

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 24-0502

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: March 18, 2024
Assigned to: Rules and Legislative Oversight Committee
Committee Report: Favorable, as amended
Council action: Adopted
Read second time: May 16, 2024

AN ORDINANCE CONCERNING

Building, Fire, and Related Codes – 2021 Edition

- 1
- 2 FOR the purpose of adopting a revised Building, Fire, and Related Codes Article, comprising
3 the Maryland Building Performance Standards (effective May 29, 2023), the International
4 Building Code (2021 Edition), the National Electrical Code (2020 Edition), the International
5 Fuel Gas Code (2021 Edition), the International Mechanical Code (2021 Edition), the
6 International Plumbing Code (2021 Edition), the International Property Maintenance Code
7 (2021 Edition), the International Fire Code (2021 Edition), the International Energy
8 Conservation Code (2021 Edition), the International Residential Code for One- and Two-
9 Family Dwellings (2021 Edition), the International Green Conservation Code (2021 Edition),
10 and the International Swimming Pool and Spa Code (2021 Edition), all as supplemented,
11 amended, or otherwise modified by this Ordinance; providing for the effect, construction, and
12 effective date of these new standards and codes; conforming, correcting, and clarifying
13 certain language; providing for a special effective date; and generally relating to the adoption
14 of new building, fire, property maintenance, electrical, plumbing, mechanical, and related
15 codes for Baltimore City.
- 16 BY repealing and re-ordaining, with amendments
17 Article - Building, Fire, and Related Codes
18 In its entirety
19 Baltimore City Revised Code
20 (Edition 2000)
- 21 BY repealing and re-ordaining, with amendments
22 Article - Health
23 Sections 6-603.1(b)(1)(BFR Codes) and 19-302(b)(8)
24 Baltimore City Revised Code
25 (Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 BY repealing and re-ordaining, with amendments
2 Article 1- Mayor, City Council, and Municipal Agencies
3 Sections 40-14(e)(5c) and (6), and [~~41-14(5a)~~] 41-14(5) and (5a)
4 Baltimore City Code
5 (Edition 2000)

6 BY repealing and re-ordaining, with amendments
7 Article 19 - Police Ordinances
8 Section 71-2(i)(1)
9 Baltimore City Code
10 (Edition 2000)

11 BY repealing and re-ordaining, with amendments
12 Article 26 - Surveys, Streets, and Highways
13 Section 6-7
14 Baltimore City Code
15 (Edition 2000)

16 BY repealing and re-ordaining, with amendments
17 Article 32 - Zoning
18 Section 5-201(d)
19 Baltimore City Code
20 (Edition 2000)

21 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
22 Laws of Baltimore City read as follows:

Baltimore City Code

Article – Building, Fire, and Related Codes

PART I. MARYLAND BUILDING PERFORMANCE STANDARDS

§ 1-101. State action.

27 (a) *In general.*

28 The Maryland Building Performance Standards are adopted and, from time to time,
29 amended by the Maryland Department of Labor under State Public Safety Article,
30 Title 12, Subtitle 5.

31 (b) *Contents.*

32 As amended effective **[March 25, 2019,] May 29, 2023,** these Standards consist of:

33 (1) the International Building Code **[2018] (2021** Edition), with certain State
34 modifications **{COMAR 09.12.51.04A AND B}**;

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1 (2) the International Residential Code for One- and Two-Family Dwellings [(2018)
2 (2021 Edition), with certain State modifications {COMAR 09.12.51.04A AND C};
3 and

4 (3) the International Energy Conservation Code [(2015] (2021 Edition), with certain
5 State modifications {COMAR 09.12.51.04A AND D}.

6 § 1-102. City adoption.

7 The Maryland Building Performance Standards are adopted as part of the Building, Fire, and
8 Related Codes of Baltimore City, subject to the following modifications:

9 (1) in the International Building Code [(2018] (2021 Edition):

10 (i) incorporate the State modifications indicated in the appropriate chapter,
11 section, or other provision of Part II below; and

12 (ii) add the Baltimore City modifications indicated in the appropriate chapter,
13 section, or other provision of Part II below;

14 (2) in the International Residential Code for One- and Two-Family Dwellings [(2018)
15 (2021 Edition):

16 (i) incorporate the State modifications indicated in the appropriate chapter,
17 section, or other provision of Part X below; and

18 (ii) add the Baltimore City modifications indicated in the appropriate chapter,
19 section, or other provision of Part X below; and

20 (3) in the International Energy Conservation Code [(2018] (2021 Edition):

21 (i) incorporate the State modifications indicated in the appropriate chapter,
22 section, or other provision of Parts IX-A and XI-B below; and

23 (ii) add the Baltimore City modifications indicated in the appropriate chapter,
24 section, or other provision of Parts IX-A and XI-B below.

25 PART II. INTERNATIONAL BUILDING CODE

26 § 2-101. City adoption.

27 (a) *In general.*

28 The International Building Code [(2018] (2021 Edition) is adopted as part of the
29 Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions,
30 amendments, and other modifications contained in this Part II.

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1 (b) *Codification.*

2 Unless otherwise specified, chapter and section numbers in this Part II refer to the chapter
3 and section numbers of the International Building Code.

4 **§ 2-102. Maryland Building Performance Standards.**

5 The Maryland Building Performance Standards contain certain State modifications to the
6 International Building Code. The State modifications that Baltimore City has adopted are
7 repeated in this Part II, for the user's convenience, in the appropriate chapter, section, or other
8 provision. These State modifications are labeled "MBPS Modification".

9 **§ 2-103. City modifications.**

10 The additions, deletions, amendments, and other modifications adopted by the City are as
11 follows:

12 **Chapter 1** 13 **Scope and Administration**

14 {**MBPS Modification Note to Chapter 1:** Local jurisdictions are responsible for the
15 implementation and enforcement of the Maryland Building Performance Standards. Refer to each
16 local jurisdiction for local amendments to Chapter 1 of the IBC. Each local jurisdiction having
17 authority shall establish ... implementation and enforcement procedures that include: (a) review and
18 acceptance of appropriate plans; (b) issuance of building permits; (c) inspection of the work
19 authorized by the building permits; and (d) issuance of use and occupancy certificates. }

20 **Section 101 General**

21 **101.1 Title.** The regulations contained in this Code constitute and are known as the
22 "Baltimore City Building Code". The Baltimore City Building Code, together with the
23 standards and codes listed in § 101.4 {"Referenced codes"} of this Chapter, as supplemented,
24 amended, or otherwise modified by these provisions, collectively constitute and are known as
25 the "Building, Fire, and Related Codes of Baltimore City".

26 **101.1.1 References to "this Code".** Throughout this Part II, all references to "this
27 Code" refer to the Building, Fire, and Related Codes of Baltimore City.

28 **101.2 Scope. {As in IBC}**

29 **Exception 1: {Per MBPS Modification}** Detached 1- and 2-family dwellings and
30 multiple single-family dwellings (townhouses) not more than 3 stories above grade plane
31 in height with a separate means of egress and their accessory structures must comply with
32 the International Residential Code.

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1 **Exception 2: {Per MBPS Modification}** Existing buildings undergoing repair,
2 alterations, or additions, and change of occupancy must comply with the Maryland
3 Building Rehabilitation Code, set forth in COMAR 09.12.58. **{Note:** The Maryland
4 Building Rehabilitation Code comprises the [2015] 2021 International Existing Building
5 Code, with State modifications.}

6 **Exception 3: {Per MBPS Modification}** Maintenance of residential structures on
7 premises must comply with the Minimum Livability Code, as set forth in COMAR
8 09.12.54.

9 **101.2.1 Appendices.** The appendices to the International Building Code apply as
10 follows:

11 **101.2.1.1 Appendices adopted.** The following appendices are adopted, with or
12 without local modifications, as part of this Code:

- 13 1. Appendix C: “Group U – Agricultural Buildings”.
- 14 2. Appendix D: “Downtown Fire District”.
- 15 3. Appendix F: “Rodent Proofing”.
- 16 4. Appendix H: “Signs”.
- 17 5. Appendix I: “Patio Covers”.
- 18 6. Appendix J: “Grading”.

19 **101.2.1.2 Appendices not adopted.** The following appendices are not adopted as
20 part of this Code:

- 21 1. Appendix A: “Employee Qualifications”.
- 22 2. Appendix B: “Board of Appeals”.
- 23 3. Appendix E: “Supplementary Accessibility Requirements”.
- 24 4. Appendix G: “Flood Resistant Construction”.
- 25 5. Appendix K: “Administrative Provisions”.
- 26 6. Appendix L: “Earthquake Recording Instrumentation”.
- 27 7. Appendix M: “Tsunami-Generated Flood Hazard”.
- 28 8. Appendix N. “Replicable Buildings”

29 **101.3 [Intent.] PURPOSE** *{As in IBC}*

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1 **101.4 Referenced codes.** The standards and codes listed in this § 101.4, as modified by
2 these provisions and as referred to elsewhere in this Code, are part of the requirements of this
3 Code to the extent prescribed by the reference.

4 **101.4.1 Electrical.** The National Electrical Code [(2017) (2020 Edition)], as
5 modified in Part III of this Code, applies to the installation of electrical systems, including
6 their alteration, repair, replacement, equipment, appliances, fixtures, fittings, and
7 appurtenances.

8 **101.4.2 Gas.** The International Fuel Gas Code [(2018) (2021 Edition)], as
9 modified in Part IV of this Code, applies to the installation of gas piping from the point of
10 delivery, to gas appliances, and to related accessories as covered in this Code. These
11 requirements apply to gas piping systems extending from the point of delivery to the inlet
12 connections of appliances and the installation and operation of residential and
13 commercial gas appliances, and related accessories.

14 **101.4.3 Mechanical.** The International Mechanical Code [(2018) (2021 Edition)], as
15 modified in Part V of this Code, applies to the installation, alterations, repairs, and
16 replacement of mechanical systems, including equipment, appliances, fixtures, fittings,
17 and appurtenances, including ventilating, heating, cooling, air-conditioning and
18 refrigeration systems, incinerators, and other energy-related systems.

19 **101.4.4 Plumbing.** The International Plumbing Code [(2018) (2021 Edition)]
20 as modified in Part VI of this Code, applies to the installation, alteration, repair, and
21 replacement, use, or maintenance of or addition to plumbing systems, including
22 equipment, appliances, fixtures, fittings, and appurtenances.

23 **101.4.5 Property maintenance.** The International Property Maintenance Code [(2018)
24 (2021 Edition)], as modified in Part VII of this Code, applies to existing structures and
25 premises; equipment and facilities; light, ventilation, space heating, sanitation, life, and
26 fire safety hazards; responsibilities of owners, operators, and occupants; and occupancy of
27 existing premises and structures.

28 **101.4.6 Fire prevention.** The International Fire Code [(2018) (2021 Edition)], as
29 modified in Part VIII of this Code, applies to matters affecting or relating to prevention of
30 structures, processes, and premises from the hazard of fire and explosion arising from the
31 storage, handling or use of structures, materials, or devices; from conditions hazardous to
32 life, property, or public welfare in the occupancy of structures or premises; and from the
33 construction, extension, repair, alteration or removal of fire suppression, automatic
34 sprinkler systems and alarm systems or fire hazards in the structure or on the premises
35 from occupancy or operation.

36 **101.4.7 Energy.** The International Energy Conservation Code [(2018) (2021 Edition)], as
37 modified in Parts IX-A and IX-B of this Code, applies to all matters governing the design
38 and construction of buildings for energy efficiency.

39 **101.4.8 Residential.** The International Residential Code for One- and Two-Family
40 Dwellings [(2018) (2021 Edition)], as modified in Part X of this Code, applies to detached
41 1- and 2-family dwellings and multiple single-family dwellings (townhouses), not more
42 than 3 stories above grade plane in height, and their accessory structures.

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1 **101.4.9 Green Construction.** The International Green Construction Code Construction
2 [(2018) (2021 Edition)], as modified in Part XI of this Code, applies to construction
3 requirements intended to reduce the negative impacts and increase the positive impacts of
4 the built environment on the natural environment and building occupants.

5 **101.4.10 Swimming Pool and Spa.** The International Swimming Pool and Spa Code
6 [(2018) (2021 Edition)], as modified in Part XII of this Code, applies to the construction,
7 alteration, movement, renovation, replacement, repair and maintenance of aquatic
8 recreation facilities, pools and spas.

9 **101.5 References to former Codes.** All references in a violation, condemnation, or other
10 notice, in a citation, or in the Baltimore City Code to any former version of the Building
11 Code or to any provision of that Code are considered to refer to the comparable or otherwise
12 applicable provisions of this Code.

13 Section 102 Applicability

14 102.1 to 102.5 *{As in IBC}*

15 **102.6 Existing conditions.** The legal occupancy of any structure existing on the date of
16 adoption of this Code is permitted to continue without change, except as otherwise
17 specifically provided in this Code, the International Property Maintenance Code, or the
18 International Fire Code.

19 102.6.1 to 106.1.2 *{As in IBC}*

20 **102.7 Structures owned by City.** This Code does not apply to any structure (other than
21 building) that is owned by the City, to the extent that the structure:

- 22 1. is located on, over, or under a street, alley, or other public way or land, and
- 23 2. is designed, constructed, controlled, and maintained by and under the authority and
24 supervision of the Director of Public Works, the Director of General Services, or the
25 Director of Transportation, whichever has jurisdiction, or an authorized representative
26 of the applicable Director.

27 **102.8 Public service structures on streets.** This Code does not apply to any pole, conduit,
28 tunnel, pipe line, manhole, or other similar surface or subsurface structure, including its
29 equipment, that is owned and controlled by a public service corporation, to the extent that:

- 30 1. the structure is located on, over, or under a street, alley, or other public way or land,
- 31 2. its construction is authorized by the City, and
- 32 3. its installation is regulated and supervised by the Director of Public Works, the
33 Director of General Services, or the Director of Transportation, whichever has
34 jurisdiction, or an authorized representative of the applicable Director.

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1 **102.9 Property owned or leased by United States or Maryland.** Except as specified in
2 §102.9.1, land owned by the United States or by the State of Maryland, including any
3 structure owned by either and located on the land, is exempt from this Code.

4 **102.9.1 Exceptions.** The following are not exempt from this Code:

- 5 1. land or structures leased by the United States or the State of Maryland from a
6 private owner,
- 7 2. land or structures leased by a private owner from the United States or the State of
8 Maryland, and
- 9 3. land or structures held by the United States or the State of Maryland pursuant to
10 the foreclosure of a residential mortgage.

11 **102.10 Waterways.** Other than work done by the United States or the State of Maryland, all
12 construction done along the shoreline and waterways within the City must:

- 13 1. comply with this Code, and
- 14 2. be approved by:
 - 15 a. the Department of Public Works,
 - 16 b. the Department of General Services,
 - 17 c. the Department of Transportation,
 - 18 d. the Department of Planning,
 - 19 e. the Fire Department,
 - 20 f. the Maryland Department of the Environment, and
 - 21 g. the U.S. Army Corps of Engineers.

22 **102.11 Railroad facilities.** Railroad facilities within a railroad right-of-way are exempt
23 from the provisions of this Code, except for those provisions that relate to sanitary
24 maintenance. However, privately owned structures within a right-of-way are not exempt
25 unless they are ancillary to the railroad.

26 **102.12 Moved structures.** Structures that are moved into or within Baltimore City:

- 27 1. must comply with the provisions of this Code for new structures, and
- 28 2. may not be used or occupied, in whole or in part, until the Building Official approves
29 an occupancy permit for the structure.

30 **102.13 to 102.14 {Reserved}**

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1 **102.15 Compliance with Code required.** No structure, premises, land, or equipment may
2 be constructed, altered, added to, repaired, rehabilitated, demolished, moved, located, used,
3 occupied, or maintained in violation of this Code.

4 **102.15.1 Construction of structure.** When constructed, every structure must be located
5 so that it does not create a violation of this Code.

6 **102.15.2 Relocation, etc., of lot lines, etc.** No lot or property line may be moved or
7 relocated and no lot or parcel of land may be subdivided in any way that creates a
8 violation of this Code for any structure.

9 **102.16 Compliance with other laws.** To the extent applicable, all work must also comply
10 with:

- 11 1. the Critical Area Management Program of Baltimore City,
- 12 2. the Baltimore City Forest and Tree Conservation Program,
- 13 3. the Baltimore City Sustainability Plan,
- 14 4. the Zoning Code of Baltimore City,
- 15 5. City Code Article 6 {"Historical and Architectural Preservation"},
- 16 6. any applicable Urban Renewal Plan,
- 17 7. the Department of Public Works' rules and regulations governing:
 - 18 a. stormwater management,
 - 19 b. soil erosion and sediment control, and
 - 20 c. discharges to the storm drain system,
- 21 8. the Department of Transportation's rules and regulations governing:
 - 22 a. encroachments into the public right-of-way,
 - 23 b. developer's agreements, and
 - 24 c. blasting,
- 25 9. the Federal Americans with Disabilities Act,
- 26 10. the Maryland Accessibility Code,
- 27 11. the Floodplain Management Code, and
- 28 12. all other applicable laws, rules, and regulations of the United States, the State of
29 Maryland, and the City of Baltimore.

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1 Section 103 [Department of Building Safety] CODE COMPLIANCE AGENCY

2 **103.1 Enforcement agency.** This Code is administered and enforced by the Baltimore City
3 Department of Housing and Community Development and its Commissioner. Accordingly,
4 in this Code:

- 5 1. “Department of Building Safety” or “Department” means the Baltimore City
6 Department of Housing and Community Development, and
- 7 2. “Building Official”, means the Commissioner of Housing and Community
8 Development or an authorized representative of the Commissioner.

9 **103.2 Appointment.** *{Not Adopted}*

10 **103.3 Deputies.** *{Not Adopted}*

11 **103.4 Employee restrictions.** An officer or employee of the Department may not:

- 12 1. engage in or directly or indirectly be connected with the furnishing of labor, materials,
13 or appliances or the preparation of plans or specifications for the construction,
14 alteration, addition, repair, rehabilitation, demolition, moving, or maintenance of a
15 structure, unless the officer or employee is the owner of the structure, or
- 16 2. engage in any work that conflicts with his or her official duties or with the interests of
17 the Department.

18 Section 104 Duties and Powers of Building Official

19 **104.1 General.** Except as otherwise specifically provided by law, the Building Official:

- 20 1. administers and enforces all provisions of this Code and the provisions of all other
21 ordinances, laws, *{rules,}* or regulations relating to the matters provided for in this
22 Code, and
- 23 2. may act on any question relative to the manner of and the materials to be used in the
24 construction, alteration, addition, repair, rehabilitation, demolition, moving, location,
25 use, occupancy, and maintenance of all structures and in the installation of equipment.

26 **104.1.1 Interpretations, rules, and regulations.** The Building Official may:

- 27 1. render interpretations of this Code, and
- 28 2. subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City
29 General Provisions Article, adopt rules and regulations to carry out this Code.

1 **104.2 Applications and permits. *{As in IBC}***

2 **104.2.1 Determination of substantially improved or substantially damaged existing**
3 **structures in flood hazard areas.** For applications for reconstruction, rehabilitation,
4 addition, or other improvement of an existing structure in a flood hazard area, the
5 Building Official must examine the construction documents and prepare findings with
6 regard to whether the structure has sustained “substantial damage” and whether the
7 proposed improvement is a “substantial improvement”, as these terms are defined in and
8 calculated under the Floodplain Management Code. The Building Official must submit
9 these findings to the Floodplain Manager for a determination of “substantial
10 improvement”. Applications determined by the Floodplain Manager to constitute a
11 “substantial improvement” require full compliance with the requirements of the
12 Floodplain Management Code.

13 **104.3 to 104.5 *{As in IBC}***

14 **104.6 Right of entry.** In the performance of his or her duties, the Building Official may
15 enter any land, structure, or premises in the City to enforce this Code, at any reasonable time
16 or, in an emergency that might endanger public health or safety, at any time.

17 **104.6.1 Entry without notice or warrant.** Neither a search warrant nor prior notice is
18 needed in any of the following circumstances:

- 19 1. if entry is by permission or at the request of an occupant of the land, structure, or
20 premises or a person with apparent right of possession,
- 21 2. if the land, structure, or premises is open and accessible to members of the general
22 public,
- 23 3. if the Building Official reasonably believes that an imminent danger to health or
24 safety exists or might exist, or
- 25 4. immediately after an accident or disaster that causes the Building Official to
26 believe that immediate entry is necessary for investigative purposes or to protect
27 property or public health or safety.

28 **104.6.2 Authority to seek warrant.** Where appropriate, the Building Official may seek
29 a search warrant to enter any land, structure, or premises in the City to make an inspection
30 or to take any other authorized action to administer and enforce:

- 31 1. this Code (including the standards and codes incorporated in it), or
- 32 2. any of the following (collectively “related laws”):
 - 33 a. the Health Code of Baltimore City,
 - 34 b. the Zoning Code of Baltimore City,
 - 35 c. an Urban Renewal Plan,

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- 1 d. City Code Article 6 {"Historical and Architectural Preservation"}, or
- 2 e. any other related statute, ordinance, rule, or regulation for the protection of
- 3 the health and safety of the residents of Baltimore City.

4 **104.6.3 Warrant after prior notice.** Before the Building Official may apply for a
5 warrant to make a routine inspection or spot check to determine if a violation exists, the
6 Building Official must give prior notice of his or her intent to the occupant or other
7 person with apparent right of possession or, in the case of an unoccupied structure or
8 premises, to the owner, the owner's agent, or other person in apparent control of the
9 structure or premises.

10 **104.6.3.1 Contents of notice.** The notice must:

- 11 1. state the date and time at which the Building Official will be present to make
- 12 the inspection or spot check, and
- 13 2. inform the person notified that he or she may reschedule the inspection or spot
- 14 check to a reasonable date and time by contacting the Building Official before
- 15 the stated date.

16 **104.6.3.2 Service of notice – Occupied property.** If the structure or premises is
17 occupied, the notice must be either:

- 18 1. mailed or delivered to the occupant or person with apparent right of
- 19 possession, or
- 20 2. posted conspicuously at or near the entrance to the structure or premises.

21 **104.6.3.3 Service of notice – Unoccupied property.** If the structure or premises **is**
22 **is** unoccupied, the notice must be mailed or delivered to the last-known address of the
23 owner, agent, or other person in apparent control.

24 **104.6.3.4 Obtaining warrant.** After notice has been given, if the person notified
25 fails to arrange for, denies, or unduly delays the entry, the Building Official may apply
26 to a court of competent jurisdiction for a search warrant to authorize entry for the
27 inspection or spot check.

28 **104.6.3.5 Probable cause.** Probable cause for a search warrant under this § 104.6.3
29 exists if:

- 30 1. the notice required by this § 104.6.3 has been given, and
- 31 2. the inspection is:
 - 32 a. a spot check made at random or restricted to a few sample structures or
 - 33 premises in a designated area to determine if a building-by-building
 - 34 survey is necessary,

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- 1 b. a routine inspection based on a general administrative plan for the
2 enforcement of this Code or any related law, or
- 3 c. a routine inspection to determine compliance with a notice or order
4 issued under § 123 {"Notices"} of this Code.

5 **104.6.4 Warrant without prior notice.** The Building Official may apply for a search
6 warrant to enter a structure or premises without giving the prior notice otherwise required
7 by § 104.6.3, if there is probable cause to believe that a violation of this Code or a related
8 law exists in the structure or on the premises.

9 **104.6.4.1 Probable cause.** Probable cause for a search warrant under this § 104.6.4
10 includes, among other appropriate circumstances, the following:

- 11 1. the inspection is to identify lead-based hazards in a dwelling unit that is the
12 last-reported address of a child who, by notice from a health care provider or
13 the State Department of the Environment to the Building Official or the Health
14 Commissioner, is reported to have been diagnosed with a venous blood-lead
15 level of 5 micrograms per deciliter or more, or
- 16 2. untreated lead-based paint hazards have been found in a unit of a
17 multiple-family dwelling in which a child who has been diagnosed with a
18 venous blood-lead level of 5 micrograms per deciliter or more resides and
19 entry is needed to other units of the dwelling to determine compliance with
20 law.

21 **104.6.5 Application for warrant.** The application for a search warrant must be:

- 22 1. signed and sworn to by the Building Official, and
- 23 2. accompanied by an affidavit containing facts within the personal knowledge of the
24 affiant:
 - 25 a. that probable cause for issuance of a search warrant exists, and
 - 26 b. in cases where prior notice is required, that notice has been given and
27 entry has not been arranged for or has been denied or unduly delayed by
28 the person notified.

29 **104.6.6 Contents of warrant.** The search warrant must name or describe, with
30 reasonable particularity:

- 31 1. the place to be inspected,
- 32 2. the reason for the inspection, and
- 33 3. the name of the applicant on whose written application the warrant was issued.

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1 **104.6.7 Execution of warrant.** An inspection under the search warrant must be made
2 within 15 days of the date the warrant was issued. At the end of that 15-day period, the
3 warrant is void.

4 **104.6.8 Dwelling units.** Except as provided in § 104.6.8.1, no inspector who gains
5 entrance to a dwelling for the purpose of enforcing this Code or any related law may
6 obtain or furnish evidence of, or testify to, any offense other than violations of this Code
7 or of any related law.

8 **104.6.8.1 Exception.** The limitations of § 104.6.8 do not apply to:

- 9 1. a felony, or
10 2. a misdemeanor involving an act of violence and committed in the inspector’s
11 presence.

12 **104.7 Department records.** *{As in IBC}*

13 **104.8 Liability.** *{Not Adopted. See State Courts Article § 5-302.}*

14 **104.9 Approved materials and equipment.** *{As in IBC}*

15 **104.10 Modifications.** *{As in IBC}*

16 **104.10.1 Flood hazard areas.** *{Not Adopted}*

17 **{Note:** For the establishment of Regulated Flood Hazard Areas and the special
18 regulations and limitations governing development within those areas, see the Floodplain
19 Management Code, City Code Article 7 {“Natural Resources”}, Division I {“Floodplain
20 Management”}.

21 **104.11 Alternative materials and methods.** The provisions of this Code are not intended
22 to prevent the installation of any material or to prohibit any method of construction not
23 specifically prescribed by this Code, as long as that alternative has been approved. An
24 alternative material or method of construction may be approved if the Building Official finds
25 in writing that, for the purpose intended:

- 26 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
27 2. the material, method, or work offered is at least the equivalent of that prescribed
28 in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

29 **104.11.1 Research reports.** *{As in IBC}*

30 **104.11.2 Tests.** *{As in IBC}*

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1 Section 105 Permits

2 **105.1 Required.** A permit issued by the Building Official is required before any person may
3 do any of the following work:

- 4 1. construct, alter, add to, repair, rehabilitate, demolish, or move any structure,
- 5 2. change the use of any structure or land,
- 6 3. install or alter any equipment subject to this Code,
- 7 4. move a lot line that affects any structure,
- 8 5. perform any grading or excavating,
- 9 6. undertake, cause, or allow any addition, alteration or other action described in either
10 of the following provisions of City Code Article 6 {"Historical and Architectural
11 Preservation"}:
 - 12 a. § 8-2(a) {"Building permit required: Exterior structures"}, describing actions
13 for or with respect to any structure:
 - 14 i. within an Historical and Architectural Preservation District,
 - 15 ii. on the Landmark List: Exteriors, or
 - 16 iii. on the potential-Landmark List: Exteriors, or
 - 17 b. § 8-2(b) {"Building permit required: Public interiors"}, describing actions for
18 or with respect to any structure:
 - 19 i. on the Landmark List: Public Interiors, or
 - 20 ii. on the potential-Landmark List: Public Interiors, or
- 21 7. on transfer of ownership or operation of property, continue any of the following uses,
22 as defined in City Code Article 32 {"Zoning"}:
 - 23 a. banquet hall,
 - 24 b. body art establishment,
 - 25 c. carry-out food shop,
 - 26 d. day-care center: adult or child,
 - 27 e. drive-through facility,
 - 28 f. entertainment: live or indoor,

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1 g. [gas] FUEL station,

2 h health-care clinic,

3 i. lodge or social club,

4 j. lounge,

5 k. pawn shop,

6 l. personal services establishment,

7 m. restaurant,

8 N. RETAIL; BIG BOX ESTABLISHMENT.

9 O. [n.] retail goods establishment – with or without alcoholic beverage sales, or

10 P. [o.] tavern.

11 **105.1.1 Annual permit. {As in IBC}**

12 **105.1.2 Annual permit records. {As in IBC}**

13 **105.1.3 By whom application to be made.** Except as otherwise specified in Chapter 27
14 {"Electrical"}, Chapter 28 {"Mechanical Systems"}, and Chapter 29 {"Plumbing
15 Systems"}, the application for a permit must be made as follows:

- 16 1. for a demolition or moving permit, by the owner of the property to be demolished
17 or moved,
- 18 2. for a permit to remove formstone, paint, or other material from exterior surfaces,
19 by the licensed contractor employed to do the proposed work,
- 20 3. for a permit to do work involving underpinning or a retaining foundation wall, by
21 the licensed contractor employed to do the proposed work, and
- 22 4. for all other permits, by:
 - 23 a. the owner or lessee of the structure,
 - 24 b. the agent of the owner or lessee, or
 - 25 c. the licensed engineer or architect employed in connection with the
26 proposed work.

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1 **105.1.4 Work done without permit.** A person who does any work without a permit, or
2 outside or beyond the scope of a permit, or in a manner inconsistent with plans or
3 drawings approved as part of a permit application, or after a permit is revoked for any
4 reason, must obtain a permit for that work, even if already completed, and pay the
5 appropriate permit fee and penalty surcharge.

6 **105.1.5 Special professional services.** In addition to and without limiting any other
7 requirements of or authority granted by this Code, the Building Official may require, as a
8 term or condition of a permit, that a registered design professional or other licensed
9 specialist or expert perform specific work or sign and seal specific plans, computations,
10 specifications, or statements.

11 **105.2 Work exempt from permit.** An exemption from the permit requirements of this
12 Code does not authorize any work to be done in a manner that violates a provision of this
13 Code or of any other law. Permits are not required for the following:

14 **Building:**

- 15 1. *{As in IBC and subject to all local, State, and federal laws}*
- 16 2. to 4. *{Not Adopted}*
- 17 5. *{As in IBC}*
- 18 6. *{Not Adopted}*
- 19 7. Interior painting, papering, tiling, carpeting, cabinets, counter tops, and similar
20 interior finish work.
- 21 8. *{Not Adopted}*
- 22 9. *{As in IBC}*
- 23 10. Shade cloth or plastic film structures, commonly known as “hoophouses”,
24 constructed for nursery or agricultural purposes. not including service systems.
25 The covering of the structure must be a material that conforms to NFPA 701
26 standards.
- 27 11. *{As in IBC}*
- 28 12. *{Not Adopted}*
- 29 13. *{As in IBC}*
- 30 14. Removal of debris, except in cases of interior or exterior demolition.
- 31 15. Boarding exterior openings with plywood.
- 32 16. Minor repair or patching of drywall or plaster.

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1 17. Replacing roof shingles.

2 18. Replacing roof tarring.

3 19. Installing a temporary door on a structure subject to a vacant building notice.

4 **Electrical:**

5 **Repairs and maintenance:** *{As in IBC}*

6 **Radio and television transmitting stations:** *{Not Adopted}*

7 **Temporary Testing Systems:** *{As in IBC}*

8 **Gas:** *{Not Adopted}*

9 **Mechanical:** *{Not Adopted}*

10 **Plumbing:** *{As in IBC}*

11 **105.2.1 Emergency repairs.** *{As in IBC}*

12 **105.2.2 Public service agencies.** *{As in IBC}*

13 **105.3 Application for permit.** To obtain a permit, the applicant must first file an
14 application on the form provided by the Building Official for that purpose. The application
15 must:

- 16 1. identify and describe the work to be covered under the permit,
- 17 2. describe the land on which the proposed work is to be done by legal description, street
18 address, or similar description that will readily identify and definitely locate the
19 proposed building or work,
- 20 3. indicate the use and occupancy for which the proposed work is intended,
- 21 4. specify the gross floor area, as defined in Baltimore City Zoning Code § 1-306(j)
22 {"Floor Area: Gross (GFA)"}, involved in the proposed work,
- 23 5. specify the number of dwelling units, if any, involved in the proposed work,
- 24 6. be accompanied by the construction documents and other information required by
25 § 107 [{"Submittal"} {"CONSTRUCTION Documents"}] of this Code, and
- 26 7. if the property is located within an Historical and Architectural Preservation District
27 or included on the City's Landmark List or Potential-Landmark List, be forwarded to
28 the Commission for Historical and Architectural Preservation, for review and action
29 under City Code Article 6 {"Historical and Architectural Preservation"}, Subtitle 8
30 {"Alterations, etc., to or Affecting Properties"},

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- 1 8. state the valuation of the proposed work,
- 2 9. if the proposed work will replace any existing structure, be accompanied by
3 photographs that depict the existing conditions and existing structures on the site,
- 4 10. include a detailed disposal plan on the form provided by the Building Official for that
5 purpose, if:
 - 6 a. the proposed work includes interior or exterior demolition, and
 - 7 b. the Building Official requires the applicant to provide a detailed disposal plan,
- 8 11. identify the parties by providing:
 - 9 a. the full names, phone numbers, addresses, and (if available) email addresses
10 of the owner, lessee, and applicant,
 - 11 b. the full name, phone number, address, and (if available) email address of a
12 person who can be contacted at all times in case of an emergency, and
 - 13 c. if the owner, lessee, or applicant is a corporation, partnership, limited liability
14 company, or other entity, full names, phone numbers, addresses, and (if
15 available) email addresses of its officers, partners, or members, as the case
16 may be,
- 17 12. provide any other data and information that the Building Official requires,
- 18 13. be signed by the applicant, or the applicant's authorized agent, [and]
- 19 14. if signed by an agent, be accompanied by:
 - 20 a. proof of agency, and
 - 21 b. proof of the agent's identity, by copy or presentation of a valid Maryland
22 driver's license or other Maryland [identification.] IDENTIFICATION, AND

23 **15. IF THE APPLICATION IS FOR A PERMIT FOR PUBLIC ASSEMBLIES – ANNUAL OR A PERMIT**
24 **FOR PUBLIC ASSEMBLIES – SHORT TERM, AS DESCRIBED IN SECTION 109.6.5 OF THIS**
25 **CODE, THE APPLICATION MUST SHALL BE:**

26 **A. FILED AT LEAST 45 DAYS BEFORE THE EVENT DATE, AND**

27 **B. SIGNED BY A RESPONSIBLE PERSON OR OFFICIAL ACTING FOR THE APPLICANT**
28 **OR THE APPLICANT'S AGENT.**

29 **105.3.1 Action on application.**

30 **105.3.1.1 General.** The Building Official must examine all applications for permits
31 within a reasonable time after filing. If the application or the proposed work does not
32 conform to the requirements of this Code or any other applicable law, the Building

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1 Official must reject the application in writing, stating the reasons for the rejection. If
2 the Building Official is satisfied that the application and the proposed work conform
3 to the requirements of this Code and all other applicable laws, the Building Official
4 must issue the permit as soon as practicable.

5 **105.3.1.2 Referral to assess need for traffic mitigation.** Within 15 business days
6 of receiving a completed application, the Building Official must refer the application
7 and all accompanying documents to the Director of Transportation, for review and
8 action under Chapter 38 {"Traffic Impact and Mitigation"} of this Code, if:

- 9 1. traffic mitigation requirements for the proposed work have not already been
10 complied with in accordance with this Code or the Baltimore City Zoning
11 Code; and
- 12 2. the proposed work:
 - 13 a. is in a Traffic-Mitigation Zone designated under Chapter 38 {"Traffic
14 Impact and Mitigation"} of this Code and involves 10 or more
15 dwelling units,
 - 16 b. involves 15,000 sq. ft. or more of gross floor area (as defined in
17 Baltimore City Zoning Code § 1-306(j)), or
 - 18 c. involves 50 or more dwelling units.

19 **105.3.2 Time limitation of application.** *{As in IBC}*

20 **105.3.3 Bond for exterior removal of formstone, paint, etc.** An application for a
21 permit to remove formstone, paint, or other material from exterior surfaces must be
22 accompanied by evidence satisfactory to the Building Official that the applicant has
23 obtained a bond to cover the City's expense in the event of a spill or failure to properly
24 dispose of hazardous waste. The bond must be in an amount of at least \$10,000.

25 **105.4 Validity of permit.** *{As in IBC}*

26 **105.5 Expiration; extension; reinstatement for final inspection.** Unless an extension is
27 granted, every permit expires and becomes invalid on the expiration date specified on the
28 permit or, if earlier, as provided in this § 105.5.

29 **105.5.1 Expiration – General.** Except as specified in § 105.5.2, a permit expires if:

- 30 1. the work authorized by the permit is not begun on the site within 180 days after
31 the permit is issued, or
- 32 2. the work authorized by the permit is abandoned or suspended on the site for 180
33 days or more.

34 **105.5.2 Expiration – Condemnation, demolition.** A permit issued to comply with a
35 condemnation notice served under § 123 {"Notices"} of this Code or to comply with a
36 demolition order issued under § 116 {"Unsafe Structures"} of this Code expires if:

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- 1 1. the work authorized by the permit is not begun on the site within 30 days after the
2 permit is issued, or
- 3 2. the work authorized by the permit is not completed within 90 days after the permit
4 is issued.

5 **105.5.3 {Reserved}**

6 **105.5.4 Extensions – General.** On a timely written application and for justifiable cause
7 demonstrated, the Building Official may grant 1 or more extensions. Except as specified
8 in § 105.5.5:

- 9 1. the application for an extension must be made within [60]90 days after the permit
10 expires, and
- 11 2. each extension is limited to a period of not more than 180 days, unless otherwise
12 authorized by the Building Official.

13 **105.5.5 Extensions – Condemnation, demolition.** For a permit issued to comply with a
14 condemnation notice or a demolition order:

- 15 1 the application for an extension must be made [before the permit expires,] WITHIN
16 90 DAYS AFTER THE DATE THAT THE PERMIT EXPIRED and
- 17 2. each extension must be limited to a period of not more than 90 days.

18 **105.5.6 Reinstatement for final inspection.** An expired permit may be reinstated by
19 the Building Official for a final inspection if:

- 20 1. the application for reinstatement is made within 3 years of the permit's expiration;
- 21 2. all rough-in inspections were completed and approved by the Building Official;
22 and
- 23 3. all of the work is complete.

24 **105.5.7 SINGLE REINSTATEMENT ALLOWED. AN EXPIRED PERMIT MAY BE REINSTATED**
25 **BY THE BUILDING OFFICIAL FOR A FINAL INSPECTION ONLY ONCE.**

26 **105.5.8 [105.5.7] Compliance with violation notice or order.** The expiration date of a
27 permit does not in any way extend the time required to comply with a violation notice or
28 order.

29 **105.6 Suspension or revocation.** The Building Official may suspend or revoke a permit
30 issued under this Code if:

- 31 1. the work is being done in violation of the permit, of this Code, or of any other
32 applicable law{, rule,} or regulation,
- 33 2. the permit was issued:

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- 1 a. in error or on the basis of incorrect, inaccurate, or incomplete information, or
- 2 b. in violation of this Code or of any other law{, rule,} or regulation, or
- 3 3. any Federal, State, or City agency suspends or revokes any license or takes any other
- 4 action that diminishes the ability to use any portion of the property in any way for
- 5 which the permit was granted under this Code.

6 **105.7 Placement of permit. {As in IBC}**

7 **105.8 Separate structures.** Whenever work is being done on two or more independent
8 structures on the same property, a separate permit is required for each independent structure.

9 **105.9 Special requirements for demolition or moving.**

10 **105.9.1 Pre-permit requirements.** A permit may not be granted for demolishing or
11 moving a structure unless the applicant complies with the following.

12 **105.9.1.1 Inspector consultation.** The applicant must have attended an on-site,
13 pre-demolition or pre-moving inspector consultation to discuss and confirm:

- 14 1. appropriate hosing/wetting requirements and procedures,
- 15 2. notification requirements, and
- 16 3. any other matters the Building Official requires.

17 **105.9.1.2 Written notice to adjoining owners, etc.** The applicant must have given
18 written notice to:

- 19 1. the owners of all properties that are physically attached to the structure subject
20 to demolition or moving, and
- 21 2. the owners of any wired or other facilities that might have to be temporarily
22 removed because of the proposed work.

23 **105.9.1.2.1 Contents of notice.** The written notice must:

- 24 1. indicate the intent to demolish or move the structure,
- 25 2. specify when the work is expected to begin,
- 26 3. identify the contractor scheduled to perform the demolition or
27 moving, and
- 28 4. provide the full name, phone number, address, and (if available) email
29 address of an agent of the contractor who can be reached at all times in
30 case of an emergency.

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1 **105.9.2 Pre-demolition, moving requirements.** Before beginning any demolition or
2 moving operations, the permit holder must comply with the following.

3 **105.9.2.1 Posted notice.** Public notice of the demolition or moving must be posted
4 on the premises at least 5 days before the scheduled action, but not more than 10 days
5 before the scheduled action.

6 **105.9.2.1.1 Sign requisites – General.** The sign must be:

- 7 1. at least 4 feet wide and 3 feet high,
- 8 2. written in black lettering, at least 2 inches high, on a yellow background,
- 9 3. conspicuously posted, clearly visible and legible to the public, and with
10 the bottom of the sign not less than 5 feet nor more than 10 feet above
11 ground level, and
- 12 4. maintained in good condition until the time of the demolition or moving.

13 **105.9.2.1.2 Sign requisites – Multiple structures.** If the demolition or moving
14 involves 2 or more structures on the same or adjoining properties:

- 15 1. 1 sign meeting the specifications of § 105.9.2.1.1 must be conspicuously
16 posted, clearly visible and legible to the public, and with the bottom of the
17 sign not less than 5 feet nor more than 10 feet above ground level, and
- 18 2. each individual structure must be posted with a sign that is:
 - 19 a. at least 17 inches wide and 11 inches high,
 - 20 b. written in black lettering on a yellow background,
 - 21 c. conspicuously posted, clearly visible and legible to the public, and
22 with the bottom of the sign not less than 5 feet nor more than 10
23 feet above ground level, and
 - 24 d. maintained in good condition until the time of the demolition or
25 moving.

26 **105.9.2.1.3 Proof of posting.** The permit holder must submit to the Building
27 Official photographic evidence of the posting required by this section.

28 **105.9.3 Inspector presence.** At least 24 hours before beginning the demolition or
29 moving operation, the contractor must contact the Building Official to schedule the
30 presence of an inspector at the beginning of the demolition or moving operation.

31 **105.9.4 Failure to comply.** Failure to comply with the requirements of this § 105.9 may
32 result in revocation of the permit.

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1 **105.10 Required corrections.** The issuance of a permit does not prevent the Building
2 Official from later requiring the correction of errors in any plans, drawings, work, or
3 operations.

4 **105.11 Post-work proof of disposal.** If a permit holder was required to submit a detailed
5 disposal plan as described in § 105.3.10 of this chapter, and the permit holder fails to submit
6 proof of waste and refuse disposal to the Building Official upon completion of the work for
7 which the permit was granted:

- 8 1. the Building Official may not finalize the permit,
- 9 2. the Building Official may not issue an Occupancy Permit for the structure on which
10 the work was performed, and
- 11 3. the permit holder is subject to a penalty established under City Code Article 1,
12 § 40-14(e)(5c) {"Violations to which subtitle applies"}.

13 **105.12 {Reserved}**

14 **105.13 Inspection registration permits.** An inspection registration permit issued by the
15 Building Official is required before any person may use any land or structure for:

- 16 1. a place of public assembly, including any assembly hall, auditorium, bowling lane,
17 dance hall, exhibition hall, motion picture theater, musical hall, opera house, pool
18 parlor, skating rink, sports arena, stadium, or theater, or
- 19 2. any roof tank or roof sign.

20 Section 106 Floor and Roof Design Loads *{As in IBC}*

21 Section 107 [Submittal] CONSTRUCTION Documents.

22 107.1 General. *{As in IBC}*

23 Exception 1: *{As in IBC Exception}*

24 **Exception 2:** Construction documents may be submitted electronically through the
25 City's [ePlans Review System] PERMIT SYSTEM if the submission complies with the
26 guidelines established in the [ePlans] PERMIT Applicant User Guide.

27 **107.2 Site plan.** The construction documents submitted with the application for permit must
28 be accompanied by a site plan.

29 107.2.1 General requirements. The site plan must:

- 30 1. show to scale the size and location of new construction and existing structures
31 on the site, distances from lot lines, the established street grades, and the proposed
32 finished grades,

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- 1 2. show, as applicable, Regulated Flood Hazard Areas, Floodways, and
2 flood-protection elevations,
- 3 3. be drawn in accordance with an accurate boundary line survey, and
- 4 4. comport with all other requirements of this section.

5 **107.2.2 Demolition.** In the case of demolition, the site plan must show construction to
6 be demolished and the location and size of existing structures and construction that are to
7 remain on the site.

8 **107.2.3 Specifications, photographs, additional information.** The site plan must:

- 9 1. be drawn in accordance with the specifications required by rules or regulations
10 adopted by the Building Official in consultation with the Director of
11 Transportation, and
- 12 2. contain any additional information required by those rules or regulations.

13 **107.2.4 [Waiver or modification.** The Building Official may waive or modify the
14 requirement for a site plan if the application is for alteration or repair or if otherwise
15 warranted.] EXTERIOR WALL ENVELOPE. *{AS IN IBC}*

16 **107.2.5 Exterior balconies and elevated walking surfaces.** *{As in IBC}*

17 **107.2.6 Site plan.** *{Not Adopted}*

18 **107.2.7 Structural information.** *{As in IBC}*

19 **107.2.8 Relocatable buildings.** *{As in IBC}*

20 **107.2.9 WAIVER OR MODIFICATION.** THE BUILDING OFFICIAL MAY WAIVE OR MODIFY
21 THE REQUIREMENT FOR A SITE PLAN IF THE APPLICATION IS FOR ALTERATION OR REPAIR OR
22 IF OTHERWISE WARRANTED.

23 **107.3 Examination of documents.** *{As in IBC}*

24 **107.4 Amended construction documents.** *{As in IBC}*

25 **107.5 Retention of construction documents.** *{As in IBC}*

26 Section 108 Temporary Structures and Uses

27 **108.1 In general.** *{As in IBC}*

28 **108.2 Conformance.** *{As in IBC}*

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1 **108.3 Temporary power.** The Building Official may give permission to temporarily supply
2 power to a structure that is not yet complete, as long as all work complies with the
3 requirements of this Code.

4 **108.4 Termination of approval. {As in IBC}**

5 Section 109 Fees

6 **109.1 Permit fees.** A permit for construction, alteration, demolition, moving, or other
7 building operation is not valid unless the fees prescribed in this Code have been paid, nor is
8 any amendment or extension to a permit valid unless the prescribed additional fee has been
9 paid. Payment must be made before issuance of the permit, amendment, or extension.

10 **109.2 Other fees.** The payment of the fee for all work done concurrently or in connection
11 with the work contemplated by a permit does not relieve the applicant or permit holder from
12 the payment of other fees prescribed by law for water taps, sewer connections, electrical
13 permits, signs and display structures, marquees, or other appurtenant structures, or fees for
14 inspections, occupancy permits, or other privileges or requirements, whether within or
15 without the jurisdiction of the Department.

16 **109.3 Minimum fees and service charges.** Fees or service charges for the various permits,
17 certificates, inspections, tests, or other services provided under this Code are as specified in
18 this § 109. Unless otherwise specified, the minimum fee or service charge is \$25. All fees
19 are to be rounded to the nearest dollar.

20 **109.4 Refunds; credits.**

21 **109.4.1 General.** No fee or other service charge paid for any application, permit,
22 certificate, inspection, test, or other service may be refunded, in whole or in part, except
23 as provided in this § 109.4.

24 **109.4.2 Limitations.** Except as provided in § 109.4.3:

- 25 1. if no work has been done nor any privilege enjoyed under a permit, certificate,
26 inspection, test, or other service, a refund may be granted of not more than 50%
27 of the fee or service charge paid; and
- 28 2. in no event may any refund be granted on any fee or charge of less than \$1,000.

29 **109.4.3 Administrative error.** If the Building Official revokes a permit because of an
30 administrative error that, through no fault of the applicant, was made in issuing the
31 permit, the applicant is entitled to:

- 32 1. apply for and receive a full refund of the fee paid for the revoked permit, or
- 33 2. request that the fee paid for the revoked permit be applied and credited to
34 the fee due for a new permit to replace the one revoked.

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109.5 Service charges.

109.5.1 Duplicate or additional documents. The charges for copies or duplicates of permits, certificates, and other documents are:

1. for photocopies of documents other than approved plans, \$1 for the 1st page and 50¢ for each additional page,
2. for duplicates of permits other than approved plans, \$10 for each duplicate issued, and
3. for copies or duplicates of approved plans, \$10 per sheet plus any charge involved in reproducing them.

Exception: The fee for photocopies of violation notices, condemnation notices, and records related to either, will be waived if the notices are:

1. for a residential property, and
2. the copies and the fee waiver are requested by:
 - a. the current owner of the property, as evidenced by a recorded deed, or
 - b. a current occupant of the property, as evidenced by an executed lease or other record satisfactory to the Building Official.

109.5.1.1 Deposit for copies. The Building Official may require a deposit in the amount of \$100 for any copy or duplicate request that:

1. is for photocopies of documents, other than approved plans or permits, estimated to be in excess of 200 pages; or
2. is for photocopies or duplicates of more than 10 approved plans or permits.

109.5.2 Partial permits. For a partial permit issued under this Code:

1. the charge is at the rate of:
 - a. \$10 for each \$1,000 worth of work up to \$1,000,000 worth of work, plus
 - b. \$5 for each \$1,000 worth of work in excess of \$1,000,000, and
2. the minimum charge is:
 - a. \$100 for 1- and 2-family dwellings, and
 - b. \$250 for all other structures.

109.5.3 Permit extensions. For a permit extension issued under this Code, the charge is as follows:

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- 1 1. If the application for extension is made within ~~[30]~~90 days after the permit
2 expires, the fee for the extension is \$25.
- 3 2. If the application for extension is made between ~~[30 - 60]~~ ~~31 - 60~~ 31-90 days after
4 the permit expires, the fee for the extension is 50% of the original permit fee.
5 Alternatively, the applicant may apply for a new permit for the work remaining to
6 be completed, with the fee for that permit to be based on the scope of that
7 remaining work.

8 **109.5.4 Permit amendments.** For an amendment to a permit, the charge is as follows:

- 9 1. For each amendment that involves a work area not originally applied for, the
10 charge is the appropriate fee for the work contemplated, with a minimum fee as
11 follows:
 - 12 a. 1- and 2-family dwellings \$50
 - 13 b. All others \$75
- 14 2. For each amendment within the work area originally applied for, the charge is the
15 appropriate fee for the work contemplated, with a minimum fee as follows:
 - 16 a. 1- and 2-family dwellings \$25
 - 17 b. All others
 - 18 0 to 500 sq. ft. \$75
 - 19 Over 500 sq. ft. to 1,000 sq. ft. \$150
 - 20 Over 1,000 sq. ft. to 5,000 sq. ft. \$250
 - 21 Over 5,000 sq. ft. \$500
- 22 3. To add or change a contractor, the charge is \$25 per application.

23 **109.5.5 Preliminary Project Review.** For a “Preliminary Review” of a proposed 24 project, the charge is \$50 for each half hour.

25 **109.5.6 Revised drawings.** For revised drawings, the charge is \$10 for each sheet 26 submitted, with a minimum charge of \$25.

27 **109.5.7 Application fee.** Before an application for any permit or certificate is processed, 28 the applicant must pay a nonrefundable application fee as follows:

- 29 1. For applications that do not require the submission of construction documents for
30 plan review:
 - 31 a. 1- and 2-family dwellings \$25
 - 32 b. All others \$50
- 33 2. For applications that require the submission of construction documents
34 for plan review:

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- | | | |
|---|------------------------------|-------|
| 1 | a. 1- and 2-family dwellings | \$125 |
| 2 | b. All others | \$150 |

3 **109.5.8 Inspection fees.**

4 **109.5.8.1 Overtime fee.** For each inspection or reinspection that, at the request of
5 the owner or owner's agent, is made outside normal working hours, a charge is
6 imposed at the rate of \$50 an hour for each inspector, with a minimum charge,
7 payable in advance, of \$200 for each inspector.

8 **109.5.8.2 Reinspection fee.** If the owner or owner's agent schedules an inspection
9 and, for any reason, a reinspection of the same work is required, the charge, payable
10 in advance, is as follows:

- 11 1. \$50 for a 1st reinspection,
- 12 2. \$100 for a 2nd reinspection, and
- 13 3. \$125 for a 3rd and every subsequent reinspection.

14 **109.5.9 Penalty surcharge.** A surcharge is imposed on any permit that is issued for
15 work begun or completed:

- 16 1. without a permit,
- 17 2. beyond the scope of a permit or in a manner inconsistent with plans or drawings
18 approved as part of a permit application, or
- 19 3. during the suspension or after the revocation of a permit for that work.

20 **109.5.9.1 Amount – In general.** Except as otherwise specified in this § 109.5.9, the
21 amount of the surcharge is the greater of \$1,000 or 50% of the permit fee.

22 **109.5.9.2 Amount – Demolition work.** For demolition work done without the
23 proper permit or in violation of the terms of a permit, the surcharge is 50¢ for each
24 cubic foot of the structure before the demolition.

25 **109.5.9.3 Reductions.** The Building Official may reduce the amount of a surcharge
26 imposed by this § 109.5.9:

- 27 1. on written application and justifiable cause demonstrated, and
- 28 2. in accordance with applicable standards and criteria contained in the rules and
29 regulations adopted under this Code.

30 **109.5.9.4 Surcharge in addition to other fines, etc.** A surcharge imposed by this
31 § 109.5.9 is in addition to any other fine or penalty imposed under this Code or any
32 other law or regulation.

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c. Alterations and repairs.

1. 1- and 2-family dwellings

\$0.30 per square foot or fraction of a square foot of affected gross floor area

Minimum \$50

Exception: For the following, the fee is \$10 for each \$1,000 or fraction of \$1,000 estimated cost, subject to a minimum fee of \$50 –

Alterations limited to the exterior.

Alterations limited to the installation of interior doors when no other work is contemplated on the permit.

2. All others

\$0.35 per square foot or fraction of a square foot of affected gross floor area

Minimum \$150

Exception: For the following types of work, the fee is \$12 for each \$1,000 or fraction of \$1,000 estimated cost, with a minimum fee of \$150 –

Alterations limited to the exterior.

Alterations limited to the installation of interior doors when no other work is contemplated on the permit.

Alterations limited to construction of new-tenant demising wall.

Alterations limited to creation of new-tenant shell space.

d. Interior only demolition.

\$0.02 per square foot or fraction of a square foot of affected gross floor area

Minimums –
1- and 2-family dwellings \$25
All others \$100

e. Chimneys, stacks, towers.

0 to 50 feet (15.24 m) high	\$35
Over 50 feet (15.24 m) to 100 feet (30.48 m) high	\$50
Over 100 feet (30.48 m) high	\$75

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f. Retaining walls.

\$10 for each 100 square feet (9.29 sq. m.) or fraction of 100 square feet (9.29 sq. m.) of area above footing.

g. Fences.

\$10 for each 100 linear feet (30.38 m) or fraction of 100 linear feet (30.38 m).

h. Grading (excavating or filling).

0 to 5,000 cu. yd. (3822.77 cu. m.)	\$35
Over 5,000 cu. yd. (3822.77 cu. m.) to 50,000 cu. yd. (38,227.74 cu. m.)	\$50
Over 50,000 cu. yd. (38,227.74 cu. m.)	\$75

i. Paving or surfacing.

0 to 1,000 sq. ft. (92.90 sq. m.)	\$25
Over 1,000 sq. ft. (92.90 sq. m.) to 10,000 sq. ft. (929.03 sq. m.)	\$35
Over 10,000 sq. ft. (929.03 sq. m.) to 50,000 sq. ft. (4645.15 sq. m.)	\$60
Over 50,000 sq. ft. (4645.15 sq. m.)	\$85

j. Erecting, placing, hanging, or reconstructing signs.

0 to 10 sq. ft. (0.929 sq. m.)	\$25
Over 10 sq. ft. (0.929 sq. m.) to 150 sq. ft. (13.94 sq. m.)	\$35
Over 150 sq. ft. (13.94 sq. m.) to 200 sq. ft. (18.58 sq. m.)	\$60
Over 200 sq. ft. (18.58 sq. m.) to 500 sq. ft. (46.45 sq. m.)	\$150
Over 500 sq. ft. (46.45 sq. m.)	\$250

k. Installing on-premises advertising signs.

For erecting, placing, hanging, or reconstructing any consolidated area of signage, as described in Baltimore City Zoning Code Title 17, Subtitle 3 {“Sign Dimension **AND QUANTITY** Measurement Methodology”}, the fee is \$1 a square foot, with a minimum of \$13 for each consolidated area of signage.

The rates in items j and k are based on the gross square feet area of the sign face or faces. No fee is charged for signs less than 100 square feet (9.29 sq. m.) and used exclusively for advertising the sale or lease of the property on which they are posted.

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1 For repairing, painting, and rehanging any sign in the same place, the fee is \$25 for
2 each sign.

3 **l. Demolition (other than interior only).**

4 1- and 2-family dwellings \$0.03 per cubic
5 foot volume of structure

6 Minimum \$300

7 All others \$0.075 per cubic
8 foot volume of structure

9 Minimum \$600

10 Accessory structures \$50 each

11 Maximum \$5,000 per permit

12 **m. Temporary structures.**

13 For each temporary structure, the fee is \$20 a year for each 500 square feet
14 or fraction of 500 square feet of gross floor area.

15 Minimum \$35

16 Maximum \$800

17 **n. Moving buildings.**

18 \$50 each

19 **o. Swimming pools.**

20 1- and 2-family dwellings \$50

21 All others \$250

22 **p. Occupancy permit (including any accompanying use permit issued under 23 Zoning Code).**

24 For each use in each building or part of a building \$45

25 **q. Sediment and erosion control.**

26 Sediment and erosion control permit and review fees will be assessed by the
27 Department of Public Works in accordance with the fee schedule established from
28 time to time by the Board of Estimates.

29 **r. DPW and DoT review charges.**

30 A fee of \$100 will be charged for each review of a permit application by the

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1 Department of Public Works or by the Department of Transportation. Additional
2 fees for consultation meetings with the applicant will be charged at the rate of \$50
3 for each half hour.

4 **109.6.2 Permit fees for electrical work.**

5 **a. Electrical service wiring and equipment to be installed, replaced, or** 6 **relocated, including provision for connection of meter.**

7 **1. Rating in Amperes**

8	0 to 100	\$25
9	Over 100 to 200	\$30
10	Over 200 to 400	\$40
11	Over 400 to 800	\$60
12	Over 800 to 1,000	\$100
13	Over 1,000 to 2,000	\$150
14	Over 2,000	\$200

15 For services over 600 volts, add \$100.

16 **2. Installing conduits and duct banks only**

17	Over 0 to 200 feet	\$25
18	Over 200 to 1,000 feet	\$50
19	Over 1,000 feet	\$100

20 **3. Sub feeders for additional meters only**

21	0 to 200 amperes	\$30
22	Over 200 to 400 amperes	\$40
23	Over 400 to 800 amperes	\$60
24	Over 800 to 1,000 amperes	\$100
25	Over 1,000 to 2,000 amperes	\$150
26	Over 2,000 amperes	\$200

27 **4. Photovoltaic system**

28	1 to 25 photovoltaic panels	\$25
29	For each additional 10 or fraction of 10 panels	\$5

30 **b. Electrical wiring for new branch circuits, feeders, and extensions to or** 31 **replacements of branch circuits.**

32 For each circuit \$6

33 A 3-wire or 4-wire branch circuit serving single phase loads is considered to be
34 a 2- or 3-branch circuit respectively.

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1 A 3-wire branch circuit serving only 3-phase loads or serving a single appliance
2 is considered to be a 1-branch circuit.

3 **c. Fixtures or devices only.**

4 For installing electrical fixtures or devices only:

5 1 to 25 fixtures \$25

6 \$5 for each additional 25 or fraction of 25 fixtures or devices.

7 **d. Temporary electrical wiring.**

8 **1. For bazaars, cinema shows, dances, displays, exhibitions, fairs, plays,** 9 **rummage sales, sporting events, suppers, and other similar assemblies.**

10 \$20 for each 5 kilowatts or fraction of 5 kilowatts of feeder capacity supplying
11 the wiring.

12 If the net proceeds from any of these events are to be used exclusively for the
13 benefit of a nonprofit, tax-exempt charitable or religious organization, then, on
14 the organization's submission with the permit application of evidence
15 documenting its qualifications, the permit fee is waived.

16 **2. For carnivals and circuses.**

17 \$25 for each 5 kilowatts or fraction of 5 kilowatts of feeder capacity supplying
18 the wiring.

19 If the net proceeds from any of these events are to be used exclusively for the
20 benefit of a nonprofit, tax-exempt charitable or religious organization, then, on
21 the organization's submission with the permit application of evidence
22 documenting its qualifications, the permit fee is waived.

23 **3. For construction purposes.**

24 The fee is the same as for permanent installations, and the permits
25 must be applied for separately.

26 **e. Electrical semiannual permits for maintenance work.**

27 The fee for each permit is based on the total service of the plant.

28 Rating of Service in Amperes

29 0 to 600	\$50
30 Over 600 to 800	\$75
31 Over 800 to 1,200	\$100
32 Over 1,200 to 2,000	\$150
33 Over 2,000	\$200

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1	f. Not otherwise classified.	
2	Electrical work not otherwise classified in this section	\$25 per permit
3	g. Low voltage \ wiring.	
4	1 to 25 devices	\$25
5	For each additional 10 or fraction of 10 devices	\$5
6	h. Telecommunications.	
7	Power Supply for Integrated Systems	
8	Up to 50kW	\$150
9	Over 50kW	\$2 per additional
10		10kW or fraction of 10kW
11	Maximum	\$500
12	Communication hotels	
13	Per rack	\$10
14	Maximum	\$300
15	Telecommunications antennas	
16	1 to 5 antennas	\$25
17	Over 5	\$5 per additional
18		antenna
19	Grounding and bonding	\$25
20	i. Installing electrical transformers only.	
21	1 to 10 KVA	\$25
22	Over 10 to 50 KVA	\$35
23	Over 50 to 100 KVA	\$75
24	Over 100 KVA	\$100

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1 **109.6.3 Permit fees for mechanical work.**

2 **a. Fuel-burning equipment and appliances.**

3 BTU per hour input per unit

4	0 to 200,000	\$30
5	Over 200,000 to 500,000	\$45
6	Over 500,000 to 1,000,000	\$75
7	For each additional 1,000,000 or fraction of 1,000,000	\$75

8 Maximum \$300 per unit

9 Lab tables: \$5 per outlet

10 Fuel oil or natural gas piping, new or replacement

11	1- and 2-family dwellings	\$25
12	All others	\$50
13	Replacement of units same as new	

14 **b. Air conditioning systems.**

15 Cooling towers \$150 per unit

16 All others \$5 a ton
17 (1 ton = 12,000 BTU per hour)

18 Minimum \$ 30
19 Maximum \$300 per unit

20 **c. Hydronic and steam-heating systems.**

21 New installation of baseboard radiation

22	1- and 2-family dwellings	\$25
23	All others	\$50

24 New installation of piping

25	1- and 2-family dwellings	\$25
26	All others	\$50

27 New installation of radiators or convectors \$5 each

28 Minimum \$30

29 Geothermal system \$50

30 Replacement of unit same as new

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1	d. Distribution systems.	
2	New installation	
3	1- and 2-family dwellings	\$25 per system
4	All other work	\$5 per 1000 CFM
5	Minimum	\$30
6	Maximum	\$300
7	Reconstruction of existing distribution systems	
8	1 to 25 diffusers	\$35
9	Over 25 diffusers	\$50 per 100 or fraction of 100
10	VAV or mixing boxes	\$5 each
11	e. Exhaust systems.	
12	\$5 for each 1,000 cubic feet (28.31 cu. m.) of air per minute	
13	Minimum	\$30
14	Maximum	\$300
15	f. Unfired pressure vessels.	
16	\$50 each	
17	g. Tanks for all liquids, including propane gas cylinders.	
18	LP gas cylinders in the aggregate of 1,000 gallons (3,780 L) or	
19	fraction of 1,000 gallons (3,780 L) are considered 1 tank.	
20	0 to 1,000 gallons (3,780 L)	\$20 each
21	Over 1,000 gallons (3,780 L) to 10,000 gallons (37,800 L)	\$30 each
22	Over 10,000 gallons (37,800 L)	\$30 plus \$10 per 5,000 gallons
23		(18,900 L) or fraction over
24		10,000 gallons (37,800 L);
25		maximum \$400
26	Removal of tanks	\$35 per tank
27	h. Pumps and dispensers.	
28	For each hose outlet	\$10
29	Minimum	\$30

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1	i. Fire extinguishing systems.	
2	Sprinkler systems	
3	1 to 25 heads	\$35
4	More than 25 heads	\$50 per 100 heads or
5		fraction of 100 heads
6	Relocate sprinkler heads	\$5 each
7	Minimum	\$30
8	Maximum	\$100
9	Replace sprinkler heads only	\$20
10	Standpipe risers	\$50 each
11	Relocate hose stations	\$10 each
12	Chemical systems	\$50
13	j. Plumbing and on-site utilities.	
14	Install, replace, or reconstruct plumbing fixtures	\$5 each
15	Remove plumbing fixtures only	\$20
16	Electrical water heaters, new construction or replacement	\$20 each
17	Grease interceptors	\$25 each
18	Water service pipe, new or replacement	
19	1-and 2-family dwellings	\$25
20	All other work	\$50
21	Sanitary connection, new or replacement	
22	1- and 2-family dwellings	\$25
23	All other work	\$50
24	Storm water connection, new or replacement	
25	1- and 2-family dwellings	\$25
26	All other work	\$50
27	Reconstruct water, sanitary, or storm lines on premises	\$20 per utility
28	Cap off water, sanitary, or storm lines on premises	\$50 per utility
29	On-site utilities (water, sanitary, or storm water)	
30	New or reconstruction	\$50 per utility
31	Multiple home site development	\$10 per utility

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1	Private disposal systems, including septic tank, dry	
2	well, or drain fields	\$100, plus
3		\$5 per plumbing fixture
4	Lawn irrigation system	\$25
5	Private swimming pool when connected to a water and sewer line	\$30
6	Backflow prevention device	
7	Installation	
8	Less than 2" diameter	\$25 each
9	2" diameter or more	\$100 each
10	Annual testing inspection	\$30
11	k. Installing elevators, escalators, etc.	
12	Installation per unit:	
13	Passenger, power freight, and parking elevators	\$50, plus \$5 per floor
14	Maximum	\$150
15	Escalators	\$60
16	Hand or gravity elevators	\$35
17	Stage or orchestra console elevators	\$50
18	Private residence elevators or inclined lifts	\$35
19	Person lifts	\$50
20	Automobile service lifts	\$20
21	Power dumbwaiters	\$35
22	Hand dumbwaiters	\$30
23	Temporary material hoists and elevators	\$35
24	Workers' hoists	\$35, plus \$5 per floor
25	Alterations	\$50 per elevator

26 **109.6.4 Fees for certificates.**

27 **a. Electrical certificates of approval.**

- 28 1. \$10 each when issued as part of original permit.
- 29 2. \$20 each when issued separately.

30 **b. Mechanical certificates of approval.**

- 31 1. \$10 each when issued as part of original permit.
- 32 2. \$20 each when issued separately.

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c. Certificates of completion or other.

- 1. \$5 each when issued as part of original permit.
- 2. \$10 each when issued separately.

109.6.5 Fees for inspection registration permits. For inspection registration permits, the fees are as follows:

a. Public assemblies – Annual.

For public assemblies, the annual fee is:

0 to 6,000 sq. ft. (557.42 sq. m.)	\$55
Over 6,000 sq. ft. (557.42 sq. m.) to 12,000 sq. ft. (1114.84 sq. m.)	\$60
Over 12,000 sq. ft. (1114.84 sq. m.) to 25,000 sq. ft. (2322.58 sq. m.)	\$75
Over 25,000 sq. ft. (2322.58 sq. m.)	\$85

If the net proceeds from any of these assemblies are to be used continuously and exclusively for the benefit of a nonprofit, tax-exempt charitable or religious organization, then, on the organization’s submission with the permit application of evidence documenting its qualifications, the permit fee is waived.

b. Public assemblies – Short term.

For public assemblies for which an annual permit has not been obtained, fees are charged as follows for each 10,000 square feet (929.03 sq. m.) or fraction of 10,000 square feet (929.03 sq. m.):

Purpose	1 Day	1 Week
Bazaars	\$20	\$ 60
Carnivals	\$35	\$ 95
Circuses	\$60	\$200
Dances	\$30	\$ 70
Displays	\$20	\$ 50
Exhibitions	\$20	\$ 50
Fairs	\$35	\$ 85
Lectures	\$20	\$ 50
Movies or videos	\$20	\$ 60
Plays	\$20	\$ 50
Rummage Sales	\$20	\$ 50
Sporting events	\$35	\$ 85
Suppers	\$20	\$ 50
Other assemblies	\$20	\$ 50
Amusement devices	\$30 each	—

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1 If the net proceeds from any of these activities, other than amusement devices, are to
2 be used exclusively for the benefit of a nonprofit, tax-exempt charitable or religious
3 organization, then, on the organization’s submission with the permit application of
4 evidence documenting its qualifications, the permit fee is waived.

5 **c. Roof tanks and roof signs.**

6 For roof tanks and roof signs, the annual fee is:

7	Roof tanks	\$50 each
8	Roof signs	
9	100 sq. ft. (9.29 sq. m.) to 500 sq. ft. (46.45 sq. m.)	\$50
10	Over 500 sq. ft. (46.45 sq. m.) to 1,000 sq. ft. (92.90 sq. m.)	\$75
11	Over 1,000 sq. ft. (92.90 sq. m.)	\$100

12 **109.6.6 Fees for miscellaneous work.** Permit fees for miscellaneous work, operations,
13 and other purposes, not elsewhere provided for in this Code, are charged at the rate of \$10
14 for each \$1,000 or fraction of \$1,000 of estimated cost.

15 **109.7 Building Code Permit Tax.** A tax is levied and imposed on every issuance of a
16 permit under this Code. The amount of the tax is 5% of the final cost of that permit rounded
17 up to the nearest whole dollar. The funds so collected are to be deposited to the General
18 Fund and accounted for in a revenue account entitled “Homeless Relief Assistance”, with the
19 legislative intent that an equivalent amount be appropriated in the future for the relief of the
20 homeless.

21 **Section 110 Inspections**

22 **110.1 to 110.2** *{As in IBC}*

23 **110.3 Required inspections.** *{As in IBC}*

24 **110.3.1 to 110.3.2** *{As in IBC}*

25 **110.3.3 Lowest floor elevation.** In a flood hazard area, on placement of the lowest floor
26 and before undertaking any further vertical construction, the elevation certificate required
27 by the Floodplain Management Code must be submitted to the Building Official.

28 **110.3.4 to [110.3.10] 110.3.11** *{As in IBC}*

29 **110.3.12 [110.3.11] Final inspection.** The final inspection must be made after all work
30 required by the building permit is completed.

31 **110.3.12.1 [110.3.11.1] Flood hazard documentation.** For structures in a flood
32 hazard area, documentation of the elevation of the lowest floor, as required by the
33 Floodplain Management Code, must be submitted to the Building Official before the
34 final inspection.

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1 **110.4 to 110.6** *{As in IBC}*

2 **Section 111 Occupancy Permit; Certificate of Completion**

3 **111.1 to 111.4** *{As in IBC. But Note: The “certificate of occupancy” to which the IBC*
4 *refers is known in Baltimore City as an “occupancy permit”.*}

5 **111.5 Certificate of completion.** Within 10 days of written application, the Building
6 Official will issue a certificate of completion if all work authorized by a building permit has
7 been satisfactorily completed in compliance with this Code. The certificate certifies the
8 satisfactory completion of the work and the purpose for which the structure may be used in its
9 several parts.

