



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 24, 2012

Montgomery County Regulation on:

FIRE SAFETY CODE - BUILDING CONSTRUCTION
Montgomery County Department of Permitting Services

Issued By: County Executive
Regulation No: 10-12AM

Authority: Code Section 22-13
Council Review: Method 2 under Code Section 2A-15
Register Vol. 29, Issue 4
Sunset Date: None

SUMMARY:

This regulation adopts the applicable editions of various National Fire Protection Association (NFPA) standards – most notably NFPA 1, Uniform Fire Code and NFPA 101, Life Safety Code – as adopted by the Maryland State Fire Prevention Code. These codes and the associated codes and standards incorporated by reference are adopted to set the minimum requirements to establish a reasonable level of safety from the hazards created by fire, explosion, and dangerous conditions. The changes do not retroactively apply to unaltered existing buildings, existing systems or existing conditions permitted or approved before the date of adoption of this regulation unless an inimical hazard exists.

The Department of Permitting Services has been delegated the authority by the Fire Chief (of Montgomery County Fire and Rescue Services) to adopt regulations pursuant to Chapter 22 of the Montgomery County Code in the cases of a new building, a new system, or new conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

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Sec. 1

In accordance with the procedures authorized in Chapter 22, "Fire Safety Code," of the Montgomery County Code, 1996, this Executive Regulation applies to the safeguarding of life, property, and the public welfare from the hazards of fire and explosion arising from the improper storage, handling, or use of substances, materials, or devices and from conditions hazardous to life, property, and the public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises.

In this regulation the term "Fire Chief" means the Fire Chief of the Montgomery County Fire and Rescue Service and includes the Fire Chief's designees.

The Department of Permitting Services has been delegated authority by the Fire Chief to enforce the requirements of the Montgomery County Fire Safety Code as it pertains to new facilities, elements, structures, and conditions.

Existing buildings, existing systems, or existing conditions which are altered are subject to this regulation to the extent required by the Maryland Building Rehabilitation Code, the Montgomery County Fire Safety Code, and the Maryland State Fire Prevention Code. Unaltered existing buildings, existing systems, or existing conditions are not subject to this regulation.

This regulation supersedes Regulation No. 7-06AM only to the extent that Regulation No. 7-06AM applies to new construction and alterations to existing buildings, existing systems, or existing conditions.

Sec. 2

Unless otherwise noted, all references to the National Fire Codes and Standards adopted in these regulations are to those codes, standards, recommended practices and manuals in the National Fire Codes, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269. The references to these National Fire Codes and Standards are set forth in Section 22-14 of the Montgomery County Code, 1996.

Terms used in this regulation which are defined in the state adopted consensus codes shall have the definitions of the consensus code.

Sec. 3

Standards Adopted. The following standards published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, are incorporated in these regulations except as expressly amended. The dates or editions of the individual codes and standards are as listed in this section.

NFPA No.

CODE OR STANDARD

1

Uniform Fire Code – 2009 edition



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42	Code for the Storage of Pyroxylin Plastic – 2002 edition
101	Life Safety Code – 2009 edition
130	Standard for Fixed Guideway Transit and Passenger Rail Systems – 2007 edition
214	Standard on Water Cooling Towers – 2005 edition
720	Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment – 2009 edition
850	Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations – 2005 edition

- Sec. 4** The Fire Chief must review this regulation and propose amendments within six months after the date the State Fire Prevention Commission adopts new amendments to NFPA 1 and NFPA 101 into the State Fire Prevention Code.
- Sec. 5** Delete NFPA 1, Section 1.9.
- Sec. 6** Delete NFPA 1, Section 1.10.
- Sec. 7** Delete NFPA 1, Subsection 1.11.3.
- Sec. 8** Amend NFPA 1, Section 1.12.1, add a new subsection 1.12.1.1 as follows: 1.12.1.1 Permits, certificates, notices, approvals or orders required by this code shall be governed by the policies and procedures of the AHJ.
- Sec. 9** Amend NFPA 1, Section 1.12.7 to change the word “shall” to “may”.
- Sec. 10** Amend NFPA 1, Section 2.2 to delete the referenced publication NFPA 5000 Building Construction and Safety Code, 2009 edition. Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code adopted by Montgomery County.
- Sec. 11** Amend NFPA 1, Section 3.3.115 to add “and as referenced in Public Safety Article Section 10-101, Annotated Code of Maryland.”
- Sec. 12** Amend NFPA 1, Section 3.3.170.6 to delete phrase “more than 3 but”.
- Sec. 13** Amend NFPA 1, Section 3.3.170.7 and Section 6.1.4.1 to delete phrase “four or more”.



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- Sec. 14** Amend NFPA 1, Section 3.3.170.20 to replace the word “three” with “five” and delete the phrase “,if any, accommodated in rented rooms.”
- Sec. 15** Amend NFPA 1, Section 3.3.170.23 and Section 6.1.9.1 to replace the word “four” with “six”.
- Sec. 16** Amend NFPA 1, Section 4.5.8.1 and Section 10.4.1 to delete the phrase “for compliance with the provisions of this Code”.
- Sec. 17** Amend NFPA 1, Section 4.5.8.3 and Section 10.4.3 to delete the phrase “by the Code”.
- Sec. 18** Amend NFPA 1, Section 10.1.2 to add the phrase “except as amended by COMAR 29.06.01.07, COMAR 29.06.01.08, and COMAR 29.06.01.09”.
- Sec. 19** Amend NFPA 1, Section 10.5.1 to replace “AHJ” with “AHJ or incident commander”.
- Sec. 20** Amend NFPA 1, Section 10.11.6 to replace “grill” with “gas-fired, charcoal or electric grill” and “10 feet (3 meters)” with “20 feet (6.1 meters)”
- Sec. 21** Delete NFPA 1, Section 10.11.6.1
- Sec. 22** Amend NFPA 1, Subsection 10.12.1 to add the following Subparagraph and Paragraph:
 - 10.12.1.1.1** Subject to the approval of the AHJ, individual suites within structures and rear exterior entrances and/or access from service corridors shall be clearly identified.
 - 10.12.1.4** Where required by the AHJ, symbols in compliance in with NFPA 170, Standard for Fire Safety and Emergency Symbols, shall be used.
- Sec. 23** Amend NFPA 1, Sections 10.12.1.2 and 10.12.1.3 to replace “address numbers” with “premises identification”.
- Sec. 24** Replace NFPA 1, Table 10.14.1.1 with the following table:

