

Introduced 10-4-2021
Public Hearing 10-18-2021
Council Action 11-1-2021
Executive Action 11-3-2021
Effective Date 1-3-2022

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 16

Bill No. 72 -2021

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

AN ACT adopting the 2021 International Plumbing Code and the National Fuel Gas Code (NFPA 54-2021), as the Plumbing and Gasfitting Code for Howard County in order to protect the public health and safety by setting forth criteria for the design and installation of plumbing and gasfitting systems; adopting local amendments to the Plumbing and Gasfitting code; making certain technical corrections; and generally relating to the Plumbing and Gasfitting Code for Howard County.

Introduced and read first time October 4, 2021. Ordered posted and hearing scheduled.

By order

Michelle Harrod
Michelle Harrod, 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 October 18, 2021.

By order

Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on Nov 1, 2021 and Passed , Passed with amendments _____, Failed _____.

By order

Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 2 day of Nov, 2021 at 4⁰⁰ p.m.
a.m./p.m.

By order

Michelle Harrod
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive November 3, 2021

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 3. Plumbing and Gasfitting Regulations.*

6 *Section 3.301. General Provisions.*

7 *Section 3.302. Adoption of Plumbing and Gasfitting Code.*

8
9 **TITLE 3. BUILDINGS.**

10 **SUBTITLE 3. PLUMBING AND GASFITTING REGULATIONS.**

11
12 **SECTION 3.301. GENERAL PROVISIONS.**

13 (A) *PLUMBING AND GASFITTING CODE.* THERE IS A HOWARD COUNTY PLUMBING AND
14 GASFITTING CODE, ADOPTED AT SECTION 3.302 OF THIS SUBTITLE. ALL PLUMBING,
15 GASFITTING, AND ON-SITE UTILITY WORK PERFORMED IN HOWARD COUNTY SHALL
16 CONFORM TO THE PROVISIONS OF THE HOWARD COUNTY PLUMBING AND GASFITTING
17 CODE.

18 (B) *DEFINITION OF TERMS.* ALL TERMS SHALL BE AS DEFINED IN THE HOWARD COUNTY
19 PLUMBING AND GASFITTING CODE.

20 (C) *INTENT.* THE INTENT OF ACTIONS TAKEN PURSUANT TO THIS SUBTITLE ARE PURELY
21 GOVERNMENTAL IN NATURE, ARE CONDUCTED SOLELY FOR THE PUBLIC BENEFIT, AND ARE
22 NOT TO BE CONSTRUED AS A WARRANTY OF DESIGN OR CONSTRUCTION TO ANY PERSON.

23 (D) *HOMEOWNERS' RIGHT TO CONDUCT PLUMBING WORK.* NOTWITHSTANDING ANY OTHER
24 PROVISION IN THIS SUBTITLE, A PERMIT IS NOT REQUIRED FOR A HOMEOWNER WHO
25 PERSONALLY PERFORMS PLUMBING WORK IN THEIR OWN RESIDENCE IN THE FOLLOWING
26 INSTANCES:

27 (1) FOR ANY PLUMBING WORK LISTED IN SUBSECTIONS 3.305(A)(4)(I) AND (II);

28 (2) EXCEPT FOR MAKING A FINAL CONNECTION BETWEEN THE HOMEOWNER'S
29 RESIDENCE AND A PUBLIC OR PRIVATE DISPOSAL SYSTEM OR WATER SUPPLY
30 SYSTEM, THE INSTALLATION, MAINTENANCE, EXTENSION, ALTERATION, OR
31 REMOVAL OF PIPING, A PLUMBING FIXTURE, A PLUMBING APPLIANCE, A

1 PLUMBING APPURTENANCE, OR OTHER PLUMBING APPARATUS IS EXEMPT
2 FROM THIS SUBSECTION IF THE HOMEOWNER PROVIDES HOWARD COUNTY
3 WITH WRITTEN NOTIFICATION DESCRIBING THE WORK TO BE CONDUCTED,
4 ACKNOWLEDGING THAT THE WORK MUST MEET THE REQUIREMENTS OF THE
5 PLUMBING AND GASFITTING CODE, AND GRANTING PERMISSION TO INSPECT
6 SUCH WORK; AND

- 7 (3) THE INSTALLATION, ALTERATION, REPAIR, OR MAINTENANCE OF AN
8 EXTERIOR ROOF DRAIN, GUTTER, DOWNSPOUT, OR RAIN LEADER.

9
10 **SECTION 3.302. ADOPTION OF PLUMBING AND GASFITTING CODE.**

11 (A) *ADOPTION OF NATIONAL CODES.* THE 2021 INTERNATIONAL PLUMBING CODE,
12 PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS MODIFIED BY LOCAL
13 AMENDMENTS, AND THE NATIONAL FUEL GAS CODE (NFPA 54- 2021), PUBLISHED BY THE
14 NATIONAL FIRE PROTECTION ASSOCIATION, ARE ADOPTED AS THE PLUMBING AND
15 GASFITTING CODE FOR HOWARD COUNTY AS IF THE INTERNATIONAL PLUMBING CODE AND
16 THE NATIONAL FUEL GAS CODE WERE SET OUT IN FULL IN THIS SUBTITLE.

