

Introduced 4/1/19
Public Hearing 4/22/19
Council Action 5/6/19
Executive Action 5/14/19
Effective Date 7/14/19

County Council of Howard County, Maryland

2019 Legislative Session

Legislative Day No. 5

Bill No. 13-2019

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

AN ACT adopting the International Building Code, 2018, the International Residential Code, 2018, the International Mechanical Code, 2018, and the International Energy Conservation Code, 2018; providing that such codes collectively comprise the Howard County Building Code; regulating the design, construction, alteration, improvement, or modification of a building, structure, or other related equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; making certain technical corrections; and generally relating to the regulation of building and construction in Howard County.

Introduced and read first time April 1, 2019. Ordered posted and hearing scheduled.

By order

Jessica Feldmark
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 April 22, 2019.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on May 6, 2019 and Passed ☒ Passed with amendments _____, Failed _____.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Scaled with the County Seal and presented to the County Executive for approval this 9th day of May, 2019 at 3 a.m./p.m.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive May 14, 2019

Calvin Ball
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 *By repealing and reenacting:*

4 *Title 3. Buildings.*

5 *Subtitle 1. Building Code.*

6 *Section 3.100. Howard County Building Code; adoption of international codes.*

8 *Title 3. Buildings.*

9 *Subtitle 1. Building Code.*

10 *Section 3.101. Amendments to the International Building Code, 2018 Edition.*

12 *Title 3. Buildings.*

13 *Subtitle 1. Building Code.*

14 *Section 3.102. Amendments to the International Residential Code, 2018 Edition.*

16 *Title 3. Buildings.*

17 *Subtitle 1. Building Code.*

18 *Section 3.103. Amendments to the International Mechanical Code, 2018 Edition.*

20 *Title 3. Buildings.*

21 *Subtitle 1. Building Code.*

22 *Section 3.104. Amendments to the International Energy Conservation Code, 2018*
23 *Edition.*

25 **Title 3. Buildings.**

26 **Subtitle 1. Building code.**

28 **SECTION 3.100. HOWARD COUNTY BUILDING CODE; ADOPTION OF INTERNATIONAL**
29 **CODES.**

30 (A) *IN GENERAL.* EXCEPT AS AMENDED IN SECTIONS 3.101, 3.102, 3.103, AND 3.104 OF
31 THIS SUBTITLE, THE CODES ENUMERATED IN THIS SECTION ARE HEREBY ADOPTED AS

1 THE HOWARD COUNTY BUILDING CODE AS IF THE CODES WERE SET OUT IN FULL IN
2 THIS SECTION.

3 (B) *ADOPTED CODES.*

4 (1) THE INTERNATIONAL BUILDING CODE, 2018 EDITION, PUBLISHED BY THE
5 INTERNATIONAL CODE COUNCIL, INC.

6 (2) THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY
7 DWELLINGS, 2015 EDITION, PUBLISHED BY THE INTERNATIONAL CODE
8 COUNCIL, INC.

9 (3) THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, PUBLISHED BY
10 THE INTERNATIONAL CODE COUNCIL, INC.

11 (4) THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION,
12 PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC.

13 (5) THE LIFE SAFETY CODE, 2018 EDITION, PUBLISHED BY THE NATIONAL FIRE
14 PROTECTION ASSOCIATION.

15 (6) THE HOWARD COUNTY ELECTRICAL CODE, ADOPTED PURSUANT TO TITLE
16 3, SUBTITLE 2 OF THE HOWARD COUNTY CODE.

17 (7) THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED
18 PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY CODE.

19 (8) THE MARYLAND STATE ACCESSIBILITY CODE.

20 (9) THE HOWARD COUNTY SIGN CODE, ADOPTED PURSUANT TO TITLE 3,
21 SUBTITLE 5 OF THE HOWARD COUNTY CODE.

22
23 **SECTION 3.101. AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, 2018**
24 **EDITION.**

25 (A) *IN GENERAL.*

26 (1) AS USED IN THIS SECTION, THE TERM "THIS CODE" MEANS THE
27 INTERNATIONAL BUILDING CODE, 2018 EDITION.

28 (2) AS USED IN THIS CODE, THE TERM "BUILDING OFFICIAL" MEANS THE
29 DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
30 OR THE DIRECTOR'S AUTHORIZED DESIGNEE.

(3) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY SECTION OF THIS CODE, INSERT "HOWARD COUNTY".

(4) AS USED IN THIS CODE, THE TERM "DEPARTMENT OF BUILDING SAFETY" MEANS THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

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

(1) *SUBSECTION 101.1 TITLE.*

DELETE THIS SUBSECTION.

(2) *SUBSECTION 101.2 SCOPE.*

DELETE THE EXCEPTION AND SUBSTITUTE THE FOLLOWING:

EXCEPTION 1: DETACHED ONE-FAMILY AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES HIGH WITH SEPARATE MEANS OF EGRESS AND THEIR ACCESSORY STRUCTURES SHALL COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE AND SECTION 3112 OF CHAPTER 31, SPECIAL CONSTRUCTION, OF THIS CODE.

EXCEPTION 2: AGRICULTURAL BUILDINGS. THE PROVISIONS OF THIS CODE SHALL NOT APPLY TO THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL, DEMOLITION, USE, LOCATION OR MAINTENANCE OF AGRICULTURE BUILDINGS. THIS PROVISION DOES NOT EXEMPT THE OWNER OF AN AGRICULTURAL BUILDING FROM OBTAINING REQUIRED ELECTRICAL OR PLUMBING PERMITS OR FROM COMPLYING WITH ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS, LAWS AND ORDINANCES.

(3) *SUBSECTION 101.3.1 NATURE OF CERTAIN ACTIONS.*

ADD NEW SUBSECTION 101.3.1 AFTER SUBSECTION 101.3 AS FOLLOWS:

101.3.1. NATURE OF CERTAIN ACTIONS. 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 DESIGN OR CONSTRUCTION TO ANY PERSON.

(4) *SUBSECTION 101.4 REFERENCED CODES.*

IN THE FIRST PARAGRAPH, DELETE “101.4.7” AND SUBSTITUTE “101.4.11”.

(5) *SUBSECTION 101.4.1 GAS.*

DELETE SUBSECTION 101.4.1 AND SUBSTITUTE THE FOLLOWING:

101.4.1 GAS. WHENEVER THE TERM “*INTERNATIONAL FUEL GAS CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

(6) *SUBSECTION 101.4.2 MECHANICAL.*

DELETE SUBSECTION 101.4.2 AND SUBSTITUTE THE FOLLOWING:

101.4.2 MECHANICAL. WHENEVER THE TERM “*INTERNATIONAL MECHANICAL CODE*” IS USED, IT SHALL MEAN THE MECHANICAL CODE OF HOWARD COUNTY ADOPTED PURSUANT TO SECTION 3.103 OF THIS SUBTITLE.

(7) *SUBSECTION 101.4.3 PLUMBING.*

DELETE SUBSECTION 101.4.3 AND SUBSTITUTE THE FOLLOWING:

101.4.3 PLUMBING. WHENEVER THE TERM “*INTERNATIONAL PLUMBING CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE AND WHENEVER THE TERM “*INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE*” IS USED IT SHALL MEAN HOWARD COUNTY WATER AND SEWER REGULATIONS ADOPTED IN TITLE 18, SUBTITLE 1, SUBTITLE 12, AND SUBTITLE 15 AND IN TITLE 12, SUBTITLE 1 OF THE HOWARD COUNTY CODE.

(8) *SUBSECTION 101.4.4 PROPERTY MAINTENANCE.*

DELETE SUBSECTION 101.4.4 AND SUBSTITUTE THE FOLLOWING:

101.4.4 PROPERTY MAINTENANCE. WHENEVER THE TERM “*INTERNATIONAL PROPERTY MAINTENANCE CODE*” IS USED IT SHALL MEAN THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING ADOPTED PURSUANT TO SUBTITLE 7 OF THIS TITLE.

(9) *SUBSECTION 101.4.5 FIRE PREVENTION.*

DELETE SUBSECTION 101.4.5 AND SUBSTITUTE THE FOLLOWING:

101.4.5 FIRE PREVENTION. WHENEVER THE TERM “*INTERNATIONAL FIRE PREVENTION CODE*” IS USED IT SHALL MEAN THE HOWARD COUNTY FIRE

PREVENTION CODE ADOPTED PURSUANT TO SECTION 17.104 OF THE
HOWARD COUNTY CODE.

(10) *SUBSECTION 101.4.6 ENERGY.*

DELETE SUBSECTION 101.4.6 AND SUBSTITUTE THE FOLLOWING:

101.4.6 ENERGY. WHENEVER THE TERM “*INTERNATIONAL ENERGY CONSERVATION CODE*” IS USED IT SHALL MEAN THE ENERGY CONSERVATION CODE OF HOWARD COUNTY ADOPTED PURSUANT TO SECTION 3.104 OF THIS SUBTITLE.

(11) *SUBSECTION 101.4.7 EXISTING BUILDINGS.*

DELETE SUBSECTION 101.4.7 AND SUBSTITUTE THE FOLLOWING:

101.4.7 EXISTING BUILDINGS. EXISTING BUILDINGS UNDERGOING REPAIR, ALTERATION, ADDITION, OR CHANGE OF OCCUPANCY MAY COMPLY WITH THE MARYLAND REHABILITATION CODE.

(12) *SUBSECTIONS 101.4.8 ELECTRICAL.*

ADD NEW SUBSECTION 101.4.8 AFTER SUBSECTION 101.4.7 AS FOLLOWS:

101.4.8 ELECTRICAL. WHENEVER THE TERM “NFPA 70 NATIONAL ELECTRICAL CODE” IS USED, IT SHALL MEAN THE ELECTRICAL CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 2 OF THIS TITLE.

(13) *SUBSECTION 101.4.9 ACCESSIBILITY.*

ADD NEW SUBSECTION 101.4.9 AFTER SUBSECTION 101.4.8 AS FOLLOWS:

101.4.9 ACCESSIBILITY. THE PROVISIONS OF THE MARYLAND ACCESSIBILITY CODE SHALL APPLY TO ALL MATTERS AFFECTING HANDICAPPED ACCESSIBILITY AND USE OF BUILDINGS AND SITES.

(14) *SUBSECTION 101.4.10 SIGNS.*

ADD NEW SUBSECTION 101.4.10 AFTER SUBSECTION 101.4.9 AS FOLLOWS:

101.4.10 SIGNS. THE PROVISIONS OF SUBTITLE 5 OF THE HOWARD COUNTY CODE SHALL APPLY TO THE LOCATION, INSTALLATION, AND MAINTENANCE OF SIGNS IN HOWARD COUNTY.

(15) *SUBSECTION 101.4.11 RESIDENTIAL CODE.*

ADD NEW SUBSECTION 101.4.11 AFTER SUBSECTION 101.4.10 AS FOLLOWS:

1 **101.4.11 RESIDENTIAL.** WHENEVER THE TERM “*INTERNATIONAL*
2 *RESIDENTIAL CODE*” IS USED, IT SHALL MEAN THE RESIDENTIAL CODE FOR
3 ONE-AND TWO-FAMILY DWELLINGS OF HOWARD COUNTY ADOPTED
4 PURSUANT TO SECTION 3.102 OF THIS SUBTITLE.

5 (16) *SECTION 103 DEPARTMENT OF BUILDING SAFETY.*

6 DELETE THE TITLE OF THIS SECTION AND SUBSTITUTE THE FOLLOWING AS
7 THE NEW TITLE:

8 **“SECTION 103**
9 **ENFORCEMENT AGENCY”**

10 (17) *SUBSECTION 103.1 CREATION OF ENFORCEMENT AGENCY.*

11 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

12 **103.1 ENFORCEMENT AGENCY.** THE HOWARD COUNTY DEPARTMENT OF
13 INSPECTIONS, LICENSES AND PERMITS IS RESPONSIBLE FOR ENFORCING THE
14 PROVISIONS OF THIS CODE. THE DIRECTOR OF THE DEPARTMENT OF
15 INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED
16 DESIGNEE SHALL BE KNOWN AS THE BUILDING OFFICIAL.

17 (18) *SUBSECTION 103.2 APPOINTMENT.*

18 DELETE THIS SUBSECTION.

19 (19) *SUBSECTION 103.3 DEPUTIES.*

20 DELETE THIS SUBSECTION.

21 (20) *SUBSECTION 104.1.1 RULE-MAKING AUTHORITY.*

22 ADD NEW SUBSECTION 104.1.1 AFTER SUBSECTION 104.1 AS FOLLOWS:

23 **104.1.1 RULE-MAKING AUTHORITY.** IN THE INTEREST OF PUBLIC HEALTH,
24 SAFETY, AND GENERAL WELFARE, THE BUILDING OFFICIAL MAY ADOPT
25 RULES AND REGULATIONS TO INTERPRET AND IMPLEMENT THE PROVISIONS
26 OF THIS CODE. RULES AND REGULATIONS SHALL NOT WAIVE STRUCTURAL
27 OR FIRE PERFORMANCE REQUIREMENTS SPECIFICALLY PROVIDED FOR IN THIS
28 CODE. RULES AND REGULATIONS SHALL NOT VIOLATE ACCEPTED
29 ENGINEERING PRACTICES INVOLVING PUBLIC SAFETY.

30 (21) *SUBSECTION 104.8.1 LEGAL DEFENSE.*

1 IN THE FIRST SENTENCE OF THIS SUBSECTION, DELETE “LEGAL
2 REPRESENTATION OF THE JURISDICTION UNTIL THE FINAL TERMINATION OF
3 THE PROCEEDINGS” AND SUBSTITUTE “HOWARD COUNTY IN ACCORDANCE
4 WITH MARYLAND LAW”.

5 (22) *SUBSECTION 104.10.1 FLOOD HAZARD AREAS.*

6 DELETE THIS SUBSECTION.

7 (23) *SUBSECTION 105.1.1 ANNUAL PERMIT.*

8 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

9 **105.1.1. MASTER PERMIT.** INSTEAD OF AN INDIVIDUAL PERMIT FOR EACH
10 ALTERATION TO AN ALREADY APPROVED BUILDING, ELECTRICAL, FIRE, GAS,
11 MECHANICAL, OR PLUMBING INSTALLATION, THE BUILDING OFFICIAL MAY
12 ISSUE A MASTER PERMIT UPON APPLICATION BY ANY PERSON, FIRM, OR
13 CORPORATION REGULARLY EMPLOYING ONE OR MORE QUALIFIED
14 PROFESSIONAL OR TRADESPERSON IN THE BUILDING, STRUCTURE, OR ON THE
15 PREMISES OWNED OR OPERATED BY THE APPLICANT.

16 (24) *SUBSECTION 105.1.2 ANNUAL PERMIT RECORDS.*

17 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

18 **105.1.2. MASTER PERMIT RECORDS.** A PERSON WHO IS ISSUED A MASTER
19 PERMIT SHALL KEEP A DETAILED RECORD OF ALTERATIONS MADE UNDER
20 THE MASTER PERMIT. THE BUILDING OFFICIAL SHALL HAVE ACCESS TO THE
21 RECORDS AT ALL TIMES OR THE RECORDS SHALL BE FILED WITH THE
22 BUILDING OFFICIAL. THE BUILDING OFFICIAL MAY PERIODICALLY INSPECT
23 WORK THAT HAS BEEN PERFORMED UNDER A MASTER PERMIT.

24 (25) *SUBSECTION 105.1.2.1 BUILDING CODE COMPLIANCE ASSURANCE MANUAL.*

25 ADD NEW SUBSECTION 105.1.2.1 AFTER SUBSECTION 105.1.2 AS FOLLOWS:

26 **105.1.2.1. BUILDING CODE COMPLIANCE ASSURANCE MANUAL.** AN
27 APPLICANT FOR A MASTER PERMIT SHALL PROVIDE TO THE BUILDING
28 OFFICIAL A BUILDING CODE COMPLIANCE ASSURANCE MANUAL THAT
29 SHALL INCLUDE THE FOLLOWING:

- 30 (i) A STATEMENT OF THE POLICIES AND PROCEDURES THAT WILL BE
31 USED TO MONITOR AND CONTROL THE ALTERATION AND

- 1 RENOVAION PROCESS TO ASSURE COMPLIANCE WITH THE HOWARD
2 COUNTY CODE;
- 3 (II) A DESCRIPTION OF HOW THE APPLICANT ASSURES CODE
4 COMPLIANCE BY ADHERING TO WRITTEN PROCEDURES OF QUALIFIED
5 PERSONS TO PERFORM THE SCOPE OF THE WORK COVERED BY THE
6 APPLICATION;
- 7 (III) A DESCRIPTION OF THE APPLICANT’S PROCESS FOR PLAN
8 DEVELOPMENT, PLAN REVIEW, AND INSPECTION;
- 9 (IV) A DESCRIPTION OF THE MEANS TO ASSURE COMPLIANCE WITH FIRE
10 PROTECTION ELEMENTS OF THE BUILDING AND SYSTEMS AFFECTED
11 BY THE PROPOSED ALTERATION OR RENOVATION; AND
- 12 (V) IF APPLICABLE, A STATEMENT OF COMPLIANCE FOR ACCESSIBILITY.
- 13 (26) *SUBSECTION 105.2 WORK EXEMPT FROM PERMIT.* IN THE SUBSECTION TITLED
14 “BUILDING”:
- 15 (I) IN ITEM 1, DELETE “120 SQUARE FEET (11 M²)” AND SUBSTITUTE
16 “200 SQUARE FEET”;
- 17 (II) IN ITEM 4, DELETE “4 FEET (1219 MM)” AND SUBSTITUTE “3 FEET”
18 AND DELETE “BOTTOM OF THE FOOTING” AND SUBSTITUTE “LOWEST
19 ADJACENT GRADE”;
- 20 (III) IN ITEM 6, AFTER “ADJACENT GRADE”, DELETE THE REST OF THE
21 SENTENCE;
- 22 (IV) IN ITEM 11, DELETE “ACCESSORY TO DETACHED ONE- AND TWO-
23 FAMILY DWELLINGS”;
- 24 (V) IN ITEM 12, DELETE “IN GROUP R-3 AND U OCCUPANCIES,” AND
25 DELETE “54 INCHES (1372 MM)” AND SUBSTITUTE “48 INCHES”; AND
- 26 (VI) ADD THE FOLLOWING AS ITEM 14 AT THE END OF THIS SUBSECTION:
27 14. THE FOLLOWING WORK ON EXISTING SINGLE-FAMILY
28 DWELLINGS:
- 29 A. EXTERIOR:
- 30 1. REPLACEMENT OF ROOF COVERINGS WITH NO OTHER
31 STRUCTURAL REPAIRS;

2. INSTALLATION OF SIDING, INCLUDING, BUT NOT LIMITED TO, ALUMINUM OR VINYL SIDING;
3. INSTALLATION OF FASCIA, SOFFIT TRIM, GUTTERS, OR DOWNSPOUTS;
4. REPLACEMENT OF WINDOWS OR DOORS WHEN THERE IS NO CHANGE IN THE ROUGH OPENING SIZE;
5. INSTALLATION OF CANVAS OR FIXED AWNINGS;
6. REPLACEMENT OF EXTERIOR LIGHTING FIXTURES; OR
7. CONSTRUCTION OR INSTALLATION OF DETACHED FREESTANDING DECKS THAT ARE LESS THAN 25 SQUARE FEET IN AREA AND LESS THAN 30 INCHES ABOVE GRADE.

