

HARFORD COUNTY BILL NO. 24-008 (As Amended)

Brief Title (Fire Lanes)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Mylia A. Dixon
Council Administrator

Date 4/9/24

ENROLLED

[Signature]
Council President

Date 4/9/24

BY THE COUNCIL

Read the third time.

Passed: LSD 24-012

Failed of Passage: _____

By Order

Mylia A. Dixon
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 10th Day of April 2024, at 3:00 p.m.

Mylia A. Dixon
Council Administrator



BY THE EXECUTIVE

[Signature]
COUNTY EXECUTIVE

APPROVED: Date 4-10-2024

BY THE COUNCIL

This Bill No. 24-008 As Amended having been approved by the Executive and returned to the Council, becomes law on April 10, 2024.

EFFECTIVE: June 10, 2024

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 24-008 (As Amended)

Introduced by Council President Vincenti at the request of the County Executive and
Council Members Giangiordano, Reilly and Penman

Legislative Day No. 24-008 Date March 5, 2024

AN ACT to repeal and reenact, with amendments, Section 244-6, Designation, of Article II, Fire Lanes, of Chapter 244, Vehicles and Traffic, of the Harford County Code, as amended; to provide that the Department of Emergency Services and the Department of Inspections, Licenses and Permits shall develop regulations for the establishment of fire lanes; to provide for civil and criminal penalties pursuant to Section 1-23, General Penalty, of Article II, Miscellaneous, of Chapter 1, General Provisions, of the Harford County Code, as amended, for violation of this section; to correct a spelling error within Section 244-7, Authority to remove obstructions; charges of Article II, Fire Lanes, of Chapter 244, Vehicles and Traffic, of the Harford County Code, as amended; and generally relating to fire lanes.

By the Council, March 5, 2024

Introduced, read first time, ordered posted and public hearing scheduled
on: April 2, 2024
at: 7:15 PM

By Order: *Mylia A. Dixon*, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language

added to Bill by amendment. Language lined through
indicates matter stricken out of Bill by amendment.

BILL NO. 24-008
As Amended

1 WHEREAS, the State Fire Marshal is presently vested with the authority to designate fire
2 lanes in accordance with the applicable Harford County Code; and

3 WHEREAS, it is in the best interests of Harford County for the Department of
4 Emergency Services and the Department of Inspections, Licenses and Permits to assume the
5 responsibility and authority to designate fire lanes within the County; and

6 WHEREAS, the Department of Emergency Services and the Department of Inspections,
7 Licenses and Permits shall develop rules and regulations in accordance with this Article for
8 designating and maintaining fire lanes; and

9 WHEREAS, it is in the best interest of Harford County that violations of this Article and
10 any rules and regulations adopted in connection therewith be administered in the manner and
11 method prescribed in Section 1-23, General Penalty, of Article II, Miscellaneous, of Chapter 1,
12 General Provisions, of the Harford County Code, as amended.

13 NOW THEREFORE, for the purpose of repealing and reenacting, with amendments,
14 Section 244-6, Designation; to provide that the Department of Emergency Services and the
15 Department of Inspections, Licenses and Permits shall develop rules and regulations for the
16 establishment and maintenance of fire lanes; to provide for civil and criminal penalties pursuant
17 to Section 1-23, General Penalty, of Article II, Miscellaneous, of Chapter 1, General Provisions,
18 for violation of this section; and to correct a spelling error within Section 244-7, Authority to
19 remove obstructions; charges of Article II, Fire Lanes, of Chapter 244, Vehicles and Traffic, of
20 the Harford County Code, as amended:

21 Section 1. Be It Enacted By The County Council of Harford County, Maryland that Section 244-
22 6, Designation, of Article II, Fire Lanes, of Chapter 244, Vehicles and Traffic be, and it is hereby,
23 repealed and reenacted, with amendments; that the spelling error within Section 244-7, Authority

1 to remove obstructions; changes of Article II, Fire Lanes, of Chapter 244, Vehicles and Traffic, be,
2 and it is hereby corrected, all to read as follows:

3 **Chapter 244 Vehicles and Traffic**

4 **Article II. Fire Lanes**

5 **§ 244-6. ESTABLISHMENT AND Designation.**

6 A. [The State Fire Marshal in coordination with the Chief of the fire company serving the area
7 involved,] THE DIRECTOR OF THE DEPARTMENT OF EMERGENCY SERVICES
8 AND THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND
9 PERMITS OR THEIR RESPECTIVE DESIGNEE shall have the authority and primary
10 responsibility to designate a fire lane. [In the absence of the Fire Marshal, any fire official
11 may designate a fire lane.] Fire lanes may be designated in the following areas, or any portion
12 thereof:

