

# Montgomery County Fire and Rescue Service FIRE CHIEF'S GENERAL ORDER

FCGO: 17-13

November 14, 2017

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**TO:** All MCFRS Personnel  
**FROM:** Fire Chief Scott E. Goldstein  
**SUBJECT:** Fire Safety Code Procedures



This FCGO explains the requirements and responsibilities of the Montgomery County Fire and Rescue Service (MCFRS) as designated in Chapter 22 of the Montgomery County Code, most recently updated in 2016; Section 22-16 is most relevant to daily Fire Rescue operations. The Code is available at: [amlegal.com](http://amlegal.com)

The 2016 updates transferred many responsibilities from MCFRS to the Department of Permitting Services Fire Code Compliance (DPS FCC). Some responsibilities are shared between DPS FCC and MCFRS. This order was written in coordination with the County Fire Marshal, who is part of DPS FCC.

The responsibilities for addressing Fire Safety Code issues are secondary to managing active or potential emergencies.

### **Contacting DPS FCC:**

DPS FCC has an Inspector on-duty at all times and ECC is provided with the schedule and point of contact. Because some Inspectors live outside of our radio coverage area, some consults may have to be made by phone. If Fire Rescue Personnel do not have phone access, they should ask ECC to make a notification to the Inspector.

As described below, lower priority code issues can be emailed to DPS FCC at [#dps.fcc](https://dps.fcc) from Montgomery County email accounts or [#dps.fcc@montgomerycountymd.gov](mailto:#dps.fcc@montgomerycountymd.gov) from other email accounts. Alternatively, lower priority code issues can be transmitted to DPS FCC via the *Community Complaint Form* which is available in the Operations section of Quicklinks or directly at <https://permittingservices.montgomerycountymd.gov/DPS/online/eComplaint.aspx>.

### **Responsibilities of "Fire/Rescue Personnel":**

For the purposes of this order, if a condition is discovered during an incident, the term "Fire/Rescue Personnel" is defined as the Incident Commander or designee. If a condition is discovered during routine operations, the term "Fire/Rescue Personnel" is defined as the Unit Officer or senior MCFRS person who is aware of the condition.

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**Classification of Occupancies:**

Occupancies can be separated into two classifications: *residential* or *non-residential*. For Fire Safety Code considerations, a residential occupancy is defined as a 1 or 2 family home, duplex, or townhouse that is three stories or less with no part of one residence over or below another. All other occupancies (including group homes and garden apartments) are considered non-residential.

**Responsibilities After Fires in Residential and Non-Residential Structures:**

Most repair work or restoration after a fire requires permitting from DPS. Fire/Rescue Personnel must request the ECC to notify the on-duty Inspector of all structure fires that will require repairs.

**Responsibilities at Non-Residential Occupancies:**

MCFRS has three classifications of hazardous conditions: high level, medium level, and low level. Each classification requires a different set of actions from Fire/Rescue Personnel. The three classifications and required actions are:

1. **High level hazard** is an “immediate” or “imminent” hazard such as a blocked exit, improperly stored flammable product, occupant load higher than allowed:
  - a. Fire/Rescue Personnel must verbally order the situation to be remedied immediately.
  - b. Fire/Rescue Personnel must attempt a consultation with the on-duty Inspector via radio or cell phone. If the consultation cannot be made, Fire/Rescue Personnel must request the ECC to make the notification.
  - c. There will be uncommon situations with require Fire/Rescue Personnel to remain on the scene until the hazard has been resolved or the arrival of a DPS FCC Inspector. The decision to remain on scene should be made in coordination with the on-duty Inspector.
2. **Medium level hazard** such as an out-of-service detection or suppression system (including alarm, sprinkler, smoke control, kitchen suppression, etc.) or blocked access for Fire Rescue:
  - a. Fire/Rescue Personnel must attempt to notify building management of the situation.
  - b. Fire/Rescue Personnel must attempt a consultation with the on-duty Inspector via radio or cell phone or request the ECC to make the notification.
3. **Low level hazard** such as a potential code violation, a “trouble” warning on a fire protection system, an out-of-date system or extinguisher, a Knoxbox without an adequate set of keys, overcrowded residences (too many people sharing a residence),

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buildings without public safety radio coverage, construction without a permit.

a. Fire/Rescue Personnel must send an email to #dps.fcc

When Fire/Rescue Personnel have difficulty discerning the proper level of classification for the hazard, they should choose the next highest level of action. Consultations may be requested at any time. For consultations or email notifications, the name and telephone number of the building representative should always be provided.

**Responsibilities at Residential Occupancies:**

Although there are few formal requirements in residential occupancies, Fire/Rescue Personnel should notify occupants of obvious hazards and recommend best practices. If a significant code issue is found, send an email to #dps.fcc .

When Fire/Rescue Personnel enter a residence and when time and staffing permit, they should offer or attempt to check for presence, function, and age of smoke alarms and carbon monoxide alarms. If functional smoke alarms are not present, Fire/Rescue Personnel must offer or attempt to install alarms while they are on scene.

**Fire Detection and Suppression Systems:**

When alerted to an activated detection or suppression system, the primary responsibility for Fire Rescue is to manage the emergency or verify that there is no emergency. If an alarm or sprinkler system is found to be out-of-service, it is not an "immediate" or "imminent" hazard to the occupants. The burden to restore and maintain a system lies with the owner and management of the building.

Fire/Rescue Personnel must request the ECC to notify the on-duty Inspector of systems that are found to be out of service. Once the notification or consultation to DPS FCC has been completed, MCFRS has fulfilled its obligation.

**Activated Sprinkler Systems:**

All activated sprinkler systems, regardless of cause, must be reported to DPS FCC via notification to the on-duty Inspector. This includes activations because of fire, malfunction, or accident. DPS FCC is required to report this information to the State.

**Rockville City and Gaithersburg City:**

During normal business hours, the cities of Rockville and Gaithersburg provide their own code compliance inspectors. During business hours, notifications to these agencies should be made by the ECC. If a consult is necessary, the ECC will attempt to provide an exchange of phone numbers between Fire/Rescue Personnel and the city personnel. After-hours notifications and consultations should be made via the on-duty County Inspector.

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**Notices of Violation:**

MCFRS personnel are not authorized to write Notices of Violation (NOV) or to give orders to establish "Fire Watches". All NOV forms should be removed from apparatus and stations.

**Condemnation:**

If a fire or other hazardous situation renders a building unsafe for occupants, Fire/Rescue Personnel must request the ECC to notify the on-duty Inspector. If the building needs to be condemned prior to the arrival of an Inspector, the Fire Chief has authorized Fire and Explosive Investigations personnel to post Notices to Vacate (sometimes referred to as condemnation).

**KnoxBox and Fire Lane Information:**

DPS FCC manages requests for the installation of new KnoxBoxes. MCFRS personnel should accept requests to check or update keys in existing boxes.

DPS FCC manages all facets of Fire Lane establishment. Information for both processes is on the DPS FCC website.

**Other Code Violations:**

DPS FCC should be considered as the point of contact for any significant code violation including rental/group housing, construction, electrical, etc. If Fire/Rescue Personnel feel that a potential code violation requires follow-up by another County agency, an email should still be sent to #dps.fcc.

For further questions or clarification, contact the Division of Operations Chief.