

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 07-0632

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: April 16, 2007
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 29, 2007

AN ORDINANCE CONCERNING

1 **Building, Fire, and Related Codes – 2007 Edition**

2 FOR the purpose of adopting a revised Building, Fire, and Related Codes Article, comprising the
3 Maryland Building Performance Standards (effective July 1, 2007), the International
4 Building Code (2006 Edition), the National Electrical Code (2005 Edition), the National Fuel
5 Gas Code (2006 Edition), the International Mechanical Code (2006 Edition), the National
6 Standard Plumbing Code (2006 Edition, 2007 Supplement), the International Property
7 Maintenance Code (2006 Edition), the International Fire Code (2006 Edition), the
8 International Energy Conservation Code (2006 Edition), and the International Residential
9 Code for One- and Two-Family Dwellings, all as supplemented, amended, or otherwise
10 modified by this Ordinance; providing for the effect, construction, and effective date of these
11 new standards and codes; conforming, correcting, and clarifying certain language; and
12 generally relating to the adoption of new building, fire, property maintenance, electrical,
13 plumbing, mechanical, and related codes for Baltimore City.

14 BY repealing
15 Article - Building, Fire, and Related Codes
16 In its Entirety
17 Baltimore City Revised Code
18 (Edition 2000)

19 BY adding
20 Article - Building, Fire, and Related Codes
21 Baltimore City Revised Code
22 (Edition 2000)

23 BY repealing and reordaining, with amendments
24 Article - Health
25 Section(s) 5-301(d)
26 Baltimore City Revised Code
27 (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 reordaining, with amendments

2 Article - Zoning
3 Section(s) 13-719(d)
4 Baltimore City Revised Code
5 (Edition 2000)

6 BY repealing and reordaining, with amendments

7 Article 9 - Fire Suppression and Prevention
8 Section(s) 9-5(b)
9 Baltimore City Code
10 (Edition 2000)

11 BY repealing and reordaining, with amendments

12 Article 13 - Housing and Urban Renewal
13 Section(s) 13-5, 13-8
14 Baltimore City Code
15 (Edition 2000)

16 BY repealing and reordaining, with amendments

17 Article 15 - Licensing and Regulation
18 Section(s) 1-28(a), 3-8(b)
19 Baltimore City Code
20 (Edition 2000)

21 BY repealing and reordaining, with amendments

22 Article 28 - Taxes
23 Section(s) 10-6(d), 10-8(f)
24 Baltimore City Code
25 (Edition 2000)

26 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
27 Building, Fire, and Related Codes Article of the City Code is repealed.

28 **SECTION 2. AND BE IT ORDAINED,** That the Laws of Baltimore City read as follows:

29 **Baltimore City Revised Code**

30 **ARTICLE – BUILDING, FIRE, AND RELATED CODES**

31 **PART I. MARYLAND BUILDING PERFORMANCE STANDARDS**

32 **§ 1-101. STATE ACTION.**

33 (A) *IN GENERAL.*

34 THE MARYLAND BUILDING PERFORMANCE STANDARDS ARE ADOPTED AND, FROM TIME
35 TO TIME, AMENDED BY THE STATE DEPARTMENT OF HOUSING AND COMMUNITY
36 DEVELOPMENT UNDER STATE PUBLIC SAFETY ARTICLE, TITLE 12, SUBTITLE 5.

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1 (B) *CONTENTS.*

2 AS AMENDED EFFECTIVE JULY 1, 2007, THESE STANDARDS CONSIST OF:

3 (1) THE INTERNATIONAL BUILDING CODE (2006 EDITION), WITH CERTAIN STATE
4 MODIFICATIONS {COMAR 05.02.07.04A AND B}; AND

5 (2) THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY
6 DWELLINGS (2006 EDITION), WITH CERTAIN STATE MODIFICATIONS {COMAR
7 05.02.07.04C}.

8 **§ 1-102. CITY ADOPTION.**

9 THE MARYLAND BUILDING PERFORMANCE STANDARDS ARE ADOPTED AS PART OF THE
10 BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE FOLLOWING
11 MODIFICATIONS:

12 (1) IN THE INTERNATIONAL BUILDING CODE (2006 EDITION):

13 (I) INCORPORATE THE STATE MODIFICATIONS INDICATED IN THE APPROPRIATE
14 CHAPTER, SECTION, OR OTHER PROVISION OF PART II BELOW; AND

15 (II) ADD THE BALTIMORE CITY MODIFICATIONS INDICATED IN THE APPROPRIATE
16 CHAPTER, SECTION, OR OTHER PROVISION OF PART II BELOW; AND

17 (2) IN THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS
18 (2006 EDITION):

19 (I) INCORPORATE THE STATE MODIFICATIONS INDICATED IN THE APPROPRIATE
20 CHAPTER, SECTION, OR OTHER PROVISION OF PART X BELOW; AND

21 (II) ADD THE BALTIMORE CITY MODIFICATIONS INDICATED IN THE APPROPRIATE
22 CHAPTER, SECTION, OR OTHER PROVISION OF PART X BELOW.

23 **PART II. INTERNATIONAL BUILDING CODE**

24 **§ 2-101. CITY ADOPTION.**

25 (A) *IN GENERAL.*

26 THE INTERNATIONAL BUILDING CODE (2006 EDITION) IS ADOPTED AS PART OF THE
27 BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS,
28 DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART II.

29 (B) *CODIFICATION.*

30 UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART II REFER
31 TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL BUILDING CODE.

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1 **§ 2-102. MARYLAND BUILDING PERFORMANCE STANDARDS.**

2 THE MARYLAND BUILDING PERFORMANCE STANDARDS CONTAIN CERTAIN STATE
3 MODIFICATIONS TO THE INTERNATIONAL BUILDING CODE. THE STATE MODIFICATIONS
4 THAT BALTIMORE CITY HAS ADOPTED ARE REPEATED IN THIS PART II, FOR THE USER’S
5 CONVENIENCE, IN THE APPROPRIATE CHAPTER, SECTION, OR OTHER PROVISION. THESE
6 STATE MODIFICATIONS ARE LABELED “MBPS MODIFICATION”.

7 **§ 2-103. CITY MODIFICATIONS.**

8 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE
9 CITY ARE AS FOLLOWS:

10 **CHAPTER 1. ADMINISTRATION**

11 {**MBPS MODIFICATION** – NOTE TO CHAPTER 1: LOCAL JURISDICTIONS ARE RESPONSIBLE FOR THE
12 IMPLEMENTATION AND ENFORCEMENT OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.
13 REFER TO EACH LOCAL JURISDICTION FOR LOCAL AMENDMENTS TO CHAPTER 1 OF THE IBC. EACH
14 LOCAL JURISDICTION HAVING AUTHORITY SHALL ESTABLISH . . . IMPLEMENTATION AND ENFORCEMENT
15 PROCEDURES THAT INCLUDE: (A) REVIEW AND ACCEPTANCE OF APPROPRIATE PLANS; (B) ISSUANCE OF
16 BUILDING PERMITS; (C) INSPECTION OF THE WORK AUTHORIZED BY THE BUILDING PERMITS; AND
17 (D) ISSUANCE OF USE AND OCCUPANCY CERTIFICATES. }

18 **SECTION 101 GENERAL**

19 **101.1 TITLE.** THE INTERNATIONAL BUILDING CODE, TOGETHER WITH THE STANDARDS AND CODES
20 LISTED IN § 101.4, AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY THESE PROVISIONS,
21 COLLECTIVELY CONSTITUTE AND ARE KNOWN AS THE “BUILDING, FIRE, AND RELATED CODES OF
22 BALTIMORE CITY”.

23 **101.1.1 REFERENCES TO “THIS CODE”.** THROUGHOUT THESE PROVISIONS AND THE STANDARDS
24 AND CODES LISTED IN § 101.4, ALL REFERENCES TO “THIS CODE” REFER TO THE BUILDING, FIRE,
25 AND RELATED CODES OF BALTIMORE CITY.

26 **101.2 SCOPE.** *{AS IN IBC}*

27 **EXCEPTION 1:** *{AS IN IBC EXCEPTION}*

28 **EXCEPTION 2: {PER MBPS MODIFICATION}** EXISTING BUILDINGS UNDERGOING REPAIR,
29 ALTERATIONS, OR ADDITIONS, AND CHANGE OF OCCUPANCY MUST COMPLY WITH THE MARYLAND
30 BUILDING REHABILITATION CODE, SET FORTH IN COMAR 05.16.

31 **101.2.1 APPENDICES {PER MBPS MODIFICATION}.** THE APPENDICES TO THE INTERNATIONAL
32 BUILDING CODE APPLY AS FOLLOWS:

33 **101.2.1.1 APPENDICES ADOPTED.** THE PROVISIONS OF THE FOLLOWING APPENDICES ARE
34 ADOPTED AS PART OF THIS CODE:

- 35 1. APPENDIX C: “GROUP U – AGRICULTURAL BUILDINGS”.
- 36 2. APPENDIX D: “DOWNTOWN FIRE DISTRICT”.
- 37 3. APPENDIX F: “RODENT PROOFING”.
- 38 4. APPENDIX G: “FLOOD RESISTANT CONSTRUCTION”.

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1 5. APPENDIX H: "SIGNS".

2 6 APPENDIX I: "PATIO COVERS".

3 **101.2.1.2 APPENDICES NOT ADOPTED.** THE FOLLOWING APPENDICES ARE NOT ADOPTED AS
4 PART OF THIS CODE:

5 1. APPENDIX A: "EMPLOYEE QUALIFICATIONS".

6 2. APPENDIX B: "BOARD OF APPEALS".

7 3. APPENDIX E: "SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS".

8 4. APPENDIX J: "SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR QUALIFIED
9 HISTORIC BUILDINGS AND FACILITIES".

10 **101.3 INTENT. {As in IBC}**

11 **101.4 REFERENCED CODES.** THE STANDARDS AND CODES LISTED IN THIS § 101.4, AS MODIFIED BY
12 THESE PROVISIONS AND AS REFERRED TO ELSEWHERE IN THIS CODE, ARE PART OF THE REQUIREMENTS
13 OF THIS CODE TO THE EXTENT PRESCRIBED BY THE REFERENCE.

