenities necessary for human habitation, or are likely to work injury to the health, safety or general welfare of those living therein;

(6) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of communication;

(7) Those that have parts thereof that are so attached that they may fall and injure members of the public or their property;

(8) Those that because of their condition are unsafe, or dangerous to health, safety or general welfare of the people of the City;

(9) Those buildings existing in violation of any provision of the building code of the City, or any provision of the fire prevention code, or other ordinances of the City.

Sec. 9-42. Nuisance declared.

All dangerous buildings are hereby declared to be public nuisances, and shall be repaired, vacated, or demolished as hereinbefore and hereinafter provided as well as secured.

Sec. 9-43. Historic buildings or structures.

Under all circumstances, the Historic District Commission must approve exterior alterations, including demolition, to a property, building or structure within a Historic District Zone, before demolition or exterior alterations that are not considered in-kind

repairs may occur.

In addition, any building or structure that is not in a Historic District Zone but is identified in the Historic Building Catalog, as revised, that is the subject of an application for nomination, historic evaluation, or demolition permit may not be demolished during the historic designation review period, unless authorized by the City Manager per Section 9-45, Emergencies. Exterior alterations may not occur during this period unless the property owner receives a Certificate of Approval from the Historic District Commission as required by the City of Rockville Zoning Ordinance, Section 25.22.05.

Sec. 9-44. Violations.

(a) The owner of any dangerous building may not fail to comply with any notice or order to repair, vacate, or demolish such building given by any person authorized by this Article to give such notice or order. Each day such failure to comply continues beyond the date fixed for compliance shall be deemed a separate offense.

(b) The occupant or lessee in possession may not fail to comply with any notice to vacate and fail to repair the building in accordance with any notice given as provided for in this Article. Each day such failure to comply continues beyond the date fixed for compliance shall be deemed a separate offense.

(c) A person may not remove the notice provided for in Section 9-47, Paragraph (6) or in Section 9-48, Paragraph (8).

Sec. 9-45. Emergencies.

In cases where it reasonably appears that there is immediate danger to the life or safety of any person (unless a dangerous building is immediately repaired, vacated or demolished), the Chief of Inspection Services Division shall report such facts to the City Manager, and the City Manager shall cause the immediate repair, vacation or demolition of such dangerous building. The costs of such emergency repair, vacation, or demolition of such dangerous building shall be collected in the same manner as provided in Section 9-49, Paragraph (5).

Sec. 9-46. Absence of owner from City.

In cases, except emergency cases, where the owner, occupant, lessee, or mortgagor is absent from the City, all notices or orders provided for herein shall be sent by certified mail, with a return receipt requested, to the owner, occupant, mortgagor, lessee, and all other persons having an interest in the building as shown by the property tax or assessment records of the City to be the last known address of each. A copy of such notice shall be posted in a conspicuous place on the dangerous building to which it relates. Such mailing and posting shall be deemed adequate service.

Sec. 9-47. Duties of City Fire Marshal.

The City Fire Marshal or his/her authorized representative shall:

(1) Provide notification to the Chief of Inspection Services of any reports related to dangerous buildings pursuant to Section 9-41 received from the Fire

Department or the Police Department of the City of Rockville;

(2) Inspect or cause to be inspected all public buildings, schools, halls, churches, theaters, hotels, apartments, commercial, manufacturing, or loft buildings for the purpose of determining whether any condition exists which render such places a dangerous building;

(3) Inspect any building, wall, or structure about which complaints are filed by any person, to the effect that a building, wall, or structure is or may be existing in violation of this Chapter;

(4) Inspect any building, wall, or structure reported (as hereinafter provided for) by the Fire Department or the Police Department of this City as probably existing in violation of the terms of this Article;

(5) Appear at all hearings conducted by the City Manager and testify as to the condition of dangerous buildings;

(6) Place a notice on all dangerous buildings reading as follows:

> "This building has been found to be a dangerous building by the Chief of Inspection Services Division. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given to the occupant, owner, and all other persons having interest in the said property as shown by the property tax or assessment records of the City of Rockville of this building. It is unlawful to remove this notice until such notice is complied with."

Sec. 9-48. Duties of Chief of Inspection Services Division.

The Chief of Inspection Services Division or his/her authorized representative shall:

(1) Inspect or cause to be inspected all public buildings, schools, halls, churches, theaters, hotels, apartments, commercial, manufacturing, or loft buildings for the purpose of determining whether any condition exists which render such places a dangerous building;

(2) Inspect any building, wall or structure about which any person to the effect files complaints that a building, wall, or structure is or may be existing in violation of this Article;

(3) Inspect any building, wall, or structure reported (as hereinafter provided for) by the Fire Department or the Police Department of this City as probably existing in violation of the terms of this Article;

(4) Notify in writing the occupant, owner, and all other persons having interest in the property (as shown by the property tax or assessment records of the City), of any building found by him/her to be a dangerous building that the owner must vacate, or repair, or demolish, or have such work or act done, provided that any person notified under this subsection to repair, vacate, or demolish any building

shall be given such reasonable time (not exceeding sixty (60) days), as may be necessary to do, or have done, the work or act required by the notice provided for herein;

(5) Set forth in the notice provided for in Section 9-48, Paragraph (4) a description of the building or structure deemed unsafe, a statement of particulars which make the building or structure a dangerous building and an order requiring the same to be put in such condition as to comply with the terms of this article within such length of time (not exceeding sixty (60) days), as is reasonable;

(6) Report to the City Manager any noncompliance with the notice provided for in paragraphs (4), (5), and (8) of this Section;

(7) Appear at all hearings conducted by the City Manager and testify as to the condition of dangerous buildings;

(8) Place a notice on all dangerous buildings reading as follows:

> "This building has been found to be a dangerous building by the Chief of Inspection Services Division. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given to the occupant, owner, and all other persons having interest in the said property as shown by the property tax or assessment records of the City of Rockville of this building. It is unlawful to remove this notice until such notice is complied with."

Sec. 9-49. Duties of the City Manager.

The City Manager shall:

(1) Upon receipt of a report of the Chief of Inspection Service Division or his/her authorized representative as provided for in Section 9-48, Paragraph (6), give written notice to the occupant, owner, and all other persons having interest in the property as shown by the property tax or assessment records of the City to appear before him/her on the date specified in the notice to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated, or demolished in accordance with the statement of particulars set forth in the Chief of Inspection Services Division's notice provided for herein in Section 9-48, Paragraph (5);

(2) Hold a hearing and hear such testimony as the Chief of Inspection Services Division, the City Fire Marshal, or the occupant, owner, and all other persons having interest in the property as shown by the property tax or assessment records of the City shall offer relative to the dangerous building;

(3) Make written findings of fact from the testimony offered pursuant to Section 9-49, Paragraph (2) as to whether or not the building in question is a dangerous building;

(4) Issue an order based upon findings of fact made pursuant to Section 9-49, Paragraph
(3) commanding the occupant, owner, and all other persons having interest in the

property, as shown by the property tax or assessment records of the City, to repair, vacate, or demolish any building found to be a dangerous building; provided that:

a. Any person so notified, except the owners, shall have the privilege of either vacating or repairing the dangerous building; or
b. Any person not the owner of the dangerous building, but having an interest in the building as shown by the property tax or assessment records of the City may demolish the dangerous building at his/her own risk to prevent the acquiring of a lien against the land upon which the dangerous building stands by the City as provided for in Section 9-49, Paragraph (5).

(5) If the occupant, owner, and all other persons having interest in the property (as shown by the property tax or assessment records of the City) fail to comply with the order provided for in Section 9-49, Paragraph (4) within ten (10) days, the City Manager shall cause such building or structure to be repaired, vacated, or demolished as the facts may warrant, under the standards hereinafter provided in Section 9-53 and shall, with the assistance of the City Attorney, cause the cost of such repair, vacation or demolition to be charged against the land on which the building existed as a municipal lien or cause such cost to be added to the tax due as an assessment or to be levied as a special tax against the land upon which the building stands, or did stand, or is to be recovered in a suit of law against the owner; provided that in cases where such procedure is desirable, and any delay thereby caused will not be dangerous to the health, safety, or general welfare of the people of the City, the City Manager shall notify the City Attorney to take legal action to force the owner to make all necessary repairs or demolish the building;

(6) Report to the City Attorney the names of all persons not complying with the order provided for in Section 9-49, Paragraph (4).

Sec. 9-50. Duties of the City Attorney.

The City Attorney or his/her authorized representative shall:

(1) Prosecute all persons failing to comply with the terms of the notices provided for herein in Section 9-48, Paragraphs (4) and (5), and the order provided for in Section 9-49, Paragraph (4);

(2) Appear at all hearings before the City Manager in regard to dangerous buildings;

(3) Bring suit to collect all municipal liens, assessments, or costs incurred by the City Manager in repairing or causing to be vacated or demolished dangerous buildings;

(4) Take such other legal action as is necessary to carry out the terms and provisions of this article.

Sec. 9-51. Duties of the Fire Department.

The employees of the Fire Department are requested to make a report in writing to the Chief of Inspection Services Division or City Fire Marshal of all buildings or

structures that are, may be, or are suspected to be dangerous buildings. Any employee of the Fire Department should deliver such reports to the Chief of Inspection Services Division or the within twenty-four (24) hours of the discovery of such buildings.

Sec. 9-52. Duties of Police Department.

All employees of the Police Department shall make a report in writing to the Chief of Inspection Services Division or City Fire Marshal of any buildings or structures that are, may be, or are suspected to be dangerous buildings. Such reports must be delivered to the Chief of Inspection Services Division or the City Fire Marshal within twenty-four (24) hours of the discovery of such buildings by any employee of the Police Department.

Sec. 9-53. Standards for repair, vacation or demolition.

The Chief of Inspection Services Division and his/her authorized representative in ordering repair, vacation, or demolition shall follow the following standards in substance:

(1) If the dangerous building can reasonably be repaired so it will no longer exist in violation of the terms of this Article, it shall be ordered repaired;

(2) If the dangerous building is in such condition as to make it dangerous to the health, safety, or general welfare of its occupants, it shall be ordered to be vacated and secured;

(3) In any case where a dangerous building is fifty (50) percent damaged or decayed or deteriorated from its original value or structure, it shall be demolished or repaired; and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this article, it shall be demolished;

(4) In all cases where a dangerous building is a fire hazard existing or erected in violation of the terms of this Article or any ordinance of the City or statute of the State of Maryland, it shall be demolished.

Secs. 9-54 – 9-60. Reserved.

ARTICLE IV. FIRE PREVENTION CODE

DIVISION 1. GENERALLY

Sec. 9-61. Scope.

This Article contains general provisions for all aspects of fire protection and prevention and shall apply to both new and existing buildings, structures, and operations. In various sections there are specific provisions for existing conditions that may differ from those for new buildings, structures, and operations. The requirements for existing conditions may be modified if their application clearly would be impractical in the judgment of the authority having jurisdiction, but only if it is clearly evident that a reasonable degree of safety is provided. The City Fire Marshal or the appointed designee has the authority to make a determination of the applicability of this Chapter to any building or condition in it, subject to the right of appeal to the City of Rockville Board of Adjustments and Appeals as prescribed in Article I of this Chapter.

Sec. 9-62. Purpose.

The purpose and the intent of this article is to establish minimum requirements that will provide a reasonable degree of fire prevention and control to safeguard life, property, or public welfare from:

(a) The hazards of fire and explosion arising from the storage, handling, or use of substances, materials, or devices; and

(b) Conditions hazardous to life, property, or public welfare in the use or occupancy of buildings, properties, structures, sheds, tents, lots, or premises.

Sec. 9-63. Definitions.

The definitions contained in this section apply throughout this Article and are in addition to any document referred to therein. The definitions are intended to be read in place of any definitions of the same words contained in the publication adopted in Section 9-73.

Operating bay means a clear and unobstructed fire department apparatus load bearing surface, at least 50 ft. (15.24 m) in length, along a fire department access road that increases operating width to a minimum of 26 ft. (7.92 m) wide. It may be defined by bollards and accessed via a 3 in. (76 mm) mountable curb.

