

Ordinance No. 881

**An Ordinance Concerning
Interior Automatic Fire Sprinkler Systems in New Residential
Construction**

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND THE PROVISIONS OF ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND (WEST 2002 & 2006 SUPPLEMENT) AND AMENDMENTS THERETO, TITLED “CORPORATIONS-MUNICIPAL” AND SECTIONS 33 AND 34 OF THE CHARTER OF THE CITY OF HAVRE DE GRACE, FOR THE PURPOSE OF AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF HAVRE DE GRACE, BY AMENDING ORDINANCE NO. 861, PASSED BY THE MAYOR AND CITY COUNCIL ON SEPTEMBER 20, 2004, FOR THE PURPOSE OF ESTABLISHING AND CLARIFYING THE REQUIREMENTS FOR SPRINKLER SYSTEMS IN NEW RESIDENTIAL CONSTRUCTION WITHIN THE CORPORATE LIMITS OF THE CITY OF HAVRE DE GRACE, HARFORD COUNTY, MARYLAND.

WHEREAS, on September 20, 2004, the Mayor and City Council of Havre de Grace passed Ordinance No. 861, as Codified in Chapter 31 of the Code of the City of Havre de Grace, for the purpose of establishing the terms and conditions of certain Building Codes, Mechanical Codes, and Residential Codes, and the penalties for violations thereof.

WHEREAS, the Mayor and City Council of Havre de Grace finds that it is in the best interest, health and general welfare of the citizens of the City of Havre de Grace to amend Chapter 31 of the Code of the City of Havre de Grace and to amend the International Building Code for the purpose of establishing and clarifying the requirements for sprinkler systems in new residential construction within the City of Havre de Grace.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, The Mayor and City Council of Havre de Grace, in accordance with the authority vested in The Mayor and City Council of Havre de Grace by law and the Charter of the City of Havre de Grace, hereby amends Chapter 31 of the Code of the City of Havre de Grace and the International Building Code for the purpose of establishing and clarifying the requirements for the installation of sprinkler systems in new residential construction, by adding the following provisions as Article VI of Chapter 31 of the Code of the City of Havre de Grace.

Section 1.

Every new residence, including single-family, multi-family, and duplex dwellings, and modular homes, mobile homes, and trailers constructed within the City of Havre de Grace on an existing lot or proposed new subdivision, which has received preliminary plan approval for which a building permit has not been issued as of the effective date hereof, shall have an interior sprinkler system installed. The requirement for interior sprinkler systems shall not apply to the rebuilding, refurbishment, renovation, or alteration of a residence in existence as of the effective date hereof unless such existing structure is razed and replaced by a new principal structure.

2. For purposes of this chapter, placement or erection of modular homes, mobile homes, and trailers, on an existing lot or proposed new subdivision is considered new construction and the provisions of this chapter shall apply thereto. The only exception is for Modular Homes that are currently part of a Modular Home Seller's inventory. This would include the current inventory an individual, company or supplier of Modular Homes in the City physically has on hand at their place of business or for which orders have been placed by customers prior to the adoption of this Ordinance. It must be proven that the Modular Home was a part of their inventory prior to the adoption of this Ordinance as set forth herein.
3. The requirement for the installation of interior sprinkler systems shall not apply to accessory or uninhabitable structures, including by not limited to detached carports, garages, greenhouses, and sheds.
4. Interior automatic fire sprinkler systems shall be installed and maintained in all new residential construction in accordance with the most recent applicable version of Standard 13D, as promulgated by the National Fire Protection Association (NFPA), and as modified and adopted by the Maryland State Fire Marshal's Fire Prevention Code as amended from time to time.
5. Interior automatic fire sprinkler systems required pursuant to this chapter may be connected to the domestic water supply serving the residence, provided the domestic water supply is of adequate pressure, capacity, and sizing for the combined domestic and sprinkler system requirements, and proper back flow valves are installed.

Section 2. Except those provisions of Ordinance No. 861 and all prior resolutions and ordinances which may be inconsistent with this Ordinance, all such consistent provisions of Ordinance No. 861 and all prior ordinances and resolutions shall remain in full force and effect.

Section 3. This Ordinance is to be construed to be consistent with any and all State, County and Federal laws and regulations concerning the subject matter hereof. If any section, sentence, clause or phrase of this Ordinance is held invalid by any court of competent jurisdiction, then said ruling shall not affect the validity of the remaining portions.

BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect on September 18, 2006.

Introduced – August 7, 2006
Public Hearing – August 21, 2006
Adopted – September 18, 2006

ATTEST:

James Newby,
Director of Administration

John P. Correrri, Jr.
Mayor

Legislative History
Ordinance No. 861