14 **101.4.1 ELECTRICAL.** THE NATIONAL ELECTRICAL CODE (2005 EDITION) APPLIES TO THE
15 INSTALLATION OF ELECTRICAL SYSTEMS, INCLUDING THEIR ALTERATION, REPAIR, REPLACEMENT,
16 EQUIPMENT, APPLIANCES, FIXTURES, FITTINGS, AND APPURTENANCES.

17 **101.4.2 GAS.** THE NATIONAL FUEL GAS CODE (2006 EDITION) APPLIES TO THE INSTALLATION OF
18 GAS PIPING FROM THE POINT OF DELIVERY, TO GAS APPLIANCES, AND TO RELATED ACCESSORIES AS
19 COVERED IN THIS CODE. THESE REQUIREMENTS APPLY TO GAS PIPING SYSTEMS EXTENDING FROM
20 THE POINT OF DELIVERY TO THE INLET CONNECTIONS OF APPLIANCES AND THE INSTALLATION AND
21 OPERATION OF RESIDENTIAL AND COMMERCIAL GAS APPLIANCES AND RELATED ACCESSORIES.

22 **101.4.3 MECHANICAL. {As in IBC}**

23 **101.4.4 PLUMBING.** THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007
24 SUPPLEMENT) APPLIES TO THE ERECTION, INSTALLATION, ALTERATION, REPAIR, RELOCATION,
25 REPLACEMENT, USE, OR MAINTENANCE OF OR ADDITION TO PLUMBING SYSTEMS, INCLUDING
26 EQUIPMENT, APPLIANCES, FIXTURES, FITTINGS, AND APPURTENANCES.

27 **101.4.5 PROPERTY MAINTENANCE. {As in IBC}**

28 **101.4.6 FIRE PREVENTION. {As in IBC}**

29 **101.4.7 ENERGY. {As in IBC}**

30 **101.5 STATE REHABILITATION CODE.** THE MARYLAND REHABILITATION CODE, ADOPTED UNDER
31 STATE CODE ARTICLE 83B, § 6-503, AND CODIFIED IN COMAR 05.16, APPLIES TO ALL
32 REHABILITATION PROJECTS UNDERTAKEN IN EXISTING BUILDINGS, AS PROVIDED IN THAT CODE.

33 **101.6 REFERENCES TO FORMER CODES.** ALL REFERENCES IN A VIOLATION OR CONDEMNATION
34 NOTICE OR IN THE BALTIMORE CITY CODE TO ANY FORMER VERSION OF THE BUILDING CODE OR TO
35 ANY PROVISION OF THAT CODE ARE CONSIDERED TO REFER TO THE COMPARABLE OR OTHERWISE
36 APPLICABLE PROVISIONS OF THIS CODE.

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SECTION 102 APPLICABILITY

102.1 TO 102.5 {As in IBC}

102.6 EXISTING CONDITIONS. CONDITIONS LAWFULLY EXISTING ON THE EFFECTIVE DATE OF THIS CODE MAY BE CONTINUED WITHOUT CHANGE, EXCEPT AS:

1. SPECIFICALLY PROVIDED BY THIS CODE (INCLUDING THE STANDARDS AND CODES INCORPORATED IN IT), OR
2. DEEMED NECESSARY BY THE BUILDING OFFICIAL FOR THE GENERAL SAFETY AND WELFARE OF THE OCCUPANTS AND THE PUBLIC.

102.7 STRUCTURES OWNED BY CITY. THIS CODE DOES NOT APPLY TO ANY STRUCTURE (OTHER THAN A BUILDING) THAT IS OWNED BY THE CITY, TO THE EXTENT THAT THE STRUCTURE:

1. IS LOCATED ON, OVER, OR UNDER A STREET, ALLEY, OR OTHER PUBLIC WAY OR LAND, AND
2. IS DESIGNED, CONSTRUCTED, CONTROLLED, AND MAINTAINED BY AND UNDER THE AUTHORITY AND SUPERVISION OF THE DIRECTOR OF PUBLIC WORKS OR AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR.

102.8 PUBLIC SERVICE STRUCTURES ON STREETS. THIS CODE DOES NOT APPLY TO ANY POLE, CONDUIT, TUNNEL, PIPE LINE, MANHOLE, OR OTHER SIMILAR SURFACE OR SUBSURFACE STRUCTURE, INCLUDING ITS EQUIPMENT, THAT IS OWNED AND CONTROLLED BY A PUBLIC SERVICE CORPORATION, TO THE EXTENT THAT:

1. THE STRUCTURE IS LOCATED ON, OVER, OR UNDER A STREET, ALLEY, OR OTHER PUBLIC WAY OR LAND,
2. ITS CONSTRUCTION IS AUTHORIZED BY THE CITY, AND
3. ITS INSTALLATION IS REGULATED AND SUPERVISED BY THE DIRECTOR OF PUBLIC WORKS OR AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR.

102.9 PROPERTY OWNED OR LEASED BY UNITED STATES OR BY MARYLAND. EXCEPT AS SPECIFIED IN § 102.9.1, LAND OWNED BY THE UNITED STATES OR BY THE STATE OF MARYLAND, INCLUDING ANY STRUCTURE OWNED BY EITHER AND LOCATED ON THE LAND, IS EXEMPT FROM THIS CODE.

102.9.1 EXCEPTIONS. THE FOLLOWING ARE NOT EXEMPT FROM THIS CODE:

1. LAND OR STRUCTURES LEASED BY THE UNITED STATES OR THE STATE OF MARYLAND FROM A PRIVATE OWNER,
2. LAND OR STRUCTURES LEASED BY A PRIVATE OWNER FROM THE UNITED STATES OR THE STATE OF MARYLAND, AND
3. LAND OR STRUCTURES HELD BY THE UNITED STATES OR THE STATE OF MARYLAND PURSUANT TO THE FORECLOSURE OF A RESIDENTIAL MORTGAGE.

102.10 WATERWAYS. OTHER THAN WORK DONE BY THE UNITED STATES OR THE STATE OF MARYLAND, ALL CONSTRUCTION DONE ALONG THE SHORELINE AND WATERWAYS WITHIN THE CITY MUST:

1. COMPLY WITH THIS CODE, AND

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1 2. BE APPROVED BY:

- 2 A. THE DEPARTMENT OF PUBLIC WORKS,
3 B. THE DEPARTMENT OF PLANNING,
4 C. THE FIRE DEPARTMENT,
5 D. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, AND
6 E. THE U.S. ARMY CORPS OF ENGINEERS.

7 **102.11 RAILROAD FACILITIES.** RAILROAD FACILITIES WITHIN A RAILROAD RIGHT-OF-WAY ARE
8 EXEMPT FROM THE PROVISIONS OF THIS CODE, EXCEPT FOR THOSE PROVISIONS THAT RELATE TO
9 SANITARY MAINTENANCE. HOWEVER, PRIVATELY OWNED STRUCTURES WITHIN A RIGHT-OF-WAY ARE
10 NOT EXEMPT UNLESS THEY ARE ANCILLARY TO THE RAILROAD.

11 **102.12 MOVED STRUCTURES.** STRUCTURES THAT ARE MOVED INTO OR WITHIN BALTIMORE CITY:

- 12 1. MUST COMPLY WITH THE PROVISIONS OF THIS CODE FOR NEW STRUCTURES, AND
13 2. MAY NOT BE USED OR OCCUPIED, IN WHOLE OR IN PART, UNTIL THE BUILDING OFFICIAL
14 APPROVES AN OCCUPANCY PERMIT FOR THE STRUCTURE.

15 **102.13 TO 102.14 {RESERVED}**

16 **102.15 COMPLIANCE WITH CODE REQUIRED.** NO STRUCTURE, PREMISES, LAND, OR EQUIPMENT MAY
17 BE CONSTRUCTED, ALTERED, ADDED TO, REPAIRED, REHABILITATED, DEMOLISHED, MOVED, LOCATED,
18 USED, OCCUPIED, OR MAINTAINED IN VIOLATION OF THIS CODE.

19 **102.15.1 CONSTRUCTION OF STRUCTURE.** WHEN CONSTRUCTED, EVERY STRUCTURE MUST BE
20 LOCATED SO THAT IT DOES NOT CREATE A VIOLATION OF THIS CODE.

21 **102.15.2 RELOCATION, ETC., OF LOT LINES, ETC.** NO LOT OR PROPERTY LINE MAY BE MOVED OR
22 RELOCATED AND NO LOT OR PARCEL OF LAND MAY BE SUBDIVIDED IN ANY WAY THAT CREATES A
23 VIOLATION OF THIS CODE FOR ANY STRUCTURE.

24 **102.16 COMPLIANCE WITH OTHER LAWS.** TO THE EXTENT APPLICABLE, ALL WORK MUST ALSO
25 COMPLY WITH:

- 26 1. THE CRITICAL AREA MANAGEMENT PROGRAM OF BALTIMORE CITY,
27 2. THE BALTIMORE CITY FOREST AND TREE CONSERVATION PROGRAM,
28 3. THE ZONING CODE OF BALTIMORE CITY,
29 4. CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"};
30 5. ANY APPLICABLE URBAN RENEWAL PLAN;
31 6. 5. THE DEPARTMENT OF PUBLIC WORKS RULES AND REGULATIONS GOVERNING:
32 A. STORM WATER MANAGEMENT,
33 B. SOIL EROSION AND SEDIMENT CONTROL,

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1 C. ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, ~~AND~~

2 D. DISCHARGES TO THE STORM DRAIN SYSTEM;

3 E. DEVELOPER’S AGREEMENTS; AND

4 F. ~~D~~: BLASTING, AND

5 7. ~~6.~~ ALL OTHER APPLICABLE LAWS OF THE CITY AND OF THE STATE OF MARYLAND.

6 **SECTION 103 DEPARTMENT OF BUILDING SAFETY**

7 **103.1 ENFORCEMENT AGENCY.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT
8 OF HOUSING AND COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

9 1. “DEPARTMENT OF BUILDING SAFETY” OR “DEPARTMENT” MEANS THE DEPARTMENT OF
10 HOUSING AND COMMUNITY DEVELOPMENT, AND

11 2. “BUILDING OFFICIAL”, MEANS THE COMMISSIONER OF HOUSING AND COMMUNITY
12 DEVELOPMENT OR AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER.