Occupancy	No Trees Permitted	Cut Tree Permitted with Automatic Sprinkler Systems	Cut Tree Permitted without Automatic Sprinkler Systems	Balled Tree Permitted
Ambulatory Health Care		X	X	X
Apartment Buildings		Within Unit	Within Unit	X
Assembly		X	X	X



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Board and Care		X		X
Business		X	X	X
Day Care Centers		X		X
Day Care Family		X	X	X
Detention and Correctional	X			
Dormitories		X	X	X
Educational	X			
Health Care		X	X	X
Hotels		X	X	X
Industrial		X	X	X
Lodging and Rooming		X	X	X
Mercantile		X	X	X
One- and Two- Family		X	X	X
Storage		X	X	X

Sec. 25 Amend NFPA 1, Section 10.14.1 to add the following new paragraph

10.14.1.2 The AHJ shall:

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

Sec. 26 Amend NFPA 1, Paragraph 10.14.3.1 to replace “by the manufacturer as being fire retardant” with “by a tested laboratory recognized by the Office of the State Fire Marshal”.

Sec. 27 Amend NFPA 1, Section 10.14.9.1 to replace “1/2 inch (13 mm)” with “2 inches (50 mm)” and add the following sentence: “A natural cut tree shall not exceed 10 feet (3 m) in height, excluding the tree stand.”

Sec. 28 Amend NFPA 1, Section 10.15.2 to insert the phrase “, but not limited to,” after the words “such as”.

Sec. 29 Amend NFPA 1, Section 10.15.11.2.6 to replace “any vehicles” with “any vehicles, buildings.”

Sec. 30 Amend NFPA 1, Section 10.15.11.3.1 add the following at the end of the section “or within the fuel break described in Section 10.15.11.2.6.”

Sec. 31 Amend NFPA 1, Section 10.16, add a new subsection 10.16.6 as follows:

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



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Sec. 32 Amend NFPA 1, Section 10.16.1 to replace “10 ft (3 m)” with “15 ft (4.6 m)” and to replace “property line” with “property line, building, or adjacent pile of combustible material”.

Sec. 33 Amend NFPA 1, Section 10.16.3 to add the following:
The separation distance shall be allowed to be increased where the AHJ determines that a higher hazard to the adjoining property exists.

Sec. 34 Amend NFPA 1, Section 10.16.5 to add the phrase “and 10,000 ft² in area”.

Sec. 35 Amend NFPA 1, Section 11.1 to add the following subsection:

11.1.11 Clearance. A clear space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the clear space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated clear space. Exception: Where other specialized dimensions are required or permitted by NFPA 70.

Sec. 36 Add NFPA 1, Sections 11.1.9.2.1 and 11.1.9.2.2 to read:

11.1.9.2.1 In new buildings, excluding one and two family dwellings, a shunt trip to disconnect the electrical service to the building shall be provided as follows:

- (a) In the emergency command center, where an emergency command center is in the building.
- (b) At the fire alarm annunciator, where there is a fire alarm annunciator and where there is no emergency command center.
- (c) In an appropriately sized and weatherproof fire department access box on the address side of the building, where there is no emergency command center or fire alarm annunciator.

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

Sec. 37 Amend NFPA 1, Paragraph 11.1.9.3 to add the following subparagraph:

11.1.9.3.3 Doors to electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording in contrasting letters not less than 1 inch (25 mm) high and not less than ¼ inch (6.4 mm) in stroke width.



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- Sec. 38** Amend NFPA 1, subsection 11.9.1 to replace “approved by the fire department” with “approved by the AHJ”.
- Sec. 39** Amend NFPA 1, Section 11.9.1 to add the following subsections:
- 11.9.1.1 In new installations, the emergency command center shall have a door directly to the exterior of the building on the address side. The exterior door to the emergency command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the door to the emergency command center. The exterior door to the emergency command center shall be identified on the exterior face as the emergency command center in a manner acceptable to the Fire Chief.
- 11.9.1.2 In new installations, the emergency command center shall also comply with the provisions of Section 911 of the International Building Code, 2009 edition.
- Sec. 40** Amend NFPA 1, Section 11.9.5(8) to read as follows:
- (8) Fire pump status indicators and remote starting.
- Sec. 41** Amend NFPA 1, Sections 13.1.9, 13.1.10 and 13.7.1.4.4 to add: When a property owner or the owner’s agent cannot be contacted to establish a fire watch, the Montgomery County Fire and Rescue Service at their discretion may provide the fire watch and charge the property owner the inspection overtime rate per person per hour.
- Sec. 42** Amend NFPA 1, Section 13.2.2.2 to delete the existing wording and replace with the following: All new buildings shall be equipped with an approved standpipe system where required by the building code adopted by Montgomery County. Where a Class III system is required, a Class I system shall be permitted.
- Sec. 43** Amend NFPA 1, Section 13.3.1.2 to add the following subsection:
- 13.3.1.2.1** For new ceiling installations, drop-out ceilings as referenced in NFPA 13, Subsection 8.15.14 shall be prohibited.
- Sec. 44** Amend NFPA 1, Section 13.3.1.7.2 to read: “Where supervised automatic sprinkler protection is required by another section of this Code, waterflow alarms shall be automatically transmitted to a listed central station.”
- Sec. 45** Amend NFPA 1, Section 13.3.2.1 to add the following subsection:



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13.3.2.1.1 All new buildings shall be equipped with automatic sprinkler system or other automatic fire suppression system where required by Section 903 of the building code adopted by Montgomery County. Exception: Day care facilities that comply with the sprinkler requirements of the NFPA 101 Life Safety Code (2009 edition).

Sec. 46 Amend NFPA 1, Section 13.3.2.24.2 by adding at the beginning of the section the phrase "Except as modified by 13.3.2.24.4," and adding a new subsection 13.3.2.24.2.4 which reads:

13.3.2.24.2.4 The requirement of 13.3.2.24.2 shall not apply to existing apartment occupancy high-rise buildings.

Sec. 47 Amend NFPA 1, Sections 13.3.3.1 and 13.3.3.2 to delete the phrase "installed in accordance with this Code."

Sec. 48 Amend NFPA 1, Section 13.4.1 to add the following subsection:

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

Sec. 49 Amend NFPA 1, Section 13.5.2 to add the following phrase at the end of the section "as modified by Montgomery County Executive Regulation 29-08AM 'Fire Safety Code – Fire Department Apparatus Access and Water Supply'".

