

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2019 Legislative Session

Legislative Day No. **5**

Bill No. 15 -2019

Introduced by: The Chairperson at the request of the County Executive

AN ACT adopting certain national codes as the Howard County Property Maintenance Code for Rental Housing; adopting local amendments; making certain technical corrections; and generally relating to the Howard County Property Maintenance Code for Rental Housing.

Introduced and read first time _____, 2019. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2019.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2019 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2019 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/vetoed by the County Executive _____, 2019

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the
2 Howard County Code is amended as follows:

3

4 *By repealing and reenacting:*

5 *Title 3. Buildings.*

6 *Subtitle 7. Property Maintenance Code for Rental Housing.*

7 *Section 3.700. Howard County Property Maintenance Code for Rental Housing.*

8

9 *By amending:*

10 *Title 14. Licenses, Inspections and Permits*

11 *Subtitle 9. Rental Housing Licenses*

12 *Section 14.900(f).*

13

14 **Title 3. Buildings.**

15 **Subtitle 7. Property Maintenance Code for Rental Housing.**

16

17 **SECTION 3.700. HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL**
18 **HOUSING.**

19 (A) *ADOPTION OF NATIONAL CODE.* EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS
20 SECTION, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018, AS
21 PUBLISHED BY THE INTERNATIONAL CODE COUNCIL IS HEREBY ADOPTED AS THE
22 HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.

23 (B) *LOCAL AMENDMENTS.* THE FOLLOWING AMENDMENTS MODIFY CERTAIN PROVISIONS
24 OF THE ADOPTED CODE.

25 (1) *IN GENERAL.*

26 (I) AS USED IN THIS SUBTITLE, THE TERM “THIS CODE” SHALL MEAN THE
27 HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL
28 HOUSING.

29 (II) AS USED IN THIS SECTION, THE TERM “CODE OFFICIAL” SHALL MEAN
30 THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES
31 AND PERMITS OR THE DIRECTOR’S AUTHORIZED DESIGNEE.

(III) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY SECTION OF THIS CODE, INSERT “HOWARD COUNTY, MARYLAND”.

(2) ***SUBSECTION 101.1 TITLE.***

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

101.1 TITLE. THESE REGULATIONS SHALL BE KNOWN AS THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING, HEREINAFTER REFERRED TO AS “THIS CODE”.

(3) ***SUBSECTION 101.2 SCOPE.***

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

101.2 SCOPE.

(I) THE SCOPE OF THIS CODE IS LIMITED TO EXISTING STRUCTURES IN THE FOLLOWING OCCUPANCIES AS DEFINED IN THE HOWARD COUNTY BUILDING CODE:

A. INSTITUTIONAL, USE GROUP I-1; AND

B. RESIDENTIAL,

I. USE GROUPS R-1, R-2, R-4; AND

II. USE GROUPS R-3 THAT ARE NOT OWNER-OCCUPIED, OCCUPIED BY THE OWNER’S IMMEDIATE FAMILY, OR OWNER-OCCUPIED WITH 2 OR MORE ROOMERS OR BOARDERS.

(II) THIS CODE SHALL NOT APPLY TO THE FOLLOWING EXISTING OCCUPANCIES AS DEFINED IN THE HOWARD COUNTY BUILDING CODE:

A. ASSEMBLY, ALL USE GROUPS;

B. BUSINESS, USE GROUP B;

C. EDUCATIONAL, USE GROUP E;

D. FACTORY AND INDUSTRIAL USE GROUPS F-1 AND F-2;

E. HIGH HAZARD, ALL USE GROUPS;

F. INSTITUTIONAL, USE GROUPS I-2, I-3, AND I-4;

G. MERCANTILE, USE GROUP M; AND

H. RESIDENTIAL, USE GROUP R-3, IF THE DWELLING IS:

- I. OWNER OCCUPIED;
- II. OCCUPIED BY MEMBERS OF THE OWNER’S IMMEDIATE FAMILY; OR
- III. OWNER OCCUPIED HAVING NO MORE THAN ONE ROOMER OR BOARDER.

(4) ***SUBSECTION 101.3 INTENT.***

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

101.3 INTENT. THE PURPOSE OF ACTIONS TAKEN BY THE JURISDICTION PURSUANT TO THIS CODE IS PURELY GOVERNMENTAL IN NATURE AND ARE CONDUCTED SOLELY FOR THE PUBLIC BENEFIT. ACTIONS TAKEN PURSUANT TO THIS CODE ARE NOT TO BE CONSTRUED AS PROVIDING ANY WARRANTY OF CONDITION TO ANY PERSON.

(5) ***SUBSECTION 101.5 LICENSING.***

ADD NEW SUBSECTION 101.5 AFTER SUBSECTION 101.4 AS FOLLOWS:

101.5 LICENSING. A STRUCTURE WITHIN THE SCOPE OF THIS CODE SHALL NOT BE OCCUPIED UNLESS THE PROPERTY OWNER OBTAINS THE LICENSE REQUIRED BY TITLE 14, SUBTITLE 9 OF THE HOWARD COUNTY CODE. THE PROPERTY OWNER MAY BE SUBJECT TO PENALTIES AND FINES FOR ILLEGALLY OCCUPYING A PROPERTY WITHOUT A RENTAL LICENSE.

(6) ***SUBSECTION 102.6 HISTORIC BUILDINGS.***

DELETE THIS SUBSECTION.