13 **103.2 APPOINTMENT. {NOT ADOPTED}**

14 **103.3 DEPUTIES. {NOT ADOPTED}**

15 **103.4 EMPLOYEE RESTRICTIONS.** AN OFFICER OR EMPLOYEE OF THE DEPARTMENT MAY NOT:

16 1. ENGAGE IN OR DIRECTLY OR INDIRECTLY BE CONNECTED WITH THE FURNISHING OF LABOR,
17 MATERIALS, OR APPLIANCES OR THE PREPARATION OF PLANS OR SPECIFICATIONS FOR THE
18 CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING,
19 OR MAINTENANCE OF A STRUCTURE, UNLESS THE OFFICER OR EMPLOYEE IS THE OWNER OF
20 THE STRUCTURE, OR

21 2. ENGAGE IN ANY WORK THAT CONFLICTS WITH HIS OR HER OFFICIAL DUTIES OR WITH THE
22 INTERESTS OF THE DEPARTMENT.

23 **SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL**

24 **104.1 GENERAL.** EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY LAW, THE BUILDING OFFICIAL:

25 1. ADMINISTERS AND ENFORCES ALL PROVISIONS OF THIS CODE AND THE PROVISIONS OF ALL
26 OTHER ORDINANCES, LAWS, OR REGULATIONS RELATING TO THE MATTERS PROVIDED FOR IN
27 THIS CODE, AND

28 2. MAY ACT ON ANY QUESTION RELATIVE TO THE MANNER OF AND THE MATERIALS TO BE USED IN
29 THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING,
30 LOCATION, USE, OCCUPANCY, AND MAINTENANCE OF ALL STRUCTURES AND IN THE
31 INSTALLATION OF EQUIPMENT.

32 **104.1.1 INTERPRETATIONS, RULES, AND REGULATIONS.** THE BUILDING OFFICIAL MAY:

33 1. RENDER INTERPRETATIONS OF THIS CODE, AND

34 2. ADOPT RULES AND REGULATIONS TO CARRY OUT THIS CODE.

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1 **104.1.2 FILING RULES AND REGULATIONS.** A COPY OF ALL RULES AND REGULATIONS ADOPTED
2 UNDER THIS CODE MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE.

3 **104.2 TO 104.5 {As IN IBC}**

4 **104.6 RIGHT OF ENTRY.** IN THE PERFORMANCE OF HIS OR HER DUTIES, THE BUILDING OFFICIAL
5 MAY ENTER ANY LAND, STRUCTURE, OR PREMISES IN THE CITY TO ENFORCE THIS CODE, AT ANY
6 REASONABLE TIME OR, IN AN EMERGENCY THAT MIGHT ENDANGER PUBLIC HEALTH OR SAFETY, AT
7 ANY TIME.

8 **104.6.1 ENTRY WITHOUT NOTICE OR WARRANT.** NEITHER A SEARCH WARRANT NOR PRIOR
9 NOTICE IS NEEDED IN ANY OF THE FOLLOWING CIRCUMSTANCES:

- 10 1. IF ENTRY IS BY PERMISSION OR AT THE REQUEST OF AN OCCUPANT OF THE LAND,
11 STRUCTURE, OR PREMISES OR A PERSON WITH APPARENT RIGHT OF POSSESSION,
- 12 2. IF THE LAND, STRUCTURE, OR PREMISES IS OPEN AND ACCESSIBLE TO MEMBERS OF THE
13 GENERAL PUBLIC,
- 14 3. IF THE BUILDING OFFICIAL REASONABLY BELIEVES THAT AN IMMINENT DANGER TO
15 HEALTH OR SAFETY EXISTS OR MIGHT EXIST, OR
- 16 4. IMMEDIATELY AFTER AN ACCIDENT OR DISASTER THAT CAUSES THE BUILDING OFFICIAL TO
17 BELIEVE THAT IMMEDIATE ENTRY IS NECESSARY FOR INVESTIGATIVE PURPOSES OR TO
18 PROTECT PROPERTY OR PUBLIC HEALTH OR SAFETY.

19 **104.6.2 AUTHORITY TO SEEK WARRANT.** WHERE APPROPRIATE, THE BUILDING OFFICIAL MAY
20 SEEK A SEARCH WARRANT TO ENTER ANY LAND, STRUCTURE, OR PREMISES IN THE CITY TO MAKE
21 AN INSPECTION OR TO TAKE ANY OTHER AUTHORIZED ACTION TO ADMINISTER AND ENFORCE:

- 22 1. THIS CODE (INCLUDING THE STANDARDS AND CODES INCORPORATED IN IT), OR
- 23 2. ANY OF THE FOLLOWING (COLLECTIVELY “RELATED LAWS”):
 - 24 A. THE HEALTH CODE OF BALTIMORE CITY,
 - 25 B. THE ZONING CODE OF BALTIMORE CITY,
 - 26 C. AN URBAN RENEWAL PLAN,
 - 27 D. CITY CODE ARTICLE 6 {“HISTORICAL AND ARCHITECTURAL PRESERVATION”}, OR
 - 28 E. ANY OTHER RELATED STATUTE, ORDINANCE, OR REGULATION FOR THE
29 PROTECTION OF THE HEALTH AND SAFETY OF THE RESIDENTS OF BALTIMORE CITY.

30 **104.6.3 WARRANT AFTER PRIOR NOTICE.** BEFORE THE BUILDING OFFICIAL MAY APPLY FOR A
31 WARRANT TO MAKE A ROUTINE INSPECTION OR SPOT CHECK TO DETERMINE IF A VIOLATION EXISTS,
32 THE BUILDING OFFICIAL MUST GIVE PRIOR NOTICE OF HIS OR HER INTENT TO THE OCCUPANT OR
33 OTHER PERSON WITH APPARENT RIGHT OF POSSESSION OR, IN THE CASE OF AN UNOCCUPIED
34 STRUCTURE OR PREMISES, TO THE OWNER, THE OWNER’S AGENT, OR OTHER PERSON IN APPARENT
35 CONTROL OF THE STRUCTURE OR PREMISES.

36 **104.6.3.1 CONTENTS OF NOTICE.** THE NOTICE MUST:

- 37 1. STATE THE DATE AND TIME AT WHICH THE BUILDING OFFICIAL WILL BE PRESENT TO
38 MAKE THE INSPECTION OR SPOT CHECK, AND

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2. INFORM THE PERSON NOTIFIED THAT HE OR SHE MAY RESCHEDULE THE INSPECTION OR SPOT CHECK TO A REASONABLE DATE AND TIME BY CONTACTING THE BUILDING OFFICIAL BEFORE THE STATED DATE.

104.6.3.2 SERVICE OF NOTICE – OCCUPIED PROPERTY. IF THE STRUCTURE OR PREMISES IS OCCUPIED, THE NOTICE MUST BE EITHER:

1. MAILED OR DELIVERED TO THE OCCUPANT OR PERSON WITH APPARENT RIGHT OF POSSESSION, OR
2. POSTED CONSPICUOUSLY AT OR NEAR THE ENTRANCE TO THE STRUCTURE OR PREMISES.

104.6.3.3 SERVICE OF NOTICE – UNOCCUPIED PROPERTY. IF THE STRUCTURE OR PREMISES IS UNOCCUPIED, THE NOTICE MUST BE MAILED OR DELIVERED TO THE LAST-KNOWN ADDRESS OF THE OWNER, AGENT, OR OTHER PERSON IN APPARENT CONTROL.

104.6.3.4 OBTAINING WARRANT. AFTER NOTICE HAS BEEN GIVEN, IF THE PERSON NOTIFIED FAILS TO ARRANGE FOR, DENIES, OR UNDULY DELAYS THE ENTRY, THE BUILDING OFFICIAL MAY APPLY TO A COURT OF COMPETENT JURISDICTION FOR A SEARCH WARRANT TO AUTHORIZE ENTRY FOR THE INSPECTION OR SPOT CHECK.

104.6.3.5 PROBABLE CAUSE. PROBABLE CAUSE FOR A SEARCH WARRANT UNDER THIS § 104.6.3 EXISTS IF:

1. THE NOTICE REQUIRED BY THIS § 104.6.3 HAS BEEN GIVEN, AND
2. THE INSPECTION IS :
 - A. A SPOT CHECK MADE AT RANDOM OR RESTRICTED TO A FEW SAMPLE STRUCTURES OR PREMISES IN A DESIGNATED AREA TO DETERMINE IF A BUILDING-BY-BUILDING SURVEY IS NECESSARY,
 - B. A ROUTINE INSPECTION BASED ON A GENERAL ADMINISTRATIVE PLAN FOR THE ENFORCEMENT OF THIS CODE OR ANY RELATED LAW, OR
 - C. A ROUTINE INSPECTION TO DETERMINE COMPLIANCE WITH A NOTICE OR ORDER ISSUED UNDER § 123 OF THIS CODE.

104.6.4 WARRANT WITHOUT PRIOR NOTICE. THE BUILDING OFFICIAL MAY APPLY FOR A SEARCH WARRANT TO ENTER A STRUCTURE OR PREMISES WITHOUT GIVING THE PRIOR NOTICE OTHERWISE REQUIRED BY § 104.6.3, IF THERE IS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION OF THIS CODE OR A RELATED LAW EXISTS IN THE STRUCTURE OR ON THE PREMISES.

104.6.4.1 PROBABLE CAUSE. PROBABLE CAUSE FOR A SEARCH WARRANT UNDER THIS § 104.6.4 INCLUDES, AMONG OTHER APPROPRIATE CIRCUMSTANCES, THE FOLLOWING:

1. THE INSPECTION IS TO IDENTIFY LEAD-BASED HAZARDS IN A DWELLING UNIT THAT IS THE LAST-REPORTED ADDRESS OF A CHILD WHO, BY NOTICE FROM A HEALTH CARE PROVIDER OR THE STATE DEPARTMENT OF THE ENVIRONMENT TO THE BUILDING OFFICIAL OR THE HEALTH COMMISSIONER, IS REPORTED TO HAVE BEEN DIAGNOSED WITH A VENOUS BLOOD-LEAD LEVEL OF 15 MICROGRAMS PER DECILITER OR MORE, OR
2. UNTREATED LEAD-BASED PAINT HAZARDS HAVE BEEN FOUND IN A UNIT OF A MULTIPLE-FAMILY DWELLING IN WHICH A CHILD WHO HAS BEEN DIAGNOSED WITH A VENOUS BLOOD-LEAD LEVEL OF 15 MICROGRAMS PER DECILITER OR MORE RESIDES

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1 AND ENTRY IS NEEDED TO OTHER UNITS OF THE DWELLING TO DETERMINE COMPLIANCE
2 WITH LAW.