Secs. 9-64 – 9-66. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Secs. 9-67 – 9-72. Reserved

DIVISION 3. TECHNICAL STANDARDS

Sec. 9-73. NFPA 1, Fire Code--Adopted.

The NFPA 1, Fire Code, 2015 Edition, as issued by the National Fire Protection Association, is hereby adopted by reference, except as amended by Section 9-74 of this Chapter. One (1) copy of such publication, as adopted, shall be maintained by the Inspection Services Division in the City of Rockville City Hall and made available for inspection by the public during regular office hours. Any amendment or change in such code promulgated by the NFPA shall not become part of this article until the modifications have been duly adopted by ordinance.

Sec. 9-74. Same-Amendments.

The NFPA 1, Fire Code, 2015 Edition, is amended in the following respects:

*Section 1.7.12.*2of the NFPA 1, Fire Code, 2015 Edition, is amended by adding the following sentence:

The AHJ shall be authorized to require plans to bear the stamp of a registered design professional.

Section 1.9 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Section 1.10 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Subsection 1.11.3 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Subsection 1.12.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Paragraph 1.12.1.1 to read as follows:

1.12.1.1 Permits, certificates, notices, approvals, or orders required by this code shall be governed by the policies and procedures of the AHJ.

Subsection 1.12.6.13 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

1.12.6.13 Permits may be issued by the AHJ and shall indicate the following:

(1) Operation, activities, or construction for which the permit is issued
(2) Address or location where the operation, activity, or construction is to be conducted.
(3) Name, address, and phone number of the permittee
(4) Permit number
(5) Period of validity of the permit
(6) Inspection requirements
(7) Name of the agency authorizing the permit
(8) Date of issuance

(9) Permit conditions as determined by the AHJ.

Subsection 1.12.8 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

1.12.8 Where additional permits, approvals, certificates, or licenses are required by other agencies, approval may be obtained from those other agencies.

Subsection 1.13.2 of the NFPA 1, Fire Code, 2015 Edition is amended to read as follows:

1.13.2 The AHJ may require certificates of fitness and collect fees for individuals or companies performing any of the following activities:

(1) Use of explosive materials
(2) Fireworks displays involving display fireworks

Section 1.13.12.4 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Section 1.16.4.2 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Section 2.2 of the NFPA 1, Fire Code, 2015 Edition, is amended as follows:

Delete the referenced publication NFPA 5000, Building Construction and Safety Code, 2015 edition.

Add Rockville City Code, Chapter 5, Buildings and Building Regulations. Wherever NFPA

5000 is referenced, other than for extracted text, substitute
Rockville City Code, Chapter 5, Buildings and Building Regulations.

Delete the referenced publication NFPA 150 Standard on Fire and Life Safety in Animal Housing Facilities.

Add the referenced publication NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 Edition.

Section 3.3 of the NFPA 1, Fire Code, 2015 Edition, is amended to add:

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.

Paragraph 3.3.183.6 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

3.3.183.6* ***Day-Care Home.*** A building or portion of a building in which not more than twelve (12) clients receive care, maintenance, and supervision, by other than their relative(s) or legal guardian(s), for less than twenty-four (24) hours per day

Paragraph 3.3.183.7 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

3.3.183.7* ***Day-Care Occupancy.*** An occupancy in which clients receive care, maintenance, and supervision, by other than their relatives or legal guardians, for less than twenty-four (24) hours per day.

Paragraph 3.3.183.22 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

3.3.183.22 ***One- and Two-Family Dwelling.*** One- and two-family dwellings include buildings containing not more than two (2) dwelling units in which each dwelling unit is occupied by members of a single family with not more than five (5) outsiders.

Paragraph 3.3.183.25 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

3.3.183.25* ***Residential Board and Care Facility.*** A building or portion thereof that is used for lodging and boarding of six (6) or more residents, not related by blood or marriage to the owner or operators, for the purpose of providing personal care services.

Paragraph 4.5.8.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

4.5.8.1 Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or any other feature is required, such device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or other feature shall thereafter be continuously maintained in accordance with applicable NFPA requirements or requirements developed as part of a performance-based design, or as directed by the AHJ.

Paragraph 4.5.8.3 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

4.5.8.3* Existing life safety features obvious to the public, tenants, or occupants, and where not required, shall be either maintained or removed.

Paragraph 6.1.4.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

6.1.4.1* Definition - Day-Care Occupancy. An occupancy in which clients receive care, maintenance, and supervision, by other than their relatives or legal guardians, for less than twenty-four (24) hours per day.

Paragraph 6.1.9.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

6.1.9.1* Definition - Residential Board and Care Facility. A building or portion

thereof that is used for lodging and boarding of six (6) or more residents, not related by blood or marriage to the owner or operators, for the purpose of providing personal care services.

Subsection 10.1.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.1.2* ***Life Safety Code.*** Every new and existing building shall comply with this Code and NFPA 101, Life Safety Code except as amended by Section 9-91 of Chapter 9, Fire Code, of the Rockville City Code.

Subsection 10.4.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.4.1 No person shall fail to leave a building when notified to do so when directed by the AHJ or incident commander as a result of a known or perceived emergency.

Subsection 10.4.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.4.2 Persons shall not fail to leave any overcrowded premises when ordered to do so by the AHJ or Incident Commander.

Paragraph 10.10.6.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.10.6.1 For other than one- and two-family dwellings, no hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose, shall be used or kindled on any balcony or under any overhanging portion, or within 15 ft. (4.6m) of any structure.

Paragraph 10.10.6.3 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Section 10.10 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 10.10.11 to read as follows:

10.10.11 Fire Pits, Fire Bowls, Chimineas, and Similar Devices.

10.10.11.1 Use of fire pits, fire bowls, chimineas, and similar devices shall be subject to the requirements of Subsection 10.10.1 of this Code.

10.10.11.2 Use of these devices shall be in accordance with manufacturers guidelines.

10.10.11.3 No fire pit, fire bowl, chiminea, or similar device shall be used on any balcony or under any overhanging portion, or within 15 ft. (2.7 m) from any building or structure, and no less than 3 ft. (0.9 m) from combustible materials.

10.10.11.4 No burning of trash or construction materials shall be permitted.

10.10.11.5 A garden hose attached to a hose bib capable of supplying water shall be available. The hose shall be long enough to reach the device.

10.10.11.6 Ashes shall be dampened until cool and stored in a non-combustible container dedicated to ash storage.

Paragraph 10.11.1.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.11.1.1 New and existing buildings shall have approved addresses conforming to the requirements of Chapter 9, Article II of the Rockville City Code.

Subsection 10.11.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph and Paragraph as follows:

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

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

Paragraph 10.11.1.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.11.1.2 Premises identification shall contrast with their background.

Paragraph 10.11.1.3 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.11.1.3 Premises identification shall be Arabic numerals or alphabet letters.

Subsection 10.11.4 of the NFPA 1, Fire Code, 2015 Edition, is added to read as follows:

10.11.4 Fire Department Access Signage

10.11.4.1 Signage required by Chapter 9, Fire Code, of the Rockville City Code shall comply with requirements of the City of Rockville Fire Department Access and Signage Manual, unless otherwise permitted by the AHJ.

Paragraph 10.13.1.1 of the NFPA 1, Fire Code, 2015 Edition, is amended as follows:

10.13.1.1 Unless otherwise approved by the AHJ, Christmas tree placement within buildings shall comply with 10.13.1.1

Subsection 10.13.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Paragraph 10.13.1.2 as follows:

10.13.1.2 The AHJ shall:

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

Paragraph 10.13.3.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.13.3.1 Artificial vegetation and artificial Christmas trees shall be labeled or otherwise identified or certified by a testing laboratory recognized by the Office of the State Fire Marshal.

Subsection 10.13.9.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.13.9.1 Where a natural cut tree is permitted, the bottom end of the trunk shall be cut off with a straight fresh cut at least 2 in. (50 mm) above the end prior to placing the tree in a stand to allow the tree to absorb water. A natural cut tree shall not exceed 10 ft. (3 m) in height, excluding the tree stand.

Subparagraph 10.14.11.2.6 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.14.11.2.6 A fuel break of a minimum of 20 ft. (6 m) wide shall be cleared between a crop maze and any vehicles, buildings, or vegetation outside the maze.

Section 10.15 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 10.15.6 to read as follows:

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

Subsection 10.15.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.15.1 Outside storage of combustible materials shall not be located within 15 ft. (4.6 m) of a property line, building, or adjacent pile of combustible material. The separation distance shall be allowed to be increased where the AHJ determines that a higher hazard to the adjoining property exists.

Subsection 10.15.5 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

10.15.5 Combustible storage in the open shall not exceed 20 ft. (6.1m) in height and 10,000 ft^2 (929 m^2) in area.

Subsection 10.18.7 of the NFPA 1, Fire Code, 2015 Edition, is amended as follows:

10.18.7 Fueled Equipment. Fueled equipment shall, including but not limited to motorcycles, mopeds, lawn-care equipment, shall not be stored, operated, or repaired on any balcony, under any overhanging portion, or within a building except under one of the following conditions:

(1) The building or room has been constructed for such use in accordance

with the building code.

(2) The use is allowed by other provisions of this *Code.*

Section 11.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 11.1.9 to read as follows:

11.1.9 Clearance. A clear space of not less than 30 in. (762 mm) in width, 36 in. (914mm) in depth and 78 in. (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 in. (762 mm), the clear space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated clear space.

Exception: Where other specialized dimensions are required or permitted by NFPA 70.

Paragraph 11.1.7.3 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph 11.1.7.3.2 as follows:

11.1.7.3.2 Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording in contrasting letters no less than 1 in. (25 mm) high and not less than ¼ in. (6.4 mm) in stroke width.

Paragraph 11.3.6.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph 11.3.6.1 to read as follows:

11.3.6.1.1 All fire service elevator keys within the jurisdiction shall be uniform and specific for the jurisdiction. All new keys shall be cut to a uniform key code to comply with the Maryland State Elevator Code.

Subsection 11.9.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

11.9.1 The location, design, content, and fire department access of the emergency command center shall be approved by the AHJ.

Paragraph 13.1.9 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph 13.1.9.1 and to read as follows:

13.1.9 Where a required fire protection system is impaired or out of service for more than four (4) hours in a twenty-four (24) hour period, mitigating measures shall be in accordance with Section 9-14 of the Rockville City Code.

13.1.9.1 Fire sprinkler systems impaired or out of service for more than ten (10) hours in a twenty-four (24) hour period, mitigating measures shall be in accordance with Section 9-14 of the Rockville City Code.

Paragraph 13.2.2.2 of the NFPA 1, Fire Code, 2015 Edition, is amended by deleting the existing wording and replaced to read as follows:

13.2.2.2 All new buildings shall be equipped with an approved standpipe system where required by the Chapter 5, Buildings and Building Regulations, of the Rockville City Code . Where a Class III system is required, a Class I system shall be installed.

Paragraph 13.3.1.2 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph 13.3.1.2.1 to read as follows:

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

Paragraph 13.3.2.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph 13.3.2.1.1 to read as follows:

13.3.2.1.1 All new buildings shall be equipped with an automatic sprinkler system or other automatic fire suppression system where required by Chapter 5, Buildings and Building Regulations, of the Rockville City Code..

Paragraph 13.3.3.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

13.3.3.1 A sprinkler system shall be properly maintained to provide at least the same level of performance and protection as designed. The owner shall be responsible for maintaining the system and keeping it in good working condition.

Paragraph 13.3.3.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

13.3.3.2 A sprinkler system shall be inspected, tested, and maintained in accordance with NFPA 25.

Subsection 13.4.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph 13.4.1.1.1 to read as follows:

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

Paragraph 13.6.1.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

13.6.1.2* Where Required. Fire extinguishers shall be provided where required by this *Code* as specified in Table 13.6.1.2 and the referenced codes and standards listed in Chapter 2 unless otherwise permitted by the AHJ.

Sub-subparagraph 13.6.4.1.2.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

13.6.4.1.2.1 Persons performing maintenance and recharging of extinguishers shall be licensed as required by the AHJ.

Sub-subparagraph 13.6.4.1.2.1.1 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.2 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.3 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.4 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.5 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.6 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.3 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

> **13.6.4.1.2.3** Persons performing inspections shall not be required to be licensed.