10 **Section 112 Service Utilities** *{As in IBC}*

11 **Section 113 Board of Appeals** *{Not Adopted}*

12 **Section 114 Violations**

13 **114.1 Unlawful acts.** It is unlawful for any person to:

- 14 1. construct, alter, add to, repair, rehabilitate, demolish, move, locate, use, occupy, or
15 maintain any structure, premises, land, or equipment contrary to or in conflict with or
16 in violation of:
- 17 a. any provision of this Code,
- 18 b. any provision of City Code Article 6 {“Historical and Architectural
19 Preservation”}, or
- 20 c. any provision of any rule, regulation, decision, permit, notice, or order issued
21 under this Code or under City Code Article 6 by the Building Official, by the
22 Commission for Architectural and Historical Preservation, or by any other
23 person, board, department, bureau, commission, or agency with jurisdiction,
- 24 2. otherwise fail to comply with any provision of this Code, of City Code Article 6, or of
25 any rule, regulation, decision, permit, notice, or order issued under this Code or City
26 Code Article 6, or
- 27 3. cause any of these acts or omissions to be done.

28 **114.2 Violation notice or order.** Except as otherwise provided in this Code, the Building
29 Official may serve a violation notice or order on any person legally responsible for the
30 construction, alteration, addition, repair, rehabilitation, demolition, moving, location, use,
31 occupancy, or maintenance of any structure, premises, land, or equipment in violation of any
32 provision of:

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- 1 1. this Code, or
- 2 2. a plan approved under this Code, or
- 3 3. a permit or certificate issued under this Code.

4 **114.2.1 Tenor of notice or order.** The notice or order may direct:

- 5 1. the discontinuance of the illegal action or condition, and
- 6 2. the abatement of the violation, which may include restoration to the prior
7 condition.

8 **114.3 Enforcement generally.** If a violation is not [promptly] discontinued or [abated,]
9 **ABATED WITHIN 14 DAYS OF THE ISSUANCE OF A VIOLATION NOTICE,** or if the violation notice
10 or order is not complied with [promptly,] **WITHIN 14 DAYS OF THE ISSUANCE OF A VIOLATION**
11 **NOTICE,** the Building Official may institute or cause to be instituted any appropriate legal
12 proceedings. **PROVIDED HOWEVER, FOR AN EMERGENT ISSUE, AS DETERMINED BY THE**
13 **BUILDING OFFICIAL, THE 14 DAY PERIOD TO ABATE OR COMPLY WITH THE NOTICE OR ORDER**
14 **MAY BE WAIVED BY THE BUILDING OFFICIAL AND THE BUILDING OFFICIAL MAY INSTITUTE OR**
15 **CAUSE TO BE INSTITUTED ANY APPROPRIATE LEGAL PROCEEDINGS.**

16 **114.3.1 Types of proceedings.** Enforcement proceedings may include:

- 17 1. injunctive or other equity proceedings, including:
 - 18 a. an action initiated by a code-enforcement-injunction citation under
19 City Code Article 19, § 71-3 {"Code enforcement injunction"}, or
 - 20 b. an action for appointment of a receiver under § 121 {"Vacant Building
21 Receiver"} of this Code,
- 22 2. criminal prosecution, including a prosecution initiated by a prepayable criminal
23 citation under City Code Article 19, § 71-2 {"Prepayable criminal citations"}, and
- 24 3. administrative proceedings, including one initiated by an environmental citation
25 under City Code Article 1, § 40-14 {"Violations to which subtitle applies"}.

26 **114.3.2 Remedies not exclusive.** In pursuing a violation, the Building Official may use
27 any 1 or more available remedies or enforcement actions. The initiation of any 1 remedy
28 or enforcement action does not preclude pursuing any other remedy or enforcement action
29 authorized by law. Neither damages, irreparable injury, nor the lack of an adequate
30 remedy at law is a prerequisite to enforcement in equity.

31 **114.3.3 When prior notice not required.** A violation notice or order is not a
32 prerequisite to enforcement action in the following situations:

- 33 1. when seeking a temporary restraining order or injunction in an emergency,
- 34 2. when seeking equitable relief for a pattern or practice of noncompliance,

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- 1 3. for work being done without a permit or in violation of a stop-work order,
- 2 4. for a violation that remains unabated after a prior prosecution for that violation,
- 3 5. for a prepayable criminal citation that is issued under City Code Article 19,
- 4 Subtitle 71 {"Special Enforcement Officers"} and for which prior notice is
- 5 waived under Article 19, § 71-2 {"Prepayable criminal citations"},
- 6 6. for an environmental citation that is issued under City Code Article 1, Subtitle 40
- 7 {"Environmental Control Board"},
- 8 7. for occupying or causing to be occupied a building that is subject to a violation
- 9 notice issued under § 116 {"Unsafe Structures"} or § 120 {"Condemnation
- 10 Proceedings"}, and
- 11 8. in any other case specifically authorized by this Code.

12 **114.4 Violation a misdemeanor.** A person is guilty of a misdemeanor and, on conviction,

13 subject to the penalties specified in this § 114.4, if the person:

- 14 1. violates a provision of this Code,
- 15 2. fails to comply with any requirement of this Code or of a {rule,} regulation, order,
- 16 decision, permit, or notice issued under this Code, or
- 17 3. constructs, alters, adds to, repairs, rehabilitates, demolishes, moves, locates, uses,
- 18 occupies, or maintains any structure, premises, land, or equipment in violation of an
- 19 approved plan or directive of the Building Official or of a permit or certificate issued
- 20 under this Code.

21 **114.4.1 Notice required.** Except as otherwise specifically authorized by law, criminal

22 proceedings may not be initiated unless the Building Official issues a notice of violation

23 and allows a period within which to abate the violation.

24 **114.4.2 Each day a separate offense.** [Each day] **IF A VIOLATION IS NOT DISCONTINUED,**

25 **ABATED, OR COMPLIED WITH WITHIN 14 DAYS FROM THE ISSUANCE OF A VIOLATION**

26 **NOTICE, EACH DAY THEREAFTER** that a violation continues is a separate offense. Proof

27 that a violation exists on any date after issuance of a violation notice is prima facie

28 evidence that the violation has continued unabated throughout the intervening period.

29 **114.4.3 Penalties.** The penalty for each offense is [as follows:

- 30 1. for work done without a permit or in violation of a stop-work order, a fine of not
- 31 more than \$500 or imprisonment for not more than 90 days or both fine and
- 32 imprisonment, and
- 33 2. for all other violations,] a fine of not more than \$500.

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1 **114.5 Civil penalties and costs.** In equity proceedings instituted under this Code:

- 2 1. a violation for which equitable relief is sought is subject to a civil fine of not more
3 than \$500 for each day that the violation continues unabated,
- 4 2. the defendant is liable for the plaintiff's enforcement costs and reasonable attorneys'
5 fees, at the rate established by the Court of Appeals, whether or not the attorney is a
6 salaried employee of the plaintiff, and
- 7 3. judgment may be sought for outstanding liens imposed by the City on property subject
8 to the proceeding and owned by the defendant.

9 **114.6 Additional legal action.** The imposition of penalties does not preclude the City
10 Solicitor from instituting appropriate legal proceedings to:

- 11 1. prevent unlawful construction,
- 12 2. restrain, correct, or abate a violation,
- 13 3. prevent illegal occupancy of a structure or premises, or
- 14 4. stop an illegal act, conduct, business, or use of a structure on or about any premises.

15 **114.7 to 114.10 {Reserved}**

16 **114.11 Revoking or withholding violator's permits.**

17 **114.11.1 Scope.** This § 114.11 applies whenever the Building Official finds that an
18 owner, an owner's agent, a contractor, or an architect, engineer, or other design
19 professional:

- 20 1. has violated a provision of this Code, of a permit, or of the rules and regulation
21 of any department or agency of the City in connection with the construction,
22 alteration, addition, repair, rehabilitation, demolition, moving, location, use,
23 occupancy, or maintenance of any structure, premises, land, or equipment, or
- 24 2. has failed to pay any outstanding citation issued or fee imposed under this Code.

25 **114.11.2 Actions authorized.** In any situation described in § 114.11.1, the Building
26 Official may:

- 27 1. revoke, without prior notice, any existing permit that has been granted:
 - 28 a. to the owner, the owner's agent, the contractor, or the architect, engineer,
29 or other design professional, or
 - 30 b. for work in connection with which the design professional is employed,
31 and
- 32 2. refuse to grant, for a period of up to 5 years, any further permits:

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- 1 a. to the owner, the owner’s agent, the contractor, or the architect, engineer,
2 or other design professional,
- 3 b. for work in connection with which the design professional is employed, or
- 4 c. for work on the property with respect to which the violation occurred.

5 **114.12 to 114.13** *{Reserved}*

6 **114.14 Work without permit.** Any person who does work without a permit, outside or
7 beyond the scope of a permit, or in a manner inconsistent with plans or drawings approved as
8 part of a permit application:

- 9 1. is in violation of this Code and subject to enforcement action without notice,
- 10 2. must immediately stop any work in progress,
- 11 3. must obtain a permit, paying all associated fees and penalties, whether the work
12 is in progress or completed, and
- 13 4. must restore the structure to its original condition, unless:
 - 14 a. the work otherwise conforms to the relevant requirements of law, and
 - 15 b. the Building Official, in his or her discretion, allows the work to
16 remain or continue.

17 **114.15 to 114.20** *{Reserved}*

18 **114.21 Responsibility of owners and operators.** Except as otherwise specifically provided
19 in § 114.21.1, the owner and the operator of any property subject to this Code are each:

- 20 1. responsible for compliance with all provisions of this Code in all matters pertaining
21 directly or indirectly to that property, and
- 22 2. liable for all violations of this Code in connection with any land, structure, matter, or
23 thing owned or controlled by them.

24 **114.21.1 Exceptions.** Only the owner is responsible for compliance with a provisio
25 requiring an owner’s signature. Except as specified in § 114.21.2, an owner or operator is
26 not responsible for compliance with a provision of this Code that is specifically
27 designated as the responsibility of the occupant, unless that owner or operator is also an
28 occupant.

29 **114.21.2 Liability for sanitary maintenance.**

- 30 a. **Secondary liability.** If, after a notice, order, or citation, a tenant fails to correct a
31 violation of Property Maintenance Code § 305 {“Exterior Sanitary Maintenance –
32 General”} or § 306 {“Exterior Sanitary Maintenance – Trash, Garbage, and
33 Debris”} for which occupants are responsible under Property Maintenance Code §

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1 308 {"Occupants' Sanitary Responsibilities"}, the owner and operator of the
2 property are secondarily liable.

3 **b. Liability – Failure to register property.** The owner of a property is responsible
4 for exterior sanitary maintenance if:

- 5 1. the owner fails to register or license the property as required by City Code
6 Article 13, Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings,
7 etc."} or Subtitle 5 {"Licensing of Rental Dwellings"}, or
- 8 2. reasonable attempts at telephone contact, using information in a current
9 registration statement, do not lead within 2 business days to current
10 occupant information.

11 **c. Liability – Third environmental citation.** The owner of a property is
12 responsible for exterior sanitary maintenance if:

- 13 1. within the previous 12 months, two or more environmental citations were
14 issued under City Code Article 1, Subtitle 40 {"Environmental Control
15 Board"}, for violations of this Code that were the responsibility of an
16 occupant of the property under Property Maintenance Code § 308
17 {"Occupants Sanitary Responsibilities"}, and
- 18 2. notification of each citation has been sent to the owner by regular mail.

19 **114.21.2.1 Notice to owner, operator.** Before an owner or operator may be charged
20 under § 114.21.2a {"Secondary liability"}, he or she must be served with a violation
21 notice under § 123.4 {"Violation notices"}. A violation notice under § 123.4 is not
22 necessary to charge an owner under §§ 114.21.2b {"Liability – Failure to Register
23 Property"} or 114.21.2c {"Liability – Third environmental citation"}.

24 **114.21.2.2 Recovery of expenses.** If an owner or operator incurs expenses in
25 correcting the violation, the owner or operator:

- 26 1. may bring legal action to recover those expenses from the tenant, and
- 27 2. has all the rights and remedies available under the law for nonpayment.

28 **114.22 Responsibility of others.** In addition to the owner or operator of the property
29 involved, any other person who violates any provision of this Code is liable for the violation
30 and, on conviction, is subject to all penalties provided in this Code for the violation.

31 **114.23 Responsibility of transferee.** This § 114.23 applies whenever any property is
32 transferred by sale, assignment, ground rent lease, or otherwise, with or without consideration
33 ("transfer"). Except as provided in § 114.25 {"Responsibility of mortgagee"}, this § 114.23
34 does not apply to a mortgagee or to the holder of a note secured by a deed of trust.

35 **114.23.1 Duty before transfer.** Before any transfer of property, the transferee must
36 obtain a copy of a violation report for the property.

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1 **114.23.2 Primary liability of transferee.** On transfer of the property, if any violation or
2 condemnation notices lie against the property and are included in the violation report, the
3 transferee:

- 4 1. becomes primarily liable for those notices the same as if the notices had been
5 addressed to the transferee,
- 6 2. must abate the violation, and
- 7 3. is liable in accordance with § 117 {“Emergency and Corrective Measures”} of
8 this Code for any expenses incurred by the City in abating the violation or
9 condemnation notice, if the transferee failed to request a violation report as
10 required by § 114.23.1.

11 **114.23.3 Reliance on violation report.** A transferee is not liable for abatement
12 expenses incurred by the City if, before the transfer, the transferee requested a violation
13 report and the report does not show the violation.

14 **114.24 Responsibility of officers, directors, etc., of corporations, partnerships, etc.**

15 Whenever a corporation, joint stock company, partnership, association, limited liability
16 company, or other entity violates any provision of this Code, every officer, director, trustee,
17 partner, member, or agent of that entity who has authorized or done any of the acts
18 constituting the violation, in whole or in part, or who has failed to act or acquiesced in any
19 failure to act constituting the violation, in whole or in part, is individually guilty of a
20 misdemeanor and, on conviction, is subject to the penalties provided in this § 114.

21 **114.25 Responsibility of mortgagee.** A person that acquires an interest in property by way
22 of a mortgage or deed of trust (“lender”) is liable to the same extent as an owner/transferee
23 for a violation or condemnation notice pertaining to a vacant unsafe structure, if:

- 24 1. the person with primary responsibility fails to comply with the notice,
- 25 2. the lender has been notified by certified mail of the violation or condemnation notice,
26 and
- 27 3. within 180 days after the receipt of the notice:
 - 28 a. ratification of a foreclosure sale of the property has not occurred, or
 - 29 b. the lender has not released its mortgage or deed of trust.

30 **114.25.1 Bankruptcy toll.** The 180-day period referred to in § 114.25(3) is tolled by
31 any period during which the lender’s right to foreclose is stayed by a pending proceeding
32 under the federal Bankruptcy Code.

33 **114.25.2 Defense.** During any enforcement proceeding instituted against a lender under
34 this section, it is a defense that the lender did not have the right to institute foreclosure
35 proceedings.

36 **114.25.3 During pendency of foreclosure.** During the pendency of a foreclosure, the

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1 lender is responsible for maintaining the property free from high vegetation, free from
2 accumulation of trash and debris, and otherwise in full compliance with the requirements
3 of this Code.

4 **114.26 Responsibility of buyer on foreclosure.** On foreclosure or sale in lieu of
5 foreclosure, the buyer:

- 6 1. acquires ownership responsibility when the sale is ratified, and
- 7 2. takes title subject to any outstanding notices.

8 Section 115 Stop-Work Order

9 **115.1 Authority.** *{As in IBC}*

10 **115.2 Issuance.** The stop-work order must be in writing and state the reason for the order.
11 It must be posted on the property. On posting, the cited work must immediately cease.
12 Written notice of the stop-work order must be sent by first class and certified mail to the
13 owner of the property involved.

14 **[115.3 Unlawful continuance.** *{As in IBC}*]

15 **115.3 EMERGENCIES** *{AS IN IBC}*

16 **115.4 FAILURE TO COMPLY** *{AS IN IBC}*

17 **115.5 [115.4] Removal, etc., of posted notice.** Until the Building Official so authorizes, no
18 person may remove, deface, damage, or change any notice, poster, or sign placed under this
19 section on any land, structure, or other object.

20 Section 116 Unsafe Structures

21 **116.1 General.** Any structure or part of a structure found to be unsafe or unfit for human
22 habitation or other authorized use must be rehabilitated or, as permitted or required by the
23 Building Official, demolished.

24 **116.1.1 Scope.** A structure may be unsafe or unfit for human habitation or other
25 authorized use because of:

- 26 1. conditions constituting a fire hazard or conditions of damage, decay, dilapidation,
27 obsolescence, abandonment, vacancy (as described in § 116.4), insanitation, or
28 vermin or rodent infestation that constitute a hazard to the health, welfare, or
29 safety of occupants or the public,
- 30 2. lack of sanitation, illumination, ventilation, heating, plumbing, exitways, fire
31 protection, utilities, or other facilities adequate to protect the health, welfare, or
32 safety of occupants or the public, or

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- 1 3. conditions that are so unsafe, insanitary, overcrowded, improper in use or
2 occupancy, or otherwise dangerous to life, health, welfare, or safety as to create a
3 hazard to occupants or the public.

4 **116.2 Occupied unsafe structures.** Whenever the Building Official or the Commissioner
5 of Health finds all or any part of an occupied structure to be unsafe or unfit for human
6 habitation or other authorized use:

- 7 1. either the Building Official or Commissioner of Health may:
 - 8 a. post an order requiring the structure or affected part to be vacated, and
 - 9 b. take necessary steps to remove occupants who fail or refuse to vacate,
- 10 2. once vacated, the structure or affected part may not be reoccupied until:
 - 11 a. it is rehabilitated to comply with all applicable codes and ordinances, and
 - 12 b. the Building Official has issued an occupancy permit, and
- 13 3. pending rehabilitation, the structure must be kept secure against casual entry and the
14 premises kept free of occupants, litter, high grass, and weeds.

15 **116.3 Temporarily unoccupied structures.** Any structure or part of a structure that has
16 been left unoccupied without removing appliances or portable equipment or furniture and
17 without disconnecting utility service must be safeguarded by closing and securely locking all
18 windows, doors, and other openings.

19 **116.4 Vacant structures.** Every vacant structure, as defined in this § 116.4, is declared to
20 be a fire hazard and a nuisance per se, and must be safeguarded and otherwise maintained as
21 required in this § 116.4.

22 **116.4.1 Definitions.**

23 **116.4.1.1 General.** In this § 116.4, the following terms have the meanings indicated.

24 **116.4.1.2 Vacant structure.** “Vacant structure” means a structure or distinguishable
25 part of a structure that is:

- 26 1. unoccupied, and
- 27 2. either:
 - 28 a. unsafe or unfit for human habitation or other authorized use, or
 - 29 b. a nuisance property.

30 **116.4.1.3 Nuisance property.** “Nuisance property” means:

- 31 1. an unoccupied structure for which 2 or more final, non-appealable Building

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1 Code, Fire Code, or Property Maintenance Code violations remained unabated
2 for 10 days or more beyond the date by which the violation notice, citation, or
3 order required the violation to be corrected; or

- 4 2. the exterior premises of an unoccupied structure for which, at any time within
5 the preceding 12 months, on 6 or more separate occasions, final, no-longer
6 appealable violation notices, citations, or orders were served to correct
7 violations of Property Maintenance Code, § 305 {"Exterior Sanitary
8 Maintenance – General"} or § 306 {"Exterior Sanitary Maintenance – Trash,
9 Garbage, and Debris"}.

10 **116.4.1.3.1 Registered interest holders.**

11 **116.4.1.3.1.1 Registration authorized.** A holder of an interest in a structure
12 by way of a mortgage or deed of trust may register that interest in the Housing
13 Commissioner’s Registry of Non-Owner-Occupied Dwellings, Rooming
14 Houses, and Vacant Structures (City Code Article 13, Subtitle 4).

15 **116.4.1.3.1.2 Notice required to registrants.** Before declaring an
16 unoccupied structure to be a nuisance property, the Building Official must
17 send a notice, by first-class mail or email, to any interest holder that is
18 registered for that structure under City Code Article 13, Subtitle 4
19 {"Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and
20 Vacant Structures"}.

21 **116.4.1.3.1.3 Tenor of notice.** The notice shall provide the interest holder
22 with the opportunity to avoid a declaration of public nuisance if, within 30
23 days of the mailing, the interest holder:

- 24 1. abates all outstanding violations; and
25 2. submits a reasonable plan to the Building Commissioner for regular
26 maintenance of the property.

27 **116.4.1.3.2 Official’s corrective actions do not constitute abatement.**

28 Actions taken by the Building Official to clean, secure, or repair a property do not
29 preclude the Building Official’s determination that the property is a nuisance
30 property.

31 **116.4.2 Determination of vacancy, noncompliance.** A determination of vacancy and a
32 determination of noncompliance with a notice or order issued under this section may be
33 based on observation that a structure:

- 34 1. contains, at any level, any open window or door, any opening caused by
35 damage or decay, or any other opening that is unprotected from intruders,
36
37 2. has boarded windows or doors, or
38
39 3. lacks intact doors, windows, window sashes, walls, or roof surfaces to protect
40 against the elements.

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1 **116.4.3 Required safeguarding.** Every vacant structure must be cleaned, closed, and
2 safeguarded as follows:

- 3 1. Before the structure is closed and secured, all litter, trash, and other debris must
4 be removed from the premises.
- 5 2. All windows, doors, and other openings must be closed, securely locked, and, if
6 readily accessible, boarded up with substantial material, including masonry,
7 approved by the Building Official. The Building Official may require windows
8 facing streets to be boarded with lexan, vinyl, or similar material, protected by
9 security grills, or both.
- 10 3. As long as the structure remains unrehabilitated:
- 11 a. it must be kept boarded,
- 12 b. the premises must be conspicuously posted against trespass, and
- 13 c. the premises must be kept free of occupants, litter, trash, debris,
14 high grass, and weeds at all times, and
- 15 d. the structure's roof and flashing must be sound, right, and without defects
16 that admit rain.
- 17 4. Boarding, posting, and cleaning, however, do not relieve the owner of
18 responsibility to demolish or to repair and maintain the property in conformity
19 with this Code.
- 20 5. The Building Official may post a sign to inform the public that the structure is a
21 vacant structure and to provide additional information about the structure's status.
- 22 6. The structure may not be reoccupied until the Building Official has issued an
23 occupancy permit.

24 **116.4.4 Emergency condition.** A vacant structure that is not kept boarded and free from
25 accumulations of debris and high vegetation or that, in the opinion of the Building
26 Official, is so dangerously unsound or so deteriorated that rehabilitation is not feasible,
27 constitutes an emergency condition that imminently threatens the public health and safety
28 and requires immediate resolution.

29 **116.4.5 Rodenticide procedure.** See § [3314] 3318 of this Code.

30 **116.4.6 Notice to Public Works.** Whenever the Building Official determines a structure
31 to be vacant, the Building Official must promptly notify the Director of Public Works of
32 that determination. On receipt of the notice, the Director of Public Works must proceed
33 to cut off water service, as provided in City Code Article 24, § 2-3 {"Cut-off for
34 [nonpayment"}.] ARREARAGE"}.

35 **116.5 Rehabilitation, demolition, and stabilization.** Except as otherwise authorized or

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1 required under this section, a structure found to be unsafe or unfit for human habitation or
2 other authorized use must be rehabilitated and an occupancy permit obtained.

3 **116.5.1 Permitted demolition.** On timely appeal of an order to rehabilitate, the Building
4 Official may permit an owner to demolish an unsafe structure instead of rehabilitating it
5 if, in the Building Official's opinion, demolition is not detrimental to the immediate
6 neighborhood.

7 **116.5.2 Required demolition.** The Building Official may order the immediate
8 demolition of any unsafe structure that, in the Building Official's opinion, is either so
9 dangerously unsound or so deteriorated that rehabilitation is not feasible.

10 **116.5.2.1 Appeal.** The recipient of an order to demolish an unsafe structure may
11 request administrative review of the order under § 128 {"Administrative and Judicial
12 Review"} of this Code.

13 **116.5.2.2 Rescission of demolition order.** The Building Official may rescind or
14 modify a demolition order if the owner demonstrates the financial ability and requisite
15 expertise to rehabilitate the structure within a reasonable time, as determined by the
16 Building Official, and agrees to comply with a specified timetable. Failure to comply
17 with an agreed timetable reinstates the demolition order.

18 **116.5.3 Stabilization.** The Building Official may permit or order an interim stabilization
19 of an unsafe structure pending its rehabilitation.

20 **116.5.4 Reoccupancy of rehabilitated structure.** A structure declared unsafe or unfit
21 for occupancy may not be reoccupied until the Building Official has:

- 22 1. abated the violation notice or order, and
- 23 2. issued an occupancy permit.

24 **116.6 Vacant lot maintenance.** When a structure has been demolished under this § 116, the
25 premises must be made to conform to the provisions of this Code and of the {rules and}
26 regulations adopted under this Code.

27 **116.7 Remedial action by Building Official.** The Building Official may take action under
28 this § 116.7 whenever the owner, agent, or person in control cannot be found or fails to
29 comply with a notice or order served under this Code:

- 30 1. to repair, rehabilitate, stabilize, or demolish an unsafe structure,
- 31 2. to clean, close, board, fence, or otherwise safeguard a vacant structure or lot, or
- 32 3. to remove high grass and weeds or litter, trash, and debris from
33 the premises of a vacant structure or lot.

34 **116.7.1 Actions authorized.** The Building Official may proceed to:

- 35 1. have a receiver appointed, or

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1 2. complete all or any part of the required work through officers,
2 agents, employees, or contractors.

3 **116.7.2 Entry to property.** Before taking any remedial action, the Building Official
4 may enter the premises, without additional notice, to determine the extent of deterioration
5 and the feasibility of rehabilitation.

6 **116.7.3 When additional notice not required.** Boarding, cleaning, fencing, and
7 otherwise safeguarding a vacant structure or lot that is subject to an expired violation
8 notice is an emergency action that requires no additional prior notice.

9 **116.7.4 Remedies nonexclusive.** Remedial action under this § 116 does not preclude
10 any other enforcement action authorized by this Code.

11 **116.8 {Reserved}**

12 **116.9 “Abandoned” property.** If a property is cited as “vacant” or “unfit for human
13 habitation” on a violation notice issued under this § 116, the property is considered to be
14 cited as “abandoned” or to be in need of substantial repair within the meaning of the State
15 Tax-Property Article, Title 14, Subtitle 8.

16 **116.10 Effect of designation.** On issuance of a violation notice that designates a structure
17 to be a vacant structure, the structure is deemed to be condemned.

18 Section 117 Emergency and Corrective Measures

19 **117.1 Power of Building Official in emergencies.** In an emergency where life, health,
20 safety, or property is in immediate danger, the Building Official may immediately take any
21 action necessary to protect the endangered life, health, safety, or property, without complying
22 with the notice provisions of this Code.

23 **117.2 Photographs of dangerous conditions.** In all emergencies, if it is practical and if
24 enough time is available to do so, the Building Official must cause the dangerous or unsafe
25 condition that created the emergency to be photographed before any demolition or other work
26 or operation is begun to eliminate the dangerous or unsafe condition.

27 **117.3 Closing streets.** When necessary for the public safety, the Building Official may
28 temporarily close adjacent structures and request the Director of Transportation to close
29 adjacent sidewalks, streets, and other public ways and prohibit them from being used. The
30 Building Official may temporarily close adjacent sidewalks, streets, and other public ways
31 only pursuant to an agreement with the Department of Transportation.

32 **117.4 Labor and material for emergency work.** In an emergency where life, health,
33 safety, or property is in immediate danger and it is necessary to perform any work or
34 operation to protect that life, health, safety, or property, the Building Official may employ the
35 persons and buy the materials needed to perform the work or operation as expeditiously as
36 possible.

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1 **117.5 Liability for costs of emergency work.** Liability for expenses incurred in the course
2 of performing emergency work and the procedure for collecting resultant debts and liens are
3 as provided in § 118 {"Liability for Expenses..."} of this Code.

4 **Section 118 Liability for Expenses and Collection of Debts and Liens**

5 **118.1 Scope.** This § 118 applies to all cases where:

- 6 1. the Building Official enforces any provision of this Code, including but not limited to:
 - 7 a. the elimination of any safety, health, or fire hazard,
 - 8 b. the elimination of any nuisance, blight, or insanitary condition,
 - 9 c. the removal of any abandoned or illegally constructed structure or other
10 object, or
 - 11 d. the taking of any corrective action in emergencies or otherwise, and
- 12 2. in connection with those efforts, the Building Official or any department, agency,
13 unit, or body corporate and politic of this State, including the Maryland Stadium
14 Authority:
 - 15 a. furnishes or causes to be furnished any labor, supervision, equipment, or
16 materials, or
 - 17 b. performs or causes to be performed any inspection, work, or operation to
18 eliminate the hazard or condition or to remove the structure or other object.

19 **118.2 Liability and lien for expenses.** In the cases described in § 118.1, the entire amount
20 of the Building Official's expenditures and of the expenditures incurred by any department,
21 agency, unit, or body corporate and politic of this State, including the Maryland Stadium
22 Authority, together with all incidental costs and all accrued penalties:

- 23 1. are a personal debt owed to the City jointly and severally by every person made liable
24 under this Code, and
- 25 2. are a lien in favor of the City on the land and improvements in respect to which the
26 expenditures were made.

27 **118.3 When debts and liens become effective.** All debts become due and owing to the City
28 immediately when the work is completed or the expenditure made. All liens become
29 effective immediately after the Building Official notifies the Bureau of Liens that appropriate
30 notice has been given or that a structure has been posted in accordance with this Code.

31 **118.4 Collection of debts and liens.** All debts due and liens incurred under this § 118:

- 32 1. are collectible from any assets of the persons made liable under this Code,
33 including a former owner, and

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- 1 2. may be collected and enforced in the same way that the City collects and
2 enforces other debts due to it or liens in its favor.

3 **118.5 Priority over other liens and encumbrances.** All debts and liens incurred under this
4 § 118 have priority over all other liens and encumbrances, except taxes or other government
5 assessments.

6 Section 119 *{Reserved}*

7 Section 120 Condemnation Proceedings

8 **120.1 In general.** If any land, structure, or equipment becomes unsafe or dangerous to
9 public health or safety, the Building Official may condemn the land, structure, or equipment
10 as provided in this § 120 and issue a condemnation notice as provided in § 123 {"Notices"}
11 of this Code. The issuance of a violation notice is not a prerequisite for the condemnation of
12 real property.

13 **120.2 Posting notice.** If the Building Official condemns any land, structure, or equipment,
14 the Building Official must cause a notice to be conspicuously displayed on the condemned
15 land, structure, or equipment.

16 **120.2.1 Contents.** The notice must:

- 17 1. be at least 24 inches wide 8 inches high,
18 2. be signed by the Building Official, and
19 3. advise the public that:
20 a. the particular land, structure, or equipment has been condemned as being
21 unsafe or dangerous for occupancy or use, and
22 b. the public is warned to keep away.

23 **120.2.2 Emergencies.** In case of an emergency where life or property may be in
24 immediate danger, the Building Official need not post the property and may proceed in
25 accordance with § 117 {"Emergency and Corrective Measures"} of this Code.

26 **120.3 Vacating condemned property.** A notice posted under § 120.2 is deemed to be
27 sufficient warning to all occupants of the condemned property to leave immediately. If any
28 occupant fails to vacate the property immediately after the notice is posted, the Building
29 Official may take whatever action is proper and expedient to remove that occupant.

30 **120.4 Receiver of condemned property.** After a property is condemned, the Building
31 Official may:

- 32 1. take any action authorized under § 120.7, or

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1 2. in accordance with § 121 {"Vacant Building Receiver"} of this Code, apply to
2 court for the appointment of a receiver.

3 **120.5 Status of condemned property.** After property has been condemned and posted in
4 accordance with this § 120, that property remains condemned and may not be occupied or
5 used again until the Building Official declares the property safe for occupancy or use and has
6 removed the condemnation.

7 **120.6 Order to demolish.** If, in the Building Official's opinion, a structure is so
8 dangerously unsound or so deteriorated that rehabilitation is not feasible, the condemnation
9 notice may order the owner to demolish the structure immediately.

10 **120.7 Removal of unsafe conditions.** Anytime after property has been posted in accordance
11 with this § 120, the Building Official may demolish, move, alter, repair, rehabilitate, rebuild,
12 reconstruct, or take any other appropriate action to eliminate or make safe and secure any
13 dangerous or unsafe condition. Before doing so, however, the Building Official must provide
14 the notice required by § 105.9 {"Special requirements for demolition or moving"} of this
15 Code.

16 **120.8 Condemnation of electrical work.** If any electrical wiring or equipment that has
17 been the subject of a condemnation notice is not made safe within the time required by the
18 condemnation notice, the wiring or equipment must be put out of service by cutting off all
19 electric current to it and by sealing all switches that operate in connection with the wiring or
20 equipment.

21 **120.8.1 Emergency action.** In case of an emergency where life or property is in
22 immediate danger, the Building Official may order all electric current serving the wiring
23 or equipment to be cut off and all switches that control the wiring or equipment to be
24 sealed. The Building Official's orders must be complied with immediately, regardless of
25 any other provisions of this Code that might apply.

26 **120.8.2 Permission needed to reactivate.** Whenever electric current has been cut off or
27 switches have been sealed under this § 120.8, the electric current may not be cut in and
28 the seals may not be broken, except by an authorized agent of the Building Official, after
29 all requirements of the Building Official have been complied with and the Building
30 Official has issued a certificate of approval.

31 **120.9 Condemnation of mechanical work.** If any mechanical equipment that has been the
32 subject of a condemnation notice is not made safe within the time required by the
33 condemnation notice, the mechanical equipment must be put out of service and sealed.

34 **120.9.1 Emergency action.** In case of an emergency where life or property is in
35 immediate danger, the Building Official may order the mechanical equipment to be put
36 out of service and sealed. The orders of the Building Official must be complied with
37 immediately, regardless of any other provisions of this Code that might apply.

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1 **120.9.2 Permission needed to reactivate.** Whenever mechanical equipment has been
2 put out of service and sealed under this § 120.9, the mechanical equipment may not be
3 put back in service and the seals may not be broken, except by an authorized agent of the
4 Building Official, after all requirements of the Building Official have been complied with
5 and the Building Official has issued a certificate of approval.

6 **Section 121 Vacant Building Receiver**

7 **121.1 Scope.** This § 121 applies to a vacant structure, as defined in § 116.4.1.2
8 {"Definitions: Vacant structure"}, for which a notice or order to rehabilitate or to demolish is
9 outstanding.

10 **121.2 In general.** The Building Official may petition the court for appointment of a receiver
11 to rehabilitate a vacant property, to demolish it, or to sell it to a qualified buyer. Except as
12 otherwise provided in this § 121, the receiver may be any person.

13 **121.3 Contents of petition.** The petition for appointment of a receiver must include:

- 14 1. a copy of the original violation notice or order, and
- 15 2. a verified pleading that:
 - 16 a. avers that the required rehabilitation or demolition has not been completed,
17 and
 - 18 b. identifies and states the qualifications of the proposed receiver, if other than
19 the Building Official.

20 **121.4 Named respondents.** The petition for appointment of receiver must name as
21 respondents:

- 22 1. the owner of the property,
- 23 2. any lien holder of record, and
- 24 3. the plaintiff in any proceeding that was timely filed under State Tax-Property Article
25 § 14-833 {"Foreclosing right of redemption"} and for which the time for securing a
26 decree of foreclosure has not yet expired.

27 **121.4.1 Effect of failure to name plaintiff.** Failure to name a person described in
28 § 121.4(3) does not prevent the action from going forward, but does prevent the
29 receiver's lien for expenses incurred in rehabilitating, demolishing, or selling the vacant
30 building from having priority over that person's lien interest.

31 **121.5 Filing with Bureau of Liens.** A notice of the proceeding, together with a copy of the
32 violation notice or order, must be filed with the Bureau of Liens. The Bureau must include a
33 record of these in its lien reports, and the property cannot be transferred without the prior
34 approval of the Building Official.

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1 **121.6 Notice to judgment creditors and lien holders.** After filing the petition and before a
2 receiver is appointed, the Building Official must give notice of the pendency and nature of
3 the proceedings by regular and certified mail to the last-known addresses of all judgment
4 creditors and lien holders with a recorded interest in the property.

5 **Exceptions:**

- 6 1. This notice is not required for respondents named under § 121.4 {"Named
7 respondents"} of this Code.
- 8 2. The Building Official is not required to send notices to any creditor or lien holder
9 whose interest in the property is unrecorded.

10 **121.6.1 Intervention.** Within 30 days of the date on which the notice was mailed, a
11 judgment creditor or lien holder with a recorded interest in the property may apply to
12 intervene in the proceeding and to be appointed receiver. A creditor or lien holder whose
13 interest is not recorded does not have standing to intervene in the proceeding and is not
14 eligible to be appointed receiver.

15 **121.6.2 Effect of failure to give notice.** Failure to give any required notice to any
16 interested person under this § 121 does not prevent the action from going forward, but
17 does prevent the receiver's lien for expenses incurred in rehabilitating, demolishing, or
18 selling the vacant building from having priority over that person's lien interest.

19 **121.7 Appointment of owner, etc., instead of receiver.** Instead of appointing a receiver to
20 rehabilitate or sell a vacant building, the court may permit an owner, mortgagee, or other
21 person with an interest in the property to rehabilitate or demolish it, if that person:

- 22 1. demonstrates ability to complete the rehabilitation or demolition within a reasonable
23 time,
- 24 2. agrees to comply with a specified schedule for rehabilitation or demolition, and
- 25 3. posts bond, in an amount determined by the court, as security for performance of the
26 required work in compliance with the specified schedule.

27 **121.7.1 Application to dismiss owner.** If it appears to the petitioner that the person
28 appointed is not proceeding with due diligence or in compliance with the court-ordered
29 schedule, the petitioner may apply to the court for immediate revocation of that person's
30 appointment and for appointment of a receiver. The bond posted under this section must
31 then be applied to the subsequently appointed receiver's expenses in rehabilitating,
32 demolishing, or selling the vacant building.

33 **121.8 Appointment of receiver.** If no qualified person with an ownership interest requests
34 appointment to rehabilitate or demolish the property, or if an appointee is dismissed, the court
35 must then appoint a receiver of the property for the purpose of rehabilitating and managing
36 the property, demolishing the property, or selling it to a qualified buyer.

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1 **121.8.1 Parties divested of authority.** On appointment of a receiver to rehabilitate,
2 demolish, or sell the property, all parties are divested of any authority to act in furtherance
3 of those goals.

4 **121.8.2 Penalties.** Any party who takes any step to rehabilitate, demolish, or sell the
5 property is subject to the penalties for contempt.

6 **121.8.3 Receiver not responsible to maintain or protect the property.** A receiver
7 appointed to rehabilitate, demolish, or sell a vacant building has no duty to, and is not
8 personally liable for failing to, maintain the property or protect the property from casualty
9 or loss.

10 **121.9 Powers of receiver appointed to rehabilitate or demolish.** A receiver appointed to
11 rehabilitate or demolish a vacant building, in addition to all necessary and customary powers,
12 has the right of possession with authority to:

- 13 1. contract for necessary labor and supplies for rehabilitation or demolition,
- 14 2. borrow money for rehabilitation or demolition from an approved lending institution or
15 through a government agency or program, using the receiver's lien against the
16 property as security,
- 17 3. manage the property after rehabilitation, with all the powers of a landlord, for a period
18 of up to 2 years and apply the rent received to current operating expenses and to
19 repayment of outstanding rehabilitation expenses, and
- 20 4. foreclose on the receiver's lien or accept a deed in lieu of foreclosure.

21 **121.10 Powers of receiver appointed to sell.** A receiver appointed to sell a vacant
22 building, in addition to all necessary and customary powers, may sell the property at public
23 auction or private sale, following the provisions that apply to a receiver appointed under Rule
24 3-722 {"Receivers"} and Title 14, Chapter 300 {"Judicial Sales"} of the Maryland Rules.

25 **121.10.1 Notice of auction.** In the notice of public auction, it is sufficient to describe
26 the property by a street address and by reference to the liber and folio number of the title
27 deed recorded in the land records of Baltimore City.

28 **121.10.2 Buyer qualifications.** Before any sale, the applicants to bid in a public sale or
29 the proposed buyer in a private sale must demonstrate the ability and experience needed
30 to rehabilitate the property within a reasonable time.

31 **121.10.2.1 Application fee.** The receiver may charge a reasonable fee to applicants
32 in connection with the application to bid at a public sale or in connection with the
33 solicitation of offers for a private sale.

34 **121.10.3 Application of sale proceeds.** After deducting the expenses of the sale, the
35 amount of outstanding taxes and other government assessments, and the amount of the
36 receiver's lien, the receiver must apply any remaining proceeds of the sale, first to the
37 petitioner's costs and expenses, including reasonable attorney's fees, and then to the liens
38 against the property in order of priority.

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1 **121.10.4 Tax sale redemption.** A receiver may redeem a tax sale certificate at any time
2 after the receiver's appointment by court.

3 **121.11 Tenure of receiver appointed to rehabilitate.** The tenure of a receiver appointed to
4 rehabilitate a vacant building may extend no longer than 2 years after rehabilitation. Anytime
5 after rehabilitation, any party to the receivership may file a motion to dismiss the receiver on
6 payment of the receiver's outstanding costs, fees, and expenses.

7 **121.12 Final accounting.** At the end of the receiver's tenure, the receiver must file a final
8 accounting with the court.

9 **121.13 Receiver's lien for costs, etc.** Any costs or fees incurred by the receiver are a lien
10 against the property in accordance with § 118 {"Liability for Expenses ..."} of this Code.
11 The receiver's lien has priority over all other liens and encumbrances, except taxes or other
12 government assessments. The receiver must allow the petitioner's costs and expenses,
13 including reasonable attorney's fees, to be paid to the extent that the proceeds of the sale
14 permit.

15 **121.13.1 Foreclosure of lien.** A receiver may foreclose on the lien by a sale of the
16 property at public auction, following 1 public notice and notice to interested parties in the
17 manner of a mortgage foreclosure. After deducting the expenses of the sale, the receiver
18 must apply the proceeds of the sale to the liens against the property, in order of priority.
19 In lieu of foreclosure, and only if the receiver has rehabilitated the property, an owner
20 may pay the receiver's costs, fees, including attorney's fees, and expenses or may transfer
21 all ownership in the property to either the receiver or an agreed-on third party for an
22 amount agreed to by all parties to the receivership as being the property's fair market
23 value.

24 **121.14 Transfer on sale.** Following court ratification of a sale, the receiver must sign a
25 deed conveying title to the buyer, free and clear of all liens, judgments, and other
26 encumbrances. On court ratification of the sale, any secured interest of a lien holder or
27 judgment creditor automatically attaches to the proceeds from the sale, to the extent those
28 proceeds are available under § 121.10.3 {"Application of sale proceeds"}.

29 **121.15 Dismissal.** On sale of the property, the receiver must:

- 30 1. file with the court a final accounting, and
- 31 2. at the same time, file a motion with the court to dismiss the action.

32 **Section 122 {Reserved}**

33 **Section 123 Notices**

34 **123.1 In general.** All notices under this Code must be issued in accordance with this § 123.
35 However, nothing in this Code may be construed to excuse or relieve any person from
36 complying with all provisions of this Code at all times, regardless of whether any notice or
37 order has been issued by the Building Official in any particular case.

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1 **123.2 Classification.** Notices issued under this Code are classified as either:

- 2 1. condemnation notices, or
- 3 2. violation notices.

4 **123.3 Contents – Condemnation notices.** Except as specified in § 123.3.1, every
5 condemnation notice must set forth:

- 6 1. the location of the condemned structure or equipment,
- 7 2. the reason the structure or equipment is condemned,
- 8 3. a reference to applicable provisions of this Code,
- 9 4. a warning against entering or using the condemned structure or equipment,
- 10 5. the right of the person to whom the notice is directed to request a hearing within ~~10~~
11 [10] 21 days of the date on which the notice was served, and
- 12 6. unless to be contained in a follow-up or subsequent notice:
 - 13 a. a statement of the requirements that must be complied with to rectify
14 the unsafe condition,
 - 15 b. the time within which the unsafe condition must be rectified, and
 - 16 c. the Building Official’s authority under § 123.8 {“Failure to comply
17 with notice or citation”} to take action at the owner’s expense.

18 **123.3.1 Follow-up notices.** A follow-up or other subsequent notice involving the same
19 condemnation need not repeat the information contained in a prior notice as long as the
20 subsequent notice identifies the prior notice.

21 **123.4 Violation notices.** Except as specified in § 123.4.1, every violation notice must set
22 forth:

- 23 1. the location and character of the violation,
- 24 2. a reference to applicable provisions of this Code,
- 25 3. the right of the person to whom the notice is directed to request a hearing within
26 ~~10~~ [10] 21 days of the date on which the notice was served, and
- 27 4. unless to be contained in a follow-up or subsequent notice:
 - 28 a. a statement of the requirements that must be complied with to rectify
29 the violation,
 - 30 b. the time within which the violation must be rectified, and

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1 c. the Building Official's authority under § 123.8 {"Failure to comply
2 with notice or citation"} to take action at the owner's expense.

3 **123.4.1 Follow-up notices.** A follow-up or other subsequent notice involving the same
4 violation need not repeat the information contained in a prior notice as long as the
5 subsequent notice identifies the prior notice.

6 **123.5 When notices to be issued.** Except as otherwise specified in this Code, notices must
7 be issued in all cases where legal proceedings might be necessary to enforce this Code.

8 **123.5.1 Condemnation notices.** For any land, structure, or equipment being
9 condemned, the condemnation notice must be issued to the owner of the land, structure,
10 or equipment.

11 **123.5.2 Violation notices.** For violations, the violation notice must be issued to the
12 person who committed or otherwise is responsible for the violation.

13 **123.6 Service of notice – General.** Except as otherwise specified in § 123.7 {"Service of
14 notice – Posting"}, all notices issued by the Building Official must be served on the person
15 that the notice is intended for or on any authorized agent or representative of that person.

16 **123.6.1 More than 1 person responsible.** If more than 1 person is responsible for the
17 violation or responsible for complying with this Code, as in a case of property owned by
18 more than 1 person, notice may be served on any 1 of those persons or on any authorized
19 agent or representative of any of them.

20 **123.6.2 Method of service.** A notice is properly served if:

- 21 1. served personally on the owner, agent, person in control, former owner,
22 or other person responsible for the property,
- 23 2. hand delivered to that person's home, business, or tax record address, or
- 24 3. sent by certified or registered mail to that person's home, business, or
25 tax record address.

26 **123.6.3 Authorized server.** Service under § 123.6.2(1) or (2) must be made by:

- 27 1. a member of the Baltimore City Police Department, or
- 28 2. an official or employee of the City or the State of Maryland.

29 **123.7 Service of notice – Posting.** Adequate and sufficient notice may be made by posting
30 a copy of the notice on the property in question if:

- 31 1. the identity or whereabouts of the owner, agent, person in control, former owner,
32 or other person responsible for the property is unknown, or

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1 2. notice mailed under § 123.6 is returned unclaimed or refused or is designated
2 undeliverable by the post office for any other reason, and neither of the following
3 sources can provide a more accurate address:

4 a. the tax records of the Bureau of Treasury Management, Collections Division,
5 and

6 b. the property registration files of the Department of Housing and Community
7 Development.

8 **123.8 Failure to comply with notice or citation.** If any person fails to comply with a
9 violation notice, condemnation notice, or citation, the Building Official:

10 1. may enforce the violation notice or condemnation notice by issuance of an
11 environmental citation as authorized by City Code Article 1, Subtitle 40
12 {"Environmental Control Board"},

13 2. may take whatever action is necessary and proper, including the institution of legal
14 proceedings, to compel compliance with the notice or citation or to enforce the
15 penalty provisions of this Code, and

16 3. subject to the notice requirements of § 123.8.1, may proceed to repair, rebuild,
17 demolish, or take any other action necessary to eliminate, in whole or in part, or make
18 safe any nuisance, blight, health hazard, or dangerous, insanitary, or unsafe condition
19 that is the subject of the violation notice, condemnation notice, or citation.

20 **123.8.1 Notice of intent to repair, etc.** Except as provided in § 123.8.2, before the
21 Building Official proceeds to repair, rebuild, demolish, or take any other action to
22 eliminate or make safe any nuisance, blight, health hazard, or dangerous, insanitary, or
23 unsafe condition, a notice must be posted on the front of the structure stating that the
24 violation has not been rectified and that the Building Official intends to undertake the
25 necessary work and charge the expenses of that work to 1 or more of the owner, agent,
26 person in control, or former owner of the premises, as the case may be. This notice must
27 also be mailed or delivered to the home, business, or tax record address of the owner,
28 agent, person in control, former owner, or other person responsible for the property, as the
29 case may be, or their respective agents.

30 **123.8.2 Exception.** The notice required by §123.8.1 need not be given:

31 1. in the case of an emergency,

32 2. as provided in § 116.7 {"Remedial action by Building Official"} of this Code
33 for unsafe structures, or

34 3. if the initial or any other prior notice or order issued by the Building Official
35 informed the recipient of the Building Official's authority to take corrective
36 action and of the recipient's right to request administrative review.

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1 **123.8.3 Actions not an abatement, etc.** Actions taken by the Building Official under
2 this § 123.8 do not constitute an abatement or cancellation of the underlying notice or
3 citation.

4 **123.8.4 Subsequent Citation - Unsafe Structure.** If the owner of a structure subject to
5 a violation notice issued under § 116 {"Unsafe Structures"} of this Code fails to abate a
6 citation and is issued a subsequent citation for the same cause within 12 months of the
7 first citation, the Building Official may charge an additional fine using the structure
8 described in City Code Article 1 § 40-14(e)(5c) {"Violations to which this subtitle
9 applies"}.

10 **123.9 Extension of time limit on notices.** The Building Official may extend the time within
11 which to comply with a condemnation notice or violation notice if, in the Building Official's
12 judgment, more time is needed to comply.

13 **123.10 Removal or defacement of posted notices.** No person may remove, deface,
14 damage, or change any notice, poster, or sign placed under this Code on any land, structure,
15 or other object, until the Building Official authorizes its removal.

16 **123.11 Notices for property owned by the City.** If the land, structure, or other object in
17 violation of this Code is owned by the City, the Building Official must notify:

- 18 1. the head of the bureau, department, commission, or other agency having jurisdiction
19 over that land, structure, or other object, and
- 20 2. the Councilmember in whose district that land, structure, or other object lies.

21 **Section 124 Violation Reports**

22 **124.1 Building Official to issue.** On application to the Department or to the Bureau of
23 Liens, the Building Official must issue a violation report for a particular property. The report
24 must:

- 25 1. state whether any violation or condemnation notices are open for that property, and
- 26 2. if any are open, include a true copy of each notice.

27 **Sections 125 to 127 {Reserved}**

28 **Section 128 Administrative and Judicial Review**

29 **128.1 Right of review.** If any person is aggrieved by any notice, order, permit, penalt
30 assessment, or other act of the Building Official, the person may apply in writing to the
31 Building Official for a review.

32 **128.2 Application – General.** The application for review must:

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- 1 1. be made within 10 days of the action for which review is sought,
- 2 2. set forth in full the reasons for the review, and
- 3 3. either be:
 - 4 a. mailed to the Building Official by certified or registered mail, return receipt
 - 5 requested, or
 - 6 b. delivered to the Building Official's office and stamped received by the office.

7 **128.3 Application – Emergencies.** In the case of an emergency that presents substantial
8 and imminent danger to life, property, or the general public welfare, the time for requesting
9 review may be shortened or eliminated, as specified in the applicable notice, order, permit,
10 penalty assessment, or other act.

11 **128.4 When review to be held.** The requested review must be held within a reasonable
12 time. If a notice, order, permit, penalty assessment, or other act requires action within 10
13 days or less and an application for review is made before the notice, order permit, penalty
14 assessment, or time for other act expires, the Building Official must promptly schedule a
15 hearing, to be conducted in accordance with § 128.5 {"Hearings"}.

16 **128.5 Hearings.** All hearings must be conducted in accordance with this § 128.5.

17 **128.5.1 Hearings to be public.** All hearings must be open to the public.

18 **128.5.2 Notification of complainants.** Before a hearing, the Building Official must
19 notify all persons who the Building Official knows are interested in the hearing of its
20 scheduled date, time, place, and purpose.

21 **128.5.3 Time and place for hearings.** Hearings must be held:

- 22 1. at the time the Building Official designates, and
- 23 2. in the office of the Building Official or at any other place the Building Official
- 24 designates.

25 **128.5.3.1 Postponements.** The Building Official may postpone a hearing only for
26 good cause shown.

27 **128.5.4 Hearing officer or panel.** A hearing officer or 3-person panel designated by the
28 Building Official presides at all hearings. The individual who issued the notice, order,
29 permit, penalty assessment, or other act being appealed may not serve as the hearing
30 officer or as a member of the panel.

31 **128.5.5 Rules for conducting hearings.**

32 **128.5.5.1 Building Official.** The Building Official may adopt general rules and
33 regulations for the proper conduct of hearings.

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1 **128.5.5.2 Hearing officer or panel.** The hearing officer or panel may set
2 requirements to ensure a fair and expeditious hearing. The requirements set:

- 3 1. may include the holding of a pre-hearing conference, the briefing of certain
4 issues, deadlines for the filing of motions, and other scheduling matters, but
- 5 2. may not be inconsistent with the general rules and regulations adopted by the
6 Building Official.

7 **128.5.6 Decision.** Within 30 days after a hearing is completed, the hearing officer or
8 panel must render a decision.

9 **128.5.6.1 Form and contents.** The decision must:

- 10 1. be in writing, and
- 11 2. contain separate statements of:
 - 12 a. the findings of fact,
 - 13 b. the conclusions of law, applying the relevant provisions of law to
14 the findings of fact, and
 - 15 c. the decision or order.

16 **128.5.6.2 Distribution.** A copy of the decision must be mailed or delivered to each
17 party or that party's attorney of record.

18 **128.5.6.3 Final administrative decision.** A decision issued under this § 128 is a
19 final administrative decision.

20 **128.5.7 Records.** The Department must keep a complete record of all papers filed in
21 connection with any hearing, together with a copy of the written decision.

22 **128.5.8 Transcript.** The costs of preparing a hearing transcript must be paid by the
23 party requesting the transcript.

24 **128.6 Judicial review.** A party aggrieved by the decision may seek judicial review of that
25 decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland
26 Rules of Procedure. A party to the judicial review may appeal the court's final judgment to
27 the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

28 **128.6.1 Proceedings not stayed.** A judicial review or appeal does not stay any criminal
29 or equitable proceedings or prevent the Building Official from pursuing any other action
30 or enforcement procedure authorized by law.

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Chapter 2 Definitions; Rules of Construction

Section 201 General

201.1 Scope. *{As in IBC}*

201.2 Interchangeability. *{As in IBC}*

201.3 Terms defined in other codes. If a term is not defined in this Chapter and is defined in one or another of the standards and codes listed in § 101.4 {"Referenced codes"} of this Code, the term has the meaning given to it in that standard or code.

201.4 Terms not defined. *{As in IBC}*

201.5 *{Repealed by Ord. 22-125}*

Section 202 Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Building Code [(2018) (2021 Edition)] have the meanings given in the International Building Code [(2018) (2021 Edition)].

202.2 Supplemental definitions. Notwithstanding any different definition in the International Building Code, the following terms have the meanings given in this § 202.2.

202.2.1. Accessory structure. "Accessory structure" means a structure:

1. located on the same lot as the main structure, and
2. the use of which is incidental to that of the main structure.

202.2.2 Agent. "Agent" means, as the context indicates, any person who:

1. in any particular case involving any property:
 - a. is responsible for the management, maintenance, operation, rental, leasing, or sale of the property,
 - b. applies for or seeks a permit or certificate from a City authority on behalf of the owner of the property, or
 - c. in any way represents the owner of the property,
2. represents the Building Official, or
3. in general, represents another.

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1 **202.2.3 Authorized use.** “Authorized use” means a use of land or structure approved in
2 accordance with the Baltimore City Zoning Code.

3 **202.2.4 Base flood.** “Base flood” has the meaning stated in City Code Article 7
4 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure” to “Floodplain
5 District”}.

6 **202.2.5 Base-flood elevation.** “Base-flood elevation” has the meaning stated in City
7 Code Article 7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure” to
8 “Floodplain District”}.

9 **202.2.6 Basement (for flood loads) *{Not Adopted}***

10 **202.2.7 Blight.** “Blight” includes exterior surfaces defaced by carvings, markings, or
11 graffiti.

12 **202.2.8 Building.** “Building” has the meaning stated in IBC § 202 and, unless the
13 context indicates otherwise, includes premises and lands.

14 **202.2.9 Building Official.** “Building Official” has the meaning stated in § 103.1
15 {“Enforcement agency”}.

16 **202.2.10 Building permit.** “Building permit” means any permit issued under this Code.

17 **202.2.11 Certificate of occupancy.** “Certificate of occupancy” means an occupancy
18 permit.

19 **202.2.12 Change in occupancy.** “Change in occupancy” means a change in the purpose
20 or level of activity on land or within a structure.

21 **202.2.13 Change of use.** “Change of use” means change in occupancy.

22 **202.2.14 City.** “City” means the Mayor and City Council of Baltimore.

23 **202.2.15 Code.** “Code” means, unless otherwise specified, the Building, Fire, and
24 Related Codes of Baltimore City, as further defined in § 101.1 {“Title”}.

25 **202.2.15a Cool Roof Rating Council.** “Cool Roof Rating Council” or “CRRC” means
26 the Cool Roof Rating Council, Inc., an American National Standards Institute-Accredited
27 Standards Developer Organization, that created, maintains, and updates the American
28 National Standard: ANSI/CRRC S100 - “Standard Test Methods for Determining
29 Radiative Properties of Materials”.

30 **202.2.16 Demolition.** “Demolition”:

- 31 1. means razing or demolition, and
- 32 2. includes removal of the debris resulting from any razing or demolition.

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1 **202.2.17 Department.** “Department” means, unless the context clearly indicates
2 otherwise, the Department of Building Safety, as further defined in § 103.1
3 {“Enforcement agency”}.

4 **202.2.18 Department of Building Safety.** “Department of Building Safety” has the
5 meaning stated in § 103.1 {“Enforcement agency”}.

6 **202.2.19 Design flood.** “Design flood” has the meaning stated in City Code Article 7
7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure” to “Floodplain
8 District”}.

9 **202.2.20 Design-flood elevation.** “Design-flood elevation” has the meaning stated in
10 City Code Article 7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure”
11 to “Floodplain District”}.

12 **202.2.21 Dry floodproofing.** “Dry floodproofing” has the meaning stated in City Code
13 Article 7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure” to
14 “Floodplain District”}.

15 **202.2.22 Dwelling.** “Dwelling” includes, but is not limited to, any one or more of the
16 following:

17 **202.2.22.1 Boarding house.** *{As in IBC}*

18 **202.2.22.2 Dormitory.** “Dormitory” means a space in a building that provides group
19 sleeping accommodations in 1 room or in a series of closely associated rooms for
20 persons not members of the same family group.

21 **202.2.22.3 Multiple-family dwelling.** “Multiple-family dwelling” means a building
22 or part of a building that contains more than 2 dwelling units.

23 **202.2.22.4 1-family dwelling; single-family dwelling unit.** “1-family dwelling” or
24 “single-family dwelling unit” means a building that contains only 1 dwelling unit and
25 is used only for that purpose.

26 **202.2.22.5 2-family dwelling.** “2-family dwelling” means a building that contains 2
27 dwelling units and is used only for that purpose.

28 **202.2.23 Dwelling unit.** “Dwelling unit” means a single unit that provides or that is
29 designed or intended to provide complete, independent living facilities for 1 or more
30 persons, including permanent provisions for living, sleeping, eating, cooking, and
31 sanitation.

32 **202.2.24 Existing construction.** *{Not Adopted}*

33 **202.2.25 Existing structure (in Regulated Flood Hazard Areas).** “Existing structure”
34 means any structure for which the building permit was issued before March 15, 1978, and
35 the actual start of construction was within 180 days of the permit date, as defined in the
36 Floodplain Management Code.

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- 1 **202.2.25.1 “Actual start of construction”.** For purposes of this definition, “actual
2 start of construction” has the meaning stated in City Code Article 7 {“Natural
3 Resources”}, § 1-2 {“Definitions – “Accessory structure” to “Floodplain District”}.
- 4 **202.2.26 Existing structure (for § 1612.2).** *{Not Adopted}*
- 5 **202.2.27 Existing structure (for Chapter 34).** *{Not Adopted}*
- 6 **202.2.28 Flood; Flooding.** “Flood” or “flooding” has the meaning stated in City Code
7 Article 7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure” to
8 “Floodplain District”}.
- 9 **202.2.29 Flood hazard area.** “Flood Hazard Area” means a Regulated Flood Hazard
10 Area established under and regulated by the Floodplain Management Code.
- 11 **202.2.30 Flood Insurance Rate Map; FIRM.** “Flood Insurance Rate Map” or “FIRM”
12 has the meaning stated in City Code Article 7 {“Natural Resources”}, § 1-2
13 {“Definitions – “Accessory structure” to “Floodplain District”}.
- 14 **202.2.31 Flood Insurance Study.** “Flood Insurance Study” has the meaning stated in
15 City Code Article 7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure”
16 to “Floodplain District”}.
- 17 **202.2.32 Floodplain Management Code.** “Floodplain Management Code” means the
18 Baltimore City Floodplain Management Code, City Code Article 7 {“Natural
19 Resources”}, Division I {“Floodplain Management”}.
- 20 **202.2.33 Floodway.** “Floodway” has the meaning stated in City Code Article 7
21 {“Natural Resources”}, § 1-3 {“Definitions – “Floodproofing” to “Wet floodproofing”}.
- 22 **202.2.34 Foster care facility.** “Foster care facility” means a facility that provides care to
23 more than 8 children who are 2½ years of age or less.
- 24 **202.2.35** *{Vacant}*
- 25 **202.2.36 Historic structure.** “Historic structure” has the meaning stated in City Code
26 Article 7 {“Natural Resources”}, § 1-3 {“Definitions – “Floodproofing” to “Wet
27 floodproofing”}.
- 28 **202.2.37 International Codes.**
- 29 **202.2.37.1 Energy Conservation Code.** “Energy Conservation Code”, “Baltimore
30 City Energy Conservation Code”, “International Energy Conservation Code”, or
31 “IECC” means the International Energy Conservation Code [(2018) (2021 Edition)], as
32 supplemented, amended, or otherwise modified by Baltimore City.

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1 **202.2.37.2 Fire Code.** “Fire Code”, “Baltimore City Fire Code”, “International Fire
2 Code”, or “IFC” means the International Fire Code [(2018) (2021) Edition), as
3 supplemented, amended, or otherwise modified by Baltimore City.

4 **202.2.37.3 Fuel Gas Code.** “Fuel Gas Code”, “Baltimore City Fuel Gas Code”,
5 “International Fuel Gas Code”, or “IFGC” means the International Fuel Gas Code
6 [(2018) (2021) Edition), as supplemented, amended, or otherwise modified by
7 Baltimore City.

8 **202.2.37.4 Green Construction Code.** “Green Construction Code”, “Baltimore City
9 Green Construction Code”, “International Green Construction Code”, or “IgCC”
10 means the International Green Construction Code [(2012) (2021) Edition), as
11 supplemented, amended, or otherwise modified by Baltimore City.

12 **202.2.37.5 Mechanical Code.** “Mechanical Code”, “Baltimore City Mechanical
13 Code”, “International Mechanical Code”, or “IMC” means the International
14 Mechanical Code [~~(2018)~~ [(2015) (2021) Edition), as supplemented, amended, or
15 otherwise modified by Baltimore City.

16 **202.2.37.6 Plumbing Code.** “Plumbing Code”, “Baltimore City Plumbing Code”,
17 “International Plumbing Code”, or “IPC” means the International Plumbing Code
18 [(2018) (2021) Edition), as supplemented, amended, or otherwise modified by
19 Baltimore City.

20 **202.2.37.7 Property Maintenance Code.** “Property Maintenance Code”,
21 “Baltimore City Property Maintenance Code”, “International Property Maintenance
22 Code”, or “IPMC” means the International Property Maintenance Code [(2018) (2021
23 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

24 **202.2.37.8 Residential Code.** “Residential Code”, “Baltimore City Residential
25 Code”, “International Residential Code”, or “IRC” means the International
26 Residential Code for One- and Two-Family Dwellings [(2018) (2021) Edition), as
27 supplemented, amended, or otherwise modified by Baltimore City.

28 **202.2.37.9 Swimming Pool and Spa Code.** “Swimming Pool and Spa Code”,
29 “Baltimore City Swimming Pool and Spa Code”, “International Swimming Pool and
30 Spa Code”, or “ISPPSC” means the International Swimming Pool and Spa Code
31 [(2018) (2021) Edition), as supplemented, amended, or otherwise modified by
32 Baltimore City.

33 **202.2.38 Lowest floor.** “Lowest floor” has the meaning stated in City Code Article 7
34 {“Natural Resources”}, § 1-3 {“Definitions – “Floodproofing” to “Wet floodproofing”}.

35 **202.2.39 May not, etc.** “May not”, “must not”, and “no ... may” are each mandatory
36 negative terms used to establish a prohibition.

37 **202.2.40 Mortgage.** “Mortgage” includes a deed of trust or other deed in the nature of a
38 mortgage.

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1 **202.2.41 Mortgagee.** “Mortgagee” includes a beneficiary under a deed of trust or other
2 deed in the nature of a mortgage.

3 **202.2.42 Must/shall.** “Must” and “shall” are each mandatory terms used to express a
4 requirement or to impose a duty.

5 **202.2.43 National Codes.**

6 **202.2.43.1 Electrical Code.** “Electrical Code”, “Baltimore City Electrical Code”,
7 “National Electrical Code”, or “NEC” means the National Electrical Code [(2017)
8 (2020 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

9 **202.2.44 Occupancy.** “Occupancy” means:

- 10 1. the state of occupying or using any land or structure, or
- 11 2. the act of taking, holding possession of, or using any land or structure, or
- 12 3. the purpose for which any land or structure is used or occupied.

13 **202.2.45 Occupancy permit.** “Occupancy permit” means a permit that:

- 14 1. signifies compliance with this Code and related laws, and
- 15 2. indicates the Building Official’s approval to occupy a structure
16 for the authorized use.

17 **202.2.46 Occupant.** “Occupant” means any person who uses or who has the right of
18 possession of all or any part of a structure or premises.

19 **202.2.47 Operator.** “Operator” means any person who has charge, care, or control of all
20 or any part of a structure or premises.

21 **202.2.48 Person.** “Person”:

- 22 1. means any individual, sole proprietorship, corporation, limited liability company,
23 firm, partnership, association, organization, joint venture, or other entity or group
24 acting as a unit, executor, administrator, trustee, receiver, guardian, or other
25 representative appointed by law, and
- 26 2. whenever used in this Code with reference to liability or to the imposition of a
27 penalty or fine, includes:
 - 28 a. as to an unincorporated firm, partnership, association, organization, or
29 joint venture, the partners or members of the firm, partnership, association,
30 organization, or joint venture,
 - 31 b. as to a corporation, the officers, trustees, agents, or members of the
32 corporation who are responsible for the violation of any relevant code
33 provision, and

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- 1 c. in addition, the responsible officer, trustee, partner, or member designated
2 on a registration statement filed under City Code Article 13, Subtitle 4
3 {"Registration of Non-Owner-Occupied Dwellings, etc."}.

4 **202.2.49 Premises.** "Premises" means a lot or group of lots, together with all or any
5 part of any buildings or structures on the lot or group of lots, considered as a unit devoted
6 to a particular use, including accessory structures and open spaces required or used in
7 connection with that particular use.

8 **202.2.50 Rehabilitation.** "Rehabilitation" means all repairs and other work, of any kind,
9 needed to make a dwelling or other structure fit to be occupied for its authorized use in
10 conformity with all applicable standards and requirements of this Code.

11 **202.2.51 Related laws.** "Related laws" has the meaning stated in § 104.6.2 {"Authority
12 to seek warrant"}.

13 **202.2.52 Structure.** "Structure" has the meaning stated in IBC § 202 and, unless the
14 context indicates otherwise, includes premises and lands.

15 **202.2.53 Stabilization.** "Stabilization", with reference to a structure that has been
16 declared unsafe or unfit for occupancy, means all work of any kind, not amounting to
17 rehabilitation, that is needed, or that is performed or required by the Building Official, to
18 make the structure safe and secure, to prevent its further deterioration, and to eliminate its
19 blighting influence.

20 **202.2.54 Transfer.** "Transfer", when used with respect to property subject to this Code,
21 has the meaning stated in § 114.23 {"Responsibility of transferee"}.

22 **202.2.55 Substantial damage.** "Substantial damage" has the meaning stated in City
23 Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet
24 floodproofing"}.

25 **202.2.56 Substantial improvement.** "Substantial improvement" has the meaning stated
26 in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to
27 "Wet floodproofing"}.

28 **202.2.57 UNSAFE STRUCTURE.** "UNSAFE STRUCTURE" MEANS A STRUCTURE:

- 29 1. THAT IS UNSAFE, INSANITARY, OR DEFICIENT BECAUSE OF INADEQUATE MEANS OF
30 EGRESS FACILITIES OR INADEQUATE LIGHT AND VENTILATION,
31 2. THAT CONSTITUTES A FIRE HAZARD,
32 3. THAT IS OTHERWISE DANGEROUS TO HUMAN LIFE OR THE PUBLIC WELFARE,
33 4. THAT INVOLVES ILLEGAL OR IMPROPER OCCUPANCY, OR
34 5. THAT INVOLVES INADEQUATE MAINTENANCE.

35 **202.2.58 202.2.57 Use.** "Use" means, unless the context indicates otherwise:

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1. a care facility for 5 or fewer persons receiving care within a dwelling unit, and
2. an owner-occupied lodging house with 5 or fewer guestrooms and 5 or fewer total occupants.

310.4.2 LODGING HOUSES. {NOT ADOPTED}

310.5 Residential Group R-4. {As in IBC}

Section 311 Storage Group S {As in IBC}

Section 312 Utility, Miscellaneous Group U

312.1 General. {As in IBC}

312.1.1 Greenhouses. Greenhouses:

1. unless otherwise classified as another occupancy, are classified as Use Group U; and
2. must comply with § 3112 {"Greenhouses"} of this Code.

312.1.2 FENCES. FENCES:

1. UNLESS OTHERWISE CLASSIFIED AS ANOTHER OCCUPANCE, ARE CLASSIFIED AS USE GROUP U; AND
2. MUST COMPLY WITH § 3118 {"FENCES"} OF THIS CODE.

312.2 PRIVATE GARAGES AND CARPORTS. {As in IBC}

312.3 RESIDENTIAL AIRCRAFT HANGARS. {As in IBC}

Chapter 4 Special Detailed Requirements Based on Use and Occupancy

Sections 401 to 402 {As in IBC}

Section 403 High-Rise Buildings

403.1 to 403.4 {As in IBC}

403.5 Means of egress and evacuation.

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1 **403.5.1 Remoteness of interior exit stairways. {As in IBC}**

2 **403.5.2 Additional interior exit stairway. {As in IBC}**

3 **403.5.3 Stairway door operation.** All stairway doors that are to be locked from the
4 stairway side must be capable of being unlocked simultaneously, without unlatching, on a
5 signal from the fire command station, on activation of the fire alarm system, or on loss of
6 power to the building.