B. INTERIOR:

1. INSTALLATION OF RADON SYSTEMS;
2. PAINTING, WALLPAPERING, OR FLOOR COVERING;
3. INSTALLATION OF KITCHEN OR BATHROOM CABINETS, COUNTER TOPS, APPLIANCES, OR FIXTURES;
4. REPLACEMENT OF PANELING OR WALLBOARD;
5. REPLACEMENT OF DOORS WHEN THERE IS NO CHANGE IN THE ROUGH OPENING SIZE;
6. INSTALLATION OF INSULATION;
7. INSTALLATION OF BURGLAR, FIRE, AND OTHER ALARM SYSTEMS AND SMOKE DETECTORS;
8. REPLACEMENT OF ELECTRIC WATER HEATERS; OR
9. REPLACEMENT OF CEILING FANS, LIGHT FIXTURES, OR RECEPTACLES.

C. THE FOLLOWING ADDITIONAL STRUCTURES:

1. ONE STORY DETACHED ACCESSORY STRUCTURES LESS THAN 200 SQUARE FEET IN AREA INCLUDING,

- 1 BUT NOT LIMITED TO, STORAGE SHEDS, KIOSKS,
- 2 GAZEBOS, ARBORS, OR PLAYHOUSES;
- 3 2. INSTALLATION OF GREENHOUSES;
- 4 3. INSTALLATION OF TENTS OR CANOPIES;
- 5 4. INSTALLATION OF FENCES UNLESS THE FENCE IS
- 6 OVER 7 FEET HIGH OR ENCLOSURES A SWIMMING POOL;
- 7 OR
- 8 5. INSTALLATION OF MAILBOXES.
- 9 D. SITE WORK:
- 10 1. PAVING DRIVEWAYS;
- 11 2. INSTALLATION OF PATIOS, SIDEWALKS, OR
- 12 LANDSCAPING;
- 13 3. INSTALLATION OF RETAINING WALLS THAT ARE 3
- 14 FEET OR LESS IN HEIGHT MEASURED FROM THE
- 15 LOWEST ADJACENT GRADE TO THE TOP OF THE WALL;
- 16 OR
- 17 4. INSTALLATION OF FLAGPOLES OR FLAGPOLE BASES.

18 (27) *SUBSECTION 105.3 APPLICATION FOR PERMIT.*

19 DELETE THE FIRST PARAGRAPH OF THIS SUBSECTION AND SUBSTITUTE THE
20 FOLLOWING:

21 TO OBTAIN A PERMIT, THE OWNER, OWNER'S AGENT, LESSEE, LESSEE'S
22 AGENT, OR THE REGISTERED DESIGN PROFESSIONAL EMPLOYED TO
23 COMPLETE THE PROPOSED WORK ON A BUILDING OR STRUCTURE SHALL
24 APPLY FOR A PERMIT. THE APPLICATION SHALL STATE, AS APPLICABLE, THE
25 FULL NAME AND ADDRESS OF THE OWNER, OWNER'S AGENT, LESSEE,
26 LESSEE'S AGENT, AND THE REGISTERED DESIGN PROFESSIONAL EMPLOYED
27 TO COMPLETE THE PROPOSED WORK. IF THE APPLICANT IS NOT AN
28 INDIVIDUAL, SUCH AS, WITHOUT LIMITATION, A PARTNERSHIP, LIMITED
29 PARTNERSHIP, CORPORATION, LIMITED LIABILITY COMPANY, OR OTHER
30 SUCH ENTITY, THE APPLICATION SHALL STATE THE NAME AND ADDRESS OF
31 THE PERSONS RESPONSIBLE FOR MANAGING THE BUSINESS INCLUDING, BUT

1 NOT LIMITED TO, PARTNERS, DIRECTORS, OR OFFICERS. SUCH APPLICATION
2 SHALL:

3 (28) *SUBSECTION 105.8. CONTRACTOR LICENSING REQUIREMENTS IN RESIDENTIAL*
4 *ONE AND TWO-FAMILY DWELLINGS:*

5 ADD NEW SUBSECTION 105.8 AFTER SUBSECTION 105.7 AS FOLLOWS:

6 **SECTION 105.8 CONTRACTOR LICENSING REQUIREMENTS IN**
7 **RESIDENTIAL ONE AND TWO-FAMILY DWELLINGS:**

8 HOMEOWNERS OF ONE AND TWO-FAMILY DWELLINGS, AS DEFINED BY THE
9 HOWARD COUNTY BUILDING CODE, MAY ACT AS THEIR OWN GENERAL
10 CONTRACTOR FOR ALTERATIONS AND ADDITIONS IF THEY OWN THE
11 PROPERTY IN QUESTION AND THE PROPERTY IS THEIR PRIMARY RESIDENCE. IF
12 THE PROPERTY IS RENTAL PROPERTY, OR NOT THEIR PRIMARY RESIDENCE,
13 THEN THEY MUST HAVE A MARYLAND HOME IMPROVEMENT CONTRACTORS
14 LICENSE OR A MARYLAND HOME BUILDERS LICENSE IN ACCORDANCE WITH
15 THE STATE OF MARYLAND LICENSING LAWS.

16 (29) *SECTION 106 FLOOR AND ROOF DESIGN LOADS*

17 DELETE THIS SECTION.

18 (30) *SUBSECTION 107.2.1.1. ADDITIONAL INFORMATION REQUIRED.*

19 ADD NEW SUBSECTION 107.2.1.1 AFTER SUBSECTION 107.2.1 AS FOLLOWS:

20 **107.2.1.1 ADDITIONAL INFORMATION REQUIRED.**

21 (i) DOCUMENTS SUBMITTED FOR DETACHED ONE- OR TWO-FAMILY
22 DWELLINGS INCLUDING NEW CONSTRUCTION, ALTERATIONS, MINOR
23 ADDITIONS, OR OTHER STRUCTURES SHALL INCLUDE THE
24 FOLLOWING ADDITIONAL INFORMATION:

25 A. EXCEPT AS PROVIDED IN PARAGRAPH B OF THIS SUBSECTION,
26 2 SETS OF CONSTRUCTION DOCUMENTS DRAWN TO SCALE
27 WITH SUFFICIENT CLARITY AND DETAIL TO SHOW THE
28 NATURE AND CHARACTER OF THE WORK TO BE PERFORMED
29 INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- 30 1. PLANS OF EACH FLOOR LEVEL;
- 31 2. 4 ELEVATIONS AND TYPICAL CROSS SECTIONS; AND

- 1 3. 4 COPIES OF PLOT PLANS OR 2 COPIES OF THE
- 2 APPROVED SITE DEVELOPMENT PLAN WHEN A SITE
- 3 DEVELOPMENT PLAN IS REQUIRED BY THE HOWARD
- 4 COUNTY SUBDIVISION REGULATIONS.
- 5 B. 1. THE BUILDING OFFICIAL MAY WAIVE THE
- 6 REQUIREMENTS SET FORTH IN PARAGRAPH A OF THIS
- 7 SUBSECTION FOR:
- 8 I. ALTERATIONS; OR
- 9 II. OTHER STRUCTURES ACCESSORY TO A ONE-
- 10 OR TWO-FAMILY DWELLING CONTAINING
- 11 LESS THAN 200 SQUARE FEET IN AREA.
- 12 2. WHERE WAIVED, THE APPLICATION SHALL BE
- 13 ACCOMPANIED BY 4 COPIES OF PLOT PLANS OR 2
- 14 COPIES OF THE APPROVED SITE DEVELOPMENT PLAN
- 15 WHEN A SITE DEVELOPMENT PLAN IS REQUIRED BY
- 16 THE HOWARD COUNTY SUBDIVISION REGULATIONS.
- 17 (ii) EXCEPT AS SET FORTH IN ITEMS B AND C OF THIS SUBPARAGRAPH,
- 18 DOCUMENTS SUBMITTED FOR NEW NON-RESIDENTIAL BUILDINGS,
- 19 ADDITIONS, OR ALTERATIONS TO BUILDINGS OTHER THAN DETACHED
- 20 ONE- OR TWO-FAMILY DWELLINGS SHALL INCLUDE THE FOLLOWING
- 21 ADDITIONAL INFORMATION:
- 22 A. 3 COMPLETE SETS OF ARCHITECTURAL, STRUCTURAL,
- 23 MECHANICAL (INCLUDING HEATING, VENTILATION, AND AIR
- 24 CONDITIONING), PLUMBING, AND ELECTRICAL
- 25 CONSTRUCTION DOCUMENTS. THE DOCUMENTS SHALL:
- 26 1. BE DRAWN TO SCALE WITH SUFFICIENT CLARITY AND
- 27 DETAIL TO SHOW THE NATURE AND CHARACTER OF
- 28 THE WORK TO BE PERFORMED;
- 29 2. BE PREPARED IN COMPLIANCE WITH THIS CODE; AND
- 30 3. BEAR THE SEAL, SIGNATURE, AND DATE OF THE
- 31 APPROPRIATE MARYLAND STATE PROFESSIONAL

ENGINEER OR ARCHITECT THAT SHALL BE AFFIXED TO
ALL SHEETS OF ALL SETS AND AT LEAST ONE SET
SHALL BEAR THE ORIGINAL SEAL, SIGNATURE, AND
DATE.

B. THE BUILDING OFFICIAL MAY ALLOW MECHANICAL,
ELECTRICAL, OR PLUMBING DRAWINGS TO BE SIGNED BY THE
LICENSED CONTRACTOR DOING THE PROPOSED WORK. THE
CONTRACTOR SHALL PROVIDE THEIR NAME, LICENSE
NUMBER, DAYTIME PHONE NUMBER, AND DATE OF
SIGNATURE. EACH SET OF PLANS SHALL BE ACCOMPANIED
BY A COPY OF THE APPROVED AND SIGNED SITE
DEVELOPMENT PLAN WHEN A SITE DEVELOPMENT PLAN IS
REQUIRED BY THE HOWARD COUNTY SUBDIVISION
REGULATIONS.

C. THE BUILDING OFFICIAL MAY WAIVE THE REQUIREMENTS OF
PLANS SUBMITTED IF THE WORK IS OF A MINOR INTERIOR OR
NONSTRUCTURAL NATURE.

(31) *SUBSECTION 107.2.6.2 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS,
TITLE 16 OF THE HOWARD COUNTY CODE.*

ADD NEW SUBSECTION 107.2.6.2 AFTER SUBSECTION 107.2.6.1 AS
FOLLOWS:

**107.2.6.2 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS, TITLE
16 OF THE HOWARD COUNTY CODE.** IF A SITE DEVELOPMENT PLAN IS
REQUIRED BY THE HOWARD COUNTY SUBDIVISION REGULATIONS, A PERMIT
SHALL NOT BE ISSUED UNTIL THE SITE DEVELOPMENT PLAN IS APPROVED
UNLESS AUTHORIZED BY THE DIRECTOR OF PLANNING AND ZONING.

(32) *SUBSECTION 109.2 SCHEDULE OF PERMIT FEES.*

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

109.2 SCHEDULE OF PERMIT FEES. THE COUNTY COUNCIL SHALL
ANNUALLY ADOPT, BY RESOLUTION, A SCHEDULE OF FEES FOR BUILDING,
ELECTRICAL, PLUMBING, MECHANICAL, FIRE PROTECTION, AND GRADING

PERMITS ISSUED BY THE DEPARTMENT OF INSPECTIONS, LICENSES AND
PERMITS.

(33) *SUBSECTION 109.2.1 FEE EXEMPTIONS.*

ADD NEW SUBSECTION 109.2.1 AFTER SUBSECTION 109.2 AS FOLLOWS:

109.2.1 FEE EXEMPTIONS. WORK ON BUILDINGS AND STRUCTURES OWNED
OR OPERATED BY THE HOWARD COUNTY GOVERNMENT, HOWARD
COMMUNITY COLLEGE, HOWARD COUNTY VOLUNTEER FIRE
CORPORATIONS, THE HOWARD COUNTY FAIR ASSOCIATION, OR THE
HOWARD COUNTY BOARD OF EDUCATION ARE EXEMPT FROM PERMIT FEES.

(34) *SUBSECTION 109.5.1 REINSPECTION FEES.*

ADD NEW SUBSECTION 109.5.1 AFTER SUBSECTION 109.5 AS FOLLOWS:

109.5.1 REINSPECTION FEES. A REINSPECTION FEE SHALL BE CHARGED
FOR EACH REINSPECTION IF THE WORK HAS TO BE REINSPECTED BECAUSE:

- (I) THE WORK WAS NOT READY FOR INSPECTION AT THE PRE-ARRANGED
TIME FOR INSPECTION;
- (II) THE INSPECTOR DID NOT HAVE ACCESS TO THE WORK AT THE PRE-
ARRANGED TIME FOR INSPECTION;
- (III) THE INSPECTOR HAD TO RETURN MORE THAN ONCE TO INSPECT A
CORRECTION OF THE SAME VIOLATION OF THIS CODE; OR
- (IV) THE INSPECTOR DISCOVERS A FLAGRANT NON-COMPLIANCE DURING
A REQUESTED INSPECTION, INCLUDING BUT NOT LIMITED TO:
 - A. CUT OR BROKEN TRUSSES OR JOISTS;
 - B. MISSING LOAD BEARING STUDS; OR
 - C. THE OMISSION OF FIRE STOPPING.

(35) *SUBSECTION 110.3 REQUIRED INSPECTIONS.*

DELETE THE SENTENCE THAT BEGINS "THE *BUILDING OFFICIAL*" AND
SUBSTITUTE: AFTER ISSUING A BUILDING PERMIT, THE BUILDING OFFICIAL
SHALL CONDUCT INSPECTIONS FROM TIME TO TIME DURING AND UPON
COMPLETION OF THE WORK FOR WHICH THE PERMIT HAS BEEN ISSUED.
RECORDS OF INSPECTIONS AND VIOLATIONS SHALL BE MAINTAINED BY THE
BUILDING OFFICIAL. AN INSPECTION MAY INCLUDE ANY OF THE

1 INSPECTIONS AS SET FORTH IN SUBSECTIONS 110.3.1 THROUGH 110.3.11 OF
2 THIS SECTION.

3 (36) *SUBSECTION 111.1 CHANGE OF OCCUPANCY.*

4 AFTER THE FIRST SENTENCE, INSERT THE FOLLOWING:

5 IF THERE IS AN APPROVED SITE DEVELOPMENT PLAN AND GRADING HAS
6 OCCURRED, THE BUILDING OFFICIAL SHALL NOT ISSUE A CERTIFICATE OF
7 USE AND OCCUPANCY UNLESS THE PERMITTEE SUBMITS A CERTIFICATION BY
8 A REGISTERED LAND SURVEYOR THAT THE SITE GRADING AND DRAINAGE
9 COURSES ARE IN COMPLIANCE WITH THE APPROVED SITE DEVELOPMENT
10 PLAN. IF THERE IS NOT AN APPROVED SITE DEVELOPMENT PLAN AND
11 GRADING HAS OCCURRED, THE PERMITTEE SHALL SUBMIT A CERTIFICATION
12 BY A REGISTERED LAND SURVEYOR THAT THE SITE GRADING AND DRAINAGE
13 COURSES ARE IN COMPLIANCE WITH THE APPROVED EROSION AND SEDIMENT
14 CONTROL PLAN AND GRADING PLAN. THE CERTIFICATION SHALL BE
15 SUBMITTED TO THE COUNTY. THE FINE GRADING AND SOIL STABILIZATION
16 MAY BE DEFERRED UNTIL THE FOLLOWING GROWING SEASON UPON THE
17 POSTING OF ADEQUATE SURETY EQUAL TO THE COST TO COMPLETE THE
18 GRADING AND STABILIZATION.

19 (37) *SUBSECTION 111.2 CERTIFICATE ISSUED.*

20 AFTER "OCCUPANCY" INSERT A PERIOD AND DELETE THE REMAINDER OF
21 THIS SECTION.

22 (38) *SECTION 113 BOARD OF APPEALS.*

23 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

24 **SECTION 113 MEANS OF APPEAL.**

25 **113.1 APPLICATION FOR APPEAL.** EXCEPT FOR A NOTICE OF VIOLATION, A
26 PERSON MAY APPEAL THE APPROVAL, DENIAL, REVOCATION, SUSPENSION,
27 OR EXTENSION OF A PERMIT TO A HEARING EXAMINER OF THE HOWARD
28 COUNTY BOARD OF APPEALS. AN APPLICATION FOR AN APPEAL SHALL BE
29 BASED ON A CLAIM THAT THIS CODE HAS BEEN INCORRECTLY INTERPRETED,
30 THE PROVISIONS OF THIS CODE DO NOT APPLY, OR AN EQUALLY GOOD OR

BETTER FORM OF CONSTRUCTION IS PROPOSED. A NOTICE OF VIOLATION
MAY NOT BE APPEALED.

113.2 BOARD OF APPEALS. THE HOWARD COUNTY BOARD OF APPEALS'
HEARING EXAMINER SHALL HEAR AND DECIDE APPEALS IN ACCORDANCE
WITH THE PROCEDURES SET FORTH IN TITLE 16, SUBTITLE 3 OF THE HOWARD
COUNTY CODE. NEITHER THE BOARD OF APPEALS' HEARING EXAMINER
NOR THE BOARD OF APPEALS SHALL HAVE AUTHORITY TO WAIVE
REQUIREMENTS OF THIS CODE.

(39) *SUBSECTION 114.2 NOTICE OF VIOLATION.*

AMEND THIS SUBSECTION AS FOLLOWS:

- (i) INSERT "OWNER OR" BEFORE "PERSON RESPONSIBLE FOR"; AND
- (ii) ADD THE FOLLOWING SENTENCE TO THE END OF THIS SUBSECTION:
A NOTICE OF VIOLATION MAY BE SERVED IN ONE OF THE FOLLOWING
METHODS:
 - A. PERSONAL SERVICE;
 - B. CERTIFIED OR REGISTERED MAIL, RESTRICTED DELIVERY,
RETURN RECEIPT REQUESTED;
 - C. FIRST CLASS MAIL TO THE OWNER'S ADDRESS AS STATED IN
THE RECORDS OF THE STATE DEPARTMENT OF ASSESSMENTS
AND TAXATION; OR
 - D. WHEN SERVICE IS NOT OBTAINED BY ONE OF THESE
METHODS, THE NOTICE MAY BE POSTED IN A CONSPICUOUS
PLACE AT THE JOB SITE.

