

Introduction: September 24, 2014

Adopted: October 8, 2014

Effective: October 29, 2014

ORDINANCE NO. 455

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 108 (BUILDING CONSTRUCTION) SECTION 108.7.1 (INTERIOR AUTOMATIC FIRE SPRINKLER SYSTEMS BY REPEALING THE REQUIREMENTS FOR INTERIOR AUTOMATIC FIRE SPRINKLER SYSTEMS FOR RENOVATIONS AND ADDITIONS TO ONE AND TWO-FAMILY RESIDENTIAL DWELLINGS, LEAVING INTACT EXISTING STATE REQUIREMENTS FOR INSTALLATION OF INTERIOR AUTOMATIC FIRE SPRINKLER SYSTEMS FOR NEW CONSTRUCTION CONSISTENT WITH THE REQUIREMENTS OF THE MARYLAND BUILDING PERFORMANCE CODE AND THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND-TWO FAMILY DWELLINGS AND TO INCLUDE PROVISIONS WHICH APPLY RETROACTIVELY TO ANY PROJECT FOR WHICH A BUILDING PERMIT WAS ISSUED ON OR AFTER ~~(JUNE 20, 2007)~~ AUGUST 8, 2014 AND FOR WHICH AN OCCUPANCY PERMIT HAS BEEN OBTAINED.

WHEREAS, The Commissioners of St. Michaels (hereafter the "Commissioners") have adopted the codification and revision of the charter, ordinances and certain resolutions of the Town of St. Michaels, County of Talbot, State of Maryland; providing for the maintenance of said Code, establishing a penalty for altering or tampering with the Code; and making certain changes in previously adopted Ordinances (Ordinance 337, adopted June 7, 2006). The Commissioners are empowered to enact a zoning ordinance by Md. Code Ann., Title IV, as amended; and by the Charter of the Town of St. Michaels (1980); and

WHEREAS, It is the intention of the Commissioners of St. Michaels and it is hereby ordained that the provisions of this ordinance shall be included in the Code of the Town of St. Michaels, that the sections and subsections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" shall be changed to "section" or other appropriate word, as required for codification; and

WHEREAS, by St. Michaels Ordinance No. 159, dated December 11, 1984, (now known as Chapter 108 of the Code of the Town of St. Michaels) the Commissioners deemed it necessary and did enact provisions which are applicable to and shall govern and control the manner in which all structures are constructed within the corporate limits of the Town of St. Michaels for the purpose of promoting the public health, safety, morals and general welfare of the Town of St. Michaels (hereinafter referred to as the "Town"); and

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WHEREAS THE Code of the Town of St. Michaels, inclusive of Chapter 108, was adopted on June 7, 2006; and

WHEREAS, the Commissioners after meeting with the local Fire Department and reviewing Ordinances relating to the revocation of interior sprinkler systems for additions and/or renovations to one-and-two family dwelling units, which have been adopted by Talbot County and other municipalities, have determined that the installation of such units creates an unnecessary burden on the property owners; and

THEREFORE, it is the desire of the Commissioners to amend Chapter 108 of the Code of the Town of St. Michaels by making textual changes to repeal the requirement for the installation of interior sprinkler systems for renovations and additions to one-and-two family residential dwellings; and to enact the following Ordinance.

SECTION I.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that certain provisions contained within Chapter 108 of the Code of the Town of St. Michaels are hereby, amended, with the language intended to be added indicated in underlined italics and the language intended to be deleted indicated in ~~((double parentheses))~~ and strikethroughs as follows:

108-7.1 Interior Automatic Fire Sprinkler

The requirement for interior automatic fire sprinkler systems shall apply to all new one- and two-family dwellings ~~((and substantially improved dwelling units))~~ for any 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.

A. Placement of modular homes is considered new construction.

~~((B. — A substantially improved dwelling unit shall be considered as any existing residential home that is rebuilt, refurbished, renovated, altered and/or an addition is made thereto, provided the costs of such rebuild, refurbish, renovation, alteration and/or addition exceeds 50% of the residential home's fair market value as determined by the fair market tax assessment at the time of such improvements.))~~

~~((C-))~~ B. The requirement for interior sprinkler systems shall not apply to accessory or uninhabitable structures (e.g., detached carports, garages,~~((unless such garages include habitable space))~~), greenhouses, and sheds).