7 **403.5.3.1 Stairway communication system. {As in IBC}**

8 **403.5.4 Smokeproof enclosures. {As in IBC}**

9 **403.5.5 Luminous egress path markings. {As in IBC}**

10 **[403.5.6 Emergency escape and rescue. {As in IBC}]**

11 **403.6 Elevators. {As in IBC}**

12 **Sections 404 to 418 {As in IBC}**

13 **Section 419 [Live/Work Units] ARTIFICIAL DECORATIVE VEGETATION.**

14 **419.1 [General] ARTIFICIAL DECORATIVE VEGETATION. {As in IBC}**

15 **[419.2 Occupancies {As in IBC}]**

16 **[Exceptions:]**

17 **[1. Storage is permitted in a live/work unit as long as the aggregate area of storage in**
18 **the nonresidential portion of the live/work unit is limited to 10% of the space**
19 **dedicated to nonresidential activities.]**

20 **[2. A live/work unit located in a townhouse may be constructed in accordance with**
21 **the International Residential Code, as long as the unit:]**

22 **[a. is protected by an automatic fire sprinkler system installed in accordance**
23 **with § 313 {"Automatic Fire Sprinkler Systems"} of that Code; and]**

24 **[b. complies with the requirements of this § 419.]**

25 **[419.3 to 419.9 {As in IBC}]**

26 **SECTIONS 420 TO 428 {As in IBC}**

27 **SECTIONS 429 TO 431 {Reserved}**

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1 Section 432 Circuses and Carnivals

2 **432.1 Definition.** “Circus” or “carnival” means any use of public or private land, streets,
3 lanes, or alleys for fetes, bazaars, circuses, street carnivals, carnivals, feats of
4 horseback-riding ability, acrobatic stunts, trained animal acts, clowning, and other similar
5 performances, mechanical rides, or other amusement devices to which the public is admitted,
6 and includes any temporary stands or facilities for selling or dispensing products for human
7 consumption in connection with these uses.

8 **432.2 Scope.** This section covers regulations for circuses and carnivals that are not provided
9 for in other sections of this Code.

10 **432.3 Permit required.** Before any person may begin to set up any structure, appliance, or
11 equipment for a circus or carnival, the person must obtain the appropriate permit from the
12 Building Official.

13 **432.3.1 Application for permit.** The application for the permit must be:

- 14 1. filed at least 45 days before the opening date of the circus or carnival, and
- 15 2. signed by a responsible person or official acting for the applicant.

16 **432.3.2 Referral of application.** The Building Official must immediately refer each
17 application to the following officials (or their respective designees), for their report and
18 recommendations:

- 19 1. the Police Commissioner,
- 20 2. the Director of Public Works,
- 21 3. the Director of Transportation,
- 22 4. the Chief of the Fire Department, and
- 23 5. the Commissioner of Health.

24 **432.3.3 Reports, etc., prerequisite to permit.** The Building Official may not act on the
25 application until each of these officials (or their respective designees):

- 26 1. submits his or her report and recommendations; or
- 27 2. fails to do so within 21 days of the referral.

28 **432.3.4 Action by Building Official.** In acting on the application, the Building Official:

- 29 1. may issue the permit, subject to any recommendation timely received from these
30 officials (or their respective designees); and
- 31 2. if the permit is issued, must immediately send a copy of the permit to each of the

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1 officials (or their respective designees).

2 **432.4 Insurance for mechanical rides, etc.** Every application for a circus or carnival
3 permit must specify whether or not mechanical rides or devices will be used in connection
4 with the circus or carnival. If mechanical rides or devices will be used, the person supplying
5 these rides or devices must, before the permit may be issued, furnish satisfactory evidence of
6 insurance, in an amount that the City's Office of Risk Management considers sufficient, to:

- 7 1. insure the applicant, and name the City as an additional insured, against liability for
8 damage or injury to property or person, including death, due to faulty equipment or
9 negligence, and
- 10 2. indemnify the City against any suit, loss, claim, damages, or expense to which the
11 City is subjected because of any damage or injury to property or person, including
12 death, or injury to any public highway or other public property done by or in
13 connection with the transportation, erection, operation, maintenance, or supervision of
14 a mechanical ride or device.

15 **432.5 Financial responsibility.** Before a permit may be issued, the applicant must furnish
16 proof of financial responsibility, in the form of a certificate of insurance from an insurer
17 authorized to do business in this State. The certificate of insurance must state that the circus
18 or carnival is insured against any legal liability (other than that covered by § 432.4), caused
19 by accidents or otherwise and resulting in damage or injury to property or person, including
20 death, as a consequence of the ownership, operation, or maintenance of the circus or carnival
21 or otherwise in any way connected with the circus or carnival. The insurance must be for at
22 least the amount that the City's Office of Risk Management considers sufficient to protect the
23 public, and must name the City as an additional insured. Additionally, the insurance must be
24 in an amount that the City's Office of Risk Management considers sufficient to:

- 25 1. insure the applicant against liability for damage or injury to property or person,
26 including death, due to faulty equipment or negligence, and
- 27 2. indemnify the City against any suit, loss, claim, damages, or expense to which the
28 City is subjected because of any damage or injury to property or person, including
29 death, or injury to any public highway or other public property done by or in
30 connection with the applicant's business.

31 **432.5.1 Nonresident applicants.** If the applicant is not a resident of the City, the
32 applicant and the insurer must execute a power of attorney that authorizes the Building
33 Official to accept on their behalf service of notices, processes, and any actions arising out
34 of the ownership, operation, or maintenance of the circus or carnival or otherwise in any
35 way connected with the circus or carnival. If the applicant is a nonresident corporation,
36 the corporation, in addition to complying with all other requirements of this Code, must
37 submit with its application a certificate from the Maryland Department of Assessments
38 and Taxation certifying that it is a corporation authorized to do business in this State.

39 **432.5.2 Nonprofit entities excepted.** This § 432.5 does not apply to any applicant that
40 is a church, school, charitable organization, veterans' organization, or other nonprofit
41 organization.

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1 **432.6 Zoning requirements.** The provisions of the Baltimore City Zoning Code that
2 prohibit carnivals in residential areas do not apply to a carnival that:

- 3 1. is operated under a permit issued to a church, school, charitable organization,
4 veterans' organization, or other nonprofit organization, and
- 5 2. operates for no more than 15 days in any 1 calendar year.

6 **432.7 Layout.** Every circus and carnival must be laid out as provided in this § 432.7.

7 **432.7.1 Main aisle.** A main aisle or concourse must:

- 8 1. extend entirely through the circus or carnival,
- 9 2. open at both ends on a street or other public way that leads to a street at
10 least 30 feet (9.14 m) wide, and
- 11 3. be at least 10 feet (3.05 m) wide for a length of up to 100 feet (30.48 m),
12 plus an additional 2½ feet (0.76 m) in width for each additional 100 feet
13 (30.38 m) or fraction of 100 feet (30.38 m) in length.

14 **432.7.2 Side or branch aisles.** Side or branch aisles that are open at both ends must be
15 at least 6 feet (1.83 m) wide for a length of up to 50 feet (15.24 m), plus an additional 1
16 foot in width for each additional 50 feet (15.24 m) or fraction of 50 feet (15.24 m) in
17 length. Side or branch aisles that are open at only 1 end must be at least twice the width
18 for side or branch aisles that are open at both ends.

19 **432.8 Circus and carnival structures.** Circus and carnival structures, in addition to
20 complying with all other applicable provisions of this Code, must comply with the
21 requirements of this § 432.8.

22 **432.8.1 Tents.** All tents must conform to the requirements for temporary structures in
23 § 3103 {"Temporary Structures"} of this Code.

24 **432.8.2 Exits and lighting.** Every tent and other structure must be provided with
25 adequate exits. The means of egress and the width and number of exits are based on and
26 must comply with the general requirements of Chapter 10 {"Means of Egress"} of this
27 Code for exits and means of egress in assembly structures, which apply in addition to the
28 requirements of this section for general layout. All exits and aisles must be well lighted
29 whenever the tent or structure is occupied.

30 **432.8.3 Mechanical rides and devices.** No merry-go-round, Ferris wheel, whip, or
31 other mechanical ride or device may be operated without a permit from the Building
32 Official. All mechanical rides and devices must be designed, constructed, and erected in
33 accordance with applicable State regulations.

34 **432.8.4 Concession stands.** Concession stands must be of either:

- 35 1. standard prefabricated construction, or

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2. special construction approved by the Building Official for the particular purpose.

432.9 Electrical and mechanical requirements. All electrical work must conform to the requirements of Chapter 27 {"Electrical"} of this Code. All mechanical work must conform to the requirements of this Code.

432.10 Maintenance and operation. Every circus or carnival must be maintained and operated so as not to cause a hazard or injury to life or property. The applicant is responsible for:

1. maintaining the site in a sanitary and clean condition at all times, and
2. when the circus or carnival leaves, cleaning all debris and rubbish from the site and from all streets and alleys described in the permit.

Section 433 Chesapeake Bay Critical Area Development

433.1 General. The Baltimore City Critical Area Management Program, as adopted by the Department of Planning to guide and restrict development within the Baltimore City Critical Area, must be complied with. The requirements of that Program are in addition to all other City, state, and federal laws and regulations governing construction and development within the Baltimore City Critical Area. In case of any conflict, the more restrictive requirement prevails within the Critical Area.

433.2 Compliance required. Any development activity within the Baltimore City Critical Area or the Buffer, including the construction, reconstruction, rehabilitation, demolition, alteration, or expansion of structures, or the filling, dredging, mining, storing materials, excavation, clearing, grading, paving, or improvement of land, must comply with the applicable development requirements of the Critical Area Program Document (the "CAMP Document"), as amended from time to time.

433.3 Enforcement. Any violation of the CAMP Document is a violation of this Code, subject to enforcement under § 114 {"Violations"} of this Code.

Chapter 5 General Building Heights and Areas

Section 501 General

501.1 Scope. *{As in IBC}*

501.2 Address identification. Address identification must be provided and maintained for all buildings in accordance with:

1. § 502 {"Building Address"} of this Chapter; and

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2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

Section 502 Building Address *{As in IBC}*

Sections 503 to 510 *{As in IBC}*

Chapter 6
Types of Construction
{As in IBC}

Chapter 7
Fire and Smoke Protection Features

Sections 701 to 705 704 *{As in IBC}*

SECTION 705 EXTERIOR WALLS

705.1 TO 705.4 *{AS IN IBC}*

705.5 FIRE-RESISTANCE RATINGS.

705.5.1 EXTERIOR WALLS. EXTERIOR WALLS SHALL BE FIRE RESISTANCE RATED IN ACCORDANCE WITH TABLE 601, BASED ON THE TYPE OF CONSTRUCTION, AND TABLE 705.5, BASED ON THE FIRE SEPARATION DISTANCE. THE REQUIRED FIRE-RESISTANCE RATING OF EXTERIOR WALLS WITH A FIRE SEPARATION DISTANCE OF GREATER THAN 10 FEET (3048 MM) SHALL BE RATED FOR EXPOSURE TO FIRE FROM THE INSIDE. THE REQUIRED FIRE-RESISTANCE RATING OF EXTERIOR WALLS WITH A FIRE SEPARATION DISTANCE OF LESS THAN OR EQUAL TO 10 FEET (3048 MM) SHALL BE RATED FOR EXPOSURE TO FIRE FROM BOTH SIDES.

705.5.2 PORCH ROOFS – ABUTTING. IN NEW CONSTRUCTION, RENOVATION, OR REPLACEMENT OF A PORCH ROOF THAT ABUTS ANOTHER PORCH ROOF FIRE-RETARDANT-TREATED WOOD SHEATHING SHALL BE INSTALLED.

705.6 TO 705.11 *{AS IN IBC}*

Section 706 Fire Walls

706.1 to 706.8 *{As in IBC}*

706.9 Penetrations. Penetrations through fire walls must comply with § 714 {"Penetrations"} of this Code. Penetrations through party walls are not allowed.

1 **902.1.2 MARKING ON ACCESS DOORS. {As in IBC}**

2 **902.1.3 ENVIRONMENT. {As in IBC}**

3 **902.1.4 FIRE PUMP LOCATION. FIRE PUMP AND ASSOCIATED EQUIPMENT SHALL BE**
4 **LOCATED IN A SEPARATE ROOM THAT IS ENCLOSED WITH 2-HOUR FIRE-RESISTANCE-RATED**
5 **FIRE-SEPARATION ASSEMBLIES. INSTALLATION SHALL COMPLY WITH REQUIREMENTS OF**
6 **ARTICLE 695 OF PART III (“ELECTRICAL CODE”) OF THIS CODE.**

7 **Section 903 Automatic Sprinkler Systems**

8 **903.1 General. {As in IBC}**

9 **903.2 Where Required.** Approved automatic sprinkler systems must be installed in the
10 locations indicated in this § 903.2 and as required by State law.

11 **Exception: {As in IBC}**

12 **903.2.1 to 903.2.12 {As in IBC}**

13 **903.3 to 903.5 {As in IBC}**

14 **Sections 904 to 914 {As in IBC}**

15 **Section 915 Carbon Monoxide Detection {As in IBC}**

16 **Sections 916 to 918 {As in IBC}**

17 **Chapter 10**
18 **Means of Egress**

19 **Section 1001 Administration**

20 **1001.1 General. {As in IBC, subject to the following Note}**

21 **{MBPS Modifications – Note to § 1001.1:** The means of egress requirements of Chapter 10
22 may be concurrently covered by the State Fire Prevention Code, adopted under State Public Safety
23 Article § 6-206 and contained in COMAR 29.06.01. The State Fire Prevention Code is enforced by
24 the State Fire Marshall or authorized fire official.}

25 **1001.2 {As in IBC}**

26 **Sections 1002 to 1010 {As in IBC}**

1 **Section 1011 Stairways**

2 **1011.1 to 1011.4** *{As in IBC}*

3 **1011.5 Stair treads and risers.** *{As in IBC}*

4 **1011.5.1 Dimension reference surfaces.** *{As in IBC}*

5 **1011.5.2 Riser height and tread depth.** *{As in IBC}*

6 **Exceptions:**

7 1-2. *{As in IBC}*

8 3. In Group R-3 occupancies, in dwelling units in Group R-2 occupancies, and in
9 Group U occupancies that are accessory to a Group R-3 occupancy or
10 accessory to individual dwelling units in Group R-2 occupancies:

11 a. the maximum riser height is 8¼ inches (210 mm),

12 b. the minimum tread depth is 9 inches (229 mm),

13 c. the minimum winder tread depth at the walk line is 9 inches (229 mm),

14 d. the minimum winder tread depth is 6 inches (152 mm), and

15 e. a nosing not less than ¾ inch (19 mm) but not more than 1¼ inches
16 (32 mm) must be provided on stairways with solid risers where the
17 tread depth is less than 11 inches (279 mm).

18 4. For the replacement of existing stairways, see the Maryland Building
19 Rehabilitation Code, set forth in COMAR 09.12.58.

20 5. *{As in IBC}*

21 **1011.5.3 to 1011.5.5** *{As in IBC}*

22 **1011.6 to 1011.16** *{As in IBC}*

23 **Sections 1012 to 1014** *{As in IBC}*

24 **Section 1015 Guards**

25 **1015.1 to 1015.3** *{As in IBC}*

26 **1015.4 Opening limitations.** *{As in IBC}*

1 **Exceptions:** *{As in IBC}*

2 **1015.4.1 Residential occupancies.** For occupancies in Use Group R, required guards
3 may not be constructed with horizontal rails or any ornamental pattern that results in a
4 ladder effect.

5 **Sections 1016 to [1030] 1031** *{As in IBC}*

6 **Chapter 11**
7 **Accessibility**
8 ***{Not Adopted}***

9 **{MBPS Modification:** Chapter 11 of the IBC, relating to accessibility requirements, is
10 replaced with the Maryland Accessibility Code, set forth in COMAR 09.12.53.}

11 **Chapter 12**
12 **Interior Environment**

13 **Section 1201 General** *{As in IBC}*

14 **Section 1202 Ventilation**

15 **1202.1 to 1202.3** *{As in IBC}*

16 **1202.4 Under-floor ventilation.** *{As in IBC}*

17 **1202.4.1 Ventilation openings.** *{As in IBC}*

18 **1202.4.2 to 1202.4.3** *{As in IBC}*

19
20 **1202.4.4 Flood hazard areas.** For structures in a flood hazard area, the openings for
21 under-floor ventilation should be designed and installed in accordance with the
22 Floodplain Management Code.

23 **1202.5 to 12023.6** *{As in IBC}*

24 **Sections 1203 to 1208** *{As in IBC}*

25 **[Section 1209 Toilet and Bathroom Requirements]**

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1 **[1209.1 to 1209.3 {As in IBC}]**

2 **[1209.4. Diaper-changing amenities.]**

3 **[1209.4.1. In general.]**

4 [Every new or renovated Assembly Group A, Business Group B, and Mercantile
5 Group M occupancy, as those terms are defined in the International Building Code §
6 303, § 304, and § 309 with at least one public bathroom, and every City-owned or
7 -occupied building with at least one public bathroom, must include a diaper-changing
8 amenity in its public bathrooms, whether designated for men or women or both, or in
9 another appropriate, sanitary space that both men and women can access.]

10 **[1209.4.2. Exceptions.]**

11 [This § 1209.4 does not apply to the following Assembly Group A, Business
12 Group-B, and Mercantile Group M occupancies and City-owned or - occupied
13 buildings:]

14 [1. Assembly Group A, Business Group B, and Mercantile Group M occupancies
15 and City-owned or -occupied buildings undergoing renovations if the
16 renovations do not require a building permit;]

17 [2. Assembly Group A, Business Group B, and Mercantile Group M occupancies
18 and City-owned or -occupied buildings that prohibit entrance to minors; and]

19 [3. Assembly Group A, Business Group B, and Mercantile Group M occupancies
20 for which the Building Official determines that the installation of a
21 diaper-changing amenity is not feasible or would result in a failure to comply
22 with applicable building standards governing the right of access for persons
23 with disabilities are exempt from the requirements of this provision.
24 City-owned or -occupied buildings are not included in this exemption.]

25 **[1209.4.3. Compliance with other laws.]**

26 [All diaper-changing amenities must comply with the requirements of this Baltimore
27 City Building, Fire, and Related Codes Article and with any State and Federal laws,
28 including the Americans with Disability Act, that deal with the installation of
29 diaper-changing amenities.]

30 **SECTION 1209 ACCESS TO UNOCCUPIED SPACES {As in IBC}**

31 **SECTION 1210 TOILET AND BATHROOM REQUIREMENTS {AS IN IBC}**

32 **1210.1 TO 1209.3 {AS IN IBC}**

33 **1210.4. DIAPER-CHANGING AMENITIES.**

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1210.4.1. IN GENERAL.

EVERY NEW OR RENOVATED ASSEMBLY GROUP A, BUSINESS GROUP B, AND MERCANTILE GROUP M OCCUPANCY, AS THOSE TERMS ARE DEFINED IN THE INTERNATIONAL BUILDING CODE § 303, § 304, AND § 309 WITH AT LEAST ONE PUBLIC BATHROOM, AND EVERY CITY-OWNED OR -OCCUPIED BUILDING WITH AT LEAST ONE PUBLIC BATHROOM, MUST INCLUDE A DIAPER-CHANGING AMENITY IN ITS PUBLIC BATHROOMS, WHETHER DESIGNATED FOR MEN OR WOMEN OR BOTH, OR IN ANOTHER APPROPRIATE, SANITARY SPACE THAT BOTH MEN AND WOMEN CAN ACCESS.

12010.4.2. EXCEPTIONS.

THIS § 1210.4 DOES NOT APPLY TO THE FOLLOWING ASSEMBLY GROUP A, BUSINESS GROUP-B, AND MERCANTILE GROUP M OCCUPANCIES AND CITY-OWNED OR -OCCUPIED BUILDINGS:

1. ASSEMBLY GROUP A, BUSINESS GROUP B, AND MERCANTILE GROUP M OCCUPANCIES AND CITY-OWNED OR -OCCUPIED BUILDINGS UNDERGOING RENOVATIONS IF THE RENOVATIONS DO NOT REQUIRE A BUILDING PERMIT;
2. ASSEMBLY GROUP A, BUSINESS GROUP B, AND MERCANTILE GROUP M OCCUPANCIES AND CITY-OWNED OR -OCCUPIED BUILDINGS THAT PROHIBIT ENTRANCE TO MINORS; AND
3. ASSEMBLY GROUP A, BUSINESS GROUP B, AND MERCANTILE GROUP M OCCUPANCIES FOR WHICH THE BUILDING OFFICIAL DETERMINES THAT THE INSTALLATION OF A DIAPER-CHANGING AMENITY IS NOT FEASIBLE OR WOULD RESULT IN A FAILURE TO COMPLY WITH APPLICABLE BUILDING STANDARDS GOVERNING THE RIGHT OF ACCESS FOR PERSONS WITH DISABILITIES ARE EXEMPT FROM THE REQUIREMENTS OF THIS PROVISION. CITY-OWNED OR -OCCUPIED BUILDINGS ARE NOT INCLUDED IN THIS EXEMPTION.

1210.4.3. COMPLIANCE WITH OTHER LAWS.

ALL DIAPER-CHANGING AMENITIES MUST COMPLY WITH THE REQUIREMENTS OF THIS BALTIMORE CITY BUILDING, FIRE, AND RELATED CODES ARTICLE AND WITH ANY STATE AND FEDERAL LAWS, INCLUDING THE AMERICANS WITH DISABILITY ACT, THAT DEAL WITH THE INSTALLATION OF DIAPER-CHANGING AMENITIES.

1210.5 SPLASH PADS. BATHROOM FACILITIES FOR ~~SPLASHS PAD~~ SPLASH PADS SHALL BE PROVIDED IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE ISPSC 2021. BATHROOMS MAY NOT BE PROVIDED FOR SPLASH PADS IF ONE OF THE FOLLOWING CONDITIONS ARE MET:

1. THE SPLASH PADS ARE RECIRCULATING AND HAVE HEALTH AND SAFETY INFORMATION POSTED AS REQUIRED BY THIS CODE OR ANY OTHER REGULATIONS AND LAWS GOVERNING THIS CODE.

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1 **2. A WRITTEN AGREEMENT IS IN PLACE BETWEEN OWNERS/OPERATORS OF THE SPLASH**
2 **PAD AND THE ADJOINING LOCAL BUSINESSES OR OTHER ORGANIZATIONS THAT**
3 **ALLOWS SPLASH PAD PATRONS ACCESS TO BATHROOM FACILITIES LOCATED IN THE**
4 **ADJOINING LOCAL BUSINESSES OR OTHER ORGANIZATIONS.**

5 **Chapter 13**
6 **Energy Efficiency**
7 ***{As in IBC}***

8 **Chapter 14**
9 **Exterior Walls**

10 **Section 1401 General *{As in IBC}***

11 **Section 1402 Performance Requirements**

12 **1402.1 to 1402.5 *{As in IBC}***

13 **1402.6 Flood resistance.** For structures in a flood hazard area, exterior walls extending
14 below the flood elevation should comply with the requirements of the Floodplain
15 Management Code.

16 **Sections 1403 to 1409 *{As in IBC}***

17 **Chapter 15**
18 **Roof Assemblies and Rooftop Structures**

19 **Section 1501 General *{As in IBC}***

20 **Section 1502 Roof Drainage**

21 **1502.1 to 1502.4 *{As in IBC}***

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1 **1502.5 General discharge requirements.** Gutters, downspouts, and leaders must be
2 provided on all buildings to properly collect, conduct, and discharge the water from their
3 roofs into a storm drain or into the driveway of an alley, street, or other public way. No water
4 from any building may be discharged so as to run or flow over any sidewalk, footway, or any
5 adjoining property, except from window sills, copings, or cornices that project no more than
6 1 foot (305 mm).

7 **1502.5.1 Exceptions.** This § 1502.5 does not apply to:

- 8 1. roofs, cornices, copings, or other similar projections that are less than 5 feet
9 (1.52 m), measured horizontally in the line of flow, as long as the water from
10 them is not discharged on any sidewalk, footway, or adjoining property, or
- 11 2. awnings or marquees that discharge off the outer edge.

12 **1502.5.2 Methods.** Drainage must be conveyed in 1 of the following methods.

13 **1503.5.2.1 Method 1.** Drainage may be discharged by piping to a storm drain, to the
14 street or alley, or to an approved water course. The installation of piping, connections
15 to storm drains, etc., must be made in accordance with the plumbing regulations of
16 Chapter 29 {"Plumbing Systems"} of this Code. Any continuous discharge of
17 drainage water into the public right-of-way of such a volume and frequency as to
18 cause ponding or icing is prohibited and must be conveyed to the nearest public storm
19 water drain or inlet through underground piping.

20 **1503.5.2.2 Method 2.** Drainage may be discharged not less than 10 feet (3.05 m)
21 from the building, from other buildings, or from any adjacent property line, as long as
22 the discharge is in such a manner as not to allow drainage to cross adjacent property
23 lines or sidewalks.

24 **1502.5.3 Individual downspouts.** Gutters of buildings on adjoining properties may not
25 be connected with common downspouts or leaders, but each building must have
26 individual downspouts or leaders on its own property. If a building is more than 4 stories
27 or 50 feet (15.24 m) high, its leader and downspouts must be inside the building's
28 exterior walls.

29 **1502.5.4 Relief scuppers.** Roofs with interior roof drains and enclosed by parapet walls
30 that will impound water must be provided with relief scuppers placed in the parapet wall
31 not more than 6 inches (152 mm) above the roof level. The openings of these relief
32 scuppers must be at least 6 inches (152 mm) in diameter. Each 6-inch (152-mm)
33 diameter relief scupper opening may only serve a roof area of not more than 1,000 square
34 feet (92.9 square meters).

35 **1502.5.4.1 Internal relief drains.** Internal relief drains may be used instead of relief
36 scuppers. Internal relief drains must be independent of the required roof drains.

37 **Sections 1503 {As in IBC}**

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1 Section 1504 Performance Requirements

2 1504.1 TO 1504.9 {AS IN IBC}

3 1504.10 [1504.9] **Reflectance.** Roof Coverings over conditioned spaces on low-slope roofs
4 (roof slope < 2:12) on newly constructed buildings and additions to existing buildings shall
5 have a minimum 3-year-aged solar reflective index of 78, as determined by the Cool Roof
6 Rating Council.

7 **Exceptions:**

- 8 1. An addition to a roof that supports living vegetation and includes a synthetic, high
9 quality waterproof membrane, drainage layer, soil layer, and lightweight medium
10 plants.
- 11 2. Roof areas used as outdoor recreation space by the occupants of the building.
- 12 3. An area including and adjacent to rooftop photovoltaic and solar thermal
13 equipment, totaling not more than 3 times the area that is covered with
14 photovoltaic and solar thermal equipment.
- 15 4. Limited roof areas as determined by regulations promulgated by the Department
16 of Housing & Community Development.
- 17 5. A roof, the area of which is less than 3% of the gross floor area of the building.

18 1504.10.1 [1504.9.1] **Conflicts.** In the event of a conflict between § [1504.9] 1504.10 of
19 this Code and City Code Article 6 {"Historical and Architectural Preservation"}, City Code
20 Article 6 {"Historical and Architectural Preservation"} prevails.

21 SECTIONS 1505 TO 1510 [1509] {As in IBC}

22 SECTION 1511 [1510] ROOFTOP STRUCTURES

23 1511.1 [1510.1] to 1511.8 [1510.9] {As in IBC}

24 1511.9 [1510.10] **Rooftop decks.** Rooftop decks must comply with this § [1510.10]
25 1511.10 and with Chapter 16 {"Structural Design"} of this Code.

26 1511.9.1 [1510.10.1] **Materials.** Rooftop decks must be constructed with approved
27 materials in accordance with Chapters 19 through 26 of this Code.

28 1511.9.2 [1510.10.2] **Notice to adjoining owners.** If a rooftop deck is to be supported
29 by party walls:

- 30 1. the owners of the adjoining properties must be notified in writing, and
- 31 2. evidence of this notice must be submitted with the construction documents.

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1511.9.3 [1510.10.3] Construction documents. Construction documents for all rooftop decks must:

1. include dimensional setbacks, and
2. be signed and sealed by a professional architect or engineer licensed in Maryland.

1511.9.4 [1510.10.4] Clearances. All rooftop decks must maintain all clearances otherwise required by this Code, including Chapter 8 {"Chimneys and Vents"} of the International Mechanical Code and § 230.24 {"Clearances"} of the National Electrical Code.

1511.9.5 [1510.10.5] Height. No rooftop deck may be raised more than 2 feet (0.61 m) above the plane that is midway between the lowest and the highest points of the roof surface supporting the rooftop deck.

1511.9.6 [1510.10.6] Setbacks. A rooftop deck must comply with:

1. the minimum setbacks specified in [§ 1510.10.6.1] § 1511.10.6.1, and
2. any greater or additional setback requirements established by or under the Baltimore City Zoning Code and any applicable Urban Renewal Plan.

1511.10.6.1 [1510.10.6.1] Minimum setbacks. A rooftop deck must comply with the following minimum setbacks:

Front

Flat Roof –	8 feet (2.44 m) from face of building wall
Gabled Roof –	6 feet (1.83 m) behind ridge line
Mansard Roof (steeply pitched front slope followed by flat roof) –	6 feet (1.83 m) behind ridge line

Sides and Rear

None

[SECTIONS 1511 TO] SECTION 1512 {As in IBC}

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Chapter 16 Structural Design

Sections 1601 to 1602 *{As in IBC}*

Section 1603 Construction Documents

1603.1 General. *{As in IBC}*

Exception: Construction documents for buildings constructed in accordance with the conventional light-frame construction provisions of § 2308 must indicate the following structural design information:

1 - 4. *{As in IBC}*

5. Flood design data, if located in a flood hazard area.

6. *{As in IBC}*

1603.1.1 to 1603.1.6 *{As in IBC}*

1603.1.7 Flood design data. For structures located in whole or in part in a flood hazard area, the documentation pertaining to design, if required by the Floodplain Management Code, must be included, and the following information, referenced to the datum on the City's Flood Insurance Rate Map (FIRM), must be shown, regardless of whether flood loads govern the design of the structure:

1. In flood hazard areas not subject to high-velocity wave action, the elevation of the proposed lowest floor.
2. In flood hazard areas not subject to high-velocity wave action, the elevation to which any nonresidential building will be dry floodproofed.
3. In flood hazard areas subject to high-velocity wave action, the proposed elevation of the bottom of the lowest horizontal structural member of the lowest floor, including the basement.
4. Any other documentation required by the Flood Management Code.

1603.1.8 to 1603.1.9 *{As in IBC}*

Sections 1604 to 1606 *{As in IBC}*

Section 1607 Live Loads

1607. 1 to [1607.12] 1607.13 *{As in IBC}*

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1 **1607.14 [1607.13] Roof Loads. {As in IBC}**

2 **1607.14.1 [1607.13.1] Distribution of roof loads. {As in IBC}**

3 **1607.14.2 [1607.13.2] Reduction in roof live loads. {As in IBC}**

4 **1607.14.2.1 [1607.13.2.1] Ordinary roofs, awnings, and canopies.** Ordinary flat,
5 pitched, and curved roofs, and awnings and canopies other than opf fabric
6 construction supported by a skeleton structure, must be designed for the following
7 minimum live loads:

Roof Slope	Live Load (pounds/square foot of horizontal projection)
Flat: Flat or rise less than 4"	30
Pitched: Rise 4" (102 mm) per foot to less than 12" (305 mm) per foot Rise 12" (305 mm) per foot and greater	20 12
Curved: Arch or dome with rise less than 1/8 of span	30
Arch or dome with rise 1/8 of span to less than 3/8 of span	20
Arch or dome with rise 3/8 of span or greater	12

19 **[1607.13.3] 1607.14.2.2 to [1607.13.5] 1607.14.4.5 {As in IBC}**

20 **[1607.14] 1607.15 to [1607.15] 1607.22 {As in IBC}**

21 **Sections 1608 to 1611 {As in IBC}**

22 **Section 1612 Flood Loads {Not Adopted}**

23 **{Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations
24 and limitations governing development within those areas, see the Floodplain Management Code,
25 City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

26 **Sections 1613 to 1616 {As in IBC}**

27 **Chapter 17**
28 **Special Inspections and Tests**
29 **{As in IBC}**

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**Chapter 18
Soils and Foundations**

Sections 1801 to 1803 {As in IBC}

Section 1804 Excavation, Grading, and Fill

1804.1 Excavation near foundations. {As in IBC}

1804.2 Underpinning foundation walls.

1804.2.1 General. Any permit application for underpinning foundation walls must include the following:

1. structural drawings that:
 - a. indicate the exact sequence of operation, and
 - b. are signed and sealed by an architect or engineer licensed to practice in this State,
2. a statement of responsibility from the architect or engineer of record that the architect or engineer agrees:
 - a. to schedule and attend, before an underpinning permit can be issued, an in-office meeting with the Building Official's plans examining office, at which meeting the architect or engineer and the contractor must be present and review requirements with staff,
 - b. to complete, sign, and return to the plans examining office the office's inspections and safeguards checklist,
 - c. to coordinate and schedule a pre-inspection on-site meeting before an underpinning work starts,
 - d. to ensure that the work will conform to the structural drawings and all applicable codes,
 - e. to periodically inspect the work,
 - f. to immediately report to the Building Official any construction problems or irregularities,
 - g. to provide inspection reports with work activity photographs to the city inspector, and
 - h. within 10 days after the work is completed, to submit a certification of completion, and

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- 1 3. if the underpinning is to be done on a party wall, evidence that the notice required
2 by § 1804.2.2 was given.

3 **1804.2.2 Party walls.** If the underpinning is to be done on a party wall, the applicant
4 must give written notice of the proposed underpinning to the owners of all adjoining
5 properties, with a copy to the Building Official. This notice must be given at least 10
6 days before an application for the underpinning permit is filed.

7 **1804.2.2.1 Contents of notice.** The written notice must:

- 8 1. indicate the intent to underpin the structure,
9 2. specify:
- 10 a. the earliest date (to be at least 10 days after the notice is served) **whc**
11 **WHEN** the underpinning permit is expected to be filed, and
12 b. the earliest date when the work is expected to begin,
- 13 3. identify the contractor scheduled to perform the underpinning and the
14 contractor's emergency contact information, including cell phone number and
15 email address,
16 4. identify the architect or engineer who signed and sealed the plans and will
17 certify the underpinning,
18 5. include a copy of all documents that are relevant to the adjoining property and
19 are to be filed for the permit, and
20 6. include the following statement:

21 “The Baltimore City Building, Fire, and Related Codes provides that any
22 person aggrieved by a permit issued by the Building Official may apply for
23 a review of that decision. If you would like to challenge the issuance of
24 this underpinning permit, your request must:

- 25 (1) be in writing;
26 (2) be made before or within 10 days after issuance of the permit;
27 (3) set forth in full the reasons for review; and
28 (4) either be:

- 29 (i) mailed by certified or registered mail, return **receip RECEIPT**
30 requested, to the Deputy Commissioner of Permits and
31 Code Enforcement at 417 E. Fayette Street, 3rd Floor,
32 Baltimore, Maryland, 21202; or

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(ii) delivered to that Deputy Commissioner's office and stamped received by the office."

1804.2.2.2 Service of notice. The notice must be:

1. personally served on the owner of the adjoining property, or
2. sent both by certified or registered mail, return receipt requested, and by first class mail to the owner at:
 - a. the adjoining property's mailing address, and
 - b. if different, the owner's mailing address recorded in the property's **TAX** records.

1804.3 to 1804.4 *{As in IBC}*

1804.5 Grading and fill in flood hazard areas. In flood hazard areas, grading or fill may not be approved unless it meets the requirements of the Floodplain Management Code.

1804.6 to 1804.7 *{As in IBC}*

Section 1805 Dampproofing and Waterproofing

1805.1 General. *{As in IBC}*

1805.1.1 Story above grade plane. *{As in IBC}*

1805.1.2 Upper floor space. *{As in IBC}*

1805.1.2.1 Flood hazard areas. For structures in a flood hazard area, the finished ground level of an under-floor space, such as a crawl space, must meet the requirements of the Floodplain Management Code.

1805.1.3 Ground-water control. *{As in IBC}*

1805.2 to 1805.4 *{As in IBC}*

Sections 1806 to 1808 *{As in IBC}*

Section 1809 Shallow Foundations

1809.1 to 1809.4 *{As in IBC}*

1809.5 Frost protection. Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures must be protected by one or more of the following methods:

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- 1 1. extending 30" below grade,
- 2 2. constructing in accordance with ASCE 32, or
- 3 3. erecting on solid rock.

4 **Exceptions: {As in IBC}**

5 **1809.5.1 FROST PROTECTION AT REQUIRED EXITS. {AS IN IBC}**

6 **1809.6 to 1809.13 {As in IBC}**

7 **Section 1810 Deep Foundations {As in IBC}**

8 **Chapter 19**
 9 **Concrete**
 10 **{As in IBC}**

11 **Chapter 20**
 12 **Aluminum**
 13 **{As in IBC}**

14 **Chapter 21**
 15 **Masonry**
 16 **{As in IBC}**

17 **Chapter 22**
 18 **Steel**
 19 **{As in IBC}**

20 **Chapter 23**
 21 **Wood**
 22 **{As in IBC}**

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Chapter 24 Glass and Glazing

Sections 2401 to 2405 *{As in IBC}*

Section 2406 Safety Glazing *{As in IBC, subject to the following Note}*

{MBPS Modification} — The requirements for safety glazing contained in State Public Safety Article, Title 12, Subtitle 4, are in addition to those contained in § 2406 of the IBC. In the event of a conflict between the Maryland Code and the IBC, the Maryland Code prevails.

Sections 2407 to 2409 *{As in IBC}*

Chapter 25 Gypsum Board, Gypsum Panel Products, and Plaster *{As in IBC}*

Chapter 26 Plastic

Sections 2601 to 2608 *{As in IBC}*

Section 2609 Light-Transmitting Plastic Roof Panels

2609.1 to 2609.2 *{As in IBC}*

2609.3 Location. Where § 705 {"Exterior Walls"} of this Code requires exterior wall openings to be protected, a roof panel or unit may not be installed within 4 feet (1219 mm) of the exterior wall.

2609.4 Area limitations. *{As in IBC}*

Section 2610 Light-Transmitting Plastic Skylight Glazing

2610.1 to 2610.6 *{As in IBC}*

2610.7 Location. Where § 705 {"Exterior Walls"} of this Code requires exterior wall

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1 openings to be protected, a skylight may not be installed within 4 feet (1219 mm) of the
2 exterior wall.

3 **2610.8 Combinations of roof panels and skylights. {As in IBC}**

4 **Sections 2611 to 2614 {As in IBC}**

5 **Chapter 27** 6 **Electrical**

7 {**MBPS Modification** – The subject matter of this Chapter is not within the scope of the
8 Maryland Building Performance Standards. See the Baltimore City Electrical Code in Part III
9 {“Electrical”} of this Article, and the National Electrical Code as adopted and enforced by the State
10 Fire Marshall under State Public Safety Article, Title 12, Subtitle 6.}

11 **Section 2701 General**

12 **2701.1 Scope.** This Chapter governs the electrical components, equipment, and systems
13 used in structures covered by this Code. Electrical components, equipment, and systems
14 must be designed and constructed in accordance with the National Electrical Code (“NEC”).

15 **2701.2 Electric equipment standards.** Only electrical materials, appliances, or equipment
16 approved by the Building Official may be installed. The Building Official must approve all
17 materials, appliances, and equipment that are listed and labeled by the Underwriters’
18 Laboratories, Incorporated, or by any other independent testing organization that the Building
19 Official approves, except for any materials, appliances, or equipment that other provisions of
20 this Code preclude from being installed. In investigating new materials, appliances, and
21 equipment, the Building Official must consider the factors listed in NEC § 110.3
22 {“Examination, Identification, Installation, and Use of Equipment”}.

23 **Section 2702 Emergency and Standby Power Systems {As in IBC}**

24 **Section 2703 Permit and Certificate of Inspection**

25 **2703.1 Applications.** The application for an electrical permit must bear the name and
26 address of the insured, licensed electrician responsible for all work to be done under the
27 permit.

28 **2703.2 Permits for maintenance work.** Any person who employs 1 or more licensed
29 maintenance electricians or licensed master electricians for maintenance of approved
30 installations in or on a structure or premises owned or operated by the person must:

31 1. obtain individual permits for the maintenance work, or

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- 1 2. apply for and obtain a semiannual permit for all maintenance work to be performed by
2 these licensed electricians.

3 **2703.3 Semiannual records.** The person to whom a semiannual permit is issued must keep
4 a detailed record of all maintenance work done under the permit. These records must be:

- 5 1. available at all times for inspection by the Building Official, or
- 6 2. if the Building Official so specifies, filed with the Building Official.

7 **2703.4 Certificates.** An electrical certificate is required before electric service may be
8 energized in any structure. On request and payment of the required fee, the Building Official
9 will issue an electrical certificate to the owner of any electrical installation that conforms to
10 the requirements of this Code.

11 **Section 2704 Inspections**

12 **2704.1 Periodic inspections for places of assembly.** In any place of public assembly for
13 which an inspection registration permit is required, the Building Official must make periodic
14 inspections of the electric wiring, appliances, and equipment.

15 **Section 2705 Unsafe Existing Installations**

16 **2705.1 Conformance required.** Any existing electrical equipment, appliance, wiring, or
17 other electrical work in service that does not comply with this Code and creates a menace to
18 life or property must, as directed in writing by the Building Official:

- 19 1. be made to conform to the requirements of this Code, or
- 20 2. be put out of service and either sealed or removed.

21 **Section 2706 Permits**

22 **2706.1 Permit required.** Unless specifically excepted by this Building, Fire, and Related
23 Codes Article, no electrical work may be undertaken before the Building Official has issued
24 a permit for that work.

25 **2706.2 To whom issued.** A permit may be issued only:

- 26 1. to a master electrician licensed to do business in the City,
- 27 2. to a master restricted electrician licensed to do business in the City,
- 28 3. to a restricted electrician licensed to do business in the City, or
- 29 4. to a maintenance electrician licensed to do business in the City.

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1 Section 2707 Licensing Requirements

2 **2707.1 Licenses and supervision required.** No person may provide electrical services or
3 otherwise engage in any electrical work unless the person:

- 4 1. is licensed to do so in accordance with State law, and
- 5 2. is insured or working under the direct supervision of an insured, licensed electrician.

6 Chapter 28 7 Mechanical Systems

8 {**MBPS Modification** – The subject matter of this Chapter is not within the scope of the
9 Maryland Building Performance Standards. See the Fuel Gas Code and Mechanical Code in Parts IV
10 and V of this Article, and the mechanical code adopted under State Business Regulation Article
11 § 9A-205.}

12 Section 2801 General

13 **2801.1 Scope – General.** Mechanical appliances, equipment, and systems must be
14 constructed, installed, and maintained in accordance with:

- 15 1. the International Mechanical Code [(2018) (2021) Edition), as modified by Part V
16 of this Code, and
- 17 2. the International Fuel Gas Code [(2018) (2021) Edition), as modified by Part IV
18 of this Code.

19 **2801.2 Scope – Chimneys, fireplaces, barbecues.** Masonry chimneys, fireplaces, and
20 barbecues must comply with:

- 21 1. Chapter 21 {"Masonry"} of this Code, and
- 22 2. the International Mechanical Code [(2018) (2021) Edition), as modified by Part V
23 of this Code.

24 Section 2802 Permits

25 **2802.1 Permit required.** Unless specifically excepted by this Building, Fire, and Related
26 Codes Article, no heating, ventilation, air-conditioning, or refrigeration ("HVACR") work
27 may be undertaken before the Building Official has issued a permit for that work.

28 **2802.2 Applications.** The application for an HVACR work permit must bear the name and
29 address of the insured, licensed HVACR contractor responsible for all work to be done under
30 the permit.

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1 **2802.3 To whom issued.** A permit may be issued only:

- 2 1. to a master HVACR contractor licensed to do business in the City,
- 3 2. to a master restricted HVACR contractor licensed to do business in the City,
- 4 3. to a limited HVACR contractor licensed to do business in the City,
- 5 4. to a journeyman HVACR contractor licensed to do business in the City, or
- 6 5. to a journeyman restricted HVACR contractor licensed to do business in the City.

7 **Section 2803 Licensing Requirements**

8 **2803.1 Licenses and supervision required.** No person may provide HVACR services or
9 otherwise engage in any HVACR work unless the person:

- 10 1. is licensed to do so in accordance with State law, and
- 11 2. is insured or working under the direct supervision of an insured, licensed HVACR
12 contractor.

13 **Chapter 29** 14 **Plumbing Systems**

15 {**MBPS Modification** – The subject matter of this Chapter is not within the scope of the
16 Maryland Building Performance Standards. See the Plumbing Code in Part VI of this Article, and
17 the plumbing code adopted under State Business and Occupation Article, Title 12.}

18 **Section 2901 General**

19 **2901.1 Scope.** The erection, installation, alteration, repairs, relocation, replacement, use, or
20 maintenance of or addition to plumbing equipment and systems are governed by:

- 21 1. this Chapter,
- 22 2. the International Plumbing Code [(2018) (2021 Edition)] (the “IPC”), as modified by
23 Part VI of this Code; and
- 24 3. for private sewage disposal systems, COMAR 26.04.02 {“Sewage Disposal and
25 Certain Water Systems...”}.

26 **2901.2 “Plumbing regulations”.** Together, this Chapter 29 and the IPC are referred to
27 in this Code as “plumbing regulations”.

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1 Section 2902 Minimum Plumbing Facilities

2 2902.1 Minimum number of fixtures. *{As in IBC}*

3 2902.1.1 Fixture calculations. *{As in IBC}*

4 2902.1.2 Single-user toilet facility and bathing room fixture. *{As in IBC}*

5 2902.1.3 Lavatory distribution. *{As in IBC}*

6 **2902.1.4 Family or assisted-use toilet and bath fixtures.** Fixtures located within
7 accessible family or assisted-use toilet and bathing rooms required by the Maryland
8 Accessibility Code (COMAR 09.12.53) are permitted to be included in the number of
9 required fixtures for either the male or female occupants in assembly and mercantile
10 occupancies.

11 2902.2 to 2902.3 *{As in IBC}*

12 **2902.4 Signage.** Required public facilities must be provided with signs that designate the
13 sex, as required by § 2902.2. Signs must be readily visible and located near the entrance to
14 each toilet facility. Signs for accessible toilet facilities must comply with the Maryland
15 Accessibility Code (COMAR 09.12.53).

16 **2902.4.1 GENDER-INCLUSIVE SIGNAGE.** IF SEPARATE FACILITIES FOR EACH SEX ARE NOT
17 REQUIRED, AS PERMITTED BY THE EXCEPTIONS TO § 2902.2 {"SEPARATE FACILITIES"} OF
18 THIS CODE, THEN ARTICLE 15, § 43-3 {"REQUIREMENT FOR SINGLE-USER RESTROOMS"}
19 OF THE CITY CODE MANDATES THAT A PUBLIC SINGLE-USER RESTROOM IN A COMMERCIAL
20 OR INDUSTRIAL ESTABLISHMENT, A PLACE OF PUBLIC ACCOMMODATION, OR A CITY-
21 OWNED OR -OCCUPIED BUILDING SHALL BE:

22 1. MADE AVAILABLE FOR USE BY INDIVIDUALS OF ANY GENDER, AND

23 2. IDENTIFIED WITH GENDER-INCLUSIVE SIGNAGE.

24 {EDITOR'S NOTE: But see City Code Article 15, Subtitle 43 {"Public Restrooms"},
25 which requires the use of "gender-inclusive signage" to identify any "public single-use restroom"
26 in a commercial or industrial establishment, a place of public accommodation, or a City-owned
27 or -occupied building.}

28 2002.5 to 2902.6 *{As in IBC}*

29 Section 2903 Permits

30 **2903.1 Permit required.** Unless specifically excepted by these plumbing regulations, no
31 plumbing work may be undertaken before the Building Official has issued a permit for that
32 work.

33 **2903.2 Applications.** The application for a plumbing work permit must bear the name and
34 address of the insured, licensed master plumber responsible for all work to be done under the
35 permit.

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1 **2903.3 To whom issued.** A permit may be issued only:

- 2 1. to a master plumber licensed to do business in the City,
- 3 2. to a master gas fitter licensed to do business in the City, or
- 4 3. for on-site utility facilities, to an on-site utility contractor licensed to do business in
- 5 the City.

6 **2903.4 Insurance.** The Building Official may not issue a permit to any master plumber
7 unless the master plumber has provided the Building Official with certification of insurance,
8 as required by State law.

9 **2903.5 Emergency work.** When emergency work needs to be done to rectify a possible
10 health hazard or other hazardous condition, the work may be undertaken, even before a
11 permit is issued, by:

- 12 1. a master plumber, or
- 13 2. within the scope of his or her license:
 - 14 a. an on-site utility contractor, or
 - 15 b. a gas fitter.

16 **2903.5.1 Notice and subsequent permit.** A master plumber, contractor, or gas fitter
17 who performs emergency work under this section must:

- 18 1. promptly notify the proper City authorities of the emergency, and
- 19 2. within a reasonable time, obtain a permit for the work.

20 **Section 2904 {Reserved}**

21 **Section 2905 Licensing Requirements**

22 **2905.1 Licenses and supervision required.** Except as otherwise provided in this section
23 no person may provide plumbing services or otherwise engage in any plumbing work unless:

- 24 1. the person is licensed to do so in accordance with State law, and
- 25 2. the services and work are done by or under the direct supervision of
- 26 an insured, licensed master plumber.

27 **2905.1.1 On-site utilities work.** On-site utility work, as defined in City Code
28 Article 13, § 18-1, may be done by or under the direct supervision of an on-site utility
29 contractor licensed by the City.

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1 **2905.1.2 Gas-fitting work.** A licensed gas fitter may perform any gas-fitting work that
2 falls within the scope of his or her license.

3 **2905.2 Limits on plumber's, etc., liability.** The liability of the surety on any bond given
4 under this Chapter and the liability of any master plumber or on-site utility contractor for
5 materials furnished or work done under this Code does not extend to defects in materials or
6 workmanship discovered more than 1 year after completion of the work.

7 **2905.2.1 Plumber's, etc., responsibility for certain defects.** The surety and the master
8 plumber or on-site utility contractor are responsible to the City to correct all defects that
9 are discovered during the 1-year period after completion of the work and about which
10 they were promptly notified in writing.

11 **2905.2.2 Owner remains responsible.** Notwithstanding the limited liabilities of the
12 surety and the master plumber or on-site utility contractor, the owner of the property is
13 responsible at all times to the City to correct any defects in the plumbing installations in
14 or on his or her property.

15 **2905.2.3 Use of license by others prohibited.** A master plumber, on-site utility
16 contractor, or gas fitter may not allow his or her name to be used by any other person for
17 obtaining permits or for doing business or work under his or her license.

Chapter 30 Elevators and Conveying Systems

18 {**MBPS Modification** – Note to Chapter 30: The provisions of Chapter 30 of the IBC
19 relate to elevators and conveying systems and are in addition to and not instead of the
20 requirements contained in State Public Safety Article, Title 12, Subtitle 8. In the event of a
21 conflict between the Maryland Code and the IBC, the Maryland Code prevails.}
22
23

Section 3001 General

24 **3001.1 Scope.** *{As in IBC}*

25 **3001.2 Emergency elevator communication systems for the deaf, hard of hearing, and**
26 **speech impaired.** An emergency two-way communication system shall be provided that:

- 27 1. is a visual, text-based, and video-based 24/7 live interactive system,
- 28 2. is fully accessible by the deaf, hard of hearing, and speech impaired, and includes
29 voice-only options for hearing individuals,
30
- 31 3. has the ability to communicate with emergency personnel utilizing existing video
32 conferencing technology, chat/text software or other approved technology, and
- 33 4. complies with all applicable requirements of the Maryland Accessibility Code
34 (COMAR 09.12.53).

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1 **3001.3 Referenced standards.** Except as otherwise provided for in this Code, the design,
2 construction, installation, alteration, repair, and maintenance of elevators, conveying systems,
3 and their components conform to ASME A17.1/CSA B44, ASME A17.7/CSA B44.7, ASME
4 A90.1, ASME B20.1, ANSI MH29.1, ALI ALCTV, and, for construction in flood hazard
5 areas, ASCE 24.

6 **3001.4 to 3001.5** *{As in IBC}*

7 **Sections 3002 to 3008** *{As in IBC}*

8 Chapter 31 9 Special Construction

10 **Sections 3101 to 3104** *{As in IBC}*

11 **Section 3105 Awnings and Canopies**

12 **3105.1 General.** Awnings and canopies must comply with the requirements of:

- 13 1. this section,
- 14 2. other applicable sections of this article, and
- 15 3. the laws^{, rules,} and regulations governing minor privilege permits.

16 **3105.2 Design and construction.** *{As in IBC}*

17 **3105.3 Awning and canopy materials.** *{As in IBC}*

18 **Section 3106 Marquees** *{As in IBC}*

19 **Section 3107 Signs** *{As in IBC}*

20 **Section 3108 Telecommunication and Broadcast Towers**

21 **3108.1 General** *{As in IBC}*

22 **3108.2 Location and access.** *{As in IBC}*

23 **3108.3 Aircraft warning lights.** Radio and television towers must be equipped with aircraft
24 warning lights that comply with Federal Aviation Administration requirements.

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1 Section 3109 Swimming Pools, Spas, and Hot Tubs

2 **3109.1 General.** Swimming pools, spas, and hot tubs must comply with the requirements
3 of:

- 4 1. the International Swimming Pool and Spa Code *{Part XII of this article}*,
- 5 2. other applicable sections of this article,
- 6 3. all *{rules and}* regulations of the Baltimore City Health Department, and
- 7 4. all location and other applicable provisions of the Baltimore City Zoning Code.

8 Section 3110 Automatic Vehicular Gates *{As in IBC}*

9 Section 3111 Solar Energy Systems *{As in IBC}*

10 Section 3112 Greenhouses

11 **3112.1 General.** Structures with glazed surfaces that are used for horticulture are classified
12 as greenhouses. These structures must be independent and separated from other buildings on
13 the same lot. All greenhouses must conform to the requirements of this Code for exits and
14 for materials.

15 **3112.1.1 Commercial greenhouses.** Commercial greenhouses are classified as Group
16 S-2, Low Hazard Storage Buildings, and must comply with § 503 {"General Building
17 Height and Area Limitations"} and Tables 601 {"Fire-Resistant Rating Requirements for
18 Building Elements"} and 602 {"Fire-Resistant Rating Requirements for Exterior Walls"}
19 of this Code.

20 **3112.1.2 Residential greenhouses.** Greenhouses that are located on a lot zoned for
21 residential use are classified as Group U, Utility and Miscellaneous Structures.

22 **3112.1.2.1 Height.** Residential greenhouses may not exceed 20 feet (6.10 m) above
23 grade.

24 **3112.1.2.2 Size.** The floor area of a residential greenhouse must conform to the
25 requirements of the Baltimore City Zoning Code.

26 **3112.1.2.3 Location.** Residential greenhouses must be located at least 36 inches
27 (914 mm) from any property line or other structure.

28 **3112.2 Accessibility.** Greenhouses must be accessible in accordance with the Maryland
29 Accessibility Code, COMAR 09.12.53.

30 **3112.3 Structural design.** Greenhouses must comply with the structural design
31 requirements for greenhouses in Chapter 16 {"Structural Design"} of this Code.

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1 **3112.4 Glass and glazing.** Glass and glazing used in greenhouses must comply with § 2405
2 {“Sloped Glazing and Skylights”} of this Code.

3 **3112.5 Light-transmitting plastics.** Light-transmitting plastics are permitted in lieu of
4 plain glass in greenhouses and must comply with § 2606 “Light-Transmitting Plastics”} of
5 this Code.

6 **3112.6 Membrane structures.** Greenhouses that are membrane structures must comply
7 with § 3102 {“Membrane Structures”} of this Code.

8 **3112.6.1 Plastic film.** Plastic films used in greenhouses must comply with § 3102.3
9 {“Type of construction”} of this Code.

10 Section 3113 Relocatable Buildings *{As in IBC}*

11 [Sections] SECTION 3114 [to 3115] *{RESERVED}*

12 SECTION 3115 INTERMODAL SHIPPING CONTAINERS *{As in IBC}*

13 Section 3116 Parking Lots, Driveways, and Other Paved Surfaces

14 **3116.1 Section inapplicable to special-event parking.** This § [3112] 3116 does not apply
15 to special-event parking lots operating under and in compliance with City Code Article 15,
16 Subtitle 13 {“Parking facilities – Special-Event Parking Lots”} as long as the lot complies
17 with all other requirements applicable to the lot’s principal occupancy, use, or structure.

18 **3116.2 Driveway entrances.** All driveway entrances located on a public right-of-way must
19 be constructed in accordance with the rules, regulations, and permit requirements of the
20 Department of Transportation.

21 **3116.3 Surface paving.** Parking lots, parking pads, driveways, and private roads must be
22 paved with asphalt, brick, concrete, macadam, or stone block. Permeable paving systems
23 may be utilized in accordance with the rules and regulations of the Department of Public
24 Works. All paving must be able to support the design loads for the proposed vehicular
25 traffic.

26 **3116.4 Parking spaces.** The size, layout, and arrangement of parking spaces must comply
27 with:

- 28 1. the Baltimore City Zoning Code,
- 29 2. the Maryland State Accessibility Code, and
- 30 3. the rules and regulations of the City Planning Commission.

31 **3116.5 Curbs or bumpers.** Curbs or bumpers must be installed for all parking spaces.

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1 Each curb or bumper must be:

- 2 1. made of concrete, wood, or an approved metal wheel stop,
- 3 2. at least 6 inches (152 mm) high and 8 inches (203 mm) wide,
- 4 3. securely fixed in place, and
- 5 4. located:
 - 6 a. at least 4 feet (1.22 m) from the parking lot perimeter, or
 - 7 b. for parking spaces that are parallel to the perimeter of the parking lot,
 - 8 at least 2 feet (0.61 m) from the perimeter.

9 **3116.6 Surface drainage.** Storm drainage off paved surface areas, such as parking lots,
10 playgrounds, and plazas, must be properly conveyed to paved alleys, paved streets, or other
11 approved water courses.

12 **3116.6.1 Limitations.** No drainage may be discharged:

- 13 1. so as to run or flow over any sidewalk or footway, except at a driveway
14 with a depressed curb, or
- 15 2. across any adjoining property.

16 **3116.6.2 Methods.** Drainage must be piped to a storm drain, to the street or alley, to a
17 paved swale, or to another approved water course. The installation of piping, connections
18 to storm drains, etc., must be made in accordance with the plumbing regulations of
19 Chapter 29 {"Plumbing Systems"} of this Code.

20 Section 3117 Piers and Marinas

21 **3117.1 General.** All piers, marinas, and related structures constructed or demolished along
22 the shoreline of the City must comply with the requirements of this § 3117, in addition to all
23 other applicable provisions of this Code.

24 **3117.2 Plans and specifications.** All proposed work for piers and marinas requires plans
25 and specifications that illustrate, describe, and specify the proposed work in sufficient detail
26 and clarity.

27 **3117.3 Approvals.** Before a building permit may be issued for the construction or
28 demolition of a pier, marina, or related structure, the work must be approved by:

- 29 1. the U.S. Army Corps of Engineers (Baltimore District),
- 30 2. the State of Maryland,
- 31 3. the Division of Construction and Buildings Inspection,

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- 1 4. the Baltimore City Fire Department,
- 2 5. the Baltimore City Department of Transportation, and
- 3 6. the Baltimore City Department of Public Works.

4 **3117.4 Design.** All shoreline and offshore free-standing piers, with or without buildings,
5 must be designed in accordance with:

- 6 1. the design manuals of the Federal Emergency Management Agency, and
- 7 2. the requirements of this Code.

8 **3117.5 Structural design for piers.** Minimum live load requirements are as follows:

- 9 1. for static or fixed piers or marinas for light duty uses, 60 pounds per square foot, and
- 10 2. for heavy duty live loads and for structures constructed on piers, as required by
11 Chapter 16 {"Structural Design"} of this Code.

12 **3117.6 Structures on piers.** Every structure that is constructed on a pier, wharf, dock,
13 bulkhead, breakwater, piles, or other similar structure must comply with this § 3117 and all
14 other applicable provisions of this Code and other law.

15 Section 3118 Fences

16 **3118.1 Location.** A fence may be built only on the property of the owner of the fence.
17 However, if the owners of adjoining property agree to build a fence on the property line
18 between them, they may do so if they both submit, with the application for the permit, a
19 written statement of their agreement.

20 **3118.2 Height.** Except as otherwise specified in this § 3118.2, the height of a fence may not
21 exceed 42 inches (1067 mm), measured on the high side.

22 **3118.2.1 Enclosing dwellings.** Fences enclosing dwellings may be as high as, but may
23 not exceed, 6 feet (1.83 m) if located in side or rear yards.

24 **3118.2.2 Enclosing certain other buildings.** Fences enclosing buildings used for public
25 assembly, private assembly, institutions, offices, commercial storage, or industrial
26 occupancies may be as high as, but may not exceed, 8 feet (2.44 m).

27 **3118.2.3 Special purposes.** For special purposes like protection around dangerous
28 places, highly hazardous operations, in conjunction with electric security, or protection
29 around athletic fields, and in similar cases where a high fence is necessary for the safety
30 of the public, fences may be higher than 8 feet (2.44 m) to the extent specially authorized
31 by the Building Official.

32 **3118.3 Construction.** Fences may be built of any material or construction that is permitted

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1 in this Code for exposed structures. However, all fences must be designed and constructed,
2 in accordance with the applicable structural provisions of this Code, to resist from any
3 direction a horizontal force of 20 pounds per square foot, applied normal to and over either
4 the gross area of the fence or the net area of the fence plus 50% of the gross area, whichever
5 is less.

6 **3118.3.1 Wood fences.** The posts for wood fences must be:

- 7 1. locust, heart cedar, or any other wood that will resist decay underground,
- 8 2. any wood that has been treated in accordance with this Code, or
- 9 3. any good timber set in concrete.

10 **3118.3.2 Wire fences.** Wire fences must be constructed with wire mesh substantially
11 fabricated and constructed so as to resist a nominal horizontal load of 500 pounds without
12 deflecting more than 6 inches (152 mm). The posts for wire fences must be metal posts
13 set in concrete, properly designed masonry posts, or wood posts of the type required for
14 wood fences.

15 **3118.3.3 Metal fences.** Metal fences must be of a substantial design and construction
16 approved by the Building Official. The posts for metal fences must be concrete, masonry,
17 or metal set in concrete or masonry.

18 **3118.3.4 Masonry fences.** Masonry fences must be of reinforced concrete or other
19 masonry and must be designed and constructed in accordance with the requirements
20 governing reinforced concrete or freestanding masonry walls. All masonry fences must
21 extend at least 2 feet (0.61 m) into the ground.

22 **3118.3.5 Combination fences.** Fences that consist of 2 or more kinds of materials may
23 be built as long as all applicable requirements of this Code for those materials and
24 construction are met. The total aggregate height of a combination fence must be used in
25 determining the height limitations for that fence.

26 **3118.4 Sharp points, projections, etc.** No fence may have any projecting sharp points,
27 jagged edges, or other projections that can injure persons or animals coming in contact with
28 the fence.

29 **3118.4.1 Fence tops.** No fence less than 3 feet 6 inches (1.07 m) high may have any
30 sharp pickets or vertical pointed objects at the top. Barbed wire or other approved
31 retarding material or construction may be placed on the top of any fence that is more than
32 6 feet 9 inches (2.06 m) high, unless the barbed wire or other retarding material will
33 create a highly hazardous condition.

34 **3118.4.2 Razor wire.** Razor wire may not be used anywhere in any fence.

35 **3118.4.3 Electric security fences.** An electric security fence is permitted:

- 36 1. only in a C-3, C-4, or Industrial Zoning District, as identified in City Code
37 Article 32 {"Zoning"}; and

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1 2. only as long as long as the fence:

2 a. does not abut any residentially zoned parcel; and

3 b. is installed in conjunction with an exterior, non-electric barrier fence.

4 **3118.5 Maintenance.** Every fence must be maintained in good repair by its owner. The
5 Building Official may determine the sufficiency of any fence and the amount and character of
6 repairs required to make it safe.

7 **3118.6 Nonconforming fences.** Any existing fence that was compliant when erected but
8 does not comply with the requirements of this § 3118 is permitted to continue to exist and be
9 repaired at any time, unless the fence has deteriorated more than 50%. All nonconforming
10 fences that have deteriorated more than 50% or beyond repair must be removed or
11 reconstructed in accordance with the requirements of this Code.

12 **Section 3119 Radio and Television Antennas**

13 **3119.1 Aircraft warning lights.** Radio and television antennas located on a high rise
14 building or on a high terrain feature must comply with Federal Aviation Administration
15 requirements for aircraft warning lights.

16 **Section 3120 Lightning Protection**

17 **3120.1 General.** Lightning protection for buildings and structures must comply with
18 NFPA 780.

19 **Chapter 32**
20 **Encroachments into the Public Right-of-Way**

21 **Section 3201 General**

22 **3201.1 Scope.** *{As in IBC}*

23 **3201.2 Measurement.** *{As in IBC}*

24 **3201.3 Other laws.** This Chapter does not permit anything that is otherwise prohibited or
25 regulated by any law governing the use of public property.

26 **3201.3.1 Permission needed for encroachments.** No person may use, encroach on, or
27 connect to any street, highway, alley, or other public right-of-way for any purpose unless
28 that person first obtains permission to do so by:

29 1. an ordinance of the Mayor and City Council,

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1 2. a minor privilege permit issued by or under the authority of the Board of
2 Estimates, or

3 3. an appropriate permit issued by the Department of Transportation.

4 **3201.4 Drainage generally.** Drainage may not be discharged from private property on to
5 the public right-of-way except through piping to a storm drain, to a street or alley, or to some
6 other water course approved by the Department of Public Works. Drainage may not be
7 discharged to flow over the surface of any public sidewalk.

8 **Section 3202 Encroachments**

9 **3202.1 Encroachment below grade. {As in IBC}**

10 **3202.2 Encroachment above grade and below 8' in height. {As in IBC}**

11 **3202.2.1 Steps.** Steps may not project more than any 1 or another of the following
12 distances:

- 13 1. 1/4 of the width of a public sidewalk on which the steps are located,
- 14 2. 4 feet (1219 mm) into a public sidewalk, or
- 15 3. any distance that leaves a clear public sidewalk of less than 4 feet (1219 mm).

16 **3202.2.2 Architectural features. {As in IBC}**

17 **3202.2.3 Awnings. {As in IBC}**

18 **3202.3 Encroachment 8' or more above grade. {As in IBC}**

19 **3202.4 Temporary encroachments. {As in IBC}**

20 **3202.5 Unauthorized encroachment.** In this § 3202.5, “unauthorized encroachment”
21 means any building, structure, projection, object, or other thing that has been placed,
22 constructed, or installed on or connected to a public right-of-way without appropriate
23 permission, as outlined in § 3201.3.1 {“Permission needed...”}.

24 **3202.5.1 Removal of unauthorized encroachments.** On notice from the Building
25 Official or the Director of Transportation, the owner of any unauthorized encroachment
26 must immediately:

- 27 1. remove the encroachment, or
- 28 2. obtain appropriate permission for its continuation.

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Chapter 33 Safeguards During Construction

Section 3301 General

3301.1 to 3301.2 *{As in IBC}*

3301.3 Prohibited hours. No site work, demolition work, pile driving work, or construction work is permitted between 7:00 p.m. and 7:00 a.m., if that work or any part of a premises in or on which the work is to be done is within 300 feet (91.44 m) of any dwelling.

3301.3.1 Exception. This § 3301.3 does not apply to an emergency operation that has been specifically approved by the Building Official.

Section 3302 Construction Safeguards

3302.1 Remodeling and additions. Required exits, existing structural elements, fire protection devices, and sanitary safeguards must be maintained at all times during remodeling, alterations, repairs, or additions to any building or structure.

Exceptions:

1. When these required elements or devices are themselves being remodeled, altered, or repaired, adequate substitute provisions must be made.
2. These requirements do not apply if the existing building is not occupied.

3302.2 Waste and debris. All sites for new construction or for remodeling, alterations, repairs, or additions, and all abutting sidewalks, gutters, and alleys, must be properly maintained and kept free of accumulated trash, garbage, waste, or debris, including construction waste or debris, and of any object or condition that constitutes a nuisance. Removal of all trash, garbage, waste, and debris must be done in a manner that prevents injury or damage to persons, adjoining properties, and public rights-of-way.

3302.3 Fire safety during construction. *{As in IBC}*

Section 3303 Demolition

3303.1 to 3303.3 *{As in IBC}*

3303.4 Filling required. Except as otherwise specified in this § 3303.4, where a structure has been demolished or removed, the vacant area must be filled with approved material and maintained to the existing grade or otherwise in accordance with City law and seeded.

3303.4.1 Cellar floors. All basement and cellar floors must be removed or completely broken up before any filling materials are used.

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1 **3303.4.2 Exception.** The Building Official may waive the filling requirements of this
2 § 3303.4 for up to 3 months if:

- 3 1. the Building Official receives satisfactory evidence that construction of a new
4 building or structure will begin on the site within 3 months of the demolition or
5 removal, and
- 6 2. the site is protected with barriers that comply with § 3306.5 {"Barriers"} of
7 this Code.

8 **3303.5 to 3303.7 {As in IBC}**

9 **3303.8 Notice to adjoining owners and others.** A permit to demolish a structure may not
10 be issued unless:

- 11 1. all notices required by §§ 105.9 {"Special requirements for demolition or moving"}
12 and 3307.1 {"Protection required"} of this Code have been given, and
- 13 2. copies of the notices are submitted with the permit application.

14 **3303.9 Demolition contractor's license.** Except as otherwise specified in this § 3303.9, no
15 person may engage in the demolition of any structure without first obtaining a demolition
16 contractor's license from the Building Official.

17 **3303.9.1 Prerequisites.** Every contractor applying for a new license or for the renewal
18 of a license must:

- 19 1. provide the Building Official with the full name, phone number, address, and (if
20 available) email address of the contractor's business, and
- 21 2. provide the Building Official with a copy of a liability insurance policy that
22 complies with § 3303.10 of this Code.

23 **3303.9.2 Term; fees.** A demolition contractor's license expires on December 31 of each
24 year. The license may be renewed annually, on or before December 31, on payment of
25 the renewal fee. The license fees are as set by the Building Official with the approval of
26 the Board of Estimates.

27 **3303.9.3 Change of name or address.** A licensee must immediately notify the Building
28 Official of any change in the name, phone number, address, or email address of the
29 licensee's business.

30 **3303.9.4 Use of license by other.** A licensee may not allow his or her name to be use
31 by another person for the purpose of obtaining permits or for doing any demolition work
32 under the licensee's license.

33 **3303.9.5 Exception.** The Building Official may waive the requirements of this § 3303.9
34 if the structure to be demolished is a miscellaneous structure as described in § 312
35 {"Utility, Miscellaneous Group U"} of this Code.

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1 **3303.9.6 Enforcement.** A violation notice is not a prerequisite to the enforcement of
2 this § 3303.9 by any appropriate legal proceeding. Penalties will be assessed in
3 accordance with § 114 {"Violations"} of this Code.

4 **3303.9.7 Debarment on conviction.** Any person convicted of a violation of this
5 § 3303.9 is, in addition to any other penalty that might be imposed:

- 6 1. prohibited from performing demolition work without first obtaining a new
7 license, and
- 8 2. is ineligible to receive a new license for 1 year.

9 **3303.10 Demolition insurance.** The licensee must have an insurance policy that complies
10 with the minimum requirements of this § 3303.10.

11 **3303.10.1 Coverage.** The policy must provide coverage for all operations for which a
12 permit might be sought. The minimum coverage requirements are:

- 13 1. \$500,000 for damages (including damages for care and loss of services) because
14 of bodily injury (including death at any time resulting from bodily injury), per
15 person, per incident,
- 16 2. \$1,000,000 for damages (including damages for care and loss of services) because
17 of bodily injury (including death at any time resulting from bodily injury)
18 sustained by more than 1 person per incident, and
- 19 3. \$250,000 for injury to or destruction of property of others per incident.

