

## ORDINANCE NO. 2666

### AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 8.11 OF THE SALISBURY CITY CODE, ENTITLED "THE FIRE PREVENTION CODE", FOR THE PURPOSE OF ADDING NEW PERMITS THAT ARE REQUIRED TO BE OBTAINED FROM THE CITY OF SALISBURY FIRE MARSHAL'S OFFICE.

#### RECITALS

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

**WHEREAS**, the City of Salisbury has adopted the State Fire Prevention Code subject to local amendments; and

**WHEREAS**, the City of Salisbury desires to amend Chapter 8.11.020 of the Salisbury City Code for the purpose of establishing additional, specific permits that are required to be obtained from the City Fire Marshal's Office.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, as follows:

**Section 1.** Chapter 8.11 of the Salisbury City Code, entitled "The Fire Prevention Code", be and is hereby amended by repealing the crossed-out language and adding the bolded and underlined language 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 amendment.
  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 violation continues and the AHJ shall have authority 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 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;
  - n. To perform any fire hydrant or fire pump water flow test; and**
  - o. To sell consumer fireworks.**

**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** as follows:

**Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

**Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

**Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

**Section 5.** This Ordinance shall take effect from and after the date of its final passage.


**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 10<sup>th</sup> day of May, 2021 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the 24<sup>th</sup> day of May, 2021.

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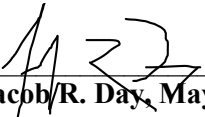
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ATTEST:

  
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**Kimberly R. Nichols, City Clerk**

  
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**John R. Heath, City Council President**

Approved by me, this 11th day of June, 2021.

  
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**Jacob R. Day, Mayor**



**To:** Julia Glanz, City Administrator  
**From:** John W. Tull, Fire Chief *JWT*  
**Subject:** Municipal Code Revision Chapter 8.11 – The Fire Prevention Code  
**Date:** April 20, 2021

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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 areas where revisions are needed. Below are the requested changes:

- Section 0.20 (B.6) – Adding additional permit requirements from the Fire Marshal
  - To perform any fire hydrant or fire pump water flow test; and
  - Sale of consumer fireworks.

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