

**STATE OF MARYLAND**

**DEPARTMENT OF STATE POLICE**

**OFFICE OF THE STATE FIRE MARSHAL**



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**Colonel Roland L. Butler, Jr.**  
*Superintendent*

**Jason M. Mowbray**  
*Acting State Fire Marshal*

**MEMORANDUM**

TO: All OSFM Staff, Assistant State Fire Marshals, Special Deputy State Fire Marshals

CC: Mr. Edward Tochterman, Chairman State Fire Prevention Commission

FROM: Jason M. Mowbray, Acting State Fire Marshal 

DATE: January 29, 2024

RE: State Fire Prevention Commission April 26, 2018 Decision Relative to Inimicable Hazards of Non-Sprinklered High-Rise Residential Buildings

The State Fire Prevention Commission, by vote on April 26, 2018, declared all non-sprinklered high-rise residential buildings as “inimicable hazards”. The Commission’s decision was intended to trigger retrofit requirements for all non-sprinklered high-rise residential buildings. The Office of the State Fire Marshal, based on advice of counsel, has determined that the Commission’s action did not comply with the procedural requirements set forth in Maryland’s Administrative Procedure Act. Therefore, the Commission’s general determination that existing high-rise buildings be retrofitted with sprinklers will not be enforced. However, should an inspection be conducted of an individual existing high-rise residential building which finds specific cause that conditions exist which constitute an “inimicable hazard,” that inspection authority should take appropriate actions to enforce the provisions of the State Fire Prevention Code.

Specific inquiries about the State Fire Prevention Code and its adoption should be directed to the State Fire Prevention Commission.