

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2006 Legislative Session

Bill No. CB-80-2006

Chapter No. 65

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Bland, Dernoga, Dean and Peters

Co-Sponsors _____

Date of Introduction October 17, 2006

BILL

1 AN ACT concerning

2 Fire Safety Code

3 For the purpose of amending several provisions of the Prince George's County Fire Code to
4 conform to international fire safety standards, to increase administrative fees and civil fines, and
5 generally relating to the Fire Safety Code

6 BY repealing and reenacting with amendments:

7 SUBTITLE 11. FIRE SAFETY.

8 Sections 11-102, 11-103, 11-104, 11-105, 11-109,

9 11-111, 11-112, 11-113, 11-116, 11-150, 11-151,

10 11-152, 11-154, 11-155, 11-156, 11-157,

11 11-159, 11-160, 11-161, 11-201, 11-202, 11-203,

12 11-205, 11-206, 11-207, 11-251, 11-252, 11-253,

13 11-254, 11-255, 11-256, 11-257, 11-258, 11-259,

14 11-260, 11-263, 11-264, 11-266, 11-267,

15 11-268, 11-271, 11-272, 11-273, 11-275, 11-276,

16 11-277, 11-278, 11-279, 11-280, 11-281, 11-288,

17 11-289, 11-291, 11-292, 11-294,

18 11-345, 11-346, 11-347, and 28-262,

19 The Prince George's County Code

20 (2003 Edition, 2005 Supplement).

21 BY repealing:

SUBTITLE 11. FIRE SAFETY.
Sections 11-158, 11-204, 11-253.01, 11-282,
and 11-283,
The Prince George's County Code
(2003 Edition, 2005 Supplement).

BY adding:

SUBTITLE 11. FIRE SAFETY.
Sections 11-163 and 11-295,
The Prince George's County Code
(2003 Edition, 2005 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 11-102, 11-103, 11-104, 11-105, 11-109, 11-111, 11-112, 11-113, 11-116, 11-150, 11-151, 11-152, 11-154, 11-155, 11-156, 11-157, 11-159, 11-160, 11-161, 11-201, 11-202, 11-203, 11-205, 11-206, 11-207, 11-251, 11-252, 11-253, 11-254, 11-255, 11-256, 11-257, 11-258, 11-259, 11-260, 11-263, 11-264, 11-266, 11-267, 11-268, 11-271, 11-272, 11-273, 11-275, 11-276, 11-277, 11-278, 11-279, 11-280, 11-281, 11-288, 11-289, 11-291, 11-292, 11-294, 11-345, 11-346, 11-347, and 28-262 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 11. FIRE SAFETY.

DIVISION 1. GENERAL PROVISIONS.

Sec. 11-102. Definitions.

* * * * *

(b) Definitions. As used in this Subtitle:

(1) **Alternative** means a system, condition, arrangement, material, or equipment submitted to the Fire Chief or [his] authorized representative as a substitute for a Subtitle requirement.

* * * * *

(3) **Authority having jurisdiction** means the Fire Chief or [his] authorized representative.

* * * * *

(6) **Boardinghouse** means "boarding house" as defined under "Dwellings" in the [BOCA Code Basic Building (Basic Code)] International Building Code adopted in Subtitle 4 of this County Code.

(7) **Burning** means lighting, igniting, kindling, or setting fire to combustible materials, adding fuel to a fire or permitting combustible materials to burn.

(8) **Carbon Monoxide Detector** means a device capable of measuring the amount of carbon monoxide (an odorless, colorless and potentially fatal gas created when fossil fuels do not burn completely) that is present within a structure and sounding an audible alarm at specified levels of detection.

[(8)](9) **Central station** means an approved office to which remote alarm and supervisory signaling devices are connected where persons are in attendance at all times to supervise the circuits and investigate signals.

[(9)](10) **Central station system** means a system, or group of systems, the operations of which are signaled to, recorded in, maintained and supervised from, an approved central station, in which there are competent and experienced observers and operators in attendance at all times whose duty it shall be, upon receipt of a signal, to take such action as shall be required under the rules established for their guidance. Such systems shall be controlled and operated by a person, firm, or corporation whose principal business is the furnishing and maintaining of supervised protective signaling service and who does not have interest in the unprotected properties.

[(10)](11) **Contractor** includes a subcontractor.

[(11)](12) **Dangerous rocket** means any model rocket or model rocket engine [which] that does not comply with the construction requirements of [NFPA-41L] NFPA-1122. For purposes of this Subtitle, a "dangerous rocket" is subject to the regulations governing fireworks.

[(12)](13) **Distribute** as used in this Subtitle with reference to fire extinguishers shall include renting, leasing, and giving away as a prize or a premium.

[(13)] **Division of Fire and Rescue Communications Center** means the public fire service communication facilities operated by the Prince George's County Fire Department receiving fire alarms or other emergency calls from the public, retransmitting these alarms and emergency calls to fire companies and other interested agencies, and operating the fire and rescue services radio base stations and landline communications equipment.]

(14) **Dormitory** means "dormitory" as defined under "Dwellings" in the [BOCA Basic Building Code (Basic Code)] International Building Code adopted in Subtitle 4 of this County Code.

(15) **Dwelling or Dwellings** means any living unit or units as defined under "Dwellings" in the [BOCA Basic Building Code (Basic Code)] International Building Code adopted in Subtitle 4 of this County Code.

(16) **Dwelling Unit** means "Dwelling Unit" as defined in the [BOCA Basic Building Code (Basic Code)] International Building Code adopted in Subtitle 4 of this County Code.

(17) **Emergency alarm** means giving, signaling, or transmitting to [the Division of Fire and Rescue Communications Center] Public Safety Communications, any fire station, any central station, any rescue station, or any emergency message center, or to any member of the foregoing, or a fire official or police officer, whether by telephone, spoken word, or otherwise, information to the effect that there is a fire, explosion, injured person, sick person, person trapped, building collapse, gas leak, or other emergency to which the Fire/EMS Department or rescue apparatus normally responds.

(18) **Excavate or excavation.** See definition at Section 2-385 of this County Code.

(19) **Existing condition** means any situation, circumstance, or physical makeup of any structure, premises, or process which was ongoing or in effect prior to the adoption of this Subtitle.

(20) **Explosive** means a chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life and limb.

(21) **Fire alarm system.** See "fire warning system."

(22) **Fire apparatus** means a vehicle such as a fire pumper, aerial ladder truck, elevated platform, rescue squad, or similar fire-fighting or rescue equipment.

(23) **Fire Chief** means the head of the Prince George's County Fire/EMS Department as established by the Charter.

1 (24) **Fire Code Official** means the person so designated by the Director of the
2 Department of Environmental Resources with concurrence of the Fire Chief.

3 [(24)](25) **Fire Department** means the Prince George's County Fire/EMS Department.

4 [(25)](26) **Fire/EMS Department connection** means a connection for Fire/EMS
5 Department use in supplementing or supplying water for standpipes and sprinkler systems.

6 [(26)](27) **Fire drill** means an exercise by which the occupants or users of a structure
7 practice a planned evacuation route from the said structure.

8 [(27)](28) **Fire hazard** means any thing, condition, or act which in the absence of fire,
9 persons regularly engaged in preventing, suppressing, or extinguishing fire recognize as liable to
10 increase or cause an increase in the hazard or menace of fire, or which, in the event of fire, may
11 obstruct, delay, hinder, or interfere with the operations of the Fire/EMS Department or with the
12 egress of occupants.

13 [(28)](29) **Fire hydrant** means an approved valved outlet on a water supply system
14 with one (1) or more threaded outlets and used to supply Fire/EMS Department hoses and
15 pumpers with water.

16 [(29)](30) **Fire lane** means the space, road, path, or other passageway developed to
17 allow the placement and passage of fire apparatus on and through congested areas including
18 private property.

19 [(30)](31) **Fire Marshal** means the bureau chief of the [Bureau of Fire Prevention] Fire
20 Prevention Unit, Prince George's County Fire/EMS Department.

21 [(31)](32) **Fire Official** means any person serving as a designated employee,
22 representative, or agent of the Prince George's County Fire/EMS Department under authority
23 granted by the Fire Chief.

24 [(32)](33) **Fire protection system** means systems, devices, and equipment used to
25 detect fire, heat, smoke, fumes, or gasses, actuate an alarm, suppress or control a fire, or any
26 combination thereof.

27 [(33)](34) **Fire separation** means construction of rated fire resistant material(s) or the
28 maintenance of clear area to resist the spread of fire; including but not limited to "fire door," "fire
29 resistance," "fire separation," "exterior fire exposure," "fire separation wall," "fire wall," and
30 "fire window" as defined in the [BOCA Basic Building Code (Basic Code)] International
31 Building Code as adopted in Subtitle 4 of this County Code.

1 ~~[(34)]~~(35) **Fire suppression system** means a device, devices, or system of devices
 2 [which] that detects a phenomenon of fire including, but not limited to, heat, smoke, flame,
 3 visible or invisible particles, or infrared, ultraviolet, or invisible radiation and, upon detection,
 4 automatically extinguishes or attempts to extinguish a fire.

5 ~~[(35)]~~(36) **Fire warning system** means a device, devices, or system of devices [which]
 6 that detects a phenomenon of fire, including, but not limited to, heat, smoke, flame, visible or
 7 invisible particles, or infrared, ultraviolet, or visible radiation and [which] that, upon detection,
 8 transmits an audible, visible, or other sensory alarm to occupants and/or the Fire/EMS
 9 Department.

10 ~~[(36)]~~(37) **Fireworks**, except as hereinafter provided, means:

- 11 (A) Any combustible or explosive composition;
- 12 (B) Any substance or combination of substances or article prepared for the
 13 purpose of producing a visible or audible effect by combustion, explosion, deflagration, or
 14 detonation;
- 15 (C) Blank cartridges, toy pistols, toy cannons, toy canes, or toy guns, in
 16 which explosives as defined by State law are used;
- 17 (D) Unmanned balloons [which] that require fire for propulsion;
- 18 (E) Firecrackers, squibs, rockets, sparklers, roman candles, torpedoes,
 19 bombs, grenades, fire balloons, signal lights, fountains, wheels, dipsticks, dangerous rockets,
 20 novelties composed of two (2) or more of the foregoing, and any device of like construction; and
- 21 (F) Tablets or other devices containing any explosive, explosive substance
 22 or flammable compound.

23 Notwithstanding the foregoing definition, for purposes of this Subtitle, "fireworks"
 24 shall not include:

- 25 (A) Model rockets or model engines [which] that are designed, sold and
 26 used for the purpose of propelling recoverable aero models;
- 27 (B) Toy pistols, toy canes, toy guns, or other devices in which are used toy
 28 paper or plastic caps manufactured in accordance with the United States Department of
 29 Transportation regulations for packing and shipping of toy paper or plastic caps;
- 30 (C) Toy paper or plastic caps manufactured in accordance with the
 31 regulations promulgated by the United States Department of Transportation, except that each

1 package of toy paper or plastic caps offered for retail sale must be labeled to indicate the
2 maximum explosive content per cap;

3 (D) Flare guns used by railroads or other transportation agencies for signal
4 purpose or illumination; and

5 (E) Blank cartridges used either in public entertainment by performers or
6 for signal or ceremonial purposes at athletic or sports events or by military organizations.

7 [(37)](38) **Fireworks shooter** means a person or persons who may supervise an
8 authorized display upon the prior written approval of the State Fire Marshal.

9 [(38)](39) **Gallon** means one United States standard gallon.

10 [(39)](40) **Grade** when used with respect to the exterior of buildings means the
11 reference plane representing the average elevation of finished ground level adjoining the building
12 at all exterior walls.

13 [(40)](41) **Hazardous chemicals** shall include, but are not limited to, such materials as
14 flammable solids, corrosive liquids, radioactive materials, oxidizing materials, potentially
15 explosive chemicals, hazardous substances, highly toxic materials, and poisonous gases.

16 [(41)](42) **Hazardous substance** means any matter that conveys toxic, lethal, or
17 sublethal effects to plant, aquatic, or animal life, or which may be injurious to human health, or
18 persists in the environment, or which causes sublethal alterations to aquatic, plant, animal, or
19 human systems through their cumulative or immediate reactions. The term includes any matter
20 identified as a hazardous substance by the Environmental Protection Agency in Regulation 40
21 CFR Part 116.

22 [(42)](43) **Hotel** means hotel as defined under dwellings in the [BOCA Basic Building
23 Code (Basic Code)] International Building Code adopted in Subtitle 4 of this County Code.

24 [(43)] **Household fire warning system** shall mean a system of devices [which] that
25 produces an audible alarm signal in a dwelling for the purpose of notifying the occupants of the
26 presence of a fire so they may evacuate the premises. A "household fire warning system" shall
27 not include alarm systems where the signal is extended to another location such as a fire station
28 or a central station service.]

29 (44) **Multifamily apartment house** means any building or portion thereof, [which]
30 that is designed, built, rented, leased, sold, let, or hired out to be occupied, or [which] that is

1 occupied as the home or residence of three (3) or more families, each living in a separate
2 dwelling unit, and shall include flats and apartments.

3 (45) **NFPA** means National Fire Protection Association. When followed by a number,
4 e.g., NFPA-101, the term refers to a model code[, or standard[, or law] promulgated by the
5 NFPA.

6 (46) **One-family dwelling** means "one-family dwelling" as defined under "dwellings"
7 in the [BOCA Basic Building Code (Basic Code)] International Building Code adopted in
8 Subtitle 4 of this County Code.

9 (47) **Permit** means an official document or certificate issued by the Fire Chief or other
10 permit-issuing authority for the purpose of authorizing the performance or conduct of a specified
11 activity.

12 (48) **Permit holder or permittee** means the person in whose name a permit is issued.

