

## Title 17 BUILDINGS AND CONSTRUCTION

### **Chapter 17.20 FIRE PREVENTION CODE**

17.20.010 State Fire Prevention Code adopted.

17.20.020 State of Maryland Fire Prevention Code amended.

17.20.030 Permit--Required.

17.20.040 Sprinkler contractor license-- Required.

17.20.050 Permit--Application--Fee--Start of work.

17.20.060 Permit--Term--Display.

17.20.070 Plan review and fire inspection fees.

17.20.080 Appeals.

17.20.090 Fire Prevention Code violation.

17.20.100 Sprinkler Assistance Revolving Fund.

#### **17.20.010 State Fire Prevention Code adopted.**

There is adopted by the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the most recent code known as the State of Maryland Fire Prevention Code, promulgated by the State Fire Prevention Commission adopted from time to time under authority of State law, except those portions as are modified by subsequent sections of this chapter. (Ord. O-34-06 § 1 (part), 2006; Ord. O-54-95 § 1 (part); revised during 1985 codification; prior code § 9-42)

#### **17.20.020 State of Maryland Fire Prevention Code amended.**

All references contained herein are to the State of Maryland Fire Prevention Code, as amended from time to time.

A. Delete Section 29.06.01.07E.

B. Delete Section 29.06.01.08H(2) but maintain amendments (a) and (b).

C. Amend Section 29.06.01.080 subsection 3-5.4 to replace "Fire Lane - No Parking" with "Fire Lane - No Parking by authority of the City of Annapolis". (Ord. O-12-99 § 1 (part))

#### **17.20.030 Permit--Required.**

Permits are required for:

A. Open-air burning, bonfires, trash fires, rally fires;

B. Outdoor Dumpsters for Trash, Garbage, Debris--All Uses, All Locations, Covered or Uncovered. The dumpster must not be located closer than fifteen feet to any building, dwelling, structure or premises unless otherwise approved;

C. Outdoor Barbecue Grills, Fireplaces, Ovens, Pits. All uses, all locations, both covered and uncovered, fixed or portable, shall not be located closer than fifteen feet to any building, dwelling,

structure or premises unless approved otherwise;

1. Exception. Portable barbecue grills, ovens and similar devices do not require a permit.

D. The installation of or modification to any fire sprinkler system or fire standpipe system. (Ord. O-12-99 § 1 (part); Ord. O-31-91 § 1 (part); revised during 1985 codification; prior code § 9-43)

#### **17.20.040 Sprinkler contractor license-- Required.**

No person shall do work in the City as a sprinkler contractor without first applying for and receiving a license of the appropriate class from the State Fire Marshal's Office. (Ord. O-12-99 § 1 (part))

#### **17.20.050 Permit--Application--Fee--Start of work.**

A. A person installing or erecting an item or engaging in any activity for which a permit is required under this chapter shall apply for and receive the permit before initiation of the work. The Director of Public Works or his or her designee shall receive a written application for each permit and a permit fee as established by resolution of the City Council.

B. A permit is valid for work commenced within a period of one hundred twenty days after issuance; otherwise, it is void and of no effect. (Ord. O-38-01 § 1 (part); Ord. O-12-99 § 1 (part); Ord. O-52-94 § 1; Ord. O-31-91 § 1 (part); revised during 1985 codification; prior code § 9-45)

#### **17.20.060 Permit--Term--Display.**

Each permit under this chapter shall be for periods as the Fire Chief determines, not to exceed one year. The permit at all times shall be kept on the premises designated in the permit and at all times is subject to inspection by any officer of the Fire Department or Police Department. (Ord. O-12-99 § 1 (part); prior code § 9-48)

#### **17.20.070 Plan review and fire inspection fees.**

Plan review, to ensure compliance with applicable Fire Prevention Codes, and fire inspection fees shall be established by resolution of the City Council. (Ord. O-12-99 § 1 (part); Ord. O-80-94 § 1)

#### **17.20.080 Appeals.**

A. A person aggrieved by a decision of the Fire Chief under this chapter may appeal the decision within thirty days after the decision to the Board of Appeals, as provided for in Article II of Chapter 2.48 of this code.

