

Resolution No.: 20-1041
Introduced: February 24, 2026
Adopted: February 24, 2026

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Council President at the Request of the County Executive

SUBJECT: Approval of Executive Regulation 21-25, Emergency Safety Plans for Multifamily Apartment Buildings

Background

1. On November 25, 2025, the County Council received Executive Regulation (ER) 21-25, Emergency Safety Plans for Multifamily Apartment Buildings.
2. Bill 7-24, as approved by the County Council on July 16, 2024, requires the Department of Permitting Services (DPS) to develop regulations to implement the procedures for submittal, review and approval of emergency safety plans.
3. ER 21-25 requires that an emergency safety plan and other building fire protection information must be included in the lease by the landlord. The regulation creates COMCOR No. 22.74.00 to establish procedures for landlords to create and maintain emergency plans, submit emergency plans for review and approval to DPS and, where appropriate, create and maintain emergency safety plan addendums based on call service data from Montgomery County Fire and Rescue.
4. ER 21-25 establishes a fee of \$95 for each review and re-review of emergency safety plans. Fees must be paid in full before the approval of an annual Fire Code Compliance (FCC) permit. The fee takes effect upon approval of this regulation.
5. ER 21-25 was advertised in the August 2025 County Register for a 30-day comment period. The Executive received nine comments during the advertising period.
6. The Council must review the regulation under Method (2) of Section 2A-15 of the County Code.
7. Under Method (2), the Council within 60 days of receipt. If the Council approves the regulation, the regulation takes effect upon adoption of the resolution approving it or on a later date specified in the regulation. If the Council does not approve or disapprove the

proposed regulation within 60 days after receiving it, or by any later deadline set by resolution, the regulation is automatically approved.

8. At the request of the Planning, Housing, and Parks (PHP) Chair, this regulation was reviewed at Committee. The PHP Committee voted unanimously to recommend approval of the regulation.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

Executive Regulation 21-25, Emergency Safety Plans for Multifamily Apartment Buildings.

This is a correct copy of Council action.



Sara R. Tenenbaum
Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Emergency Safety Plans for Multifamily Apartment Buildings	Number: 21-25
Originating Department: Department of Permitting Services	Effective Date:

Montgomery County Regulations on:

EMERGENCY SAFETY PLANS FOR MULTIFAMILY APARTMENT BUILDINGS

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive

Regulation No: 21-25

COMCOR No: 22.74.00

Authority: Montgomery County Code Section 22-74

Supersedes: n/a

Council Review: Method (2) under Code Section 2A-15

Register Vol. 42 , Issue 8

Comment Deadline: August 29, 2025

Effective date:

Sunset date: None

SUMMARY: This Regulation provides the requirements for submitting emergency safety plans in accordance with the Montgomery County Code Sections 29-27(z), 29-30(a)(13), and 22-74. This Regulation establishes the procedures for submitting emergency safety plans to the Department of Permitting Services for review, approval, and associated fees.

ADDRESSES: Department of Permitting Services
2425 Reddie Dr, 7th Floor
Wheaton, Maryland, 20902

STAFF CONTACT: Pastora Warnick, Fire Marshal, Manager Fire Code Compliance
Department of Permitting Services
240-773-8906

BACKGROUND INFORMATION: In 2024, Montgomery County passed legislation (Bill No. 7-24) amending Montgomery Fire Code Section 22-74 requiring landlords to create and maintain emergency safety plans for multifamily rental buildings. This legislation requires the Department of Permitting Services (DPS) to develop



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Method 2 executive regulations to implement the procedures for submittal, review and approval of emergency safety plans. The emergency safety plan and other building fire protection information must be included in the lease by the landlord. This executive regulation creates COMCOR No. 22.74.00 to establish procedures for landlords to create and maintain emergency plans, submit emergency plans for review and approval to DPS, and, where appropriate, create and maintain emergency safety plan addendums based on call service data from Montgomery County Fire and Rescue.

COMCOR 22.74.00 Fire Safety Instructions – Emergency Safety Plan

22.74.00.01 Fire Safety Instructions. Emergency safety plans for multifamily rental buildings are required to be prepared by apartment building owners, or their designee, and submitted to the Department of Permitting Services for review and approval.

22.74.00.02 Definitions.

For purposes of this Section:

Department means the Department of Permitting Services.

Director means the Director of the Department or the Director's designee.

Emergency safety plan means an action plan approved by the Department in accordance with this Section.

Multifamily Apartment Building or Multifamily Dwelling means a building that contains three or more dwelling units that are tenant-occupied or intended to be tenant-occupied.

Condominium means a building where residential dwelling units are individually owned and may be owner- or tenant-occupied.

22.74.00.03 Emergency Safety Plan - Requirements.

- (a) Each landlord of a multifamily dwelling must submit a proposed emergency safety plan on a form prescribed by the Director. Condominiums are not required to submit emergency safety plans but may submit them for review and approval.



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(b) A landlord is required to update the contents of the plan and obtain a new approval from the Department to remain in compliance with this Section every three years, or when the contents change, whichever is sooner. Changes to the plan must be submitted to the Department for review within 14 calendar days of any changes to the plan's scope and contents.

