



STATE OF MARYLAND
DEPARTMENT OF STATE POLICE
FIRE PREVENTION COMMISSION



Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

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Colonel Terrence B. Sheridan
Superintendent

Richard K. Brooks, III
Chairman

September 24, 2009

The Honorable Martin O'Malley
Governor, State of Maryland
100 State Circle
Annapolis MD 21401

Honorable Governor O'Malley:

On behalf of the members of the Fire Prevention Commission, I am pleased to provide you the Commission's Annual Report for Fiscal Year 2009.

Should you have any questions or would like any additional information concerning activities of the Commission, please feel free to contact me at 410-392-2014.

Sincerely,

Richard K. Brooks, III
Chairman

RKB:hr

cc: Colonel Terrence B. Sheridan
State Fire Marshal William E. Barnard
Sarah Albert, Dept. of Legislative Services

Enclosure

MARYLAND
STATE FIRE
PREVENTION
COMMISSION



**ANNUAL
REPORT**

**FISCAL YEAR
2009**

July 1, 2008 – June 30, 2009

The State Fire Prevention Commission was established in 1964 and consists of nine (9) members appointed to a maximum of two five-year terms by the Secretary of the State Police, with the approval of the Governor. The following members currently serve on the Commission:

| | |
|--|--|
| Richard K. Brooks, III Chairman Term Expires June 30, 2010* | Central Maryland Volunteer Fire Company |
| Daniel O. Baker, Jr. Vice Chairman Term Expired June 30, 2008** | Southern Maryland Building Contractor |
| Timothy F. Dayton Term Expired June 30, 2009*** | Western Maryland Volunteer Fire Company |
| Brian S. Geraci Term Expires June 30, 2012 | Washington-Metropolitan Industry Representative |
| Sharon S. Gilyeat Term Expired June 30, 2007*** | At-Large Architect/Engineer |
| Dennis E. Howell Term Expired June 30, 2009**** | At-Large Member of the Public |
| Mark. F. Hubbard Term Expires June 30, 2012 | At-Large Career Fire Company |
| Martin J. LePore Term Expires June 30, 2011 | At-Large Industry Representative |
| Richard L. Yinger Term Expires June 30, 2013 | Eastern Shore Volunteer Fire Company |

**Second Term – Not eligible for reappointment*

***Second Term Expired – Continues to Serve Until Replaced*

****Reappointment to a second term pending*

*****First Term Expired – Not seeking reappointment*

The Commission may be contacted at:

12 North Jonathan Street, Suite 100
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Toll-Free: 877-890-0199
Fax: 301-739-8785
E-Mail: sfpc@mdsp.org
Secretary: Heidi Ritchie

The Commission is mandated under Public Safety Article Title 6-204 to hold a minimum of six regular meetings every year. A quorum was achieved at all meetings. Public meeting agendas and approved minutes are posted at the following website:

<http://firemarshal.state.md.us/fpcomm.htm>

| ATTENDANCE ROSTER | | | | | | |
|---|-----------------------|------------------------|--------------------------|-----------------------|-----------------------|---------------------------|
| MEETING DATES/LOCATION & MEMBERS | 8/21/08 Laurel | 10/16/08 Laurel | 12/4/08 Linthicum | 2/19/09 Laurel | 4/16/09 Laurel | 6/16/09 Ocean City |
| BAKER | P | A | P | P | P | P |
| BROOKS | P | P | A | P | P | P |
| CLEMENS | P | P | P | NA | NA | NA |
| COLLINS | P | P | P | NA | NA | NA |
| DAYTON | A | P | P | P | P | P |
| GERACI | NA | NA | NA | A | P | P |
| GILYEAT | P | P | P | P | A | A |
| HOWELL | P | A | P | P | A | P |
| HUBBARD | NA | NA | NA | P | P | A |
| LEPORE | NA | NA | NA | P | P | P |
| YINGER | NA | NA | NA | P | P | P |

P=Present A=Absent NA=Not Appointed

During the year, Commissioner Howell announced he would not seek reappointment to a second term. He continues to serve until replaced.

The vacancy created by former Commissioner Aoyagi's resignation was filled by Commissioner Hubbard.

The vacancy created by former Commissioner Hoglander's resignation was filled by Commissioner LePore.

Commissioner Richard Clemens' second term expired June 30, 2007. He continued to serve until replaced by Commissioner Geraci.

Commissioner Collins' second term expired June 30, 2008. He continued to serve until replaced by Commissioner Yinger.

Commissioner Dayton and Commissioner Gilyeat are awaiting reappointment to a second term.

**Statutory Responsibility
Annotated Code of Maryland
Public Safety Article Title 6-501**

The Commission is empowered to hear appeals filed by a person who is aggrieved by an order or decision of the State Fire Marshal or his designee in the course of enforcing the State Fire Prevention Code.

The Commission heard three appeals in Fiscal Year 2009:

Case 08-01 Catoctin Quaker Camp

Thurmont, Frederick County. The Camp appealed the decision of the Frederick County Fire Marshal to install a hood and fire suppression system over the cooking equipment. The appellant withdrew the appeal prior to being heard.

Case 08-02 Maris Elaine Gallery

Cambridge, Dorchester County. The Gallery appealed the decision of the State Fire Marshal to provide a second remote exit from the second floor art gallery. The case was remanded back to the State Fire Marshal to explore alternative options.

Case 09-01 Clingman Lodging/Rooming House

McHenry, Garrett County. The Clingmans appealed the decision of the State Fire Marshal to install a fire sprinkler system in their lodging/rooming house. The Commission affirmed the decision of the State Fire Marshal.