(40) *SUBSECTION 114.4 VIOLATION PENALTIES.*

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

114.4 VIOLATION PENALTIES. ALTERNATIVELY, AND IN ADDITION TO AND
CONCURRENT WITH ALL REMEDIES PROVIDED AT LAW OR IN EQUITY AND AS
SET FORTH IN SUBSECTION 114.3 OF THIS CODE, THE BUILDING OFFICIAL
MAY ENFORCE THIS SUBTITLE WITH CIVIL PENALTIES PURSUANT TO TITLE 24
"CIVIL PENALTIES" OF THE HOWARD COUNTY CODE. EXCEPT FOR A FIRST
VIOLATION OF SECTION 115 OR SECTION 116 OF THIS CODE, A FIRST

1 VIOLATION OF THIS SUBTITLE IS A CLASS C OFFENSE. A SUBSEQUENT
2 VIOLATION OF THIS SUBTITLE IS A CLASS B OFFENSE. EACH DAY THAT A
3 VIOLATION CONTINUES IS A SEPARATE OFFENSE.

4 (41) *SUBSECTION 114.5 WITHHOLDING OF INSPECTIONS AND PERMITS.*

5 ADD NEW SUBSECTION 114.5 AFTER SUBSECTION 114.4 AS FOLLOWS:

6 **114.5 WITHHOLDING OF INSPECTIONS AND PERMITS.** IF THE BUILDING
7 OFFICIAL FINDS THAT AN OWNER OR PERSON RESPONSIBLE IS IN VIOLATION
8 OF A PROVISION OF THIS CODE, THIS SUBTITLE, OR ANY REGULATION THAT
9 IMPLEMENTS THIS CODE IN CONNECTION WITH THE CONSTRUCTION,
10 MAINTENANCE, ALTERATION, OR REPAIR OF ANY BUILDING, EQUIPMENT, OR
11 LAND WITHIN HOWARD COUNTY, THE BUILDING OFFICIAL MAY REFUSE TO
12 GRANT AN INSPECTION OR PERMIT TO THE CONTRACTOR, DEVELOPER,
13 OWNER, OR OTHER PERSON RESPONSIBLE UNTIL ALL VIOLATIONS HAVE BEEN
14 CORRECTED AND ALL FEES AND FINES HAVE BEEN PAID.

15 (42) *SUBSECTION 115.2.1 SERVICE OF STOP WORK ORDERS.*

16 ADD NEW SUBSECTION 115.2.1 AFTER SUBSECTION 115.2 AS FOLLOWS:

17 **115.2.1 SERVICE OF STOP WORK ORDERS.** A STOP WORK ORDER SHALL BE
18 SERVED IN ACCORDANCE WITH THE SERVICE PROVISIONS SET FORTH IN
19 SUBSECTION 114.2 OF THIS CODE.

20 (43) *SUBSECTION 115.3 UNLAWFUL CONTINUANCE.*

21 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

22 **115.3 UNLAWFUL CONTINUANCE.** A PERSON SHALL NOT PERFORM WORK
23 AFTER SERVICE OF A STOP WORK ORDER EXCEPT WORK THAT IS PERFORMED
24 AT THE DIRECTION OF THE BUILDING OFFICIAL TO ABATE A VIOLATION OF
25 THIS CODE OR AN UNSAFE CONDITION.

26 (44) *SUBSECTION 115.4 PROSECUTION FOR FAILING TO STOP WORK.*

27 ADD NEW SUBSECTION 115.4 AFTER SUBSECTION 115.3 AS FOLLOWS:

28 **115.4 PROSECUTION FOR FAILING TO STOP WORK.** THE BUILDING
29 OFFICIAL MAY REQUEST THAT THE OFFICE OF LAW INSTITUTE THE
30 APPROPRIATE PROCEEDING AT LAW OR IN EQUITY TO PREVENT OR RESTRAIN
31 ANY WORK PERFORMED IN VIOLATION OF THIS SECTION.

- 1 (45) *SUBSECTION 115.5 VIOLATION PENALTIES.*
2 ADD NEW SUBSECTION 115.5 AFTER SUBSECTION 115.4 AS FOLLOWS:
3 **115.5 VIOLATION PENALTIES.** ALTERNATIVELY, AND IN ADDITION TO AND
4 CONCURRENT WITH THE REMEDIES SET FORTH IN SUBSECTION 115.4, THE
5 BUILDING OFFICIAL MAY ENFORCE THIS SECTION PURSUANT TO TITLE 24,
6 “CIVIL PENALTIES” OF THE HOWARD COUNTY CODE. A VIOLATION OF THIS
7 SECTION IS A CLASS B OFFENSE. EACH DAY THAT A VIOLATION CONTINUES
8 IS A SEPARATE OFFENSE.
- 9 (46) *SUBSECTION 116.6 DISREGARDING NOTICE.*
10 ADD NEW SUBSECTION 116.6 AFTER SUBSECTION 116.5 AS FOLLOWS:
11 **116.6 DISREGARDING NOTICE.** FAILURE TO COMPLY WITH A NOTICE
12 ISSUED UNDER THIS SECTION IS A VIOLATION OF THIS CODE.
- 13 (47) *SUBSECTION 116.7 PROSECUTION.*
14 ADD NEW SUBSECTION 116.7 AFTER SUBSECTION 116.6 AS FOLLOWS:
15 **116.7 PROSECUTION.** THE BUILDING OFFICIAL MAY REQUEST THAT THE
16 OFFICE OF LAW INSTITUTE THE APPROPRIATE PROCEEDING AT LAW OR IN
17 EQUITY TO PREVENT OR RESTRAIN ANY WORK PERFORMED IN VIOLATION OF
18 THIS SECTION.
- 19 (48) *SUBSECTION 116.8 VIOLATION PENALTIES.*
20 ADD NEW SUBSECTION 116.8 AFTER SUBSECTION 116.7 AS FOLLOWS:
21 **116.8 VIOLATION PENALTIES.** ALTERNATIVELY, AND IN ADDITION TO AND
22 CONCURRENT WITH THE REMEDIES SET FORTH IN SUBSECTION 116.6, THE
23 BUILDING OFFICIAL MAY ENFORCE THIS SECTION PURSUANT TO TITLE 24,
24 “CIVIL PENALTIES” OF THE HOWARD COUNTY CODE. A VIOLATION OF THIS
25 SECTION IS A CLASS B OFFENSE. EACH DAY THAT A VIOLATION CONTINUES
26 IS A SEPARATE OFFENSE.
- 27 (49) *SECTION 117 EMERGENCY MEASURES.*
28 ADD NEW SECTION 117 AFTER SECTION 116 AS FOLLOWS:
29 **SECTION 117 EMERGENCY MEASURES.**
30 **117.1 IMMINENT DANGER.** WHENEVER THE BUILDING OFFICIAL
31 DETERMINES THAT THERE IS AN EMERGENCY OR IMMINENT DANGER OF

1 FAILURE OR COLLAPSE OF A BUILDING, STRUCTURE, OR ANY PART OF A
2 BUILDING OR STRUCTURE THAT ENDANGERS LIFE, OR WHEN ANY BUILDING,
3 STRUCTURE, OR PART OF A BUILDING OR STRUCTURE HAS FALLEN AND LIFE
4 IS ENDANGERED BY THE OCCUPATION OF THE BUILDING OR STRUCTURE, THE
5 BUILDING OFFICIAL MAY ORDER AN OCCUPANT TO VACATE THE BUILDING
6 OR STRUCTURE. THE BUILDING OFFICIAL SHALL POST A NOTICE AT EACH
7 ENTRANCE TO THE BUILDING OR STRUCTURE. THE NOTICE SHALL STATE AS
8 FOLLOWS: "THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY HAS BEEN
9 PROHIBITED BY THE BUILDING OFFICIAL." EXCEPT FOR THE PURPOSE OF
10 MAKING A REQUIRED REPAIR OR DEMOLISHING THE BUILDING OR
11 STRUCTURE, A PERSON SHALL NOT ENTER THE BUILDING OR STRUCTURE.

12 **117.2 TEMPORARY SAFEGUARDS.** WHENEVER THE BUILDING OFFICIAL
13 DETERMINES THAT THERE IS IMMINENT DANGER DUE TO AN UNSAFE
14 CONDITION, THE BUILDING OFFICIAL MAY CAUSE THE NECESSARY WORK TO
15 BE DONE TO MAKE THE BUILDING OR STRUCTURE TEMPORARILY SAFE,
16 WHETHER OR NOT THE LEGAL PROCEDURE AS SET FORTH IN THIS CODE HAS
17 BEEN INSTITUTED.

18 **117.3 CLOSING STREETS AND BUILDINGS.** IF NECESSARY FOR PUBLIC
19 SAFETY, THE BUILDING OFFICIAL MAY TAKE ANY OF THE FOLLOWING
20 ACTIONS:

- 21 (I) TEMPORARILY CLOSE A BUILDING OR STRUCTURE;
- 22 (II) CLOSE OR ORDER THE JURISDICTION TO CLOSE A SIDEWALK, STREET,
23 PUBLIC WAY, OR PLACE ADJACENT TO AN UNSAFE BUILDING OR
24 STRUCTURE; OR
- 25 (III) PROHIBIT THE USE OF A SIDEWALK, STREET, PUBLIC WAY, OR PLACE
26 ADJACENT TO AN UNSAFE BUILDING OR STRUCTURE.

27 **117.4. DEMOLITION OF STRUCTURES.**

28 WHENEVER THE BUILDING OFFICIAL DETERMINES THAT THERE IS IMMINENT
29 DANGER DUE TO AN UNSAFE STRUCTURE, THE BUILDING OFFICIAL MAY
30 CAUSE THE STRUCTURE TO BE DEMOLISHED IN ACCORDANCE WITH SECTION
31 118 OF THIS CODE.

117.5 EMERGENCY REPAIRS. FOR THE PURPOSE OF THIS SECTION, THE BUILDING OFFICIAL MAY EMPLOY THE NECESSARY LABOR AND MATERIALS TO PERFORM THE REQUIRED WORK AS EXPEDITIOUSLY AS POSSIBLE.

117.6 COST OF EMERGENCY REPAIRS. COSTS INCURRED IN THE PERFORMANCE OF EMERGENCY WORK MAY BE PAID FROM THE TREASURY OF THE JURISDICTION. THE OFFICE OF LAW SHALL INSTITUTE APPROPRIATE ACTION TO SEEK REIMBURSEMENT AGAINST THE OWNER OF THE PREMISES WHERE THE UNSAFE BUILDING OR STRUCTURE IS OR WAS LOCATED FOR THE COST OF THE REPAIRS OR ACTIONS NECESSARY TO MAKE THE PREMISES SAFE.

117.7 UNSAFE EQUIPMENT. WHENEVER THE BUILDING OFFICIAL DETERMINES THAT EQUIPMENT IS UNSAFE, THE EQUIPMENT SHALL NOT BE OPERATED AFTER THE DATE STATED IN THE NOTICE UNLESS THE REQUIRED REPAIRS, REPLACEMENT, OR CHANGES HAVE BEEN MADE AND THE EQUIPMENT HAS BEEN APPROVED OR UNLESS THE BUILDING OFFICIAL HAS AGREED, IN WRITING, TO AN EXTENSION OF TIME TO MAKE THE REQUIRED REPAIRS, REPLACEMENT, OR CHANGES.

117.7.1 AUTHORITY TO SEAL EQUIPMENT. IN THE CASE OF AN EMERGENCY, THE BUILDING OFFICIAL MAY IMMEDIATELY SEAL OUT OF SERVICE ANY UNSAFE DEVICE OR EQUIPMENT REGULATED BY THIS CODE.

117.7.2 UNLAWFUL TO REMOVE SEAL. ANY DEVICE OR EQUIPMENT SEALED OUT OF SERVICE BY THE BUILDING OFFICIAL SHALL BE PLAINLY IDENTIFIED IN AN APPROVED MANNER. EXCEPT BY THE BUILDING OFFICIAL, THE IDENTIFICATION SHALL NOT BE TAMPERED WITH, DEFACED, OR REMOVED. THE IDENTIFICATION SHALL INDICATE THE REASON FOR THE SEALING OF THE EQUIPMENT.

(50) *SECTION 118 DEMOLITION OF STRUCTURES.*

ADD NEW SECTION 118 AFTER SECTION 117 AS FOLLOWS:

SECTION 118 DEMOLITION OF STRUCTURES.

118.1 SERVICE CONNECTIONS. BEFORE A STRUCTURE IS DEMOLISHED OR REMOVED, THE OWNER OR AGENT SHALL NOTIFY ALL UTILITIES HAVING

SERVICE CONNECTIONS WITHIN THE STRUCTURE INCLUDING, BUT NOT LIMITED TO, WATER, ELECTRIC, GAS, OR SEWER. A PERMIT TO DEMOLISH OR REMOVE A STRUCTURE SHALL NOT BE ISSUED UNTIL A RELEASE IS OBTAINED FROM THE UTILITIES. THE RELEASE SHALL STATE THAT THE UTILITY'S RESPECTIVE SERVICE CONNECTIONS AND APPURTENANT EQUIPMENT, SUCH AS METERS AND REGULATORS, HAVE BEEN REMOVED, SEALED, OR PLUGGED IN A SAFE MANNER.

118.2 NOTICE TO ADJOINING OWNERS. A PERMIT TO REMOVE OR DEMOLISH A BUILDING OR STRUCTURE MAY BE GRANTED IF WRITTEN NOTICE HAS BEEN GIVEN BY THE APPLICANT TO THE OWNERS OF ADJOINING LOTS AND TO THE OWNERS OF WIRED OR OTHER FACILITIES THAT MAY NEED TO BE TEMPORARILY REMOVED DUE TO THE PROPOSED WORK.

118.3 LOT REGULATION. WHENEVER A STRUCTURE IS DEMOLISHED OR REMOVED, THE PREMISES SHALL BE MAINTAINED FREE FROM ALL UNSAFE OR HAZARDOUS CONDITIONS BY THE PROPER REGULATION OF THE LOT, RESTORATION OF ESTABLISHED GRADES, AND THE ERECTION OF THE NECESSARY RETAINING WALLS AND FENCES IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33 OF THIS CODE.

(51) *SUBSECTION 703.7 MARKING AND IDENTIFICATION.*

AMEND ITEM 1 AS FOLLOWS:

(I) DELETE "WITHIN 15 FEET (4572 MM) OF THE END OF EACH WALL AND";

(II) DELETE "30 FEET (914 MM)" AND SUBSTITUTE "10 FEET (3048 MM)"; AND

(III) AFTER "WALL OR PARTITION" INSERT "ON BOTH SIDES"; AND

(52) *SUBSECTIONS 903.2.1.1 GROUP A-1; 903.2.1.3 GROUP A-3; AND 903.2.1.4 GROUP A-4.*

DELETE ITEM NUMBER 2 IN EACH SUBSECTION AND SUBSTITUTE THE FOLLOWING IN EACH INSTANCE:

2. THE FIRE AREA HAS A CALCULATED OCCUPANT LOAD OF 100 OR MORE;

OR

- 1 (53) *SUBSECTION 903.2.1.6 ASSEMBLY OCCUPANCIES ON ROOFS.*
2 IN THE FIRST SENTENCE DELETE “300” AND SUBSTITUTE “100”.
- 3 (54) *903.2.1.7 MULTIPLE FIRE AREAS.*
4 IN THE FIRST SENTENCE DELETE “300” AND SUBSTITUTE “100”.
- 5 (55) *SUBSECTION 903.2.3 GROUP E.*
6 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
7 **903.2.3 GROUP E.** AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED
8 FOR ALL GROUP E OCCUPANCIES.
9 **EXCEPTION:** AN AUTOMATIC SPRINKLER SYSTEM IS NOT REQUIRED IF A
10 STUDENT OCCUPIED AREA HAS A DOOR DIRECTLY TO THE OUTSIDE.
- 11 (56) *SUBSECTION 903.2.13 ADDITIONAL SUPPRESSION REQUIREMENTS.*
12 ADD NEW SUBSECTION 903.2.13 AFTER SUBSECTION 903.2.12 AS FOLLOWS:
13 **903.2.13 ADDITIONAL SUPPRESSION REQUIREMENTS.** FIRE SUPPRESSION
14 SYSTEMS SHALL BE PROVIDED FOR RESIDENTIAL AND NONRESIDENTIAL
15 BUILDINGS OR STRUCTURES AS FOLLOWS:
16 **903.2.13.1** IF AN ADDITION OR RENOVATION TO AN EXISTING R-1 OR R-2
17 BUILDING EXCEEDS 50% OF THE GROSS FLOOR AREA, THE ENTIRE BUILDING
18 SHALL BE PROTECTED BY AN APPROVED FIRE PROTECTION SYSTEM.
19 **903.2.13.2** ANY NONRESIDENTIAL BUILDING, STRUCTURE, OR ADDITION TO
20 AN EXISTING NONRESIDENTIAL BUILDING OR STRUCTURE FOR WHICH THE
21 INITIAL BUILDING PERMIT WAS ISSUED ON OR AFTER JULY 1, 1992, SHALL BE
22 PROTECTED BY AN AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEM.
23 **903.2.13.3 APPLICABLE CONDITIONS AND EXCEPTIONS:**
24 (I) EXCEPTION: A BUILDING OR STRUCTURE CONTAINING LESS THAN
25 5,000 GROSS SQUARE FEET IN FLOOR AREA. THE GROSS SQUARE
26 FEET OF A BUILDING OR ADDITION SHALL BE THE SUM TOTAL OF THE
27 FLOOR AREA FOR ALL FLOOR LEVELS, BASEMENTS, AND
28 SUBBASEMENTS, MEASURED FROM OUTSIDE WALLS, IRRESPECTIVE
29 OF THE EXISTENCE OF INTERIOR FIRE-RESISTIVE WALLS, FLOORS, OR
30 CEILINGS.

- (II) IF AN ADDITION TO AN EXISTING BUILDING EXCEEDS 5,000 GROSS SQUARE FEET IN FLOOR AREA, THE ADDITION SHALL COMPLY WITH THIS SECTION.
- (III) IF AN ALTERATION TO AN EXISTING BUILDING EXCEEDS 5,000 GROSS SQUARE FEET IN FLOOR AREA, THE ALTERATION SHALL COMPLY WITH THIS SECTION. IF THE ALTERATION EXCEEDS 50% OF THE GROSS FLOOR AREA OF THE BUILDING, THE ENTIRE BUILDING SHALL COMPLY WITH THIS SECTION.
- (IV) IF AN ALTERATION AND ADDITION OCCUR SIMULTANEOUSLY IN A BUILDING, ARE CONTIGUOUS, AND THE TOTAL AFFECTED FLOOR AREA EXCEEDS 5,000 GROSS SQUARE FEET IN FLOOR AREA, THE ENTIRE ALTERATION AND ADDITION AREAS SHALL COMPLY WITH THIS SECTION.
- (V) THE BUILDING OFFICIAL MAY GRANT A WAIVER FROM THE REQUIREMENTS OF THIS SECTION FOR AN UNUSUAL BUILDING, STRUCTURE, OR OCCUPANCY.
- (VI) A SPRINKLER SYSTEM REQUIRED BY THIS SECTION SHALL BE INSTALLED IN ACCORDANCE WITH NFPA STANDARD 13, 13D, OR 13R, AS APPLICABLE.