(7) ***SUBSECTION 102.7 REFERENCED CODES AND STANDARDS.***

- (i) DELETE “CHAPTER 8” AND SUBSTITUTE “THE HOWARD COUNTY BUILDING CODE AS ADOPTED IN TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE, AS APPLICABLE.”.
- (ii) AT THE END OF THIS SUBSECTION, INSERT THE FOLLOWING:
102.7.3 BUILDING. WHENEVER THE TERM “*INTERNATIONAL BUILDING CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD COUNTY BUILDING CODE ADOPTED PURSUANT TO TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE.

1 **102.7.4 ELECTRICAL.** WHENEVER THE TERM “*ICC ELECTRICAL*
2 *CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD
3 COUNTY ELECTRICAL CODE ADOPTED PURSUANT TO TITLE 3,
4 SUBTITLE 2 OF THE HOWARD COUNTY CODE.

5 **102.7.5 FIRE PREVENTION.** WHENEVER THE TERM “*INTERNATIONAL*
6 *FIRE CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD
7 COUNTY FIRE PREVENTION CODE ADOPTED PURSUANT TO TITLE 17,
8 SUBTITLE 1 OF THE HOWARD COUNTY CODE.

9 **102.7.6 PLUMBING AND GASFITTING.** WHENEVER THE TERMS
10 “*INTERNATIONAL PLUMBING CODE*” OR “*INTERNATIONAL FUEL GAS*
11 *CODE*” ARE USED IN THIS CODE, THEY SHALL MEAN THE HOWARD
12 COUNTY PLUMBING AND GASFITTING CODE ADOPTED PURSUANT TO
13 TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY CODE.

14 **102.7.7 MECHANICAL.** WHENEVER THE TERM “*INTERNATIONAL*
15 *MECHANICAL CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE
16 MECHANICAL CODE OF HOWARD COUNTY ADOPTED PURSUANT TO
17 TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE.

18 **102.7.8 ZONING.** WHENEVER THE TERM “*INTERNATIONAL ZONING*
19 *CODE*” IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD
20 COUNTY ZONING REGULATIONS AS ADOPTED PURSUANT TO TITLE
21 16 OF THE HOWARD COUNTY CODE.

22 (8) ***SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION.***

23 DELETE THE NAME OF THIS SECTION AND SUBSTITUTE “DEPARTMENT OF
24 INSPECTIONS, LICENSES AND PERMITS”.

25 (9) ***SUBSECTION 103.1 GENERAL.***

26 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

27 ***103.1 GENERAL.*** THE CODE OFFICIAL IS THE DIRECTOR OF THE
28 DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S
29 AUTHORIZED DESIGNEE.

30 (10) ***SUBSECTION 103.2 APPOINTMENT.***

31 DELETE THIS SUBSECTION.

1 (11) ***SUBSECTION 103.3 DEPUTIES.***

2 DELETE THIS SUBSECTION.

3 (12) ***SUBSECTION 103.4 LIABILITY.***

4 DELETE THIS SUBSECTION.

5 (13) ***SUBSECTION 103.5 FEES.***

6 DELETE THIS SUBSECTION.

7 (14) ***SUBSECTION 104.3 RIGHT OF ENTRY.***

8 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

9 *104.3 RIGHT OF ENTRY.* THE CODE OFFICIAL IS AUTHORIZED TO ENTER A
10 DWELLING UNIT, PROPERTY, OR PREMISES AT REASONABLE TIMES SOLELY
11 FOR THE PURPOSE OF INSPECTING FOR COMPLIANCE WITH THIS CODE. IF
12 ENTRY IS REFUSED, THE CODE OFFICIAL MAY SEEK A COURT ORDER TO
13 PERMIT ENTRY AND FREE ACCESS TO THE DWELLING UNIT, PROPERTY, OR
14 PREMISES.

15 (15) ***SUBSECTION 104.3.1 OCCUPANT OR TENANT TO GIVE ACCESS.***

16 ADD NEW SUBSECTION 104.3.1 AFTER SUBSECTION 104.3 AS FOLLOWS:

17 *104.3.1 OCCUPANT OR TENANT TO GIVE ACCESS.* AN OCCUPANT OR TENANT
18 OF A DWELLING UNIT, PROPERTY, OR PREMISES SHALL GIVE ACCESS TO ANY
19 PART OF THE DWELLING UNIT, PROPERTY, OR PREMISES FOR THE PURPOSE OF
20 MAKING INSPECTIONS, MAINTENANCE, REPAIRS, OR ALTERATIONS AS ARE
21 NECESSARY TO COMPLY WITH THIS CODE. ACCESS MUST BE PROVIDED
22 DURING NORMAL BUSINESS HOURS OR AT A TIME THAT HAS BEEN MUTUALLY
23 AGREED UPON BY BOTH THE LANDLORD AND THE TENANT.

24 (16) ***SUBSECTION 104.3.2 PROPERTY OWNER RIGHT OF ENTRY.***

25 ADD NEW SUBSECTION 104.3.2 AFTER NEW SUBSECTION 104.3.1 AS
26 FOLLOWS:

27 *104.3.2 PROPERTY OWNER RIGHT OF ENTRY.* THE PROPERTY OWNER SHALL
28 GIVE THE TENANT OR OCCUPANT AT LEAST 24-HOURS WRITTEN OR VERBAL
29 NOTICE PRIOR TO ENTRY FOR REPAIRS. EXCEPTION: EMERGENCY
30 SITUATIONS.