Sec. 50 Amend NFPA 1, Section 13.6.2 to add the phrase ", unless otherwise permitted by the AHJ."

Sec. 51 Amend NPFA 1, Section 13.7.1.4.8.6 is amended as follows:

(a) Add the following sentence to the end of the section: "This paragraph does not permit the omission of manual fire alarm boxes in accordance with other provisions of this subsection unless specifically permitted by Chapters 11 through 43.

(b) Add two new subsections as follows:

13.7.1.4.8.6.1 Zoned fire alarm systems shall have manual pull stations located at the entrance to each exit enclosure and at the main exit.

13.7.1.4.8.6.2 When a fire alarm system is required in a multiple tenant building, for each tenant exiting directly to the exterior of the building, a manual pull station and approved occupant notification shall be located at each required or marked exit.



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- Sec. 52** Amend NFPA 1, Section 13.7.1.4.8.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection shall be provided and shall comply with NFPA 72 Section 4.4.4.1."
- Sec. 53** Amend NFPA 1, Section 13.7.1.4.10.2.1, delete the phrase "lobby,".
- Sec. 54** Amend NFPA 1, Section 13.7.1.4.10.4 by adding the following at the end of the sentence: "only when the initial fire alarm signal is automatically transmitted without delay to a listed central station in accordance with 13.7.1.4.11."
- Sec. 55** Amend NFPA 1, Section 13.7.1.4.10.7 by adding a second sentence to read: "Required audibility shall be met with all intervening doors (between any space and the audible devices) closed."
- Sec. 56** Amend NFPA 1, Section 13.7.1.4.10.9 by adding: Where voice type occupant notification is used, automatic pre-recorded messages shall be used complying with Section 13.7. Live voice as the sole notification method is prohibited – except that previously "approved" live voice systems shall be permitted to remain.
- Sec. 57** Amend NFPA 1, Section 13.7.1.4.11.2 by deleting the list of four items and replace the phrase "any of the following means acceptable to the authority having jurisdiction" with "by a listed central station fire alarm system".
- Sec. 58** Delete NFPA 1, Section 13.7.1.4.11.3.
- Sec. 59** Amend NFPA 1, Section 13.7.1.4.12.2(3) by adding the following sentence: "Manual fire alarm initiation shall not activate floor or zone-dependent smoke control systems."
- Sec. 60** Delete NFPA 1, Section 13.7.1.4.14.10.3
- Sec. 61** Delete NFPA 1, Sections 13.7.2.10.2.2 and 13.7.2.12.3.2
- Sec. 62** Amend NFPA 1, Section 13.7.2.14.4 to add at the end of the sentence, "...only if the existing smoke alarms are battery operated."
- Sec. 63** Amend NFPA 1, Section 13.7.2.16.1.4.4 and Section 13.7.2.16.2.2.1 by adding at the end of the sentence, "...and have secondary battery back-up power."
- Sec. 64** Amend NFPA 1, Section 13.7.2.17.1 and Section 13.7.2.18.1 are amended to read as follows: Class A mercantile occupancies and multiple story Class B mercantile occupancies shall be provided with a fire alarm system in accordance with Section 13.7 and NFPA 101.



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- Sec. 65** Amend NFPA 1, Section 13.7.2.22.1.2 and Section 13.7.2.22.1.3 to replace the phrase "Storage occupancies" with "Storage occupancies less than three stories".
- Sec. 66** Amend NFPA 1, Sections 13.7.2.23.2 and 13.7.2.24.2 to add the following exception:

Exception: Day-care occupancies located in school facilities where enrollment is limited to children capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection.
- Sec. 67** Amend NFPA 1, Section 13.7.2.23.3 to add the following subsection:

13.7.2.23.3.4 Approved battery-operated smoke alarms, rather than house electrical service-powered smoke alarms required by 13.7.2.23.3.3, shall be permitted where the facility has testing, maintenance, and battery replacement programs that ensure reliability or power to the smoke alarms.
- Sec. 68** Amend NFPA 1, Section 13.7.2.24.3.4 to delete the word "existing".
- Sec. 69** Amend NFPA 1, Section 13.7.2.27.2.1 by adding a new subsection 13.7.2.27.2.1.1 as follows:

13.7.2.27.2.1.1 In buildings having staged evacuation the voice fire alarm system shall send a predetermined message to the floor where the alarm originated, to the floor immediately below and to the floor immediately above, providing information and direction to the occupants. Any subsequent alarm(s) on other than the initial fire floor must initiate the voice fire alarm as described above. The voice fire alarm shall be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it shall not sound automatically in elevator cars and enclosed exit stairways. Communicating levels shall be considered one floor/fire area for the audible and visual fire alarm signals.
- Sec. 70** Add NFPA 1, Section 13.9 to read as follows: "In new buildings, an emergency command center in accordance with Section 11.9 shall be required in buildings, other than parking garages, with a gross floor area greater than 100,000 square feet."
- Sec. 71** Amend NFPA 1, Section 14.5.2.7 to add the phrase "and all stairway doors shall be unlocked simultaneously without unlatching upon a signal from the fire command center." to items (2) and (3).
- Sec. 72** Amend NFPA 1, Section 14.5.2.7.1 to add an item (6), to read:



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(6) Entry levels shall provide free access to an approved second exit. These levels shall be designated in "core/shell" building permit drawings with future tenant layouts arranged accordingly.

Sec. 73 Amend NFPA 1, Table 14.8.1.2 to add on the chart for Business Use "for calculating occupant loads in shell use business use is 65 square feet (6.0 square meters) per person."

Sec. 74 Amend NFPA 1, Section 14.10.1.3.1 to add new subsection 14.10.1.3.1.1:

14.10.1.3.1.1 In non-sprinklered new buildings, parallel paths of travel shall be considered remote if not less than forty (40) feet apart, or separated by assemblies having continuous one hour fire resistance with self-closing and positive latching twenty (20) minute fire [resistance] protection rated opening protectives. In fully sprinklered buildings and existing buildings paths of travel shall be considered remote if not less than thirty (30) feet apart, or separated by assemblies with self-closing opening protectives which are resistant to the passage of smoke. This minimum separation of paths shall not supersede minimum separation of exits or doors in 14.10.1.3.2.