3 **104.6.5 APPLICATION FOR WARRANT.** THE APPLICATION FOR A SEARCH WARRANT MUST BE:

- 4 1. SIGNED AND SWORN TO BY THE BUILDING OFFICIAL, AND
- 5 2. ACCOMPANIED BY AN AFFIDAVIT CONTAINING FACTS WITHIN THE PERSONAL KNOWLEDGE
6 OF THE AFFIANT:
 - 7 A. THAT PROBABLE CAUSE FOR ISSUANCE OF A SEARCH WARRANT EXISTS, AND
 - 8 B. IN CASES WHERE PRIOR NOTICE IS REQUIRED, THAT NOTICE HAS BEEN GIVEN AND
9 ENTRY HAS NOT BEEN ARRANGED FOR OR HAS BEEN DENIED OR UNDULY DELAYED
10 BY THE PERSON NOTIFIED.

11 **104.6.6 CONTENTS OF WARRANT.** THE SEARCH WARRANT MUST NAME OR DESCRIBE, WITH
12 REASONABLE PARTICULARITY:

- 13 1. THE PLACE TO BE INSPECTED,
- 14 2. THE REASON FOR THE INSPECTION, AND
- 15 3. THE NAME OF THE APPLICANT ON WHOSE WRITTEN APPLICATION THE WARRANT WAS
16 ISSUED.

17 **104.6.7 EXECUTION OF WARRANT.** AN INSPECTION UNDER THE SEARCH WARRANT MUST BE MADE
18 WITHIN 15 CALENDAR DAYS OF THE DATE THE WARRANT WAS ISSUED. AT THE END OF THAT
19 15-DAY PERIOD, THE WARRANT IS VOID.

20 **104.6.8 DWELLING UNITS.** EXCEPT AS PROVIDED IN § 104.6.8.1, NO INSPECTOR WHO GAINS
21 ENTRANCE TO A DWELLING FOR THE PURPOSE OF ENFORCING THIS CODE OR ANY RELATED LAW
22 MAY OBTAIN OR FURNISH EVIDENCE OF, OR TESTIFY TO, ANY OFFENSE OTHER THAN VIOLATIONS OF
23 THIS CODE OR OF ANY RELATED LAW.

24 **104.6.8.1 EXCEPTION.** THE LIMITATIONS OF § 104.6.8 DO NOT APPLY TO:

- 25 1.. A FELONY, OR
- 26 2. A MISDEMEANOR INVOLVING AN ACT OF VIOLENCE AND COMMITTED IN THE
27 INSPECTOR’S PRESENCE.

28 **104.7 DEPARTMENT RECORDS.** *{AS IN IBC}*

29 **104.8 LIABILITY.** *{NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302.}*

30 **104.9 TO 104.11** *{AS IN IBC}*

31 **SECTION 105 PERMITS**

32 **105.1 REQUIRED.** A PERMIT ISSUED BY THE BUILDING OFFICIAL IS REQUIRED BEFORE ANY PERSON
33 MAY DO ANY OF THE FOLLOWING WORK:

- 34 1. CONSTRUCT, ALTER, ADD TO, REPAIR, REHABILITATE, DEMOLISH, OR MOVE ANY STRUCTURE,
- 35 2. CHANGE THE USE OF ANY STRUCTURE OR LAND,

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- 1 3. INSTALL OR ALTER ANY EQUIPMENT SUBJECT TO THIS CODE,
- 2 4. MOVE A LOT LINE THAT AFFECTS ANY STRUCTURE, OR
- 3 5. PERFORM ANY GRADING OR EXCAVATING.

4 **105.1.1 ANNUAL PERMIT. {As IN IBC}**

5 **105.1.2 ANNUAL PERMIT RECORDS. {As IN IBC}**

6 **105.1.3 BY WHOM APPLICATION TO BE MADE.** THE APPLICATION FOR A PERMIT MUST BE MADE
7 AS FOLLOWS:

- 8 1. FOR A DEMOLITION OR MOVING PERMIT, BY THE OWNER OF THE PROPERTY TO BE
9 DEMOLISHED OR MOVED,
- 10 2. FOR A PERMIT TO REMOVE FORMSTONE, PAINT, OR OTHER MATERIAL FROM EXTERIOR
11 SURFACES, BY THE LICENSED CONTRACTOR EMPLOYED TO DO THE PROPOSED WORK,
- 12 3. FOR A PERMIT TO DO WORK INVOLVING UNDERPINNING OR A RETAINING FOUNDATION
13 WALL, BY THE LICENSED CONTRACTOR EMPLOYED TO DO THE PROPOSED WORK, AND
- 14 4. FOR ALL OTHER PERMITS, BY:
 - 15 A. THE OWNER OR LESSEE OF THE STRUCTURE,
 - 16 B. THE AGENT OF THE OWNER OR LESSEE, OR
 - 17 C. THE LICENSED ENGINEER OR ARCHITECT EMPLOYED IN CONNECTION WITH THE
18 PROPOSED WORK.

19 **105.1.4 WORK DONE WITHOUT PERMIT.** A PERSON WHO DOES ANY WORK WITHOUT A PERMIT, OR
20 OUTSIDE OR BEYOND THE SCOPE OF A PERMIT, OR IN A MANNER INCONSISTENT WITH PLANS OR
21 DRAWINGS APPROVED AS PART OF A PERMIT APPLICATION, OR AFTER A PERMIT IS REVOKED FOR
22 ANY REASON, MUST OBTAIN A PERMIT FOR THAT WORK, EVEN IF ALREADY COMPLETED, AND PAY
23 THE APPROPRIATE PERMIT FEE AND PENALTY SURCHARGE.

24 **105.1.5 SPECIAL PROFESSIONAL SERVICES.** IN ADDITION TO AND WITHOUT LIMITING ANY OTHER
25 REQUIREMENTS OF OR AUTHORITY GRANTED BY THIS CODE, THE BUILDING OFFICIAL MAY
26 REQUIRE, AS A TERM OR CONDITION OF A PERMIT, THAT A REGISTERED DESIGN PROFESSIONAL OR
27 OTHER LICENSED SPECIALIST OR EXPERT PERFORM SPECIFIC WORK OR SIGN AND SEAL SPECIFIC
28 PLANS, COMPUTATIONS, SPECIFICATIONS, OR STATEMENTS.

29 **105.2 WORK EXEMPT FROM PERMIT.** AN EXEMPTION FROM THE PERMIT REQUIREMENTS OF THIS
30 CODE DOES NOT AUTHORIZE ANY WORK TO BE DONE IN A MANNER THAT VIOLATES A PROVISION OF THIS
31 CODE OR OF ANY OTHER LAW. *{BALANCE OF 105.2 NOT ADOPTED}*

32 **105.2.1 EMERGENCY REPAIRS. {As IN IBC}**

33 **105.2.2 REPAIRS. {As IN IBC}**

34 **105.2.3 PUBLIC SERVICE AGENCIES. {As IN IBC}**

35 **105.3 APPLICATION FOR PERMIT.** TO OBTAIN A PERMIT, THE APPLICANT MUST FIRST FILE AN
36 APPLICATION ON THE FORM PROVIDED BY THE BUILDING OFFICIAL FOR THAT PURPOSE. THE
37 APPLICATION MUST:

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- 1 1. IDENTIFY AND DESCRIBE THE WORK TO BE COVERED UNDER THE PERMIT,
- 2 2. DESCRIBE THE LAND ON WHICH THE PROPOSED WORK IS TO BE DONE BY LEGAL DESCRIPTION,
3 STREET ADDRESS, OR SIMILAR DESCRIPTION THAT WILL READILY IDENTIFY AND DEFINITELY
4 LOCATE THE PROPOSED BUILDING OR WORK,
- 5 3. INDICATE THE USE AND OCCUPANCY FOR WHICH THE PROPOSED WORK IS INTENDED,
- 6 4. SPECIFY THE GROSS FLOOR AREA, AS DEFINED IN § 105.3.2.1, INVOLVED IN THE PROPOSED
7 WORK;
- 8 5. SPECIFY THE NUMBER OF DWELLING UNITS, IF ANY, INVOLVED IN THE PROPOSED WORK;
- 9 6. BE ACCOMPANIED BY THE CONSTRUCTION DOCUMENTS AND OTHER INFORMATION REQUIRED
10 BY § 106 OF THIS CODE;
- 11 7. IF THE PROPERTY IS IN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT OR ON
12 THE HISTORICAL AND ARCHITECTURAL PRESERVATION LANDMARK LIST OR SPECIAL LIST, BE
13 ACCOMPANIED BY A NOTICE TO PROCEED OR A CERTIFICATE OF APPROPRIATENESS FROM THE
14 COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION ;
- 15 8. STATE THE VALUATION OF THE PROPOSED WORK,
- 16 9. IF THE PROPOSED WORK WILL REPLACE ANY EXISTING STRUCTURE, BE ACCOMPANIED BY
17 PHOTOGRAPHS THAT DEPICT THE EXISTING CONDITIONS AND EXISTING STRUCTURES ON THE
18 SITE,
- 19 10. IDENTIFY THE PARTIES BY PROVIDING:
 - 20 A. THE FULL NAMES AND ADDRESSES OF THE OWNER, LESSEE, AND APPLICANT,
 - 21 B. THE NAME AND PHONE NUMBER OF A PERSON TO BE CONTACTED IN CASE OF AN
22 EMERGENCY, AND
 - 23 C. IF THE OWNER, LESSEE, OR APPLICANT IS A CORPORATION, PARTNERSHIP, LIMITED
24 LIABILITY COMPANY, OR OTHER ENTITY, THE FULL NAMES AND ADDRESSES OF ITS
25 RESPONSIBLE OFFICERS, PARTNERS, OR MEMBERS,
- 26 11. PROVIDE ANY OTHER DATA AND INFORMATION THAT THE BUILDING OFFICIAL REQUIRES,
- 27 12. BE SIGNED BY THE APPLICANT, OR THE APPLICANT’S AUTHORIZED AGENT, AND
- 28 13. IF SIGNED BY AN AGENT, BE ACCOMPANIED BY:
 - 29 A. PROOF OF AGENCY, AND
 - 30 B. PROOF OF THE AGENT’S IDENTITY, BY COPY OR PRESENTATION OF A VALID MARYLAND
31 DRIVER’S LICENSE OR OTHER MARYLAND IDENTIFICATION.
- 32 **105.3.1 ACTION ON APPLICATION – GENERAL.** THE BUILDING OFFICIAL MUST EXAMINE ALL
33 APPLICATIONS FOR PERMITS WITHIN A REASONABLE TIME AFTER FILING. IF THE APPLICATION OR
34 THE PROPOSED WORK DOES NOT CONFORM TO THE REQUIREMENTS OF THIS CODE OR ANY OTHER
35 APPLICABLE LAW, THE BUILDING OFFICIAL MUST REJECT THE APPLICATION IN WRITING, STATING
36 THE REASONS FOR THE REJECTION. IF THE BUILDING OFFICIAL IS SATISFIED THAT THE APPLICATION
37 AND THE PROPOSED WORK CONFORM TO THE REQUIREMENTS OF THIS CODE AND ALL OTHER
38 APPLICABLE LAWS, THE BUILDING OFFICIAL MUST ISSUE THE PERMIT AS SOON AS PRACTICABLE.