B. Exception. A person aggrieved by a decision of the Fire Chief under Section 17.20.010 of this chapter shall be subject to the appeals process set forth in the State of Maryland Fire Prevention Code. (Ord. O-12-99 § 1 (part); added during 1985 codification)

#### **17.20.090 Fire Prevention Code violation.**

A. A person who violates this chapter is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council. Subsequent notices shall be given when the initial violation remains uncorrected at the time of re-inspection.

B. Exception. A person who violates Section 17.20.010 shall be subject to the penalties set forth in the State of Maryland Fire Prevention Code.

C. It is unlawful to ignore or deface a stop work order, unsafe order or unfit order issued by the Code Official. (Ord. O-5-04 § 1 (part), 2004; Ord. O-38-01 § 1 (part); Ord. O-12-99 § 1 (part); Ord. O-54-95 § 1 (part); Ord. O-31-91 § 1 (part))

## **17.20.100 Sprinkler Assistance Revolving Fund.**

**A. Purpose.** The Director of Finance shall establish and maintain a Sprinkler Assistance Revolving Fund and necessary procedures for the purpose of encouraging the installation of sprinklers in older buildings throughout the City so as to increase the safety of residents and to minimize damage resulting from fire and to allow greater utilization of currently vacant or underutilized space. The program will operate by making low cost loans to developers or property owners of older buildings that do not have currently have sprinkler systems installed at the time of application.

**B. Financing of Revolving Fund.** Through the normal City budgeting and amendment process, funds are authorized to be allocated to the Sprinkler Assistance Revolving Fund from the General Fund. Funds may be made available for this purpose during any budget year. As loans are repaid back into the fund, those amounts become available for new loans. At no time may the total outstanding balance of all loans exceed the total amounts made available in the budget process.

**C. Interest Rate.** The interest rate to be charged to the borrower is to be one percent per annum unless otherwise established by resolution of the City Council.

**D. Eligibility.** Loans may only be made to developers or owners for the rehabilitation of existing commercial or residential buildings. Further, loans may only be made where such loans are part of a funding package that will result in the affected building being fully sprinkled consistent with (Code reference). Loans may not be made for new buildings. Eligible costs that may be funded with the loan proceeds are limited to the installation of sprinklers, including labor and materials, and hook-up to the City water supply.

**E. Loan Approval.** Applications that are complete and meet all appropriate requirements may be approved by the Director of Finance on a first come, first served basis. If the loans requested in complete applications in hand exceed the amount available for new loans, the applications shall be ranked by age of building, location of building, historical significance, and other relevant factors as determined by the Director of Finance. A loan may be recalled by the Director of Finance if the Chief of the Fire Department and/or the Director of Neighborhood and Environmental Programs find that any element of the rehabilitation of the building for which a sprinkler loan is requested is not in compliance with applicable provisions of the City Code.

**F. Loan Disbursement.** Upon issuance of the building permit by the Department of Neighborhood and Environmental Programs, the Director of Finance may disburse the funds for the approved loan to the borrower. The borrower must request disbursement of the loan within one year of notification of loan approval unless the Chief of the Fire Department and/or the Director of Neighborhood and Environmental Programs find that the delay in the borrower's request for disbursement is not due to factors under the borrower's control.

**G. Repayment.** Repayment of the loan by the borrower will be made on a monthly basis according to terms and procedures established by the Director of Finance. A loan period may not exceed five years from the date the funds are disbursed to the borrower. However, if the property for which the loan is made is sold within the loan period, then the outstanding balance of the loan on the date of sale must be repaid within thirty days. The amount of the outstanding balance of the loan shall be secured by a lien placed upon the property and shall be collected and enforced in the same manner as real property taxes. (Ord. O-27-04 § 1, 2004)