

Ordinance No. 3-21

ORDINANCE: To amend Chapter 9 of the Rockville City Code entitled "Fire Code" so as to adopt the 2018 Editions of the Fire Code (NFPA 1) and the Life Safety Code (NFPA 2018), and all associated NFPA codes or standards incorporated by reference and the latest editions of certain other NFPA codes not incorporated by reference into NFPA1 or NFPA101, with certain additions, deletions and modifications

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Chapter 9 of the Rockville City Code is hereby amended to read as follows:

CHAPTER 9 - FIRE CODE

ARTICLE I. - IN GENERAL

Sec. 9-1. - 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~~2018 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. 9-2. - 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

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 the City Code.

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:

- (1) For which a building permit is issued on or after the effective date of this chapter;
- (2) 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;
- (3) Which represents a change from one occupancy classification to another on or after the effective date of this chapter; or
- (4) 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.

without Historic District Commission approval in accordance with the City 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 Zoning Ordinance Section 25.22.03.

Sec. 9-6. - 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. 9-7. - 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 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:

life or property, or violate the provisions of this chapter or any other law, ordinance or regulation involving fire or safety, or fire prevention;

- (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 City Code. In addition, the City Fire Marshal may seek those additional legal and equitable remedies provided for in section 1-11 of the City Code.

Sec. 9-9. - 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 and 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 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. 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 Police Department.

Sec. 9-14. ~~—~~ Fire ~~w~~Watch.

- (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

- (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 ($\frac{1}{2}$) 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 one hundred (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 Inspection Services Division's established procedure for inspection scheduling.

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

- 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 (2) 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

entrances facing parking areas, numerals at least six (6) inches (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 six (6) inches (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;

demolition of such dangerous building shall be collected in the same manner as provided in subsection 9-49(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;
- (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

particulars set forth in the Chief of Inspection Services Division's notice provided for herein in subsection 9-48(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 subsection 9-49(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 subsection 9-49(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 subsection 9-49(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 subsection 9-49(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 subsection 9-49(4).

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

The City Attorney or his/her authorized representative shall:

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 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:

- (1) The hazards of fire and explosion arising from the storage, handling, or use of substances, materials, or devices; and
- (2) 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 fifty (50) feet (15.24 m) in length, along a fire department access road that increases operating width to a minimum of twenty-six (26) feet (7.92 m) wide. It may be defined by bollards and accessed via a three (3) inch (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.

Subsection 1.12.8 of the NFPA 1, Fire Code, ~~2015~~2018 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~~2018 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~~2018 Edition, is deleted.

Section 1.16.4.23 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is deleted.

Section 2.1.1 of the NFPA.1, Fire Code, 2018 Edition, is amended as follows:

Where permitted by the AHJ, compliance with subsequent editions of reference publications shall be considered evidence of compliance with the editions specified in this Code

Section 2.1.2 of the NFPA 1, Fire Code, 2018 Edition, is amended as follows:

Where permitted by the AHJ, compliance with individual specific sections contained subsequent edition referenced publications, and not the entire reference publication, shall only be approved by the AHJ through technical documentation submitted in compliance with 1.4.1 or 1.4.2.

Section 2.2 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is amended as follows:

Delete the referenced publication NFPA 5000, Building Construction and Safety Code, ~~2015~~2018 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, 2016 Edition.

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

~~3.3.183-2592.28~~* *Residential Board and Care Facility*. ~~An occupancy used 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~~2018 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~~2018 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~~2018 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 6.1.8.1.1 of the NFPA 1, Fire Code, 2018 Edition, is amended to read as follows:

6.1.8.1.1* Definition – One- and Two-family Dwelling Unit. A building that contains not more than two dwelling units, each dwelling unit occupied by members of a single family with not more than five outsiders unrelated individuals.

Paragraph 6.1.9.1 of the NFPA 1, Fire Code, ~~2015~~2018 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~~2018 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 10.11.1 of the NFPA 1, Fire Code, ~~2015~~2018 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.

