

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2025 Legislative Session

Bill No. CB-020-2025

Chapter No. 12

Proposed and Presented by The Chair (by request - County Executive)

Introduced by Council Members Hawkins, Ivey, Harrison, Olson, Watson, Blegay,

Oriadha, Burroughs, Dernoga and Fisher

Co-Sponsors _____

Date of Introduction April 15, 2025

BILL

1 AN ACT concerning

2 Fire Safety

3 For the purpose of amending the Prince George's County Fire Safety Code and Specific Civil
4 Penalties to increase the fire inspection fees and civil monetary fine and amend language
5 generally relating to Fire Safety.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 11. FIRE SAFETY.

8 Sections 11-106, 11-155, 11-163, 11-269, 11-270, 11-
9 271, 11-288, 11-291, 11-292.01

10 The Prince George's County Code
11 (2023 Edition; 2024 Supplement).

12 BY repealing and reenacting with amendments:

13 SUBTITLE 28. CIVIL MONETARY FINES OR
14 PENALTIES.

15 Section 28-262.

16 The Prince George's County Code
17 (2023 Edition; 2024 Supplement).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
19 Maryland, that Sections 11-106, 11-155, 11-163, 11-269, 11-270, 11-271, 11-288, 11-291 and
20 11-292.01 of the Prince George's County Code be and the same are hereby repealed and

reenacted with the following amendments:

SUBTITLE 11. FIRE SAFETY.

DIVISION 1. GENERAL PROVISIONS.

Sec. 11-106. Same; false emergency alarms.

(a) It shall be unlawful for any person to deliberately, recklessly or maliciously give, signal or transmit, or to cause or permit to be given, signalled or transmitted, an emergency alarm when in fact that person knows that no such emergency exists.

(b) A faulty or nuisance alarm is deemed to occur whenever the fire official or fire department officer-in-charge responding to an alarm call, determines after investigation that faulty equipment initiated the alarm. Whenever faulty or nuisance alarm activations occurring in any occupancy exceed three (3) in a 90-day period, the fire official may require the owner or occupant to conduct a witnessed test of the fire protection system causing the faulty or nuisance alarm. Inspection fees shall be as in Subtitle 11, Sec. 11-163 of Prince George's County Code - \$150 per hour, or part thereof, per inspector.

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DIVISION 2. ADMINISTRATION.

Sec. 11-155. Evacuation of persons.

When, in the opinion of the Fire Chief or authorized representative, there is actual danger to the occupants or those in the proximity of any building, structure or premises, to include single-family dwellings, because of apparent danger of collapse or inadequacy of any exit way, the presence of explosives, explosive fumes or vapors, flammable liquids, vapors, gas or other presence of toxic fumes, gases or material, the Fire Chief or authorized representative may order the immediate evacuation of such building, structure or premises. Upon issuance of the said order, all occupants shall immediately leave the building, structure or premises and no one shall enter or reenter until authorized to do so by the Fire Chief or authorized representative.

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Sec. 11-163. Fire Inspection Fees.

OCCUPANCY	FEE
(1) Assembly:	
(a) 1,001 or more individuals	\$360.00
(b) 301—1,000 individuals	\$240.00

(c) 50—300 individuals	[\$120.00] <u>\$150.00</u>
(2) Fairgrounds:	
(a) Nine buildings or less	\$240.00
(b) 10 or more buildings	\$480.00
(3) Educational (Non Public Schools):	
(a) Elementary, Kindergarten and Pre-Kindergarten Schools	\$120.00
(b) Middle or Junior High School	\$180.00
(c) Senior High School	\$180.00
(4) Family or Group Day Care Homes:	
(a) Initial Inspection	[\$75.00] <u>\$100.00</u>
(b) Renewal Inspection	[\$50.00] <u>\$75.00</u>
(5) Nursery or Day Care Center	[\$100.00] <u>\$150.00</u>
(6) Health Care:	
(a) Ambulatory Health Care Center Per 3,000 Sq. Ft. or portion	\$180.00
(b) Hospital, Nursing Home, Limited Care Facility	\$120.00 per Building + \$2.50 per Bed inspected
(7) Detention and Correctional: (fee may be waived)	\$120.00 per Building + \$2.50 per Bed inspected
(8) Residential:	
(a) Hotel and Motel	\$120.00 per Building + \$2.50 per Guest Room inspected
(b) Dormitory	\$120.00 per Building + \$2.50 per Guest Bed inspected
(c) Apartment Buildings	[\$125.00] <u>\$150.00</u> per hour
i. Charged for the time of personnel of the Office of the Fire Marshal in conducting periodic fire and life safety inspections. (Fee calculation per hour or portion thereof, shall include time for travel, report writing, re-inspection, research	

