

**MEMORANDUM**

July 6, 2018

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *AM*

SUBJECT: Bill 23-18, Fire Safety – Carbon Monoxide Alarm

PURPOSE: Public Hearing – no Council votes required

Bill 23-18, Fire Safety – Carbon Monoxide Alarm, sponsored by Lead Sponsor Councilmember Rice and Co-Sponsor Councilmember Elrich, was introduced on June 19, 2018. A Public Safety Committee worksession is tentatively scheduled for September 24.

Bill 23-18 would require the owners of a single-unit, two-unit, and townhouse dwelling unit to install and maintain a carbon monoxide alarm.

This packet contains:	<u>Circle #</u>
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Bill No. 23-18  
Concerning: Fire Safety – Carbon  
Monoxide Alarm  
Revised: 6/11/2018 Draft No. 3  
Introduced: June 19, 2018  
Expires: December 19, 2019  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Councilmember Rice

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**AN ACT** to:

- (1) require the owners of certain dwelling units to install and maintain a carbon monoxide alarm; and
- (2) generally amend County fire safety laws.

By adding

Montgomery County Code  
Chapter 22, Fire Safety Code  
Section 22-99

<b>Boldface</b>	<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 Ac*

1           **Sec. 1. Section 22-99 is added as follows:**

2    **22-99. Carbon monoxide alarm required.**

3           **(a) Required.**

4           (1)   The owner of each occupied single-unit, two-unit, and townhouse  
5               dwelling unit must install a carbon monoxide alarm in a central  
6               location outside of each sleeping area within a dwelling  
7               containing a fuel burning appliance.

8           (2)   A carbon monoxide alarm must:

9               (A)   comply with Underwriters Laboratories standard 2034; and

10              (B)   be installed and maintained under NFPA 720 and the  
11               manufacturer's instructions.

12           **(b) Equipment.**

13           (1)   Single station carbon monoxide alarms.

14               (A)   A single station carbon monoxide alarm must be battery  
15               operated or must receive its primary power from the  
16               building wiring system.

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

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

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

23               (A)   A carbon monoxide alarm may be combined with a smoke  
24               detector if the device complies with this Section, Section  
25               22-96, and applicable State law.

26               (B)   A combination smoke detector/carbon monoxide alarm  
27               must receive its primary power from the building wiring

28 when that wiring is served from a commercial source, and  
29 when primary power is interrupted, must receive power  
30 from a battery.

31 (C) A combination smoke detector/carbon monoxide alarm  
32 must have permanent wiring. The only disconnecting  
33 switch allowed is that which is required for over-current  
34 protection. Smoke alarm features of a combination smoke  
35 detector/carbon monoxide alarm must be interconnected.

36 (c) Exceptions. A dwelling unit that does not itself contain a fuel-burning  
37 appliance or have an attached garage, but is located in a building with a  
38 fuel-burning appliance or an attached garage, does not need to be  
39 equipped with a carbon monoxide alarm if:

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

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

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

50 (d) Orders to install; penalty.

51 (1) If the State Fire Marshal or local investigating authority finds that  
52 a dwelling unit does not have a carbon monoxide detector as  
53 required under this Section, the State Fire Marshal or local

54 investigating authority must order the owner to install a carbon  
55 monoxide alarm within 15 days of the date of the order.

56 (2) Notwithstanding Section 22-22, a violation of this Section is a  
57 Class C violation.

58 **Sec. 2. Effective Date.**

59 Section 22-99, as added by Section 1 of this Act, takes effect on July 1, 2019.

60 *Approved:*

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Hans Riemer, President, County Council Date

62 *Approved:*

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Isiah Leggett, County Executive Date

64 *This is a correct copy of Council action.*

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Megan Davey Limarzi, Esq., Clerk of the Council Date

## LEGISLATIVE REQUEST REPORT

Bill 23-18

### *Fire Safety – Carbon Monoxide Alarm*

**DESCRIPTION:** Bill 23-18 would require the owners of certain dwelling units to install and maintain a carbon monoxide alarm.

**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.

**GOALS AND OBJECTIVES:** To ensure that certain homes have a carbon monoxide alarm.

**COORDINATION:** Fire and Rescue Services

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Amanda Mihill, Legislative Attorney, 240-777-7815

**APPLICATION WITHIN MUNICIPALITIES:** To be researched.

**PENALTIES:** Class C violation