Sub-subparagraph 13.7.2.28.1.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

> **13.7.2.28.1.2** Storage occupancies less than three (3) stories with ordinary or high hazard contents not exceeding an aggregate floor area of 100,000 ft^2 (9300 m^2) shall not be required to have a fire alarm system.

Sub-subparagraph 13.7.2.28.1.3 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

> **13.7.2.28.1.3** Storage occupancies less than three (3) stories protected throughout by an approved automatic sprinkler system in accordance with Section 13.3 shall not be required to have a fire alarm system.

Paragraph 14.13.1.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

> **14.13.1.2** For the purposes of 14.13.1.1, exit access shall include, but not limited to designated stairs, aisles, corridors, ramps, escalators, and passageways leading to an exit. For the purposes of 14.13.1.1, exit discharge shall include only designated stairs, ramps, aisles, walkways, and escalators leading to a public way.

Paragraph 18.1.3.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

> **18.1.1.1 Fire Apparatus Access.** Plans for fire apparatus access roads shall be submitted to the AHJ for review and approval prior to construction.

Paragraph 18.1.3.2 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

18.1.3.2 Fire Hydrant Systems. Plans and specifications for fire hydrant systems shall be submitted to the AHJ for review and approval prior to construction.

Subparagraph 18.2.2.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

18.2.2.1 Access Box(es). All occupancies other than one- and two-family dwellings, shall provide an approved access box.

18.2.2.1.1 An access box shall not be required for occupancies providing a 24-hour on-site staffing with access to all areas in the building or complex. At least one person shall staff a fixed location proximate to the main building or complex entrance to provide ready access for the fire department.

18.2.2.1.2 For multiple occupancies located within a single structure, a single access box shall be permitted with approval of the authority having jurisdiction.

18.2.2.1.3 For multiple structures within a residential building complex, a single access box shall be permitted with approval of the authority having jurisdiction.

Subparagraph 18.2.2.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Sub-subparagraph 18.2.2.1.1 to read as follows:

18.2.2.1.1 The size, contents, and location of the access box shall be determined by the local fire department in cooperation with the occupancy owner or management.

Subparagraph 18.2.3.2.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

18.2.3.2.1 A fire department access road shall extend to within 50 ft. (15 m) of at least one (1) exterior door acceptable to the AHJ that can be opened from the outside and that provides access to the interior of the building.

Sub-subparagraph 18.2.3.4.1.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to add the following sub-subparagraphs:

18.2.3.4.1.1.1 On-street parking is allowed on one side if the load-bearing fire department access road is at least 28 ft. (8.53 m) wide.

18.2.3.4.1.1.2 On-street parking is allowed on both sides if the load-bearing fire department access road is at least 36 –ft. (10.97 m) wide.

18.2.3.4.1.1.3 Fire department access roads serving one- and two- family dwellings of three (3) stories or less, with no superimposed dwelling units or portions of dwelling units, and having no window sill greater than 27 ft. (8.23 m) from grade on the same side of the structure as the fire department access road, may be 26 –ft. (7.92 m) wide and allow parking on one side, if there are 50 –ft. (15.24 m) long operating bays at 300 –ft. (91.44 m) intervals.

Sub-subparagraph 18.2.3.4.1.2 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Sub-subparagraph 18.2.3.4.1.2.3 to read as follows:

18.2.3.4.1.2.3 Vertical clearance for any overhead obstruction over streets classified by Section 21-21 of the Rockville City Code as Limited Access, Major, or Arterial, shall be at least 16 ft. (4.88 m) from the finished surface.

Subparagraph 18.2.3.4.2 of the NFPA 1, Fire Code 2015 Edition, is amended to read as follows:

18.2.3.4.2 Surface. Fire Department access roads shall be designed and maintained to support the imposed lads of fire apparatus and shall be provided with an all- weather driving surface as approved by the AHJ.

Sub-subparagraph 18.2.3.4.3.1 of the NFPA 1, Fire Code, 2015 Edition, is added to read as follows:

18.2.3.4.3.1 Turning Radii. Turning radii for fire department access road shall comply with the following:

(1) The minimum interior turning radius for a fire department access road is 25 ft. (7.62 m).
(2) The minimum exterior turning radius for a fire department access road is 50 ft. (15.24 m).
(3) Performance-based approval of alternative turning radii may be permitted if apparatus movement into opposing lanes of traffic is minimized and an unrestricted fire department access road is maintained.

Subparagraph 18.2.3.4.4 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Sub-subparagraphs 18.2.3.4.4.1 and 18.2.3.4.4.2 to read as follows:

18.2.3.4.4.1 Cul-de-sacs used to provide a dead end apparatus turn-around shall not be less than 90 –ft. (27.43 m) in diameter at the closed end.

18.2.3.4.4.2 Hammerhead or T-turnarounds used to provide a dead end apparatus turn-around shall have legs not less than 60 –ft. (18.29 m) long and all portions of the hammerhead or T-turnaround not less than 20 –ft. (6.1 m) wide.

Paragraph 18.2.3.5 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subparagraph 18.2.3.5.3 to read as follows:

18.2.3.5.3 Approved signs or other approved notices required by 18.2.3.5.1 shall comply with requirements of the City of Rockville Fire Department Signage Manual.

Section 18.5 of the NFPA 1, Fire Code, 2015Edition, is amended by adding Paragraph

18.5.1.7 and Subparagraphs 18.5.1.7.1 and 18.5.1.7.2 to read as follows:

18.5.1.7 Fire hydrants shall be spaced not greater than 300 ft. (92 m) from all exterior points of the structure where the fire hose would lay on the ground, and within 400 ft. (121.92 m) from any dead ends in a fire department access road.

18.5.1.7.1 Fire hydrant spacing may be increased to 500 ft. (153 m) for structures protected throughout by an approved automatic sprinkler system, in accordance with Section 9.7 of NFPA 101, Life Safety Code, 2015 Edition.

18.5.1.7.2 Buildings and structures equipped with a sprinkler system and/or a standpipe system shall have a fire hydrant located within 100 ft. (30.48 m) of the fire department connection. The distance shall be measured along a path accessible to foot travel.

Paragraph 18.5.2 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Paragraph 18.5.3 of the NFPA 1, Fire Code, 2015 Edition is deleted.

Paragraph 18.5.10.3 of the NFPA 1, Fire Code, 2015 Edition, is amended to read and by adding the following Paragraph Subparagraphs, and Annex Section to read as follows:

18.5.10.3 The provisions of this subsection shall apply to all private fire hydrants and, when authorized by their respective owners, all fire hydrants owned by the City of Rockville and WSSC.

18.5.10.3.1 A reflective paint or tape marker at least 2 in. (25 mm) shall be placed around the neck, immediately below the bonnet of each, on each fire hydrant.

18.5.10.3.2 If the fire hydrant is manufactured where a band cannot be applied to the neck of the fire hydrant, the reflective paint or tape marker shall be applied to the rim of the bonnet.

18.5.10.3.3* The color of the bonnet, three (3) outlets, and barrel shall be as follows:

CAPACITY	COLOR
<500 gpm	Safety Red
500 – 999 gpm	Safety Orange
1,000 – 1,500 gpm	Safety Green
>1,500 gpm	Safety Blue
All Barrels	Safety Red

A.18.5.10.3.3 The City of Rockville Department of Public Works uses the following paint to identify their fire hydrants:

COLOR	RUSTOLEUM ITEM #

Safety Red	K7764402
Safety Orange	3455402
Safety Green	3433402
Safety Blue	K7725402

Subsection 18.4.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding the following Paragraphs to read as follows:

18.4.1.2 Fire flow requirements shall be met using fire hydrants located not further than 2000 ft. (610 m) from the building or structure being served.

18.4.1.2.2 Measurements to determine compliance with the requirements of 18.4.1.2.1 shall be made along a path or route accessible to fire department personnel.

Subparagraph 20.2.4.2.3 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

20.2.4.2.3 Fire emergency egress drills shall be conducted as follows:

(1) Not less than one fire emergency egress drill shall 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 shall be permitted to be deferred; and

(b) In educational occupancies which are:

(i) fully protected by an automatic sprinkler system, the total number of annual fire emergency egress drills shall be five, with a least two of the required drills conducted in the first four months of the school year; or

(ii) not fully protected by an automatic sprinkler system, the total number of annual fire emergency egress drills shall be eight, with at least three of the required drills conducted in the first four months of the school year.

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

(3) One fire emergency egress drill, other than for educational occupancies that are open on a year-round basis, shall be required within the first 30 days of operation.

Subparagraph 20.3.4.1.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

20.3.4.1.1 In new day-care homes, the requirements of Section 16.6 of NFPA *101* shall apply to day-care homes in which not more than twelve (12)clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than twenty-four (24) hours per day, generally within a dwelling unit. *(See also 16.6.1.4 of* NFPA *101.)*

Paragraph 25.2.2.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

25.2.2.1 All tent fabric shall meet the flame propagation performance criteria contained in NFPA 701, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films* or other approved testing standard approved by the State Fire Marshal.

Paragraph 26.1.5 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding the following:

26.1.5.2 When requested by the AHJ, a hazard assessment shall 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 shall be provided. The list shall specify the chemical name, quantity and hazard class.

26.1.5.4 New laboratories or laboratories where the NFPA 45 laboratory hazard classification changes shall post an information placard near the main entrance to the laboratory. The placard shall 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 maximum quantities of flammable gases permitted within the laboratory.

Chapter 26 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding the following:

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, shall 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 shall be used. Rooms that are an incidental use to the lab shall be considered part of the laboratory for the purpose of this requirement and shall not require additional separation.

Subparagraph 31.3.6.2.2 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding item (9) to read as follows:

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

Subparagraph 31.3.6.3.1 of the NFPA 1, Fire Code, 2015 Edition, is deleted and amended to read as follows:

31.3.6.3.1 Piles may not exceed 18 ft. (5.49 m) in height, 50 ft. (15.24 m) in width, and 350 ft. (106.68 m) in length. Piles shall be subdivided by fire lanes having at least 25 ft. (7.62 m) of clear space at the base of piles.

Subparagraph 31.3.6.3.2 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 31.3.6.3.2.1 of the NFPA 1, Fire Code, 2015 Edition, isdeleted.

Sub-subparagraph 31.3.6.3.2.2 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Sub-subparagraph 31.3.6.3.2.3 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Paragraph 42.7.5 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Paragraph 42.7.5.7, Paragraph 42.7.5.8, and Paragraph 42.7.5.9 to read as follows:

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

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

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

(1) The amount of fuel being dispensed is limited in quantity by preprogrammed card; or

(2) Dispensing devices shall be programmed or set to limit uninterrupted fuel delivery of not more than 25 gal. (94.64 L) and shall require a manual action to resume continued delivery.

Subparagraph 42.7.5.5 of the NFPA 1, Fire Code, 2012 Edition, is amended to read as follows:

42.7.5.5 A telephone or other approved, clearly identified means to notify the fire department shall be provided on the site in a location approved by the AHJ. The following information shall be conspicuously posted in this area:

(1) The exact address of the unattended self-service facility.

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

Subsection 50.2.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to add the following Paragraphs, Subparagraphs, and Sub-subparagraphs:

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

50.2.1.10.1 Tent and Canopy Requirements.

50.2.1.10.1.1. Tents or canopies where cooking equipment not protected in accordance with NFPA 96 is located shall not be occupied by the public and shall be

separated from other tents, canopies, structures, or vehicles by a minimum of 10 ft. (3.05 m) unless otherwise approved by the AHJ.

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

50.2.1.10.2 LP Gas Fuel Requirements

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

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

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

50.2.1.10.2.4 Tanks shall be located so that they are not accessible to the public. LP gas tanks shall be located at least 5 ft. (1.52 m) from any cooking or heating equipment or any open flame device.

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

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

50.2.1.10.3 General Safety Requirements.

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

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

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

Section 60.1 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 60.1.8 and Paragraph 60.1.8.1 to read as follows:

60.1.8 Permits.

60.1.8.1 A Hazardous Materials Use Permit, issued by Montgomery County, shall be required to dispense, handle, use, process, transfer, store, or manufacture one or more materials or substances that meet the requirements of a "hazardous substance" per

Montgomery County Regulation 17-03.

Section 65.2 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 65.2.3 to read as follows:

65.2.3 All storage of display fireworks shall comply with NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition.

Section 65.2 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 65.2.4 to read as follows:

65.2.4 Insurance Requirements.

65.2.4.1 The following requirements apply to public liability and property damage insurance:

(1) The State and City of Rockville shall be named as an insured in the contract of insurance;

(2) Because the policy shall cover all damages to persons or property, a deductible form of coverage may not be accepted;

(3) The minimum amount of coverage that the State can accept on any display is $25,000 for the injury of one person, $50,000 for more than one person, and $10,000 for property damage; and

(4) A duplicate policy of a certificate of insurance shall be attached to the application.

65.2.4.2 The policy or certificate shall provide that:

(1) The coverage may not be canceled without at least 30 days notice to the State Fire Marshal;

(2) The duplicate policy or certificate shall set forth all of the terms, conditions, endorsements, and riders which are or which will become part of the policy when issued;

(3) It is understood and agreed that limitations cannot be included in the policy which are not set forth in the duplicate policy or certificate of insurance which has been filed;

(4) If the policy is issued by an insurer authorized to do business in the State, it shall be validated by the signature of an agent licensed by the Maryland Insurance Administration to represent the insurer;

(5) If coverage is provided by an insurer who is not authorized to do business in the State, the duplicate policy or certificate of insurance shall be accompanied by a power of attorney or other satisfactory evidence that the person, firm, or corporation acting as agent in accepting the risk has

authority to bind risks and issue policies for the insurer;

(6) The State Fire Marshal's Office specifically reserves the right to disapprove contracts issued by any authorized insurer if the Fire Marshal's Office determines the insurer is unsatisfactory; and

(7) If the policy issued by the unauthorized company is acceptable to the Fire Marshal's Office, it shall be registered and the registration fee and tax paid.

Section 65.3 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 65.3.4 to read as follows:

65.3.4 Insurance Requirements.

65.3.4.1 The following requirements apply to public liability and property damage insurance

(1) The State and City of Rockville shall be named as an insured in the contract of insurance;

(2) Because the policy shall cover all damages to persons or property, a deductible form of coverage may not be accepted;

(3) The minimum amount of coverage that the State can accept on any display is $25,000 for the injury of one person, $50,000 for more than one person, and $10,000 for property damage; and

(4) A duplicate policy of a certificate of insurance shall be attached to the application.

65.3.4.2 The policy or certificate shall provide that:

(1) The coverage may not be canceled without at least 30 days notice to the State Fire Marshal;

(2) The duplicate policy or certificate shall set forth all of the terms, conditions, endorsements, and riders which are or which will become part of the policy when issued;

(3) It is understood and agreed that limitations cannot be included in the policy which are not set forth in the duplicate policy or certificate of insurance which has been filed;

(4) If the policy is issued by an insurer authorized to do business in the State, it shall be validated by the signature of an agent licensed by the Maryland Insurance Administration to represent the insurer;

(5) If coverage is provided by an insurer who is not authorized to do business in the State, the duplicate policy or certificate of insurance shall be

accompanied by a power of attorney or other satisfactory evidence that the person, firm, or corporation acting as agent in accepting the risk has authority to bind risks and issue policies for the insurer;

(6) The State Fire Marshal's Office specifically reserves the right to disapprove contracts issued by any authorized insurer if the Fire Marshal's Office determines the insurer is unsatisfactory; and

(7) If the policy issued by the unauthorized company is acceptable to the Fire Marshal's Office, it shall be registered and the registration fee and tax paid.

Section 65.4 of the NFPA 1, Fire Code, 2015 Edition, is amended by adding Subsection 65.4.3 to read as follows:

65.4.3 Insurance Requirements.

65.4.3.1 The following requirements apply to public liability and property damage insurance:

(1) The State and City of Rockville shall be named as an insured in the contract of insurance

(2) Because the policy shall cover all damages to persons or property, a deductible form of coverage may not be accepted;

(3) The minimum amount of coverage that the State can accept on any display is $25,000 for the injury of one person, $50,000 for more than one person, and $10,000 for property damage; and

(4) A duplicate policy of a certificate of insurance shall be attached to the application.

65.4.3.2 The policy or certificate shall provide that:

(1) The coverage may not be canceled without at least 30 days notice to the State Fire Marshal;

(2) The duplicate policy or certificate shall set forth all of the terms, conditions, endorsements, and riders which are or which will become part of the policy when issued;

(3) It is understood and agreed that limitations cannot be included in the policy which are not set forth in the duplicate policy or certificate of insurance which has been filed;

(4) If the policy is issued by an insurer authorized to do business in the State, it shall be validated by the signature of an agent licensed by the Maryland Insurance Administration to represent the insurer;

(5) If coverage is provided by an insurer who is not authorized to do business in the State, the duplicate policy or certificate of insurance shall be accompanied by a power of attorney or other satisfactory evidence that the person, firm, or corporation acting as agent in accepting the risk has authority to bind risks and issue policies for the insurer;

(6) The State Fire Marshal's Office specifically reserves the right to disapprove contracts issued by any authorized insurer if the Fire Marshal's Office determines the insurer is unsatisfactory; and

(7) If the policy issued by the unauthorized company is acceptable to the Fire Marshal's Office, it shall be registered and the registration fee and tax paid.

Section 65.5 of the NFPA 1, Fire Code, 2015 Edition, is deleted.

Subsection 65.9.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to read as follows:

65.9.1 The manufacture, transportation, storage, sale, and use of explosive materials shall comply with NFPA 495, *Explosives Materials Code*, and NFPA 498, *Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives*.

65.9.2 The provisions of NFPA 495, *Explosives Materials Code*, shall be amended as follows:

(1) Delete Sections 11.1 and 11.2.

(2) Amend Section 3.3 to add the following definition: Demolition. The explosive razing of any manmade structure or any part thereof that cannot be covered with overburden or blasting mats.

(3) Amend Section 4.4 to add the following new Subsection: 4.4.7 Each applicant for a Demolition Class D permit shall possess 5 years of experience in the field of demolition and shall pass the demolition examination as approved by the Office of the State Fire Marshal.

Section 74.1 of the NFPA 1, Fire Code, 2015 Edition, is amended to delete subsection 11.1.3.

Secs. 9-75 – 9-78. Reserved

ARTICLE V. LIFE SAFETY

DIVISION 1. GENERALLY

Sec. 9-79. Scope.

The provisions of this Article shall apply to both new and existing buildings, structures, and operations. In various sections there are specific provisions for existing conditions that may differ from those for new buildings, structures, and operations.

Specifically, this article addresses:

(a) Construction, protection, and occupancy features necessary to minimize danger to life from the effects of fire, including smoke, heat, and toxic gases created during a fire.

(b) Minimum criteria for the design of egress facilities so as to allow prompt escape of occupants from buildings, structures, or properties; or where desirable, into safe areas within buildings.

(c) Other considerations essential to life safety in recognition of the fact that life safety is more than a matter of egress.

Sec. 9-80. Purpose.

The purpose and the intent of this article are to establish minimum requirements for the design, operation, and maintenance of buildings and structures for safety to life from the effects of fire, including smoke, heat, and toxic gases created during a fire. Provisions in this article will also aid life safety in other, similar emergencies.

Sec. 9-81. Definitions.

The definitions contained in this section apply throughout this Article and are in addition to any document referred to therein. The definitions are intended to be read in place of any definitions of the same words contained in the publication adopted in Section 9-90.

Shell business use means a new building or structure that, when complete, will provide base building elements, including, but not limited to, the structure, envelope, and building-level utility systems. Shell business use spaces are typically intended to accommodate tenants complying with the Business, Mercantile, and Assembly (of limited size) occupancy classifications as defined by NFPA 101, Life Safety Code.

Secs. 9-82 – 9-84. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Secs. 9-85 – 9-89. Reserved.

DIVISION 3. TECHNICAL STANDARDS

Sec. 9-90. NFPA 101, Life Safety Code--Adopted.

The NFPA 101, Life Safety Code, 2015 Edition, as issued by the National Fire Protection Association, is hereby adopted by reference, except as amended by Section 9-91 of this Chapter. One (1) copy of such publication, as adopted, shall be maintained by the Inspection Services Division in the City of Rockville City Hall and made available for inspection by the public during regular office hours. Any amendment or change in such code promulgated by the NFPA shall not become part of this article until the modifications have been duly adopted by ordinance.

Sec. 9-91. Same-Amendments.

The NFPA 101, Life Safety Code, 2015 Edition, is amended in the following respects:

Section 2.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding the following:

2.2.1 Wherever NFPA 5000 is referenced, other than for extracted text, substitute the Rockville City Code, Chapter 5, Buildings and Building Regulations.

The referenced publication NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 Edition.

Subsection 3.3.62 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding Paragraph 3.3.62.3 to read as follows:

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 (2) 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.

Paragraph 3.3.142.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

3.3.142.1* Day-Care Home. A building or portion of a building in which not more than twelve (12) clients receive care, maintenance, and supervision, by other than their relative(s) or legal guardians(s), for less than twenty-four (24) hours per day.

Paragraph 3.3.190.4 of the NFPA 101, Life Safety Code, 2012 Edition, is amended to read as follows:

3.3.190.4* Day-Care Occupancy. An occupancy in which clients receive care,

maintenance, and supervision, by other than their relatives or legal guardians, for less than twenty-four (24) hours per day.

Paragraph 3.3.190.12 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

3.3.190.12* Residential Board and Care Occupancy. A building or portion thereof that is used for lodging and boarding of six (6) or more residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services.

Subsection 4.5.8 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

4.5.8 Maintenance. Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be maintained, unless the *Code* exempts such maintenance.

Subsection 4.6.12.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

4.6.12.1 Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or any other feature is required, such device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or other feature shall thereafter be continuously maintained in accordance with applicable NFPA requirements or requirements developed as part of a performance-based design, or as directed by the authority having jurisdiction.

Paragraph 4.6.12.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

4.6.12.3* Existing life safety features obvious to the public, tenants, or occupants, if not required, shall be either maintained or removed.

Subsection 4.8.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding Paragraph 4.8.2.4 to read as follows:

4.8.2.4 Emergency plans shall be maintained in a location approved by the AHJ.

Paragraph 6.1.4.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

6.1.4.1* Definition — Day-Care Occupancy. An occupancy in which clients receive care, maintenance, and supervision, by other than their relatives or legal guardians, for less than twenty-four (24) hours per day.

Paragraph 6.1.9.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

6.1.9.1* Definition — Residential Board and Care Occupancy. A building or portion thereof that is used for lodging and boarding of six (6) or more residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services.

Subparagraph 7.2.1.5.12 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

7.2.1.5.12 Devices shall not be installed in connection with any door assembly on which panic hardware or fire exit hardware is provided where such devices prevent or are intended to prevent the free use of the leaf for purposes of egress, unless otherwise provided in 7.2.1.6

Subparagraph 7.2.1.7.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

7.2.1.7.1 Where a door assembly is equipped with panic or fire exit hardware, such hardware shall meet the following criteria:

(1) It shall consist of a cross bar or a push pad , the actuating portion of which extends across not less than one-half of the width of the door leaf.
(2) It shall be mounted as follows:
(a) New installations shall not be less than 34 in, (865mm) and not more than 48 in. (1220mm) above the floor.
(b) Existing installations shall not be less than 30 in. (760mm) and not more than 48 in. (1220mm) above the floor.
(3) It shall be constructed so that a horizontal force not to exceed 15 lbf (66N) actuates the cross bar or push pad and latches.

Subparagraph 7.2.1.7.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

7.2.1.7.3 Panic and fire exit hardware in other than detention and correctional occupancies as otherwise provided in Chapters 22 and 23, shall not be equipped with any locking device, set screw, or other arrangement that prevents the release of the latch when pressure is applied to the releasing device.

Table 7.3.1.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding the following line under "Business Use" to read as follows:

Shell business use	65 ft^2 per person	6 m^2 per person

Subsection *7.7.4* of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding Paragraph 7.7.4.1 to read as follows:

7.7.4.1 Egress discharge paths shall be made of permanent formed materials arranged in a manner to lead occupants to a public way. Grass lawns, gravel,

flagstones, and other filler materials will not be an acceptable path base.

Paragraph 7.9.1.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

7.9.1.2 For the purposes of 7.9.1.1, exit access shall include, but not be limited to, designated stairs, aisles, corridors, ramps, escalators, and passageways leading to an exit. For the purposes of 7.9.1.1, exit discharge shall include only designated stairs, ramps, aisles, walkways, and escalators leading to a public way.

Chapter 8 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding the following Section and Subsections to read as follows:

8.9 Fire Department Personnel Access.

8.9.1 Access to Floors. In all complex structures, at least one entrance to a stair shall be provided in the vicinity of the main fire department access point, which accesses all levels of the structure. If a standpipe system is required in the building, this stair must be provided with that means of manual fire protection. The automatic fire sprinkler floor control valves shall also be located in this stair.

Paragraph 9.6.1.3 of NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

9.6.1.3 Fire alarm systems shall be installed, tested, and maintained in accordance with the applicable requirements of NFPA 70, *National Electrical Code*, and NFPA 72, *National Fire Alarm and Signaling Code*, unless it is an approved existing installation, which shall be permitted to be continued to be used.

Paragraph 9.6.1.6 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding as follows:

9.6.1.6 Where a required fire alarm system is impaired or out of service for more than four (4) hours in a twenty-four (24) hour period, mitigating measures shall be in accordance with Section 9-14 of the Rockville City Code.

Paragraph 9.6.2.6 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

9.6.2.6* For fire alarm systems using automatic fire detection or waterflow detection devices, not less than one manual fire alarm box shall be provided to initiate a fire alarm signal. The manual fire alarm box shall be located where required by the authority having jurisdiction. 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 12 through 43.

Paragraph 9.7.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding Subparagraph 9.7.1.1.1 to read as follows:

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

Subsection 9.11.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

9.11.1 Maintenance and Testing. All automatic sprinkler and standpipe systems shall be inspected, tested, and maintained in accordance with NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems.*

Paragraph 11.8.3.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

11.8.3.1 High-rise buildings shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with section 9.7. A sprinkler control valve and waterflow device shall be provided for each floor. High rise buildings do not include a structure or building used exclusively for open-air parking.

Paragraph 11.8.6.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

11.8.6.1 An emergency command center shall be provided that complies with all of the following:

(1) The location of the emergency command center shall be provided in a location approved by the authority having jurisdiction.
(2) A door that opens directly to the exterior shall be provided on the address side of the building.
(3) The exterior door to the emergency command center shall be within 50 ft. (15.24 m) of a fire department access road.
(4) A fire department access box shall be provided within 6 ft. (1.83 m) of the exterior door to the emergency command center.
(5) The exterior door to the emergency command center shall be identified on the exterior face as the emergency command center in a manner acceptable to the authority having jurisdiction.
(6) Chapter 5, Buildings and Building Regulations, of the Rockville City Code

Paragraph 11.11.2.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

11.11.2.1 All tent fabric shall meet the flame propagation performance criteria contained in NFPA 701, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films* or other approved testing standard approved by the State Fire Marshal.

Paragraph 12.2.4.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

12.2.4.1 The number of means of egress shall be in accordance with section 7.4, other than exits for fenced outdoor assembly occupancies in accordance with 12.2.4.4

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

Paragraph 12.3.5.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

12.3.5.2 Any building containing one or more assembly occupancies where the aggregate occupant load of the assembly occupancies exceeds 100 shall be protected by an approved, supervised automatic sprinkler system in accordance with Section 9.7.

Paragraph 13.2.4.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

13.2.4.1 The number of means of egress shall be in accordance with section 7.4, other than exits for fenced outdoor assembly occupancies in accordance with 12.2.4.4

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

Paragraph 14.7.2.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

14.7.2.3 Fire emergency egress drills shall be conducted as follows:
(1) Not less than one fire emergency egress drill shall 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 shall be permitted to be deferred; and
(b) In educational occupancies which are:
(i) fully protected by an automatic sprinkler system, the total number of annual fire emergency egress drills shall be five, with a least two of the required drills conducted in the first four months of the school year; or
(ii) not fully protected by an automatic sprinkler system, the total number of annual fire emergency egress drills shall be eight, with at least three of the required drills conducted in the first four months of the school year.
(2) All occupants of the building shall participate in the fire emergency egress drill.
(3) One fire emergency egress drill, other than for educational occupancies that are open on a year-round basis, shall be required within the first 30 days of operation.

Paragraph 15.7.2.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

15.7.2.3 Fire emergency egress drills shall be conducted as follows:
(1) Not less than one fire emergency egress drill shall 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 shall be permitted to be deferred; and
(b) In educational occupancies which are:
(i) fully protected by an automatic sprinkler system, the total number of annual fire emergency egress drills shall be five, with a least two of the required drills conducted in the first four months of the school year; or
(ii) not fully protected by an automatic sprinkler system, the total number of annual fire emergency egress drills shall be eight, with at least three of the required drills conducted in the first four months of the school year.
(2) All occupants of the building shall participate in the fire emergency egress drill.
(3) One fire emergency egress drill, other than for educational occupancies that are open on a year-round basis, shall be required within the first 30 days of operation.

Subsection 16.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding Paragraph 16.1.1.9 to read as follows:

16.1.1.9 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.

Subparagraph 16.2.11.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding item (4) to read as follows:

16.2.11.1.1 For windows at grade the minimum net clear opening shall be permitted to be 5.0 ft^2 (0.46 m^2).

Sub-subparagraph 16.6.1.4.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

16.6.1.4.1.1 Family Day-Care Home. A family day-care home shall be a day-care home in which fewer than nine (9), clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than twenty- four (24) hours per day, generally within a dwelling unit.

Sub-subparagraph 16.6.1.4.1.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

16.6.1.4.1.2 Group Day-Care Home. A group day-care home shall be a day-care

home in which not less than nine (9), but not more than twelve (12), clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than twenty-four (24) hours per day, generally within a dwelling unit.

Subparagraph 16.6.1.7.1 of the NFPA 101, Life Safety Code, 2015 Edition, is deleted and replaced to read as follows:

16.6.1.7.1 In family day-care homes, the following shall apply:

(1) The minimum staff-to-client ratio shall be not less than one (1) staff for up to eight (8) clients, including the caretaker's own children incapable of self-preservation.
(2) There shall be not more than four (4) 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 (1) staff to every two (2) clients incapable of self-preservation shall be maintained at all times.
(4) The staff-to-client ratio shall be permitted to be modified by the authority having jurisdiction where safeguards in addition to those specified by this section are provided.

Paragraph 16.6.2.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

16.6.2.1 General. Means of escape shall comply with Section 24.2. Bulkhead doors may not serve as a primary means of escape.

Paragraph 16.6.2.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

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

(1) The sliding door shall have not more than one, easily operated, locking device that does not require special knowledge, effort, or tools to operate;
(2) There may not be draperies, screens, or storm doors that could impede egress;
(3) The sill or track height may not exceed ½ in.(12.7 mm) above the interior finish floor;
(4) The surface onto which exit is made shall be an all-weather surface such as a deck, patio, or sidewalk;
(5) The floor level outside the door may be one step lower than the inside, but not more than 8 in. (203.2 mm) lower;
(6) The sliding door shall open to a clear open width of at least 28 in. (711.2 mm);
(7) Before day-care use each day, the sliding door shall be unlocked and tested to the full required width to be sure it is operating properly, and the door shall be nonbinding and slide easily; and
(8) During periods of snow or freezing rain, door tracks shall be cleared out and the door opened periodically throughout the day in order to ensure proper

operation.

Paragraph 16.6.2.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read by adding as follows:

SPECIAL MEANS OF ESCAPE REQUIREMENTS: For family day-care homes, deadbolt 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.

Subparagraph 16.6.2.4.5 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

16.6.2.4.5 Where clients occupy a story below the level of exit discharge, that story shall have not less than one means of escape complying with one of the following:

(1) Door leading directly to the outside with access to finished ground level.
(2) Door leading directly to an outside stair going to finished ground level. (3) Bulkhead enclosure complying with 24.2.7.
(4) Interior stair leading directly to the outside with access to finished ground level, separated from other stories by a ½ hour barrier in accordance with Section 8.3.

Bulkhead doors may not serve as a primary means of escape.

Subparagraph 17.6.2.4.5 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

17.6.2.4.5 Where clients occupy a story below the level of exit discharge, that story shall have not less than one means of escape complying with one of the following:

(5) Door leading directly to the outside with access to finished ground level.
(6) Door leading directly to an outside stair going to finished ground level. (7) Bulkhead enclosure complying with 24.2.7.
(8) Interior stair leading directly to the outside with access to finished ground level, separated from other stories by a ½ hour barrier in accordance with Section 8.3. Bulkhead doors may not serve as a primary means of escape.

Subsection 17.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by adding Paragraph 17.1.1.9 to read as follows:

17.1.1.9 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.

Subparagraph 17.2.11.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended by

adding item (4) to read as follows:

17.2.11.11 For windows at grade the minimum net clear opening shall be permitted to be 5.0 ft^2 (0.46 m^2).

Subparagraph 17.6.1.1.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

17.6.1.1.2* The requirements of Section 17.6 shall apply to existing day-care homes in which not more than twelve (12), clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than twenty-four (24) hours per day, generally within a dwelling unit. An existing day- care home shall be permitted the option of meeting the requirements of Section 16.6 in lieu of Section 17.6. Any existing day-care home that meets the requirements of Chapter 16 shall be judged as meeting the requirements of this chapter. *(See also 17.6.1.4.)*

Sub-subparagraph 17.6.1.4.1.1 of the NFPA 101, Life Safety Code, 20125Edition, is amended to read as follows:

17.6.1.4.1.1 Family Day-Care Home. A family day-care home shall be a day-care home in which fewer than nine (9), clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than twenty-four (24) hours per day, generally within a dwelling unit.

Sub-subparagraph 17.6.1.4.1.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

17.6.1.4.1.2 Group Day-Care Home. A group day-care home shall be a day-care home in which not less than nine (9), but not more than twelve (12), clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than twenty-four (24) hours per day, generally within a dwelling unit.

Subparagraph 17.6.1.7.1 of the NFPA 101, Life Safety Code, 2015 Edition, is deleted and replaced to read as follows:

17.6.1.7.1 In family day-care homes, the following shall apply:

(1) The minimum staff-to-client ratio shall be not less than one (1) staff for up to eight (8) clients, including the caretaker's own children incapable of self-preservation.
(2) There shall be not more than four (4) 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 (1) staff to every two (2) clients incapable of self-preservation shall be maintained at all times.
(4) The staff-to-client ratio shall be permitted to be modified by the authority having jurisdiction where safeguards in addition to those specified by this section are provided.

Paragraph 17.6.2.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to

read as follows:

17.6.2.1 General. Means of escape shall comply with Section 24.2. Bulkhead doors may not serve as a primary means of escape.

Paragraph 17.6.2.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

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

1) The sliding door shall have not more than one, easily operated, locking device that does not require special knowledge, effort, or tools to operate;
2) There may not be draperies, screens, or storm doors that could impede egress;
3) The sill or track height may not exceed ½ in.(12.7 mm) above the interior finish floor;
4) The surface onto which exit is made shall be an all-weather surface such as a deck, patio, or sidewalk;
5) The floor level outside the door may be one step lower than the inside, but not more than 8 in. (203.2 mm) lower;
6) The sliding door shall open to a clear open width of at least 28 in (711.2 mm);
7) Before day-care use each day, the sliding door shall be unlocked and tested to the full required width to be sure it is operating properly, and the door shall be nonbinding and slide easily; and
8) During periods of snow or freezing rain, door tracks shall be cleared out and the door opened periodically throughout the day in order to ensure proper operation. *[COMAR 29.06.01.07]*

Paragraph 17.6.2.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

SPECIAL MEANS OF ESCAPE REQUIREMENTS: For family day-care homes, deadbolt 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 when the home is occupied for family day care.

Subparagraph 17.6.3.4.4 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

17.6.3.4.4 Approved battery-powered smoke alarms, rather than house electrical service–powered smoke alarms required by 17.6.3.4.3, shall be permitted where the facility has testing, maintenance, and battery replacement programs that ensure reliability of power to the smoke alarms.

Subparagraph 22.4.5.1.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **22.4.5.1.3** Lockups in occupancies, other than detention and correctional occupancies and health care occupancies, where the holding area has capacity for not more than fifty (50) detainees, and where no individual is detained for twenty- four (24) hours or more, shall comply with 22.4.5.1.4.

Subparagraph 22.4.5.1.4 (1) of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **22.4.5.1.4 (1)** Doors and other physical restraints to free egress by detainees can be readily released by staff within thirty (30) seconds of the onset of a fire or similar emergency.

Subparagraph 22.4.5.1.4 (2) of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **22.4.5.1.4 (2)** Staff is in sufficient proximity to the lockup so as to be able to effect the thirty (30) second release required by 22.4.5.1.4 (1) whenever detainees occupy the lockup.

Subparagraph 22.4.5.1.5 of the NFPA 101, Life Safety Code, 2015 Edition, is deleted.

Paragraph 22.4.5.2 of the NFPA 101, Life Safety Code, 2015 Edition, is deleted.

Subparagraph 23.4.5.1.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **23.4.5.1.3** Lockups in occupancies, other than detention and correctional occupancies and health care occupancies, where the holding area has capacity for not more than fifty (50) detainees, and where no individual is detained for twenty- four (24) hours or more, shall comply with 23.4.5.1.4.

Subparagraph 23.4.5.1.4 (1) of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **23.4.5.1.4 (1)** Doors and other physical restraints to free egress by detainees can be readily released by staff within thirty (30) seconds of the onset of a fire or similar emergency.

Subparagraph 23.4.5.1.4 (2) of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **23.4.5.1.4 (2)** Staff is in sufficient proximity to the lockup so as to be able to effect the thirty (30) second release required by 23.4.5.1.4 (1) whenever detainees occupy the lockup.

Subparagraph 23.4.5.1.5 of the NFPA 101, Life Safety Code, 2015 Edition, is deleted.

Paragraph 23.4.5.2 of the NFPA 101, Life Safety Code, 2015 Edition, is deleted.

Paragraph 24.1.1.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **24.1.1.2*** The requirements of this chapter shall apply to one- and two-family dwellings, which shall include those buildings containing not more than two (2) dwelling units in which each dwelling unit is occupied by members of a single family with not more than five (5) outsiders.

Subparagraph 24.2.2.3.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **24.2.2.3.3*** It shall be an outside window or door operable from the inside without the use of tools, keys, or special effort and shall provide a clear opening of not less than 5.7 ft^2 (0.53 m^2), or not less than 5.0 ft^2 (0.46 m^2) when at grade. The width shall be not less than 20 in. (510 mm), and the height shall be not less than 24 in. (610 mm). The bottom of the opening shall be not more than 44 in. (1120 mm) above the floor. Such means of escape shall be acceptable where one (1) of the following criteria is met:
>
> (1) The window shall be within 20 ft. (6100 mm) of the finished ground level.
> (2) The window shall be directly accessible to fire department rescue apparatus as approved by the authority having jurisdiction.
> (3) The window or door shall open onto an exterior balcony.
> (4) Windows having a sill height below the adjacent finished ground level shall be provided with a window well meeting the following criteria:
> (a) The window well shall have horizontal dimensions that allow the window to be fully opened.
> (b) The window well shall have an accessible net clear opening of not less than 9 ft^2 (0.82 m^2) with a length and width of not less than 36 in. (915 mm).
> (c) A window well with a vertical depth of more than 44 in. (1120 mm) shall be equipped with an approved permanently affixed ladder or with steps meeting the following criteria:
> i. The ladder or steps shall not encroach more than 6 in. (150 mm) into the required dimensions of the window well.
> ii. The ladder or steps shall not be obstructed by the window.

Paragraph 26.1.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

> **26.1.1.1*** The requirements of this chapter shall apply to buildings that do not qualify as one- and two-family dwellings that provide sleeping accommodations for sixteen (16) or fewer persons on either a transient or permanent basis, with or

without meals, but without separate cooking facilities for individual occupants, except as provided in Chapter 24.

Paragraph 32.2.2.3.1 (3) of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

(3)* Outside window or door operable from the inside, without the use of tools, keys, or special effort, that provides a clear opening of not less than 5.7 ft^2 (0.53 m^2) ", or not less than 5.0 ft^2 (0.46 m^2) when at grade, with the width not less than 20 in. (510 mm), the height not less than 24 in. (610 mm), and the bottom of the opening not more than 44 in. (1120 mm) above the floor, with such means of escape acceptable, provided that one of the following criteria is met:

(a) The window is within 20 ft. (6100 mm) of grade.
(b) The window is directly accessible to fire department rescue apparatus, as approved by the authority having jurisdiction.
(c) The window or door opens onto an exterior balcony.

Paragraph 33.2.2.3.1 (3) of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

(3)* Outside window or door operable from the inside, without the use of tools, keys, or special effort, that provides a clear opening of not less than 5.7 ft^2 (0.53 m^2) ", or not less than 5.0 ft^2 (0.46 m^2) when at grade, with the width not less than 20 in. (510 mm), the height not less than 24 in. (610 mm), and the bottom of the opening not more than 44 in. (1120 mm) above the floor, with such means of escape acceptable, provided that one of the following criteria is met:

(a) The window is within 20 ft. (6100 mm) of grade.
(b) The window is directly accessible to fire department rescue apparatus, as approved by the authority having jurisdiction.
(c) The window or door opens onto an exterior balcony.

Sub-subparagraph 33.3.3.4.8.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows

33.3.3.4.8.1 In all living areas, as defined in 3.3.21.5, and all corridors shall be provided with smoke detectors that comply with NFPA 72, *National Fire Alarm and Signaling Code,* and are arranged to initiate an alarm that is audible in all sleeping areas, as modified by 33.3.3.4.8.3.

Sub-subparagraph of 33.3.3.4.8.2 of the NFPA 101, Life Safety Code, 2015 Edition, is deleted.

Subparagraph 42.3.4.1.2 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

42.3.4.1.2 Storage occupancies less than three (3) stories with ordinary or high hazard contents not exceeding an aggregate floor area of 100,000 ft^2 (9300 m^2)

shall not be required to have a fire alarm system.

Subparagraph 42.3.4.1.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

42.3.4.1.3 Storage occupancies less than three (3) stories protected throughout by an approved automatic sprinkler system in accordance with Section 9.7 shall not be required to have a fire alarm system.

Subparagraph 42.8.3.4.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

42.83.4.1.1 Parking structures less than three stories not exceeding an aggregate floor area of 100,000 ft^2 (9300 m^2)shall not be required to have a fire alarm.

Subparagraph 42.8.3.4.1.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

42.8.3.4.1.3 Parking structures less than three stories protected throughout by an approved automatic sprinkler system in accordance with Section 9.7 shall not be required to have a fire alarm system.

Subparagraph 42.8.3.4.1.1 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

42.83.4.1.1 Parking structures less than three stories not exceeding an aggregate floor area of 100,000 ft^2 (9300 m^2)shall not be required to have a fire alarm.

Subparagraph 42.8.3.4.1.3 of the NFPA 101, Life Safety Code, 2015 Edition, is amended to read as follows:

42.8.3.4.1.3 Parking structures less than three stories protected throughout by an approved automatic sprinkler system in accordance with Section 9.7 shall not be required to have a fire alarm system.

Secs. 9-92-9-94. Reserved

ARTICLE VI. WATER-BASED FIRE PROTECTION SYSTEMS

DIVISION 1. GENERALLY

Sec. 9-95. Scope.

This article shall provide the minimum requirements for the application, design, installation, location, performance, and maintenance of automatic fire sprinkler systems, standpipe and hose systems, pumps, and accessory equipment for supplying water for fire protection.

Sec. 9-96. Purpose.

The purpose of this article is to provide a reasonable degree of protection for life and property from fire through design, installation, testing and maintenance requirements for automatic fire sprinkler systems, standpipe and hose systems, pumps, and accessory equipment for supplying water for fire protection based on sound engineering principles, test data, and field experience.

Sec. 9-97. Definitions.

The definitions contained in this section apply throughout this article and are in addition to any document referred to therein. The definitions are intended to be read in place of any definitions of the same words contained in the publication adopted in Section 9-104.

Bathroom means a room and any connected adjacent spaces of related use, excluding closets, collectively containing a water closet, lavatory, and bathtub or shower.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT Sec.

9-98. Permits.

(a) Application for a permit shall only be made by an individual, firm, or corporation licensed by the State Fire Marshal's Office for the installation, service, or repair of water-based fire protection systems.

Sec. 9-99. Licensing.

(a) A license shall be obtained from the State Fire Marshal's Office by every individual, firm, or corporation commercially installing, servicing, or repairing water-based fire protection systems.

Secs. 9-100. Impairments.

(a) Impairments. A fire protection system shall be considered to be impaired when the system or portion thereof is taken out of service for any reason.

(1) Where a required fire sprinkler system is impaired for more than ten (10) hours in a twenty-four (24) hour period, the building shall be evacuated, or an approved fire watch shall be provided for all parties left unprotected by the shutdown, or other mitigating measures shall be instituted as approved by the City Fire Marshal until the fire sprinkler system has been returned to service.

(b) Out of Service. A fire protection system shall be considered to be out of service when the system is damaged or impaired to a degree that it is unable to provide the basic level of fire protection it was intended to provide.

(1) Where a required fire sprinkler system is out of service for more than four (4) hours in a twenty-four (24) hour period, the authority having jurisdiction shall be notified, and the building shall be evacuated, or an approved fire watch shall be provided for all parties left unprotected by the shutdown, or other mitigating measures shall be instituted as approved by the City Fire Marshal until the fire sprinkler system has been returned to service.

Secs. 9-101 – 9-103. Reserved.

DIVISION 3. TECHNICAL STANDARDS

Sec. 9-104. Adopted.

The NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition; NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2013 Edition; NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 Edition; NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2013 Edition; NFPA 20, Standard for the Installation of Stationary Pump for Fire Protection, 2013 Edition; and NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2014 Edition, as issued by the National Fire Protection Association, are hereby adopted by reference, except as amended by Section 9-105, Section 9-106, Section 9-107, Section 9-108, Section 9-109, and Section 9-110 of this Chapter. One (1) copy of such publication, as adopted, shall be maintained by the Inspection Services Division in the City of Rockville City Hall and made available for inspection by the public during regular office hours. Any amendment or change in such code promulgated by the NFPA shall not become part of this article until the modifications have been duly adopted by ordinance.

Sec. 9-105. Same-Amendments, NFPA 13

Subsection 7.6.1 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition, is amended by adding paragraph 7.6.1.6 to read as follows:

> **7.6.1.6 Dwelling Units.** Antifreeze shall not be permitted to be used within the dwelling unit portions of sprinkler systems.

Subparagraph 8.15.11.3 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition, is deleted.

Subparagraph 8.16.1.1.1 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition, is amended by adding the Sub-subparagraph 8.16.1.1.1.4 to read as follows:

> **8.16.1.1.1.4** When a sprinkler system serves more than one floor, each floor must be consistently and separately valved by a listed and approved indicating control valve.
>
> **8.16.1.1.1.5** Where a sprinkler system is required to activate a building fire alarm system, the sprinkler system shall have a separate and distinct water flow detecting device for each floor and zone.
>
> **8.16.1.1.1.6** The provisions of 8.16.1.1.1.4 and 8.16.1.1.1.5 shall not apply to the following:
>
> (1) In buildings not exceeding three floors and 3000 square feet per floor.
> (2) Unoccupied and unused attics may be zoned with the level below.
> (3) Mezzanines not exceeding 3000 square feet in area.
> (4) Detention and correctional facilities.

