

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

County Council Of Howard County, Maryland

2006 Legislative Session

Legislative Day No. **12**

Bill No. 66-2006

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

AN ACT adopting certain International Codes as the Howard County Building Code to apply to the design, construction, alteration, improvement, or modification of a building, structure, or other equipment; adopting certain local amendments to the Building Code; adopting penalties for the violation of the Building Code; and generally relating to the Howard County Building Code.

Introduced and read first time _____, 2006. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, 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 _____, 2006.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2006 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____day of _____, 2006 at ____ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved by the County Executive _____, 2006

James N. Robey, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL 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
2 Section 3.100. “Howard County Building Code; adoption of international codes”,
3 Section 3.101 “Local amendments to the International Building Code, 2003 Edition”,
4 Section 3.102 “Amendments to the International Residential Code, 2003 Edition”,
5 Section 3.103 “Amendments to the International Mechanical Code, 2003 Edition” and
6 Section 3.104 “Amendments to the International Energy Conservation Code, 2003
7 Edition” of Subtitle 1 “Building Code” of Title 3 “Buildings” of the Howard County
8 Code are hereby repealed.

9
10 **Section 2. Be It Enacted** by the County Council of Howard County, Maryland, that
11 Section 3.100 “Howard County Building Code; Adoption of International Codes”,
12 Section 3.101 “Amendments to the International Building Code, 2006 Edition”, Section
13 3.102 “Amendments to the International Residential Code, 2006 Edition”, Section 3.103
14 “Amendments to the International Mechanical Code, 2006 Edition” and Section 3.104
15 “Amendments to the International Energy Conservation Code, 2006 Edition” are added
16 to Subtitle 1 “Building Code” of Title 3 “Buildings” of the Howard County Code to read
17 as follows:

18
19 **TITLE 3. BUILDINGS.**

20 **SUBTITLE 1. BUILDING CODE.**

21 **SECTION 3.100. HOWARD COUNTY BUILDING CODE; ADOPTION OF**
22 **INTERNATIONAL CODES.**

23 (A) *IN GENERAL.* EXCEPT AS AMENDED IN SECTIONS 3.101, 3.102, 3.103,
24 AND 3.104 OF THIS SUBTITLE, THE CODES ENUMERATED IN THIS
25 SECTION ARE HEREBY ADOPTED AS THE HOWARD COUNTY
26 BUILDING CODE AS IF THE CODES WERE SET OUT IN FULL IN THIS
27 SECTION.

28 (B) *ADOPTED CODES.*

29 (1) THE INTERNATIONAL BUILDING CODE, 2006 EDITION,
30 PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC.

- 1 (2) THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO-
2 FAMILY DWELLINGS, 2006 EDITION, PUBLISHED BY THE
3 INTERNATIONAL CODE COUNCIL, INC.
- 4 (3) THE INTERNATIONAL MECHANICAL CODE, 2006 EDITION,
5 PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC.
- 6 (4) THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006
7 EDITION, PUBLISHED BY THE INTERNATIONAL CODE
8 COUNCIL, INC.
- 9 (5) THE LIFE SAFETY CODE, 2006 EDITION, PUBLISHED BY THE
10 NATIONAL FIRE PROTECTION ASSOCIATION.
- 11 (6) THE HOWARD COUNTY ELECTRICAL CODE, ADOPTED
12 PURSUANT TO TITLE 3, SUBTITLE 2 OF THE HOWARD COUNTY
13 CODE.
- 14 (7) THE HOWARD COUNTY PLUMBING AND GASFITTING CODE
15 ADOPTED PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD
16 COUNTY CODE.
- 17 (8) THE MARYLAND STATE ACCESSIBILITY CODE.
- 18 (9) THE HOWARD COUNTY SIGN CODE, PURSUANT TO TITLE 3,
19 SUBTITLE 5 OF THE HOWARD COUNTY CODE.

20

21 **SECTION 3.101. AMENDMENTS TO THE INTERNATIONAL BUILDING**
22 **CODE, 2006 EDITION.**

23 (A) *IN GENERAL.*

- 24 (1) AS USED IN THIS SECTION, THE TERM “THIS CODE” MEANS
25 THE INTERNATIONAL BUILDING CODE, 2006 EDITION.
- 26 (2) AS USED IN THIS CODE, THE TERM “BUILDING OFFICIAL”
27 MEANS THE DIRECTOR OF THE DEPARTMENT OF
28 INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S
29 AUTHORIZED DESIGNEE.
- 30 (3) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED
31 IN ANY SECTION OF THIS CODE, INSERT “HOWARD COUNTY”.

1 (4) AS USED IN THIS CODE, THE TERM “DEPARTMENT OF
2 BUILDING SAFETY” MEANS THE DEPARTMENT OF
3 INSPECTIONS, LICENSES AND PERMITS.

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

6 (1) *SUBSECTION 101.1 TITLE.*
7 DELETE THIS SUBSECTION.

8 (2) *SUBSECTION 101.2 SCOPE.*
9 DELETE THE EXCEPTION AND SUBSTITUTE THE FOLLOWING:
10 **EXCEPTION 1:** DETACHED ONE-FAMILY AND TWO-FAMILY
11 DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS
12 (TOWNHOUSES) NOT MORE THAN THREE STORIES HIGH WITH
13 SEPARATE MEANS OF EGRESS AND THEIR ACCESSORY
14 STRUCTURES SHALL COMPLY WITH THE INTERNATIONAL
15 RESIDENTIAL CODE AND THE APPLICABLE REQUIREMENTS OF
16 BOTH CHAPTER 12, INTERIOR ENVIRONMENT, AND SECTION
17 3110 OF CHAPTER 31, SPECIAL CONSTRUCTION, OF THIS CODE.
18 **EXCEPTION 2:** EXISTING BUILDINGS UNDERGOING REPAIR,
19 ALTERATION, ADDITION, OR CHANGE OF OCCUPANCY MAY
20 COMPLY WITH THE MARYLAND REHABILITATION CODE.
21 **EXCEPTION 3: AGRICULTURAL BUILDINGS.** THE
22 PROVISIONS OF THIS CODE SHALL NOT APPLY TO THE
23 CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL,
24 DEMOLITION, USE, LOCATION, OR MAINTENANCE OF
25 AGRICULTURAL BUILDINGS. THIS PROVISION DOES NOT
26 EXEMPT THE OWNER FROM OBTAINING REQUIRED
27 ELECTRICAL OR PLUMBING PERMITS OR FROM COMPLYING
28 WITH ALL OTHER APPLICABLE LOCAL, STATE, AND FEDERAL
29 REGULATIONS, LAWS, AND ORDINANCES.

30 (3) *SUBSECTION 101.3.1 PURPOSE.*

1 ADD NEW SUBSECTION 101.3.1 AFTER SUBSECTION 101.3 AS
2 FOLLOWS:

3 **101.3.1. PURPOSE.** THE PURPOSE OF ACTIONS TAKEN BY THE
4 JURISDICTION PURSUANT TO THIS CODE ARE PURELY
5 GOVERNMENTAL IN NATURE AND ARE CONDUCTED SOLELY
6 FOR THE PUBLIC BENEFIT. ACTIONS TAKEN PURSUANT TO
7 THIS CODE ARE NOT TO BE CONSTRUED AS PROVIDING ANY
8 WARRANTY OF DESIGN OR CONSTRUCTION TO ANY PERSON.

9 (4) *SUBSECTION 101.4 REFERENCED CODES.*

10 IN THE FIRST PARAGRAPH, DELETE “101.4.7” AND SUBSTITUTE
11 “101.4.10”.

12 (5) *SUBSECTION 101.4.1 ELECTRICAL.*

13 DELETE SUBSECTION 101.4.1 AND SUBSTITUTE THE
14 FOLLOWING:

15 **101.4.1 ELECTRICAL.** WHENEVER THE TERM “*ICC ELECTRICAL*
16 *CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY
17 ELECTRICAL CODE ADOPTED PURSUANT TO TITLE 3,
18 SUBTITLE 2 OF THE HOWARD COUNTY CODE.

19 (6) *SUBSECTION 101.4.2 GAS.*

20 DELETE SUBSECTION 101.4.2 AND SUBSTITUTE THE
21 FOLLOWING:

22 **101.4.2 GAS.** WHENEVER THE TERM “*INTERNATIONAL FUEL*
23 *GAS CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY
24 PLUMBING AND GASFITTING CODE ADOPTED PURSUANT TO
25 TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY CODE.

26 (7) *SUBSECTION 101.4.3 MECHANICAL.*

27 DELETE SUBSECTION 101.4.3 AND SUBSTITUTE THE
28 FOLLOWING:

29 **101.4.3 MECHANICAL.** WHENEVER THE TERM
30 “*INTERNATIONAL MECHANICAL CODE*” IS USED, IT SHALL MEAN

1 THE MECHANICAL CODE OF HOWARD COUNTY ADOPTED
2 PURSUANT TO SECTION 3.103 OF THIS SUBTITLE.

3 (8) *SUBSECTION 101.4.4 PLUMBING.*

4 DELETE SUBSECTION 101.4.4 AND SUBSTITUTE THE
5 FOLLOWING:

6 **101.4.4 PLUMBING.** WHENEVER THE TERM “*INTERNATIONAL*
7 *PLUMBING CODE*” IS USED IT SHALL MEAN THE HOWARD
8 COUNTY PLUMBING AND GASFITTING CODE ADOPTED
9 PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY
10 CODE AND WHENEVER THE TERM “*INTERNATIONAL PRIVATE*
11 *SEWAGE DISPOSAL CODE*” IS USED IT SHALL MEAN THE
12 HOWARD COUNTY WATER AND SEWER CODE ADOPTED
13 PURSUANT TO TITLE 18, SUBTITLE 1 OF THE HOWARD COUNTY
14 CODE.

15 (9) *SUBSECTION 101.4.5 PROPERTY MAINTENANCE.*

16 DELETE SUBSECTION 101.4.5 AND SUBSTITUTE THE
17 FOLLOWING:

18 **101.4.5 PROPERTY MAINTENANCE.** WHENEVER THE TERM
19 “*INTERNATIONAL PROPERTY MAINTENANCE CODE*” IS USED IT
20 SHALL MEAN THE HOWARD COUNTY PROPERTY
21 MAINTENANCE CODE FOR RENTAL HOUSING ADOPTED
22 PURSUANT TO TITLE 3, SUBTITLE 7 OF THE HOWARD COUNTY
23 CODE.

24 (10) *SUBSECTION 101.4.6 FIRE PREVENTION.*

25 DELETE SUBSECTION 101.4.6 AND SUBSTITUTE THE
26 FOLLOWING:

27 **101.4.6 FIRE PREVENTION.** WHENEVER THE TERM
28 “*INTERNATIONAL FIRE CODE*” IS USED IT SHALL MEAN THE
29 HOWARD COUNTY FIRE PREVENTION CODE ADOPTED
30 PURSUANT TO TITLE 17, SUBTITLE 1 OF THE HOWARD COUNTY
31 CODE.

- 1 (11) *SUBSECTION 101.4.7 ENERGY.*
2 DELETE SUBSECTION 101.4.7 AND SUBSTITUTE THE
3 FOLLOWING:
4 **101.4.7 ENERGY.** WHENEVER THE TERM “*INTERNATIONAL*
5 *ENERGY CONSERVATION CODE*” IS USED, IT SHALL MEAN THE
6 ENERGY CONSERVATION CODE OF HOWARD COUNTY
7 ADOPTED PURSUANT TO SECTION 3.104 OF THIS SUBTITLE.
- 8 (12) *SUBSECTION 101.4.8 ACCESSIBILITY.*
9 ADD NEW SUBSECTION 101.4.8 AFTER SUBSECTION 101.4.7 AS
10 FOLLOWS:
11 **101.4.8 ACCESSIBILITY.** THE PROVISIONS OF THE MARYLAND
12 ACCESSIBILITY CODE SHALL APPLY TO ALL MATTERS
13 AFFECTING HANDICAPPED ACCESSIBILITY AND USE OF
14 BUILDINGS AND SITES.
- 15 (13) *SUBSECTION 101.4.9 SIGNS.*
16 ADD NEW SUBSECTION 101.4.9 AFTER SUBSECTION 101.4.8 AS
17 FOLLOWS:
18 **101.4.9 SIGNS.** THE PROVISIONS OF TITLE 3, SUBTITLE 5 OF
19 THE HOWARD COUNTY CODE SHALL APPLY TO THE
20 LOCATION, INSTALLATION AND MAINTENANCE OF SIGNS IN
21 HOWARD COUNTY.
- 22 (14) *SUBSECTION 101.4.10 RESIDENTIAL CODE.*
23 ADD NEW SUBSECTION 101.4.10 AFTER SUBSECTION 101.4.9 AS
24 FOLLOWS:
25 **101.4.10 RESIDENTIAL.** WHENEVER THE TERM
26 “*INTERNATIONAL RESIDENTIAL CODE*” IS USED, IT SHALL MEAN
27 THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY
28 DWELLINGS OF HOWARD COUNTY ADOPTED PURSUANT TO
29 SECTION 3.102 OF THIS SUBTITLE.
- 30 (15) *SECTION 103 DEPARTMENT OF BUILDING SAFETY.*

1 DELETE THE TITLE OF THIS SECTION AND SUBSTITUTE THE
2 FOLLOWING AS THE NEW TITLE:

3 **“SECTION 103**
4 **ENFORCEMENT AGENCY”**

5 (16) *SUBSECTION 103.1 CREATION OF ENFORCEMENT AGENCY.*

6 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

7 **103.1 ENFORCEMENT AGENCY.** THE HOWARD COUNTY
8 DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS IS
9 RESPONSIBLE FOR ENFORCING THE PROVISIONS OF THIS
10 CODE. THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS,
11 LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED
12 DESIGNEE SHALL BE KNOWN AS THE BUILDING OFFICIAL.

13 (17) *SUBSECTION 103.2 APPOINTMENT.*

14 DELETE THIS SUBSECTION.

15 (18) *SUBSECTION 103.3 DEPUTIES.*

16 DELETE THIS SUBSECTION.

17 (19) *SUBSECTION 104.1.1 RULE-MAKING AUTHORITY.*

18 ADD NEW SUBSECTION 104.1.1 AFTER SUBSECTION 104.1 AS
19 FOLLOWS:

20 **104.1.1 RULE-MAKING AUTHORITY.** IN THE INTEREST OF
21 PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE, THE
22 BUILDING OFFICIAL SHALL HAVE AUTHORITY TO ADOPT
23 RULES AND REGULATIONS TO INTERPRET AND IMPLEMENT
24 THE PROVISIONS OF THIS CODE. RULES AND REGULATIONS
25 SHALL NOT HAVE THE EFFECT OF WAIVING STRUCTURAL OR
26 FIRE PERFORMANCE REQUIREMENTS SPECIFICALLY
27 PROVIDED FOR IN THIS CODE. RULES AND REGULATIONS
28 SHALL NOT VIOLATE ACCEPTED ENGINEERING PRACTICES
29 INVOLVING PUBLIC SAFETY.

30 (20) *SUBSECTION 104.8 LIABILITY.*

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

6 (21) *SUBSECTION 105.1.1 ANNUAL PERMIT.*

7 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

8 **105.1.1. MASTER PERMIT.** INSTEAD OF AN INDIVIDUAL
9 PERMIT FOR EACH ALTERATION TO AN ALREADY APPROVED
10 BUILDING, ELECTRICAL, FIRE, GAS, MECHANICAL, OR
11 PLUMBING INSTALLATION, THE BUILDING OFFICIAL IS
12 AUTHORIZED TO ISSUE A MASTER PERMIT UPON
13 APPLICATION BY ANY PERSON, FIRM, OR CORPORATION
14 REGULARLY EMPLOYING ONE OR MORE QUALIFIED
15 PROFESSIONAL OR TRADESPERSON IN THE BUILDING,
16 STRUCTURE, OR ON THE PREMISES OWNED OR OPERATED BY
17 THE APPLICANT.