and witnessing tests).	
ii. Fee payment shall be made within 30 days of issuance of an invoice.	
(d) Lodging or Rooming House	\$120.00 + \$2.50 per Bed inspected
(e) 1 and 2 Family Dwellings	[\$75.00] <u>\$100.00</u>
(f) Foster Care Homes	[\$75.00] <u>\$100.00</u>
(g) Alternative Living Units	[\$75.00] <u>\$125.00</u>
(h) Board and Care Home	\$120.00 per Building + \$2.50 per Bed inspected
(9) Mercantile:	
(a) Class A - Over 30,000 Sq. Ft.	\$300.00
(b) Class B - 3,000 to 30,000 Sq. Ft.	\$150.00
(c) Class C - Less than 3,000 Sq. Ft.	\$100.00
(10) Businesses per 3,000 Sq. Ft. or portion thereof Industrial or Storage	\$120.00
(a) Low or Ordinary Hazard Per 5,000 Sq. Ft. or portion thereof	\$120.00
(b) High Hazard Per 5,000 Sq. Ft. or portion thereof	\$200.00
(11) Manufactured Home Sites and Communities Per Facility	\$120.00 + \$2.50 per Site
(12) Campgrounds:	
(a) Vehicular Campgrounds Per Facility (campsite)	\$120.00 + \$2.50 per Site
(b) Campgrounds With sleeping accommodations per facility	\$180.00 + \$2.50 per Bed inspected
(c) Campgrounds Without sleeping accommodations per facility	\$120.00
(13) Outside Storage of Combustible Materials	\$60.00

Per Acre of scrap tire, lumber, mulch, tree stumps, etc.	
(14) Outside Storage of Flammable or Combustible Liquids or Gases, Drums and/or Tanks Per 5,000 Sq. Ft. or portion thereof	\$120.00
(15) Marinas and Piers:	
Marina, Pier, Bulkhead or portion thereof used for boat services	\$120.00 + \$1.50 per slip
(16) Fireworks Shoot:	
(a) Site Inspection and subsequent permit sign-off	[\$50.00] <u>\$75.00</u> per Site
(b) On-Site Inspector, per event ([\$50.00] <u>\$75.00</u> /hour, four-hour minimum)	[\$200.00] <u>\$300.00</u>
(17) Re-Inspection Fee: Applies if more than one re-inspection outlined above, with the exception of apartment buildings, is required to correct any previously identified fire code violation.	\$150.00
(18) Technical Assistance Fee:	\$75.00 per hour
(a) Charged for the expertise of any member of the Office of the Fire Marshal or Staff. (Fee calculation per hour or portion thereof, shall include travel, report writing, research, and witnessing tests).	\$35.00 flat fee (as applicable to Mobile Unit Food Facilities)
(b) Fee payment shall be required by certified check, money order or prior arrangement, and shall be collected immediately upon the completion of the inspection regardless of the results.	
(c) <u>Faulty or nuisance alarm inspections</u>	
	<u>\$150/hour</u>

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DIVISION 4. FIRE PREVENTION CODE.

Sec. 11-269. Use of certain cooking equipment adjacent to multifamily dwellings.

The use or storage of charcoal burning, other fuel-burning, or electric-cooking equipment outside of any multifamily dwelling shall be prohibited unless such cooking equipment is permanently installed at a fixed location at least thirty (30) feet from every part of the building,

including contiguous patios and balconies. The provisions of this Section shall not apply to townhouses, row houses, or other multifamily dwellings where all dwelling units are side by side and none are superimposed above another.

For purposes of fire safety, patios and balconies open to the exterior will be considered separate spaces from the dwelling unit, and cooking equipment as described above, flammables or combustibles stored will be subject to removal by management and/or the Office of the Fire Marshal.

Sec. 11-270. Use of charcoal-burning equipment in buildings.

In buildings, trailers and other confined areas, the use or storage of charcoal fire stoves or cooking appliances shall be prohibited, except where such appliance is provided with a U.L. or other nationally recognized approved system to vent gaseous combustion products directly to the outside.

Sec. 11-271. Use of portable heaters.

Portable heaters shall be designed with a tip-over shutoff function and located so that they cannot be easily overturned. The Fire Chief or authorized representative may prohibit use of portable heaters in occupancies or situations in which such use or operation would present danger to life or the property of others.

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Sec. 11-288. Operation of gasoline-powered equipment in certain structures.

(a) It shall be unlawful to store any motor vehicles or any other gasoline-powered equipment in any multifamily, hotel, motel, office, educational, family day care, assisted living, group home, board and care, or institutional occupancy, or any balcony attached thereto, except as follows:

- (1) In a garage constructed in accordance with Subtitle 4 of this County Code;
- (2) In a storage room, not containing other combustible materials, separated from other parts of the building by construction having a fire resistance rating of at least one (1) hour and communicating openings protected by approved self-closing fire doors and equipped with automatic fire extinguishing system.

(b) For purposes of fire safety, patios and balconies open to the exterior will be considered separate spaces from the dwelling unit, and motor vehicles or any other gasoline-powered equipment stored will be subject to removal by management and/or the Office of the Fire

1 Marshal.

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3 **Sec. 11-291. Inspection and test of fire protection systems, devices and equipment.**

4 (a) Acceptance test, generally. It shall be unlawful to occupy any building, structure, or
5 any portion thereof, until all required fire protection systems have been tested, accepted, and
6 approved by the appropriate fire official. Whenever it is likely that Fire/EMS Department
7 personnel may need to operate installed systems, the Fire/EMS Department will be trained
8 regarding these systems by the manufacturer's representative or installers.