13 (49) **Person** means an individual, an executor, administrator, trustee, receiver, or other
14 representative appointed according to law, or a corporation, firm, partnership, association,
15 organization, or any other group acting as a unit. Whenever a violation of this Subtitle
16 constitutes an unlawful act, "person" may include the partners or members of a partnership or
17 association and the officers, agents, employees, or members of a corporation who are responsible
18 for the violation.

19 (50) **Process** means the manufacturing, handling, blending, conversion, purification,
20 recovery, separation, synthesis or use, or any combination of any commodity or material
21 regulated by this Subtitle.

22 (51) **Public Safety Communications** means the public fire service communication
23 facilities operated by Prince George's County receiving fire alarms or other emergency calls from
24 the public, retransmitting these alarms and emergency calls to fire companies and other
25 interested agencies, and operating the fire and rescue services radio base stations and landline
26 communications equipment.

27 [(51)][(52)] **Repair** means the reconstruction or renewal of any part of an existing
28 building or structure for the purpose of its maintenance. The term "repair" shall not apply to any
29 construction which changes or alters an existing building or structure or part thereof.

30 [(52)][(53)] **Siamese Connection.** See "Fire/EMS Department connection."

1 ~~[(53)]~~(54) **Sleeping area** means the area or areas of the dormitory, dwelling unit in a
 2 multifamily dwelling, or guest rooms in a hotel or motel in which the bedrooms or sleeping
 3 rooms are located. Rooms habitually used for sleeping [which] that are separated by other use
 4 areas (including, but not limited to, kitchens or living rooms, but not bathrooms or closets) shall
 5 be considered as separate sleeping areas for the purposes of this Subtitle.

6 ~~[(54)]~~(55) **Smoke [detector] Alarm** means an approved device capable of sensing
 7 visible or invisible particles of combustion.

8 ~~[(55)]~~(56) **Smoking** means lighting, igniting, holding, or possessing any lighted cigar,
 9 cigarette, or pipe, or carrying, throwing, or depositing any lighted or smoldering cigar, cigarette,
 10 or pipe.

11 ~~[(56)]~~(57) **Street** means a public thoroughfare [which] that has been dedicated for
 12 vehicular use by the public.

13 ~~[(57)]~~(58) **System** means several items of equipment assembled, grouped or otherwise
 14 interconnected for the accomplishment of a purpose or a function.

15 ~~[(58)]~~(59) **Unprotected combustible fiber storage vault** means a room with a
 16 capacity not exceeding one thousand (1,000) cubic feet separated from the remainder of the
 17 building by a two (2) hour occupancy separation, constructed as specified in the International
 18 Building Code adopted by Subtitle 4 of this County Code and provided with approved safety
 19 vents to the outside.

20 ~~[(59)]~~(60) **Utility line.** See definition at Section 2-385 of this County Code.

21 **Sec. 11-103. Procedures in case of fire.**

22 (a) Notify Fire/EMS Department. Any person who discovers evidence of any actual,
 23 impending or extinguished, dangerous or destructive, or potentially dangerous or destructive, fire
 24 shall immediately cause notice of the existence of such fire, circumstances of same and the
 25 location thereof to be given to [the Division of Fire and Rescue Communications Center] Public
 26 Safety Communications. This requirement shall not be construed to forbid that person or the
 27 person in control of a building or premises on which a fire exists from using all diligence
 28 necessary to extinguish such fire prior to the arrival of the Fire/EMS Department.

29 (b) Evacuation of buildings. Whenever a fire occurs in a building or there is reason to
 30 believe a fire [exits] exists in a building, the building shall be immediately evacuated and not
 31 reoccupied without the permission of the fire official in charge. If the building is provided with a

1 manual fire warning system, it shall be the duty of any person who has knowledge of the fire to
 2 activate the manual fire warning system. Complete evacuation is not required when alternative
 3 procedures have been detailed in a fire plan which has been approved by the Fire Chief or [his]
 4 authorized representative.

5 **Sec. 11-104. Prohibited acts; interfering with or obstructing officials during fire or other**
 6 **emergency.**

7 (a) It shall be unlawful for any person willfully to interfere with or obstruct the operations
 8 of the Fire/EMS Department, or any member thereof, or any fire official, while extinguishing a
 9 fire or proceeding to a fire or other emergency. Such interference or obstruction shall include
 10 disobeying the lawful command of a police officer assisting the Fire/EMS Department at a fire or
 11 other emergency.

12 (b) It shall be unlawful for any person to make, issue, post, or maintain any regulation or
 13 order, written or verbal, requiring any other person who discovers evidence of an actual,
 14 impending or extinguished, dangerous or destructive, or potentially dangerous or destructive, fire
 15 to delay reporting the existence of such evidence to [the Division of Fire and Rescue
 16 Communications Center] Public Safety Communications.

17 **Sec. 11-105. Same; gas leaks.**

18 (a) It shall be unlawful for any officer, agent, or employee of any utility company, permit
 19 holder (permittee), builder, developer, or contractor, who is in charge of any excavation and
 20 who, during such excavation, discovers evidence of or knows of a break or rupture in the
 21 containment system for natural gas or other flammable gas to delay making immediate
 22 notification of such condition to [the Division of Fire and Rescue Communications Center]
 23 Public Safety Communications.

24 (b) It shall be unlawful for any person who discovers evidence of or knows of a
 25 concentration of natural gas or other flammable gas mixture within an enclosed structure or in
 26 the atmosphere to delay making immediate notification of such evidence or condition to [the
 27 Division of Fire and Rescue Communications Center] Public Safety Communications.

28 (c) It shall be the responsibility of the excavator and/or contractor to have all overhead and
 29 underground utilities located before work commences.

30 **Sec. 11-109. Same; access to utilities.**

31 No person shall place, keep or store any material on or before any gas, electrical, or water

service, the presence of which would interfere with the ability of the Fire/EMS Department to shut off the utility.

Sec. 11-111. Same; compliance with fire safety law orders or notices.

It shall be unlawful for any owner, agent, contractor, permit holder or permittee or any other person to violate or fail to comply with any order or notice issued or served by the Fire Chief or [his] authorized representative pursuant to the provisions of this Subtitle.

Sec. 11-112. Same; condemned appliances or devices; use and removal or mutilation of tags.

(a) Use. It shall be unlawful for any person to use any device or appliance [which] that has been marked or tagged as condemned by the Fire Chief or [his] authorized representative under the provisions of Section 11-160 of this Subtitle.

(b) Tags. It shall be unlawful for any person to mutilate or remove from any device or appliance, the mark or tag of the Fire Chief or [his] authorized representative placed on or attached to the said device or appliance under the provisions of Section 11-160 of this Subtitle, unless the Fire Chief or [his] authorized representative has given permission to remove such mark or tag.

Sec. 11-113. Same; tampering with fire safety equipment.

* * * * *

(c) It shall be unlawful to willfully and maliciously activate any installed fire warning system for purposes other than emergencies, maintenance, or prescribed testing without proper notification to [the Division of Fire and Rescue Communications Center] Public Safety Communications.

* * * * *

(e) No person shall willfully and maliciously molest, tamper with, damage, or otherwise disturb any apparatus, equipment, or appurtenance belonging to, or under the supervision and/or control of, the Fire/EMS Department without authority from the fire official in charge or [his] authorized representative.

* * * * *

Sec. 11-116. Damage or injury liability.

(a) No officer, agent or employee of the County charged with enforcement of this Subtitle while acting within the scope of his or her authority and without malice shall be personally liable

for any damage which may occur to persons or properties as a result of any act required or permitted under this Subtitle or as a result of the institution or assistance in the prosecution of a criminal proceeding under this Subtitle. Any suit brought against any such officer, agent or employee of the County as a result of any act required or permitted in the discharge of his or her duties under this Subtitle shall be defended by the County Attorney until the final termination of the proceedings. Further, the Fire Chief or [his] authorized representative shall not be liable for costs in any action, suit or other proceeding which may be instituted and which arises out of any act required, instituted or permitted under this Subtitle; and any authorized representative of the Fire/EMS Department acting on good faith and without malice shall be free from liability for acts performed under any of the provisions of this Subtitle or by reason of any act or omission in the performance of [his] the official duties under this Subtitle.

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DIVISION 2. ADMINISTRATION.

Sec. 11-150. Authority of Fire Chief.

(a) Generally. The Fire Chief is hereby authorized and directed to administer the provisions of this Subtitle. The Fire Chief or [his] authorized representative shall have such other powers and perform such other duties as are set forth in this Subtitle and as may be conferred and imposed from time to time by law. The Fire Chief may delegate any of his or her powers or duties under this Subtitle to the [Division of] Fire Prevention Unit or to other fire officials.

(b) Emergencies. In case of an emergency, where in the opinion of the Fire Chief, or [his] authorized representative, life or property is in immediate danger of fire or explosion, the Fire Chief, or [his] authorized representative, is hereby authorized to take such actions as are necessary to protect such life or property.

(c) Enforcement assistance. All County agencies, offices and departments shall render necessary assistance in the enforcement of this Subtitle when requested to do so by the Fire Chief or [his] authorized representative.

Sec. 11-151. [Bureau of] Fire Prevention Unit.

(a) To assist in the performance of the responsibilities and the duties placed upon the Fire Chief, a [Bureau of] Fire Prevention Unit is established within the Fire/EMS Department, which

1 shall be responsible for enforcing laws and ordinances in effect in Prince George's County
2 covering the following:

3 * * * * *

4 (8) The fire safety aspects of [the Building Code as adopted in Subtitle 4 of this
5 County Code] Subtitle 11 and the State of Maryland Fire Prevention Code, except for Chapter 2,
6 “Procedural Regulations,” and Chapter 4, “Fees for Fire Prevention Services”; and

7 (9) Other duties as assigned by the Fire Chief.

8 **Sec. 11-152. Investigation of fires.**

9 (a) Authority of Fire Chief or [his] authorized representative generally. The Fire Chief and
10 [his] authorized representative shall have the authority to investigate the cause, origin and
11 circumstances of every fire, explosion or other emergency in which the Fire/EMS Department
12 has a reasonable interest. When the Fire Chief or [his] authorized representative has reason to
13 believe that a fire or explosion may be the result of a violation of any law, [he] the Fire Chief or
14 authorized representative shall immediately take custody of and safeguard all physical evidence
15 in connection therewith, and shall have the authority to prohibit the disturbance or removal of
16 any material, substance, device, or utility in, or upon, any building or property wherein, or
17 whereon, a fire or explosion has occurred until the investigation of the fire or explosion is
18 complete.

19 (b) Authority of the Fire Chief or [his] authorized representative to enter and examine.
20 The Fire Chief or [his] authorized representative shall have the authority at all times, in
21 performance of the duties imposed by the provisions of this Subtitle, to enter upon and/or
22 examine any area, building or premises, vehicle, or other thing when there is probable cause to
23 believe that fires or attempt to cause fires exist or which at the time may be burning. [He] The
24 Fire Chief or authorized representative shall have the authority to enter, at any time, any building
25 or property adjacent to that on which the fire or attempt to cause fires has occurred should [he] it
26 be deemed [it] necessary in the proper discharge of [his] the authorized duties; and may, at his or
27 her discretion, take full control and custody of such buildings and premises and place such
28 person in charge thereof as he or she may deem proper until his examination and investigation
29 shall be completed.

30 **Sec. 11-154. Arrest powers.**

1 The Fire Chief and such other personnel as are designated in writing by the Fire Chief shall
 2 have and exercise, and are hereby invested with, the same general police powers including arrest
 3 powers as regular members of the Prince George's County Police Department for the express
 4 purpose of enforcing the fire safety laws in effect in Prince George's County, including, but not
 5 limited to, this Subtitle. This power shall extend to any arrest or other lawful action necessary to
 6 permit the peaceful completion of any lawful action by the Fire/EMS Department.

7 **Sec. 11-155. Evacuation of persons.**

8 When, in the opinion of the Fire Chief or [his] authorized representative, there is actual
 9 danger to the occupants or those in the proximity of any building, structure or premises, because
 10 of apparent danger of collapse or inadequacy of any exit way, the presence of explosives,
 11 explosive fumes or vapors, flammable liquids, vapors, gas or other presence of toxic fumes,
 12 gases or material, the Fire Chief or [his] authorized representative may order the immediate
 13 evacuation of such building, structure or premises. Upon issuance of the said order, all
 14 occupants shall immediately leave the building, structure or premises and no one shall enter or
 15 reenter until authorized to do so by the Fire Chief or [his] authorized representative.

16 **Sec. 11-156. Fire reports.**

17 (a) Generally. Every fire shall be reported in writing to the Fire/EMS Department by the
 18 senior fire officer in whose service area such fire has occurred. The report shall be in such form
 19 as shall be prescribed by the Fire Chief or [his] authorized representative and shall contain a
 20 statement of facts relating to the cause, origin and circumstances of such fire, factors contributing
 21 to the spread of fire, injury to persons and extent of such injuries, response personnel, and such
 22 other information as may be required. Reports shall be submitted in accordance with the
 23 schedule prescribed by the Fire Chief or [his] authorized representative.

24 (b) Suspicious circumstances. The fire official in charge of the scene of a fire emergency
 25 of incendiary or suspicious nature, of undetermined cause, or where loss of life or injury occurs,
 26 shall immediately report such circumstances to the [Bureau of] Fire Prevention Unit.

27 **Sec. 11-157. Resolution of Code disputes involving fire safety.**

28 Nothing in this Subtitle shall be construed as rendering other applicable laws invalid. In
 29 any situation where a conflict exists between a provision of this Subtitle and another County code,
 30 law or regulation, the more stringent code shall apply. The property owner may petition in
 31 writing to the Bureau Chief of the [Bureau of] Fire Prevention Unit when a conflict arises on the

1 interpretation of the County-related Fire Codes. The Bureau Chief of the Fire Prevention Unit
 2 and appropriate head of the agency responsible for enforcing the conflicting provisions shall in
 3 concert resolve the conflict with reference to the circumstances of the case by determining which
 4 provisions shall apply. Conflicts [which] that are [unreconcilable] irreconcilable shall be
 5 referred to the Fire Chief. The decision of the Fire Chief shall be final and in any matter relating
 6 to structures exclusive of fire safety, the decision of the Building Official shall be final, except
 7 that any person aggrieved by a decision of the Fire Chief shall have the right to appeal to the
 8 Board of Appeals.