18 (22) *SUBSECTION 105.1.2 ANNUAL PERMIT RECORDS.*

19 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

20 **105.1.2. MASTER PERMIT RECORDS.** A PERSON WHO IS
21 ISSUED A MASTER PERMIT SHALL KEEP A DETAILED RECORD
22 OF ALTERATIONS MADE UNDER THE MASTER PERMIT. THE
23 BUILDING OFFICIAL SHALL HAVE ACCESS TO THE RECORDS
24 AT ALL TIMES OR THE RECORDS SHALL BE FILED WITH THE
25 BUILDING OFFICIAL. THE BUILDING OFFICIAL MAY PERFORM
26 PERIODIC INSPECTIONS OF THE WORK THAT HAS BEEN
27 PERFORMED UNDER A MASTER PERMIT.

28 (23) *SUBSECTION 105.1.2.1 BUILDING CODE COMPLIANCE*
29 *ASSURANCE MANUAL.*

30 ADD NEW SUBSECTION 105.1.2.1 AFTER SUBSECTION 105.1.2 AS
31 FOLLOWS:

1 **105.1.2.1. BUILDING CODE COMPLIANCE ASSURANCE**

2 **MANUAL. THE APPLICANT SHALL PROVIDE TO THE BUILDING**
3 **OFFICIAL A BUILDING CODE COMPLIANCE ASSURANCE**
4 **MANUAL THAT SHALL INCLUDE THE FOLLOWING:**

- 5 (I) A STATEMENT OF THE POLICIES AND PROCEDURES TO
6 MONITOR AND CONTROL THE ALTERATION AND
7 RENOVATION PROCESS TO ASSURE COMPLIANCE WITH
8 THE HOWARD COUNTY CODE;
- 9 (II) A DESCRIPTION OF HOW THE APPLICANT ASSURES
10 CODE COMPLIANCE BY ADHERING TO WRITTEN
11 PROCEDURES OF QUALIFIED PERSONS TO PERFORM THE
12 SCOPE OF THE WORK COVERED BY THE APPLICATION;
- 13 (III) A DESCRIPTION OF THE APPLICANT’S PROCESS FOR
14 PLAN DEVELOPMENT, PLAN REVIEW, AND INSPECTION;
- 15 (IV) A DESCRIPTION OF THE MEANS TO ASSURE
16 COMPLIANCE WITH FIRE PROTECTION ELEMENTS OF
17 THE BUILDING AND SYSTEMS AFFECTED BY THE
18 PROPOSED ALTERATION OR RENOVATION; AND
- 19 (V) IF APPLICABLE, A STATEMENT OF COMPLIANCE FOR
20 ACCESSIBILITY.

21 (24) *SUBSECTION 105.2 WORK EXEMPT FROM PERMIT. IN THE*
22 *SUBSECTION TITLED “BUILDING”:*

- 23 (I) IN ITEM 1, DELETE “120 SQUARE FEET (11 M²)” AND
24 SUBSTITUTE “200 SQUARE FEET”;
- 25 (II) IN ITEM 4, DELETE “4 FEET (1219 MM)” AND SUBSTITUTE
26 “3 FEET” AND DELETE “BOTTOM OF THE FOOTING” AND
27 SUBSTITUTE “LOWEST ADJACENT GRADE”;
- 28 (III) IN ITEM 11, DELETE “ACCESSORY TO DETACHED ONE
29 AND TWO-FAMILY DWELLINGS”; AND
- 30 (IV) ADD THE FOLLOWING AS ITEM 14 AT THE END OF THIS
31 SUBSECTION:

1 14. THE FOLLOWING WORK ON EXISTING SINGLE
2 FAMILY DWELLINGS:

3 A. EXTERIOR:

- 4 1. REPLACEMENT OF ROOF COVERINGS WITH
5 NO OTHER STRUCTURAL REPAIRS;
- 6 2. INSTALLATION OF SIDING, INCLUDING, BUT
7 NOT LIMITED TO, ALUMINUM OR VINYL
8 SIDING;
- 9 3. INSTALLATION OF FASCIA, SOFFIT TRIM,
10 GUTTERS, OR DOWNSPOUTS;
- 11 4. REPLACEMENT OF WINDOWS OR DOORS
12 WHEN THERE IS NO CHANGE IN THE
13 ROUGH OPENING SIZE;
- 14 5. INSTALLATION OF CANVAS OR FIXED
15 AWNINGS; OR
- 16 6. INSTALLATION OF EXTERIOR LIGHTING
17 FIXTURES;

18 B. INTERIOR:

- 19 1. INSTALLATION OF RADON SYSTEMS;
- 20 2. PAINTING, WALLPAPERING, OR FLOOR
21 COVERING;
- 22 3. INSTALLATION OF KITCHEN OR
23 BATHROOM CABINETS, COUNTER TOPS,
24 APPLIANCES, OR FIXTURES;
- 25 4. REPLACEMENT OF PANELING OR
26 WALLBOARD;
- 27 5. REPLACEMENT OF DOORS WHEN THERE IS
28 NO CHANGE IN THE ROUGH OPENING SIZE;
- 29 6. INSTALLATION OF INSULATION;

- 1 7. INSTALLATION OF BURGLAR, FIRE, AND
- 2 OTHER ALARM SYSTEMS AND SMOKE
- 3 DETECTORS;
- 4 8. INSTALLATION OF ELECTRIC WATER
- 5 HEATERS; OR
- 6 9. INSTALLATION OF CEILING FANS, LIGHT
- 7 FIXTURES, OR RECEPTACLES;
- 8 C. THE FOLLOWING ADDITIONAL STRUCTURES:
- 9 1. ONE STORY DETACHED ACCESSORY
- 10 STRUCTURES CONTAINING LESS THAN 200
- 11 SQUARE FEET IN AREA INCLUDING, BUT
- 12 NOT LIMITED TO, STORAGE SHEDS,
- 13 PAGODAS, KIOSKS, GAZEBOS, ARBORS, OR
- 14 PLAYHOUSES;
- 15 2. INSTALLATION OF GREENHOUSES;
- 16 3. INSTALLATION OF TENTS OR CANOPIES;
- 17 4. INSTALLATION OF FENCES, UNLESS THE
- 18 FENCE IS OVER 6 FEET HIGH OR ENCLOSSES
- 19 A SWIMMING POOL; OR
- 20 5. INSTALLATION OF MAILBOXES; OR
- 21 D. SITE WORK:
- 22 1. PAVING DRIVEWAYS;
- 23 2. INSTALLATION OF PATIOS, SIDEWALKS, OR
- 24 LANDSCAPING;
- 25 3. INSTALLATION OF RETAINING WALLS
- 26 THAT ARE 3 FEET OR LESS IN HEIGHT
- 27 MEASURED FROM THE LOWEST ADJACENT
- 28 GRADE TO THE TOP OF THE WALL; OR
- 29 4. INSTALLATION OF FLAGPOLES OR
- 30 FLAGPOLE BASES.

31 (25) *SUBSECTION 105.3 APPLICATION FOR PERMIT.*

1 DELETE THE FIRST PARAGRAPH OF THIS SUBSECTION AND
2 SUBSTITUTE THE FOLLOWING:
3 TO OBTAIN A PERMIT, THE OWNER, OWNER'S AGENT, LESSEE,
4 LESSEE'S AGENT, OR THE REGISTERED DESIGN
5 PROFESSIONAL EMPLOYED TO COMPLETE THE PROPOSED
6 WORK ON A BUILDING OR STRUCTURE SHALL APPLY FOR A
7 PERMIT. THE APPLICATION SHALL STATE, AS APPLICABLE,
8 THE FULL NAME AND ADDRESS OF THE OWNER, OWNER'S
9 AGENT, LESSEE, LESSEE'S AGENT, AND THE REGISTERED
10 DESIGN PROFESSIONAL EMPLOYED TO COMPLETE THE
11 PROPOSED WORK. IF THE APPLICANT IS NOT AN INDIVIDUAL,
12 SUCH AS, WITHOUT LIMITATION, A PARTNERSHIP, LIMITED
13 PARTNERSHIP, CORPORATION, LIMITED LIABILITY COMPANY,
14 OR OTHER ENTITY, THE APPLICATION SHALL STATE THE
15 NAME AND ADDRESS OF THE PERSONS RESPONSIBLE FOR
16 MANAGING THE BUSINESS INCLUDING, BUT NOT LIMITED TO,
17 PARTNERS, DIRECTORS, OR OFFICERS. SUCH APPLICATION
18 SHALL:

19 (26) *SUBSECTION 106.1.1.2 ADDITIONAL INFORMATION REQUIRED.*
20 ADD NEW SUBSECTION 106.1.1.2 AFTER SUBSECTION 106.1.1. AS
21 FOLLOWS:

22 **106.1.1.2 ADDITIONAL INFORMATION REQUIRED.**

23 (I) DOCUMENTS SUBMITTED FOR DETACHED ONE OR TWO
24 FAMILY DWELLINGS INCLUDING NEW CONSTRUCTION,
25 ALTERATIONS, MINOR ADDITIONS, OR OTHER
26 STRUCTURES SHALL INCLUDE THE FOLLOWING
27 ADDITIONAL INFORMATION:

28 A. EXCEPT AS PROVIDED IN PARAGRAPH B OF THIS
29 SUBSECTION, 2 SETS OF CONSTRUCTION
30 DOCUMENTS DRAWN TO SCALE WITH
31 SUFFICIENT CLARITY AND DETAIL TO SHOW THE

1 NATURE AND CHARACTER OF THE WORK TO BE
2 PERFORMED INCLUDING, BUT NOT LIMITED TO,
3 THE FOLLOWING:

- 4 1. PLANS OF EACH FLOOR LEVEL;
- 5 2. 4 ELEVATIONS AND TYPICAL CROSS
6 SECTIONS; AND
- 7 3. 7 COPIES OF PLOT PLANS OR 2 COPIES OF
8 THE APPROVED SITE DEVELOPMENT PLAN
9 AS REQUIRED BY THE HOWARD COUNTY
10 SUBDIVISION REGULATIONS.

11 B. 1. THE BUILDING OFFICIAL MAY WAIVE THE
12 REQUIREMENTS SET FORTH IN PARAGRAPH
13 A OF THIS SUBSECTION FOR:

- 14 I. ALTERATIONS;
- 15 II. ONE STORY ADDITIONS CONTAINING
16 LESS THAN 600 SQUARE FEET TOTAL
17 AREA; OR
- 18 III. OTHER STRUCTURES ACCESSORY TO
19 A ONE OR TWO FAMILY DWELLING
20 CONTAINING LESS THAN 600 SQUARE
21 FEET TOTAL AREA.

22 2. WHERE WAIVED, THE APPLICATION SHALL
23 BE ACCOMPANIED BY 4 COPIES OF PLOT
24 PLANS OR 2 COPIES OF THE APPROVED SITE
25 DEVELOPMENT PLAN WHEN REQUIRED BY
26 THE HOWARD COUNTY SUBDIVISION
27 REGULATIONS.

28 (II) EXCEPT AS SET FORTH IN ITEMS B AND C OF THIS
29 SUBPARAGRAPH, DOCUMENTS SUBMITTED FOR NEW
30 BUILDINGS, ADDITIONS, OR ALTERATIONS TO
31 BUILDINGS OTHER THAN DETACHED ONE OR TWO-

1 FAMILY DWELLINGS SHALL INCLUDE THE FOLLOWING
2 ADDITIONAL INFORMATION:

3 A. 3 COMPLETE SETS OF ARCHITECTURAL,
4 STRUCTURAL, MECHANICAL (INCLUDING
5 HEATING, VENTILATION, AND AIR
6 CONDITIONING), PLUMBING, AND ELECTRICAL
7 CONSTRUCTION DOCUMENTS. THE DOCUMENTS
8 SHALL:

- 9 1. BE DRAWN TO SCALE WITH SUFFICIENT
10 CLARITY AND DETAIL TO SHOW THE
11 NATURE AND CHARACTER OF THE WORK
12 TO BE PERFORMED;
- 13 2. BE PREPARED IN COMPLIANCE WITH THIS
14 CODE; AND
- 15 3. BEAR THE SEAL, SIGNATURE, AND DATE OF
16 THE APPROPRIATE MARYLAND STATE
17 PROFESSIONAL ENGINEER OR ARCHITECT
18 THAT SHALL BE AFFIXED TO ALL SHEETS
19 OF ALL SETS AND AT LEAST ONE SET
20 SHALL BEAR THE ORIGINAL SEAL,
21 SIGNATURE, AND DATE.

22 B. THE BUILDING OFFICIAL MAY ALLOW
23 MECHANICAL, ELECTRICAL, OR PLUMBING
24 DRAWINGS TO BE SIGNED BY THE LICENSED
25 CONTRACTOR DOING THE PROPOSED WORK. THE
26 CONTRACTOR SHALL PROVIDE THEIR NAME,
27 LICENSE NUMBER, DAYTIME PHONE NUMBER,
28 AND DATE OF SIGNATURE. EACH SET OF PLANS
29 SHALL BE ACCOMPANIED BY A COPY OF THE
30 APPROVED AND SIGNED SITE DEVELOPMENT

1 PLAN AS REQUIRED BY THE HOWARD COUNTY
2 SUBDIVISION REGULATIONS.

3 C. THE BUILDING OFFICIAL MAY WAIVE THE
4 REQUIREMENTS OF PLAN SUBMITTAL IF THE
5 WORK IS OF A MINOR INTERIOR OR
6 NONSTRUCTURAL NATURE.

7 (27) *SUBSECTION 106.2.1 SUBDIVISION AND LAND DEVELOPMENT*
8 *REGULATIONS, TITLE 16.*

9 ADD NEW SUBSECTION 106.2.1 AFTER SUBSECTION 106.2 AS
10 FOLLOWS:

11 **106.2.1. SUBDIVISION AND LAND DEVELOPMENT**
12 **REGULATIONS, TITLE 16.** IF A SITE DEVELOPMENT PLAN IS
13 REQUIRED BY THE HOWARD COUNTY SUBDIVISION
14 REGULATIONS, A PERMIT SHALL NOT BE ISSUED UNTIL THE
15 PERMIT IS IN ACCORDANCE WITH THE APPROVED SITE
16 DEVELOPMENT PLAN.

17 (28) *SUBSECTION 108.2 SCHEDULE OF PERMIT FEES.*

18 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

19 **108.2 SCHEDULE OF PERMIT FEES.** THE COUNTY COUNCIL
20 SHALL ANNUALLY ADOPT, BY RESOLUTION, A SCHEDULE OF
21 FEES AND REFUNDS FOR BUILDING, FIRE PROTECTION,
22 GRADING, AND OTHER CONSTRUCTION PERMITS ISSUED BY
23 THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

24 (29) *SUBSECTION 108.2.1 FEE EXEMPTIONS.*

25 ADD NEW SUBSECTION 108.2.1 AFTER SUBSECTION 108.2 AS
26 FOLLOWS:

27 **108.2.1 FEE EXEMPTIONS.** BUILDINGS AND STRUCTURES
28 OWNED BY THE HOWARD COUNTY GOVERNMENT, HOWARD
29 COUNTY BOARD OF EDUCATION, HOWARD COUNTY
30 COMMUNITY COLLEGE, HOWARD COUNTY VOLUNTEER FIRE

1 CORPORATION, OR THE HOWARD COUNTY FAIR
2 ASSOCIATION ARE EXEMPT FROM PERMIT FEES.

3 (30) *SUBSECTION 108.5.1 REINSPECTION FEES.*

4 ADD NEW SUBSECTION 108.5.1 AFTER SUBSECTION 108.5 AS
5 FOLLOWS:

6 **108.5.1 REINSPECTION FEES.** A REINSPECTION FEE SHALL BE
7 CHARGED FOR EACH REINSPECTION IF THE WORK HAS TO BE
8 REINSPECTED BECAUSE:

- 9 (I) THE WORK WAS NOT READY FOR INSPECTION AT THE
10 PRE-ARRANGED TIME FOR INSPECTION;
11 (II) THE INSPECTOR DID NOT HAVE ACCESS TO THE WORK
12 AT THE PRE-ARRANGED TIME FOR INSPECTION;
13 (III) THE INSPECTOR HAD TO RETURN MORE THAN ONCE TO
14 INSPECT A CORRECTION OF THE SAME VIOLATION OF
15 THE HOWARD COUNTY BUILDING CODE; OR
16 (IV) THE INSPECTOR DISCOVERS A FLAGRANT NON-
17 COMPLIANCE DURING A REQUESTED INSPECTION,
18 INCLUDING BUT NOT LIMITED TO:
19 A. CUT OR BROKEN TRUSSES OR JOISTS;
20 B. MISSING LOAD BEARING STUDS; OR
21 C. THE OMISSION OF FIRE STOPPING.

