

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 5

Resolution No. 80 -2023

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION adopting a Schedule of Fees for inspections conducted by the Department of Fire and Rescue Services.

Introduced and read first time May 1, 2023.

By order

Michelle Harrod
Michelle Harrod, Administrator

Read for a second time at a public hearing on May 15, 2023.

By order

Michelle Harrod
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on May 24, 2023.

Certified By

Michelle Harrod
Michelle Harrod, Administrator

Approved by the County Executive June 1, 2023

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, Section 6-206(b) of the Public Safety Article of the Annotated Code of
2 Maryland authorizes the State Fire Prevention Commission to adopt fees for reviewing building
3 plans and conducting inspections; and
4

5 **WHEREAS**, Sections 9-701 and 9-702 of the Public Safety Article of the Annotated
6 Code of Maryland authorize a local governing body to adopt a fire prevention code and to
7 establish and administer a fee schedule for conducting inspections and plan review; and
8

9 **WHEREAS**, Howard County has adopted a fire prevention code, as codified in Title 17,
10 Subtitle 1 of the Howard County Code, which authorizes the adoption of fees; and
11

12 **WHEREAS**, the Code of Maryland Regulations at Chapter 29.06.04 (the “State
13 Regulations”) provides that the State’s Fire Prevention Commission’s Fees for Fire Prevention
14 Services can be used, amended, or referenced by a County that chooses to establish its own fee
15 schedule; and
16

17 **WHEREAS**, rates were last adopted by passage of Council Resolution No. 71-2022 and
18 there are changes recommended for Fiscal Year 2024 to bring the fees current with State fees.
19

20 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
21 Maryland this 24 day of May, 2023 that, pursuant to State Regulations that allow
22 local jurisdictions to use, amend, or reference the State’s Fire Prevention Commission’s Fees for
23 Fire Prevention Services, it adopts the Schedule of Fees for Fire Safety Inspections, as shown in
24 the attached Exhibit A.
25

26 **BE IT FURTHER RESOLVED** that the fee schedule shall be effective July 1, 2023 and
27 shall continue in effect until changed or repealed by subsequent resolution.
28

EXHIBIT A

I Fees for Fire Safety Inspections

- A. This fee schedule has been adopted by County Council Resolution No. ___-2023 pursuant to the authority set forth in Title 17, Subtitle 1 of the Howard County Code and the State of Maryland Fire Prevention Code (C.O.M.A.R. Title 29, Subtitle 06, Chapter 4).
- B. This schedule will be used to calculate the fee to be paid for a fire safety inspection conducted by the Howard County Department of Fire and Rescue Services. Specific testing of certain specialized fire protection systems and equipment may be required by qualified maintenance personnel or a contractor at the owner's expense.
- C. The following fees will be applied upon the occupancy classification for the building as defined and classified by the National Fire Protection Association (NFPA) 101 Life Safety Code. In the case of mixed occupancies when it is impractical to distinguish the individual occupancy classifications, the occupancy classification is based on the predominant use and occupancy of the building structure. Use Section 3.3.190 when determining the occupancy type.

1) Assembly Occupancies

- a) 1,001 or more individuals [[~~\$300.00~~]]\$360
- b) 301 to 1,000 individuals [[~~\$200.00~~]]\$240
- c) 50 to 300 individuals [[~~\$100.00~~]]\$120
- d) Fairgrounds for properties with:
 - i) Nine buildings or less [[~~\$200.00~~]]\$240
 - ii) Ten buildings or more [[~~\$400.00~~]]\$480

2) Educational Occupancy

- a) Elementary schools [[~~\$100.00~~]]\$120
(includes kindergarten and pre-kindergarten facilities)
- b) Middle or Junior High Schools [[~~\$150.00~~]]\$180
- c) Senior High Schools [[~~\$150.00~~]]\$180