- 13 (1) Entrances and exits to commercial, industrial, public or semi-public buildings.
14 (2) Roadways providing access to sprinkler or standpipe systems.
15 (3) Roadways that lead to, are next to or in front of fire hydrants.
16 (4) Roadways providing access to fire stations.
17 (5) Roadways next to multi-family dwellings (apartments, condominiums, etc.) if the
18 roadway does not meet the physical requirements found in the definition of a fire
19 lane.

20 [B. When a fire official determines a fire lane is required, the property owner shall:

- 21 (1) Clearly designate the fire lane by posting a sign. Signing shall be a minimum of 12
22 inches by 17 inches and state "Fire Lane - No Parking." Signs shall be red lettering
23 on white background and mounted on treated wood or metal sign posts at a spacing

BILL NO. 24-008
As Amended

1 of 50 feet along the fire lane. If the lane is less than 50 feet, a sign shall be posted
2 at each end of the lane. Signs shall be plainly visible to motorists and at least 7 feet
3 high measured from the bottom of the sign to the ground.

- 4 (2) Paint any curb or pavement "fire engine red" throughout the limits of the fire lane.
5 If pavement is painted, it shall be marked with lettering 8 inches high with 6-inch
6 strokes "No Parking - Fire Lane." Marking legends shall be spaced at a maximum
7 of 100 feet apart.]

8 B. THE DIRECTOR OF THE DEPARTMENT OF EMERGENCY SERVICES AND THE
9 DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
10 **OR THEIR RESPECTIVE DESIGNEE** SHALL JOINTLY ESTABLISH RULES AND
11 REGULATIONS FOR THE ADMINISTRATION OF THE PROVISIONS OF THIS
12 ARTICLE IN ACCORDANCE WITH SECTION 807 OF THE HARFORD COUNTY
13 CHARTER. SUCH RULES AND REGULATIONS AND AMENDMENTS THERETO
14 SHALL NOT CONFLICT WITH NOR WAIVE ANY PROVISIONS OF THIS ARTICLE
15 NOR BE LESS RESTRICTIVE THAN ITS PROVISIONS. REGULATIONS FOR FIRE
16 LANES SHALL AT A MINIMUM BE REVIEWED AND UPDATED AS NECESSARY
17 UPON ADOPTION OF A NEW VERSION OF THE INTERNATIONAL BUILDING
18 CODE IN CHAPTER 82 OF THE HARFORD COUNTY CODE. THESE RULES AND
19 REGULATIONS MAY INCLUDE PROVISIONS THAT:

- 20 (1) DESIGNATE FIRE LANES ON SITES WITH EXISTING STRUCTURES
21 WHEN AN EXISTING STRUCTURE UNDERGOES RENOVATIONS THAT
22 NECESSITATE THE ISSUANCE OF A BUILDING PERMIT IN

BILL NO. 24-008
As Amended

1 ACCORDANCE WITH CHAPTER 82, BUILDING CONSTRUCTION, OF THE
2 HARFORD COUNTY CODE.

- 3 (2) ESTABLISH ADDITIONAL PARAMETERS RELATING TO THE
4 MAINTENANCE AND REQUIRED LOCATIONS AND SPECIFICATIONS
5 FOR THE DESIGNATION OF FIRE LANES PURSUANT TO THIS SECTION.

6 C. Maintenance.

- 7 (1) A property owner shall maintain a clear space of at least 36 inches around any fire
8 hydrant located on his or her property and shall maintain an unobstructed area (i.e.,
9 free of landscaping or other obstructions) between the curb and the face of the
10 hydrant.

- 11 (2) A property owner shall maintain an unobstructed path to any Fire Department
12 connection located on a building. The path shall be a minimum of 4 feet wide and
13 6 feet high. The unobstructed area shall extend a minimum of 15 feet, measured
14 along the curb, to either side of the centerline of the hydrant.