9 **Sec. 11-159. Inspections.**

10 (a) Generally. The Fire Chief or [his] authorized representative shall inspect, or cause to
 11 be inspected, by the [Bureau of] Fire Prevention Unit, other fire officials or Fire/EMS
 12 Department members as often as may be necessary all buildings and premises including such
 13 other hazards or appliances as the Fire Chief or [his] authorized representative may designate.
 14 Such inspections shall be for the purpose of ascertaining and causing to be corrected, any
 15 condition which would reasonably tend to cause fire or contribute to its spread, or constitute any
 16 violation of this Subtitle, or other laws of the County or State of Maryland affecting fire safety.

17 * * * * *

18 (c) Advance notice. It shall be the responsibility of the permittee or contractor to request
 19 each required inspection at least one working day in advance of the desired inspection time. If
 20 reinspection is required due to a failure by the [permittee or contractor] tenant, permittee,
 21 contractor or owner of the subject property to have completed all work for which an inspection is
 22 requested, the [permittee or contractor] aforementioned persons shall be subject to a reinspection
 23 fee of [Twenty-five Dollars (\$25.00)] One Hundred Dollars (\$100.00), payable to Prince
 24 George's County, Maryland, prior to such reinspection.

25 **Sec. 11-160. Notice to repair, alter; condemnation tags.**

26 Whenever the Fire Chief or [his] authorized representative deems any chimney, smoke
 27 stack, stove, oven, incinerator, furnace, or other heating device, electric fixture, or any
 28 appurtenance thereto, or any item regulated under provisions of this Subtitle in or upon any
 29 building, structure, or premises, to be defective or unsafe so as to create an immediate hazard,
 30 [he] written notice shall be served upon the owner or the person having control of the property
 31 [written notice] to repair or alter as necessary, and [shall notify] any other authority enforcing

codes, laws, or regulations regulating such equipment shall be notified. [He may affix a] A condemnation tag, prohibiting the use thereof until such repairs or alterations are made, may be affixed. When affixed, such tag may be removed only by the order of the Fire Chief or [his] authorized representative and may be removed only when the hazard to which the order pertains has been eliminated in an approved manner. Until removed, that item or device which has caused the hazard shall not be used or permitted to be used.

Sec. 11-161. Orders to abate dangerous conditions.

(a) Ordering dangerous materials or conditions removed. Whenever the Fire Chief or [his] authorized representative shall find any building or other structure which, for want of repairs, lacks sufficient fire escapes, automatic or other fire alarm apparatus or fire suppression equipment or, by reason of age or dilapidated conditions or from any other cause, is liable to fire so as to endanger other property or the occupants thereof, and, whenever [he] the Fire Chief or authorized representative shall find in any building combustible or explosive matter or flammable conditions dangerous to the safety of such building or the occupants thereof, [he] the Fire Chief or authorized representative shall order such dangerous conditions or materials to be remedied or removed immediately. Such conditions or materials shall include, but are not limited to:

* * * * *

(3) Obstruction to or on fire escapes, stairs, passageways, exit ways, doors, or windows liable to interfere with the egress of occupants or the operations of the Fire/EMS Department in case of fire;

* * * * *

(12) In occupancies of an especially hazardous nature or where special hazards exist in addition to the normal hazard of the occupancy or where access for fire apparatus is unduly difficult, additional safeguards may be required by the Fire Chief or [his] authorized representative consisting of additional fire appliance units, more than one type of appliance, or special systems suitable for the protection from the hazard involved. Such devices or appliances may include, but are not limited to, automatic fire alarm systems, automatic sprinkler or water spray systems, standpipe and hose, fixed or portable fire extinguishers, suitable asbestos blankets, breathing apparatus, manual or automatic covers, or carbon dioxide, foam, or other special fire extinguishing systems. Where such systems are installed, they shall be in accordance

1 with the applicable standards of the National Fire Protection Association listed in Section 11-
2 253. Where the special hazard arises from the mere possibility of fire (such as, but not limited
3 to, a cylinder of poison gas), other appropriate safeguards or protective equipment may be
4 required.

5 (b) Vacating of premises; locking, latching, or securing premises. Whenever the Fire
6 Chief or [his] authorized representative shall find any building or other structure which, for want
7 of repairs, or because of damage done by storm, fire, explosion, natural wear and tear, or other
8 causes of damage or deterioration, is in such condition as to constitute an immediate and present
9 danger to life, property, or public safety, the Fire Chief or [his] authorized representative is
10 authorized to order the premises vacated immediately, if occupied, and is further authorized to
11 post notice on the property and to order the property locked and boarded to prevent any person
12 from entering onto the premises. If the unsafe and dangerous conditions are not corrected in
13 accordance with the order of the Fire Chief or [his] authorized representative and no appeal has
14 been taken as provided in this Subtitle, the building or structure may be secured and boarded by
15 the County or may be removed by the County, whichever shall be required to remedy the unsafe
16 condition. If the owner has not maintained or has been unable to maintain the building in a safe,
17 locked, and boarded condition as previously ordered, the Fire Chief or [his] authorized
18 representative may order the demolition of the building, the filling of any excavation, and the
19 clearing of the property so that it will be in a safe condition. The cost of removal or securing by
20 the County shall be charged to the owner of the property in the manner of taxes, and such charge
21 shall be a lien on the property. The cost to the County for removal or securing may also be
22 collected as other debts.

23 (c) Notice and order generally. Whenever the Fire Chief or [his] authorized representative
24 shall issue a notice and order directed to the owner of record of a building to abate a dangerous
25 condition, the notice and order shall contain:

26 (1) The street address and legal description sufficient for identification of the
27 premises upon which the building is located;

28 (2) A statement that the Fire Chief or [his] authorized representative has found the
29 building to be dangerous with a brief and concise description of the conditions
30 found to render the building dangerous;

(3) A statement of the action required to be taken as determined by the Fire Chief or [his] authorized representative;

(4) A statement advising that if any required repair or demolition work is not commenced within the time specified the Fire Chief or [his] authorized representative may proceed to cause the work to be done and charge the costs thereof against the property or its owner; and

* * * * *

(d) Method of service of notice and order. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at [his] the address as it appears on the last assessment roll of the County or as known to the Fire Chief or [his] authorized representative. If no address of any such person so appears or is known to the Fire Chief or [his] authorized representative, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings, and a copy shall be posted at or near the main entrance to the building. In addition, a copy shall be posted at the door of the Prince George's County Courthouse in Upper Marlboro, Maryland, or on a bulletin board in the immediate vicinity thereof. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this Section. Service by certified mail in the manner herein provided shall be effective on the date of the mailing.

(e) Posting and form of notice to vacate. Every notice to vacate shall be served as provided in Subsection (d) of this Section, be posted at or upon each exit of the building, and be in substantially the following form:

<p>DO NOT ENTER</p> <p>UNSAFE TO OCCUPY</p> <p>It is a misdemeanor to occupy this building or to remove or deface this notice.</p> <p>Fire/EMS Department of Prince George's County, Maryland</p>

(f) Compliance with notice to vacate. Whenever such notice is posted, the Fire Chief or [his] authorized representative shall include a notification thereof in the notice and order issued by him or her under Subsection (e) of this Section reciting the emergency and specifying the

1 conditions which necessitate the posting. No person shall remain in or enter any building
2 [which] that has been so posted, except that entry may be made to repair or demolish.

3 (g) Stay of notice and order during appeals. Except for orders to vacate, enforcement of
4 any notice and order of the Fire Chief or [his] authorized representative issued under this Section
5 shall be stayed pending an appeal therefrom which is properly and timely filed.

6 (h) Failure to obey order. After any order of the Fire Chief or [his] authorized
7 representative or the Board of Appeals made pursuant to this Section shall have become final, no
8 person to whom any such order is directed shall fail, neglect, or refuse to obey any such order.
9 Any such person who fails to comply with any such order is guilty of a misdemeanor.

10 (i) Authority of the Fire Chief or [his] authorized representative on failure to obey final
11 order. If, after any order of the Fire Chief or [his] authorized representative or the Board of
12 Appeals made pursuant to this Section has become final, and the person to whom such order is
13 directed shall fail, neglect, or refuse to obey such order, the Fire Chief or [his] authorized
14 representative may cause such person to be prosecuted under Subsection (h) of this Section, or
15 institute any appropriate action to abate such building as a public nuisance, or both.

16 (j) Extensions. Upon receipt of any application from the person required to conform to
17 the order and an agreement by such person that he or she will comply with the order if allowed
18 additional time, the Fire Chief or [his] authorized representative may, in his or her discretion,
19 grant an extension of time, not to exceed an additional one hundred twenty (120) days within
20 which to complete said repair, rehabilitation, or demolition if the Fire Chief or [his] authorized
21 representative determines that such an extension of time will not create or perpetuate a situation
22 dangerous to life or property. The authority of the Fire Chief or [his] authorized representative
23 to extend time is limited to the physical repair, rehabilitation, or demolition of the premises and
24 will not in any way affect or extend the time to appeal [his] the notice and order.

25 **DIVISION 3. PERMITS, CERTIFICATES, AND LICENSES.**

26 **Sec. 11-201. Permit for explosives.**

27 The provisions of [the Sections 26 through 36, Article 38A, Annotated Code of Maryland]
28 §§11-105 – 11-107, Public Safety Article, Annotated Code of Maryland, are fully applicable in
29 Prince George's County. (See [Sections 32 and 34 thereof] Title 11, Subtitle 1, Public Safety
30 Article for State licensing requirements and penalty provisions.)

Sec. 11-202. Building permits.

(a) Fire Chief approval. No building permit for construction, modification, addition to or other changes in any building, except ordinary repairs as defined in Subtitle 4 of this County Code, shall be issued without the approval of the Fire Chief or [his] authorized representative.

(b) [Review of plans prerequisite to issuance of a building permit. Before a building permit for construction, modification, addition to or other changes in any building, except ordinary repairs as defined in Subtitle 4 of this County Code, may be issued by the Department of Environmental Resources, the Fire Chief or [his] authorized representative shall inspect and approve all plans, specifications or details to insure compliance with this Subtitle, the fire safety aspects of the County Building Code adopted by Subtitle 4 of this County Code and the State Fire Prevention Code, Article 38A, Annotated Code of Maryland.

(c) Authority to require exposure or stop work. Whenever any installation requiring Fire/EMS Department inspection is covered or concealed without first being inspected, the Fire Chief or [his] authorized representative, after exhausting other reasonable means to establish compliance, may require upon written notice that such work is exposed for inspection. Any cost of such exposing and recovering shall be borne by the permittee. When any construction work is being performed in violation of this Subtitle, the Fire Chief or [his] authorized representative may issue a written notice to the responsible party to stop construction or repairs on that portion of the work in violation. The notice shall state the nature of the violation and that it shall be unlawful to continue to work on that portion until the violation has been corrected.

[(d)] (c) Use and [o]Occupancy permits issued by the County Department of Environmental Resources. Before a Use and Occupancy permit may be issued to occupy a building [which] that has been issued a County building permit, the Fire Chief or [his] authorized representative shall inspect and approve the construction for compliance with the approved plans.

Sec. 11-203. Certificates of approval for fire warning systems.

[(a)]Required. It shall be unlawful for any person, directly or through an agent, to sell, offer for sale, rent, lease or install any type of fire warning system until a certificate of approval has been issued by the Fire Chief or [his] authorized representative.

[(b) Certificate of approval. Application for a certificate of approval shall be in a form specified by the Fire Chief or his authorized representative. The applicant shall submit complete

1 copies of the report of any nationally recognized testing laboratory which has examined the
 2 device. If, upon application, the Fire Chief or his authorized representative finds that the fire
 3 warning system submitted will function dependably and that the device has been tested and
 4 approved or listed by a recognized testing laboratory, he shall issue a certificate of approval
 5 subject to the conditions that the system or device be properly installed. Should the Fire Chief or
 6 his authorized representative find that the fire warning system will not operate dependably or if
 7 he shall find that the system or device has not been tested and approved or listed by a recognized
 8 testing laboratory, he shall mark the application "disapproved" and return same to the applicant.]

9 **Sec. 11-205. Burning cross or other religious symbol prohibited.**

10 No person shall burn or cause to be burned any cross or other religious symbol upon any
 11 private or public property within Prince George's County without the express consent of the
 12 owner of such property and without having first obtained a permit for such burning from the
 13 [Prince George's County] Fire Chief or [his] authorized representative. Any person or persons
 14 who violate the provisions of this Section shall, upon conviction, be deemed guilty of a
 15 misdemeanor and shall suffer punishment by imprisonment in the County jail for a period not to
 16 exceed one (1) year or shall be fined an amount not to exceed One Thousand Dollars (\$1,000) or
 17 shall suffer both such fine and imprisonment in the discretion of the court.

18 **Sec. 11-206. Failure to obtain permit, approval or certificate.**

19 (a) Any person who sells, offers for sale, installs, operates, maintains or uses any
 20 appliance, device, equipment, system or process or who constructs any building or modifies,
 21 excluding repairs, any existing structure, which actions require a permit, approval or certificate
 22 under this Subtitle from the Fire Chief or authorized representative, and has not obtained the
 23 same shall be guilty of a misdemeanor.

24 * * * * *

25 **Sec. 11-207. Operation without a valid permit, or under an expired, suspended or revoked**
 26 **permit[s].**

27 (a) Any permittee who engages in any business, operation or occupation or uses any
 28 premises after the permit issued therefor has been suspended or revoked or has expired, shall be
 29 guilty of a misdemeanor.

