

ORDINANCE No. 2624

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 8.11 – THE FIRE PREVENTION CODE, SECTIONS .020, .040, AND .060 OF THE CITY OF SALISBURY MUNICIPAL CODE BY ADDING NEW PERMITS THAT ARE REQUIRED TO BE OBTAINED FROM THE FIRE MARSHAL, REMOVING THE REFERENCE TO THE INTERNATIONAL BUILDING CODE, REMOVING HOUSING AND COMMUNITY DEVELOPMENT IN 8.11.040 AND ESTABLISHING A TIMEFRAME FOR SUBMITTING INSPECTIONS IN 8.11.060 WITH THIRD-PARTY INSPECTION REQUIREMENTS.

WHEREAS, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code demonstrates the need for periodic review, evaluation and amendment; and

WHEREAS, the City of Salisbury adopts the State Fire Prevention Code with local amendments; and

WHEREAS, the City of Salisbury desires to establish and list the specific permits required from the Fire Marshal's Office; and

WHEREAS, the City of Salisbury desires to collect all third party inspection reports through a vendor system data collection company within fifteen (15) days of the inspection date.

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter 8.11 - THE FIRE PREVENTION CODE, sections .020, .040 and .060, of the City of Salisbury Municipal Code are hereby amended as follows:

Chapter 8.11 - THE FIRE PREVENTION CODE

8.11.020 - Amendments to the State Fire Prevention Code.

- A. The National Fire Protection Association Life Safety Code 101 as referenced, amended, and promulgated by the State Fire Prevention Commission is adopted by the City with the following local amendments.
 - 1. Fire prevention fees shall be established by resolution of the City Council.
- B. The National Fire Protections Association Fire Code 1 as referenced, amended, and promulgated by the State Fire Prevention Commission is adopted by the City with the following local amendments:
 - 1. The board of appeals shall be the building board of adjustments and appeals.
 - 2. Any person who fails to comply with the provisions of the Code or who fails to carry out an order made pursuant to this Code or violates any condition attached to a permit,

approval, or certificate may be subject to a municipal infraction not to exceed five hundred dollars (\$500.00) each day the violation continues.

3. Failure to comply with the time limits of an abatement notice or other corrective notice issued by the authority having jurisdiction (AHJ) may result in municipal infractions not to exceed five hundred dollars (\$500.00) for each day the violations/s continues and the ~~jurisdiction~~ AHJ shall have authority ~~as provided by law~~ to evacuate, vacate and order such building or structure to be closed to the public.
4. Include Annex E: Fire Fighter Safety Building Marking System, with local amendments.
 - a. Local amendments to Annex ~~F~~ E are:
 - i. Add E. 1.3.6.1. The following letters shall be used to indicate special hazards assigned to the center of the Maltese cross:
 - A) "F" — Floor hazard
 - B) "R" — Roof hazard
 - C) "W" — Wall hazard
 - D) "H" — Holes in structure
 - E) "S" — Stairs compromised
 - F) "M" — Maze like, confusing layout
 - ii. Add E. 1.3.6.2. Where the AHJ determines the conditions to be severe enough to limit all operational activity to a defensive mode only, a red "X" shall be placed through the center section of the Maltese cross.
5. Replace Subsection '10.10.1 Permits.' with 10.10.1 Open Burning Prohibited. Open burning, other than cooking and recreational fires compliant with the provisions of this Code, is prohibited.
6. Permits from the Fire Marshal are required for the following:
 - a. Installation/Modification of fire alarm and detection systems;
 - b. Installation/Modification of sprinkler or water spray systems;
 - c. Installation/Modification of standpipe systems;
 - d. Installation/Modification fire pumps;
 - e. Installation/Modification of water storage tanks for fire protection;
 - f. Installation/Modification of gaseous and chemical extinguishing systems;
 - g. Installation/Modification of foam systems;
 - h. Installation/Modification of smoke control systems;
 - i. Installation/Modification of flammable and combustible liquid storage tanks;
 - j. Installation/modification of emergency generators for fire protection systems;
 - k. Installation, modification, or removal from service of any private fire hydrants;
 - l. Fireworks displays; and
 - m. To store, transport on site, dispense, use, or handle hazardous materials.

~~C. The International Building Code is incorporated by reference, and is adopted with state and local amendments.~~

8.11.040 - Inspections.

A. To the fullest extent permitted by law, the Fire Department ~~and the Housing and Community Development Department shall have the authority~~ *is authorized* to enter and examine, at all reasonable times, any building, structure, marine vessel, vehicle or premises for the purpose of making fire safety inspections.

Exception: One and two family dwelling units.

B. Personnel responsible for administering and enforcing this code shall be trained to a minimum level of Fire Inspector I in accordance with the National Fire Protection Code.

C. Personnel will periodically inspect all buildings and structures as herein set forth in this code on a schedule derived from life safety and fire risk assessment.

8.11.060 Third-Party Inspections

A report of all third party inspections required by this code shall be submitted to the Fire Marshal's office for review, *within fifteen (15) days of the inspection date*. A third-party or vendor system data collection agency/company may be utilized for the collection of completed third-party inspection reports and associated collection filing fees.


Explanation:

* *Italicized and underlined print indicates material added to existing law.*
Bold and strikethrough language indicates material deleted from the existing law.

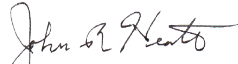
AND BE IT FURTHER ORDAINED AND ENACTED BY THE CITY OF SALISBURY, MARYLAND, that this ordinance shall take effect immediately upon adoption.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 12th day of October 2020, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 26th day of October, 2020.

ATTEST:




Kimberly R. Nichols
CITY CLERK



John R. Heath
PRESIDENT, City Council

APPROVED BY ME THIS 27 day of October, 2020



Julia Glanz, City Administrator
for and at the direction of Jacob R. Day, Mayor



To: Julia Glanz, City Administrator
From: John W. Tull, Fire Chief
Subject: Municipal Code Revision Chapter 8.11 – The Fire Prevention Code
Date: September 17, 2020

Attached you will find an ordinance to amend the Salisbury Municipal Code Chapter 8.11 – The Fire Prevention Code. The ongoing application, administration and periodic review of this Code has identified several areas where revisions are needed. Below are the requested changes:

- Section 0.20 (B.6) – Adding specific list of permit requirements
 - Installation, modification, or removal from service of any private fire hydrants
 - Fireworks displays
 - To store, transport on site, dispense, use, or handle hazardous materials
- Section 0.20 (C) – Eliminating reference to the International Building Code
- Section 0.40 (A) – Eliminating reference to Housing and Community Development
- Section 0.60 – Adding timeframe requirement for submitting Third Party Inspections

If you should have any changes or concerns, please do not hesitate to contact me.