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105.3.2 ACTION ON APPLICATION – TRAFFIC-IMPACT STUDY.

105.3.2.1 “GROSS FLOOR AREA” DEFINED. IN THIS § 105.3.2, “GROSS FLOOR AREA” MEANS THE AREA SPECIFIED IN § 1-304 OF THE BALTIMORE CITY ZONING CODE .

105.3.2.2 REFERRAL TO DOT. WITHIN 15 BUSINESS DAYS OF RECEIVING A COMPLETED APPLICATION, THE BUILDING OFFICIAL MUST REFER THE APPLICATION AND ALL ACCOMPANYING DOCUMENTS TO THE DIRECTOR OF TRANSPORTATION IF:

1. THE PROPOSED WORK INVOLVES 15,000 SQ. FT. OR MORE OF GROSS FLOOR AREA; AND
2. A TRAFFIC-IMPACT STUDY FOR THE PROPOSED WORK HAS NOT ALREADY BEEN UNDERTAKEN IN ACCORDANCE WITH THE BALTIMORE CITY ZONING CODE.

105.3.2.3 STUDY CRITERIA. A TRAFFIC-IMPACT STUDY IS REQUIRED IF THE PROPOSED WORK INVOLVES ANY 1 OF THE FOLLOWING:

1. AN IMPACT AREA, AS DETERMINED BY THE DEPARTMENT OF TRANSPORTATION, THAT INCLUDES AN INTERSECTION PERFORMING AT LEVEL OF SERVICE D OR WORSE, OR
2. 100 OR MORE DWELLING UNITS, OR
3. A GROSS FLOOR AREA THAT EQUALS OR EXCEEDS:
 - A. FOR A WAREHOUSE USE, 150,000 SQ. FT., OR
 - B. FOR ANY OTHER USE, 50,000 SQ. FT.

105.3.2.4 DOT INITIAL DETERMINATION. WITHIN 20 BUSINESS DAYS OF THE REFERRAL OF AN APPLICATION, THE DIRECTOR OF TRANSPORTATION MUST REVIEW THE APPLICATION AND NOTIFY THE BUILDING OFFICIAL AND THE APPLICANT:

1. WHETHER AND, IF SO, WHAT ADDITIONAL INFORMATION IS NEEDED TO EVALUATE THE APPLICATION, OR
2. IF NO ADDITIONAL INFORMATION IS NEEDED:
 - A. WHETHER, UNDER THE CRITERIA SET FORTH IN § 105.3.2.3, A TRAFFIC-IMPACT STUDY WILL BE REQUIRED, AND
 - B. IF SO, THE ESTIMATED EXPENSES FOR UNDERTAKING OR CONTRACTING FOR THE STUDY.

105.3.2.5 HOW CONDUCTED.

105.3.2.5.1 BY DOT OR CONSULTANT. THE DEPARTMENT OF TRANSPORTATION MAY ITSELF UNDERTAKE THE STUDY OR CONTRACT WITH INDEPENDENT CONSULTANTS FOR THE STUDY, AS THE DIRECTOR OF TRANSPORTATION CONSIDERS NECESSARY OR APPROPRIATE.

105.3.2.5.2 SCOPE OF STUDY. THE AREA AND SCOPE OF EACH STUDY IS TO BE DETERMINED BY THE DEPARTMENT OF TRANSPORTATION.

105.3.2.6 EXPENSES. ALL REASONABLE EXPENSES INCURRED IN UNDERTAKING OR CONTRACTING FOR THE STUDY MUST BE PAID BY THE APPLICANT, AS AN ADDITIONAL SERVICE CHARGE FOR THE PERMIT, TO BE IMPOSED AND COLLECTED AS PROVIDED IN § 108 OF THIS CODE FOR FEES AND SERVICE CHARGES.

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105.3.2.6.1 INITIAL PAYMENT. BEFORE THE STUDY BEGINS, THE APPLICANT MUST PAY AN AMOUNT EQUAL TO 50% OF THE EXPENSES ESTIMATED UNDER § 105.3.2.4.

105.3.2.6.2 BALANCE. AFTER THE STUDY IS COMPLETED, BUT BEFORE ANY PERMIT MAY BE ISSUED, THE APPLICANT MUST PAY THE DIFFERENCE BETWEEN THE AMOUNT PAID AND THE ACTUAL EXPENSES INCURRED FOR THE STUDY.

105.3.2.7 APPLICANT’S OPTION ON DELAY. IF THE TRAFFIC-IMPACT STUDY IS NOT COMPLETED WITHIN 60 BUSINESS DAYS AFTER THE INITIAL PAYMENT IS MADE UNDER § 105.3.2.6.1, THE APPLICANT MAY PROCEED TO CONTRACT FOR THE TRAFFIC-IMPACT STUDY WITH A CONSULTANT SELECTED FROM A LIST OF CONSULTANTS APPROVED BY THE DEPARTMENT OF TRANSPORTATION.

105.3.2.8 MITIGATION. THE APPLICANT MUST NEGOTIATE IN GOOD FAITH WITH THE DEPARTMENT OF TRANSPORTATION TO DETERMINE WHO MUST PAY FOR AND UNDERTAKE THE ACTIONS NECESSARY OR APPROPRIATE TO MITIGATE THE ADVERSE TRAFFIC IMPACTS IDENTIFIED IN THE TRAFFIC-IMPACT STUDY. IF NO AGREEMENT IS REACHED, THE APPLICATION IS NOT APPROVED.

105.3.2.9 DoT RULES AND REGULATIONS.

105.3.2.9.1 IN GENERAL. THE DEPARTMENT OF TRANSPORTATION MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THIS § 105.3.2.

105.3.2.9.2 FILING. A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS § 105.3.2. MUST BE FILED WITH:

1. THE BUILDING OFFICIAL,
2. THE ZONING ADMINISTRATOR,
3. THE BOARD OF MUNICIPAL AND ZONING APPEALS, AND
4. THE DEPARTMENT OF LEGISLATIVE REFERENCE.

105.3.3 TIME LIMITATION OF APPLICATION. {As in IBC § 105.3.2}

105.3.4 BOND FOR EXTERIOR REMOVAL OF FORMSTONE, PAINT, ETC. AN APPLICATION FOR A PERMIT TO REMOVE FORMSTONE, PAINT, OR OTHER MATERIAL FROM EXTERIOR SURFACES MUST BE ACCOMPANIED BY EVIDENCE SATISFACTORY TO THE BUILDING OFFICIAL THAT THE APPLICANT HAS OBTAINED A BOND TO COVER THE CITY’S EXPENSE IN THE EVENT OF A SPILL OR FAILURE TO PROPERLY DISPOSE OF HAZARDOUS WASTE. THE BOND MUST BE IN AN AMOUNT OF AT LEAST \$5,000.

105.4 VALIDITY OF PERMIT. {As in IBC}

105.5 EXPIRATION; EXTENSION. UNLESS AN EXTENSION IS GRANTED, EVERY PERMIT EXPIRES AND BECOMES INVALID ON THE EXPIRATION DATE SPECIFIED ON THE PERMIT OR, IF EARLIER, AS PROVIDED IN THIS § 105.5.

105.5.1 EXPIRATION – GENERAL. EXCEPT AS SPECIFIED IN § 105.5.2, A PERMIT EXPIRES IF:

1. THE WORK AUTHORIZED BY THE PERMIT IS NOT BEGUN ON THE SITE WITHIN 180 DAYS AFTER THE PERMIT IS ISSUED, OR

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- 1 2. THE WORK AUTHORIZED BY THE PERMIT IS ABANDONED OR SUSPENDED ON THE SITE FOR
2 180 DAYS OR MORE.

3 **105.5.2 EXPIRATION – CONDEMNATION, DEMOLITION.** A PERMIT ISSUED TO COMPLY WITH A
4 CONDEMNATION NOTICE SERVED UNDER § 123 OF THIS CODE OR TO COMPLY WITH A DEMOLITION
5 ORDER ISSUED UNDER § 115 OF THIS CODE EXPIRES IF:

- 6 1. THE WORK AUTHORIZED BY THE PERMIT IS NOT BEGUN ON THE SITE WITHIN 30 DAYS AFTER
7 THE PERMIT IS ISSUED, OR
- 8 2. THE WORK AUTHORIZED BY THE PERMIT IS NOT COMPLETED WITHIN 90 DAYS AFTER THE
9 PERMIT IS ISSUED.

10 **105.5.4 EXTENSIONS – GENERAL.** ON A TIMELY WRITTEN APPLICATION AND FOR JUSTIFIABLE
11 CAUSE DEMONSTRATED, THE BUILDING OFFICIAL MAY GRANT 1 OR MORE EXTENSIONS. EXCEPT
12 AS SPECIFIED IN § 105.5.5:

- 13 1. THE APPLICATION FOR AN EXTENSION MUST BE MADE WITHIN 60 DAYS AFTER THE PERMIT
14 EXPIRES, AND
- 15 2. EACH EXTENSION MUST BE LIMITED TO A PERIOD OF NO MORE THAN 180 DAYS.

