

Introduced _____
Public hearing _____
Council action _____
Executive _____
Effective date _____

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 1

BILL NO. 5 – 2023

Introduced by: Christiana Rigby

AN ACT requiring the Department of Inspections, Licenses, and Permits to report to the County Council with recommendations about changes to the Howard County Building Code that would be needed to require all-electric buildings, requiring the Department to consider specified exemptions and considerations; setting a certain deadline, and generally relating to the Howard County Building Code.

Introduced and read first time _____, 2023. Ordered posted and hearing scheduled.

By order _____
Michelle R. 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 _____, 2023.

By order _____
Michelle R. Harrod, Administrator

This Bill was read the third time on _____, 2023 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Michelle R. Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2023 at ____ a.m./p.m.

By order _____
Michelle R. Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2023

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 WHEREAS, communities across the world are facing impacts from the ever-growing threat of
2 global climate change, which includes rising temperatures, increased heat waves and
3 droughts, more frequent severe weather events, sea level rise, and environmental
4 degradation;

5 WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) recently
6 published its Sixth Assessment Report on August 7, 2021, which highlights that climate
7 change has occurred at an “unprecedented” pace and notes that “it is unequivocal that
8 human influence has warmed the atmosphere, ocean and land.”;

9 WHEREAS, the IPCC Sixth Assessment Report firmly establishes that “limiting human-induced
10 global warming to a specific level requires limiting cumulative CO2 emissions, reaching
11 at least net zero CO2 emissions, along with strong reductions in other greenhouse gas
12 emissions.”;

13 WHEREAS, in 2023, the Maryland General Assembly passed the Climate Solutions Now Act,
14 which requires the state of Maryland to reduce greenhouse gas emissions by 60% from
15 2006 levels by 2031 and achieve net-zero emissions by 2045;

16 WHEREAS, the preliminary report of Howard County’s Climate Action and Resiliency Plan
17 (CARP) has determined that buildings account for roughly 40% of Howard County’s
18 local greenhouse gas emissions, of which 11% of emissions are directly from on-site fuel
19 combustion in buildings;

20 WHEREAS, the United States Green Building Council (USGBC) has identified that building
21 decarbonization and electrification is an important policy tool to reduce greenhouse gas
22 emissions in the building sector by shifting energy reliance to electricity instead of fossil
23 fuel combustion;

24 WHEREAS, all-electric buildings provide Howard County residents with a multitude of benefits,
25 including a reduction in greenhouse gas emissions, improved air quality, better health
26 outcomes, and energy affordability;

27 WHEREAS, Howard County must phase out the use of fossil fuels in new building construction
28 in order to meet the emission reduction goals set forth by the Climate Solutions Now Act
29 of 2023; and

30 WHEREAS, it is in the interest of the Howard County Council to address the effects of climate
31 change by reducing greenhouse gas emissions, including through efforts to eliminate the

1 use of fossil fuels in new buildings and promote a clean and renewable energy future;

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

5 *By adding:*

6 *Title 3. Buildings.*

7 *Subtitle 11. Miscellaneous.*

8 *Section 3.1101. Comprehensive Building Decarbonization.*

9
10
11 **HOWARD COUNTY CODE**

12 **Title 3. Buildings.**

13 **Subtitle 11. Miscellaneous**

14
15 **SEC. 3-1101. COMPREHENSIVE BUILDING DECARBONIZATION.**

16 (A) *DEFINITIONS.*

17 (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

18 (2) “ADDITION” MEANS CONSTRUCTION OF ANY NEW WALLED OR ROOFED EXPANSION
19 TO THE PERIMETER OF A BUILDING IN WHICH THE ADDITION IS CONNECTED.

20 (3) “ALL-ELECTRIC BUILDING” MEANS A PUBLIC OR PRIVATE BUILDING THAT CONTAINS
21 NO COMBUSTION EQUIPMENT, OR PLUMBING FOR COMBUSTION EQUIPMENT, INSTALLED WITHIN THE
22 BUILDING OR BUILDING SITE.

23 (4) “COMBUSTION EQUIPMENT” MEANS ANY EQUIPMENT OR APPLIANCE USED FOR
24 SPACE HEATING, SERVICE WATER HEATING, COOKING, CLOTHES DRYING OR LIGHTING THAT USES
25 FUEL GAS OR FUEL OIL.

