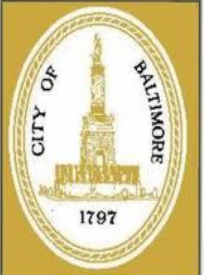


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|-------------|----------------------------------|--|--|---|
| FROM | NAME & TITLE | Jason W. Mitchell, Acting Director | CITY of BALTIMORE <i>MEMO</i> |  |
| | AGENCY NAME & ADDRESS | Department of Public Works 600 Abel Wolman Municipal Building | | |
| | SUBJECT | City Council Bill 21-0096 | | |

June 10, 2021

TO:

Rules and Legislative Oversight Committee

I am herein reporting on City Council Bill 21-0096 introduced by Council Member Schleifer.

The purpose of the Bill is to adopt a provision of the International Building Code that exempts certain one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses from construction permitting requirements; and to conform related provisions.

Periodically, the City reviews its building, property maintenance, mechanical, plumbing, and related codes and adopts revisions through an ordinance process. Revisions are necessary to keep the codes current and viable, by incorporating new standards, new materials, or new methods for compliance for the health and safety of our residents and businesses. Such changes may be the result of Baltimore’s own experiences in administering the codes, or the result of changes proposed by national and international building officials and code administrators. The Building, Fire and Related Codes include cross references to, and support for, other City codes. This inter-correlation is important for keeping clear standards expected of property owners, tenants and landlords, developers and builders, businesses and trades.

Initially, the model for these codes was the National Building Code issued by the Building Officials and Code Administrators International, Inc., or BOCA. Prior to 1993, there was no standard building code for the State of Maryland. In 2000, the Maryland Building Performance Standards Act was amended by the General Assembly to recognize the replacement of the BOCA National Building Code with the International Building Code, and it is this code that the State of Maryland now requires jurisdictions to adopt. The last comprehensive revisions to these codes were adopted through Ordinance 20-361. Subsequently, Ordinance 20-467 repealed the 2012 Edition of the International Green Construction Code and replaced it with the most recent 2018 Edition, with some additions, deletions, amendments, and modifications specific to Baltimore.

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City Council Bill 21-0096, if approved, would adopt a portion of the International Building Code exempting the construction of storage sheds used for certain purposes, and having a floor size of 120 square feet or less, from applying for a building permit. The level of disturbance for such a shed would not currently trigger a permit review by the Department of Public Works for erosion and sediment control or stormwater management. Article 7 {Natural Resources} Divisions II and III (Stormwater Management and Soil Erosion and Sediment Control, respectively) does not require Public Works permit reviews when the proposed construction disturbs an area less than 5,000 square feet and less than 100 cubic yards of earth. Since the proposed exemption is not limited to Single Family Residential properties, there is a potential for impacting a property's stormwater fee, but the impact would not be significant. However, it is important to note that any structure covered under this legislation should not be constructed within an easement related to utilities or stormwater management.

Based on these findings, the Department of Public Works defers to the Department of Housing and Community Development and the Department of Law on City Council Bill 21-0096.



Jason W. Mitchell
Acting Director

JWM/MMC