(b) Any person who engages in any business, operation or occupation or uses any premises and who has failed to obtain an appropriate permit and fire inspection shall be guilty of a misdemeanor.

DIVISION 4. FIRE PREVENTION CODE.

Sec. 11-251. Purpose; intent.

* * * * *

(b) The provisions of this Division shall not prevent the use of any material or method of construction not prescribed by this Division when the permittee can demonstrate, to the satisfaction of the Fire Chief or [his] authorized representative, that the proposed method or material is, for the purpose intended, at least the equivalent of the material or method otherwise prescribed, in quality, strength, effectiveness, fire resistance, durability, and safety.

* * * * *

(d) Whenever it is determined, however, that there is documentary evidence that the use of a material or method approved herein would constitute a distinct hazard to life or property, the Fire Chief or [his] authorized representative shall have the authority to administratively suspend approval granted herein of such material or method. The Fire Chief or [his] authorized representative shall, within five (5) working days, request the County Council to confirm such administrative suspension by resolution of the Council. Such written request of the Fire Chief or [his] authorized representative shall be accompanied by sufficient technical data and record of national or local testing to substantiate that the use of an approved method or material would constitute a distinct hazard to life or property.

(e) Prior to obtaining a fire inspection for a change of use or final occupancy permit the applicant shall obtain approval for the proposed use from the Planning Board.

Sec. 11-252. Construction and scope of Division.

(a) The provisions of this Division shall apply to existing conditions as well as to conditions arising after the adoption thereof, except that conditions legally in existence at the adoption of this Division and not in strict compliance therewith may be permitted to continue only if, in the opinion of the Fire Chief or [his] authorized representative, they do not constitute a distinct hazard to life or property.

(b) The provisions of this Division shall not apply to any building, area, or premises within the County [which] that is owned by any department or agency of the government of the United States of America or the State of Maryland.

(c) Nothing in this Division shall be construed to limit the authority of any fire official who has been appointed [Deputy] Assistant or Special [Deputy] Assistant State Fire Marshal in accordance with [Article 38A] Subtitle 6, Public Safety Article, [of the] Annotated Code of Maryland or the authority granted by other laws or codes.

Sec. 11-253. Standards adopted.

(a) The following enumerated codes, standards, and model laws published by the National Fire Protection Association, International (“NFPA”), shall be adopted by resolution and made a part of this Division with the same force and effect as if the same were incorporated and set forth at length therein. The editions of the individual codes and standards listed in Subparagraph (a)(1) through (10) shall be adopted by resolution by the County Council. A copy of the adopted codes, standards, and model laws shall be marked as a master copy and maintained by the Clerk of the County Council.

(1) **Occupancy protection.**

NFPA 32. Standard for Dry-cleaning Plants

NFPA 88A. Standard for Parking Structures

NFPA 99. Standard for Health Care Facilities

NFPA 101. [Code for Safety to Life from Fire in Buildings and Structures, as amended by Section 11-253.01 of this Code]
Life Safety Code as amended by the State of Maryland Fire Prevention Code

NFPA 102. Standard for Grandstands, Folding and [Assembly] Telescopic Seating, Tents, and Membrane Structures

NFPA 307. Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves

NFPA 909. Code for the Protection of Cultural Resource Properties — Museums, Libraries, and Places of Worship

(2) **Flammable and Combustible Liquids.**

- NFPA-30. Flammable and Combustible Liquids Code
- NFPA-30A. [Automotive and Marine Service Station Code]
Code for Motor Fuel Dispensing Facilities and Repair Garages
- NFPA-31. Standard for the Installation of Oil Burning Equipment
- NFPA-33. Standard for Spray Application Using Flammable or Combustible Materials
- NFPA-34. Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids
- [NFPA-321. Standard on Basic Classification of Flammable and Combustible Liquids
- NFPA-327. Cleaning or Safeguarding Small Tanks and Containers
- NFPA-329. Handling Underground Leakage of Flammable and Combustible Liquids
- NFPA-385. Tank Vehicles for Flammable and Combustible Liquids
- NFPA-386. Portable Shipping Tanks for Flammable and Combustible Liquids]

(3) **Flammable gases.**

- NFPA-30B. Code for the Manufacture and Storage of Aerosol Products
- [NFPA-50. Standards for Bulk Oxygen Systems at Consumer Sites
- NFPA-50A. Standard for Gaseous Hydrogen Systems at Consumer Sites
- NFPA-50B. Standard for Liquefied Hydrogen Systems at Consumer Sites]
- NFPA-51. Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes
- NFPA-51A. Standard for Acetylene Cylinder Charging Plants
- NFPA-51B. [Cutting and Welding Processes]
Standard for Fire Prevention During Welding, Cutting, and Other Hot Work

- NFPA-54. National Fuel Gas Code
- NFPA-55. Standard for the Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders, and Tanks
- NFPA-58. [Standard for the Storage and Handling of Liquefied Petroleum Gases]
Liquefied Petroleum Gas Code
- NFPA-59. [Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants]
Utility LP Gas Plant Code
- NFPA-59A. Standard[s] for the Production, Storage and Handling of Liquefied Natural Gas (LNG)]

(4) **Hazardous materials and processes.**

- [NFPA-33. Standard for Spray Application Using Flammable and Combustible Materials
- NFPA-34. Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids]
- NFPA-35. Standard for the Manufacture of Organic Coatings
- [NFPA-40. Standard for the Storage and Handling of Cellulose Nitrate Motion Picture Film
- NFPA-43A. Code of the Storage of Liquid and Solid Oxidizers
- NFPA-43B. Organic Peroxide Formulations, Storage of
- NFPA-43C. Storage of Gaseous Oxidizing Materials
- NFPA-43D. Storage of Pesticides in Portable Containers]
- NFPA-45. Standard on Fire Protection for Laboratories Using Chemicals
- [NFPA-49. Hazardous Chemicals Data]
- NFPA-69. Standard on Explosion Prevention Systems
- NFPA-160. Standard for the Use of Flame Effects Before an Audience
- [NFPA-325M. Fire Hazard Properties of Flammable Liquids, Gases and Volatile Solids]

<u>NFPA-430.</u>	<u>Code for the Storage of Liquid and Solid Oxidizers</u>
<u>NFPA-432.</u>	<u>Code for the Storage of Organic Peroxide Formulations</u>
<u>NFPA-434.</u>	<u>Code for the Storage of Pesticides</u>
<u>NFPA-484.</u>	<u>Standard for Combustible Metals</u>
NFPA-490.	<u>Code for the</u> Storage of Ammonium Nitrate
[NFPA-491M.	Hazardous Chemical Reactions]
NFPA-495.	Explosive Materials Code
<u>NFPA-560.</u>	<u>Standard for the Storage, Handling, and Use of Ethylene Oxide for Sterilization and Fumigation</u>
NFPA-654.	Standard for the Prevention of Fire and Dust Explosions [in the Chemical, Dye, Pharmaceutical, and Plastics Industries] <u>from the Manufacturing, Processing, and Handling of Combustible Particulate Solids</u>
<u>NFPA-664.</u>	<u>Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities</u>
NFPA-704.	[Identification of the Fire Hazards of Materials] <u>Standard System for the Identification of the Hazards of Materials for Emergency Response</u>
<u>NFPA-801.</u>	<u>Standard for Fire Protection for Facilities Handling Radioactive Materials</u>
<u>NFPA-1122.</u>	<u>Code for Model Rocketry</u>
<u>NFPA-1123.</u>	<u>Code for Fireworks Display</u>

(5) Transportation.

- [NFPA-88B. Standard for Repair Garages]
- NFPA-303. Fire Protection Standard for Marinas and Boatyards
- NFPA-407. Standard for Aircraft Fuel Servicing
- NFPA-498. Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives

- NFPA-501. Standard for Manufactured Housing
- NFPA-501A. [Fire Safety Criteria for Manufactured Home Installations, Sites and Communities]
Standard for Fire Safety Criteria for Manufactured Home Installation, Sites, and Communities

- [NFPA-501C. Firesafety Criteria for Recreational Vehicles
- NFPA-501D. Firesafety Criteria for Recreational Vehicle Parks and Campgrounds

- NFPA-505. Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Maintenance and Operations]

- NFPA-1192. Standard on Recreational Vehicles
- NFPA-1194. Standard for Recreational Vehicle Parks and Campgrounds

(6) Fire extinguishing systems.

- NFPA-11. [Low Expansion Foam and Combined Agent Systems]
Standard for Low, Medium and High-Expansion Foam
- [NFPA-11A. Medium and High Expansion Foam Systems
- NFPA-11C. Mobile Foam Apparatus]
- NFPA-12. Standard for Carbon Dioxide Extinguishing Systems
- NFPA-12A. Standard for Halon 1301 Fire Extinguishing Systems
- [NFPA-12B. Standard for Halon 1211 Fire Extinguishing Systems]
- NFPA-13. Standard for the Installation of Sprinkler Systems

<u>NFPA-13D.</u>	<u>Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes</u>
<u>NFPA-13R.</u>	<u>Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height</u>
NFPA-14.	Standard for the Installation of Standpipes and Hose Systems
NFPA-15.	Standard for Water Spray Fixed Systems <u>for Fire Protection</u>
NFPA-16.	Standard for the Installation of Foam-Water Sprinkler [Systems] and Foam-Water Spray Systems
NFPA-17.	Standard for Dry Chemical Extinguishing Systems
NFPA-17A.	Standard for Wet Chemical Extinguishing Systems
NFPA-20.	[Installation of Centrifugal Fire Pumps] <u>Standard for Installation of Stationary Pumps for Fire Protection</u>
<u>NFPA-22.</u>	<u>Standard for Water Tanks for Private Fire Protection</u>
NFPA-24.	<u>Standard for the</u> Installation of Private Fire Service Mains and their Appurtenances
<u>NFPA-25.</u>	<u>Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems</u>
NFPA-750	<u>Standard on Water Mist Fire Protection Systems</u>
NFPA-1142	<u>Standard on Water Supplies for Suburban and Rural Fire Fighting</u>

(7) **Portable fire extinguishers.**

NFPA-10.	<u>Standard for</u> Portable Fire Extinguishers
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(8) **Fire warning systems.**

- [NFPA-71. Standard for the Installation, Maintenance and Use of Signaling Systems for Central Station Service]
- NFPA-72. [Installation, Maintenance and Use of Protective Signaling Systems]
National Fire Alarm Code
- [NFPA-72E. Automatic Fire Detectors
- NFPA-72G. Installation, Maintenance and Use of Notification Appliances for Protective Signaling Systems
- NFPA-72H. Testing Procedures for Local, Auxiliary, Remote Station and Proprietary Protective Signaling Systems
- NFPA-74. Standard for the Installation, Maintenance and Use of Household Fire-Warning Equipment]

(9) **Storage.**

- NFPA-70. National Electrical Code
- [NFPA-81. Standard for Fur Storage, Fumigation and Cleaning]
- NFPA-82. Standard on Incinerators and Waste and Linen Handling Systems and Equipment
- NFPA-85. Boiler and Combustion Systems Hazards Code
- NFPA-86. Standard for Ovens and Furnaces
- NFPA-90A. Standard for the Installation of Air Conditioning and Ventilating Systems
- NFPA-90B. Standard for the Installation of Warm Air Heating and Air Conditioning Systems

<u>NFPA-96</u>	<u>Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations</u>
<u>NFPA-110.</u>	<u>Standard for Emergency and Standby Power Systems</u>
<u>NFPA-204.</u>	<u>Standard for Smoke and Heat Venting</u>
<u>NFPA-211.</u>	<u>Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances</u>
<u>NFPA-220.</u>	<u>Standard on Types of Building Construction</u>
[NFPA-231.	Standard for General Storage
NFPA-231C.	Standard for Rack Storage of Materials
NFPA-231D.	Storage of Rubber Tires
NFPA-231E.	Storage of Baled Cotton
NFPA-231F.	Storage of Roll Paper
NFPA-232.	Records, Protection of]
<u>NFPA-241.</u>	<u>Standard for Safeguarding Construction, Alteration, and Demolition Operations</u>

(10) **Building construction and facilities.**

<u>NFPA-1.</u>	<u>Uniform Fire Code as amended by the State of Maryland Fire Prevention Code</u>
[NFPA-54.	National Fuel Gas Code
NFPA-68.	Venting of Deflagrations
NFPA-80.	Fire Doors and Windows
NFPA-82.	Incinerators, Waste and Linen Handling Systems and Equipment
NFPA-86.	Standard for Ovens and Furnaces - Design, Location and Equipment
NFPA-86C.	Industrial Furnaces Using a Special Processing Atmosphere
NFPA-86D.	Industrial Furnaces Using Vacuum as an Atmosphere

NFPA-90A.	Installation of Air Conditioning and Ventilating Systems
NFPA-90B.	Installation of Warm Air Heating and Air Conditioning Systems
NFPA-91.	Standard for the Installation of Exhaust Systems for Air Conveying of Materials
NFPA-92A.	Smoke Control Systems
NFPA-92B.	Smoke Management Systems in Malls, Atria, Large Areas
NFPA-96.	Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment
NFPA-204M.	Smoke and Heat Venting
NFPA-1231.	Water Supplies for Suburban and Rural Firefighting]

Sec. 11-254. Exits and means of egress in buildings, generally.

* * * * *

(c) Special purpose door alarms, window bars, or bolting devices shall be approved by the Fire Chief or [his] authorized representative prior to installation. Manually operated edge or surface mounted flush bolts are prohibited.

* * * * *

(j) The following exceptions are provided to the requirements to provide free and unobstructed egress from all parts of all buildings and structures at all times.

(1) In mental, penal, or corrective institutions where supervisory personnel are continually on duty and effective provisions, approved by the Fire Chief or [his] authorized representative, are made to remove occupants in the case of fire or other emergency.

