Introduced 10	4-2021
Public Hearing	0-18-2021
Council Action -	1-1-2021
Executive Action	1131000
Effective Date -	

# County Council of Howard County, Maryland

2021	Lacialatina	Cassian
2021	Legislative	OCSSION

Legislative Day No.

Bill No. <u>73</u> -2021

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

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

Introduced and read first time	ed and hearing scheduled.	
By order_	Michille Doursed	
~, J	Michelle Harrod, Administrator	
•		
Having been posted and notice of time & place of hearing & title of Bill having for a second time at a public hearing on Character \ \cdot \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	ng been published according to Charter, the Bill was read	
By order	Molly Herry	
	Michelle Harrod, Administrator	
This Bill was read the third time on Wov 1, 2021 and Passed 1, Pa	ssed with amendments, Failed	
By order	Michelle Harrod, Administrator	
Sealed with the County Seal and presented to the County Executive for appro	oval this $2$ day of $800$ , 2021 at $202$	4pm
a.m./p.m.		
By order	Michelle Harrod, Administrator	
Approved/veloed by the County Executive Molecuber 3, 2021		
	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; <u>Underlining</u> indicates material added by amendment.

Ţ	Secu	on 1. Be	u En	<b>lacted</b> by the County Council of Howard County, Maryland, that the
2	Howa	ard Coun	ty Co	de is amended as follows:
3				
4	By re	pealing a	and re	renacting:
5		Title 3	. Buil	dings.
6		Subtitl	e 7.	Property Maintenance Code for Rental Housing.
7		Section	n 3.70	0. Howard County Property Maintenance Code for Rental Housing.
8				
9	By an	nending:		
10		Title 1	4. Lic	censes, Inspections and Permits
11		Subtitl	e 9. R	ental Housing Licenses
12		Section	n 14.9	00(h).
13				
14				Title 3. Buildings.
15		\$	Subtit	le 7. Property Maintenance Code for Rental Housing.
16				
17	SECT	ion 3.70	<b>0.</b> Ho	OWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL
8	Hous	SING.		
19	(A)	ADOPT	ION O	F NATIONAL CODE. EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS
20		SECTIC	N, THI	e International Property Maintenance Code, 2021, as
21		PUBLIS	HED B	BY THE INTERNATIONAL CODE COUNCIL IS HEREBY ADOPTED AS THE
22		Howa	RD Co	DUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.
23	(B)	LOCAL	AMEN.	DMENTS. THE FOLLOWING AMENDMENTS MODIFY CERTAIN PROVISIONS
24		OF THE	ADOP	PTED CODE.
25		(1)	IN GE	ENERAL.
26			(I)	As used in this subtitle, the term "this code" shall mean the
27				HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL
28				Housing.
29			(II)	AS USED IN THIS SECTION, THE TERM "CODE OFFICIAL" SHALL MEAN
30				THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES
3 1				AND PERMITS OR THE DIRECTOR'S AUTHORIZED DESIGNER

1		(111)	WHER	E THE N	AME OF THE JURISDICTION IS TO BE INDICATED IN ANY
2			SECTIO	ON OF T	his code, insert "Howard County, Maryland".
3	(2)	Subsi	CTION .	101.1 T	TTLE.
4		DELET	TE THIS	SUBSEC	TION AND SUBSTITUTE THE FOLLOWING:
5		101.1	<i>title</i> . T	HESE R	egulations shall be known as the Howard
6		Coun	TY PRO	PERTY ]	Maintenance Code for Rental Housing,
7		HEREI	NAFTER	REFER	RED TO AS "THIS CODE".
8	(3)	SUBSI	ECTION .	101.2	SCOPE.
9		DELE	TE THIS	SUBSEC	CTION AND SUBSTITUTE THE FOLLOWING:
10		101.2	SCOPE.		
11		(I)	THE S	COPE O	F THIS CODE IS LIMITED TO EXISTING STRUCTURES IN
12			THE F	ollow	ING OCCUPANCIES AS DEFINED IN THE HOWARD
13			Coun	TY BUI	lding Code:
14			Α.	Insti	tutional, use group I-1; and
15			В.	RESII	DENTIAL,
16				I.	Use groups R-1, R-2, R-4; and
17				II.	USE GROUPS R-3 THAT ARE NOT OWNER-OCCUPIED,
18					OCCUPIED BY THE OWNER'S IMMEDIATE FAMILY, OR
19					OWNER-OCCUPIED WITH 2 OR MORE ROOMERS OR
20					BOARDERS.
21		(II)	THIS	CODE S	HALL NOT APPLY TO THE FOLLOWING EXISTING
22			OCCU	PANCIE	S AS DEFINED IN THE HOWARD COUNTY BUILDING
23			Code	3:	
24			Α.	Asse	EMBLY, ALL USE GROUPS;
25			В.	Busi	NESS, USE GROUP B;
26			C.	Educ	CATIONAL, USE GROUP E;
27			D.	FACT	TORY AND INDUSTRIAL USE GROUPS F-1 AND F-2;
28			E.	High	HAZARD, ALL USE GROUPS;
29			F.	Inst	itutional, use groups I-2, I-3, and I-4;
30			G.	Mer	CANTILE, USE GROUP M; AND
31			н.	RESI	DENTIAL, USE GROUP R-3, IF THE DWELLING IS:

1		I. OWNER OCCUPIED;
2		II. OCCUPIED BY MEMBERS OF THE OWNER'S
3		IMMEDIATE FAMILY; OR
4		III. OWNER OCCUPIED HAVING NO MORE THAN ONE
5		ROOMER OR BOARDER; AND
6		I. STORAGE USE GROUPS S1 AND S2.
7	(4)	Subsection 101.3 Purpose.
8		DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
9		101.3 INTENT. THE PURPOSE OF ACTIONS TAKEN BY THE JURISDICTION
10		PURSUANT TO THIS CODE IS PURELY GOVERNMENTAL IN NATURE AND ARE
11		CONDUCTED SOLELY FOR THE PUBLIC BENEFIT. ACTIONS TAKEN PURSUANT
12		TO THIS CODE ARE NOT TO BE CONSTRUED AS PROVIDING ANY WARRANTY
13		OF CONDITION TO ANY PERSON.
14	(5)	Subsection 101.5 Licensing.
15		ADD NEW SUBSECTION 101.5 AFTER SUBSECTION 101.4 AS FOLLOWS:
16		101.5 LICENSING. A STRUCTURE WITHIN THE SCOPE OF THIS CODE SHALL
17		NOT BE OCCUPIED UNLESS THE PROPERTY OWNER OBTAINS THE LICENSE
18		REQUIRED BY TITLE 14, SUBTITLE 9 OF THE HOWARD COUNTY CODE. THE
19		PROPERTY OWNER MAY BE SUBJECT TO PENALTIES AND FINES FOR
20		ILLEGALLY OCCUPYING A PROPERTY WITHOUT A RENTAL LICENSE.
21	(6)	Subsection 102.7 Historic Buildings.
22		DELETE THIS SUBSECTION.
23	(7)	Subsection 102.8 Referenced Codes And Standards.
24		(I) DELETE "CHAPTER 8" AND SUBSTITUTE "THE HOWARD COUNTY
25		BUILDING CODE AS ADOPTED IN TITLE 3, SUBTITLE 1 OF THE
26		HOWARD COUNTY CODE, AS APPLICABLE,".
27		(II) AFTER SUBSECTION 102.8.2, INSERT THE FOLLOWING:
28		102.8.3 BUILDING. WHENEVER THE TERM "INTERNATIONAL
29		BUILDING CODE" IS USED IN THIS CODE, IT SHALL MEAN THE
30		HOWARD COUNTY BUILDING CODE ADOPTED PURSUANT TO TITLE 3,
31		SUBTITLE 1 OF THE HOWARD COUNTY CODE.

1		102.8.4 ELECTRICAL. WHENEVER THE TERM "ICC ELECTRICAL
2		CODE" IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD
3		COUNTY ELECTRICAL CODE ADOPTED PURSUANT TO TITLE 3,
4		SUBTITLE 2 OF THE HOWARD COUNTY CODE.
5		102.8.5 FIRE PREVENTION. WHENEVER THE TERM "INTERNATIONAL
6		Fire Code" is used in this code, it shall mean the Howard
7		COUNTY FIRE PREVENTION CODE ADOPTED PURSUANT TO TITLE 17,
8		SUBTITLE 1 OF THE HOWARD COUNTY CODE.
9		102.8.6 PLUMBING AND GASFITTING. WHENEVER THE TERMS
10		"International Plumbing Code" or "International Fuel Gas
11		CODE" ARE USED IN THIS CODE, THEY SHALL MEAN THE HOWARD
12		COUNTY PLUMBING AND GASFITTING CODE ADOPTED PURSUANT TO
13		TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY CODE.
14		102.8.7 MECHANICAL. WHENEVER THE TERM "INTERNATIONAL
15		MECHANICAL CODE" IS USED IN THIS CODE, IT SHALL MEAN THE
16		MECHANICAL CODE OF HOWARD COUNTY ADOPTED PURSUANT TO
17		TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE.
18		102.8.8 ZONING. WHENEVER THE TERM "INTERNATIONAL ZONING
19		CODE" IS USED IN THIS CODE, IT SHALL MEAN THE HOWARD
20		COUNTY ZONING REGULATIONS AS ADOPTED PURSUANT TO TITLE
21		16 of the Howard County Code.
22	(8)	SECTION 103 CODE COMPLIANCE AGENCY.
23		DELETE THE NAME OF THIS SECTION AND SUBSTITUTE "DEPARTMENT OF
24		Inspections, Licenses and Permits".
25	(9)	SUBSECTION 103.1 CREATION OF AGENCY.
26	ı	DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
27		103.1 GENERAL. THE CODE OFFICIAL IS THE DIRECTOR OF THE
28		DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR'S
29		AUTHORIZED DESIGNEE.
30	(10)	Subsection 103.2 Appointment.
31		DELETE THIS SUBSECTION.

1	(11)	SUBSECTION 103.3 DEPUTIES.
2		DELETE THIS SUBSECTION.
3	(12)	SECTION 104 FEES.
4		DELETE THIS SECTION.
5	(13)	SUBSECTION 105.3 RIGHT OF ENTRY.
6		DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
7		105.3 RIGHT OF ENTRY. SUBJECT TO TITLE 14, SUBTITLE 9 AND TITLE 17,
8		Subtitle 10 of the Howard County Code, the code official is
9		AUTHORIZED TO ENTER A DWELLING UNIT, PROPERTY, OR PREMISES AT
10		REASONABLE TIMES SOLELY FOR THE PURPOSE OF INSPECTING FOR
11		COMPLIANCE WITH THIS CODE. IF ENTRY IS REFUSED, THE CODE OFFICIAL
12		MAY SEEK A COURT ORDER TO PERMIT ENTRY AND FREE ACCESS TO THE
13		DWELLING UNIT, PROPERTY, OR PREMISES.
14	(14)	Subsection 105.3.1 Occupant or Tenant to Give Access.
15		ADD NEW SUBSECTION 105.3.1 AFTER SUBSECTION 105.3 AS FOLLOWS:
16		105.3.1 Occupant or Tenant to Give Access. Subject to Title 14,
17		Subtitle 9 and Title17, Subtitle 10 of the Howard County Code,
18		AN OCCUPANT OR TENANT OF A DWELLING UNIT, PROPERTY, OR PREMISES
19		SHALL GIVE ACCESS TO ANY PART OF THE DWELLING UNIT, PROPERTY, OR
20		PREMISES FOR THE PURPOSE OF MAKING INSPECTIONS, MAINTENANCE,
21		REPAIRS, OR ALTERATIONS AS ARE NECESSARY TO COMPLY WITH THIS CODE
22		ACCESS MUST BE PROVIDED DURING NORMAL BUSINESS HOURS OR AT A
23		TIME THAT HAS BEEN MUTUALLY AGREED UPON BY BOTH THE LANDLORD
24		AND THE TENANT.
25	(15)	SUBSECTION 105.3.2 PROPERTY OWNER RIGHT OF ENTRY.
26		ADD NEW SUBSECTION 105.3.2 AFTER NEW SUBSECTION 105.3.2 AS
27		FOLLOWS:
28		105.3.2 Property Owner Right of Entry. Subject to Title 14,
9		SUBTITLE 9 AND TITLE 17, SUBTITLE 10 OF THE HOWARD COUNTY CODE,
0		THE PROPERTY OWNER SHALL GIVE THE TENANT OR OCCUPANT AT LEAST