22 (31) *SUBSECTION 108.6 REFUNDS.*

23 DELETE THIS SUBSECTION.

24 (32) *SUBSECTION 109.3 REQUIRED INSPECTIONS.*

25 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

26 **109.3 REQUIRED INSPECTIONS.** AFTER ISSUING A BUILDING
27 PERMIT, THE BUILDING OFFICIAL SHALL CONDUCT
28 INSPECTIONS FROM TIME TO TIME DURING AND UPON
29 COMPLETION OF THE WORK FOR WHICH THE PERMIT HAS
30 BEEN ISSUED. RECORDS OF INSPECTIONS AND VIOLATIONS
31 SHALL BE MAINTAINED BY THE BUILDING OFFICIAL. AN

1 INSPECTION MAY INCLUDE ANY OF THE INSPECTIONS AS SET
2 FORTH IN SUBSECTIONS 109.3.1 THROUGH 109.3.10 OF THIS
3 SECTION.

4 (33) *SUBSECTION 110.1 USE AND OCCUPANCY.*

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

23 (34) *SUBSECTION 110.2 CERTIFICATE ISSUED.*

24 IN THE LAST LINE OF THE FIRST SENTENCE, DELETE
25 “CONTAINS” AND SUBSTITUTE “MAY CONTAIN”.

26 (35) *SECTION 112 BOARD OF APPEALS.*

27 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

28 **SECTION 112 MEANS OF APPEAL.**

29 **112.1 APPLICATION FOR APPEAL.** EXCEPT FOR A NOTICE OF
30 VIOLATION, A PERSON MAY APPEAL THE APPROVAL, DENIAL,
31 REVOCATION, SUSPENSION, OR EXTENSION OF A PERMIT TO A

1 HEARING EXAMINER OF THE HOWARD COUNTY BOARD OF
2 APPEALS. AN APPLICATION FOR AN APPEAL SHALL BE BASED
3 ON A CLAIM THAT THIS CODE HAS BEEN INCORRECTLY
4 INTERPRETED, THE PROVISIONS OF THIS CODE DO NOT APPLY,
5 OR AN EQUALLY GOOD OR BETTER FORM OF CONSTRUCTION
6 IS PROPOSED.

7 **112.2 BOARD OF APPEALS.** THE HOWARD COUNTY BOARD OF
8 APPEALS' HEARING EXAMINER SHALL HEAR AND DECIDE
9 APPEALS IN ACCORDANCE WITH THE PROCEDURES SET
10 FORTH IN TITLE 16, SUBTITLE 3 OF THE HOWARD COUNTY
11 CODE. NEITHER THE BOARD OF APPEALS' HEARING
12 EXAMINER NOR THE BOARD OF APPEALS SHALL HAVE
13 AUTHORITY TO WAIVE REQUIREMENTS OF THIS CODE.

14 (36) *SUBSECTION 113.2 NOTICE OF VIOLATION.*

15 (I) INSERT "OWNER OR" BEFORE "PERSON RESPONSIBLE
16 FOR".

17 (II) ADD THE FOLLOWING SENTENCE TO THE END OF THIS
18 SUBSECTION:

19 A NOTICE OF VIOLATION MAY BE SERVED IN ONE OF
20 THE FOLLOWING METHODS:

21 A. PERSONAL SERVICE;

22 B. CERTIFIED OR REGISTERED MAIL, RESTRICTED
23 DELIVERY, RETURN RECEIPT REQUESTED;

24 C. FIRST CLASS MAIL TO THE OWNER'S ADDRESS AS
25 STATED IN THE RECORDS OF THE STATE
26 DEPARTMENT OF ASSESSMENTS AND TAXATION;
27 OR

28 D. WHEN SERVICE IS NOT OBTAINED BY ONE OF
29 THESE METHODS, THE NOTICE MAY BE POSTED IN
30 A CONSPICUOUS PLACE AT THE JOB SITE.

31 (37) *SUBSECTION 113.4 CIVIL FINES AND PROCEDURES.*

1 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

2 **113.4 VIOLATION PENALTIES.** ALTERNATIVELY, AND IN
3 ADDITION TO AND CONCURRENT WITH ALL REMEDIES
4 PROVIDED AT LAW OR IN EQUITY AND AS SET FORTH IN
5 SUBSECTION 113.3 OF THIS CODE, THE BUILDING OFFICIAL
6 MAY ENFORCE THIS SUBTITLE WITH CIVIL PENALTIES
7 PURSUANT TO TITLE 24 “CIVIL PENALTIES” OF THE HOWARD
8 COUNTY CODE. EXCEPT FOR A FIRST VIOLATION OF SECTION
9 114 OR SECTION 115 OF THIS CODE, A FIRST VIOLATION OF
10 THIS SUBTITLE IS A CLASS C OFFENSE. A SUBSEQUENT
11 VIOLATION OF THIS SUBTITLE IS A CLASS B OFFENSE. EACH
12 DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

13 (38) *SUBSECTION 113.5 WITHHOLDING OF INSPECTIONS AND*
14 *PERMITS.*

15 ADD NEW SUBSECTION 113.5 AFTER SUBSECTION 113.4 AS
16 FOLLOWS:

17 **113.5 WITHHOLDING OF INSPECTIONS AND PERMITS.** IF THE
18 BUILDING OFFICIAL FINDS THAT AN OWNER OR PERSON
19 RESPONSIBLE IS IN VIOLATION OF A PROVISION OF THIS
20 CODE, THIS SUBTITLE, OR REGULATION THAT IMPLEMENTS
21 THIS CODE IN CONNECTION WITH THE CONSTRUCTION,
22 MAINTENANCE, ALTERATION, OR REPAIR OF ANY BUILDING,
23 EQUIPMENT, OR LAND WITHIN HOWARD COUNTY, THE
24 BUILDING OFFICIAL MAY REFUSE TO GRANT AN INSPECTION
25 OR PERMIT TO THE CONTRACTOR, DEVELOPER, OWNER, OR
26 OTHER PERSON RESPONSIBLE UNTIL ALL VIOLATIONS HAVE
27 BEEN CORRECTED AND ALL FEES AND FINES HAVE BEEN
28 PAID.

29 (39) *SUBSECTION 114.2.1 SERVICE OF STOP WORK ORDERS.*

30 ADD NEW SUBSECTION 114.2.1 AFTER SUBSECTION 114.2 AS
31 FOLLOWS:

1 **114.2.1 SERVICE OF STOP WORK ORDERS.** A STOP WORK
2 ORDER SHALL BE SERVED IN ACCORDANCE WITH THE
3 SERVICE PROVISIONS SET FORTH IN SUBSECTION 113.2.

4 (40) *SUBSECTION 114.3 UNLAWFUL CONTINUANCE.*

5 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

6 **114.3 UNLAWFUL CONTINUANCE.** A PERSON SHALL NOT
7 PERFORM WORK AFTER SERVICE OF A STOP WORK ORDER
8 EXCEPT WORK THAT IS PERFORMED AT THE DIRECTION OF
9 THE BUILDING OFFICIAL TO ABATE A VIOLATION OF THIS
10 CODE OR AN UNSAFE CONDITION.

11 (41) *SUBSECTION 114.4 PROSECUTION FOR FAILING TO STOP WORK.*

12 ADD NEW SUBSECTION 114.4 AFTER SUBSECTION 114.3 AS
13 FOLLOWS:

14 **114.4 PROSECUTION FOR FAILING TO STOP WORK.** THE
15 BUILDING OFFICIAL MAY REQUEST THE LEGAL COUNSEL OF
16 THE JURISDICTION TO INSTITUTE THE APPROPRIATE
17 PROCEEDING AT LAW OR IN EQUITY TO PREVENT OR
18 RESTRAIN ANY WORK PERFORMED IN VIOLATION OF THIS
19 SECTION.

20 (42) *SUBSECTION 114.5 VIOLATION PENALTIES.*

21 ADD NEW SUBSECTION 114.5 AFTER SUBSECTION 114.4 AS
22 FOLLOWS:

23 **114.5 VIOLATION PENALTIES.** ALTERNATIVELY, AND IN
24 ADDITION TO AND CONCURRENT WITH THE REMEDIES SET
25 FORTH IN SUBSECTION 114.4, THE BUILDING OFFICIAL MAY
26 ENFORCE THIS SECTION PURSUANT TO TITLE 24, “CIVIL
27 PENALTIES” OF THE HOWARD COUNTY CODE. A VIOLATION
28 OF THIS SECTION IS A CLASS B OFFENSE. EACH DAY THAT A
29 VIOLATION CONTINUES IS A SEPARATE OFFENSE.

30 (43) *SUBSECTION 115.6 DISREGARDING NOTICE.*

1 ADD NEW SUBSECTION 115.6 AFTER SUBSECTION 115.5 AS
2 FOLLOWS:

3 **115.6 DISREGARDING NOTICE.** FAILURE TO COMPLY WITH A
4 NOTICE ISSUED UNDER THIS SECTION IS A VIOLATION OF THIS
5 CODE.

6 (44) *SUBSECTION 115.7 PROSECUTION.*

7 ADD NEW SUBSECTION 115.7 AFTER SUBSECTION 115.6 AS
8 FOLLOWS:

9 **115.7 PROSECUTION.** THE BUILDING OFFICIAL MAY REQUEST
10 THE LEGAL COUNSEL OF THE JURISDICTION TO INSTITUTE
11 THE APPROPRIATE PROCEEDING AT LAW OR IN EQUITY TO
12 PREVENT OR RESTRAIN ANY WORK PERFORMED IN
13 VIOLATION OF THIS SECTION.

14 (45) *SUBSECTION 115.8 VIOLATION PENALTIES.*

15 ADD NEW SUBSECTION 115.8 AFTER SUBSECTION 115.7 AS
16 FOLLOWS:

17 **115.8 VIOLATION PENALTIES.** ALTERNATIVELY, AND IN
18 ADDITION TO AND CONCURRENT WITH THE REMEDIES SET
19 FORTH IN SUBSECTION 115.6, THE BUILDING OFFICIAL MAY
20 ENFORCE THIS SECTION PURSUANT TO TITLE 24, “CIVIL
21 PENALTIES” OF THE HOWARD COUNTY CODE. A VIOLATION
22 OF THIS SECTION IS A CLASS B OFFENSE. EACH DAY THAT A
23 VIOLATION CONTINUES IS A SEPARATE OFFENSE.

24 (46) *SECTION 116 EMERGENCY MEASURES.*

25 ADD NEW SECTION 116 AFTER SECTION 115 AS FOLLOWS:

26 **SECTION 116 EMERGENCY MEASURES.**

27 **116.1 IMMINENT DANGER.** WHENEVER THE BUILDING
28 OFFICIAL DETERMINES THAT THERE IS AN EMERGENCY OR
29 IMMINENT DANGER OF FAILURE OR COLLAPSE OF A
30 BUILDING, STRUCTURE, OR ANY PART OF A BUILDING OR
31 STRUCTURE THAT ENDANGERS LIFE, OR WHEN ANY

1 BUILDING, STRUCTURE, OR PART OF A BUILDING OR
2 STRUCTURE HAS FALLEN AND LIFE IS ENDANGERED BY THE
3 OCCUPATION OF THE BUILDING OR STRUCTURE, THE
4 BUILDING OFFICIAL MAY ORDER AN OCCUPANT TO VACATE
5 THE BUILDING OR STRUCTURE. THE BUILDING OFFICIAL
6 SHALL POST A NOTICE AT EACH ENTRANCE TO THE BUILDING
7 OR STRUCTURE. THE NOTICE SHALL STATE AS FOLLOWS:

8 “THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY HAS BEEN
9 PROHIBITED BY THE BUILDING OFFICIAL.” EXCEPT FOR THE
10 PURPOSE OF MAKING A REQUIRED REPAIR OR DEMOLISHING
11 THE BUILDING OR STRUCTURE, A PERSON SHALL NOT ENTER
12 THE BUILDING OR STRUCTURE.

13 **116.2 TEMPORARY SAFEGUARDS.** WHENEVER THE BUILDING
14 OFFICIAL DETERMINES THAT THERE IS IMMINENT DANGER
15 DUE TO AN UNSAFE CONDITION, THE BUILDING OFFICIAL
16 MAY CAUSE THE NECESSARY WORK TO BE DONE TO MAKE
17 THE BUILDING OR STRUCTURE TEMPORARILY SAFE,
18 WHETHER OR NOT THE LEGAL PROCEDURE AS SET FORTH IN
19 THIS SECTION HAS BEEN INSTITUTED.

20 **116.3 CLOSING STREETS AND BUILDINGS.** IF NECESSARY
21 FOR PUBLIC SAFETY, THE BUILDING OFFICIAL MAY:

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

29 **116.4 EMERGENCY REPAIRS.** FOR THE PURPOSE OF THIS
30 SECTION, THE BUILDING OFFICIAL MAY EMPLOY THE

1 NECESSARY LABOR AND MATERIALS TO PERFORM THE
2 REQUIRED WORK AS EXPEDITIOUSLY AS POSSIBLE.

3 **116.5 COST OF EMERGENCY REPAIRS.** COSTS INCURRED IN
4 THE PERFORMANCE OF EMERGENCY WORK MAY BE PAID
5 FROM THE TREASURY OF THE JURISDICTION. THE LEGAL
6 COUNSEL OF THE JURISDICTION SHALL INSTITUTE
7 APPROPRIATE ACTION TO SEEK REIMBURSEMENT AGAINST
8 THE OWNER OF THE PREMISES WHERE THE UNSAFE BUILDING
9 OR STRUCTURE IS OR WAS LOCATED FOR THE COST OF THE
10 REPAIRS OR ACTIONS NECESSARY TO MAKE THE PREMISES
11 SAFE.

12 **116.6 UNSAFE EQUIPMENT.** WHENEVER THE BUILDING
13 OFFICIAL DETERMINES THAT EQUIPMENT IS UNSAFE, THE
14 EQUIPMENT SHALL NOT BE OPERATED AFTER THE DATE
15 STATED IN THE NOTICE UNLESS THE REQUIRED REPAIRS,
16 REPLACEMENT, OR CHANGES HAVE BEEN MADE AND THE
17 EQUIPMENT HAS BEEN APPROVED OR UNLESS THE BUILDING
18 OFFICIAL HAS AGREED, IN WRITING, TO AN EXTENSION OF
19 TIME TO MAKE THE REQUIRED REPAIRS, REPLACEMENT, OR
20 CHANGES.

21 **116.6.1 AUTHORITY TO SEAL EQUIPMENT.** IN THE CASE OF
22 AN EMERGENCY, THE BUILDING OFFICIAL MAY
23 IMMEDIATELY SEAL OUT OF SERVICE ANY UNSAFE DEVICE
24 OR EQUIPMENT REGULATED BY THIS CODE.

25 **116.6.2 UNLAWFUL TO REMOVE SEAL.** ANY DEVICE OR
26 EQUIPMENT SEALED OUT OF SERVICE BY THE BUILDING
27 OFFICIAL SHALL BE PLAINLY IDENTIFIED IN AN APPROVED
28 MANNER. EXCEPT BY THE BUILDING OFFICIAL, THE
29 IDENTIFICATION SHALL NOT BE TAMPERED WITH, DEFACED,
30 OR REMOVED. THE IDENTIFICATION SHALL INDICATE THE
31 REASON FOR THE SEALING OF THE EQUIPMENT.

