

Introduced by: Councilmember Dorsey, *Young-Bullock, Tony, cover, middleman,*

Prepared by: Department of Legislative Reference

Date: June 4, 2018

*speed, clance  
Punkit  
sit stokes  
Bunoff*

Referred to: **JUDICIARY AND LEGISLATIVE INVESTIGATIONS** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 18-0259

A BILL ENTITLED

AN ORDINANCE concerning

**Fire Code – Repealing Appendix D**

FOR the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access Roads"}; and providing for a special effective date.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes  
Section 8-102 (FC §§ 101.2 and List of Appendices)  
Baltimore City Revised Code  
(2015 Edition)

*By Dorsey*  
*15/1/18*  
*John Bullard*  
*Man...*  
*Kob...*  
*Leg...*

**\*\*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

**Agencies**

_____	Baltimore City Public School System
_____	Baltimore Development Corporation
_____	City Solicitor
_____	Comptroller's Office
_____	Department of Audits
_____	Department of Finance
_____	Department of General Services
_____	Department of Housing and Community Development
_____	Department of Human Resources
_____	Department of Planning
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Department of Public Works
_____	Department of Real Estate
_____	Department of Recreation and Parks
_____	Department of Transportation
_____	Fire Department
_____	Health Department
_____	Mayor's Office of Employment Development
_____	Mayor's Office of Human Services
_____	Mayor's Office of Information Technology
_____	Office of the Mayor
_____	Police Department
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____

**Boards and Commissions**

_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____

CITY OF BALTIMORE  
ORDINANCE **18-177**  
Council Bill 18-0259

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Introduced by: Councilmember Dorsey, President Young, Councilmembers Bullock, Henry,  
Cohen, Middleton, Sneed, Clarke, Scott, Pinkett, Stokes, Burnett

Introduced and read first time: June 4, 2018

Assigned to: Judiciary and Legislative Investigations Committee

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Committee Report: Favorable with amendments

Council action: Adopted

Read second time: August 6, 2018

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AN ORDINANCE CONCERNING

1                   **Fire Code – ~~Repealing Appendix D~~ Fire Apparatus Access Roads**

2       FOR the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access  
3       Roads"}; requiring consideration of the National Association of City Transportation Officials  
4       (NACTO) Urban Street Design Guide for fire apparatus access roads; and providing for a  
5       special effective date.

6       BY repealing and reordaining, with amendments

7       Article - Building, Fire, and Related Codes

8       Section 8-102 (FC §§ 101.2 and List of Appendices and § 503.2.1)

9       Baltimore City Revised Code

10       (2015 Edition)

11       **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**  
12       Laws of Baltimore City read as follows:

13                                   **Baltimore City Revised Code**

14                                   **Article – Building, Fire, and Related Codes**

15                                   **Part VIII. International Fire Code**

16       **§ 8-102. City modifications.**

17       The additions, deletions, amendments, and other modifications adopted by the City are as  
18       follows:

19                                   **Chapter 1. Scope and Administration**

20       **Section 101 General**

21       **101.2 Scope. {As in IFC}**

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike-out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.

**Council Bill 18-0259**

1 **101.2.1 Appendices adopted.** The following appendices to the International Fire Code  
2 are adopted as part of this Code:

- 3 1. Appendix B: "Fire-Flow Requirements for Buildings".
- 4 [2. Appendix D: "Fire Apparatus Access Roads".]
- 5 2. [3.] Appendix E: "Hazard Categories".
- 6 3. [4.] Appendix F: "Hazard Ranking".
- 7 4. [5.] Appendix G: "Cryogenic Fluids – Weight and Volume Equivalents".
- 8 5. [6.] Appendix H: "Hazardous Materials Management Plan (HMMP) and  
9 Hazardous Materials Inventory Statement (HMIS)".

10 **101.2.2 Appendices not adopted.** The following appendices to the International Fire  
11 Code are not adopted as part of this Code:

- 12 1. Appendix A: "Board of Appeals".
- 13 2. Appendix C: "Fire Hydrant Locations and Distribution".
- 14 3. APPENDIX D: "FIRE APPARATUS ACCESS ROADS".
- 15 4. [3.] Appendix I: "Fire Protection Systems – Noncompliant Conditions".
- 16 5. [4.] Appendix J: "Building Information Signs".
- 17 6. [5.] Appendix K: "Construction Requirements for Existing Ambulatory  
18 Care Facilities".
- 19 7. [6.] Appendix L: "Requirements for Fire Fighter Air Replenishment Systems".
- 20 8. [7.] Appendix M: "High-Rise Buildings – Retroactive Automatic Sprinkler  
21 Requirement".

22 **Appendices**

23 ...

24 **APPENDIX D**  
25 **FIRE APPARATUS ACCESS ROADS**  
26 **{As in IFC} {NOT ADOPTED}**

27 ....

Council Bill 18-0259

Chapter 5. Fire Service Features

Sections 501 to 502 [504] {As in IFC}

Section 503 Fire Apparatus Access Roads

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire Apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

EXCEPTIONS: PUBLIC STREETS SHALL BE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF CITY TRANSPORTATION OFFICIALS (NACTO) URBAN STREET DESIGN GUIDE.

SECTION 504 {AS IN IFC}

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of AUG 06 2018

  
\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of AUG 06 2018

  
\_\_\_\_\_  
Chief Clerk


Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Pursuant to City Charter Article IV, Section 5(c), this bill became law on October 29, 2018, without the Mayor's Signature

\_\_\_\_\_  
Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 5th Day of August 2018

  
\_\_\_\_\_  
Chief Solicitor

dir18-0625(1)-3rd/13Jul18  
DIR # 18-0259-3rd/aa:nbr



1994-1995

1996-1997

1998-1999  
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Client Solutions

8-2-18

AMENDMENTS TO COUNCIL BILL 18-0259  
(1<sup>st</sup> Reader Copy)

By: Judiciary and Legislative Investigations Committee

Amendment No. 1

On page 1, in line 2, strike “Repealing Appendix D” and substitute “Fire Apparatus Access Roads”; in line 4, after the semi colon, insert “requiring consideration of the National Association of City Transportation Officials (NACTO) Urban Street Design Guide for fire apparatus access roads;”; and, on the same page, in line 7, after “Appendices”, insert “and § 503.2.1”.

Amendment No. 2

**ADOPTED**

On page 2, after line 25, insert

“Chapter 5. Fire Service Features

Sections 501 to 502 [504] {As in IFC}

Section 503 Fire Apparatus Access Roads

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire Apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

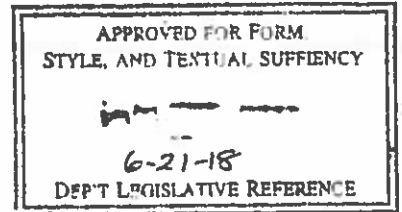
EXCEPTIONS: PUBLIC STREETS SHALL BE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF CITY TRANSPORTATION OFFICIALS (NACTO) URBAN STREET DESIGN GUIDE.

SECTION 504 {AS IN IFC}”.