10.11.1.49 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~~2018 Edition, is amended to read as follows:

10.11.1.2 Premises identification shall ~~contrast with their background~~ be in accordance with Chapter 9, Article II of the Rockville City code.

Paragraph 10.11.1.6 of the NFPA.1, Fire Code, 2018 Edition, is amended to read as follows:

10.11.1.6 Premises Identification for suites within a multiple tenant building or complex shall be individually identified in a manner approved by the AHJ.

Paragraph 10.11.1.7 of the NFPA 1, Fire Code, 2018 Edition, is amended to read as follows:

10.11.1.7 Premises identification shall contrast with their background.

Paragraph 10.11.1.3 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is amended to read as follows:

10.11.1.38 Premises identification shall be Arabic numerals or alphabet letters.

Subsection 10.11.4 of the NFPA 1, Fire Code, ~~2015~~2018 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~~2018 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

10.15.5 Combustible storage in the open shall not exceed 20 ft. (6.1m) in height and 10,000 ft² (~~929 m²~~) in area.

Subsection 10.18.7 of the NFPA 1, Fire Code, ~~2015~~2018 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, 2018 Edition, is amended by adding Subsection 11.1.7.1.2 to read as follows:

11.1.7.1.2 In new buildings, excluding one- and two- family dwellings, if the Main Electrical Service Equipment Room does not have direct exit to grade, a shunt trip to disconnect the electrical service to the building must be provided as follows:

(a) In the fire Command Center, where a Fire Command Center is in the building

(b) At the fire alarm annunciator, where there is no Fire Command Center

(c) In an appropriately sized and weatherproof fire department access box on the address side of the building where there is no fire alarm annunciator or Fire Command Center.

In existing buildings, excluding one- and two- family dwellings, where there are significant upgrades to the building electrical service, such as modifying or replacing the switchgear, a disconnecting means must be provided as for new installations.

Section 11.1 of the NFPA 1, Fire Code, ~~2015~~2018 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. (914 mm) 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~~2018 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

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~~2018 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~~2018 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~~2018 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~~2018 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~~2018 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~~2018 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.2 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.3 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is deleted.

Sub-subparagraph 13.6.4.1.2.1.4 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is deleted.

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~~2018 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~~2018 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 18.2.3.45.1.1 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is amended to add the following sub-subparagraphs:

18.2.3.45.1.1.1 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.

18.2.3.45.1.1.2 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.

~~18.2.3.45.1.1.3 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 18.2.3.45.1.2 of the NFPA 1, Fire Code, ~~2015~~2018 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 18.2.3.45.2 of the NFPA 1, Fire Code ~~2015~~2018 Edition, is amended to read as follows:

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~~2018 Edition, is deleted.

Paragraph 18.5.3 of the NFPA 1, Fire Code, ~~2015~~2018 Edition is deleted.

Paragraph 18.5.10.3 of the NFPA 1, Fire Code, ~~2015~~2018 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:

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~~2018 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~~2018 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 26.1.56 of the NFPA 1, Fire Code, ~~2015~~2018 Edition, is amended by adding the following:

26.1.56.2 When requested by the AHJ, a hazard assessment shall be conducted by a technically qualified person acceptable to the AHJ.

26.1.56.3 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.

26.1.56.4 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.~~

Subsection 50.2.1 of the NFPA 1, Fire Code, ~~2015~~2018 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.

- (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~~2018 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;

- (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~~2018 Edition, is deleted.

Subsection 65.9.1 of the NFPA 1, Fire Code, ~~2015~~2018 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.~~42~~ and 11.~~23~~.
- (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~~2018 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 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~~2018 Edition, is amended in the following respects:

Section 2.2 of the NFPA 101, Life Safety Code, ~~2015~~2018 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~~2017 Edition.