Sec. 75 Amend NFPA 1, Section 14.11.2.3 by adding two sentences at the end of the section as follows:

In new installations, the door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, in new installations, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".

Sec. 76 Amend NFPA 1, Section 14.13.1.2 to replace the word "only" in the first sentence with ", but not be limited to,"

Sec. 77 Amend NFPA 1, Section 14.14.8.3.1 to add: If the sign is on the door, then the door must be equipped with an approved self-closing device.

Sec. 78 Amend NFPA 1, Section 18.1.1.1 and Section 18.1.1.2 to replace the word "fire department" with "AHJ".

Sec. 79 Amend NFPA 1, Section 18.2.2 to add the following subsection:

18.2.2.4 In new installations, not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or fire department response location.



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Sec. 80 Amend NFPA 1, Section 18.2.2.1, add two new subsections as follows:

18.2.2.1.1 All occupancies other than 1 and 2 family dwellings shall be provided with an approved access box.

Exception 1: The requirement for an access box shall not apply when the occupancy provides 24-hour on-site staffing with access to all areas in the building or complex. At least one person must staff a fixed location proximate to the main building or complex entrance to provide ready access for the fire department.

Exception 2: For multiple occupancies located within a single structure, a single access box shall be permitted with approval of the Fire Chief.

Exception 3: For multiple structures within a residential building complex, a single access box shall be permitted with approval of the Fire Chief.

18.2.2.1.2 The size, contents, and location of the access box shall be determined by the Fire Chief in cooperation with the occupancy owner or management.

Sec. 81 Amend NFPA 1, Section 18.2.3 to add the following: The AHJ shall have the authority to require and designate public or private fire lanes and fire department access roads as considered necessary.

Sec. 82 Amend NFPA 1, Section 18.2.3.1.3 to delete "When not more than two one- and two-family dwellings or private garages, carports, sheds, and agricultural buildings, and detached buildings or structures 400 ft² (37 m²) or less are present,".

Sec. 83 Amend NFPA 1, Section 18.2.3.2.1 to replace the phrase "exterior door" with "exterior door acceptable to the AHJ".

Sec. 84 Amend NFPA 1, Section 18.3.1 to add the following sentence:
Regardless of new or existing conditions, Section 18.3.1.1 shall apply.

Sec. 85 Amend NFPA 1, Section 18.3.1 to add the following subsection:

18.3.1.1 For new and existing conditions, the hydrant closest to the property shall be capable of delivering a minimum of 1000 gallons per minute with 20 psi residual pressure. The next closest hydrant shall be capable of flowing a minimum of 500 gallons per minute at the same time.



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Sec. 86 Amend NFPA 1, Section 18.3.3 to add the following subsection:

18.3.3.1 For buildings without automatic sprinklers within areas provided with a municipal water supply, the distance from the building to the closest hydrant shall not exceed 400 feet when measured along the path of fire department access.

Sec. 87 Amend NFPA 1, Section 20.3.4.1.1 to delete the phrase "more than 3, but" and after the "," after "12".

Sec. 88 Amend NFPA 1, Section 20.3.4.2.3.5.1 to add the following exception. Exception: Day-care homes.

Sec. 89 Amend NFPA 1, Section 20.3.4.2.3.5.4 to add the following exception. Exception: Day-care homes with not more than three clients for overnight lodging.

Sec. 90 Amend NFPA 1, Section 20.5.2.3.6 by adding a sentence as follows: "If more than three residents are not able to participate in the drill, the facility shall be considered as a Health Care Occupancy and shall be reevaluated in accordance with NFPA 101, Section 43.7.

Sec. 91 Amend NFPA 1, Section 25.2.2.1 to add the phrase "or other approved testing standard approved by the State Fire Marshal".

Sec. 92 Amend NFPA 1, Section 31.3.6.2.2 to add the following item:

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

Sec. 93 Amend NFPA 1, Section 31.3.6.3.1 to delete the existing wording and replace with the following:

Piles may not exceed 18 feet in height, 50 feet in width, and 350 feet in length. Piles shall be subdivided by fire lanes having at least 25 feet of clear space at the base of piles.

Sec. 94 Delete NFPA 1, Section 31.3.6.3.2, Section 31.3.6.3.2.1, Section 31.3.6.3.2.2, and Section 31.3.6.3.2.3.

Sec. 95 Amend Section 42.7.5 to add the following subsections:

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



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

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

- (1) The amount of fuel being dispensed is limited in quantity by preprogrammed card; or
- (2) Dispensing devices shall be programmed or set to limit uninterrupted fuel delivery of not more than 25 gallons and shall require a manual action to resume continued delivery.

Sec. 96 Amend NFPA 1, Section 42.7.5.5 to add the following:
The following information shall be conspicuously posted in this area:

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

Sec. 97 Amend NFPA 1, Section 50.2.1 to add the following subsections:

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

50.2.1.10.1 Tent and Canopy Requirements.

50.2.1.10.1.1 Tents or canopies where cooking equipment not protected in accordance with NFPA 96 is located shall not be occupied by the public and shall be separated from other tents, canopies, structures, or vehicles by a minimum of 10 feet (3050 mm) unless otherwise approved by the AHJ.

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

50.2.1.10.2 LP Gas Fuel Requirements.

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

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

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



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

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

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

50.2.1.10.3 General Safety Requirements.

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

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

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

Sec. 98 Annex O - In-Building Public Safety Radio Enhancement System of NFPA 1 is adopted.

Sec. 99 NFPA 1, Section O.3.2 is modified to read as follows:

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

Sec. 100 Delete NFPA 1, Sections O.3.2.1 and O.3.2.2 and renumber Section O.3.2.3 as O.3.2.1.

Sec. 101 Amend NFPA 1, Section O.3.5.5 to read as follows:

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



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Sec. 102 Modify NFPA 1, Section O.3.6.3 to read as follows:

“Secondary Power Source. The secondary power source shall provide enough capacity to power the in-building public safety radio enhancement system for 12 hours at 100 percent system operation capacity. Where the building is provided with a generator, the generator shall supply secondary power to the in-building public safety radio enhancement system.”