ADDITION



AMENDMENTS TO COUNCIL BILL 18-0259  
(1<sup>st</sup> Reader Copy)



By: Judiciary and Legislative Investigations Committee

**Amendment No. 1**

On page 1, in line 2, strike “**Repealing Appendix D**” and substitute “**Fire Apparatus Access Roads**”; in line 4, after the semi colon, insert “**requiring consideration of the National Association of City Transportation Officials (NACTO) Urban Street Design Guide for fire apparatus access roads;**”; and, on the same page, in line 7, after “Appendices”, insert “**and § 503.2.1**”.

**Amendment No. 2**

On page 2, after line 25, insert

**“Chapter 5. Fire Service Features**

**Sections 501 to 502 [504] {As in IFC}**

**Section 503 Fire Apparatus Access Roads**

....  
**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

**503.2.1 Dimensions.** Fire Apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

**EXCEPTIONS: PUBLIC STREETS SHALL BE IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF CITY TRANSPORTATION OFFICIALS (NACTO) URBAN STREET DESIGN GUIDE.**

....  
**SECTION 504 {AS IN IFC}**”.



**BALTIMORE CITY COUNCIL**  
**JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE**  
**VOTING RECORD**

BILL#: CC-18-0259      DATE: 6/20/18

**BILL TITLE: Fire Code - Repealing Appendix D**

MOTION BY: Clarke      SECONDED BY: Scott

- FAVORABLE                       FAVORABLE WITH AMENDMENTS  
 UNFAVORABLE                   WITHOUT RECOMMENDATION

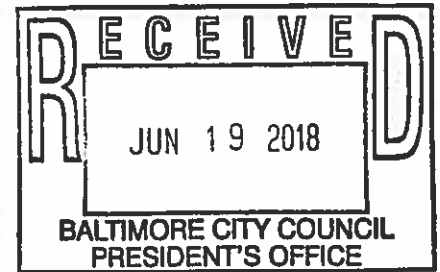
NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, E., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, M., Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bullock, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, L.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<b>TOTALS</b>	<u>7</u>	<u>0</u>	<u>0</u>	<u>0</u>

CHAIRPERSON: 

COMMITTEE STAFF: Matthew L. Peters, Initials: MP



The Baltimore City Department of  
**HOUSING & COMMUNITY  
DEVELOPMENT**



**MEMORANDUM**

*Oppose*

To: The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner

Date: June 19, 2018

Re: **City Council Bill 18-0259 - Fire Code – Repealing Appendix D**

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The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0259, for the purpose of amending the City Fire Code to repeal Appendix D (“Fire Apparatus Access Roads”); and providing for a special effective date.

If enacted, this bill would amend the City Fire Code to remove Appendix D (Fire Apparatus Access Roads), which was designed as a tool for local jurisdictions to use as guidance in establishing fire equipment access requirements. Appendix D provides additional detailed information that supports the information in Chapter 5 (Fire Service Features), Section 503 (Fire Apparatus Access Roads) of the City Fire Code.

HCD is aware that recent changes to the Fire Department’s enforcement of the minimum width provisions in the Fire Code have resulted in a dampening influence on development and the creation of design constraints for many projects throughout the City.

HCD is supportive of the need to develop an approach for balancing development with the need for public safety and the ability to provide adequate emergency services for residents that does not represent unrealistic standards for an older City.

The Department of Housing and Community Development does not support the bill in its current form and would recommend that amendments to the Bill be developed through a deliberative inclusive process to satisfy critical implementing agencies, such as the Departments of Housing, Planning, Transportation, and the Baltimore City Fire Department.

MB:sd

cc: Mr. Kyrion Banks, *Mayor's Office of Government Relations*



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor  
101 City Hall  
Baltimore, Maryland 21202

June 18, 2018

The Honorable President and Members  
of the Baltimore City Council  
Attn: Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 18-0259 – Fire Code – Repealing Appendix D

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0259 for form and legal sufficiency. The bill provides for amending the City Fire Code to repeal Appendix D (“Fire Apparatus Access Roads.” Although the bill eliminates one reference to the provisions of the IFC regarding “Fire Access Roads,” Chap. 5 of the Fire Code also provides for regulation of fire access roads and incorporates certain provisions of the IFC on that subject.

The Mayor and City Council the power, by ordinance, to provide for protection against fires, and to establish and to regulate all matters relating to a Fire Department. Baltimore City Charter Art. II, Sec.7(a). In addition, the Public Safety Art. of the Md. Ann. Code, Sec.6-401 specifically exempts Baltimore City from State fire regulations except with respect to State property, hospitals, nursing homes etc. and sprinkler contractors. This bill is, therefore, consistent with the City’s authority.

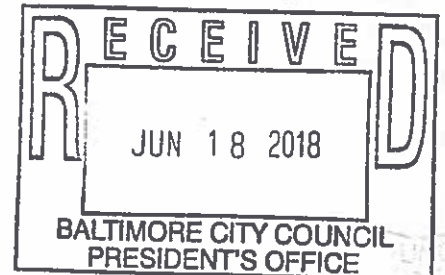
The Law Department, therefore, approves this bill for form and legal sufficiency.

Sincerely yours,

*Elena R. DiPietro*  
Elena R. DiPietro  
Chief Solicitor


*Favorable*

cc: Andre M. Davis, City Solicitor  
Karen Stokes, Director, Office of Government Relations  
Kyron Banks, Mayor’s Legislative Liaison  
Hilary Ruley, Chief Solicitor  
Victor Tervalva, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Avery Aisenstark, DLR







<b>FROM</b>	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY OF BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #18-0259 Response to: Fire Code-Repealing Appendix D		

**TO** The Honorable Bernard C. Young, President  
And All Members of the Baltimore City Council  
City Hall, Room 408

DATE: **June 14, 2018**

**For the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access Roads"} ; and providing for a special effective date.**

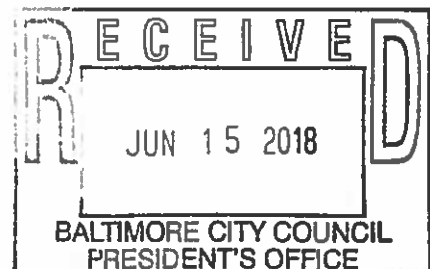
Appendix D of the International Fire Code (IFC) provides additional guidance on the design and layout of fire apparatus roads and requirements for enforcement. The regulations regarding Fire Apparatus Access are found in Chapter 5 of the IFC. The City of Baltimore has adopted the 2015 edition of the IFC,; with the exception of Appendices A, C, I, J, K, L, and M.

