

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 12-14

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| Introduced By: | Mayor Roy G. Hale, by request |
| Date Introduced: | May 22, 2012 |
| Public Hearing: | [July 24, 2012 |
| Amendments Adopted: | |
| Date Adopted: | July 24, 2012 |
| Date Effective: | August 8, 2012 |

1 **An Ordinance** concerning

2
3 **INTERNATIONAL FIRE CODE 2009**

4
5 **FOR** the purpose of adopting the International Fire Code 2009, with certain modifications, as
6 the fire code for the Town of La Plata; providing for the administration and enforcement
7 of that code; specifying penalties for violations; providing that the provisions of this
8 Ordinance are severable; and all matters generally related thereto.

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11
12 **BY** repealing and reenacting with amendments
13 Chapter 105 – FIRE PREVENTION
14 Sections 105-1 and 105-2
15 Code of the Town of La Plata
16 (1998 Edition and Supplements)

17
18 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA**
19 **PLATA,** That Sections 105-1 and 105-2 of the Code of the Town of La Plata (1998 Edition and
20 Supplements) be and they are hereby repealed and reenacted, with amendments, to read as
21 follows:

22
23 **Chapter 105 – FIRE PREVENTION**

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25 **105-1. Adoption of standards; copies on file.**

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27 Subject to the provisions of §105-2, there is hereby adopted by the Town of La Plata for
28 the purpose of establishing minimum standards governing the safeguarding of life and property
29 from fire and explosion hazards arising from the storage, handling or use of hazardous
30 substances, materials and devices, and from conditions hazardous to life or property in the
31 occupancy of buildings and premises in the town, a certain document entitled the International
32 Fire Code ((2006)) 2009, as published by International Code Council. Not less than one (1) copy
33 of the International Fire Code ((2006)) 2009 shall be kept on file in the office of the Town Clerk.
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35 **105-2 Modifications.**

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37 The International Fire Code ((2006)) 2009, as adopted by § 105-1, is modified as set forth
38 below:

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41 B. Sections ((102.6)) 102.7 and 102.4 on page ((1)) 2 are revised to read as follows:

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43 **((102.6)) 102.7 Referenced standards:** The standards referenced in this code and listed in
44 Chapter 45 shall be considered part of the requirements of this code to the prescribed
45 extent of each such reference, except to the extent that any of such standards have been
46 expressly modified in the Code of the Town of La Plata. In any situation where a provision
47 of this code conflicts with the provision of any such standard, or with the provision of any
48 other law, ordinance, code or regulation, the provision which establishes the higher
49 standard for the promotion and protection of the public health, safety and welfare shall
50 prevail, regardless which may have been enacted first, except that if a provision of this
51 code conflicts with the Maryland Accessibility Code as adopted by the Maryland
52 Department of Housing and Community Development, the Maryland Accessibility Code
53 shall prevail.

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55 **102.4 Application of building code:** The design and construction of new structures to
56 provide egress facilities, fire protection, and built-in fire protection equipment shall be
57 controlled by the "International Building Code ((2006)) 2009" and the "International
58 Residential Code For One-and Two-Family Dwellings ((2006)) 2009" as adopted by
59 Chapter 75 of the Code of the Town of La Plata. ((Any alterations, additions or changes in
60 structures required by this fire prevention code which are within the scope of such building
61 code shall be made in accordance therewith.)) Repairs, alterations and additions to
62 existing structures shall comply with the International Existing Building Code as adopted
63 by the Town.

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65 C. Delete in its entirety Section 103, Department of Fire Prevention, on page 2, and
66 substitute the following:

67
68 **Section 103**
69 **Code Official**

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71 **103.1 General.** This code shall be administered and enforced by the Code Official. The
72 Code Official shall be the ((Director)) MANAGER of Inspections of the Town, or such
73 other persons as the Town's Chief Executive Officer may designate.

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75 D. Section 105.1.1 on page ((3)) 4 is revised to read as follows:

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H. Section 105.6 on page ((5)) 6 is revised to read as follows:

* * *

I. Section 105.7 on page 9 is revised to read as follows:

105.7 Required construction permits. The code official may authorize the issuance of construction permits for the operations set forth in Sections 105.7.1 through ((105.7.13)) 105.7.14.