(2) When approved by the Fire Chief or [his] authorized representative, in buildings occupied only by personnel whose principal duty is the security of the building and when each such person has keys to an adequate number of exits the prohibition against the use of keys in exit doors may be waived.

Sec. 11-255. Fire drills.

(a) Educational occupancies. Fire drills shall be conducted at least once during each month in which classes are held in educational occupancies where such occupancies constitute the major occupancy of the building, and the following regulations shall be observed:

(1) Fire drills shall include complete evacuation of all persons from the building or structure; and

(2) A record of all fire drills conducted shall be maintained and made available upon request to the Fire Chief or [his] authorized representative; and

(3) The agent in charge of such occupancies shall notify [the Division of Fire and Rescue Communications Center] Public Safety Communications prior to and immediately after each fire drill.

(b) Institutional occupancies. Fire drills shall be conducted at least once each month for each work shift in institutional occupancies such as hospitals, nursing homes and jails where such occupancy constitutes the major occupancy of a building, and the following regulations shall be observed[.] :

(1) Fire drills shall be conducted to familiarize operating personnel with their assigned positions of emergency duty.

(2) Employees of such institutional occupancies shall receive fire safety training at least once every six (6) months. [One (1) such training program each year shall be conducted by personnel from the Bureau of Fire Prevention.] Training programs shall be based upon, but not limited to, the emergency fire safety manual for the institution [which] that has been approved by the [Bureau of] Fire Prevention Unit. Agents in charge of such institutions shall forward [a written report of each training program] training documentation to the [Bureau of] Fire Prevention Unit upon request.

(3) Complete evacuation of occupants from the building at the time of the fire drill shall be required only where it is practicable and does not involve moving or disturbing patients under medical care.

(4) A record of all fire drills conducted shall be maintained and made available upon request to the Fire Chief or [his] authorized representative.

(5) The agent in charge of such occupancy shall notify [the Division of Fire and Rescue Communications Center] Public Safety Communications prior to and immediately after each fire drill.

(c) Weather. During severe weather fire drills may be postponed, upon written request and written permission by the Fire Chief or authorized representative.

Sec. 11-256. Places of assembly.

(a) Occupancy load certificate generally. In every place of public or private assembly, there shall be an original occupancy load certificate permanently posted in a conspicuous place in the room near the entrance. Such certificate shall be furnished and signed by the Fire Chief or [his] authorized representative, and such certificate shall read generally as follows:

Not more than _____	
persons permitted in _____ (address)	
Prince George's County, Maryland	
_____ Fire Official	_____ Date

* * * * *

(p) Stopping of performance by Fire Chief or [his] authorized representative. The Fire Chief or [his] authorized representative, upon finding any overcrowding conditions or obstructions in aisles, passageways, or other means of egress or upon finding any condition which constitutes a serious menace to life shall cause the performance, presentation, spectacle, or entertainment to be stopped until such condition or obstruction is corrected.

(q) Failure to leave premises when requested to do so. Any person who fails to leave any premises that is overcrowded, when told to do so by the management of the premises or any authorized representative of the Fire/EMS Department, shall be deemed in violation of this Subtitle.

Sec. 11-257. Fire safety instructions for multiresidential occupancies.

(a) Posting. Hotels, motels, multifamily dwellings, lodging houses, and all other residential occupancies except one- and two-family dwellings shall have a printed copy of fire safety instructions permanently and conspicuously posted in each occupancy unit and at such other locations as required by the Fire Chief or [his] authorized representative. The text and posting location shall be subject to the approval of the Fire Chief or [his] authorized representative. Unauthorized removal of such signs shall be a violation of this Subtitle.

EXAMPLE:

IN CASE OF FIRE

CALL 911

THIS ADDRESS IS

EXIT THE BUILDING

WAIT OUTSIDE FOR THE

FIRE/EMS DEPARTMENT

DO NOT REENTER THE BUILDING

UNTIL TOLD TO DO SO

BY THE FIRE/EMS DEPARTMENT

(b) Fire Plans. Upon request of the Fire Chief, the person responsible for fire safety in all buildings more than seventy-five (75) feet in height above average grade, buildings serving as housing for senior citizens, buildings housing institutional or educational occupancies, or such

1 other buildings as may be required by the Fire Chief or [his] authorized representative, shall
 2 prepare a written plan which details adequate procedures for occupants in case of fire. The plan
 3 shall be transmitted to the Fire Chief or [his] authorized representative for approval. After
 4 approval, the plan shall be distributed to appropriate occupants of the building.

5 **Sec. 11-258. Smoke [detectors] Alarms.**

6 (a) Requirements for multifamily apartment houses, hotels, motels, and dormitories.

7 (1) Multifamily apartment house. It shall be the responsibility of the owner of each
 8 new or existing multifamily apartment house to install smoke [detectors] alarms in each such
 9 multifamily dwelling unit intended to be used or originally built or designed to be used for
 10 residential purposes, not to include any dwelling unit within any structure which has been wholly
 11 converted to a nonresidential use. They shall be installed by July 1, 1978, in the manner
 12 hereinafter provided unless any other provision of County, State or federal law shall require
 13 installation before that date.

14 (2) Hotels, motels, and dormitories. The owner of each new or existing hotel, motel
 15 and dormitory shall install smoke [detectors] alarms in each sleeping area. They shall be
 16 installed in existing buildings by July 1, 1980, in the manner hereinafter provided, unless any
 17 other provision of County, State or federal law shall require installation before that date.

18 (b) Location. At least one (1) smoke [detector] alarm shall be installed in close proximity
 19 to the access for each sleeping area.

20 (c) Installation. Smoke [detectors] alarms may be directly hard wired to the building's
 21 power supply [or operated on a plug-in outlet which is fitted with a plug restrainer device,
 22 provided that said outlet is not controlled by any switch, and further provided that there is no
 23 switch or cord switch on the detector. Monitored battery-supply units may be substituted.] and
 24 have a battery-powered back-up. The batteries shall be in accordance with the manufacturer's
 25 specifications.

26 (d) Maintenance of smoke [detectors] alarms in multifamily apartment houses, hotels,
 27 motels, and dormitories. It shall be the responsibility of the property owner or agent to annually
 28 inspect and maintain any smoke [detector] alarm device, installed in compliance with the
 29 provisions of this Section, in accordance with the manufacturer's warranty and/or suggested
 30 maintenance schedule. In addition, the property owner shall provide any tenant access to a copy

1 of the maintenance schedule, operating manual, and any other instructional or precautionary
2 literature which the manufacturer may supply with the unit.

3 (e) Supervision. In new multifamily apartment houses, motels, hotels, and dormitories
4 which have a required manual fire alarm system, a heat detector shall be installed next to the
5 required smoke [detector(s)] alarm(s) and the heat detector shall be connected to the manual fire
6 alarm system.

7 (f) Certification at change in occupancy. At every change of occupancy or tenancy in any
8 multifamily dwelling unit occasioned by or incidental to a sale, lease, sublease, or change in
9 tenancy, it shall be the duty of the grantor thereof to certify to the tenant, at the time of
10 conveyance and before occupancy, that all smoke [detectors] alarms as required by this Section
11 (or other applicable laws) are installed and in proper working condition.

12 (g) Other standards applicable. This Section is intended to be used with and supplemented
13 by the applicable provisions of National Fire Protection Association Standard[s NFPA-71,]
14 NFPA-72 [E, and NFPA-74].

15 (h) Requirements for one- and two-family residential dwellings. The requirements for
16 installation and maintenance of smoke [detectors] alarms in one- and two-family residential
17 dwellings shall be as prescribed by [Article 38A, Section 12A, of the] Title 9, Public Safety
18 Article, Annotated Code of Maryland, as may be amended from time to time. As of July 1,
19 1982, Section 12A, as amended by Chapter 340 of the Acts of the General Assembly of 1982,
20 requires that in one- and two-family residential dwellings the occupant of each dwelling unit
21 shall be responsible for installing and maintaining at least one approved battery or AC primary
22 electric-powered smoke [detector] alarm.

23 (i) Replacement. It shall be the responsibility of the property owner to replace any smoke
24 alarm(s) as specified by the manufacturer.

25 (j) All multi-family dwellings shall have battery back-up smoke alarms in the manner
26 specified by this Subtitle by January 1, 2007.

27 **Sec. 11-259. Underground storage tanks.**

28 (a) Compliance required. The owner, lessee or person(s) in control of the facilities for the
29 storage and dispensing of flammable liquids shall follow the provisions of NFPA-30 and NFPA-
30 329 as adopted under this Division and the procedures hereinafter set forth, and shall assume any
31 cost related thereto; provided, however, that where compliance requires the making of additions

1 to or changes in the structure of the facility, such as would immediately become real estate and
 2 be the property of the owner of the real property, the order shall affect the owner and not the
 3 lessee or other person(s) in control of the facility, unless it is otherwise agreed between the
 4 owner and lessee or other person(s) in control of the facility. This Section shall apply to any
 5 facility used for the storage of flammable liquids when in the judgment of the Fire Chief or [his]
 6 authorized representative there is evidence of a leak and hazard to life. Farm operations shall be
 7 exempt from this Section. The determination of a farm operation shall be the same as shown by
 8 the [Board of Assessments for the State of Maryland] State Department of Assessments and
 9 Taxation.

10 (b) Tanks to which requirements apply. Unless otherwise indicated, testing requirements
 11 of this Section shall not apply to tanks and equipment made of [fiber glass] fiberglass or other
 12 noncorrosive material subject to the approval of the Fire Chief or [his] authorized representative.

13 (c) New or replacement installation. Before any tanks and equipment for the storage and
 14 dispensing of flammable liquids are covered from sight following installation, the Fire Chief or
 15 [his] authorized representative shall inspect the installation and give approval therefor if the
 16 requirements of this Section have been met. Tanks that have been glass lined [(fiber glass)]
 17 (fiberglass) shall be tested as if a new tank. A record of tank size, name of manufacturer, and
 18 serial number shall be placed on a correction order after test for tightness is finished.

19 (d) Tanks in service, inventory records, and pressure testing pipe. Accurate inventory
 20 control records for the purpose of detecting system leakage shall be maintained by the person(s)
 21 or company in control of the premises for each underground storage facility in accordance with
 22 NFPA-30 and NFPA-329 as adopted by this Division. The person(s) or company in control of
 23 the premises shall promptly report any significant loss of product to the Fire Chief or [his]
 24 authorized representative, in accordance with standards established by the Fire Chief or [his]
 25 authorized representative for the facility. The person(s) or company shall make and record daily
 26 measurements of product inventory. These inventory control records shall be available for
 27 checking by the Fire Chief or [his] authorized representative upon request. All piping in remote
 28 pumping installations in existence on March 1, 1977, shall be subjected to a pressure test for at
 29 least thirty (30) minutes pneumatically to 110% of the maximum anticipated pressure of the
 30 system, but not less than five (5) pounds per square inch at the highest point of the system within
 31 two (2) years of March 1, 1977. Such tests shall be repeated on all such systems at intervals no

greater than five (5) years. The date of the test, the pressure to which the system was tested, the duration and the results thereof shall be recorded and maintained until the date of the next test and shall be available upon request for inspection by the Fire Chief or [his] authorized representative.

(e) Tanks in service; storage testing. All underground flammable liquid storage tanks which will have been buried for ten (10) years or more on March 1, 1977, and all those tanks for which no buried installation date can be reasonably determined, shall be tested for tightness according to the standards set forth in NFPA-329 as adopted by this Division. In the event that a "final test" is required on any buried storage tank prior to the expiration of the ten (10) years, a later test will not be required without cause until the expiration of five (5) years from the date of the test or the expiration of the tenth year of its installation, whichever occurs later. After the tenth year, "final tests" shall be repeated on all such tanks at intervals no greater than five (5) years without cause. The date of the test, the model and the type of the tester, the name of the operator of the equipment, the duration and results thereof shall be recorded and maintained until the date of the next test and shall be available for inspection by the Fire Chief or [his] authorized representative.

(f) Testing for cause. Notwithstanding the foregoing requirements for testing piping and underground storage tanks, the Fire Chief or [his] authorized representative may require a "final test" or its equivalent on any such system when he or she finds any of the following conditions exist:

* * * * *

(g) Underground flammable liquids storage tanks out of service. Underground tanks which are not in active service shall be treated as "temporarily out of service" by taking the following steps:

(1) Notify the [Bureau of] Fire Prevention Unit of intent to render the tank inactive.

* * * * *

(h) Abandoned underground flammable liquid tanks. Underground tanks which are not in active service and which do not comply with Section VII of NFPA-329 shall be removed in accordance with Appendix C-4 and C-5 of NFPA-30. Tanks shall not be abandoned by leaving in place without the express approval of the Fire Chief or [his] authorized representative.

* * * * *

(j) All establishments storing or handling flammable materials shall be plainly marked with signs at entrances to storage or use areas and at such other points as may be recommended by the Fire Chief or authorized representative. Filling and emptying connections for Class IA, IB, and IC liquids which are made and broken shall be located outside of buildings at a location free from any source of ignition and not less than five (5) feet away from any building opening. Such connections for any liquid shall be closed and liquid tight when not in use and shall be properly identified by color and/or wording or other means approved by the Fire Chief or authorized representative.

(k) The dispensing of gasoline, or any product mixing gasoline with another flammable or combustible liquid, into any portable container, and the transportation of such product in a portable container, is subject to the limits of Class I-A liquids under Table IV-1, NFPA-30, with the exception that glass and plastic containers are prohibited unless they bear a label of approval to contain gasoline from a recognized testing laboratory approved by the Fire Chief or authorized representative.

(l) Storage of Class I liquids, as defined in NFPA-30, in any tank or container that is fixed rather than portable, is prohibited on any residential property which does not include farm operations. The determination of a farm operation shall be the same as shown by the [Board of Assessments for the State of Maryland] State Department of Assessments and Taxation.

* * * * *

Sec. 11-260. Above-ground tank storage of flammable liquids.