The Baltimore City Fire Department does not recommend repealing Appendix D of the 2015 edition of the International Fire Code because Appendix D provides guidance for public safety and firefighting and rescue operations in all of the following areas:

- Allows for proper positioning of fire apparatus at fire scenes for fire suppression and rescue operations (options available for attacking a fire increase as more of a building's perimeter are accessible to fire apparatus);
- Provides for adequate road widths, grade, clearances, lengths, turning radius, for fire apparatus in proximity to commercial buildings, hydrants, facilities, multi-family dwelling units, multi-family projects and one or two family residential dwellings for fire suppression and rescue activities;
- Allows for the provision of fire access routes to minimize factors that could inhibit access to buildings such as terrain, traffic, parking, barriers and vehicle congestion;
- Provides for a means for fire apparatus to turn around in various street designs including dead ends, cul-de-sacs and other configurations;
- Provides for road width for roads designated as fire apparatus access roads;
- Provides for the placement of NO PARKING and FIRE LANE signs on fire apparatus access roads;

1 of 2

*Does not  
recommend  
repeal*





•Provides for two means of access to all buildings and facilities exceeding 30 feet or three stories in height and buildings exceeding 62,000 square feet; and

•Prescribes gate sizes, locations, swing and locking specifications on fire access roads

In the Department's professional and technical opinion, we believe that the repeal of Appendix D of the IFC would have a detrimental impact on overall public safety. We also believe that the repeal of Appendix D would impact the operations not only of BCFD, but also law enforcement vehicles and other public services (such as trash trucks, public utility vehicles, etc.).

2 of 2

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# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Minutes - Final

### Judiciary and Legislative Investigations

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Wednesday, June 20, 2018

4:50 PM

Du Burns Council Chamber, 4th floor, City Hall

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Work Session: 18-0259

#### CALL TO ORDER

#### INTRODUCTIONS

#### ATTENDANCE

**Present** 7 - Member Eric T. Costello, Member Mary Pat Clarke, Member Leon F. Pinkett III, Member John T. Bullock, Member Edward Reisinger, Member Brandon M. Scott, and Member Robert Stokes Sr.

#### ITEM SCHEDULED FOR WORKSESSION

18-0259

##### **Fire Code - Repealing Appendix D**

For the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access Roads"}; and providing for a special effective date.

**Sponsors:** Ryan Dorsey, President Young, John T. Bullock, Bill Henry, Zeke Cohen, Sharon Green Middleton, Shannon Sneed, Mary Pat Clarke, Brandon M. Scott, Leon F. Pinkett, III, Robert Stokes, Sr., Kristerfer Burnett

**A motion was made by Member Clarke, seconded by Member Scott, that this Ordinance be Recommended Favorably with Amendment. The motion carried by the following vote:**

**Yes:** 7 - Member Costello, Member Clarke, Member Pinkett III, Member Bullock, Member Reisinger, Member Scott, and Member Stokes Sr.

#### ADJOURNMENT

**THIS MEETING IS OPEN TO THE PUBLIC**



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Minutes - Final

### Judiciary and Legislative Investigations

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Tuesday, June 19, 2018

10:10 AM

Du Burns Council Chamber, 4th floor, City Hall

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18-0259

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

**Present** 7 - Member Eric T. Costello, Member Mary Pat Clarke, Member Leon F. Pinkett III, Member John T. Bullock, Member Edward Reisinger, Member Brandon M. Scott, and Member Robert Stokes Sr.

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

18-0259

##### **Fire Code - Repealing Appendix D**

For the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access Roads"}; and providing for a special effective date.

**Sponsors:** Ryan Dorsey, President Young, John T. Bullock, Bill Henry, Zeke Cohen, Sharon Green Middleton, Shannon Sneed, Mary Pat Clarke, Brandon M. Scott, Leon F. Pinkett, III, Robert Stokes, Sr., Kristerfer Burnett

Meeting Recessed - The Judiciary and Legislative Investigations Committee will hold a work session on Bill 18-0259 on June 20, 2018 at 4:50 PM in the Du Burns Council Chamber, 4th floor, City Hall.

**THIS MEETING IS OPEN TO THE PUBLIC**







**HEARING NOTES**

**Bill: 18-0259**

**Fire Code - Repealing Appendix D**

**Committee:** Judiciary and Legislative Investigations

**Chaired By:** Councilmember Eric Costello

**Hearing Date:** June 19, 2018  
**Time:** 10:15 AM to 11:25 AM  
**Location:** Clarence "Du" Burns Chamber  
**Total Attendance:** ~55  
**Committee Members in Attendance:**  
Eric Costello      Mary Pat Clarke      Brandon Scott  
Leon Pinkett      Robert Stokes      John Bullock      Edward Reisinger

**Work Session Date:** June 20, 2018  
**Time:** 4:55 PM to 5:15 PM  
**Location:** Clarence "Du" Burns Chamber  
**Total Attendance:** ~45  
**Committee Members in Attendance:**  
Eric Costello      Mary Pat Clarke      Brandon Scott  
Leon Pinkett      Robert Stokes      John Bullock      Edward Reisinger

**Bill Synopsis in the file?** .....  yes     no     n/a  
**Attendance sheet in the file?** .....  yes     no     n/a  
**Agency reports read?** .....  yes     no     n/a  
**Hearing televised or audio-digitally recorded?** .....  yes     no     n/a  
**Certification of advertising/posting notices in the file?** .....  yes     no     n/a  
**Evidence of notification to property owners?** .....  yes     no     n/a  
**Final vote taken at this hearing?** .....  yes     no     n/a  
**Motioned by:** ..... **Councilmember Clarke**  
**Seconded by:** ..... **Councilmember Scott**  
**Final Vote:** ..... **Favorable as Amended**

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**Major Speakers**  
(This is not an attendance record.)

- Elena DiPietro, Department of Law
- Chief Niles Ford, Fire Department
- Sharon Daboin, Department of Housing and Community Development
- Douglas Kerr, Department of Finance

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**Major Issues Discussed**

June 19, 2018 Hearing

1. Chairman Costello opened the proceedings and introduced the committee members in attendance.
2. Councilman Dorsey summarized the bill and why it was needed.
3. Chairman Costello reviewed the agency recommendations. The Law Department approved the bill for form and legal sufficiency. The Department of Housing and Community Development indicated that it did not support the bill and recommended a collaborative effort to develop amendments. The Fire Department opposed the bill.
4. The Fire Department explained that it does not oppose bike lanes, but was concerned that changing the Fire Code in this way could inhibit its ability to respond to emergencies.
5. Councilman Bullock asked what the potential compromise position between the bill and the Fire Department would look like. The Fire Department indicated that it has the authority to deviate from the Fire Code after considering public safety and the specific circumstances, and that that approach is better than a one size fits all approach.
6. Councilman Bullock asked if there were examples of road widths preventing Fire Department response in an emergency. The Fire Department responded that it is hard to know because a variety of circumstances often cause the Fire Department to deviate from the most direct route, but narrow roads have probably resulted in some delays.
7. Councilwoman Clarke asked for additional explanation on Appendix D and its history in the Baltimore Fire Code. The Fire Department provided additional background.
8. Councilwoman Clarke asked what the Fire Department does on roads that do not meet the Fire Code minimums. The Department noted that many roads in Baltimore do not meet the minimums, and stated that it does what it can to respond to emergencies in any circumstances. It further noted that the requirements in Appendix D will help prevent the narrowing of roads that currently meet the minimums.
9. Councilman Scott asked if making this change to the Fire Code could expose the City to new/increased liability. The Law Department said it would have to do additional research to provide an answer.
10. Councilman Dorsey commented that the Appendices to the International Fire Code, including Appendix D, are clearly optional and intended to be adopted or not based on local circumstances. He also stated that removing Appendix D will not require the City to build roads differently than it does currently.

11. Councilman Pinkett asked the Department of Housing and Community Development to explain how Appendix D impacts the housing code. The Department explained that it relies on the Fire Department for part of its permitting review for projects, and Appendix D affects that review.
12. Councilman Dorsey proposed amendments to the bill.
13. The Fire Department stated its preference for a more holistic and planned approach to revising the Fire Code.
14. Members of the public testified in support of the bill, and stated that Appendix D is more appropriate for suburban settings than older cities like Baltimore and that repealing Appendix D will contribute to economic development and public safety. Some also noted that the Fire Code is being applied unevenly to certain projects and issues, and that while the law has not changed the Fire Department has recently changed how it is applying it.
15. Other members of the public, including Fire Fighter union representatives, testified in opposition to the bill. They stated that the bill could allow the narrowing of roads that currently meet the standards, possibly resulting in difficulty rescuing people from buildings in emergencies.
16. Chairman Costello recessed the hearing and announced that the Committee would reconvene for a Work Session on the bill at 4:50 PM on Wednesday, June 20, 2018. Chairman Costello also asked the agencies to come to the Work Session prepared to address specific issues (see Further Study), and noted that the Committee would not hear additional public testimony at the Work Session.

#### June 20, 2018 Work Session

1. Chairman Costello opened the proceedings and introduced the committee members in attendance.
2. The Fire Department presented its evaluation of the amendment proposed by Councilman Dorsey. The Department stated that the National Association of City Transportation Officials Urban Street Design Guide is not a code book, which would make it challenging to implement as part of the Fire Code.
3. Councilman Dorsey asked if the Fire Department has ever required the removal of on-street parking to meet the Fire Code minimums. The Fire Department said it has not.
4. Councilman Stokes asked how many projects are currently awaiting Fire Department approval, and for the average turnaround time for the Fire Department to approve projects. The Department said it would need time to provide that information.
5. Council President Young asked why the Fire Department has seemingly changed its practices as they relate to Appendix D, and if the Fire Department can withdraw its approval for development projects that went through the City Council after the Council has approved. The Law Department responded that it would depend on the Fire Department's role in the initial approval.
6. The Law Department stated that this bill would not likely lead to any new or increased liability for the City, but the issue is complex. The Law Department also provided a written response (see attached).
7. The Finance Department indicated that this bill would not impact the City's bond rating.
8. The Committee considered and adopted amendments to the bill.
9. Chairman Costello stated that the City Council would delay final action on the bill if the Fire Department made a good faith effort to resolve the issues related to its implementation of Appendix D and related Fire Code provisions (see Further Study).

---

**Further Study**

**Was further study requested?**

**Yes**     **No**

**If yes, describe.**

June 19, 2018 Requests (Due by 4:50 PM, Wednesday, 6/20/18):

1. The Fire Department, in consultation with other agencies, will review the amendments submitted by Councilman Dorsey and provide comments;
2. The Law Department will prepare a comprehensive response to Councilman Scott's question on whether changing the Fire Code as proposed in the bill could expose the City to new/increased liability; and
3. The Finance Department will consider the bill's potential impacts on the City's bond rating, and attend the June 20 Work Session to discuss.

June 20, 2018 Requests:

1. The Fire Department will report in writing (1) the number of projects currently awaiting Fire Department approval, and (2) the average turnaround time for the Fire Department to approve projects (Due by COB, 6/29/18); and
2. The Fire Department will convene a committee, including Council President Young and Councilman Dorsey, to review and discuss how to resolve delays in the Fire Department's approval of projects (Due before 5:00 PM, Monday, 6/25/18).

---

**Committee Vote**

E. Costello: ..... **Yea**  
M. Clarke: ..... **Yea**  
J. Bullock: ..... **Yea**  
L. Pinkett: ..... **Yea**  
E. Reisinger: ..... **Yea**  
B. Scott: ..... **Yea**  
R. Stokes: ..... **Yea**

---

*Matthew Peters*

Matthew L. Peters, Committee Staff

Date: June 20, 2018

cc: Bill File  
OCS Chrono File



June 19, 2018

The Honorable President and Members  
of the Baltimore City Council  
Attn: Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 18-0259 – Fire Code – Repealing Appendix D

Dear President and City Council Members:

At the June 18<sup>th</sup> hearing on the above captioned bill, the Law Department was asked to review the amendment proposed by Councilman Dorsey, research the City's liability should this bill pass and assess the bill's impact and the bill's impact on the City's bond rating


The amendment proposed by Councilman Dorsey would create an exception to 503.2.1 of the Fire Code and require that public streets have dimensions in accordance with the NACTO Urban Street Design Guide. The amendment does not strike the existing Chapter 5 provisions regarding dimensions or the authority of the fire code official to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations. The ability to retain necessary access for emergency vehicles is preserved.

Even if Appendix D is repealed, the City would not be liable, because in doing so, it is exercising a governmental function, a discretionary exercise of police power, and is immune from liability. 18 McQuillin Mun. Corp. §53:66 (failure to pass a needed law or the repeal of an ordinance is a legislative function and the government cannot be liable). Although there is an exception to this immunity rule for the maintenance and control of streets, those cases are distinguishable because they deal with failure to repair traffic signals or placing of warning signs on road of dangers and not the establishment of policy that involves the exercise of discretion. See, e.g. *Montgomery County v. Voorhees*, 86 Md. App. 294 (1991). The repeal of a law concerning the width of streets is factually different than failing to maintain traffic signals or failing to repair street defects. In addition, there is also an exception to the immunity for constitutional torts, however, repealing a law is never a constitutional tort, so liability would not rise from the act itself. *Town of Port Deposit v. Petetit*, 113 Md. App. 401 (1997) (when a municipality is performing a governmental function, it is not committing a constitutional tort). Finally, the failure of the government to recommend the "best" practice for fire safety cannot give rise to liability because it is an exercise of police power and to hold the government liable for not making the best decision would be a "crushing" burden for governments to bear. *Shaw v. Village of Hampstead*, 177 N.Y.S. 2d 744 (1958).



Finally, after consultation with bond council, this will not be a consideration when determining the City's bond rating.

Sincerely yours,



Elena R. DiPietro  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Karen Stokes, Director, Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Hilary Ruley, Chief Solicitor  
Victor Tervalo, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Avery Aisenstark, DLR







**CITY OF BALTIMORE  
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: Judiciary and Legislative Investigations Chairperson: Eri  
 Date: June 20, 2018 Time: 4:50 PM Place: Clarence "Du" Burns Chambers  
 Subject: Ordinance - Fire Code - Repealing Appendix D

**PLEASE PRINT**

**W O R K S E S S I O N - N O P U B L I C T E S T I M O N Y**

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com
<del>BE</del> STEPHEN	HOECHER		FIRE OFFICES L-964	21224	
DICKIE	ALTIERI		FIRE STATIONS L-734	21230	
LIZ	CORNISH		Bike more	21218	
STACY	WHEELS		Bike more	21211	
TOSY	GREENFELD		MBSA		
Caroline	HECKER		RMG		
TON	WARR		MRK		
JENNIFER	MIELKE		JHV		
MARLYN	FANSTOR		JVF		
MARLYN	FANSTOR		JVF		

(\* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY BOARD OF ETHICS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



# CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Judiciary and Legislative Investigations

Chairperson: Eri

Date: June 19, 2018

Time: 10:10 AM

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Fire Code - Repealing Appendix D

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com
Jed	Wicks		Billemore		jed@billemore.net
Liz	CORNIST		Billemore	21214	liz@bikemoi
Danielle	Parins		Billemore	21218	danielle@bikemoi.net
Amanda	DONOVNE		Bikemoie	21218	a.donoghue@gmail.com
Mark	Bennett Jr		GEI	21236	markbennett@gei.com
Mark	Bennett S.		Greenlawn Station	21208	mbennett@greenlawn.com
Thomas	Nosek		IAFF Local 964	21224	Nosek@aol.com
Shawn	Andrews			21224	shawn.s.andrews@cpa
Lori	Underwood		IAFF Local 734	21230	lori@underwood.com
Steve	HORCHAR		IAFF Local 964	21224	shorchar@aol.com

(\* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY BOARD OF ETHICS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



**CITY OF BALTIMORE  
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: **Judiciary and Legislative Investigations** Chairperson: **Eri**  
 Date: **June 19, 2018** Time: **10:10 AM** Place: **Clarence "Du" Burns Chambers**  
 Subject: **Ordinance - Fire Code - Repealing Appendix D**

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com
DAVID	COX	7	CAMDORSE CT	21237	
DICRIE	ALTERI	1202	RIVERSIDE ST	21230	
Caroline	Heuer	25	S. Charles St.	21201	checker@rosenberg.org
Tosh	Greenfold		NRBTA	20559	greenfold@rosenberg.org
Jon	Waters	300	E Lombard St	21002	twaters@rosenberg.org

(\* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGI BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

## Peters, Matthew

---

**From:** Costello, Eric  
**Sent:** Wednesday, June 20, 2018 1:55 PM  
**To:** Tim Pula; City Council President; Scott, Brandon; Reisinger, Edward; Bullock, John; Pinkett, Leon; Clarke, Mary Pat; Stokes, Robert  
**Cc:** Kunst, Kara; Huber, Michael; Murdock, Stephanie; Christian, Kathy; Peters, Matthew  
**Subject:** RE: City Council Bill - 18-0259

Matt, please add this to the bill file...

\*\*\*\*\*

Eric T. Costello  
Baltimore City Council, 11th District  
(m) 443-813-1457 | (o) 410-396-4816  
(e) [eric.costello@baltimorecity.gov](mailto:eric.costello@baltimorecity.gov)  
[Twitter](#) | [Facebook](#) | [Instagram](#)

\*\*\*\*\*

---

**From:** Tim Pula [mailto:[tpula@beattydevelopment.com](mailto:tpula@beattydevelopment.com)]  
**Sent:** Wednesday, June 20, 2018 1:47 PM  
**To:** City Council President; Scott, Brandon; Reisinger, Edward; Costello, Eric; Bullock, John; Pinkett, Leon; Clarke, Mary Pat; Stokes, Robert  
**Cc:** Kunst, Kara; Huber, Michael; Murdock, Stephanie; Christian, Kathy  
**Subject:** Re: City Council Bill - 18-0259

Dear Council President and Council Members –

I'm writing to offer some thoughts following yesterday's hearing regarding the above referenced bill.

### **Bond Rating**

During yesterday's hearing a claim was made by a gentleman affiliated with the Fire Department that deleting appendix D could negatively impact the City's bond rating. Having some experience with municipal bonds I reached out to two professionals in the municipal bond industry who collectively have done hundreds of municipal bond deals across the country and in Baltimore. One of them reached out to her contacts at the rating agencies.

**The rating agency analyst was very clear that level of fire service, fire response times, and fire codes are NOT part of the criteria they use to analyze the City's credit worthiness/bond rating. Further, all of them indicated that in all of their bond deals there has never been a discussion regarding level of fire service, response times, and fire codes. They all said it's not relevant.**

All three indicated that the City's overall economic health is the key driving factor of its bond rating, and that includes the ability to generate economic development and economic growth

### **Bike Lanes/Safe Streets**

Many of my colleagues and I in Baltimore's economic development community support bike lanes, alternative means of transportation and complete streets. These things are important to the communities we build. For example, as I walked into my office building this morning (Morgan Stanley building in Harbor Point) there were three dozen bikes parked in front of the building and a similar number parked at the Exelon Building.

That said, too much of yesterday's testimony focused on bike lanes and not enough focused on the need for well-designed streets that balance fire safety with the safety of motorists, pedestrians and cyclists. The risk of accident and injury on our streets is greater than the risk of injury due to fire, as fire incidents have decreased over the years. Making streets even wider – as strict adherence to the suburban focused IFC would require – makes our streets more dangerous and does so without improving fire safety, as BCFD has shown for years that it can operate very effectively and safely within the confines of Baltimore's existing street network.

Until one year ago, the balance between fire safety, economic development, and street design functioned relatively well. I hope the Council will help restore the City to this balance.

**Tim Pula**

Vice President, Community Development

## BEATTY • DEVELOPMENT

Beatty Development Group, LLC  
1300 Thames Street, Suite 10  
Baltimore, MD 21231

**T** 410-332-1100 x 106

**C** 443-463-2757

**E** [tpula@beattydevelopment.com](mailto:tpula@beattydevelopment.com)

---

**From:** Tim Pula <[tpula@beattydevelopment.com](mailto:tpula@beattydevelopment.com)>

**Date:** Monday, June 18, 2018 at 11:48 PM

**To:** Stephanie Rawlings-Blake <[CouncilPresident@baltimorecity.gov](mailto:CouncilPresident@baltimorecity.gov)>, "[brandon.scott@baltimorecity.gov](mailto:brandon.scott@baltimorecity.gov)" <[brandon.scott@baltimorecity.gov](mailto:brandon.scott@baltimorecity.gov)>, "[edward.reisinger@baltimorecity.gov](mailto:edward.reisinger@baltimorecity.gov)" <[edward.reisinger@baltimorecity.gov](mailto:edward.reisinger@baltimorecity.gov)>, "[eric.costello@baltimorecity.gov](mailto:eric.costello@baltimorecity.gov)" <[eric.costello@baltimorecity.gov](mailto:eric.costello@baltimorecity.gov)>, "[john.bullock@baltimorecity.gov](mailto:john.bullock@baltimorecity.gov)" <[john.bullock@baltimorecity.gov](mailto:john.bullock@baltimorecity.gov)>, Leon Pinkett <[leon.pinkett@baltimorecity.gov](mailto:leon.pinkett@baltimorecity.gov)>, "[MaryPat.Clarke@baltimorecity.gov](mailto:MaryPat.Clarke@baltimorecity.gov)" <[MaryPat.Clarke@baltimorecity.gov](mailto:MaryPat.Clarke@baltimorecity.gov)>, Robert Stokes <[robert.stokes@baltimorecity.gov](mailto:robert.stokes@baltimorecity.gov)>  
**Cc:** Kara Kunst <[Kara.Kunst@baltimorecity.gov](mailto:Kara.Kunst@baltimorecity.gov)>, Michael Huber <[Michael.Huber@baltimorecity.gov](mailto:Michael.Huber@baltimorecity.gov)>  
**Subject:** City Council Bill - 18-0259

Dear Council President and Council Members –

I was unable to reach some of you by phone today so I've put my thoughts in writing. Below is my testimony in support of City Council Bill 18-0259

Since my days chasing Engine 43 across north Baltimore on my 3 speed Schwinn, I've had a great fondness and respect for Baltimore City Fire Department and the women and men who are its heart and soul. That fondness and respect has grown as I've witnessed their excellence and professionalism in action.

