



# HOWARD COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES

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JOHN S. BUTLER, FIRE CHIEF • ALLAN H. KITTLEMAN, COUNTY EXECUTIVE

To: Lonnie R. Robbins, Chief Administrative Officer  
From: John S. Butler, Fire Chief *JSB*  
Subject: Testimony on Council Bill No. 8-2016  
Date: January 28, 2016

Every three years, the National Fire Protection Association (NFPA) updates their standards which are comprehensive regulatory guidelines developed through industry research and consensus in areas that include building construction, safety features, inspection, maintenance, hazardous materials and fire department access in an effort to advance fire and life safety protection for the public, property and first responders.

Adopted in 19 states including Maryland, NFPA1 is then amended locally in most jurisdictions. 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.

The department is currently using the NFPA1, 2006 amended edition. Significant changes have occurred in the code over these nine years resulting in more changes than usual. Multiple provisions are now very outdated and no longer align with the national and state standard which is presenting significant challenges.

Last winter, the Department of Fire and Rescue Services (DFRS) actively participated in the process to amend NFPA1 at the state level. The Maryland State Fire Commission adopted the new state Fire Code in June, which became effective on January 1, 2016, and most state amendments have been incorporated into the proposed Fire Code. Additionally, DFRS has researched best practices and innovative solutions to common safety issues regionally and nationally to develop several new provisions to better address both ongoing and emerging safety issues.

DFRS is recommending continued local requirements for personal fireworks despite less stringent guidelines now at the state level and in NFPA1. The local amendments proposed in CB 8 would continue our current requirements related to personal fireworks. Likewise, guidelines for recreational burn permits remain intact but DFRS is recommending elimination of the associated permit requirement. DFRS will continue its current requirements related to recreational burns, without a permit requirement.



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The fee schedule for fire inspection functions may be submitted for consideration during the upcoming budget cycle. Subject to Administration approval, the fee schedule may propose fees for the Hazardous Materials Permit (ranging from \$100-1,000), the Tire Permit (ranging from \$150 – 500) , Inspection fees for Mobile Food Vending Platforms (annual is \$75 daily is \$45) and the annual reporting of fire detection and suppression systems (Contractor Portal is \$5 per system). Subject to Administration approval, we will also be proposing an increase in State Fire Commission fees that is commensurate with increases at the State level. There is also a provision in the proposed code to recover operational response costs from an individual when the individual is convicted of arson. The fiscal impact of the code will be minimal and balanced by the fees collected.

There are several local amendments proposed by DFRS, based, in part, on successful best practices in other jurisdictions and, in part, to enable the Department to more effectively address safety issues and hazards here in Howard County. They include:

- This code integrates the requirements for topics such as recreational fires, forest products, vacant structures, and fire lanes into the Fire Code. Regarding these items, there has been no change to their substantive requirements. Regulations pertaining to Fire Watch, Candles, Address Numbers, Fire Department Connections (FDC's), Vehicles on Display, and Tents for special events are proposed to be added to the Fire Code. Until now, these areas have been regulated by General Orders adopted by DFRS.
- Refinement of the duties of the Department of Fire and Rescue Services as outlined in 17.100 to include community risk reduction, efforts in fire and life safety education, building and development plans review, Fire Code development and enforcement, and hazardous materials mitigation. (p.3)
- Including reckless endangerment (p.20 Subsection 10.2.7) and imminent danger (p.18 Subsection 3.3.154) as cause for enforcement action, as requested by the Office of Law.
- A requirement that fire alarm and fire suppression system companies register the systems they serve, and provide required alarm and sprinkler inspection, testing and maintenance documentation. DFRS is referring to this as the Contractor Portal. (p.30 Subsection 13.1.5.1)
- Elimination of the ability to install new private hydrants unless approved by the AHJ (p.46 Subsection 18.5.1.1.1) and changes to the standards for existing private hydrants (p.46 Subsection 18.5.5.1.1) that will require that all new hydrants be public unless approved by DFRS.



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- Enhanced requirements for bulk tire storage at auto repair and retail facilities. (*p.59 Subsection 33.1.2*)
- An inspection requirement for mobile food preparation, otherwise known as Mobile Food Vending Platforms, and service vehicles utilizing cooking equipment such as trucks, trailers and carts. (*p.60 Subsection 50.2.1.10*)
- A local permit requirement for facilities that handle and store hazardous materials which would include an emergency response pre-plan and annual inspection. (*p.66 Subsection 60.1*)
- A requirement that action to demolish or rebuild a home following a fire incident be taken within a specific time frame. This is to be accomplished within six months of the incident unless approved by the AHJ. (*Section 17.111 on p.71*)
- Transition of oversight, as documented in the code, for Fire Lanes from DPW to DFRS to be consistent with current practice. Modifications for clarity have been made to the language in the Fire Code (*p.44 Subsection 18.2.3.5.4*), Title 16 and Title 21 (*p.72*).

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