16 **105.5.5 EXTENSIONS – CONDEMNATION, DEMOLITION.** FOR A PERMIT ISSUED TO COMPLY WITH
17 A CONDEMNATION NOTICE OR A DEMOLITION ORDER:

- 18 1. THE APPLICATION FOR AN EXTENSION MUST BE MADE BEFORE THE PERMIT EXPIRES, AND
- 19 2. EACH EXTENSION MUST BE LIMITED TO A PERIOD OF NOT MORE THAN 90 DAYS.

20 **105.5.6 COMPLIANCE WITH VIOLATION NOTICE OR ORDER.** THE EXPIRATION DATE OF A PERMIT
21 DOES NOT IN ANY WAY EXTEND THE TIME REQUIRED TO COMPLY WITH A VIOLATION NOTICE OR
22 ORDER.

23 **105.6 SUSPENSION OR REVOCATION.** THE BUILDING OFFICIAL MAY SUSPEND OR REVOKE A PERMIT
24 ISSUED UNDER THIS CODE IF:

- 25 1. THE WORK IS BEING DONE IN VIOLATION OF THE PERMIT, OF THIS CODE, OR OF ANY OTHER
26 APPLICABLE LAW OR REGULATION, OR
- 27 2. THE PERMIT WAS ISSUED:
- 28 A. IN ERROR OR ON THE BASIS OF INCORRECT, INACCURATE, OR INCOMPLETE
29 INFORMATION, OR
- 30 B. IN VIOLATION OF THIS CODE OR OF ANY OTHER LAW OR REGULATION.

31 **105.7 PLACEMENT OF PERMIT. {As in IBC}**

32 **105.8 SEPARATE STRUCTURES.** WHENEVER WORK IS BEING DONE ON TWO OR MORE INDEPENDENT
33 STRUCTURES ON THE SAME PROPERTY, A SEPARATE PERMIT IS REQUIRED FOR EACH INDEPENDENT
34 STRUCTURE.

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105.9 SPECIAL REQUIREMENTS FOR DEMOLITION OR MOVING.

105.9.1 PRE-PERMIT REQUIREMENTS. A PERMIT MAY NOT BE GRANTED FOR DEMOLISHING OR MOVING A STRUCTURE UNLESS THE APPLICANT COMPLIES WITH THE FOLLOWING.

105.9.1.1 INSPECTOR CONSULTATION. THE APPLICANT MUST HAVE ATTENDED AN ON-SITE, PRE-DEMOLITION OR PRE-MOVING INSPECTOR CONSULTATION TO DISCUSS AND CONFIRM:

1. APPROPRIATE HOSING/WETTING REQUIREMENTS AND PROCEDURES,
2. NOTIFICATION REQUIREMENTS, AND
3. ANY OTHER MATTERS THE BUILDING OFFICIAL REQUIRES.

105.9.1.2 WRITTEN NOTICE TO ADJOINING OWNERS, ETC. THE APPLICANT MUST HAVE GIVEN WRITTEN NOTICE TO:

1. THE OWNERS OF ALL PROPERTIES THAT IMMEDIATELY ADJOIN THE PROPERTY SUBJECT TO DEMOLITION OR MOVING, AND
2. THE OWNERS OF ANY WIRED OR OTHER FACILITIES THAT MIGHT HAVE TO BE TEMPORARILY REMOVED BECAUSE OF THE PROPOSED WORK.

105.9.1.2.1 CONTENTS OF NOTICE. THE WRITTEN NOTICE MUST:

1. INDICATE THE INTENT TO DEMOLISH OR MOVE THE STRUCTURE,
2. SPECIFY WHEN THE WORK IS EXPECTED TO BEGIN, AND
3. IDENTIFY THE CONTRACTOR SCHEDULED TO PERFORM THE DEMOLITION OR MOVING AND THE CONTRACTOR'S EMERGENCY CONTACT.

105.9.2 PRE-DEMOLITION, MOVING REQUIREMENTS. BEFORE BEGINNING ANY DEMOLITION OR MOVING OPERATIONS, THE PERMIT HOLDER MUST COMPLY WITH THE FOLLOWING.

105.9.2.1 POSTED NOTICE. PUBLIC NOTICE OF THE DEMOLITION OR MOVING MUST BE POSTED ON THE PREMISES AT LEAST 5 DAYS BEFORE THE SCHEDULED ACTION, BUT NOT MORE THAN 10 DAYS BEFORE THE SCHEDULED ACTION.

105.9.2.1.1 SIGN REQUISITES. THE SIGN MUST BE:

1. AT LEAST 4 FEET LONG AND 3 FEET HIGH,
2. WRITTEN IN BLACK LETTERING, AT LEAST 2 INCHES HIGH, ON A YELLOW BACKGROUND,
3. POSTED IN A CONSPICUOUS MANNER, CLEARLY VISIBLE AND LEGIBLE TO THE PUBLIC, NOT OVER 10 FEET ABOVE GROUND LEVEL, AND
4. MAINTAINED IN GOOD CONDITION UNTIL THE TIME OF THE DEMOLITION OR MOVING.

105.9.2.1.2 PROOF OF POSTING. THE PERMIT HOLDER MUST SUBMIT TO THE BUILDING OFFICIAL PHOTOGRAPHIC EVIDENCE OF THE POSTING REQUIRED BY THIS SECTION.

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1 **105.9.3 INSPECTOR PRESENCE.** AT LEAST 24 HOURS BEFORE BEGINNING THE DEMOLITION OR
2 MOVING OPERATIONS, THE CONTRACTOR MUST CONTACT THE BUILDING OFFICIAL TO SCHEDULE
3 THE PRESENCE OF AN INSPECTOR.

4 **105.9.4 FAILURE TO COMPLY.** FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS § 105.9
5 MAY RESULT IN REVOCATION OF THE PERMIT.

6 **105.10 REQUIRED CORRECTIONS.** THE ISSUANCE OF A PERMIT DOES NOT PREVENT THE BUILDING
7 OFFICIAL FROM LATER REQUIRING THE CORRECTION OF ERRORS IN ANY PLANS, DRAWINGS, WORK, OR
8 OPERATIONS.

9 **105.11 TO 105.12 {RESERVED}**

10 **105.13 INSPECTION REGISTRATION PERMITS.** AN INSPECTION REGISTRATION PERMIT ISSUED BY THE
11 BUILDING OFFICIAL IS REQUIRED BEFORE ANY PERSON MAY USE ANY LAND OR STRUCTURE FOR:

- 12 1. A PLACE OF PUBLIC ASSEMBLY, INCLUDING ANY ASSEMBLY HALL, AUDITORIUM, BOWLING
13 LANE, DANCE HALL, EXHIBITION HALL, MOTION PICTURE THEATER, MUSICAL HALL, NIGHT
14 CLUB, OPERA HOUSE, POOL PARLOR, SKATING RINK, SPORTS ARENA, STADIUM, OR THEATER, OR
- 15 2. ANY ROOF TANK OR ROOF SIGN.

16 **SECTION 106 CONSTRUCTION DOCUMENTS**

17 **106.1 SUBMITTAL DOCUMENTS. {AS IN IBC}**

18 **106.2 SITE PLAN.** THE CONSTRUCTION DOCUMENTS SUBMITTED WITH THE APPLICATION FOR PERMIT
19 MUST BE ACCOMPANIED BY A SITE PLAN.

20 **106.2.1 GENERAL REQUIREMENTS.** THE SITE PLAN MUST:

- 21 1. SHOW TO SCALE THE SIZE AND LOCATION OF NEW CONSTRUCTION AND EXISTING
22 STRUCTURES ON THE SITE, DISTANCES FROM LOT LINES, THE ESTABLISHED STREET GRADES,
23 AND THE PROPOSED FINISHED GRADES,
- 24 2. SHOW, AS APPLICABLE, FLOOD HAZARD AREAS, FLOODWAYS, AND DESIGN FLOOD
25 ELEVATIONS,
- 26 3. BE DRAWN IN ACCORDANCE WITH AN ACCURATE BOUNDARY LINE SURVEY, AND
- 27 4. COMPORT WITH ALL OTHER REQUIREMENTS OF THIS SECTION.

28 **106.2.2 DEMOLITION.** IN THE CASE OF DEMOLITION, THE SITE PLAN MUST SHOW CONSTRUCTION
29 TO BE DEMOLISHED AND THE LOCATION AND SIZE OF EXISTING STRUCTURES AND CONSTRUCTION
30 THAT ARE TO REMAIN ON THE SITE.

31 **106.2.3 SPECIFICATIONS, PHOTOGRAPHS, ADDITIONAL INFORMATION.** THE SITE PLAN MUST:

- 32 1. BE DRAWN IN ACCORDANCE WITH THE SPECIFICATIONS REQUIRED BY RULES OR
33 REGULATIONS ADOPTED BY THE BUILDING OFFICIAL IN CONSULTATION WITH THE
34 DIRECTOR OF PUBLIC WORKS, AND
- 35 2. CONTAIN ANY ADDITIONAL INFORMATION REQUIRED BY THOSE RULES OR REGULATIONS.

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1 **106.2.4 WAIVER OR MODIFICATION.** THE BUILDING OFFICIAL MAY WAIVE OR MODIFY THE
2 REQUIREMENT FOR A SITE PLAN IF THE APPLICATION IS FOR ALTERATION OR REPAIR OR IF
3 OTHERWISE WARRANTED.

4 **106.3 EXAMINATION OF DOCUMENTS.** *{AS IN IBC}*

5 **106.4 AMENDED CONSTRUCTION DOCUMENTS.** *{AS IN IBC}*

6 **106.5 RETENTION OF CONSTRUCTION DOCUMENTS.** *{AS IN IBC}*

7 **SECTION 107 TEMPORARY STRUCTURES AND USES**

8 **107.1 IN GENERAL.** *{AS IN IBC}*

9 **107.2 CONFORMANCE.** *{AS IN IBC}*

10 **107.3 TEMPORARY POWER.** THE BUILDING OFFICIAL MAY GIVE PERMISSION TO TEMPORARILY
11 SUPPLY POWER TO A STRUCTURE THAT IS NOT YET COMPLETE, AS LONG AS ALL WORK COMPLIES WITH
12 THE REQUIREMENTS OF THIS CODE.