20 **3303.10.2 Prohibited exclusions.** The policy may not contain:

- 21 1. any "collapse hazard" exclusion,
- 22 2. any exclusion that would prohibit the contractor from performing the demolition
23 operations in accordance with this Code and the normal procedures of the
24 industry, or
- 25 3. any exclusion that would create an undue risk to the City or to the health, safety,
26 and welfare of the general public.

27 **3303.10.3 Cancellation.** The terms of policy must provide either:

- 28 1. that the policy may not be canceled during the duration of the operations to be
29 performed, or
- 30 2. that the Building Official will be notified in writing, at least 15 days before the
31 policy is canceled.

32 **3303.11 to 3303.12 {Reserved}**

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1 **3303.13 Demolition permits.** Each application for a demolition permit must:

- 2 1. comply with § 105 {"Permits"} of this Code,
- 3 2. except as provided in § 3303.13.1, be accompanied by a certificate of insurance that
4 evidences compliance with § 3303.10, and
- 5 3. be accompanied by an affidavit to the Building Official that all contracts and other
6 arrangements complying with this Code have been made.

7 **3303.13.1 Alternative certificate of continuing insurance.** Instead of providing a
8 separate certificate for each permit, a contractor may provide one general certificate of
9 continuing insurance, as long as the certificate evidences:

- 10 1. the required coverage for all work to be performed by the contractor, and
- 11 2. the insurer's obligation to notify the Building Official, in writing, at
12 least 15 days before the policy is canceled.

13 **3303.14 to 3303.15 {Reserved}**

14 **3303.16 Methods of demolition.** The following methods must be used for the demolition of
15 a structure:

- 16 1. The demolition must be performed in approximately the reverse order in which the
17 structure was erected. Where unusual conditions exist, the Building Official may
18 authorize a different method.
- 19 2. Structural elements must be carefully disassembled to avoid collapse.
- 20 3. Heavy pieces of stone or other heavy and bulky materials or equipment must be
21 carefully handled in accordance with this Code.
- 22 4. Demotion must be halted when winds exceed 20 mph.
- 23 5. Wetting is prohibited during periods of prolonged freezing temperatures.

24 **3303.17 Use of explosives.** The use of explosives is generally prohibited. Explosives for
25 demolition by implosion may be used by special permit from the Building Official.

26 **3303.18 Partial Demolition.** Building elements that become exposed as result of a partial
27 demolition must be properly finished, braced, or otherwise made safe.

28 **3303.19 to 3303.20 {Reserved}**

29 **3303.21 Removal of debris.** The requirements of this section are in addition to those of
30 § 3302.2 {"Waste and debris"}.

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1 **3303.21.1 General requirements.** Debris on upper floors must be lowered to ground
2 level:

- 3 1. in receptacles, by elevators or hoists, or
- 4 2. in tight and completely enclosed chutes.

5 **3303.21.2 Chute requirements.** No chute used for this purpose may extend in an
6 unbroken line that is more than 25 feet (7.62 m) without suitable barriers to prevent
7 debris from falling too fast. Each chute must be equipped with a proper gate or stop at
8 the bottom to control the flow of materials from the chute.

9 **3303.22 {Reserved}**

10 **3303.23 Disposition of recyclable debris.** Whenever recyclable debris to be cleared from a
11 site exceeds 5 tons, at least 30% of that recyclable debris must be immediately transported to
12 a licensed recycling facility.

13 **3303.23.1 “Recyclable debris” defined.** In this section, “recyclable debris” means
14 materials that:

- 15 1. if not recycled, would become solid waste for disposal in a solid waste
16 acceptance facility, and
- 17 2. may be collected, separated, or processed and returned to the marketplace in
18 the form of raw materials or products.

19 **3303.24 to 3303.25 {Reserved}**

20 **3303.26 Correction of injurious conditions.** This section applies to any demolition
21 contractor who:

- 22 1. performs any demolition work that creates a condition that violates this Code or
23 a condition that might be injurious to the general public or adjoining to adjoining
24 properties, and
- 25 2. refuses or fails to correct the condition in the manner and time required by this Code.

26 **3303.26.1 Correction by Building Official.** If the contractor refuses or fails to correct
27 the condition or if an emergency occurs as a result of the condition, the Building Official
28 may correct the condition or perform any other operations necessary to bring the
29 demolition operations into compliance with this Code. All work the Building Official
30 performs under this section is at the expense of the contractor.

31 **3303.26.2 Contractor not relieved of responsibility.** The Building Official’s
32 performance of any work under this section does not relieve the contractor from
33 responsibility for all work performed by the contractor. Any remedies or penalties
34 provided in this section are in addition to any other remedies or penalties provided by
35 law.

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1 **3303.27 Limits of liability.** The liability of any contractor for materials furnished or work
2 done under this Code and the liability of the contractor's surety does not extend to defects in
3 materials or workmanship discovered more than 12 months after the completion of the work.
4 The contractor and surety are responsible to the City to correct all defects discovered during
5 this 12-month period and about which they were notified in writing.

6 **3303.28 Owner's responsibility.** Notwithstanding the limited liabilities of the contractor
7 and the surety, the owner of the property is responsible at all times to the City to correct any
8 defects in the operations performed on his or her property.

9 **3303.29 Penalty for violation.** On a contractor's refusal or failure to correct any violation,
10 the contractor's license and all outstanding work permits are automatically suspended. The
11 suspension continues until the violation is corrected.

12 **Section 3304 Site Work {As in IBC}**

13 **Section 3305 Sanitary {As in IBC}**

14 **Section 3306 Protection of Pedestrians {As in IBC}**

15 **Section 3307 Protection of Adjoining Property**

16 **3307.1 Protection required. {As in IBC}**

17 **3307.2 Shared elements – General.** Repairs to elements shared by a demolished or moved
18 structure and an adjoining structure must comply with all applicable provisions of this Code.

19 **3307.3 Shared elements – Walls.** Party walls must be repaired and finished by the owner of
20 the demolished or moved structure. The repairs must include:

- 21 1. restoration or replacement of any flashing on adjoining property that has been broken
22 or damaged during the operations,
- 23 2. removal of all plaster from the exposed side of the wall, and
- 24 3. cleaning and finishing the wall with approved waterproof material.

25 **Sections 3308 to 3313 {As in IBC}**

26 **Section 3314 Fire Watch During Construction {As in IBC}**

27 **Sections 3315 to 3317 {Reserved}**

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1 Section 3318 Rodenticide Procedure

2 **3318.1 Certification required.** Before any structure may be demolished, moved to another
3 site, or substantially rehabilitated, the applicant for a permit must provide certification from a
4 pesticide applicator licensed by the State of Maryland that all areas of the structure and its lot
5 are free from rodent infestation. A certification of treatment and abatement of all infestation
6 must accompany the permit application.

7 **3318.2 Treatment required.** Structures or lots found to be infested must be treated by a
8 licensed pesticide applicator before demolition, moving, or rehabilitation

9 Section 3319 Unsafe Walls

10 **3319.1 Presumption.** For purposes of this § 3319, any load-bearing wall that is cracked or
11 bowed and any 4-inch load-bearing wall is considered a structurally unsafe wall unless
12 certified to be safe by a professional structural engineer licensed in Maryland.

13 **3319.2 Removal or correction required.** Any structurally unsafe wall that remains after
14 the demolition or moving of a structure must be:

- 15 1. removed and replaced as required by all applicable sections of this Code, or
- 16 2. in the case of a party wall, corrected as provided in § 3319.3.

17 **3319.3 Party walls.** If the structurally unsafe wall that remains is a party wall, the owner of
18 the structure being demolished or removed must:

- 19 1. remove all or any part of the wall that the Building Official considers dangerous, and
- 20 2. reconstruct and do all other necessary work to properly enclose the adjoining
21 structure.

22 Section 3320 Operations Not to Cause Nuisance

23 **3320.1 Scope.** This section applies to all operations that involve:

- 24 1. moving or demolishing any structure, or
- 25 2. removing any machinery or equipment from any structure to be moved or demolished.

26 **3320.2 Work to avoid nuisance.** All operations of the sort described in § 3320.1 must be
27 conducted so that:

- 28 1. no material, object, or thing is allowed to fall in or on any structure or premises
29 or any alley or other public way,
- 30 2. all materials, objects, and things are well wetted down or otherwise treated as needed
31 to prevent dust or other airborne debris, and

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- 1 increment financing, or similar benefit,
- 2 d. bond proceeds or issuance assistance, a loan, or similar financial benefit,
- 3 e. receipt under City authority of Federal or State construction funds,
- 4 including Community Development Block Grant funds, and
- 5 f. except as otherwise specified in this section, receipt of any other form of
- 6 funding or financial benefit from the City or a City agency.

7 **3601.2 Exclusions.** This Chapter does not apply to:

- 8 1. additions to or remodelings of existing buildings, or
- 9 2. new construction for which City funding or assistance is limited to
- 10 either or both:
 - 11 a. a property tax credit under City Code Article 28, § 10-5
 - 12 {"Newly constructed [buildings"]} DWELLINGS"}, and
 - 13 b. waiver of a City lien on property where the lien exceeds
 - 14 the value of the property.

15 Section 3602 Accessible Entry

16 **3602.1 Requirements.** Every dwelling that is subject to this Chapter must provide at least 1

17 entrance that:

- 18 1. is accessible to, and usable by, a person with a mobility disability,
- 19 2. does not include steps,
- 20 3. has a level change (including any level change at threshold) that does not
- 21 exceed ½ inch and, if the level change exceeds ¼ inch, is beveled, and
- 22 4. is located on a continuous unobstructed path that, through the use as
- 23 necessary or appropriate of curb ramps, parking access aisles, walks, ramps,
- 24 elevators, lifts, and the like:
 - 25 a. connects the lot entrance to the dwelling entrance, and
 - 26 b. can be negotiated by a person with a disability who uses a wheelchair,
 - 27 by a person with a disability who does not require use of a wheelchair,
 - 28 and by a person without a disability.

29 Section 3603 Accessible Interior

30 **3603.1 "Entry level" defined.** In this § 3603, "entry level" means the level at which an

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1 accessible entrance is provided under § 3602.1 {"Requirements"}.

2 **3603.2 Interior doors.** On the entry level of the dwelling, each door designed to allow
3 passage must have an unobstructed opening of at least 32 inches when the door is open at a
4 90-degree angle.

5 **3603.3 Environmental controls.**

6 **3603.3.1 "Environmental control" defined.** In this § 3603.3, "environmental control"
7 means any switch or device that controls or regulates lights, temperature, fuses, fans,
8 doors, security systems, or similar features included in the construction of the dwelling
9 unit.

10 **3603.3.2 Requirements.** On the entry level of the dwelling, each environmental control
11 must be located:

- 12 1. no higher than 48 inches above the floor and no lower than 15 inches above the
13 floor, and
- 14 2. if an environmental control is located directly above a counter, sink, or appliance,
15 no higher than 3 inches above the counter, sink, or appliance.

16 **3603.4 Habitable space.** The entry level of the dwelling must contain at least 1 interior
17 room that:

- 18 1. has an area of not less than 108 sq. ft., and
- 19 2. contains no side or dimension narrower than 9 feet.

20 **3603.5 Bathroom.** The entry level of the dwelling must contain at least 1 bathroom that
21 contains:

- 22 1. a toilet,
- 23 2. a sink,
- 24 3. reinforced walls at the toilet, to allow for future installation of grab bars, and
- 25 4. the following minimum dimensions:
 - 26 a. 30"-by-48" of clear floor space outside of the door swing,
 - 27 b. 30"-by-48" of clear floor space parallel to and centered on the sink, and
 - 28 c. 48"-by-56" of clear floor space at the toilet for a side approach.

29 **Section 3604 Waivers**

30 **3604.1 General.** The Building Official may grant a waiver from one or more of the

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1 requirements of this Chapter if:

- 2 1. the cost of grading the terrain to meet the requirement is disproportionately expensive
3 in relation to the value of the dwelling,
- 4 2. the width of the lot is less than 16 feet, or
- 5 3. compliance with the requirement is precluded or limited because of the lot's location
6 in a Federal, State, or City historic district.

7 **3604.1.1 “Disproportionately expensive” defined.** For purposes of this section,
8 “disproportionately expensive” means that the cost of grading the terrain to meet the
9 requirement exceeds 5% of the fair market value of the unimproved property.

10 Section 3605 Relationship to Other Laws

11 **3605.1 Federal and state laws.** Federal and state laws also govern multiple-family
12 dwellings and public accommodations. Newly constructed multiple-family dwellings may
13 also be subject to the federal Americans with Disabilities Act and the federal Fair Housing
14 Act and their respective guidelines.

15 **3605.2 City law.** This Chapter applies to some dwellings that are not covered by federal or
16 state law, such as newly-constructed single-family dwellings.

17 **3605.3 More restrictive law controls.** To the extent that the provisions of this Chapter are
18 not identical to federal or state laws, the more restrictive law controls.

19 Chapter 37 20 *{Vacant}*

21 Chapter 38 22 Traffic Impact and Mitigation

23 Section 3801 Definitions

24 **3801.1 General.** In this Chapter, the following terms have the meanings indicated.

25 **3801.1.1 Director.** “Director” means the Director of the Department of Transportation
26 or the Director’s designee.

27 **3801.1.2 Gross floor area.** “Gross floor area” means the area specified in Baltimore
28 City Zoning Code § 1-306(j) {“Floor area: Gross (GFA)”}.

29 **3801.1.3 Change in occupancy.** “Change in occupancy” has the meaning stated in

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1 Baltimore City Building Code § [202.2.9.] 202.2.12.

2 **3801.1.4 Traffic-Mitigation Zone.** “Traffic-Mitigation Zone” or “Zone” means a
3 geographic area designated by this Chapter for heightened review of the potential impact
4 of development on the area’s transportation network.

5 Section 3802 Scope of Chapter

6 **3802.1 {Reserved}**

7 **3802.2 Outside a Traffic-Mitigation Zone.** A traffic-impact study is required for any
8 proposed work outside of a Traffic-Mitigation Zone if the proposed work involves any 1 of
9 the following:

- 10 1. an impact area that includes an intersection performing at Level of Service D or
11 worse,
- 12 2. 50 or more dwelling units, or
- 13 3. a gross floor area that equals or exceeds:
 - 14 a. for a warehouse use, 100,000 sq. ft., or
 - 15 b. for any other use or combination of uses, 50,000 sq. ft.

16 **3802.2.1. Determination of impact area.** For purposes of this § 3802.2, an impact area
17 must include the entire area located ½ mile or less from any point on the development’s
18 property line, unless the Director, in accordance with the rules and regulations adopted
19 under {§ 3803.1 of} this Chapter, determines that extraordinary circumstances exist that
20 require that a larger impact area of up to 1 mile from the development’s property line be
21 considered.

22 **3802.3 Within a Traffic-Mitigation Zone.** A Traffic-Mitigation Fee is required for any
23 proposed new construction or change in occupancy within a Traffic-Mitigation Zone if the
24 proposed work involves any 1 of the following:

- 25 1. 10 or more dwelling units, or
- 26 2. a gross floor area that equals or exceeds:
 - 27 a. for a warehouse use, 100,000 sq. ft., or
 - 28 b. for any other use or combination of uses, 50,000 sq. ft.

29 **3802.4 DoT initial determination.** Within 20 business days after an application has been
30 referred to the Director of Transportation under § 105.3.1.2 {“Referral to assess need for
31 traffic-mitigation”} of this Code, the Director must review the application and notify the
32 referring official and the applicant:

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- 1 1. whether and, if so, what additional information is needed to evaluate the application,
2 or
- 3 2. if no additional information is needed:
 - 4 a. whether the proposed project is in a Traffic-Mitigation Zone, and if so,
5 whether the developer of a project must pay a Traffic-Mitigation Fee under
6 § 3806 {"Traffic-Mitigation Fee"} of this Chapter,
 - 7 b. whether, under the criteria set forth in this § 3802, a traffic-impact study will
8 be required, and
 - 9 c. if a traffic-impact study will be required, the estimated expenses for
10 undertaking or contracting for the study.

11 **Section 3803 DoT Rules and Regulations**

12 **3803.1 In general.** Subject to Title 4 {"Administrative Procedure Act – Regulations"} of
13 the City General Provisions Article, the Department of Transportation must adopt rules and
14 regulations to carry out this Chapter.

15 **3803.2 Contents.** These rules and regulations:

- 16 1. must include:
 - 17 a. procedures for determining the number of trips to be attributable to projects
18 in a particular Traffic-Mitigation Zone or Subzone,
 - 19 b. procedures for determining what constitute extraordinary circumstances
20 requiring that an impact area of up to a 1 mile radius be considered for
21 purposes of § 3802.2 {"Outside Traffic-Mitigation Zone"},
 - 22 c. a schedule of the fees that an applicant may be charged under § 3804.3
23 {"Expenses"}, and,
 - 24 d. an accounting method, adopted in accordance with § 3807.5.3 {"Accounting
25 method to be published"}, to identify what specific projects individual fees are
26 obligated to for purposes of a review under § 3807.5.1 {"Review of fee use"},
- 27 2. may establish:
 - 28 a. usage categories for determining the number of trips generated by differing
29 uses within Traffic-Mitigation Zones, and
 - 30 b. procedures for designating, within Traffic-Mitigation Zones, Subzones with
31 differing trip-generation formulas, and
- 32 3. may include any other procedures, standards, or requirements consistent with this
33 Chapter.

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1 **3803.3 Public review.** In accordance with § 4-301 of the City General Provisions Article,
2 all proposed rules and regulations under this Chapter must be published for public comment
3 for at least 45 days. During the public comment period the Director must hold **†3** or more
4 public hearings on the proposed rules and regulations, at least 1 of which must begin between
5 6 pm and 8 pm.

6 **3803.4 Filing.** A copy of all rules and regulations adopted under this Chapter must be filed
7 with:

- 8 1. the Building Official,
- 9 2. the Zoning Administrator,
- 10 3. the Board of Municipal and Zoning Appeals,
- 11 4. the Director of Legislative Reference, and
- 12 5. the Director of Planning.

13 **Section 3804 Traffic-Impact Study**

14 **3804.1 Scope of section.** This § 3804 is applicable to all proposed projects located outside
15 of a Traffic-Mitigation Zone.

16 **3804.2 How conducted.**

17 **3804.2.1 By DoT or consultant.** The Department of Transportation may itself
18 undertake the study or contract with independent consultants for the study, as the Director
19 considers necessary or appropriate.

20 **3804.2.1.1 Consultant conflicts.** For a consultant to be eligible to undertake a
21 Traffic-Impact Study, the consultant must certify to the Director, in the manner
22 prescribed by the Director, that the consultant is free of any conflicts of interest.

23 **3804.2.1.2 Conflict defined.** For purposes of this § 3804.2, a “conflict of interest” is
24 defined as any consultant having materially participated in the development of the
25 application or having worked for the applicant on any application within the prior 24
26 months.

27 **3804.2.2 Scope of study.** The area and scope of each study is to be determined by the
28 Department of Transportation, in accordance with the rules and regulations adopted under
29 § 3803 {“DoT rules and regulations”}.

30 **3804.2.2.1 Minimum area of study.** The area of a study required under this § 3804
31 must not be smaller than the impact area of the project, as determined using the
32 method described in § 3802.2.1 {“Determination of impact area”}.

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1 **3804.3 Expenses.** All reasonable expenses incurred in undertaking or contracting for the
2 study must be paid by the applicant, and will be imposed and collected as provided in § 118
3 {"Liability for Expenses..."} of this Code for fees and service charges.

4 **3804.3.1 Initial payment.** Before the study begins, the applicant must pay the expenses
5 estimated under § 3802.4 {"DoT initial determination"}.

6 **3804.3.2 Balance.** After the study is completed, but before any permit may be issued,
7 the applicant must pay any difference between the initial amount paid under § 3804.3.1
8 and the actual expenses incurred for the study.

9 **3804.3.2.1 Refund.** After the study is completed, subject to appropriation by the
10 Board of Estimates, the applicant is entitled to a refund of any payments made under §
11 3804.3.1 that exceed the actual expenses incurred for the study plus a reasonable
12 service charge.

13 **3804.4 Applicant's option on delay.** If the Traffic-Impact Study is not completed within 60
14 business days after the initial payment is made under § 3804.3.1:

- 15 1. the applicant may proceed to contract for the Traffic-Impact Study with a consultant
16 selected from a list of consultants prequalified by the Department of Public Works'
17 Office of Boards and Commissions; and
- 18 2. subject to appropriation by the Board of Estimates, the applicant is entitled to a full
19 refund of all fees paid to the City for the uncompleted Traffic-Impact Study.

20 **3804.5 Mitigation.** The applicant and the Department of Transportation must negotiate in
21 good faith to determine who must pay for and undertake the actions necessary or appropriate
22 to mitigate the adverse traffic impacts identified in the Traffic-Impact Study. If no agreement
23 is reached, the application is not approved.

24 Section 3805 Traffic-Mitigation Zones

25 **3805.1 Purpose of Zones.** Areas designated as Traffic-Mitigation Zones are areas that have
26 overburdened and interrelated transportation networks and that are anticipated to experience
27 significant development. Heightened review of development that might impact the
28 transportation networks in these areas is therefore necessary.

29 **3805.2 Traffic-Management Plans for Zones.** The Planning Commission may adopt a
30 10-year traffic-management plan for each Traffic-Mitigation Zone and review and update
31 each plan every 5 years.

32 **3805.2.1 Required plan inclusions.** Each plan must, among other things:

- 33 1. project the number of trips that reasonably might be expected to be generated
34 in the Zone, based on new development (including redevelopment of vacant and
35 underutilized parcels),
- 36 2. identify multimodal transportation solutions to mitigate the likely growth in traffic

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1 congestion, and

- 2 3. based on the Director's recommendations, indicate what projects may be funded
3 in whole or in part, by Traffic-Mitigation Fees from the Zone.

4 **3805.2.2 Plan exclusions.** The plan may not include Traffic-Mitigation Fee funding for
5 system preservation projects such as street resurfacing, reconstruction, or other projects
6 not required to mitigate the growth in traffic congestion unless the system preservation
7 projects are reasonably necessary to improve safety or capacity.

8 **3805.3 Designated Zones.** There are 5 Traffic-Mitigation Zones in the City of Baltimore.

9 **3805.3.1 Downtown/Midtown Zone.** The area within the following boundaries is the
10 "Downtown/Midtown Traffic-Mitigation Zone":

11 BEGINNING for the same at the point formed by the intersection of the centerline of East North
12 Avenue (varying in width), and the centerline of North Calvert Street, 60 feet wide; thence running with
13 the centerline of said North Calvert Street with meridian reference to the Baltimore City Survey
14 Control System, the following courses:

- 15 (1) Southerly to the point formed by the geometric intersection of the centerline of said North
16 Calvert Street, and the centerline of Interstate Route 83 Right-of-Way (roadway below);
17 thence running with the centerline of said Interstate Route 83 Right-of-Way
- 18 (2) Southerly to a point formed by the geometric intersection of the centerline of said Interstate
19 Route 83 Right-of-Way and the centerline of The Fallsway, varying in width (roadway above);
20 thence running with the centerline of said The Fallsway
- 21 (3) Southeasterly to a point formed by the intersection of the centerline of said The Fallsway and
22 the centerline of East Fayette Street; thence running with the centerline of said East Fayette
23 Street
- 24 (4) Westerly to a point formed by the intersection of the centerline of said East Fayette Street and
25 the centerline of North President Street Corridor, varying in width; thence running with the
26 centerline of said North President Street Corridor
- 27 (5) Southeasterly, passing over East Baltimore Street at which point said North President Street
28 Corridor becomes South President Street Corridor, varying in width; to a point formed by the
29 intersection of said South President Street Corridor and the centerline of Fleet Street, varying
30 in width; thence departing lastly mentioned point and running with the centerline of Felicia
31 Street Corridor
- 32 (6) Southeasterly to the center of Albemarle Street Round-About; thence departing lastly
33 mentioned point and running with Albemarle Street
- 34 (7) Southeasterly to a point formed by the intersection of said Albemarle Street and the centerline
35 of Lancaster Street; thence departing last point of intersection and running
- 36 (8) Due South to a point on the South 52° 18' 41" East, 1018.66 foot line as shown on a plat
37 entitled "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 2 of 6, File 13
38 Map 849 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District;
39 thence running with said South 52° 18' 41" East, 1018.66 foot line reversely and
- 40 (9) Northwesterly to the beginning thereof and a point labeled VII, as shown on said plat; thence
41 departing said point VII and running with the South 10° 17' 58" East 424.29 foot line,
42 reversely and

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- 1 (10) Northerly to the beginning thereof, and a point labeled VI, as shown on said plat; thence
2 departing said point VI and crossing the Northwest Branch of the Patapsco River
- 3 (11) In a Westerly direction to a point labeled LIV, as shown on said plat; said point LIV also
4 being labeled 16 on a plat entitled "Harborview Subdivision Plan" and recorded among the
5 Land Records of Baltimore City, Maryland, in Plat Book S.E.B., Page 3187; thence departing
6 said point 16 (aka LIV) and running with the South 74° 47' 38" East, 30.90 foot line, reversely
7 and
- 8 (12) In a Northwesterly direction to the beginning thereof and a Point labeled 15, as shown on
9 lastly mentioned plat; thence running with the North 02° 06' 20" West, 340.82 foot line
10 reversely and
- 11 (13) In a Southerly direction as shown on the lastly mentioned plat, and binding on, in part, the
12 east side of the former bed of Covington Street, if projected, to a point formed by the
13 intersection of the east side of said Covington Street and Key Highway; thence running with
14 the centerline of said Key Highway
- 15 (14) Westerly to a point formed by the intersection of the centerline of said Key Highway and the
16 centerline of Light Street, 82.5 feet wide; thence running with the centerline of said Light
17 Street
- 18 (15) Southerly to a point formed by the intersection of the centerline of said Light Street and the
19 centerline of East Montgomery Street, 82 feet wide; thence running with the centerline of said
20 East Montgomery Street
- 21 (16) Westerly to a point formed by the intersection of the centerline of said East Montgomery
22 Street and the centerline of South Charles Street, 66 feet wide; thence running with the
23 centerline of said South Charles Street
- 24 (17) Southerly to a point formed by the intersection of the centerline of said South Charles Street
25 and the centerline of West Churchill Street, 20 feet wide; thence running with the centerline of
26 said West Churchill Street
- 27 (18) Westerly to a point formed by the intersection of the centerline of said West Churchill Street
28 and the centerline of South Hanover Street, 66 feet wide; thence running with the centerline of
29 said South Hanover Street
- 30 (19) Northerly to a point formed by the intersection of the centerline of said South Hanover Street
31 and the centerline of West Montgomery Street, 35 feet wide; thence running with the
32 centerline of said West Montgomery Street
- 33 (20) Northwesterly to a point formed by the intersection of the centerline of said West
34 Montgomery Street and the centerline of South Sharp Street, 66 feet wide; thence running with
35 the centerline of said South Sharp Street
- 36 (21) Southwesterly to a point on the south side of West Henrietta Street, 66 feet wide; thence
37 binding on and running with the south side of said West Henrietta Street
- 38 (22) Northwesterly to a point on the west side of said South Sharp Street and the beginning of the
39 second line of a parcel of land described in a conveyance from Congress Hall Square Limited
40 Partnership, unto CHS Swim Club, Inc. by deed dated May 26, 1987 and recorded among
41 aforesaid Land Records in Liber S.E.B. No. 1319, Folio 231; thence running with the second
42 or North 70° 05' 00" West, 99.74 foot line,
- 43 (23) In a Northwesterly direction, as described in said deed, passing over the end thereof and
44 crossing Interstate Route 395 to intersect the centerline of South Martin Luther King Jr.
45 Boulevard; thence running with the centerline of said South Martin Luther King Jr. Boulevard,

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- 1 (24) Northerly, passing over West Baltimore Street at which point South Martin Luther King Jr.
2 Boulevard becomes North Martin Luther King Jr. Boulevard, to a point formed by the
3 intersection of the centerline of said North Martin Luther King Jr. Boulevard and the
4 centerline of Madison Avenue, 66 feet wide; thence running with the centerline of said
5 Madison Avenue,
- 6 (25) Northwesterly to a point formed by the intersection of said Madison Avenue and the
7 centerline of Dolphin Street, 100 feet wide; thence running with the centerline of said Dolphin
8 Street,
- 9 (26) Northeasterly to a point formed by the intersection of said Dolphin Street and the centerline of
10 North Eutaw Street, 110 feet wide; thence running with the centerline of said North Eutaw
11 Street,
- 12 (27) Southeasterly to a point formed by the intersection of said North Eutaw Street and the
13 centerline of 29th Division Street, 66 feet wide (formerly West Hoffman Street); thence
14 running with the centerline of said 29th Division Street,
- 15 (28) Northeasterly to a point formed by the intersection of said 29th Division Street and the
16 centerline of Bolton Street, varying in width; thence running with the centerline of said Bolton
17 Street,
- 18 (29) Northwesterly to a point formed by the intersection of said Bolton Street and the centerline of
19 said Dolphin Street; thence running with the centerline of said Dolphin Street,
- 20 (30) Northeasterly to a point formed by the intersection of the centerline of said Dolphin Street and
21 the centerline of North Howard Street, 80 feet wide; thence running with the centerline of said
22 North Howard Street,
- 23 (31) Northerly to a point formed by the intersection of said North Howard Street and the centerline
24 of West North Avenue; thence running with the centerline of said West North Avenue,
- 25 (32) Easterly, passing over North Charles Street at which point said West North Avenue becomes
26 East North Avenue, to the place of beginning.

27 **3805.3.2 Southeast Zone.** The area within the following boundaries is the “Southeast
28 Traffic-Mitigation Zone”:

29 BEGINNING at a point formed by the intersection of the centerline of Orleans Street (U.S. Route 40),
30 varying in width, and the centerline of North Patterson Park Avenue, 70 feet wide; thence departing
31 said point so fixed and running with the centerline of said Orleans Street, with meridian reference to the
32 Baltimore City Survey Control System the following courses:

- 33 (1) Easterly to a point formed by the intersection of said centerline of Orleans Street (U.S. Route
34 40) and the centerline of Pulaski Highway (U.S. Route 40), varying in width, formerly being
35 Philadelphia Avenue as listed in Ordinance #81, Dated April 24, 1944; thence running with
36 the centerline of said Pulaski Highway (U.S. Route 40)
- 37 (2) Easterly and Northeasterly to a point formed by the intersection of the centerline of said
38 Pulaski Highway (U.S. Route 40) and the centerline of Erdman Avenue (Maryland Route
39 151), varying in width; thence running with centerline of said Erdman Avenue (Maryland
40 Route 151)
- 41 (3) South Easterly to a point formed by the intersection of with the centerline of said Erdman
42 Avenue (Maryland Route 151) and the centerline of Baltimore Harbor Tunnel (Interstate
43 Route 895) Right-of-Way; thence running with centerline of said Baltimore Harbor Tunnel
44 Right-of-Way

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- 1 (4) Southerly to a point formed by the intersection of the centerline of said Baltimore Harbor
2 Tunnel (Interstate Route 895) Right-of-Way and the centerline of East Lombard Street, 80 feet
3 wide, (formerly known as Bayview Avenue as listed in Ordinance #302, Dated March 30,
4 1977); thence running with centerline of said East Lombard Street
- 5 (5) Northerly and Easterly to a point formed by the intersection of the centerline of said East
6 Lombard Street and the centerline of Kane Street, varying in width; thence running with the
7 centerline of said Kane Street
- 8 (6) North Easterly to a point formed by the geometric intersection of the centerline of said Kane
9 Street (roadway below), and the centerline of Interstate Route 95, John F. Kennedy Memorial
10 Highway, Right-of-Way (varying in width, roadway above); thence running with the centerline
11 of said Interstate Route 95 (John F. Kennedy Memorial Highway)
- 12 (7) Southerly and Westerly to a point formed by the geometric intersection of the centerline of
13 said Interstate Route 95 - John F. Kennedy Memorial Highway,(roadway above), and the
14 centerline of Gusryan Street (roadway below), 60 feet wide; thence running with the centerline
15 of said Gusryan Street
- 16 (8) Southerly to a point formed by the intersection of the centerline of said Gusryan Street and the
17 centerline of O'Donnell Street, 60 feet wide; thence running with the centerline of said
18 O'Donnell Street
- 19 (9) Westerly to a point formed by the intersection of the centerline of said O'Donnell Street and
20 the centerline of Broening Highway, varying in width; thence running with the centerline of
21 said Broening Highway
- 22 (10) Southerly to a point formed by the intersection of the centerline of said Broening
23 Highway and the centerline of Keith Avenue, varying in width; thence running with the
24 centerline of said Keith Avenue
- 25 (11) Westerly running with the centerline of said Keith Avenue to a point formed by the
26 intersection of said Keith Avenue and Interstate Route 95 (Fort McHenry Tunnel), as shown
27 on Baltimore City Block Plat-Ward 1, Section 10, Block 1903-D, dated August 1963, varying
28 in width; thence running with the centerline of said Interstate Route 95 (Fort McHenry
29 Tunnel)
- 30 (12) Southwesterly to a point formed by the intersection of the centerline of said Interstate Route
31 95 (Fort McHenry Tunnel) and the centerline of Northwest Branch; thence departing lastly
32 mentioned point of intersection and running with the centerline of the Northwest Branch
- 33 (13) Northerly and Westerly to a point formed by the intersection of the centerline of said
34 Northwest Branch and a line crossing the Northwest Branch of the Patapsco River, if drawn
35 between a point labeled VI and a point labeled LIV, both being shown on a plat entitled
36 "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 2 of 6, File 13 Map 849
37 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District; thence
38 departing lastly mentioned point of intersection and running
- 39 (14) In a Easterly direction to a point labeled VI, as shown on lastly mentioned plat; thence
40 departing said point VI, binding on and running in a
- 41 (15) Southerly direction with the South 10° 17' 58" East 424.29 foot line as shown on lastly
42 mentioned plat to end thereof and a point labeled VII; thence departing said point VII, binding
43 on and running
- 44 (16) In a Southerly direction with the South 52° 18' 41" East, 1018.66 foot line as shown on lastly
45 mentioned plat, to point formed by the intersection of said South 52° 18' 41" East, 1018.66
46 foot line and a line drawn due south from a point formed by the intersection of the centerline
47 of the former bed of Albemarle street, varying in width, and the centerline of Lancaster Street,
48 52 feet wide; thence departing last point of intersection and running

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- 1 (17) Due North to a point formed by the intersection of said former bed of Albemarle Street and
2 the centerline of said Lancaster Street; thence departing last point of intersection and running
3 with the centerline of former bed of said Albemarle Street
- 4 (18) Northwesterly to the center of Albemarle Street Round-bout; thence departing lastly
5 mentioned point and running with the centerline of Felicia Street Corridor
- 6 (19) Northwesterly to a point formed by the intersection of the centerline of said Felicia Street
7 Corridor / South President Street Corridor and the centerline of Fleet Street, varying in width;
8 thence running with the centerline of South President Street Corridor, varying in width
- 9 (20) Northwesterly, passing over East Baltimore Street at which point said South President Street
10 Corridor becomes North President Street Corridor, varying in width, to a point formed by the
11 intersection of said North President Street Corridor and the centerline of East Fayette Street,
12 varying in width; thence running with the centerline of said East Fayette Street
- 13 (21) Northeasterly to a point formed by the intersection of the centerline of said East Fayette Street
14 and the centerline of The Fallsway, varying in width; thence running with the centerline of
15 said The Fallsway
- 16 (22) Northerly to a point formed by the intersection of the centerline of said The Fallsway and the
17 centerline of Hillen Street, 66 feet wide; thence running with the centerline of said Hillen
18 Street
- 19 (23) Northeasterly to a point formed by the intersection of said Hillen Street and the centerline of
20 North Exeter Street, varying in width; thence running with the centerline of said North Exeter
21 Street
- 22 (24) Southwesterly to a point formed by the intersection of said North Exeter Street and the
23 centerline of Orleans Street (U.S. Route 40), 66 feet wide; thence running with the centerline
24 of said Orleans Street (U.S. Route 40)
- 25 (25) Westerly to the place of beginning.

26 **3805.3.3 South Baltimore/Middle Branch Zone.** The area within the following
27 boundaries is the “South Baltimore/Middle Branch Traffic-Mitigation Zone”:

28 BEGINNING for the same at a point formed by the geometric intersection of the centerline of South
29 Martin Luther King, Jr. Boulevard, varying in width, and the centerline of Russell Street
30 (Baltimore-Washington Parkway MD 295/129), varying in width; thence running with centerline of
31 said Russell Street with meridian reference to the Baltimore City Survey Control System, the following
32 courses:

- 33 (1) Southwesterly to a point formed by the geometric intersection of said centerline of said
34 Russell Street (Baltimore-Washington Parkway MD 295/129) and the centerline of Interstate
35 Route 95 (John F. Kennedy Memorial Highway), varying in width; thence running with the
36 centerline of said Interstate Route 95
- 37 (2) Westerly to a point formed by the intersection of the centerline of said Interstate Route 95 and
38 the centerline of the ramp from south bound South Monroe Street to said
39 Baltimore-Washington Parkway (MD 295/129); thence running with the centerline of said
40 ramp
- 41 (3) Southerly to a point formed by centerline of said ramp and centerline of Southbound MD 295
42 (Baltimore-Washington Parkway); thence running with said Southbound MD 295
43 (Baltimore-Washington Parkway)
- 44 (4) Southerly to a point formed by the intersection of said Southbound MD 295
45 (Baltimore-Washington Parkway) and the centerline of Waterview Avenue (MD Route 648),
46 varying in width; thence running with the centerline of said Waterview Avenue

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- 1 (5) Westerly to a point formed by the intersection of centerline of said Waterview Avenue and the
2 centerline of Annapolis Road (also MD Route 648), varying in width; thence running with
3 centerline of said Annapolis Road
- 4 (6) Southerly to a point formed by the centerline of said Annapolis Road and centerline of a
5 Railroad Right-of-Way owned by the CSX Transportation, Inc.; thence running with the
6 centerline of said CSX Right-of-Way
- 7 (7) South Easterly to a point formed by the centerline of said CSX Right-of-Way and the
8 centerline of Reedbird Avenue, 60 feet wide, as shown on Block Plat 7612-L; thence running
9 with centerline of said Reedbird Avenue
- 10 (8) North Easterly to a point formed by the intersection of centerline said Reedbird Avenue and
11 the centerline of Potee Street (MD Route 2), 66 feet wide; thence running with the centerline
12 of said Potee Street
- 13 (9) South Easterly to a point formed by the intersection of the centerline of said Potee Street and
14 the centerline of Frankfurst Avenue, 80 feet wide; thence running with the centerline of said
15 Frankfurst Avenue
- 16 (10) Easterly to a point formed by the intersection of said Frankfurst Avenue and the
17 centerline of of Interstate Route 895 (Harbor Tunnel Throughway), varying in width; thence
18 departing lastly mentioned point of intersection and running
- 19 (11) Due North to the centerline of the Patapsco River Channel as shown on a plat entitled
20 "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 3 of 6, File 13 Map 849
21 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District; thence
22 running with centerline of said Patapsco River Channel
- 23 (12) Easterly to a point formed by the intersection of centerline of said Patapsco River Channel
24 and the centerline of Northwest Branch; thence departing lastly mentioned point of
25 intersection and running with the centerline of the Northwest Branch
- 26 (13) Northerly and Westerly to a point formed by the intersection of the centerline of said
27 Northwest Branch and a line crossing the Northwest Branch of the Patapsco River, if drawn
28 between a point labeled VI and a point labeled LIV, both being shown on a plat entitled
29 "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 2 of 6, File 13 Map 849
30 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District; thence
31 departing lastly mentioned point of intersection and running
- 32 (14) In a Westerly direction to a point labeled LIV, as shown on lastly mentioned plat; said point
33 LIV also being labeled 16 on a plat entitled "Harborview Subdivision Plan" and recorded
34 among the Land Records of Baltimore City, Maryland, in Plat Book S.E.B., Page 3187; thence
35 departing said point 16 (aka LIV) and running with the South 74° 47' 38" East, 30.90 foot line,
36 reversely and
- 37 (15) In a Northwesterly direction to the beginning thereof and a Point labeled 15, as shown on
38 lastly mentioned plat; thence running with the North 02° 06' 20" West, 340.82 foot line
39 reversely and
- 40 (16) In a Southerly direction as shown on the lastly mentioned plat, and binding on, in part,
41 the east side of the former bed of Covington Street, if projected, to a point formed by the
42 intersection of the east side of said Covington Street and Key Highway; thence running with
43 the centerline of said Key Highway
- 44 (17) Westerly to a point formed by the intersection of the centerline of said Key Highway and the
45 centerline of Light Street, 82.5 feet wide; thence running with the centerline of said Light
46 Street

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- 1 (18) Southerly to a point formed by the intersection of the centerline of said Light Street and the
2 centerline of East Montgomery Street, 82 feet wide; thence running with the centerline of said
3 East Montgomery Street
- 4 (19) Westerly to a point formed by the intersection of the centerline of said East Montgomery
5 Street and the centerline of South Charles Street, 66 feet wide; thence running with the
6 centerline of said South Charles Street
- 7 (20) Southerly to a point formed by the intersection of the centerline of said South Charles
8 Street and the centerline of West Churchill Street, 20 feet wide; thence running with the
9 centerline of said West Churchill Street
- 10 (21) Westerly to a point formed by the intersection of the centerline of said West Churchill Street
11 and the centerline of South Hanover Street, 66 feet wide; thence running with the centerline of
12 said South Hanover Street
- 13 (22) Northerly to a point formed by the intersection of the centerline of said South Hanover Street
14 and the centerline of West Montgomery Street, 35 feet wide; thence running with the
15 centerline of said West Montgomery Street
- 16 (23) Northwesterly to a point formed by the intersection of the centerline of said West
17 Montgomery Street and the centerline of South Sharp Street, 66 feet wide; thence running with
18 the centerline of said South Sharp Street
- 19 (24) Southwesterly to a point on the south side of West Henrietta Street, 66 feet wide; thence
20 binding on and running with the south side of said West Henrietta Street
- 21 (25) Northwesterly to a point on the west side of said South Sharp Street and the beginning of the
22 second line of a parcel of land described in a conveyance from Congress Hall Square Limited
23 Partnership, unto CHS Swim Club, Inc. by deed dated May 26, 1987 and recorded among
24 aforesaid Land Records in Liber S.E.B. No. 1319, Folio 231; thence running with the second
25 or North 70° 05' 00" West, 99.74 foot line,
- 26 (26) In a Northwesterly direction, as described in said deed, passing over the end thereof and
27 crossing Interstate Route 395 to intersect the centerline of South Martin Luther King Jr.
28 Boulevard; thence running with the centerline of said South Martin Luther King Jr. Boulevard
- 29 (27) Northwesterly to the point of beginning.

30 **3805.3.4 East Zone.** The area within the following boundaries is the “East
31 Traffic-Mitigation Zone”:

- 32 BEGINNING for the same at the point formed by the intersection of the centerline of North Calvert
33 Street, 60 feet wide, and the centerline of East North Avenue, varying in width; thence departing said
34 point so fixed and running with the centerline of said East North Avenue, with meridian reference to
35 the Baltimore City Survey Control System the following courses:
- 36 (1) Easterly to a point formed by the intersection of the centerline of said East North Avenue and
37 the centerline of North Broadway, 130 feet wide; thence running with the centerline of said
38 North Broadway
- 39 (2) Southerly to a point formed by the intersection of the centerline of said North Broadway and a
40 point formed by the centerline of a Railroad Right of Way; thence running with the centerline
41 of said Railroad Right of Way
- 42 (3) Southeasterly to a point formed by the intersection of said Railroad Right of Way and the
43 centerline of North Patterson Park Avenue, 70 feet wide; thence running with the centerline of
44 said North Patterson Park Avenue

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- 1 (4) Southerly direction to a point formed by the intersection of said North Patterson Park Avenue
2 and the centerline of Orleans Street (U.S. Route 40), 66 feet wide; thence running with the
3 centerline of said Orleans Street (U.S. Route 40)
- 4 (5) Westerly to a point formed by the intersection of said Orleans Street (U.S. Route 40) and
5 North Exeter Street (varying in width); thence running with the centerline of said North Exeter
6 Street
- 7 (6) Northwesterly to a point formed by the intersection of the centerline of said North Exeter
8 Street and the centerline of Hillen Street (66' wide); thence running with the centerline of said
9 Hillen Street
- 10 (7) Southwesterly to a point formed by the intersection of the centerline of said Hillen Street and
11 the centerline of The Fallsway (varying in width); thence running with the centerline of said
12 The Fallsway
- 13 (8) Northerly to a point formed by the geometric intersection of the centerline of said The
14 Fallsway and the centerline of Interstate Route 83 Right of Way below; thence running with
15 the centerline of said Interstate Route 83
- 16 (9) Northwesterly direction to the point formed by the geometric intersection of the centerline of
17 said Interstate Route 83 Right of Way and the centerline of said North Calvert Street above;
18 thence running with the centerline of said North Calvert Street to the place of beginning.

19 **3805.3.5 Southwest Zone.** The area within the following boundaries is the “Southwest
20 Traffic-Mitigation Zone”:

21 BEGINNING for the same at the point formed by the intersection of the centerline of West Mulberry
22 (aka US Route 40) and the centerline of North Martin Luther King, Jr. Boulevard, varying in width;
23 thence running with the centerline of said North Martin Luther King, Jr. Boulevard, with meridian
24 reference to the Baltimore City Survey Control System, the following courses:

- 25
- 26 (1) Southerly and Southeasterly, passing over West Baltimore Street whereas said North Martin
27 Luther King, Jr. Boulevard becomes South Martin Luther King, Jr. Boulevard, varying in
28 width, to a point formed by the intersection of the centerline of said South Martin Luther
29 King, Jr. Boulevard and the centerline of Russell Street (Baltimore-Washington Parkway, MD
30 I-295), 160 feet wide; thence running with the centerline of said Russell Street
- 31 (2) Southwesterly and Westerly to a point formed by the intersection of the centerline of said
32 Russell Street and the centerline of Interstate Route 95 (John F. Kennedy Memorial Highway),
33 varying in width; thence running with the centerline of said Interstate Route 95
- 34 (3) Westerly to a point formed by the intersection of the centerline of said Interstate Route 95 and
35 the centerline of Washington Boulevard, 49.5 feet wide; thence running with the centerline of
36 said Washington Boulevard
- 37 (4) Northeasterly to a point formed by the intersection of the centerline of said Washington
38 Boulevard and the North 44° 31' 29" West 1,544.00 foot line, as shown on a plat entitled
39 “Subdivision Of The Lands Of 998 Monroe Corporation” dated May 26, 1994 and recorded
40 among the Land Records of Baltimore City in Plat Book S.E.B. 3479, if projected
41 Southeasterly; thence binding on and running with said projected line, reversely
- 42 (5) North 44° 31' 29" West 1,544.00 feet to a point designated as “508” as shown on said plat;
43 thence binding on and running with the north-west boundary line of Lot 1 as shown on said
44 plat

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- 1 (6) North 45° 24' 52" East 1,109.33 feet line to a point designated as "509" as shown on said plat
2 and located along the south side of the former bed of Putnam Street, also known as the former
3 bed of The Baltimore and Ohio Railroad Right-of-Way, and currently the south side of CSX
4 Transportation, Inc. property; thence binding on and running with the north-east boundary line
5 of Lot 1 as shown on said plat
- 6 (7) South 44° 31' 29" East to intersect the last line of the second parcel of land conveyed by
7 Carroll Park, LLC, to Washington-Monroe, LLC, by deed dated September 7, 2001 and
8 recorded among said the Land Records in Liber F.M.C. 1719, Folio 30, if projected in a
9 Southerly direction; thence binding on and running with said last line of second parcel so
10 projected
- 11 (8) North 44° 42' 07" East, passing over the north side of said CSX Transportation, Inc. property
12 and the south west side of South Monroe Street, 66 feet wide, to the centerline of said South
13 Monroe Street; thence running with the centerline of said South Monroe Street
- 14 (9) Northwesterly and Northerly to a point formed by the intersection of the centerline of said
15 South Monroe Street and the "southern property line" of the B&O Railroad Museum,
16 Incorporated property as described in a deed dated August 14th, 1991, by and between CSX
17 Transportation, Inc. et al to B&O Railroad Museum, Incorporated as recorded among said
18 Land Records in Liber S.E.B. 3638, Folio 208; thence binding and running with the said
19 "southern property line" of the B&O Railroad Museum, Incorporated property
- 20 (10) Northeasterly to a point formed by the intersection of said "southern property line" of the
21 B&O Railroad Museum, Incorporated property and the centerline of South Carey Street, 80
22 feet wide; thence binding on the centerline of said South Carey Street
- 23 (11) Northerly, passing over West Baltimore Street whereas said South Carey Street becomes
24 North Carey Street, 80 feet wide, to a point formed by the intersection of said North Carey
25 Street and aforesaid West Mulberry Street; thence running with the centerline of said West
26 Mulberry Street
- 27 (12) Easterly, to the point of beginning.

28 Section 3806 Traffic-Mitigation Fee

29 **3806.1 Scope of section.** This § 3806 is applicable to all proposed projects located inside of
30 a Traffic-Mitigation Zone.

31 **3806.2 General.** A Traffic-Mitigation Fee is a payment that, by authority of Charter
32 Article II, §§ (40) and (47), must be paid for projects that meet the criteria established in §
33 3802.3 {"Within Traffic-Mitigation Zone"}.

34 **3806.2.1 Application and processing fee.** An application to begin the required
35 Traffic-Mitigation Fee process must be:

- 36 1. made in the form and within the time frame set forth in the rules and regulations
37 adopted under this Chapter; and
- 38 2. accompanied by a processing fee in the amount set by these rules and regulations.

39 **3806.3 Assessment of fee.**

40 **3806.3.1 Trip formula.** The rules and regulations adopted under this Chapter must
41 establish:

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1. procedures for determining the number of trips attributable to various types of projects in a particular Traffic-Mitigation Zone or Subzone; and
2. adjustment factors for calculating the number of non-single-occupant-vehicle trips attributable to various types of projects.

3806.3.2 Fee Rates. The fee rate per trip is as set by the Board of Estimates, in consultation with the Director, for each Zone.

3806.3.2.1 Temporary limitation on Fee Rate increases. For the period beginning when a fee rate is initially set for a Zone, and ending on December 31, 2016, the Board of Estimates may not increase the fee rate for that Zone more often than once every 5 years.

3806.3.3 Fee formula. The amount of the Traffic-Mitigation Fee assessed on a specific project is determined by multiplying:

1. the applicable rate per trip, as of the date that the permit is applied for, for the Zone where the project is located, by
2. the number of trips that the Department of Transportation attributes to the project using the procedure established under § 3806.3.1.

3806.4 Trip-Generation Credits.

3806.4.1 General. The Director must issue trip-generation credits to any proposed project that meets the requirements of this § 3806.4. Each credit issued reduces by 1 the number of trips used to calculate the amount of the Traffic-Mitigation Fee under § 3806.3.

3806.4.2 Authorized credits. Trip-generation credits are authorized as follows.

3806.4.2.1 Negotiated agreement. The Director may agree to issue trip-generation credits for a proposed project if:

1. the Mayor and City Council enter into a binding, written mitigation agreement with the developer of the project that requires the performance of specific actions that the Director determines will reduce the number of trips actually generated by the project,
2. the mitigation agreement requires the developer to require all subsequent purchasers or occupants of the property to abide by the ongoing requirements of the mitigation agreement,
3. the mitigation agreement includes a mechanism making it binding on all future successors and assigns who may acquire any interest in the property in the future,

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1 4. the mitigation agreement requires the Director to issue a number of credits
2 equivalent to the number of trips that the director calculates will be avoided
3 through the actions agreed to by the developer, and

4 5. the mitigation agreement, together with any adjustment factors calculated
5 using the procedure established under § 3806.3.1(2), does not reduce the total
6 number of trips that would otherwise be used to calculate the
7 Traffic-Mitigation Fee by more than 50%.

8 **3806.4.2.2 Change in occupancy within 1 year.** For the change in occupancy of a
9 structure that has been vacant for less than 1 year before the date of application for a
10 permit, the Director must issue trip-generation credits equivalent to the number of
11 trips attributable to the previous use, as calculated using the procedure established
12 under § 3806.3.1 {"Trip formula"}.

13 **3806.4.3 Buy-out of credits.** An owner or occupier of property that has benefitted from
14 the issuance of trip-generation credits may not change the use of the property in any way
15 that would no longer qualify the property for 1 or more trip-generation credits previously
16 issued unless the owner or occupier first cancels the previously issued credits.

17 **3806.4.3.1 Formula.** To cancel those credits, the owner or occupier must pay to the
18 Director of Finance an amount equal to the greater of:

- 19 1. the number of trip-generation credits being canceled, multiplied by the
20 Traffic-Mitigation Fee rate that was in force for the Zone when the credits
21 were issued, or
- 22 2. the number of trip-generation credits being canceled, multiplied by the
23 Traffic-Mitigation Fee rate that is in force in the Zone when the credits are
24 cancelled.

25 **3806.4.4 Obligation created by acceptance of credits.** The acceptance of
26 trip-generation credits under this § 3806.4 creates a binding obligation on the persons
27 accepting the credits to fulfill the representations and agreements that allowed the credits
28 to be issued. In addition to any other remedy or enforcement action, the Director may
29 enforce these obligations by seeking both legal and equitable remedies.

30 **3806.5 Right-of-way dedication set-off.** If an applicant controls property that the Director
31 determines to be necessary for the construction of a traffic-mitigation project, the Director
32 may accept the dedication of the needed property to the City's use and issue a set-off credit
33 toward the Traffic-Mitigation Fee assessed on a project in exchange. The total amount of the
34 Traffic-Mitigation Fee to be paid would then be reduced by the appraised value of the
35 property dedicated to City use.

36 **3806.6 Payment of Fees.**

37 **3806.6.1 \$50,000 or less.** If the Traffic-Mitigation Fee assessed for a proposed project is
38 \$50,000 or less, the Fee must be paid to the Director of Finance in full before any permits
39 for the work are issued.

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1 **3806.6.2 More than \$50,000.** If the Traffic-Mitigation Fee assessed for a proposed
2 project is more than \$50,000, the Director of Transportation may negotiate installment
3 payments to be made over a period of up to 5 years from the issuance of a building permit
4 for all amounts in excess of \$50,000. The initial payment of at least \$50,000 must be
5 paid to the Director of Finance in full before any permits for the work are issued. Any
6 installment plan under this § 3806.6.2 requires the approval of the Board of Estimates to
7 become effective.

8 **3806.6.2.1 Interest to be charged on installment payments.** If a Traffic-Mitigation
9 Fee is to be paid in installments under an agreement authorized by § 3806.6.2,
10 installment payments must include an additional interest charge at the current City
11 borrowing rate as determined by the Director of Finance.

12 **Section 3807 Use of Fees**

13 **3807.1 Separate revenue accounts.** Traffic-Mitigation Fees collected under this Chapter
14 are to be deposited to the General Fund and accounted for in separate revenue accounts
15 designated to indicate precisely how much revenue is derived from each Traffic-Mitigation
16 Zone.

17 **3807.2 Fees to benefit Zone of origin.** Subject to appropriation, revenue derived from
18 Traffic- Mitigation Fees in each Traffic-Mitigation Zone must be used only for the purposes
19 described in § 3807.3 or for:

- 20 1. designing and constructing projects to benefit the transportation infrastructure of the
21 Zone from which the fees derive, as approved by the Planning Commission in the
22 Traffic-Management Plan adopted under § 3805.2 {"Traffic-Management Plans"}.
- 23 2. designing and constructing projects to benefit the transportation infrastructure of the
24 Zone from which the fees derive, as certified by the Director, if the Planning
25 Commission has not adopted a Traffic-Management Plan under § 3805.2, or
- 26 3. defraying the planning and administrative costs, of no more than 10% of all revenue
27 collected, of implementing this Chapter.

28 **3807.3 Fees may defray cost of site access improvements.**

29 **3807.3.1 Site access improvements.** Subject to the approval of the Board of Estimates,
30 the Director may permit up to 33% of the Traffic Mitigation Fee, after deduction of
31 credits, paid by an applicant to be used for minor site access improvements, including
32 turning lanes, acceleration/deceleration lanes, traffic signals, or similar improvements.

33 **3807.3.2 Use of Fees.** Fees appropriated under this § 3807.3 may be either:

- 34 1. rebated to the applicant pursuant to an agreement requiring the applicant
35 to construct these improvements; or
- 36 2. retained by the City for the purpose of constructing these improvements.

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3807.3.2.1 No rebates until remainder of fees paid. A developer may not receive a rebate of any fees under this § 3807.3.2 until the remaining Traffic-Mitigation Fees have been paid to the City.

3807.4 Annual accounting. With the assistance of the Department of Finance, the Director must annually produce and provide to the Board of Estimates an accounting that shows:

- 1. the cumulative revenue derived from Traffic-Mitigation Fees in each Traffic-Mitigation Zone; and
- 2. the cumulative expenditures or appropriations for projects that benefit the transportation infrastructure of each Zone.

3807.5 Return of unobligated fees.

3807.5.1 Review of fee use. If an applicant who has paid a Traffic-Mitigation Fee for a project believes that the fee has not been obligated to a specific project within 6 years of final payment, the applicant may request a review of the fee’s use by the Director. The Director must then determine if the fee in question, or any portion of it, has, within 6 years of payment, been obligated to a specific project.

3807.5.2 Refund of unobligated fees. If the Director’s review under § 3807.5.1 determines that a fee has not been entirely obligated to a specific project within 6 years of payment, any unobligated portion of the fee must be refunded to the applicant upon the Board of Estimate’s appropriation of the necessary funds.

3807.5.3 Accounting method to be published. The Director, in consultation with the Department of Finance, must establish a standardized method for determining how specific fees are allocated to particular projects for purposes of a review under § 3807.5.1. This accounting method must be included in the rules and regulations adopted under this Chapter.

Section 3808 Enforcement

3808.1 General. A violation of any provision of this Chapter, of a rule or regulation adopted under this Chapter, or of an agreement entered into under this Chapter constitutes a violation of this Code, subject to the enforcement, penalty, and other provisions of § 114 {“Violations”} and related sections of this Code.

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1 **Appendix A**
2 **Employee Qualifications**
3 *{Not Adopted}*

4 **Appendix B**
5 **Board of Appeals**
6 *{Not Adopted}*

7 **Appendix C**
8 **Group U – Agricultural Buildings**

9 **Section C101. General**

10 **101.1 Scope. *{As in IBC}***

11 **Exceptions:** Shade cloth or plastic film structures, commonly known as “hoophouses”,
12 constructed for nursery or agricultural purposes. not including service systems. The
13 covering of the structure must be a material that conforms to NFPA 701 standards.

14 **Sections C102 to C104 *{As in IBC}***

15 **Appendix D**
16 **Downtown Fire District**

17 **Section D101 Fire District**

18 The Downtown Fire District comprises all of the following area (boundary lines to be in the
19 center of the specified streets):

20 Beginning at the intersection of Fallsway and Madison Street, thence in a general southerly and
21 southeasterly direction along Fallsway to Baltimore Street, thence westerly along Baltimore Street to West
22 Falls Avenue, thence southerly along West Falls Avenue to Pratt Street, thence easterly along Pratt Street to
23 East Falls Avenue, thence southerly along East Falls Avenue to Aliceanna Street, thence westerly along an
24 imaginary line connecting the intersection of East Falls Avenue and Aliceanna Street to the intersection of
25 Light Street and Lee Street, thence westerly along Lee Street to Russell Street, thence northerly along
26 Russell Street to Greene Street, thence northerly along Greene Street to Pennsylvania Avenue, thence
27 northwesterly along Pennsylvania Avenue to St. Mary Street, thence northeasterly along St. Mary Street to
28 Eutaw Street, thence southerly along Eutaw Street to Madison Street, thence easterly along Madison Street
29 to its intersection with Fallsway, the point of beginning.

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1 **Section D102 General requirements**

2 New buildings and structures, and additions to existing buildings and structures, within the
3 Downtown Fire District must be constructed:

- 4 1. within the height and area limitations of § 503 {"General Building Height and Area
5 Limitations"} of this Code, and
- 6 2. of 1 of the following types of construction, as defined in Chapter 6 {"Types of
7 Construction"} and regulated in Tables 601 {"Fire-Resistant Rating Requirements for
8 Building Elements"} and 602 {"Fire-Resistant Rating Requirements for Exterior
9 Walls"} of this Code:
- 10 a. fireproof (Type I),
- 11 b. protected noncombustible (Types IIA and IIB),
- 12 c. ordinary protected (Type IIIA), or
- 13 d. heavy timber (Type IV).

14 **Section D103 Types IIIB, VA, and VB construction not permitted**

15 New buildings and structures, and additions to existing buildings and structures, within the
16 Downtown Fire District may not be of Type IIIB, VA, or VB construction, as defined in
17 Chapter 6 {"Types of Construction"} of this Code.

18 **Sections D104 to D106 {Not Adopted}**

19 **Appendix E**
20 **Supplementary Accessibility Requirements**
21 **{Not Adopted}**

22 **Appendix F**
23 **Rodentproofing**
24 **{As in IBC}**

25 **Appendix G**
26 **Flood-Resistant Construction**
27 **{Not Adopted}**

1 **Appendix H**
2 **Signs**

3 **Sections H101 to H102** *{As in IBC}*

4 **Section H103 Location**

5 **H103.1 Location restrictions – General.** *{As in IBC}*

6 **H103.2 Location restrictions – Charles Street corridor.** On either side of Charles Street
7 from Baltimore Street to Mount Royal Avenue, no sign may extend or project more than 8
8 inches (203.2 mm) beyond the building wall proper.

9 **Sections H104 to H111** *{As in IBC}*

10 **Section H112 Projecting Signs**

11 **H112.1 to H112.5** *{As in IBC}*

12 **H112.6 Clearance.** A vertical clearance of 10 feet (3.05m) must be maintained below each
13 projecting sign.

14 **Sections H113 to H115** *{As in IBC}*

15 **Appendix I**
16 **Patio Covers**
17 *{As in IBC}*

18 **Appendix J**
19 **Grading**

20 **Section J101 General**

21 **J101.1 Scope.** *{As in IBC}*

22 **J101.2 Flood hazard areas.** Unless the applicant has submitted an engineering analysis,

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1 prepared in accordance with standard engineering practice by a registered design
2 professional, that demonstrates the proposed work will not result in any increase in the level
3 of the base flood, grading, excavation, and earthwork construction, including fills and
4 embankments, is not permitted in floodways that are in flood hazard areas or in flood hazard
5 areas where design flood elevations are specified but floodways have not been designated.

6 **Sections J102 to J111 {As in IBC}**

7 **Appendix K**
8 **Administrative Provisions**
9 *{Not Adopted}*

10 **Appendix L**
11 **Earthquake Recording Instrumentation**
12 *{Not Adopted}*

13 **Appendix M**
14 **Tsunami-Generated Flood Hazard**
15 *{Not Adopted}*

16 **Appendix N**
17 **Replicable Buildings**
18 *{Not Adopted}*

19 **PART III. NATIONAL ELECTRICAL CODE**

20 **§ 3-101. City adoption.**

21 (a) *In general.*

22 The National Electrical Code [(2017) (2020 Edition)] is adopted as part of the Building,
23 Fire, and Related Codes of Baltimore City, subject to the additions, deletions,
24 amendments, and other modifications contained in this Part III.

25 (b) *Codification.*

26 Unless otherwise specified, chapter, article, and section numbers in this Part III refer to
27 the chapter, article, and section numbers of the National Electrical Code.

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1 § 3-102. City modifications.

2 The additions, deletions, amendments, and other modifications adopted by the City are as
3 follows:

4 Introduction

5 Article 90. Introduction

6 Sections 90.1 to 90.4. *{As in NEC}*

7 Section 90.5. Mandatory Rules, Permissive Rules, and Explanatory Material.

8 (A) **Mandatory Rules.** Mandatory rules of this Code are those that identify actions that
9 are specifically required or prohibited and are characterized by the use of the
10 following terms:

11 (1) for imposing a duty or condition precedent, “shall” or “must”, and

12 (2) for prohibiting action, “shall not”, “may not”, or “no ... may”.

13 (B) **Permissive Rules.** Permissive rules of this Code are those that identify actions that
14 are allowed but not required, are normally used to describe options or alternative
15 methods, and are characterized by the use of the following terms:

16 (1) for discretionary authority, “shall be permitted”, “is permitted”, or “may”, and

17 (2) for negating a duty or condition precedent, “shall not be required”, “is not
18 required”, or “need not”.

19 (C) **Explanatory Material.** *{As in NEC}*

20 (D) **Informative Annexes.** *{As in NEC}*

21 Sections 90.6 to 90.9. *{As in NEC}*

22 Chapter 1
23 General

24 Article 100. Definitions

25 Scope: *{As in NEC}*

26 Section 100.1. In general.

27 Except as provided in § 100.2 of this Code, terms that are used in these regulations and
28 defined in the National Electrical Code **[(2017) (2020** Edition) have the meanings given
29 in that Code.

30 Section 100.2. Supplemental Definitions

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1 **(A) In general.** Notwithstanding any different definition in the NEC, the following terms
2 have the meanings given in this § 100.2.

3 **(B) Authority Having Jurisdiction.** “Authority Having Jurisdiction” means the
4 Building Official, as defined in § 202.2 of the Baltimore City Building Code.

5 **Article 110. Requirements for Electrical Installations**

6 **Sections 110.1 to 110.25.** *{As in NEC}*

7 **Section 110.26. Spaces About Electrical Equipment.** *{Introductory paragraph as in*
8 *NEC}*

9 **(A) - (D)** *{As in NEC}*

10 **(E) Dedicated Equipment Space.** *{Introductory paragraph as in NEC}*

11 *Exception: {As in NEC}*

12 **(1) Indoor.** For indoor installations, the dedicated space must comply with the
13 following.

14 **(a) Dedicated Electrical Space.** Space equal to the width and depth of the
15 equipment and extending from the floor to a structural ceiling, plus
16 the working space required by § 110.26(A)(1) of this Code, must be
17 dedicated to the electrical installation. No piping, ducts, or equipment
18 foreign to the electrical installation may be located in this space.

19 *Exception:* Suspended ceilings with removable panels are permitted
20 within the dedicated electrical space.

21 **(b) Foreign Systems.** The dedicated space required by subparagraph (a) must
22 be kept clear of foreign systems unless protection is provided to avoid
23 damage from condensation, leaks, or breaks in the foreign systems. This
24 protection must be approved by the Building Official and signed and
25 sealed by a registered professional engineer licensed to do business in the
26 State.

27 **(c) - (d)** *{As in NEC}*

28 **(2) Outdoor.** *{As in NEC}*

29 **(F) Locked Electrical Equipment Rooms or Enclosures.** *{As in NEC}*

30 **Sections 110.27 to 110.33.** *{As in NEC}*

31 **Section 110.34. Work Space and Guarding**

32 **(A) - (E)** *{As in NEC}*

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1 **(F) Protection of Service Equipment.** Pipes or ducts foreign to the electrical installation
2 may not be located in the spaces dedicated to the electrical equipment as described in
3 § 110.26(E)(1)(a) and § 110.34(A) of this Code. Piping and other facilities are not
4 considered foreign if they are provided for fire protection of the electrical installation.

5 **Sections 110.36 to 110.79. *{As in NEC}***

6 **Chapter 2**
7 **Wiring and Protection**

8 **Article 200. Use and Identification of Grounded Conductors *{As in NEC}***

9 **Article 210. Branch Circuits**

10 **Sections 210.1 to 210.4. *{As in NEC}***

11 **Section 210.5. Identification for Branch Circuits.**

12 **(A) - (B) *{As in NEC}***

13 **(C) Identification of Ungrounded Conductors.**

14 **(1) - (2) *{As in NEC}***

15 **(3) Branch Circuits.** Conductors #10 and smaller must carry the appropriate
16 identification color their entire length.

17 **Sections 210.6 to 210.10. *{As in NEC}***

18 **Section 210.11. Branch Circuits Required. *{Introductory paragraph as in NEC}***

19 **(A) - (B) *{As in NEC}***

20 **(C) Dwelling Units.**

21 **(1) - (4) *{As in NEC}***

22 ***Exception: {As in NEC}***

23 **(5) Window Air Conditioner Branch Circuits.** A circuit for a cord-connected
24 window air conditioner must contain a dedicated receptacle.

25 **Sections 210.12 to 210.22. *{As in NEC}***

26 **Section 210.23. Permissible Loads, Multiple-Outlet Branch Circuits. *{Introductory***
27 ***paragraph as in NEC}***

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1 (A) - (D) *{As in NEC}*

2 (E) **Circuits for Fuel-Burning Equipment.** For fuel-burning equipment such as oil and
3 gas burners and stokers, including auxiliaries such as fans, blowers, and pumps, an
4 individual branch circuit with a disconnecting means on the line side of all equipment
5 and devices, other than the branch-circuit fuses, must be provided. If 2 or more
6 branch circuits are provided for a fuel-burning system, they must be supplied through
7 a common feeder with a disconnecting means that will disconnect all components of
8 the system.

9 (F) **Controls.** Oil burners, other than oil stoves with integral tanks, must be provided
10 with a device to manually stop the flow of oil to the burners. The device must be
11 placed in a convenient location at a safe distance from the burner. With electrically
12 driven equipment, this may be accomplished by an identified switch in the burner
13 supply circuit, placed near the entrance to the room where the burner is located.

14 (G) **Disconnects For Fuel-Burning Equipment.** Fuel-burning equipment must be
15 supplied with 2 emergency disconnect switches. One switch must be installed on the
16 equipment and the other in a convenient location that is near the entrance to the area
17 where the equipment is located. These switches must be able to manually stop the
18 flow of fuel to the burner and must be identified as emergency disconnects.

19 Sections 210.24 to [210.71] 210.70. *{As in NEC}*

20 Articles 215 to 220 *{As in NEC}*

21 Article 225. Outside Branch Circuits and Feeders

22 Sections 225.1 to 225.27. *{As in NEC}*

23 Section 225.30. Number of Supplies. *{Introductory paragraph as in NEC}*

24 (A) **Special Conditions.** Additional feeders or branch circuits are permitted to supply the
25 following:

26 (1) *{As in NEC}*

27 (2) *{Not Adopted}*

28 (3) - (5) *{As in NEC}*

29 (6) By special permission, systems designed for connection to multiple sources of
30 supply for purposes of enhanced reliability.

31 (7) - (8) *{As in NEC}*

32 (B) - [(C)] (D) *{As in NEC}*

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1 **(E) [(D)] Different Characteristics.** By special permission, additional feeders or branch
2 circuits may be used for different voltages, frequencies, or phases, or for different
3 uses, such as control of outside lighting from multiple locations.

4 **(F) [(E)] Documented Switching Procedures.** *{As in NEC}*

5 **Sections 225.31 to 225.61.** *{As in NEC}*

6 **Article 230. Services**

7 **Section 230.1. Scope.** *{As in NEC}*

8 **Section 230.2. Number of Services.** *{Introductory paragraph as in NEC}*

9 **(A) Special Conditions.** Additional services are permitted to supply the following:

10 **(1)** *{As in NEC}*

11 **(2)** *{Not Adopted}*

12 **(3) - (5)** *{As in NEC}*

13 **(6)** Systems designed for connection to multiple sources of supply for purposes of
14 enhanced reliability, if supplied from different utility transformers and connected
15 by the tie breaker.

16 **(B) - (C)** *{As in NEC}*

17 **(D) Different Characteristics.** By special permission, additional services may be used
18 for different voltages (where compatible), frequencies, or phases, or for different uses,
19 such as for different rate schedules.

20 **(E) Identification.** *{As in NEC}*

21 **Sections 230.3 to 230.23.** *{As in NEC}*

22 **Section 230.24. Clearances.** *{Introductory paragraph as in NEC}*

23 **(A) - (E)** *{As in NEC}*

24 **[(F) Clearance Above Decks.** Conductors must have a vertical clearance of at least 8' at
25 the lowest point above the deck surface.]

