

COUNCIL OF UNIT OWNERS
Rock Creek Gardens Condominium
Silver Spring, Maryland
COMMUNITY RULES AND REGULATIONS

<i>Rule No.</i>	<i>Title</i>	<i>Effective Date:</i>	<i>Page</i>	<i>No of pages</i>
9A	Fire Prevention and Protection	09/10/2020	1	4
<i>Bylaw Reference(s)</i>		<i>Maryland Condominium Act References:</i>	<i>Montgomery County Code References:</i>	
Article X Section 3(b); Article XI Section 3(d)(i)		Section 11-111	Ch 22; Ch 26 Sec 26-8&8A	

9A-1. PURPOSE

- a. This rule establishes policies and procedures that implement applicable provisions of the Montgomery County Code Chapter 22 (Fire Safety Code), and Chapter 26 (Housing and Building Maintenance Standards). It also implements Sections 9-101 through 9-109 of the Maryland State Public Safety Article.
- b. Provisions of this rule apply to all unit owners, whether residing on- or off-site and generally to all tenants residing in leased units.

9A-2. POLICY

- a. The management agent will ensure that each stairwell of each building is equipped with at least one charged and operational fire extinguisher and at least one emergency lighting array that automatically activates when building electrical power is lost to facilitate building egress.
- b. Unit owners are obligated to control fire hazards by ensuring that--
 - (1) Each unit is equipped with smoke detector(s) that are hard-wired with battery backup
 - (2) One smoke detector is installed near sleeping areas on each occupied level. A single smoke detector is sufficient to protect directly adjoining sleeping areas. (Note: Locations of hardwired smoke detectors originally installed during the 1980 condominium conversion remain code-compliant.)
 - (3) Replacing permanently installed smoke detectors in each owned unit at least every 10 years.
 - (4) Ensuring that exhaust systems that vent to the outside are approved by the Architectural Standards Committee prior to the start of work, in accordance with Rule 3.
 - (5) Ensuring that electrical panels and hard-wired lighting or other electrical fixtures remain in safe working order and are repaired or replaced as necessary.
 - (6) Maintaining fireplace flues and chimneys (in units so equipped) in accordance with provisions of Paragraph 9A-3.
 - (7) Ensuring any repairs that require changes to the electrical infrastructure, to include interior wiring, circuit breakers, and breaker panels, are approved in advance by the Architectural Standards Committee and are carried out by properly licensed electricians, as required by Rule 3.
- c. Residents, whether unit owners or tenants, are obligated to control fire hazards by--
 - (1) Maintaining electrical appliances in good working order.
 - (2) Repairing or replacing appliances as necessary.
 - (3) Ensuring that lint traps or screens for installed clothes dryers are cleaned after each use.

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<p>(4) Ensuring that any installed venting system that vents to the outside is cleared at least twice a year.</p> <p>(5) Operating and maintaining fireplaces (in units so equipped) in accordance with provisions of Paragraph 9A-3.</p> <p>d. The operation of personally owned or leased power generators is not permitted within any unit or on any part of the general common elements under any circumstances.</p> <p>e. Stairwells, landings, foyers, and hallways must be kept clear at all times to permit unimpeded egress from units to the street-level exit door of each building. In this connection, bicycles, furniture, mattresses, and all other kinds and types of personal property may not be temporarily or permanently stored or left in these or any other parts of the general common elements, except that bicycles may be stored in an area specifically reserved for that purpose. Arrangements for bicycle storage may be made at the on-site office. Violations are subject to an initial \$25 fine and a \$50 fine for repeat violations.</p> <p>f. Fireworks and similar kinds and types of incendiary devices may not be used within any unit or on any part of the general common elements at any time or under any circumstances.</p> <p>g. Fire hydrants located on the general common elements may not be blocked by motor vehicles or other objects at any time. Motor vehicles found to be blocking fire hydrants are subject to immediate towing at the vehicle owner's risk and expense under the provisions of Rule 6.</p> <p>h. Propane and other types of gas cylinders may not be used or stored in units, except that oxygen cylinders for medical purposes may be used providing written safe use and storage instructions have been made available to and are understood by the patient or other responsible person.</p> <p>i. Class I flammable substances, as defined by the National Fire Protection Association (acetylene, hydrogen, ethylene, and gasoline), may not be kept, used, or stored in units or on any part of the general common elements at any time.</p> <p>j. Fireplace ashes that are not completely cold and liquids or other substances that are or may become flammable may not be deposited in the community trash containers under any circumstances. Flammable refuse must be taken or hauled to the county waste transfer station, in Gaithersburg, for proper disposal.</p> <p>k. Outdoor charcoal or gas-fired cooking equipment may not be used within 20 feet of any building or directly beneath any roof, deck, or other structural protrusion. Charcoal grills, including hibachis, may not be used inside any unit at any time.</p> <p>l. The use of space heaters is discouraged, but if used, must be electrically operated and installed or mounted in such a way that prevents accidental tip-over. Operating space heaters may not be left unattended.</p>			
<p>9A-3. FIREPLACES, FLUES, AND CHIMNEYS</p>			
<p>a. As defined in the Declaration, fireplaces and their associated flues and chimneys are legally parts of the units in which they are installed.</p> <p>b. It is the responsibility of—</p> <p>(1) The primary resident of each unit having an installed fireplace, whether unit owner or lessee, to operate and maintain the fireplace in accordance with provisions of this rule.</p>			

