

(I) FOUR OR MORE STORIES ABOVE GRADE LEVEL; OR

(II) OVER 45 FEET IN HEIGHT.

(2) "HIGH-RISE BUILDING" DOES NOT INCLUDE:

(I) A STRUCTURE OR BUILDING USED EXCLUSIVELY FOR OPEN AIR PARKING; OR

(II) A BUILDING USED EXCLUSIVELY FOR AGRICULTURAL PURPOSES.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the first and last sentences of former Art. 38A, § 49(1).

In paragraph (2)(i) of this subsection, the former phrase "wherever located" is deleted as surplusage.

(C) LOCAL FIRE DEPARTMENT.

"LOCAL FIRE DEPARTMENT" MEANS A CAREER OR VOLUNTEER FIRE DEPARTMENT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 38A, § 49(3).

The reference to a "career" fire department is substituted for the former reference to a "full-time" fire department for consistency with terminology used throughout this article.

(D) PUBLIC WAY.

"PUBLIC WAY" MEANS A PAVED THOROUGHFARE OVER 21 FEET IN WIDTH THAT:

(1) IS LOCATED ON PRIVATELY OWNED AND PRIVATELY MAINTAINED PROPERTY BUT IS DESIGNATED FOR PUBLIC USE; OR

(2) IS PUBLICLY OWNED AND PUBLICLY MAINTAINED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the first sentence of former Art. 38A, § 49(2), except as it related to a public way being accessible to the fire department.

9-402. PURPOSE OF SUBTITLE; LEGISLATIVE FINDINGS.

(A) PURPOSE OF SUBTITLE.

THE PURPOSE OF THIS SUBTITLE IS TO PROVIDE FOR THE PHYSICAL SAFETY AND PROTECTION OF PROPERTY OF OCCUPANTS OF HIGH-RISE BUILDINGS IN CASE OF FIRE.

(B) LEGISLATIVE FINDINGS.