26 **(F) {NOT ADOPTED}**

27 **Sections 230.26 to 230.33.** *{As in NEC}*

28 **Section 230.40 Number of Service-Entrance Conductor Sets.** Each service drop or lateral
29 may supply only 1 set of service-entrance conductors.

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1 *Exceptions:*

2 1. *{As in NEC, but by Special Permission Only}*

3 2. - 5. *{As in NEC}*

4 Sections 230.41 to [230.212] 230.84 *{As in NEC}*

5 SECTION 230.85 *{AS IN NEC}*

6 (1) - (3) *{AS IN NEC}*

7 (4) THE "EMERGENCY DISCONNECT" INSTALLATION REQUIRED IN THIS §230.85 ABOVE
8 SHALL MEET THE NUMBER OF SPACING REQUIREMENTS SPECIFIED IN ARTICLE 110.26
9 OF THIS CODE.

10 SECTIONS 230.86 TO 230.212 *{AS IN NEC}*

11 Article 240. Overcurrent Protection *{As in NEC}*

12 Article 250. Grounding and Bonding

13 Sections 250.1 to 250.50. *{As in NEC}*

14 Section 250.52. Grounding Electrodes.

15 (A) Electrodes Permitted for Grounding. *{As in NEC}*

16 (B) Not Permitted for Use as Grounding Electrodes. The following may not be used
17 as grounding electrodes:

18 (1) Gas piping or any other metallic piping or tank that contains flammable liquids

19 (2) *{As in NEC}*

20 (3) *{As in NEC}*

21 Sections 250.53 to 250.66. *{As in NEC}*

22 Section 250.68. Grounding Electrode Conductor and Bonding Jumper Connection to
23 Grounding Electrodes. *{Introductory Paragraph as in NEC}*

24 (A) Accessibility. The connection of a grounding electrode conductor or bonding jumper
25 conductor to a grounding electrode must be:

26 (1) ahead of all turnoff valves and unions, and

27 (2) accessible.

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1 *Exceptions: {As in NEC}*

2 **(B) Effective Grounding Path.** *{As in NEC}*

3 **(C) Grounding Electrode Connections.** *{As in NEC}*

4 **Sections 250.70 to [250.194] 250.109.** *{As in NEC}*

5 **Articles 280 to 285** *{As in NEC}*

6 **Chapter 3**
7 **Wiring Methods and Materials**

8 **Articles 300 to 332** *{As in NEC}*

9 **Article 334. Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS**

10 **Sections 334.1 to 334.24.** *{As in NEC}*

11 **Section 334.30 Securing and Supporting.** Nonmetallic-sheathed cable must be supported
12 and secured by insulated (or, in a single-family dwelling, even by non-insulated) staples,
13 cable ties, straps, hangers, or similar fittings, designed and installed so as not to damage the
14 cable, at intervals not exceeding 4½ feet (1.4m) and within 12 inches (300 mm) of every
15 outlet box, junction box, cabinet, or fitting. Flat cables may not be stapled on edge. Sections
16 of cable protected from physical damage by a raceway need not be secured within the
17 raceway.

18 **(A) - (C)** *{As in NEC}*

19 **Sections 334.40 to 334.116.** *{As in NEC}*

20 **Articles 336 to 384** *{As in NEC}*

21 **Article 386. Surface Metal Raceways**

22 **Sections 386.1 to 386.60.** *{As in NEC}*

23 **Section 386.61 Equipment Grounding Conductor.** In all occupancies, receptacle outlets
24 supplied by a surface metal raceway must contain an equipment grounding conductor within
25 the raceway.

26 **Sections 386.70 to 386.120.** *{As in NEC}*

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1 **ARTICLES 388 TO 399** *{As in NEC}*

2 **Chapter 4**
3 **Equipment for General Use**

4 **Articles 400 to 411** *{As in NEC}*

5 **Article 422. Appliances**

6 **Sections 422.1 to 422.46.** *{As in NEC}*

7 **Section 422.47. Water Heater Controls.** *{Introductory paragraph as in NEC}*

8 **(1) - (2)** *{As in NEC}*

9 **(3) Disconnecting Means.** Circuits that supply water heaters must have a disconnecting
10 means other than the overcurrent device. This disconnecting means must be installed
11 close to the water heater.

12 **Exceptions:** *{As in NEC}*

13 **Sections 422.48 to 422.62.** *{As in NEC}*

14 **Articles 424 to 490** *{As in NEC}*

15 **Chapter 5**
16 **Special Occupancies**

17 **Articles 500 to 522** *{As in NEC}*

18 **Article 525. Carnivals, Circuses, Fairs, and Similar Events.**

19 **Sections 525.1 to 525.20.** *{As in NEC}*

20 **Section 525.21. Rides, Tents, and Concessions.**

21 **(A) - (B)** *{As in NEC}*

22 **(C) Electrical Lamps.** Electrical fixtures must be so installed that lamps are kept at least
23 8 inches (203 mm) away from tent canvas or other combustible materials.

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1 **Section 525.22. Portable Distribution or Termination Boxes.** Portable distribution or
2 termination boxes must comply with all of the requirements of this § 525.22.

3 (A) - (D) *{As in NEC}*

4 (E) **Junction Boxes.** Taps and connections within 8 feet (2.44 m) of the ground must be
5 made in junction boxes that are kept locked at all times when the public is on the
6 grounds. Metal junction boxes must be grounded.

7 **Sections 525.23 to 525.32.** *{As in NEC}*

8 **Articles 530 to 590** *{As in NEC}*

9 Chapter 6 10 Special Equipment

11 **Article 600. Electric Signs and Outline Lighting**

12 **Sections 600.1 to 600.5.** *{As in NEC}*

13 **Section 600.6. Disconnects.** *{Introductory paragraph as in NEC}*

14 *Exceptions: {As in NEC}*

15 (A) **Location.**

16 (1) **At Point of Entry to a Sign Enclosure.** The disconnect shall be located at the
17 point the feeder circuit or branch circuit(s) supplying a sign or outline lighting
18 system enters a sign enclosure in accordance with § 600.5(C)(3) and shall
19 disconnect all wiring where it enters the enclosure of the sign.

20 *Exceptions:*

21 (1) *{Not Adopted}*

22 (2) *{As in NEC}*

23 (2) - **[3]** (4) *{As in NEC}*

24 (B) **Control Switch Rating.** *{As in NEC}*

25 **Sections 600.7 to 600.42.** *{As in NEC}*

26 **Articles 604 to 694** *{As in NEC}*

1 **Article 695. Fire Pumps**

2 **Sections 695.1 to 695.2.** *{As in NEC}*

3 **Section 695.3. Power Source(s) for Electric Motor-Driven Fire Pumps.** *{Introductory*
4 *paragraph as in NEC}*

5 **(A) - (C)** *{As in NEC}*

6 **(D) On-Site Standby Generator as Alternate Source.** *{Introductory paragraph as in*
7 *NEC}*

8 **(1) Capacity.** *{As in NEC}*

9 **(2) Connection.** A tap ahead of the generator disconnecting means is required.

10 **(3) Adjacent Disconnects.** The requirements of § 430.113 of this Code apply.

11 **(E) - (I)** *{As in NEC}*

12 **Sections 695.4 to 695.5.** *{As in NEC}*

13 **Section 695.6. Power Wiring.** *{Introductory paragraph as in NEC}*

14 **(A) Supply Conductors.** *{As in NEC}*

15 **(1) - (2)** *{As in NEC}*

16 **Exception to [(A)(2)(d)] (A)(2)(4):** *{Not Adopted}*

17 **(B) - (J)** *{As in NEC}*

18 **Sections 695.7 to 695.10.** *{As in NEC}*

19 **Section 695.12. Equipment Location.**

20 **(A) - (F)** *{As in NEC}*

21 **(G) Fire Pump Location.** Fire pump and associated equipment must be located in a
22 separate room that is enclosed with 2-hour fire-resistance-rated fire-separation
23 assemblies.

24 **Section 695.14. Control Wiring.** *{As in NEC}*

25 **Section 695.15. Surge Protection.** *{As in NEC}*

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Chapter 7
Special Conditions

Article 700. Emergency Systems

Sections 700.1 to 700.10. *{As in NEC}*

Section 700.12. General Requirements. *{Introductory Paragraphs as in NEC}*

(A) - [(C)] (E) *{As in NEC}*

(F) [(D)] Separate Service. *{Not Adopted}*

[(E) - (F)] (G) - (I) *{As in NEC}*

Sections 700.15 to 700.32. *{As in NEC}*

Article 701. Legally Required Standby Systems

Sections 701.1 to 701.10. *{As in NEC}*

Section 701.12. General Requirements. *{Introductory paragraphs as in NEC}*

(A) - [(C)] (E) *{As in NEC}*

[(D) - (E)] *{Not Adopted}*

(F) - (G) [*{As in NEC}*] ~~*{NOT ADOPTED}*~~

(H) - (J) *{As IN NEC}*

Sections [701.25] 701.30 to [701.27] 701.32. *{As in NEC}*

Article 702. Optional Standby Systems

Sections 702.1 to 702.12. *{As in NEC}*

Section 702.13. **Portable Gasoline-Powered Generators.** Where public utility service is available, a portable gasoline-powered generator may not be used in place of normal power source.

Exception: Where power is interrupted due to emergency conditions.

Articles 705 to 770 *{As in NEC}*

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Chapter 8
Communications Systems
{As in NEC}

Chapter 9
Tables
{As in NEC}

* * * * *

Annexes A to J
{Informational. Not Adopted.}

Part IV. International Fuel Gas Code

§ 4-101. City adoption.

(a) *In general.*

The International Fuel Gas Code [(2018) (2021 Edition)] is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part IV.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part IV refer to the chapter and section numbers of the International Fuel Gas Code.

§ 4-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1
Scope and Administration

Section 101 General

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1 **101.1 Title.** The regulations contained in this Code constitute and are known as the
2 “Baltimore City Fuel Gas Code”.

3 **101.1.1 References to “this Code”.** Throughout this Part IV, all references to “this
4 Code” refer to the Baltimore City Fuel Gas Code.

5 **101.2 to 101.5** *{As in IFGC}*

6 **Section 102 Applicability** *{As in IFGC}*

7 **Section 103 Department of Inspection**

8 **103.1 General.** This Code is administered and enforced by the Department of Housing and
9 Community Development and its Commissioner. Accordingly, in this Code:

- 10 1. “Department of Inspection” or “Department” means the Department of Housing
11 and Community Development, and
- 12 2. “Code Official”, means the Building Official, as defined in § 202.2 of the Baltimore
13 City Building Code.

14 **103.2 to 103.3** *{Not Adopted}*

15 **[103.4 Liability** *{Not Adopted. See State Courts Article § 5-302}***]**

16 **Section 104 Duties and Powers of Code Official**

17 **104.1 to 104.2** *{As in IFGC}*

18 **104.3 Inspections.** The Code Official must make all of the required inspections or accept
19 reports of inspection by approved agencies or individuals. All reports of these inspections
20 must be in writing and signed by a responsible officer of the approved agency or by the
21 responsible individual. The Code Official may engage any expert opinion that the Code
22 Official considers necessary to report on unusual technical issues that arise.

23 **104.4 Right of entry.** The Code Official may enter any structure or premises at reasonable
24 times to inspect, subject to constitutional restrictions on unreasonable searches and seizures.
25 If entry is refused or not obtained, the Code Official may pursue recourse as provided by law,
26 including § 104 {... Powers of Building Official} of the Baltimore City Building Code.

27 **104.5 Identification.** *{As in IFGC}*

28 **104.6 Notices and orders.** The Code Official may issue all notices or orders necessary to
29 ensure compliance with this Code.

30 **104.7 Department records.** The Code Official must keep records of all of the Department’s
31 business and activities under this Code.

1 **104.8 LIABILITY {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302}**

2 **Section 105 Approval**

3 **105.1 Modifications. {As in IFGC}**

4 **105.2 Alternative materials and methods.** The provisions of this Code are not intended to
5 prevent the installation of any material or to prohibit any method of construction not
6 specifically prescribed by this Code, as long as that alternative has been approved. An
7 alternative material or method of construction may be approved if the Code Official finds in
8 writing that, for the purpose intended:

- 9 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
10 2. the material, method, or work offered is at least the equivalent of that prescribed
11 in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

12 **105.2.1 Research reports. {As in IFGC}**

13 **105.3 to 105.5 {As in IFGC}**

14 **Section 106 Permits**

15 **106.1 to 106.2 {As in IFGC}**

16 **106.3 Application for permit.** The requirements for obtaining a permit are as set forth in §
17 105.3 {"Application for permit"} of the Baltimore City Building Code.

18 **106.3.1 to 106.3.2 {Not Adopted}**

19 **106.4 Preliminary inspection. {As in IFGC}**

20 **106.5 Permit issuance. {As in IFGC}**

21 **106.5.1 to 106.5.2 {As in IFGC}**

22 **106.5.3 Expiration.** Unless extended, a permit expires as set forth in § 105.5
23 {"Expiration; Extension"} of the Baltimore City Building Code.

24 **106.5.4 Extension.** A permit may be extended as provided in § 105.5 {"Expiration;
25 Extension"} of the Baltimore City Building Code.

26 **106.5.5 Suspension or revocation.** The Building Official may suspend or revoke a
27 permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City
28 Building Code.

29 **106.5.6 to [106.5.8] 106.5.7 {As in IFGC}**

1 **[106.6 Fees. {As in IFGC}]**

2 **[106.6.1 Work commencing before permit issuance {Not Adopted}]**

3 **[106.6.2 Fee schedule.** The fees for work are as set forth in § 109 {"Fees"} of the
4 Baltimore City Building Code.]

5 **[106.6.3 Fee refunds {Not Adopted}]**

6 **Section 107 [Inspections and Testing] CONSTRUCTION DOCUMENTS {As in IFGC}**

7 **SECTION 108 NOTICE OF APPROVAL {AS IN IFGC}**

8 **[Section 109 Administrative and Judicial Review]**

9 **[109.1 General.** A decision of the Code Official is subject to administrative and judicial
10 review as provided in the Baltimore City Building Code.]

11 **[109.2 to 109.7 {Not Adopted}]**

12 **SECTION 109 FEES. {AS IN IFGC}**

13 **109.1 PAYMENT OF FEES {AS IN IFGC}**

14 **109.2 FEE SCHEDULE.** THE FEES FOR WORK ARE AS SET FORTH IN § 109 {"FEES"} OF THE
15 BALTIMORE CITY BUILDING CODE.

16 **109.3 PERMIT VALUATIONS {AS IN IFGC}**

17 **109.4 WORK COMMENCING BEFORE PERMIT ISSUANCE {NOT ADOPTED}**

18 **109.5 RELATED FEES {AS IN IFGC}**

19 **109.6 FEE REFUNDS {NOT ADOPTED}**

20 **SECTION 110 SERVICE UTILITIES {AS IN IFGC}**

21 **Section 111 [110] Temporary Equipment, Systems, and Uses {As in IFGC}**

22 **SECTION 112 INSPECTIONS AND TESTING {AS IN IFGC}**

23 **SECTION 113 ADMINISTRATIVE AND JUDICIAL REVIEW**

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1 **113.1 GENERAL.** A DECISION OF THE CODE OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND
2 JUDICIAL REVIEW AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

3 **113.2 TO 113.4 {NOT ADOPTED}**

4 **SECTION 114 BOARD OF APPEALS {NOT ADOPTED}**

5 **SECTION 115 [108] VIOLATIONS**

6 **115.1 to 115.3 [108.1 to 108.3] {As in IFGC}**

7 **115.4 [108.4] Violation penalties.** The penalties for a violation of this Code are as provided
8 in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

9 **115.5 TO 115.6 {AS IN IFGC}**

10 **SECTION 116 STOP WORK ORDER**

11 **116.1 [108.5 Stop-work orders] GENERAL.** The issuance and enforcement of stop-work
12 orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

13 **116.2 to 116.4 [108.6 to 108.7] {As in IFGC} {NOT ADOPTED}**

14 Chapter 2 15 Definitions

16 **Section 201 General**

17 **201.1 to 201.2 {As in IFGC}**

18 **201.3 Terms defined in other codes.** If a term is not defined in this Code and is defined in
19 the Baltimore City Building Code or in one or another of the standards and codes listed in
20 § 101.4 {"Referenced Codes"} of the Baltimore City Building Code, the term has the
21 meaning given to it in that code or standard.

22 **201.4 Terms not defined. {As in IFGC}**

23 **Section 202 General Definitions**

24 **202.1 General.** Except as provided in § 202.2 of this Code, terms that are used in this Code
25 and defined in the International Fuel Gas Code [(2018) (2021) Edition) have the meanings
26 given in the International Fuel Gas Code [(2018) (2021) Edition).

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1 **202.2 Supplemental definitions** Notwithstanding any different definition in the
2 International Fuel Gas Code, the following terms have the meanings given in this § 202.2.

3 **202.2.1 Building.** “Building” has the meaning stated in § 202.2 of the Baltimore City
4 Building Code.

5 **202.2.2 Code Official.** “Code Official” has the meaning stated in § 103.1 of this Code.

6 **202.2.3 Design-flood elevation.** *{Not Adopted}*.

7 **202.2.4 Flood Hazard Area.** “Flood Hazard Area” means a Regulated Flood Hazard
8 Area established under and regulated by the Floodplain Management Code.

9 **202.2.5 Floodplain Management Code.** “Floodplain Management Code” means the
10 Baltimore City Floodplain Management Code, City Code Article 7 {“Natural
11 Resources”}, Division I {“Floodplain Management”}.

12 **202.2.6 May not, etc.** “May not”, “must not”, and “no ... may” are each mandatory
13 negative terms used to establish a prohibition.

14 **202.2.7 Must/shall.** “Must” and “shall” are each mandatory terms used to express a
15 requirement or to impose a duty.

16 **202.2.8 Occupancy.** “Occupancy” has the meaning stated in § 202.2 of the Baltimore
17 City Building Code.

18 **202.2.9 Premises.** “Premises” has the meaning stated in § 202.2 of the Baltimore City
19 Building Code.

20 **Chapter 3**
21 **General Regulations**

22 **Section 301 General**

23 **301.1 to 301.10** *{As in IFGC}*

24 **301.11 Flood hazard areas.** In a flood hazard area, the appliance, equipment, and system
25 installations regulated by this code must be located at or above the elevation required by the
26 Floodplain Management Code for electric, plumbing, and mechanical systems and their
27 attendant components and equipment.

28 **Exception:** *{Not Adopted}*

29 **301.12 to 301.15** *{As in IFGC}*

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1 **Sections 302 to 306** *{As in IFGC}*

2 **Section 307 Condensate Disposal**

3 **307.1 Evaporators and cooling coils.** *{As in IFGC}*

4 **307.2 Fuel-burning appliances.** *{As in IFGC}*

5 **307.2.1 Discharge.** Condensate may not discharge into a street, alley, or other area so as
6 to cause a nuisance. Clear water discharge must be conveyed to the storm drain where
7 feasible unless otherwise approved by the Code Official.

8 **307.3 Drain pipe material and sizes.** *{As in IFGC}*

9 **307.4 Traps.** *{Not Adopted}*

10 **307.5 Auxiliary drain pan.** *{As in IFGC}*

11 **307.6 Condensate pumps.** *{As in IFGC}*

12 **Sections 308 to 310** *{As in IFGC}*

13 **Chapter 4**
14 **Gas Piping Installations**

15 **Sections 401 to 404** *{As in IFGC}*

16 **Section 405 Piping Bends and Changes in Direction**

17 **405.1 General.** Changes in direction of gas pipe may be made by the use of fittings.
18 Factory bends or field bends are only permitted underground, in a location outside of any
19 building.

20 **405.2 to 405.4** *{As in IFGC}*

21 **Sections 406 to 416** *{As in IFGC}*

22 **Chapter 5**
23 **Chimneys and Vents**
24 *{As in IFGC}*

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**Chapter 6
Specific Appliances**

Sections 601 to 620 *{As in IFGC}*

Section 621 Unvented Room Heaters

621.1 Prohibited. Unvented room heaters are prohibited.

621.2 to 621.7 *{Not Adopted}*

Sections 622 to [636] 635 *{As in IFGC}*

**Chapter 7
Gaseous Hydrogen Systems
*{As in IFGC}***

**Chapter 8
Referenced Standards
*{As in IFGC}***

**Appendices A to D
*{Informational. Not Adopted}***

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Part V. International Mechanical Code

§ 5-101. City adoption.

(a) *In general.*

The International Mechanical Code [(2018) (2021) Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part V.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part V refer to the chapter and section numbers of the International Mechanical Code.

§ 5-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1 Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore City Mechanical Code”.

101.1.1 References to “this Code”. Throughout this Part V, all references to “this Code” refer to the Baltimore City Mechanical Code.

101.2 to 101.4 *{As in IMC}*

Section 102 Applicability *{As in IMC}*

Section 103 Department of Mechanical Inspection

103.1 General. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

1. “Department of Mechanical Inspection” or “Department” means the Department of Housing and Community Development, and
2. “Code Official”, means the Building Official, as defined in § 202.2 of the Baltimore City Building Code.

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1 **103.2 to 103.3** *{Not adopted}*

2 **[103.4 Liability. {Not Adopted. See State Courts Article § 5-302}]**

3 **Section 104 Duties and Powers of Code Official**

4 **104.1 to 104.2** *{As in IMC}*

5 **104.3 Inspections.** The Code Official must make all of the required inspections or accept
6 reports of inspection by approved agencies or individuals. All reports of these inspections
7 must be in writing and signed by a responsible officer of the approved agency or by the
8 responsible individual. The Code Official may engage any expert opinion that the Code
9 Official considers necessary to report on unusual technical issues that arise.

10 **104.4 Right of entry.** The Code Official may enter any structure or premises at reasonable
11 times to inspect, subject to constitutional restrictions on unreasonable searches and seizures.
12 If entry is refused or not obtained, the Code Official may pursue recourse as provided by law,
13 including § 104 {"...Powers of Building Official"} of the Baltimore City Building Code.

14 **104.5 Identification.** *{As in IMC}*

15 **104.6 Notices and orders.** The Code Official may issue all notices or orders necessary to
16 ensure compliance with this Code.

17 **104.7 Department records.** The Code Official must keep records of all of the Department's
18 business and activities under this Code.

19 **104.8 LIABILITY. {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302}**

20 **Section 105 Approval**

21 **105.1 Modifications.** *{As in IMC}*

22 **105.2 Alternative materials and methods.** The provisions of this Code are not intended to
23 prevent the installation of any material or to prohibit any method of construction not
24 specifically prescribed by this Code, as long as that alternative has been approved. An
25 alternative material or method of construction may be approved if the Code Official finds in
26 writing that, for the purposes intended:

- 27 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
- 28 2. the material, method, or work offered is at least the equivalent of that prescribed
29 in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

30 **105.2.1 Research reports.** *{As in IMC}*

31 **105.3 to 105.5** *{As in IMC}*

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1 Section 106 Permits

2 106.1 to 106.2 *{As in IMC}*

3 106.3 Application for permit. The requirements for obtaining a permit are as set forth in
4 § 105.3 {"Application for permit"} of the Baltimore City Building Code.

5 106.3.1 to [106.3.3] 106.3.2 *{Not Adopted}*

6 106.4 Permit issuance. *{As in IMC}*

7 106.4.1 to 106.4.2 *{As in IMC}*

8 106.4.3 Expiration. Unless extended, a permit expires as set forth in § 105.5
9 {"Expiration; Extension"} of the Baltimore City Building Code.

10 106.4.4 Extension. An expired permit may be extended as provided in § 105.5
11 {"Expiration; Extension"} of the Baltimore City Building Code.

12 106.4.5 Suspension or revocation. The Building Official may suspend or revoke a
13 permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City
14 Building Code.

15 106.4.6 to [106.4.8] 106.4.7 *{As in IMC}*

16 [106.5 Fees. *{As in IMC}*]

17 [106.5.1 Work commencing before permit issuance. *{Not Adopted}*]

18 [106.5.2 Fee schedule. The fees for mechanical work are as provided in § 109 {"Fees"}
19 of the Baltimore City Building Code.]

20 [106.5.3 Fee refunds. *{Not Adopted}*]

21 Section 107 [Inspections and Testing] CONSTRUCTION DOCUMENTS *{As in IMC}*

22 SECTION 108 NOTICE OF APPROVAL *{AS IN IMC}*

23 [Section 109 Administrative and Judicial Review]

24 [109.1 General. A decision of the Code Official is subject to administrative and judicial
25 review as provided in the Baltimore City Building Code.]

26 [109.2 to 109.7 *{Not Adopted}*]

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1 **SECTION 109 FEES {AS IN IMC}**

2 **109.1 PAYMENT OF FEES {AS IN IMC}**

3 **109.2 FEE SCHEDULE.** THE FEES FOR MECHANICAL WORK ARE AS PROVIDED IN
4 § 109 {"FEES"} OF THE BALTIMORE CITY BUILDING CODE.

5 **109.3 PERMIT VALUATIONS {AS IN IMC}**

6 **109.4 WORK COMMENCING BEFORE PERMIT ISSUANCE {NOT ADOPTED}**

7 **109.5 RELATED FEES {AS IN IMC}**

8 **109.6 REFUNDS {NOT ADOPTED}**

9 **SECTION 110 SERVICE UTILITIES {AS IN IMC}**

10 **Section 111 [110] Temporary Equipment, Systems, and Uses {As in IMC}**

11 **SECTION 112 INSPECTIONS AND TESTING {AS IN IMC}**

12 **SECTION 113 ADMINISTRATIVE AND JUDICIAL REVIEW**

13 **113.1 GENERAL.** A DECISION OF THE CODE OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND
14 JUDICIAL REVIEW AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

15 **113.2 TO 113.4 {NOT ADOPTED}**

16 **SECTION 114 BOARD OF APPEALS {NOT ADOPTED; SEE § 113 OF THIS CHAPTER}**

17 **SECTION 115 [108] VIOLATIONS**

18 **115.1 to 115.3 [108.1 to 108.3] {As in IMC}**

19 **115.4 [108.4] Violation penalties.** The penalties for a violation of this Code are as provided
20 in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

21 **115.5 TO 115.6 {AS IN IMC}**

22 **SECTION 116 STOP WORK ORDER**

23 **116.1 [108.5 Stop-work orders] AUTHORITY.** The issuance and enforcement of stop-work
24 orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

1 **116.2 to 116.4 [108.6 to 108.7 *{As in IMC}*] *{NOT ADOPTED}***

2 **Chapter 2**
3 **Definitions**

4 **Section 201 General**

5 **201.1 to 201.2 *{As in IMC}***

6 **201.3 Terms defined in other codes.** If a term is not defined in this Code and is defined in
7 the Baltimore City Building Code or in one or another of the standards and codes listed in
8 § 101.4 *{“Referenced Codes”}* of the Baltimore City Building Code, the term has the
9 meaning given to it in that code or standard.

10 **201.4 Terms not defined. *{As in IMC}***

11 **Section 202 General Definitions**

12 **202.1 General.** Except as provided in § 202.2 of this Code, terms that are used in this Code
13 and defined in the International Mechanical Code [(2018) (2021 Edition)] have the meanings
14 given in the International Mechanical Code [(2018) (2021 Edition)].

15 **202.2 Supplemental definitions** Notwithstanding any different definition in the
16 International Mechanical Code, the following terms have the meanings given in this § 202.2.

17 **202.2.1 Building.** “Building” has the meaning stated in IMC § 202 and, unless the
18 context indicates otherwise, includes premises and lands.

19 **202.2.2 Code Official.** “Code Official” has the meaning stated in § 103.1 of this Code.

20 **202.2.3 Design-flood elevation.** “Design-flood elevation” has the meaning stated in
21 City Code Article 7 *{“Natural Resources”}*, § 1-2 *{“Definitions – “Accessory structure”*
22 *to “Floodplain District”}*.

23 **202.2.4 Flood; Flooding.** “Flood” or “flooding” has the meaning stated in City Code
24 Article 7 *{“Natural Resources”}*, § 1-2 *{“Definitions – “Accessory structure”* to
25 *“Floodplain District”}*.

26 **202.2.5 Flood Hazard Area.** “Flood Hazard Area” means a Regulated Flood Hazard
27 Area established under and regulated by the Floodplain Management Code

28 **202.2.6 Floodplain Management Code.** “Floodplain Management Code” means the
29 Baltimore City Floodplain Management Code, City Code Article 7 *{“Natural*
30 *Resources”}*, Division I *{“Floodplain Management”}*.

1 **Section 302 Protection of Structure** *{As in IMC}*

2 **Section 303 Equipment and Appliance Location**

3 **303.1 to 303.2** *{As in IMC}*

4 **303.3 Prohibited locations.** Fuel-fired appliances may not be located in, or obtain
5 combustion air from, any of the following rooms or spaces:

- 6 1. sleeping rooms,
- 7 2. bathrooms,
- 8 3. toilet rooms,
- 9 4. storage closets,
- 10 5. surgical rooms, or
- 11 6. residential kitchens (except cooking appliances).

12 *Exception: {As in IMC}*

13 **303.4 to 303.9** *{As in IMC}*

14 **Section 304 Installation**

15 **304.1 to 304.12** *{As in IMC}*

16 **304.13 Disconnects For Fuel-Burning Equipment.** Fuel-burning equipment must be
17 supplied with 2 emergency disconnect switches. One switch must be installed on the
18 equipment and the other in a convenient, labeled location that is near the entrance to the area
19 where the equipment is located. These switches must be able to manually stop the flow of
20 fuel to the burner and must be identified as emergency disconnects.

21 **Sections 305 to 306** *{As in IMC}*

22 **Section 307 Condensate Disposal**

23 **307.1 Fuel-burning appliances.** *{As in IMC}*

24 **307.2 Evaporators and cooling coils.** *{As in IMC}*

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1 307.2.1 Condensate disposal. Condensate from all cooling coils or evaporators must be
2 conveyed from the drain pan outlet to an approved place of disposal. The piping must
3 maintain a minimum horizontal slope in the direction of discharge of not less than one-
4 eighth unit vertical in 12 units horizontal (1% slope). Condensate may not discharge into
5 a street, alley, or other area so as to cause a nuisance. Clear water discharge must be
6 conveyed to the storm drain where feasible unless otherwise approved by the Code
7 Official.

8 307.2.2 Drain pipe material and sizes. {As in IMC}

9 307.2.3 Auxiliary and secondary drain systems. {As in IMC}

10 307.2.4 Traps. {Not adopted}

11 307.2.5 Drain line maintenance. {As in IMC}

12 307.3 Condensate pumps. {As in IMC}

13 Sections 308 to 312 {As in IMC}

14 Chapter 4
15 Ventilation
16 {As in IMC}

17 Chapter 5
18 Exhaust Systems

19 Section 501 General

20 501.1 to 501.2 {As in IMC}

21 501.3 Exhaust discharge. {As in IMC}

22 Exceptions:

23 1. {As in IMC}

24 2. {Not adopted}

25 3. {As in IMC}

26
27 501.3.1 Location of exhaust outlets. The termination point of exhaust outlets and ducts
28 discharging to the outdoors shall be located with the following minimum distances:

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1 1. to 3. *{As in IMC}*

2 4. Exhaust outlets serving structures in a flood hazard area must be installed at or
3 above the elevation required by the Floodplain Management Code for electric,
4 plumbing, and mechanical systems and their attendant components and
5 equipment.

6 5. *{As in IMC}*

7 **6. EXHAUST OUTLETS SERVING CREMATORIALS SHALL BE INSTALLED AT LEAST 200**
8 **FEET FROM THE PROPERTY LINE OF ANY ADJACENT PROPERTY.**

9 **501.3.2 Exhaust opening protection. *{As in IMC}***

10 **501.4 to 501.5 *{As in IMC}***

11 **Section 502 Required Systems**

12 **502.1 to 502.13 *{As in IMC}***

13 **502.14 Motor vehicle operation.** In any area where motor vehicles operate:

- 14 1. mechanical ventilation must be provided in accordance with § 403 of this Code,
15 2. for stationary motor vehicles, the area must be provided with a source capture
16 system that connects directly to the motor vehicle exhaust systems, and
17 3. in fuel-dispensing areas, the bottom of the air inlet or exhaust opening must be
18 located no more than 18 inches (203 mm) above the floor.

19 **502.14.1 System requirements.** The source capture system provided for stationary
20 motor vehicles must be engineered by a registered design professional or must be factory-
21 built equipment designed and sized for the purpose.

22 **Exceptions: *{As in IMC}***

23 **502.15 to 502.20 *{As in IMC}***

24 **Sections 503 to 514 *{As in IMC}***

25 **Chapter 6** 26 **Duct Systems**

27 **Section 601 General *{As in IMC}***

1 **Section 602 Plenums**

2 **602.1 to 602.2** *{As in IMC}*

3 **602.3 Stud cavity and joist space plenums.** *{As in IMC}*

4 1 - 6. *{As in IMC}*

5 7. Stud wall cavities and spaces between solid floor joists abutting garage walls may not
6 be utilized as air plenums.

7 **602.4 Flood hazard areas.** For structures in a flood hazard area, plenum spaces must be
8 located above the elevation required by the Floodplain Management Code for electric,
9 plumbing, and mechanical systems and their attendant components and equipment or
10 designed and constructed to prevent water from entering or accumulating within the plenum
11 spaces during floods up to that elevation, if allowed by the requirements of the Floodplain
12 Management Code.

13 **Sections 603 Duct Construction and Installation**

14 **603.1 to 603.12** *{As in IMC}*

15 **603.13 Flood hazard areas.** For structures in a flood hazard area, ducts must be located
16 above the elevation required by the Floodplain Management Code for electric, plumbing, and
17 mechanical systems and their attendant components and equipment or designed and
18 constructed to prevent water from entering or accumulating within the ducts during floods up
19 to that elevation, if allowed by the requirements of the Floodplain Management Code.

20 **603.14 to 603.18** *{As in IMC}*

21 **SECTIONS 604 TO [607] 608** *{As in IMC}*

22 **Chapter 7**
23 **Combustion Air**
24 *{As in IMC}*

25 **Chapter 8**
26 **Chimneys and Vents**

27 **Section 801 General**

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1 **801.1 to 801.17** *{As in IMC}*

2 **801.18 Existing chimneys and vents.** *{As in IMC}*

3 **801.18.1 to 801.18.4** *{As in IMC}*

4 **801.18.5 Prohibited use.** Masonry chimneys may not be used simultaneously as air
5 duct chases and flue gas chases.

6 **801.19 Multistory prohibited.** *{As in IMC}*

7 **801.20 Plastic vent joints.** *{As in IMC}*

8 **Sections 802 to 806** *{As in IMC}*

9 **Chapter 9**
10 **Specific Appliances, Fireplaces, and Solid Fuel-Burning Equipment**
11 *{As in IMC}*

12 **Chapter 10**
13 **Boilers, Water Heaters, and Pressure Vessels**

14 **Sections 1001 to 1005** *{As in IMC}*

15 **Section 1006 Safety and Pressure Relief Valves and Controls**

16 **1006.1 to 1006.5** *{As in IMC}*

17 **1006.6 Safety and relief valve discharge.** Safety and relief valve discharge pipes must be
18 of rigid pipe that is approved for the temperature of the system. The discharge pipe must be
19 the same diameter as the safety or relief valve outlet. Safety and relief valves may not
20 discharge so as to be a hazard, a potential cause of damage, or otherwise a nuisance. High-
21 pressure-steam safety valves must be vented to the outside of the structure. Where a low-
22 pressure safety valve or where a relief valve discharges the drainage system, the installation
23 must conform to the International Plumbing Code. All discharges to floor drains must be
24 from within 2 to 6 inches (50.8 mm to 152.4 mm) from the drain.

25 **1006.7 to 1006.8** *{As in IMC}*

26 **Sections 1007 to 1011** *{As in IMC}*

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**Chapter 11
Refrigeration
{As in IMC}**

**Chapter 12
Hydronic Piping**

Sections 1201 to 1205 {As in IMC}

Section 1206 Piping Installation

1206.1 to 1206.8 {As in IMC}

1206.9 Strains and stresses {As in IMC}

1206.9.1 Flood hazard areas. Piping located in a flood hazard area must be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, as required by th (d) *Traffic mitigation*.

(1) *Referral to DoT.*

Within 15 business days of receiving a completed application, the Zoning Administrator or the BMZA, as the case might be, must refer the application and all accompanying documents to the Director of Transportation, if:

(i) traffic-mitigation requirements for the proposed structure or use have not already been complied with in accordance with this Code or the City Building, Fire, and Related Codes Article; and

(ii) the proposed structure or use:

(A) is in a Traffic-Mitigation Zone designated in Building Code § 3805 {"Traffic-Mitigation Zone"} and involves 10 or more dwelling units;

(B) involves 15,000 sq. ft. or more of gross floor area; or

(C) involves 50 or more dwelling units. e Floodplain Management Code.

Sections 1207 to 1210 {As in IMC}

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**Chapter 13
Fuel Oil Piping and Storage**

Sections 1301 to 1304 *{As in IMC}*

Section 1305 Fuel Oil System Installation

1305.1 Size. *{As in IMC}*

1305.2 Protection of pipe, equipment, and appliances. *{As in IMC}*

1305.2.1 Flood hazard. All fuel oil pipe, equipment, and appliances located in a flood hazard area must be located above the elevation required by the Floodplain Management Code for electric, plumbing, and mechanical systems and their attendant components and equipment or capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, and meet all other requirements of the Floodplain Management Code.

1305.3 to 1305.7. *{As in IMC}*

Sections 1306 to 1308 *{As in IMC}*

**Chapter 14
Solar Thermal Systems
*{As in IMC}***

**Chapter 15
Referenced Standards
*{As in IMC}***

**Appendices [A AND B] A, B, AND C
{Informational. Not Adopted}**

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PART VI. INTERNATIONAL PLUMBING CODE

§ 6-101. City adoption.

(a) *In general.*

The International Plumbing Code [(2018)] (2021 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part VI.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part VI refer to the chapter and section numbers of the International Plumbing Code.

§ 6-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1 Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore City Plumbing Code”.

101.1.1 References to “this Code”. Throughout this Part VI, all references to “this Code” refer to the Baltimore City Plumbing Code.

101.2 SCOPE. {AS IN IPC}

EXCEPTION: {NOT ADOPTED}

101.3 [101.2] to 101.4 {As in IPC}

Section 102 Applicability {As in IPC}

Section 103 Department of Plumbing Inspection

103.1 General. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

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- 1 1. “Department of Plumbing Inspection” or “Department” means the Department of
2 Housing and Community Development, and
- 3 2. “Code Official”, means the Building Official, as defined in § 202.2 of the Baltimore
4 City Building Code.

5 **103.2 to 103.3** *{Not Adopted}*

6 **[103.4 Liability. {Not Adopted. See State Courts Article § 5-302}]**

7 Section 104 Duties and Powers of Code Official

8 **104.1 to 104.2** *{As in IPC}*

9 **104.3 Inspections.** The Code Official must make all of the required inspections or accept
10 reports of inspection by approved agencies or individuals. All reports of these inspections
11 must be in writing and signed by a responsible officer of the approved agency or by the
12 responsible individual. The Code Official may engage any expert opinion that the Code
13 Official considers necessary to report on unusual technical issues that arise.

14 **104.4 Right of entry.** The Code Official may enter any structure or premises at reasonable
15 times to inspect, subject to constitutional restrictions on unreasonable searches and seizures.
16 If entry is refused or not obtained, the Code Official may pursue recourse as provided by law,
17 including § 104 {... Powers of Building Official”} of the Baltimore City Building Code.

18 **104.5 Identification.** *{As in IPC}*

19 **104.6 Notices and orders.** The Code Official may issue all notices or orders necessary to
20 ensure compliance with this Code.

21 **104.7 Department records.** The Code Official must keep records of all of the Department’s
22 business and activities under this Code.

23 **104.8 LIABILITY. {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302}**

24 Section 105 Approval

25 **105.1 Modifications.** *{As in IPC}*

26 **105.2 Alternative materials and methods.** The provisions of this Code are not intended to
27 prevent the installation of any material or to prohibit any method of construction not
28 specifically prescribed by this Code, as long as that alternative has been approved. An
29 alternative material or method of construction may be approved if the Code Official finds in
30 writing that, for the purposes intended:

- 31 1. the proposed alternative is satisfactory and complies with the intent of this Code, and

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2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

105.2.1 Research reports. {As in IPC}

105.3 to 105.4 {As in IPC}

Section 106 Permits

106.1 to 106.2 {As in IPC}

106.3 Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

106.3.1 to [106.3.3] 106.3.2 {Not Adopted}

106.4 By Whom Application Made {As in IPC}

106.5 Permit issuance. {As in IPC}

106.5.1 to 106.5.2 {As in IPC}

106.5.3 Expiration. A permit expires at the times and under the circumstances set forth in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.5.4 Extensions. A permit may be extended as provided in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.5.5 Suspension or revocation. The Building Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

106.5.6 to [106.4.8] 106.4.7 {As in IPC}

[106.6 Fees. {As in IPC}]

[106.6.1 Work commencing before permit issuance {Not Adopted}]

[106.6.2 Fee schedule. The fees for plumbing work are as set forth in § 109 {"Fees"} of the Baltimore City Building Code.]

[106.6.3 Fee refunds {Not Adopted}]

Section 107 [Inspections and Testing] CONSTRUCTION DOCUMENTS {As in IPC}

Section 108 Notice of Approval {As in IPC}

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1 **[Section 109 Administrative and Judicial Review]**

2 **[109.1 General.** A decision of the Code Official is subject to administrative and judicial
3 review as provided in the Baltimore City Building Code.]

4 **[109.2 to 109.7 {Not Adopted}]**

5 **SECTION 109 FEES {AS IN IPC}**

6 **109.1 PAYMENT OF FEES {AS IN IPC}**

7 **109.2 FEE SCHEDULE.** THE FEES FOR PLUMBING WORK ARE AS PROVIDED IN § 109 {"FEES"}
8 OF THE BALTIMORE CITY BUILDING CODE.

9 **109.3 WORK COMMENCING BEFORE PERMIT ISSUANCE {NOT ADOPTED}**

10 **109.4 RELATED FEES {AS IN IPC}**

11 **109.6 REFUNDS {NOT ADOPTED}**

12 **SECTION 110 SERVICE UTILITIES {AS IN IPC}**

13 **Section 111 [110] Temporary Equipment, Systems, and Uses {As in IPC}**

14 **SECTION 112 INSPECTIONS AND TESTING {AS IN IPC}**

15 **SECTION 113 ADMINISTRATIVE AND JUDICIAL REVIEW**

16 **113.1 GENERAL.** A DECISION OF THE CODE OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND
17 JUDICIAL REVIEW AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

18 **113.2 TO 113.4 {NOT ADOPTED}**

19 **SECTION 114 BOARD OF APPEALS {NOT ADOPTED. SEE § 113 OF THIS CHAPTER.}**

20 **SECTION 115 [108] VIOLATIONS**

21 **115.1 to 115.3 [108.1 to 108.3] {As in IPC}**

22 **115.4 [108.4] Violation penalties.** The penalties for a violation of this Code are as provided
23 in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

24 **115.5 TO 115.6 {AS IN IPC}**

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SECTION 116 STOP WORK ORDER

116.1 [108.5 Stop-work orders] AUTHORITY. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

116.2 to 116.4 [108.6 to 108.7 {As in IPC}] {NOT ADOPTED}

Chapter 2 Definitions

Section 201 General

201.1 to 201.2 {As in IPC}

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in the Baltimore City Building Code or in one or another of the standards and codes listed in § 101.4 {"Referenced Codes"} of the Baltimore City Building Code, the term has the meaning given to it in that code or standard.

201.4 Terms not defined. {As in IPC}

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Plumbing Code [(2018) (2021 Edition)] have the meanings given in the International Plumbing Code [(2018) (2021 Edition)].

202.2 Supplemental definitions. Notwithstanding any different definition in the International Plumbing Code, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code Official. "Code Official" has the meaning stated in § 103.1 of this Code.

202.2.3 Design-flood elevation. {Not Adopted}.

202.2.4 Flood Hazard Area. "Flood Hazard Area" means a Regulated Flood Hazard Area established under and regulated by the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}

202.2.5 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

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1 Section 309 Flood Hazard Resistance

2 **309.1 General.** In a flood hazard area, plumbing systems must be constructed, located, and
3 installed in accordance with the requirements of the Baltimore City Floodplain Management
4 Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

5 **309.2 Scope.** The requirements of this § 309 apply to all plumbing systems, their attendant
6 components and equipment, including the following:

- 7 1. all water service pipes,
- 8 2. pump seals in individual water supply systems,
- 9 3. Covers on potable water wells,
- 10 4. all sanitary drainage piping,
- 11 5. all storm drainage piping,
- 12 6. manhole covers,
- 13 7. all other plumbing fixtures, faucets, fixture fittings, piping systems, and
14 equipment,
- 15 8. water heaters, and
- 16 9. vents and vent systems.

17 **Exception:** *{Not Adopted}*

18 **309.3 Coastal high-hazard area and coastal A zones.** *{Not Adopted}*

19 Sections 310 to 313 *{As in IPC}*

20 Section 314 Condensate Disposal

21 **314.1 Fuel burning appliances.** *{As in IPC}*

22 **314.2 Evaporators and cooling coils.** *{As in IPC}*

23 **314.2.1 Condensate disposal.** Condensate from all cooling coils or evaporators must be
24 conveyed from the drain pan outlet to an approved place of disposal. The piping must
25 maintain a minimum horizontal slope in the direction of discharge of not less than one-
26 eighth unit vertical in 12 units horizontal (1% slope). Condensate may not discharge into
27 a street, alley, or other area so as to cause a nuisance. Clear water discharge must be
28 conveyed to the storm drain where feasible unless otherwise approved by the Code
29 Official.

30 **314.2.2 to 314.2.5** *{As in IPC}*

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1 **Section 315 Penetrations** *{As in IPC}*

2 **Section 316 Alternative Engineered Design** *{As in IPC}*

3 **Section 317 Connection to Water and Sewer Systems**

4 **317.1 Availability of Public Water and Sewer.** The water distribution and sewer system of
5 any building in which plumbing fixtures are installed must be connected to a public water
6 supply system and to a public sewer system unless otherwise authorized by a National
7 Pollutant Discharge Elimination System permit issued under Title 9 of the State Environment
8 Article. Private septic tank systems may only be installed with the written permission of the
9 Code Official.

10 **317.2 Private Systems.** Private systems must comply with COMAR 26.04.02 {"Sewage
11 Disposal and Certain Water Systems..."}

12 **Chapter 4**
13 **Fixtures, Faucets, and Fixture Fittings**

14 **Sections 401 to 405** *{As in IPC}*

15 **Section 406 Automatic Clothes Washers**

16 **406.1 to 406.2** *{As in IPC}*

17 **406.3 Drip pan.** If a clothes washer is to be installed in a location where leakage can cause
18 structural damage to the building, the washer must be installed over a drip pan in accordance
19 with the manufacturer's instructions. The pan drain must extend full size and terminate over
20 a suitably located indirect waste receptor or floor drain.

21 **Sections 407 to 426** *{As in IPC}*

22 **Chapter 5**
23 **Water Heaters**
24 *{As in IPC}*

1 **Chapter 6**
2 **Water Supply and Distribution**

3 **Sections 601 to 604** *{As in IPC}*

4 **Section 605 Materials, Joints, and Connections**

5 **605.1 to 605.12** *{As in IPC}*

6 **605.13 Copper tubing.** *{As in IPC}*

7 **605.13.1 to 605.13.7** *{As in IPC}*

8 **605.13.8 Underground service.** Copper water tubing, seamless, Type M, is not
9 approved for underground water service.

10 **605.14 to 605.24** *{As in IPC}*

11 **Section 606 Installation of Building Water Distribution System** *{As in IPC}*

12 **Section 607 Hot Water Supply System**

13 **607.1 to 607.2** *{As in IPC}*

14 **607.3 Thermal expansion control.**

15 **607.3.1 Backflow prevention valve or check valve.**

16 **607.3.1.1 Hot water return piping.** When hot water return piping is needed, it
17 must be taken from the supply side of the backflow prevention device.

18 **607.3.1.2 High-hazard buildings.** In addition to the backflow device on the water
19 supply main, at each floor where hazardous uses of water are found, a backflow
20 prevention device must be installed on the water service line that supplies that floor.

21 **607.3.1.3 Testing and inspection certificate.** All testing and inspections must be
22 documented on a certificate attached to the backflow prevention device.

23 **607.4 to 607.5** *{As in IPC}*

24 **Section 608 Protection of Potable Water Supply**

25 **608.1 General.** *{As in IPC}*

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1 **608.1.1 License required to connect to City supply.** A person may not connect
2 backflow prevention devices to the potable water supply in the City unless that person is
3 licensed by the State as a master or journeyman plumber.

4 **608.2 to 608.16** *{As in IPC}*

5 **608.17 Connections to the potable water system.**

6 **608.17.1 to 608.17.3** *{As in IPC}*

7 **608.17.4 Connections to automatic fire sprinkler systems and standpipe systems.**
8 *{As in IPC}*

9 **608.17.4.1 Additives or nonpotable source.** *{As in IPC}*

10 **608.17.4.2 Individual Valves on Sprinkler Systems.** Domestic water service lines
11 used to supply water to both the sprinkler and the domestic water piping inside a
12 building must have an individual valve on both branch lines when served by a single
13 water service pipe. A building valve may not be used to serve both systems. A flow
14 alarm must be provided on the sprinkler system.

15 **Exception:** Single-family dwellings.

16 **608.17.5 to 608.17.10** *{As in IPC}*

17 **608.18 Protection of individual water supplies.** *{As in IPC}*

18 **Sections 609 to 613** *{As in IPC}*

19 **Chapter 7**
20 **Sanitary Drainage**

21 **Sections 701 to 707** *{As in IPC}*

22 **Section 708 Cleanouts**

23 **708.1 Cleanouts required.** *{As in IPC}*

24 **708.1.1 to 708.1.6** *{As in IPC}*

25 **708.1.7 Manholes.** *{As in IPC}*

26 **708.1.7.1 DPW Guidelines.** Manhole construction must comply with the
27 Department of Public Work's guidelines and standards.

1 **Section 913 Waste Stack Vent**

2 **913.1 to 913.4** *{As in IPC}*

3 **913.5 Permitted Fixtures.** Lavatories, bathtubs, showers, water closets, urinals, kitchen
4 sinks with or without food waste grinders, dishwashers, laundry sinks, clothes washer
5 standpipes, drinking fountains, floor drains, and similar fixtures may be vented by a waste
6 stack that is sized and installed in accordance with the requirements of this section.

7 **Sections 914 to 920** *{As in IPC}*

8 **Chapter 10**
9 **Traps, Interceptors, and Separators**

10 **Sections 1001 to 1002** *{As in IPC}*

11 **Section 1003 Interceptors and Separators**

12 **1003.1 to 1003.2** *{As in IPC}*

13 **1003.3 Grease interceptors.** Grease interceptors must comply with the requirements of this
14 § 1003.3 and with any additional requirements of the Code Official

15 **1003.3.1 to 1003.3.8** *{As in IPC}*

16 **1003.4 Oil separators required.** *{As in IPC}*

17 **1003.4.1 Separation of liquids.** *{As in IPC}*

18 **1003.4.2 Oil separator design.** *{As in IPC}*

19 **1003.4.2.1 to 1003.4.2.2** *{As in IPC}*

20 **1003.4.2.3 Waste-oil tank design.** The oil draw-off or overflow from oil separators
21 must be connected to an approved waste-oil tank that meets the environmental
22 requirements of the Maryland Department of the Environment. The waste oil from
23 the separator must flow by gravity or may be pumped to a higher elevation by an
24 automatic pump. Pumps must be adequately sized, explosion proof, and accessible.
25 Waste-oil tanks must have a 2" minimum pump-out connection and a 1½" minimum
26 vent to the atmosphere.

1 **1105.4 Methods of roof drainage.**

2 **1105.4.1 Method 1.** Drainage may be discharged by piping to a storm drain, to the street
3 or alley, or to an approved water course. The installation of piping, connections to storm
4 drains, etc., must be made in accordance with this Code.

5 **1105.4.2 Method 2.** Drainage may be discharged not less than 10 feet (3.05 m) from the
6 building, from other buildings, or from any adjacent property line, as long as the
7 discharge is in a manner that does not allow drainage to cross adjacent property lines or
8 sidewalks.

9 **1105.5 Individual Downspouts.**

10 Gutters of buildings on adjoining properties may not be connected with common
11 downspouts or leaders, but each building must have individual downspouts or leaders
12 on its own property. If a building is more than 4 stories or 50 feet (15.24 m) high, its
13 leader and downspouts must be inside the building’s exterior walls.

14 **Sections 1106 to 1113 {As in IPC}**

15 **Chapter 12**
16 **Special Piping and Storage Systems**
17 *{As in IPC}*

18 **Chapter 13**
19 **Nonpotable Water Systems**
20 *{As in IPC}*

21 **Chapter 14**
22 **Subsurface Landscape Irrigation Systems**
23 *{As in IPC}*

24 **Chapter 15**
25 **Referenced Standards**
26 *{As in IPC}*

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Appendix A
Permit Fee Schedule
{Not Adopted}

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Appendix B
Rates of Rainfall
{Informational. Not Adopted}

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Appendix C
Structural Safety
{As in IPC}

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Appendix D
Degree Day and Design Temperatures
{Informational. Not Adopted}

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Appendix E
Sizing of Water Piping System
{As in IPC}

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APPENDIX F
BOARD OF APPEALS
{NOT ADOPTED}

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PART VII. INTERNATIONAL PROPERTY MAINTENANCE CODE

§ 7-101. City adoption.

(a) *In general.*

The International Property Maintenance Code [(2018)] (2021 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part VII.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part VII refer to the chapter and section numbers of the International Property Maintenance Code.

§ 7-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1 Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore City Property Maintenance Code”.

101.1.1 References to “this Code”. Throughout this Part VII, all references to “this Code” refer to the Baltimore City Property Maintenance Code.

101.2 to 101.4 *{As in IPMC}*

Section 102 Applicability

102.1 General. *{As in IPMC}*

102.2 Maintenance. Equipment, systems, devices, and safeguards required by this Code or by a previous regulation or code under which the structure or premises was constructed, altered, or repaired must be maintained in good working order.

102.2.1 Shut-off prohibited. No owner, operator, or occupant may cause any service, facility, equipment, or utility required under this section to be removed or shut off from or discontinued for any occupied dwelling, except for a temporary interruption necessary while repairs or alterations are in progress.

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1 **102.2.2 Code not override of fire and safety systems.** The requirements of this Code
2 are not intended to provide the basis for removal or abrogation of fire protection and
3 safety systems and devices in existing structures.

4 **102.2.3 Owner and operator responsible.** Except as otherwise specified, each owner
5 and each operator of a structure or premises is responsible for the maintenance of that
6 structure or premises.

7 **102.3 Application of other codes.** All repairs, additions, or alterations to a structure and all
8 changes of occupancy must be done in accordance with this Code and with the following
9 codes and standards, as modified by Baltimore City:

- 10 1. the International Building Code [(2018) (2021 Edition),
- 11 2. the National Electrical Code [(2017) (2020 Edition),
- 12 3. the International Fuel Gas Code [(2018) (2021 Edition),
- 13 4. the International Mechanical Code [(2018) (2021 Edition),
- 14 5. the International Plumbing Code [(2018) (2021 Edition),
- 15 6. the International Fire Code [(2018) (2021 Edition),
- 16 7. the International Energy Conservation Code [(2018) (2021 Edition),
- 17 8. the International Residential Code for One- and Two-Family Dwellings [(2018) (2021
- 18 Edition),
- 19 9. the International Green Construction Code [(2018) (2021 Edition),
- 20 10. the International Swimming Pool and Spa Code [(2018) (2021 Edition), and
- 21 11. the Zoning Code of Baltimore City.

22 **102.4 Existing remedies.** The provisions of this Code may not be construed to abolish or
23 impair existing remedies of the City or its officers or agencies relating to:

- 24 1. enforcement of repair and maintenance standards, or
- 25 2. the removal or demolition of any structure that is dangerous,
- 26 unsafe, and insanitary.

27 **102.5 Workmanship.** All repairs, maintenance work, alterations, or installations must be
28 executed and installed in a workmanlike manner and installed in accordance with the
29 manufacturer's installation instructions.

30 **102.6 STRUCTURAL ANALYSIS. {As in IPMC}**

31 **102.7 [102.6] Historic buildings. {Not Adopted}**

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1 **102.8 [102.7] to 102.11 [102.10] {As in IPMC}**

2 **Section 103 Department of Property Maintenance Inspection**

3 **103.1 General.** This Code is administered and enforced by the Department of Housing and
4 Community Development and its Commissioner. Accordingly, in this Code:

- 5 1. “Department of Property Maintenance Inspection” or “Department” means the
6 Department of Housing and Community Development, and
- 7 2. “Code Official” means the Building Official, as defined in § 202.2 of the
8 Baltimore City Building Code.

9 **103.2 Appointment. {Not Adopted}**

10 **103.3 Deputies. {Not Adopted}**

11 **103.4 Liability. {Not Adopted. See State Courts Article § 5-302}**

12 **[103.5 Fees.** The fees for work or repairs that require a building permit are as provided in
13 § 109 {“Fees”} of the Baltimore City Building Code.]

14 **SECTION 104 FEES.**

15 **104.1 FEES.** THE FEES FOR WORK OR REPAIRS THAT REQUIRE A BUILDING PERMIT ARE AS
16 PROVIDED IN § 109 {“FEES”} OF THE BALTIMORE CITY BUILDING CODE.

17 **104.2 REFUNDS. {NOT ADOPTED}**

18 **Section 105 [104] Duties and Powers of Code Official**

19 **105.1 [104.1] General. {As in IPMC}**

20 **105.2 [104.2] Inspections.** The Code Official must make all of the required inspections or
21 accept reports of inspection by approved agencies or individuals. All reports of these
22 inspections must be in writing and signed by a responsible officer of the approved agency or
23 by the responsible individual. The Code Official may engage any expert opinion that the
24 Code Official considers necessary to report on unusual technical issues that arise.

25 **105.3 [104.3] Right of entry.** The Code Official may enter any structure or premises at
26 reasonable times to inspect, subject to constitutional restrictions on unreasonable searches
27 and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as
28 provided by law, including § 104 {... Powers of Building Official”} of the Baltimore City
29 Building Code.

30 **105.4 [104.4] Identification. {As in IPMC}**

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1 **105.5 [104.5] Notices and orders.** The Code Official may issue all notices or orders
2 necessary to ensure compliance with this Code.

3 **105.6 [104.6] Department records.** The Code Official must keep records of all of the
4 Department's business and activities specified in this Code.

5 **105.7 [104.7] Notice of abatement.** When the recipient of a violation notice has abated the
6 violation, the Code Official must issue a notice of abatement.

7 Section **106 [105] Approval**

8 **106.1 [105.1] Modifications.** *{As in IPMC}*

9 **106.2 [105.2] Alternative materials and methods.** The provisions of this Code are not
10 intended to prevent the installation of any material or to prohibit any method of construction
11 not specifically prescribed by this Code, as long as that alternative has been approved. An
12 alternative material or method of construction may be approved if the Code Official finds in
13 writing that, for the purposes intended:

- 14 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
- 15 2. the material, method, or work offered is at least the equivalent of that prescribed
16 in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

17 **106.3 [105.3] Required testing.** *{As in IPMC}*

18 **106.4 [105.4] Used material and equipment.** *{As in IPMC}*

19 **106.5 [105.5] Approved materials and equipment.** *{As in IPMC}*

20 **106.6 [105.6] Research reports.** *{As in IPMC}*

21 **[Section 106 Violations]**

22 **[106.1 Unlawful acts.** It is unlawful for any person to be in conflict with or in violation of
23 any provision of this Code or of any *{rule,}* regulation, permit, notice, or order issued under
24 this Code.]

25 **[106.2 Notice of violation.** Except as otherwise specifically authorized by law, the Code
26 Official must serve a notice of violation or an order before undertaking a prosecution or other
27 enforcement action.]

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1 [106.3 **Prosecution of violation.** Any person who violates a provision of this Code or who
2 fails to comply with a notice of violation or an order served in accordance with § 107
3 {"Notices and Orders"} of this Chapter is guilty of a misdemeanor. If the violation is not
4 abated or the notice or order not complied with, the Code Official may institute the
5 appropriate proceeding at law or in equity to restrain, correct, or abate the violation or to
6 require the removal or termination of the unlawful occupancy of the structure in violation of
7 this Code or of the order or direction made under this Code.]

8 [106.4 **Violation penalties.** The penalties for a violation of this Code are as provided in
9 § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.]

10 [106.5 **Remedies and enforcement.** The imposition of penalties under this section does not
11 preclude the institution of appropriate action:]

12 [1. to restrain, correct, or abate a violation,]

13 [2. to prevent illegal occupancy of a structure or premises, or]

14 [3. to stop an illegal act, conduct, business, or use of the structure or premises.]

15 [106.5.1 **Building Code provisions.** Additional remedies, civil penalties, and
16 enforcement proceedings are as provided in § 114.3 {"Enforcement generally"} and §
17 114.5 {"Civil penalties and costs"} of the Baltimore City Building Code.]

18 [Section 107 Notices and Orders]

19 [107.1 **Notice to owner or person responsible.** Whenever the Code Official determines or
20 has grounds to believe that a violation of this Code has occurred, notice must be given to an
21 owner or other person responsible for compliance with this Code.]

22 [107.2 **Form of notice.** Violation and condemnation notices must be in the form provided
23 by § 123 {"Notices"} of the Baltimore City Building Code.]

24 [107.3 **Service of notice.** Violation and condemnation notices must be served as provided
25 by § 123 {"Notices"} of the Baltimore City Building Code.]

26 [107.4 **Unauthorized tampering.** *{Not Adopted}*]

27 [107.5 **Penalties.** *{Not Adopted. See IPMC § 106.4 }*]

28 [107.6 **Transfer of ownership.** *{As provided in IBC § 114.23 {"Responsibility of*
29 *transferee"}}*]

30 [107.7 **Responsibilities of owners, operators, and others.** The responsibilities of owners,
31 operators, and others are as follows:]

32 [1. Owners and operators: as provided in § 114.21 of the Baltimore City Building Code.]

33 [2. Officers, directors, trustees, partners, members, and agents of entities: as provided in

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1 § 114.24 of the Baltimore City Building Code.]

2 [Section 108 Unsafe Structures and Equipment]

3 [108.1 General. Procedures for enforcement or other actions involving unsafe structures
4 and equipment are as provided in the Baltimore City Building Code.]

5 [108.2 to 108.7 {Not Adopted}]

6 SECTION 107 MEANS OF APPEAL

7 SECTION 107.1 GENERAL. PROCEDURES FOR APPEALS ARE AS PROVIDED IN THE BALTIMORE
8 CITY BUILDING CODE.

9 SECTIONS 107.2 TO 107.4 {NOT ADOPTED}

10 SECTION 108 BOARD OF APPEALS

11 Section 108.1 General. PROCEDURES FOR APPEALS ARE AS PROVIDED IN THE BALTIMORE
12 CITY BUILDING CODE.

13 SECTION 109 VIOLATIONS

14 109.1 UNLAWFUL ACTS. IT IS UNLAWFUL FOR ANY PERSON TO BE IN CONFLICT WITH OR IN
15 VIOLATION OF ANY PROVISION OF THIS CODE OR OF ANY {RULE,} REGULATION, PERMIT,
16 NOTICE, OR ORDER ISSUED UNDER THIS CODE.

17 109.2 NOTICE OF VIOLATION. EXCEPT AS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW,
18 THE CODE OFFICIAL MUST SERVE A NOTICE OF VIOLATION OR AN ORDER BEFORE
19 UNDERTAKING A PROSECUTION OR OTHER ENFORCEMENT ACTION.

20 109.3 PROSECUTION OF VIOLATION. ANY PERSON WHO VIOLATES A PROVISION OF THIS
21 CODE OR WHO FAILS TO COMPLY WITH A NOTICE OF VIOLATION OR AN ORDER SERVED IN
22 ACCORDANCE WITH § [107] 110 {"NOTICES AND ORDERS"} OF THIS CHAPTER IS GUILTY OF A
23 MISDEMEANOR. IF THE VIOLATION IS NOT ABATED OR THE NOTICE OR ORDER NOT COMPLIED
24 WITH, THE CODE OFFICIAL MAY INSTITUTE THE APPROPRIATE PROCEEDING AT LAW OR IN
25 EQUITY TO RESTRAIN, CORRECT, OR ABATE THE VIOLATION OR TO REQUIRE THE REMOVAL OR
26 TERMINATION OF THE UNLAWFUL OCCUPANCY OF THE STRUCTURE IN VIOLATION OF THIS
27 CODE OR OF THE ORDER OR DIRECTION MADE UNDER THIS CODE.

28 109.4 VIOLATION PENALTIES. THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS
29 PROVIDED IN § 114 {"VIOLATIONS"} OF THE BALTIMORE CITY BUILDING CODE FOR A
30 VIOLATION OF THAT CODE.

31 109.5 REMEDIES AND ENFORCEMENT. THE IMPOSITION OF PENALTIES UNDER THIS SECTION
32 DOES NOT PRECLUDE THE INSTITUTION OF APPROPRIATE ACTION;

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- 1 1. TO RESTRAIN, CORRECT, OR ABATE A VIOLATION,
- 2 2. TO PREVENT ILLEGAL OCCUPANCY OF A STRUCTURE OR PREMISES, OR
- 3 3. TO STOP AN ILLEGAL ACT, CONDUCT, BUSINESS, OR USE OF THE STRUCTURE OR
- 4 PREMISES.

5 **106.9.1 BUILDING CODE PROVISIONS.** ADDITIONAL REMEDIES, CIVIL PENALTIES, AND
6 ENFORCEMENT PROCEEDINGS ARE AS PROVIDED IN § 114.3 {"ENFORCEMENT
7 GENERALLY"} AND § 114.5 {"CIVIL PENALTIES AND COSTS"} OF THE BALTIMORE CITY
8 BUILDING CODE.

9 SECTION 110 NOTICES AND ORDERS

10 **110.1 NOTICE TO OWNER OR PERSON RESPONSIBLE.** WHENEVER THE CODE OFFICIAL
11 DETERMINES OR HAS GROUNDS TO BELIEVE THAT A VIOLATION OF THIS CODE HAS OCCURRED,
12 NOTICE MUST BE GIVEN TO AN OWNER OR OTHER PERSON RESPONSIBLE FOR COMPLIANCE WITH
13 THIS CODE.

14 **110.2 FORM OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE IN THE FORM
15 PROVIDED BY § 123 {"NOTICES"} OF THE BALTIMORE CITY BUILDING CODE.

16 **110.3 SERVICE OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE SERVED AS
17 PROVIDED BY § 123 {"NOTICES"} OF THE BALTIMORE CITY BUILDING CODE.

18 **110.4 UNAUTHORIZED TAMPERING.** *{NOT ADOPTED}*

19 **110.5 PENALTIES.** *{NOT ADOPTED. SEE IPMC § 106.4}*

20 **110.6 TRANSFER OF OWNERSHIP.** *{AS PROVIDED IN IBC § 114.23 {"RESPONSIBILITY OF*
21 *TRANSFeree"}}*

22 **110.7 RESPONSIBILITIES OF OWNERS, OPERATORS, AND OTHERS.** THE RESPONSIBILITIES OF
23 OWNERS, OPERATORS, AND OTHERS ARE AS FOLLOWS:

- 24 1. OWNERS AND OPERATORS: AS PROVIDED IN § 114.21 OF THE BALTIMORE CITY
25 BUILDING CODE.
- 26 2. OFFICERS, DIRECTORS, TRUSTEES, PARTNERS, MEMBERS, AND AGENTS OF ENTITIES: AS
27 PROVIDED IN § 114.24 OF THE BALTIMORE CITY BUILDING CODE.

28 SECTION 111 UNSAFE STRUCTURES AND EQUIPMENT

29 **111.1 GENERAL.** PROCEDURES FOR ENFORCEMENT OR OTHER ACTIONS INVOLVING UNSAFE
30 STRUCTURES AND EQUIPMENT ARE AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

31 **111.2 TO 111.7** *{NOT ADOPTED}*

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1 Section 112 [109] Emergency Measures

2 112.1 [112.1] General. Whenever necessary or appropriate, the Code Official may take
3 emergency measures as provided in the Baltimore City Building Code.

4 112.2 [109.2] to [109.6] *{Not Adopted}*

5 Section 113 [110] Demolition

6 113.1 [110.1] General. The Code Official may order the rehabilitation, stabilization, or
7 demolition of structures found to be unsafe or unfit for human habitation or other authorized
8 use as provided in the Baltimore City Building Code.

9 113.2 [110.2] to 113.4 [110.4] *{Not Adopted}*

10 Section 114 [111] Administrative and Judicial Review

11 114.1 [111.1] General. A decision of the Code Official is subject to administrative and
12 judicial review as provided in the Baltimore City Building Code.

13 114.2 [111.2] to 114.8 [111.8] *{Not Adopted}*

14 Section 115 [112] Stop-Work Order

15 115.1 [112.1] General. The issuance and enforcement of stop-work orders are as provided
16 in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

17 115.2 [112.2] to 115.4 [112.4] *{Not Adopted}*

18 Chapter 2 19 Definitions

20 Section 201 General

21 201.1 Scope. *{As in IPMC}*

22 201.2 Interchangeability. *{As in IPMC}*

23 201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in
24 one or another of the standards and codes listed in § 102.3 {"Application of other codes"} of
25 this Code, the term has the meaning given to it in that standard or code.

26 201.4 Terms not defined. *{As in IPMC}*

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201.5 Parts. *{As in IPMC}*

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Property Maintenance Code [(2018) (2021 Edition)] have the meanings given in the International Property Maintenance Code [(2018) (2021 Edition)].

202.2 Supplemental definitions. Notwithstanding any different definition in the International Property Maintenance Code, the following terms have the meanings given in this § 202.2.

202.2.1 Code Official. “Code Official” has the meaning stated in § 103.1 of this Code.

202.2.2 Condemn. “Condemn” means:

1. to adjudge equipment or facilities as being unsafe for use, or
2. to adjudge a structure as being unsafe or unfit for occupancy.

202.2.3 Dwelling unit. “Dwelling unit” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.4 Habitable space. “Habitable space” means space in a structure for living, sleeping, or eating. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces. Kitchens with less than 56 sq. ft. (5.2 sq. m.) of floor area are not considered habitable spaces.

202.2.5 May not, etc. “May not”, “must not”, and “no ... may” are each mandatory negative terms used to establish a prohibition.

202.2.6 Multiple-family dwelling. “Multiple-family dwelling” means a building or a group of buildings on the same lot that contains or is designed or intended to contain:

1. more than 2 dwelling units,
2. 2 dwelling units and any other residential or commercial occupancy, or
3. any combination of 3 or more rooming units and dwelling units.

202.2.7 Must/shall. “Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

202.2.8 Occupancy. “Occupancy” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.9 Occupant. “Occupant” has the meaning stated in § 202.2 of the Baltimore City Building Code.

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1 **202.2.10 Operator.** “Operator” has the meaning stated in § 202.2 of the Baltimore City
2 Building Code.

3 **202.2.11 Owner.** “Owner” means any person that:

- 4 1. has a legal or equitable interest in the property,
- 5 2. is recorded in the land records as holding title to the property, or
- 6 3. otherwise has control of the property, with or without accompanying
7 possession of the property, including:
 - 8 a. a guardian of the person or estate of an owner,
 - 9 b. a trustee, including a trustee in bankruptcy, of an owner, or
 - 10 c. the personal representative of the estate of an owner.

11 **202.2.12 Person.** “Person” has the meaning stated in § 202.2 of the Baltimore City
12 Building Code.