(57) *SUBSECTION 903.2.14 HOSE CONNECTIONS.*

ADD NEW SUBSECTION 903.2.14 AFTER SUBSECTION 903.2.13 AS FOLLOWS:

903.2.14 HOSE CONNECTIONS. WHERE FIRE SUPPRESSION SYSTEMS ARE REQUIRED IN GROUP M, S-1 AND F-1 OCCUPANCIES, A 2½ INCH HOSE CONNECTION WITH 1½ INCH REDUCERS SHALL BE PROVIDED FOR FIRE DEPARTMENT USE. HOSE CONNECTIONS SHALL BE PLACED NEAR EXIT DOORS THAT DO NOT HAVE FIRE DEPARTMENT VEHICLE ACCESS WITHIN 100 FEET. TWO HOSE CONNECTIONS SHALL BE LOCATED NO MORE THAN 200 FEET APART. EXIT DOORS SHALL BE PLACARDED ON THE OUTSIDE TO INDICATE THE LOCATION OF HOSE CONNECTIONS FOR FIRE DEPARTMENT ACCESS.

(58) *SUBSECTION 905.12 PIPING DESIGN.*

ADD NEW SUBSECTION 905.12 AFTER SUBSECTION 905.11 AS FOLLOWS:

905.12 PIPING DESIGN. THE RISER PIPING, SUPPLY PIPING, AND WATER SERVICE PIPING SHALL BE SIZED TO MAINTAIN A RESIDUAL PRESSURE OF AT LEAST 100 PSI AT THE TOP MOST OUTLET OF EACH RISER WHILE FLOWING THE MINIMUM QUANTITY OF WATER AS SPECIFIED IN NFPA 14. THE PIPE SIZE SHALL BE BASED ON EITHER THE CAPACITY OF THE AUTOMATIC WATER SUPPLY SYSTEM OR THE SUPPLY OF 1000 GPM AT 150 PSI AT THE FIRE DEPARTMENT CONNECTION WHERE AN AUTOMATIC WATER SUPPLY IS NEITHER REQUIRED NOR PROVIDED TO MAINTAIN THE RESIDUAL PRESSURE OF 100 PSI. IF A FIRE PUMP IS REQUIRED TO SUPPLY AN AUTOMATIC SPRINKLER SYSTEM, THE PUMP SHALL BE SIZED IN ACCORDANCE WITH THIS SECTION.

EXCEPTION: THE RESIDUAL PRESSURE OF 100 PSI IS NOT REQUIRED IN BUILDINGS WHERE ALL THE FOLLOWING APPLY:

- (I) THAT ARE EQUIPPED THROUGHOUT WITH AUTOMATIC SPRINKLER SYSTEMS IN ACCORDANCE WITH SECTION 903.3.1.1 OR 903.3.1.2 OF THIS CODE;
- (II) WHERE THE HIGHEST FLOOR LEVEL IS NOT MORE THAN 75 FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS; AND
- (III) WHERE A PUMP IS NOT REQUIRED TO MEET THE SPRINKLER SYSTEM DEMAND,

(59) *SUBSECTION 910.2 WHERE REQUIRED.*

DELETE EXCEPTIONS 1, 2, AND 3.

(60) *SUBSECTION 910.2.2 HIGH PILED COMBUSTIBLE STORAGE.*

- (I) IN THE FIRST SENTENCE, DELETE "TABLE 3206.2 OF THE INTERNATIONAL FIRE CODE" AND SUBSTITUTE "TABLE 910.2.2 OF THE HOWARD COUNTY BUILDING CODE".

- (II) INSERT TABLE 910.2.2 AS FOLLOW:

TABLE 910.2.2

[F] TABLE
REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS*

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREA-TO-FLOOR-AREA RATIO*	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE FROM VENTS TO WALL OR DRAFT CURTAIN ^b (feet)
High-piled Storage (see Section 910.2.2) Class I-IV commodities (Option 1)	≤ 20	6	10,000	1:100	100	60
	> 20 ≤ 40	6	8,000	1:75	100	55
High-piled Storage (see Section 910.2.2) Class I-IV commodities (Option 2)	≤ 20	4	3,000	1:75	100	55
	> 20 ≤ 40	4	3,000	1:50	100	50
High-piled Storage (see Section 910.2.2) High-hazard commodities (Option 1)	≤ 20	6	6,000	1:50	100	50
	> 20 ≤ 30	6	6,000	1:40	90	45
High-piled Storage (see Section 910.2.2) High-hazard commodities (Option 2)	≤ 20	4	4,000	1:50	100	50
	> 20 ≤ 30	4	2,000	1:30	75	40

For SF: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

a. Additional requirements for rack storage heights in excess of those indicated shall be in accordance with Chapter 32 of the *International Fire Code*. For solid-piled storage heights in excess of those indicated, an approved engineered design shall be used.

b. Vents adjacent to walls or draft curtains shall be located within a horizontal distance not greater than the maximum distance specified in this column as measured perpendicular to the wall or draft curtain that forms the perimeter of the draft curtained area.

c. Where draft curtains are not required, the vent area to floor area ratio shall be calculated based on a minimum draft curtain depth of 6 feet (Option 1).

d. "H" is the height of the vent, in feet, above the floor.

(61) *SUBSECTION 910.3. SMOKE AND HEAT VENTS..*

AFTER "910.3.3." INSERT THE FOLLOWING: SMOKE AND HEAT VENTS SHALL BE APPROVED, LABELED, AND CAPABLE OF BEING OPERATED BY APPROVED MANUAL MEANS.

(62) *CHAPTER 11. ACCESSIBILITY.*

DELETE THIS CHAPTER IN ITS ENTIRETY.

(63) *TABLE 1607.1 ITEM 26 ROOFS.*

IN THE OCCUPANCY OR USE COLUMN:

(I) IN THE ROW TITLED "ALL OTHER CONSTRUCTION, EXCEPT ONE AND TWO-FAMILY DWELLINGS", IN THE COLUMN TITLED "UNIFORM", DELETE "20" AND SUBSTITUTE "40"

(II) IN THE ROW TITLED "ORDINARY FLAT, PITCHED, AND CURVED ROOFS (THAT ARE NOT OCCUPIABLE)" DELETE "20" AND SUBSTITUTE "40" AND ADD FOOTNOTE "P" NEXT TO "20" TO READ "FLAT ROOFS UP TO 2% SLOPE CAN USE 30 PSF FOR DESIGN REQUIREMENTS".

(64) *SUBSECTION 1803.2 INVESTIGATIONS REQUIRED.*

INSERT AT THE END OF THE FIRST SENTENCE "OR WHERE THE BUILDING EXCEEDS 2 STORIES".

(65) *SUBSECTION 1809.5 FROST PROTECTION.*

1 DELETE EXCEPTION NUMBER 2 AND SUBSTITUTE "2. AREA OF 400 SQUARE
2 FEET OR LESS; AND".

3 (66) *SUBSECTION 1809.5.1 FROST LINE.*
4 ADD NEW SUBSECTION 1809.5.1 AFTER SUBSECTION 1809.5 AS FOLLOWS:
5 **1809.5.1 FROST LINE.** THE FROST LINE SHALL BE AT LEAST 30 INCHES
6 BELOW FINISHED GRADE.

7 (67) DELETE CHAPTERS 28 THROUGH 29.

8 (68) *SUBSECTION 3001.3 REFERENCED STANDARDS.*
9 ADD THE FOLLOWING TO THE END OF THE SUBSECTION:
10 **EXCEPTION:** THE REQUIREMENTS OF THE STATE OF MARYLAND ELEVATOR
11 CODE, ASME A17.1, SAFETY CODE FOR ELEVATORS AND ESCALATORS, AS
12 ADOPTED BY THE MARYLAND DEPARTMENT OF LABOR, LICENSING AND
13 REGULATION, SHALL APPLY TO ELEVATORS AND CONVEYING SYSTEMS.

14 (69) *SUBSECTION 3107.1 GENERAL.*
15 INSERT THE FOLLOWING AT THE END OF THIS SENTENCE AFTER "CODE":
16 AND THE REQUIREMENTS OF THE HOWARD COUNTY SIGN CODE SET FORTH
17 IN TITLE 3, SUBTITLE 5 OF THE HOWARD COUNTY CODE.

18 (70) *SUBSECTION 3108.3 RADIO AND TELEVISION ANTENNAS.*
19 ADD NEW SUBSECTION 3108.3 AFTER SUBSECTION 3108.2 AS FOLLOWS:
20 **3108.3 RADIO AND TELEVISION ANTENNAS.**
21 **3108.3.1 PERMITS NOT REQUIRED.** BUILDING PERMITS ARE NOT REQUIRED
22 FOR ROOF INSTALLATION OF ANTENNAL STRUCTURES THAT ARE LESS THAN
23 12 FEET IN HEIGHT ABOVE THE ROOF AND USED FOR PRIVATE RADIO OR
24 TELEVISION RECEPTION. ANTENNAL STRUCTURES SHALL NOT BE ERECTED
25 SO AS TO DAMAGE THE ROOF COVERING. WHEN REMOVED FROM THE ROOF,
26 THE ROOF COVERING SHALL BE REPAIRED TO MAINTAIN WEATHER AND
27 WATER TIGHTNESS. THE INSTALLATION OF ANTENNAL STRUCTURES ON THE
28 ROOF OF A BUILDING SHALL NOT BE NEARER TO THE LOT LINE THAN THE
29 TOTAL HEIGHT OF THE ANTENNAL STRUCTURE ABOVE THE ROOF.
30 ANTENNAL STRUCTURES SHALL NOT BE ERECTED NEAR ELECTRIC POWER

1 LINES AND SHALL NOT ENCROACH UPON ANY STREET OR OTHER PUBLIC
2 SPACE.

3 **3108.3.2 PERMITS REQUIRED.** IF THE APPLICATION MEETS THE CRITERIA
4 SET FORTH IN THIS CODE, AN APPLICATION FOR ROOF-MOUNTED ANTENNAL
5 STRUCTURES MORE THAN 12 FEET IN HEIGHT ABOVE THE ROOF SHALL BE
6 APPROVED. A PERMIT APPLICATION FOR A ROOF-MOUNTED ANTENNAL
7 STRUCTURE UNDER THIS SUBSECTION SHALL BE ACCOMPANIED BY DETAILED
8 DRAWINGS OF THE STRUCTURE AND METHOD OF ANCHORAGE. ALL
9 CONNECTIONS TO THE ROOF STRUCTURE SHALL BE PROPERLY FLASHED TO
10 MAINTAIN WATER TIGHTNESS. THE DESIGN AND MATERIALS OF
11 CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF THIS
12 SUBSECTION (3108.3) FOR CHARACTER, QUALITY, AND MINIMUM
13 DIMENSION.

14 **3108.3.3 DISH ANTENNAS.** A DISH ANTENNA IS AN ANTENNA THAT
15 CONSISTS OF A RADIATION ELEMENT THAT TRANSMITS OR RECEIVES
16 RADIATION SIGNALS GENERATED AS ELECTRICAL, LIGHT, OR SOUND
17 ENERGY. A DISH ANTENNA IS SUPPORTED BY A STRUCTURE WITH OR
18 WITHOUT A REFLECTIVE COMPONENT TO THE RADIATING DISH, USUALLY IN
19 A CIRCULAR SHAPE WITH A PARABOLIC CURVE DESIGN CONSTRUCTED OF A
20 SOLID OR OPEN MESH SURFACE.

21 **3108.3.3.1 PERMITS.** A PERMIT SHALL BE OBTAINED FOR DISH ANTENNAL
22 STRUCTURES THAT ARE GREATER THAN 3 FEET IN DIAMETER AND THAT ARE
23 ERECTED ON THE ROOF OF OR ATTACHED TO BUILDINGS OR STRUCTURES.
24 PERMITS ARE NOT REQUIRED FOR DISH ANTENNAS THAT ARE 3 FEET OR LESS
25 IN DIAMETER AND THAT ARE ERECTED AND MAINTAINED ON THE ROOF OF A
26 BUILDING.

27 **3108.3.3.2 STRUCTURAL PROVISIONS.** DISH ANTENNAS LARGER THAN 3
28 FEET IN DIAMETER ARE SUBJECT TO THE STRUCTURAL PROVISIONS OF
29 SECTIONS 1608 AND 1609. THE SNOW LOAD PROVISION OF SECTION 1608
30 SHALL NOT APPLY WHERE THE ANTENNA HAS A HEATER TO MELT FALLING
31 SNOW.

(71) ***SUBSECTION 3108.3 RADIO AND TELEVISION ANTENNAS.***

ADD NEW SUBSECTION 3108.3 AFTER SUBSECTION 3108.2 AS FOLLOWS:

3108.3.1 PERMITS NOT REQUIRED. BUILDING PERMITS ARE NOT REQUIRED FOR ROOF INSTALLATION OF ANTENNAL STRUCTURES THAT ARE LESS THAN 12 FEET IN HEIGHT ABOVE THE ROOF AND USED FOR PRIVATE RADIO OR TELEVISION RECEPTION. ANTENNAL STRUCTURES SHALL NOT BE ERECTED SO AS TO DAMAGE THE ROOF COVERING. WHEN REMOVED FROM THE ROOF, THE ROOF COVERING SHALL BE REPAIRED TO MAINTAIN WEATHER AND WATER TIGHTNESS. THE INSTALLATION OF ANTENNAL STRUCTURES ON THE ROOF OF A BUILDING SHALL NOT BE NEARER TO THE LOT LINE THAN THE TOTAL HEIGHT OF THE ANTENNAL STRUCTURE ABOVE THE ROOF.

ANTENNAL STRUCTURES SHALL NOT BE ERECTED NEAR ELECTRIC POWER LINES AND SHALL NOT ENCROACH UPON ANY STREET OR OTHER PUBLIC SPACE.

3108.3.2 PERMITS REQUIRED. IF THE APPLICATION MEETS THE CRITERIA SET FORTH IN THIS CODE, AN APPLICATION FOR ROOF-MOUNTED ANTENNAL STRUCTURES MORE THAN 12 FEET IN HEIGHT ABOVE THE ROOF SHALL BE APPROVED. A PERMIT APPLICATION FOR A ROOF-MOUNTED ANTENNAL STRUCTURE UNDER THIS SUBSECTION SHALL BE ACCOMPANIED BY DETAILED DRAWINGS OF THE STRUCTURE AND METHOD OF ANCHORAGE. ALL CONNECTIONS TO THE ROOF STRUCTURE SHALL BE PROPERLY FLASHED TO MAINTAIN WATER TIGHTNESS. THE DESIGN AND MATERIALS OF CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (3108.3) FOR CHARACTER, QUALITY, AND MINIMUM DIMENSION.

3108.3.3 DISH ANTENNAS. A DISH ANTENNA IS AN ANTENNA THAT CONSISTS OF A RADIATION ELEMENT THAT TRANSMITS OR RECEIVES RADIATION SIGNALS GENERATED AS ELECTRICAL, LIGHT, OR SOUND ENERGY. A DISH ANTENNA IS SUPPORTED BY A STRUCTURE WITH OR WITHOUT A REFLECTIVE COMPONENT TO THE RADIATING DISH, USUALLY IN

1 A CIRCULAR SHAPE WITH A PARABOLIC CURVE DESIGN CONSTRUCTED OF A
2 SOLID OR OPEN MESH SURFACE.

3 **3108.3.3.1 PERMITS.** A PERMIT SHALL BE OBTAINED FOR DISH ANTENNAL
4 STRUCTURES THAT ARE GREATER THAN 3 FEET IN DIAMETER AND THAT ARE
5 ERECTED ON THE ROOF OF OR ATTACHED TO BUILDINGS OR STRUCTURES.
6 PERMITS ARE NOT REQUIRED FOR DISH ANTENNAS THAT ARE 3 FEET OR LESS
7 IN DIAMETER AND THAT ARE ERECTED AND MAINTAINED ON THE ROOF OF A
8 BUILDING.

9 **3108.3.3.2 STRUCTURAL PROVISIONS.** DISH ANTENNAS LARGER THAN 3
10 FEET IN DIAMETER ARE SUBJECT TO THE STRUCTURAL PROVISIONS OF
11 SECTIONS 1608 AND 1609. THE SNOW LOAD PROVISION OF SECTION 1608
12 SHALL NOT APPLY WHERE THE ANTENNA HAS A HEATER TO MELT FALLING
13 SNOW.

14 (72) *SUBSECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES.*

15 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

16 **SUBSECTION 3109: SWIMMING POOL ENCLOSURES AND SAFETY DEVICES:**

17 **3109.1 GENERAL.** SWIMMING POOLS SHALL COMPLY WITH THE
18 REQUIREMENTS OF SECTIONS 3109.2 THROUGH 3109.3 AND OTHER
19 APPLICABLE REQUIREMENTS OF THE CODE.

20 **3109.2 RESIDENTIAL SWIMMING POOLS.** RESIDENTIAL SWIMMING POOLS
21 SHALL BE COMPLETELY ENCLOSED BY A BARRIER COMPLYING WITH
22 SECTIONS 3109.2.1 THROUGH 3109.2.3.

23 **EXCEPTION:** A SWIMMING POOL WITH A POWER SAFETY COVER OR A SPA
24 WITH A SAFETY COVER COMPLYING WITH ASTM F 1346.

25 **3109.2.1 BARRIER HEIGHT AND CLEARANCES.** THE TOP OF THE BARRIER
26 SHALL BE AT LEAST 48 INCHES (1219 MM) ABOVE GRADE MEASURED ON THE
27 SIDE OF THE BARRIER WHICH FACES AWAY FROM THE SWIMMING POOL. THE
28 MAXIMUM VERTICAL CLEARANCE BETWEEN GRADE AND THE BOTTOM OF
29 THE BARRIER SHALL BE 2 INCHES (51MM) MEASURED ON THE SIDE OF THE
30 BARRIER WHICH FACES AWAY FROM THE SWIMMING POOL. WHERE THE TOP
31 OF THE POOL STRUCTURE IS ABOVE GRADE, SUCH AS AN ABOVE-GROUND

1 POOL, THE BARRIER MAY BE AT GROUND LEVEL, SUCH AS THE POOL
2 STRUCTURE OR MOUNTED ON TOP OF THE POOL STRUCTURE. WHERE THE
3 BARRIER IS MOUNTED ON TOP OF THE POOL STRUCTURE, THE MAXIMUM
4 VERTICAL CLEARANCE BETWEEN THE TOP OF THE POOL STRUCTURE AND THE
5 BOTTOM OF THE BARRIER SHALL BE 4 INCHES (102MM).

