



# HOWARD COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES

2201 Warwick Way, Marriottsville, MD 21104  
410-313-6000

LOUIS G. WINSTON, FIRE CHIEF • CALVIN BALL, COUNTY EXECUTIVE

To: Lonnie R. Robbins, Chief Administrative Officer

From: Louis G. Winston, Fire Chief

Subject: Testimony on Council Bill No. XX-2021

Date: September 22, 2021

Every three years, the National Fire Protection Association (NFPA) updates their standards which are comprehensive regulatory guidelines developed through industry research and consensus. These standards span a wide range of areas to include building construction, safety features, inspection, maintenance, hazardous materials and fire department access to name a few. The overarching aim of the guidelines is to achieve fire and life safety protection for the public, property, and first responders.

Maryland is among many states that adopt NFPA 1 as the fire code, which is then locally amended in most jurisdictions based on local nuance. In Howard County, local amendments are outlined in Title 17, Section 104 which serves as the 'Howard County Fire Prevention Code'. This critical legislation is the basis for numerous initiatives managed by the Office of the Fire Marshal [OFM] that help make this community a safer place to live, work, and visit.

After a nine-year gap in local amendments, the Department of Fire and Rescue Services (DFRS) adopted a much needed amended edition of NFPA 1 in 2015. This was a large undertaking as there were numerous regulatory changes that understandably occurred in such a long span of time. That effort however afforded the ability to further refine the local fire code significantly in 2018, having not skipped a code revision cycle. Such refinement led to the most comprehensive local fire code this county may have ever operated under, which is the edition DFRS currently enforces.

Beginning in early 2021, members from the Office of the Fire Marshal attended every meeting throughout the state to participate in the process for the 2021 code amendment cycle. By providing our input, consensus was reached, and the Maryland State Fire Commission is in the process of adopting the new state Fire Code. Also participating in this process, members of the Department of Inspections, Licenses and Permits (DILP) provided input and assisted with various aspects of the local amendments included in this year's edition.

After participating in this consensus process, DFRS spent countless hours examining every line of the fire code to ensure it was at its highest standard. While there were some new issues in the latest edition of NFPA 1 requiring our attention, there were fewer than what was addressed in 2018 due to the fact that so much refinement was already completed. This granted DFRS the ability to ensure that every section meets the spirit and intent of our overarching goal of public safety. Thus, while over three hundred lines of locally amended code were revised, the overwhelming majority of these revisions were for enhanced clarity or numerical code reference changes alone, in order to remain consistent with NFPA 1.



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With that said, there are several local amendments proposed by DFRS aimed to further support the mission of protecting life and property here in Howard County. These amendments include:

- Many years ago, our local fire code took all plan review and initial inspection authority granted to DFRS by NFPA 1 and conveyed this authority to DILP. With the NFPA 241 (Standard for Safeguarding Construction, Alteration, and Demolition Operations) program now enforced by the Office of the Fire Marshal, several provisions in Chapter 1 (Administration) required our authority to be added back in, alongside DILP. DFRS has staffed this position with a dedicated contingent inspector and the interaction with the construction industry over the past two years has been nothing but positive. (Sections 1.1.1(5), 1.7.13.1-4, & 1.14.1-5)
- DFRS proposes to further refine the open fire language in Chapter 10 as this seems to consistently draw confusion within the County. Previously, all open fires (bonfires, firepits, barbecue grills, chimineas, etc.) fell under one provision in the local code. NFPA 1 separates these various fires which seems to add clarity. For consistency, several provisions changed to follow the lead of NFPA 1. While these provisions have moved, the distances outlined in the 2018 code remain unchanged. If anything of significance here, NFPA 1 specifically excludes one- and two-family dwellings from the provisions of cooking fires, which local amendments now follow suit. (Subsections of 10.10)
- For expeditious delivery of life-saving service, language has been added to maintain uniformity in the assignment of addresses. Specifically, for two-over-two townhomes the language now requires the ground level or lowest occupancy to be the 'A' or alpha unit, with subsequent occupancies above sequentially following. Furthermore, in "donut" style apartment buildings, all units should follow a stacked style address system where unit 101 is under 201, which is under 301, etc. Where amenity spaces (lobby, pool, lounge, etc.) would prevent this, those unit numbers will be omitted instead of sliding over, out of the stack. Current practice allows builders to assign unit numbers as they see fit, but early discussions with some of our frequent business partners has shown positive attitudes toward this system for future projects. (Sections 10.11.1.1(2) and 10.11.1.1(7))
- Language was added for DFRS review of certain special events. Current County regulations require special event permits for concerts, or for public gatherings where vehicular or pedestrian traffic will be affected. This misses certain large events on properties such as the fairgrounds, and without the special event permit through the Howard County Police Department, DFRS is not made aware. Certain provisions of the fire code, such as flammability of tents and canopies, as well as cooking food for public consumption, require DFRS review. This language acts as a stop gap for the events that current regulations would miss. The new provision only requires notification to DFRS and not a permit, so other than the application of the fire code, there is no financial impact of this provision to event coordinators. (Section 10.14.1)
- In the 2018 fire code, a new provision set time restrictions on the forwarding of inspection reports from third-party companies providing inspections on fire safety systems such as sprinkler and fire alarm systems. While this has been tremendously successful for impaired systems and systems with critical



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deficiencies, it may be somewhat over-strict for non-critical deficiencies and systems that pass. A new provision here actually *extends* the time the latter now has to submit their reports. (Section 13.1.6.1)

- Current language exists in the Fire Code requiring all fire apparatus access roads to have an unobstructed clear width of twenty feet. With the increase in solar facilities in the County and their obvious benefits, DFRS examined whether this twenty-foot width is actually necessary in all circumstances. New language was ultimately added to allow for the reduction in this width under particular instances which could include remote locations, sensitive environmental features, or lack of population in close proximity. (Section 18.2.3.5.1.3)

## Fiscal Impact

None of the new provisions require additional personnel or equipment to enforce. The Office of the Fire Marshal can continue operating as they currently do to ensure these changes are incorporated into practice. Should this office change inspection frequency in the future, more personnel or work hours may be necessary, but that is not the case at this time or as a result of this fire code revision. Ultimately, DFRS does not anticipate any fiscal impact due to the particular code amendment.

DFRS has worked closely with the Office of Law, the County Administration, and relevant partner agencies to complete the Fire Code for adoption. Your support of this important legislative initiative is sincerely appreciated.