13 **202.2.13 Premises.** “Premises” means a lot or group of lots, together with all or any part
14 of any structures on the lot or group of lots, considered as a unit devoted to a particular
15 use, including accessory structures and open spaces required or used in connection with
16 that particular use.

17 **202.2.14 Rooming house.** “Rooming house” means a building that:

- 18 1. is not a multiple-family dwelling, and
- 19 2. contains more than 2 rooming units occupied or designed or intended to be
20 occupied by individuals who, even though they might share common areas
21 and facilities, do not form a single housekeeping unit and do not provide
22 compensation under a single lease for occupancy of the rooming house.

23 **202.2.14.1 Inclusions.** “Rooming house” includes a hotel, motel, bed and breakfast
24 (as defined in Zoning Code § [1-203(f)] 1-303(f)), or boarding house.

25 **202.2.15 Rooming unit.** “Rooming unit” means any room or group of rooms that form a
26 single habitable unit occupied or designed or intended to be occupied for sleeping or
27 living, but not for cooking purposes.

28 **202.2.16 Strict liability offense.** “Strict liability offense” means an offense in which the
29 prosecution in a legal proceeding is not required to prove knowledge or intent as a part of
30 its case. It is enough to prove that the defendant either did an act that was prohibited or
31 failed to do an act that the defendant was legally required to do.

32 **202.2.17 Structure.** “Structure” has the meaning stated in IPMC § 202 and, unless the
33 context indicates otherwise, includes premises and lands.

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1 **301.3 Vacant structures and land.** All vacant structures and their premises and all vacant
2 land must be maintained in a clean, sanitary, and safe condition, as provided in this Code.

3 **301.4 Lead-based paint.** Lead-paint hazards must be abated in accordance with:

- 4 1. the rules and regulations of:
 - 5 a. the Maryland Department of the Environment; and
 - 6 b. the Baltimore City Health Department; and
- 7 2. the Department of Public Works' requirements governing discharges into the storm
8 water system.

9 **301.4.1 Unoccupied dwelling unit – Scope.** These provisions apply to any dwelling
10 unit that:

- 11 1. is the subject of a notice or order for the treatment of lead paint, and
- 12 2. becomes unoccupied either:
 - 13 a. before the notice or order is served, or
 - 14 b. while the notice or order is still outstanding.

15 **301.4.2 Unoccupied dwelling unit – Posting property.** If a dwelling unit is or becomes
16 unoccupied, the Health Commissioner immediately must post 1 or more public notices in,
17 on, or around the dwelling unit stating that the dwelling unit may not be reoccupied until
18 the lead paint notice or order has been abated.

19 **301.4.3 Unoccupied dwelling unit – Reoccupancy prohibited.** If a dwelling unit is or
20 becomes unoccupied, the dwelling unit may not be reoccupied until:

- 21 1. the lead paint notice or order has been abated, and
- 22 2. the Health Commissioner has given written approval of reoccupancy.

23 **301.4.4 Unoccupied dwelling unit – Removing notice, etc., prohibited.** Until the
24 Health Commissioner has give written approval of reoccupancy, no person may remove,
25 deface, or otherwise tamper with any notice that has been posted under this section.

26 **301.4.5 Unoccupied dwelling unit – Unauthorized reoccupancy.** If a dwelling unit is
27 reoccupied in violation of this section:

- 28 1. each day that an unauthorized occupancy continues is a separate offense, and
- 29 2. the owner, operator, and unauthorized occupant of the unit are subject to the
30 following penalties:

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- 1 a. in a criminal prosecution, a criminal fine of up to \$500 for each offense,
2 and
- 3 b. in an action seeking equitable relief, a civil fine of up to \$500 for each
4 offense.

5 **Section 302 Exterior Property Areas** *{Not Adopted}*

6 **Section 303 Swimming Pools, Spas, and Hot Tubs** *{Not Adopted}*

7 **Section 304 Repair and Maintenance of Structures**

8 **304.1 General.** The interior and exterior of a structure must be maintained in good repair
9 and in a structurally sound and sanitary condition.

10 **304.1.1 Unsafe conditions.** *{Not Adopted}*

11 **304.2 Protective treatment.** *{As in IPMC}*

12 **304.3 Premises identification.** Premises identification must be provided and maintained for
13 all buildings in accordance with:

- 14 1. Baltimore City Building Code § 502 {"Building Address"}, and
15 2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

16 **304.4 Structural members.** All interior and exterior structural members must be:

- 17 1. maintained in a structurally sound condition and free from deterioration, and
18 2. capable of safely supporting the imposed dead and live loads.

19 **304.5 Foundation walls.** *{As in IPMC}*

20 **304.6 Exterior walls.** *{As in IPMC}*

21 **304.7 Roofs and drainage.** The roof and flashing must be sound, tight, and without defects
22 that admit rain. Roof drainage must be adequate to prevent dampness or deterioration in the
23 walls or interior portion of the structure. Roof drains, gutters, and downspouts must be
24 provided and maintained in good repair and free from obstructions. Roof water must be
25 discharged away from the foundation and may not be discharged in a manner that creates a
26 public nuisance.

27 **304.8 Decorative features.** *{As in IPMC}*

28 **304.9 Overhang extensions.** *{As in IPMC}*

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1 **304.10 Stairways, floors, decks, etc.** Every interior and exterior stairway, floor, deck,
2 porch, and balcony, and all their appurtenances must be:

- 3 1. structurally sound,
- 4 2. properly anchored and capable of supporting the imposed loads, and
- 5 3. maintained in good repair and safe condition.

6 **304.11 Chimneys and towers.** *{As in IPMC}*

7 **304.12 Handrails and guards.** *{As in IPMC}*

8 **304.13 Window, skylight, and door frames.** *{As in IPMC}*

9 **304.14 Insect screens.** *{Not Adopted}*

10 **304.15 Doors.**

11 **304.15.1 General.**

- 12 1. All doors, door assemblies, and hardware must be maintained in good condition.
- 13 2. Except as otherwise required for means of egress doors, locks and latching
14 hardware must be provided at all entrances to dwelling units and rooming units
15 and must tightly secure the doors at those entrances.
- 16 3. Doors must fit properly within their frames.
- 17 4. Except for a building where the entrances are staffed by security personnel or
18 where unobstructed access is provided to the entrance of each unit, in a building
19 that contains 2 or more dwelling units, an electric doorbell must be provided for
20 each dwelling unit in that building.

21 **304.15.2 Interior.** Every interior door must be capable of being opened and closed by
22 being securely attached and properly equipped with properly functioning attachment and
23 latching hardware.

24 **304.16 Basement hatchways.** *{As in IPMC}*

25 **304.17 Guards for basement windows.** *{As in IPMC}*

26 **304.18 Building security.** *{As in IPMC}*

27 **304.19 Gates.** *{As in IPMC}*

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1 **304.20 Interior surfaces.** All interior surfaces, including floors, walls, ceilings, windows,
2 and doors, must be maintained in good, clean, and sanitary condition. Peeling, chipping,
3 flaking, or abraded paint must be repaired, removed, or covered. Cracked or loose plaster,
4 decayed wood, and other defective surface conditions must be corrected. Floors in kitchens,
5 bathrooms, lavatories, toilet rooms, and laundry rooms must be kept impervious to water.

6 **304.21 Grading and drainage.** All premises must be graded and maintained to:

- 7 1. drain away from the foundation of any structure and away from adjoining property,
- 8 2. prevent the erosion of soil, and
- 9 3. prevent the accumulation of stagnant water.

10 **304.22 Sidewalks, driveways, etc.** All sidewalks, walkways, stairs, driveways, parking
11 spaces, and similar areas must be kept in good repair and free from hazardous conditions.

12 **304.23 Exhaust vents.** Pipes, ducts, conductors, fans, or blowers may not be allowed to
13 discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate
14 wastes directly on any abutting or adjacent public or private property or on any property areas
15 occupied by another in the same building.

16 **304.24 Accessory structures.** All accessory structures, including detached garages, fences,
17 gates, walls, and swimming pools, must be maintained in a structurally sound condition and
18 in good repair.

19 **304.25 Defaced property.** If an exterior surface of a structure has been defaced by carvings,
20 markings, or graffiti, the surface must be restored to an approved state of maintenance and
21 repair.

22 **304.26 Nuisance or hazardous conditions.** All premises must be kept free of any object,
23 material, or condition that constitutes a nuisance or a fire, accident, or health hazard.

24 **304.27 {Reserved}**

25 **304.28 Ratproofing.** All buildings must be ratproofed and maintained in a ratproof
26 condition by the owner or his agent. Ratproofing methods include:

- 27 1. preventing entrance by blocking passages with rat-resistant material, and
- 28 2. paving basements and any other areas that are in contact with the soil.

29 **304.29 Equipment.** All equipment required by the Building, Fire, and Related Codes of
30 Baltimore City must be maintained in good working condition.

31 **304.30 Fire protection.** All required fire protection, including separation between
32 nonresidential and residential occupancies, must be maintained in good repair. All fire doors
33 must be equipped and maintained as required by the Fire Code of Baltimore City.

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1 Section 305 Exterior Sanitary Maintenance – General

2 **305.1 General.** All lots and exterior premises, including abutting sidewalks, gutters, and
3 alleys, must be maintained in a clean, safe, and sanitary condition.

4 **305.2 Grass and weeds.**

5 **305.2.1 “Weeds” defined.** In this section, “weeds” includes all plants and vegetation
6 other than:

- 7 1. trees or shrubs, or
- 8 2. cultivated flowers and gardens.

9 **305.2.2 Maintenance requirements.** All abutting sidewalks, gutters, and alleys must be
10 maintained free of grass, weeds, or plant growth in excess of 4 inches (102 mm). All
11 other premises and exterior property must be maintained free of grass, weeds, or plant
12 growth in excess of 8 inches (203 mm). All noxious weeds are prohibited.

13 **305.3 Trees and shrubbery.** All trees and shrubbery that are dangerous to life and property
14 or that create a fire or traffic hazard must be pruned or removed to eliminate the danger or
15 hazard.

16 **305.4 Pest control.** All exterior property areas must be kept free from infestation by insects,
17 rodents, and other pests, from rodent harborage, and from the conditions that attract pests.
18 Where pests are found, they must be promptly exterminated by approved processes that will
19 not be injurious to human health.

20 **305.5 Motor vehicles and trailers.** Except only as otherwise expressly authorized by law,
21 the following rules apply to all motor vehicles and trailers.

- 22 1. No motor vehicle or trailer may be parked, kept, or stored, whether or not covered, on
23 any exterior premises if:
 - 24 a. it is inoperative, unregistered, or fails to display current registration tags, or
 - 25 b. it is in a state of disassembly or disrepair or in the process of being stripped or
26 dismantled.
- 27 2. A motor vehicle or trailer may be parked, kept, or stored only on a dustless
28 all-weather surface constructed and maintained in accordance with the Baltimore City
29 Building Code and Baltimore City Zoning Code.
- 30 3. Painting a motor vehicle or trailer is prohibited unless conducted inside an approved
31 spray booth.

32 **Exception:** On premises with a proper use permit, a vehicle may undergo overhaul,
33 including body work, if that work is performed inside a structure or similarly enclosed
34 area designed and approved for that purpose.

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1 **305.5.1 Registered owner responsible.** For a motor vehicle or trailer parked, kept, or
2 stored in violation of § 305.5(1) or (2), the registered owner of the motor vehicle or trailer
3 is responsible for the violation, jointly and severally with the property owner.

4 **305.6 Swimming pools.** Swimming pools must be maintained in a clean, safe, and sanitary
5 condition.

6 **305.7 Outdoor storage.** Outdoor storage must be neat and orderly. All stored objects and
7 materials must be elevated at least 1 foot off the ground to prevent rat harborage, unless
8 elevation is determined unnecessary by the Commissioner.

9 **305.7.1 Caveat.** Nothing in this section authorizes any outdoor storage that is otherwise
10 prohibited by law.

11 **305.8 Placement outdoors of upholstered furniture.** No person may place, use, keep,
12 store, or maintain any upholstered furniture not manufactured for outdoor use, including, for
13 example, any upholstered chair, sofa, or couch, or any mattress, in any outside area located:

- 14 1. in any front, side, or rear yard, or
- 15 2. on any covered or uncovered porch, patio, or deck located in or adjoining any front,
16 side, or rear yard.

17 **305.9 Snow and ice on sidewalks.** After any snowfall that results in an accumulation of
18 snow or ice on the ground, the snow and ice must be removed and cleared away from all
19 sidewalks that abut the premises.

20 **305.9.1 Time for compliance.** The snow and ice must be removed and cleared away:

- 21 1. within 6 hours after the snow has stopped falling; or
- 22 2. if the snow stopped falling between 3 p.m. and 6 a.m., before 11 a.m.

23 **305.9.2 Manner of compliance.** The snow and ice must be removed and cleared away
24 in a manner that:

- 25 1. leaves a clear path that is at least 2 feet wide; and
- 26 2. does not obstruct the passage of water in the gutters.

27 Section 306 Exterior Sanitary Maintenance – Trash, Garbage, and Debris

28 **306.1 Accumulation prohibited.** All premises, including abutting sidewalks, gutters, and
29 alleys, as well as the interior of every structure, must be kept free of any accumulation of
30 trash, garbage, and debris, including any animal waste, construction material, equipment,
31 furniture, appliances, and similar objects and materials.

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1 **306.2 Bulk trash.** If discarded or abandoned articles are too large to be disposed of in
2 required receptacles, they must be conveyed to an appropriate landfill or other approved
3 disposal site.

4 **306.3 No deposit on sidewalks, etc.** No trash, garbage, or debris may be deposited on any
5 sidewalk, alley, or street or on any public or private lot, except as specified in §§ 306.4
6 through 306.7 of this Chapter.

7 **306.4 Storage receptacles – Required.** Trash, garbage, or debris may not be stored or
8 placed out for collection except in approved storage receptacles. The owner or operator of
9 every occupied premises must provide a sufficient number of these storage receptacles to
10 receive and store trash, garbage, and debris from individual units between days of collection.
11 The receptacles must be maintained in a location accessible to occupants.

12 **306.5 Storage receptacles – Location.** If, in the opinion of the Code Official, the exterior
13 maintenance of storage receptacles is causing nuisance or blight, the Code Official may
14 require that, between days of collection, the receptacles be stored:

- 15 1. inside the building they serve, or
- 16 2. in the discretion of the Code Official, within a contiguous structure.

17 **306.6 Storage receptacles – Specifications and maintenance.**

18 **306.6.1 Specifications.**

19 **306.6.1.1 General.** Each storage receptacle must:

- 20 1. be made of metal or some other durable material approved by the Code
21 Official,
- 22 2. be watertight, with tight-fitting covers and handles, and
- 23 3. either:
 - 24 a. have a capacity of not more than 32 gallons, or
 - 25 b. be a City-owned trash receptacle assigned to the address for the
26 curbside collection of mixed refuse.

27 **306.6.1.2. Exceptions.**

- 28 1. Receptacles used for recycling need not have covers.
- 29 2. Yard waste may be bagged or bundled.

30 **306.6.2. Maintenance.** Each storage receptacle must be:

- 31 1. maintained in good repair, and

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- 1 2. kept tightly closed to prevent blight, nuisance, pest infestation, and dispersal
2 of trash, garbage, or debris.

3 **306.7 Placement for collection.** Storage receptacles:

- 4 1. should be placed out for collection no later than 6 a.m. of the day of collection,
- 5 2. may not be placed out on any sidewalk or along an alley earlier than 6 p.m. of the
6 evening before the day of collection, and
- 7 3. if placed on a sidewalk or along an alley, must be returned to the premises no
8 later than 6 a.m. on the day after collection.

9 **306.8 Owner transport.** At any building for which the City does not provide collection
10 services, the owner and operator must collect and transport the building's trash, garbage, and
11 debris to an appropriate landfill or other approved disposal site.

12 **Section 307 Interior Sanitary Maintenance**

13 **307.1 General.** The interior of each unit and the shared, common, or public areas within
14 each building that contains more than one unit must be maintained in a clean and sanitary
15 condition.

16 **307.2 Floor, furniture, etc., surfaces.** Floors, furniture, countertops, and similar surfaces
17 must be clean and free of trash, garbage, and debris, including human and animal waste and
18 any other insanitary matter or cause of nuisance.

19 **307.3 Walls, ceilings, and openings.** Walls, ceilings, windows, and doorways must be
20 clean and free of dirt, grease, soot, and any other insanitary matter or cause of nuisance.

21 **307.4 Trash, etc., receptacles.** Each unit must have a sufficient number of interior
22 receptacles to contain that unit's trash, garbage, and debris.

23 **307.5 Plumbing fixtures.** Plumbing fixtures must be kept clean and free from any foreign
24 object or material that could obstruct a fixture or a line connected to a fixture.

25 **307.6 {Reserved}**

26 **307.7 Pest control.** The interior of every building must be kept free of infestation by
27 insects, rodents, and other pests.

28 **Section 308 Occupants' Sanitary Responsibilities.**

29 **308.1 General.** An occupant must keep in a clean and sanitary condition the occupant's unit
30 and any other part of the premises that the occupant occupies or controls. However, the
31 owner and operator is responsible for any insanitary condition caused by a sewer back-up or a
32 structural defect.

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1 **308.2 Exteriors.** An occupant of a single-unit building and an occupant of a unit with
2 exclusive use of an exterior property area must maintain the exterior areas, including abutting
3 sidewalks, gutters, and alleys, in compliance with § 305 {"Exterior ... maintenance –
4 General"} and § 306 {"Exterior ... maintenance – Trash, garbage..."} of this Chapter.
5 However, the owner and operator are responsible for any insanitary condition caused by a
6 sewer back-up or a structural defect.

7 **308.2.1 Exception – Residential property registration.** The owner of a property is
8 responsible for exterior sanitary maintenance under any of the circumstances described in
9 Building Code § 114.21.2b {"Liability – Failure to Register Property"}.

10 **308.2.2 Exception – Third environmental citation.** The owner of a property is
11 responsible for exterior sanitary maintenance under the circumstances described in
12 Building Code § 114.21.2c {"Liability – Third environmental citation"}.

13 **308.2.3 Exception – Secondary liability.** The owner and operator of a property are
14 responsible for exterior sanitary maintenance under any of the circumstances described in
15 Building Code § 114.21.2a {"Secondary liability"}.

16 **308.3 Interiors.** Except as otherwise specified in § 308.5, an occupant must maintain the
17 interior of the occupant's unit and any other part of the building that the occupant occupies or
18 controls in compliance with § 307 {"Interior ... maintenance"} of this Chapter.

19 **308.4 Pest control – Single-unit building.** An occupant of a single-unit building is
20 responsible for extermination of insects, rodents, or other pests, other than wood-destroying
21 insects.

22 **308.5 Pest control – Multi-unit building.** An occupant of a multi-unit building is
23 responsible for extermination if the occupant's unit is the only one affected.

24 **308.6 Trash disposal.** An occupant may dispose of trash, garbage, and debris only in
25 compliance with § 306 {"Exterior ... maintenance – Trash, garbage..."} of this Chapter.

26 **308.7 Nuisances.** An occupant may not create or maintain, in or on the property that the
27 occupant occupies and controls, any condition that constitutes a nuisance.

28 **Section 309 Pest Elimination** *{Not Adopted}*

29 **Chapter 4** 30 **Light, Ventilation, and Occupancy Limitations**

31 **Section 401 General** *{As in IPMC}*

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1 Section 402 Light

2 **402.1 Habitable spaces.** Every habitable space must have at least 1 window facing directly
3 to the outdoors or to an open court whose facing wall is at least 3 feet (914 mm) away. The
4 minimum total glazed area for every habitable space must be 10% of the floor area of that
5 space.

6 **Exception:** Natural light for habitable spaces may be provided through an adjoining room
7 if:

- 8 1. the unobstructed opening to the adjoining room is at least 8% of the floor area of
9 the interior space, and
- 10 2. the glazed area providing natural light is at least 8% of the combined total floor
11 area being served.

12 **402.2 Common halls and stairways.** *{As in IPMC}*

13 **402.3 Other spaces.** *{As in IPMC}*

14 Section 403 Ventilation *{As in IPMC}*

15 Section 404 Occupancy Limitations

16 **404.1 Privacy.** Dwelling units and rooming units must:

- 17 1. be arranged to provide privacy,
- 18 2. be separate from adjoining units and common areas, and
- 19 3. have a separate means of access from a hallway, landing, stairway, or street.

20 **404.2 Minimum room size.** A habitable room, other than a kitchen, may not be less than 7
21 feet (2134 mm) in any plane dimension.

22 **404.2.1 Kitchens.** A kitchen must contain at least 35 sq. ft (3.25 sq. m.) of floor area,
23 and, if arranged as a corridor the corridor between counter fronts or between a wall and
24 counter fronts must be at least 3 feet (914 mm).

25 **404.3 Minimum ceiling heights.** Habitable spaces hallways, corridors, laundry areas, and
26 bathrooms must have a clear ceiling height of not less than 7 feet (2134 mm) over at least
27 50% of the floor area. Toilet rooms must have a ceiling height of not less than 6½ feet (1981
28 mm) over at least 50% of the floor area

29 **Exceptions:**

- 30 1. *{Not Adopted}*

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- 1 2. Basement rooms that otherwise meet the requirements of this § 404.3 may have a
2 clear height of not less than 6 feet (1829 mm) under beams, girders, ducts, and
3 similar obstructions.
- 4 3. Rooms occupied exclusively for sleeping, study, or similar purposes and having a
5 sloped ceiling over all or part of the room may have a clear ceiling height of not
6 less than 7 feet (2134 mm) over not less than 33 % of the required minimum floor
7 area.
- 8 4. As allowed by rules and regulations adopted by the Code Official under § 104.1.1
9 of this Code

10 **404.3.1 Floor area calculations.** In calculating floor area for purposes of this § 404.3,
11 only those portions of the floor area with a clear height of 5 feet (1524 mm) or more may
12 be included.

13 **404.4 Bedroom requirements.** Every bedroom must comply with the requirements of this
14 § 404.4.

15 **404.4.1 Area for sleeping purposes.** Every bedroom occupied by 1 person must contain
16 at least 70 sq. ft. (6.5 sq. m.) of floor area. Every bedroom occupied by more than one
17 person must contain at least 50 sq. ft. (4.6 sq. m.) of floor area for each occupant of the
18 bedroom.

19 **404.4.2 to 404.4.5 {As in IPMC}**

20 **404.5 Overcrowding.** Dwelling units may not be occupied by more occupants than
21 permitted by the minimum area requirements of Table 404.5.

22 **404.5.1 Sleeping area.** The minimum occupancy area required by Table 404.5 may not
23 be included as a sleeping area in determining the minimum occupancy area for sleeping
24 purposes. All sleeping areas must comply with § 404.4.

25 **404.5.2 Combined spaces.** Combined living room and dining room spaces must comply
26 with the requirements of Table 404.5 if:

- 27 1. the total area is equal to that required for separate rooms, and
- 28 2. the space is located so as to function as a combination living room/dining room.

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Table 404.5
Minimum Area Requirements

Space	Minimum Area in Square Feet		
	1 to 2 Occupants	3 to 5 Occupants	6 or More Occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Kitchen ^b	50	50	60
Bedrooms	Must comply with § 404.4		

For SI: 1 sq. ft. = 0.093 sq. m.

^a For combined living room/dining room spaces, see § 404.5.2.

^b For limitations on determining minimum occupancy area for sleeping purposes, see § 404.5.1.

404.6 Efficiency unit. *{Not Adopted}*

404.7 Food preparation. A dwelling unit must contain a room or space for the storage, preparation, and cooking of food, including a sink and space and connections for a stove and refrigerator.

404.8 Closets. A dwelling unit must contain at least 1 closet, for storing clothing and other articles, with a floor area of not less than 6 sq. ft. (0.6 sq. m.). A dwelling unit with more than 1 bedroom must contain at least 1 additional closet of the same minimum size.

Exception: This section does not apply to an owner-occupied single family dwelling.

404.9 Minimum dwelling unit size. A dwelling unit must contain at least 240 sq. ft. (22.3 sq. m.) of clear floor area. At least 1 room must have not less than 120 sq. ft. (11.2 sq. m.) of floor area, with its least plane dimension not less than 8 feet (2438 mm).

**Chapter 5
Plumbing Facilities and Fixture Requirements**

Section 501 General *{As in IPMC}*

Section 502 Required Facilities *{As in IPMC}*

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1 Section 503 Toilet Rooms and Bathrooms

2 **503.1 Privacy.** Toilet rooms and bathrooms must provide privacy and may not constitute
3 the only means of access to a dwelling unit or to a habitable space or hall within a dwelling
4 unit. A door with interior locking device must be provided.

5 **503.2 Location.** *{As in IPMC}*

6 **503.3 Location of employee toilet facilities.** *{As in IPMC}*

7 **503.4 Floor surface.** *{Not adopted}*

8 Section 504 Plumbing Systems and Fixtures

9 **504.1 General.** *{As in IPMC}*

10 **504.2 Fixture clearances.** *{As in IPMC}*

11 **504.3 Plumbing system defects.** Inadequate service, inadequate venting,
12 cross-contamination, back-siphonage, improper installation, deterioration, damage, and
13 similar defects in a plumbing system must be corrected.

14 Section 505 Water Systems

15 **505.1 to 505.3** *{As in IPMC}*

16 **505.4 Water heating facilities.** Every dwelling unit must have water heating facilities that
17 are:

- 18 1. properly installed and maintained,
- 19 2. properly connected to every required sink, lavatory basin, bathtub, shower, and
20 laundry facility,
- 21 3. properly equipped with an approved combination temperature and pressure-relief
22 valve and with a relief-valve discharge pipe,
- 23 4. capable of automatically heating water to a temperature of not less than
24 110 F (43 C), and
- 25 5. capable of meeting normal demands at every required outlet.

26 **505.4.1 Venting gas-fired heater.** A gas-fired water heater must be vented to the
27 outside air.

28 **505.5 Nonpotable water reuse systems** *{As in IPMC}*

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- 1 1. properly installed and maintained,
- 2 2. if fuel-burning, properly connected to an approved chimney or vent,
- 3 3. if electrically powered, properly connected to an electric circuit of adequate power,
- 4 4. if a hot-air type, equipped with proper seals between sections of the furnace to
- 5 prevent fumes from escaping into heat ducts,
- 6 5. provided with all safety devices required by law, and
- 7 6. connected to ducts, pipes, or tubes that are free from leaks and obstructions.

8 **602.7 Space-heating units.** A space-heating unit:

- 9 1. may not use gasoline or any similar highly flammable liquid fuel,

10 **Exception:** A kerosene space heater with fuel piped from an approved tank.

- 11 2. if fuel-burning, may not be a portable unit,
- 12 3. if fuel-burning, must be properly connected to an approved flue or vent,

13 **Exception:** Ornamental gas logs are permitted in a dwelling with a proper

14 heating system if located in a vented fireplace and not in a room used for sleeping.

- 15 4. must be located to prevent and protect against overheating adjacent combustible
- 16 material,
- 17 5. if using electricity, must be properly connected to an electric circuit of adequate
- 18 power,
- 19 6. must be provided with all automatic and safety devices required by law,
- 20 7. may only be installed under a permit, and
- 21 8. must be properly operated.

22 **Section 603 Mechanical Equipment**

23 **603.1 General.** All mechanical equipment provided must be properly installed and

24 maintained in a safe condition. In addition, all required mechanical equipment must be

25 maintained in a safe working condition and must be capable of performing its intended function.

26 **603.2 to 603.6** *{As in IPMC}*

27 **Section 604 Electrical Facilities**

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- 1 **604.1 Facilities required.** *{As in IPMC}*
- 2 **604.2 Service.** The size and usage of appliances and equipment serves as a basis for
3 determining the need for additional facilities in accordance with the National Electrical Code.
4 Dwelling units must be served by a three-wire, 120/240 volt, single-phase electrical service
5 having a rating of not less than 60 amperes.
- 6 **604.3 Electrical system defects.** Inadequate service, improper fusing, insufficient
7 receptacle or lighting outlets, improper wiring or installation, deterioration, damage, and
8 similar defects in an electrical system must be corrected.
- 9 **604.3.1 Abatement of hazards associated with water exposure.** *{Not Adopted}*
- 10 **604.3.2 Abatement of hazards associated with fire exposure.** *{Not Adopted}*
- 11 **Section 605 Electrical Equipment**
- 12 **605.1 Installation.** *{As in IPMC}*
- 13 **605.2 Receptacles.** Every habitable space in a dwelling must contain at least 2 separate and
14 remote duplex outlets. Every kitchen area must contain additional outlets, connected to an
15 appropriate circuit, for a stove and for a refrigerator. Every laundry area must contain at least
16 1 grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every
17 bathroom must contain at least 1 dual-receptacle. Any new bathroom receptacle outlet must
18 have ground fault circuit interrupter protection.
- 19 **605.3 Luminaires.** *{As in IPMC}*
- 20 **605.4 Wiring.** *{As in IPMC}*
- 21 **605.5 Halls and stairs.** In a multiple-family dwelling, every common hallway and stairway
22 must be adequately lighted at all times with at least 3 foot candles of light at the floor or stair
23 tread level. Other dwellings must have facilities sufficient to provide this level of
24 illumination and be equipped with conveniently located light switches to turn the facilities on
25 and off as needed.
- 26 **Section 606 Elevators, Escalators, and Dumbwaiters** *{As in IPMC}*
- 27 **Section 607 Duct Systems** *{As in IPMC}*

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**Chapter 7
Fire Safety Requirements**

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Section 701 General

701.1 Scope. *{As in IPMC}*

701.2 Responsibility. Except as provided in § 704 [{"Protection and Detection"} {"Fire Protection Systems"}] of this Chapter, the owner and operator of the premises must provide and maintain fire safety facilities and equipment in compliance with these requirements.

Section 702 Means of Egress *{As in IPMC}*

Section 703 Fire-Resistance Ratings *{As in IPMC}*

Section 704 Fire Protection Systems *{As in IPMC}*

Section 705 Carbon Monoxide Alarms and Detection *{As in IPMC}*

**Chapter 8
Referenced Standards
*{As in IPMC}***

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**Appendix A
Boarding Standard
*{As in IPMC}***

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PART VIII. INTERNATIONAL FIRE CODE

§ 8-101. CITY ADOPTION.

(a) *In general.*

The International Fire Code [(2018) (2021) Edition] is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part VIII.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part VIII refer to the chapter and section numbers of the International Fire Code.

§ 8-102. CITY MODIFICATIONS.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1 Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore City Fire Code”.

101.1.1 References to “this Code”. Throughout this Part VIII, all references to “this Code” refer to the Baltimore City Fire Code.

101.2 Scope. *{As in IFC}*

101.2.1 Appendices adopted. The following appendices to the International Fire Code are adopted as part of this Code:

1. Appendix B: “Fire-Flow Requirements for Buildings”.
2. Appendix E: “Hazard Categories”.
3. Appendix F: “Hazard Ranking”.
4. Appendix G: “Cryogenic Fluids – Weight and Volume Equivalents”.
5. Appendix H: “Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS)”.
6. Appendix N. “Indoor Trade Shows and Exhibitions”.

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1 **101.2.2 Appendices not adopted.** The following appendices to the International Fire
2 Code are not adopted as part of this Code:

- 3 1. Appendix A: “Board of Appeals”.
- 4 2. Appendix C: “Fire Hydrant Locations and Distribution”.
- 5 3. Appendix D: “Fire Apparatus Access Roads”
- 6 4. Appendix I: “Fire Protection Systems – Noncompliant Conditions”.
- 7 5. Appendix J: “Building Information Signs”.
- 8 6. Appendix K: “Construction Requirements for Existing Ambulatory Care
9 Facilities”.
- 10 7. Appendix L: “Requirements for Fire Fighter Air Replenishment Systems”.
- 11 8. Appendix M: “High-Rise Buildings – Retroactive Automatic Sprinkler
12 Requirement”.

13 **101.3 to 101.5 {As in IFC}**

14 **Section 102 Applicability**

15 **102.1 to 102.5 {As in IFC}**

16 **102.6 Historic buildings. {Not Adopted}**

17 **102.7 Referenced Codes and Standards. {As in IFC}**

18 **102.7.1 Most recent standard.** Where a newer version of a standard listed in
19 Chapter 80 {“Referenced Standards”} exists, the Fire Code Official may use the newer
20 version of that standard unless it creates an incompatibility with this Code or with the
21 Baltimore City Building Code.

22 **102.8 to 102.12 {As in IFC}**

23 **Section 103 [Department of Fire Prevention] CODE COMPLIANCE AGENCY {Not Adopted}**

24 **Section 104 [General Authority And Responsibilities] DUTIES AND POWERS OF THE FIRE** 25 **CODE OFFICIAL**

26 **104.1 General. {As in IFC}**

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1 **104.1.1 Legal enforcement.** The Fire Code Official may institute or cause to be
2 instituted, at any time, any and all legal, equitable, or criminal actions or proceedings
3 necessary or appropriate to enforce this Code. Nothing in this Code prevents the Fire
4 Code Official from instituting or causing to be instituted and fully prosecuting any and all
5 legal or equitable proceedings of any kind necessary or appropriate to compel compliance
6 with this Code, even if criminal proceedings are pending or have been completed.

7 **104.2 to [104.8] 104.7 {As in IFC}**

8 **104.8 APPROVED MATERIALS AND EQUIPMENT. {AS IN IFC}**

9 **104.8.1 MATERIALS AND EQUIPMENT REUSE. {AS IN IFC}**

10 **104.8.2. TECHNICAL ASSISTANCE. {AS IN IFC}**

11 **104.8.2.1 FIRE AND LIFE SAFETY DESIGN EVALUATION. ALL PLANS AND**
12 **SPECIFICATIONS FOR WHICH A BUILDING PERMIT IS REQUIRED FOR BUILDING USE AND**
13 **OCCUPANCY GROUPS LISTED IN SECTION 104.8.2.2 OF THIS CODE SHALL BE**
14 **EVALUATED FOR CODE COMPLIANCE USING A FIRE AND LIFE SAFETY DESIGN**
15 **EVALUATION (FLSDE) THAT IS PREPARED BY A THIRD-PARTY CONSULTANT. THE**
16 **FLSDE SHALL EVALUATE THE FOLLOWING:**

- 17 1. APPLICABLE STATE AND LOCAL BUILDING, FIRE, AND RELATED CODES
18 STANDARDS AND AMENDMENTS,
- 19 2. DESIGNATED USE GROUP CLASSIFICATIONS OF ALL SPACES,
- 20 3. BUILDING CONSTRUCTION TYPE AND FIRE-RESISTANCE RATING REQUIREMENTS
21 FOR BUILDING ELEMENTS,
- 22 4. GENERAL BUILDING HEIGHT AND AREA,
- 23 5. REQUIRED FIRE AND SMOKE PROTECTION FEATURES,
- 24 6. OCCUPANT LOAD CALCULATIONS AND EGRESS CAPACITY AND TRAVEL
25 DISTANCE ANALYSIS,
- 26 7. ANALYSIS OF INTERIOR FINISHES,
- 27 8. REQUIRED FIRE PROTECTION SYSTEMS, INCLUDING AUTOMATIC SPRINKLERS,
28 STANDPIPES, FIRE ALARMS, SMOKE DETECTION SYSTEMS, HEAT DETECTION
29 SYSTEMS, SMOKE CONTROL MEASURES, EMERGENCY RESPONDER RADIO
30 COVERAGE SYSTEMS, PORTABLE FIRE EXTINGUISHERS, AND ANY ADDITIONAL
31 REQUIRED FIRE PROTECTION SYSTEMS, WHERE APPLICABLE,
- 32 9. FIRE HYDRANT LOCATIONS, FIRE DEPARTMENT CONNECTION LOCATIONS, AND
33 FIRE APPARATUS ACCESS ROADS, WHERE APPLICABLE,
- 34 10. EMERGENCY LIGHTING, EXIT SIGNAGE, AND EMERGENCY POWER SYSTEMS,

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1 11. AS APPLICABLE, THE REQUIREMENTS OF CHAPTER 4 {"SPECIAL DETAILED
2 REQUIREMENTS BASED ON USE AND OCCUPANCY"} OF THE BALTIMORE CITY
3 BUILDING CODE.

4 **104.8.2.2 QUALIFICATIONS OF FLSDE PREPARER.** UPON REQUEST BY THE FIRE CODE
5 OFFICIAL, A THIRD-PARTY CONSULTANT PREPARING A FLSDE MUST SUBMIT
6 DOCUMENTATION THAT CONFIRMS THE CONSULTANT MEETS ONE OF THE FOLLOWING
7 REQUIREMENTS:

- 8 1. A BACHELOR OF SCIENCE DEGREE IN FIRE PROTECTION ENGINEERING FROM A
9 UNIVERSITY ACCREDITED BY THE ACCREDITATION BOARD FOR ENGINEERING AND
10 TECHNOLOGY, CERTIFICATION IN FIRE PROTECTION PLAN REVIEW FROM A MAJOR
11 MODEL CODE ORGANIZATION, AND 2 YEARS OF PROFESSIONAL EXPERIENCE IN THE
12 REVIEW AND EVALUATION OF BUILDINGS AND FIRE PROTECTION SYSTEMS FOR
13 CODE COMPLIANCE, OR
- 14 2. CERTIFICATION IN FIRE PROTECTION PLAN REVIEW FROM A MAJOR MODEL CODE
15 ORGANIZATION AND 5 YEARS OF PROFESSIONAL EXPERIENCE IN THE REVIEW AND
16 EVALUATION OF BUILDINGS AND FIRE PROTECTION SYSTEMS FOR CODE
17 COMPLIANCE.

18 **104.8.2.3 FLSDE REPORT SUBMISSION.** THE FLSDE REPORT DESCRIBED IN THIS CODE
19 SHALL BE SUBMITTED WITH THE PLANS ACCOMPANYING THE APPLICATION FOR A BUILDING
20 PERMIT AND SHALL BE CERTIFIED BY THE PREPARER.

21 **104.8.2.4 BUILDING USE AND OCCUPANCY GROUPS AND FIRE PROTECTION SYSTEMS**
22 **REQUIRING AN FLSDE.** BUILDING USE AND OCCUPANCY GROUPS AND FIRE PROTECTION
23 SYSTEMS REQUIRING A FLSDE INCLUDE:

- 24 1. A NEW HIGH-RISE BUILDING, A CHANGE OF USE TO AN EXISTING HIGH-RISE
25 BUILDING, OR A LEVEL III ALTERATION TO AN EXISTING HIGH-RISE BUILDING,
- 26 2. USE GROUP A, AN ASSEMBLY BUILDING, WITH AN OCCUPANT LOAD OF 1,000
27 PERSONS OR MORE FOR A NEW BUILDING, AN ADDITION TO AN EXISTING ASSEMBLY
28 BUILDING, OR AN OCCUPANCY CHANGE OF A BUILDING TO AN ASSEMBLY
29 OCCUPANT TYPE WITH AN OCCUPANT LOAD OF 1,000 PERSONS,
- 30 3. USE GROUP H, HIGH HAZARD,
- 31 4. USE GROUPS I-2 AND I-3, INSTITUTIONAL,
- 32 5. ALL NEW USE GROUPS R-1 AND R-2,
- 33 6. ANY USE GROUP WHEN DEEMED NECESSARY BY THE FIRE CODE OFFICIAL DUE TO
34 COMPLEXITY OR SCOPE OF THE DESIGN,
- 35 7. ANY SUBMISSION FOR ANY USE AND OCCUPANCY GROUP DETERMINED BY THE FIRE
36 CODE OFFICIAL TO BE DEFICIENT IN THE REQUIRED INFORMATION FOR ADEQUATE
37 REVIEW,

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1 8. ANY AUTOMATIC FIRE SUPPRESSION, FIRE DETECTION, FIRE ALARM, OR SMOKE
2 MANAGEMENT SYSTEM SHOP DRAWINGS AS MAY BE REQUIRED THE FIRE CODE
3 OFFICIAL.

4 **104.9 MODIFICATIONS {As in IFC}**

5 **104.10 [104.9] Alternative materials and methods.** The provisions of this Code are not
6 intended to prevent the installation of any material or to prohibit any method of construction
7 not specifically prescribed by this Code, as long as that alternative has been approved. An
8 alternative material or method of construction may be approved if the Fire Code Official
9 finds in writing that, for the purpose intended:

- 10 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
- 11 2. the material, method, or work offered is at least the equivalent of that prescribed
12 in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

13 **104.11 [104.10] Fire investigations. {As in IFC}**

14 **104.11.1 ASSISTANCE FROM OTHER AGENCIES. {As in IFC}**

15 **104.11.2 [104.10.1] Fire Investigation Bureau; Fire Marshal.** The Fire Investigation
16 Bureau is continued in the Fire Department. The Bureau consists of members assigned to
17 it by the Chief of the Fire Department. The head of the Bureau is the Fire Marshal of
18 Baltimore City, to be designated by the Chief. The Chief may also designate one or more
19 officers or officials to serve in the absence of the Fire Marshal.

20 **104.11.3 [104.10.2] General duties.** The Fire Investigation Bureau investigates fires
21 and related incidents in Baltimore City. The Bureau must keep a complete record of these
22 fires and related incidents, including their cause and origin, and a complete record of its
23 investigations. The Assistant Chief or his or her designee is the custodian of all records
24 of investigations. In addition to the duties specified in this section, the Bureau performs
25 all other duties assigned to it by law or by the Chief of the Fire Department.

26 **104.11.4 [104.10.3] Charge of evidence.** In investigating a fire or related incident, the
27 Bureau must take charge immediately of the physical evidence and, to preserve that
28 evidence, take measures to prevent access by any person to the structure or premises until
29 the evidence has been properly processed.

30 **104.11.4.1 [104.10.3.1] Cooperation with other agencies.** The Bureau must notify
31 the persons designated by law to pursue investigations, cooperate with authorities in
32 collecting evidence and in prosecuting offenders, and pursue the investigation to its
33 conclusion.

34 **104.11.4.2 [104.10.3.2] Assistance from other agencies.** Police and other
35 enforcement agencies are authorized to render assistance in the investigation of fires
36 when requested to do so.

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1 **104.11.5 [104.10.4] Authority of Fire Marshal.** The Fire Marshal has general
2 supervision and control of all fire investigations in the City and of all inquiries to
3 determine their cause and origin, both for the purpose of eliminating that cause and, if
4 arson or incendiaries is suspected, to ascertain the persons responsible.

5 **104.11.6 [104.10.5] Penalty for obstructing investigation.** Any person who prevents
6 or obstructs or attempts to prevent or obstruct an investigation is guilty of a misdemeanor
7 and, on conviction, is subject to the penalties specified in § 110 {"Violations"} of this
8 Code.

9 **104.11.7 [104.10.6] Subpoena of witness and documents.** In conducting an
10 investigation, the Fire Marshal may subpoena and compel attendance of any person and
11 the production of any documents that, in the judgment of the Fire Marshal, are connected
12 with and necessary to the investigation, and have that person examined on oath or
13 affirmation at the time and place specified in the subpoena. Officers of the Baltimore
14 Police Department may serve the subpoena.

15 **104.11.8 [104.10.7] Enforcement of subpoena.** If a person is served with a subpoena
16 and fails to attend and testify, or fails on examination to answer any question, or
17 otherwise fails to comply with the subpoena, the Fire Marshal may apply to a judge of the
18 Circuit Court of Baltimore City to order compliance to the subpoena. If the judge orders
19 compliance, the Fire Marshal must so notify the person named in the subpoena and fix the
20 time and place for his or her further examination. If the person still fails to comply, the
21 person may be arrested and charged with contempt.

22 **104.11.9 [104.10.8] Administration of oaths.** The Fire Marshal may administer oaths
23 or affirmations. Any false testimony given under oath or affirmation administered by the
24 Fire Marshal, if material and made willfully, is punishable as perjury.

25 **104.11.10 [104.10.9] Submission to State's Attorney.** If gross negligence, arson, or
26 incendiaries is reasonably evident in a case, the Fire Marshal must submit all of the
27 Bureau's records on the case to the State's Attorney of Baltimore City.

28 **104.12 [104.11] Authority at fires and other emergencies. {As in IFC}**

29 **104.13 [104.12] Fees for non-fire suppression services.** The Director of Finance must
30 establish and annually review a fee schedule for non-fire suppression services performed by
31 the Fire Department. The Director of Finance must base these fees on the expense incurred
32 by the Fire Department in performing non-fire suppression services.

33 Section 105 Permits

34 **105.1 General. {As in IFC}**

35 **105.1.1 Permits required.** Permits must be obtained from the Fire Code Official as
36 required by this Code or in the Fire Code Official's Fire Prevention Permit Schedule.
37 Permit fees, if any, must be paid before the permit is issued. An issued permit must be
38 kept on the premises designated in that permit at all times and must be readily available
39 for inspection by the Fire Code Official.

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- 1 **105.1.2 Types of permits. *{As in IFC}***
- 2 **105.1.3 Multiple permits for the same location. *{As in IFC}***
- 3 **105.1.4 Emergency repairs. *{Not Adopted}***
- 4 **105.1.5 Repairs. *{As in IFC}***
- 5 **105.1.6 Annual permit. *{Not Adopted}***
- 6 **105.1.7 Setting fees.** The Director of Finance must establish and annually review the
7 fees charged for permits under this Code. The Director of Finance must base these fees
8 on the expenses incurred by the Fire Prevention Bureau in processing permit applications
9 and in conducting inspections.
- 10 **105.2 Application. *{As in IFC}***
- 11 **105.3 Conditions of a permit. *{As in IFC}***
- 12 **105.3.1 to 105.3.8 *{As in IFC}***
- 13 **105.3.9 Violation of permit.** Failure to comply with any term or condition of any permit
14 issued under this Code constitutes a violation of this Code and subjects the violator to the
15 penalties prescribed in § 110 {"Violations"} of this Code.
- 16 **105.4 Construction documents. *{As in IFC}***
- 17 **105.5 Revocation. *{As in IFC}***
- 18 **105.6 Required operational permits. *{As in IFC}***
- 19 **105.6.1 to 105.6.14 *{As in IFC}***
- 20 **105.6.15 Fire hydrants and valves. *{Not Adopted}***
- 21 **105.6.16 to 105.6.50 *{As in IFC}***
- 22 **105.7 Required construction permits. *{As in IFC}***
- 23 **Section 106 Fees**
- 24 **106.1 Fees. *{As in IFC}***
- 25 **106.2 Schedule of permit fees.** Permit fees are as provided in the Baltimore City Building
26 Code.
- 27 **106.3 to 106.5 *{Not Adopted}***

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1 Section 107 Inspections

2 107.1 Inspection authority. *{As in IFC}*

3 107.2 Inspections. *{As in IFC}*

4 107.3 Concealed work. *{As in IFC}*

5 107.4 Approvals. *{As in IFC}*

6 107.5 Right of entry. Whenever necessary to enforce this Code or whenever the Fire Code
7 Official has reasonable cause to believe that, in any structure or on an premises, a condition
8 exists that makes the structure or premises unsafe, the Fire Code official may enter to inspect
9 the structure or premises or to perform any duty imposed on the Fire Code Official by this
10 Code.

11 107.5.1 Occupied premises. If the structure or premises is occupied, the Fire Code
12 Official must first present proper credentials and request entry. If entry is refused, the
13 Fire Code Official has the same authority to secure a search warrant as that vested in the
14 Building Official by § 104.6 {"Right of entry"} of the Baltimore City Building Code.

15 Section 108 Maintenance *{As in IFC}*

16 Section 109 Appeals

17 109.1 Appeals to Board of Fire Commissioners. Any person who is aggrieved by any
18 notice, decision, order, or determination of the Fire Code Official may appeal in writing to
19 the Board of Fire Commissioners. The appeal must be filed with the Board within 30 days
20 after the notice, decision, order, or determination is served.

21 109.2 Affect of appeal. An appeal filed within 5 days of service stays all proceedings on the
22 notice, decision, order, or determination appealed from. An appeal filed later does not stay
23 any proceedings; however, on application of the person taking the appeal and notice to the
24 Fire Code Official, the Board may grant a restraining order for good cause shown.

25 109.3 Hearing. Within 10 days after the appeal is filed, the Board must grant a hearing to
26 the appellant. All interested parties have a right to be heard at the hearing.

27 109.4 Board decision. Within 10 days after the hearing concludes, the Board must render
28 its decision. In its decision, the Board may reverse, affirm, or modify the notice, decision,
29 order, *{rule,}* or regulation appealed from and may give or make any other notice, decision,
30 order, requirement, or determination that ought to be made under the circumstances. To that
31 end, the Board has all the powers that are conferred on the Fire Code Official by this Code.
32 However, the Board does not have any authority to waive, set aside, or in any way change any
33 specific provision of this Code.

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1 **109.5 Judicial and appellate review.** A party aggrieved by a Board decision made under
2 §109.4 of this Code may seek judicial review of that decision by petition to the Circuit Court
3 for Baltimore City in accordance with the Maryland Rules of Procedure. A party to the
4 judicial review may appeal the court's final judgment to the Court of Special Appeals in
5 accordance with the Maryland Rules of Procedure. A judicial review or appeal does not stay
6 any criminal or equitable proceedings on the decision appealed from, nor does it prevent the
7 Fire Code Official or any other City official from pursuing any other action or enforcement
8 procedure authorized by law.

9 **109.6 Limitations on instituting proceedings.** After a notice, decision, order, or
10 determination has been served, the Fire Code Official may not take any action, except in the
11 case of imminent danger, or institute or cause to be instituted any civil or criminal
12 proceedings in connection with the enforcement of the notice, decision, order, or
13 determination until:

- 14 1. after 5 days has passed without an appeal having been taken, or
- 15 2. if an appeal was taken within that period, after the Board renders its decision in the
16 case.

17 Section 110 Violations

18 **110.1 Unlawful acts.** *{As in IFC}*

19 **110.2 Owner/occupant responsibility.** *{As in IFC}*

20 **110.3 Notice of violation.** *{As in IFC}*

21 **110.3.1 to 110.3.4** *{As in IFC}*

22 **110.3.5 Code compliance required at all times.** Neither this section nor any other
23 provision of this Code excuses any person from fully complying with all provisions of
24 this Code at all times, regardless of whether notice has been issued by the Fire Code
25 Official in any particular case.

26 **110.4 Penalty for violations.** Any person who violates or fails to comply with any
27 provision of this Code or of any notice, decision, permit, *{rule,}* or regulation issued under
28 this Code or who erects, installs, alters, repairs, or does work in violation of approved
29 construction documents or of a directive of the Fire Code Official is guilty of a misdemeanor
30 and, on conviction, is subject to a fine of not more than \$1,000 or imprisoned for not more
31 than 10 days or both. **Each day EXCEPT IN THE EVENT OF AN EMERGENT ISSUE OR SITUATION,
32 AS DETERMINED BY THE FIRE CODE OFFICIAL, IF A CONDITION IS NOT DISCONTINUED OR
33 ABATED WITHIN 14 DAYS FROM THE ISSUANCE OF A VIOLATION NOTICE, EACH DAY
34 THEREAFTER** that a violation continues after service of notice is a separate offense.

35 **110.4.1 Abatement of violation.** *{As in IFC}*

36 **110.4.2 Failure to correct violations.** If a violation notice is not complied with within
37 the time specified, the Fire Code Official may do any one or more of the following:

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- 1 1. take action under § 110.6 {"Violation of notices, etc."} of this Code,
- 2 2. request the State's Attorney or the City Solicitor to institute appropriate legal
3 proceedings:
 - 4 a. to restrain, correct, or abate the violation, or
 - 5 b. to require removal or termination of the unlawful use of the structure or
6 premises in violation of this Code, or of any order or direction made under
7 this Code, or
- 8 3. if the violation affects the immediate safety of the public, request the Baltimore
9 Police Department to arrest those responsible for the violation.

10 **110.5 Violation of notices, etc. – Constitutes violation of Code.** Every person must fully
11 comply with all provisions of this Code and with all provisions of any notice, order, decision,
12 permit, {rule,} or regulation issued by the Fire Code Official. Any act contrary to and any
13 failure to comply with any provision or requirement of any notice, order, decision, permit,
14 {rule,} or regulation of the Fire Code Official constitutes a violation of this Code.

15 **110.6 Violation of notices, etc. – Action by Fire Code Official.** Whenever any person fails
16 in any respect to fully comply with any provision of any notice, order, decision, permit,
17 {rule,} or regulation issued under this Code, the Fire Code Official may take any action
18 necessary to eliminate or make safe any condition that violates this Code.

19 **110.7 Citations for certain offenses.** In accordance with City Code Article 1, Subtitle 40
20 {"Environmental Control Board"}, City Code Article 1, Subtitle 41 {"Civil Citations"}, or
21 City Code Article 19, Subtitle 71 {"Special Enforcement Officers"}, a prepayable citation
22 may be issued to the owner, agent, or person responsible for the operation or in charge of any
23 occupancy that fails to comply with the following provisions of this Code:

- 24 1. § 108.6 {"Maintenance: Overcrowding"}
- 25 2. § 111.1 {"Unsafe Buildings: General"},
- 26 3. § 916.4 {"Telephone Access to City's 9-1-1 Emergency System: General"}, or
- 27 4. § 1001.2 {"Means of Egress: Minimum Requirements"}.

28 **110.7.1 Each day a separate offense.** ~~Each day~~ IF A CONDITION IS NOT DISCONTINUED
29 OR ABATED WITHIN 14 DAYS FROM THE ISSUANCE OF A VIOLATION NOTICE, EACH DAY
30 THEREAFTER that a violation continues is a separate offense. A citation may be issued
31 under this section any time that a violation is discovered, whether or not a prior citation
32 has been issued for the same ~~condition.~~ CONDITION, IF MORE THAN 14 DAYS HAVE
33 ELAPSED SINCE THE ISSUANCE OF THE PRIOR VIOLATION NOTICE. PROVIDED HOWEVER,
34 FOR AN EMERGENT ISSUE, AS DETERMINED BY THE BUILDING OFFICIAL, THE 14 DAY
35 PERIOD TO ABATE OR COMPLY WITH THE NOTICE OR ORDER MAY BE WAIVED BY THE
36 BUILDING OFFICIAL AND THE BUILDING OFFICIAL MAY INSTITUTE OR CAUSE TO BE
37 INSTITUTED ANY APPROPRIATE LEGAL PROCEEDINGS.

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1 **110.7.2 Permit revocation for repeat violators.** If 3 citations are issued to the same
2 person or operation within a 1-year period, the Fire Code Official may revoke all permits
3 issued by the Fire Code Official to or for that person or operation and notify all
4 appropriate City agencies of the revocation.

5 **110.7.3 Procedure not exclusive.** The issuance of a citation under this section does not
6 preclude pursuing any other civil or criminal remedy or enforcement action authorized by
7 law.

8 **Section 111 Unsafe Buildings**

9 **111.1 to 111.4** *{As in IFC}*

10 **111.5 Fire hazards.** Whenever the maintenance, operation, or use of all or part of any land,
11 structure, material, or other object constitutes a fire hazard and the action to be taken to
12 eliminate the hazard is not specifically provided for in this Code, the Fire Code Official may
13 take any action necessary to eliminate the hazard.

14 **Sections 112 to 113** *{As in IFC}*

15 **Section 114 Emergency Measures**

16 **114.1 General.** In an emergency, where life or property is in immediate danger from any
17 cause or thing covered or contemplated to be covered by this Code, the Fire Code Official
18 may immediately take any action necessary to protect against the danger, without complying
19 with § 110.3 {"Notice of violation"} of this Code.

20 **Section 115 Costs**

21 **115.1 Owner's liability for cost of actions.** Whenever the Fire Code Official takes action
22 under this Code, all expenses incurred and fees imposed by the Fire Code Official in
23 avoiding, correcting, or removing a dangerous condition or in performing non-fire
24 suppression services becomes a debt, jointly and severally owed to the City by every owner
25 of the property on or in which the condition existed or the services performed.

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1 **115.2 When due; collection; lien.** This debt becomes immediately due to the City when the
2 work or operation is finished and may be collected in the same manner as any other debt due
3 the City. In addition, when the work or operation is finished, a lien in favor of the City
4 attaches to the premises on or in which the work or operation was done and continues until
5 the City is paid the full amount owed.

6 Chapter 2 7 Definitions

8 Section 201 General

9 **201.1 Scope.** *{As in IFC}*

10 **201.2 Interchangeability.** *{As in IFC}*

11 **201.3 Terms defined in other codes.** If a term is not defined in this Code and is defined in
12 the Baltimore City Building Code or in one or another of the standards and codes listed in
13 § 101.4 {"Referenced Codes"} of the Baltimore City Building Code, the term has the
14 meaning given to it in that code or standard.

15 **201.4 Terms not defined.** *{As in IFC}*

16 Section 202 General Definitions

17 **202.1 General.** Except as specified in § 202.2 of this Code, terms used in this Code and
18 defined in the International Fire Code ([2018] 2021 Edition) have the meanings given in the
19 International Fire Code ([2018] 2021 Edition).

20 **202.2 Supplemental definitions.** Notwithstanding any different definition in the
21 International Fire Code, the following terms have the meanings given in this § 202.2.

22 **202.2.1 Fire Code Official.** "Fire Code Official" means the Chief of the Baltimore City
23 Fire Department or a duly authorized representative of the Chief.

24 **202.2.2 May not, etc.** "May not", "must not", and "no ... may" are each mandatory
25 negative terms used to establish a prohibition.

26 **202.2.3 Must/Shall.** "Must" and "shall" are each mandatory terms used to express a
27 requirement or to impose a duty.

28 **202.2.4 Person.** "Person":

- 29 1. means any individual, sole proprietorship, corporation, firm, partnership,
30 association, organization, joint venture, or other entity or group acting as a unit,
31 executor, administrator, trustee, receiver, guardian, or other representative
32 appointed by law, and

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- 1 1. the device is at least 6 feet from any combustible construction; and
- 2 2. the following extinguishing agent is available:
 - 3 a. for an LPG burner, a portable fire extinguisher with at least a
 - 4 2A-10BC rating; and
 - 5 b. for a charcoal or wood burner, either:
 - 6 i. a water fire extinguisher; or
 - 7 ii. a 5-gallon bucket of water.

8 **308.1.5 to 308.1.8** *{As in IFC}*

9 **308.2** Permit required. *{As in IFC}*

10 **308.3** Group A Occupancies. *{As in IFC}*

11 **308.3.1** Open-flame decorative devices. *{As in IFC}*

12 **308.3.2** Theatrical performances. *{As in IFC}*

13 **308.3.3 LP gas prohibited in assembly areas.** The storage or use of LP-gas containers
14 of any size in any assembly building or in any assembly area of a building is prohibited.

15 **308.3.3.1 Exception.** Listed and approved butane-gas commercial food service
16 appliances may be used inside restaurants and in attended commercial food catering
17 operations as long as each of the following conditions is complied with:

- 18 1. No appliance has more than two 10-oz. (296 ml) gas containers,
19 with a maximum water capacity of 1.08 lb. (0.049 kg) per container,
20 connected directly to it at any time.
- 21 2. The containers are not manifold.
- 22 3. All containers are listed and comply with UL 147B, “Standard for
23 Non-Refillable (Disposable) Type Metal Container Assemblies for Butane”.
- 24 4. Each container is an integral part of the listed and approved commercial food
25 service appliance and is connected to the appliance without the use
26 of a rubber hose.
- 27 5. No more than 24 of these containers are stored in the building, with an
28 additional 24 containers permitted to be stored in another storage area in
29 the building if that other storage area is separated or contained by a
30 minimum 2-hour fire wall.
- 31 6. The use of LP gas in assembly areas for theatrical performances is subject to

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1 the review, evaluation, and approval of the Fire Code Official for each
2 individual event.

3 **308.4 Group R occupancies** *{As in IFC}*

4 **Sections 309 to [319] 321** *{As in IFC}*

5 Chapter 4 6 Emergency Planning and Preparedness

7 **Sections 401 to 403** *{As in IFC}*

8 **Section 404 Fire Safety, Evacuation, and Lockdown Plans** *{As in IFC}*

9 **Section 405 Emergency Evacuation Drills**

10 **405.1 General.** *{As in IFC}*

11 **405.2 Frequency.** *{As in IFC}*

12 **405.2.1 Educational occupancies.** Every educational occupancy for more than 50
13 persons must have at least 2 fire drills each year, to be arranged by and conducted under
14 the supervision and direction of the Fire Code Official.

15 **405.2.2 High-rise buildings.** Every high-rise building must have a least 1 fire drill each
16 year, to be arranged by the owner or person responsible for the building, in coordination
17 with the Fire Code Official.

18 **405.2.3 BUILDINGS HOUSING SENIORS AND INDIVIDUALS REQUIRING MOBILITY**
19 **DEVICES. EVERY RESIDENTIAL BUILDING WITH MORE THAN 10 RESIDENTS OVER THE AGE**
20 **OF 62 OR, WHO USE A MOBILITY DEVICE, INCLUDING A WHEELCHAIR OR CRUTCHES, MUST**
21 **HAVE:**

22 **1. A WRITTEN PLAN FOR EMERGENCY EVACUATION PROCEDURES; AND**

23 **2. AT LEAST 3 EMERGENCY EVACUATION DRILLS EACH YEAR, TO BE ARRANGED BY**
24 **THE OWNER OR PERSON RESPONSIBLE FOR THE BUILDING, IN COORDINATION WITH**
25 **THE FIRE CODE OFFICIAL.**

26 **405.3 to 405.9** *{As in IFC}*

27 **Sections 406 to 407** *{As in IFC}*

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**Chapter 5
Fire Service Features**

Sections 501 to 502 {As in IFC}

Section 503 Fire Apparatus Access Roads

503.1 Where required. {As in IFC}

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Exceptions: Public streets shall be in accordance with the National Association of City Transportation Officials (NACTO) Urban Street Design Guide.

503.2.2 to 503.2.8 {As in IFC}

503.3 to 503.6 {As in IFC}

Section 504 {As in IFC}

Section 505 Premises Identification

505.1 Address identification. Address identification must be provided and maintained for all buildings in accordance with:

1. International Building Code § 502 {"Building Address"}, and
2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

505.2 Street or road signs. {As in IFC}

Sections 506 to 510 {As in IFC}

Section 511 Structures on piers

511.1 Definitions. In this section, "pier" means any pier, wharf, dock, bulkhead, breakwater, piles, or other similar structure.

511.2 General. Every structure that is constructed on a pier must comply with the requirements of this § 511 and all other applicable provisions of this Code and other law.

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1 **511.3 Chapter 28 of NFPA 1.** The pier and structure must comply with Chapter 28
2 {"Marinas and Boatyards, Marine Terminals, Piers, and Wharves"} of NFPA 1, Fire Code
3 (2018 Edition), subject to the requirements of the Fire Code Official and the Building
4 Official.

5 **511.3.1 Chapter 6 of NFPA 25.** Flow tests must be conducted under Table 6.1.1.2 and
6 § 6.3.1.1 of NFPA 25, Standard for the Inspection, Testing, and Maintenance of
7 Water-Based Fire Protection Systems (2017 Edition), annually (rather than, as otherwise
8 there stated, every 5 years).

9 **511.4 Pier material.** The pier must be made of or encased by non-combustible materials.
10 The structure on the pier must be of Type I, Type II, or Type III construction.

11 **511.5 Sprinkler protection.** The entire structure on the pier must be sprinkled.

12 **511.6 Separation.** The separation between structures on a pier must be at least 30 feet.

13 **511.7 Standpipes and hydrants.** Standpipes (Fire Department Connections) must be
14 provided on the pier at least every 100 feet. Hydrants must be installed within 100 feet of a
15 standpipe.

16 **511.8 Emergency vehicle access.** All piers with structures must provide access for
17 emergency vehicles on the promenade, a road, or other appropriate space. This access must
18 be designed and configured to accommodate fire, ambulance, and other emergency vehicles.
19 Access for emergency vehicles must be provided to within at least 300 feet of the farthest
20 edge of the structure. The fire lane must be at least 20 feet wide.

21 **511.9 Fire boat access.** Access for fire boats must be provided to within at least 50 feet of
22 the farthest edge of the structure. The water depth of that access must be at least 10 feet
23 (mean low water mark).

24 **511.10 Tie-ups.** Marina slips are prohibited within 30 feet of any structure on a pier.
25 Transient (i.e., hourly or daily) tie-ups along a bulkhead are only allowed adjacent to
26 commercial structures and no closer than 15 feet from the structure.

27 **Chapter 6**
28 **Building Services and Systems**

29 **Sections 601 to 602 {As in IFC}**

30 **Section 603 Fuel-Fired Appliances**

31 **603.1 Installation.** The installation of nonportable fuel gas appliances and systems must
32 comply with the International Fuel Gas Code. The installation of all other fuel-fired
33 appliances, other than internal combustion engines, oil lamps, and portable devices such as

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1 blow torches, melting pots, and weed burners, must comply with this section, NFPA 31, and
2 the International Mechanical Code.

3 **603.1.1 to 603.1.7** *{As in IFC}*

4 **603.2 Chimneys.** *{As in IFC}*

5 **603.3 Fuel oil storage systems.** *{As in IFC}*

6 **603.4 Portable unvented heaters.** *{As in IFC}*

7 **603.5 Heating appliances.** *{As in IFC}*

8 **603.5.1 Guard against contact.** *{As in IFC}*

9 **603.5.2 Heating appliance installation and maintenance.** Heating appliances must be
10 installed and maintained in accordance with the manufacturer's instructions, the
11 International Building Code, the International Mechanical Code, and the National
12 Electrical Code.

13 **603.6 Chimneys and appliances.** *{As in IFC}*

14 **603.7 Discontinuing operation of unsafe heating appliances.** *{As in IFC}*

15 **603.8 Incinerators.** *{As in IFC}*

16 **603.9 Gas meters.** *{As in IFC}*

17 **Section 604 Electrical Equipment, Wiring, and Hazards** *{As in IFC}*

18 **Sections 605 to 606** *{As in IFC}*

19 **Section 607 Commercial Kitchen Hoods**

20 **607.1 General** *{As in IFC}*

21 **607.2 Where required** *{As in IFC}*

22 **Exceptions:** *{Not Adopted}*

23 **607.3 to 607** *{As in IFC}*

24 **Sections 608 to 609** *{As in IFC}*

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1 Chapter 7
2 Fire and Smoke Protection Features
3 {As in IFC}

4 Chapter 8
5 Interior Finish, Decorative Materials, and Furnishings
6 {As in IFC}

7 Chapter 9
8 Fire Protection Systems

9 [Sections 901 to 902 {As in IFC}]

10 Section 901 General

11 901.1 Scope {As in IFC}

12 901.2 Construction documents. {As in IFC}

13 901.2.1 Statement of compliance. {As in IFC}

14 901.2.2 SUBMISSION REQUIREMENTS. ALL DOCUMENTS SUBMITTED TO THE FIRE CODE
15 OFFICIAL UNDER THIS SECTION MUST MEET THE FOLLOWING CRITERIA:

- 16 1. SUBMITTED DRAWINGS SHALL USE THE SYMBOLS IDENTIFIED IN THE NATIONAL
17 FIRE PROTECTION ASSOCIATION 170, THE STANDARD FOR FIRE SAFETY AND
18 EMERGENCY SYMBOLS,

19 EXCEPTIONS: OTHER SYMBOLS APPROVED BY THE ENFORCING AGENCY.

- 20 2. DRAWINGS SHALL ANNOTATE DESIGNERS' AS NATIONAL INSTITUTE FOR
21 CERTIFICATION OF ENGINEERING TECHNICIANS (NICET), INTERNATIONAL CODE
22 COUNCIL (ICC) CERTIFIED, REGISTERED FIRE PROTECTION ENGINEER, ENGINEER'S
23 STAMP SPECIFIC TO SUBMITTAL WORK, MANUFACTURER'S CERTIFICATION, OR
24 OTHER APPROVED CERTIFICATION OR LICENSURE AS APPROVED BY THE ENFORCING
25 AGENCY.

- 26 3. HAND DRAWN SUBMISSIONS SHALL BE LEGIBLE AND TO SCALE, AND

- 27 4. DRAWINGS SHALL ANNOTATE THE APPLICABLE CODES AND STANDARDS.

28 SECTION 902 DEFINITIONS {As in IFC}

1 **Section 903 Automatic Sprinkler Systems**

2 **903.1 General {As in IFC}**

3 **903.2 Where required. {As in IFC}**

4 **903.2.1 TO 903.2.7 {AS IN IFC}**

5 **903.2.8 Group R. {As in IFC}**

6 **903.2.8.1 TO 903.2.8.3 {AS IN IFC}**

7 **903.2.8.4 CARE FACILITIES.** AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN
8 ACCORDANCE WITH SECTION 903.3.1.3 SHALL BE PERMITTED IN CARE FACILITIES WITH
9 FIVE OR FEWER INDIVIDUALS IN A SINGLE-FAMILY DWELLING.

10 **EXCEPTIONS:** CARE FACILITIES NO MORE THAN 2 STORIES ABOVE GRADE THAT
11 ARE EQUIPPED WITH A MONITORED FIRE DETECTION SYSTEM AND SELF-CLOSING
12 30-MINUTE FIRE-RATED DOORS AND AN APPROVED EMERGENCY RESCUE OPENING
13 IN ALL SLEEPING AREAS.

14 **EXCEPTIONS:** CARE FACILITIES NO MORE THAN 2 STORIES ABOVE GRADE THAT
15 ARE EQUIPPED WITH:

- 16 1. A MONITORED FIRE DETECTION SYSTEM.
- 17 2. A MONITORED SMOKE ALARM SYSTEM.
- 18 3. SELF-CLOSING 20-MINUTE FIRE-RATED DOORS IN ALL SLEEPING AREAS, AND
- 19 4. AN APPROVED EMERGENCY RESCUE OPENING IN ALL SLEEPING AREAS.

20 **903.2.9 TO 903.2.12 {AS IN IFC}**

21 **903.3 Installation requirements {As in IFC}**

22 **903.3.1 Standards. {As in IFC}**

23 **903.3.1.1 to [903.3.1.3] 903.3.1.2 {As in IFC}**

24 **903.3.1.3 [903.3.1.4] NFPA 13D sprinkler systems (garages):** A garage must be
25 sprinkled when a living area is provided above it. The system design and density for
26 the garage may be the same as that for the living area.

27 **903.3.3.2 to 903.3.8.5 {As in IFC}**

28 **903.4 Sprinkler system supervision and alarms. {As in IFC}**

29 **903.4.1 Monitoring. {As in IFC}**

1 **903.4.2 Alarms. {As in IFC}**

2 **903.4.2.1 NFPA 13D alarm or notification.** A water flow alarm device must be
3 installed to provide notice to occupants when a sprinkler flow condition occurs. The
4 device must provide an audible alarm that is at least 75 dBA in the master bedroom
5 and that begins within 60 seconds of flow and continues until the flow has stopped.

6 **903.4.3 Floor control valves. {As in IFC}**

7 **903.5 to 903.6 {As in IFC}**

8 **[Sections 904 to 905 {As in IFC}]**

9 **SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS**

10 **904.1 TO 904.2 {As in IFC}**

11 **904.3 INSTALLATION {AS IN IFC}**

12 **904.3.1 TO 904.3.3 {AS IN IFC}**

13 **904.3.4 ALARMS AND WARNING SIGNS {AS IN IFC}**

14 **904.3.4.1 MIXED USE OCCUPANCIES.** WHEN A DWELLING UNIT OR OTHER
15 OCCUPANCY IS ABOVE AN OCCUPANCY THAT USES COOKING EQUIPMENT, ALARM AND
16 WARNING SIGNS SHALL BE PLACED IN THE IMMEDIATE HOOD AREA, PATRON AREA, AND
17 ON EACH LEVEL OF RESIDENTIAL UNITS, IF NOT SO EQUIPPED WITH A FIRE ALARM
18 SYSTEM AND OCCUPANT NOTIFICATION.

19 **904.3.5 MONITORING {AS IN IFC}**

20 **904.4 TO 904.14 {AS IN IFC}**

21 **SECTION 905 STANDPIPE SYSTEMS {AS IN IFC}**

22 **Section 906 Portable Fire Extinguishers**

23 **906.1 to 906.10 {As in IFC}**

24 **906.11 Registration required.** No person may represent him- or herself as a fire
25 extinguisher repair person or engage in the business of recharging, testing, or installing fire
26 extinguishers or fire extinguishing equipment unless that person is registered with the Fire
27 Code Official to do so. Registration is for a year, renewable annually.