26 (5) “MAJOR RENOVATION” MEANS ANY RENOVATION WHERE THE WORK AREA EXCEEDS
27 50% OR MORE OF MAJOR STRUCTURAL COMPONENTS, INCLUDING EXTERIOR WALLS, INTERIOR
28 WALLS, FLOOR AREA, ROOF STRUCTURE, OR FOUNDATION, OR HAS AN INCREASE OF 50% OR MORE
29 OF FLOOR AREA.

1 (6) “NEW CONSTRUCTION” MEANS THE CONSTRUCTION OF ANY NEW STAND-ALONE
2 BUILDING, WITH NO REMNANTS OF ANY PRIOR STRUCTURE OR PHYSICAL CONNECTION TO EXISTING
3 STRUCTURES OR OUTBUILDINGS ON THE PROPERTY.

4 (B) *RECOMMENDATIONS AND REPORT.*

5 IN ACCORDANCE WITH SUBSECTIONS (C) AND (D) OF THIS SECTION, THE DEPARTMENT OF
6 INSPECTIONS, LICENSES, AND PERMITS SHALL:

7 (1) RECOMMEND CHANGES TO THE BUILDING CODE NECESSARY TO ENACT ALL-
8 ELECTRIC BUILDING STANDARDS FOR ALL NEW CONSTRUCTION, MAJOR RENOVATIONS, AND
9 ADDITIONS; AND

10 (2) SUBMIT THOSE RECOMMENDATIONS IN A REPORT TO THE COUNTY COUNCIL THAT
11 SPECIFIES THE CHANGES THAT WOULD BE NEEDED IN THE HOWARD COUNTY BUILDING CODE TO
12 IMPLEMENT THE RECOMMENDATIONS.

13 (C) *EXEMPTIONS.*

14 THE DEPARTMENT’S RECOMMENDATIONS SHALL INCLUDE AN EVALUATION OF:

15 (1) EXEMPTIONS FOR A PROJECT IF THE APPLICATION FOR A BUILDING PERMIT WAS
16 SUBMITTED TO THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS BEFORE THE EFFECTIVE
17 DATE OF THE ALL-ELECTRIC BUILDING STANDARDS; AND

18 (2) EXEMPTIONS FOR NEW CONSTRUCTION, MAJOR RENOVATIONS, OR ADDITIONS:

19 (I) TO THE FOLLOWING BUILDINGS:

- 20 1. HOSPITALS;
- 21 2. MANUFACTURING AND PRODUCTION FACILITIES;
- 22 3. CREMATORIES;
- 23 4. LIFE SCIENCES FACILITIES;
- 24 5. COMMERCIAL KITCHENS, RESTAURANTS, AND FOOD SERVICE

25 ESTABLISHMENTS;

26 6. BREWERIES AND DISTILLERIES AND

27 7. FARMING AND AGRICULTURAL STRUCTURES;

28 (II) TO BUILDINGS TO THE EXTENT THAT SYSTEMS IN THE BUILDINGS INVOLVE

1 EMERGENCY BACKUP EQUIPMENT;
2 (III) TO AN ELECTRIC POWER OR STEAM GENERATING UTILITY REGULATED BY
3 THE MARYLAND PUBLIC SERVICE COMMISSION; AND
4 (IV) TO DISTRICT ENERGY SYSTEMS OR COMBINED HEAT AND POWER FACILITIES.

5 (D) *CONSIDERATIONS.*

6 TO THE MAXIMUM DEGREE POSSIBLE, THE RECOMMENDATIONS AND EXEMPTIONS SHALL BE
7 FORMULATED TO REQUIRE THE WIDESPREAD UTILIZATION, PARTICULARLY IN AFFORDABLE
8 HOUSING, OF APPLIANCES AND TECHNOLOGIES THAT PROMOTE ENERGY EFFICIENCY, MINIMIZE
9 ELECTRIC CONSUMPTION, AND PRIORITIZE A REDUCTION IN GREENHOUSE GAS EMISSIONS.

10
11 ***Section 2. Be it further enacted*** by the County Council of Howard County, Maryland, that the
12 *Department of Inspections, Licenses and Permits shall submit the Report required by Section 1*
13 *of this Act not later than December 29, 2023, so that the recommendations in the Report may be*
14 *appropriately included in the Building Code.*

15
16 ***Section 3. Be it further enacted*** by the County Council of Howard County, Maryland, that this Act
17 *shall become effective 61 days after its enactment.*