3) Daycares

- a) Family or Group Daycare Homes
 - i) Initial Inspection \$75.00
 - ii) Renewal Inspection \$50.00
- b) Nursery or Daycare Centers \$100.00

4) Health Care Occupancy

- a) Ambulatory Health Care Centers [[~~\$150.00~~]]
[[~~(Per 3,000 sq. ft. or fraction of 3,000 sq. ft.)~~]]
 - I) OVER 30,000 SQ. FEET \$500.00
 - II) 3,000 TO 30,000 SQ. FEET \$350.00
 - III) LESS THAN 3,000 SQ. FEET \$180
- b) Hospitals, Nursing Homes and limited care facilities [[~~\$100.00~~]]\$120
per bldg., plus [[~~\$2.00~~]]\$2.50 per bed

5) Detention and Correctional Occupancy

[[~~\$100.00~~]]\$120
per bldg., plus [[~~\$2.00~~]]\$2.50 per rated bed

6) Residential Occupancy

- a) Hotel and Motel [[~~\$75.00~~]]\$120

b) Dormitory	per bldg., plus [[2.00]] \$2.50 per guest room/suite [[75.00]] \$120
c) Apartment	per bldg., plus [[2.00]] \$2.50 per bed [[75.00]] \$120
d) Lodging or Rooming House	per bldg., plus [[2.00]] \$2.50 per apartment [[75.00]] \$120
e) One & Two Family Dwelling Including alternative living units and Foster Care	per bldg., plus [[2.00]] \$2.50 per bed \$75.00
f) Board & Care Homes	[[100.00]] \$120 per bldg., plus [[2.00]] \$2.50 per bed
7) Mercantile Occupancy	
a) Class A – over 30,000 sq. feet	[[150.00]] \$300
b) Class B – 3, 000 to 30,000 sq. feet	[[100.00]] \$150
c) Class C – less than 3,000 sq. feet	[[75.00]] \$100
8) Business Occupancy	
[[Per 3,000 sq. feet or fraction of 3,000 sq. feet]]	[[75.00]]
A) OVER 30,000 SQ. FEET	\$500.00
B) 3,000 TO 30,000 SQ. FEET	\$250.00
C) LESS THAN 3,000 SQ. FEET	\$120.00
9) Industrial or Storage Occupancy	
[[a) Low or Ordinary Hazard	\$75.00
b) High Hazard	(Per 5,000 sq. feet or fraction of 5,000) \$100.00
A) OVER 30,000 SQ. FEET	(Per 5,000 sq. feet or fraction of 5,000)) \$500.00
B) 3,000 TO 30,000 SQ. FEET	\$250.00
C) LESS THAN 3,000 SQ. FEET	\$120.00
10) Manufactured Home Site and Communities	[[75.00]] \$120 per facility, plus [[2.00]] \$2.50 per site
11) Campgrounds	
a) Vehicular	[[75.00]] \$120 per facility, plus [[2.00]] \$2.50 per campsite
b) With Sleeping Accommodations	[[150.00]] \$180 per facility, plus [[2.00]] \$2.50 per bed
c) Without Sleeping Accommodations	[[75.00]] \$120 per facility
12) Outside storage of combustible materials (Ex: scrap tire, lumber, mulch, tree stumps, etc.)	[[50.00]] \$60 (Per acre or fraction of an acre)
13) Outside storage of flammable or combustible liquids/gases (Ex: drums or tanks)	[[100.00]] \$120 (Per 5,000 sq. feet or fraction of 5,000 sq. feet)
14) Marinas and Piers	[[100.00]] \$120, plus [[1.00]] \$1.50 per slip

15) Mobile Food

Annual fee \$75
One day fee \$45
Re-inspection \$45

16) Permits

A) HAZMAT Inspections

Type I- \$1,000.00 annually
Type II- \$400.00 annually
Type III- \$250.00 annually
Type IV- \$100.00 annually
Type V- \$100.00 annually

If you have a seasonal pool that is open no more than 120 consecutive days, your fees would be 50% of the permit fee.