1		24-HOURS WRITTEN OR VERBAL NOTICE PRIOR TO ENTRY FOR REPAIRS.
2		EXCEPTION: EMERGENCY SITUATIONS.
3	(16)	Subsection 109.1 Unlawful Acts.
4		DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
5		109.1 Unlawful Acts. An owner, occupant, or tenant shall not
6		ERECT, CONSTRUCT, ALTER, EXTEND, REPAIR, REMOVE, DEMOLISH,
7		MAINTAIN, FAIL TO MAINTAIN, PROVIDE, FAIL TO PROVIDE, OCCUPY, PERMIT
8		ANOTHER PERSON TO OCCUPY ANY PREMISES, PROPERTY, DWELLING UNIT,
9		OR EQUIPMENT REGULATED BY THIS CODE, OR CAUSE THE SAME TO BE DONE
10		IN VIOLATION OF ANY OF THE PROVISIONS OF THIS CODE; FAIL TO OBEY A
11		LAWFUL ORDER OF THE CODE OFFICIAL; OR REMOVE OR DEFACE A PLACARD
12		OR NOTICE POSTED UNDER A PROVISION OF THIS CODE.
13	(17)	Subsection 109.3 Prosecution of Violation.
14		DELETE THIS SUBSECTION, RENAME, AND SUBSTITUTE THE FOLLOWING:
15		106.3 Enforcement and Penalties. A person who violates a
16		PROVISION OF THIS CODE IS GUILTY OF A MISDEMEANOR AND, UPON
17		CONVICTION, IS SUBJECT TO A FINE, NOT EXCEEDING \$1,000, OR
18		IMPRISONMENT, NOT EXCEEDING 30 DAYS, OR BOTH. ALTERNATIVELY, AND
19		IN ADDITION TO AND CONCURRENT WITH ALL OTHER REMEDIES AT LAW OR
20		AT EQUITY, THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
21		MAY ENFORCE THIS CODE WITH CIVIL PENALTIES AS PROVIDED IN TITLE 24
22		"CIVIL PENALTIES" OF THE HOWARD COUNTY CODE. A VIOLATION OF THIS
23		SUBTITLE IS A CLASS B OFFENSE. EACH DAY THAT A VIOLATION CONTINUES
24		IS A SEPARATE OFFENSE.
25	(18)	Subsection 109.4 Violation Penalties.
26		DELETE THIS SUBSECTION, RENAME, AND SUBSTITUTE THE FOLLOWING:
27		109.4 REVOCATION. THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
28		LICENSES AND PERMITS MAY SUSPEND, REVOKE, OR REFUSE TO RENEW A
29		RENTAL HOUSING LICENSE IF THE CODE OFFICIAL FINDS THAT AN OWNER OF
30		A PROPERTY HAS VIOLATED A PROVISION OF THIS CODE, THIS TITLE, OR
31		REGULATIONS THAT IMPLEMENT THIS TITLE IN CONNECTION WITH THE

Ŧ		CON	STRUCTION, MAINTENANCE, ALTERATION, OR REPAIR OF A PREMISES,
2	*	PROF	PERTY, DWELLING UNIT, EQUIPMENT, OR LAND WITHIN HOWARD
3		Cou	NTY. THE DIRECTOR MAY REVOKE A RENTAL HOUSING LICENSE IF IT IS
4		DISC	OVERED THAT THE OWNER OR APPLICANT MISREPRESENTED
5		THEN	MSELVES OR FALSIFIED RECORDS RELATING TO THE LICENSE.
6	(19)	SUBS	SECTION 109.5 ABATEMENT OF VIOLATION.
7		DELI	ETE THIS SUBSECTION.
8	(20)	SUBS	SECTION 111.1.5 Unsafe Structure and equipment.
9		DELE	ете ітем 11.
10	(21)	SUBS	SECTION 111.2 CLOSING OF VACANT STRUCTURES.
11		(I)	IN THE TITLE DELETE "CLOSING OF" AND SUBSTITUTE "SECURING".
12		(II)	In the first and second sentence, delete "close up" and
13			SUBSTITUTE "SECURE AGAINST CASUAL ENTRY".
14		(III)	In the second sentence, delete "closed and".
15		(IV)	IN THE SECOND SENTENCE, AFTER "PRIVATE PERSONS", INSERT A
16			PERIOD AND DELETE THE REMAINDER OF THIS SECTION;
17		(v)	AFTER "PERSONS." INSERT "THE OWNER IS RESPONSIBLE FOR
18			REIMBURSING THE COUNTY FOR THE COST OF NECESSARY REPAIRS.
19			THE DIRECTOR OF FINANCE SHALL BILL THE OWNER FOR THE COST
20			OF THE WORK. THE OWNER SHALL PAY THE BILL FOR THE WORK
21			WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE BILL
22			WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER
23			REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST
24			OF REPAIRS."
25	(22)	SUBS	ECTION 111.4.1 FORM.
26		(I)	ITEM 4, AFTER "DWELLING UNIT OR" DELETE "STRUCTURE" AND
27			SUBSTITUTE "PREMISES".
28		(11)	Delete items 5 and 6.
29	(23)	SUBS	ECTION 111.7- PLACARDING.
10		In th	E FIRST SENTENCE, DELETE "BEARING" THROUGH THE END OF THE
1		SENTI	ENCE AND SUBSTITUTE THE FOLLOWING:

1		BEARING THE PHRASE "UNLICENSED PREMISES, UNLAWFUL TO OCCUPY ANY
2		CURRENTLY VACANT DWELLING UNIT IN THESE PREMISES OR ANY DWELLING
3		UNIT BECOMING VACANT UNTIL A RENTAL HOUSING LICENSE HAS BEEN
4		OBTAINED.".
5	(24)	SUBSECTION 112.4 EMERGENCY REPAIRS.
6		ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:
7		THE OWNER IS RESPONSIBLE FOR REIMBURSING THE COUNTY FOR THE COST
8		OF NECESSARY REPAIRS. THE DIRECTOR OF FINANCE SHALL BILL THE
9		OWNER FOR THE COST OF THE WORK. THE OWNER SHALL PAY THE BILL FOR
10		THE WORK WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE
11		BILL WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER
12		REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST OF
13		REPAIRS.
14	(25)	Subsection 112.5 Costs of Emergency Repairs.
15		DELETE THIS SUBSECTION.
16	(26)	Subsection 112.6 Hearing.
17	•	DELETE THE SECOND SENTENCE AND SUBSTITUTE THE FOLLOWING:
18		${f A}$ PERSON MAY APPEAL AN ORDER TO TAKE EMERGENCY MEASURES TO A
19		HEARING EXAMINER OF THE HOWARD COUNTY BOARD OF APPEALS IN
20		ACCORDANCE WITH THE RULES OF PROCEDURE SET FORTH IN TITLE 16,
21		SUBTITLE 3 OF THE HOWARD COUNTY CODE.
22	(27)	SUBSECTION 113.3 FAILURE TO COMPLY.
23		(I) AFTER "PRIVATE PERSONS":
24		A. DELETE THE COMMA AND INSERT A PERIOD; AND
25		B. DELETE THE REMAINDER OF THE SECTION AFTER "PERSONS."
26		(II) AFTER "PERSONS." INSERT THE FOLLOWING:
27		"The owner is responsible for reimbursing the County for
28		THE COST OF NECESSARY REPAIRS. THE DIRECTOR OF FINANCE
29		SHALL BILL THE OWNER FOR THE COST OF THE WORK. THE OWNER
30		SHALL PAY THE BILL FOR THE WORK WITHIN 30 DAYS OF BILLING. IF
31		THE OWNER DOES NOT PAY THE BILL WITHIN 30 DAYS, THE CODE

1			OFFICIAL MAY SEEK A COURT ORDER REQUIRING THE OWNER TO
2			REIMBURSE THE COUNTY FOR THE COST OF REPAIRS."
3	(28)	SECT	TION 107 MEANS OF APPEAL.
4		DELI	ETE THIS SECTION IN ITS ENTIRETY.
5	(29)	SECT	TION 110 STOP WORK ORDER.
6		DELE	ETE THIS SECTION IN ITS ENTIRETY.
7	(30)	SECT	TION 202 GENERAL DEFINITIONS.
8		(I)	DELETE THE DEFINITION FOR "DWELLING UNIT" AND SUBSTITUTE
9			THE FOLLOWING:
10			[A] DWELLING UNIT. A BUILDING, STRUCTURE, OR ANY PORTION OF
11			A BUILDING OR STRUCTURE THAT CONTAINS A SINGLE UNIT
12			PROVIDING INDEPENDENT LIVING FACILITIES FOR ONE OR MORE
13			PERSONS, INCLUDING PERMANENT PROVISIONS FOR LIVING, EATING,
14			COOKING, SANITATION OR SLEEPING. A DWELLING UNIT SHALL
15			INCLUDE, WITHOUT LIMITATION, A MULTI-FAMILY HOUSE, SINGLE-
16			FAMILY HOUSE, APARTMENT, APARTMENT HOUSE, BOARDING HOUSE,
17			ROOMING HOUSE, DORMITORY, ROOMING UNIT, EFFICIENCY UNIT,
18			HOTEL, MOTEL, OR A MULTI-FAMILY DWELLING OWNED BY A SINGLE
19			OWNER.
20		(11)	DELETE THE DEFINITION FOR "OWNER" AND SUBSTITUTE THE
21			FOLLOWING:
22			[A] OWNER. A PERSON, AGENT, OPERATOR, FIRM, OR CORPORATION
23			HAVING A LEGAL OR EQUITABLE INTEREST IN THE DWELLING UNIT;
24			HOLDING RECORDED TITLE IN THE OFFICIAL RECORDS OF THE STATE,
25			COUNTY, OR MUNICIPALITY; OR JOINTLY OR SEVERALLY HAVING
26			CONTROL OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, AN
27			EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER, GUARDIAN, OR
28			OTHER REPRESENTATIVE APPOINTED ACCORDING TO LAW, AND THE
29			SENIOR OFFICER, DIRECTOR, OR TRUSTEE OF THE ASSOCIATION OF
30			UNIT OWNERS OF A CONDOMINIUM.
31		(III)	ADD THE FOLLOWING ALPHABETICALLY WITHIN THIS SECTION:

1		A. NORMAL BUSINESS HOURS. 9:00 A.M. TO 5:00 P.M.
2		B. SANITARY CONDITION. PROMOTING HEALTH AND
3		HEALTHFUL LIVING CONDITIONS BY THE ELIMINATION OF
4		DIRT, FECES, URINE, GARBAGE AND RUBBISH.
5	(31)	SUBSECTION 302.4 WEEDS.
6		Insert "12 inches" where indicated.
7	(32)	SUBSECTION 302.4.1 BUSHES AND SHRUBS.
8		ADD NEW SUBSECTION 302.4.1 AFTER SUBSECTION 302.4 AS FOLLOWS:
9		302.4.1 Bushes and Shrubs. Bushes and/or shrubs shall not block
10		OR INTERFERE WITH INGRESS OR EGRESS.
11	(33)	SUBSECTION 302.4.2 TREES AND BRANCHES.
12		ADD NEW SUBSECTION 302.4.2 AFTER NEW SUBSECTION 302.4.1 AS
13		FOLLOWS:
14		302.4.2 Trees and Branches. If, in the opinion of the code official
15		DEAD OR DISEASED TREES AND BRANCHES PRESENT A HAZARD TO PERSONS
16		OR PROPERTY, THOSE TREES AND/OR BRANCHES SHALL BE REMOVED.
17	(34)	Subsection 302.5 Rodent Harborage.
18		In the second sentence, delete "exterminated" and substitute
19		"ELIMINATED".
20	(35)	SUBSECTION 304.3.1 PREMISES IDENTIFICATION FOR APARTMENTS AND
21		CONDO UNITS.
22		ADD NEW SUBSECTION 304.3.1 AFTER SECTION 304.3 AS FOLLOWS:
23	•	304.3.1 Premises Identification for Apartments and Condo Units
24		CONDO AND APARTMENT UNITS SHALL HAVE UNIT NUMBERS POSTED ON
25		EXTERIOR DOORS TO UNIT.
26	(36)	SUBSECTION 304.14 INSECT SCREENS.
27		DELETE "DURING THE PERIOD FROM [DATE] TO [DATE],".
28	(37)	Subsection 305.1.1 Unsafe Conditions.
29		DELETE THIS SECTION IN ITS ENTIRETY.
30	(38)	SUBSECTION 305.3.1 LEAD-BASED PAINT.
31		ADD NEW SUBSECTION 305.3.1 AFTER SUBSECTION 305.3 AS FOLLOWS:

1		303.	3.1. LE	AD-BASED PAINT. THE OWNER OF A DWELLING UNIT SHALL
2		COM	IPLY WI	TH REQUIREMENTS OF THE MARYLAND DEPARTMENT OF THE
3				ENT FOR LEAD-BASED PAINT AND SHALL PROVIDE THE REQUIRED
4				ES IN ACCORDANCE WITH STATE LAW. A COPY OF THE MDE
5		LEAI	O CERTI	FICATION MUST BE PROVIDED TO THE LOCAL JURISDICTION.
6	(39)	SUB	SECTIO	N 307.1 GENERAL.
7		In ti	HE FIRS	r sentence, delete "more than four risers" and
8				"FOUR OR MORE RISERS".
9	(40)	SUB	SECTIO	N 308.2.1 RUBBISH STORAGE FACILITIES.
10		(1)	DEL	ETE THE TITLE OF THIS SECTION AND SUBSTITUTE "RUBBISH AND
11			REC	YCLING STORAGE FACILITIES".
12		(II)	Атт	HE END OF THIS SUBSECTION, AFTER "RUBBISH." INSERT:
13			Exc	EPTION: THE OCCUPANT OF A ONE-FAMILY DWELLING SHALL BE
14			RESP	ONSIBLE FOR THE SAFE AND SANITARY STORAGE AND REMOVAL
15			OF A	LL RUBBISH AND RECYCLABLES.
16	(41)	SUBS	SECTION	308.3.1 Garbage Facilities.
17		Add	THE FO	LLOWING AT THE END OF THIS SUBSECTION:
18		Exce	EPTION:	THE OCCUPANT OF A ONE-FAMILY DWELLING SHALL BE
19		RESP	ONSIBLI	E FOR THE SAFE AND SANITARY STORAGE AND REMOVAL OF ALL
20	•	GARE	BAGE.	
21	(42)	SUBS	ECTION	309.1 Infestation.
22		(1)	In th	IE FIRST SENTENCE DELETE "INSECT" AND SUBSTITUTE "INSECT,
23			VERN	1IN,".
24		(II)	IN TH	E SECOND SENTENCE:
25			Α.	DELETE "INSECTS" AND SUBSTITUTE "INSECTS, VERMIN,";
26				AND
27			В.	DELETE "EXTERMINATED BY APPROVED PROCESSES" AND
28				SUBSTITUTE "ELIMINATED BY A PROCESS APPROVED BY THE
29				DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS".
30	(43)	SUBS	ECTION	309.1.1 WILDLIFE AND PROTECTED SPECIES.
31		ADD 1	NEW SU	BSECTION 309.1.1 AFTER SUBSECTION 309.1 AS FOLLOWS:

1		SUBSECTION 309.1.1 WILDLIFE AND PROTECTED SPECIES. WILDLIFE SHALL
2		BE HANDLED IN ACCORDANCE WITH STATE AND FEDERAL GUIDELINES.
3	(44)	SUBSECTION 309.1.2 OCCUPANT RESPONSIBILITY.
4		ADD NEW SUBSECTION 309.1.2 AFTER NEW SUBSECTION 309.1.1 AS
5		FOLLOWS:
6		SUBSECTION 309.1.2 OCCUPANT RESPONSIBILITY. THE OCCUPANT SHALL
7		PREPARE THEIR DWELLING UNIT FOR PEST CONTROL TREATMENT AS
8		NECESSARY.
9	(45)	Subsection 309.2 Owner.
10		DELETE "PRIOR TO RENTING OR LEASING THE STRUCTURE".
11	(46)	Subsection 309.3 Single Occupant.
12		DELETE THIS SUBSECTION.
13	(47)	Subsection 309.4 Multiple Occupancy.
14		DELETE THIS SUBSECTION.
15	(48)	Subsection 309.5 Occupant.
16		DELETE THIS SUBSECTION.
17	(49)	Subsection 403.5 Clothes Dryer Exhaust.
18		AT THE END OF THE PARAGRAPH, AFTER "INSTRUCTIONS" ADD "AND LOCAL
19		ADOPTED MECHANICAL CODES".
20	(50)	SUBSECTION 403.5.1 DRYER VENTING TRANSITION DUCTS.
21		ADD NEW SUBSECTION 403.5.1 AFTER SUBSECTION 403.5 AS FOLLOWS:
22		403.5.1 DRYER VENTING TRANSITION DUCTS. TRANSITION DUCTS USED TO
23		CONNECT THE DRYER TO THE EXHAUST DUCT SYSTEM SHALL BE A SINGLE
24		LENGTH THAT IS LISTED AND LABELED IN ACCORDANCE WITH UL $2158$ a.
25		Transition ducts shall be a maximum of 8 feet (2438 mm) in length
26		AND SHALL NOT BE CONCEALED WITHIN CONSTRUCTION.
27	(51)	SUBSECTION 404.1 PRIVACY.
28		AT THE BEGINNING OF THE SENTENCE, DELETE "DWELLING UNITS" AND
29		SUBSTITUTE "SLEEPING ROOMS WITHIN DWELLING UNITS".
30	(52)	Subsection 404.8 Location of Food Preparation Equipment.
21		ADD NEW SUBSECTION 404.8 AFTER SUBSECTION 404.7 AS FOLLOWS:

i		404.8 LOCATION OF FOOD PREPARATION EQUIPMENT. A PERSON SHALL
2		NOT USE PORTABLE COOKING EQUIPMENT INCLUDING, BUT NOT LIMITED TO
3		A BARBEQUE, CHARCOAL OR PROPANE GRILL, OR STOVE INSIDE OR WITHIN
4		15 FEET OF A MULTIFAMILY DWELLING.
5	(53)	Subsection 503.4 Floor Surface.
6		Delete "In other than dwelling units, every" and substitute
7		"Every".
8	(54)	Subsection 505.2.1 Water Potability.
9		ADD NEW SUBSECTION 505.2.1 AFTER SUBSECTION 505.2 AS FOLLOWS:
10		505.2.1 WATER POTABILITY: IN ORDER TO BECOME LICENSED OR RENEW A
11		LICENSE, OWNERS OF PROPERTIES ON PRIVATE WATER SYSTEMS MUST
12		PROVIDE THE CODE OFFICIAL WITH A LEGIBLE COPY OF A PASSING WELL
13		POTABILITY TEST THAT IS NO MORE THAN 4 YEARS OLD. RESULTS MUST BE
14		IN CONFORMANCE WITH EXISTING COMAR (CODE OF MARYLAND
15		REGULATIONS) STANDARDS.
16	(55)	Subsection 505.3 Supply.
17		AT THE END OF THE SENTENCE, DELETE "DEFECTS AND LEAKS" AND
18		SUBSTITUTE "CONTAMINATION, DEFECTS, AND LEAKS."
19	(56)	SUBSECTION 506.4 SEWAGE BACKUP.
20		ADD NEW SUBSECTION 506.4 AFTER SUBSECTION 506.3 AS FOLLOWS:
21		506.4 SEWAGE BACKUP. IN THE EVENT OF A SEWAGE BACKUP, THE OWNER
22		SHALL BE REQUIRED TO IMMEDIATELY RESTORE THE PREMISES TO A CLEAN
23		AND SANITARY CONDITION BY A PROCESS APPROVED BY THE DEPARTMENT
24		of Inspections, Licenses and Permits.
25	(57)	Subsection 602.2 Residential Occupancies.
26		DELETE THE SUBSECTION AND REPLACE WITH THE FOLLOWING:
27		602.2 RESIDENTIAL OCCUPANCIES. DWELLINGS SHALL BE PROVIDED WITH
28	•	HEATING FACILITIES THAT ARE CONTINUOUSLY MAINTAINED, IN GOOD
29		WORKING ORDER, AND CAPABLE OF MAINTAINING A ROOM TEMPERATURE
30		OF 68 DEGREES F (20 DEGREES C) IN ALL HABITABLE ROOMS, BATHROOMS,
31		AND TOILET ROOMS BASED ON THE WINTER OUTDOOR DESIGN TEMBER AT THE