1 (17) ***SUBSECTION 106.1 UNLAWFUL ACTS.***

2 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

3 ***106.1 UNLAWFUL ACTS.*** AN OWNER, OCCUPANT, OR TENANT SHALL NOT
4 ERECT, CONSTRUCT, ALTER, EXTEND, REPAIR, REMOVE, DEMOLISH,
5 MAINTAIN, FAIL TO MAINTAIN, PROVIDE, FAIL TO PROVIDE, OCCUPY, PERMIT
6 ANOTHER PERSON TO OCCUPY ANY PREMISES, PROPERTY, DWELLING UNIT,
7 OR EQUIPMENT REGULATED BY THIS CODE, OR CAUSE THE SAME TO BE DONE
8 IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CODE; FAIL TO OBEY A
9 LAWFUL ORDER OF THE CODE OFFICIAL; OR REMOVE OR DEFACE A PLACARD
10 OR NOTICE POSTED UNDER A PROVISION OF THIS CODE.

11 (18) ***SUBSECTION 106.3 PROSECUTION OF VIOLATION.***

12 DELETE THIS SUBSECTION, RENAME, AND SUBSTITUTE THE FOLLOWING:

13 ***106.3 ENFORCEMENT AND PENALTIES.*** A PERSON WHO VIOLATES A
14 PROVISION OF THIS CODE IS GUILTY OF A MISDEMEANOR AND, UPON
15 CONVICTION, IS SUBJECT TO A FINE, NOT EXCEEDING \$1,000, OR
16 IMPRISONMENT, NOT EXCEEDING 30 DAYS, OR BOTH. ALTERNATIVELY, AND
17 IN ADDITION TO AND CONCURRENT WITH ALL OTHER REMEDIES AT LAW OR
18 AT EQUITY, THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
19 MAY ENFORCE THIS CODE WITH CIVIL PENALTIES AS PROVIDED IN TITLE 24
20 “CIVIL PENALTIES” OF THE HOWARD COUNTY CODE. A VIOLATION OF THIS
21 SUBTITLE IS A CLASS B OFFENSE. EACH DAY THAT A VIOLATION CONTINUES
22 IS A SEPARATE OFFENSE.

23 (19) ***SUBSECTION 106.4 VIOLATION PENALTIES.***

24 DELETE THIS SUBSECTION, RENAME, AND SUBSTITUTE THE FOLLOWING:

25 ***106.4 REVOCATION.*** THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
26 LICENSES AND PERMITS MAY SUSPEND, REVOKE, OR REFUSE TO RENEW A
27 RENTAL HOUSING LICENSE IF THE CODE OFFICIAL FINDS THAT AN OWNER OF
28 A PROPERTY HAS VIOLATED A PROVISION OF THIS CODE, THIS TITLE, OR
29 REGULATIONS THAT IMPLEMENT THIS TITLE IN CONNECTION WITH THE
30 CONSTRUCTION, MAINTENANCE, ALTERATION, OR REPAIR OF A PREMISES,
31 PROPERTY, DWELLING UNIT, EQUIPMENT, OR LAND WITHIN HOWARD

COUNTY. THE DIRECTOR MAY REVOKE A RENTAL HOUSING LICENSE IF IT IS
DISCOVERED THAT THE OWNER OR APPLICANT MISREPRESENTED
THEMSELVES OR FALSIFIED RECORDS RELATING TO THE LICENSE AND/OR
HAS BEEN ISSUED MULTIPLE NOTICES OF VIOLATIONS AND/OR CITATIONS.

(20) ***SUBSECTION 106.5 ABATEMENT OF VIOLATION.***

DELETE THIS SUBSECTION.

(21) ***SUBSECTION 107.2 FORM.***

(I) ITEM 4, AFTER “DWELLING UNIT OR” DELETE “STRUCTURE” AND
SUBSTITUTE “PREMISES”.

(II) DELETE ITEMS 5 AND 6.

(22) ***SUBSECTION 107.5. PENALTIES.***

DELETE “106.4” AND SUBSTITUTE “106.3”.

(23) ***SUBSECTION 108.1.5 DANGEROUS STRUCTURE OR PREMISES.***

DELETE ITEM 11.

(24) ***SUBSECTION 108.2 CLOSING OF VACANT STRUCTURES.***

(I) IN THE TITLE DELETE “CLOSING OF” AND SUBSTITUTE “SECURING”.

(II) IN THE FIRST AND SECOND SENTENCE, DELETE “CLOSE UP” AND
SUBSTITUTE “SECURE AGAINST CASUAL ENTRY”.

(III) IN THE SECOND SENTENCE, DELETE “CLOSED AND”.

(IV) IN THE SECOND SENTENCE, AFTER “PRIVATE PERSONS”, INSERT A
PERIOD AND DELETE THE REMAINDER OF THIS SECTION;

(V) AFTER “PERSONS.” INSERT “THE OWNER IS RESPONSIBLE FOR
REIMBURSING THE COUNTY FOR THE COST OF NECESSARY REPAIRS.
THE DIRECTOR OF FINANCE SHALL BILL THE OWNER FOR THE COST
OF THE WORK. THE OWNER SHALL PAY THE BILL FOR THE WORK
WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE BILL
WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER
REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST
OF REPAIRS.”

(VI) DELETE SUBSECTION 108.2.1.

