

M E M O R A N D U M

April 13, 2018

TO: County Council

FROM: Jeffrey L. Zyontz, Senior Legislative Analyst
Amanda Mihill, Legislative Attorney *AMihill*

SUBJECT: Expedited Bill 4-18, Transient Housing – Carbon Monoxide Detector

PURPOSE: Action on Bill – Roll call vote required

Expedited Bill 4-18, Transient Housing – Carbon Monoxide Detector, sponsored by Lead Sponsor Councilmember Floreen, was introduced on March 6. A public hearing was held on April 3 at which there were no speakers.

Bill 4-18 would replace the requirement for a carbon dioxide detector in a short-term residential dwelling with a requirement for a carbon monoxide detector.

Carbon monoxide (CO) and carbon dioxide (CO₂) are often confused. The names sound similar, they both are colorless and odorless gases, and at high concentrations, both can be deadly. The difference is that CO₂ is a common, naturally occurring gas required for all plant and animal life. CO is not common. It is most often a byproduct of the oxygen-starved combustion of fuel.

Carbon monoxide gas is a poisonous gas. Exposure to more than 1,000 parts per million of the gas for just a few hours can cause death. On the other hand, exposure to the same concentration of carbon dioxide would not cause death.

Council Staff recommendation: enact Expedited Bill 4-18.

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Expedited Bill No. 4-18
Concerning: Transient Housing – Carbon
Monoxide Detector
Revised: 1/30/18 Draft No. 1
Introduced: March 6, 2018
Expires: September 6, 2019
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Floreen

AN EXPEDITED ACT to:

- (1) amend the type of gas detectors required to issue a bed and breakfast and short-term residential license; and
- (2) generally amend the law governing gas detectors.

By amending

Montgomery County Code
Chapter 54, Transient Lodging Facilities
Sections 54-43

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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

Sec. 1. Sections 54-43 is amended as follows:

54-43. Certification for a License.

An application for a bed and breakfast license or short-term residential rental or a license renewal for either use must be signed by the applicant and include the State Sales Tax and Use Registration number. The applicant must certify that:

- (a) the building in which the bed and breakfast or short-term residential rental is located complies with all applicable zoning standards under Chapter 59 of this Code;
- (b) the total number of overnight guests in the short-term residential rental who are 18 years or older is limited to 6, and the total number of overnight guests over 18 years of age per bedroom is limited to 2;
- (c) only habitable rooms will be used by guests;
- (d) smoke detectors in all units and carbon [dioxide] monoxide detectors in all units using natural gas operate as designed;

* * *

Sec. 2. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on July 1, 2018.

LEGISLATIVE REQUEST REPORT

Expedited Bill 4-18

Transient Housing – Carbon Monoxide Detector

DESCRIPTION:	Expedited Bill 4-18 would replace the requirement for a carbon dioxide detector in a short-term residential dwelling with a requirement for a carbon monoxide detector.
PROBLEM:	Carbon monoxide gas is a poisonous gas. Exposure to more than 1,000 parts per million of the gas for just a few hours can cause death. Exposure to the same concentration of carbon dioxide would not cause death.
GOALS AND OBJECTIVES:	To require a carbon monoxide detector in dwellings licensed for short term residential rentals.
COORDINATION:	The Department of Health and Human Services
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Jeff Zyontz, Senior Legislative Analyst, 240-777-7896
APPLICATION WITHIN MUNICIPALITIES:	To be researched.
PENALTIES:	N/A



ROCKVILLE, MARYLAND

MEMORANDUM

March 29, 2018

TO: Hans Riemer, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget *mcBrygh*
Alexandre A. Espinosa, Director, Department of Finance *He*

SUBJECT: FEIS for Bill 4-18E - Transient Housing - Carbon Monoxide Detector

Please find attached the fiscal and economic impact statements for the above-referenced legislation.

JAH:fz

cc: Bonnie Kirkland, Assistant Chief Administrative Officer
Lisa Austin, Offices of the County Executive
Joy Nurmi, Special Assistant to the County Executive
Patrick Lacefield, Director, Public Information Office
David Platt, Department of Finance
Dennis Hetman, Department of Finance
Joshua Watters, Office of Management and Budget
Felicia Zhang, Office of Management and Budget

Fiscal Impact Statement
Expedited Bill 4-18
Transient Housing – Carbon Monoxide Detector

1. Legislative Summary

Expedited Bill 4-18 makes a technical correction to the provision of law related to the regulation and licensing of short-term residential rental units and bed and breakfast establishments. The bill specifies that certain units must have carbon monoxide detectors rather than carbon dioxide detectors.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

No changes in revenues or expenditures are expected, as the bill's provisions would not affect existing licensing and inspection processes.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

Not applicable. See #2.

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

Not applicable.

5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.

No additional expenditures related to County's information technology systems are expected.

6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

Not applicable. Bill 4-18 does not authorize future spending.

7. An estimate of the staff time needed to implement the bill.

No additional staff time is needed to implement the bill's provisions.

8. An explanation of how the addition of new staff responsibilities would affect other duties.

No new staff responsibilities are required to implement the bill's provisions.

9. An estimate of costs when an additional appropriation is needed.

Not applicable.

10. A description of any variable that could affect revenue and cost estimates.

Not applicable.

11. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not applicable.

12. If a bill is likely to have no fiscal impact, why that is the case.

The bill's provisions would not affect existing licensing and inspection processes.

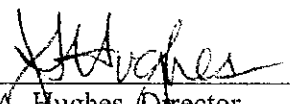
13. Other fiscal impacts or comments.

Not applicable.

14. The following contributed to and concurred with this analysis:

Clark Beil, Senior Administrator, Licensure and Regulatory Services, DHHS

Joshua Watters, Lead Fiscal and Policy Analyst, OMB



Jennifer A. Hughes, Director
Office of Management and Budget

3/22/18
Date

Economic Impact Statement
Bill 4-18E, Transient Housing -- Carbon Monoxide Detector

Background:

Bill 4-18E would replace the requirement for a carbon dioxide detector in a short-term residential dwelling with a requirement for a carbon monoxide detector.

1. The sources of information, assumptions, and methodologies used.

There were no sources of information, assumptions, or needed methodologies in the formulation of this economic impact statement.

2. A description of any variable that could affect the economic impact estimates.

Expedited Bill 4-18E makes a technical correction to the provision of law related to the regulation and licensing of short-term rental units and bed and breakfast establishments. As noted in the fiscal impact statement for the bill, there will be no change in County revenues, expenditures, or staff time as the bill's provisions would not alter the existing licensing and inspection processes.

3. The Bill's positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.

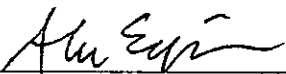
The bill will have no impact on employment, spending, savings, investment, incomes, and property values in the County.

4. If a Bill is likely to have no economic impact, why is that the case?

See number 2.

5. The following contributed to or concurred with this analysis:

David Platt, Dennis Hetman, and Robert Hagedoorn, Finance.



Alexandre A. Espinosa, Director
Department of Finance

3/23/2018

Date