1 (47) SECTION 117 DEMOLITION OF STRUCTURES.

2 ADD NEW SECTION 117 AFTER SECTION 116 AS FOLLOWS:

3 **SECTION 117 DEMOLITION OF STRUCTURES.**

4 **117.1 SERVICE CONNECTIONS.** BEFORE A STRUCTURE IS
5 DEMOLISHED OR REMOVED, THE OWNER OR AGENT SHALL
6 NOTIFY ALL UTILITIES HAVING SERVICE CONNECTIONS
7 WITHIN THE STRUCTURE INCLUDING, BUT NOT LIMITED TO,
8 WATER, ELECTRIC, GAS, OR SEWER. A PERMIT TO DEMOLISH
9 OR REMOVE A STRUCTURE SHALL NOT BE ISSUED UNTIL A
10 RELEASE IS OBTAINED FROM THE UTILITIES. THE RELEASE
11 SHALL STATE THAT THE UTILITY'S RESPECTIVE SERVICE
12 CONNECTIONS AND APPURTENANT EQUIPMENT, SUCH AS
13 METERS AND REGULATORS, HAVE BEEN REMOVED, SEALED,
14 OR PLUGGED IN A SAFE MANNER.

15 **117.2 NOTICE TO ADJOINING OWNERS.** A PERMIT TO
16 REMOVE OR DEMOLISH A BUILDING OR STRUCTURE MAY BE
17 GRANTED IF WRITTEN NOTICE HAS BEEN GIVEN BY THE
18 APPLICANT TO THE OWNERS OF ADJOINING LOTS AND TO THE
19 OWNERS OF WIRED OR OTHER FACILITIES THAT MAY NEED
20 TO BE TEMPORARILY REMOVED DUE TO THE PROPOSED
21 WORK.

22 **117.3 LOT REGULATION.** WHENEVER A STRUCTURE IS
23 DEMOLISHED OR REMOVED, THE PREMISES SHALL BE
24 MAINTAINED FREE FROM ALL UNSAFE OR HAZARDOUS
25 CONDITIONS BY THE PROPER REGULATION OF THE LOT,
26 RESTORATION OF ESTABLISHED GRADES, AND THE ERECTION
27 OF THE NECESSARY RETAINING WALLS AND FENCES IN
28 ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33 OF THIS
29 CODE.

30 (48) SUBSECTION 308.2 GROUP I-1.

1 IN THE SECOND TO LAST SENTENCE, BETWEEN THE WORDS
2 “PERSONS” AND “SHALL”, INSERT THE FOLLOWING: “OR UP TO
3 8 PERSONS WHEN AN NFPA 13D SPRINKLER SYSTEM IS
4 INSTALLED”.

5 (49) *SUBSECTION 310.1 RESIDENTIAL GROUP R.*

6 ADD A SENTENCE TO THE END OF R-3 AS FOLLOWS:
7 AN R-3 GROUP SHALL INCLUDE UP TO 5 LODGERS OR
8 BOARDERS; 6 UP TO 8 LODGERS OR BOARDERS WHEN AN
9 NFPA 13D SPRINKLER SYSTEM IS INSTALLED; OR 9 UP TO 16
10 LODGERS OR BOARDERS WHEN AN NFPA 13R SPRINKLER
11 SYSTEM IS INSTALLED.

12 (50) *SUBSECTION 501.2 ADDRESS NUMBERS.*

13 DELETE THE LAST SENTENCE THIS SUBSECTION.

14 (51) *SUBSECTION 705.1.2 LABELING OF FIRE WALLS.*

15 ADD NEW SUBSECTION 705.1.2 AFTER SUBSECTION 705.1.1 AS
16 FOLLOWS:

17 **705.1.2 LABELING OF FIRE WALLS.** ALL FIRE RATED
18 ASSEMBLIES SHALL BE STENCILED OR PAINTED ON BOTH
19 SIDES WITH THE PHRASE “FIRE RATED WALL”. THE LETTERS
20 SHALL BE RED, 6 INCHES HIGH, AND GREATER THAN 3/4 INCH
21 WIDE. THE PHRASE SHALL BE WRITTEN ONCE ON EVERY 10
22 FEET OF WALL LOCATED ABOVE THE CEILING.

23 (52) *SUBSECTION 706.1.1 LABELING OF FIRE BARRIERS.*

24 ADD NEW SUBSECTION 706.1.1 AFTER SUBSECTION 706.1 AS
25 FOLLOWS:

26 **706.1.1 LABELING OF FIRE BARRIERS.** ALL FIRE RATED
27 ASSEMBLIES SHALL BE STENCILED OR PAINTED ON BOTH
28 SIDES WITH THE PHRASE “FIRE RATED WALL”. THE LETTERS
29 SHALL BE RED, 6 INCHES HIGH, AND GREATER THAN 3/4 INCH
30 WIDE. THE PHRASE SHALL BE WRITTEN ONCE ON EVERY 10
31 FEET OF WALL LOCATED ABOVE THE CEILING.

1 (53) *SUBSECTION 709.1.1 LABELING OF SMOKE BARRIERS.*
2 ADD NEW SUBSECTION 709.1.1 AFTER SUBSECTION 709.1 AS
3 FOLLOWS:
4 **709.1.1 LABELING OF SMOKE BARRIERS.** ALL SMOKE
5 BARRIERS SHALL BE STENCILED OR PAINTED ON BOTH SIDES
6 WITH THE PHRASE “SMOKE BARRIER”. THE LETTERS SHALL
7 BE RED, 6 INCHES HIGH, GREATER THAN 3/4 INCH WIDE. THE
8 PHRASE SHALL BE WRITTEN ONCE ON EVERY 10 FEET OF
9 WALL LOCATED ABOVE THE CEILING.

10 (54) *SUBSECTIONS 903.2.1.1 GROUP A-1, 903.2.1.3 GROUP A-3, AND*
11 *903.2.1.4 GROUP A-4.*
12 DELETE ITEM NUMBER 2 IN EACH SUBSECTION AND
13 SUBSTITUTE THE FOLLOWING IN EACH INSTANCE:
14 2. THE FIRE AREA HAS A CALCULATED OCCUPANT LOAD OF
15 100 OR MORE.

16 (55) *SUBSECTION 903.2.2 GROUP E.*
17 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
18 **903.2.2 GROUP E.** AN AUTOMATIC SPRINKLER SYSTEM SHALL
19 BE PROVIDED FOR ALL GROUP E OCCUPANCIES.
20 **EXCEPTION:** AN AUTOMATIC SPRINKLER SYSTEM IS NOT
21 REQUIRED IF A STUDENT OCCUPIED AREA HAS A DOOR
22 DIRECTLY TO THE OUTSIDE.

23 (56) *SUBSECTION 903.2.14 ADDITIONAL SUPPRESSION*
24 *REQUIREMENTS.*
25 ADD NEW SUBSECTION 903.2.14 AFTER SUBSECTION 903.2.13 AS
26 FOLLOWS:
27 **903.2.14 ADDITIONAL SUPPRESSION REQUIREMENTS.** FIRE
28 SUPPRESSION SYSTEMS SHALL BE PROVIDED FOR
29 RESIDENTIAL AND NONRESIDENTIAL BUILDINGS OR
30 STRUCTURES AS FOLLOWS:

1 **903.2.14.1** IF AN ADDITION OR RENOVATION TO AN EXISTING
2 RESIDENTIAL BUILDING EXCEEDS 50% OF THE GROSS FLOOR
3 AREA, THE ENTIRE BUILDING SHALL BE PROTECTED BY AN
4 APPROVED FIRE PROTECTION SYSTEM.

5 **903.2.14.2** ANY NONRESIDENTIAL BUILDING, STRUCTURE, OR
6 ADDITION TO AN EXISTING NONRESIDENTIAL BUILDING OR
7 STRUCTURE FOR WHICH THE INITIAL BUILDING PERMIT WAS
8 ISSUED ON OR AFTER JULY 1, 1992, SHALL BE PROTECTED BY
9 AN AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEM.

10 **903.2.14.3 APPLICABLE CONDITIONS AND EXCEPTIONS:**

11 (I) EXCEPTION: A BUILDING OR STRUCTURE CONTAINING
12 LESS THAN 5,000 GROSS SQUARE FEET IN FLOOR AREA.
13 FOR THE PURPOSE OF THIS SECTION, THE GROSS
14 SQUARE FEET OF A BUILDING OR ADDITION SHALL BE
15 THE SUM TOTAL OF THE FLOOR AREA FOR ALL FLOOR
16 LEVELS, BASEMENTS, AND SUBBASEMENTS, MEASURED
17 FROM OUTSIDE WALLS, IRRESPECTIVE OF THE
18 EXISTENCE OF INTERIOR FIRE-RESISTIVE WALLS,
19 FLOORS, OR CEILINGS.

20 (II) FOR PURPOSES OF THIS SECTION, IF AN ADDITION TO
21 AN EXISTING BUILDING EXCEEDS 5,000 GROSS SQUARE
22 FEET IN FLOOR AREA, THE ADDITION SHALL COMPLY
23 WITH THIS SECTION.

24 (III) FOR PURPOSES OF THIS SECTION, IF AN ALTERATION TO
25 AN EXISTING BUILDING EXCEEDS 5,000 GROSS SQUARE
26 FEET IN FLOOR AREA, THE ALTERATION SHALL
27 COMPLY WITH THIS SECTION. IF THE ALTERATION
28 EXCEEDS 50% OF THE GROSS FLOOR AREA OF THE
29 BUILDING, THE ENTIRE BUILDING SHALL COMPLY WITH
30 THIS SECTION.

1 (IV) FOR PURPOSES OF THIS SECTION, IF AN ALTERATION
2 AND ADDITION OCCUR SIMULTANEOUSLY IN A
3 BUILDING, ARE CONTIGUOUS, AND THE TOTAL
4 AFFECTED FLOOR AREA EXCEEDS 5,000 GROSS SQUARE
5 FEET IN FLOOR AREA, THE ENTIRE ALTERATION AND
6 ADDITION AREAS SHALL COMPLY WITH THIS SECTION.

7 (V) THE BUILDING OFFICIAL MAY GRANT A WAIVER FROM
8 THE REQUIREMENTS OF THIS SECTION FOR AN
9 UNUSUAL BUILDING, STRUCTURE, OR OCCUPANCY.

10 (VI) A SPRINKLER SYSTEM REQUIRED BY THIS SECTION
11 SHALL BE INSTALLED IN ACCORDANCE WITH NFPA
12 STANDARD 13, 13D, OR 13R, AS APPLICABLE.

13 (57) *SUBSECTION 903.2.15 HOSE CONNECTIONS.*

14 ADD NEW SUBSECTION 903.2.15 AFTER SUBSECTION 903.2.14 AS
15 FOLLOWS:

16 **903.2.15 HOSE CONNECTIONS.** WHERE FIRE SUPPRESSION
17 SYSTEMS ARE REQUIRED IN GROUP M, S-1 AND F-1
18 OCCUPANCIES, A 2 1/2 INCH HOSE CONNECTION WITH 1 1/2 INCH
19 REDUCERS SHALL BE PROVIDED FOR FIRE DEPARTMENT USE.
20 HOSE CONNECTIONS SHALL BE PLACED NEAR EXIT DOORS
21 THAT DO NOT HAVE FIRE DEPARTMENT VEHICLE ACCESS
22 WITHIN 100 FEET. TWO HOSE CONNECTIONS SHALL BE
23 LOCATED NO MORE THAN 200 FEET APART. EXIT DOORS
24 SHALL BE PLACARDED ON THE OUTSIDE TO INDICATE THE
25 LOCATION OF HOSE CONNECTIONS FOR FIRE DEPARTMENT
26 ACCESS.

27 (58) *SUBSECTION 903.3.1.2.1 BALCONIES AND DECKS.*

28 DELETE THIS SUBSECTION.

29 (59) *SUBSECTION 905.11 PIPING DESIGN.*

30 ADD NEW SUBSECTION 905.11 AFTER SUBSECTION 905.10 AS
31 FOLLOWS:

1 **905.11 PIPING DESIGN.** THE RISER PIPING, SUPPLY PIPING,
2 AND WATER SERVICE PIPING SHALL BE SIZED TO MAINTAIN A
3 RESIDUAL PRESSURE OF AT LEAST 100 PSI AT THE TOP MOST
4 OUTLET OF EACH RISER WHILE FLOWING THE MINIMUM
5 QUANTITY OF WATER AS SPECIFIED IN NFPA 14. THE PIPE SIZE
6 SHALL BE BASED ON EITHER THE CAPACITY OF THE
7 AUTOMATIC WATER SUPPLY SYSTEM OR THE SUPPLY OF 1000
8 GPM AT 150 PSI AT THE FIRE DEPARTMENT CONNECTION
9 WHERE AN AUTOMATIC WATER SUPPLY IS NEITHER
10 REQUIRED NOR PROVIDED TO MAINTAIN THE RESIDUAL
11 PRESSURE OF 100 PSI. IF A FIRE PUMP IS REQUIRED TO SUPPLY
12 AN AUTOMATIC SPRINKLER SYSTEM, THE PUMP SHALL BE
13 SIZED IN ACCORDANCE WITH THIS SECTION.

14 **EXCEPTION:** THE RESIDUAL PRESSURE OF 100 PSI IS NOT
15 REQUIRED IN BUILDINGS EQUIPPED THROUGHOUT WITH
16 AUTOMATIC SPRINKLER SYSTEMS IN ACCORDANCE WITH
17 SECTION 903.3.1.1 OR 903.3.1.2 AND WHERE THE HIGHEST
18 FLOOR LEVEL IS NOT MORE THAN 75 FEET ABOVE THE
19 LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS.

20 (60) *SUBSECTION 910.1 GENERAL.*

21 DELETE EXCEPTIONS 1 AND 2.

22 (61) *SUBSECTION 910.2.1 GROUP F-1 OR S-1.*

23 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

24 **910.2.1 GROUPS F-1, M, AND S-1.** BUILDINGS OR PORTIONS OF
25 BUILDINGS USED AS A GROUP F-1, M, OR S-1 OCCUPANCY
26 THAT HAVE MORE THAN 50,000 SQUARE FEET.

27 **EXCEPTION 1:** BUILDINGS WITH A FLOOR TO FINISHED
28 CEILING HEIGHT OF 20 FEET OR LESS ARE EXEMPT FROM
29 SMOKE VENTING REQUIREMENTS.

30 **EXCEPTION 2:** BUILDINGS WITH NO FINISHED CEILING THAT
31 HAVE A HEIGHT OF 20 FEET OR LESS, AT ALL POINTS, FROM

1 THE FLOOR TO THE UNDERSIDE OF THE ROOF DECK ABOVE
2 ARE EXEMPT FROM SMOKE VENTING REQUIREMENTS.

3 (62) *SUBSECTION 910.3.2 VENT OPERATION.*

4 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

5 **910.3.2 VENT OPERATION.** SMOKE AND HEAT VENTS SHALL
6 BE APPROVED, LABELED, AND CAPABLE OF BEING OPERATED
7 BY APPROVED MANUAL MEANS.

8 (63) *SUBSECTION 1406.3 BALCONIES AND SIMILAR PROJECTIONS.*

9 AT THE END OF EXCEPTION NUMBER 3 DELETE “EXTENDED
10 TO THESE AREAS” AND INSERT “PROVIDED IN ACCORDANCE
11 WITH SECTION 903.3.1.2”.

12 (64) *SUBSECTION 1607.9 REDUCTION IN LIVE LOADS.*

13 ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

14 **EXCEPTION:** LIVE LOAD REDUCTION SHALL NOT APPLY TO
15 ROOFS.

