
By: **Delegates Ross, Gaines, and Healey**
Introduced and read first time: February 13, 2004
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Fire Alarm Systems - Modification for Hearing Impaired**
3 **Condominium Owner**

4 FOR the purpose of requiring a certain council of unit owners, or the agent of the
5 council, if applicable, of a condominium to modify the wiring of the condominium
6 building's fire alarm system and install visual fire alarms on written request of
7 a unit owner who is deaf or hearing impaired; specifying the placement of the
8 visual fire alarms in the unit; requiring the use of a visual fire alarm that
9 produces a signal meeting certain national standards; requiring the unit owner
10 to pay a certain amount of the cost of modification and purchase of the visual
11 fire alarms; requiring that a modification to a building's fire alarm system
12 under this Act comply with local fire and building codes and the State Fire
13 Prevention Code; and generally relating to fire alarm systems.

14 BY repealing and reenacting, without amendments,
15 Article - Public Safety
16 Section 9-102(a) and (b)(1) and (6)
17 Annotated Code of Maryland
18 (2003 Volume)

19 BY adding to
20 Article - Public Safety
21 Section 9-102.1
22 Annotated Code of Maryland
23 (2003 Volume)

24 BY repealing and reenacting, without amendments,
25 Article - Real Property
26 Section 11-101(a), (f), and (g) and 11-109(a), (b), and (d)(12) and (13)
27 Annotated Code of Maryland
28 (2003 Replacement Volume and 2003 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Public Safety**

4 9-102.

5 (a) (1) Each sleeping area within each occupancy classified residential, as
6 defined in the most recent edition of the National Fire Protection Association Life
7 Safety Code adopted by the State Fire Prevention Commission, shall be equipped
8 with at least one approved smoke detector that:

9 (i) senses visible or invisible particles of combustion; and

10 (ii) is installed in a manner and location approved by the State Fire
11 Prevention Commission.

12 (2) When activated, the smoke detector shall provide an alarm suitable
13 to warn the occupants.

14 (b) (1) The landlord shall install smoke detectors as required under
15 subsection (a) of this section.

16 (6) On written request of a tenant who is deaf or hearing impaired, the
17 landlord shall provide a smoke detector that, when activated, provides a signal that:

18 (i) is approved by a nationally recognized testing laboratory for
19 electrical appliances; and

20 (ii) is sufficient to warn the deaf or hearing impaired tenant.

21 9-102.1.

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (2) "COUNCIL OF UNIT OWNERS" HAS THE MEANING STATED IN § 11-109
25 OF THE REAL PROPERTY ARTICLE.

26 (3) "UNIT OWNER" HAS THE MEANING STATED IN § 11-101 OF THE REAL
27 PROPERTY ARTICLE.

28 (4) (I) "VISUAL FIRE ALARM" MEANS AN ALARM THAT MEETS THE
29 UNDERWRITER LABORATORIES/ANSI STANDARD 1971 FOR SLEEPING AREAS.

30 (II) "VISUAL FIRE ALARM" INCLUDES AN ALARM WITH A STROBE
31 LIGHT WARNING SYSTEM.

32 (B) (1) ON WRITTEN REQUEST OF A UNIT OWNER WHO IS DEAF OR HEARING
33 IMPAIRED, THE COUNCIL OF UNIT OWNERS OR ITS AGENT, AS AUTHORIZED UNDER §
34 11-109 OF THE REAL PROPERTY ARTICLE, SHALL MODIFY THE WIRING OF THE

1 CONDOMINIUM BUILDING'S FIRE ALARM SYSTEM AND INSTALL VISUAL FIRE ALARMS
2 IN THE UNIT OWNER'S UNIT THAT:

3 (I) SHALL BE INSTALLED IN THE SLEEPING AREA AND ONE
4 ADDITIONAL ROOM NORMALLY OCCUPIED DURING DAYTIME HOURS THAT IS
5 SELECTED BY THE UNIT OWNER;

6 (II) WHEN ACTIVATED, PROVIDE A SIGNAL THAT IS LISTED BY A
7 NATIONALLY RECOGNIZED TESTING LABORATORY FOR VISUAL FIRE ALARMS IN
8 SLEEPING AREAS; AND

9 (III) ARE SUFFICIENT TO WARN THE DEAF OR HEARING IMPAIRED
10 UNIT OWNER.

11 (2) THE UNIT OWNER SHALL PAY UP TO \$200 OF THE COST OF
12 MODIFICATION OF THE WIRING OF THE BUILDING'S FIRE ALARM SYSTEM AND THE
13 PURCHASE OF THE VISUAL FIRE ALARMS.

14 (C) ANY MODIFICATION TO THE FIRE ALARM SYSTEM OF A CONDOMINIUM
15 BUILDING MADE IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL
16 COMPLY WITH THE APPLICABLE LOCAL FIRE AND BUILDING CODES AND THE STATE
17 FIRE PREVENTION CODE.

18 **Article - Real Property**

19 11-101.

20 (a) In this title the following words have the meanings indicated unless
21 otherwise apparent from context.

22 (f) "Council of unit owners" means the legal entity described in § 11-109 of
23 this title.

24 (q) "Unit owner" means the person, or combination of persons, who hold legal
25 title to a unit. A mortgagee or a trustee designated under a deed of trust, as such, may
26 not be deemed a unit owner.

27 11-109.

28 (a) The affairs of the condominium shall be governed by a council of unit
29 owners which, even if unincorporated, is constituted a legal entity for all purposes.
30 The council of unit owners shall be comprised of all unit owners.

31 (b) The bylaws may authorize or provide for the delegation of any power of the
32 council of unit owners to a board of directors, officers, managing agent, or other
33 person for the purpose of carrying out the responsibilities of the council of unit
34 owners.

35 (d) The council of unit owners may be either incorporated as a nonstock
36 corporation or unincorporated and it is subject to those provisions of Title 5, Subtitle

1 2 of the Corporations and Associations Article which are not inconsistent with this
2 title. The council of unit owners has, subject to any provision of this title, and except
3 as provided in paragraph (22) of this subsection, the declaration, and bylaws, the
4 following powers:

5 (12) To regulate the use, maintenance, repair, replacement, and
6 modification of common elements;

7 (13) To cause additional improvements to be made as a part of the general
8 common elements;

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
10 effect October 1, 2004.