17 (B) *LOCAL AMENDMENTS TO THE INTERNATIONAL PLUMBING CODE.* THE FOLLOWING LOCAL
18 AMENDMENTS MODIFY CERTAIN PROVISIONS OF THE INTERNATIONAL PLUMBING CODE:

19 (1) ***SECTION 101.5 PIPING THROUGH ADJACENT PROPERTY.***

20 ADD NEW SUBSECTION 101.5 AFTER SUBSECTION 101.4 AS FOLLOWS:

21 ***SECTION 101.5 PIPING THROUGH ADJACENT PROPERTY.*** SEWER, WATER, AND GAS
22 PIPING SHALL NOT BE INSTALLED THROUGH PROPERTY OTHER THAN THE PROPERTY
23 TO BE SERVED.

24 EXCEPTION: PIPING PROPOSED TO PASS THROUGH PROPERTY OTHER THAN THE
25 PROPERTY TO BE SERVED MAY BE INSTALLED THROUGH A RIGHT-OF-WAY OR
26 RECORDED EASEMENT WITH THE PERMISSION OF THE AUTHORITY HAVING
27 JURISDICTION, PROVIDED THAT:

- 28 (i) ALL PRIVILEGES OF A RIGHT-OF-WAY OR RECORDED EASEMENT ARE OBTAINED
29 BY THE PROPERTY OWNER DESIRING SERVICE, WITHOUT ANY COST, LIABILITY,
30 OR DAMAGE TO HOWARD COUNTY;

1 (II) THE RECORDED EASEMENT OR RIGHT-OF-WAY MEETS ALL REQUIREMENTS OF
2 THE AUTHORITY HAVING JURISDICTION; AND

3 (III) THE RECORDED EASEMENT OR RIGHT-OF-WAY SHALL BE GRANTED AND
4 CONVEYED BY FORMAL DEED RECORDED IN THE LAND RECORDS OF HOWARD
5 COUNTY.

6 (2) DELETE SECTION 103 THROUGH SECTION 115, INCLUSIVE AND IN THEIR ENTIRETY.

7 (3) **SECTION 103 ADMINISTRATION.** SECTIONS 103 THROUGH 118 OF THE
8 INTERNATIONAL BUILDING CODE, 2021 EDITION, AS ADOPTED AND AMENDED IN
9 THIS SUBTITLE, SHALL GOVERN THE ADMINISTRATION AND ENFORCEMENT OF THE
10 PLUMBING AND GASFITTING CODE.

11 (4) **SECTION 202 GENERAL DEFINITIONS.**

12 (I) INSERT THE FOLLOWING DEFINITIONS IN ALPHABETICAL ORDER, AS
13 APPROPRIATE:

- 14 A. **AUTHORITY HAVING JURISDICTION:** THE AUTHORITY HAVING
15 JURISDICTION IS THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
16 LICENSES AND PERMITS OR THE DIRECTOR'S AUTHORIZED DESIGNEE.
- 17 B. **GASFITTING:** THE INSTALLATION OR MAINTENANCE OF GAS PIPING AND
18 EQUIPMENT DESIGNED FOR THE UTILIZATION OF GAS.
- 19 C. **GASOLINE SERVICE STATION:** A FACILITY OFFERING RETAIL SALES TO THE
20 PUBLIC OF GASOLINE, MOTOR OIL, LUBRICANTS, MOTOR FUELS, TRAVEL
21 AIDS, AND MINOR AUTOMOBILE ACCESSORIES. A GASOLINE SERVICE
22 STATION MAY ALSO PROVIDE MOTOR VEHICLE SERVICE, REPAIRS, AND
23 MAINTENANCE INCLUDING, BUT NOT LIMITED TO, PAINTING AND BODY
24 WORK.
- 25 D. **LICENSED MASTER PLUMBER:** AN INDIVIDUAL LICENSED BY THE
26 MARYLAND STATE BOARD OF PLUMBING TO PROVIDE PLUMBING SERVICES.
- 27 E. **MASTER GASFITTER:** AN INDIVIDUAL LICENSED BY THE MARYLAND STATE
28 BOARD OF PLUMBING TO PROVIDE GASFITTING SERVICES.
- 29 F. **ON-SITE UTILITY:** A WATER, SEWER, OR STORM DRAIN SYSTEM SERVING
30 PRIVATE PROPERTY EXTENDING FROM THE PROPERTY LINE TO A DISTANCE
31 OF 5 FEET FROM ANY NEW NEWLY CONSTRUCTED IMPROVEMENT ON A

1 PROPERTY. AN ON-SITE UTILITY SHALL INCLUDE A FINAL CONNECTION TO A
2 PUBLIC OR PRIVATE WATER, SANITARY SEWER, OR STORM DRAIN SYSTEM.

3 AN ON-SITE UTILITY SHALL NOT INCLUDE A CONNECTION THAT IS WITHIN 5
4 FEET FROM ANY NEWLY CONSTRUCTED IMPROVEMENT ON THE PROPERTY.