- 1 (25) ***SUBSECTION 108.4 PLACARDING.***
2 IN THE FIRST SENTENCE, DELETE “BEARING” THROUGH THE END OF THE
3 SENTENCE AND SUBSTITUTE THE FOLLOWING:
4 BEARING THE PHRASE “UNLICENSED PREMISES, UNLAWFUL TO OCCUPY ANY
5 CURRENTLY VACANT DWELLING UNIT IN THESE PREMISES OR ANY DWELLING
6 UNIT BECOMING VACANT UNTIL A RENTAL HOUSING LICENSE HAS BEEN
7 OBTAINED.”.
- 8 (26) ***SUBSECTION 109.4 EMERGENCY REPAIRS.***
9 ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:
10 THE OWNER IS RESPONSIBLE FOR REIMBURSING THE COUNTY FOR THE COST
11 OF NECESSARY REPAIRS. THE DIRECTOR OF FINANCE SHALL BILL THE
12 OWNER FOR THE COST OF THE WORK. THE OWNER SHALL PAY THE BILL FOR
13 THE WORK WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE
14 BILL WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER
15 REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST OF
16 REPAIRS.
- 17 (27) ***SUBSECTION 109.5 COSTS OF EMERGENCY REPAIRS.***
18 DELETE THIS SUBSECTION.
- 19 (28) ***SUBSECTION 109.6 HEARING.***
20 DELETE THE SECOND SENTENCE AND SUBSTITUTE THE FOLLOWING:
21 A PERSON MAY APPEAL AN ORDER TO TAKE EMERGENCY MEASURES TO A
22 HEARING EXAMINER OF THE HOWARD COUNTY BOARD OF APPEALS IN
23 ACCORDANCE WITH THE RULES OF PROCEDURE SET FORTH IN TITLE 16,
24 SUBTITLE 3 OF THE HOWARD COUNTY CODE.
- 25 (29) ***SUBSECTION 110.3 FAILURE TO COMPLY.***
26 (I) AFTER “PRIVATE PERSONS”:
27 A. DELETE THE COMMA AND INSERT A PERIOD; AND
28 B. DELETE THE REMAINDER OF THE SECTION AFTER “PERSONS.”
29 (II) AFTER “PERSONS.” INSERT THE FOLLOWING:
30 “THE OWNER IS RESPONSIBLE FOR REIMBURSING THE COUNTY FOR
31 THE COST OF NECESSARY REPAIRS. THE DIRECTOR OF FINANCE

1 SHALL BILL THE OWNER FOR THE COST OF THE WORK. THE OWNER
2 SHALL PAY THE BILL FOR THE WORK WITHIN 30 DAYS OF BILLING. IF
3 THE OWNER DOES NOT PAY THE BILL WITHIN 30 DAYS, THE CODE
4 OFFICIAL MAY SEEK A COURT ORDER REQUIRING THE OWNER TO
5 REIMBURSE THE COUNTY FOR THE COST OF REPAIRS.”

6 (30) **SECTION 111 MEANS OF APPEAL.**

7 DELETE THIS SECTION IN ITS ENTIRETY.

8 (31) **SECTION 112 STOP WORK ORDER.**

9 DELETE THIS SECTION IN ITS ENTIRETY.

10 (32) **SECTION 202 GENERAL DEFINITIONS.**

11 (I) DELETE THE DEFINITION FOR “DWELLING UNIT” AND SUBSTITUTE
12 THE FOLLOWING:

13 **[BG] DWELLING UNIT.** A BUILDING, STRUCTURE, OR ANY PORTION
14 OF A BUILDING OR STRUCTURE THAT CONTAINS A SINGLE UNIT
15 PROVIDING INDEPENDENT LIVING FACILITIES FOR ONE OR MORE
16 PERSONS, INCLUDING PERMANENT PROVISIONS FOR LIVING, EATING,
17 COOKING, SANITATION OR SLEEPING. A DWELLING UNIT SHALL
18 INCLUDE, WITHOUT LIMITATION, A MULTI-FAMILY HOUSE, SINGLE-
19 FAMILY HOUSE, APARTMENT, APARTMENT HOUSE, BOARDING HOUSE,
20 ROOMING HOUSE, DORMITORY, ROOMING UNIT, EFFICIENCY UNIT,
21 HOTEL, MOTEL, OR A MULTI-FAMILY DWELLING OWNED BY A SINGLE
22 OWNER.

23 (II) DELETE THE DEFINITION FOR “OWNER” AND SUBSTITUTE THE
24 FOLLOWING:

25 **[A] OWNER.** A PERSON, AGENT, OPERATOR, FIRM, OR CORPORATION
26 HAVING A LEGAL OR EQUITABLE INTEREST IN THE DWELLING UNIT;
27 HOLDING RECORDED TITLE IN THE OFFICIAL RECORDS OF THE STATE,
28 COUNTY, OR MUNICIPALITY; OR JOINTLY OR SEVERALLY HAVING
29 CONTROL OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, AN
30 EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER, GUARDIAN, OR
31 OTHER REPRESENTATIVE APPOINTED ACCORDING TO LAW, AND THE

1 SENIOR OFFICER, DIRECTOR, OR TRUSTEE OF THE ASSOCIATION OF
2 UNIT OWNERS OF A CONDOMINIUM.

3 (III) ADD THE FOLLOWING ALPHABETICALLY WITHIN THIS SECTION:

4 A. **NORMAL BUSINESS HOURS.** 9:00 A.M. TO 5:00 P.M.

5 B. **SANITARY CONDITION.** PROMOTING HEALTH AND
6 HEALTHFUL LIVING CONDITIONS BY THE ELIMINATION OF
7 DIRT, FECES, URINE, GARBAGE AND RUBBISH.

