

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG, MARYLAND, ENTITLED “AN ORDINANCE TO REPEAL AND REENACT SECTIONS 4.01 AND 4.02 OF APPENDIX D OF THE CITY CODE (THE RENTAL HOUSING CODE) PERTAINING TO RENTAL HOUSING STANDARDS AND FIRE SAFETY.”

WHEREAS, the City’s Rental Housing Ordinance is included in the City Code as Appendix D.

WHEREAS, Section 4.02 of the Rental Housing Ordinance sets forth fire safety standards applicable to rental housing, including a requirement that all smoke detectors be interconnected.

WHEREAS, the Mayor and City Council have determined that verifying proper fire and smoke separation assemblies in rental properties with adjoining rental units is impractical.

WHEREAS, the Rental Housing Ordinance needs to be updated to reflect State law requirements pertaining to carbon monoxide alarms (see Subtitle 11 of Title 12 of the Public Safety Article of the Annotated Code of Maryland).

WHEREAS, the Mayor and City Council are enacting this Ordinance to modify the interconnection requirements and update provisions pertaining to carbon monoxide alarms in Appendix D of the City Code.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND that Sections 4.01 and 4.02 of Appendix D of the City Code are repealed and reenacted, to read as is set forth in Exhibit A attached hereto.

SECTION 2: BE IT FURTHER ORDAINED that any person found guilty of violating Section 4.02(d) of the Rental Housing Ordinance (tampering with life safety devices) shall be subject to a fine of \$1,000.00. The schedule of fines for municipal infractions (presently Section 2-12 of the City Code) shall be amended accordingly.

THE CITY OF FROSTBURG

By: _____
Todd Logsdon, Mayor

ATTEST:

Patrick O'Brien,
City Administrator

Introduced: _____
Public Hearing: _____
Adopted: _____
Effective: _____

EXHIBIT A

4.01 General Standards.

All new and existing *rental units* shall meet the standards set forth in the Property Maintenance Code, incorporating by reference the edition of the International Property Maintenance Code together with the revisions and amendments thereto that were most recently adopted by the Mayor and Council. As of the effective date of this Ordinance, the Mayor and Council have adopted the 2012 edition of the International Property Maintenance Code, subject to the following revisions and amendments:

- *Section 101.1 Insert: City of Frostburg*
- *Section 103.4 Insert: Municipal Fine Schedule*
- *Section 112.4 Fine – Insert: Min and Max*
- *Section 304.14 Insert: May 15 to Sept 15 (Insect Screens)*
- *Section 602.3 Insert: October 1 to May 1 (Heat Supply)*
- *Section 602.4 Insert: October 1 to May 1 (Heat Supply)*
- *Sections 704.2 and 7.03: See Section 4.02 of this ordinance*
- *Delete Section 111 Appeal and replace with Section 4.03 of this ordinance*
- *Add Section 1.07 Definitions to Chapter 2, Definitions*
- *Replace Violations with Section 2.05 of this ordinance*

4.02 Fire Safety.

The fire and safety measures in this section are in addition to the Fire Safety Requirements of the International Property Maintenance Code (i.e., sections 704.2 and 704.3). In the event of any conflict between the requirements of this section and the requirements of the International Property Maintenance Code, the terms of this section shall control.

a. Smoke Alarms.

1. All *rental units* shall have at least one (1) Underwriters Laboratories-approved AC-powered smoke alarm with a battery backup installed (an “AC-Powered Alarm”) on each floor of a dwelling, including basement levels.
2. Areas within a *rental unit* consisting of a space substantially separated from an area containing an existing AC-Powered Alarm or otherwise isolated from an area protected by an AC-Powered Alarm may, in the reasonable discretion of the *Inspector*, be required to have additional

smoke alarms (i.e., AC-Powered Alarms or 10-year sealed battery smoke alarms “Battery-Powered Alarms”) installed in excess of one (1) AC-Powered Alarm per floor.

3. All smoke alarms (i.e., AC-Powered Alarms and Battery-Powered Alarms) shall be installed within six (6) inches of the ceiling if mounted on the wall.
4. Smoke alarms shall be kept and maintained in good operating condition. Inoperable smoke alarms shall be repaired or replaced within three (3) days of written notice from the Inspector. However, if there isn’t a functional smoke alarm in a single-level rental unit or a level of a multi-level rental unit, the smoke alarm shall be repaired or replaced within twenty-four (24) hours of written notice from the *Inspector*.

b. Carbon monoxide alarms.

1. Definition. “Carbon monoxide alarm” means a device that:
 - (i) senses carbon monoxide;
 - (ii) when sensing carbon monoxide, is capable of emitting a distinct and audible sound;
 - (iii) is listed and carries the listing of a nationally recognized testing laboratory approved by the Office of the State Fire Marshal; and
 - (iv)
 - (a) is wired into an alternating current (AC) powerline with secondary battery backup;
 - (b) is battery-powered, sealed, tamper-resistant, and uses a long-life battery that has a life of not less than ten (10) years; or
 - (c) is connected to an on-site control unit that monitors the carbon monoxide alarm remotely so that a responsible party is alerted when the device activates the alarm signal and receives its primary power from a battery or the control unit.
2. Combination with smoke alarms. A carbon monoxide alarm may be combined with a smoke alarm if the combined device complies with:
 - (i) Title 9 and Subtitle 11 of Title 12 of the Public Safety Article of the Annotated Code of Maryland; and
 - (ii) American National Standards Institute (ANSI)/Underwriters Laboratories (UL) standards 217 and 2034 or ANSI/UL 268 and 2075.
3. Location. A carbon monoxide alarm must be installed in a *rental unit* outside and in the immediate vicinity of each separate sleeping area and

on every level, including the basement. Notwithstanding the foregoing, if there is a centralized alarm system capable of emitting a distinct, audible sound to warn all occupants, the owner of the rental unit may install a carbon monoxide alarm within twenty-five (25) feet of any carbon monoxide-producing fixture or equipment.

c. Fire Extinguishers.

- i. Every *rental unit* shall contain not less than one (1) fire extinguisher, 2.5 pound charge, approved by Underwriters Laboratories for combating Class A, B, and C fires.
- ii. Fire extinguishers must be mounted in plain sight on a wall in or readily accessible to the kitchen area, except that the location of fire extinguishers regulated and approved by the State Fire Marshal for multi-family rental properties will be acceptable.

d. Tampering with Life Safety Devices.

Any person who tampers with, removes without immediately replacing or vandalizes any life safety device (i.e., a smoke alarm, carbon monoxide alarm, fire extinguisher, fire alarm and/or carbon monoxide alarm system, sprinkler system, standpipe system, and similar safety devices and systems) shall be guilty of a municipal infraction and shall be subject to the penalties provided in this Code.