13 **107.4 TERMINATION OF APPROVAL.** *{AS IN IBC}*

14 **SECTION 108 FEES**

15 **108.1 PERMIT FEES.** A PERMIT FOR CONSTRUCTION, ALTERATION, DEMOLITION, MOVING, OR OTHER
16 BUILDING OPERATION IS NOT VALID UNLESS THE FEES PRESCRIBED IN THIS CODE HAVE BEEN PAID, NOR
17 IS ANY AMENDMENT OR EXTENSION TO A PERMIT VALID UNLESS THE PRESCRIBED ADDITIONAL FEE HAS
18 BEEN PAID. FOR CONSTRUCTION WORK DESCRIBED IN § 108.6.1A AND C OF THIS CODE, PAYMENT IN
19 FULL MUST BE MADE AT THE TIME OF APPLICATION; FOR ALL OTHERS, PAYMENT MUST BE MADE BEFORE
20 ISSUANCE OF THE PERMIT, AMENDMENT, OR EXTENSION.

21 **108.2 OTHER FEES.** THE PAYMENT OF THE FEE FOR ALL WORK DONE CONCURRENTLY OR IN
22 CONNECTION WITH THE WORK CONTEMPLATED BY A PERMIT DOES NOT RELIEVE THE APPLICANT OR
23 PERMIT HOLDER FROM THE PAYMENT OF OTHER FEES PRESCRIBED BY LAW FOR WATER TAPS, SEWER
24 CONNECTIONS, ELECTRICAL PERMITS, SIGNS AND DISPLAY STRUCTURES, MARQUEES, OR OTHER
25 APPURTENANT STRUCTURES, OR FEES FOR INSPECTIONS, OCCUPANCY PERMITS, OR OTHER PRIVILEGES
26 OR REQUIREMENTS, WHETHER WITHIN OR WITHOUT THE JURISDICTION OF THE DEPARTMENT.

27 **108.3 MINIMUM FEES AND SERVICE CHARGES.** FEES OR SERVICE CHARGES FOR THE VARIOUS
28 PERMITS, CERTIFICATES, INSPECTIONS, TESTS, OR OTHER SERVICES PROVIDED UNDER THIS CODE ARE AS
29 SPECIFIED IN THIS § 108. UNLESS OTHERWISE SPECIFIED, THE MINIMUM FEE OR SERVICE CHARGE IS \$25.
30 ALL FEES ARE TO BE ROUNDED TO THE NEAREST DOLLAR.

31 **108.4 REFUNDS; CREDITS.**

32 **108.4.1 REFUNDS.** NO FEE OR OTHER SERVICE CHARGE PAID FOR ANY APPLICATION, PERMIT,
33 CERTIFICATE, INSPECTION, TEST, OR OTHER SERVICE MAY BE REFUNDED, IN WHOLE OR IN PART,
34 EXCEPT AS PROVIDED IN THIS § 108.4.1. IF NO WORK HAS BEEN DONE NOR ANY PRIVILEGE ENJOYED
35 UNDER A PERMIT, CERTIFICATE, INSPECTION, TEST, OR OTHER SERVICE, A REFUND MAY BE GRANTED
36 OF NOT MORE THAN 50% OF THE FEE OR SERVICE CHARGE PAID. IN NO EVENT, HOWEVER, MAY ANY
37 REFUND BE GRANTED ON ANY FEE OR CHARGE OF LESS THAN \$1,000.

38 **108.4.2 CREDIT FOR ADMINISTRATIVE ERROR.** IF THE BUILDING OFFICIAL REVOKES A PERMIT
39 BECAUSE OF AN ADMINISTRATIVE ERROR THAT, THROUGH NO FAULT OF THE APPLICANT, WAS MADE
40 IN ISSUING THE PERMIT, THE APPLICANT MAY:

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1. APPLY UNDER § 108.4.1, IF APPLICABLE, FOR A PARTIAL REFUND OF THE FEE PAID FOR THE REVOKED PERMIT, OR
2. REQUEST THAT THE FEE PAID FOR THE REVOKED PERMIT BE APPLIED AND CREDITED TO THE FEE DUE FOR A NEW PERMIT TO REPLACE THE ONE REVOKED.

108.5 SERVICE CHARGES.

108.5.1 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 DOCUMENTS 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, WITH A MINIMUM CHARGE OF \$25.

108.5.2 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.

108.5.3 PERMIT EXTENSIONS. FOR A PERMIT EXTENSION ISSUED UNDER THIS CODE, THE CHARGE IS AS FOLLOWS:

1. IF THE APPLICATION FOR EXTENSION IS MADE WITHIN 30 DAYS AFTER THE PERMIT EXPIRES, THE FEE FOR THE EXTENSION IS \$25.
2. IF THE APPLICATION FOR EXTENSION IS MADE BETWEEN 30 - 60 DAYS AFTER THE PERMIT EXPIRES, THE FEE FOR THE EXTENSION IS 50% OF THE ORIGINAL PERMIT FEE. ALTERNATIVELY, THE APPLICANT MAY APPLY FOR A NEW PERMIT FOR THE WORK REMAINING TO BE COMPLETED, WITH THE FEE FOR THAT PERMIT TO BE BASED ON THE SCOPE OF THAT REMAINING WORK.

108.5.4 PERMIT AMENDMENTS. FOR AN AMENDMENT TO A PERMIT, THE CHARGE IS AS FOLLOWS:

1. FOR EACH AMENDMENT THAT INVOLVES WORK NOT ORIGINALLY APPLIED FOR TO COMPLETE THE ENTIRE PROJECT, THE CHARGE IS THE APPROPRIATE FEE FOR THE WORK CONTEMPLATED PLUS A SURCHARGE OF 10%, WITH A MINIMUM COMBINED FEE AND SURCHARGE OF \$50.
2. FOR EACH AMENDMENT THAT IS OUTSIDE THE SCOPE OF PARAGRAPH 1 ABOVE AND FOR WHICH REVISED PLANS ARE REQUIRED, THE CHARGE IS 20% PERCENT OF THE ORIGINAL PERMIT FEE, WITH A MINIMUM CHARGE OF \$50.

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1 3. FOR EACH AMENDMENT THAT IS OUTSIDE THE SCOPE OF PARAGRAPH 1 ABOVE AND FOR
2 WHICH REVISED PLANS ARE NOT REQUIRED, THE CHARGE IS \$25.

3 **108.5.5 CANCELLATION OF APPLICATIONS.** IF A LEGAL PERMIT CANNOT BE ISSUED ON AN
4 APPLICATION, THE DEPARTMENT WILL NOTIFY THE APPLICANT OF THAT FACT, AND THE
5 APPLICATION MAY BE WITHDRAWN BY THE APPLICANT OR CANCELED BY THE DEPARTMENT. THE
6 CHARGE FOR THE WITHDRAWAL OR CANCELLATION IS 50% OF THE FEE PRESCRIBED FOR THE WORK
7 DESCRIBED IN THE APPLICATION. HOWEVER, THERE IS NO CANCELLATION CHARGE IF THE FEE FOR
8 THE PERMIT APPLIED FOR IS LESS THAN \$100.

9 **108.5.6 PRELIMINARY PROJECT REVIEW.** FOR A “PRELIMINARY REVIEW” OF A PROPOSED
10 PROJECT, THE CHARGE IS \$50 FOR EACH HALF HOUR.

11 **108.5.7 REVISED DRAWINGS.** FOR REVISED DRAWINGS, THE CHARGE IS \$10 FOR EACH SHEET
12 SUBMITTED, WITH A MINIMUM CHARGE OF \$25.

13 **108.5.8 APPLICATION FEE.** BEFORE AN APPLICATION FOR ANY PERMIT OR CERTIFICATE IS
14 PROCESSED, THE APPLICANT MUST PAY A NONREFUNDABLE APPLICATION FEE OF \$25.

15 **108.5.9 INSPECTION FEES.**

16 **108.5.9.1 OVERTIME FEE.** FOR EACH INSPECTION OR REINSPECTION THAT, AT THE REQUEST
17 OF THE OWNER OR OWNER’S AGENT, IS MADE OUTSIDE NORMAL WORKING HOURS, A CHARGE IS
18 IMPOSED AT THE RATE OF \$50 AN HOUR FOR EACH INSPECTOR, WITH A MINIMUM CHARGE,
19 PAYABLE IN ADVANCE, OF \$200 FOR EACH INSPECTOR.

20 **108.5.9.2 REINSPECTION FEE.** IF THE OWNER OR OWNER’S AGENT SCHEDULES AN INSPECTION
21 AND, FOR ANY REASON, A REINSPECTION OF THE SAME WORK IS REQUIRED, THE CHARGE,
22 PAYABLE IN ADVANCE, IS AS FOLLOWS:

- 23 1. \$35 FOR A 1ST REINSPECTION,
- 24 2. \$50 FOR A 2ND REINSPECTION, AND
- 25 3. \$100 FOR A 3RD AND EVERY SUBSEQUENT REINSPECTION.

26 **108.5.10 PENALTY SURCHARGE.** A SURCHARGE IS ASSESSED ON ANY PERMIT THAT IS ISSUED FOR
27 WORK BEGUN OR COMPLETED:

- 28 1. WITHOUT A PERMIT,
- 29 2. BEYOND THE SCOPE OF A PERMIT OR IN A MANNER INCONSISTENT WITH PLANS OR
30 DRAWINGS APPROVED AS PART OF A PERMIT APPLICATION, OR
- 31 3. ~~AFTER~~ DURING THE SUSPENSION OR AFTER THE REVOCATION OF A PERMIT FOR THAT WORK.

32 **108.5.10.1 AMOUNT – IN GENERAL.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 108.5.10,
33 THE AMOUNT OF THE SURCHARGE IS THE GREATER OF \$1,000 OR 50% OF THE PERMIT FEE.

34 **108.5.10.2 AMOUNT – DEMOLITION WORK.** FOR DEMOLITION WORK DONE WITHOUT THE
35 PROPER PERMIT OR IN VIOLATION OF THE TERMS OF A PERMIT, THE SURCHARGE IS 15¢ FOR
36 EACH CUBIC FOOT OF THE STRUCTURE BEFORE THE DEMOLITION.

37 **108.5.10.3 REDUCTIONS.** THE BUILDING OFFICIAL MAY REDUCE THE AMOUNT OF A
38 SURCHARGE IMPOSED BY THIS § 108.5.10:

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- 1. ON WRITTEN APPLICATION AND JUSTIFIABLE CAUSE DEMONSTRATED, AND
- 2. IN ACCORDANCE WITH APPLICABLE STANDARDS AND CRITERIA CONTAINED IN THE RULES AND REGULATIONS ADOPTED UNDER THIS CODE.