8 (33) ***SUBSECTION 302.4 WEEDS.***

9 INSERT "12 INCHES" WHERE INDICATED.

10 (34) ***SUBSECTION 302.4.1 BUSHES AND SHRUBS.***

11 ADD NEW SUBSECTION 302.4.1 AFTER SUBSECTION 302.4 AS FOLLOWS:

12 302.4.1 BUSHES AND SHRUBS. BUSHES AND/OR SHRUBS SHALL NOT BLOCK
13 OR INTERFERE WITH INGRESS OR EGRESS. FOLIAGE MAY NOT EXCEED 6
14 INCHES ABOVE ANY WINDOW SILL OR BE LOCATED WITHIN 12 INCHES OF
15 ANY EXTERIOR WINDOW FACE.

16 (35) ***SUBSECTION 302.4.2 TREES AND BRANCHES.***

17 ADD NEW SUBSECTION 302.4.2 AFTER NEW SUBSECTION 302.4.1 AS
18 FOLLOWS:

19 302.4.2 TREES AND BRANCHES. IF, IN THE OPINION OF THE CODE OFFICIAL,
20 DEAD OR DISEASED TREES AND BRANCHES PRESENT A HAZARD TO PERSONS
21 OR PROPERTY, THOSE TREES AND/OR BRANCHES SHALL BE REMOVED.

22 (36) ***SUBSECTION 302.5 RODENT HARBORAGE.***

23 IN THE SECOND SENTENCE, DELETE "EXTERMINATED" AND SUBSTITUTE
24 "ELIMINATED".

25 (37) ***SUBSECTION 304.3.1 PREMISES IDENTIFICATION FOR APARTMENTS AND
26 CONDO UNITS.***

27 ADD NEW SUBSECTION 304.3.1 AFTER SECTION 304.3 AS FOLLOWS:

28 304.3.1 PREMISES IDENTIFICATION FOR APARTMENTS AND CONDO UNITS.
29 CONDO AND APARTMENT UNITS SHALL HAVE UNIT NUMBERS POSTED ON
30 EXTERIOR DOORS TO UNIT.

31 (38) ***SUBSECTION 304.14 INSECT SCREENS.***

- 1 DELETE “DURING THE PERIOD FROM [DATE] TO [DATE],”.
- 2 (39) ***SUBSECTION 305.1.1 UNSAFE CONDITIONS.***
- 3 DELETE THIS SECTION IN ITS ENTIRETY.
- 4 (40) ***SUBSECTION 305.3.1 LEAD-BASED PAINT.***
- 5 ADD NEW SUBSECTION 305.3.1 AFTER SUBSECTION 305.3 AS FOLLOWS:
- 6 *305.3.1. LEAD-BASED PAINT.* THE OWNER OF A DWELLING UNIT SHALL
- 7 COMPLY WITH REQUIREMENTS OF THE MARYLAND DEPARTMENT OF THE
- 8 ENVIRONMENT FOR LEAD-BASED PAINT AND SHALL PROVIDE THE REQUIRED
- 9 DISCLOSURES IN ACCORDANCE WITH STATE LAW. A COPY OF THE MDE
- 10 LEAD CERTIFICATION MUST BE PROVIDED TO THE LOCAL JURISDICTION.
- 11 (41) ***SUBSECTION 307.1 GENERAL.***
- 12 IN THE FIRST SENTENCE, DELETE “MORE THAN FOUR RISERS” AND
- 13 SUBSTITUTE “FOUR OR MORE RISERS”.
- 14 (42) ***SUBSECTION 308.2.1 RUBBISH STORAGE FACILITIES.***
- 15 (I) DELETE THE TITLE OF THIS SECTION AND SUBSTITUTE “RUBBISH AND
- 16 RECYCLING STORAGE FACILITIES”.
- 17 (II) AT THE END OF THIS SUBSECTION, AFTER “RUBBISH.” INSERT:
- 18 EXCEPTION: THE OCCUPANT OF A ONE-FAMILY DWELLING SHALL BE
- 19 RESPONSIBLE FOR THE SAFE AND SANITARY STORAGE AND REMOVAL
- 20 OF ALL RUBBISH AND RECYCLABLES.
- 21 (43) ***SUBSECTION 308.3.1 GARBAGE FACILITIES.***
- 22 ADD THE FOLLOWING AT THE END OF THIS SUBSECTION:
- 23 EXCEPTION: THE OCCUPANT OF A ONE-FAMILY DWELLING SHALL BE
- 24 RESPONSIBLE FOR THE SAFE AND SANITARY STORAGE AND REMOVAL OF ALL
- 25 GARBAGE.
- 26 (44) ***SUBSECTION 309.1 INFESTATION.***
- 27 (I) IN THE FIRST SENTENCE DELETE “INSECT” AND SUBSTITUTE “INSECT,
- 28 VERMIN,”.
- 29 (II) IN THE SECOND SENTENCE:
- 30 A. DELETE “INSECTS” AND SUBSTITUTE “INSECTS, VERMIN,”;
- 31 AND

1 B. DELETE “EXTERMINATED BY APPROVED PROCESSES” AND
2 SUBSTITUTE “ELIMINATED BY A PROCESS APPROVED BY THE
3 DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS”.

4 (45) ***SUBSECTION 309.1.1 WILDLIFE AND PROTECTED SPECIES.***

5 ADD NEW SUBSECTION 309.1.1 AFTER SUBSECTION 309.1 AS FOLLOWS:
6 SUBSECTION 309.1.1 WILDLIFE AND PROTECTED SPECIES. WILDLIFE SHALL
7 BE HANDLED IN ACCORDANCE WITH STATE AND FEDERAL GUIDELINES.