16 (65) *SUBSECTION 1607.11.2 REDUCTION IN ROOF LIVE LOADS.*

17 ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

18 **EXCEPTION:** EXCEPT FOR BUILDINGS OF GROUP U, FLAT,
19 PITCHED, OR CURVED ROOFS SHALL BE DESIGNED FOR A
20 MINIMUM LIVE LOAD OF 30 POUNDS PER SQUARE FOOT (PSF)
21 OR FOR THE MINIMUM SNOW LOAD, WHICHEVER IS GREATER.
22 IN BUILDINGS OF GROUP U, ROOFS SHALL BE DESIGNED FOR A
23 MINIMUM LIVE LOAD OF 20 PSF.

24 (66) *SUBSECTION 1802.2 WHERE REQUIRED.*

25 INSERT AT THE END OF THE FIRST SENTENCE “OR WHERE THE
26 BUILDING EXCEEDS 2 STORIES”.

27 (67) *SUBSECTION 1805.2.1 FROST PROTECTION.*

28 DELETE EXCEPTION NUMBER 2 AND SUBSTITUTE “2. AREA OF
29 400 SQUARE FEET OR LESS; AND”.

30 (68) *SUBSECTION 1805.2.1.1 FROST LINE.*

1 ADD NEW SUBSECTION 1805.2.1.1 AFTER SUBSECTION 1805.2.1
2 AS FOLLOWS:

3 **1805.2.1.1 FROST LINE.** THE FROST LINE SHALL BE AT LEAST
4 30 INCHES BELOW FINISHED GRADE.

5 (69) *SUBSECTION 3001.2 REFERENCED STANDARDS.*

6 ADD THE FOLLOWING TO THE END OF THE SUBSECTION:

7 **EXCEPTION:** THE REQUIREMENTS OF THE STATE OF
8 MARYLAND ELEVATOR CODE, ASME A17.1, SAFETY CODE FOR
9 ELEVATORS AND ESCALATORS, AS ADOPTED BY THE
10 MARYLAND DEPARTMENT OF LABOR, LICENSING AND
11 REGULATION, SHALL APPLY TO ELEVATORS AND CONVEYING
12 SYSTEMS.

13 (70) *SUBSECTION 3107.1 GENERAL.*

14 INSERT THE FOLLOWING AT THE END OF THIS SUBSECTION:
15 AND THE REQUIREMENTS OF THE HOWARD COUNTY SIGN
16 CODE IN ACCORDANCE WITH TITLE 3, SUBTITLE 5 OF THE
17 HOWARD COUNTY CODE.

18 (71) *SUBSECTION 3108.6 RADIO AND TELEVISION ANTENNAS.*

19 ADD NEW SUBSECTION 3108.6 AFTER SUBSECTION 3108.5 AS
20 FOLLOWS:

21 **3108.6 RADIO AND TELEVISION ANTENNAS.**

22 **3108.6.1 PERMITS NOT REQUIRED.** BUILDING PERMITS ARE
23 NOT REQUIRED FOR ROOF INSTALLATION OF ANTENNAL
24 STRUCTURES THAT ARE LESS THAN 12 FEET IN HEIGHT
25 ABOVE THE ROOF AND USED FOR PRIVATE RADIO OR
26 TELEVISION RECEPTION. ANTENNAL STRUCTURES SHALL
27 NOT BE ERECTED SO AS TO DAMAGE THE ROOF COVERING.
28 WHEN REMOVED FROM THE ROOF, THE ROOF COVERING
29 SHALL BE REPAIRED TO MAINTAIN WEATHER AND WATER
30 TIGHTNESS. THE INSTALLATION OF ANTENNAL STRUCTURES
31 ON THE ROOF OF A BUILDING SHALL NOT BE NEARER TO THE

1 LOT LINE THAN THE TOTAL HEIGHT OF THE ANTENNAL
2 STRUCTURE ABOVE THE ROOF. ANTENNAL STRUCTURES
3 SHALL NOT BE ERECTED NEAR ELECTRIC POWER LINES AND
4 SHALL NOT ENCROACH UPON ANY STREET OR OTHER PUBLIC
5 SPACE.

6 **3108.6.2 PERMITS REQUIRED.** ROOF-MOUNTED ANTENNAL
7 STRUCTURES MORE THAN 12 FEET IN HEIGHT ABOVE THE
8 ROOF SHALL BE APPROVED. APPLICATIONS SHALL BE
9 ACCOMPANIED BY DETAILED DRAWINGS OF THE STRUCTURE
10 AND METHOD OF ANCHORAGE. ALL CONNECTIONS TO THE
11 ROOF STRUCTURE SHALL BE PROPERLY FLASHED TO
12 MAINTAIN WATER TIGHTNESS. THE DESIGN AND MATERIALS
13 OF CONSTRUCTION SHALL COMPLY WITH THE
14 REQUIREMENTS OF SECTION 3108.3 FOR CHARACTER,
15 QUALITY, AND MINIMUM DIMENSION.

16 **3108.6.3 DISH ANTENNAS.** A DISH ANTENNA IS AN ANTENNA
17 THAT CONSISTS OF A RADIATION ELEMENT THAT TRANSMITS
18 OR RECEIVES RADIATION SIGNALS GENERATED AS
19 ELECTRICAL, LIGHT, OR SOUND ENERGY. A DISH ANTENNA IS
20 SUPPORTED BY A STRUCTURE WITH OR WITHOUT A
21 REFLECTIVE COMPONENT TO THE RADIATING DISH, USUALLY
22 IN A CIRCULAR SHAPE WITH A PARABOLIC CURVE DESIGN
23 CONSTRUCTED OF A SOLID OR OPEN MESH SURFACE.

24 **3108.6.3.1 PERMITS.** THE BUILDING OFFICIAL SHALL APPROVE
25 DISH ANTENNAL STRUCTURES THAT ARE GREATER THAN 3
26 FEET IN DIAMETER AND THAT ARE ERECTED ON THE ROOF OF
27 OR ATTACHED TO BUILDINGS OR STRUCTURES. PERMITS ARE
28 NOT REQUIRED FOR DISH ANTENNAS THAT ARE ~~LESS THAN 3~~
29 3 FEET OR LESS FEET IN DIAMETER AND THAT ARE ERECTED
30 AND MAINTAINED ON THE ROOF OF A BUILDING.

1 **3108.6.3.2 STRUCTURAL PROVISIONS.** DISH ANTENNAS
2 LARGER THAN 3 FEET IN DIAMETER ARE SUBJECT TO THE
3 STRUCTURAL PROVISIONS OF SECTIONS 1608, 1609 AND 3108.4.
4 THE SNOW LOAD PROVISION OF SECTION 1608 SHALL NOT
5 APPLY WHERE THE ANTENNA HAS A HEATER TO MELT
6 FALLING SNOW.

7 (72) *SECTION 3110 FLOODPLAIN.*

8 ADD NEW SECTION 3110 AFTER SECTION 3109 AS FOLLOWS:

9 **SECTION 3110 FLOODPLAIN.**

10 **3110.1 GENERAL.** FOR THE PURPOSE OF THIS SECTION, THE
11 FLOODPLAIN IS DELINEATED IN TITLE 16, SUBTITLE 7 OF THE
12 HOWARD COUNTY CODE.

13 **3110.2 WITHIN DESIGNATED FLOODPLAIN.**

14 THE CONSTRUCTION, RECONSTRUCTION, MODIFICATION,
15 ALTERATION, REPAIR, OR IMPROVEMENT OF BUILDINGS,
16 MOBILE HOMES, OR OTHER STRUCTURES LOCATED WITHIN A
17 DESIGNATED FLOODPLAIN SHALL BE DONE IN ACCORDANCE
18 WITH THE REQUIREMENTS SET FORTH IN THIS SECTION.

19 **3110.2.1 NEW CONSTRUCTION.** NEW RESIDENTIAL OR
20 NONRESIDENTIAL CONSTRUCTION SHALL NOT OCCUR
21 WITHIN A DESIGNATED FLOODPLAIN.

22 **EXCEPTION 1:** EXCEPT FOR MOBILE HOMES, EXISTING
23 NONCONFORMING STRUCTURES LOCATED WITHIN A
24 DESIGNATED FLOODPLAIN WHICH ARE DESTROYED BY FIRE,
25 FLOOD, OR OTHER CALAMITY MAY BE RESTORED TO THE
26 SAME SIZE AND DIMENSION AND IN THE SAME LOCATION ON
27 THE SAME LOT AS THE DESTROYED STRUCTURE, PROVIDED
28 CONSTRUCTION BEGINS WITHIN 12 MONTHS OF THE DATE OF
29 DESTRUCTION. CONSTRUCTION SHALL COMPLY WITH THE
30 ELEVATING AND FLOODPROOFING REQUIREMENTS OF
31 SUBSECTION 3110.4 FOR NEW CONSTRUCTION ADJACENT TO A

1 FLOODPLAIN. VARIANCES TO THE REQUIREMENTS SET
2 FORTH IN SUBSECTION 3110.4 MAY BE GRANTED BY THE
3 BUILDING OFFICIAL IN ACCORDANCE WITH FEMA
4 REGULATIONS, SECTION 60.6(A)(1), (3),(4),(5), AND (6). THE
5 INTENTIONAL DEMOLITION AND RECONSTRUCTION OF ANY
6 NONCONFORMING STRUCTURE IS PROHIBITED BY THIS CODE.

7 **EXCEPTION 2:** TRANSPORTATION NETWORKS, UTILITY
8 INSTALLATIONS, PIERS, OPEN PIER STRUCTURES, AND OPEN
9 DECKS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
10 STREETS, SIDEWALKS, PATHWAYS, AND UTILITY SYSTEMS IN
11 ACCORDANCE WITH THE HOWARD COUNTY DESIGN MANUAL
12 AND ALL OTHER APPLICABLE CODES, ORDINANCES,
13 RESOLUTIONS, AND REGULATIONS.

14 **3110.2.2 ADDITIONS AND ENLARGEMENTS.** EXISTING
15 NONCONFORMING STRUCTURES LOCATED WITHIN A
16 DESIGNATED FLOODPLAIN SHALL NOT BE EXPANDED OR
17 ENLARGED.

18 **3110.2.3 MODIFICATIONS, ALTERATIONS, AND REPAIRS.**
19 MODIFICATIONS, ALTERATIONS, REPAIRS, OR IMPROVEMENTS
20 THAT COSTS LESS THAN 50% OF THE FAIR MARKET VALUE OF
21 THE STRUCTURE MAY BE MADE TO EXISTING
22 NONCONFORMING STRUCTURES LOCATED WITHIN A
23 DESIGNATED FLOODPLAIN WITHOUT FLOODPROOFING OR
24 ELEVATING IF THE OWNER DEMONSTRATES THROUGH A
25 MARYLAND STATE REGISTERED PROFESSIONAL ENGINEER
26 THAT FLOODPROOFING OR ELEVATING IS IMPRACTICAL.

27 **3110.3 SUBSTANTIAL IMPROVEMENTS WITHIN A**
28 **DESIGNATED FLOODPLAIN.** SUBSTANTIAL IMPROVEMENTS
29 WITHIN A DESIGNATED FLOODPLAIN SHALL MEET THE
30 STANDARDS SET FORTH IN THIS SUBSECTION.

1 **3110.3.1. RESIDENTIAL.** THE LOWEST FLOOR, INCLUDING A
2 BASEMENT, OF SUBSTANTIAL IMPROVEMENTS TO EXISTING
3 NONCONFORMING RESIDENTIAL STRUCTURES LOCATED
4 WITHIN A DESIGNATED FLOODPLAIN SHALL BE ELEVATED TO
5 AT LEAST 2 FEET ABOVE THE 100-YEAR FLOOD ELEVATION.

6 **3110.3.2. NONRESIDENTIAL.** THE LOWEST FLOOR, INCLUDING
7 A BASEMENT, OF SUBSTANTIAL IMPROVEMENTS TO EXISTING
8 NONCONFORMING NONRESIDENTIAL STRUCTURES SHALL BE
9 ELEVATED TO AT LEAST 2 FEET ABOVE THE 100-YEAR FLOOD
10 ELEVATION OR SHALL BE DESIGNED SO THAT ANY AREA OF
11 THE BUILDING WHICH IS LOWER THAN 2 FEET ABOVE THE
12 100-YEAR FLOOD ELEVATION, AS DETERMINED OR APPROVED
13 BY THE DEPARTMENT OF PUBLIC WORKS, IS WATERTIGHT
14 WITH WALLS SUBSTANTIALLY IMPERMEABLE TO THE
15 PASSAGE OF WATER AND WITH STRUCTURAL COMPONENTS
16 HAVING THE CAPABILITY OF WITHSTANDING APPLICABLE
17 HYDROSTATIC, HYDRODYNAMIC, IMPACT, SOIL, AND, WHEN
18 APPLICABLE, HURRICANE AND TIDAL WAVE LOADING
19 CONDITIONS. THE WATER TIGHTNESS AND STRUCTURAL
20 CAPABILITIES SHALL BE THOSE DESCRIBED IN
21 FLOODPROOFING REGULATIONS PUBLISHED BY THE OFFICE
22 OF THE CHIEF OF ENGINEERS, U.S. ARMY, WASHINGTON, D.C.,
23 MARCH 1992.

24 **3110.4 CONSTRUCTION ADJACENT TO A DESIGNATED**
25 **FLOODPLAIN.** WHERE BUILDINGS ARE LOCATED ADJACENT
26 TO A DESIGNATED FLOODPLAIN THE FOLLOWING
27 SUBSECTIONS SHALL APPLY:

28 **3110.4.1 RESIDENTIAL.** IN NEW CONSTRUCTION OF
29 RESIDENTIAL BUILDINGS OR ADDITIONS OR SUBSTANTIAL
30 IMPROVEMENTS TO RESIDENTIAL BUILDINGS, ALL FLOORS,
31 INCLUDING THOSE OF BASEMENT AND STORAGE AREAS,

1 SHALL BE ELEVATED AT LEAST 2 FEET ABOVE THE 100-YEAR
2 FLOOD LEVEL.

3 **3110.4.2 NONRESIDENTIAL.** IN NEW CONSTRUCTION OF
4 NONRESIDENTIAL BUILDINGS OR ADDITIONS OR
5 SUBSTANTIAL IMPROVEMENTS TO NONRESIDENTIAL
6 BUILDINGS, EITHER:

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

1 DESCRIBED IN FLOODPROOFING REGULATIONS,
2 PUBLISHED BY THE OFFICE OF THE CHIEF OF
3 ENGINEERS, U.S. ARMY, WASHINGTON, D.C., MARCH
4 1992.

5 **3110.4.3. MODIFICATIONS, ALTERATIONS OR REPAIRS.**

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

12 **3110.5 SUBSTANTIAL IMPROVEMENTS ADJACENT TO A**
13 **DESIGNATED FLOODPLAIN.**

14 **3110.5.1 RESIDENTIAL.** THE LOWEST FLOOR, INCLUDING A
15 BASEMENT, OF SUBSTANTIAL IMPROVEMENTS TO EXISTING
16 NONCONFORMING RESIDENTIAL STRUCTURES LOCATED
17 ADJACENT TO A DESIGNATED FLOODPLAIN SHALL BE
18 ELEVATED TO AT LEAST 2 FEET ABOVE THE 100-YEAR FLOOD
19 ELEVATION.