B) Tires

Tier 1- \$500.00 annually
Tier 2- \$325.00 annually
Tier 3- \$150.00 annually

C) Permit Late Fees

- A. 30 days beyond the filing date will be assessed a 10% late fee plus the original permit fee.
- B. 60 days beyond the filing date will be assessed a 20% late fee plus the original permit fee.
- C. 90 days beyond the filing date will be assessed a 50% late fee plus the original permit fee.
- D. 180 days beyond the filing date will be assessed a 100% late fee plus the original permit fee.

17) Contractor Portal

[[5/]]\$6/ per report submitted

- Impaired systems and critical deficiencies must be reported within 48 hours.
- Systems that pass, or that have non-critical deficiencies, must be reported within [[7]]14 days.
- Portal late submittals constitute a Class A violation and will be subject to a \$1,000 per day penalty which shall be assessed for each day beyond the required filing date, in addition to the original submittal fee.

18) BUILDING SHELL

\$120

19) SUMMER CAMP

\$120

[[18]]20) Reinspections

[[A re-inspection fee of \$150.00 applies if more than one inspection is required to correct a previously identified fire code violation.]]

FIRST REINSPECTION	NO CHARGE
SECOND AND SUBSEQUENT REINSPECTION (FIRST IS FREE)	\$200

II Fees for Technical Assistance, Unclassified Inspections, and Special Events

- A. The fee schedule below shall be used to calculate the fee for Howard County Department of Fire and Rescue Services to provide technical assistance or unclassified inspections, to include special events, in the form of plan review or on-site inspections.
- B. A separate technical assistance fee shall be charged at the following rate and prorated to the nearest ½ hour:
- 1) Deputy Fire Marshal or Fire Safety Inspector \$75.00 per hour
 - 2) Fire Protection Engineer \$100.00 per hour

- C. Travel time to and from a meeting or inspection site shall be included when computing the fee.
- D. When requested, a reasonable time to prepare written reports or research subsequent code related issues shall be included when computing fees.
- E. The fee shall be charged to the person officially requesting assistance and shall be payable upon receipt of an itemized invoice submitted in accordance with administrative procedures established by fire authorities.
- F. Failure to pay the fee within the required time shall result in appropriate administrative or legal action. Further plan review or inspection action may not take place until the fee is paid in full. This may result in a delay of the issuance of a building permit, or use and occupancy permit for the building or facility.

III Fee Payment for Fire Safety Inspections

- A. Fees for fire safety inspections are payable upon receipt of an invoice from the Howard County Department of Finance upon completion of the inspection. Failure to pay this fee within the specified time may result in:
 - a) Administrative or legal action;
 - b) No further inspection activity;
 - c) Denial of the issuance or renewal of a permit or license held by the facility being inspected;
 - d) Violation of Public Safety Article 6-601, 6-317, 9-109, 9-206, 9-905, Annotated Code of Maryland.
- B. The fire safety inspection fee may not be charged if the inspection is conducted in response to a specific complaint regarding an alleged violation of the Howard County Fire Prevention Code.
- C. Payment Method
 - Fee payments shall be in the form of a credit card, check, or money order payable to the Howard County Director of Finance. The payee is responsible for all fees that may include, but not be limited to, cancelled checks, service fees/charges related to the payment.
 - b) Cash payment is not acceptable.

IV Disposition of Fees

- A. Fees collected by the Howard County Department of Finance for inspections shall be deposited in the fire tax fund of the Howard County Department of Fire and Rescue Services.
- B. Fees shall be collected and processed in accordance with fiscal procedures established by the Howard County Department of Finance for the collection, disbursement, and accounting of funds.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on
June 7, 2023.

Michelle R. Harrod
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2023.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2023.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2023.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2023.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2023.

Michelle R. Harrod, Administrator to the County Council