5 G. **ON-SITE UTILITY CONTRACTOR:** A PERSON, COMPANY, FIRM, OR
6 CORPORATION WHOSE OFFICIAL HOLDS A HOWARD COUNTY ON-SITE
7 UTILITY CONTRACTOR'S LICENSE.

8 H. **ON-SITE UTILITY WORK:** THE INSTALLATION, REPAIR, OR MAINTENANCE
9 OF ANY ON-SITE UTILITY.

10 I. **PLUMBING PERMIT, EXPRESS:** A PREPAID RESIDENTIAL PERMIT THAT CAN
11 BE USED BY A MASTER PLUMBER FOR THE INSTALLATION OF UP TO 5
12 PLUMBING FIXTURES.

13 J. **PLUMBING PLANS AND SPECIFICATIONS:** ANY PLAN OR SPECIFICATION
14 REQUIRED BY THE AUTHORITY HAVING JURISDICTION AND BY SECTION
15 107.2.1.1 OF THE HOWARD COUNTY BUILDING CODE PRIOR TO ISSUANCE OF
16 A PLUMBING PERMIT.

17 (5) ***SECTION 302 EXCLUSION OF MATERIALS DETRIMENTAL TO THE SEWER SYSTEM.***

18 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

19 302 DISCHARGES TO THE PUBLIC SEWER SYSTEM.

20 302.1 GENERAL. ANY DISCHARGE TO THE PUBLIC SEWER SYSTEM SHALL CONFORM
21 TO THE STANDARDS AND REQUIREMENTS OF SECTION 18.122A, "REGULATION OF
22 DISCHARGES TO THE PUBLIC SEWERAGE SYSTEMS", OF THE HOWARD COUNTY
23 CODE.

24 (6) ***SECTION 305.4 FREEZING.***

25 DELETE THE LAST SENTENCE AND SUBSTITUTE "EXTERIOR WATER SUPPLY PIPING
26 SHALL BE INSTALLED NOT LESS THAN 36 INCHES BELOW GRADE."

27 (7) ***SECTION 305.4.1 SEWER DEPTH***

28 (i) DELETE THE FIRST SENTENCE; AND

29 (ii) INSERT "30 INCHES" INTO THE SECOND SENTENCE.

30 (8) ***TABLE 403.1 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES***

31 DELETE FOOTNOTE F.

1 **(9) SECTION 404.2 ACCESSIBLE FIXTURE REQUIREMENTS**

2 AT THE END OF THE SENTENCE DELETE "ICC A117.1" AND SUBSTITUTE "THE
3 MARYLAND ACCESSIBILITY CODE".

4 **(10) SECTION 410.4 SUBSTITUTION.**

5 IN THE SECOND SENTENCE, AFTER "WHERE", DELETE "THREE OR MORE".

6 **(11) SECTION 603.1 SIZE OF WATER SERVICE PIPE.**

7 IN THE LAST SENTENCE, DELETE "3/4 INCH (19.1MM)" AND SUBSTITUTE "1 INCH".

8 **(12) TABLE 605.3 WATER SERVICE PIPE.**

9 IN THE COLUMN TITLED "MATERIAL", IN THE ROW TITLED "COPPER OR COPPER-
10 ALLOY TUBING", DELETE TYPES "M" AND "WM".

11 **(13) SECTION 608.18 PROTECTION OF INDIVIDUAL WATER SUPPLIES.**

12 DELETE THIS SECTION IN ITS ENTIRETY.

13 **(14) SECTION 705.10.2 SOLVENT CEMENTING.**

14 DELETE THE EXCEPTIONS.

15 **(15) SECTION 714.1 SEWAGE BACKFLOW.**

16 IN THE FIRST AND SECOND SENTENCES AND IN THE EXCEPTION, IN ALL INSTANCES,
17 AFTER "PUBLIC" INSERT "OR PRIVATE".

18 **(16) SECTION 903 VENT TERMINALS.**

19 IN SUBSECTION 903.1.1, INSERT THE NUMBER "6" WHERE INDICATED.

20 **(17) SECTION 918 AIR ADMITTANCE VALVES.**

21 DELETE THIS SECTION IN ITS ENTIRETY.

22 **(18) CHAPTER 13 NONPOTABLE WATER SYSTEMS.**

23 DELETE THIS CHAPTER IN ITS ENTIRETY.

24
25 **Section 2. And Be It Further Enacted by the County Council of Howard County,**

26 **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 November 3, 2021.

Michelle Harrod
Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, 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 _____, 2021.

Michelle Harrod, Administrator to the County Council

Office of the County Auditor
Auditor's Analysis

Council Bill No. 72-2021

Introduced: October 4, 2021

Auditor: Owen Clark

Fiscal Impact:

The fiscal impact of this legislation is minimal and limited to the cost of purchasing updated copies of the new code books.

County revenues will not be impacted as there will be no additional fees imposed in conjunction with this legislation.

Purpose:

To revise the Plumbing and Gasfitting Code for Howard County so that it includes the 2021 editions of the International Plumbing Code and the National Fuel Gas Code.

Other Comments:

None.