20 **3110.5.2 NONRESIDENTIAL.** THE LOWEST FLOOR, INCLUDING
21 A BASEMENT, OF SUBSTANTIAL IMPROVEMENTS TO EXISTING
22 NONCONFORMING NONRESIDENTIAL STRUCTURES LOCATED
23 ADJACENT TO A DESIGNATED FLOODPLAIN SHALL BE
24 ELEVATED TO AT LEAST 2 FEET ABOVE THE 100-YEAR FLOOD
25 ELEVATION OR SHALL BE DESIGNED SO THAT ANY AREA OF
26 THE BUILDING WHICH IS LOWER THAN 2 FEET ABOVE THE
27 100-YEAR FLOOD ELEVATION, AS DETERMINED OR APPROVED
28 BY THE DEPARTMENT OF PUBLIC WORKS, IS WATERTIGHT
29 WITH WALLS SUBSTANTIALLY IMPERMEABLE TO THE
30 PASSAGE OF WATER AND WITH STRUCTURAL COMPONENTS
31 HAVING THE CAPABILITY OF WITHSTANDING APPLICABLE

1 HYDROSTATIC, HYDRODYNAMIC IMPACT, SOIL, AND, WHEN
2 APPLICABLE, HURRICANE AND TIDAL WAVE LOADING
3 CONDITIONS. ELECTRICAL, HEATING, VENTILATION,
4 PLUMBING, AIR CONDITIONING EQUIPMENT, AND OTHER
5 SERVICE FACILITIES ASSOCIATED WITH THE BUILDINGS
6 SHALL BE DESIGNED OR LOCATED SO AS TO PREVENT WATER
7 FROM ENTERING OR ACCUMULATING WITHIN THE
8 COMPONENTS DURING CONDITIONS OF FLOODING. THE
9 WATER TIGHTNESS AND STRUCTURAL CAPABILITIES SHALL
10 BE THOSE DESCRIBED IN FLOODPROOFING REGULATIONS
11 PUBLISHED BY THE OFFICE OF THE CHIEF OF ENGINEERS, U.S.
12 ARMY, WASHINGTON, D.C., MARCH 1992.

13 **3110.6 VERIFICATION.** FOR THE PURPOSE OF VERIFYING
14 COMPLIANCE WITH SECTION 3110.4 FOR CONSTRUCTION
15 ADJACENT TO A DESIGNATED FLOODPLAIN, THE FOLLOWING
16 SHALL APPLY:

- 17 (I) WHEN FLOODPROOFING BY MEANS OTHER THAN
18 ELEVATING, A DOCUMENT STATING THAT THE
19 PROPOSED CONSTRUCTION HAS BEEN ADEQUATELY
20 DESIGNED TO WITHSTAND THE LOADING CONDITIONS
21 STATED IN SUBSECTION 3110.4.2(II) SHALL BE CERTIFIED
22 BY A PROFESSIONAL ENGINEER OR ARCHITECT
23 CURRENTLY REGISTERED IN MARYLAND. THIS
24 DOCUMENT SHALL BE REQUIRED PRIOR TO ISSUANCE
25 OF A BUILDING PERMIT.
- 26 (II) WHEN FLOODPROOFING BY ELEVATING IS USED, THE
27 OWNER SHALL AGREE, IN WRITING, TO PROVIDE A
28 FEMA ELEVATION CERTIFICATE FORM #81-31,
29 COMPLETED BY A PROFESSIONAL ENGINEER OR
30 PROFESSIONAL LAND SURVEYOR CURRENTLY
31 REGISTERED IN MARYLAND, CERTIFYING THAT THE AS-

1 BUILT LOWEST FLOOR OF THE STRUCTURE IS
2 ELEVATED AT LEAST 2 FEET ABOVE THE 100-YEAR
3 FLOODPLAIN ELEVATION. THE AGREEMENT SHALL BE
4 MADE PRIOR TO THE ISSUANCE OF THE BUILDING
5 PERMIT AND THE COMPLETED CERTIFICATION SHALL
6 BE SUBMITTED PRIOR TO FOUNDATION APPROVAL BY
7 THE BUILDING OFFICIAL.

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

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

19 **3110.7 DEFINITIONS.**

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

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

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

29 **FLOODPROOFING.** ANY COMBINATION OF ADDITIONS,
30 CHANGES, OR ADJUSTMENTS TO A STRUCTURE WHICH
31 REDUCE OR ELIMINATE FLOOD DAMAGE TO REAL ESTATE OR

1 IMPROVED REAL PROPERTY, WATER AND SANITARY
2 FACILITIES, OR STRUCTURES AND THEIR CONTENTS.

3 **HISTORIC STRUCTURE.** A BUILDING LISTED ON THE
4 NATIONAL REGISTER OF HISTORIC PLACES, A STATE
5 INVENTORY OF HISTORIC PLACES, OR AN INVENTORY OF
6 HISTORIC STRUCTURES ADOPTED BY RESOLUTION OF THE
7 COUNTY COUNCIL.

8 **LOWEST FLOOR.** THE LOWEST FLOOR OR THE LOWEST
9 ENCLOSED AREA, INCLUDING A BASEMENT. LOWEST FLOOR
10 DOES NOT INCLUDE AN UNFINISHED OR FLOOD RESISTANT
11 ENCLOSURE USED SOLELY FOR PARKING VEHICLES,
12 BUILDING ACCESS, OR STORAGE IN AN AREA OTHER THAN A
13 BASEMENT AREA. THE ENCLOSURE SHALL NOT BE BUILT SO
14 AS TO RENDER THE STRUCTURE IN VIOLATION OF THE
15 APPLICABLE NON-ELEVATION DESIGN REQUIREMENTS OF
16 SUBSECTIONS 3110.4 AND 3110.6 OF THIS CODE.

17 **MOBILE HOME.** A TRANSPORTABLE RESIDENTIAL
18 STRUCTURE THAT IS BUILT ON A PERMANENT CHASIS AND
19 DESIGNED FOR USE WITH OR WITHOUT A PERMANENT
20 FOUNDATION WHEN CONNECTED TO THE REQUIRED
21 UTILITIES.

22 **NEW CONSTRUCTION.** A STRUCTURE FOR WHICH THE
23 APPLICATION FOR A BUILDING PERMIT WAS RECEIVED BY
24 THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS
25 ON OR AFTER THE DATE OF ADOPTION OF THIS SUBSECTION,
26 INCLUDING ANY SUBSEQUENT IMPROVEMENTS. THE REPAIR
27 OR REPLACEMENT OF A MOBILE HOME BECAUSE OF
28 SUBSTANTIAL DAMAGE IS CONSIDERED TO BE NEW
29 CONSTRUCTION.

30 **SUBSTANTIAL DAMAGE.** DAMAGE OF ANY ORIGIN
31 SUSTAINED BY A STRUCTURE WHERE THE COST OF

1 RETURNING THE STRUCTURE TO ITS CONDITION PRIOR TO
2 DAMAGE WOULD EQUAL OR EXCEED 50% OF ITS FAIR
3 MARKET VALUE BEFORE THE DAMAGE OCCURRED.

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

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

22 **3110.8 VARIANCES AND WAIVERS.** A VARIANCE OR WAIVER
23 OF THIS SECTION SHALL NOT BE ALLOWED.

24 **3110.9 OTHER AGENCIES.** A PERMIT ISSUED BY THE
25 BUILDING OFFICIAL UNDER THIS SUBTITLE IS NOT VALID
26 UNTIL ALL NECESSARY PERMITS FOR THE DEVELOPMENT
27 ARE OBTAINED. RECEIPT OF FEDERAL OR STATE PERMITS DO
28 NOT EXEMPT A DEVELOPMENT FROM THE PROVISIONS OF
29 THIS SUBTITLE.

1 (73) *SUBSECTION 3306.10 ACCESSIBILITY DURING CONSTRUCTION*
2 *OPERATIONS. ADD NEW SUBSECTION 3306.10 AFTER*
3 *SUBSECTION 3306.9 AS FOLLOWS:*

4 **3306.10 ACCESSIBILITY DURING CONSTRUCTION**

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

15 (74) *SECTION 3313 CONSTRUCTION SITE GRADING.*

16 ADD NEW SECTION 3313 AFTER SECTION 3312 AS FOLLOWS:

17 **SECTION 3313 CONSTRUCTION SITE GRADING.**

18 **3313.1 LOT IMPROVEMENTS.** LOT IMPROVEMENTS SHALL
19 PROVIDE:

- 20 (I) SUITABLE ACCESS FROM AN ABUTTING STREET TO
21 DWELLINGS AND ACCESSORY BUILDINGS SUBJECT TO
22 A PERMIT;
- 23 (II) GRADING WHICH WILL DIVERT WATER AWAY FROM
24 BUILDINGS AND PREVENT STANDING WATER AND SOIL
25 SATURATION DETRIMENTAL TO STRUCTURES OR LOT
26 USE;
- 27 (III) DISPOSAL OF WATER FROM LOTS, EXCEPT AS
28 NECESSARY FOR CONTROLLED IRRIGATION;
- 29 (IV) GRADES FOR SAFE AND CONVENIENT ACCESS TO AND
30 AROUND BUILDINGS OR LOTS FOR USE AND
31 MAINTENANCE; AND

1 (V) GRADES THAT DO NOT ADVERSELY AFFECT ADJOINING
2 LOTS.

3 **3313.2 MINIMUM GRADIENT.** THE MINIMUM GRADIENT FOR
4 CONCRETE OR OTHER IMPERVIOUS SURFACES SHALL BE 1/16
5 INCH PER FOOT (1/2%). THE MINIMUM GRADIENT FOR
6 PERVIOUS SURFACES SHALL BE 1/4 INCH PER FOOT (2%).

7 **3313.3 MAXIMUM GRADIENT.** EXCEPT WHERE RESTRICTED
8 BY PROPERTY LINES, THE MAXIMUM GRADIENT SHALL BE 2-
9 1/2 INCHES (21%) FOR A MINIMUM OF 4 FEET AWAY FROM
10 BUILDING WALLS. SLOPES NOT EXCEEDING 30 INCHES SHALL
11 BE 1-1/2 TO 1. SLOPES EXCEEDING 30 INCHES SHALL BE 2 TO 1.
12 THE TOP AND BOTTOM OF BANKS AT THE SWALES SHALL BE
13 ROUNDED FOR CONVENIENT MAINTENANCE.

14 **3313.4 FINISH GRADING.** FOR AREAS WHERE THE
15 INSTALLATION OF LAWN OR PLANTING IS REQUIRED, THE
16 SURFACE LAYER OF THE SOIL SHALL BE WORKABLE, FREE OF
17 DEBRIS, AND LOT FINISHED GRADED TO COMPLY WITH
18 GRADING DESIGN. FINISH GRADING SHALL BE DONE WHEN
19 THE GROUND IS FROST-FREE AND THE WEATHER IS
20 FAVORABLE. LAWN COVERS SHALL BE PROVIDED TO
21 PREVENT THE EROSION OF SWALES AND SLOPES.

22 (75) *SECTION 3314 BURIAL OF CONSTRUCTION DEBRIS.*

23 ADD NEW SECTION 3314 AFTER SECTION 3313 AS FOLLOWS:

24 **SECTION 3314 BURIAL OF CONSTRUCTION DEBRIS.**

25 **3314.1 WHEN PROHIBITED OR PERMITTED.** THE BURIAL OF
26 DEBRIS ON RESIDENTIAL LOTS EQUAL TO OR LESS THAN
27 HALF AN ACRE IS PROHIBITED. BURIAL OF ORGANIC OR
28 INORGANIC DEBRIS ON RESIDENTIAL LOTS GREATER THAN
29 HALF AN ACRE MAY BE PERMITTED BY THE BUILDING
30 OFFICIAL PROVIDED THAT THE DEBRIS IS GENERATED ON-
31 SITE. BURIAL SHALL NOT BE LOCATED IN PROPOSED

1 DRIVEWAYS OR PARKING AREAS AND SHALL NOT BE
2 LOCATED CLOSER THAN 50 FEET FROM EXISTING OR
3 PROPOSED BUILDINGS.

4 (76) *SUBSECTION 3401.1 SCOPE.*

5 ADD THE FOLLOWING EXCEPTION TO SUBSECTION 3401.1:
6 **EXCEPTION:** THE MARYLAND BUILDING REHABILITATION
7 CODE, CODIFIED AT TITLE 12, SUBTITLE 10 OF THE PUBLIC
8 SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND
9 SHALL GOVERN THE REHABILITATION OF EXISTING
10 BUILDINGS IN HOWARD COUNTY.

11
12 **SECTION 3.102. AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL**
13 **CODE, 2006 EDITION.**

14 (A) *IN GENERAL.*

15 (1) AS USED IN THIS SECTION, THE TERM "THIS CODE" MEANS
16 THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND
17 TWO-FAMILY DWELLINGS, 2006 EDITION.

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

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

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

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

29 (1) *SUBSECTION R101.2 SCOPE.*

30 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
3 SUBDIVISION REGULATIONS, A PERMIT SHALL NOT BE ISSUED
4 UNTIL THE PERMIT IS IN ACCORDANCE WITH THE APPROVED
5 SITE DEVELOPMENT PLAN.

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

10 **R101.2.3 SWIMMING POOLS AND BARRIER REQUIREMENTS.**
11 THE REQUIREMENTS OF APPENDIX G SHALL APPLY FOR THE
12 DESIGN AND INSTALLATION OF SWIMMING POOLS AND
13 BARRIERS.

14 **EXCEPTION: ALTERNATIVE DEVICES.** NATURAL BARRIERS,
15 POOL COVERS, OR OTHER PROTECTIVE DEVICES APPROVED
16 BY THE BUILDING OFFICIAL SHALL BE AN ACCEPTABLE
17 ENCLOSURE IF THE DEGREE OF PROTECTION AFFORDED BY
18 THE SUBSTITUTED DEVICE OR STRUCTURE IS GREATER THAN
19 THE PROTECTION AFFORDED BY THE ENCLOSURES, GATES,
20 AND LATCHES DESCRIBED HEREIN.

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

22 ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

23 **R102.2.1 RESIDENTIAL SPRINKLER.** RESIDENTIAL SPRINKLER
24 SYSTEMS INSTALLED IN ACCORDANCE WITH SECTION
25 903.3.1.3, INTERNATIONAL BUILDING CODE, 2006 EDITION, ARE
26 ALLOWED FOR TOWNHOUSE SPRINKLER SYSTEMS REQUIRED
27 BY THE FIRE LAWS CONTAINED IN THE PUBLIC SAFETY
28 ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

29 **R102.2.2 INDUSTRIALIZED (MODULAR) CONSTRUCTION.**
30 THE CONSTRUCTION STANDARDS OF THE INDUSTRIALIZED
31 BUILDING AND MANUFACTURED HOMES ACT, CODIFIED AT

1 TITLE 12, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE OF THE
2 ANNOTATED CODE OF MARYLAND SHALL APPLY TO AN
3 INDUSTRIALIZED BUILDING.

4 **EXCEPTION:** THE HOWARD COUNTY FIRE PREVENTION CODE,
5 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS,
6 ZONING REGULATIONS, AND SEDIMENT AND EROSION
7 CONTROL REGULATIONS APPLY TO THE CONSTRUCTION OF
8 INDUSTRIAL (MODULAR) BUILDINGS. THE REQUIREMENTS OF
9 THIS CODE SHALL APPLY TO THE FOUNDATION AND SITE
10 WORK ASSOCIATED WITH THE INSTALLATION OF
11 INDUSTRIALIZED (MODULAR) BUILDINGS.

12 **R102.2.3 MANUFACTURED HOUSING.** THE CONSTRUCTION
13 STANDARDS OF THE FEDERAL MOBILE HOME ACT AND THE
14 INDUSTRIALIZED BUILDING AND MANUFACTURED HOMES
15 ACT, CODIFIED AT TITLE 12, SUBTITLE 3 OF THE PUBLIC
16 SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND
17 SHALL APPLY.

18 **EXCEPTION:** THE HOWARD COUNTY FIRE PREVENTION CODE,
19 SUBDIVISION AND LAND DEVELOPMENT REGULATIONS,
20 ZONING REGULATIONS, AND SEDIMENT AND EROSION
21 CONTROL REGULATIONS APPLY TO THE CONSTRUCTION OF
22 MANUFACTURED HOMES. THE REQUIREMENTS OF APPENDIX
23 E, FOR DESIGN AND INSTALLATION OF FOOTINGS,
24 FOUNDATIONS, SKIRTING AND PERIMETER ENCLOSURES,
25 EXITS, PIERS, AND GROUND ANCHORS SHALL APPLY FOR THE
26 SITING OF MANUFACTURED HOMES.