8 (46) ***SUBSECTION 309.1.2 OCCUPANT RESPONSIBILITY.***

9 ADD NEW SUBSECTION 309.1.2 AFTER NEW SUBSECTION 309.1.1 AS
10 FOLLOWS:
11 SUBSECTION 309.1.2 OCCUPANT RESPONSIBILITY. THE OCCUPANT SHALL
12 PREPARE THEIR DWELLING UNIT FOR PEST CONTROL TREATMENT AS
13 NECESSARY.

14 (47) ***SUBSECTION 309.2 OWNER.***

15 DELETE “PRIOR TO RENTING OR LEASING THE STRUCTURE”.

16 (48) ***SUBSECTION 309.3 SINGLE OCCUPANT.***

17 DELETE THIS SUBSECTION.

18 (49) ***SUBSECTION 309.4 MULTIPLE OCCUPANCY.***

19 DELETE THIS SUBSECTION.

20 (50) ***SUBSECTION 309.5 OCCUPANT.***

21 DELETE THIS SUBSECTION.

22 (51) ***SUBSECTION 403.5 CLOTHES DRYER EXHAUST.***

23 AT THE END OF THE PARAGRAPH, AFTER “INSTRUCTIONS” ADD “AND LOCAL
24 ADOPTED MECHANICAL CODES”.

25 (52) ***SUBSECTION 403.5.1 DRYER VENTING TRANSITION DUCTS.***

26 ADD NEW SUBSECTION 403.5.1 AFTER SUBSECTION 403.5 AS FOLLOWS:
27 403.5.1 DRYER VENTING TRANSITION DUCTS. TRANSITION DUCTS USED TO
28 CONNECT THE DRYER TO THE EXHAUST DUCT SYSTEM SHALL BE A SINGLE
29 LENGTH THAT IS LISTED AND LABELED IN ACCORDANCE WITH UL 2158A.
30 TRANSITION DUCTS SHALL BE A MAXIMUM OF 8 FEET (2438 MM) IN LENGTH
31 AND SHALL NOT BE CONCEALED WITHIN CONSTRUCTION.

- 1 (53) ***SUBSECTION 404.1 PRIVACY.***
2 AT THE BEGINNING OF THE SENTENCE, DELETE “DWELLING UNITS” AND
3 SUBSTITUTE “SLEEPING ROOMS WITHIN DWELLING UNITS”.
- 4 (54) ***SUBSECTION 404.8 LOCATION OF FOOD PREPARATION EQUIPMENT.***
5 ADD NEW SUBSECTION 404.8 AFTER SUBSECTION 404.7 AS FOLLOWS:
6 404.8 LOCATION OF FOOD PREPARATION EQUIPMENT. A PERSON SHALL
7 NOT USE PORTABLE COOKING EQUIPMENT INCLUDING, BUT NOT LIMITED TO,
8 A BARBEQUE, CHARCOAL OR PROPANE GRILL, OR STOVE INSIDE OR WITHIN
9 15 FEET OF A MULTIFAMILY DWELLING.
- 10 (55) ***SUBSECTION 503.4 FLOOR SURFACE.***
11 DELETE “IN OTHER THAN DWELLING UNITS, EVERY” AND SUBSTITUTE
12 “EVERY”.
- 13 (56) ***SUBSECTION 505.2.1 WATER POTABILITY.***
14 ADD NEW SUBSECTION 505.2.1 AFTER SUBSECTION 505.2 AS FOLLOWS:
15 505.2.1 WATER POTABILITY: IN ORDER TO BECOME LICENSED OR RENEW A
16 LICENSE, OWNERS OF PROPERTIES ON PRIVATE WATER SYSTEMS MUST
17 PROVIDE THE CODE OFFICIAL WITH A LEGIBLE COPY OF A PASSING WELL
18 POTABILITY TEST THAT IS NO MORE THAN 4 YEARS OLD. RESULTS MUST BE
19 IN CONFORMANCE WITH EXISTING COMAR (CODE OF MARYLAND
20 REGULATIONS) STANDARDS.
- 21 (57) ***SUBSECTION 505.3 SUPPLY.***
22 AT THE END OF THE SENTENCE, DELETE “DEFECTS AND LEAKS” AND
23 SUBSTITUTE “CONTAMINATION, DEFECTS, AND LEAKS.”
- 24 (58) ***SUBSECTION 505.4 WATER HEATING FACILITIES.***
25 IN THE FIRST SENTENCE, DELETE “AN ADEQUATE AMOUNT” AND SUBSTITUTE
26 “A 20 MINUTE SUPPLY”.
- 27 (59) ***SUBSECTION 506.4 SEWAGE BACKUP.***
28 ADD NEW SUBSECTION 506.4 AFTER SUBSECTION 506.3 AS FOLLOWS:
29 506.4 SEWAGE BACKUP. IN THE EVENT OF A SEWAGE BACKUP, THE OWNER
30 SHALL BE REQUIRED TO IMMEDIATELY RESTORE THE PREMISES TO A CLEAN

1 AND SANITARY CONDITION BY A PROCESS APPROVED BY THE DEPARTMENT
2 OF INSPECTIONS, LICENSES AND PERMITS.

3 (60) ***SUBSECTION 602.2 RESIDENTIAL OCCUPANCIES.***

4 DELETE THE SUBSECTION AND REPLACE WITH THE FOLLOWING:

5 602.2 RESIDENTIAL OCCUPANCIES. DWELLINGS SHALL BE PROVIDED WITH
6 HEATING FACILITIES THAT ARE CONTINUOUSLY MAINTAINED, IN GOOD
7 WORKING ORDER, AND CAPABLE OF MAINTAINING A ROOM TEMPERATURE
8 OF 68 DEGREES F (20 DEGREES C) IN ALL HABITABLE ROOMS, BATHROOMS,
9 AND TOILET ROOMS BASED ON THE WINTER OUTDOOR DESIGN TEMPERATURE
10 FOR THE LOCALITY. COOKING APPLIANCES SHALL NOT BE USED, NOR
11 SHALL PORTABLE UNVENTED FUEL-BURNING SPACE HEATERS USED, AS A
12 MEANS TO PROVIDE HEATING TO MEET THE REQUIREMENTS OF THE SECTION.
13 EXCEPTION: IN AREAS WHERE THE AVERAGE MONTHLY TEMPERATURE IS
14 ABOVE 30 DEGREES F (-1 C), A MINIMUM TEMPERATURE OF 65 DEGREES F
15 (18 DEGREES C) SHALL BE MAINTAINED.

16 (61) ***SUBSECTION 602.3 HEAT SUPPLY.***

17 (I) IN THE FIRST SENTENCE, DELETE “[DATE] TO [DATE]” AND
18 SUBSTITUTE “OCTOBER 1 TO MAY 1”; AND

19 (II) IN EXCEPTION #1, DELETE THE SECOND SENTENCE.

20 (62) ***SUBSECTION 602.4 OCCUPIABLE WORK SPACES.***

21 DELETE “[DATE] TO [DATE]” AND SUBSTITUTE “OCTOBER 1 TO MAY 1”.

22 (63) ***SUBSECTION 603.2 REMOVAL OF COMBUSTION PRODUCTS.***

23 ADD THE FOLLOWING AS THE SECOND EXCEPTION TO THIS SUBSECTION:

24 EXCEPTION NUMBER 2: PORTABLE UNVENTED KEROSENE HEATERS ARE NOT
25 PERMITTED.

26 (64) ***SUBSECTION 604.4 ELECTRICAL PANEL CLEARANCES.***

27 ADD NEW SUBSECTION 604.4 AFTER SUBSECTION 604.3.2.1 AS FOLLOWS:

28 604.4 ELECTRICAL PANEL CLEARANCES. A WORKING SPACE OF NOT LESS
29 THAN 30 INCHES (762 MM) IN WIDTH, 36 INCHES (914 MM) IN DEPTH AND 78
30 INCHES (1981 MM) IN HEIGHT SHALL BE PROVIDED IN FRONT OF THE
31 ELECTRICAL SERVICE EQUIPMENT. WHERE THE ELECTRICAL SERVICE

EQUIPMENT IS WIDER THAN 30 INCHES (762 MM), THE WORKING SPACE SHALL NOT BE LESS THAN THE WIDTH OF THE EQUIPMENT. NO STORAGE OF ANY MATERIALS SHALL BE LOCATED WITHIN THE DESIGNATED WORKING SPACE. A CLEAR UNOBSTRUCTED PATH TO THE ELECTRICAL PANEL MUST BE MAINTAINED.

(65) ***SUBSECTION 605.2.1 PAINTED RECEPTACLES.***

ADD NEW SUBSECTION 605.2.1 AFTER SUBSECTION 605.2 AS FOLLOWS:
605.2.1 PAINTED RECEPTACLES. PAINTED ELECTRICAL RECEPTACLES (OUTLETS) CANNOT BE CLEANED AND MUST BE REPLACED.

(66) ***SUBSECTION 605.3 LUMINAIRES.***

AFTER “EVERY” INSERT “EXTERIOR EXIT,”.

(67) ***SUBSECTION 607.1 GENERAL.***

AFTER “MAINTAINED”, INSERT “IN GOOD CONDITION”.

(68) ***SUBSECTION 701.3 TESTING AND MAINTENANCE.***

ADD NEW SUBSECTION 701.3 AFTER SUBSECTION 701.2 AS FOLLOWS:
701.3 TESTING AND MAINTENANCE. SPRINKLER SYSTEMS SHALL BE INSPECTED AT LEAST ANNUALLY BY A MARYLAND STATE LICENSED SPRINKLER CONTRACTOR. FIRE ALARM SYSTEMS SHALL BE INSPECTED AT LEAST ANNUALLY BY AN APPROVED COMPANY OR INDIVIDUAL. INSPECTION REPORTS AND DEFICIENCY CORRECTION REPORTS MUST BE PROVIDED ANNUALLY TO THE CODE OFFICIAL.