6 **3109.2.1.1 OPENINGS.** OPENINGS IN THE BARRIER SHALL NOT ALLOW
7 PASSAGE OF A 4-INCH-DIAMETER (102 MM) SPHERE.

8 **3109.2.1.2 SOLID BARRIER SURFACES.** SOLID BARRIERS WHICH DO NOT
9 HAVE OPENINGS SHALL NOT CONTAIN INDENTATIONS OR PROTRUSIONS
10 EXCEPT FOR NORMAL CONSTRUCTION TOLERANCES AND TOOLED MASONRY
11 JOINTS.

12 **3109.2.1.3 CLOSELY SPACED HORIZONTAL MEMBERS.** WHERE THE
13 BARRIER IS COMPOSED OF HORIZONTAL AND VERTICAL MEMBERS AND THE
14 DISTANCE BETWEEN THE TOPS OF THE HORIZONTAL MEMBERS IS LESS THAN
15 45 INCHES (1143 MM), THE HORIZONTAL MEMBERS SHALL BE LOCATED ON
16 THE SWIMMING POOL SIDE OF THE FENCE. SPACING BETWEEN VERTICAL
17 MEMBERS SHALL BE NOT GREATER THAN 1¾ INCHES (44 MM) IN WIDTH.
18 WHERE THERE ARE DECORATIVE CUTOUTS WITHIN VERTICAL MEMBERS,
19 SPACING WITHIN THE CUTOUTS SHALL BE NOT GREATER THAN 1¾ INCHES
20 (44 MM) IN WIDTH.

21 **3109.2.1.4 WIDELY SPACED HORIZONTAL MEMBERS.** WHERE THE
22 BARRIER IS COMPOSED OF HORIZONTAL AND VERTICAL MEMBERS AND THE
23 DISTANCE BETWEEN THE TOPS OF THE HORIZONTAL MEMBERS IS 45 INCHES
24 (1143 MM) OR MORE, SPACING BETWEEN VERTICAL MEMBERS SHALL BE NOT
25 GREATER THAN 4 INCHES (102 MM). WHERE THERE ARE DECORATIVE
26 CUTOUTS WITHIN VERTICAL MEMBERS, SPACING WITHIN THE CUTOUTS
27 SHALL BE NOT GREATER THAN 1¾ INCHES (44 MM) IN WIDTH.

28 **3109.2.1.5 CHAIN LINK DIMENSION.** MESH SIZE FOR CHAIN LINK FENCES
29 SHALL BE NOT GREATER THAN A 2¼ INCH SQUARE (57 MM SQUARE) UNLESS
30 THE FENCE IS PROVIDED WITH SLATS FASTENED AT THE TOP OR THE BOTTOM
31 THAT REDUCE THE OPENING TO NOT MORE THAN 1¾ INCHES (44 MM).

1 **3109.2.1.6 DIAGONAL MEMBERS.** WHERE THE BARRIER IS COMPOSED OF
2 DIAGONAL MEMBERS, THE OPENING FORMED BY THE DIAGONAL MEMBERS
3 SHALL BE NOT GREATER THAN 1¾ INCHES (44 MM).

4 **3109.2.1.7 GATES.** ACCESS DOORS OR GATES SHALL COMPLY WITH THE
5 REQUIREMENTS OF SECTION 3109.2.1.1 THROUGH 3109.2.1.6, AND SHALL BE
6 EQUIPPED TO ACCOMMODATE A LOCKING DEVICE. PEDESTRIAN ACCESS
7 GATES SHALL OPEN OUTWARD AWAY FROM THE POOL AND SHALL BE SELF-
8 CLOSING AND HAVE A SELF-LATCHING DEVICE. DOORS OR GATES OTHER
9 THAN PEDESTRIAN ACCESS DOORS OR GATES SHALL HAVE A SELF-LATCHING
10 DEVICE. RELEASE MECHANISMS SHALL BE IN ACCORDANCE WITH SECTIONS
11 1010.1.9 AND 1109.13. WHERE THE RELEASE MECHANISM OF THE SELF-
12 LATCHING DEVICE IS LOCATED LESS THAN 54 INCHES (1372 MM) FROM THE
13 BOTTOM OF THE DOOR OR GATE, THE RELEASE MECHANISM SHALL BE
14 LOCATED ON THE POOL SIDE OF THE DOOR OR GATE 3 INCHES (76 MM) OR
15 MORE, BELOW THE TOP OF THE DOOR OR GATE, AND THE DOOR OR GATE AND
16 BARRIER SHALL BE WITHOUT OPENING LARGER THAN ½ INCH (13 MM)
17 WITHIN 18 INCHES (457 MM) OF THE RELEASE MECHANISM.

18 **3109.2.1.8 DWELLING WALL AS A BARRIER.** WHERE A WALL OF A
19 DWELLING SERVES AS PART OF THE BARRIER, ONE OF THE FOLLOWING
20 SHALL APPLY:

21 1. DOORS WITH DIRECT ACCESS TO THE POOL THROUGH THAT WALL SHALL
22 BE EQUIPPED WITH AN ALARM WHICH PRODUCES AN AUDIBLE WARNING
23 WHEN THE DOOR AND/OR ITS SCREEN, IF PRESENT, ARE OPENED. THE ALARM
24 SHALL BE LISTED AND LABELED IN ACCORDANCE WITH UL 2017. IN
25 DWELLINGS NOT REQUIRED TO BE *ACCESSIBLE UNITS, TYPE A UNITS* OR *TYPE*
26 *B UNITS*, THE DEACTIVATION SWITCH SHALL BE LOCATED 54 INCHES (1372
27 MM) OR MORE ABOVE THE THRESHOLD OF THE DOOR. IN DWELLINGS
28 REQUIRED TO BE *ACCESSIBLE UNITS, TYPE A UNITS* OR *TYPE B UNITS*, THE
29 DEACTIVATION SWITCH SHALL BE LOCATED NO HIGHER THAN 54 INCHES
30 (1372 MM) AND NOT LESS THAN 48 INCHES (1219 MM) ABOVE THE
31 THRESHOLD OF THE DOOR.

2. THE POOL SHALL BE EQUIPPED WITH A POWERED SAFETY COVER IN COMPLIANCE WITH ASTM F 1346; OR

3. OTHER MEANS OF PROTECTION, SUCH AS SELF-CLOSING DOORS WITH SELF-LATCHING DEVICES, WHICH ARE APPROVED, SHALL BE ACCEPTABLE SO LONG AS THE DEGREE OF PROTECTION AFFORDED IS NOT LESS THAN THE PROTECTION AFFORDED BY ITEM 1 OR 2 DESCRIBED ABOVE.

3109.2.1.9 POOL STRUCTURES AS BARRIERS. WHERE AN ABOVE-GROUND POOL STRUCTURE IS USED AS A BARRIER OR WHERE THE BARRIER IS MOUNTED ON TOP OF THE POOL STRUCTURE, AND THE MEANS OF ACCESS IS A LADDER OR STEPS, THEN THE LADDER OR STEPS SHALL BE CAPABLE OF BEING SECURED, LOCKED OR REMOVED TO PREVENT ACCESS, OR THE LADDER OR STEPS SHALL BE SURROUNDED BY A BARRIER WHICH MEETS THE REQUIREMENT OF SECTION 3109.2.1 THROUGH 3109.2.1.8. WHERE THE LADDER OR STEPS ARE SECURED, LOCKED OR REMOVED, ANY OPENING CREATED SHALL NOT ALLOW THE PASSAGE OF A 4 – INCH DIAMETER (102 MM) SPHERE.

3109.2.2 INDOOR SWIMMING POOL. WALLS SURROUNDING AN INDOOR SWIMMING POOL SHALL NOT BE REQUIRED TO COMPLY WITH SECTION 3109.2.1.8.

3109.2.3 PROHIBITED LOCATIONS. BARRIERS SHALL BE LOCATED TO PROHIBIT PERMANENT STRUCTURES, EQUIPMENT OR SIMILAR OBJECTS FROM BEING USED TO CLIMB THE BARRIERS.

3109.3 ENTRAPMENT AVOIDANCE. SUCTION OUTLETS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH ANSI/APSP-7.

3109.4. ALTERNATIVE DEVICES. NATURAL BARRIERS, POOL COVERS, OR OTHER PROTECTIVE DEVICES APPROVED BY THE BUILDING OFFICIAL SHALL BE AN ACCEPTABLE ENCLOSURE IF THE DEGREE OF PROTECTION AFFORDED BY THE SUBSTITUTED DEVICE OR STRUCTURE IS GREATER THAN THE PROTECTION AFFORDED BY THE ENCLOSURES, GATES, AND LATCHES DESCRIBED HEREIN.

(73) *SECTION 3114 FLOODPLAIN.*

1 ADD NEW SECTION 3114 AFTER SECTION 3113 AS FOLLOWS:

2 **SECTION 3114 FLOODPLAIN.**

3 **3114.1 GENERAL.** FOR THE PURPOSE OF THIS SECTION, THE FLOODPLAIN IS
4 DELINEATED IN TITLE 16, SUBTITLE 7 OF THE HOWARD COUNTY CODE.

5 **3114.2 WITHIN DESIGNATED FLOODPLAIN.**

6 THE CONSTRUCTION, RECONSTRUCTION, MODIFICATION, ALTERATION,
7 REPAIR, OR IMPROVEMENT OF BUILDINGS, MANUFACTURED HOMES, OR
8 OTHER STRUCTURES LOCATED WITHIN A DESIGNATED FLOODPLAIN SHALL BE
9 DONE IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THIS
10 SECTION.

11 **3114.2.1 NEW CONSTRUCTION.** NEW RESIDENTIAL OR NONRESIDENTIAL
12 CONSTRUCTION SHALL NOT OCCUR WITHIN A DESIGNATED FLOODPLAIN.

13 **EXCEPTION 1:** AN EXISTING NONCONFORMING STRUCTURE LOCATED
14 WITHIN A DESIGNATED FLOODPLAIN WHICH IS DESTROYED BY FIRE OR
15 FLOOD, OR THAT SUSTAINS SUBSTANTIAL DAMAGE MAY BE RESTORED TO
16 THE SAME SIZE AND DIMENSION AND IN THE SAME LOCATION ON THE SAME
17 LOT AS THE DESTROYED STRUCTURE, PROVIDED CONSTRUCTION BEGINS
18 WITHIN 12 MONTHS OF THE DATE OF DESTRUCTION. CONSTRUCTION SHALL
19 COMPLY WITH THE ELEVATING AND FLOODPROOFING REQUIREMENTS OF
20 SUBSECTION 3112.4 FOR NEW CONSTRUCTION ADJACENT TO A FLOODPLAIN.
21 A PERSON SHALL NOT INTENTIONALLY DEMOLISH OR RECONSTRUCT ANY
22 NONCONFORMING STRUCTURE. THIS EXCEPTION DOES NOT APPLY TO
23 MANUFACTURED HOMES. A MANUFACTURED HOME CANNOT BE RESTORED
24 UNDER ANY CONDITION WITHIN A DESIGNATED FLOODPLAIN.

25 **EXCEPTION 2:** TRANSPORTATION NETWORKS, UTILITY INSTALLATIONS,
26 PIERS, OPEN PIER STRUCTURES, AND OPEN DECKS APPROVED BY THE
27 DEPARTMENT OF PUBLIC WORKS. STREETS, SIDEWALKS, PATHWAYS, AND
28 UTILITY SYSTEMS IN ACCORDANCE WITH THE HOWARD COUNTY DESIGN
29 MANUAL AND ALL OTHER APPLICABLE CODES, ORDINANCES, RESOLUTIONS,
30 AND REGULATIONS.

3114.2.2 ADDITIONS AND ENLARGEMENTS. EXISTING NONCONFORMING STRUCTURES LOCATED WITHIN A DESIGNATED FLOODPLAIN SHALL NOT BE EXPANDED OR ENLARGED.

3114.2.3 MODIFICATIONS, ALTERATIONS, AND REPAIRS. MODIFICATIONS, ALTERATIONS, REPAIRS, OR IMPROVEMENTS THAT COST LESS THAN 50% OF THE FAIR MARKET VALUE OF THE STRUCTURE MAY BE MADE TO EXISTING NONCONFORMING STRUCTURES LOCATED WITHIN A DESIGNATED FLOODPLAIN WITHOUT FLOODPROOFING OR ELEVATING IF THE OWNER DEMONSTRATES THROUGH A MARYLAND STATE REGISTERED PROFESSIONAL ENGINEER THAT FLOODPROOFING OR ELEVATING IS IMPRACTICAL.

3114.3 SUBSTANTIAL IMPROVEMENTS WITHIN A DESIGNATED FLOODPLAIN. SUBSTANTIAL IMPROVEMENTS WITHIN A DESIGNATED FLOODPLAIN SHALL MEET THE STANDARDS SET FORTH IN THIS SUBSECTION AND TITLE 16, SUBTITLE 7 OF THE HOWARD COUNTY CODE.

3114.3.1. RESIDENTIAL. THE LOWEST FLOOR, INCLUDING A BASEMENT, OF SUBSTANTIAL IMPROVEMENTS TO EXISTING NONCONFORMING RESIDENTIAL STRUCTURES LOCATED WITHIN A DESIGNATED FLOODPLAIN SHALL BE ELEVATED TO AT LEAST 2 FEET ABOVE THE 100-YEAR FLOOD ELEVATION.

3114.3.2. NONRESIDENTIAL. THE LOWEST FLOOR, INCLUDING A BASEMENT, OF SUBSTANTIAL IMPROVEMENTS TO EXISTING NONCONFORMING NONRESIDENTIAL STRUCTURES SHALL BE ELEVATED TO AT LEAST 2 FEET ABOVE THE 100-YEAR FLOOD ELEVATION OR SHALL BE DESIGNED SO THAT ANY AREA OF THE BUILDING WHICH IS LOWER THAN 2 FEET ABOVE THE 100-YEAR FLOOD ELEVATION, AS DETERMINED OR APPROVED BY THE DEPARTMENT OF PUBLIC WORKS, IS WATERTIGHT WITH WALLS SUBSTANTIALLY IMPERMEABLE TO THE PASSAGE OF WATER AND WITH STRUCTURAL COMPONENTS HAVING THE CAPABILITY OF WITHSTANDING APPLICABLE HYDROSTATIC, HYDRODYNAMIC, IMPACT, SOIL, AND, WHEN APPLICABLE, HURRICANE AND TIDAL WAVE LOADING CONDITIONS. THE WATER TIGHTNESS AND STRUCTURAL CAPABILITIES SHALL BE THOSE DESCRIBED IN FLOODPROOFING REGULATIONS PUBLISHED

1 BY THE OFFICE OF THE CHIEF OF ENGINEERS, U.S. ARMY, WASHINGTON,
2 D.C., DECEMBER 1995, OR SUBSEQUENT REVISIONS, AND SECTION
3 16.705(C) OF THE HOWARD COUNTY CODE.

4 **3114.4 CONSTRUCTION ADJACENT TO A DESIGNATED FLOODPLAIN.**

5 WHERE BUILDINGS ARE LOCATED ADJACENT TO A DESIGNATED FLOODPLAIN
6 THE FOLLOWING SUBSECTIONS AND TITLE 16, SUBTITLE 7 OF THE HOWARD
7 COUNTY CODE SHALL APPLY:

8 **3114.4.1 RESIDENTIAL.** IN NEW CONSTRUCTION OF RESIDENTIAL
9 BUILDINGS OR ADDITIONS OR SUBSTANTIAL IMPROVEMENTS TO
10 RESIDENTIAL BUILDINGS, ALL FLOORS, INCLUDING THOSE OF BASEMENT
11 AND STORAGE AREAS, SHALL BE ELEVATED AT LEAST 2 FEET ABOVE THE
12 100-YEAR FLOOD LEVEL.

13 **3114.4.2 NONRESIDENTIAL.** IN NEW CONSTRUCTION OF NONRESIDENTIAL
14 BUILDINGS OR ADDITIONS OR SUBSTANTIAL IMPROVEMENTS TO
15 NONRESIDENTIAL BUILDINGS, EITHER:

- 16 (I) ALL FLOORS (INCLUDING THOSE OF BASEMENT AND STORAGE
17 AREAS) SHALL BE ELEVATED AT LEAST 2 FEET ABOVE THE 100-YEAR
18 FLOOD LEVEL, AS DETERMINED OR APPROVED BY THE DEPARTMENT
19 OF PUBLIC WORKS; OR
- 20 (II) THE CONSTRUCTION OR IMPROVEMENT (INCLUDING ATTENDANT
21 UTILITY OR SANITARY FACILITIES) SHALL BE DESIGNED SO THAT ANY
22 AREAS OF THE BUILDING THAT ARE LOWER THAN 2 FEET ABOVE THE
23 100-YEAR FLOOD ELEVATION, AS DETERMINED OR APPROVED BY
24 THE DEPARTMENT OF PUBLIC WORKS, ARE WATERTIGHT WITH
25 WALLS SUBSTANTIALLY IMPERMEABLE TO THE PASSAGE OF WATER
26 AND WITH STRUCTURAL COMPONENTS HAVING THE CAPABILITY OF
27 WITHSTANDING APPLICABLE HYDROSTATIC, HYDRODYNAMIC,
28 IMPACT, SOIL, AND, WHEN APPLICABLE, HURRICANE AND TIDAL
29 WAVE LOADING CONDITIONS. ELECTRICAL, HEATING, VENTILATION,
30 PLUMBING, AIR CONDITIONING EQUIPMENT, AND OTHER SERVICE
31 FACILITIES ASSOCIATED WITH THE BUILDINGS SHALL BE DESIGNED

OR LOCATED TO PREVENT WATER FROM ENTERING OR
ACCUMULATING WITHIN THE COMPONENTS DURING FLOOD
CONDITIONS. THE WATER TIGHTNESS AND STRUCTURAL
CAPABILITIES SHALL BE THOSE DESCRIBED IN FLOODPROOFING
REGULATIONS, PUBLISHED BY THE OFFICE OF THE CHIEF OF
ENGINEERS, U.S. ARMY, WASHINGTON, D.C., DECEMBER 1995, OR
SUBSEQUENT REVISIONS, AND SECTION 16.705(C) OF THE HOWARD
COUNTY CODE.

3114.4.3. MODIFICATIONS, ALTERATIONS OR REPAIRS. MODIFICATIONS,
ALTERATIONS, REPAIRS, OR IMPROVEMENTS THAT COSTS LESS THAN 50% OF
THE FAIR MARKET VALUE OF THE STRUCTURE MAY BE MADE TO EXISTING
NONCONFORMING STRUCTURES LOCATED ADJACENT TO A DESIGNATED
FLOODPLAIN WITHOUT FLOODPROOFING OR ELEVATING.