Subsection 3.3.624 of the NFPA 101, Life Safety Code, ~~2015~~2018 Edition, is amended by adding Paragraph 3.3.624.3 to read as follows:

3.3.624.3 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 3.3.1428.1 of the NFPA 101, Life Safety Code, ~~2015~~2018 Edition, is amended to read as follows:

3.3.1428.1 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 3.3.1906.4 of the NFPA 101, Life Safety Code, 2012 Edition, is amended to read as follows:

3.3.1906.4 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 3.3.1906.12 of the NFPA 101, Life Safety Code, ~~2015~~2018 Edition, is amended to read as follows:

3.3.1906.12 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.

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~~2018 Edition, is amended to read as follows:

7.2.1.7.1 Where a side-hinged or pivoted-swinging 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-, with the length of the actuating portion of the cross bar or push pad not less than one-half of the width of the door leaf~~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. (865 mm) and not more than 48 in. (1220 mm) above the floor.
 - (b) Existing installations shall not be less than 30 in. (760 mm) and not more than 48 in. (1220 mm) 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~~2018 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, 20152018 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
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Subsection 7.7.4 of the NFPA 101, Life Safety Code, ~~2015~~2018 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~~2018 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~~2018 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~~2018 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~~2018 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~~2018 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

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~~2018 Edition, is amended by adding Paragraph 16.1.1.~~98.5~~ to read as follows:

~~16.1.1.98.5~~ 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~~2018 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 ft² (0.46 m²).

Sub-subparagraph 16.6.1.4.1.1 of the NFPA 101, Life Safety Code, ~~2015~~2018 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~~2018 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

- (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~~2018 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~~2018 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~~2018 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)~~ (1) Door leading directly to the outside with access to finished ground level.
- ~~(6)~~ (2) Door leading directly to an outside stair going to finished ground level.
- ~~(7) Bulkhead enclosure complying with 24.2.7.~~
- ~~(8)~~ (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.

Subsection 17.1.1 of the NFPA 101, Life Safety Code, ~~2015~~2018 Edition, is amended by adding Paragraph 17.1.1.~~98.5~~ to read as follows:

17.1.1.~~98.5~~ 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

- (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~~2018 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~~2018 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~~2018 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.

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~~2018 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~~affect 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~~2018 Edition, is deleted.

Paragraph 23.4.5.2 of the NFPA 101, Life Safety Code, ~~2015~~2018 Edition, is deleted.

Paragraph 24.1.1.2 of the NFPA 101, Life Safety Code, ~~2015~~2018 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~~2018 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 ft² (0.53 m²), or not less than 5.0 ft² (0.46 m²) 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 ft² (0.82 m²) with a length and width of not less than 36 in. (915 mm).

Sub-subparagraph 33.3.3.4.8.1 of the NFPA 101, Life Safety Code, ~~2015~~2018 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~~2018 Edition, is deleted.

Subparagraph 42.3.4.1.2 of the NFPA 101, Life Safety Code, ~~2015~~2018 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 ft² (9300 m²) shall not be required to have a fire alarm system.

Subparagraph 42.3.4.1.3 of the NFPA 101, Life Safety Code, ~~2015~~2018 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~~2018 Edition, is amended to read as follows:

42.8.3.4.1.1 Parking structures less than three stories not exceeding an aggregate floor area of 100,000 ft² (9300 m²) shall not be required to have a fire alarm.

Subparagraph 42.8.3.4.1.3 of the NFPA 101, Life Safety Code, ~~2015~~2018 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:~~

~~42.8.3.4.1.1 Parking structures less than three stories not exceeding an aggregate floor area of 100,000 ft² (9300 m²) 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.~~

- (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~~2016 Edition; NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies, ~~2013~~2016 Edition; NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Manufactured Homes, ~~2013~~2016 Edition; NFPA 14, Standard for the Installation of Standpipe and Hose Systems, ~~2013~~2016 Edition; NFPA 20, Standard for the Installation of Stationary Pump for Fire Protection, ~~2013~~2016 Edition; and NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, ~~2014~~2017 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~~2016 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.