28 **906.11.1 Testing competence.** The Fire Code Official may require that all applicants for

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1 registration pass a test that demonstrates the applicant’s competency with fire
2 extinguishing equipment.

3 **906.11.2 Fee for registration.** The Fire Code Official may require a fee for the
4 registration or renewal.

5 **Section 907 Fire Alarm and Detection Systems**

6 **907.1 General. *{As in IFC}***

7 **907.1.1 CONSTRUCTION DOCUMENTS. *{AS IN IFC}***

8 **907.1.2 FIRE ALARM SHOP DRAWINGS. FIRE ALARM SHOP DRAWINGS SHALL BE**
9 **PREPARED AND SIGNED BY A SYSTEM DESIGNER WITH ONE OF THE FOLLOWING:**

10 **1. FIRE ALARM SYSTEM CERTIFICATION FROM THE NATIONAL INSTITUTE FOR**
11 **CERTIFICATION IN ENGINEERING TECHNOLOGIES, THE INTERNATIONAL CODE**
12 **COUNCIL, OR A REGISTERED FIRE PROTECTION ENGINEER, OR**

13 **2. MANUFACTURER CERTIFICATION IN DESIGN FOR THE SPECIFIC TYPE AND BRAND OF**
14 **SYSTEM BEING PROVIDED.**

15 **907.1.3 EQUIPMENT *{AS IN IFC}***

16 **907.2 Where required – New buildings and structures. *{As in IFC}***

17 **EXCEPTION 2: *{NOT ADOPTED}***

18 **907.2.1 to [907.2.9] 907.2.7 *{As in IFC}***

19 **EXCEPTIONS: *{NOT ADOPTED}***

20 **907.2.8 GROUP R-1 *{AS IN IFC}***

21 **907.2.8.1 MANUAL FIRE ALARM SYSTEM *{AS IN IFC}***

22 **EXCEPTIONS: *{NOT ADOPTED}***

23 **907.2.8.2 AUTOMATIC SMOKE DETECTION SYSTEM *{AS IN IFC}***

24 **907.2.9 GROUP R-2 *{AS IN IFC}***

25 **907.2.9.1 MANUAL FIRE ALARM SYSTEM *{AS IN IFC}***

26 **EXCEPTIONS: *{NOT ADOPTED}***

27 **907.2.9.2 TO 907.2.9.3 *{AS IN IFC}***

28 **907.2.10 Single- and multiple-station smoke alarms. *{As in IFC}***

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1 **907.2.10.1 Group R-1. {As in IFC}**

2 **907.2.10.2 Groups R-2, R-3, R-4, and I-1. {As in IFC}**

3 **907.2.10.2.1 Obligations of landlord and tenant.** Except as otherwise provided
4 in this § 907.2.10.2, the landlord is responsible for the installation and, on written
5 notice by certified or registered mail, the repair or replacement of all required
6 detectors. The tenant is responsible to inform the landlord, in the manner just
7 described, of any smoke detector that becomes defective. A tenant may not
8 remove or render a smoke detector inoperative.

9 **907.2.10.2.2 Light signal for hearing impaired.** The landlord must provide a
10 smoke detector that is designed (and has been tested and certified by an approved
11 testing laboratory) to alert persons with hearing impairments if the tenancy is
12 occupied by a person who is hearing impaired and the tenant has asked for the
13 detector in writing by certified or registered mail.

14 **907.2.10.2.3 One-, two-, and three-family dwellings.** An occupant of a 1-, 2-,
15 or 3-family dwelling must:

- 16 1. equip his or her own living unit with the number of detectors required by
17 this § 907.2.10.2, each of which must be an approved battery- or AC
18 primary electric-powered smoke detector, and
- 19 2. maintain those smoke detectors according to manufacturer’s guidelines.

20 **907.2.10.3 to 907.2.10.7 {As in IFC}**

21 **907.2.11 to 907.2.23 {As in IFC}**

22 **907.3 to 907.10 {As in IFC}**

23 **Sections 908 to [914] 917 {As in IFC}**

24 **[SECTION 915 CARBON MONOXIDE DETECTION {As in IFC}]**

25 **SECTION 918 [916] TELEPHONE ACCESS TO THE CITY’S 9-1-1 EMERGENCY SYSTEM**

26 **918.1 [916.1] “Multiple-line telephone system” defined.** In this section, “multiple-line
27 telephone system” has the meaning stated in State Public Safety Article, § 1-314
28 {“Connection of multiple-line telephone system to allow for direct dialing of 9-1-1”}.

29 **918.2 [916.2] Purpose.** In order to protect the public health, safety, and welfare, the purpose
30 of this section is to ensure that any person using a multiple-line telephone system can direct
31 dial 9-1-1- without having to dial another number first.

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1 **918.3 [916.3] Applicability.** This section applies to any person that installs or operates a
2 multiple-line telephone system.

3 **918.4 [916.4] General.** A person that installs or operates a multiple-line telephone system
4 shall ensure that the system is connected to the public switched telephone network in such a
5 way that when an individual using the system dials 9-1-1, the call connects to the public
6 safety answering point without requiring the user to dial any other number or set of numbers.

7 **918.4.1 [916.4.1] Authority to inspect.** The Fire Department shall inspect the
8 installation and operation of a multiple-line telephone system and enforce compliance in
9 accordance with § 107 {"Inspections"} of this Code.

10 **Chapter 10**
11 **Means of Egress**
12 *{As in IFC}*

13 **Chapter 11**
14 **Construction Requirements for Existing Buildings**
15 *{As in IFC}*

16 **Chapter 12**
17 **Energy Systems**

18 **Section 1201 General** *{As in IFC}*

19 **Section 1202 Definitions** *{As in IFC}*

20 **Section 1203 Emergency and Standby Power Systems**

21 **1203.1 General.** *{As in IFC}*

22 **1203.1.1 to 1203.1.2** *{As in IFC}*

23 **1203.1.3 Installation.** Emergency and standby power systems must be installed in
24 accordance with the National Electrical Code, NFPA 110, and NFPA 111. Existing
25 installations must be maintained in accordance with the original approval.

26 **1203.1.3 to 1203.1.9** *{As in IFC}*

27 **1203.2 to 1203.6** *{As in IFC}*

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1 **SECTION 1204 SOLAR PHOTOVOLTAIC POWER SYSTEMS**

2 **1204.1 General** *{As in IFC}*

3 **1204.2 Access and pathways.** *{As in IFC}*

4 **1204.2.1 Solar photovoltaic systems for Group R-3 buildings.** Solar photovoltaic
5 systems for Group R-3 buildings must comply with §§ 1204.2.1.1 through 1204.2.1.3.

6 **Exceptions:** *{Not Adopted}*

7 **1204.2.1.1 to 1204.2.1.3** *{As in IFC}*

8 **1204.2.2 Emergency escape and rescue openings.** *{As in IFC}*

9 **1204.3 to 1204.5** *{As in IFC}*

10 **SECTION 1205 STATIONARY FUEL CELL POWER SYSTEMS** *{As in IFC}*

11 **SECTION 1206 ELECTRICAL ENERGY STORAGE SYSTEMS** *{As in IFC}*

12 **Chapters 13 to 19**
13 *{Reserved}*

14 **Chapter 20**
15 **Aviation Facilities**
16 *{As in IFC}*

17 **Chapter 21**
18 **Dry Cleaning**
19 *{As in IFC}*

20 **Chapter 22**
21 **Combustible Dust-Producing Operations**
22 *{As in IFC}*

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1 **Chapter 23**
2 **Motor Fuel-Dispensing Facilities and Repair Garages**
3 *{As in IFC}*

4 **Chapter 24**
5 **Flammable Finishes**
6 *{As in IFC}*

7 **Chapter 25**
8 **Fruit and Crop Ripening**
9 *{As in IFC}*

10 **Chapter 26**
11 **Fumigation and Thermal Fogging**

12 **SECTIONS 2601 TO 2602** *{As in IFC}*

13 **SECTION 2603 FIRE SAFETY REQUIREMENTS**

14 **2603.1 to 2603.7** *{As in IFC}*

15 **2603.8 Sulfur candles prohibited.** Except as specifically approved by the Fire Code
16 Official, the use of sulfur candles for fumigating private residences is prohibited.

17 **Chapter 27**
18 **Semiconductor Fabrication Facilities**
19 *{As in IFC}*

20 **Chapter 28**
21 **Lumber Yards and Aro-Industrial, Solid Biomass,**

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1
2

and Woodworking Facilities
{As in IFC}

3
4
5

Chapter 29
Manufacture of Organic Coatings
{As in IFC}

6
7
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Chapter 30
Industrial Ovens
{As in IFC}

9
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11
12

Chapter 31
Tents, Temporary Special Event Structures,
and Other Membrane Structures
{As in IFC}

13
14
15

Chapter 32
High-Piled Combustible Storage
{As in IFC}

16
17

Chapter 33
Fire Safety During Construction and Demolition

18
19

Sections 3301 to 3302 *{As in IFC}*

20

Section 3303 Temporary Heating Equipment

21

3303.1 Listed. *{As in IFC}*

22

3303.2 Oil-fired heaters. *{As in IFC}*

23
24

3303.3 LP-gas heaters. Fuel supplies for liquefied-petroleum gas-fired heaters must comply with NFPA 58 and the International Fuel Gas Code.

25

3303.4 to 3303.6 *{As in IFC}*

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Chapters 40 to 49
{Reserved}

3
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Chapter 50
Hazardous Materials – General Provisions
{As in IFC}

6
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Chapter 51
Aerosols
{As in IFC}

9
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Chapter 52
{Reserved}

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Chapter 53
Compressed Gases
{As in IFC}

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Chapter 54
Corrosive Materials
{As in IFC}

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Chapter 55
Cryogenic Fluids
{As in IFC}

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Chapter 56
Explosives and Fireworks
{As in IFC}

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Chapter 57
Flammable and Combustible Liquids
{As in IFC}

7
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Chapter 58
Flammable Gases and Flammable Cryogenic Fluids
{As in IFC}

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Chapter 59
Flammable Solids
{As in IFC}

13
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Chapter 60
Highly Toxic and Toxic Materials
{As in IFC}

16
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18

Chapter 61
Liquefied Petroleum Gases
{As in IFC}

19
20
21

Chapter 62
Organic Peroxides
{As in IFC}

22

Chapter 63

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Oxidizers, Oxidizing Gases, and Oxidizing Cryogenic Fluids
{As in IFC}

3
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Chapter 64
Pyrophoric Materials
{As in IFC}

6
7
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Chapter 65
Pyroxylin (Cellulose Nitrate) Plastics
{As in IFC}

9
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11

Chapter 66
Unstable (Reactive) Materials
{As in IFC}

12
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14

Chapter 67
Water-Reactive Solids and Liquids
{As in IFC}

15
16

Chapters 68 to 79
{Reserved}

17
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Chapter 80
Referenced Standards
{As in IFC}

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**Appendix A
Board of Appeals
{Not Adopted}**

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**Appendix B
Fire-Flow Requirements for Buildings
{As in IFC}**

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**Appendix C
Fire Hydrant Locations and Distribution
{Not Adopted}**

10
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12

**Appendix D
Fire Apparatus Access Roads
{Not Adopted}**

13
14
15

**Appendix E
Hazard Categories
{As in IFC}**

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**Appendix F
Hazard Ranking
{As in IFC}**

19
20
21

**Appendix G
Cryogenic Fluids – Weight and Volume Equivalents
{As in IFC}**

22
23

**Appendix H. Hazardous Materials Management Plan (HMMP) and
Hazardous Materials Inventory Statement (HMIS)**

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1 {**MBPS Modifications** – Additional requirements concerning energy conservation for structures
2 may be found in the Energy Conservation Building Standards, State Public Utility Companies
3 Article §§ 7-401 to 7-408.}

4 **Section 101 Scope and General Requirements**

5 **101.1 Title.** The regulations contained in this Code constitute and are known as the
6 “Baltimore City Energy Conservation Code – Commercial Provisions”.

7 **101.1.1 References to “this Code”.** Throughout this Part IX-A, all references to “this
8 Code” refer to the Baltimore City Energy Conservation Code – Commercial Provisions.

9 **101.2 to 101.5** *{As in IECC-C}*

10 **101.6 Administration.** This Code is administered and enforced by the Department of
11 Housing and Community Development and its Commissioner. Accordingly, in this Code:

- 12 1. “Department” means the Department of Housing and Community Development, and
- 13 2. “Code Official” means the Building Official, as defined in § 202.2 of the Baltimore
14 City Building Code.

15 **Section 102 Alternative Materials, Methods, and Insulating Systems**

16 **102.1 General.** The provisions of this Code are not intended to prevent the installation of
17 any material or to prohibit any method of construction or insulation system not specifically
18 prescribed by this Code, as long as that alternative has been approved. An alternative
19 material, method, or insulation system may be approved if the Code Official finds in writing
20 that, for the purpose intended:

- 21 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
- 22 2. the material, method, or work offered is, for the purpose intended, at least the
23 equivalent of that prescribed in this Code in quality, strength, effectiveness, fire
24 resistance, durability, and safety.

25 **102.1.1 Above code programs.** *{As in IECC-C}*

26 **Section 103 Construction Documents** *{As in IECC-C}*

27 **Section 104 Permits and fees**

28 **104.1 Application for permit.** The requirements for obtaining a permit are as set forth in
29 § 105.3 {“Application for permit”} of the Baltimore City Building Code.

30 **104.2 Expiration of permit.** Unless extended, a permit expires as set forth in § 105.5
31 {“Expiration; extension ...”} of the Baltimore City Building Code.

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1 **104.3 Extension.** A permit may be extended as provided in § 105.5 {“Expiration; extension
2 ...”} of the Baltimore City Building Code.

3 **104.4 Suspension or revocation.** The Building Official may suspend or revoke a permit as
4 provided in § 105.6 {“Suspension or revocation”} of the Baltimore City Building Code.

5 **104.5 Fee schedule.** The fee for each permit is as set forth in § 109 {“Fees”} of the
6 Baltimore City Building Code.

7 **Section 105 Inspections**

8 **105.1 General. {As in IECC-C}**

9 **105.1.1 Code Official’s powers and duties.** The Code Official must make all of the
10 required inspections or accept reports of inspection by approved agencies or individuals.
11 All reports of these inspections must be in writing and signed by a responsible officer of
12 the approved agency or by the responsible individual. The Code Official may engage any
13 expert opinion that the Code Official considers necessary to report on unusual technical
14 issues that arise.

15 **105.1.2 Right of entry.** The Code Official may enter any structure or premises at
16 reasonable times to inspect, subject to constitutional restrictions on unreasonable searches
17 and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as
18 provided by law, including § 104 {“...Powers of Building Official”} of the Baltimore City
19 Building Code.

20 **105.2 to 105.7 {As in IECC-C}**

21 **SECTION 106 NOTICE OF APPROVAL {AS IN IECC-C}**

22 **Section 107 [106] Validity {As in IECC-C}**

23 **Section 108 [107] Referenced Standards {As in IECC-C}**

24 **Section 109 [108] Stop Work Order {Not Adopted; See § 112.2 of this Chapter}**

25 **Section 110 [109] Board of Appeals {Not Adopted; See § 113 of this Chapter}**

26 **SECTION [Sections 110 to] 111 {Reserved}**

27 **Section 112 Violations**

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1 **112.1 Violation penalties.** The penalties for a violation of this Code are as provided in
2 § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

3 **112.2 Stop-work orders.** The issuance and enforcement of stop-work orders are as
4 provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

5 **Section 113 Administrative and Judicial Review**

6 **113.1 General.** A decision of the Code Official is subject to administrative and judicial
7 review as provided in the Baltimore City Building Code.

8 **Chapter 2** 9 **Definitions**

10 **Section 201 General**

11 **201.1 Scope.** *{As in IECC-C}*

12 **201.2 Interchangeability.** *{As in IECC-C}*

13 **201.3 Terms defined in other codes.** If a term is not defined in this Code and is defined in
14 the Baltimore City Building Code or in one or another of the standards and codes listed in
15 § 101.4 {"Referenced Codes"} of the Baltimore City Building Code, the term has the
16 meaning given to it in that code or standard.

17 **201.4 Terms not defined.** *{As in IECC-C}*

18 **Section 202 General Definitions**

19 **202.1 General.** Except as provided in § 202.2 of this Code, terms that are used in this Code
20 and defined in the International Energy Conservation Code – Commercial Provisions [(2018)
21 (2021 Edition)] have the meanings given in the International Energy Conservation Code –
22 Commercial Provisions [(2018) (2021 Edition)].

23 **202.2 Supplemental definitions.** Notwithstanding any different definition in the
24 International Energy Conservation Code – Commercial Provisions, the following terms have
25 the meanings given in this § 202.2.

26 **202.2.1 Building.** "Building" has the meaning stated in § 202.2 of the Baltimore City
27 Building Code.

28 **202.2.2 Code official.** "Code official" has the meaning stated in § 101.6 of this Code.

29 **202.2.3 May not, etc.** "May not", "must not", and "no ... may" are each mandatory
30 negative terms used to establish a prohibition.

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1 **401.2.1 INTERNATIONAL ENERGY CONSERVATION CODE {As in IECC-C}**

2 **401.2.2 ASHRAE 90.1 {NOT ADOPTED}**

3 **401.3 THERMAL ENVELOPE CERTIFICATE {As in IECC-C}**

4 Section 402 Building Envelope Requirements

5 **402.1 to 402.2 {As in IECC-C}**

6 **402.3 Roof solar reflectance and thermal emittance.** Low-sloped roofs directly above
7 cooled conditioned spaces in Climate Zones 1, 2 and 3 shall have a minimum 3-year-aged
8 solar reflective index of 78, as determined by the Cool Roof Rating Council.

9 **Exceptions:** The following roofs and portions of roofs are exempt from the requirements
10 of this subsection:

- 11 1. Portions of the roof that include or are covered by the following:
 - 12 1.1. Photovoltaic systems or components.
 - 13 1.2. Solar air or water-heating systems or components.
 - 14 1.3. Roof gardens or landscaped roofs.
 - 15 1.4. Above-roof decks or walkways.
 - 16 1.5. Skylights.
 - 17 1.6. HVAC systems and components, and other opaque objects mounted
18 above the roof.
- 19 2. Portions of the roof shaded during the peak sun angle on the summer solstice by
20 permanent features of the building or by permanent features of adjacent buildings.
- 21 3. Portions of roofs that are ballasted with a minimum stone ballast of 17 psf (74
22 kg/m²) or 23 psf (117 kg/m²) pavers.
- 23 4. Roofs where not less than 75 percent of the roof area complies with one or more
24 of the exceptions to this section.

25 **402.3.1 Aged roof solar reflectance.** Where an aged solar reflectance required by
26 Section 402.3 is not available, it shall be determined in accordance with Equation 4-3.

$$27 \quad R_{aged} = [0.2 + 0.7(R_{initial} - 0.2)] \quad \text{(Equation 4-3)}$$

28 where:

29 R_{aged} = The aged solar reflectance.

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1 $R_{initial}$ = The initial solar reflectance determined in accordance with CRRC-S100.

2 **402.4** *{As in IECC-C}*

3 **402.5** Air leakage – thermal envelope. *{As in IECC-C}*

4 **402.5.1** Air barriers. *{As in IECC-C}*

5 **402.5.1.1** Air barrier construction. *{As in IECC-C}*

6 **402.5.1.2** Building test.

7 **402.5.1.2.1 General.** The completed building must be tested as follows:

- 8 1. Tests must be accomplished using either (a) both pressurization and
9 depressurization or (b) pressurization alone, but not depressurization
10 alone. The test results must be plotted against the corrected P in
11 accordance with § 9.4 of ASTM E779.
- 12 2. The test pressure range must be from 25 Pa to 80 Pa per § 8.10 of ASTM
13 E779, but the upper limit may not be less than 50 Pa, and the difference
14 between the upper and lower limit may not be less than 25 Pa.
- 15 3. If the pressure exponent is less than 0.45 or greater than 0.85 per § 9.6.4 of
16 ASTM E779, the test must be rerun with additional readings over a longer
17 time interval.

18 **402.5.1.2.2 Air leakage rate.** The air leakage rate of the building envelope may
19 not exceed 0.40 cfm/ft² at a pressure differential of 0.3 inches water gauge (2.0
20 L/s • m² at 75 Pa) at the upper 95% confidence interval in accordance with ASTM
21 E779 or an equivalent method approved by the Code Official.

22 **402.5.1.2.3** Testing failures.

- 23 a. **Visual inspection to seal leaks.** If the tested rate exceeds 0.25 cfm/ft² but
24 does not exceed 0.40 cfm/ft², a visual inspection of the air barrier must be
25 conducted, and any leaks noted must be sealed to the extent practicable.
26 Any further requirement to meet the leakage air rate is waived.
- 27 b. **Corrective action and retesting.** If the tested rate exceeds 0.40 cfm/ft²,
28 corrective actions must be made, and the test completed again. A test
29 above 0.40 cfm/ft² will not be accepted.

30 **402.5.1.2.4** Reporting.

- 31 a. **General.** A report that includes the tested surface area, floor area, air by
32 volume, stories above grade, and leakage rates must be submitted to the
33 building owner and the Code Official.

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- 1 **b. Corrective actions.** An additional report identifying the corrective
2 actions taken to seal air leaks must be submitted to the building owner and
3 the Code Official.

4 **402.5.2 to 402.5.8** *{As in IECC-C}*

5 **Sections 403 to 404** *{As in IECC-C}*

6 **Section 405 Electrical Power and Lighting Systems**

7 **405.1 General (Mandatory).** *{As in IECC-C}*

8 **405.2 Lighting controls (Mandatory).** *{As in IECC-C}*

9 **405.2.1 to 405.2.3** *{As in IECC-C}*

10 **405.2.4 Specific application controls.** Specific application controls must be provided
11 for the following:

12 1. *{As in IECC-C}*

13 2. *{As in IECC-C; But see also Item 5 below}*

14 3. to 4. *{As in IECC-C}*

15 5. **{Per MBPS Modification}** For the new construction of hotels or motels:

16 (a) each hotel or motel guest room or suite must be equipped with a master
17 control device that automatically turns off the power to all of the lighting
18 fixtures in the guest room or suite no more than 30 minutes after the room
19 or suite has been vacated; and

20 (b) a master control device may also control the heating, ventilation, or air
21 conditioning default settings in a hotel or motel guest room or suite 30
22 minutes after room or suite has been vacated by:

23 (i) increasing the set temperature by at least 3 degrees Fahrenheit
24 when in the air conditioning mode; or

25 (ii) decreasing the set temperature by at least 3 degrees Fahrenheit
26 when in the heating mode.

27 **405.2.5 Manual controls.** *{As in IECC-C}*

28 **405.2.6 Exterior lighting controls.** *{As in IECC-C}*

29 **405.3 TO 405.9** *{As in IECC-C}*

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1 Sections 406 to 408 {As in IECC-C}

2 Chapter 5
3 Existing Buildings
4 {As in IECC-C}

5 Chapter 6
6 Referenced Standards
7 {As in IECC-C}

8 * * * * *

9 APPENDIX A
10 BOARD OF APPEALS
11 {NOT ADOPTED; SEE § 113 OF THIS PART IX-A}

12 Appendix [A] B
13 Solar-Ready Zone
14 {As in IECC-C}

15 APPENDIX C
16 ZERO ENERGY COMMERCIAL BUILDING PROVISIONS
17 {AS IN IECC-C}

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**PART IX-B
INTERNATIONAL ENERGY CONSERVATION CODE –
RESIDENTIAL PROVISIONS**

§ 9B-101. City adoption.

(a) *In general.*

The International Energy Conservation Code – Residential Provisions [(2018) (2021 Edition)] is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part IX-B.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part IX-B refer to the chapter and section numbers of the International Energy Conservation Code – Residential Provisions.

§ 9B-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

**Chapter 1
Scope and Administration**

{**MBPS Modifications** – Additional requirements concerning energy conservation for structures may be found in the Energy Conservation Building Standards, State Public Utility Companies Article §§ 7-401 to 7408.}

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore City Energy Conservation Code – Residential Provisions”.

101.1.1 References to “this Code”. Throughout this Part IX-B, all references to “this Code” refer to the Baltimore City Energy Conservation Code – Residential Provisions.

101.2 to 101.5 {As in IECC-R}

101.6 Administration. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

1. “Department” means the Department of Housing and Community Development, and
2. “Code Official” means the Building Official, as defined in § 202.2 of the Baltimore City Building Code.

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1 Section 102 Alternative Materials, Methods, and Insulating Systems

2 **102.1 General.** The provisions of this Code are not intended to prevent the installation of
3 any material or to prohibit any method of construction not specifically prescribed by this
4 Code, as long as that alternative has been approved. An alternative material or method may
5 be approved if the Code Official finds in writing that, for the purpose intended:

- 6 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
- 7 2. the material, method, or work offered is, for the purpose intended at least the
8 equivalent of that prescribed in this Code in quality, strength, effectiveness, fire
9 resistance, durability, and safety.

10 **102.1.1 Above code programs. {As in IECC-R}**

11 Section 103 CONSTRUCTION DOCUMENTS {As in IECC-R}

12 Section 104 Permits and fees

13 **104.1 Application for permit.** The requirements for obtaining a permit are as set forth in
14 § 105.3 {"Application for permit"} of the Baltimore City Building Code.

15 **104.2 Expiration of permit.** Unless extended, a permit expires as set forth in § 105.5
16 {"Expiration; extension ..."} of the Baltimore City Building Code.

17 **104.3 Extension.** A permit may be extended as provided in § 105.5 {"Expiration; extension
18 ..."} of the Baltimore City Building Code.

19 **104.4 Suspension or revocation.** The Building Official may suspend or revoke a permit as
20 provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

21 **104.5 Fee schedule.** The fee for each permit is as set forth in § 109 {"Fees"} of the
22 Baltimore City Building Code.

23 Section 105 Inspections

24 **105.1 General. {As in IECC-R}**

25 **105.1.1 Code Official's powers and duties.** The Code Official must make all of the
26 required inspections or accept reports of inspection by approved agencies or individuals.
27 All reports of these inspections must be in writing and signed by a responsible officer of
28 the approved agency or by the responsible individual. The Code Official may engage any
29 expert opinion that the Code Official considers necessary to report on unusual technical
30 issues that arise.

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1 **105.1.2 Right of entry.** The Code Official may enter any structure or premises at
2 reasonable times to inspect, subject to constitutional restrictions on unreasonable searches
3 and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as
4 provided by law, including § 104 {...Powers of Building Official"} of the Baltimore City
5 Building Code.

6 **105.2 to 105.7** *{As in IECC-R}*

7 **SECTION 106 NOTICE OF APPROVAL** *{AS IN IECC-R}*

8 **Section 107 [106]** *Validity {As in IECC-R}*

9 **Section 108 [107]** *Referenced Standards {As in IECC-R}*

10 **Section 109 [108]** *Stop Work Order {Not Adopted; See § 112.2 of this Chapter}*

11 **Section 110 [109]** *Board of Appeals {Not Adopted; See § 113 of this Chapter}*

12 **Sections [110 to] 111** *{Reserved}*

13 **Section 112 Violations**

14 **112.1 Violation penalties.** The penalties for a violation of this Code are as provided in
15 § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

16 **112.2 Stop-work orders.** The issuance and enforcement of stop-work orders are as
17 provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

18 **Section 113 Administrative and Judicial Review**

19 **113.1 General.** A decision of the Code Official is subject to administrative and judicial
20 review as provided in the Baltimore City Building Code.

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Chapter 2 Definitions

Section 201 General

201.1 Scope. *{As in IECC-R}*

201.2 Interchangeability. *{As in IECC-R}*

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in the Baltimore City Building Code or in one or another of the standards and codes listed in § 101.4 {"Referenced Codes"} of the Baltimore City Building Code, the term has the meaning given to it in that code or standard.

201.4 Terms not defined. *{As in IECC-R}*

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Energy Conservation Code – Commercial Provisions [(2018) (2021 Edition)] have the meanings given in the International Energy Conservation Code – Commercial Provisions [(2018) (2021 Edition)].

202.2 Supplemental definitions. Notwithstanding any different definition in the International Energy Conservation Code – Commercial Provisions, the following terms have the meanings given in this § 202.2.

202.2.1 Building. “Building” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code official. “Code official” has the meaning stated in § 101.6 of this Code.

202.2.3 May not, etc. “May not”, “must not”, and “no ... may” are each mandatory negative terms used to establish a prohibition.

202.2.4 Must/shall. “Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

202.2.5 Occupancy. “Occupancy” has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.6 Premises. “Premises” has the meaning stated in § 202.2 of the Baltimore City Building Code.

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Chapter 3
General Requirements
{As in IECC-R}

Chapter 4
Residential Energy Efficiency

Section 401 General *{As in IECC-R}*

Section 402 Building Thermal Envelope *{As in IECC-R}*

402.1 to 402.3 *{As in IECC-R}*

402.4 Air leakage. *{As in IECC-R}*

402.4.1 Building thermal envelope. *{As in IECC-R}*

402.4.1.1 Installation. *{As in IECC-R}*

402.4.1.2 Testing. *{As in IECC-R}*

{Per MBPS Modification:}

Exceptions: As provided for in the:

(i) Simulated Performance Path listed in § 405 of this Chapter; or

(ii) Energy Rating Index Compliance Alternative in § 406 of this Chapter.

402.4.2 to 402.4.5 *{As in IECC-R}*

402.5 Maximum fenestration U-factor ... *{As in IECC-R}*

Sections 403 to 404 *{As in IECC-R}*

Section 405 **[Simulated Performance Alternative] TOTAL BUILDING PERFORMANCE** *{As in IECC-R, subject to the following MBPS Modification}*

{MBPS Modification to Table R405.5.2.1(1) – In Table R405.5.2(1) {"Specifications for the Standard Reference and Proposed Designs"}, for the "Air exchange rate" row, under the column for "Proposed Design", after "The measured air exchange rate", insert ", not to exceed 5 air changes per hour with baseline of 3 air change per hour in climate zones 4 and 5 maintained for Standard Reference Design"}

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Section 406 Energy Rating Index Compliance Alternative

406.1 Scope {As in IECC-R}

406.2 [Mandatory requirements] ERI COMPLIANCE {As in IECC-R}, subject to the following MBPS Modification}

{Per MBPS Modification:}

Exception 1: Supply and return ducts not completely inside the building thermal envelope must be insulated to an R-value of not less than R-6.

Exception 2: The maximum of 5 air changes per hour tested in accordance with § 402.4.1.2 may be used to determine the Energy Rating index score with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for ERI Reference Design.

Sections 407 to 408 {As in IECC-R}

Chapter 5 Existing Buildings {As in IECC-R}

Chapter 6 Referenced Standards {As in IECC-R}

APPENDIX A BOARD OF APPEALS {NOT ADOPTED; SEE § 113 OF THIS PART IX-B}

Appendix [A] B Solar-Ready Zone {As in IECC-C}

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APPENDIX C
ZERO ENERGY RESIDENTIAL BUILDING PROVISIONS
{AS IN IECC-R}

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PART X. INTERNATIONAL RESIDENTIAL CODE

§ 10-101. City adoption.

(a) *In general.*

The International Residential Code for One- and Two-Family Dwellings [(2018)] [(2021 Edition)] is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part X.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part X refer to the chapter and section numbers of the International Residential Code.

§ 10-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Part I – Administrative

Chapter 1 Scope and Administration

Section 101 Title, Scope, and Purpose

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore City Residential Code for One- and Two-Family Dwellings”.

101.1.1 References to “this Code”. Throughout this Part X, all references to “this Code” refer to the Baltimore City Residential Code for One- and Two-Family Dwellings.

101.2 Scope. {As in IRC}

Exception: The following may be constructed in accordance with this Code if provided with an automatic fire sprinkler system that complies with § 313 {“Automatic Fire Sprinkler Systems”} of this Code:

1. Live/work units located in townhouses and complying with the requirements of § [419] 508.5 {“Live/Work Units”} of the Baltimore City Building Code.
2. Owner-occupied lodging houses with 5 or fewer guestrooms and 5 or fewer total occupants.
3. A care facility with 5 or fewer persons receiving custodial, medical, or other care within a dwelling unit.

101.3 Intent. {As in IRC}

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1 Section 102 Applicability

2 102.1 to 102.4 *{As in IRC}*

3 **102.5 Appendices.** The appendices to the International Residential Code apply as follows.

4 **102.5.1 Appendices adopted.** The following appendices are adopted, with or without
5 local modifications, as part of this Code:

- 6 1. Appendix E: “Manufactured Housing Used as Dwellings”.
- 7 2. Appendix F: “Passive Radon Controls”.
- 8 3. Appendix G: “Piping Standards for Various Applications”.
- 9 4. Appendix H: “Patio Covers”.
- 10 5. Appendix K: “Sound Transmission”.
- 11 6. Appendix M: “Home Day Care – R-3 Occupancy”.
- 12 7. Appendix O: “Automatic Vehicular Gates”.
- 13 8. Appendix Q: “Tiny Houses”.

14 **105.5.2 Appendices not adopted.** The following appendices are not adopted as part of
15 this Code:

- 16 1. Appendices A to D.
- 17 2. Appendix I: “Private Sewage Disposal”.
- 18 3. Appendix J: “Existing Buildings and Structures”.
- 19 4. Appendix L: “Permit Fees”.
- 20 5. Appendix N: “Venting Methods”.
- 21 6. Appendix P: “Sizing of Water Piping System”.
- 22 7. Appendices R to T.

23 102.6 to 102.7 *{As in IRC}*

24 Section 103 Department of Building Safety

25 **103.1 General.** This Code is administered and enforced by the Department of Housing and
26 Community Development and its Commissioner. Accordingly, in this Code:

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- 1 1. “Department of Building Safety” or “Department” means the Department of Housing
2 and Community Development, and
- 3 2. “Building Official” means the Building Official as defined in § 202.2 of the Baltimore
4 City Building Code.

5 **103.2 Appointment.** *{Not Adopted}*

6 **103.3 Deputies.** *{Not Adopted}*

7 **Section 104 Duties and Powers of Building Official**

8 **104.1 General.** In enforcing this Code, the Building Official may exercise all of the powers
9 specified in § 104.1 of the Baltimore City Building Code.

10 **104.2 Application and permits.** *{As in IRC}*

11 **104.3 Notices and orders.** *{As in IRC}*

12 **104.4 Inspections.** The Building Official must make all of the required inspections or
13 accept reports of inspection by approved agencies or individuals. All reports of these
14 inspections must be in writing and signed by a responsible officer of the approved agency or
15 by the responsible individual. The Building Official may engage any expert opinion that the
16 Building Official considers necessary to report on unusual technical issues that arise.

17 **104.5 Identification.** *{As in IRC}*

18 **104.6 Right of entry.** The Building Official may enter any structure or premises at
19 reasonable times to inspect, subject to constitutional restrictions on unreasonable searches
20 and seizures. If entry is refused or not obtained, the Building Official may pursue recourse as
21 provided by law, including § 104 {...Powers of Building Official} of the Baltimore City
22 Building Code.

23 **104.7 Department records.** *{As in IRC}*

24 **104.8 Liability.** *{Not Adopted. See State Courts Article § 5-302.}*

25 **104.9 Approve materials and equipment.** *{As in IRC}*

26 **104.10 Modifications.** *{As in IRC}*

27 **104.10.1 Flood hazard areas.** The Building Official may not grant modifications to any
28 provision related to flood hazard areas without a variance having been granted under the
29 Floodplain Management Code.

30 **104.11 Alternative materials and methods.** The provisions of this Code are not intended
31 to prevent the installation of any material or to prohibit any method of construction not
32 specifically prescribed by this Code, as long as that alternative has been approved. An
33 alternative material or method of construction may be approved if the Building Official finds
34 in writing that, for the purpose intended:

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- 1 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
- 2 2. the material, method, or work offered is at least the equivalent of that prescribed
- 3 in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

4 **104.11.1 Tests. *{As in IRC}***

5 **Section 105 Permits**

6 **105.1 Required. *{As in IRC}***

7 **105.1.1 Additional requirements.** In addition, a permit is required before any person
8 may do any of the work described in § 105.1 of the Baltimore City Building Code.

9 **105.1.2 By whom application may be made.** The application for a permit may only be
10 made by a person authorized under:

- 11 1. § 105.1.3 {"By whom application to be made"} of the Baltimore City Building
12 Code,
- 13 2. § 2706.2 {"Electrical: To whom issued"} and § 2707 {"Licensing requirements"}
14 of the Baltimore City Building Code,
- 15 3. § 2802.3 {"Mechanical Systems: To whom issued"} and § 2803 {"Licensing
16 requirements"} of the Baltimore City Building Code, and
- 17 4. § 2903.3 {"Plumbing Systems: To whom issued"} and § 2904 {"Licensing
18 requirements"} of the Baltimore City Building Code.

19 **105.2 Work exempt from permit. *{Introductory paragraph as in IRC}***

20 **Building:**

- 21 1. to 3. *{Not Adopted}*
- 22 4. *{As in IRC}*
- 23 5. *{Not Adopted}*
- 24 6. to 8. *{As in IRC}*
- 25 9. to 10. *{Not Adopted}*

26 **Electrical:**

- 27 1. to 2. *{As in IRC}*
- 28 3. *{Not Adopted}*
- 29 4. to 5. *{As in IRC}*

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1 **Gas: {As in IRC}**

2 **Mechanical: {As in IRC}**

3 **105.2.1 to 105.2.3 {As in IRC}**

4 **105.3 Application for permit.** The requirements for obtaining a permit are as set forth in
5 § 105.3 {"Application for permit"} of the Baltimore City Building Code.

6 **105.3.1 Action on application.** The required actions by the Building Official are as set
7 forth in § 105.3.1.1 {"General"} and § 105.3.1.2 {"Referral to assess need for traffic
8 mitigation"} of the Baltimore City Building Code.

9 **105.3.1.1 Determination of substantially improved or substantially damaged**
10 **existing buildings in flood hazard areas.** For applications for reconstruction,
11 rehabilitation, addition, or other improvement of an existing structure in a flood
12 hazard area, the Building Official must examine the construction documents and
13 prepare findings with regard to whether the structure has sustained "substantial
14 damage" and whether the proposed improvement is a "substantial improvement", as
15 these terms are defined in and calculated under the Floodplain Management Code.
16 The Building Official must submit these findings to the Floodplain Manager for a
17 determination of "substantial improvement". Applications determined by the
18 Floodplain Manager to constitute a "substantial improvement" require full
19 compliance with the requirements of the Floodplain Management Code.

20 **105.3.2 Time limitation of application. {As in IRC}**

21 **105.4 Validity of permit. {As in IRC}**

22 **105.5 Expiration; extension.** Unless extended, a permit expires as set forth in § 105.5
23 {"Expiration; Extension"} of the Baltimore City Building Code.

24 **105.6 Suspension or revocation.** The Building Official may suspend or revoke a permit as
25 provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

26 **105.7 Placement of permit. {As in IRC}**

27 **105.8 Responsibility. {As in IRC}**

28 **105.9 Preliminary inspection. {As in IRC}**

29 **Section 106 Construction Documents**

30 **106.1 Submittal documents. {As in IRC}**

31 **106.1.1 to 106.1.3 {As in IRC}**

32 **106.1.4 Information for construction in flood hazard areas. {Not Adopted}**

33 **{Note: For the establishment of Regulated Flood Hazard Areas and the special**

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1 regulations and limitations governing development within those areas, see the Floodplain
2 Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain
3 Management"}.

4 **106.2 to 106.5** *{As in IRC}*

5 **Section 107 Temporary Structures and Uses** *{As in IRC}*

6 **Section 108 Fees**

7 **108.1 General.** Fees are as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

8 **108.2 to 108.6.** *{Not Adopted}*

9 **Section 109 Inspections**

10 **109.1 Type of inspection.** *{As in IRC}*

11 **109.1.1 to 109.1.2** *{As in IRC}*

12 **109.1.3 Floodplain inspections.** For construction in a flood hazard area, placement of
13 the lowest floor and before undertaking any further vertical construction, the elevation
14 certificate required by the Floodplain Management Code must be submitted to the
15 Building Official.

16 **109.1.4 to 109.1.5** *{As in IRC}*

17 **109.1.6 Final inspection.** *{As in IRC}*

18 **109.1.6.1 Elevation documentation.** For a structure in a flood hazard area, the
19 documentation of the elevations required by the Floodplain Management Code must
20 be submitted to the Building Official before the final inspection.

21 **109.2 to 109.4** *{As in IRC}*

22 **Section 110 Occupancy Permit; Certificate of Completion**

23 **110.1 General.** Occupancy Permits (referred to in the IRC as a "Certificate of Occupancy"
24 and Certificates of completion are governed by § 111 {"Occupancy Permit; Certificate of
25 Completion"} of the Baltimore City Building Code.

26 **110.2 to 110.5.** *{Not Adopted}*

27 **Section 111 Service Utilities** *{As in IRC}*

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1 Section 112 Administrative and Judicial Review

2 **112.1 General.** A decision of the Building Official is subject to administrative and judicial
3 review as provided in § 128 {"Administrative and Judicial Review"} of the Baltimore City
4 Building Code.

5 **112.2 to 112.4** *{Not Adopted}*

6 Section 113 Violations

7 **113.1 to 113.3** *{As in IRC}*

8 **113.4 Violation penalties.** The penalties for a violation of this Code are as provided in
9 § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

10 Section 114 Stop-Work Order

11 **114.1 General.** The issuance and enforcement of stop-work orders are as provided in § 115
12 {"Stop-Work Order"} of the Baltimore City Building Code.

13 **114.2** *{Not Adopted}*

14 *Part II – Definitions*

15 **Chapter 2** 16 **Definitions**

17 **Section 201 General**

18 **201.1 Scope.** *{As in IRC}*

19 **201.2 Interchangeability.** *{As in IRC}*

20 **201.3 Terms defined in other codes.** If a term is not defined in this Code and is defined in
21 the Baltimore City Building Code or in one or another of the standards and codes listed in
22 § 101.4 {"Referenced Codes"} of the Baltimore City Building Code, the term has the
23 meaning given to it in that code or standard.

24 **201.4 Terms not defined.** *{As in IRC}*

25 **Section 202 Definitions**

26 **202.1 General.** Except as provided in § 202.2 of this Code, terms that are used in this Code
27 and defined in the International Residential Code [(2018) (2021 Edition)] have the meanings
28 given in the International Residential Code [(2018) (2021 Edition)].

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1 **202.2 Supplemental definitions.** Notwithstanding any different definition in the
2 International Residential Code, the following terms have the meanings given in this § 202.2.

3 **202.2.1 Building.** “Building” has the meaning stated in § 202.2 of the Baltimore City
4 Building Code.

5 **202.2.1A Cool Roof Rating Council.** “Cool Roof Rating Council” or “CRRC” means
6 the Cool Roof Rating Council, Inc., an American National Standards Institute-Accredited
7 Standards Developer Organization, that created, maintains, and updates the American
8 National Standard: ANSI/CRRC S100 - “Standard Test Methods for Determining
9 Radiative Properties of Materials”.

10 **202.2.2 Flood; Flooding.** “Flood” or “flooding” has the meaning stated in City Code
11 Article 7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure” to
12 “Floodplain District”}.

13 **202.2.3 Flood Hazard Area.** “Flood Hazard Area” means a Regulated Flood Hazard
14 Area established under and regulated by the Floodplain Management Code.

15 **202.2.4 Floodplain Management Code.** “Floodplain Management Code” means the
16 Baltimore City Floodplain Management Code, City Code Article 7 {“Natural
17 Resources”}, Division I {“Floodplain Management”}.

18 **202.2.5 May not, etc.** “May not”, “must not”, and “no ... may” are each mandatory
19 negative terms used to establish a prohibition.

20 **202.2.6 Must/shall.** “Must” and “shall” are each mandatory terms used to express a
21 requirement or to impose a duty.

22 **202.2.7 Occupancy.** “Occupancy” has the meaning stated in § 202.2 of the Baltimore
23 City Building Code.

24 **202.2.8 Premises.** “Premises” has the meaning stated in § 202.2 of the Baltimore City
25 Building Code.

26 **202.2.9 Structure.** “Structure” has the meaning stated in § 202.2 of the Baltimore City
27 Building Code.

28 *Part III – Building Planning and Construction*

29 **Chapter 3** 30 **Building Planning**

31 **Section 301 Design Criteria**

32 **301.1 Application** *{As in IRC}*

33 **301.2 Climatic and geographic design criteria** *{As in IRC}*

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1 **SECTION 302 FIRE-RESISTANT CONSTRUCTION**

2 **302.1 EXTERIOR WALLS. {As in IRC}**

3 **302.1.1 PORCH ROOFS – ABUTTING. IN NEW CONSTRUCTION, RENOVATION, OR**
4 **REPLACEMENT OF A PORCH ROOF THAT ABUTS ANOTHER PORCH ROOF**
5 **FIRE-RETARDANT-TREATED WOOD SHEATHING SHALL BE INSTALLED.**

6 **302.2 TO 302.14 {As in IRC}**

7 **Sections ~~302~~ 303 to 308 {As in IRC}**

8 **Section 309 Garages and Carports**

9 **309.1 to 309.2 {As in IRC}**

10 **309.3 Flood hazard areas. {Not Adopted}**

11 **{Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations
12 and limitations governing development within those areas, see the Floodplain Management
13 Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

14 **309.4 to 309.5 {As in IRC}**

15 **Section 310 Emergency Escape and Rescue Openings {As in IRC}**

16 **Section 311 Means of Egress**

17 **311.1 to 311.6 {As in IRC}**

18 **311.7 Stairways**

19 **311.7.1 to 311.7.4 {As in IRC}**

20 **311.7.5 Stair treads and risers. {As in IRC}**

21 **311.7.5.1 Risers.** The maximum riser height is 8¼ inches (210 mm). The riser must
22 be measured vertically between leading edges of the adjacent treads. The greatest
23 riser height within any flight of stairs may not exceed the smallest by more than
24 ⅝ inch (9.5 mm). Risers must be vertical or sloped from the underside of the nosing
25 of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical.
26 Open risers are permitted as long as the opening between treads does not permit the
27 passage of a 4-inch-diameter (102 mm) sphere.

28 **Exception:** The opening between adjacent treads is not limited on stairs with a
29 total rise of 30 inches (762 mm) or less.

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1 **311.7.5.2 Treads.** The minimum tread depth is 9 inches (229 mm). The tread depth
2 must be measured horizontally between the vertical planes of the foremost projection
3 of adjacent treads and at a right angle to the tread's leading edge. The greatest tread
4 depth within any flight of stairs may not exceed the smallest by more than
5 $\frac{3}{8}$ inch (9.5 mm).

6 **311.7.5.2.1 Winder treads.** Winder treads must have a minimum tread depth of
7 9 inches (229 mm) measured between the vertical planes of the foremost
8 projection of adjacent treads at the intersections with the walkline. Winder treads
9 must have a minimum tread depth of 6 inches (152 mm) at any point within the
10 clear width of the stair. Within any flight of stairs, the largest winder tread depth
11 at the walkline may not exceed the smallest winder tread by more than $\frac{1}{4}$ inch (9.5
12 mm). Consistently shaped winders at the walkline are allowed within the same
13 flight of stairs as rectangular treads and do not have to be within $\frac{3}{8}$ inch (9.5 mm)
14 of the rectangular tread depth.

15 **311.7.5.3 to 311.7.5.4 {As in IRC}**

16 **311.7.6 to 311.7.12 {As in IRC}**

17 **311.8 Ramps {As in IRC}**

18 Section 312 Guards and Window Fall Protection

19 **312.1 Guards {As in IRC}**

20 **312.1.1 to 312.1.2 {As in IRC}**

21 **312.1.3 Opening limitations.** Required guards on open sides of stairways, raised floor
22 areas, balconies, and porches:

- 23 1. must have intermediate rails or ornamental closures that do not allow passage of a
24 sphere 4 inches (102mm) or more in diameter, and
- 25 2. may not be constructed with horizontal rails or any ornamental pattern that results
26 in a ladder effect.

27 **Exceptions: {As in IRC}**

28 **312.1.4 Exterior plastic composite guards. {As in IRC}**

29 **312.2 Window fall protection. {As in IRC}**

30 Section 313 Automatic Fire Sprinkler Systems

31 **313.1 Automatic fire sprinkler systems required.** An approved automatic residential fire
32 sprinkler system must be installed in any new:

- 33 1. townhouse, or

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1 2. 1- or 2-family dwelling.

2 **313.2 Design and installation.** Automatic residential fire sprinkler systems for townhouses
3 and 1-and 2-family dwellings must be designed and installed in accordance with Baltimore
4 City Building Code § 903.3 {"Installation requirements"}.

5 **313.3 DPW regulations.** In accordance with its {rules and} regulations, the Department of
6 Public Works must require minimum service sizes for water lines and meters for buildings
7 with sprinklers.

8 **Section 314 Smoke Alarms** *{As in IRC}*

9 **Section 315 Carbon Monoxide Alarms** *{As in IRC}*

10 **Sections 316 to 318** *{As in IRC}*

11 **Section 319 Site Address**

12 **319.1 Address identification.** Address identification must be provided and maintained for
13 all buildings in accordance with:

14 1. International Building Code § 502 {"Building Address"}, and

15 2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

16 **Section 320 Accessibility** *{Not Adopted}*

17 **Section 321 Elevators and Platform Lifts** *{As in IRC}*

18 **Section 322 Flood-Resistant Construction** *{Not Adopted}*

19 {**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations
20 and limitations governing development within those areas, see the Floodplain Management Code,
21 City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

22 **Section 323 Storm Shelters** *{As in IRC}*

23 **Section 324 Solar Energy Systems** *{As in IRC}*

24 **Section 325 Mezzanines** *{As in IRC}*

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1 **SECTION 326 HABITABLE ATTICS** *{As in IRC}*

2 **Section 327 [326] Swimming Pools, Spas, and Hot Tubs** *{As in IRC}*

3 **Section 328 [327 Stationary Storage Battery Systems] ENERGY STORAGE SYSTEMS** *{As in*
4 *IRC}*

5 **SECTION 329 STATIONARY ENGINE GENERATORS** *{As in IRC}*

6 **Sections 330 [328] to 332 [330]** *{Reserved}*

7 **Section 333 [331] Driveways and Other Paved Surfaces**

8 **331.1 Driveway entrances.** All driveway entrances located on a public right-of-way must
9 be constructed in accordance with the rules, regulations, and permit requirements of the
10 Department of Transportation.

11 **331.2 Surface paving.** Parking pads, driveways, and private roads must be paved with
12 asphalt, brick, concrete, macadam, or stone block. Permeable paving systems may be utilized
13 in accordance with the rules and regulations of the Department of Public Works. All paving
14 must be able to support the design loads for the proposed vehicular traffic.

15 **331.3 Parking areas.** The size, layout, and arrangement of parking areas must comply with:

- 16 1. the Baltimore City Zoning Code, and
17 2. the rules and regulations of the City Planning Commission.

18 **331.4 Surface drainage.** Storm drainage off paved surface areas must be properly conveyed
19 to paved alleys, paved streets, or other approved water courses.

20 **331.4.1 Limitations.** No drainage may be discharged:

- 21 1. so as to run or flow over any sidewalk or footway, except at a driveway with a
22 depressed curb, or
23 2. across any adjoining property.

24 **Chapter 4**
25 **Foundations**

26 **Section 401 General**

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1 **401.1 Application.** This chapter controls the design and construction of the foundation and
2 foundation spaces for all buildings. In addition to the provisions of this chapter, the design
3 and construction of foundations in flood hazard areas must meet the provisions of the
4 Floodplain Management Code. Wood foundations shall be designed and installed in
5 accordance with AF&PA PWF.

6 **Exception:** *{As in IRC}*

7 **401.2 to 401.4** *{As in IRC}*

8 **Sections 402 to 403** *{As in IRC}*

9 **Section 404 Foundation and Retaining Walls**

10 **404.1 Concrete and masonry foundation walls.** *{As in IRC}*

11 **404.1.1 to 404.1.8** *{As in IRC}*

12 **404.1.9 Isolated masonry piers.** *{As in IRC}*

13 **404.1.9.1 to 404.1.9.4** *{As in IRC}*

14 **404.1.9.5 Masonry piers in flood hazard areas.** *{Not Adopted}*

15 **{Note:** For the establishment of Regulated Flood Hazard Areas and the special
16 regulations and limitations governing development within those areas, see the Floodplain
17 Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain
18 Management"}.

19 **404.2 to 404.5** *{As in IRC}*

20 **404.6 Underpinning.** Underpinning foundation walls must be in accordance with Baltimore
21 City Building Code § 1804.1.1 {"Underpinning foundation walls"}.

22 **Sections 405 to 407** *{As in IRC}*

23 **Section 408 Under-Floor Space**

24 **408.1 to 408.6** *{As in IRC}*

25 **408.7 Flood resistance.** *{Not Adopted}*

26 **{Note:** For the establishment of Regulated Flood Hazard Areas and the special
27 regulations and limitations governing development within those areas, see the Floodplain
28 Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain
29 Management"}.

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**Chapter 5
Floors
{As in IRC}**

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**Chapter 6
Wall Construction
{As in IRC}**

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**Chapter 7
Wall Covering
{As in IRC}**

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**Chapter 8
Roof-Ceiling Construction**

Section 801 General

801.1 to 801.2 {As in IRC}

801.3 Roof drainage. Roof drainage must be provided in accordance with Baltimore City Building Code § 1503.4 {"Roof drainage"}.

Sections 802 to 807 {As in IRC}

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**Chapter 9
Roof Assemblies**

Sections 901 to 904 {As in IRC}

Section 905 Requirements for Roof Coverings

905.1 to 905.17 {As in IRC}

905.18 Reflectance. Roof Coverings over conditioned spaces on low-slope roofs (roof slope

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1 < 2:12) on newly constructed buildings and additions to existing buildings shall have a
2 minimum 3-year-aged solar reflective index of 78, as determined by the Cool Roof Rating
3 Council.

4 **Exceptions:**

- 5 1. An addition to a roof that supports living vegetation and includes a synthetic, high
6 quality waterproof membrane, drainage layer, soil layer, and lightweight medium
7 plants.
- 8 2. Roof areas used as outdoor recreation space by the occupants of the building.
- 9 3. An area including and adjacent to rooftop photovoltaic and solar thermal
10 equipment, totaling not more than 3 times the area that is covered with
11 photovoltaic and solar thermal equipment.
- 12 4. Limited roof areas as determined by regulations promulgated by the Department
13 of Housing and Community Development.
- 14 5. A roof, the area of which is less than 3% of the gross floor area of the building.

15 **905.18.1 Conflicts.** In the event of a conflict between § 905.18 of this Code and City
16 Code Article 6 {"Historical and Architectural Preservation"}, City Code Article 6
17 {"Historical and Architectural Preservation"} prevails.

18 **Sections 906 to 908** *{As in IRC}*

19 **Sections 909 to 910** *{Reserved}*

20 **Section 911 Rooftop Decks and Other Structures**

21 **911.1 General.** All rooftop structures must comply with Baltimore City Building Code
22 § 1510 {"Rooftop structures"}.

23 **Chapter 10**
24 **Chimneys and Fireplaces**
25 *{As in IRC}*

26 **Part IV – Energy Conservation**

27 **Chapter 11**
28 **Energy Efficiency**
29 *{Not Adopted}*

1 **Section 1411 Heating and Cooling Equipment**

2 **1411.1 to 1411.2** *{As in IRC}*

3 **1411.3 Condensate disposal.** *{As in IRC}*

4 **1411.3.1 Auxiliary and secondary drain systems.** *{As in IRC}*

5 **1411.3.2 Drain pipe materials and sizes.** Components of the condensate disposal
6 system must be cast iron, galvanized steel, copper, polyethylene, ABS, CPVC, or PVC
7 pipe or tubing. All components must be selected for the pressure and temperature rating
8 of the installation. Condensate waste and drain line size may not be less than 3/4- inch (19
9 mm) internal diameter and may not decrease in size from the drain pan connection to the
10 place of condensate disposal. Where the drain pipes from more than one unit are
11 manifolded together for condensate drainage, the pipe or tubing must be sized in
12 accordance with an approved method. All horizontal sections of drain piping must be
13 installed in uniform alignment at a uniform slope.

14 **1411.3.3 Drain line maintenance.** *{As in IRC}*

15 **1411.3.4 Appliances, equipment, and insulation in pans.** *{As in IRC}*

16 **1411.4 to 1411.8** *{As in IRC}*

17 **Section 1412 Absorption Cooling Equipment** *{As in IRC}*

18 **Section 1413 Evaporate Cooling Equipment**

19 **1413.1 General.** *{As in IRC}*

20 **1413.2 Protection of potable water.** The potable water system must be protected from
21 backflow in accordance with the International Plumbing Code.

22 **Sections 1414 to 1415** *{As in IRC}*

23 **Chapter 15**
24 **Exhaust Systems**
25 *{As in IRC}*

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Chapter 16 Duct Systems

Section 1601 Duct Construction

1601.1 to 1601.3 *{As in IRC}*

1601.4 Installation *{As in IRC}*

1601.4.1 to 1601.4.9 *{As in IRC}*

1601.4.10 **Flood hazard areas.** In flood hazard areas, duct systems must be located and installed in accordance with the Floodplain Management Code.

1601.5 to 1601.6 *{As in IRC}*

Section 1602 Return Air *{As in IRC}*

Chapter 17 Combustion Air

Section 1701 General

1701.1 Scope. *{As in IRC}*

1701.2 **Opening location.** In flood hazard areas, combustion air openings must be located at or above the elevation required by the Floodplain Management Code.

Chapter 18 Chimneys and Vents

Section 1801 General *{As in IRC}*

Section 1802 Vent Components

1802.1 **Draft hoods.** Draft hoods must be located in the same room or space as the combustion air openings for the appliances.

Exception: Draft hoods of saunas may not be located in the same room as the sauna.

1802.2 Vent dampers. *{As in IRC}*

1802.3 Draft regulators. *{As in IRC}*

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1 **Sections 1803 to 1805** *{As in IRC}*

2 **Chapter 19**
3 **Special Appliances, Equipment, and Systems**
4 *{As in IRC}*

5 **Chapter 20**
6 **Boilers and Water Heaters**

7 **Section 2001 Boilers**

8 **2001.1 to 2001.3** *{As in IRC}*
9

10 **2001.4 Flood-resistant installation.** In flood hazard areas, boilers, water heaters, and their
11 control systems must be located and installed in accordance with the Floodplain Management
12 Code.

13 **Sections 2002 to 2006** *{As in IRC}*

14 **Chapter 21**
15 **Hydronic Piping**

16 **Section 2101 Hydronic Piping Systems Installation**

17 **2101.1 General.** *{As in IRC}*

18 **Table 2101.1** *{As in IRC, except that polybutylene (PB) pipe and piping is not*
19 *approved.}*

20 **2101.2 to 2101.10** *{As in IRC}*

21 **Section 2102 Baseboard Convectors** *{As in IRC}*

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1 Section 2103 Floor Heating Systems

2 **2103.1 Piping materials.** Piping for embedment in concrete or gypsum materials must be
3 standard-weight steel pipe, copper tubing, cross-linked polyethylene / aluminum /
4 cross-linked polyethylene (PEX-AL-PEX) pressure pipe, chlorinated polyvinyl chloride
5 (CPVC), cross-linked polyethylene (PEX) tubing, or polypropylene (PP) with a minimum
6 rating of 100 psi at 180°F (690 kPa at 82°C).

7 **2103.2 Thermal barrier required.** *{As in IRC}*

8 **2103.3 Piping joints.** Piping joints that are embedded must be installed in accordance with
9 the following requirements:

10 1. - 2. *{As in IRC}*

11 3. *{Not Adopted}*

12 4. - 7. *{As in IRC}*

13 **2103.4 Testing.** *{As in IRC}*

14 **Sections 2104 to 2105** *{As in IRC}*

15 Chapter 22 16 Special Piping and Storage Systems

17 Section 2201 Oil Tanks

18 **2201.1 Materials.** *{As in IRC}*

19 **2201.2 Above-ground tanks.** *{As in IRC}*

20 **2201.2.1 Tanks within buildings.** *{As in IRC}*

21 **2201.2.2 Outside above-ground tanks.** *{As in IRC}*

22 **Exception:** If the 5-foot minimum distance from an adjoining property line cannot be
23 met, the Building Official will determine the location of the tank.

24 **2201.3 to 2201.5** *{As in IRC}*

25 **2201.6 Flood-resistant installation.** In flood hazard areas, tanks must be installed at or
26 above the elevation required by the Floodplain Management Code or as otherwise allowed by
27 the Floodplain Management Code.

28 **2210.7 Tanks abandoned or removed.** *{As in IRC}*

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1 **Sections 2202 to 2204 {As in IRC}**

2 **Chapter 23**
3 **Solar Thermal Energy Systems**
4 **{As in IRC}**

5 ***Part VI – Fuel Gas***

6 **Chapter 24**
7 **Fuel Gas**
8 ***{Not Adopted}***
9 ***{See International Fuel Gas Code as modified by Part IV of this Article}***

10 ***Part VII – Plumbing***

11 **{MBPS Modification –** The subject matter of Chapters 25 through 33 is not within the
12 scope of the Maryland Building Performance Standards. See the Baltimore City Plumbing Code
13 in Part VI of this Article, and the plumbing code adopted under State Business and Occupation
14 Article, Title 12.}

15 **Chapters 25 to 33**
16 ***{Not Adopted}***
17 ***{See International Plumbing Code, as modified by Part VI of this Article}***

18 ***Part VIII – Electrical***

19 **{MBPS Modification –** The subject matter of Chapters 34 through 43 is not within the
20 scope of the Maryland Building Performance Standards. See the Baltimore City Electrical Code
21 in Part III {“Electrical”} of this Article, and the National Electrical Code as adopted and
22 enforced by the State Fire Marshall under State Public Safety Article, Title 12, Subtitle 6.}

23 **Chapter 34**
24 **General Requirements**
25 ***{As in IRC}***

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Chapter 35
Electrical Definitions
{As in IRC}

Chapter 36
Services

Sections 3601 to 3603 *{As in IRC}*

Section 3604 Overhead Service and Service-Entrance Conductor Installation

3604.1 Clearances on buildings. *{As in IRC}*

3604.2 Vertical clearances. *{As in IRC}*

3604.2.1 Above roofs. *{As in IRC}*

3604.2.2 Vertical clearance from grade. *{Introductory paragraph as in IRC}*

1. - 3. *{As in IRC}*

4. **Clearance above decks.** Conductors must have a vertical clearance of at least 8 feet at the lowest point above the deck surface.

3604.3 to 3604.6 *{As in IRC}*

Sections 3605 to 3611 *{As in IRC}*

Chapter 37
Branch Circuit and Feeder Requirements

Section 3701 General *{As in IRC}*

Section 3702 Branch Circuit Ratings

3702.1 to 3702.11 *{As in IRC}*

3702.12 Branch circuits serving room air conditioners. *{Introductory paragraph as in IRC}*

1. - 4. *{As in IRC}*

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Chapter 42
Swimming Pools
{As in IRC}

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Chapter 43
Class 2 Remote-Control, Signaling, and Power-Limited Circuits
{As in IRC}

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Part IX – Referenced Standards

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Chapter 44
Referenced Standards
{As in IRC}

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Appendices A to D
{Informational. Not Adopted}

14
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Appendix E
Manufactured Housing Used as Dwellings

16

Section E101 Scope

17

101.1 General *{As in IRC}*

18
19
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Exception: In addition to these provisions, in flood hazard areas, new and replacement manufactured homes, as defined in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}}, must meet the applicable requirements of the Floodplain Management Code.

22

Sections E102 to E606 *{As in IRC}*

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Appendix F
Radon Control Methods
{As in IRC}

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Appendix G
Piping Standards for Various Applications
{As in IRC}

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Appendix H
Patio Covers
{As in IRC}

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11
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Appendix I
Private Sewage Disposal
{Not Adopted}

13
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15

Appendix J
Existing Buildings and Structures
{Not Adopted}

16
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Appendix K
Sound Transmission
{As in IRC}

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Appendix L
Permit Fees
{Not Adopted}

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Appendix M
Home Day Care – R-3 Occupancy
{As in IRC}

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Appendix N
Venting Methods
{Informational. Not Adopted}

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Appendix O
Automatic Vehicular Gates
{As in IRC}

11
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Appendix P
Sizing of Water Piping System
{Not Adopted}

14
15
16

Appendix Q
Tiny Houses
{As in IRC}

17
18
19

Appendix R
Light Straw-Clay Construction
{Not Adopted}

20
21
22

Appendix S
Strawbale Construction
{Not Adopted}

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1 **Appendix T**
2 **Detached 1- and 2-Family Dwellings and Townhouses**
3 *{Not Adopted}*

4 **Part VI – Fuel Gas**

5 **Chapter 24**
6 **Fuel Gas**
7 *{Not Adopted}*
8 *{See International Fuel Gas Code as modified by Part IV of this Article}*

9 ***Part VII – Plumbing***

10 **{MBPS Modification}** – The subject matter of Chapters 25 through 33 is not within the
11 scope of the Maryland Building Performance Standards. See the Baltimore City Plumbing Code
12 in Part VI of this Article, and the plumbing code adopted under State Business and Occupation
13 Article, Title 12.}

14 **Chapters 25 to 33**
15 *{Not Adopted}*
16 *{See International Plumbing Code, as modified by Part VI of this Article}*

17 ***Part VIII – Electrical***

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19 scope of the Maryland Building Performance Standards. See the Baltimore City Electrical Code
20 in Part III {“Electrical”} of this Article, and the National Electrical Code as adopted and
21 enforced by the State Fire Marshall under State Public Safety Article, Title 12, Subtitle 6.}

22 **Chapter 34**
23 **General Requirements**
24 *{As in IRC}*

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Chapter 35
Electrical Definitions
{As in IRC}

Chapter 36
Services

Sections 3601 to 3603 *{As in IRC}*

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3604.1 Clearances on buildings. *{As in IRC}*

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Sections 3605 to 3611 *{As in IRC}*

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Section 3701 General *{As in IRC}*

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3702.1 to 3702.11 *{As in IRC}*

3702.12 Branch circuits serving room air conditioners. *{Introductory paragraph as in IRC}*

1. - 4. *{As in IRC}*

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Chapter 42
Swimming Pools
{As in IRC}

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Chapter 43
Class 2 Remote-Control, Signaling, and Power-Limited Circuits
{As in IRC}

7

Part IX – Referenced Standards

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Chapter 44
Referenced Standards
{As in IRC}

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Appendices A to D
{Informational. Not Adopted}

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Appendix E
Manufactured Housing Used as Dwellings

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Section E101 Scope

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101.1 General *{As in IRC}*

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Exception: In addition to these provisions, in flood hazard areas, new and replacement manufactured homes, as defined in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}}, must meet the applicable requirements of the Floodplain Management Code.

22

Sections E102 to E606 *{As in IRC}*

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**Appendix F
Radon Control Methods
{As in IRC}**

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**Appendix G
Piping Standards for Various Applications
{As in IRC}**

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**Appendix H
Patio Covers
{As in IRC}**

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**Appendix I
Private Sewage Disposal
{Not Adopted}**

13
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**Appendix J
Existing Buildings and Structures
{Not Adopted}**

16
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18

**Appendix K
Sound Transmission
{As in IRC}**

19
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**Appendix L
Permit Fees
{Not Adopted}**

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Appendix M
Home Day Care – R-3 Occupancy
{As in IRC}

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Appendix N
Venting Methods
{Informational. Not Adopted}

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Appendix O
Automatic Vehicular Gates
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Appendix P
Sizing of Water Piping System
{Not Adopted}

13
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15

Appendix Q
Tiny Houses
{As in IRC}

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Appendix R
Light Straw-Clay Construction
{Not Adopted}

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Appendix S
Strawbale Construction
{Not Adopted}

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Appendix T
Detached 1- and 2-Family Dwellings and Townhouses
{Not Adopted}

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PART XI INTERNATIONAL GREEN CONSTRUCTION CODE

§ 11-101. City adoption.

(a) *In general.*

The International Green Construction Code [(2018) 2021 Edition) is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part XI.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part XI refer to the chapter and section numbers of the International Green Construction Code.

§ 11-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1 Scope and Administration

Section 101 [GENERAL] SCOPE AND GENERAL REQUIREMENTS

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore Green Construction Code”.

101.1.1 References to “this Code”. All references to “this Code” refer to the Baltimore City Green Construction Code.

101.2 [Purpose.] GENERAL. {AS IN IGCC}

101.3 Scope.

101.3.1 In general. This Code applies to the design, construction, addition, alteration, change of occupancy, relocation, replacement, repair, equipment, building site, maintenance, removal, and demolition of every structure and any appurtenances connected or attached to a structure and to the site on which the structure is located. Occupancy classifications are determined in accordance with the Baltimore City Building Code.

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1 **101.3.2 Exceptions.** This Code does not apply to:

2 **Project types:**

- 3 1. A 1- or 2-family dwelling, including accessory structures, regulated by the
4 International Residential Code for One- and Two-Family Dwellings [(2018) (2021
5 Edition).
- 6 2. A multiple-family dwelling that is no more than 3 stories above grade plane in
7 height and contains no more than 5 dwelling units.
- 8 3. A temporary structure approved under Building Code § 3103 {“Temporary
9 Structures”}.
- 10 4. Equipment or systems that are used primarily for industrial or manufacturing
11 purposes.

12 **Alternate Compliance Paths:**

- 13 5. A structure that achieves, as certified by the GBCI, Green Business Certification
14 Incorporated, a silver-level or better rating in the USGBC, U.S. Green Building
15 Council’s LEED (Leadership in Energy and Environmental Design) rating system.
- 16 6. Group R-2 and R-4 residential buildings or portions of mixed use buildings 5
17 or more stories above grade plane in height, including their accessory structures
18 and the site or lot on which these buildings are located, that, as certified by a
19 third-party approved by the Code Official, comply with the requirements of the
20 ICC 700 (NGBS, “National Green Building Standard”) at the Silver performance
21 level or equivalent.
- 22 7. A structure that achieves, as certified by Enterprise Community Partners, Green
23 Communities Certification.
- 24 8. A structure that achieves, as certified by the GBI, Green Building Initiative, a
25 rating of two Green Globes or better.

26 **101.3.3 Circumventions prohibited.** The requirements of this Code may not be used to
27 circumvent any applicable safety, health, or environmental requirements.

28 **101.4 [Application.] INTENT.** {As in IgCC}

29 **101.5 COMPLIANCE {AS IN IGCC}**

30 **101.6 [101.5] Administration.** This Code is administered and enforced by the Department
31 of Housing and Community Development and its Commissioner. Accordingly, in this Code:

- 32 1. “Department” means the Department of Housing and Community Development, and
33 2. “Code Official” means the Building Official, as defined in § 202.2 of the Baltimore
34 City Building Code.

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1 Section 102 Applicability

2 **102.1 Code conflicts.** *{As in IgCC}*

3 **102.2 Other laws.** *{As in IgCC}*

4 **102.3 Application of references.** *{As in IgCC}*

5 **102.4 Referenced codes.** The following codes, as modified by Baltimore City, are
6 considered part of the requirements of this Code:

- 7 1. the International Building Code [(2018) 2021 Edition),
- 8 2. the National Electrical Code [(2017) 2020 Edition),
- 9 3. the International Fuel Gas Code [(2018) 2021 Edition),
- 10 4. the International Mechanical Code [(2018) 2021 Edition),
- 11 5. the International Plumbing Code [(2018) 2021 Edition),
- 12 6. the International Property Maintenance Code [(2018) 2021 Edition),
- 13 7. the International Fire Code [(2018) 2021 Edition),
- 14 8. the International Energy Conservation Code [(2018) 2021 Edition),
- 15 9. the International Residential Code [(2018) 2021 Edition),
- 16 10. the International Swimming Pool and Spa Code [(2018) 2021 Edition); and
- 17 11. the Zoning Code of Baltimore City.