15 D. Violations.

- 16 (1) A property owner who fails to properly mark and maintain a fire lane IN
17 ACCORDANCE WITH THIS ARTICLE AND/OR ANY ADOPTED RULES
18 AND REGULATIONS IN CONNECTION THEREWITH, [by appropriate signs
19 and other appropriate marking] or who fails to maintain unobstructed access or
20 clear space to a hydrant or Fire Department connection as required by this section,
21 shall BE SUBJECT TO THE GENERAL PENALTY PROVISIONS SET FORTH
22 IN SECTION 1-23 OF THE HARFORD COUNTY CODE [be liable for a civil
23 penalty of \$100. Each day a violation continues is a separate offense].

BILL NO. 24-008
As Amended

1 (2) A fine under this section shall be imposed in the following manner:

2 (a) A fire official OR MEMBER OF A LAW ENFORCEMENT AGENCY
3 who observes a violation shall MAY report the violation to the DIRECTOR
4 [manager] of EITHER the DEPARTMENT OF EMERGENCY SERVICES
5 OR THE DEPARTMENT OF INSPECTIONS LICENSES AND
6 PERMITS [Division of Emergency Operations], OR HIS/HER THEIR
7 RESPECTIVE designee, or AN employee of the [Division]
8 DEPARTMENT OF EMERGENCY SERVICES OR THE
9 DEPARTMENT OF INSPECTIONS LICENSES AND PERMITS.

10 (b) An employee of the [Division of Emergency Operations] DEPARTMENT
11 OF EMERGENCY SERVICES OR THE DEPARTMENT OF
12 INSPECTIONS LICENSES AND PERMITS who observes a violation or
13 to whom a violation has been reported shall verify that a violation exists and
14 shall issue a NOTICE OF VIOLATION STIPULATING THE
15 CORRECTIVE MEASURES NECESSARY TO ABATE THE
16 VIOLATION AND THE DATE BY WHICH THE CORRECTIVE
17 MEASURES MUST BE COMPLETED. A citation PURSUANT TO
18 SECTION 1-23 OF THE HARFORD COUNTY CODE SHALL BE
19 ISSUED to the property owner UPON FAILURE TO COMPLY WITH
20 THE PROVISIONS OF THE NOTICE OF VIOLATION.

21 (c) [The]A NOTICE OF VIOLATION OR citation ISSUED UNDER THIS
22 ARTICLE shall be hand delivered, sent by certified mail AND/OR
23 POSTED ON THE PROPERTY SUBJECT TO THE VIOLATION.

BILL NO. 24-008
As Amended

1 (d) If 15 days after delivering or mailing [the notice] A CITATION, [a] THE
2 violation continues to exist, Harford County shall take action to ensure
3 compliance. Any costs incurred shall be the responsibility of the property
4 owner AND, IF NOT PAID, SHALL CONSTITUTE A LIEN ON THE
5 PROPERTY WHERE THE VIOLATION OCCURRED AND SHALL BE
6 COLLECTIBLE IN THE SAME MANNER AS REAL PROPERTY
7 TAXES WITH THE SAME PRIORITY, INTEREST AND PENALTIES.

8 **§ 244-7 Authority to remove obstructions; charges.**

9 A. No person shall park or allow to be parked any vehicle, of which he is the owner, in a manner
10 that interferes with or obstructs a clearly marked fire lane or fire hydrant area. In addition, no
11 person shall place or allow to be placed any material, debris or other object, of which he is
12 the owner or has possession, in a manner that interferes with or obstructs a clearly marked
13 fire lane or hydrant area.

14 B. Any law enforcement officer, ~~EITHER ACTING ON HIS/HER OWN~~ **INDIVIDUALLY** OR
15 AT THE REQUEST OF THE FIRE SERVICE INCIDENT COMMANDER, [**OR** member
16 of a fire company may, whenever necessary,] MAY take possession of, remove, tow away,
17 impound or otherwise remove any debris, material, vehicle or other object which [interfers]
18 INTERFERES with or obstructs previously established and marked fire lanes for the access
19 or operation of any fire company equipment or other emergency vehicles or equipment.

20 C. Any law enforcement agency, fire company or other county agency which has cause to
21 remove an obstruction from a fire lane during a fire or other emergency is authorized to do
22 so in any manner that is both safe and expeditious as defined by this chapter. Any charges

BILL NO. 24-008
As Amended

1 imposed by the removing agent, public or private, shall be paid by the owner of the
2 obstruction.

3 Section 2. And Be It Further Enacted that this Act shall take effect sixty (60) calendar days from
4 the date it becomes law.

EFFECTIVE: June 10, 2024

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator