

ORDINANCE NO. 2172

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND GRANTING AN EXEMPTION FROM THE RESIDENTIAL FIRE SPRINKLER REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE (2009) THROUGH JANUARY 1, 2017 TO ANY RESIDENTIAL LOT WHICH: (1) IS CONTIGUOUS TO WATER LINES, WATER METER VAULTS, CURBING, GUTTERING, AND STREET PAVING INSTALLED PRIOR TO AUGUST 9, 2010; (2) WAS APPROVED FOR ONE AND TWO-FAMILY DWELLINGS; (3) UPON WHICH THE DWELLING UNIT TO BE EXEMPTED FROM THE SPRINKLER REQUIREMENT IS THE FIRST DWELLING UNIT TO BE BUILT ON THE LOT SINCE AUGUST 9, 2010; AND (4) HAS A WATER SERVICE LINE THAT MEETS CURRENT CITY CODE REQUIREMENTS

**WHEREAS**, Section 313.2 of the International Residential Code (2009) was adopted as a Standard Code of the City in Section 15.04.010 of Chapter 15.04 - Building Code on August 9, 2010; and

**WHEREAS**, Section 313.2 of the International Residential Code (2009) provides for an automatic residential fire sprinkler system to be installed in one and two-family dwellings; and

**WHEREAS**, since the adoption of the International Residential Code (2009), the Department of Building, Permitting & Inspections has learned of several residential developments in which underground water lines and water meter vaults were installed, together with curbing, guttering, and streets, prior to the August 9, 2010, ordinance adoption; and

**WHEREAS**, installation of water lines of sufficient diameter and upgrading the water meter size to allow for sufficient water flow for the operation of a fire sprinkler system will require removal and replacement of water lines, replacement of existing water meter vaults, curbing, guttering, and paved streets at considerable expense.

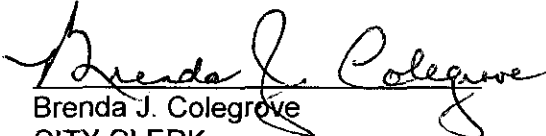
**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** that the City Council of the City of Salisbury, Maryland, does hereby exempt from the residential fire sprinkler requirements of the International Residential Code (2009) any residential lot which: (1) is contiguous to water lines, water meter vaults, curbing, guttering, and street paving installed and approved prior to August 9, 2010; (2) was approved for one and two-family dwellings prior to August 9, 2010; (3) upon which the dwelling unit to be exempted from the sprinkler requirement is the first dwelling unit to be built on the lot since August 9, 2010; and (4) has a water service line that meets current city code requirements.

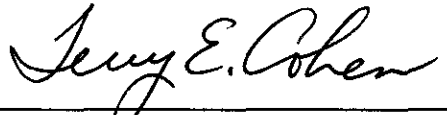
**AND, BE IT FURTHER ORDAINED**, that, if the Public Works Department determines that the water service line on any single- or two-family residential lot needs to be replaced, the new service line at the time of replacement will be required to be 1" in diameter so that it can accommodate a sprinkler system.

**AND, BE IT FURTHER ORDAINED**, that this exemption will expire for any building permit issued after January 1, 2017.

**THIS ORDINANCE** was introduced and read at a meeting of the City Council held on the 12th day of September, 2011 and having been published as required by law, in the meantime, was finally passed by the Council on the 26<sup>th</sup> day of September, 2011.


ATTEST:

  
Brenda J. Colegrove  
CITY CLERK

  
Terry E. Cohen  
PRESIDENT, City Council

APPROVED by me this 27<sup>th</sup> day of

September, 2011

  
James Ketton, Jr., Mayor  
City of Salisbury

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INTER

OFFICE

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MEMO

## Office of the Mayor

To: City Council  
From: John R. Pick   
Subject: Ordinance exempting certain lots from the one-and two-family sprinkler requirement  
Date: September 7, 2011

Attached is an Ordinance that would have the effect of amending the City Code to exempt from the one-and two-family sprinkler requirement of the International Residential Code (2009) through January 1, 2017 any residential lot which: (1) is contiguous to water lines, water meter vaults, curbing, guttering, and street paving installed prior to August 9, 2010; (2) was approved for one and two-family dwellings; (3) upon which the dwelling unit to be exempted from the sprinkler requirement is the first dwelling unit to be built on the lot since August 9, 2010; and (4) has a water service line that meets current city code requirements.

On August 9, 2010, the City approved a requirement that all one-and two family residential dwellings built after that date be required to install sprinkler systems for fire protection. In order to meet that requirement, it is necessary to change the standard residential water supply line that the City has traditionally required to serve one- and two-family dwellings. It has come to our attention, however, that in portions of certain developments, and in other places throughout the City, the infrastructure has already been installed under the old standard but the buildings have not yet been constructed. In order for the developers or property owners to meet the new sprinkler requirement, it would be necessary for them to remove these water supply lines and replace them with larger lines. This would also entail removing other infrastructure that has already been installed (streets, sidewalks in some cases, curb and gutter) at great cost. The Department of Building, Permitting and Inspections, along with the Public Works Department, has been working on this problem since it was first brought to their attention. They have concluded that it is not possible for the standard residential water supply lines that have been installed to deliver sufficient water to serve the sprinkler

systems.

In order to avoid requiring the developers and property owners to remove the existing infrastructure contiguous to the lot in those cases where it has already been installed at great cost simply to meet this new requirement, we are suggesting that these lots be exempt from this requirement. In order to be exempt, the lot must meet the following conditions: (1) is contiguous to water lines, water meter vaults, curbing, guttering, and street paving installed prior to August 9, 2010; (2) was approved for one and two-family dwellings; (3) upon which the dwelling unit to be exempted from the sprinkler requirement is the first dwelling unit to be built on the lot since August 9, 2010; and (4) has a water service line that meets current-city code requirements.

In addition, we are proposing that this exemption would expire for any building permit issued after January 1, 2017. This "sunset provision" would provide a reasonable period of time for construction of housing units on these lots while also relieving the Public Works and Building, Permitting and Inspections Departments from the necessity of monitoring this exemption after that date. It would help the City move toward full implementation of the sprinkler requirement for one-and two-family dwellings.

cc: Mayor Ireton  
Lore' Chambers  
Bill Holland  
Teresa Garner  
Paul Wilber  
Brenda Colegrove