

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2007 Legislative Session, Legislative Day No. : August 28, 2007

Bill No.: 1106 *AS AMENDED*

Expiration Date: November 1, 2007

Introduced by: Mr. Foster and Mr. Duncan

A BILL TO ADOPT REQUIREMENTS AND STANDARDS FOR THE INSTALLATION OF FIRE SPRINKLERS IN ONE AND TWO-FAMILY DWELLINGS IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 13D, TO BECOME EFFECTIVE MARCH 1, 2008, TO APPLY THOSE STANDARDS TO NEW CONSTRUCTION AND ANY RENOVATION GREATER THAN 65% OF THE EXISTING GROSS FLOOR AREA FOR PERMITS ISSUED PRIOR TO JULY 1, 2009, AND 50% OF THE EXISTING GROSS FLOOR AREA FOR PERMITS ISSUED THEREAFTER, AND GENERALLY RELATING TO FIRE SPRINKLERS FOR RESIDENTIAL ONE AND TWO-FAMILY RESIDENCES

By the Council: August 28, 2007

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, September 25, 2007 at 2:00 p.m. in the Bradley Meeting Room, Talbot County Courthouse, South Wing, 11 North Washington Street, Easton, Maryland 21601.

By Order

Susan W. Moran
Susan W. Moran, Secretary

A BILL TO ADOPT REQUIREMENTS AND STANDARDS FOR THE INSTALLATION OF FIRE SPRINKLERS IN ONE AND TWO-FAMILY DWELLINGS IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 13D, TO BECOME EFFECTIVE MARCH 1, 2008, TO APPLY THOSE STANDARDS TO NEW CONSTRUCTION AND ANY RENOVATION GREATER THAN 65% OF THE EXISTING GROSS FLOOR AREA FOR PERMITS ISSUED PRIOR TO JULY 1, 2009 AND 50% OF THE EXISTING GROSS FLOOR AREA FOR PERMITS ISSUED THEREAFTER, AND GENERALLY RELATING TO FIRE SPRINKLERS FOR RESIDENTIAL ONE AND TWO-FAMILY RESIDENCES

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that Chapter 28 Talbot County Code, entitled "Building Construction" shall be and is hereby amended as set forth below:

* * *

§ 28-5. Interior Automatic Fire Sprinkler Systems in One and Two-Family Residential Construction or Alterations.

A. General.

In addition to the provisions of the International Residential Building Code, one and two-family dwellings shall be equipped with an interior automatic sprinkler system as provided in this section.

B. Applicability.

The requirement for interior automatic fire sprinkler systems shall apply to all building permits issued after the effective date of this ordinance (March 8, 2008) in accordance with the provisions of this section to:

- (1) All new one and two family dwellings, including manufactured homes;
- (2) Additions, remodeling, rehabilitation, restoration, and renovation (herein referred to collectively as "Alterations") of existing one and two-family dwellings, including manufactured homes, subject to the following limitations and exemptions:
 - (a) For building permits issued prior to July 1, 2009, the Alterations require disturbance of at least sixty five percent (65%) of the gross floor area.
 - (b) For building permits issued on or after July 1, 2009, the Alterations require disturbance of at least fifty percent (50%) of the gross floor area.
- (3) In this section, "gross floor area" means the total horizontal area in square feet of all floors within the exterior walls of a building, including habitable or usable basement or

attic spaces, but not including vent shafts, unroofed inner courts, or unusable areas below ground or in attics.¹

- (4) In this section, disturbance of gross floor area is calculated by adding the total square-foot area of any Alterations, and dividing that total by the existing square foot area of the dwelling prior to the Alterations.
- (5) For purposes of this section, disturbance of gross floor area is calculated by including the total square footage of disturbance of gross floor area for all Alterations under all building permits issued on or after July 1, 2009, calculated cumulatively.
- (6) The requirements of this section do not apply to accessory or uninhabitable structures (e.g. detached carports, detached garages with no habitable space, greenhouses, and sheds).

C. Standards.

Interior automatic fire sprinkler systems shall be installed and maintained in all new one and two-family dwellings in accordance with the most recent version of Standard 13D, "Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes", as promulgated by the National Fire Protection Association (NFPA), and as modified and adopted by the Maryland State Fire Prevention Code, Md. Ann. Code, Public Safety Article, Title 9, as amended from time to time.

SECTION TWO: BE IT FURTHER ENACTED, that this Ordinance shall take effect March 1, 2008.

SECTION THREE: AND BE IT FURTHER ENACTED, That if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

¹ This definition is the existing definition for "Gross Floor Area" in the Talbot County Zoning Ordinance, § 190-14.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. 1106 having been published, a public hearing was held on Tuesday, September 25, 2007 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time.

ENACTED: September 25, 2007 *AS AMENDED*

By Order Susan W. Moran
Susan W. Moran, Secretary

Duncan - Aye

Foster - Aye

Bartlett - Recused - no vote case

Harrison - Aye