* * *

J. Sections 108.1 and 108.3 on page ((10)) 11 are deleted and new Section 108.1 is substituted, to read as follows:

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K. Section 109.2.3 on page ((11)) 12 is revised to read as follows:

* * *

L. Section 109.3 on page ((11)) 12 is revised to read as follows:

* * *

M. The definition of "Fire Code official" as contained in Section 202 on page 15 is revised to read as follows:

Fire Code official: The ((director of the department)) MANAGER of inspections of the Town, or such other person as the Town's Chief Executive Officer may designate. The Fire Code official also is referred to in this Code as the "Code Official."

* * *

P. New Chapter 46, Miscellaneous Provisions, is added after Chapter 45, to read as follows:

**CHAPTER 46
MISCELLANEOUS PROVISIONS
SECTION 4600 GENERAL**

((4600.1)) 4800.1 Restricted locations (storage).

((4600.1.1)) 4800.1.1 Class I liquids: The storage of Class I liquids in aboveground tanks outside of buildings is prohibited within the entire corporate limits of the Town of La

121 Plata, except that this prohibition shall not apply to Class I liquids in aboveground tanks
122 for the sole purpose of private storage of heating fuel for private residences.
123 **((4600.1.2)) 4800.1.2 Bulk plants:** No new bulk plants shall be constructed within the
124 entire corporate limits of the Town of La Plata, except that this prohibition shall not apply
125 to bulk plants in industrial zoned districts which permit such bulk plants.
126 **((4600.2)) 4800.2 Vehicle routing:** Vehicles transporting hazardous chemicals shall be
127 routed to avoid congested traffic and densely populated areas. Such vehicles transporting
128 hazardous chemicals shall use U.S. Highway Route 301, Maryland Highway Route 225,
129 Maryland Highway Route 6 or such other routes as shall be established from time to time
130 by the code official.
131 **((4600.3)) 4800.3 Location of containers:** Bulk storage of liquefied petroleum gas is
132 hereby restricted within the entire corporate limits of the Town of La Plata to industrial
133 zoned districts which permit such bulk storage. This provision shall not apply to existing
134 lawful storage.
135 **((4600.4)) 4800.4 Fire lanes.**
136 **((4600.4.1)) 4800.4.1 Establishment of fire lanes:** The Chief Executive Officer shall
137 establish and cause to be marked fire lanes, from time to time, as he deems necessary,
138 upon recommendation by the code official and the Chief of the La Plata Volunteer Fire
139 Department.
140 **((4600.4.2)) 4800.4.2 Obstruction of fire lanes:** Any snow, debris, construction material
141 or other matter which is placed in such a manner as to obstruct or interfere with the
142 connection of a hose to a fire hydrant shall be deemed placed in violation of this section.
143 Any vehicle, on private property or otherwise, which is parked in such a manner as to
144 obstruct or interfere with the connection of a hose to a fire hydrant shall be deemed parked
145 in violation of this section.
146 **((4600.4.3)) 4800.4.3 Notice of violation:** Whenever any entrance or exit, sidewalk or fire
147 hydrant is obstructed by snow, debris, construction material, vehicles or other matter likely
148 to interfere with the ingress or the operation of fire apparatus or other emergency vehicles
149 in case of fire, the code official may order the obstruction removed.
150 **((4600.4.4)) 4800.4.4 Failure to correct violations:** If the order to remove the obstruction
151 of the fire lanes is not complied with promptly, the code official, with the approval of the
152 Town's Chief Executive Officer, may request the legal counsel of the Town to institute the
153 appropriate proceeding at law or in equity to restrain, correct or abate such violation. If the
154 obstruction is a motor vehicle, and if the motor vehicle presents an actual impediment to
155 the ingress, egress, or other operation of fire apparatus or other emergency vehicles, the
156 code official may order the vehicle towed away and stored at the owner's expense.
157 **((4600.5)) 4800.5 Authority at fires and other emergencies:** The person in charge at the
158 scene of a fire or other emergency involving the protection of life and/or property is
159 empowered to direct such operations as may be necessary to extinguish or control any
160 suspected or reported fires, gas leaks or other hazardous conditions or situations or to take
161 any other action necessary in the reasonable performance of his duty. The person in charge
162 at the scene may prohibit any person, vehicle or object from approaching the scene and
163 may remove or cause to be removed from the scene any person, vehicle or object which

164 may impede or interfere with the fire suppression or other emergency operations. The
165 person in charge at the scene may remove or cause to be removed any person, vehicle or
166 object from hazardous areas. All persons ordered to leave a hazardous area shall do so
167 immediately and shall not re-enter the area until authorized to do so.