1		FOR THE LOCALITY. COOKING APPLIANCES SHALL NOT BE USED, NOR
2		SHALL PORTABLE UNVENTED FUEL-BURNING SPACE HEATERS USED, AS A
3		MEANS TO PROVIDE HEATING TO MEET THE REQUIREMENTS OF THE SECTION.
4		EXCEPTION: IN AREAS WHERE THE AVERAGE MONTHLY TEMPERATURE IS
5		ABOVE 30 DEGREES F (-1 C), A MINIMUM TEMPERATURE OF 65 DEGREES F
6		(18 DEGREES C) SHALL BE MAINTAINED.
7	(58)	SUBSECTION 602.3 HEAT SUPPLY.
8	-	(I) IN THE FIRST SENTENCE, DELETE "[DATE] TO [DATE]" AND
9		SUBSTITUTE "OCTOBER 1 TO MAY 1"; AND
10		(II) IN EXCEPTION #1, DELETE THE SECOND SENTENCE.
11	(59)	SUBSECTION 602.4 OCCUPIABLE WORK SPACES.
12		DELETE "[DATE] TO [DATE]" AND SUBSTITUTE "OCTOBER 1 TO MAY 1".
13	(60)	SUBSECTION 603.2 REMOVAL OF COMBUSTION PRODUCTS.
14		ADD THE FOLLOWING AS THE SECOND EXCEPTION TO THIS SUBSECTION:
15		EXCEPTION NUMBER 2: PORTABLE UNVENTED KEROSENE HEATERS ARE NOT
16		PERMITTED.
17	(61)	SUBSECTION 604.4 ELECTRICAL PANEL CLEARANCES.
18		ADD NEW SUBSECTION 604.4 AFTER SUBSECTION 604.3.2.1 AS FOLLOWS:
19		604.4 ELECTRICAL PANEL CLEARANCES. MATERIALS SHALL NOT BE
20		STORED IN A MANNER THAT OBSTRUCTS THE ELECTRICAL PANEL OR
21		OTHERWISE CREATES A HAZARD. A CLEAR UNOBSTRUCTED PATH TO THE
22		ELECTRICAL PANEL MUST BE MAINTAINED.
23	(62)	SUBSECTION 605.2.1 PAINTED RECEPTACLES.
24		ADD NEW SUBSECTION 605.2.1 AFTER SUBSECTION 605.2 AS FOLLOWS:
25		605.2.1 PAINTED RECEPTACLES. PAINTED ELECTRICAL RECEPTACLES
26		(OUTLETS) CANNOT BE CLEANED AND MUST BE REPLACED.
27	(63)	Subsection 605.3 luminaires.
28		AFTER "EVERY" INSERT "EXTERIOR EXIT,".
29	(64)	Subsection 607.1 general.
30		AFTER "MAINTAINED", INSERT "IN GOOD CONDITION".
31	(65)	Subsection 701.3 Testing and Maintenance.

1	•	ADD NEW SUBSECTION 701.3 AFTER SUBSECTION 701.2 AS FOLLOWS:
2		701.3 Testing and Maintenance. Sprinkler systems shall be
3		INSPECTED AT LEAST ANNUALLY BY A MARYLAND STATE LICENSED
4		SPRINKLER CONTRACTOR. FIRE ALARM SYSTEMS SHALL BE INSPECTED AT
5		LEAST ANNUALLY BY AN APPROVED COMPANY OR INDIVIDUAL. INSPECTION
6		REPORTS AND DEFICIENCY CORRECTION REPORTS MUST BE PROVIDED
7		ANNUALLY TO THE CODE OFFICIAL.
8	(66)	Subsection 702.1.1 Emergency Planning.
9		ADD NEW SUBSECTION 702.1.1 AFTER SUBSECTION 702.1 AS FOLLOWS:
10		702.1.1 EMERGENCY PLANNING. THE ADMINISTRATION OF EVERY
11		RESIDENTIAL CARE FACILITY OR ASSISTED LIVING FACILITY SHALL HAVE A
12		PLAN IN EFFECT TO PROTECT INDIVIDUALS IN THE EVENT OF A FIRE. THE
13		PLAN SHALL BE IN WRITING AND SHALL BE AVAILABLE TO ALL SUPERVISORY
14		PERSONNEL. THE PLAN SHALL BE AMENDED TO ENSURE THE SAFETY OF ALL
15		RESIDENTS AND SHALL BE AMENDED OR REVISED AS THE RESIDENTS OR
16		THEIR NEEDS CHANGE. STAFF SHALL BE INSTRUCTED OF THEIR DUTIES AND
17		RESPONSIBILITIES UNDER THE PLAN AND A RECORD OF SUCH INSTRUCTIONS
18		SHALL BE MAINTAINED. A COPY OF THE PLAN SHALL BE READILY
19		AVAILABLE AT ALL TIMES WITHIN THE FACILITY.
20	(67)	Subsection 702.5 Arrangement.
21		ADD NEW SUBSECTION 702.5 AFTER SUBSECTION 702.4 AS FOLLOWS:
22		702.5 ARRANGEMENT. THE REQUIRED PATH OR TRAVEL FROM ANY ROOM
23		SHALL NOT BE THROUGH ANOTHER ROOM THAT IS NOT UNDER THE
24		IMMEDIATE CONTROL OF THE OCCUPANT OF THE FIRST ROOM OR THROUGH A
25		BATHROOM OR OTHER SPACE SUBJECT TO LOCKING.
26	(68)	Subsection 704.2.3. Tampering.
27		ADD NEW SUBSECTION 704.2.3 AFTER SUBSECTION 704.2.2 AS FOLLOWS:
28		704.2.3. TAMPERING. ANY TENANT OR OCCUPANT TAMPERING OR
29		INTERFERING WITH THE EFFECTIVENESS OF A SMOKE DETECTOR IS IN
30		VIOLATION OF THIS CODE.
31	(69)	SUBSECTION 704.6.1 WHERE REQUIRED.