That said, I am writing to support Council Bill 18-0259 to amend the City Fire Code by repealing Appendix D of the 2015 International Fire Code and to encourage you to vote in favor of this bill.

Appendix D of the International Fire Code – particularly the 26' clearance rule – will have the following negative impacts on Baltimore -

1. Cost the City of Baltimore more money,
2. Inhibit economic development
3. Result in roads that are less safe.
4. Negatively impact Baltimore's environment

### Costs

Implementation of the 26' clearance rule will require some developments to build wider roads. Simply put, wider roads are costlier to build and wider roads are costlier to maintain. Those costs are borne by City taxpayers. But they are costs that can be avoided by applying good, sensible and time tested urban design practices.

### Safety

Wider roads result in higher travel speeds and higher travel speeds result in a greater number of motor vehicle accidents. Further, accidents at higher speed result in more serious injuries and more deaths. Appendix D makes streets less safe for motorists, pedestrians, and cyclists because it increases the average rate travel speeds and thus increases the risk of motor vehicle related accidents.

### Economic Development

Growth and economic development are critical for most cities but more so for Baltimore given the loss of residents and businesses over the past 60 years and the related damage done to the City's general fund. The regulations set forth in Appendix D threatens to stifle economic development. Based on numerous discussions, I can report that my colleagues in the economic development community are very concerned that the that projects on their drawing boards – projects this city needs – will no longer be feasible under Appendix D and will need to be cancelled or significantly altered. Some examples are -

**Charles Village** - a \$14.0 m privately, funded investment in street and streetscape improvements has been on hold since January 2018. Those improvements will enhance the safety of pedestrians, motorists, and cyclists while creating a more vibrant and welcoming public streetscape which is vital to a healthier, more robust and sustainable commercial district.

Without relief from Appendix D regulations, the project will either have to be modified so that it will no longer provide the daily safety enhancements to pedestrians, motorists and cyclists or it will have to be cancelled entirely.

**EBDI – the Townes at Eager Park – 34, 3 story townhouses** with a total development cost of \$10.0 m is currently delayed.

**Perkins/Somerset/Oldtown** – the \$850 m redevelopment in East Baltimore includes new streets, sidewalks, and streetscaping. The 26' clearance requirement will require us to build larger, more expensive streets putting additional budgetary pressure on a project that is intended to provide a significant amount of affordable housing.

### Environment

Wider streets equal more impervious surface and more polluted surface runoff into the region's waterways. Increased runoff to the storm drains will only worsen the combined sewer overflow problem that is sending

hundreds of thousands of gallons of untreated sewage into the harbor every year. This could impact the City's ability to comply with its MS4 permit from the US Environmental Protection Agency.

Streets are not simply spaces for cars, buses, and trucks. They are places for people to connect. They are the connective public tissue that binds together the private urban fabric of homes, places of worship, offices, and shops. We need to design our streets for all users but we also must balance that design with the perspectives of multiple users. We need complete streets that are designed by urban designers with input from all users.

Sincerely,

Timothy Pula  
Vice President, Community Development  
Beatty Development Group

**Tim Pula**  
Vice President, Community Development

**BEATTY • DEVELOPMENT**

Beatty Development Group, LLC  
1300 Thames Street, Suite 10  
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**C** 443-463-2757

**E** [tpula@beattydevelopment.com](mailto:tpula@beattydevelopment.com)

# BALTIMORE FIREFIGHTERS

## LOCAL 734

### *Line of Duty Deaths*

Rank	First Name		Last Name	Company	Date of Death
Firefighter	John	H.	Naumann	E-10*	1/5/1943
Firefighter	J.		Pfadenhauer	E-30	4/10/1944
Firefighter	Carl		Humphreys	T-1	1/11/1948
Firefighter	James	W.	Haynie	E-46	11/9/1949
Firefighter	Joseph	B.	Magaha	T-22*	11/9/1949
Firefighter	Charles	A.	Paff	E-46	11/9/1949
Firefighter	Joseph	A.	Remeikis	T-22*	11/9/1949
Firefighter	Andrew	J.	Duffy	E-15*	2/4/1950
Firefighter	George	J.	Hand	Hose #3*	6/4/1952
Firefighter	Albert	E.	Reiley	T-19*	5/2/1953
Firefighter	Herman		Leyh	E-22*	9/5/1953
Firefighter	William	H.	Greif	E-35	3/3/1954
Firefighter	William	W.	Barnes	E-17*	2/16/1955
Firefighter	Joseph	C.	Hanley Jr.	E-13	2/16/1955
Firefighter	Rudolph	A.	Machovec	E-15*	2/16/1955
Firefighter	Richard	F.	Melzer	E-15*	2/16/1955
Firefighter	Anthony	M.	Reinsfelder	T-16	2/16/1955
Firefighter	Thomas	J.	Eagan	T-19*	2/21/1955
Firefighter	Charles	H.	Jerscheid	E-24*	1/11/1956
Firefighter	Joseph	F.	Taylor	E-24*	1/11/1956
Firefighter	Willard	C.	Moxley	T-13*	6/20/1957
Firefighter	Franklin	E.	Koontz	Ambo #5	3/8/1959
Firefighter	Nelson	L.	Little	WT-1*	1/27/1960
Firefighter	Thomas	E.	Reynolds	T-13*	3/13/1960
Firefighter	Robert	E.	Severn	E-12*	9/17/1960
Firefighter	James	M.	Gallagher	T-14*	7/15/1961
Pump Operator	Walter	E.	Zimmerman	E-28*	8/18/1961
Pump Operator	Francis	G.	Marney	E-2	1/10/1962
Firefighter	Steven	J.	Chearyne	T-6	2/25/1963
Firefighter	Morris	E.	Hunt	T-6	7/9/1965
Firefighter	Jennings	G.	Mosher	Chemical #1*	3/29/1966



Firefighter	Paul	J.	Herauf	E-17*	12/3/1966
Firefighter	Thomas	F.	Brand	E-25*	1/2/1967
Firefighter	James	L.	Grahe	T-5	12/4/1967
Firefighter	William	A.	Bernhard	E-51	3/28/1968
Pump Operator	James	E.	Carter	E-7*	3/24/1970
Firefighter	Howard	A.	Heals	T-21	1/9/1975
EVD	Joseph	W.	Bayne Sr.	E-15*	5/10/1977
Firefighter	Donald	G.	Knopp	E-54	3/25/1979
EVD	Frank	W.	Blackstock	T-3	7/19/1981
Firefighter	Melvin	S.	Rosewag Jr.	E-19*	7/29/1984
EVD	Eddie		Arthur	T-12	6/1/1991
Firefighter	Alton	G.	Warren	E-43	7/18/1994
Firefighter	Eric	D.	Schaefer	R-1	9/16/1995
Firefighter	Allan	M.	Roberts	T-26	10/10/2006
FPA	Racheal	M.	Wilson	FA	2/9/2007
Firefighter	Michael	L.	Manieri	HQ	4/18/2012
Pump Operator	Russell	H.	Skarda	E-30	9/23/2013

\* Company Disbanded

# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Agenda - Final

### Judiciary and Legislative Investigations

---

Wednesday, June 20, 2018

4:50 PM

Du Burns Council Chamber, 4th floor, City Hall

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Work Session: 18-0259

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEM SCHEDULED FOR WORKSESSION**

18-0259

Fire Code - Repealing Appendix D

For the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access Roads"}; and providing for a special effective date.