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~~((D.))~~ C. Automatic fire sprinkler systems required under this section ~~((may))~~ *shall* be connected to the municipal water supply serving the residence, provided the water supply is of adequate pressure, capacity, and sizing for the combined domestic and sprinkler system requirements, and property back flow valves are installed.

~~((E.))~~ D. Interior automatic fire sprinkler systems shall be installed and maintained in all new one- and two-family dwelling units ~~((and substantially improved dwelling units in accordance with the most recent version of Standard 13D, "Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes" as promulgated by the National Fire Protection Association (NFPA), and as modified and adopted by the Maryland State Fire Prevention Code, Public Safety Article, Title 9, as amended from time to time.))~~ *in accordance with the most recent version of the Maryland Building Performance Code and the International Residential Code for one-and-two family dwellings., as amended from time to time.*

~~((F.))~~ E No person shall do work in the Town of St. Michaels as a sprinkler contractor without first applying for and receiving a license of the appropriate class from the State Fire Marshal's Office.

SECTION II

AND BE IT FURTHER ENACTED, that this Ordinance shall be construed to apply retroactively and shall be applied to and interpreted to affect any project for which a building permit was issued on or after ~~((June 20, 2007))~~ August 8, 2014, but for which a certificate of occupancy has yet to be obtained.

SECTION III.

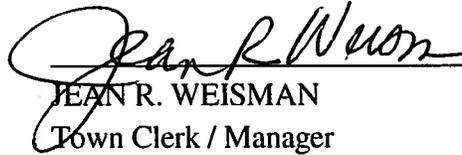
AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect twenty (20) days from the date of its enactment, having been read at two (2) meetings of The Commissioners of St. Michaels and having been passed by a yea and nay vote of The Commissioners of St. Michaels.

HAVING BEEN INTRODUCED, read for the first time and ordered posted on the Town bulletin board at the Public Meeting of The Commissioners of St. Michaels held on the 24th day of September, 2014, at 5:00 o'clock p.m., in the meeting room at the Town Office, St. Michaels, Maryland.

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 (SEAL)
JEAN R. WEISMAN
Town Clerk / Manager

HAVING BEEN READ for the second time and passed by a yea and nay vote of The Commissioners of St. Michaels at a Public Meeting of The Commissioners of St. Michaels held on this 8th day of October, 2014, at 5:00 o'clock p.m., in the meeting room of the Edgar M. Bosley, Jr. Building (Town Office), St. Michaels, Maryland.

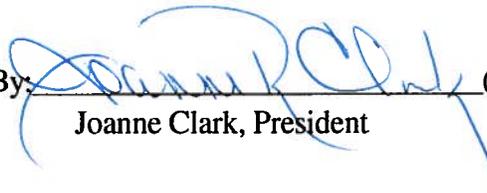
BORDERS	-	___ yea ___
CLARK	-	___ yea ___
HARROD	-	___ yea ___
MYERS	-	___ yea ___
WINDON	-	___ yea ___

I HEREBY CERTIFY that the above Ordinance No. 455 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 8th day of October, 2014.

ATTEST:

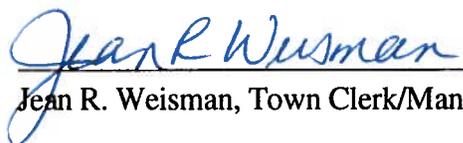
THE COMMISSIONERS OF ST. MICHAELS


Jean R. Weisman, Town Clerk / Manager

By:  (SEAL)
Joanne Clark, President

I HEREBY CERTIFY that an exact copy of this Ordinance was posted from the 9th day of October, 2014, at 8:30 o'clock a.m. to the 28th day of October, 2014, at 4:30 o'clock p.m., on the bulletin board at the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 455 the date of its passage, its effective date and the fact that the entire text of the Ordinance may be read on the bulletin board of the Town Office, St. Michaels, Maryland, for at least twenty (20) days following the passage, has been published at least once each week for two (2) consecutive weeks following the passage of said Ordinance in a newspaper having general circulation in the Town of St. Michaels.

Date: 10/29/14, 2014

 (Seal)
Jean R. Weisman, Town Clerk/Manager