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

28 ADD THE FOLLOWING TO THE END OF THIS SUBSECTION:

29 **R102.4.1** WHENEVER IN THIS CODE THE TERM “*ICC ELECTRICAL*
30 *CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY

1 ELECTRICAL CODE ADOPTED PURSUANT TO TITLE 3,
2 SUBTITLE 2 OF THE HOWARD COUNTY CODE.

3 **R102.4.2** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
4 *PLUMBING CODE*” IS USED, IT SHALL MEAN THE HOWARD
5 COUNTY PLUMBING AND GASFITTING CODE ADOPTED
6 PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY
7 CODE.

8 **R102.4.3** WHENEVER IN THIS CODE THE TERM
9 “*INTERNATIONAL FIRE CODE*” IS USED, IT SHALL MEAN THE
10 HOWARD COUNTY FIRE PREVENTION CODE ADOPTED
11 PURSUANT TO TITLE 17, SUBTITLE 1 OF THE HOWARD COUNTY
12 CODE.

13 **R102.4.4** WHENEVER IN THIS CODE THE TERM
14 “*INTERNATIONAL FUEL GAS CODE*” IS USED, IT SHALL MEAN
15 THE HOWARD COUNTY PLUMBING AND GASFITTING CODE
16 ADOPTED PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD
17 COUNTY CODE.

18 **R102.4.5** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
19 *PRIVATE SEWAGE DISPOSAL CODE*” IS USED, IT SHALL MEAN
20 THE HOWARD COUNTY WATER AND SEWER CODE ADOPTED
21 PURSUANT TO TITLE 18, SUBTITLE 1 OF THE HOWARD COUNTY
22 CODE.

23 **R102.4.6** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
24 *PROPERTY MAINTENANCE CODE*” IS USED, IT SHALL MEAN THE
25 HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR
26 RENTAL HOUSING ADOPTED PURSUANT TO TITLE 3, SUBTITLE
27 7 OF THE HOWARD COUNTY CODE.

28 **R102.4.7** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
29 *MECHANICAL CODE*” IS USED, IT SHALL MEAN THE
30 MECHANICAL CODE OF HOWARD COUNTY ADOPTED
31 PURSUANT TO SECTION 3.103 OF THIS SUBTITLE.

1 **R102.4.8** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
2 *BUILDING CODE*” IS USED, IT SHALL MEAN THE HOWARD
3 COUNTY BUILDING CODE ADOPTED PURSUANT TO THIS
4 SUBTITLE.

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

6 IN THIS SUBSECTION DELETE “*INTERNATIONAL PROPERTY*
7 *MAINTENANCE CODE* OR THE *INTERNATIONAL FIRE CODE*” AND
8 SUBSTITUTE “HOWARD COUNTY PROPERTY MAINTENANCE
9 CODE FOR RENTAL HOUSING, HOWARD COUNTY FIRE
10 PREVENTION CODE, AND THE MARYLAND BUILDING
11 REHABILITATION CODE”.

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

13 INSERT AT THE BEGINNING OF THE FIRST SENTENCE OF THIS
14 SUBSECTION “UNLESS EXCEPTED BY THE MARYLAND
15 BUILDING REHABILITATION CODE,”.

16 (6) *SECTIONS R103 THROUGH R114.*

17 DELETE THESE SECTIONS INCLUSIVE AND IN THEIR ENTIRETY
18 AND SUBSTITUTE THE FOLLOWING:

19 **R103 ADMINISTRATION.** SECTIONS 103 THROUGH 117 OF THE
20 INTERNATIONAL BUILDING CODE, 2006 EDITION, AS ADOPTED
21 AND AMENDED IN THIS SUBTITLE, SHALL GOVERN THE
22 ADMINISTRATION AND ENFORCEMENT OF THIS CODE.

23 (7) *SUBSECTION R301.2.4 FLOODPLAIN CONSTRUCTION.*

24 IN THE EXCEPTION TO THIS SUBSECTION, DELETE
25 “*INTERNATIONAL BUILDING CODE*” AND SUBSTITUTE “SECTION
26 3110, FLOODPLAIN, OF THE HOWARD COUNTY BUILDING
27 CODE”.

28 (8) *SUBSECTION R308.4 HAZARDOUS LOCATIONS.*

29 AT THE END OF THE LAST SENTENCE OF EXCEPTION NUMBER
30 5, INSERT THE FOLLOWING: “OR SAFETY GLAZE FILM IN
31 ACCORDANCE WITH ASTM”.

- 1 (9) *SUBSECTION R310.1 EMERGENCY ESCAPE AND RESCUE*
2 *REQUIRED.*
3 ADD AN EXCEPTION TO THIS SUBSECTION AS FOLLOWS:
4 **EXCEPTION:** RESIDENCES WITH NFPA 13D SPRINKLER
5 SYSTEMS SHALL MEET THE REQUIREMENTS OF THIS SECTION
6 AND DO NOT NEED ADDITIONAL BEDROOM OR BASEMENT
7 EGRESS.
- 8 (10) *SUBSECTION R311.4.3 LANDINGS AT DOORS.*
9 IN THE SECOND EXCEPTION, DELETE “7 ¾ INCHES (196 MM)”
10 AND SUBSTITUTE “8 1/4 INCHES”.
- 11 (11) *SUBSECTION R311.5.1 WIDTH.*
12 ADD AN EXCEPTION TO THIS SUBSECTION AS FOLLOWS:
13 **EXCEPTION:** SECONDARY OR AUXILIARY STAIRWAYS SHALL
14 NOT BE LESS THAN 28 INCHES WIDE.
- 15 (12) *SUBSECTION R311.5.3.1 RISER HEIGHT.*
16 IN THE FIRST LINE OF THIS SUBSECTION DELETE “7 ¾ INCHES
17 (196 MM)” AND SUBSTITUTE “8 1/4 INCHES”.
- 18 (13) *SUBSECTION R311.5.3.2 TREAD DEPTH.*
19 IN THE FIRST SENTENCE DELETE “10 INCHES (254 MM)” AND
20 SUBSTITUTE “9 INCHES.”
- 21 (14) *SUBSECTION R311.5.6.2 CONTINUITY.*
22 ADD EXCEPTION NUMBER 3 AS FOLLOWS:
23 3. WHERE WALLS ARE NON-CONTINUOUS, ALTERNATIVE
24 NON-CONTINUOUS HANDRAILS MAY BE ACCEPTED SUBJECT
25 TO THE APPROVAL OF THE BUILDING OFFICIAL.
- 26 (15) *SUBSECTION R311.5.6.3 HANDRAIL GRIP SIZE.*
27 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:
28 **R311.5.6.3 HANDRAIL GRIP SIZE.** ALL REQUIRED HANDRAILS
29 SHALL BE ABLE TO BE GRASPED. THE TOP CROSS SECTION
30 SHALL RANGE FROM A MINIMUM OF 1 ¼ INCHES TO A
31 MAXIMUM OF 3 ¼ INCHES.

- 1 (16) *SUBSECTION R312.1 GUARDS.*
2 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:
3 **R312.1 GUARDS.** RAMPS LOCATED MORE THAN 30 INCHES (762
4 MM) ABOVE THE FLOOR OR GRADE SHALL HAVE GUARDS
5 NOT LESS THAN 36 INCHES (914 MM) IN HEIGHT.
6 DECKS, PORCHES, SCREENED PORCHES, AND BALCONIES OR
7 RAISED FLOOR SURFACES SHALL HAVE GUARDS AS
8 FOLLOWS:
- 9 (A) WHEN THE ELEVATION DIFFERENCE BETWEEN
10 FLOOR OR GRADE LEVELS IS 48 INCHES OR
11 GREATER, A GUARD RAIL AT LEAST 36 INCHES
12 HIGH SHALL BE AFFIXED TO THE STRUCTURE.
 - 13 (B) WHEN THE ELEVATION DIFFERENCE BETWEEN
14 FLOOR OR GRADE LEVELS IS GREATER THAN 30
15 INCHES AND LESS THAN 48 INCHES, A GUARD
16 RAIL AT LEAST 36 INCHES HIGH SHALL BE
17 ERECTED OR A FIXED BARRICADE SUCH AS
18 PLANTERS, SEATS OR BENCHES SHALL BE
19 PLACED AROUND THE PERIMETER.
 - 20 (C) WHEN THE ELEVATION DIFFERENCE BETWEEN
21 FLOOR OR GRADE LEVELS IS 30 INCHES OR LESS
22 GUARDS ARE NOT REQUIRED.
- 23 (17) *SUBSECTION R317.2.2 PARAPETS.*
24 AMEND THE EXCEPTION IN NUMBER 2 OF THIS SUBSECTION
25 BY INSERTING THE FOLLOWING AFTER THE WORD "ABOVE"
26 IN THE FIRST SENTENCE: "WHEN TOWNHOUSES ARE
27 PROVIDED WITH SPRINKLER SYSTEMS INSTALLED IN
28 ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE,
29 SECTION 903.3.1.3 OR".
- 30 (18) *SUBSECTION R317.4 SOUND TRANSMISSION.*

1 ADD NEW SUBSECTION R317.4 AFTER SUBSECTION R317.3 AS
2 FOLLOWS:

3 **R317.4 SOUND TRANSMISSION.** SOUND TRANSMISSION
4 REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE,
5 SECTION 1207, SHALL APPLY.

6 (19) *SUBSECTION R322.1 SCOPE.*

7 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

8 **R322.1 SCOPE.** ACCESSIBLE DWELLING UNITS SHALL COMPLY
9 WITH THE PROVISIONS OF THE MARYLAND ACCESSIBILITY
10 CODE.

11 (20) *SUBSECTION R324.1 GENERAL.*

12 IN THE EXCEPTION TO THIS SUBSECTION, DELETE
13 “INTERNATIONAL BUILDING CODE” AND SUBSTITUTE
14 “SECTION 3110, FLOODPLAIN, OF THE HOWARD COUNTY
15 BUILDING CODE”.

16 (21) *SECTION R325 RADON CONTROL.*

17 ADD NEW SECTION R325 AFTER SECTION R324 AS FOLLOWS:

18 **SECTION R325 RADON CONTROL.**

19 **R325.1 RADON CONTROL.** RADON CONTROL METHODS SET
20 FORTH IN APPENDIX F, SHALL APPLY TO THE CONSTRUCTION
21 OF NEW RESIDENTIAL BUILDINGS.

22 (22) *SECTION R326 OPTION IN RESIDENTIAL DWELLINGS.*

23 INSERT NEW SECTION R326 AFTER R325 AS FOLLOWS:

24 **R 326 OPTION TO INSTALL RESIDENTIAL AUTOMATIC
25 SPRINKLER SYSTEMS.**

26 **R326.1 OPTION TO BUYER.** A SELLER OF A NEW SINGLE
27 FAMILY DWELLING SHALL OFFER THE INITIAL BUYER AN
28 OPTION TO INSTALL A RESIDENTIAL AUTOMATIC SPRINKLER
29 SYSTEM. AT THE TIME OF SIGNATURE OF THE REAL ESTATE
30 SALES CONTRACT THE BUYER SHALL ACKNOWLEDGE
31 RECEIPT OF THE DISCLOSURE INFORMATION REQUIRED IN

1 SUBSECTION R326.2 OF THIS SECTION AND SHALL INDICATE
2 WHETHER THE BUYER INTENDS TO EXERCISE THE OPTION TO
3 INSTALL A RESIDENTIAL AUTOMATIC SPRINKLER SYSTEM TO
4 IMPROVE THE LIFE SAFETY OF THE OCCUPANT AND TO
5 REDUCE PROPERTY DAMAGE FROM FIRE.

6 **R326.2 DISCLOSURE OF INFORMATION.** AT THE TIME OF
7 SIGNATURE OF A REAL ESTATE SALES CONTRACT, A SELLER
8 SHALL GIVE THE INITIAL BUYER INFORMATION REGARDING A
9 RESIDENTIAL AUTOMATIC SPRINKLER SYSTEM ON A FORM
10 PROVIDED BY THE DEPARTMENT OF FIRE AND RESCUE
11 SERVICES. A SELLER SHALL DISCLOSE THE ESTIMATED COST
12 OF INSTALLING A RESIDENTIAL AUTOMATIC SPRINKLER
13 SYSTEM TO A BUYER.

14 **R326.3 NOTICE.** AFTER SIGNATURE OF A REAL ESTATE SALES
15 CONTRACT AND PRIOR TO THE ISSUANCE OF A PERMIT FOR
16 THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING, A
17 SELLER SHALL NOTIFY THE DEPARTMENT OF INSPECTIONS,
18 LICENSES AND PERMITS, WITH A COPY TO THE DEPARTMENT
19 OF FIRE AND RESCUE SERVICES, THAT THE SELLER COMPLIED
20 WITH THE REQUIREMENTS OF SUBSECTIONS 326.1 AND 326.2
21 OF THIS SECTION. THE NOTIFICATION SHALL BE ON A FORM
22 PROVIDED BY THE DEPARTMENT OF FIRE AND RESCUE
23 SERVICES.

24 **R326.4 PENALTY FOR FAILURE TO PROVIDE OPTION AND**
25 **NOTICE.** FAILURE TO OFFER THE BUYER THE OPTION TO
26 INSTALL AN AUTOMATIC SPRINKLER SYSTEM, OR FAILURE TO
27 PROVIDE THE REQUIRED NOTIFICATION TO THE DEPARTMENT
28 OF INSPECTIONS, LICENSES AND PERMITS IS CAUSE TO
29 WITHHOLD THE ISSUANCE OF THE BUILDING PERMIT FOR THE
30 DWELLING.

31 **R326.5 APPLICABILITY.** THIS SECTION SHALL NOT APPLY TO:

- 1 (I) NEW HOMES CONSTRUCTED ON LOTS WHERE THE
2 WATER AND SEWER CONSTRUCTION PLANS RECEIVED
3 FINAL APPROVAL PRIOR TO JANUARY 1, 2005, IF THE
4 HOUSE CONNECTION OR WATER PRESSURE WILL NOT
5 SUPPORT A RESIDENTIAL SPRINKLER SYSTEM; OR
6 (II) NEW HOMES FOR WHICH THE CONTRACT OF SALE WAS
7 SIGNED PRIOR TO JANUARY 1, 2005.

8 **R326.6 SELLER ACKNOWLEDGEMENT.** THE SELLER IS
9 DEEMED TO BE THE BUYER, MAY EXERCISE THE OPTION
10 REQUIRED IN SUBSECTION 326.1, AND SIGN THE DISCLOSURE
11 FORM REQUIRED IN SUBSECTION 326.2 ONLY IF:

- 12 (I) THERE IS NO SIGNED CONTRACT OF SALE AT THE TIME
13 THE SELLER IS ISSUED A PERMIT FOR THE
14 CONSTRUCTION OF THE SINGLE FAMILY DWELLING; OR
15 (II) THERE IS NO BUYER AT THE TIME THE SELLER IS
16 ISSUED A PERMIT FOR THE CONSTRUCTION OF THE
17 SINGLE FAMILY DWELLING.

18 (23) *SUBSECTION R403.1.4.1 FROST PROTECTION.*

19 DELETE EXCEPTION NUMBERS 1 AND 3.

20 (24) *R403.1.6 FOUNDATION ANCHORAGE.*

21 INSERT AT THE END OF THE FIRST SENTENCE “OR ANCHOR
22 STRAPS AT 3 FEET ON CENTER OR IN ACCORDANCE WITH
23 MANUFACTURER’S LISTINGS”.