18.7.2 The fire department connection should be located not less than 18in. (457 mm) and not more than 4 ft (1.2 m) 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~~2016~~ 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~~2016 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~~2016 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, ~~2013~~2016 Edition, 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,

8.3.2.1 Manner for Calculation of Residential Bathroom Square Footage. When calculating the area of a residential bathroom for the purpose of determining if sprinkler coverage is required, any separate rooms with doors opening into the larger room contained within the larger footprint shall be counted. The area that a shower stall or bathtub uses shall also be incorporated into the overall area calculation. Rules governing smaller rooms shall continue to apply when determining if those smaller rooms need independent sprinkler heads.

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~~2016 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~~2016 Edition, is amended by deleting (1) of the accepted methods.

Section 6.6.2 of the NFPA 13R, Standard for the Installation of Sprinkler Systems in Low Rise Residential Occupancies, 2016 Edition is amended by adding subsection 6.6.2.1 that reads as follows:

6.6.2.1 Manner for Calculation of Residential Bathroom Square Footage. When calculating the area of a residential bathroom for the purpose of determining if sprinkler coverage is required, any separate rooms with doors opening into the larger room contained within the larger footprint shall be counted. The area that a shower stall or bathtub uses shall also be incorporated into the overall area calculation. Rules governing smaller rooms shall continue to apply when determining if those smaller rooms need independent sprinkler heads.

~~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.~~

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~~2016 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~~2016 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~~2016 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~~2016 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

- (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.

The NFPA 72, National Fire Alarm and Signaling Code, ~~2013~~2016 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 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.

Section 10.17.3 of NFPA 72, the National Fire Alarm and Signaling Code, 2016 Edition adds the following:

10.17.3 Annunciator Access and Location. An annunciator with the following features is required when the building is greater than one story, has a sprinkler system, or has more than one type of alarm initiating device.

Exception 1: Apartments protected by a 13R sprinkler system

Exception 2: Any building not exceeding two stories above grade and 3,000 square feet per floor.

- (a) Annunciator must have a visible signal for each different floor, zone and device type. Supervise computer screen or printer type annunciators may be used to meet this requirement if the zone identification is approved by the Fire Marshall.
- (b) Unless approved by the AHJ, zones must not exceed a single floor, 52,000 square feet, or 300 linear feet. Sprinkler systems are permitted to be zoned under the applicable sprinkler standard.

Paragraph 29.8.3.4 of the NFPA 72 National Fire Alarm and Signaling Code, 2016 Edition, is amended by adding the following subsection:

29.8.3.4(14) Enclosed rooms with a closet such as dens, libraries, studies, or sitting rooms which could be used as a sleeping area must be treated as bedrooms.

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

Sec. 9-136. - Adopted.

The NFPA 17, Standard for Dry Chemical Extinguishing Systems, ~~2013~~2016 Edition; NFPA 17A, Standard for Wet Chemical Extinguishing Systems, ~~2013~~2016 Edition; NFPA 30, Flammable and Combustible Liquids Code, ~~2015~~2018 Edition; NFPA 45, Standard on Fire Protection for Laboratories Using Chemicals, ~~2015~~2018 Edition; NFPA 58, Liquefied Petroleum Gas Code, ~~2014~~2017 Edition; NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, ~~2014~~2017 Edition; and NFPA 241, Standard for Safeguard Construction, Alteration, and Demolition Operations, ~~2013~~2016 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 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~~2017 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:

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.

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 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

DIVISION 3. - TECHNICAL STANDARDS

Sec. 9-161. - Adopted.

The NFPA 1123, Code for Fireworks Display, ~~2006~~2018 Edition, and NFPA 1126, Standard for the Use of Pyrotechnics before a Proximate Audience, ~~2006~~2016 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 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~~2018 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: