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## Change in Law or Policy

The proposed ordinance would update the fire codes in the City of Rockville by adopting the model codes as published in 2018 National Fire Protection Association (NFPA) 1 and 101 with a few local amendments.

## Discussion

### 2018 Significant Changes to Chapter 9

On October 7, 2019, the State of Maryland made effective the 2018 editions of the National Fire Protection Association (NFPA) 1 (Fire Code), 101 (Life-Safety Code), and their referenced codes and standards. Like our building regulations in Chapter 5, entitled “Buildings and Building Regulations”, which took effect January 1, 2020, the City's fire regulations are comprised of the State Fire Prevention Code and Chapter 9 of the City Code, which contains "local amendments" to the State Code. The City of Rockville last updated the Fire Code in 2015. Therefore, this proposed ordinance change has only minor modifications within the Code. The goal is to achieve greater uniformity and consistency with the 2018 edition of the currently adopted building code and the fire code of our surrounding jurisdictions in Montgomery County and the City of Gaithersburg. In effect, these changes will provide consistency in Rockville for our customers who work in multiple jurisdictions within the DC Metropolitan region.

The purpose of this summary is to highlight the significant changes to the Rockville Code that differ from what the State of Maryland has adopted. The codes and standards adopted by the State allow for modification provided that the change does not lessen the original requirements of the language as prescribed in the Code of Maryland Regulations (COMAR) 29.06.01. It is often necessary to amend the codes and standards adopted at the State level to make their enforcement and align with current policy and procedures and make more consistent the application of the codes and standards on a local basis.

The local amendments continue to reflect previous recommendations from the Montgomery County Department of Fire & Rescue Services, Montgomery County Department of Permitting Services, and City of Rockville policies.

Planning and Development Services staff has convened a code review committee comprised of area fire protection engineers, architects, and other stakeholders to comment on this draft. The information received from this committee will be invaluable in refining the Code's information and ensuring that the requirements adopted are reasonable, consistent, and in concert with other City and regional requirements, and enforceable by those responsible. Due to the minor nature of these amendments, staff is not recommending the Mayor and Council hold a public hearing on these changes.

Below represents an overview of the proposed code changes of the 2018 Fire and Life-Safety Codes collocated in Rockville City Code Chapter 9

#### **Article IV: Fire Code**

- **Sec 3.3.130** – Modified 2015 code section, deleted NFPA code edition and added MD Public Safety Article reference in the definition for *Fireworks*.
  - **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 and as referenced in Public Safety Article, § 10-101, Annotated Code of Maryland.
  
- **Sec. 3.3.130.1** - New subsection added in 2018 NFPA 1 with definition for *Display Fireworks* and amendment which adds the reference to the Public Safety Article § 10-101 from the Annotated Code of State of Maryland. Definition is also consistent State Fire Prevention Code and the American Pyrotechnics Association.
  - **Display Fireworks**- Large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation.
  
- **Sec. 11.1.7.1.2** - New buildings, excluding One-and Two-Family Dwellings, will be required to have a shunt trip to disconnect the main electrical service when the electrical room does not have a direct exit at grade.
  - The purpose of this amendment is to allow the fire department to shut down the main building power before entering the electrical room if there is a fire event in the main electrical room. Additionally, when a door is not provided, emergency personnel could become trapped inside the electrical room when an exit to the outside is not provided.
  - Existing buildings, excluding One-and Two-Family Dwellings, will be required to provide a disconnecting means for the main electric service when significant upgrades are made to the building's electric service.
  
- **Sec. 11.9.1** - New provision added as a mirror provision in Ch. 5 of the Building Code and is consistent with neighboring Montgomery County. The Fire Command Center will be required to have a door directly to the exterior of the building on the address side. The exterior door to the fire command center shall be within 50 feet of the fire department access road.  
A fire department access box shall be provided within 6 feet of the exterior door to the fire command center.

## **Article V: Life Safety Code**

- **Sec. 9-81** - Clarified what a shell business use (new and existing) is and how to calculate the base occupant load factor for its required design.
- **Sec. 17.6.3.4.5** - Defined when battery-powered smoke alarms are permitted to be used in daycare occupancies, rather than the house electrical serviced-powered smoke alarms.
  - Approved battery-powered smoke alarms shall be permitted where the facility has testing, maintenance, battery, and smoke alarm replacement programs that ensure the reliability of power to the smoke alarms.

## **Article VI: Water-Based Fire Protection Systems**

- **Sec. 8.15.8.1.2** - Clarified the manner of calculating residential bathroom square footage to determine if sprinkler coverage is required.
- **Sec. 8.15.11.1** - Sprinkler protection will now be required in electrical rooms.
  - This will make clear up the interpretation confusion from the model sprinkler code - NFPA 13
- **Sec. 24.1.2** - Defined the procedure to determine capacity, pressure, and flow availability for existing taps and when fire pumps and fire pump tanks supplies shall be used for NFPA 13 sprinkler systems.

## **Article VII: Fire Alarm and Detection Systems**

- **Sec. 10.17.3** - Clarified when a fire alarm graphic annunciator is required and where it is to be in the building.
- **Sec. 29.8.3.4** – Amendment of NFPA 72 standard (Fire Alarms) which adds clarifying language as to what constitutes bedrooms or sleeping areas for the purpose of applying requirement for fire alarm notification devices in these areas.

## **Article VIII: Special Hazards**

No significant changes.

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## **Mayor and Council History**

This is the first time the Mayor and Council has received the proposed ordinance to amend Chapter 9 for adoption of 2018 NFPA codes.

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## **Public Notification and Engagement**

The proposed code changes have been sent to stakeholders, both designers and contractors, within the fire protection industry for review and feedback. Staff will conduct additional public notification and engagement after the Mayor and Council's decision to move forward.

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## **Fiscal Impact**

These local proposed amendments should have a negligible impact for the fire marshal's office and can be implemented through existing staff. The changes summarized above should have no significant financial impact on the building and development community.

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## **Next Steps**

Following the introduction of the ordinance, staff will continue our outreach and discussion with industry representatives. Staff recommends that these changes come back to the Mayor and Council for adoption in February 2021.