3114.4.4. VARIANCES. VARIANCES TO THE REQUIREMENTS SET FORTH IN
THIS SUBSECTION MAY BE GRANTED BY THE BUILDING OFFICIAL IN
ACCORDANCE WITH SECTION 16.711 OF THE HOWARD COUNTY CODE.

**3114.5 SUBSTANTIAL IMPROVEMENTS ADJACENT TO A DESIGNATED
FLOODPLAIN.** SUBSTANTIAL IMPROVEMENTS ADJACENT TO A DESIGNATED
FLOODPLAIN SHALL MEET THE STANDARDS SET FORTH IN THIS SUBSECTION
AND TITLE 16, SUBTITLE 7 OF THE HOWARD COUNTY CODE.

3114.5.1 RESIDENTIAL. THE LOWEST FLOOR, INCLUDING A BASEMENT, OF
SUBSTANTIAL IMPROVEMENTS TO EXISTING NONCONFORMING RESIDENTIAL
STRUCTURES LOCATED ADJACENT TO A DESIGNATED FLOODPLAIN SHALL BE
ELEVATED TO AT LEAST 2 FEET ABOVE THE 100-YEAR FLOOD ELEVATION.

3114.5.2 NONRESIDENTIAL. THE LOWEST FLOOR, INCLUDING A BASEMENT,
OF SUBSTANTIAL IMPROVEMENTS TO EXISTING NONCONFORMING
NONRESIDENTIAL STRUCTURES LOCATED ADJACENT TO A DESIGNATED
FLOODPLAIN SHALL BE ELEVATED TO AT LEAST 2 FEET ABOVE THE
100-YEAR FLOOD ELEVATION OR SHALL BE DESIGNED SO THAT ANY AREA OF
THE BUILDING WHICH IS LOWER THAN 2 FEET ABOVE THE 100-YEAR FLOOD
ELEVATION, AS DETERMINED OR APPROVED BY THE DEPARTMENT OF

1 PUBLIC WORKS, IS WATERTIGHT WITH WALLS SUBSTANTIALLY
2 IMPERMEABLE TO THE PASSAGE OF WATER AND WITH STRUCTURAL
3 COMPONENTS HAVING THE CAPABILITY OF WITHSTANDING APPLICABLE
4 HYDROSTATIC, HYDRODYNAMIC IMPACT, SOIL, AND, WHEN APPLICABLE,
5 HURRICANE AND TIDAL WAVE LOADING CONDITIONS. ELECTRICAL,
6 HEATING, VENTILATION, PLUMBING, AIR CONDITIONING EQUIPMENT, AND
7 OTHER SERVICE FACILITIES ASSOCIATED WITH THE BUILDINGS SHALL BE
8 DESIGNED OR LOCATED SO AS TO PREVENT WATER FROM ENTERING OR
9 ACCUMULATING WITHIN THE COMPONENTS DURING CONDITIONS OF
10 FLOODING. THE WATER TIGHTNESS AND STRUCTURAL CAPABILITIES SHALL
11 BE THOSE DESCRIBED IN FLOODPROOFING REGULATIONS PUBLISHED BY THE
12 OFFICE OF THE CHIEF OF ENGINEERS, U.S. ARMY, WASHINGTON, D.C.,
13 DECEMBER 1995, OR SUBSEQUENT REVISIONS, AND SECTION 16.705(c) OF
14 THE HOWARD COUNTY CODE.

15 **3114.6 VERIFICATION.** FOR THE PURPOSE OF VERIFYING COMPLIANCE
16 WITH SECTION 3112.4 FOR CONSTRUCTION ADJACENT TO A DESIGNATED
17 FLOODPLAIN, THE FOLLOWING SHALL APPLY:

- 18 (I) WHEN FLOODPROOFING BY MEANS OTHER THAN ELEVATING, A
19 DOCUMENT STATING THAT THE PROPOSED CONSTRUCTION HAS BEEN
20 ADEQUATELY DESIGNED TO WITHSTAND THE LOADING CONDITIONS
21 STATED IN SUBSECTION 3112.4.2(ii) SHALL BE CERTIFIED BY A
22 PROFESSIONAL ENGINEER OR ARCHITECT CURRENTLY REGISTERED IN
23 MARYLAND. THIS DOCUMENT SHALL BE REQUIRED PRIOR TO
24 ISSUANCE OF A BUILDING PERMIT.
- 25 (II) WHEN FLOODPROOFING BY ELEVATING IS USED, THE OWNER SHALL
26 AGREE, IN WRITING, TO PROVIDE A FEMA ELEVATION CERTIFICATE
27 FORM 086-0-33, COMPLETED BY A PROFESSIONAL ENGINEER OR
28 PROFESSIONAL LAND SURVEYOR CURRENTLY REGISTERED IN
29 MARYLAND, CERTIFYING THAT THE AS-BUILT LOWEST FLOOR OF THE
30 STRUCTURE IS ELEVATED AT LEAST 2 FEET ABOVE THE 100-YEAR
31 FLOODPLAIN ELEVATION. THE AGREEMENT SHALL BE MADE PRIOR

TO THE ISSUANCE OF THE BUILDING PERMIT AND THE COMPLETED
CERTIFICATION SHALL BE SUBMITTED PRIOR TO FOUNDATION
APPROVAL BY THE BUILDING OFFICIAL.

(III) FAIR MARKET VALUE OF A STRUCTURE SHALL BE ESTABLISHED BY A
RECENT (WITHIN 6 MONTHS) FORMAL APPRAISAL FROM A QUALIFIED
APPRAISER. FAIR MARKET VALUE SHALL NOT INCLUDE LAND
VALUE.

(IV) COST TO REPAIR OR IMPROVE A STRUCTURE SHALL BE ESTABLISHED
BY A RECENT (WITHIN 6 MONTHS) WRITTEN ESTIMATE FROM A
LICENSED CONTRACTOR AND SHALL INCLUDE THE COMPLETE COST
OF REPAIRS OR IMPROVEMENTS TO THE POINT OF USE OR
OCCUPANCY.

3114.7 DEFINITIONS. NOTWITHSTANDING CHAPTER 2 OF THE
INTERNATIONAL BUILDING CODE, THE FOLLOWING DEFINITIONS SHALL
APPLY TO SECTION 3112, FLOODPLAIN, OF THIS CODE:

ACCESSORY STRUCTURE. A DETACHED STRUCTURE ON THE SAME PARCEL
OR PROPERTY AS THE PRINCIPAL STRUCTURE THAT HAS A USE THAT IS
INCIDENTAL TO THE PRINCIPAL STRUCTURE INCLUDING, BUT NOT LIMITED
TO, A SHED OR DETACHED GARAGE.

ADJACENT TO A FLOODPLAIN. SHARING A COMMON BORDER WITH A
FLOODPLAIN.

BASEMENT. AN ENCLOSED AREA THAT IS BELOW GRADE ON ALL SIDES.

FLOODPLAIN. SHALL BE AS DELINEATED IN TITLE 16, SUBTITLE 7 OF THE
HOWARD COUNTY CODE.

FLOODPROOFING. ANY COMBINATION OF ADDITIONS, CHANGES, OR
ADJUSTMENTS TO A STRUCTURE WHICH REDUCE OR ELIMINATE FLOOD
DAMAGE TO REAL ESTATE OR IMPROVED REAL PROPERTY, WATER OR
SANITARY FACILITIES, OR STRUCTURES AND THEIR CONTENTS , SUCH THAT
THE BUILDINGS OR STRUCTURES ARE WATERTIGHT WITH WALLS
SUBSTANTIALLY IMPERMEABLE TO THE PASSAGE OF WATER AND WITH

1 STRUCTURAL COMPONENTS HAVING THE CAPABILITY OF RESISTING
2 HYDROSTATIC AND HYDRODYNAMIC LOADS AND EFFECTS OF BUOYANCY.

3 **HISTORIC STRUCTURE.** A BUILDING LISTED ON THE NATIONAL REGISTER
4 OF HISTORIC PLACES, A STATE INVENTORY OF HISTORIC PLACES, OR AN
5 INVENTORY OF HISTORIC STRUCTURES ADOPTED BY RESOLUTION OF THE
6 COUNTY COUNCIL. A HISTORIC STRUCTURE ALSO INCLUDES A STRUCTURE
7 THAT IS CERTIFIED OR PRELIMINARILY DETERMINED BY THE UNITED STATES
8 SECRETARY OF THE INTERIOR AS CONTRIBUTING TO THE HISTORICAL
9 SIGNIFICANCE OF A REGISTERED HISTORIC DISTRICT OR A DISTRICT
10 PRELIMINARILY DETERMINED BY THE SECRETARY TO QUALIFY AS A
11 REGISTERED HISTORIC DISTRICT.

12 **LOWEST FLOOR.** THE LOWEST FLOOR OR THE LOWEST ENCLOSED AREA,
13 INCLUDING A BASEMENT. LOWEST FLOOR DOES NOT INCLUDE AN
14 UNFINISHED OR FLOOD RESISTANT ENCLOSURE USED SOLELY FOR PARKING
15 VEHICLES, BUILDING ACCESS, OR STORAGE IN AN AREA OTHER THAN A
16 BASEMENT AREA. THE ENCLOSURE SHALL NOT BE BUILT SO AS TO RENDER
17 THE STRUCTURE IN VIOLATION OF THE APPLICABLE NON-ELEVATION DESIGN
18 REQUIREMENTS OF SUBSECTIONS 3112.4 AND 3112.6 OF THIS CODE.

19 **MANUFACTURED HOME.** A MANUFACTURED HOME SHALL HAVE THE
20 MEANING SET FORTH IN TITLE 16, SUBTITLE 7 OF THE HOWARD COUNTY
21 CODE.

22 **NEW CONSTRUCTION.** STRUCTURES, INCLUDING ADDITIONS AND
23 IMPROVEMENTS, AND THE PLACEMENT OF MANUFACTURED HOMES, FOR
24 WHICH THE START OF CONSTRUCTION COMMENCED ON OR AFTER 3/15/1977,
25 THE INITIAL EFFECTIVE DATE OF THE HOWARD COUNTY FLOOD INSURANCE
26 RATE MAP, INCLUDING ANY SUBSEQUENT IMPROVEMENTS, ALTERATIONS,
27 MODIFICATIONS, AND ADDITIONS TO SUCH STRUCTURES.

28 THE REPAIR OR REPLACEMENT OF A MANUFACTURED HOME BECAUSE OF
29 SUBSTANTIAL DAMAGE IS CONSIDERED TO BE NEW CONSTRUCTION AND IS
30 PROHIBITED IN ACCORDANCE WITH SECTION 3112.2.1 OF THIS CODE.

1 **STRUCTURE.** FOR PURPOSES OF THIS SUBSECTION 3112 TO THIS CODE,
2 SHALL HAVE THE MEANING SET FORTH IN TITLE 16, SUBTITLE 7 OF THE
3 HOWARD COUNTY CODE.

4 **SUBSTANTIAL DAMAGE.** DAMAGE OF ANY ORIGIN SUSTAINED BY A
5 STRUCTURE WHERE THE COST OF RETURNING THE STRUCTURE TO ITS
6 CONDITION PRIOR TO DAMAGE WOULD EQUAL OR EXCEED 50% OF THE
7 STRUCTURE'S FAIR MARKET VALUE BEFORE THE DAMAGE OCCURRED.

8 **SUBSTANTIAL IMPROVEMENT.** THE REPAIR, RECONSTRUCTION, OR
9 IMPROVEMENT OF A BUILDING OR STRUCTURE, THE COST OF WHICH IS
10 EQUAL TO OR GREATER THAN 50% OF THE FAIR MARKET VALUE OF THE
11 BUILDING OR STRUCTURE PRIOR TO DAMAGE, IMPROVEMENT, OR REPAIR.
12 FOR THE PURPOSE OF THIS DEFINITION, "SUBSTANTIAL IMPROVEMENT"
13 OCCURS WHEN THE FIRST ALTERATION OF A WALL, CEILING, FLOOR, OR
14 OTHER STRUCTURAL PART OF THE BUILDING BEGINS, WHETHER OR NOT
15 THAT ALTERATION AFFECTS THE EXTERNAL DIMENSIONS OF THE BUILDING
16 OR STRUCTURE. THE TERM DOES NOT INCLUDE ANY PROJECT FOR
17 IMPROVING A BUILDING OR STRUCTURE TO COMPLY WITH EXISTING STATE
18 OR LOCAL HEALTH, SANITARY, OR HOUSING CODE REQUIREMENTS WHICH
19 ARE NECESSARY TO ASSURE SAFE LIVING CONDITIONS. THIS TERM DOES NOT
20 INCLUDE AN ALTERATION OF A HISTORIC STRUCTURE PROVIDED THAT THE
21 ALTERATION WILL NOT PRECLUDE THE STRUCTURE'S CONTINUED
22 DESIGNATION AS A HISTORIC STRUCTURE.

23 **VARIANCE.** THE GRANT OF RELIEF FROM A TERM OF THIS SUBTITLE.

24 **3114.8 VARIANCES AND WAIVERS.** EXCEPT AS PROVIDED IN SECTION
25 3112.4 OF THIS CODE, A VARIANCE OR WAIVER OF THIS SECTION IS NOT
26 ALLOWED. THE BUILDING OFFICIAL SHALL CONSIDER A VARIANCE IN
27 ACCORDANCE WITH THE PROVISIONS OF SECTION 16.711 OF THE HOWARD
28 COUNTY CODE.

29 **3114.9 OTHER AGENCIES.** A PERMIT ISSUED BY THE BUILDING OFFICIAL
30 UNDER THIS SUBTITLE IS NOT VALID UNTIL ALL NECESSARY PERMITS FOR
31 THE DEVELOPMENT ARE OBTAINED. RECEIPT OF FEDERAL OR STATE

PERMITS DO NOT EXEMPT A DEVELOPMENT FROM THE PROVISIONS OF THIS
SUBTITLE.

(74) *SUBSECTION 3306.10 ACCESSIBILITY DURING CONSTRUCTION OPERATIONS.*

ADD NEW SUBSECTION 3306.10 AFTER SUBSECTION 3306.9 AS FOLLOWS:

3306.10 ACCESSIBILITY DURING CONSTRUCTION OPERATIONS. PRIOR TO
AND DURING CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE AND
MAINTAIN AT ALL TIMES A MINIMUM 12-FOOT WIDE VEHICULAR ACCESS
ROADWAY THAT WILL ALLOW THE UNIMPEDED MOVEMENT OF FIRE OR
EMERGENCY RESCUE VEHICLES FROM AN IMPROVED STREET TO WITHIN 200
FEET OF THE MOST REMOTE BUILDING UNDER CONSTRUCTION ON THE SITE.
THE VEHICULAR ACCESS ROADWAY SURFACE SHALL BE CRUSHER RUN,
STONE BASE, BLACKTOP, OR OTHER SUITABLE COMPACTED SURFACE
MATERIAL APPROVED BY THE BUILDING OFFICIAL.

(75) *SECTION 3315 CONSTRUCTION SITE GRADING.*

ADD NEW SECTION 3315 AFTER SECTION 3314 AS FOLLOWS:

SECTION 3315 CONSTRUCTION SITE GRADING.

3315.1 LOT IMPROVEMENTS. LOT IMPROVEMENTS SHALL PROVIDE:

- (I) SUITABLE ACCESS FROM AN ABUTTING STREET TO DWELLINGS AND
ACCESSORY BUILDINGS SUBJECT TO A PERMIT;
- (II) GRADING WHICH WILL DIVERT WATER AWAY FROM BUILDINGS AND
PREVENT STANDING WATER AND SOIL SATURATION DETRIMENTAL
TO STRUCTURES OR LOT USE;
- (III) DISPOSAL OF WATER FROM LOTS, EXCEPT AS NECESSARY FOR
CONTROLLED IRRIGATION;
- (IV) GRADES FOR SAFE AND CONVENIENT ACCESS TO AND AROUND
BUILDINGS OR LOTS FOR USE AND MAINTENANCE; AND
- (V) GRADES THAT DO NOT ADVERSELY AFFECT ADJOINING LOTS.

3315.2 MINIMUM GRADIENT. THE MINIMUM GRADIENT FOR CONCRETE OR
OTHER IMPERVIOUS SURFACES SHALL BE 1/16 INCH PER FOOT (1/2%). THE
MINIMUM GRADIENT FOR PERVIOUS SURFACES SHALL BE 1/4 INCH PER FOOT
(2%).

3315.3 MAXIMUM GRADIENT. EXCEPT WHERE RESTRICTED BY PROPERTY LINES, THE MAXIMUM GRADIENT SHALL BE 2-1/2 INCHES (21%) FOR A MINIMUM OF 4 FEET AWAY FROM BUILDING WALLS. SLOPES NOT EXCEEDING 30 INCHES SHALL BE 1-1/2 TO 1. SLOPES EXCEEDING 30 INCHES SHALL BE 2 TO 1. THE TOP AND BOTTOM OF BANKS AT THE SWALES SHALL BE ROUNDED FOR CONVENIENT MAINTENANCE.

3315.4 FINISH GRADING. FOR AREAS WHERE THE INSTALLATION OF LAWN OR PLANTING IS REQUIRED, THE SURFACE LAYER OF THE SOIL SHALL BE WORKABLE, FREE OF DEBRIS, AND LOT FINISHED GRADED TO COMPLY WITH GRADING DESIGN. FINISH GRADING SHALL BE DONE WHEN THE GROUND IS FROST-FREE AND THE WEATHER IS FAVORABLE. LAWN COVERS SHALL BE PROVIDED TO PREVENT THE EROSION OF SWALES AND SLOPES.

SECTION 3.102. AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION.

(A) IN GENERAL.

- (1) AS USED IN THIS SECTION, THE TERM "THIS CODE" MEANS THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2018 EDITION.
- (2) AS USED IN THIS CODE, THE TERM "BUILDING OFFICIAL" MEANS THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR'S AUTHORIZED DESIGNEE.
- (3) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY SECTION OF THIS CODE, INSERT "HOWARD COUNTY".
- (4) AS USED IN THIS CODE, THE TERM "DEPARTMENT OF BUILDING SAFETY" MEANS THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

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

(1) SUBSECTION R101.2 SCOPE.

ADD THE FOLLOWING AT THE END OF THE SUBSECTION:

1 **R101.2.1 SUBDIVISION AND LAND DEVELOPMENT.** IF A SITE
2 DEVELOPMENT PLAN IS REQUIRED BY THE HOWARD COUNTY SUBDIVISION
3 REGULATIONS, A PERMIT SHALL NOT BE ISSUED UNTIL THE SITE
4 DEVELOPMENT PLAN IS APPROVED UNLESS AUTHORIZED BY THE DIRECTOR
5 OF PLANNING AND ZONING

6 **R101.2.2 SITE WORK AND SAFEGUARDS.** THE REQUIREMENTS OF THE
7 INTERNATIONAL BUILDING CODE, CHAPTER 33, SHALL APPLY FOR SITE
8 WORK AND SAFEGUARDS DURING CONSTRUCTION.