**Statutory Responsibility
Annotated Code of Maryland
Public Safety Article Title 6-206**

The Commission is empowered to promulgate, amend, and repeal regulations for the safeguarding of life and property from the hazards of fire and explosion and to hold public hearings pertaining to such regulations. Code of Maryland Regulations as promulgated by the Commission may be viewed at the following website:
<http://firemarshal.state.md.us/codes.htm>

The Commission unanimously voted to accept the Code Update Committee's recommended amendments to COMAR 29.06.01 State Fire Prevention Code which adopts by reference the 2009 editions of *NFPA 101 Life Safety Code* and *NFPA 1 Fire Code*. Commissioner Gilyeat served on the Code Update Committee.

The Commission unanimously voted to repeal COMAR 29.06.06 Fresh Cut and Live Tree Fire Safety since many the requirements are now contained in the 2009 NFPA Codes or have been incorporated as COMAR 29.06.01 amendments.

The proposal will be published in the *Maryland Register* September 25, 2009. A public hearing is scheduled in Laurel on October 15, 2009, with an anticipated effective date of January 1, 2010.

RESIDENTIAL FIRE SPRINKLER SYSTEMS

During the year, the Commission supported local efforts to adopt residential fire sprinkler system requirements for new one- and two-family homes. Various informational seminars and sprinkler system demonstrations were and continue to be held throughout the state as more jurisdictions consider the life and property saving benefits of residential fire sprinkler systems. As of January 2009, nine counties and eighty-two municipalities have adopted ordinances pertaining to the installation of residential fire sprinkler systems:

Statewide requirements are already in place under Public Safety Article Title 9-204 for residential fire sprinkler systems in newly constructed townhomes and multi-family residential buildings.

**Statutory Responsibility
Annotated Code of Maryland
Public Safety Article 6-205**

The Commission is mandated to promote and conduct seminars, conferences, workshops and meetings at least once each year to inform the public and firefighting personnel of the latest techniques in fire prevention programs and procedures, life safety measures, changes in the State Fire Prevention Code, and development of improved fire safety goals.

MID-ATLANTIC LIFE SAFETY CONFERENCE

The Fire Prevention Commission co-sponsored the Mid-Atlantic Life Safety Conference held September 23, 2008, in Laurel, Maryland. This annual conference offers a variety of safety oriented workshops presented by some of the nation's leading fire and emergency services professionals. Approximately 300 persons attended the event, including several Commission members.

Commissioner Gilyeat served on the 2008 and 2009 Conference Steering Committee.

Other Activities

Throughout the year, Commission members attend and participate in a variety of activities and serve on committees involving fire prevention education, fire and emergency services, and code enforcement.

MID-ATLANTIC ASSOCIATION OF STATE FIRE COMMISSIONS

The Mid-Atlantic Association of State Fire Commissions is comprised of fire commissions from twelve (12) member states for the purpose of sharing and promoting state and national goals related to fire prevention and education. The states of Connecticut, Delaware, Kentucky, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia each host the annual conference on a rotating basis.

The 30th Annual Conference was co-hosted by the Maryland Fire Prevention Commission and the Maryland Fire-Rescue Education Training Commission. The event was held in Annapolis, Maryland, September 18-20, 2008. Approximately 55 persons attended the event, including all the Commission members.

Representatives discussed a variety of topics related to fire code enforcement issues, proactive initiatives for automatic sprinkler system installations, funding sources, firefighter recruitment and training, and fire prevention education.

Vice Chairman Baker and Commissioner Howell served on the Planning Committee along with representatives from other jurisdictions and fire service organizations.

MARYLAND STATE FIREMEN'S ASSOCIATION

Chairman Brooks and Commissioners Yinger and Dayton serve on a variety of committees under the auspices of this association. The association membership is comprised of volunteer departments from throughout the State whose mission is to serve, promote, advocate and represent the interests of the volunteer fire, rescue, and emergency medical services of Maryland.

The association sponsors an annual contest to recognize fire, rescue, and ambulance departments' efforts in promoting fire prevention in their communities. The Fire Prevention Commission took the opportunity during the association's annual convention in Ocean City to participate in convention activities and present Certificates of Appreciation to several fire and emergency services departments for their contributions to fire prevention and fire safety education.

NATIONAL FIRE PROTECTION ASSOCIATION

Commissioner Gilyeat, a licensed professional engineer and University of Maryland graduate, serves on several NFPA committees:

- Chair of the Incinerators and Waste Handling Systems Technical Committee
- Member on the Health Care Emergency Management and Security Technical Committee
- Alternate member on the Health Care Facilities Technical Correlating Committee.

The association is a leading developer of codes, standards, recommended practices and guides on fire and safety issues developed through a consensus process by volunteers representing varied viewpoints and interests.

ALLEGANY-GARRETT COUNTY FIRE AND RESCUE ASSOCIATION

Commissioner Dayton is a member of this association which serves, promotes, advocates and represents the interests of thirty-seven volunteer fire, rescue and emergency medical services companies in Allegany and Garrett Counties.

F.A.B.S.C.O.M. (FIRE AND BURN SAFETY COALITION OF MARYLAND)

COMMITTEE FOR VISUAL SMOKE ALARMS FOR DEAF AND HARD OF HEARING PERSONS

Commissioner Yinger has chaired this committee since 1997. The committee is comprised of members of the deaf community, public safety organizations, and private corporate organizations. The committee assists the deaf and hard of hearing persons in providing low-cost visual smoke alarms in private residences.