1		DELETE EXCEPTION #2 AND RENUMBER EXCEPTION #3 TO BE EXCEPTION #2.
2	(70)	Subsection 704.8 Sprinklers.
3		ADD NEW SUBSECTION 704.8 AFTER SUBSECTION 704.7 AS FOLLOWS:
4		704.7 Sprinklers. Sprinklers shall be clean and free from
5		CORROSION, PAINT, AND DAMAGE. KITCHEN SUPPLIES OR STORAGE STOCK
6		SHALL BE AT LEAST 18 INCHES BELOW SPRINKLER DEFLECTORS.
7	(71)	SECTION 706 STORAGE OF HAZARDOUS MATERIALS.
8		Add new section 706 after section 705 as follows:
9		706 Storage of Hazardous Materials.
10		706.1 HAZARDOUS MATERIALS. UNLESS STORAGE COMPLIES WITH THE
11		APPLICABLE REQUIREMENTS OF THE HOWARD COUNTY BUILDING CODE
12		AND THE HOWARD COUNTY FIRE PREVENTION CODE, A PERSON SHALL NOT
13		STORE OR ACCUMULATE:
14 ·		(I) COMBUSTIBLE, FLAMMABLE, EXPLOSIVE, OR OTHER HAZARDOUS
15		MATERIALS, SUCH AS PAINTS, VOLATILE OILS, OR CLEANING FLUIDS;
16		OR
17		(II) COMBUSTIBLE RUBBISH, SUCH AS WASTEPAPER, BOXES AND RAGS.
18		706.2 Storage of Vehicles that Contain Hazardous Materials. In
19		A COMMON AREA OF A MULTI-FAMILY DWELLING OWNED BY ONE PERSON,
20		PATIO, BALCONY, HALLWAY, OR STAIRWELL OF A STRUCTURE OR PREMISES,
21		A PERSON SHALL NOT STORE OR ACCUMULATE A MOTORCYCLE, MOPED,
22		GASOLINE-POWERED LAWNMOWER, OR OTHER SIMILAR EQUIPMENT THAT
23		MAY CONTAIN A HAZARDOUS MATERIAL INCLUDING, WITHOUT LIMITATION,
24		GASOLINE.
25		706.3 STORAGE OF ITEMS AND EQUIPMENT IN MULTI-FAMILY DWELLINGS
26		HOTELS/MOTELS. ALL AREAS OF EGRESS, COMMON TRAVEL AND REFUGE
27		SHALL BE FREE OF STORAGE, FURNISHINGS, DECORATIONS AND/OR
28		OBSTRUCTIONS.
29		706.4 STORAGE IN SPRINKLER EQUIPMENT ROOMS. SPRINKLER
30		EQUIPMENT ROOMS MAY NOT BE USED AS STORAGE ROOMS.

1	706.5	S STORAGE AND USE OF OPEN FLAME/FUEL FIRED EQUIPMENT. A
2	PERS	ON SHALL NOT USE OR STORE OPEN FLAME/FUEL FIRED EQUIPMENT
3	INSIC	e or within 15 feet of a multi-family dwelling.
4	(72) Dele	TE APPENDIX A, BOARDING STANDARD, IN ITS ENTIRETY.
5		
6		Title 14. Licenses, inspections and permits.
7		Subtitle 9. Rental housing license.
8		
9	Section 14.900. De	finitions.
10	In this subtitle the fo	llowing terms have the meanings indicated.
11	(h) "Howard Count	y Property Maintenance Code for Rental Housing" means the
12	International Proper	y Maintenance Code, [[2018]] 2021 Edition, as adopted in Title 3,
13	Subtitle 7 of the Hov	vard County Code.
14		
15	Section 2. And Be 1	t Further Enacted by the County Council of Howard County,
16	Maryland, that this 2	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 2021.
11. 1. 1. 1. has a
Michelle Harrod, Administrator to the County Council
Michelle Harrod, Administrator to the County Council
BY THE COUNCIL
This Bill, having been passed by the year 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
DATE OF THE PROPERTY OF THE PR
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.
Aon faction consideration on
Michelle Harrod, Administrator to the County Council

# Office of the County Auditor Auditor's Analysis

#### Council Bill No. 73-2021

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 Howard County Property Maintenance Code for Rental Housing so that it includes the 2021 edition of the International Property Maintenance Code.

#### Other Comments:

None.



# HOWARD COUNTY DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2433

Robert J. Frances, P.E., Director bfrances@howardcountymd.gov

FAX 410-313-3298 TDD 410-313-2323

Date:

September 10,2021

To:

Lonnie Robbins, Chief Administrative Officer

Department of County Administration

From:

Robert Frances, P.E., Director

Department of Inspections, Licenses, & Permits

Subject:

Testimony Regarding Adoption of 2021 Building Codes, 2021 International Plumbing Code, and

2021 Property Maintenance Code for Rental Housing

The Department of Inspections, Licenses, & Permits has proposed legislation to adopt the 2021 version of the Howard County Building Code. The intent of this legislation is to update the model codes used as the basis of the Howard County Building Code to the most recent editions. This will keep Howard County up to date with the latest codes and standards that are being used in the construction industry. All the codes being proposed can be viewed online with links provided on the Howard County website.

This adoption will include the 2021 editions of the following model codes; International Building Code, International Residential Code, International Plumbing Code, International Energy Conservation Code, International Mechanical Code, and the International Property Maintenance Code scoped to apply to rental properties. The amendments as proposed enable us to stay current with the most up to date construction codes and allow us to maintain our current construction practices.

The most significant amendments and changes to the current codes are:

- 1) Requiring Accessible sized parking spaces for each type of electrical vehicle charging station being provided on site. This does not require these spaces to be reserved for accessible parking, just sized so everyone, including those with accessibility issues, can use the charging station to safely charge their vehicle.
- 2) Puzzle rooms, also known as escape rooms, will require a "push-to-exit" button within each room to allow occupants to safely egress in an emergency.
- 3) We are modifying a change we made in the 2018 code regarding roof live loads. This will make the requirements, and our intent for their application, more clear for the users and designers. However, the minimum roof live loads are not being reduced.
- 4) In the Energy Code we have modified the R-Value for attic ceiling insulation to maintain the current value. There is no evidenced-based documentation that in the Howard County climate zone there is any energy savings by going from an R-49 to an R-60 insulation layer in the attic. This modification is also being proposed in State code.
- 5) A new construction classification has been added to the code for Mass Timber Construction which allows tall structures to be built out of wood material that meets the appropriate definitions.

6) Open parking garages will now require sprinkler protection.

If you have any questions, I can be reached at extension x3946.

Cc: Don Mock, P.E., Chief of Plan Review Jennifer Sager, County Administration