

Bill No. 23-18
Concerning: Fire Safety – Carbon Monoxide Alarm
Revised: 9/24/2018 Draft No. 4
Introduced: June 19, 2018
Enacted: October 2, 2018
Executive: _____
Effective: July 1, 2019
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Rice
Co-Sponsor: Councilmember Elrich

AN ACT to:

- (1) require the owners of certain dwelling units to install and maintain a carbon monoxide alarm or detector; and
- (2) generally amend County [[fire safety]] laws related to housing and building maintenance standards.

By adding

Montgomery County Code
Chapter [[22, Fire Safety Code]] 26, Housing and Building Maintenance Standards
Section [[22-99]] 26-8A

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

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

1 **Sec. 1. Section ~~[[22-99]] 26-8A~~ is added as follows:**

2 ~~[[22-99]] 26-8A. **Carbon monoxide alarm or detector required.**~~

3 ~~(a) Applicability. The provisions of this Section apply to any occupied~~
 4 ~~single-unit, two-unit, and townhouse unit, as defined in Chapter 59, for~~
 5 ~~which a building permit was issued before January 1, 2008.~~

6 ~~(b) Required.~~

7 ~~(1) The owner of each occupied single-unit, two-unit, and townhouse~~
 8 ~~dwelling unit containing a fuel burning appliance or attached~~
 9 ~~garage must install ~~[[a]] carbon monoxide ~~[[alarm in a central~~~~~~
 10 ~~location outside of each sleeping area within a dwelling~~
 11 ~~containing a fuel burning appliance]] detection and warning~~
 12 ~~equipment.~~

13 ~~(2) Carbon monoxide alarms or detectors must be installed as~~
 14 ~~follows:~~

15 ~~(A) outside of each separate dwelling unit sleeping area and in~~
 16 ~~the immediate vicinity of the bedrooms; and~~

17 ~~(B) on every occupiable level of a dwelling unit, including~~
 18 ~~basements, excluding attics and crawl spaces.~~

19 ~~(3) A carbon monoxide alarm or detector must:~~

20 ~~(A) ~~[[comply with Underwriters Laboratories standard 2034]]~~~~
 21 ~~be located on the wall, ceiling, or other location as~~
 22 ~~specified in the manufacturer's published instructions that~~
 23 ~~accompany the unit; and~~

24 ~~(B) be installed and maintained under NFPA 720 ~~[[and the~~~~
 25 ~~manufacturer's instructions]].~~

26 ~~[(b)]~~ (c) Equipment.

27 (1) Single station carbon monoxide alarms.

28 (A) A single station carbon monoxide alarm must be battery
29 operated or must receive its primary power from the
30 building wiring system.

31 (B) A plug-in device may satisfy this requirement if it is
32 securely fastened to the structure and installed as directed
33 by the manufacturer's installation instructions.

34 (C) A hard wired or plug-in carbon monoxide alarm must be
35 equipped with battery back-up.

36 (2) Combination smoke detector/carbon monoxide alarms.

37 (A) A carbon monoxide alarm may be combined with a smoke
38 detector if the device complies with this Section, Section
39 22-96, and applicable State law.

40 (B) A combination smoke detector/carbon monoxide alarm
41 must receive its primary power from the building wiring
42 when that wiring is served from a commercial source, and
43 when primary power is interrupted, must receive power
44 from a battery.

45 (C) A combination smoke detector/carbon monoxide alarm
46 must have permanent wiring. The only disconnecting
47 switch allowed is that which is required for over-current
48 protection. Smoke alarm features of a combination smoke
49 detector/carbon monoxide alarm must be interconnected.

50 ~~[(c)]~~ (d) Exceptions. A dwelling unit that does not itself contain a fuel-
51 burning appliance or have an attached garage, but is located in a

52 building with a fuel-burning appliance or an attached garage, does not
 53 need to be equipped with a carbon monoxide alarm if:

54 (1) the sleeping unit or dwelling unit is located more than one story
 55 above or below any story which contains a fuel-burning
 56 appliance or attached garage;

57 (2) the sleeping unit or dwelling unit is not connected by ductwork or
 58 ventilation shafts to any room containing a fuel-burning
 59 appliance or to an attached garage; and

60 (3) the building is equipped with a common area carbon monoxide
 61 alarm system, which includes carbon monoxide detectors and
 62 audible notification appliances, installed and maintained in a
 63 manner that satisfies this Section and NFPA 720.

64 ~~[(d)]~~ (e) Orders to install; penalty.

65 (1) If [the State Fire Marshal or local investigating authority] an
 66 enforcing agency finds that a dwelling unit does not have a
 67 carbon monoxide detector as required under this Section, the
 68 [State Fire Marshal or local investigating authority] enforcing
 69 agency must order the owner to install a carbon monoxide alarm
 70 or detector [within 15 days of the date of the order] under
 71 Section 26-12.

72 (2) Notwithstanding Section [22-22] 26-16, a violation of this
 73 Section is a Class C violation.

74 **Sec. 2. Effective Date.**

75 Section [22-99] 26-8A, as added by Section 1 of this Act, takes effect on July
 76 1, 2019.

Approved:



Hans Riemer, President, County Council

Date

Approved:

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.

Megan Davey Limarzi, Esq., Clerk of the Council

Date