Sec. 103 Delete NFPA 1, Section O.3.7.2

Sec. 104 Modify NFPA 1, Section O.3.9.3 to read as follows:

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

Sec. 105 Modify NFPA 1, O.3.10.1 to read as follows:

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

Sec. 106 Modify NFPA 1, O.3.11 to read as follows:

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



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Sec. 107 Amend NFPA 80, as referenced by NFPA 1, sections 8.4.2.1.2, 10.4.1.2, 11.4.1.2, 11.4.3.2.2, and 13.4.2 to add the following: Release of fire doors and shutters shall not be solely by fusible link and shall be accomplished by one or more of the following:

- (a) Approved local smoke detection at the doors,
- (b) Approved area smoke detection per NFPA 72, or
- (c) Full automatic sprinkler protection per NFPA 13 with water flow interlock.

Sec. 108 Amend NFPA 96, as referenced by NFPA 1, section 1.1.1, to add an exception to read:

In places of worship and day care facilities, protection shall be permitted to consist of the following:

- (1) Electrical range with not more than four heating elements, each heating element shall be electronically controlled to limit the element temperature to below 670 degrees F.
- (2) A shunt trip shall be installed for the electric range. If building is equipped with a fire alarm system, the shunt trip shall be interconnected with the fire alarm system. If the building is not equipped with a fire alarm system, other automatic means/devices, approved by DPS, to cut off power to the unit shall be installed in the kitchen.
- (3) Kitchen shall be located not more than one story above the level of exit discharge.
- (4) Kitchen shall be located not more than one story below the level of exit discharge.
- (5) Kitchen shall be separated from adjoining areas by fire barriers with a fire resistance rating of one hour or greater; OR, the kitchen shall be protected with automatic sprinklers.

Sec. 109 Amend NFPA 92A, Section 5.3.1(2) by adding the following: At a minimum, the design shall achieve the performance objectives in the condition with two doors open simultaneously. If there is a door directly to the outside from the stair, the exterior door shall be one of the two doors used in the design.

Sec. 110 Amend NFPA 92B, Section 5.2.3.1 by adding the following: The design fire shall be not less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.

Sec. 111 Amend NFPA 92B, Section 5.2.4 by adding the following: At the steady phase, the design fire shall be not less than 5000 Btu/s (5275 kW) unless approved by the building official and the fire official.

Sec. 112 Amend NFPA 101 Section 2.2 by adding Section 2.2.1 to read as follows: Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code that is in effect in Montgomery County.



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Sec. 113 NFPA 101, section 3.3 is amended as follows:

(a) Subsection 3.3.57, add the following new subsection and definition:

3.3.57.3 Bulkhead Door. A type of door assembly covering an opening in the ground providing direct access to a basement, the floor of which is not more than 8 feet below ground level. The door consists of a single rigid leaf or two overlapping rigid leaves or covers which need to be pushed or lifted upwards in order to be opened. A person, after opening the door, can walk up a series of steps to escape to the outside.

(b) Amend Subsection 3.3.131.1 to change the definition of “Day-Care Home” by deleting the phrase “...more than three, but...”

(c) Amend Subsection 3.3.178.4 to change the definition of “Day Care Occupancy” by deleting the phrase “...four or more ...”

(d) Amend Subsections 3.3.178.12 to change the definition of “Residential Board and Care Occupancy to replace the word “four” with “six”.

Sec. 114 Amend NFPA 101, Section 4.5.8 and Section 4.6.13.1 to delete the phrase “for compliance with the provisions of this Code”.

Sec. 115 Amend NFPA 101, Section 4.6.13.3 to delete the phrase “by the Code”.

Sec. 116 Amend NFPA 101, section 4.8, add the following subsection:

4.8.2.4 Emergency plans shall be maintained in a location approved by the authority having jurisdiction.

Sec. 117 Amend NFPA 101, subsection 6.1.4.1 by deleting the phrase “...four or more ...”

Sec. 118 Amend NFPA 101, subsection 6.1.9.1 to change the definition of “Residential Board and Care Occupancy” to replace the word “four” with “six”.

Sec. 119 Amend NFPA 101, subsection 7.2.1.5.7, add the phrase “and all stairway doors shall be unlocked simultaneously without unlatching upon a signal from the fire command center.” to items (2) and (3).

Sec. 120 Amend NFPA 101, subsection 7.2.1.5.7.1, add an item (6), to read:



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(6) Entry levels shall provide free access to an approved second exit. These levels shall be designated in "core/shell" building permit drawings with future tenant layouts arranged accordingly.

Sec. 121 Amend NFPA 101, Section 7.2.1.6.3 to replace the phrase "in Chapters 11 through 43" with the phrase "by the AHJ and Chapters 11 through 43".

Sec. 122 Amend NFPA 101, Section 7.2.2.1 to add the following subsection: 7.2.2.1.3 In new installations, not less than one exit stair which serves all stories of the building shall be accessible by an internal corridor from the main entrance of the building or fire department response location.

Sec. 123 Amend NFPA 101, section 7.2.2.4.5.2(1), by replacing the word "Existing" with "Interior".

Sec. 124 Delete NFPA 101, subsections 7.2.3.9.2(3)(b) and 12.2.2.2.4.

Sec. 125 Amend NFPA 101, subsection 7.3.1.2 by adding on the chart for Business Use "for calculating occupant loads in shell use business use is 65 square feet (6.0 square meters) per person."

Sec. 126 Amend NFPA 101, subsection 7.5.1.3.1 by adding new subsection 7.5.1.3.1.1:

7.5.1.3.1.1 In non-sprinklered new buildings, parallel paths of travel shall be considered remote if not less than forty (40) feet apart, or separated by assemblies having continuous one hour fire resistance with self-closing and positive latching twenty (20) minute fire protection rated opening protectives. In fully sprinklered buildings and existing buildings paths of travel shall be considered remote if not less than thirty (30) feet apart, or separated by assemblies with self-closing opening protectives which are resistant to the passage of smoke. This minimum separation of paths shall not supersede minimum separation of exits or doors in 7.5.1.3.2.

Sec. 127 NFPA 101, subsection 7.7.2.3 is amended by adding two sentences at the end of the section as follows:

In new installations, the door to the exterior of the building shall be in direct sight of the point of the termination of the exit. For the purposes of this section, in new installations, the use of exit signs or other exit markings shall not be considered as making the way to the exterior "readily visible and identifiable".

Sec. 128 NFPA 101, Subsection 7.9.1.2, replace the word "only" in the first sentence with "but not limited to,".



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Sec. 129 Amend NFPA 101, subsection 7.10.8.3.1 by adding: If the sign is on the door, then the door must be equipped with an approved self-closing device.