Sub-subparagraph 8.17.2 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition, is amended to read as follows:

18.7.2 The fire department connection should be located not less than 18in. (457mm) and not more than 4 ft (1.2m) above the level of the adjacent grade or access and no further than 100 ft from a fire hydrant.

Subparagraph 8.17.2.1 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition, is amended by adding the Sub-subparagraph 8.17.2.1.1 to read as follows:

8.17.2.1.1 The number of 2 ½ in outlets required for system demand shall be as follows:

(1) Up to 749 – 2 outlets
(2) 750 – 999 – 3 outlets
(3) 1000 and over – 4 outlets

8.17.2.1.2 Multiple connections for the same building shall be interconnected.

Sub-subparagraph 8.17.2.3 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition, is deleted and replaced with the following to read as follows:

8.17.2.3 The size of the pipe for the fire department connection shall be sized at least as large as the main sprinkler system riser or the fire pump discharge line, whichever is larger.

Sub-subparagraph 8.17.2.4.5 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 Edition, is amended to read as follows:

8.17.2.4.5 Where a fire department connection services only a portion of a building, a permanent weather resistant sign shall be attached indicating the portions of the building served.

Subsection 23.2 of the NFPA 13, Standard for the Installation of Sprinkler Systems, 2013Edition, is amended by adding the following Subsections, and Annex Section to read as follows:

23.2.3* Water Supply Safety Factors.

23.2.3.1 Calculations for new systems, or new portions of existing systems, must be designed with a safety factor of not less than 20%.

23.2.3.2 The minimum safety factor may be reduced to 10% for owner occupied buildings.

23.2.3.3 Lower safety factors may be used at the discretion of the authority having jurisdiction.

A.23.2.3 For sprinkler systems without a fire pump, this safety is based on pressure

demand at the supply point. For systems designed with a fire pump, this safety is based on both demand pressure and demand flow at the pump discharge. When designing these systems, all options, except gridded piping arrangements, should be explored to prevent adding a fire pump.

Sec. 9-106. Same-Amendments, NFPA 13D.

Paragraph 3.3.11.1 of the NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 Edition, is deleted.

Subsection 6.1.2 of the NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 Edition, is amended by adding the following Subsection, Paragraphs, and Annex Section to read as follows:

6.1.2.1* Calculations for new systems, or new portions of existing systems, must be designed with a 10% safety factor.

6.1.2.2 Lower safety factors may be used at the discretion of the authority having jurisdiction.

A.6.1.2.1 For sprinkler systems without a fire pump, this safety is based on pressure demand at the supply point. For systems designed with a fire pump, this safety is based on both demand pressure and demand flow at the pump discharge. When designing these systems, all options, except gridded piping arrangements, should be explored to prevent adding a fire pump.

Subsection 7.1.2 of the NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 Edition, is deleted.

Subsection 8.3.2 (2) of the NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 Edition, is deleted.

Section 9.2 Antifreeze Systems of the NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, 2013 Edition, is deleted in its entirety.

Sec. 9-107. Same-Amendments, NFPA 13R

Chapter 4 of the NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies,, 2013 Edition, is amended by adding Section 4.7 to read as follows:

> **4.7 Antifreeze Systems.** Antifreeze shall not be permitted within the dwelling unit portions of sprinkler systems.

Subsection 5.4.2 of the NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2013 Edition, is amended by deleting (1) of the accepted methods.

Subsection 5.4.3 of the NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies,, 2013 Edition, is amended to read as follows:

> **5.4.3** Antifreeze shall not be permitted within the dwelling unit portions of sprinkler systems.

Subsection 7.1.1.1 of the NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies,, 2013 Edition, is amended by adding the following Subsections and Annex Section to read as follows:

> **7.1.1.1.1** Calculations for new systems, or new portions of existing systems, must be designed with a 10% safety factor.
>
> **7.1.1.1.2** Lower safety factors may be used at the discretion of the authority having jurisdiction.
>
> **A.7.1.1.1.1** For sprinkler systems without a fire pump, this safety is based on pressure demand at the supply point. For systems designed with a fire pump, this safety is based on both demand pressure and demand flow at the pump discharge. When designing these systems, all options, except gridded piping arrangements, should be explored to prevent adding a fire pump.

Subsection 6.11.2 of the NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, 2013 Edition, is amended to read:

> **6.11.2** In all apartment buildings, not less than a single 2 ½ in. fire department connection shall be provided.

Subsection 6.11.2 of the NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies,, 2013 Edition, is amended by adding the following:

> **6.11.2.1** The fire department connection shall be located on a street front, and be 18 to 48 in. (457.2 mm to 1.22 m) from the centerline of the inlet to finish grade.

Sec. 9-108. Same-Amendments, NFPA 14.

Paragraph 4.7.3 of the NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2013 Edition, is amended as follows:

4.7.3 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.

Paragraph 6.4.5.1 of the NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2013 Edition, is amended by adding Subparagraph 6.4.5.1.2 to read as follows:

6.4.5.1.2 Unless otherwise directed by the AHJ, the installation of fire department connections shall comply with the following:

(a) the number of 2 ½ inlets shall be:

System Demand (gpm)	No. of Inlets
Up to 749	2
750 to 999	3
1000 and above	4

(b) multiple inlets for the same building shall be interconnected.

Subparagraph 6.4.5.3 of the NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2013 Edition, is amended to read as follows:

6.4.5.3 Where a fire department connection services multiple buildings, structures, locations, services, or only a portion of a building, a sign shall be provided indicating the buildings, structures, locations, or portions of the building served.

Subsection 7.3.2 (1) of the NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2013 Edition, is amended to read as follows:

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

Subsection 7.8.1 of the NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2013 Edition, is amended by adding the following Paragraphs, Subparagraph, and Annex Section to read as follows:

7.8.1.2 Where fire pumps are necessary to produce the required residual pressures for standpipe systems in high rise buildings, the pumps and piping shall be sized to provide for the demand of the hydraulically most remote hose station, or the sprinkler system demand, whichever is greater.

7.8.1.2.1 Standpipe systems shall 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).

7.8.1.3 Standpipe systems in buildings that are not high rises, and dry standpipe systems with no automatic water supplies, may be designed to obtain the required flows and pressures, when supplied by the fire department with 1000 gpm at 150 psi at the fire department connection(s).

Subsection 8.2.2 of the NFPA 14, Standard for the Installation of Standpipe and Hose Systems, 2013 Edition, is amended by adding Paragraph 8.2.2.1 to read as follows:

8.2.2.1 Where fire pumps are necessary to produce the required residual pressures for standpipe systems in high rise buildings, separate sets of calculations shall be provided to demonstrate the demand of the hydraulically most remote hose station and the demand of the sprinkler system.

Sec. 9-109. Same-Amendments, NFPA 20.

Sub-subparagraph 4.12.1.1.3 of the NFPA 20, Standard for the Installation of Stationary Fire Pumps for Fire Protection, 2013 Edition, is amended to read as follows:

4.12.1.1.3 The location of and access to the fire pump room shall be approved by the authority having jurisdiction.

Sec. 9-110. Same-Amendments, NFPA 25. (No Amendments)

Secs. 9-111 – 9-112. Reserved

ARTICLE VII. FIRE ALARM AND DETECTION SYSTEMS

DIVISION 1. GENERALLY

Sec. 9-113. Scope.

This Article shall provide the minimum requirements for the application, design, installation, location, performance, and maintenance of automatic fire detection and alarm systems, smoke detection and alarm systems, the components of these systems, and accessory equipment for fire protection.

Sec. 9-114. Purpose.

The purpose of this Article is to provide a reasonable degree of protection for life and property from fire through design, installation, testing, and maintenance requirements for automatic fire detection and alarm systems, smoke detection and alarm systems, the components of these systems, and accessory equipment based on sound engineering principles, test data, and field experience.

Sec. 9-115. Definitions.

The definitions contained in this section apply throughout this Article and are in addition to any document referred to therein. The definitions are intended to be read in place of any definitions of the same words contained in the publication adopted in Section 9-120.

(No Definitions)

DIVISION 2. ADMINISTRATION AND ENFORCEMENT Secs.

9-116. Impairments.

(a) Impairments. A fire protection system shall be considered to be impaired when the system or portion thereof is taken out of service for any reason.

(1) Where a required fire alarm system is impaired for more than four (4) hours in a twenty-four (24)-hour period, the building shall be evacuated, or an approved fire watch shall be provided for all parties left unprotected by the shutdown, or other mitigating measures shall be instituted as approved by the City Fire Marshal until the fire alarm system has been returned to service.

(b) Out of Service. A fire protection system shall be considered to be out of service when the system is damaged or impaired to a degree that it is unable to provide the basic level of fire protection it was intended to provide.

(1) Where a required fire alarm system is out of service for more than four (4) hours in a twenty-four (24) hour period, the authority having jurisdiction shall be notified, and the building shall be evacuated, or an approved fire watch shall be provided for all parties left unprotected by the shutdown, or other mitigating measures shall be instituted as approved by the City Fire Marshal until the fire

alarm system has been returned to service.

Secs. 9-117 – 9-119. Reserved.

DIVISION 3. TECHNICAL STANDARDS

Sec. 9-120. Adopted.

he NFPA 72, National Fire Alarm and Signaling Code, 2013 Edition, as issued by the National Fire Protection Association, is hereby adopted by reference, except as amended by Section 9-121 of this Chapter. One (1) copy of such publication, as adopted, shall be maintained by the Inspection Services Division in the City of Rockville City Hall and made available for inspection by the public during regular office hours. Any amendment or change in such code promulgated by the NFPA shall not become part of this article until the modifications have been duly adopted by ordinance.

*Paragraph 10.21.5*of the NFPA 72, National Fire Alarm and Signaling Code, 2013 Edition, is amended to read as follows:

> **10.21.5** Where a required fire alarm system is impaired or out of service for more than four (4) hours in a twenty-four (24) hour period, mitigating measures shall be in accordance with Section 9-14 of the Rockville City Code.

Paragraph 17.12.2 of the NFPA 72, National Fire Alarm and Signaling Code, 2013 Edition, is amended to by adding subparagraph 17.12.2.1 to read as follows:

> **17.12.2.1** Standpipe or main water flow indicators, if provided, must sound a supervisory signal.

Section 18.3 of the NFPA 72, National Fire Alarm and Signaling Code, 2013 Edition, is amended by adding Sub-section 18.3.7 to read as follows:

> **18.3.7 Calculations.** Calculations for amperage capacity of notification circuits shall provide for a minimum of a 20 percent safety factor on each circuit.

Subsection 18.4.1 of the NFPA 72, National Fire Alarm and Signaling Code, 2013 Edition, is amended by adding Paragraph 18.4.1.7 to read as follows:

> **18.4.1.7** Where variable volume settings are provided with an audible device, the spacing shall be based on the low volume level.

Paragraph 24.5.1.15 of the NFPA 72, National Fire Alarm and Signaling Code, 2013 Edition, is amended to read as follows:

> **24.5.1.15** If telephone jacks are provided, six (6) or more portable handsets (as determined by the authority having jurisdiction) shall be stored at each control center for use by emergency responders.

Secs. 9-122 – 9-124. Reserved.

ARTICLE VIII. SPECIAL HAZARDS

DIVISION 1. GENERALLY

Sec. 9-125. Scope.

This Article shall apply to:

(a) The design, installation, operation, testing, and maintenance of pre-engineered wet chemical and dry chemical fire extinguishing systems that discharge chemical extinguishing agent from fixed nozzles and piping, and dry chemical systems that discharge dry chemical from hand hose lines, by means of expellant gas; and

(b) To laboratories and laboratory buildings in which laboratory chemicals, as defined in Section 9-127, are handled or stored; and

(c) The production, use, storage, and disposal of hazardous materials; and

(d) Commercial cooking operations and residential cooking equipment used for commercial cooking operations, but shall not apply to cooking equipment located in a single dwelling unit.

Sec. 9-126. Purpose.