**Sponsors:**

Ryan Dorsey, President Young, John T. Bullock, Bill Henry, Zeke Cohen, Sharon Green Middleton, Shannon Sneed, Mary Pat Clarke, Brandon M. Scott, Leon F. Pinkett, III, Robert Stokes, Sr., Kristerfer Burnett

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Agenda - Final

### Judiciary and Legislative Investigations

---

Tuesday, June 19, 2018

10:10 AM

Du Burns Council Chamber, 4th floor, City Hall

---

18-0259

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

18-0259

Fire Code - Repealing Appendix D

For the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access Roads"}; and providing for a special effective date.

Sponsors:

Ryan Dorsey, President Young, John T. Bullock, Bill Henry, Zeke Cohen, Sharon Green Middleton, Shannon Sneed, Mary Pat Clarke, Brandon M. Scott, Leon F. Pinkett, III, Robert Stokes, Sr., Kristerfer Burnett

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**



**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**BILL SYNOPSIS**

**Committee: Judiciary and Legislative Investigations**

**Bill 18-0259**

---

**Fire Code - Repealing Appendix D**

---

**Sponsor:** Councilmember Dorsey, et al  
**Introduced:** June 4, 2018

**Purpose:**

For the purpose of amending the City Fire Code to repeal Appendix D {"Fire Apparatus Access Roads"}; and providing for a special effective date.

**Effective:** Date it is enacted

**Hearing Date/Time/Location:** June 19, 2018/10:10 a.m./Clarence "Du" Burns Chamber

---

**AGENCY REPORTS**

City Solicitor  
Fire Department  
Department of Housing and Community Development

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**ANALYSIS**

**Current Law**

Part VIII of the Building, Fire, and Related Codes of Baltimore City adopts the International Fire Code (2015 Edition) ("IFC") subject to certain additions, deletions, amendments, and other modifications. Chapter I, § 101.2.1 lists the appendices to the IFC adopted by Baltimore City, including Appendix D (Fire Apparatus Access Roads). Chapter I, § 101.2.2 lists the appendices that Baltimore City has not adopted.

Appendix D of the IFC expands on the basic requirements for fire apparatus access roads found in Section 503 of the IFC. Appendix D notes that it is "not mandatory unless specifically referenced in the adopting ordinance."

Part VIII, Chapter 5 of the Building, Fire, and Related Codes of Baltimore City adopts § 503 of the IFC. Section 503 contains the basic requirements for fire apparatus access roads, and requires "[a]pproved fire apparatus access roads ... for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction." Among other requirements, § 503 states that "[f]ire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders..."

### Bill Summary

This bill amends Part VIII of the Building, Fire, and Related Codes of Baltimore City to remove Appendix D (Fire Apparatus Access Roads) from the list of appendices to the IFC adopted by Baltimore City and to add Appendix D to the list of appendices that Baltimore City has not adopted.

---


### ADDITIONAL INFORMATION

**Fiscal Note:** None

**Information Source(s):** Building, Fire, and Related Codes of Baltimore City; International Fire Code (2015 Edition); Bill 18-0259.

---

Analysis by:  
Analysis Date:

  
Matthew L. Peters  
June 14, 2018

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE  
COUNCIL BILL 18-0259  
(First Reader)**

---

Introduced by: Councilmember Dorsey, President Young, Councilmembers Bullock, Henry,  
Cohen, Middleton, Sneed, Clarke, Scott, Pinkett, Stokes, Burnett

Introduced and read first time: June 4, 2018

Assigned to: Judiciary and Legislative Investigations Committee

---

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community  
Development, Fire Department

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Fire Code – Repealing Appendix D**

3 FOR the purpose of amending the City Fire Code to repeal Appendix D {“Fire Apparatus Access  
4 Roads”}; and providing for a special effective date.

5 BY repealing and reordaining, with amendments  
6 Article - Building, Fire, and Related Codes  
7 Section 8-102 (FC §§ 101.2 and List of Appendices)  
8 Baltimore City Revised Code  
9 (2015 Edition)

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
11 Laws of Baltimore City read as follows:

12 **Baltimore City Revised Code**

13 **Article – Building, Fire, and Related Codes**

14 **Part VIII. International Fire Code**

15 **§ 8-102. City modifications.**

16 The additions, deletions, amendments, and other modifications adopted by the City are as  
17 follows:

18 **Chapter 1. Scope and Administration**

19 **Section 101 General**

20 **101.2 Scope. {As in IFC}**

21 **101.2.1 Appendices adopted.** The following appendices to the International Fire Code  
22 are adopted as part of this Code:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.



**Council Bill 18-0259**

1. Appendix B: "Fire-Flow Requirements for Buildings".
2. [2.] Appendix D: "Fire Apparatus Access Roads".]
3. [3.] Appendix E: "Hazard Categories".
4. [4.] Appendix F: "Hazard Ranking".
5. [5.] Appendix G: "Cryogenic Fluids – Weight and Volume Equivalents".
6. [6.] Appendix H: "Hazardous Materials Management Plan (HMMP) and  
7. Hazardous Materials Inventory Statement (HMIS)".

8 **101.2.2 Appendices not adopted.** The following appendices to the International Fire  
9 Code are not adopted as part of this Code:

- 10 1. Appendix A: "Board of Appeals".
- 11 2. Appendix C: "Fire Hydrant Locations and Distribution".
- 12 3. APPENDIX D: "FIRE APPARATUS ACCESS ROADS".
- 13 4. [3.] Appendix I: "Fire Protection Systems – Noncompliant Conditions".
- 14 5. [4.] Appendix J: "Building Information Signs".
- 15 6. [5.] Appendix K: "Construction Requirements for Existing Ambulatory  
16 Care Facilities".
- 17 7. [6.] Appendix L: "Requirements for Fire Fighter Air Replenishment Systems".
- 18 8. [7.] Appendix M: "High-Rise Buildings – Retroactive Automatic Sprinkler  
19 Requirement".

20 **Appendices**

21 ...

22 **APPENDIX D**  
23 **FIRE APPARATUS ACCESS ROADS**  
24 **{As in IFC} {NOT ADOPTED}**

25 ....

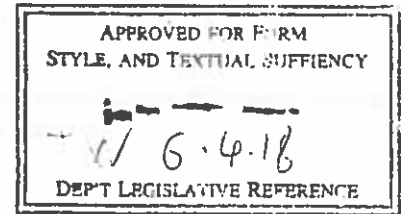
26 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
27 are not law and may not be considered to have been enacted as a part of this or any prior  
28 Ordinance.