18 **102.4.1 Conflicting provisions.** *{As in IgCC}*

19 **102.4.2 Application of referenced standards.** *{As in IgCC}*

20 **102.5 Partial invalidity.** *{As in IgCC}*

21 **102.6 Existing structures.** The legal occupancy of any structure existing on this Code's
22 effective date is permitted to continue without change, except:

- 23 1. as specifically covered in this Code, **MARYLAND BUILDING PERFORMANCE**
24 **STANDARDS**, the International Building Code, the International Property
25 Maintenance Code, or the International Fire Code, or
- 26 2. as deemed necessary by the Code Official for the general safety and welfare of the
27 structure's occupants and the public.

28 **102.7 Mixed occupancy buildings.** *{As in IgCC}*

1 **SECTION 103 CODE COMPLIANCE AGENCY {As in IgCC}**

2 Section **[103] 104** Duties and Powers of Code Official

3 **104.1 [103.1]** General. *{As in IgCC}*

4 **104.2 [103.2]** Applications and permits. *{As in IgCC}*

5 **104.3 [103.3]** Notices and orders. *{As in IgCC}*

6 **104.4 [103.4]** Inspections. *{As in IgCC}*

7 **104.4.1 [103.4.1] Right of entry.** The Code Official may enter any structure or premises
8 at reasonable times to inspect, subject to constitutional restrictions on unreasonable
9 searches and seizures. If entry is refused or not obtained, the Code Official may pursue
10 recourse as provided by law, including § 104 {"...Powers of Building Official"} of the
11 Baltimore City Building Code.

12 **104.5 [103.5] Exemptions.** The Code Official may, in unusual circumstances and only on
13 good cause shown, grant an exemption from any requirement of this Code based on:

- 14 1. substantial evidence of a practical infeasibility or hardship in meeting a required
15 standard,
- 16 2. a determination that the public interest would not be served by requiring compliance
17 with the requirement, or
- 18 3. other compelling circumstances, as determined by the Code Official.

19 **104.5.1 [103.5.1] Burden on applicant.** The applicant has the burden to establish th
20 requisite basis for an exemption under this section.

21 **104.5.2 [103.5.2] Consideration of other standards.** Before the Code Official grants
22 an exemption under this section, the Code Official must consider whether another
23 standard is practicable and should be required in place of the exempted standard.

24 **[SECTION 104 CONSTRUCTION DOCUMENTS {As in IgCC}]**

25 Section **105** Approval *{As in IgCC}*

26 Section **106** Permits

27 **106.1** Required. *{As in IgCC}*

28 **106.2 Application for permit.** The requirements for obtaining a permit are as set forth in
29 § 105.3 {"Application for permit"} of the Baltimore City Building Code.

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1 **106.3 Expiration of permit.** Unless extended, a permit expires as set forth in § 105.5
2 {"Expiration; Extension"} of the Baltimore City Building Code.

3 **106.4 Extension.** A permit may be extended as provided in § 105.5 {"Expiration;
4 Extension"} of the Baltimore City Building Code.

5 **106.5 Suspension or revocation.** The Code Official may suspend or revoke a permit as
6 provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

7 SECTION 107 CONSTRUCTION DOCUMENTS *{As in IgCC}*

8 Section [107] 108 Fees

9 **108.1 [107.1] Fee schedule.** Fees are as set forth in § 109 {"Fees"} of the Baltimore City
10 Building Code.

11 SECTION 109 INSPECTIONS *{NOT ADOPTED}*

12 Section [108] 110 Violations

14 **110.1 [108.1] Unlawful acts.** It is unlawful for any person to be in conflict with or in
15 violation of any provision of this Code or of any *{rule,}* regulation, permit, notice, or order
16 issued under this Code.

17 **110.2 [108.2] Violation penalties.** The penalties for a violation of this Code are as provided
18 in § 114 {"Violations"} of the Baltimore City Building Code for a violation that Code.

19 **110.3 [108.3] Stop-work orders.** The issuance and enforcement of stop-work orders are as
20 provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

21 **110.4 [108.4] Occupancy permit.** Issuance of an occupancy permit does not constitute an
22 approval of a violation of this Code or any other law. *{NOTE: The "certificate of occupancy"*
23 *to which the IgCC refers is known in Baltimore City as an "occupancy permit".}*

24 **110.4.1 [108.4.1] Revocation of occupancy permit.** In the event any building fails to
25 obtain a timely third-party certification as required under this Code, the Building Official
26 may revoke the occupancy permit until such time as the third-party certification is
27 obtained.

28 Section [109] 111 Administrative and Judicial Review

29 **111.1 [109.1] General.** A decision of the Code Official is subject to administrative and
30 judicial review as provided in the Baltimore City Building Code.

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Chapter 2 *{Reserved}*

Chapter 3 Definitions; Abbreviations and Acronyms

Section 301 General *{As in IgCC § 301.1 (“General”)}*

Section 302 Definitions

302.1 General. Except as provided in § 302.3, terms that are used and defined in the International Green Construction Code [(2018) (2021 Edition)] have the meanings given in the International Green Construction Code [(2018) (2021 Edition)].

302.2 Terms defined in other codes. If a term is not defined in the International Green Construction Code [(2018) (2021 Edition)] and is defined in one or another of the codes listed in § 102.4 {“Referenced codes”} of this Code, the term has the meaning given to it in that code.

302.3 Supplemental definitions. Notwithstanding any different definition in the International Green Construction Code, the following terms have the meanings given in this § 302.3.

302.3.1 Code official. “Code official” has the meaning stated in § 101.6 of this Code.

302.3.2 Dwelling unit. “Dwelling unit” has the meaning stated in § 202.2 of the Baltimore City Building Code.

302.3.3 Flood hazard area. “Flood Hazard Area” means a Regulated Flood Hazard Area established under and regulated by the Flood plain Management Code.

302.3.4 Floodplain. “Floodplain” has the meaning stated in City Code Article 7 {“Natural Resources”}, § 1-2 {“Definitions – “Accessory structure” to “Floodplain District”}.

302.3.5 Floodplain Management Code. “Floodplain Management Code” means the Baltimore City Floodplain Management Code, City Code Article 7 {“Natural Resources”}, Division I {“Floodplain Management”}.

302.3.6 Habitable space. “Habitable space” means space in a structure for living, sleeping, or eating. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces. Kitchens with less than 56 sq. ft. (5.2 sq. m.) of floor area are not considered habitable spaces.

302.3.7 Historic building. “Historic building” means a building or other structure that is:

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- 1 1. individually listed on the National Register of Historic Places,
- 2 2. individually listed on the City Landmark List,
- 3 3. located within a National Register Historic or Landmark District and certified by
4 the Secretary of the Interior as contributing to the historic significance of that
5 district, or
- 6 4. located within a City Historical and Architectural Preservation District and
7 certified by the Commission for Historical and Architectural Preservation as
8 contributing to the historic significance of that district.

9 **302.3.8 May not, etc.** “May not”, “must not”, and “no ... may” are each mandatory
10 negative terms used to establish a prohibition.

11 **302.3.9 Multiple-family dwelling.** “Multiple-family dwelling” means a building or a
12 group of buildings on the same lot that contains or is designed or intended to contain:

- 13 1. more than 2 dwelling units,
- 14 2. 2 dwelling units and any other residential or commercial occupancy, or
- 15 3. any combination of 3 or more rooming units and dwelling units.

16 **302.3.10 Must/shall.** “Must” and “shall” are each mandatory terms used to express a
17 requirement or to impose a duty.

18 **302.3.11 Occupancy.** “Occupancy” has the meaning stated in § 202.2 of the Baltimore
19 City Building Code.

20 **302.3.12 Person.** “Person” has the meaning stated in § 202.2 of the Baltimore City
21 Building Code.

22 **302.3.13 Premises.** “Premises” has the meaning stated in § 202.2 of the Baltimore City
23 Building Code.

24 **302.3.14 Structure.** “Structure” has the meaning stated in § 202.2 of the Baltimore City
25 Building Code and, unless the context indicates otherwise, includes premises and lands.

26 **302.3.15 Zero Energy.** “Zero Energy” power consumption (kWH) shall be determined
27 based on a metered yearly basis at the building meter using net metering and the full
28 yearly energy usage shall be offset in whole by renewable technologies, including, but not
29 limited to, solar photovoltaic (PV), solar water heating, wind generated power, water
30 generated power (hydro and tidal), or similar technologies as approved by the Code
31 Official.

32 Technologies that include combustion, such as waste gasification, methane capture, or
33 similar technologies, are not considered renewable technologies for the purposes of
34 calculating building Zero Energy goals.

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1 The building project may not include the use of fossil fuels (natural gas, coal,
2 propane, diesel, gasoline, jet fuel, etc.) or other non-renewable fuels for combustion for
3 any building use.

4 Utility scale steam provided from non-renewable sources shall be considered a
5 non-renewable fossil fuel.

6 For the purposes of this Zero Energy calculations, on-site solar and community solar
7 of which the property is a member generated within 15 miles of the site may be
8 considered.

9 **Section 303 Abbreviations and acronyms** *{As in IgCC § 301.3}*

10 **Chapter 4** 11 *{Reserved}*

12 **Chapter 5** 13 **Site Sustainability**

14 **Section 501.1 Scope** *{As in IgCC}*

15 **Section 501.2 Compliance** *{As in IgCC}*

16 **Section 501.3 Mandatory Provisions**

17 **501.3.1 Site Selection.** *{As in IgCC}*

18 **501.3.2 Predesign Site Inventory and Assessment.** *{As in IgCC}*

19 **501.3.3 Plants.**

20 **501.3.3.1 Invasive Plants.** *{As in IgCC}*

21 **501.3.3.2 Greenfield Sites.**

22 **a. More than 20% existing native or adapted plants:** *{As in IgCC}*

23 **b. Less than 20% existing native or adapted plants:**

24 **1.** *{As in IgCC}*

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2. A minimum of 50% of the vegetated area must consist of biodiverse planting of native plants and/or adapted plants other than turfgrass.

Exception: *{As in IgCC}*

501.3.4 Stormwater Management. *{As in IgCC}*

501.3.5 Mitigation of Heat Island Effect.

501.3.5.1 Site Hardscape. At least 40% of the site hardscape that is not covered by solar energy systems must be provided with any one or combination of the following:

a. through f. *{As in IgCC}*

Exception: *{Not Adopted}*

501.3.5.2 Walls. *{Not Adopted}*

501.3.5.3 Roofs.

501.3.5.3.1 In general. This section applies to the building and covered parking roof surfaces for building projects.

501.3.5.3.2 Required Coverage. A minimum of 75% of the roof surface must be covered with products that:

- a. have a minimum 3-year-aged SRI of 78 in accordance with § 501.3.5.4 for roofs with a slope of less than or equal to 2:12; and
- b. have a minimum 3-year-aged SRI of 25 in accordance with § 501.3.5.4 for roofs with a slope of more than 2:12.

501.3.5.3.3 Areas Excluded from Calculation of Roof Surface Area. The area occupied by one or more of the following is excluded from the calculation to determine the roof surface area required to comply with this section:

- a. Roof penetrations and associated equipment.
- b. On-site renewable energy systems, including photovoltaics, solar thermal energy collectors, and required access around the panels or collectors.
- c. Portions of the roof used to capture heat for building energy technologies.
- d. Roof decks and rooftop walkways.
- e. Vegetated terrace and roofing systems complying with § 501.3.5.5.

Exceptions: *{As in IgCC}*

501.3.5.4 Solar Reflectance Index (SRI). *{As in IgCC}*

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1 **501.3.5.5 Vegetated Terrace and Roofing Systems. *{As in IgCC}***

2 **501.3.6 Reduction of Light Pollution. *{As in IgCC}***

3 **501.3.7 Mitigation of Transportation Impacts.**

4 **501.3.7.1 Pedestrian and Bicycle Connectivity. *{As in IgCC}***

5 **501.3.7.2 Bicycle Parking.**

6 **501.3.7.2.1 Minimum Number of Spaces. *{As in IgCC}***

7 **Exceptions:**

8 **1. and 2. *{As in IgCC}***

9 3. Education occupancy grades 3 and below.

10 **501.3.7.2.2 Location. *{As in IgCC}***

11 **501.3.7.2.3 Horizontal Parking Racks. *{As in IgCC}***

12 **501.3.7.2.4 Ability to Lock. *{As in IgCC}***

13 **501.3.7.2.5 Security and Visibility. *{As in IgCC}***

14 **501.3.7.2.6 Documentation. *{As in IgCC}***

15 **501.3.7.3 Site Vehicle Provisions. *{As in IgCC}***

16 **501.3.8 Building Site Waste Management Plan. *{As in IgCC}***

17 **Chapter 6**
18 **Water Use Efficiency**

19 **Section 601.1 Scope *{As in IgCC}***

20 **Section 601.2 Compliance *{As in IgCC}***

21 **Section 601.3 Mandatory Provisions**

22 **601.3.1 Site Water Use Reduction.**

23 **601.3.1.1 Landscape Design.** A minimum 50% of the area of the improved
24 landscape shall be in biodiverse planning of native plants and rainfall-ET compatible
25 plants.

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1 **Exceptions: {As in IgCC}**

2 **601.3.1.2 Irrigation. {As in IgCC}**

3 **601.3.1.2.1 through 601.3.1.2.3 {As in IgCC}**

4 **601.3.2 Building Water Reuse Reduction.**

5 **601.3.2.1 Plumbing Fixtures and Fittings.** Plumbing fixtures and fittings must:

- 6 1. reduce aggregate calculated water consumption by 30%, as documented in the
7 Baltimore Green Building [Statement of Compliance] CHECKLIST; or
- 8 2. provide fixtures (water closets and urinals) and fittings (faucets and showerheads)
9 that comply with the following requirements, as shown in Table 601.3.2.1:

10 **a. through j. {As in IgCC}**

11 **601.3.2.2 Appliances. {As in IgCC}**

12 **601.3.2.3 HVAC Systems and Equipment. {As in IgCC}**

13 **601.3.2.4 Roofs. {As in IgCC}**

14 **601.3.2.5 Commercial Food Service Operations. {As in IgCC}**

15 **601.3.2.6 Medical Laboratory Facilities. {As in IgCC}**

16 **601.3.3 HOT WATER DISTRIBUTION {AS IN IgCC}**

17 **601.3.4 [601.3.3] Special Water Features. {As in IgCC}**

18 **601.3.5 [601.3.4] Water Consumption Measurement. {Not Adopted}**

19 **601.3.6 [601.3.5] Water Softeners. {As in IgCC}**

20 **601.3.7 [601.3.6] Reverse Osmosis Water Treatment. {As in IgCC}**

21 **601.3.8 [601.3.7] On-site Reclaimed Water Treatment Systems. {As in IgCC}**

22 **601.3.9 [601.3.8] Dual Water Supply Plumbing. {Not Adopted}**

23 **Chapter 7**
24 **Energy Efficiency**

25 **Section 701.1 Scope {As in IgCC}**

- 1 **Section 701.2 Compliance** *{As in IgCC}*
- 2 **Section 701.3 Mandatory Provisions** *{Not Adopted}*
- 3 **Section 701.4 Prescriptive option**
- 4 **701.4.1 General Comprehensive Prescriptive Requirements.** *{As in IgCC}*
- 5 **701.4.1.1 On-Site Renewable Energy Systems.** *{Not Adopted}*
- 6 **701.4.2 Building Envelope.** *{As in IgCC}*
- 7 **701.4.3 Heating, Ventilating, and Air Conditioning.** *{As in IgCC}*
- 8 **701.4.3.1 Minimum Equipment Efficiencies for the Alternate Renewables**
9 **Approach.** *{Not Adopted}*
- 10 **701.4.3.2 through [701.4.3.10.] 701.4.33.9 701.4.3.9** *{As in IgCC}*
- 11 **701.4.4 Service Water Heating.** *{As in IgCC}*
- 12 **701.4.4.1 Equipment Efficiency for the Alternate Renewable Approach.** *{Not*
13 *Adopted}*
- 14 **701.4.4.2 [Insulation for Spa Pools.] BUILDINGS WITH HIGH-CAPACITY WATER**
15 **HEATING SYSTEMS.** *{As in IgCC}*
- 16 **701.4.4.3 INSULATION FOR SPA POOLS.**
- 17 **701.4.5 Power.** *{As in IgCC}*
- 18 **701.4.6 Lighting.** *{As in IgCC}*
- 19 **701.4.7 Other Equipment.** *{As in IgCC}*
- 20 **701.4.7.1 Equipment Efficiency for the Alternate Renewables Approach.** *{Not*
21 *Adopted}*
- 22 **701.4.7.2 Supermarket Heat Recovery.** *{As in IgCC}*
- 23 **701.4.7.3 ENERGY STAR Equipment.** *{As in IgCC}*
- 24 **701.4.7.3.1 ENERGY STAR Requirements for Equipment Covered by Federal**
25 **Appliance Efficiency Regulations (All Building Projects).** *{As in IgCC}*
- 26 **701.4.7.3.2 ENERGY STAR Requirements for Equipment Covered by Federal**
27 **Appliance Efficiency Regulations (Alternate Renewables Approach).** *{Not*
28 *Adopted}*

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1 701.4.7.4 Programmable Thermostats. *{As in IgCC}*

2 701.4.7.5 Refrigerated Display Cases. *{As in IgCC}*

3 **701.4.7.6 ELEVATOR POWER CONVERSION SYSTEM. *{AS IN IgCC}***

4 **701.4.7.7 PUMP EFFICIENCY. *{AS IN IgCC}***

5 701.4.8 Energy Cost Budget. *{Not Adopted}*

6 Section 701.5 Performance option *{As in Baltimore City IECC § 401.2.1 (Option 1 or 2)}*

7 701.5.1 Annual Energy Cost. *{Not Adopted}*

8 701.5.2 Annual Carbon Dioxide Equivalent. *{Not Adopted}*

9 **701.5.3 ZERO ENERGY PERFORMANCE INDEX. *{AS IN IgCC}***

10 **701.5.4 ~~701.5.3~~ ENERGY SIMULATION AIDED DESIGN. *{AS IN IgCC}***

11 Chapter 8
12 Indoor Environmental Quality

13 Section 801.1 Scope *{As in IgCC}*

14 Section 801.2 Compliance *{As in IgCC}*

15 Section 801.3 Mandatory Provisions

16 801.3.1 Indoor Air Quality. *{As in IgCC}*

17 801.3.1.1 Minimum Ventilation Rates. *{As in IgCC}*

18 801.3.1.2 Outdoor Air Delivery Monitoring. *{As in IgCC}*

19 801.3.1.3 Filtration and Air Cleaner. *{As in IgCC}*

20 801.3.1.4 Building Pressure. *{As in IgCC}*

21 801.3.1.5 Venting of Combustion Products. *{As in IgCC}*

22 801.3.1.6 Humidity Control. *{As in IgCC}*

23 801.3.1.7 Environmental Tobacco Smoke. *{As in IgCC}*

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1 **801.3.1.8 Building Entrances. *{As in IgCC}***

2 **801.3.1.9 Guest Room Preoccupancy Out-door Air Purge Cycle. *{Not Adopted}***

3 **801.3.1.10 Preoccupancy Ventilation Control. *{As in IgCC}***

4 **801.3.2 Thermal Environmental Conditions for Human Occupancy. *{As in IgCC}***

5 **801.3.3 Acoustical Control.**

6 a. This section governs acoustical control for the building envelope, the interior spaces
7 within the building or structure, and the design of the related mechanical equipment
8 and systems.

9 b. PreK-12 school spaces must be designed as follows:

10 i. in accordance with §§ 801.3.3.1 through 801.3.3.5, or

11 ii. tested in accordance with the ICC version of § 1001.3.1.1.2.

12 **801.3.3.1 Documentation. *{As in IgCC}***

13 **801.3.3.1.1 Test Methods.** The laboratory-tested performance for sound
14 transmission class (STC) for wall, partition, window, and ceiling/floor assemblies must
15 be tested in accordance with ASTM E90, and the laboratory-tested performance for
16 impact insulation class (IIC) for floor/ceiling assemblies must be tested in accordance
17 with ASTM E492. All assemblies must be sealed according to ASTM C919 and in
18 accordance with the laboratory-tested assembly details and materials. Field tested
19 assemblies used in the analysis must be tested in accordance with ASTM E336 and
20 ASTM E1007. Laboratory sound levels of HVAC equipment must be tested in
21 accordance with the relevant ARI or ASHRAE procedures based on equipment type.
22 Sound absorption materials and coefficients must be tested in accordance with ASTM
23 C423.

24 **801.3.3.2 Interior Background Noise Requirements.** The building envelope, interior
25 spaces within the building, and building systems, including mechanical, electrical, and
26 plumbing systems, shall be designed and constructed so that the interior sound pressure
27 levels created by the combination of building systems noise and exterior sound sources,
28 under normal operation with windows closed and no active sound masking systems, do
29 not exceed the values specified in Table 801.3.3.2. The hourly average sound pressure
30 level may not exceed the values listed in Table 801.3.3.2. Outdoor noise levels must
31 comply with Title 9 of the Baltimore City Health Article.

32 **801.3.3.2.1 High-Noise Exterior Events. *{Not Adopted}***

33 **801.3.3.2.2 Conformance. *{As in IgCC}***

34 **801.3.3.2.3 Interior Background Noise – Design. *{As in IgCC}***

35 **801.3.3.2.3.1 Building Envelope. *{Not Adopted}***

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801.3.3.2.3.2 Interior Systems. Interior noise from HVAC systems must be calculated for room types listed in Table 801.3.3.2 and used in determining the hourly average interior background sound pressure levels for the room types listed in Table 801.3.3.2. HVAC systems noise shall be calculated in accordance with the 2015 ASHRAE HVAC Applications Handbook – Chapter 48: Noise and Vibration Controls.

801.3.3.2.3.3 Penetrations and Fenestrations. *{As in IgCC}*

801.3.3.2.3.4 Inspection. *{As in IgCC}*

801.3.3.2.4 Interior Background Noise – Testing. *{Not Adopted}*

Table 801.3.3.2

**Interior Background Sound Pressure Levels
from Building Systems and Exterior Sound Sources**

ROOM TYPE	HOURLY AVERAGE SOUND PRESSURE LEVEL (<i>L_{EO}</i>)	
	dBA	dBC
Residential sleeping areas (nighttime) ^a	35	60
Residential living and sleeping areas (daytime)	40	60
Hotel and motel guest rooms or suites and dormitories	40	60
Meeting and banquet rooms	35	60
Corridors and lobbies	45	65
Service and support areas	45	65
Enclosed offices	35	60
Conference rooms	35	60
Teleconference rooms	30	55
Open-plan offices	45	65
Courtrooms – unamplified speech	35	60
Courtrooms – amplified speech	40	60
Laboratories – minimal speech communication	55	75
Laboratories – extensive phone use, speech communication	50	70
Laboratories – group teaching	40	60
Religious – general assembly with music program	30	55
Library study and reading areas	35	60
Gymnasiums & natatoriums without speech amplification	50	70
Gymnasiums & natatoriums with speech amplification	55	75
Classrooms	35	40

^a “Nighttime” is defined as the time between 10 p.m. and 7 a.m.

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801.3.3.3 Interior Sound Transmission. {As in IgCC}

801.3.3.3.1 Conformance. {As in IgCC}

801.3.3.3.2 Interior Sound Transmission – Design. {As in IgCC}

801.3.3.3.2.1 Inspection. Construction of acoustical items required in § 801.3.3.3.2 must be visually inspected by a design professional.

801.3.3.3.3 Interior Sound Transmission – Testing. {Not Adopted}

**Table 801.3.3.3
Minimum Sound and Impact Sound Ratings**

ROOM TYPE	cSTC ^{c, d}	IIC
Dwelling unit (apartment, condominium, duplex, hotel guest room, etc.)	55	55
Retail or restaurant	55	45
Exercise, gym or pool ^b	55	50 ^a
Mechanical, electrical, & elevator machinery rooms ^b	60	N/A
Conference and teleconference rooms	50	50
Enclosed offices	45	45
Open offices	N/A	45
Classrooms	55	50
Classrooms > 20,000 ft ³	53	N/A

a The IIC value listed addresses footfall noise but not exercise-related vibration-borne sound. Exercise-related vibration-borne sound must comply with the requirements of § 801.3.3.2.

b Minimum cSTC and IIC values are not required between adjacent rooms of the same room type.

c For operable partitions and walls containing doors, windows, or both, the minimum cSTC ratings must be 5 less than the values listed in Table 801.3.3.3.

d The minimum cSTC values must be 5 less than the cSTC values in Table 801.3.3.3 for walls between spaces and corridors and between spaces and open offices. The minimum cSTC values must be 15 less than the cSTC values specified in Table 801.3.3.3 for walls having doors that open to corridors or open offices.

801.3.3.4 Interior Sound Reverberation. The reverberation time T60 for designated spaces must be calculated in accordance with ANSI/ASA S12.60-2010, Part 1, Annex A, for the octave bands 500, 1000, and 2000 Hz and may not exceed the values specified in Table 801.3.3.4 for fully furnished rooms.

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Exceptions:

- a. The design professional may use the FGI Guidelines for Healthcare or the ASHRAE Performance Measurement Protocols for Commercial Buildings to show compliance.
- b. Minimum compliance for classrooms < 20,000 cubic feet may be shown prescriptively using an area equivalent to the ceiling less lights and diffusers on any surface of the room that meets NRC 70 or better.

**Table 801.3.3.4
Maximum Reverberation Time**

ROOM TYPES	T_{60} , SEC
Meeting & banquet rooms < 3000 ft ³ (85 m ³)	0.8
Meeting & banquet rooms 3000 ft ³ (85 m ³) up to 8000 ft ³ (225 m ³)	1.0
Meeting & banquet rooms > 8000 ft ³ (225m ³) up to 30,000 ft ³ (850 m ³)	1.2
Meeting & banquet rooms > 30,000 ft ³ (850 m ³)	1.5
Enclosed offices	0.6
Conference/teleconference rooms	0.6
Open-plan offices	0.6
Courtrooms – unamplified speech	0.7
Courtrooms – amplified speech	1.0
Testing/research labs (little speech communication)	1.0
Labs (extensive phone use and speech communication)	0.6
Library study and reading areas	1.0
Gymnasiums and natatoriums	2.0
Classrooms <=10,000 ft ³	0.6
Classrooms > 10,000 FT ³ and <=20,000 FT ³	0.7
Classrooms > 20,000 ft ³	1.5 ^a

^a Classrooms > 20,000 ft³ must meet ANS/ASA S12.60.

801.3.3.5 Property Line Sound Levels. {Not Adopted}

801.3.4 Soil-Gas Control. {As in IgCC}

801.3.5 Lighting Quality. {As in IgCC}

- 1 **801.3.6 Moisture Control. *{As in IgCC}***
- 2 **801.3.7 Glare Control *{As in IgCC}***
- 3 **Section 801.4 Prescriptive option**
- 4 **801.4.1 Day lighting.**
- 5 **801.4.1.1 Daylighting in large spaces directly under a roof and having high ceilings.**
- 6 ***{As in IgCC}***
- 7 **[801.4.1.1.1 Minimum daylight area. *{Not Adopted}*]**
- 8 **801.4.1.1 [801.4.1.1.2] through 801.4.1.3. *{Not Adopted}***
- 9 **801.4.2 Materials. *{As in IgCC}***
- 10 **801.4.2.1 Adhesives and Sealants. *{As in IgCC}***
- 11 **801.4.2.2 Paints and Coatings. *{As in IgCC}***
- 12 **801.4.2.3 Floor Covering Materials. *{As in IgCC}***
- 13 **801.4.2.3.1 Deemed to Comply. *{As in IgCC}***
- 14 **801.4.2.4 Composite Wood, Wood Structural Panel, and Agrifiber Products. *{As in***
- 15 ***IgCC}***
- 16 **801.4.2.5 Office Furniture Systems and Seating. *{Not Adopted}***
- 17 **801.4.2.6 Ceiling and Wall Assemblies. *{Not Adopted}***
- 18 **801.4.2.7 Insulation. *{Not Adopted}***
- 19 **801.4.3 Lighting for Presentations. *{Not Adopted}***
- 20 **Section 801.5 Performance option**
- 21 **801.5.1 Daylight Simulation. *{Not Adopted}***
- 22 **801.5.2 Materials. *{As in IgCC}***
- 23 **801.5.3 Lighting for Presentations. *{Not Adopted}***

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Chapter 9 Material and Resources

Section 901.1 Scope *{As in IgCC}*

Section 901.2 Compliance *{As in IgCC}*

Section 901.3 Mandatory Provisions

901.3.1 **Construction AND DEMOLITION Waste Management.**

901.3.1.1 Diversion. A minimum of 70% of nonhazardous construction and demolition waste material generated prior to the issuance of the final certificate of occupancy must be diverted from disposal in landfills and incinerators by reuse, recycling, re-purposing, and/or composting. Excavated soil and land-clearing debris may not be included in the waste diversion calculation. Alternative daily cover and waste-to-energy incineration may not be included as diverted material. All diversion calculations must be based on either weight or volume, but not both, throughout the construction process.

Informative Note: Reuse includes donation of materials to charitable organizations; salvage of existing materials on-site; reclamation of products by manufacturers; and return of packaging materials to the manufacturer, shipper, or other source for reuse as packaging in future shipments.

901.3.1.2 Total Waste. *{As in IgCC}*

901.3.1.3. Construction Waste Management. *{As in IgCC}*

901.3.2 through 901.3.5. *{As in IgCC}*

Section 901.4 Prescriptive Option *{As in IgCC}*

Section 901.5 Performance Option *{As in IgCC}*

Chapter 10 Construction and Plans for Operations

Section 1001.1 Scope *{As in IgCC}*

Section 1001.2 Compliance *{As in IgCC}*

Section 1001.3 **[MANDATORY PROVISIONS] FUNCTIONAL AND PERFORMANCE TESTING AND COMMISSIONING**

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1 **1001.3.1 [Construction.] BUILDING SYSTEMS FUNCTIONAL AND PERFORMANCE TESTING**
2 **(FPT).**

3 **1001.3.1.1 [Building Systems FPT. {As in IgCC}] FPT REQUIREMENTS. AN FPT**
4 **PROCESS SHALL BE PERFORMED FOR THE FOLLOWING:**

5 **A. THROUGH E. {AS IN IgCC}**

6 **F. BUILDING ENVELOP SYSTEMS.**

7 **[1001.3.1.1.1 FPT Requirements. An FPT process shall be performed for the**
8 **following:]**

9 **[a. through e. {As in IgCC}]**

10 **[f. Building envelop systems.]**

11 **1001.3.1.2 [1001.3.1.1.1] Activities Prior to Building Permit for Facilities**
12 **Using FPT Process.** The following activities must be completed before a permit
13 is issued for any system requiring FPT:

14 a. *Designate FPT providers.*

- 15 1. For systems that are required to comply with § [1001.3.1.1.1]
16 100.3.1.1.2, FPT providers must be the owner's qualified employees,
17 independent commissioning (Cx) providers, or qualified designers
18 experienced with FPT on the designated systems.
- 19 2. FPT providers must be independent of the building system design and
20 construction function and must possess the necessary experience and
21 testing equipment.
- 22 3. For projects less than 20,000 square feet, project team may serve as
23 commissioning providers so long as the owner signifies approval by
24 letter to the Code Official.

25 b. Review of construction documents. FPT providers must review the
26 construction documents to verify that:

- 27 1. the relevant sensor locations, devices, and control sequences are
28 properly specified;
- 29 2. performance and testing criteria are included; and
- 30 3. equipment to be tested is accessible for testing and maintenance.

31 **1001.3.1.3 [1001.3.1.1.2] Activities Prior to Building Occupancy for**
32 **Facilities Using the FPT Process. {As in IgCC}**

33 **1001.3.1.4 [1001.3.1.1.3] Documentation. {As in IgCC}**

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1 [1001.3.1.1.2 Acoustical Control. *{Not Adopted}*]

2 **1001.3.2 [1001.3.1.2] Building Project Commissioning (Cx) Process. *{As in IgCC}***

3 **1001.3.2.1 [1001.3.1.2.1] Systems to be Commissioned.** For buildings that exceed
4 10,000 ft² (1000 m²) of gross floor area, the Cx process must be included in the
5 design and construction of the building project. The following systems and associated
6 controls, where included in the building project, must be commissioned:

7 a. through h. *{As in IgCC}*

8 i. Building envelop systems.

9 **1001.3.2.2 [1001.3.1.2.2] through 1001.3.2.5 [1001.3.1.2.4] *{As in IgCC}***

10 **[1001.3.1.3 Project Cx Documents. *{As in IgCC}*]**

11 **1001.3.2.5.1 [1001.3.1.3.1] through 1001.3.2.5.5 [1001.3.1.3.4] *{As in IgCC}***

12 **[1001.3.1.3.5 Building Envelope Airtightness. *{Not Adopted}*]**

13 **[1001.3.1.3.6 Documentation. *{As in IgCC}*]**

14 **[1001.3.1.4 Erosion and Sedimentation Control. *{Not Adopted}*]**

15
16 **SECTION 1001.4 CONSTRUCTION OPERATIONS AND START-UP REQUIREMENTS.**

17 **1001.4.1 EROSION AND SEDIMENTATION CONTROL (ESC). *{NOT ADOPTED}***

18 **1001.4.2 [1001.3.1.5] IAQ Construction Management.** Develop and implement an
19 IAQ construction management plan to include the following:

20 a. THROUGH C. *{As in IgCC}*

21 **D. [b.] PreK-12 schools and health-care projects.** For preK-12 schools and
22 health-care projects, after construction ends, prior to occupancy and with all
23 interior finishes installed, a postconstruction, preoccupancy building flush-out, as
24 described in § [1001.3.1.5(b)(1)] 1001.7.1, or a postconstruction, preoccupancy
25 baseline IAQ monitoring, as described in § [1001.3.1.5(b)(2)] 1001.7.2, must be
26 [performed:] PERFORMED.

27 **[1. Postconstruction, preoccupancy flushout. *{As in IgCC}*]**

1 **[2. Postconstruction, preoccupancy base- line IAQ monitoring.** Baseline
2 IAQ testing shall be conducted after construction ends and prior to
3 occupancy. Testing shall be performed using protocols consistent with the
4 USEPA Compendium of Methods for the Determination of Toxic Organic
5 Pollutants in Ambient Air, TO-1, TO-11, TO-17, and ASTM Standard
6 Method D 5197. The testing must demonstrate that the contaminant
7 maximum concentrations listed in Table 1001.3.1.5 are not exceeded in
8 the return airstreams of the HVAC systems that serve the space intended
9 for occupancy. I f the return airstream of the HVAC system serving the
10 space intended for occupancy can not be separated from other spaces, then
11 for each portion of the building served by a separate ventilation system,
12 the testing must demonstrate that the contaminant maximum
13 concentrations at breathing zone listed in Table 1001.3.1.5 are not
14 exceeded in the larger of the following number of locations: (i) no fewer
15 than one location per 25,000 ft2 (2500 m2) or (ii) in each contiguous floor
16 area. For each sampling point where the maximum concentration limits
17 are exceeded, conduct additional flush-out with outdoor air, and retest the
18 specific parameters exceeded to demonstrate that the requirements are
19 achieved. Repeat procedure twice. When retesting noncomplying
20 building areas, take samples from the same locations as in the first test.]

21 **1001.4.3 THROUGH 1001.4.5 {As IN IgCC}**

22 **SECTION 1001.5 ACOUSTICAL FIELD MEASUREMENT. {NOT ADOPTED}**

23 **SECTION 1001.6 BUILDING ENVELOPE AIRTIGHTNESS {NOT ADOPTED}**

24 **SECTION 1001.7 POSTCONSTRUCTION BUILDING FLUSH-OUT AND AIR MONITORING {As IN**
25 **IgCC}**

26 **1001.7.1 POSTCONSTRUCTION, PREOCCUPANCY FLUSH-OUT. {As IN IgCC}**

27 **1001.7.2 POSTCONSTRUCTION, PREOCCUPANCY BASELINE IAQ MONITORING. BASELINE**
28 **IAQ TESTING SHALL BE CONDUCTED AFTER CONSTRUCTION ENDS AND PRIOR TO OCCUPANCY.**
29 **TESTING SHALL BE PERFORMED USING PROTOCOLS CONSISTENT WITH THE USEPA**
30 **COMPENDIUM OF METHODS FOR THE DETERMINATION OF TOXIC ORGANIC POLLUTANTS IN**
31 **AMBIENT AIR, TO- 1, TO-11, TO-17, AND ASTM STANDARD METHOD D 5197. THE TESTING**
32 **MUST DEMONSTRATE THAT THE CONTAMINANT MAXIMUM CONCENTRATIONS LISTED IN TABLE**
33 **1001.7.2 3.1.5 ARE NOT EXCEEDED IN THE RETURN AIRSTREAMS OF THE HVAC SYSTEMS THAT**
34 **SERVE THE SPACE INTENDED FOR OCCUPANCY. IF THE RETURN AIRSTREAM OF THE HVAC**
35 **SYSTEM SERVING THE SPACE INTENDED FOR OCCUPANCY CANNOT BE SEPARATED FROM OTHER**
36 **SPACES, THEN FOR EACH PORTION OF THE BUILDING SERVED BY A SEPARATE VENTILATION**
37 **SYSTEM, THE TESTING MUST DEMONSTRATE THAT THE CONTAMINANT MAXIMUM**
38 **CONCENTRATIONS AT BREATHING ZONE LISTED IN TABLE 1001.7.2 3.1.5 ARE NOT EXCEEDED**
39 **IN THE LARGER OF THE FOLLOWING NUMBER OF LOCATIONS: (I) NO FEWER THAN ONE**
40 **LOCATION PER 25,000 FT2 (2500 M2) OR (II) IN EACH CONTIGUOUS FLOOR AREA. FOR EACH**
41 **SAMPLING POINT WHERE THE MAXIMUM CONCENTRATION LIMITS ARE EXCEEDED, CONDUCT**
42 **ADDITIONAL FLUSH-OUT WITH OUTDOOR AIR, AND RETEST THE SPECIFIC PARAMETERS**

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1 **EXCEEDED TO DEMONSTRATE THAT THE REQUIREMENTS ARE ACHIEVED. REPEAT PROCEDURE**
 2 **TWICE. WHEN RETESTING NONCOMPLYING BUILDING AREAS, TAKE SAMPLES FROM THE SAME**
 3 **LOCATIONS AS IN THE FIRST TEST.**

4 **Table [1001.3.1.5] 1001.7.2**
 5 **Maximum Concentration of Air Pollutants relevant to IAQ**

Contaminant	Minimum Concentration, $\mu\text{g}/\text{m}^3$ (Unless Otherwise Noted)
Nonvolatile Organic Compounds	
Carbon monoxide (CO)	9 ppm and no greater than 2 ppm above outdoor levels
Ozone	0.075 ppm (2 h)
Particulates (PM 2.5)	35 (2 h)
Particulates (PM 10)	150 (2 h)
Volatile Organic Compounds	
Acetaldehyde	140
Acrylonitrile	5
Benzene	60
1,3-butadiene	20
t-butyl methyl ether (methyl-t-butyl ether)	8000
Carbon disulfide	800
Carbon tetrachloride	40
Chlorobenzene	1000
Chloroform	300
1,4-dichlorobenzene	800
Dichloromethane	400
1,4-Dioxane	3000
Ethylbenzene	2000
Ethylene glycol	400
Formaldehyde	33
n-Hexane	7000
Naphthalene	9

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Contaminant	Minimum Concentration, $\mu\text{g}/\text{m}^3$ (Unless Otherwise Noted)
1 Phenol	200
2 4-phenylcyclohexene (4 PCH) ^a	2.5
3 2-propanol (isopropanol)	7000
4 Styrene	900
5 Tetrachloroethene (tetrachloroethylene, 6 perchloroethylene)	35
7 Toluene	300
8 1,1,1-trichloroethane (methyl chlorofoam)	1000
9 Trichloroethene (trichloroethylene)	600
10 Xylene isomers	700
11 Total volatile organic compounds (TVOC)	_____ ^b

- 12
13 a. This test is only required if carpets and fabrics with styrene butadiene rubber (SBR) latex backing material are
14 installed as part of the base building systems.
- 15 b. TVOC reporting must be in accordance with CDPH/EHLB/Standard Method V1.1 and must be in conjunction
16 with the individual VOCs listed

17 **[1001.3.1.6 Moisture Control {As in IgCC}]**

18 **[1001.3.1.7 Construction Activity Pollution Prevention: Idling of Construction**
19 **Vehicles. {As in IgCC}]**

20 **[1001.3.1.8 Construction Activity Pollution Prevention: Protection of Occupied**
21 **Areas. {As in IgCC}]**

22 **1001.8 [1001.3.1.9] Soil-Gas Control {Not Adopted}**

23 **[1001.3.1.10 Construction Waste Management. {As in IgCC}]**

24 **[1001.3.2 Plans for Operation. {Not Adopted}]**

25 **SECTION 1001.9 PLANS FOR HIGH-PERFORMANCE BUILDING OPERATION. {NOT ADOPTED}**

26 **SECTION 1001.10 SERVICE LIFE PLAN. {NOT ADOPTED}**

27 **SECTION 1001.11 TRANSPORTATION MANAGEMENT PLAN. {NOT ADOPTED}**

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Chapter 11 Electives

Section 1101.1 Scope This Chapter specifies elective requirements for all projects. It is designed to implement additional measures to support Baltimore City’s sustainability goals, mitigate the impacts of building, and provide a greater benefit to the citizens of Baltimore City. Electives are applicable to buildings, structures, and building sites subject to the provisions of this Code. Owners have some flexibility selecting electives, but must adhere to the mandatory point provisions identified below.

Section 1101.2 Compliance Each project must comply with § 1101.3 {“Mandatory Provisions”} by complying with either § 1101.3.1 {“Required Electives”} or § 1101.3.2 {“Zero Energy Elective”}.

Section 1101.3 Mandatory Provisions

1101.3.1 Required Electives (10 Points). A total of 10 points must be selected and achieved from among the following categories:

- a. Water Efficiency – at least 1 point
- b. Energy Efficiency – at least 1 point
- c. Indoor Environmental Quality – at least 1 point
- d. Any 1 or more of the categories listed in § 104.4 – 7 points

1101.3.2 Zero Energy Elective (10 Points). Choose one of the following paths:

1101.3.2.1 Path 1. Provide energy model for building consumption, solar generation, or other renewable generation report for yearly generation, and a summary report noting building EUI, solar generation, and a summary of energy savings measures implemented by the building. For the purposes of this credit, on-site solar and community solar of which the property is a member generated within 15 miles of the site may be considered. Provide energy information as required in the Green Building Statement of Compliance.

1101.3.2.1 Path 2. If the building pursues a net zero certification, such as International Living Futures Institutes Zero Energy or energy Petal, or LEED Zero Energy, the building may provide documentation showing acceptance into the monitoring period by those agencies in lieu of plans and energy calculations. Provide energy information as required in the Green Building Statement of Compliance.

Section 1101.4 Elective Categories

1101.4.1 Site Sustainability.

1101.4.1.1 Mitigation of Heat Island Effect. See § 501.3.5.1 {“Site Hardscape”} –

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1 50% (1 Point).

2 **1101.4.1.2 Greenfield Sites.** *See* § 501.3.3.2.b.2 – 60% (1 Point).

3 **1101.4.1.3 Electric-vehicle charging.** *See* § 1101.4.1.3.1 {“Requirements”} below (1
4 Point).

5 **1101.4.1.3.1 Requirements.** Where on-site vehicle parking is provided, at least one
6 of the following options must be installed:

7 a. At least 2% of parking spaces must be equipped with Level 2 (208-240 volt)
8 or Level 3 (480 volt) electric vehicle charging stations, which must be
9 available for use by building occupants and located not more than 1/4 mile
10 (400 m) from the building project.

11 b. At least 6% of parking spaces must be provided with electrical raceways
12 originating at the building’s electrical power distribution panels to facilitate
13 future installation of electric vehicle charging stations. Electrical power
14 distribution panels serving these raceways must be sized to supply the future
15 charging stations based on a design load of not less than 40 amp per parking
16 space at a supply voltage of not less than 208-240 volt, and have space
17 reserved for future installation of a branch circuit overcurrent protective
18 device. Raceways must terminate into a listed cabinet, box, or enclosure in
19 close proximity to the proposed location of the electric vehicle charging
20 station(s). Raceways may not be less than trade size 1 (nominal 1-inch inside
21 diameter).

22 **1101.4.2 Water Efficiency.**

23 **1101.4.2.1 Water Reduction.** *See* § 601.3.2 {“Building Water Reuse Reduction”} –
24 35% (1 Point).
25 40% (2 Points).
26 45% (3 Points).

27 **1101.4.2.2 Water Submetering.** *See* ICC version of § 601.3.4.1 {“Consumption
28 Measurement”} – (1 Point).

29 **1101.4.2.3 Dual Piping – General.** *See* ICC Version of § 601.3.8 {“Dual Water
30 Supply Piping”} – (1 Point).

31 **1101.4.4.4 Dual Piping – Non-Potable Water systems.** *See* ICC Version of § 601.3.8
32 {“Dual Water Supply Piping”} – 50% (2 points).

33 **1101.4.3 Energy Efficiency.**

34 **1101.4.3.1 On-Site Renewable Energy Systems – Solar Ready Conduits.** *See* ICC
35 Version of § 701.3.2 (1 Point).

36 **1101.4.3.2 On-Site Renewable Energy Systems – Solar Installation.** *See* ICC
37 Version of § 701.3.2 (3 points).

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1 **1101.4.3.3 Energy Submetering.** *See* ICC Version of § 701.3.3.1 {“Consumption
2 Management”} (1 Point).

3 **1101.4.3.4 Automated Demand Response.** *See* ICC Version of § 701.3.4 {“Automated
4 Demand Response” (1 Point).

5 **1101.4.3.5 Performance Option.** *See* IECC § 401.2.1 (Options 1 or 2) –
6 80% (1 Point).
7 75% (2 Points).
8 70% (3 Points).
9 65% (4 Points).
10 60% (5 Points).
11 55% (6 Points).
12 50% (7 Points).

13 **1101.4.3.6 Baltimore City Energy Fund.**
14 \$0.0015 per kBtu/H (equivalent to \$0.005 per kWh used) (1 Point).
15 \$0.0030 per kBtu/H (equivalent to \$0.010 per kWh used) (2 Point).

16 **1101.4.4 Indoor Environmental Quality.**

17 **1101.4.4.1 Acoustical Control or Acoustical Field Measurement.** *See* § 801.3.3
18 {“Acoustical Control”} OR ICC version of § 1001.3.1.1.2.1 {“Acoustical Field
19 Measurement”} (1 point).

20 **1101.4.4.2 Materials – Office Furniture.** *See* ICC version of §801.4.2.5 {“Office
21 Furniture Systems and Seating”} (1 Point).

22 **1101.4.4.3 Materials – Ceiling/ Wall Assemblies.** *See* ICC version of § 801.4.2.6
23 {“Ceiling and Wall Assemblies and Systems”} (1 Point).

24 **1101.4.4.4 Materials – Insulation.** *See* ICC version of § 801.4.2.7 {“Insulation”}
25 (1 Point).

26 **1101.4.4.5 Daylighting OR Daylight Simulation.** *See* ICC version of § 801.4.1
27 {“Daylighting”} OR ICC version of § 801.5.1 {“Daylight Simulation”} (1 Point).

28 **1101.4.4.5.1 “Daylighting” Requirements.** Not less than 35% of the floor area must
29 be in the daylight area, as defined in Chapter 3. The definition of daylight area is
30 modified so that partitions and other obstructions that are less than the ceiling height
31 are disregarded. Daylight areas must be under skylights, under roof monitors, or in
32 the primary or secondary sidelighted areas and must meet at least one of the following
33 requirements:

- 34 a. The combined area of the skylights within the space is not less than 3% of the
35 calculated daylight area under skylights.
- 36 b. The space has a skylight effective aperture of not less than 1%.
- 37 c. The combined area within the space of any vertical fenestration in roof

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1 monitors is not less than 20% of the calculated daylight area under roof
2 monitors.

3 d. Primary sidelighted areas have a side- lighting effective aperture of not less
4 than 0.15.

5 e. Secondary sidelighted areas have a side- lighting effective aperture of not less
6 than 0.30.

7 **1101.4.4.5.2 “Simulation” Requirements.** The computed area-weighted sDA may
8 not be less than 30%. The sDA within each space must be calculated in accordance
9 with the methodology of IES LM 83. Calculations must be made on the basis of 28 fc
10 (300 lux) for all spaces, with the exception of the following space types, which must
11 be calculated on the basis of 14 fc (150 lux): health-care patient rooms, post-office
12 sorting areas, gymnasias, big box retail, transportation facility terminal ticket counters,
13 airport concourses, and non- refrigerated warehouses.

14 **Exceptions:**

15 a. A space used for tasks or activities requiring routine dark conditions for
16 more than 4 daytime hours per day.

17 b. A space where the height of existing facing structures above the vertical
18 fenestration is not less than twice the distance between the vertical
19 fenestration and facing structures, measured from the top of the glazing.

20 **1101.4.4.5.3 Excessive Sunlight.** The ASE, calculated with a threshold of 93 fc
21 (1000 lux) and 250 hours, may not exceed 10% of the floor area.

22 **Exceptions:**

23 a. Spaces less than 250 ft² (23 m²).

24 b. Vertical fenestration with automatically controlled shading devices in
25 compliance with ICC version of § 801.5.1.2, Exception (2).

26 c. Vertical fenestration with automatically controlled dynamic glazing in
27 compliance with ICC version of § 801.5.1.2, Exception (3).

28 **Section 1101.5 Materials and Resources**

29 **1101.5.1 Construction Waste Management.** See § 901.3.1 {“Construction Waste
30 Management”} – 90% (1 Point).

31 **1101.5.2 Reduced Impact Materials.** See § 901.4.1 {“Reduced Impact Materials”} – 55%
32 (1 Point).

33 **1101.5.3 Life-Cycle Assessment.** See § 901.5.1 {“Life-Cycle Assessment (LCA)”} – (1
34 Point).

35 **1101.5.4 Life-Cycle Assessment Performance Metrics.** See § 901.5.1.1 {“LCA

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1 Performance Metrics”} – (1 Point).

2 **Section 1101.6 Construction and Plans for Operation**

3 **1101.6.1 IAQ Construction Management – flushout OR IAQ monitoring.** *See*
4 1001.3.1.5(b) (1 Point) .

5 **Exception:** This option does not apply to preK-12 schools or healthcare projects.

6 **1101.6.2 Envelope Airtightness.** *See* ICC version of § 1001.3.1.3.5 {“Building Envelope
7 Airtightness”} (1 Point).

8 **1101.6.3 High-Performance Building Operation Plan – Site Sustainability.** *See* ICC
9 version of § 1001.3.2.1.1 {“Site Sustainability”} (1 Point).

10 **1101.6.4 High-Performance Building Operation Plan – IAQ.** *See* ICC version of
11 § 1001.3.2.1.4 (1 Point).

12 **1101.6.5 High-Performance Building Operation Plan – Green Cleaning Plan.** *See* ICC
13 version of § 1001.3.2.1.4.5 {“Building Green Cleaning Plan”}. (1 Point).

14 **1101.6.6 High-Performance Building Operation Plan – Moisture Measurement.** *See*
15 ICC version of § 1001.3.2.1.4.6 {“Moisture Measurement”. (1 Point).

16 **1101.6.7 High-Performance Building Operation Plan – Indoor Environmental Quality**
17 **Survey.** *See* ICC version of § 1001.3.2.1.5 {“Indoor Environmental Quality Survey”} (1
18 Point).

19 **1101.6.8 High-Performance Building Operation Plan – Maintenance Plan.** *See* ICC
20 version of § 1001.3.2.2 {“Maintenance Plan”} (1 Point).

21 **1101.6.9 High-Performance Building Operation Plan – Service Life Plan.** *See* ICC
22 version of § 1001.3.2.3 {“Service Life Plan”} (1 Point).

23 **1101.6.10 High-Performance Building Operation Plan – Transportation Management**
24 **Plan.** *See* ICC version of § 1001.3.2.4 {“Transportation Management Plan”} (1 Point).

25 **Chapter 12**
26 **Normative References**
27 *{As in ICC Version Chapter 11 (“Normative References”)}*

28 * * * * *

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Appendices and Annex

2

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Appendix A
Climate Zones and Prescriptive Building Envelope
and Duct Insulation Tables
{As in IgCC}

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Appendix B
Prescriptive Equipment Efficiency Tables ...
{Not Adopted}

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Appendix C
Performance Option for Energy Efficiency
{As in IgCC}

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Appendix D
Building Concentrations
{As in IgCC}

15

16

Appendices E – K
{Informative. Not Adopted}

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19

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Annex 1
Reference Standard Reproduction Annex
ASHRAE Standard 169
{Informative. Not Part of this Code}

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PART XII.
INTERNATIONAL SWIMMING POOL AND SPA CODE

§ 12-101. City adoption.

(a) *In general.*

The International Swimming Pool and Spa Code [(2018) (2021 Edition)] is adopted as part of the Building, Fire, and Related Codes of Baltimore City, subject to the additions, deletions, amendments, and other modifications contained in this Part XII.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part XII refer to the chapter and section numbers of the International Swimming Pool and Spa Code.

§ 12-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1

[Scope and Administration] Scope and General Requirements

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the “Baltimore City Swimming Pool and Spa Code”.

101.1.1 References to “this Code”. Throughout this Part XII, all references to “this Code” refer to the Baltimore City Swimming Pool and Spa Code.

101.2 to 101.4 *{As in ISPSC}*

Section 102 Applicability *{As in ISPSC}*

Section 103 Department of Building Safety

103.1 General. This code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

1. “Department of Building Safety” or “Department” means the Department of Housing and Community Development, and
2. “Code Official”, means the Building Official, as defined in § 202.2 of the Baltimore City Building Code.

103.2 to 103.3 *{Not Adopted}*

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1 **[103.4 Liability. {Not Adopted. See State Courts Article § 5-302}]**

2 **Section 104 Duties and Powers of Code Official**

3 **104.1 to 104.2 {As in ISPSC}**

4 **104.3 Notices and orders.** The Code Official may issue all notices or orders necessary to
5 ensure compliance with this Code.

6 **104.4 Inspections.** The Code Official must make all of the required inspections or accept
7 reports of inspection by approved agencies or individuals. All reports of these inspections
8 must be in writing and signed by a responsible officer of the approved agency or by the
9 responsible individual. The Code Official may engage any expert opinion that the Code
10 Official considers necessary to report on unusual technical issues that arise.

11 **104.5 Identification. {As in ISPSC}**

12 **104.6 Right of entry.** The Code Official may enter any structure or premises at reasonable
13 times to inspect, subject to constitutional restrictions on unreasonable searches and seizures.
14 If entry is refused or not obtained, the Code Official may pursue recourse as provided by law,
15 including § 104 {... Powers of Building Official"} of the Baltimore City Building Code.

16 **104.7 Department records.** The Code Official must keep records of all of the Department's
17 business and activities under this Code.

18 **104.8 LIABILITY. {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302}**

19 **104.9 [104.8] Modifications. {As in ISPSC}**

20 **104.10 [104.9] Alternative materials and methods.** The provisions of this Code are not
21 intended to prevent the installation of any material or to prohibit any method of construction
22 not specifically prescribed by this Code, as long as that alternative has been approved. An
23 alternative material or method of construction may be approved if the Code Official finds in
24 writing that, for the purpose intended:

- 25 1. the proposed alternative is satisfactory and complies with the intent of this Code, and
- 26 2. the material, method, or work offered is at least the equivalent of that prescribed
27 in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

28 **104.11 [104.10] Required testing. {As in ISPSC}**

29 **104.12 [104.11] Alternative engineered design. {As in ISPSC}**

30 **104.13 [104.12] Material and equipment reuse. {As in ISPSC}**

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1 Section 105 Permits

2 **105.1 When required.** *{As in ISPSC}*

3 **105.2 Application for permit.** The requirements for obtaining a permit are as set forth in
4 § 105.3 {"Application for permit"} of the Baltimore City Building Code.

5 **[105.3 Construction documents.** *{As in ISPSC}*]

6 **105.3 [105.4] Time limitation of application.** *{As in ISPSC}*

7
8 **105.4 [105.5] Permit issuance.** *{As in ISPSC}*

9 **105.4.1 [105.5.1] Approved construction documents.** *{As in ISPSC}*

10 **105.4.2 [105.5.2] Validity.** *{As in ISPSC}*

11 **105.4.3 [105.5.3] Expiration.** Unless extended, a permit expires as set forth in § 105.5
12 {"Expiration; Extension"} of the Baltimore City Building Code.

13 **105.4.4 [105.5.4] Extension.** An expired permit may be extended as provided in
14 § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

15 **105.4.5 [105.5.5] Suspension or revocation.** The Code Official may suspend or revoke
16 a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City
17 Building Code.

18 **[105.5.6 Retention of construction documents.** *{As in ISPSC}*]

19 **[105.6 Fees.** *{As in ISPSC}*]

20 **[105.6.1 Work commencing before permit issuance** *{Not Adopted}*]

21 **[105.6.2 Fee schedule.** The fees for work are as set forth in § 109 {"Fees"} of the
22 Baltimore City Building Code.]

23 **[105.6.3 Fee refunds** *{Not Adopted}*]

24 **SECTION 106 CONSTRUCTION DOCUMENTS** *{AS IN ISPSC}*

25 **SECTION 107 NOTICE OF APPROVAL** *{NOT ADOPTED}*

26 **SECTION 108 FEES** *{AS IN ISPSC}*

27 **108.1 FEES.** *{AS IN ISPSC}*

28 **108.2 FEE SCHEDULE.** THE FEES FOR WORK ARE SET FORTH IN § 109 {"FEES"} OF THE
29 BALTIMORE CITY BUILDING CODE.

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1 **108.3 PERMIT VALUATION. {AS IN ISPSC}**

2 **108.4 TO 108.6 {NOT ADOPTED}**

3 **SECTION 109 SERVICE UTILITIES {AS IN ISPSC}**

4 **109.1 CONNECTION OF SERVICE UTILITIES {AS IN ISPSC}**

5 **109.2 TEMPORARY CONNECTION {NOT ADOPTED}**

6 **109.3 AUTHORITY TO DISCONNECT SERVICE UTILITIES {NOT ADOPTED}**

7 **Section [106] 110 Inspections {As in ISPSC}**

8 **SECTION 111 MEANS OF APPEALS {NOT ADOPTED}**

9 **SECTION 112 BOARD OF APPEALS {NOT ADOPTED}**

10 **Section [107] 113 Violations**

11 **[107.1 to 107.3] 113.1 to 113.3 {As in ISPSC}**

12 **113.4 [107.4] Violation penalties.** The penalties for a violation of this Code are as provided
13 in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

14 **[107.5 Stop-work orders.** The issuance and enforcement of stop-work orders are as
15 provided in § 115 {"Stop-work order"} of the Baltimore City Building Code.]

16 **[107.6 to 107.7] 113.5 to 113.6 {As in ISPSC}**

17 **SECTION 114 STOP WORK ORDER**

18 **114.1 AUTHORITY.** THE ISSUANCE AND ENFORCEMENT OF STOP-WORK ORDERS ARE
19 PROVIDED FOR IN § 115 {"STOP-WORK ORDER"} OF THE BALTIMORE CITY BUILDING CODE.

20 **114.2 TO 114.4 {NOT ADOPTED}**

21 **Section [108] 115 Administrative and Judicial Review**

22 **108.1 General.** A decision of the Code Official is subject to administrative and judicial
23 review as provided **FOR** in the Baltimore City Building Code.

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Chapter 2 Definitions

Section 201 General

201.1 to 201.2 *{As in ISPSC}*

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in the Baltimore City Building Code or in one or another of the standards and codes listed in § 101.4 {"Referenced Codes"} of the Baltimore City Building Code, the term has the meaning given to it in that code or standard.

201.4 Terms not defined. *{As in ISPSC}*

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Swimming Pool and Spa Code [(2018) (2021 Edition)] have the meanings given in the International Swimming Pool and Spa Code [(2018) (2021 Edition)].

202.2 Supplemental definitions. Notwithstanding any different definition in the International Swimming Pool and Spa Code, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code Official. "Code Official" has the meaning stated in § 103.1 of this Code.

202.2.3 Design-flood elevation. "Design-flood elevation" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain district"}.

202.2.4 Flood hazard area. "Flood hazard area" means a Regulated Flood Hazard Area established under and regulated by the Floodplain Management Code.

202.2.5 Floodplain Management Code. "Floodplain Management Code" means the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

202.2.6 Floodway. "Floodway" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet Floodproofing"}.

202.2.7 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.8 Must/Shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

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Chapter 4
Public Swimming Pools
{As in ISPSC}

Chapter 5
Public Spas and Public Exercise Spas
{As in ISPSC}

Chapter 6
Aquatic Recreation Facilities

Sections 601 to 611 *{As in ISPSC}*

Section 612 Splash Pads

612.1 GENERAL. CONSTRUCTION AND OPERATION OF ANY SPLASH PAD SHALL COMPLY WITH THIS § 612.

612.1.1 [612.1] Definitions. In this Chapter, “splash pad” (also known as “spray pad”, “wet deck”, or “interactive water play feature”) means any indoor or outdoor structure designed to allow for public recreational activities with recirculated, filtered, and treated water that:

1. includes sprayed, jetted, or other water sources contacting bathers, but
2. does not incorporate standing or captured water as part of the bather activity area.

[612.2 General. Construction and operation of any splash pad must comply with §§ 612.3 through 612.8.]

612.2 [612.3] Safety hazards. All parts of the splash pad that can be accessed by splash pad users must be designed and constructed to not present safety hazards to the users.

612.3 [612.4] Decking. A deck of not less than 4 feet (1296 mm) in width must be provided around the perimeter of the splash pad. The deck must be sloped away from the splash pad.

612.4 [612.5] Splash pan zone. The splash pad zone must comply with [§§ 612.5.1 through 612.5.3] §§ 612.4.1 THROUGH 612.4.3.

612.4.1 [612.5.1] Surface. Splash pad zone surfaces must have a slip-resistant and cleanable surface. The manufacturer of manufactured zone surfaces must certify that the surfacing is suitable for aquatic and chlorinated environments. Direct suction outlets from a splash pad are prohibited.

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1 **612.4.2 [612.5.2] Slope and water collection.** Splash pad zone surfaces must slope
2 to one or more drain points so that only water from the splash pan zone flows back to a
3 gravity fed collection tank. The slope must prevent the accumulation or pooling of water
4 and may not exceed ½ inch (12.7 mm) per foot. Drain openings in the splash pad zone
5 surfaces that can be accessed by users may not allow a ½ inch (12.7 mm) diameter dowel
6 rod to be inserted into the opening. Drain covers in splash pad zone surfaces must be flat
7 and flush with the zone surface and must require tools for removal. The manufacturer of
8 the drain cover must certify that the covers comply with the physical testing and finger-
9 and-limb entrapment requirements of Sections 3 and 6, respectively, of APSP 16.

10 **612.4.3 [612.5.3] Nozzles within splash pad zones.**

11 **612.4.3.1 [612.5.3.1] General.** Nozzles that spray water from the splash pad zone
12 must be flush with the zone surface. Openings in the nozzles may not allow a ½ inch
13 (12.7 mm) diameter dowel rod to be inserted into the opening. The water velocity
14 from the orifice of any water nozzle may not exceed 20 feet (6.1 m) per second.

15 **612.4.4.2 [612.5.3.2] Nozzles not on walking surfaces.** Nozzles that are not on
16 walking surfaces must be designed to be clearly visible.

17 **612.5 [612.6] Water sanitation.** The water sanitation must consist of the equipment
18 covered in §§ 612.6.1 through 612.6.5.

19 **612.5.1 [612.6.1] Water collection and treatment tank.** A splash pad must drain to
20 a collection and treatment tank. The inside of the tank must be accessible for cleaning
21 and inspection. The access hatch or lid must be locked or require a tool to open. The
22 tank capacity may not be less than 1,000 gallons or 10 times the number of gallons in a
23 minute when all nozzles are operating simultaneously, whichever is greater. The volume
24 water in the tank, at the design water level, may not decrease more than 15% of that
25 volume when all pumps and discharge piping fill with water to the discharge points of all
26 nozzles. The tanks must be provided with a means to empty all water in the tank for the
27 purposes of servicing or cleaning.

28 **612.5.2 [612.6.2] Filtration pump.** The filtration pump must be sized to turnover the
29 surge basin capacity in 30 minutes or less. The intake for the pump must be located to
30 draw water from the lowest elevation in the treatment tank.

31 **612.5.3 [612.6.3] Spray nozzle and water feature disinfection.** Spray nozzles and
32 water features must be supplied by water from the water collection and treatment tank
33 that is equipped with filtration and sanitizing equipment required by Chapter 3 and this
34 Chapter. Where separate water feature pumps are installed, controls must prevent those
35 pumps from operating when the filtration pump is not operating.

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1 **612.5.4 [612.6.4] Disinfection system.** In addition to any filtration and sanitizing
2 equipment requirements of Chapter 3 and this Chapter, all water supplied to spray nozzles
3 or other water that can be accessed by a user, must pass through a secondary disinfection
4 system before discharge to the user. The secondary disinfection system must be listed and
5 labeled to NSF 50 as having a single-pass, three-log reduction of cryptosporidium
6 surrogate.

7 **612.5.5 [612.6.5] Make-up water system.** The water collection and treatment tank must
8 be provided with a make-up water system that is supplied with potable water.

9 **612.6 [612.7] Operating instructions.** In addition to the documentation and instruction
10 requirements of Chapters 1 and 3, the operating instructions for a splash pad must require that
11 the circulation system be operated continuously for not less than 4 turnovers prior to
12 operation of the pumps for the spray nozzles and other water features systems.

13 **612.7 [612.8] Lighting.** Where a splash pad will be in operation at night or during periods
14 of inadequate natural lighting, artificial lighting must be provided in accordance with the
15 same requirements for pool deck area lighting in § 321.2.2.

16 **612.8 TOILET ROOM AND BATHROOM FACILITIES. BATHROOM FACILITIES FOR A SPLASH**
17 **PAD SHALL BE PROVIDED IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THIS**
18 **ARTICLE, INCLUDING § 1210 {"TOILET AND BATHROOM REQUIREMENTS "}" OF THE BALTIMORE**
19 **CITY BUILDING CODE, AND THE BALTIMORE CITY PLUMBING CODE.**

20 **612.8.1 EXEMPTIONS. A BATHROOM FACILITY IS NOT REQUIRED IF ONE OR MORE OF THE**
21 **FOLLOWING CONDITIONS ARE MET:**

- 22 1. **A SPLASH PAD IS RECIRCULATING AND HAS HEALTH AND SAFETY INFORMATION**
23 **POSTED AS REQUIRED BY THIS CODE OR OTHER APPLICABLE CITY CODE OR**
24 **REGULATIONS;**
- 25 2. **A WRITTEN AGREEMENT GRANTING SPLASH PAD PATRONS USE OF BATHROOM**
26 **FACILITIES LOCATED IN A NEARBY STRUCTURE IS IN EFFECT BETWEEN AN OWNER**
27 **OR OPERATOR OF A SPLASH PAD AND A PERSON WITH THE REQUIRED AUTHORITY TO**
28 **GRANT ACCESS TO THE SUBJECT BATHROOM FACILITIES.**

29 **Chapter 7**
30 **On-Ground Storable Residential Swimming Pools**
31 **{As in ISPSC}**

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1
2
3

Chapter 8
Permanent In-Ground Residential Swimming Pools
{As in ISPSC}

4
5
6
7

Chapter 9
Permanent Residential Spas and
Permanent Residential Exercise Spas
{As in ISPSC}

8
9
10
11

Chapter 10
Portable Residential Spas and
Portable Residential Exercise Spas
{As in ISPSC}

12
13
14

Chapter 11
Referenced Standards
{As in ISPSC}

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Article – Health

Title 6. Food Service Facilities

Subtitle 6. Suspensions and Revocations

§ 6-603.1. Suspension or nonrenewal for multiple or unpaid citations.

(b) *Covered offenses.*

(1) For purposes of this section, citations issued for violations of the following provisions of the City Code are presumed to be issued for reasons related to public health or to the prevention of disease, epidemics, or nuisances affecting public health:

...

Building, Fire, and Related Codes Article – Fire Code

§ [108.6.] 109.9 Maintenance: Overcrowding

§ 111.1. Unsafe buildings: General

§ 1001.2. Means of Egress: Minimum requirements

§ 19-302. Prohibited applications.

(b) *Permitted applications.*

Except as provided in § 19-303 {“Glyphosate use prohibited”}, § 19-304 {“Chlorpyrifos use prohibited”}, and § 19-305 {“Neonicotinoid pesticides on City-owned property”} of this title, a person may apply any registered pesticide to:

(8) comply with § [3314] 3118 {“Rodenticide Procedure”} of the City Building, Fire, and Related Codes Article;

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(5c) *Building, Fire, and Related Codes Article – Building Code*

...

§ [1209.4] 1210.4 Diaper-Changing Amenities \$500

...

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1 § [108.6.] 109.6 Maintenance: Overcrowding
2 ...

3 **Article 26. Surveys, Streets, and Highways**

4 **Subtitle 6. Building Address Numbers**

5 **§ 6-7. Required display.**

6 The correct number of every house or other building:

7 (1) shall be displayed as provided in International Building Code § 502 [{"Business"}
8 {"BUILDING Address"}]; and

9 (2) shall be affixed or otherwise placed:

10 (i) at the front entrance of the house or other building or the front entrance to the
11 premises on which the house or other building is located so that the number is
12 plainly visible and legible in daytime from a point located 4 feet above the
13 curb line immediately in front of the entrance on which the number is placed;
14 and

15 (ii) for a property whose rear borders an alley (as defined in Baltimore City
16 Zoning Code § 1-302(1) {"Alley"}), at the rear of the property so that the
17 number is plainly visible and legible in daytime from a point located 4 feet
18 above the grade level of the alley.

19 **Article 32. Zoning**

20 **Title 5. Applications and Authorizations**

21 **Subtitle 2. Applications**

22 **§ 5-201. Introduction of proposed authorization.**

23 (d) *Traffic mitigation.*

24 (1) *Referral to DoT.*

25 Within 15 business days of receiving a completed application, the Zoning
26 Administrator or the BMZA, as the case might be, must refer the application and all
27 accompanying documents to the Director of Transportation, if:

28 (i) traffic-mitigation requirements for the proposed structure or use have not
29 already been complied with in accordance with this Code or the City Building,
30 Fire, and Related Codes Article; and

31 (ii) the proposed structure or use:

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- 1 (A) is in a Traffic-Mitigation Zone designated in Building Code § 3805
- 2 {"Traffic-Mitigation [Zone"]} ZONES"} and involves 10 or more
- 3 dwelling units;
- 4 (B) involves 15,000 sq. ft. or more of gross floor area; or
- 5 (C) involves 50 or more dwelling units.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance and the Building, Fire,
7 and Related Codes adopted by it apply to all building operations for which a permit application is
8 filed on or after the effective date of this Ordinance.

9 **SECTION 3. AND BE IT FURTHER ORDAINED,** That, except as expressly provided to the
10 contrary in this Ordinance, any transaction, case, proceeding, investigation, or other matter
11 validly begun before the effective date of this Ordinance and affected by or flowing from any law
12 amended or repealed by this Ordinance, and any right, duty, or interest flowing from any
13 ordinance amended or repealed by this Ordinance, remains valid after the effective date of this
14 Ordinance and may be terminated, completed, enforced, or prosecuted as required or permitted
15 by the prior law as though the amendment or repeal has not occurred. If any change in
16 nomenclature involves a change in name or designation of any City agency or official, the
17 successor agency or official has all the powers and obligations granted the predecessor agency
18 or official.

19 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
20 enacted.

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Certified as duly passed this 16 day of May, 2024



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 16 day of May, 2024



Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City