Sec. 130 Amend NFPA 101, subsection 8.6.6(3) by adding a second sentence:

Areas shall be considered to satisfy the requirements of 'readily obvious' when the communicating space is provided with automatic smoke detection and alarm in accordance with NFPA 72.

Sec. 131 NFPA 101, subsection 8.6.7(6)(b) at the end of the sentence add the phrase "in a location approved by the AHJ".

Sec. 132 Amend NFPA 101 by adding new section 9.1.5 as follows:

9.1.5 In-Building Public Safety Radio Enhancement System

9.1.5.1 All newly constructed below ground floors of a building, all floors in buildings greater than 25,000 ft² per floor, and all floors of buildings greater than 3 stories in height shall meet minimum emergency radio communication system performance criteria adopted by Montgomery County. Proof that minimum performance criteria are met shall be provided in writing to the Fire Chief.

- (1) System performance testing shall be performed in accordance with technical standards for systems and testing personnel established by Montgomery County.
- (2) Compliance testing shall be performed at time of occupancy.
- (3) Field testing may be performed upon reasonable notification of the owner or occupant by any authorized fire and rescue personnel.

Exception: One and two family dwellings and town homes.

9.1.5.2 In existing buildings, where emergency radio communication system performance is reported to be inadequate, the Fire Marshal shall be permitted to require a technical analysis to determine the level of performance of the emergency radio communication system. Where the analysis demonstrates unacceptable performance, an in-building public safety radio enhancement system shall be provided.

9.1.5.3 Where installed to achieve the minimum emergency radio communication system performance criteria, an in-building public safety radio enhancement system shall be designed in accordance with Annex O of NFPA 1, as amended.



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9.1.5.4 All testing, design, installation, inspection, and maintenance required by Section 9.1.5 shall be performed by personnel approved by the Fire Marshal.

Sec. 133 Amend NFPA 101, subsections 9.6.1.6 and 9.7.6.1 by add: When a property owner or the owner's agent cannot be contacted to establish a fire watch, the Montgomery County Fire and Rescue Service at their discretion may provide the fire watch and charge the property owner the inspection overtime rate per person per hour.

Sec. 134 NFPA 101, subsection 9.6.2.6 is amended as follows:

(a) Add the following sentence to the end of the section: "This paragraph does not permit the omission of manual fire alarm boxes in accordance with other provisions of this subsection unless specifically permitted by Chapters 11 through 43."

(b) Add two new subsections as follows:

9.6.2.6.1 Zoned fire alarm systems shall have manual pull stations located at the entrance to each exit enclosure and at the main exit.

9.6.2.6.2 When a fire alarm system is required in a multiple tenant building, for each tenant exiting directly to the exterior of the building, a manual pull station and approved occupant notification shall be located at each required or marked exit.

Sec. 135 Amend NFPA 101, Section 9.6.2.9 to add the following sentence: "In environments not suitable for smoke detectors, alternate means of detection shall be provided and shall comply with NFPA 72 Section 4.4.4.1."

Sec. 136 NFPA 101, add new subsection 9.6.2.11 to read: "Where required by another section of this code, carbon monoxide alarms or carbon monoxide detectors shall be installed in accordance with NFPA 720."

Sec. 137 Amend NFPA 101, Section 9.6.3.2.1 to delete the phrase "lobby,".

Sec. 138 Amend NFPA 101, Section 9.6.3.4, to adding the following at the end of the sentence: "only when the initial fire alarm signal is automatically transmitted without delay to a listed central station in accordance with 9.6.4."

Sec. 139 NFPA 101, Section 9.6.3.7, add a second sentence to read: "Required audibility shall be met with all intervening doors (between any space and the audible devices) closed."



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Sec. 140 Amend NFPA 101, Section 9.6.3.9 by adding: Where voice type occupant notification is used, automatic pre-recorded messages shall be used complying with Section 9.6. Live voice as the sole notification method is prohibited.

Exception: Previously "approved" live voice systems, shall be permitted to remain.

Sec. 141 Amend NFPA 101, Section 9.6.4.2 by deleting the list of four items and replace the phrase "any of the following means acceptable to the authority having jurisdiction" with "by a listed central station fire alarm system".

Sec. 142 NFPA 101, delete subsection 9.6.4.3.

Sec. 143 NFPA 101, subsection 9.6.5.2(3), add the following sentence: "Manual fire alarm initiation shall not activate floor or zone-dependent smoke control systems."

Sec. 144 NFPA 101, delete subsection 9.6.7.4.3

Sec. 145 Amend NFPA 101, Section 9.7.1.1 to add the following subsection: 9.7.1.1.1 For new installations, drop-out ceilings as referenced in NFPA 13, Subsections 8.15.14 shall be prohibited.

Sec. 146 NFPA 101, subsection 9.7.2.2, the first sentence is amended to read: "Where supervised automatic sprinkler protection is required by another section of this Code, waterflow alarms shall be automatically transmitted to a listed central station."

Sec. 147 NFPA 101, subsection 9.7.3.1 is amended to read: "Where water as an extinguishing agent is not compatible with the fire hazard or is prohibited by law, statute or ordinance, the affected area shall be equipped with an approved automatic fire suppression system utilizing a suppression agent that is compatible with the fire hazard. Such system shall be installed in accordance with the appropriate standard as determined in Table 9.7.3.1."

Sec. 148 NFPA 101, Section 9.7.5 delete the phrase "required by this Code".

Sec. 149 Amend NFPA 101, Section 11.8.3.1 by adding the phrase "except for existing high-rise apartment occupancy buildings" at the end of the first sentence.

Sec. 150 NFPA 101, subsection 11.8.4.1, add new subsection 11.8.4.1.1:

11.8.4.1.1 In buildings having staged evacuation the voice fire alarm system shall send a predetermined message to the floor where the alarm originated, to the floor immediately below and to the floor immediately above, providing information and direction to the occupants. Any



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subsequent alarm(s) on other than the initial fire floor must initiate the voice fire alarm as described above. The voice fire alarm shall be designed to be heard clearly by all occupants within the designated portions thereof as required by Section 9.6, but it shall not sound automatically in elevator cars and enclosed exit stairways. Communicating levels shall be considered one floor/fire area for the audible and visual fire alarm signals.

- Sec. 151** Amend NFPA 101, section 11.8.6.1, add a new subsection 11.8.6.1.1 to read:
 “In new installations, the emergency command center shall have a door directly to the exterior of the building on the address side. The exterior door to the emergency command center shall be within 50 feet of a fire department access road. A fire department access box shall be provided within 6 feet of the door to the emergency command center. The exterior door to the emergency command center shall be identified on the exterior face as the emergency command center in a manner acceptable to the Fire Chief.”
- Sec. 152** NFPA 101, subsections 11.8.6.2 (8) and (10), are amended to read as follows:
- (8) Emergency generator status indicators, and remote starting.
- (10) Fire pump status indicators and remote starting.
- Sec. 153** NFPA 101, subsection 11.8.6, add a new subsection 11.8.6.3 to read: “The emergency command center shall also comply with the provisions of Section 911 of the International Building Code, 2009 edition.
- Sec. 154** Amend NFPA 101, Section 11.11.2.1 to add the phrase “or other approved testing standard approved by the State Fire Marshal”.
- Sec. 155** Amend NFPA 101, Section 12.2.4.1 is amended by completely replacing the text with the following:
- 12.2.4.1** Exits shall comply with the following, except as otherwise permitted by 12.2.4.4:
- (1) The number of means of egress shall be in accordance with Section 7.4.
 - (2) Not less than two separate exits shall be provided on every story.
 - (3) Not less than two separate exits shall be accessible from every part of every story.
- Sec. 156** NFPA 101, subsection 14.2.11.1.1(1) is amended by adding the following after “...tools”, “keys, special knowledge, or excessive force.”
- Sec. 157** Amend NFPA 101, sections 16.1.1 and 17.1.1, to add subsections 16.1.1.6 and 17.1.1.6 as follows: Day-care centers providing day care for school age children before and after school hours in a building which is in use as a public or private school are not required to meet the provisions of this chapter, but shall meet the provisions for educational occupancies.



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Sec. 158 NFPA 101, subsections 16.2.11.1.1 and 17.2.11.1.1 to add the following item:

(4) For windows at grade the minimum net clear opening shall be permitted to be 5.0 square feet.

Sec. 159 Amend NFPA 101, subsection 16.2.11.1.2, to add the following item to the list:

(3) Group Day-Care Homes and Family Day-Care Homes which are protected by hard-wired, interconnected smoke alarms or detectors in each room or space of the building (including corridors). Such smoke alarms or detectors are not necessary in bathrooms, closets, attached garages, or attic spaces without storage. In addition, if the building's furnace, hot water heater, and/or clothes dryer is fueled by natural gas or propane gas, then these areas shall be protected by sprinklers supplied by the domestic system.

Sec. 160 Amend NFPA 101, subsections 16.3.4.5 and 17.3.4.5 to add the following exception:

Exception: Day-care occupancies located in school facilities where enrollment is limited to children capable of self preservation, where no sleeping facilities are provided and the school is provided with approved full automatic sprinkler protection.

Sec. 161 NFPA 101, add new subsection 16.3.5.4 to read: Buildings containing new day care centers above or below the level of exit discharge shall be protected throughout with full automatic sprinkler protection installed in accordance with section 9.7.

Sec. 162 NFPA 101, subsections 16.6.1.1.2, and 17.6.1.1.2, delete the phrase "...more than 3, but.."

Sec. 163 NFPA 101, subsections 16.6.1.4.1.1, 16.6.1.4.1.2, 17.6.1.4.1.1 and 17.6.1.4.1.2 are amended as follows:

(a) Subsections 16.6.1.4.1.1 and 17.6.1.4.1.1, delete the phrase "more than three but" and replace the phrase "seven clients" with "nine clients".

(b) Subsections 16.6.1.4.1.2 and 17.6.1.4.1.2, change the phrase "at least seven" to "at least nine."

Sec. 164 NFPA 101, subsections 16.6.1.7.1 and 17.6.1.7.1, replace items (1) and (2) with the following items:

(1) The minimum staff-to-client ratio shall be not less than one staff for up to eight clients, including the caretaker's own children incapable of self-preservation.



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

Sec. 165 NFPA 101, subsection 16.6.2.1 and 17.6.2.1, add the following sentence: “Bulkhead doors shall not be permitted to serve as a primary means of escape.”

Sec. 166 NFPA 101, subsections 16.6.2.2 (Reserved) and 17.6.2.2 (Reserved) are amended as follows:

SLIDING DOOR.

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

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

Sec. 167 NFPA 101, subsections 16.6.2.3 (Reserved) and 17.6.2.3 (Reserved) are amended as follows:

SPECIAL MEANS OF ESCAPE REQUIREMENTS: For family day-care homes, dead-bolt locks shall be provided with approved interior latches, or these locks shall be of a captured key design from which the key cannot be removed from the interior side of the lock when the lock is in the locked position. These locks shall be unlocked at all times when the home is occupied for the purpose of family day care. Exception: A double-keyed dead-bolt lock may be used on the secondary means of escape if the key is readily accessible and the lock is unlocked at all



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times the home is occupied for the purpose of family day care.

Sec. 168 NFPA 101, subsection 16.6.3.4 add the following subsection:

16.6.3.4.4 Approved battery-powered smoke alarms rather than house electrical service-powered smoke alarms required by 16.6.3.4.3 shall be permitted where the facility has testing, maintenance and battery replacement programs that ensure reliability of power to the smoke alarms.

Sec. 169 NFPA 101, subsections 16.7.4.1 and 17.7.4.1 add an Exception:

Exception: Day-Care Homes.

Sec. 170 NFPA 101, subsections 16.7.5 and 17.7.5, add an Exception:

Exception: Day-Care Homes with no more than three clients for overnight lodging.

Sec. 171 NFPA 101, subsection 17.2.11.1.2 add the following item to the list:

- (3) Group Day-Care Homes and Family Day-Care Homes which are:
- (a) Protected by hard-wired, interconnected smoke alarms or detectors in each room or space of the building (including corridors). Such smoke alarms or detectors are not necessary in bathrooms, closets, attached garages, or attic spaces without storage; and,
 - (b) When the building's furnace, hot water heater, and/or clothes dryer is fueled by natural gas or propane gas, these areas are protected by sprinklers supplied by the domestic system.