9 (b) Expenses. Inspection and tests of fire protection systems, devices, and equipment shall
10 be conducted by and at the expense and risk of the owner or authorized representative.

11 (c) Notification to Public Safety Communications. When testing any fire protection
12 system, device, or equipment which is connected to a central supervisory station or directly to
13 the Fire/EMS Department, notification shall be given to Public Safety Communications at least
14 thirty (30) minutes prior to initiation of the test.

15 (d) Frequency. The test pipe at the top of all fire extinguishing systems so equipped shall
16 be operated at least once a year to determine that there is free flow at adequate pressure and that
17 the supervisory service, if any exists, is operating properly.

18 (e) Fire pumps. All fire pumps that automatically supply water to fire extinguishing
19 systems or standpipes shall be operated periodically and at least once every thirty (30) days to
20 assure that the fire pumps are operating properly.

21 (f) Fire alarm systems (manual-pull stations). All interior fire alarm systems within all
22 buildings shall be tested at least once every thirty (30) days. The use of the system for fire drill
23 purposes shall be accepted as a test of only those parts of the system actually used in the drill
24 procedure. Accurate logs shall be maintained on the premises indicating box number, location,
25 date, and type of device tested. Any defect, modification, or repair shall be logged, and the log
26 shall be available to the Fire Chief or authorized representative. Additionally, manual-pull
27 stations shall be tested annually.

28 (g) Fire alarms (automatically activated). Fire warning systems and all alarms which
29 monitor control valves and flow switches for fire protection and fire alarm equipment, and which
30 transmit a signal to a central supervisory station, must be tested at least once a year.

31 (1) Notification shall be given as required under Subsection (c) of this Section.

(2) The Fire Chief or authorized representative may require the water control valves servicing the fire protection system(s) to be secured in an open position regardless of the supervision of said system. The ability to disable the redundant locking system shall be limited to that of the owner or occupant.

(h) When required by other sections of this Code, the Life Safety Code, or other adopted referenced Fire Codes, specific occupancies shall be required to provide portable fire extinguishers. It shall be required that no portable fire extinguisher rated less than 2-A:10-B:C be allowed, and such portable fire extinguishers, when required, shall be inspected and maintained in accordance with NFPA 10.

(i) Fire safety devices. Special fire safety devices including automatic smoke venting equipment, emergency generators, and any other special fire safety equipment required to be installed in any building, structure, or premises, shall be tested by the owner or authorized representative as prescribed by the Fire Chief or authorized representative.

(j) Test records. A complete written record of all tests and inspections required under this Section, including servicing, repairs, or replacement of any portion of the system governed under this Section, shall be maintained on the premises by the owner or occupant in charge of said premises, and all such records shall be submitted to the Fire Chief or authorized representative when requested for inspection and evaluation.

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Sec. 11-292.01. Reckless endangerment.

Any person who recklessly engages in conduct, in violation of any provision of this Subtitle, that creates a substantial risk of death or serious physical injury to a group of [one hundred (100)] fifty (50) or more persons shall be subject to a civil fine of [Five Thousand Dollars (\$5,000)] Ten Thousand Dollars (\$10,000).

* * * * *

SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 28-262 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.

DIVISION 3. MISCELLANEOUS CIVIL VIOLATIONS.

SUBDIVISION 2. SPECIFIC CIVIL PENALTIES PRESCRIBED.

Sec. 28-262. Fire Code Violations.

(a) Any person who violates any of the following provisions of the County Code shall, upon citation issued pursuant to Subdivision 1, be deemed to have committed a civil violation and shall pay to the County a civil monetary fine in the amount prescribed by Subsection (b) of this Section:

Sections	11-103;
	11-107 through 11-109, inclusive;
	11-111 through 11-113, inclusive;
	11-156;
	11-159;
	11-203;
	11-206;
	11-207;
	11-254 through 11-281, inclusive;
	11-284 through 11-287, inclusive;
	11-289 through 11-292, inclusive; and
	11-292.01.

(1) Each separate day of violation that remains uncorrected is a distinct civil violation subject to an additional citation and fine in the amount prescribed by Subsection (b) of this Section.

(b) The civil monetary fine for each civil violation of the provisions enumerated in Subsection (a), except Section 11-292.01, shall be Two Hundred Fifty Dollars (\$250.00), except as provided in Subsection (c) of this Section and as provided in Section 11-277(c). The civil monetary fine for each civil violation of Section 11-292.01 shall be [Five Thousand Dollars (\$5,000.00)] Ten Thousand Dollars (\$10,000.00).

* * * * *

SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this

Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45) calendar days after it becomes law.

Adopted this 27th day of May, 2025.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:



Edward P. Burroughs III
Chair

ATTEST:



Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____

BY: _____

Tara H. Jackson
Acting County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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THE COUNTY EXECUTIVE HAVING FAILED TO RETURN THIS BILL WITH EITHER HER APPROVAL OR VETO WITHIN TEN (10) DAYS AFTER THE DATE OF ITS PRESENTATION TO HER, THIS BILL BECAME LAW ON JUNE 26, 2025.