(69) ***SUBSECTION 702.1.1 EMERGENCY PLANNING.***

ADD NEW SUBSECTION 702.1.1 AFTER SUBSECTION 702.1 AS FOLLOWS:
702.1.1 EMERGENCY PLANNING. THE ADMINISTRATION OF EVERY RESIDENTIAL CARE FACILITY OR ASSISTED LIVING FACILITY SHALL HAVE A PLAN IN EFFECT TO PROTECT INDIVIDUALS IN THE EVENT OF A FIRE. THE PLAN SHALL BE IN WRITING AND SHALL BE AVAILABLE TO ALL SUPERVISORY PERSONNEL. THE PLAN SHALL BE AMENDED TO ENSURE THE SAFETY OF ALL RESIDENTS AND SHALL BE AMENDED OR REVISED AS THE RESIDENTS OR THEIR NEEDS CHANGE. STAFF SHALL BE INSTRUCTED OF THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN AND A RECORD OF SUCH INSTRUCTIONS

1 SHALL BE MAINTAINED. A COPY OF THE PLAN SHALL BE READILY
2 AVAILABLE AT ALL TIMES WITHIN THE FACILITY.

3 (70) ***SUBSECTION 702.5 ARRANGEMENT.***

4 ADD NEW SUBSECTION 702.5 AFTER SUBSECTION 702.4 AS FOLLOWS:
5 702.5 ARRANGEMENT. THE REQUIRED PATH OR TRAVEL FROM ANY ROOM
6 SHALL NOT BE THROUGH ANOTHER ROOM THAT IS NOT UNDER THE
7 IMMEDIATE CONTROL OF THE OCCUPANT OF THE FIRST ROOM OR THROUGH A
8 BATHROOM OR OTHER SPACE SUBJECT TO LOCKING.

9 (71) ***SUBSECTION 704.2.3. TAMPERING.***

10 ADD NEW SUBSECTION 704.2.3 AFTER SUBSECTION 704.2.2 AS FOLLOWS:
11 704.2.3. TAMPERING. ANY TENANT OR OCCUPANT TAMPERING OR
12 INTERFERING WITH THE EFFECTIVENESS OF A SMOKE DETECTOR IS IN
13 VIOLATION OF THIS CODE.

14 (72) ***SUBSECTION 704.6.1 WHERE REQUIRED.***

15 DELETE EXCEPTION #2 AND RENUMBER EXCEPTION #3 TO BE EXCEPTION #2.

16 (73) ***SUBSECTION 704.8 SPRINKLERS.***

17 ADD NEW SUBSECTION 704.8 AFTER SUBSECTION 704.7 AS FOLLOWS:
18 704.7 SPRINKLERS. SPRINKLERS SHALL BE CLEAN AND FREE FROM
19 CORROSION, PAINT, AND DAMAGE. KITCHEN SUPPLIES OR STORAGE STOCK
20 SHALL BE AT LEAST 18 INCHES BELOW SPRINKLER DEFLECTORS.

21 (74) ***SECTION 706 STORAGE OF HAZARDOUS MATERIALS.***

22 ADD NEW SECTION 706 AFTER SECTION 705 AS FOLLOWS:
23 706 STORAGE OF HAZARDOUS MATERIALS.

24 **706.1 HAZARDOUS MATERIALS.** UNLESS STORAGE COMPLIES WITH THE
25 APPLICABLE REQUIREMENTS OF THE HOWARD COUNTY BUILDING CODE
26 AND THE HOWARD COUNTY FIRE PREVENTION CODE, A PERSON SHALL NOT
27 STORE OR ACCUMULATE:

- 28 (I) COMBUSTIBLE, FLAMMABLE, EXPLOSIVE, OR OTHER HAZARDOUS
29 MATERIALS, SUCH AS PAINTS, VOLATILE OILS, OR CLEANING FLUIDS;
30 OR
31 (II) COMBUSTIBLE RUBBISH, SUCH AS WASTEPAPER, BOXES AND RAGS.

1 **706.2 STORAGE OF VEHICLES THAT CONTAIN HAZARDOUS MATERIALS.** IN
2 A COMMON AREA OF A MULTI-FAMILY DWELLING OWNED BY ONE PERSON,
3 PATIO, BALCONY, HALLWAY, OR STAIRWELL OF A STRUCTURE OR PREMISES,
4 A PERSON SHALL NOT STORE OR ACCUMULATE A MOTORCYCLE, MOPED,
5 GASOLINE-POWERED LAWNMOWER, OR OTHER SIMILAR EQUIPMENT THAT
6 MAY CONTAIN A HAZARDOUS MATERIAL INCLUDING, WITHOUT LIMITATION,
7 GASOLINE.

8 **706.3 STORAGE OF ITEMS AND EQUIPMENT IN MULTI-FAMILY DWELLINGS,**
9 **HOTELS/MOTELS.** ALL AREAS OF EGRESS, COMMON TRAVEL AND REFUGE
10 SHALL BE FREE OF STORAGE, FURNISHINGS, DECORATIONS AND/OR
11 OBSTRUCTIONS.

12 **706.4 STORAGE IN SPRINKLER EQUIPMENT ROOMS.** SPRINKLER
13 EQUIPMENT ROOMS MAY NOT BE USED AS STORAGE ROOMS.

14 **706.5 STORAGE AND USE OF OPEN FLAME/FUEL FIRED EQUIPMENT.** A
15 PERSON SHALL NOT USE OR STORE OPEN FLAME/FUEL FIRED EQUIPMENT
16 INSIDE OR WITHIN 15 FEET OF A MULTI-FAMILY DWELLING.

17 (75) DELETE APPENDIX A, BOARDING STANDARD, IN ITS ENTIRETY.

18
19 **Title 14. Licenses, inspections and permits.**

20 **Subtitle 9. Rental housing license.**

21
22 **Section 14.900. Definitions.**

23 In this subtitle the following terms have the meanings indicated.

24 (f) “*Howard County Property Maintenance Code for Rental Housing*” means the
25 International Property Maintenance Code, [[2006]] 2018 Edition, as adopted in Title 3,
26 Subtitle 7 of the Howard County Code.

27
28 **Section 2. And Be It Further Enacted by the County Council of Howard County,**
29 **Maryland, that this Act shall become effective 61 days after its enactment.**