9 (2) *SUBSECTION R102.2 OTHER LAWS.*

10 ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

11 **R102.2.1 RESIDENTIAL SPRINKLER.** RESIDENTIAL SPRINKLER SYSTEMS
12 INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.3 OF THE
13 INTERNATIONAL BUILDING CODE, 2018 EDITION, ARE ALLOWED FOR
14 TOWNHOUSE SPRINKLER SYSTEMS REQUIRED BY THE FIRE LAWS CONTAINED
15 IN THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

16 **R102.2.2 INDUSTRIALIZED (MODULAR) CONSTRUCTION.** THE
17 CONSTRUCTION STANDARDS OF THE INDUSTRIALIZED BUILDING AND
18 MANUFACTURED HOMES ACT, CODIFIED AT TITLE 12, SUBTITLE 3 OF THE
19 PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND SHALL
20 APPLY TO INDUSTRIALIZED (MODULAR) BUILDINGS.

21 **EXCEPTION:** THE HOWARD COUNTY FIRE PREVENTION CODE, SUBDIVISION
22 AND LAND DEVELOPMENT REGULATIONS, ZONING REGULATIONS, AND
23 SEDIMENT AND EROSION CONTROL REGULATIONS APPLY TO THE
24 CONSTRUCTION OF INDUSTRIAL (MODULAR) BUILDINGS. THE
25 REQUIREMENTS OF THIS CODE SHALL APPLY TO THE FOUNDATION AND SITE
26 WORK ASSOCIATED WITH THE INSTALLATION OF INDUSTRIALIZED
27 (MODULAR) BUILDINGS.

28 **R102.2.3 MANUFACTURED HOUSING.** THE CONSTRUCTION STANDARDS OF
29 THE FEDERAL MOBILE HOME ACT AND THE INDUSTRIALIZED BUILDING AND
30 MANUFACTURED HOMES ACT, CODIFIED AT TITLE 12, SUBTITLE 3 OF THE

PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND SHALL APPLY.

EXCEPTION: THE HOWARD COUNTY FIRE PREVENTION CODE, SUBDIVISION AND LAND DEVELOPMENT REGULATIONS, ZONING REGULATIONS, AND SEDIMENT AND EROSION CONTROL REGULATIONS APPLY TO THE CONSTRUCTION OF MANUFACTURED HOMES. THE REQUIREMENTS OF APPENDIX E OF THIS CODE, FOR DESIGN AND INSTALLATION OF FOOTINGS, FOUNDATIONS, SKIRTING AND PERIMETER ENCLOSURES, EXITS, PIERS, AND GROUND ANCHORS SHALL APPLY FOR THE SITING OF MANUFACTURED HOMES.

(3) *SUBSECTION R102.4 REFERENCED CODES AND STANDARDS.*

ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

R102.4.3 WHENEVER IN THIS CODE THE TERM “NFPA 70 NATIONAL ELECTRICAL CODE” IS USED, IT SHALL MEAN THE ELECTRICAL CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 2 OF THIS TITLE.

R102.4.4 WHENEVER IN THIS CODE THE TERM “INTERNATIONAL PLUMBING CODE” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

R102.4.5 WHENEVER IN THIS CODE THE TERM “INTERNATIONAL FIRE CODE” IS USED, IT SHALL MEAN THE HOWARD COUNTY FIRE PREVENTION CODE ADOPTED PURSUANT TO SECTION 17.104 OF THE HOWARD COUNTY CODE.

R102.4.6 WHENEVER IN THIS CODE THE TERM “INTERNATIONAL FUEL GAS CODE” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

R102.4.7 WHENEVER IN THIS CODE THE TERM “INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE” IS USED, IT SHALL MEAN HOWARD COUNTY WATER AND SEWER REGULATIONS ADOPTED IN TITLE 18, SUBTITLE 1, SUBTITLE 12, AND SUBTITLE 15 AND IN TITLE 12, SUBTITLE 1 OF THE HOWARD COUNTY CODE.

1 **R102.4.8** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL PROPERTY*
2 *MAINTENANCE CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY
3 PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING ADOPTED PURSUANT
4 TO SUBTITLE 7 OF THIS TITLE.

5 **R102.4.9** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
6 *MECHANICAL CODE*” IS USED, IT SHALL MEAN THE MECHANICAL CODE OF
7 HOWARD COUNTY ADOPTED PURSUANT TO SECTION 3.103 OF THIS
8 SUBTITLE.

9 **R102.4.10** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL BUILDING*
10 *CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY BUILDING CODE
11 ADOPTED PURSUANT TO THIS SUBTITLE.

12 (4) *SUBSECTION R102.7 EXISTING STRUCTURES.*

13 IN THIS SUBSECTION DELETE “*INTERNATIONAL PROPERTY MAINTENANCE*
14 *CODE* OR THE *INTERNATIONAL FIRE CODE*” AND SUBSTITUTE “HOWARD
15 COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING, HOWARD
16 COUNTY FIRE PREVENTION CODE, AND THE MARYLAND BUILDING
17 REHABILITATION CODE”.

18 (5) *SUBSECTION R102.7.1 ADDITIONS, ALTERATIONS OR REPAIRS..*

19 INSERT AT THE BEGINNING OF THE FIRST SENTENCE:

20 “UNLESS EXCEPTED BY THE MARYLAND BUILDING REHABILITATION
21 CODE,”.

22 (6) *SECTIONS R103 THROUGH R114.*

23 DELETE SECTIONS R103 THROUGH R114, INCLUSIVE AND IN THEIR
24 ENTIRETY, AND SUBSTITUTE THE FOLLOWING:

25 **R103 ADMINISTRATION.** SECTIONS 103 THROUGH 118 OF THE
26 INTERNATIONAL BUILDING CODE, 2018 EDITION, AS ADOPTED AND
27 AMENDED IN THIS SUBTITLE, SHALL GOVERN THE ADMINISTRATION AND
28 ENFORCEMENT OF THIS CODE.

29 (7) TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

30 DELETE TABLE R301.2(1) AND SUBSTITUTE:

Ground Snow Load ^a	Wind Design				Seismic Design Category ^f	Subject To Damage From			Winter Design Temp ^g	Ice Barrier Underlayment Required ^h	Flood Hazards ⁱ	Air Freezing Index ^j	Mean Annual Temp ^k
	Speed ^d (mph)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termites ^c					
25 lbs	115	No	No	No	A	Severe	30"	Mod Heavy	20 °F	Yes	See Flood Maps	1500	55 °F
Manual J Design Criteria													
Elevation		Latitude		Winter Heating		Summer Cooling		Altitude Correction Factor	Indoor Design Temperature	Design Temperature Cooling		Heating Temperature Difference	
148 ft		39		15 °F		91 °F		-	70 °F	75 °F		55 °F	
Cooling Temperature Difference		Wind Velocity Heating		Wind Velocity Cooling		Coincident Wet Bulb		Daily Range	Winter Humidity	Summer Humidity		-	
16 °F		15 °F		7.5 °F		74		M	30	50		-	

(8) *SUBSECTION R301.2.4 FLOODPLAIN CONSTRUCTION.*

IN THIS SUBSECTION, DELETE “ASCE 24” AND SUBSTITUTE “SECTION 3112, FLOODPLAIN, OF THE HOWARD COUNTY BUILDING CODE”.

(9) *SUBSECTION R301.2.4.1 ALTERNATIVE PROVISIONS.*

DELETE THIS SUBSECTION.

(10) *SUBSECTION R301.6 ROOF LOAD.*

AFTER THE FIRST “LOAD” DELETE THE REST OF THE SENTENCE AND SUBSTITUTE “OF 40 PSF”.

(11) *TABLE R301.6 MINIMUM ROOF LIVE LOADS*

DELETE THE TABLE IN ITS ENTIRETY.

(12) *SUBSECTION R302.2 TOWNHOUSES.*

IN THE FIRST SENTENCE DELETE “IN ACCORDANCE WITH SECTIONS R302.2.1 AND R302.2.2” AND SUBSTITUTE THE FOLLOWING:

“WITH A 2-HOUR FIRE RESISTANCE RATED WALL ASSEMBLY OR TWO 1-HOUR FIRE RESISTANCE RATED WALLS, TESTED IN ACCORDANCE WITH ASTM E119, UL 263 OR SECTION 703.3 OF THE INTERNATIONAL BUILDING CODE”.

(13) *SUBSECTION R302.2.6 STRUCTURAL INDEPENDENCE.*

DELETE EXCEPTION NUMBER 5

(14) *SUBSECTION R308.4.3 GLAZING IN WINDOWS.*

IN NUMBER 4, ADD EXCEPTION NUMBER 4 AS FOLLOWS:

“SAFETY GLAZE FILM IN ACCORDANCE WITH ANSI Z97.1”.

(15) *SUBSECTION R311.7.8.5 GRIP SIZE.*

(i) IN NUMBER 1, DELETE “2 ¼ INCHES (57 MM)”AND SUBSTITUTE “3 ¼ INCHES”; AND

(II) IN NUMBER 2, DELETE “2 ¾ INCHES (70MM)” AND SUBSTITUTE “3 ¼ INCHES”.

(16) *SUBSECTION R312.1.1 WHERE REQUIRED.*

ADD THE FOLLOWING EXCEPTION:

“**EXCEPTION:** ALTERNATIVE DESIGNS MAY BE APPROVED BY THE BUILDING OFFICIAL.”

(17) *SUBSECTION R313.2 ONE AND TWO-FAMILY DWELLINGS AUTOMATIC FIRE SPRINKLER SYSTEMS:*

IN THE EXCEPTION, AFTER THE FIRST “SPRINKLER SYSTEM” DELETE THE REST OF THE SENTENCE AND SUBSTITUTE “ FOR ADDITIONS OR ALTERATIONS LESS THAN FIFTY PERCENT OF THE EXISTING GROSS AREA OF THE BUILDING OR STRUCTURE ARE EXEMPT FROM FIRE SPRINKLER SYSTEMS.

(18) *SUBSECTION R320.1 SCOPE.*

DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

R320.1 SCOPE. ACCESSIBLE DWELLING UNITS SHALL COMPLY WITH THE PROVISIONS OF THE MARYLAND ACCESSIBILITY CODE.

(19) *SUBSECTION R322. FLOOD RESISTANT CONSTRUCTION.*

DELETE THIS SUBSECTION IN ITS ENTIRETY AND SUBSTITUTE:

SUBSECTION R322. FLOOD-RESISTANT CONSTRUCTION. THE CONSTRUCTION, RECONSTRUCTION, MODIFICATION, ALTERATION, REPAIR, OR IMPROVEMENT OF BUILDINGS, MANUFACTURED HOMES, OR OTHER STRUCTURES LOCATED WITHIN A DESIGNATED FLOODPLAIN SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN SECTION 3114 OF THE HOWARD COUNTY BUILDING CODE.

(20) *SUBSECTION R324.6 ROOF ACCESS AND PATHWAYS.*

ADD EXCEPTION 4 AS FOLLOWS:

“4. PATHWAYS ARE NOT REQUIRED WHEN PHOTOVOLTAIC SYSTEMS ARE INSTALLED ON ONLY ONE SIDE OF THE ROOF STRUCTURE.”

(21) *SUBSECTION R324.6.2 SETBACK AT RIDGE*

IN THE FIRST SENTENCE, AFTER “NOT LESS THAN” DELETE “AN 18-INCH (457 MM)” AND SUBSTITUTE “A 36- INCH”.

1 (22) *SUBSECTION R326.1 GENERAL.*

2 DELETE "INTERNATIONAL SWIMMING POOL AND SPA CODE" AND
3 SUBSTITUTE WITH "IN ACCORDANCE WITH SECTION 3109 OF THE
4 INTERNATIONAL BUILDING CODE".

5 (23) *SECTION R328 SOUND TRANSMISSION.*

6 ADD NEW SECTION R328 AFTER SECTION R327 AS FOLLOWS:

7 **R328 SOUND TRANSMISSION.** THE REQUIREMENTS OF APPENDIX K SHALL
8 APPLY TO THE CONSTRUCTION OF ALL NEW RESIDENTIAL BUILDINGS.

9 (24) *SECTION R329 RADON CONTROL.*

10 ADD NEW SECTION R328 AFTER SECTION R328 AS FOLLOWS:

11 **SECTION R329 RADON CONTROL.** RADON CONTROL METHODS SET FORTH
12 IN APPENDIX F, SHALL APPLY TO THE CONSTRUCTION OF NEW RESIDENTIAL
13 BUILDINGS.

14 (25) *SECTION R330 MANUFACTURED HOUSING.*

15 ADD NEW SECTION R330 AFTER SECTION R329 AS FOLLOWS:

16 **SECTION R330 MANUFACTURED HOUSING.** MANUFACTURED HOUSING
17 USED AS DWELLINGS SHALL COMPLY WITH APPENDIX E.

18 (26) *SUBSECTION R403.1.1 FOOTING MINIMUM SIZE.*

19 (i) TABLES R403.1(1) AND R403.1(2)

20 IN THE ROW TITLED "30 PSF", UNDER THE HEADING TITLED "LOAD
21 BEARING VALUE OF SOIL" FOR 1500, 2000 AND 2500, STRIKE THE
22 WIDTH AND THICKNESS, IN EACH INSTANCE, AND INSERT "16"x8".

23 (ii) TABLE R403.1(3)

24 IN THE ROW TITLED "30 PSF", UNDER THE HEADING TITLED "LOAD-
25 BEARING VALUE OF SOIL":

26 A. UNDER "1500", IN THE ROWS FOR "1 STORY-SLAB-ON-
27 GRADE" AND 1 STORY-WITH-CRAWL-SPACE", STRIKE THE
28 FOOTING SIZE AND SUBSTITUTE "16"x18"; AND

29 B. UNDER "2500", IN THE ROW FOR "1-STORY SLAB ON
30 GRADE", "1-STORY WITH CRAWL SPACE", "1-STORY PLUS

BASEMENT” AND “2-STORY SLAB ON GRADE”, STRIKE THE
FOOTING SIZE AND SUBSTITUTE “16”X8””.

(27) *SUBSECTION R403.1.4.1 FROST PROTECTION.*

- (I) IN EXCEPTION NO. 1, DELETE “600 SQUARE FEET (52 M²)” AND
SUBSTITUTE “400 SQUARE FEET”; AND
- (II) DELETE EXCEPTION NO. 3.

(28) *TABLE R404.1.1(3) 10-INCH MASONRY FOUNDATION WALLS WITH REINFORCING
WHERE $D \geq 6.75$ INCHES.*

IN THE COLUMN TITLED “MINIMUM VERTICAL REINFORCEMENT AND
SPACING”, FOR THE SOIL CLASS “GM, GC, SM, SM-SC AND ML”:

- A. FOR MAXIMUM WALL HEIGHT OF “8 FEET” AND MAXIMUM
UNBALANCED BACKFILL HEIGHT OF “7 FEET”, CHANGE THE
MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING,
MINIMUM NOMINAL WALL THICKNESS FROM “5 @ 56” TO
“NR”; AND
- B. FOR MAXIMUM WALL HEIGHT OF “9 FEET 4 INCHES” AND
MAXIMUM UNBALANCED BACKFILL HEIGHT OF “7 FEET”,
CHANGE THE MINIMUM VERTICAL REINFORCEMENT SIZE AND
SPACING, MINIMUM NOMINAL WALL THICKNESS FROM “5 @
56” TO “NR”.

(29) *TABLE R404.1.1(4) 12-INCH MASONRY FOUNDATION WALLS WITH REINFORCING
WHERE $D \geq 8.75$ INCHES.*

IN THE COLUMN TITLED “MINIMUM VERTICAL REINFORCEMENT AND
SPACING”, FOR THE SOIL CLASS “GM, GC, SM, SM-SC AND ML”: FOR A
MAXIMUM WALL HEIGHT OF “9 FEET 4 INCHES” AND A MAXIMUM
UNBALANCED BACKFILL HEIGHT OF “8 FEET”, CHANGE THE MINIMUM
VERTICAL REINFORCEMENT AND SPACING FROM “6@ 72” TO “NR”.

(30) *TABLE R404.1.2(8) MINIMUM VERTICAL REINFORCEMENT FOR 6-, 8-, 10-INCH
AND 12-INCH NOMINAL FLAT BASEMENT WALLS.*

IN THE COLUMN TITLED “MINIMUM VERTICAL REINFORCEMENT BAR SIZE
AND SPACING”, FOR THE SOIL CLASS “GM, GC, SM, SM-SC AND ML”:

(I) IN THE SUB-COLUMN TITLED “MINIMUM NOMINAL WALL THICKNESS (INCHES)”, FOR 8 INCHES:

A. FOR MAXIMUM WALL HEIGHT OF 8 FEET AND MAXIMUM UNBALANCED BACKFILL HEIGHT OF 7 FEET, CHANGE THE MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING, MINIMUM NOMINAL WALL THICKNESS FROM “5 @ 41” TO “NR”; AND

B. FOR MAXIMUM WALL HEIGHT OF 9 FEET AND MAXIMUM UNBALANCED BACKFILL HEIGHT OF 7 FEET, CHANGE THE MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING, MINIMUM NOMINAL WALL THICKNESS FROM “5 @ 37” TO “NR”; AND

(II) IN THE SUB-COLUMN TITLED “MINIMAL NOMINAL WALL THICKNESS (INCHES)”; FOR 10 INCHES, FOR A MAXIMUM WALL HEIGHT OF 9 FEET AND A MAXIMUM UNBALANCED BACKFILL HEIGHT OF 8 FEET, CHANGE THE MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING MINIMUM WALL THICKNESS FROM “5 @ 37” TO “NR”.

(31) *SUBSECTION R405.1 CONCRETE OR MASONRY FOUNDATIONS.*

AMEND THIS SUBSECTION AS FOLLOWS:

(I) DELETE THE EXCEPTION TO THIS SUBSECTION; AND

(II) ADD NEW SUBSECTION R405.1.2 AFTER SUBSECTION 405.1.1 AS FOLLOWS:

R405.1.2 FOUNDATION DRAINS. SUBSOIL DRAINS HAVING A MINIMUM 3 INCH DIAMETER OR OTHER APPROVED DRAINS OF EQUIVALENT CROSS SECTIONAL AREA SHALL BE PROVIDED AROUND FOUNDATIONS ENCLOSING USABLE SPACES LOCATED BELOW GRADE. DRAINS SHALL BE INSTALLED ON THE EXTERIOR OF THE FOUNDATION OR ON THE INTERIOR OF THE FOUNDATION WITH PIPES OF AT LEAST A 2-INCH DIAMETER LEADING TO THE EXTERIOR EVERY 4 FEET AROUND THE PERIMETER OF THE FOUNDATION. IN EACH CASE, THE TOP OF THE DRAIN SHALL BE BELOW THE BOTTOM OF

SLAB. DRAINS FOR POURED CONCRETE FOUNDATION MAY BE PLACED ON TOP OF THE FOOTING. SUBSOIL DRAINS SHALL BE COVERED WITH A MINIMUM OF A 4-INCH DEPTH OF GRAVEL OR WASHED STONE AND BUILDING PAPER, FILTER CLOTH, OR OTHER APPROVED MATERIAL. THE END OF A SUBSOIL DRAIN SHALL DISCHARGE BY GRAVITY OR BY MECHANICAL MEANS TO AN APPROVED DRAINAGE OUTFALL.