24 (25) *SUBSECTION R404.1 CONCRETE AND MASONRY FOUNDATION
25 WALLS.*

26 DELETE THE ENTIRE SECOND PARAGRAPH STARTING WITH
27 “FOUNDATION WALLS” INCLUDING THE FIVE REQUIREMENTS.

28 (26) *SUBSECTION R404.1.1 MASONRY FOUNDATION WALLS.*

29 IN THE FIRST SENTENCE, DELETE “THE PROVISIONS OF
30 SECTION R404 AND”.

31 (27) *SUBSECTION R404.1.2 CONCRETE FOUNDATION WALLS.*

1 IN THE FIRST SENTENCE, DELETE “AND SHALL ALSO COMPLY
2 WITH THE PROVISIONS OF SECTION R404”.

3 (28) *TABLE R404.1.1 (5) CONCRETE FOUNDATION WALLS.*

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

7 (I) IN THE SUB-COLUMN TITLED “MINIMUM WALL
8 THICKNESS 7.5 (INCHES)”:

9 A. FOR MAXIMUM WALL HEIGHT OF 8 FEET AND
10 MAXIMUM UNBALANCED BACKFILL HEIGHT OF 7
11 FEET CHANGE THE MINIMUM VERTICAL
12 REINFORCEMENT SIZE AND SPACING, MINIMUM
13 WALL THICKNESS TO PC; AND

14 B. FOR MAXIMUM WALL HEIGHT OF 9 FEET AND
15 MAXIMUM UNBALANCED BACKFILL HEIGHT OF 7
16 FEET CHANGE THE MINIMUM VERTICAL
17 REINFORCEMENT SIZE AND SPACING, MINIMUM
18 WALL THICKNESS TO PC; AND

19 (II) IN THE SUB-COLUMN TITLED “MINIMAL WALL
20 THICKNESS 9.5 (INCHES)” FOR A MAXIMUM WALL
21 HEIGHT OF 9 FEET AND A MAXIMUM UNBALANCED
22 BACKFILL HEIGHT OF 8 FEET CHANGE THE MINIMUM
23 VERTICAL REINFORCEMENT SIZE AND SPACING
24 MINIMUM WALL THICKNESS PC.

25 (29) *SUBSECTION R405.1 CONCRETE OR MASONRY FOUNDATIONS.*

26 DELETE THE EXCEPTION TO THIS SUBSECTION AND ADD NEW
27 SUBSECTION R405.1.1 AFTER SUBSECTION 405.1 AS FOLLOWS:
28 **R405.1.1 FOUNDATION DRAINS.** SUBSOIL DRAINS HAVING A
29 MINIMUM 3 INCH DIAMETER OR OTHER APPROVED DRAINS OF
30 EQUIVALENT CROSS SECTIONAL AREA SHALL BE PROVIDED
31 AROUND FOUNDATIONS ENCLOSING USABLE SPACES

1 LOCATED BELOW GRADE. DRAINS SHALL BE INSTALLED ON
2 THE EXTERIOR OF THE FOUNDATION OR ON THE INTERIOR OF
3 THE FOUNDATION WITH PIPES OF AT LEAST A 2 INCH
4 DIAMETER LEADING TO THE EXTERIOR EVERY 4 FEET
5 AROUND THE PERIMETER OF THE FOUNDATION. IN EACH
6 CASE, THE TOP OF THE DRAIN SHALL BE BELOW THE BOTTOM
7 OF SLAB. DRAINS FOR POURED CONCRETE FOUNDATION MAY
8 BE PLACED ON TOP OF THE FOOTING. SUBSOIL DRAINS SHALL
9 BE COVERED WITH A MINIMUM OF A 4 INCH DEPTH OF
10 GRAVEL OR WASHED STONE AND BUILDING PAPER, FILTER
11 CLOTH, OR OTHER APPROVED MATERIAL. THE END OF A
12 SUBSOIL DRAIN SHALL DISCHARGE BY GRAVITY OR BY
13 MECHANICAL MEANS TO AN APPROVED DRAINAGE OUTFALL.

14 (30) *SUBSECTION R602.10.3 BRACED WALL PANEL CONSTRUCTION*
15 *METHODS.*

16 AFTER THE FIRST SENTENCE WHICH ENDS WITH THE WORD
17 “METHODS”, ADD A NEW PARAGRAPH AS FOLLOWS:
18 METHOD NUMBER 3 IS THE PREFERRED METHOD OF
19 SHEATHING. IF A METHOD OTHER THAN METHOD NUMBER 3
20 IS USED, THEN DETAILED SITE-SPECIFIC PLANS SHOWING THE
21 SPECIFIC LOCATION, LENGTH, AND NAILING METHODS OF
22 PANELS AND WHETHER ANY SPECIALIZED
23 EQUIPMENT/HARDWARE, ETC. WILL BE REQUIRED. SUCH
24 DETAILED PLANS SHALL ALWAYS BE REQUIRED, EVEN IF
25 UTILIZING METHOD NUMBER 3, FOR WALLS WITH LARGE-
26 OPENINGS (E.G. SUNROOM/MORNING ROOMS AND GARAGE
27 OPENINGS). IN ADDITION, ALL PROJECTS WITH SITE-SPECIFIC
28 DETAILED PLANS (I.E. ALL PROJECTS NOT BRACED IN
29 ACCORDANCE WITH METHOD NUMBER 3 AND THE PORTION
30 OF LARGE-OPENING WALL SECTIONS MENTIONED ABOVE)
31 WILL REQUIRE INSPECTION PRIOR TO THE INSTALLATION OF

1 EXTERIOR WALL WEATHERPROOFING (E.G. HOUSE WRAPS,
2 SIDING, ETC).

3 (31) *SUBSECTION R903.4.2 GUTTERS AND LEADERS.*

4 ADD NEW SUBSECTION R903.4.2 AFTER SUBSECTION R903.4.1
5 AS FOLLOWS:

6 **R903.4.2 GUTTERS AND LEADERS.** GUTTERS AND LEADERS
7 SHALL BE PROVIDED IN USE GROUPS R-3 AND R-4 (SINGLE
8 FAMILY DETACHED DWELLINGS). DESIGN AND INSTALLATION
9 SHALL BE IN ACCORDANCE WITH THE SECTIONS OF THE
10 HOWARD COUNTY PLUMBING AND GASFITTING CODE
11 DEALING WITH ROOF DRAINS AND THE SIZE OF LEADERS AND
12 STORM DRAINS.

13 (32) *SUBSECTION M1401.1.1 HVAC PERMIT REQUIRED.*

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

16 **M1401.1.1 HVAC PERMIT REQUIRED.** A HVAC PERMIT IS
17 REQUIRED FOR EVERY SYSTEM INSTALLED IN A NEW SINGLE
18 FAMILY DWELLING OR NEW SINGLE FAMILY ADDITION.

19 (33) *SUBSECTION M1401.3.1 PLANS AND INFORMATION REQUIRED.*

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

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

26 (I) AN INFORMATION BLOCK WITH THE:

27 A. SPECIFIC BUILDING ADDRESS (NOT LOT
28 NUMBER);

29 B. NAME OF THE COMPANY OR PERSON DOING
30 WORK;

31 C. NAME OF THE LICENSEE AND THEIR SIGNATURE;

- 1 D. STATE LICENSE REGISTRATION NUMBER;
- 2 E. SCALE USED; AND
- 3 F. NORTH ARROW;
- 4 (II) ROOMS, WINDOWS, EXTERIOR DOORS, OR OTHER
- 5 RELEVANT CONSTRUCTION FEATURES INCLUDING, BUT
- 6 NOT LIMITED TO, SKYLIGHTS, PORCHES, ATTIC ACCESS
- 7 TO EQUIPMENT THAT MAY AFFECT THE INTEGRITY OF
- 8 THE HVAC SYSTEM AND ITS INSTALLATION; AND
- 9 (III) A LINE DRAWING OF HVACR SYSTEM COMPONENTS
- 10 SUPERIMPOSED ON THE PLAN SHOWING THE
- 11 LOCATION, DIMENSION, AND RELEVANT ELEMENTS,
- 12 INCLUDING, BUT NOT LIMITED TO:
- 13 A. INTERIOR OR EXTERIOR HVACR EQUIPMENT;
- 14 B. DUCT TRUCK LINES AND TRANSITIONS;
- 15 C. BRANCH DUCTS/RUN-OUTS, DAMPERS AND
- 16 REGISTERS WITH CFM RATINGS;
- 17 D. THERMOSTATS;
- 18 E. RETURN DUCTS AND GRILLS; AND
- 19 F. DUCT INSULATION; AND
- 20 (IV) A SUMMARY OF MANUAL J CALCULATIONS FOR THE
- 21 PROPOSED WORK.

22 (34) *CHAPTERS 24 THROUGH 42.*
23 DELETE THESE CHAPTERS INCLUSIVE AND IN THEIR
24 ENTIRETY.

25
26 **SECTION 3.103. AMENDMENTS TO THE INTERNATIONAL MECHANICAL**
27 **CODE, 2006 EDITION.**

28 (A) *IN GENERAL.*

29 (1) AS USED IN THIS SECTION, THE TERM “THIS CODE” MEANS
30 THE INTERNATIONAL MECHANICAL CODE, 2006 EDITION.

- 1 (2) AS USED IN THIS CODE, THE TERM "BUILDING OFFICIAL"
2 MEANS THE DIRECTOR OF THE DEPARTMENT OF
3 INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR'S
4 AUTHORIZED DESIGNEE.
- 5 (3) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED
6 IN ANY SECTION OF THIS CODE, INSERT "HOWARD COUNTY".
- 7 (4) AS USED IN THIS CODE, THE TERM "DEPARTMENT OF
8 MECHANICAL INSPECTION" MEANS THE DEPARTMENT OF
9 INSPECTIONS, LICENSES AND PERMITS.
- 10 (B) *LOCAL ADMENDMENTS.* THE FOLLOWING AMENDMENTS MODIFY
11 CERTAIN PROVISIONS OF THE ADOPTED CODE:
- 12 (1) *SUBSECTION 101.2 SCOPE.*
13 ADD A SECOND EXCEPTION TO THIS SUBSECTION AS
14 FOLLOWS:
15 EXCEPTION: EXISTING BUILDINGS UNDERGOING REPAIR,
16 ALTERATION, ADDITION, OR CHANGE OF OCCUPANCY MAY
17 COMPLY WITH THE MARYLAND REHABILITATION CODE.
- 18 (2) *SECTION 103 THROUGH SECTION 109.*
19 DELETE SECTIONS 103 THROUGH 109, INCLUSIVE AND IN
20 THEIR ENTIRETY, AND ADD NEW SUBSECTION 101.5 AFTER
21 SUBSECTION 101.4 AS FOLLOWS:
22 **101.5 ADMINISTRATION.** SECTIONS 103 THROUGH 117 OF THE
23 INTERNATIONAL BUILDING CODE, 2006 EDITION, ADOPTED IN
24 THIS SUBTITLE, SHALL GOVERN THE ADMINISTRATION AND
25 ENFORCEMENT OF THIS CODE.
- 26 (3) *SUBSECTION 101.6 REFERENCED CODES.*
27 ADD NEW SUBSECTION 101.6 AFTER SUBSECTION 101.5 AS
28 FOLLOWS:
29 **101.6 REFERENCED CODES.** THE CODES LISTED IN THIS
30 SECTION AND REFERENCED ELSEWHERE IN THIS CODE SHALL

1 BE CONSIDERED PART OF THE REQUIREMENTS OF THIS CODE
2 TO THE PRESCRIBED EXTENT OF EACH SUCH REFERENCE.

3 **101.6.1** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
4 *BUILDING CODE*” IS USED, IT SHALL MEAN THE HOWARD
5 COUNTY BUILDING CODE ADOPTED PURSUANT TO THIS
6 SUBTITLE.

7 **101.6.2** WHENEVER IN THIS CODE THE TERM “*ICC ELECTRICAL*
8 *CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY
9 ELECTRICAL CODE ADOPTED PURSUANT TO TITLE 3,
10 SUBTITLE 2 OF THE HOWARD COUNTY CODE.

11 **101.6.3** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
12 *PLUMBING CODE*” IS USED, IT SHALL MEAN THE HOWARD
13 COUNTY PLUMBING AND GASFITTING CODE ADOPTED
14 PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY
15 CODE.

16 **101.6.4** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
17 *FIRE CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY
18 FIRE PREVENTION CODE ADOPTED PURSUANT TO TITLE 17,
19 SUBTITLE 1 OF THE HOWARD COUNTY CODE.

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

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

29 (4) *SUBSECTION 102.1 GENERAL.*

30 ADD AN EXCEPTION TO SUBSECTION 102.1 AS FOLLOWS:

1 **EXCEPTION:** ALTERNATIVE FEATURES WHICH ARE
2 ACCEPTED BY THE CODE OFFICIAL SHALL BE CONSIDERED IN
3 CONFORMANCE WITH ALL CODES, PROVIDED THAT THE
4 OVERALL LEVEL OF HEALTH, SAFETY AND WELFARE IS NOT
5 DIMINISHED.

6 (5) *SUBSECTION 301.13 FLOOD HAZARD.*

7 IN THE EXCEPTION TO THIS SUBSECTION, DELETE
8 “INTERNATIONAL BUILDING CODE” AND SUBSTITUTE
9 “SECTION 3110 OF THE HOWARD COUNTY BUILDING CODE.”

10 (6) *SUBSECTION 513.12.3 AUTOMATIC CONTROL.*

11 DELETE “INTERNATIONAL FIRE CODE” AND SUBSTITUTE
12 “INTERNATIONAL BUILDING CODE”.

13
14 **SECTION. 3.104. AMENDMENTS TO THE ENERGY CONSERVATION CODE,**
15 **2006 EDITION.**

16 (A) *IN GENERAL.*

17 (1) AS USED IN THIS SECTION, THE TERM “THIS CODE” MEANS
18 THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006
19 EDITION.

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

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

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

28 (1) *SUBSECTION 101.1 TITLE.*

29 DELETE THIS SUBSECTION AND INSERT THE FOLLOWING:

30 **101.1 TITLE.** THESE REGULATIONS SHALL BE KNOWN AS THE
31 ENERGY CONSERVATION CODE OF HOWARD COUNTY.

1 (2) *SUBSECTION 101.6 REFERENCED CODES.*

2 ADD NEW SUBSECTION 101.6 AFTER SUBSECTION 101.5 AS
3 FOLLOWS:

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

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

12 **101.6.2** WHENEVER IN THIS CODE THE TERM “*ICC ELECTRICAL*
13 *CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY
14 ELECTRICAL CODE ADOPTED PURSUANT TO TITLE 3,
15 SUBTITLE 2 OF THE HOWARD COUNTY CODE.

16 **101.6.3** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
17 *PLUMBING CODE*” IS USED, IT SHALL MEAN THE HOWARD
18 COUNTY PLUMBING AND GASFITTING CODE ADOPTED
19 PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY
20 CODE.

21 **101.6.4** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
22 *FIRE CODE*” IS USED, IT SHALL MEAN THE HOWARD COUNTY
23 FIRE PREVENTION CODE ADOPTED PURSUANT TO TITLE 17,
24 SUBTITLE 1 OF THE HOWARD COUNTY CODE.

25 **101.6.5** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
26 *FUEL GAS CODE*” IS USED, IT SHALL MEAN THE HOWARD
27 COUNTY PLUMBING AND GASFITTING CODE ADOPTED
28 PURSUANT TO TITLE 3, SUBTITLE 3 OF THE HOWARD COUNTY
29 CODE.

30 **101.6.6** WHENEVER IN THIS CODE THE TERM “*INTERNATIONAL*
31 *MECHANICAL CODE*” IS USED, IT SHALL MEAN THE

1 MECHANICAL CODE OF HOWARD COUNTY ADOPTED
2 PURSUANT TO SECTION 3.103 OF THIS SUBTITLE.
3 (3) SECTION 202 GENERAL DEFINITIONS.
4 DELETE THE DEFINITION OF “CODE OFFICIAL” AND INSERT
5 “THE BUILDING OFFICIAL AS DEFINED IN THE HOWARD
6 COUNTY BUILDING CODE.”

7
8 *Section 3. And Be It Further Enacted by the County Council of Howard County,*
9 *Maryland, that this Act shall become effective 61 days after its enactment.*