168 **((4600.6)) 4800.6 Interference with emergency operations:** It shall be unlawful to
169 interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the
170 mobility of or block the path of travel of any fire apparatus or other emergency vehicle in
171 any way or to interfere with, attempt to interfere with, conspire to interfere with, obstruct
172 or hamper any fire suppression or other emergency operation.

173 **((4600.7)) 4800.7 Compliance with orders:** A person shall not willfully fail or refuse to
174 comply with any lawful order or direction of fire or law enforcement officials at the scene
175 of a fire or other emergency operation or interfere with the compliance attempts of another
176 individual.

177 **((4600.8)) 4800.8 Unlawful boarding or tampering with fire emergency equipment:** A
178 person shall not, without proper authorization from the person in charge of fire emergency
179 equipment, cling to, attach himself to, climb upon or into, board or swing upon any such
180 fire emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn,
181 bell or other sound producing device thereon, or manipulate or tamper with or attempt to
182 manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or
183 any equipment or protective clothing on or a part of any fire emergency vehicle.

184 **((4600.9)) 4800.9 Damage or injury to fire equipment personnel:** It shall be unlawful
185 for any person to damage or deface or attempt to conspire to damage or deface any fire
186 emergency vehicle at any time or to injure or attempt to injure or conspire to injure fire
187 personnel while performing official duties.

188 **((4600.10)) 4800.10 Sale of defective fire extinguishers:** A person shall not sell, trade,
189 loan or give away any form, type of kind of fire extinguisher which is not approved by the
190 State Fire Marshall or which is not in proper working order or the contents of which do not
191 meet the requirements of the State Fire Marshall. The requirements of this section shall not
192 apply to the sale, trade or exchange of obsolete or damaged equipment for junk when said
193 units are permanently marked with permanent sign identifying the unit as junk.

194 **((4600.11)) 4800.11 Hydrant use approval:** A person shall not use or operate any fire
195 hydrant intended for use for fire suppression purposes unless such person first secures a
196 permit for such use from the code official. This section shall not apply to the use of such
197 hydrants by a person employed by, and authorized to make such use by the Town.

198 **((4600.12)) 4800.13 Maintenance of fire suppression equipment:** A person shall not
199 obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance
200 required to be installed or maintained under any provision of this code except for the
201 purpose of extinguishing a fire, training or testing purposes, recharging or making
202 necessary repairs or when permitted by the code official. Whenever a fire appliance is
203 removed as herein permitted, it shall be replaced or re-installed as soon as the purpose for
204 which it was removed has been accomplished. Defective and non-approved fire appliances
205 or equipment shall be replaced or repaired as directed by the code official.

206 **((4600.13)) 4800.14 Street obstructions:** A person or persons shall not erect, construct,

207 place, or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or
208 any other type of obstruction in or on any street within the boundaries of the Town. The
209 word street as used in this section means any roadway accessible to the public for
210 vehicular traffic, including, but not limited to, private streets or access lanes, as well as all
211 public streets and highways within the boundaries of the Town.

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213 **SECTION 2. AND BE IT FURTHER ENACTED,** That if any provision of this Ordinance, or
214 the application thereof to any person or circumstance is held invalid for any reason, such invalidity
215 shall not affect the other provisions or any other application of this Ordinance which can be given
216 effect without the invalid provisions or application, and to this end, all the provisions of this
217 Ordinance are hereby declared to be severable.

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219 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Ordinance shall become
220 effective at the expiration of fifteen (15) calendar days after its approval by the Council.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale
Roy G. Hale, Mayor

R. Wayne Winkler
R. Wayne Winkler, Councilman

C. Keith Back
C. Keith Back, Councilman

Paretta D. Mudd
Paretta D. Mudd, Councilwoman

ATTEST:

Danielle Mandley
Danielle Mandley, Town Clerk
Date 7/24/12

Absent
Joseph W. Norris, Councilman

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.
* * * indicates existing law not depicted in bill and not being altered by bill
Underlining indicates amendments to bill.
Strike-Out indicates matter stricken from bill by amendment or deleted from the law by amendment.