Sec. 172 Amend NFPA 101 as follows:

- (a) Subsection 17.6.3.4.4, delete "Existing..."
- (b) Section 22.4.5.1.3 to delete the phrase "or 22.4.5.1.5".
- (c) Sections 22.4.5.1.4(1) and 23.4.5.1.4(1) to replace the phrase "2 minutes" with "30 seconds".
- (d) Sections 22.4.5.1.4(2) and 23.4.5.1.4(2) to replace the phrase "2 minute" with "30 seconds".
- (e) Delete NFPA 101, Sections 22.4.5.1.5 and 23.4.5.1.5.
- (f) Delete NFPA 101, Sections 22.4.5.2 and 23.4.5.2.
- (g) Section 23.4.5.1.3 to delete the phrase "or 23.4.5.1.5".

Sec. 173 Amend NFPA 101, subsection 24.1.1.1 to replace the word "three" with "five" and to delete the phrase ",if any, accommodated in rented rooms".



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: FIRE SAFETY CODE – BUILDING CONSTRUCTION	Number: 10-12AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

- Sec. 174** Amend NFPA 101, subsections 24.2.2.3.3, 32.2.2.3.1(3), and 33.2.2.3.1(3) to insert the phrase “, not less than 5.0 ft² when at grade” after the phrase “5.7 ft²”.
- Sec. 175** NFPA 101, subsection 24.3.4.3, add at the end of the sentence, “...only if the existing smoke alarms are battery operated.”
- Sec. 176** NFPA 101, add new subsection 24.3.4.4 to read: Carbon monoxide alarms or detectors shall be installed in any dwelling unit containing a fuel burning appliance, fireplace, or having an attached garage.
- Sec. 177** NFPA 101, subsection 26.1.1.1, change “buildings” to “buildings that do not qualify as one- and two-family dwellings”.
- Sec. 178** NFPA 101, add new subsections 26.3.4.7, 28.3.4.7, 30.3.4.7, 32.2.3.4.5, and 32.3.3.4.10 to read: “Carbon monoxide alarms or detectors shall be installed as follows:
- (a) In any dwelling unit or sleeping unit, where the unit is served by or contains a fuel burning appliance or fireplace; and
 - (b) In common areas, where the common areas are served by a fuel burning appliance or fire place.”
- Sec. 179** NFPA 101, subsection 28.3.4.1 is amended by changing “28.3.4.6” to “28.3.4.7”.
- Sec. 180** NFPA 101, subsection 28.3.4.3.5, in only the first sentence, delete all wording after “provided”.
- Sec. 181** NFPA 101, delete subsections 29.3.4.5.2 and 31.3.4.5.2.
- Sec. 182** Amend NFPA 101, Section 30.2.4.1, after the word “exits” insert the phrase “which are provided on every story and which are”
- Sec. 183** Amend NFPA 101, Section 30.3.4.3.2 to delete phrase “unless the building complies with either 30.3.4.3.3 or 30.3.4.3.4”.
- Sec. 184** NFPA 101, delete subsections 30.3.4.3.3 and 30.3.4.3.4.
- Sec. 185** Delete NFPA 101, Section 31.3.5.12
- Sec. 186** NFPA 101, Sections 32.7.3.6 and 33.7.3.6 add a sentence as follows: “If more than three residents are not able to participate in the drill, the facility shall be considered as a Health Care Occupancy and shall be reevaluated in accordance with Section 43.7.”



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Sec. 187 NFPA 101, subsections 33.2.3.4.3.5 and 33.3.3.4.7.1, add at the end of the sentence, "...and have secondary battery back-up power."

Sec. 188 NFPA 101, subsection 36.3.4.1 and 37.3.4.1 are amended to read as follows: General. Class A mercantile occupancies and multiple story Class B mercantile occupancies shall be provided with a fire alarm system in accordance with section 9.6.

Sec. 189 NFPA 101, subsection 36.4.4.4.3.2, to add "where approved alternative visible means of occupant notification is provided".

Sec. 190 Delete NFPA 101, Sections 36.4.4.8(1)(b) and 37.4.4.8(1)(b).

Sec. 191 NFPA 101, subsections 38.2.4.7 and 39.2.4.7, are added as new sections to read as follows:

Any two story business occupancy building not exceeding 3000 square feet gross floor area per floor shall be permitted a single exit with an approved outside stairway, or a single totally enclosed interior stairway to the second floor having discharge directly outside the building, if the total travel distance to the outside of the building does not exceed 100 feet, the travel distance to the interior stairway does not exceed 75 feet, and such interior stairway does not communicate with any other floor. An interior single exit stairway shall be permitted to be arranged as a floor communicating stair, with one (1) hour fire resistance rated opening protectives at the entrances from each level, and protection provided as follows: The building shall be provided with a non-supervised AC hard-wired smoke detection and alarm system in accordance with NFPA 72, arranged to sound an alarm audible throughout each level, and the stairway shall be provided with approved automatic sprinkler protection, with sprinklers located at the top of the stair and over each landing and on the tenant side of each interior fire door leading to the stairway, in accordance with NFPA 13.

Sec. 192 Amend NFPA 101, Section 38.3.2.1 by adding Section 38.3.2.1.1 to read as follows:

38.3.2.1.1 General storage areas with a floor area not greater than 100 square feet shall be exempt from the provisions of 8.7.

Sec. 193 NFPA 101, subsection 39.2.2.2.4 is amended to read: "The re-entry provisions of 7.2.1.5.7 shall apply."

Sec. 194 Amend NFPA 101, Section 39.3.2.1 by adding Section 39.3.2.1.1 to read as follows:

39.3.2.1.1 General storage areas with a floor area not greater than 100 square feet shall be exempt from the provisions of 8.7.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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- Sec. 195** NFPA 101, subsection 39.3.4.3(2) is amended to read: "Sound an audible alarm in a constantly attended location and transmit a signal to a listed Central Station."
- Sec. 196** NFPA 101, subsections 40.3.4.3.1, 42.3.4.3.1 and 42.8.3.4.3.1 are amended to read: "The required fire alarm system shall provide occupant notification in accordance with 9.6.3."
- Sec. 197** Amend NFPA 101, Sections 42.3.4.1.2 and 42.3.4.1.3 to replace the phrase "Storage occupancies" with "Storage occupancies less than three stories".

Approved,

A handwritten signature in black ink, appearing to read "Isiah Leggett", written over a horizontal line.

Isiah Leggett,
County Executive

Approved as to form and legality
Montgomery County, Md. County Attorney's Office
By: A handwritten signature in black ink, appearing to read "Malik F. Green", written over a horizontal line.