**Council Bill 18-0259**

1       **SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is**  
2       **enacted.**



INTRODUCTORY\*  
CITY OF BALTIMORE  
COUNCIL BILL \_\_\_\_\_



Introduced by: Councilmember Dorsey

A BILL ENTITLED

AN ORDINANCE concerning

**Fire Code – Repealing Appendix D**

FOR the purpose of amending the City Fire Code to repeal Appendix D {“Fire Apparatus Access Roads”}; and providing for a special effective date.

BY repealing and reordaining, with amendments  
Article - Building, Fire, and Related Codes  
Section 8-102 (FC §§ 101.2 and List of Appendices)  
Baltimore City Revised Code  
(2015 Edition)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the Laws of Baltimore City read as follows:

**Baltimore City Revised Code**

**Article – Building, Fire, and Related Codes**

**Part VIII. International Fire Code**

**§ 8-102. City modifications.**

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

**Chapter 1. Scope and Administration**

**Section 101 General**

**101.2 Scope. {As in IFC}**

**101.2.1 Appendices adopted.** The following appendices to the International Fire Code are adopted as part of this Code:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

1. Appendix B: "Fire-Flow Requirements for Buildings".
- [2. Appendix D: "Fire Apparatus Access Roads".]
2. [3.] Appendix E: "Hazard Categories".
3. [4.] Appendix F: "Hazard Ranking".
4. [5.] Appendix G: "Cryogenic Fluids – Weight and Volume Equivalents".
5. [6.] Appendix H: "Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS)".

**101.2.2 Appendices not adopted.** The following appendices to the International Fire Code are not adopted as part of this Code:

1. Appendix A: "Board of Appeals".
2. Appendix C: "Fire Hydrant Locations and Distribution".
3. APPENDIX D: "FIRE APPARATUS ACCESS ROADS".
4. [3.] Appendix I: "Fire Protection Systems – Noncompliant Conditions".
5. [4.] Appendix J: "Building Information Signs".
6. [5.] Appendix K: "Construction Requirements for Existing Ambulatory Care Facilities".
7. [6.] Appendix L: "Requirements for Fire Fighter Air Replenishment Systems".
8. [7.] Appendix M: "High-Rise Buildings – Retroactive Automatic Sprinkler Requirement".

### Appendices

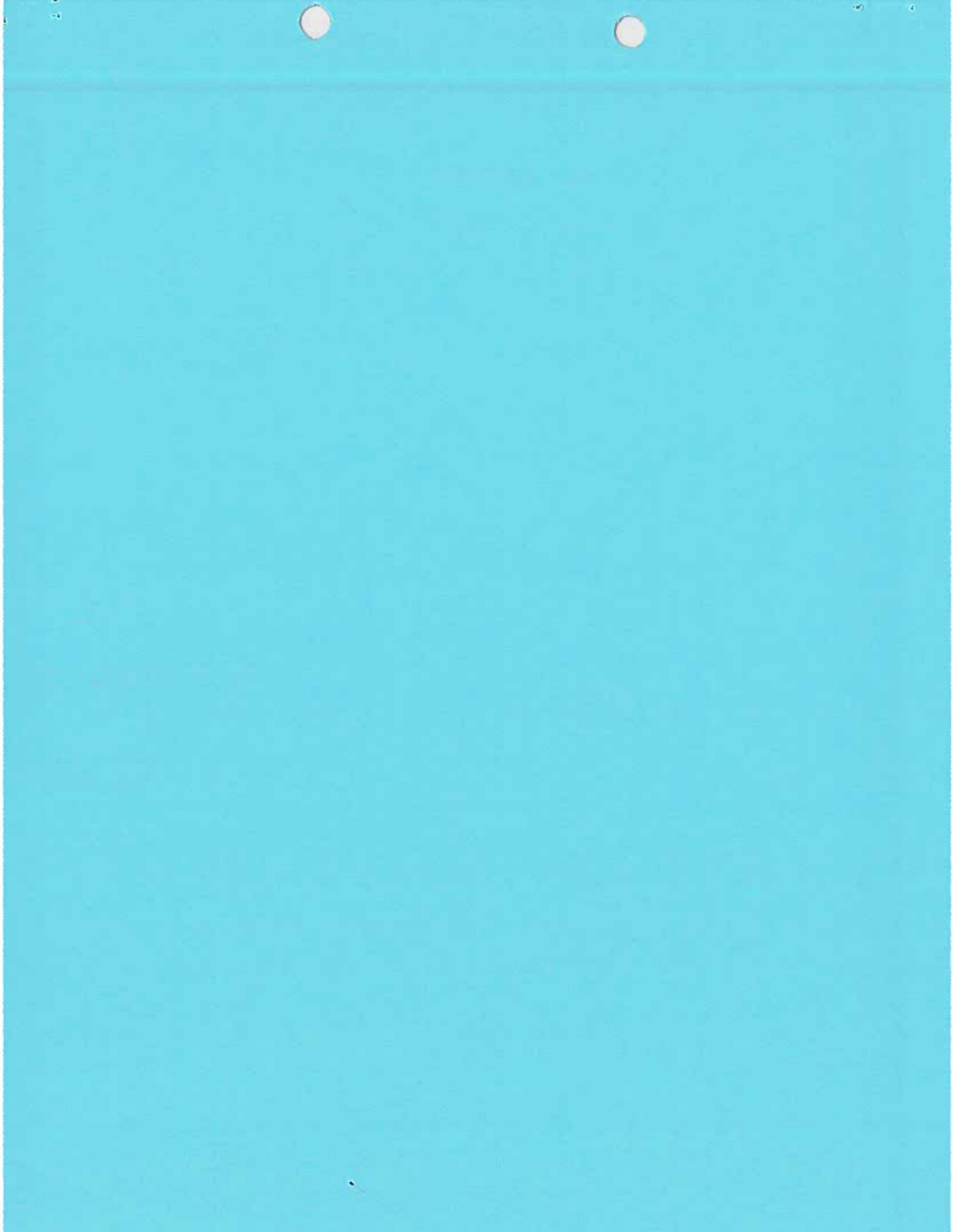
...

#### APPENDIX D FIRE APPARATUS ACCESS ROADS {As in IFC} {NOT ADOPTED}

....

**SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

**SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is enacted.



ACTION BY THE CITY COUNCIL

JUN 04 2018  
20

FIRST READING (INTRODUCTION) \_\_\_\_\_

PUBLIC HEARING HELD ON June 19-20, 2018 \_\_\_\_\_ 20

COMMITTEE REPORT AS OF June 25, 2018 \_\_\_\_\_ 20

\_\_\_\_\_ FAVORABLE \_\_\_\_\_ UNFAVORABLE  FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

*[Handwritten Signature]*

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

AUG 06 2018 JUN 25 2018

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING \_\_\_\_\_ AUG 06 2018

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) \_\_\_\_\_ 20

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20

WITHDRAWAL \_\_\_\_\_ 20

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

*[Handwritten Signature]*

President

*[Handwritten Signature]*

Chief Clerk