The purpose of this article is to provide a reasonable degree of protection for life and property from fire:

(a) Through design, installation, and testing requirements for automatic chemical extinguishing systems based on sound engineering principles, test data, and field experience; and

(b) By establishing minimum requirements that will provide a reasonable degree of fire prevention and control to safeguard life, property, and public welfare from the hazards of fire and explosion arising from the storage, handling, or use of substances, or materials in laboratories; and

(c) By providing the minimum fire safety requirements related to the design, installation, operation, inspection, and maintenance of public and private cooking operations, and pre-engineered wet chemical or dry chemical fire extinguishing systems; and

(d) By providing minimum fire and life safety standards for buildings and structures involved in construction, alteration, or demolition.

Sec. 9-127. Definitions

The definitions contained in this section apply throughout this article and are in addition to any document referred to therein. The definitions are intended to be read in place of any definitions of the same words contained in the publication adopted in Section 9-136.

Hazardous materials means a chemical or substance that is classified as a physical hazard material or a health hazard material, whether the chemical or substance is in usable or waste condition.

Laboratory means a facility where the containers used for reactions, transfers, and other handling of chemicals are designed to be easily and safely manipulated by one (1) person. It is a workplace where chemicals are used or synthesized on a nonproduction basis.

Laboratory building means a structure consisting wholly or principally of one (1) or more laboratory units.

Laboratory chemical means a substance with one or more of the following hazard ratings as defined in NFPA 704, *Standard System for the Identification of the Hazards of Materials for Emergency Response*: Health - 2, 3, or 4; Flammability - 2, 3, or 4; Instability - 2, 3, or 4.

Secs. 9-128 – 9-130. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 9-131. Permits.

(a) Application for a permit for a non-water based fire extinguishing system shall only be made by an individual, firm, or corporation licensed by the State Fire Marshal's Office for the installation, service, or repair of non-water based fire extinguishing systems.

(b) A Hazardous Materials Use Permit, issued by Montgomery County, shall be required to dispense, handle, use, process, transfer, store, or manufacture one or more materials or substances that meet the requirements of a "hazardous substance" per Montgomery County Regulation 17-03.

Sec. 9-132. Licensing.

(a) A license shall be obtained from the State Fire Marshal's Office by every individual, firm, or corporation commercially installing, servicing, or repairing non-water based fire-extinguishing systems.

Secs. 9-133 – 9-135. Reserved

DIVISION 3. TECHNICAL STANDARDS

Sec.9-136. Adopted.

The NFPA 17, Standard for Dry Chemical Extinguishing Systems, 2013 Edition; NFPA 17A, Standard for Wet Chemical Extinguishing Systems, 2013 Edition; NFPA 30, Flammable and Combustible Liquids Code, 2015 Edition; NFPA 45, Standard on Fire Protection for

Laboratories Using Chemicals, 2015 Edition; NFPA 58, Liquefied Petroleum Gas Code, 2014 Edition; NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2014 Edition; and NFPA 241, Standard for Safeguard Construction, Alteration, and Demolition Operations, 2013 Edition, as issued by the National Fire Protection Association, are hereby adopted by reference, except as amend by Section 9-137, Section 9-138, Section 9-139, Section 9-140, Section 9-141, Section 9-142, and Section 9-143 of this Chapter. One (1) copy of such publication, as adopted, shall be maintained by the Inspection Services Division in the City of Rockville City Hall and made available for inspection by the public during regular office hours. Any amendment or change in such code promulgated by the NFPA shall not become part of this article until the modifications have been duly adopted by
ordinance.

Sec. 9-137. Same-Amendments – NFPA 17. (No Amendments)

Sec. 9-138. Same-Amendments – NFPA 17A. (No Amendments)

Sec. 9-139. Same-Amendments – NFPA 30. (No Amendments)

Sec. 9-140. Same-Amendments – NFPA 45. (No Amendments)

Sec. 9-141. Same-Amendments – NFPA 58. (No Amendments)

Sec. 9-142. Same-Amendments – NFPA 96.

Subsection 7.8.1 of the NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2014 Edition is amended by adding the following Paragraph and Subparagraphs to read as follows:

7.8.1.2 In all buildings greater than one (1) story in height, the originating address of the kitchen exhaust being served shall be identified at all exhaust terminations.

7.8.1.2.1 If the address is subdivided into more than one (1) tenant space, then both the address and the unit shall be identified.

7.8.1.2.2 The method of identification shall:

(1) be permanently affixed at the exhaust termination; and
(2) have characters with a stroke not less than 2 in. (50 mm) in height; and
(3) have characters that are on a contrasting background.

Sec. 9-143. Same-Amendments – NFPA 241. (No Amendments)

Secs. 9-144 – 9-146. Reserved

ARTICLE IX. FIREWORKS

DIVISION 1. GENERALLY

Sec. 9-147. Scope.

This article shall provide requirements for:

(a) The construction, handling, and use of fireworks and equipment intended for outdoor fireworks display. It also shall apply to the general conduct and operation of the
display
.

(b) The protection of property, operators, performers, support personnel, and the viewing audiences for outdoor fireworks displays; and where pyrotechnic effects are used indoors and outdoors with a proximate audience.

Sec. 9-148. Purpose.

The purpose of this article shall be to provide minimum requirements for the reasonable and safe conduct of outdoor fireworks displays and the use of pyrotechnic effects used indoors and outdoors.

Sec. 9-149. Definitions.

The definitions contained in this section apply throughout this article and are in addition to any document referred to therein. The definitions are intended to be read in place of any definitions of the same words contained in the publication adopted in Section 9-161.

Fireworks means and includes any combustible or explosive composition; or any substance or combination of substances; or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation; and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of unmanned balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, sparklers, or other fireworks of like construction; and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance, except that the term "fireworks" shall not include model rockets and model rocket engines, designed, sold, and used for the purpose of propelling recoverable aero models, and shall not include toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps manufactured in accordance with the United States Department of Transportation regulations for packing and shipping of toy paper or plastic caps are used; and toy paper or plastic caps manufactured (as provided therein), the sale and use of which shall be permitted at all times. Each package containing toy paper or plastic caps offered for retail sale shall be labeled to indicate the maximum explosive content per cap.

Fireworks display means a presentation of fireworks for a public or

private gathering.

Proximate Audience means an audience closer to pyrotechnic devices than permitted by NFPA 1123, *Code for Fireworks Display*, as amended per Section 9-163 of this Article.

Pyrotechnics means controlled exothermic chemical reactions that are timed to create the effects of heat, gas, sound, dispersion of aerosols, emission of visible electromagnetic radiation, or a combination of these effects to provide the maximum effect from the least volume.

Operator means the person with overall responsibility for the operation and safety of a fireworks display.

Secs. 9-150 – 9-152. Reserved.

DIVISION 2. ADMINISTRATION AND

ENFORCEMENT Sec. 9-153. Manufacture.

It shall be unlawful to manufacture fireworks within the City of Rockville.

Sec. 9-154. Possession or use.

(a) Except as hereinafter provided, it shall be unlawful for any person to possess, store, to offer for sale, expose for sale, sell; or use, burn, or explode any fireworks; provided, however, the possession, sale, or discharge of fireworks are permitted when such activities are approved by the City Fire Marshal and conducted under a permit issued by the State Fire Marshal.

(b) Nothing in this Article shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for signal purposes or illumination, or the sale of blank cartridges for a show or theatre, or for signal of ceremonial purposes in athletic or sports, or for the use by military organizations.

Sec. 9-155. Storage of fireworks.

No person shall keep or store fireworks in the City of Rockville for a period in excess of eight (8) hours unless:

(a) such person possesses a valid permit from the State Fire Marshal's Office for a display within the City of Rockville and such storage site has been approved by the City Fire Marshal; or

(b) such person possesses a valid permit from the City of Rockville Inspection Services Division for such storage.

(c) the fireworks are stored in a police station or fire station serving as a designated drop-off and collection point for fireworks.

Sec. 9-156. Permit.

(a) Permits shall be required for the following:

(1) Fireworks displays; and
(2) Pyrotechnics before a proximate audience.

(b) Application for a permit shall be made on suitable forms provided by Maryland Office of the State Fire Marshal.

(c) All applications for permit for display shall be presented to the City of Rockville Inspection Services Division at least twenty (20) business days before the fireworks display is to be held.

(d) No application approval shall be issued until plans and specifications showing the proposed location and materials, in necessary detail, have been submitted to the City Fire Marshal; and it has been determined from examination of such plans and specifications that they give assurance that the event will be conformed to the provisions of this article. If a permit application is denied, the applicant may submit revised plans and specifications.

(e) All fees due shall be paid prior to the City Fire Marshal providing approval for the display site on the State Fire Marshal's application for the fireworks display.

(f) The requirements of COMAR 29.06.01.09 (B) (2) and (3), and Rockville City Code, Chapter 9 Article IV shall be applicable, and the City of Rockville shall be named as an additional insured.

(g) Each show shall have a licensed operator (listed on the permit application) present for the duration of the setup, execution, and clean up of the fireworks display.

Sec. 9-157. Licensing.

(a) Every operator for a fireworks display shall have in his/her possession a valid Fireworks Shooter's Permit issued by the State Fire Marshal's Office.

Sec. 9-158. Penalties

(a) Any person in violation of Sections 9-153, 9-154, or 9-155 of this Article shall be guilty of a misdemeanor.

(b) Any person in violation of any portion of this Article, except as provided for in (a) of this Section, shall be guilty of a municipal infraction.

Secs. 9-159 – 9-160. Reserved.

DIVISION 3. TECHNICAL

STANDARDS Sec. 9-161. Adopted.

The NFPA 1123, Code for Fireworks Display, 2006 Edition, and NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience, 2006 Edition, as issued by the National Fire Protection Association, are hereby adopted by reference, except as amended by Section 9-162 and Section 9-163 of this Chapter. One (1) copy of such publication, as adopted, shall be maintained by the Inspection Services Division in the City of Rockville City Hall and made available for inspection by the public during regular office hours. Any amendment or change in such code promulgated by the NFPA shall not become part of this article until the modifications have been duly adopted by ordinance.

Sec. 9-162. Same-Amendments, NFPA 1123.

Chapter 1 of the NFPA 1123, Code for Fireworks Display, 2006 Edition, is amended by adding Section 1.5 to read as follows:

1.5 Notification

1.5.1 Public Notification. Public notification of the fireworks display shall be made by advertisement in the appropriate print or online media, by permitted sign posted in a publicly visible location, or by other means deemed appropriate by the City Fire Marshal.

1.5.1.1 Advertisements shall commence at least ten (10) working days prior to the display being held. Proof of purchase of the advertisement showing the language and duration of the advertisement shall be provided to the City Fire Marshal.

1.5.1.2 Signs posted for notification purposes shall be erected at least ten (10) working days prior to the display being held. Photographic proof of the sign placement and a sketch showing the sign location shall be provided to the City Fire Marshal.

1.5.1.3 Information contained in advertisement or on the sign shall indicate the following:

(a) date, time, and location of the fireworks display;
(b) name of the sponsoring organization/person;
(c) rain date, if any for the display.

1.5.2 Emergency Forces Notification. The City Fire Marshal shall make notification of the fireworks display to the local and county fire and police departments, and the emergency communications centers at least twenty-four (24) hours in advance, and the day of the fireworks display.

1.5.2.1 Information provided in the notification shall indicate the following:

(a) date, time, and location of the fireworks display;
(b) name of the sponsoring organization/person;

(c) name of the licensed fireworks shooter;
(d) rain date, if any, for the display; and
(e) a copy of the fireworks permit issued by the Office of the State Fire Marshal, if requested

Section 2.2 of the NFPA 1123, Code for Fireworks Display, 2006 Edition, is amended to read as follows:

NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 Edition.

Sec. 9-163. Same-Amendments, NFPA 1126. (No Amendments)

Secs. 9-164 – 9-166. Reserved.

The effective date of this ordinance is July 1, 2016. All permit applications submitted on or after that date shall comply with this ordinance.

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of June 20, 2016.

Kathleen Conway

Kathleen Conway, City Clerk/Director
of Council Operations