22.74.00.04 *Scope and Contents of the Plan.* The emergency safety plan must, at a minimum, include:

- (a) an evacuation map;
- (b) the location of fire extinguishers;
- (c) the type of fire alarm system installed;
- (d) a point of contact or the type of communication that will be used by the landlord during and after the emergency;
- (e) details regarding alternate housing when a tenant is displaced due to the building emergency; and
- (f) fire protection system impairment procedures.

22.74.00.05 *Procedures for Submittal.*

- (a) Emergency safety plans must be submitted as a required document for review and approval as part of the building's Fire Code Compliance Permit in accordance with Section 22-10 beginning September 1, 2025.
- (b) The emergency safety plan must comply with the emergency safety plan form and best practices documents developed by the Department.
- (c) Emergency safety plans must be submitted and maintained electronically.

22.74.00.06 *Plan Review.*

- (a) The Department is authorized to review and evaluate each emergency safety plan submitted by a landlord of a multifamily rental building in accordance with Sec. 22-74



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of the County Code. The Department will either approve or deny each emergency safety plan.

- (b) Plans will be reviewed and evaluated by the Department based on the completeness and compliance with the emergency safety plan form, which includes context pertinent to the evacuation plan of the physical building, activities surrounding evacuation such as emergency services notification and relocation of occupants, and any provisions taken based on the capabilities of occupants that may have additional needs.
- (c) An emergency safety plan will only be approved if the Department finds that the contents of the plan are satisfactory to maintain the health, safety, and welfare of all tenants and individuals properly on the premises of multifamily rental housing.

22.74.00.07 *Increased Calls for Service – Plan Addendum Required.*

- (a) If a multifamily apartment building has ten or more calls for service for fire-related emergencies within a 12-month period, the Director will require the property owner to submit an addendum to the emergency safety plan.
- (b) Fire-related emergency service calls include activation of the building automatic fire alarm sent to a listed central station reported to the fire department, activation of the automatic sprinkler system including dry-system activations, and public calls to 9-1-1 indicating an observed fire emergency.
- (c) The plan addendum must be submitted on the emergency safety plan addendum template, available from the Department.
- (d) Addendums may be discontinued at the discretion of the Director based on a sustained reduction in calls for service to the affected building for a period of at least 12 months.

22.74.00.08 *Plan Addendum Contents.*

A plan addendum must include, at minimum,:

- (a) efforts to hire security guards or additional building personnel if the building is experiencing malicious alarms;



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- (b) repair or replace faulty alarm systems:
 - (1) if the fire alarm system cannot be repaired, it must be replaced;
 - (2) if more than five nuisance calls occur in a 12-month period, following unsuccessful efforts to repair the fire alarm system, the fire alarm system must be replaced; and
 - (3) if the fire alarm system is impaired for greater than 60 days, the fire alarm must be replaced;
- (c) facilitate opportunities for the County to provide outreach and educational resources to residents regarding fire safety;
- (d) contract with a vendor to provide outreach and educational resources to residents regarding fire safety and prevention of false alarms; or
- (e) other fire alarm reduction strategies as determined by the Director, in consultation with MCFRS.

22.74.00.09 Fees.

- (a) The Department may charge a fee for the review or re-review of the emergency safety plan or the addendum.
- (b) The charge for review or re-review of emergency safety plans and addendums is \$95 per review. Fees must be paid in full prior to the approval of the annual Fire Code Compliance permit.
- (c) The Department must calculate and charge an enterprise fund stabilization factor (EFSF) in accordance with COMCOR 22.00.03.08.

22.74.00.10 Enforcement and Penalties.

- (a) The Department may issue a Notice of Violation (NOV) to the landlord for:
 - (1) failure to submit emergency action plans within 30 days for review and approval to the Department after being notified by the Department;



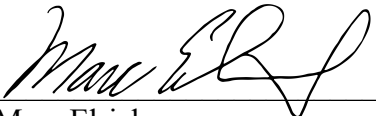
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- (2) failure to re-submit plans or addendums requiring corrections or modifications within 30 days as required by the Director;
 - (3) failure to submit an addendum within 60 days of notice by the Department;
 - (4) failure to pay fees associated with the review or re-review of emergency safety plans and addendums; or
 - (5) failure to maintain an approved emergency safety plan, including submittal for re-review by the Department every three years.
- (b) If the NOV is not resolved within 30 days of issuance by the Department, a civil citation may be issued by the Director, or the Director’s designee, to the landlord or the landlord’s designee for every 30 days of non-compliance.
- (c) Failure to pay required review fees prior to the expiration date of the Fire Code Compliance permit may result in the civil citation being sent the Montgomery County Attorney’s Office Debt Collection Unit.

Approved:



 Marc Elrich,
 County Executive

November 25, 2025

 Date

APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY



 Assistant County Attorney

09/24/2025

 Date



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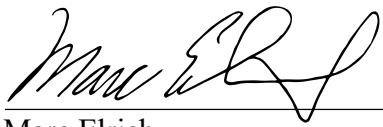
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Approved:



 Marc Elrich,
 County Executive

November 25, 2025

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APPROVED AS TO FORM AND LEGALITY
OFFICE OF THE COUNTY ATTORNEY



 Assistant County Attorney

09/24/2025

 Date