(32) *TABLE R507.3.1 MINIMUM FOOTING SIZE FOR DECKS*

DELETE THE TABLE IN ITS ENTIRETY AND SUBSTITUTE THE FOLLOWING:

TABLE R507.3.1: MINIMUM FOOTING SIZE FOR DECKS

BEAM SPAN LESS THAN OR EQUAL TO:	JOIST SPAN LESS THAN OR EQUAL TO:	SIZE OF SQUARE	SIZE OF ROUND	MINIMUM THICKNESS
8'	10'	16"	18"	8"
	14'	16"	18"	8"
	18'	16"	18"	8"
12'	10'	16"	18"	8"
	14'	16"	18"	8"
	18'	16"	18"	8"
17'	10'	16"	18"	8"
	14'	16"	18"	8"

(33) *SUBSECTION R602.10.5 MINIMUM LENGTH OF A BRACED WALL PANEL.*

AFTER THE FIRST SENTENCE INSERT THE FOLLOWING:

WSP METHOD IS THE PREFERRED METHOD OF SHEATHING. IF A METHOD OTHER THAN WSP METHOD IS USED, THEN DETAILED SITE-SPECIFIC PLANS SHOWING THE SPECIFIC LOCATION, LENGTH, AND NAILING METHODS OF PANELS AND WHETHER ANY SPECIALIZED EQUIPMENT/HARDWARE, ETC. WILL BE REQUIRED. SUCH DETAILED PLANS SHALL ALWAYS BE REQUIRED, EVEN IF UTILIZING THE WSP METHOD, FOR WALLS WITH LARGE-OPENINGS (E.G. SUNROOM/MORNING ROOMS AND GARAGE OPENINGS). IN ADDITION, ALL PROJECTS WITH SITE-SPECIFIC DETAILED PLANS (I.E. ALL PROJECTS NOT BRACED IN ACCORDANCE WITH THE WSP METHOD AND THE PORTION OF LARGE-OPENING WALL SECTIONS MENTIONED ABOVE) WILL REQUIRE

INSPECTION PRIOR TO THE INSTALLATION OF EXTERIOR WALL
WEATHERPROOFING (E.G. HOUSE WRAPS, SIDING, ETC).

(34) ***CHAPTER 11 ENERGY EFFICIENCY***

DELETE CHAPTER 11 IN ITS ENTIRETY.

(35) ***SUBSECTION M1401.1.1 HVAC PERMIT REQUIRED.***

ADD NEW SUBSECTION M1401.1.1 AFTER SUBSECTION M1401.1 AS
FOLLOWS:

M1401.1.1 HVAC PERMIT REQUIRED. A HVAC PERMIT IS REQUIRED FOR
EVERY SYSTEM INSTALLED IN A NEW SINGLE FAMILY DWELLING OR NEW
SINGLE FAMILY ADDITION AND FOR THE INSTALLATION OF ANY DUCT WORK.

(36) ***SUBSECTION M1401.3.1 PLANS AND INFORMATION REQUIRED.***

ADD NEW SUBSECTION M1401.3.1 AFTER SUBSECTION M1401.3 AS
FOLLOWS:

M1401.3.1 PLANS AND INFORMATION REQUIRED. EACH PERMIT
APPLICATION SHALL BE ACCOMPANIED BY A SIMPLIFIED, BUT ACCURATE,
PLAN DRAWN TO SCALE WHICH SHALL INCLUDE:

(I) AN INFORMATION BLOCK WITH THE:

- A. SPECIFIC BUILDING ADDRESS (NOT LOT NUMBER);
- B. NAME OF THE COMPANY OR PERSON DOING WORK;
- C. NAME OF THE LICENSEE AND THEIR SIGNATURE;
- D. STATE LICENSE REGISTRATION NUMBER;
- E. SCALE USED; AND
- F. NORTH ARROW;

(II) ROOMS, WINDOWS, EXTERIOR DOORS, OR OTHER RELEVANT
CONSTRUCTION FEATURES INCLUDING, BUT NOT LIMITED TO,
SKYLIGHTS, PORCHES, OR ATTIC ACCESS TO EQUIPMENT THAT MAY
AFFECT THE INTEGRITY OF THE HVAC SYSTEM AND ITS
INSTALLATION; AND

(III) A LINE DRAWING OF HVACR SYSTEM COMPONENTS SUPERIMPOSED
ON THE PLAN SHOWING THE LOCATION, DIMENSION, AND RELEVANT
ELEMENTS, INCLUDING, BUT NOT LIMITED TO:

- A. INTERIOR OR EXTERIOR HVACR EQUIPMENT;
 - B. DUCT TRUNK LINES AND TRANSITIONS;
 - C. BRANCH DUCTS/RUN-OUTS, DAMPERS, AND REGISTERS WITH CFM RATINGS;
 - D. THERMOSTATS;
 - E. RETURN DUCTS AND GRILLS; AND
 - F. DUCT INSULATION; AND
- (IV) A SUMMARY OF MANUAL J CALCULATIONS FOR THE PROPOSED WORK.
- (37) *SUBSECTION M1503.3 EXHAUST DISCHARGE.*
IN THE FIRST SENTENCE OF THE EXCEPTION AFTER THE FIRST “WHERE”
INSERT THE FOLLOWING:
“AN OPERABLE WINDOW LOCATED WITHIN 12 FEET OF THE COOKING
SURFACE IS PROVIDED AND”.
- (38) *CHAPTER 24 AND CHAPTERS 34 THROUGH CHAPTER 43.*
DELETE THESE CHAPTERS, INCLUSIVE AND IN THEIR ENTIRETY.
- (39) *SUBSECTION P2503.8.2 TESTING*
AFTER THE WORD “RELOCATION” DELETE THE REST OF THE SENTENCE.
- (40) *SUBSECTION P2603.5.1 SEWER DEPTH*
(I) DELETE THE FIRST SENTENCE IN ITS ENTIRETY.
(II) IN THE SECOND SENTENCE INSERT “30” IN PLACE OF THE WORD NUMBER
AND DELETE “(MM)”.
- (41) *SUBSECTION P2708.2 SHOWER DRAIN*
DELETE “1 ½ INCHES [38 MM]” AND SUBSTITUTE “2 INCHES”.
- (42) *SECTION P3114 AIR ADMITTANCE VALVES*
DELETE THIS SECTION IN ITS ENTIRETY.
- (43) *CHAPTER 32, TABLE P3201.7 SIZE OF TRAPS FOR PLUMBING FIXTURES:*
(I) IN THE ROW TITLED “SHOWER”, IN THE ROW TITLED “FLOW RATE”
DELETE “5.7 GPM AND LESS AND TRAP SIZE 1 ½”.
(II) IN SECOND LINE UNDER “FLOW RATE”, DELETE “MORE THAN 5.7 GPM”
AND START THE SENTENCE WITH “UP TO 12.3 GPM”.

- 1 (44) *APPENDIX K SECTION AK102.1 GENERAL.*
2 IN THE FIRST SENTENCE, DELETE "45" AND SUBSTITUTE "50".
- 3 (45) *APPENDIX K SECTION AK103.1 GENERAL.*
4 IN THE FIRST SENTENCE, DELETE "45" AND SUBSTITUTE "50".
5
- 6 **SECTION 3.103. AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE, 2018**
7 **EDITION.**
- 8 (A) *IN GENERAL.*
- 9 (1) AS USED IN THIS SECTION, THE TERM "THIS CODE" MEANS THE
10 INTERNATIONAL MECHANICAL CODE, 2018 EDITION.
- 11 (2) AS USED IN THIS CODE, THE TERM "BUILDING OFFICIAL" MEANS THE
12 DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
13 OR THE DIRECTOR'S AUTHORIZED DESIGNEE.
- 14 (3) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY
15 SECTION OF THIS CODE, INSERT "HOWARD COUNTY".
- 16 (4) AS USED IN THIS CODE, THE TERM "DEPARTMENT OF MECHANICAL
17 INSPECTION" MEANS THE DEPARTMENT OF INSPECTIONS, LICENSES AND
18 PERMITS.
- 19 (B) *LOCAL AMENDMENTS.* THE FOLLOWING AMENDMENTS MODIFY CERTAIN PROVISIONS
20 OF THE ADOPTED CODE:
- 21 (1) *SUBSECTION 101.2 SCOPE.*
22 ADD A SECOND EXCEPTION TO THIS SUBSECTION AS FOLLOWS:
23 EXCEPTION: EXISTING BUILDINGS UNDERGOING REPAIR, ALTERATION,
24 ADDITION, OR CHANGE OF OCCUPANCY MAY COMPLY WITH THE MARYLAND
25 REHABILITATION CODE.
- 26 (2) *SUBSECTION 101.5 ADMINISTRATION.*
27 ADD NEW SUBSECTION 101.5 AFTER SUBSECTION 101.4 AS FOLLOWS:
28 **101.5 ADMINISTRATION.** SECTIONS 103 THROUGH 118 OF THE
29 INTERNATIONAL BUILDING CODE, 2018 EDITION, ADOPTED IN THIS
30 SUBTITLE, SHALL GOVERN THE ADMINISTRATION AND ENFORCEMENT OF
31 THIS CODE.

1 (3) *SUBSECTION 101.6 REFERENCED CODES.*

2 ADD NEW SUBSECTION 101.6 AFTER SUBSECTION 101.5 AS FOLLOWS:

3 **101.6 REFERENCED CODES.** THE CODES LISTED IN THIS SECTION AND
4 REFERENCED ELSEWHERE IN THIS CODE SHALL BE CONSIDERED PART OF THE
5 REQUIREMENTS OF THIS CODE TO THE PRESCRIBED EXTENT OF EACH SUCH
6 REFERENCE.

7 **101.6.1** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL BUILDING*
8 *CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY BUILDING CODE
9 ADOPTED PURSUANT TO THIS SUBTITLE.

10 **101.6.2** WHENEVER IN THIS CODE THE TERM “*NFPA 70 NATIONAL*
11 *ELECTRICAL CODE*” IS USED, IT SHALL MEAN THE ELECTRICAL CODE FOR
12 HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 2 OF THIS TITLE.

13 **101.6.3** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL PLUMBING*
14 *CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR
15 HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

16 **101.6.4** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL FIRE CODE*”
17 IS USED, IT SHALL MEAN THE HOWARD COUNTY FIRE PREVENTION CODE
18 ADOPTED PURSUANT TO SECTION 17.104 OF THE HOWARD COUNTY CODE.

19 **101.6.5** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL FUEL GAS*
20 *CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR
21 HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

22 **101.6.6** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL ENERGY*
23 *CONSERVATION CODE*” IS USED, IT SHALL MEAN THE ENERGY
24 CONSERVATION CODE OF HOWARD COUNTY ADOPTED PURSUANT TO
25 SECTION 3.104 OF THIS SUBTITLE.

26 **101.6.7** WHENEVER THIS CODE STATES “1612 OF THE INTERNATIONAL
27 BUILDING CODE”, IN EACH INSTANCE DELETE “1612 OF THE INTERNATIONAL
28 BUILDING CODE” AND SUBSTITUTE “SECTION 3112 OF THE HOWARD
29 COUNTY BUILDING CODE.”

30 (4) *SUBSECTION 102.1 GENERAL.*

31 ADD AN EXCEPTION TO SUBSECTION 102.1 AS FOLLOWS:

EXCEPTION: ALTERNATIVE FEATURES WHICH ARE ACCEPTED BY THE BUILDING OFFICIAL SHALL BE CONSIDERED IN CONFORMANCE WITH ALL CODES, PROVIDED THAT THE OVERALL LEVEL OF HEALTH, SAFETY AND WELFARE OF THE CODE REQUIREMENT IS NOT DIMINISHED BY THE ALTERNATIVE FEATURE.

(5) *SECTION 103 THROUGH SECTION 109.*

DELETE SECTION 103 THROUGH SECTION 109, INCLUSIVE AND IN THEIR ENTIRETY.

(6) *SUBSECTION 301.16 FLOOD HAZARD.*

IN THE EXCEPTION TO THIS SUBSECTION, DELETE “INTERNATIONAL BUILDING CODE” AND SUBSTITUTE “SECTION 3112 OF THE HOWARD COUNTY BUILDING CODE.”

(7) *SUBSECTION 307.2.2 DRAINPIPE MATERIALS AND SIZES*

IN THE THIRD SENTENCE, DELETE “THE APPLICABLE PROVISIONS OF CHAPTER 7 OF”.

(8) *SUBSECTION 402.1 NATURAL VENTILATION.*

AFTER THE LAST SENTENCE, INSERT THE FOLLOWING:

“IF CROSS VENTILATION CANNOT BE PROVIDED, AN OPERABLE WINDOW WITHIN 12 FEET OF THE COOKING SURFACE IS ACCEPTABLE.”

SECTION. 3.104. AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION.

(A) *IN GENERAL.*

(1) AS USED IN THIS SECTION, THE TERM “THIS CODE” MEANS THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION.

(2) AS USED IN THIS CODE, THE TERM "CODE OFFICIAL" MEANS THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED DESIGNEE.

(3) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY SECTION OF THIS CODE, INSERT "HOWARD COUNTY ".

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

(1) *SUBSECTION C101.1 TITLE.*

DELETE THIS SUBSECTION AND INSERT THE FOLLOWING:

C101.1 TITLE. THESE REGULATIONS SHALL BE KNOWN AS THE ENERGY CONSERVATION CODE OF HOWARD COUNTY.

(2) *SUBSECTION C101.6 REFERENCED CODES.*

ADD NEW SUBSECTION C101.6 AFTER SUBSECTION C101.5 AS FOLLOWS:

C101.6 REFERENCED CODES. THE CODES LISTED IN THIS SECTION AND REFERENCED ELSEWHERE IN THIS CODE SHALL BE CONSIDERED PART OF THE REQUIREMENTS OF THIS CODE TO THE PRESCRIBED EXTENT OF EACH SUCH REFERENCE.

C101.6.1 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL BUILDING CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY BUILDING CODE ADOPTED PURSUANT TO THIS SUBTITLE.

C101.6.2 WHENEVER IN THIS CODE THE TERM “*NFPA 70 NATIONAL ELECTRICAL CODE*” IS USED, IT SHALL MEAN THE ELECTRICAL CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 2 OF THIS TITLE.

C101.6.3 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL PLUMBING CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

C101.6.4 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL FIRE CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY FIRE PREVENTION CODE ADOPTED PURSUANT TO SECTION 17.104 OF THE HOWARD COUNTY CODE.

C101.6.5 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL FUEL GAS CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

C101.6.6 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL MECHANICAL CODE*” IS USED, IT SHALL MEAN THE MECHANICAL CODE OF

HOWARD COUNTY ADOPTED PURSUANT TO SECTION 3.103 OF THIS
SUBTITLE.

(3) *SECTION C101.7 ADMINISTRATION.*

ADD NEW SUBSECTION C101.7 AFTER SUBSECTION C101.6 AS FOLLOWS:

C101.7 ADMINISTRATION: SECTIONS 103 THROUGH 118 OF THE
INTERNATIONAL BUILDING CODE, 2018 EDITION, ADOPTED IN THIS
SUBTITLE, SHALL GOVERN THE ADMINISTRATION AND ENFORCEMENT OF
THIS CODE.

(4) *SECTION C103 THROUGH SECTION C109.*

DELETE SECTIONS C103 THROUGH C 109, INCLUSIVE AND IN THEIR
ENTIRETY.

(5) *SECTION C 202 GENERAL DEFINITIONS.*

DELETE THE DEFINITION OF “CODE OFFICIAL”.

(6) *SUBSECTION R 101.1 TITLE.*

DELETE THIS SUBSECTION AND INSERT THE FOLLOWING:

R101.1 TITLE. THESE REGULATIONS SHALL BE KNOWN AS THE ENERGY
CONSERVATION CODE OF HOWARD COUNTY.

(7) *SUBSECTION R101.6 REFERENCED CODES.*

ADD NEW SUBSECTION R101.6 AFTER SUBSECTION R101.5 AS FOLLOWS:

R101.6 REFERENCED CODES. THE CODES LISTED IN THIS SECTION AND
REFERENCED ELSEWHERE IN THIS CODE SHALL BE CONSIDERED PART OF THE
REQUIREMENTS OF THIS CODE TO THE PRESCRIBED EXTENT OF EACH SUCH
REFERENCE.

R101.6.1 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL BUILDING
CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY BUILDING CODE
ADOPTED PURSUANT TO THIS SUBTITLE.

R101.6.2 WHENEVER IN THIS CODE THE TERM “*NFPA 70 NATIONAL
ELECTRICAL CODE*” IS USED, IT SHALL MEAN THE ELECTRICAL CODE FOR
HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 2 OF THIS TITLE.

R101.6.3 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL PLUMBING CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

R101.6.4 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL FIRE CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY FIRE PREVENTION CODE ADOPTED PURSUANT TO SECTION 17.104 OF THE HOWARD COUNTY CODE.

R101.6.5 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL FUEL GAS CODE*” IS USED, IT SHALL MEAN THE PLUMBING AND GASFITTING CODE FOR HOWARD COUNTY ADOPTED PURSUANT TO SUBTITLE 3 OF THIS TITLE.

R101.6.6 WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL MECHANICAL CODE*” IS USED, IT SHALL MEAN THE MECHANICAL CODE OF HOWARD COUNTY ADOPTED PURSUANT TO SECTION 3.103 OF THIS SUBTITLE.

(8) *SECTION R101.7 ADMINISTRATION.*

ADD NEW SUBSECTION R101.7 AFTER SUBSECTION R101.6 AS FOLLOWS:

R101.7 ADMINISTRATION: SECTIONS 103 THROUGH 118 OF THE INTERNATIONAL BUILDING CODE, 2015 EDITION, ADOPTED IN THIS SUBTITLE, SHALL GOVERN THE ADMINISTRATION AND ENFORCEMENT OF THIS CODE.

(9) *SECTION R103 THROUGH SECTION R109.*

DELETE SECTIONS R103 THROUGH R 109, INCLUSIVE AND IN THEIR ENTIRETY.

(10) *SECTION R202 GENERAL DEFINITIONS.*

DELETE “CODE OFFICIAL” AND ITS DEFINITION.

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

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on May 14, 2019.

Jessica Feldmark
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2019.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2019.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2019.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2019.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2019.

Jessica Feldmark, Administrator to the County Council