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<p>(2) Owners of fireplace equipped units and owners of units located directly above or below such units to ensure that—</p> <p>(a) Each such unit is equipped with carbon monoxide detector(s) or combination smoke/carbon monoxide detector(s) that are hard-wired with battery backup.</p> <p>(b) One carbon monoxide detector or combination smoke/carbon monoxide detector is installed near sleeping areas on each occupied level. A single detector is sufficient to protect directly adjoining sleeping areas. (Note: Locations of hardwired smoke detectors originally installed during the 1980 condominium conversion remain code-compliant. Existing smoke detectors may be replaced with combination smoke/carbon monoxide detectors on a one-for-one basis.)</p> <p>c. <u>Operation and Use.</u> Residents must use fireplaces consistent with the following guidelines:</p> <p>(1) The flue includes a metal plate (damper) at the top of the firebox that may be opened or closed to allow smoke and fumes from the firebox to enter the bottom of the chimney or (when the fireplace is not being used), prevent outside air from traveling down the chimney. The position of the damper is controlled by a metal lever located near the top of the firebox. Moving the lever to the right opens the damper; moving the lever to the left closes the damper.</p> <p>(2) <i>THE DAMPER MUST ALWAYS BE OPENED BEFORE ATTEMPTING TO START A FIRE!</i></p> <p>(3) Only dry, seasoned wood or packaged fire logs may be burned. (Most of the wood bundles sold at various retail outlets are seasoned). Wet or “green” wood tends to give off excess smoke that can lead to the buildup of creosote, a potentially flammable substance, on the chimney walls. Christmas trees must be disposed of only as directed by the on-site office and must never be used as fireplace fuel.</p> <p>(4) Painted, varnished, or stained wood may give off toxic fumes when burned and may not be used as fuel. For the same reason, plastics of any kind, including plastic bags, may not be burned in a fireplace at any time.</p> <p>(5) Firewood or packaged fire logs to be burned must be stacked on a metal grate placed inside and toward the rear of the firebox. Wood or packaged logs must never be burned directly on the masonry fireplace base.</p> <p>(6) Only dry materials, such as crumpled newspaper pages inserted beneath the grate or commercial “starter sticks” available from commercial sources may be used to start a fire. Flammable liquids may <u>never</u> be used to start or maintain a fire.</p> <p>(7) Fireplaces should not be used during blustery or windy weather, as defined by the National Weather Service (generally, more than 20 mph). This is to reduce the chances of high winds or gusts from traveling down the chimney and creating a backdraft that blows smoke into the unit and hot embers onto the surrounding floor. The mesh curtain must always be closed while a fire is burning, regardless of outside weather conditions.</p> <p>(8) Even on the coldest days, at least one window in the room where the fireplace is located should be opened a crack to ensure increase interior air pressure, thereby ensuring that an adequate flow of oxygen can enter the firebox. Inadequate oxygen flow caused by low interior air pressure can also produce backdrafts caused by the fire drawing oxygen down from the chimney itself.</p> <p>(9) Active fires may never be left unattended.</p>			

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<p>d. <u>Maintenance.</u></p> <ol style="list-style-type: none"> (1) Ashes left over from incinerated wood will continue to smolder for hours or even days. Users must ensure that spent ashes and other remains are completely cold before attempting to remove them from a fireplace. (2) Unit owners must ensure that fireplaces, flues, and chimneys are periodically inspected and cleaned based on frequency of fireplace use, consistent with the following guidelines: <ol style="list-style-type: none"> (a) <u>Routinely used</u> (20 or more times per heating season): Every year. (b) <u>Occasionally used</u> (Between 5 and 20 times per heating season): Every three years (c) <u>Rarely</u> (less than five times per heating season): Every five years (3) Inspections must be conducted between April 15 and October 15 and include the following services: <ol style="list-style-type: none"> (a) Ensure the chimney and flue are free of obstructions (b) Ensure the chimney cap and spark arrester are in proper working order (c) Check the flue, chimney and chimney cap for leaks, cracks, holes, and corrosion (d) Clean the chimney to remove creosote and other foreign substances (4) Unit owners must coordinate with the on-site office before contracting to refinish the exterior of any attached chimney, or to remove rust or repair corrosion in order to ensure consistency in appearance throughout the community. <p>e. Firewood may not be stored on any part of the general common elements at any time.</p>			