* * * * *

(b) Existing tanks. Existing above-ground tanks approved by the Fire Chief or [his] authorized representative may be continued, provided that the installation does not constitute a hazard. The Fire Chief or [his] authorized representative shall periodically inspect the installation for safety; if [he determines] it is determined that the installation or operation is no longer conducted or maintained in a safe manner, [he] the Fire Chief or authorized representative shall have the authority to require their removal or replacement with underground tanks.

* * * * *

(f) Bulk storage. Above-ground tanks for bulk storage of Class II combustible liquids may be established in noncongested areas when the Fire Chief or [his] authorized representative finds that installation will not adversely affect the safety of surrounding property. These

installations shall be equipped with fixed fire extinguishing systems and such other safeguards as may be deemed necessary by the Fire Chief or [his] authorized representative.

Sec. 11-263. Liquified petroleum gas.

(a) Safeguarding of premises. All spaces at bulk storage plants within which liquified petroleum gases are transferred or stored, including all connections to storage tanks, shall be segregated with fences approved by the Fire Chief or [his] authorized representative. The gates in such fences shall be kept locked at all times when no responsible person or agent is present.

(b) Safeguarding of customers' supply tanks. Tanks supplying customers' installations shall be located outside of buildings. All valves and connections thereon shall be safeguarded by an enclosure approved by the Fire Chief or [his] authorized representative. Installations with an aggregate water capacity of greater than two thousand (2,000) gallons shall have the area, which includes the tank and container appurtenances, enclosed with at least six (6) foot high industrial-type fence unless otherwise adequately protected. Gates shall be locked at all times when no responsible person or agent is present.

(c) Special requirements in the case of bulk storage (two thousand (2,000) gallons aggregate water capacity or more) in heavily populated or congested areas. Determination as to individual tank capacity, total storage, distance to property lines, underground storage, fixed fire suppression systems, or other reasonable protective measures shall be made by the Fire Chief or [his] authorized representative.

* * * * *

Sec. 11-264. Gas shutoff.

* * * * *

(b) Shutoff valves are to be accessible; curb keys. No person shall make gas shutoff valves inaccessible to the Fire/EMS Department. The local provider of gas or gas utility, upon request, shall furnish appropriate curb keys to the Fire/EMS Department.

Sec. 11-266. Fumigation.

Notification. [The Division of Fire and Rescue Communications Center] Public Safety Communications shall be notified, in writing, at least twenty-four (24) hours before any fumigation operation in accordance with the provisions of [NFPA-57] NFPA 560.

Sec. 11-267. Fireworks.

* * * * *

(b) Storage for purposes of authorized display. Notwithstanding any other provisions of this Division, fireworks brought into Prince George's County, Maryland, by a fireworks shooter for the purpose of an authorized display may be stored under the following conditions:

(1) The place or places to be used for storage of fireworks have been previously approved by the [Bureau of] Fire Prevention Unit for Prince George's County.

(2) The [Bureau] Fire Prevention Unit has received notification from the fireworks shooter at least twenty-four (24) hours in advance of the time that fireworks for an authorized display will be brought into the County.

Sec. 11-268. Open fires generally.

(a) Where permitted by the provisions of Section 19-104, and 19-105 of this County Code, burning by open fires shall be subject to the following conditions:

* * * * *

(3) It shall be unlawful for any person to kindle any open fire except leaf burning, cooking fires, or recreational fires without first notifying [the Division of Fire and Rescue Communications Center] Public Safety Communications of such burning. Where burning continues for more than one (1) day, the Fire/EMS Department shall be notified prior to 8 A.M. on each day of burning.

(4) The Fire Chief or [his] authorized representative may prohibit such burning at any time [he determines] it is determined that the kindling of an open fire creates a fire hazard.

* * * * *

(7) Where open burning is being conducted under the terms of a permit issued by the Prince George's County Health Department [of Environmental Health], the permittee shall be personally responsible for the fire at all times. The permit shall be in the possession of the person supervising the burning at all times.

(8) No persons shall kindle a fire upon the land of another without permission of the owner thereof or [his] the owner's agent.

Sec. 11-271. Use of portable heaters.

Portable heaters shall be designed and located so that they cannot be easily overturned. The Fire Chief or [his] authorized representative may prohibit use of portable heaters in occupancies or situations in which such use or operation would present danger to life or the property of others.

Sec. 11-272. Water supply and fire hydrants, generally.

(a) All premises, other than those for one- and two-family dwellings where buildings or portions of buildings are constructed and located in such a manner that access to public fire hydrants is minimal or of a distance such that the Fire Chief or [his] authorized representative finds that firefighting operations would be impaired, shall be provided with approved fire hydrants connected to a water supply system capable of supplying the water flow required by the Fire Chief or [his] authorized representative. The location of these hydrants shall be as specified by the Fire Chief or [his] authorized representative. Paved access to fire hydrants shall be as specified by the Fire Chief or [his] authorized representative. Paved access to fire hydrants shall be provided and maintained to accommodate fire apparatus.

(b) All premises, other than those for one- and two-family dwellings where buildings or portions of buildings are constructed and located more than three hundred (300) feet from the public street providing access to such premises and said public street has fire hydrants, shall be provided with approved fire hydrants connected to a water system capable of supplying the water flow required by the Fire Chief or [his] authorized representative. In no case shall the water flow be less than [one (1) gallon per minute for each one hundred (100) cubic feet of interior building space;] 2,000 gallons per minute. [the] The Fire Chief or [his] authorized representative may require a greater minimum flow for high-hazard occupancies. The location of such hydrants shall be as designated by the Fire Chief or [his] authorized representative. Access to fire hydrants shall be provided and maintained to accommodate firefighting apparatus.

(c) All flammable and combustible liquid tank farms, lumber yards, amusement parks, and similar occupancies, where combustible or flammable storage or structures are located more than three hundred (300) feet from public fire hydrants, shall be provided with approved fire hydrants connected to a water system capable of supplying the water flow required by the Fire Chief or [his] authorized representative. The location of such hydrants shall be as designated by the Fire Chief or [his] authorized representative. Suitable access to fire hydrants shall be provided and maintained to accommodate the fire apparatus.

(d) Supplemental water supply facilities shall be provided in those cases where the water supply obtainable from the public water supply system is insufficient to meet the requirements of this Section. The Fire Chief or [his] authorized representative may establish water supply requirements in those cases where specific provisions are not provided in this Section. If the

1 location of the property is located outside the appropriate service area of the Ten Year Water and
 2 Sewerage Plan or is in the Rural Tier, the property must be served by water storage tanks, the
 3 availability of water tanker trucks, or other appropriate source of water for fire extinguishing
 4 purposes, as determined at the time of subdivision.

5 (e) There shall be no parking within fifteen (15) feet of any public or private hydrant.

6 **Sec. 11-273. Obstructing fire hydrants or Fire/EMS Department connections.**

7 No person shall place or keep any post, fence, growth, trash or other material or thing near
 8 any fire hydrant or Fire/EMS Department connection, which would prevent fire officials from
 9 discerning such hydrant or connection, or would in any other manner deter or hinder them from
 10 immediate access to and use thereof.

11 **Sec. 11-275. Fire hydrant maintenance.**

12 All private fire hydrants shall be tested, maintained, and serviced annually by the property
 13 owner. A report of this maintenance shall be made available to the [Bureau of] Fire Prevention
 14 Unit upon request.

15 **Sec. 11-276. Required access for fire apparatus.**

16 (a) All premises which the Fire/EMS Department may be called upon to protect in case of
 17 fire or other emergencies and which are not readily accessible to fire apparatus from public
 18 streets shall be provided with suitable gates, access roads, and fire lanes so that all buildings on
 19 the premises are accessible to fire apparatus, and in accordance with the County Building Code,
 20 Subtitle 4, Section 4-223.

21 (b) Private roads or fire lanes shall be provided for all buildings which are set back more
 22 than one hundred fifty (150) feet from a public street or exceed thirty (30) feet in height and are
 23 set back over fifty (50) feet from a public street. Private roads or fire lanes shall be:

- 24 (1) Along the longest side of the buildings;
- 25 (2) At least [twenty (20)] twenty-two (22) feet in width; and
- 26 (3) At the road edge nearest to the building no closer than ten (10) feet and no further
 27 than forty (40) feet from the building.

28 When buildings or any portion thereof are located one hundred fifty (150) feet or more
 29 from a public street or access way and there is not suitable access for fire apparatus as
 30 determined by the Fire Chief or [his] authorized representative, there shall be provided approved

1 fire protection system or systems as required and approved by the Fire Chief or [his] authorized
2 representative.

3 (c) All buildings, parts of buildings, or other obstructions extending over access driveways
4 shall have a vertical clearance of a least fourteen (14) feet from the finished driveway surface.
5 Where approved fire protection systems are provided, the above required clearances may be
6 modified or waived by the Fire Chief or [his] authorized representative.

7 (d) When any portion of the first story of any building is more than three hundred (300)
8 feet from the nearest point of a public street or public access way, the building shall be made
9 accessible to fire apparatus by an all-weather access way approved by the Fire Chief or [his]
10 authorized representative, unless the entire building is served by an approved fire protection
11 system.

12 (e) The provisions of Subsection (b) of this Section shall not apply to buildings for which
13 building permits were issued before the effective date of this Section.

14 (f) The provisions of this Section shall not apply to residential occupancies as defined in
15 the [BOCA Basic Building Code (Basic Code)] International Building Code adopted by Subtitle
16 4 of this County Code which both are not physically attached or touching and also contain two or
17 fewer dwelling units each.

18 (g) All turning radius for emergency vehicles shall comply with the Prince George's
19 County Department of Transportation standards 200.12 (Urban Cul-de-sac Offset Turnaround)
20 and 200.13 (Urban Cul-de-sac Symmetrical Turnaround).

21 **Sec. 11-277. Fire lanes.**

22 (a) The owner of any property or his agent may remove or cause to be removed all
23 obstructions or vehicles which are:

24 (1) Liable to interfere with the operations of the Fire/EMS Department or egress of
25 occupants in the event of a fire or other emergency; or

26 * * * * *

27 (b) Whenever the Fire Chief or [his] authorized representative shall find that any private
28 entrance, exit sidewalk, vehicular driveway, interior private driveway, sidewalk, fire lane, or fire
29 hydrant is obstructed by snow, debris, construction material, trash containers, vehicles, or other
30 matter likely to interfere with the ingress or operation of the Fire/EMS Department or other
31 emergency vehicles in case of fire, or other emergency, the Fire Chief or authorized

1 representative [he] may order the obstruction removed. To effectuate this Subsection, the Fire
 2 Chief or [his] authorized representative may order ["no parking" fire lane] "no parking fire lane"
 3 signs erected at the curb line, at no distance greater than thirty-five (35) feet between signs, and
 4 may designate the placement thereof. [He may order that curbs be painted a distinctive color.]
 5 When placed on a pole, post or building, approved fire lane signs shall be placed at seven (7) feet
 6 to the bottom of the sign from finished curb height. The approved sign shall comply with the
 7 Department of Public Works and Transportation standard with an inscription stating, "NO
 8 PARKING, FIRE LANE, BY ORDER OF PRINCE GEORGE'S COUNTY FIRE/EMS
 9 DEPARTMENT." The curbs of the approved fire lane shall be painted a distinctive/contrast
 10 color, preferably yellow. Any vehicle which is located within the area controlled by such signs
 11 or marking, on private property or otherwise, whether or not the owner, operator, or custodian of
 12 such vehicle has actual or constructive notice of the vehicle location or posted signs or markings,
 13 shall be deemed parked in violation of this Subtitle. Any vehicle, on private property or
 14 otherwise, which is located in such a manner that it would obstruct or interfere with the
 15 connection of a hose to a fire hydrant, whether or not the owner, operator, or custodian of such
 16 vehicle has actual or constructive notice of the vehicle location, shall be deemed parked in
 17 violation of this Subtitle. Any person responsible for the parking of a vehicle in violation of this
 18 Subsection or any person refusing to obey a lawful order of the Fire Chief or [his] authorized
 19 representative under this Subsection shall be guilty of a violation of this Subtitle. Upon
 20 violation, any police officer or fire official shall have the authority to remove or cause to be
 21 removed such vehicle parked in violation of this Subsection and impound it pursuant to Division
 22 18 of Subtitle 26 of this Code. All persons towing vehicles while enforcing this Subsection shall
 23 be required to report the impoundment of said vehicles to the Police Department in compliance
 24 with Section 26-142.06 of this Code and to comply with any other applicable County laws.

25 (c) Any person issued a citation for a violation of this Section shall, in addition to any
 26 other penalties, be subject to a fine of Two Hundred Dollars (\$200.00) for each violation. The
 27 violator shall pay the fine at the Treasury Division, Office of Finance, within fifteen (15) days
 28 from the date of notice of violation.

29 (1) The first Fifty Thousand Dollars (\$50,000) of revenue collected from fines
 30 imposed by this Section shall be used for operating and capital expenses related to Advanced

Life Support (Paramedic) Mobile Intensive Care Unit services provided by Prince George's County. Thereafter, one half of the revenue collected shall be used for this purpose.

(2) After the first Fifty Thousand Dollars (\$50,000) is collected, one half of the revenues from the fines imposed by this Section shall be used for operating and capital expenses of the Police Department.

Sec. 11-278. Construction and demolition of buildings or structures.

* * * * *

(d) Standpipes. Whenever the Building Code requires a standpipe system, such system shall be carried up each floor and shall be installed and ready for use by the Fire/EMS Department as each floor progresses. Standpipes shall not be more than (1) floor below the highest forms or staging.

(e) Standpipes and fire extinguishing systems in buildings under demolition. When a building is being demolished and a standpipe or fire extinguishing system is existing within such building, such standpipe and/or fire extinguishing system shall be maintained in an operable condition so as to be available for use by the Fire/EMS Department. Such standpipe and/or extinguishing system shall be demolished with the building, but at no time during demolition shall the system or systems be more than one (1) floor below the floor being demolished.

* * * * *

Sec. 11-279. Hazardous chemicals and substances, generally.

* * * * *

(b) Safeguards for manufacture, storage, handling, and use. The manufacture, storage, handling, and use of hazardous chemicals or substances shall be safeguarded by such protective facilities as public safety requires, including, but not limited to, the following:

(1) The Fire Chief or [his] authorized representative may require the separation or isolation of hazardous chemicals or substances or any chemical or substance that in combination with other substances may bring about a fire or explosion or may liberate a flammable or poisonous gas. The Fire Chief or [his] authorized representative may require hazardous chemicals or substances to be separated from other storage, occupancies, or buildings when the quantity stored constitutes a danger to life or property.

* * * * *

Sec. 11-280. Combustible waste and refuse.

* * * * *

(b) Storage of combustible waste. Combustible waste and refuse shall be stored in:

* * * * *

(4) Such other containers or isolated areas either inside or outside of buildings that are approved by the Fire Chief or [his] authorized representative.

* * * * *

Sec. 11-281. Smoking, generally.

(a) Designated areas where smoking prohibited. Where smoking constitutes a fire hazard in any area of piers, wharves, warehouses, stores, industrial plants, institutions, schools, places of assembly, and/or open spaces where combustible materials are stored or handled, the Fire Chief or [his] authorized representative is empowered and authorized to order the owner or occupant, in writing, to post "no smoking" signs in each building, structure, room, or place in which smoking shall be prohibited. Such signs shall be conspicuously and suitably located. The Fire Chief or [his] authorized representative shall designate specific safe locations, if necessary, in any building, structure, or place in which smoking may be permitted.

(b) Form of "no smoking" signs. The lettering, size, color, and location of legally required "no smoking" signs shall be subject to the approval of the Fire Chief or [his] authorized representative.

* * * * *

Sec. 11-288. Operation of gasoline-powered equipment in certain structures.

(a) It shall be unlawful to store any motor vehicles or any other gasoline-powered equipment in any multifamily, hotel, motel, office, educational, family day care, assisted living, group home, board and care, or institutional occupancy, or any balcony attached thereto, except as follows:

* * * * *

Sec. 11-289. Protection of hood and duct ventilation systems and related commercial cooking appliances.

(a) Generally. All occupancies containing cooking equipment in commercial, industrial, institutional, assembly, and similar cooking applications, other than installations for residential use, shall:

(2) Have installed and maintain an automatic fire extinguishing system approved by the Fire Chief or [his] authorized representative.

(b) Installation of automatic fire extinguishing systems. The system shall be installed by a contractor who has been certified by the manufacturer as competent to install the equipment. Such certification shall be available to the Fire Chief or [his] authorized representative.

(c) Plans and specifications. Working plans and specifications shall be submitted to the Fire Chief or [his] authorized representative for review and approval prior to installation. The plans shall include:

(e) Change from approved plans. Where field conditions necessitate change from the approved plans, the Fire Chief or [his] authorized representative shall be consulted.

(f) Inspection.

(1) A final inspection of the installed system shall be made by the Fire Chief or [his] authorized representative, which shall include witnessing of a test of the automatic and manual operating devices.

(2) The Fire Chief or [his] authorized representative shall be notified twenty-four (24) hours prior to the test.

(3) Extinguishing systems shall be inspected at intervals required by the Fire Chief or [his] authorized representative.

(4) The periodic inspection required in paragraph (3), above, shall be accomplished by a licensed fire extinguisher dealer or [his] representative. Said inspection shall generate, on a form approved by the Fire Chief or [his] authorized representative, a report on the condition of the system. The report shall be signed by this inspector and shall be forwarded to the [Bureau of] Fire Prevention Unit within five (5) days after inspection or servicing.

Sec. 11-291. Inspection and test of fire protection systems, devices and equipment.

(a) Acceptance test, generally. It shall be unlawful to occupy any building, structure, or any portion thereof, until all required fire protection systems have been tested, accepted, and approved by the appropriate fire official. Whenever it is likely that Fire/EMS Department

1 personnel may need to operate installed systems, the Fire/EMS Department will be trained
 2 regarding these systems by the manufacturer's representative or installers.

3 (b) Expenses. Inspection and tests of fire protection systems, devices, and equipment shall
 4 be conducted by and at the expense and risk of the owner or [his] authorized representative.

5 (c) Notification [of Division of Fire and Rescue Communications Center] to Public Safety
 6 Communications. When testing any fire protection system, device, or equipment which is
 7 connected to a central supervisory station or directly to the Fire/EMS Department, notification
 8 shall be given to [the Division of Fire and Rescue Communications Center] Public Safety
 9 Communications at least thirty (30) minutes prior to initiation of the test.

10 * * * * *

11 (f) Fire alarm systems (manual-pull stations). All interior fire alarm systems within all
 12 buildings shall be tested at least once every thirty (30) days. The use of the system for fire drill
 13 purposes shall be accepted as a test of only those parts of the system actually used in the drill
 14 procedure. Accurate logs shall be maintained on the premises indicating box number, location,
 15 date, and type of device tested. Any defect, modification, or repair shall be logged, and the log
 16 shall be available to the Fire Chief or [his] authorized representative.

17 (g) Fire alarms (automatically activated). Fire warning systems and all alarms which
 18 monitor control valves and flow switches for fire protection and fire alarm equipment, and which
 19 transmit a signal to a central supervisory station, must be tested at least once a year.

20 (1) Notification shall be given as required under Subsection (c) of this
 21 Section.

22 (2) The Fire Chief or authorized representative may require the water control valves
 23 servicing the fire protection system(s) to be secured in an open position regardless of the
 24 supervision of said system. The ability to disable the redundant locking system shall be limited
 25 to that of the owner or occupant.

26 (h) When required by other sections of this Code, the Life Safety Code, or other adopted
 27 referenced Fire Codes, specific occupancies shall be required to provide portable fire
 28 extinguishers. It shall be required that no portable fire extinguisher rated less than 2-A:10-B:C
 29 be allowed, and such portable fire extinguishers, when required, shall be inspected and
 30 maintained in accordance with NFPA 10.

1 [(h)][i] Fire safety devices. Special fire safety devices including automatic smoke
 2 venting equipment, emergency generators, and any other special fire safety equipment required
 3 to be installed in any building, structure, or premises, shall be tested by the owner or [his]
 4 authorized representative as prescribed by the Fire Chief or [his] authorized representative.

5 [(i)][j] Test records. A complete written record of all tests and inspections required
 6 under this Section, including servicing, repairs, or replacement of any portion of the system
 7 governed under this Section, shall be maintained on the premises by the owner or occupant in
 8 charge of said premises, and all such records shall be submitted to the Fire Chief or [his]
 9 authorized representative when requested for [his] inspection and evaluation.

10 **Sec. 11-292. Maintenance of fire safety equipment.**

11 (a) All fire protection systems, fire alarm systems, fire detection systems, fire and smoke
 12 ventilation systems, fixed fire and smoke ventilation systems, fixed fire communications
 13 systems, emergency lighting systems, devices, or units installed in compliance with any permit,
 14 law, or regulation shall be maintained in operative condition at all times, and it shall be unlawful
 15 for any owner or occupant to reduce the effectiveness of the fire protection system so required.
 16 This shall not prohibit the owner or occupant from temporarily reducing or discontinuing the fire
 17 protection system where necessary to make tests, repairs, alterations, or additions. Except for
 18 household fire warning systems, [the Division of Fire and Rescue Communications Center]
 19 Public Safety Communications shall be notified thirty (30) minutes prior to any disconnection or
 20 interruption of protection, tests, repairs, alterations, or initiation of additions, and shall be
 21 advised of the extent of and the reason for such work. The fire protection systems shall be
 22 promptly restored to working order, and [the Division of Fire and Rescue Communications
 23 Center] Public Safety Communications shall be notified immediately when service is restored.

24 (b) When any required fire alarm, fire communication, fire extinguishing, fire protection,
 25 or first aid firefighting systems device, or unit, or part thereof, in any building or structure
 26 becomes inoperative, the Fire Chief or [his] authorized representative may order said building or
 27 structure or portion thereof vacated until such inoperative system, device, or unit is repaired and
 28 returned to full service. The Fire Chief or [his] authorized representative may permit the
 29 building or structure or portion thereof to be occupied when [he finds that] suitable alternative
 30 protective measures are provided.

Sec. 11-294. Variances.

Upon application in writing, the Fire Chief or [his] authorized representative is authorized and empowered, when there are practical difficulties or circumstances of undue hardship involved in the implementation and enforcement of the provisions of this Division, to make such interpretative decisions and qualifications as shall insure substantial compliance with its terms and avoid the imposition of undue hardship provided that the spirit of this Division shall be observed, public safety secured and substantial justice done. The particulars of such variances, when granted or allowed, and the decision of the Fire Chief thereon, shall be entered upon the records of the [Bureau of] Fire Prevention Unit and a signed copy shall be furnished to the applicant.

DIVISION 8. EMERGENCY TRANSPORTATION FEE.**Sec. 11-345. Definitions.**

(a) Terms used in this Division are defined as follows:

(1) [**Advanced Life Support (Paramedic) Mobile Intensive Care Unit** is capable of prehospital emergency patient care involving the application of skills and knowledge contained in the Cardiac Rescue Technician and Federal Department Of Transportation Emergency Medical Technician-Paramedic curriculum. This would include, but not necessarily be limited to, intravenous fluid administration, drug administration, defibrillation techniques, and the transmission of patient diagnostics via telemetry.]

Emergency Transportation refers to the transportation of patients by a unit operated and staffed by Advanced Life Support personnel or Basic Life Support personnel or any combination of both as designated by the Prince George's County Fire Chief.

Sec. 11-346. Emergency transportation; fees.

(a) The fees for [e]Emergency [t]Transportation and related services provided by Prince George's County shall be as established in the Annual Budget and Appropriation Ordinance.

(b) No person shall be denied [Advanced Life Support (Paramedic) Mobile Intensive Care Unit] [e]Emergency [t]Transportation because of an inability to pay the fee required by this Section, and no person shall be questioned about an ability to pay such fee at the time the service is requested or rendered.

* * * * *

Sec. 11-347. Use of funds.

Revenues from the fees imposed for [e]Emergency [t]Transportation provided by the County shall be used for operating and capital expenses related to [e]Emergency [t]Transportation, [including Advanced Life Support (Paramedic) Mobile Intensive Care Unit services,] as set forth in the Annual Budget and Appropriation Ordinance.

SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.

DIVISION 3. MISCELLANEOUS CIVIL VIOLATIONS.

SUBDIVISION 2. SPECIFIC CIVIL PENALTIES PRESCRIBED.

Sec. 28-262. Fire Code Violations.

(a) Any person who violates any of the following provisions of the County Code shall, upon citation issued pursuant to Subdivision 1, be deemed to have committed a civil violation and shall pay to the County a civil monetary fine in the amount prescribed by Subsection (b) of this Section:

Sections 11-103;
 11-107 through 11-109, inclusive;
 11-111 through 11-113, inclusive;
 11-156;
 [11-158;]
 11-159;
 11-203;
 [11-204;]
 11-206;
 11-207;
 11-254 through [11-282] 11-281,
 inclusive;
 11-284 through 11-287, inclusive;
 11-289 through 11-292, inclusive; and
 11-292.01.

(1) Each separate day of violation that remains uncorrected is a distinct civil violation subject to an additional citation and fine in the amount prescribed by Subsection (b) of this Section.

(b) The civil monetary fine for each civil violation of the provisions enumerated in Subsection (a), except Section 11-292.01, shall be One Hundred Dollars (\$100.00), except as provided in Subsection (c) of this Section and as provided in Section 11-277(c). The civil monetary fine for each civil violation of Section 11-292.01 shall be Five Thousand Dollars (\$5,000.00).

(c) For a repeated civil violation, the following fines shall apply:

2nd violation	\$200.00
3rd violation	\$400.00
Each violation in excess of three (3)	\$1,000.00

SECTION 2. BE IT FURTHER ENACTED that Sections 11-158, 11-204, 11-253.01, 11-282, and 11-283 of the Prince George's County Code be and the same are hereby repealed:

SUBTITLE 11. FIRE SAFETY.

DIVISION 4. ADMINISTRATION.

Sec. 11-158. [Right of entry.] Reserved

[The Fire Chief or his authorized representatives, upon exhibiting the proper credentials or proof of identity on request, shall have the right to enter any building, structure or premises for the purpose of enforcing this Subtitle.]

DIVISION 3. PERMITS, CERTIFICATES , AND LICENSES.

Sec. 11-204. [Fire protection system; approval required.] Reserved

[(a) Required for installation of system. Before any fire protection system is installed, the agent, contractor or installer shall apply to the Fire Chief or [his] authorized representative for approval of the system. Two complete sets of drawings and specifications shall accompany the application for approval. This shall not waive any permit requirement otherwise imposed by law. When similar household fire protection systems are being installed in more than one dwelling unit under the control of a single owner, developer or management, a single approval may be requested. However, any variation in floor plan, number of [detectors] alarms, or model

number of components, shall be specified. Should the Fire Chief or [his] authorized representative find that any part of the fire alarm system will not function dependably or does not conform with specific requirements found elsewhere in this Subtitle or other laws or ordinances of the County, he or she shall immediately notify the applicant of specific discrepancies and assist him in gaining compliance. Review and approval by the Fire Chief or [his] authorized representative for combination systems shall be limited to the operation of the system for fire warning purposes and shall not be construed to be approval of any other function of the combination system.]

[(b) Required for connection of system. When the Fire Chief or [his] authorized representative has approved the installation of a fire alarm system, and when such system requires connection to a source of energy which is regulated under the Electrical Code adopted by Subtitle 9 of this County Code, a permit for the necessary connection shall be obtained from the Department of Environmental Resources.]

[(c) Appeals. When an approval required by this Section has been denied, the applicant may note an appeal to the County Board of Appeals within five (5) working days.]

DIVISION 4. FIRE PREVENTION CODE.

Sec. 11-253.01. [Amendments to Life Safety Code.] Reserved.

[(a) The NFPA-101 Code for Safety to Life from Fire in Buildings and Structures as adopted in Section 11-253(a)(1) is amended as follows:]

[(1) Change subparagraph 10-8.1.1.1 and 11-8.1.1.1 from "...at least seven but not more than 12 clients..." to "...at least nine but not more than 12 clients...".]

[(2) Change subparagraphs 10-9.1.1.2 and 11-9.1.1.2 from "...for up to six clients..." to "...for up to eight clients...".]

[(3) Change subparagraphs 10-9.1.1.1 and 11-9.1.1.1 from "...fewer than seven clients..." to "...fewer than nine clients..." and delete phrase "...more than three but...".]

[(4) Subparagraphs 10-9.2.2 and 11-9.2.2 entitled "Types of Exits" are amended to add:]

[A sliding door used as a required means of egress shall comply with the following conditions:]

[(a) The sliding door shall have not more than one, easily operated, locking device that does not require special knowledge, effort, or tools to operate.]

1 [(b) There may not be draperies, screens, or storm doors that could impede
2 egress.]

3 [(c) The sill or track height may not exceed 1/2 inch above the interior finish
4 door.]

5 [(d) The surface onto which exit is made shall be an all weather surface such as a
6 deck, patio, sidewalk, etc.]

7 [(e) The floor level outside the door may be one step lower than the inside, but
8 not more than 8 inches lower.]

9 [(f) The sliding door shall open to a clear open width of at least 28 inches.]

10 [(g) Before day care use, each day the sliding door shall be unlocked and tested
11 to the full required width to be sure it is operating properly. The door shall be nonbinding and
12 slide easily.]

13 [(h) During periods of snow or freezing rain, door tracks shall be cleared out and
14 the door opened periodically throughout the day in order to assure proper operation.]

15 [(5) Add the following to subparagraphs 10-9.2.11 and 11-9.2.11 entitled "Special
16 Features":]

17 [Dead-bolt locks shall be provided with approved interior latches or these locks
18 shall be of a captured key design from which the key cannot be removed from the interior side of
19 the lock when the lock is in the locked position. These locks shall be unlocked at all times the
20 home is occupied for the purpose of family day care.]

21 [Exception: A double-keyed dead-bolt lock may be used on the secondary means
22 of escape provided the key is readily accessible and the lock is unlocked at all times the home is
23 occupied for the purpose of family day care.]

24 [(6) Add the following exception to subparagraph 10-9.3.4.3:]

25 [Exception: Battery-operated detectors rather than house electric service-powered
26 detectors shall be accepted when, in the opinion of the authority having jurisdiction, the facility
27 has demonstrated testing, maintenance, and battery replacement programs that ensure reliability
28 of power to the detectors.]

29 [(7) Amend the exception to subparagraph 11-9.3.4.3 to delete "Existing."]

30 [(8) Add the following to subparagraphs 31-3.5 entitled "Group Day Care Homes" and
31 31-3.6 entitled "Family Day Care Homes":]

[A written prearranged plan of escape in case of fire or other emergency shall be readily available for reference and inspection purposes. This emergency plan shall include a means and procedure to alert all occupants of an emergency.]

Sec. 11-282. [Sale of unapproved portable fire extinguishers prohibited.] Reserved.

[It shall be unlawful for any person, directly or through an agent to sell, offer for sale, distribute, rent or lease in the County any make, type or model of fire extinguisher, either new or used, unless such make, type or model of extinguisher has first been tested and is approved or labeled by the Factory Mutual Laboratories, Underwriters Laboratories, Inc., or other testing laboratory approved by the Fire Chief or his authorized representative as providing adequate and reliable tests and examination. The provisions of this Section shall not apply to the sale or trade of fire extinguishers to any person or firm engaged in the business of selling or handling such equipment for junk, to be used for other than fire protection.]

Sec. 11-283. [Electrical wiring.] Reserved.

[(a) Maintenance. It shall be unlawful to maintain any electrical wiring appliance, apparatus or device in violation of Subtitle 9 of this County code.]

[(b) Notice and discontinuance of fire hazard. When any hazardous electrical installation is brought to the attention of the Fire Chief or his authorized representative, he shall notify the Department of Environmental Resources and may order use of such installation discontinued immediately.]

SECTION 3. BE IT FURTHER ENACTED that Sections 11-163 and 11-295 of the Prince George's County Code be and the same are hereby added:

SUBTITLE 11. FIRE SAFETY.

DIVISION 2. ADMINISTRATION.

Sec. 11-163. Fire Inspection Fees.

- (a) The schedule of fees to be charged by the Fire/EMS Department to cover the administrative costs associated with the inspections required by this Subtitle shall be:

OCCUPANCY

FEE

(1) Assembly:

(a) 1,001 or more individuals **\$300.00**

(b) 301-1,000 individuals **\$200.00**

1	(c) <u>50-300 individuals</u>	<u>\$100.00</u>
2	(2) <u>Fairgrounds:</u>	
3	(a) <u>Nine buildings or less</u>	<u>\$200.00</u>
4	(b) <u>10 or more buildings</u>	<u>\$400.00</u>
5	(3) <u>Educational: (<i>Non Public Schools</i>)</u>	
6	(a) <u>Elementary, Kindergarten and</u>	
7	<u>Pre-Kindergarten Schools</u>	<u>\$100.00</u>
8	(b) <u>Middle or Junior High School</u>	<u>\$150.00</u>
9	(c) <u>Senior High School</u>	<u>\$150.00</u>
10	(4) <u>Family or Group Day Care Homes:</u>	
11	(a) <u>Initial Inspection</u>	<u>\$45.00</u>
12	(b) <u>Renewal Inspection</u>	<u>\$30.00</u>
13	(5) <u>Nursery or Day Care Center</u>	<u>\$65.00</u>
14	(6) <u>Health Care:</u>	
15	(a) <u>Ambulatory Health Care Center</u>	
16	<u>Per 3,000 Sq. Ft. or portion</u>	<u>\$150.00</u>
17	(b) <u>Hospital, Nursing Home, Limited Care Facility</u>	
18	<u>Per Facility</u>	<u>\$150.00 + \$2.00 per Bed</u>
19	(7) <u>Detention and Correctional: (fee may be waived)</u>	
20	<u>Per building</u>	<u>\$100.00 + \$2.00 per Bed</u>
21	(8) <u>Residential:</u>	
22	(a) <u>Hotel and Motel per building</u>	<u>\$50.00 + \$2.00 per Room</u>
23	(b) <u>Dormitory</u>	<u>\$20.00 + \$2.00 per Bed</u>
24	(c) <u>Apartment Buildings</u>	<u>\$20.00 + \$2.00 per Apt.</u>
25	(d) <u>Lodging or Rooming House</u>	<u>\$75.00</u>
26	(e) <u>1 and 2 Family Dwellings</u>	<u>\$25.00</u>
27	(f) <u>Foster Care Homes</u>	<u>\$25.00</u>
28	(g) <u>Alternative Living Units</u>	<u>\$25.00</u>
29	(h) <u>Board and Care Home</u>	<u>\$100.00 + \$2.00 per Bed</u>
30	(9) <u>Mercantile:</u>	
31	(a) <u>Class A - Over 30,000 Sq. Ft.</u>	<u>\$150.00</u>

1	(b) <u>Class B - 3,000 to 30,000 Sq. Ft.</u>	<u>\$100.00</u>
2	(c) <u>Class C - Less than 3,000 Sq. Ft.</u>	<u>\$50.00</u>
3	(10) <u>Businesses per 3,000 Sq. Ft. or portion thereof</u>	<u>\$50.00</u>
4	<u>Industrial or Storage</u>	
5	(a) <u>Low or Ordinary Hazard</u>	
6	<u>Per 5,000 Sq. Ft. or portion thereof</u>	<u>\$50.00</u>
7	(b) <u>High Hazard</u>	
8	<u>Per 5,000 Sq. Ft. or portion thereof</u>	<u>\$100.00</u>
9	(11) <u>Manufactured Home Sites and Communities</u>	
10	<u>Per Facility</u>	<u>\$50.00 + \$1.00 per Site</u>
11	(12) <u>Campgrounds:</u>	
12	(a) <u>Vehicular Campgrounds</u>	
13	<u>Per Facility (campsite)</u>	<u>\$50.00 + \$1.00 per Site</u>
14	(b) <u>Campgrounds</u>	
15	<u>With sleeping accommodations per facility</u>	<u>\$50.00 + \$1.00 per Bed</u>
16	(c) <u>Campgrounds</u>	
17	<u>Without sleeping accommodations per facility</u>	<u>\$50.00</u>
18	(13) <u>Outside Storage of Combustible Materials</u>	
19	<u>Per Acre of scrap tire, lumber, mulch,</u>	
20	<u>tree stumps, etc.</u>	<u>\$50.00</u>
21	(14) <u>Outside Storage of Flammable or Combustible</u>	
22	<u>Liquids or Gases, Drums and/or Tanks</u>	
23	<u>Per 5,000 Sq. Ft. or portion thereof</u>	<u>\$100.00</u>
24	(15) <u>Marinas and Piers:</u>	<u>\$100.00</u>
25	(a) <u>Marina, Pier, Bulkhead or portion thereof used</u>	
26	<u>for boat services</u>	<u>add \$25.00 per liner foot</u>
27	(b) <u>Marina Unclassified Inspection</u>	<u>\$50.00</u>
28	(16) <u>Fireworks Shoot:</u>	
29	(a) <u>Site Inspection and subsequent permit sign-off</u>	<u>\$50.00 per Site</u>
30	(b) <u>On-Site Inspector, per event</u>	
31	<u>(\$50.00/hour, four-hour minimum)</u>	<u>\$200.00</u>

(17) Re-Inspection Fee\$100.00

Applies if more than one inspection outlined above is required to correct any previously identified fire code violation.

(18) Technical Assistance Fee:\$50.00 per hour

(a) Charged for the expertise of any member of the Fire Prevention Unit or Staff. (Fee calculation per hour or portion thereof, shall include travel, report writing, research).

(b) Fee payment shall be required by certified check, money order or prior arrangement, and shall be collected immediately upon the completion of the inspection regardless of the results.

DIVISION 4. FIRE PREVENTION CODE.**Sec. 11-295 Carbon Monoxide Detectors.**

(a) This Section shall apply to any new residential unit for which an initial building permit is issued on or after January 1, 2007, and which is to be constructed with a gas heating system, fuel burning appliances, and/or an attached garage.

(b) General Requirements.

(1) Requirements for new one and two family residential dwellings. The requirements for installation and maintenance of a carbon monoxide detector in a new one and two family residential dwelling shall be at least one (1) carbon monoxide detector installed on each level of the dwelling in close proximity to sleeping quarters in a residence to be constructed with a gas heating system, fuel burning appliances, and/or an attached garage. Carbon monoxide detectors shall be directly hardwired to the building's power supply and have a battery-powered backup. Each carbon monoxide detector must comply with all applicable federal and state regulations and must bear the label of a nationally recognized standard testing laboratory. Each detector must be an Underwriters Laboratory (U.L.) 2034 listed product or its equivalent. The owner/occupant of each dwelling unit shall be responsible for installing and maintaining the carbon monoxide detectors in accordance with the manufacturer's specifications.

(2) Multi-family apartment house. It shall be the responsibility of the owner of each new multi-family apartment house to install carbon monoxide detectors in each such multi-family dwelling unit intended to be used or originally built or designed to be used for residential purposes, not to include any dwelling unit within any structure which has been wholly converted to a non-residential use.

1 (3) Hotels, motels, and dormitories. The owner of each new hotel, motel and
2 dormitory shall install carbon monoxide detectors near sleeping areas, in the manner hereinafter
3 provided, unless any other provision of County, State or Federal law requires installation before
4 January 1, 2007.

5 (c) Location. At least one (1) carbon monoxide detector shall be installed in close
6 proximity to the access for each sleeping area in a residence to be constructed with a gas heating
7 system, fuel burning appliances, and/or an attached garage.

8 (d) Installation. Carbon Monoxide Detectors shall be directly hardwired to the building's
9 power supply and have a battery-powered backup. Each carbon monoxide detector must comply
10 with all applicable federal and state regulations and must bear the label of a nationally
11 recognized standard testing laboratory. Each detector must be an Underwriters Laboratory
12 (UL). 2034 listed product or its equivalent.

13 (e) Maintenance of carbon monoxide detectors in multi-family apartment houses, hotels,
14 motels, and dormitories. It shall be the responsibility of the property owner or agent to annually
15 inspect and maintain any carbon monoxide detector, installed in compliance with the provisions
16 of this Section, in accordance with the manufacturer's specifications and/or suggested
17 maintenance schedule. In addition, the property owner shall provide any tenant access to a copy
18 of the maintenance schedule, operating manual, and any other instructional or precautionary
19 literature, which the manufacturer may supply with the unit.

20 (f) Certification at change in occupancy. At every change of occupancy or tenancy in any
21 multi-family dwelling unit occasioned by or incidental to a sale, lease, sublease, or change in
22 tenancy, it shall be the duty of the grantor thereof to certify to the owner/occupant, at the time of
23 conveyance and before occupancy, that all carbon monoxide detectors as required by this Section
24 (or other applicable laws) are installed and in proper working condition.

25 (g) It shall be the responsibility of the property owner/occupant to annually inspect and
26 maintain any carbon monoxide detector, installed in compliance with the provisions of this
27 Section, in accordance with the manufacturer's specification and/or suggested maintenance
28 schedule.

1 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 14th day of November, 2006.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.