108.5.10.4 SURCHARGE IN ADDITION TO OTHER FINES, ETC. A SURCHARGE IMPOSED BY THIS § 108.5.10 IS IN ADDITION TO ANY OTHER FINE OR PENALTY IMPOSED UNDER THIS CODE OR ANY OTHER LAW OR REGULATION.

108.5.10.5 CONTRACTOR’S LIABILITY. IF THE UNAUTHORIZED WORK FOR WHICH THE SURCHARGE IS IMPOSED WAS PERFORMED BY A CONTRACTOR, THE CONTRACTOR:

- 1. IS PERSONALLY LIABLE FOR THE SURCHARGE, AND
- 2. MAY NOT, DIRECTLY OR INDIRECTLY, ATTEMPT TO RECOUP THE AMOUNT OF THE SURCHARGE FROM THE PROPERTY OWNER.

108.5.10.5.1 VIOLATION. A CONTRACTOR WHO VIOLATES § 108.5.10.5(2):

- 1. IS SUBJECT TO THE FINES AND PENALTIES IMPOSED FOR VIOLATIONS OF THIS CODE, AND
- 2. MAY BE REPORTED TO THE RELEVANT LICENSING AUTHORITY AND THE CONSUMER PROTECTION DIVISION OF THE ATTORNEY GENERAL’S OFFICE.

108.5.11 VIOLATION REPORTS. THE CHARGE FOR A VIOLATION REPORT, WHETHER OBTAINED FROM THE DEPARTMENT OR FROM THE BUREAU OF LIENS, IS \$30, IN ADDITION TO THE CHARGE FOR A LIEN CERTIFICATE.

108.6 FEE SCHEDULES.

108.6.1 PERMIT FEES FOR CONSTRUCTION WORK.

A. NEW BUILDINGS AND ADDITIONS. (FEE MUST BE PAID IN FULL WITH APPLICATION)

1. 1- AND 2-FAMILY DWELLINGS

\$10 FOR EACH 1,000 CUBIC FEET (28.31 CU. M.) OR FRACTION OF 1,000 CUBIC FEET (28.31 CU. M.) OF GROSS VOLUME, INCLUDING ALL BASEMENTS AND CELLARS.

MINIMUMS —	
NEW BUILDING	\$100
ADDITIONS	\$75

2. ALL OTHERS

\$20 FOR EACH 1,000 CUBIC FEET (28.31 CU. M.) OR FRACTION OF 1,000 CUBIC FEET (28.31 CU. M.) OF GROSS VOLUME, INCLUDING ALL BASEMENTS AND CELLARS.

MINIMUMS —	
NEW BUILDING	\$200
ADDITIONS	\$100

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1	B. STRUCTURES ACCESSORY TO A PRINCIPAL OCCUPANCY.	
2	EACH STRUCTURE OF 100 SQUARE FEET (9.29 SQ. M.) OR LESS	\$25
3	EACH STRUCTURE OVER 100 SQUARE FEET (9.29 SQ. M.)	\$50
4	C. ALTERATIONS AND REPAIRS. (FEE MUST BE PAID IN FULL WITH APPLICATION)	
5	1. 1- AND 2-FAMILY DWELLINGS	
6	\$10 FOR EACH \$1,000 OR FRACTION OF \$1,000 ESTIMATED COST	
7	MINIMUM	\$50
8	2. ALL OTHERS	
9	\$12 FOR EACH \$1,000 OR FRACTION OF \$1,000 ESTIMATED COST	
10	MINIMUM	\$150
11	D. CHIMNEYS, STACKS, TOWERS.	
12	0 TO 50 FEET (15.24 M) HIGH	\$35
13	OVER 50 FEET (15.24 M) TO 100 FEET (30.48 M) HIGH	\$50
14	OVER 100 FEET (30.48 M) HIGH	\$75
15	E. RETAINING WALLS.	
16	\$10 FOR EACH 100 SQUARE FEET (9.29 SQ. M.) OR FRACTION OF	
17	100 SQUARE FEET (9.29 SQ. M.) OF AREA ABOVE FOOTING.	
18	F. FENCES.	
19	\$10 FOR EACH 100 LINEAR FEET (30.38 M) OR FRACTION OF 100 LINEAR FEET	
20	(30.38 M).	
21	G. GRADING (EXCAVATING OR FILLING).	
22	0 TO 5,000 CU. YD. (3822.77 CU. M.)	\$35
23	OVER 5,000 CU. YD. (3822.77 CU. M.) TO 50,000 CU. YD. (38,227.74 CU. M.)	\$50
24	OVER 50,000 CU. YD. (38,227.74 CU. M.)	\$75
25	H. PAVING OR SURFACING.	
26	0 TO 1,000 SQ. FT. (92.90 SQ. M.)	\$25
27	OVER 1,000 SQ. FT. (92.90 SQ. M.) TO 10,000 SQ. FT. (929.03 SQ. M.)	\$35
28	OVER 10,000 SQ. FT. (929.03 SQ. M.) TO 50,000 SQ. FT. (4645.15 SQ. M.)	\$60
29	OVER 50,000 SQ. FT. (4645.15 SQ. M.)	\$85
30	I. ERECTING, PLACING, HANGING, OR RECONSTRUCTING SIGNS.	
31	0 TO 10 SQ. FT. (0.929 SQ. M.)	\$25
32	OVER 10 SQ. FT. (0.929 SQ. M.) TO 150 SQ. FT. (13.94 SQ. M.)	\$35
33	OVER 150 SQ. FT. (13.94 SQ. M.) TO 200 SQ. FT. (18.58 SQ. M.)	\$60
34	OVER 200 SQ. FT. (18.58 SQ. M.) TO 500 SQ. FT. (46.45 SQ. M.)	\$150
35	OVER 500 SQ. FT. (46.45 SQ. M.)	\$250

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J. INSTALLING ON-PREMISES ADVERTISING SIGNS.

FOR ERECTING, PLACING, HANGING, OR RECONSTRUCTING ANY CONSOLIDATED AREA OF SIGNAGE, AS DESCRIBED IN § 11-422 OF THE ZONING CODE, THE FEE IS \$1 A SQUARE FOOT, WITH A MINIMUM OF \$13 FOR EACH CONSOLIDATED AREA OF SIGNAGE.

THE RATES IN ITEMS I AND J 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.

FOR REPAIRING, PAINTING, AND REHANGING ANY SIGN IN THE SAME PLACE, THE FEE IS \$25 FOR EACH SIGN.

K. DEMOLITION.

1- AND 2-FAMILY DWELLINGS	\$0.030 PER CUBIC
	FOOT VOLUME OF STRUCTURE
MINIMUM	\$300
ALL OTHERS	\$0.075 PER CUBIC
	FOOT VOLUME OF STRUCTURE
MINIMUM	\$600
ACCESSORY STRUCTURES	\$50 EACH

L. TEMPORARY STRUCTURES.

FOR EACH TEMPORARY STRUCTURE, THE FEE IS \$20 A YEAR FOR EACH 5,000 CUBIC FEET (141.58 CU. M.) OR FRACTION OF 5,000 CUBIC FEET (141.58 CU. M.) OF VOLUME.

MINIMUM	\$35
MAXIMUM	\$800

M. MOVING BUILDINGS.

\$50 EACH

N. SWIMMING POOLS.

1- AND 2-FAMILY DWELLINGS	\$50
ALL OTHERS	\$250

O. OCCUPANCY PERMIT (INCLUDING ANY ACCOMPANYING USE PERMIT ISSUED UNDER ZONING CODE).

FOR EACH USE IN EACH BUILDING OR PART OF A BUILDING \$45

P. SEDIMENT AND EROSION CONTROL.

SEDIMENT AND EROSION CONTROL PERMIT AND REVIEW FEES WILL BE ASSESSED BY THE DEPARTMENT OF PUBLIC WORKS IN ACCORDANCE WITH THE FEE SCHEDULE ESTABLISHED FROM TIME TO TIME BY THE BOARD OF ESTIMATES.

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Q. DPW REVIEW CHARGES.

A FEE OF \$100 WILL BE CHARGED FOR REVIEW BY THE DEPARTMENT OF PUBLIC WORKS OF EACH APPLICATION FOR A BUILDING PERMIT. ADDITIONAL FEES FOR CONSULTATION MEETINGS WITH THE APPLICANT WILL BE CHARGED AT THE RATE OF \$50 FOR EACH HALF HOUR.

108.6.2 PERMIT FEES FOR ELECTRICAL WORK.

A. ELECTRICAL SERVICE WIRING AND EQUIPMENT TO BE INSTALLED, REPLACED, OR RELOCATED, INCLUDING PROVISION FOR CONNECTION OF METER.

1. RATING IN AMPERES

0 TO 100	\$25
OVER 100 TO 200	\$30
OVER 200 TO 400	\$40
OVER 400 TO 800	\$60
OVER 800 TO 1,000	\$100
OVER 1,000 TO 2,000	\$150
OVER 2,000	\$200

FOR SERVICES OVER 600 VOLTS, ADD \$100.

2. INSTALLING CONDUITS AND DUCT BANKS ONLY

OVER 0 TO 200 FEET	\$25
OVER 200 TO 1,000 FEET	\$50
OVER 1,000 FEET	\$100

3. SUB FEEDERS FOR ADDITIONAL METERS ONLY

0 TO 200 AMPERES	\$30
OVER 200 TO 400 AMPERES	\$40
OVER 400 TO 800 AMPERES	\$60
OVER 800 TO 1,000 AMPERES	\$100
OVER 1,000 TO 2,000 AMPERES	\$150
OVER 2,000 AMPERES	\$200

4. PHOTOVOLTAIC SYSTEM

1 TO 6 PHOTOVOLTAIC PANELS	\$50
EACH ADDITIONAL PANEL	\$6

B. ELECTRICAL WIRING FOR NEW BRANCH CIRCUITS, FEEDERS, AND EXTENSIONS TO OR REPLACEMENTS OF BRANCH CIRCUITS.

FOR EACH CIRCUIT \$6

A 3-WIRE OR 4-WIRE BRANCH CIRCUIT SERVING SINGLE PHASE LOADS IS CONSIDERED TO BE A 2- OR 3-BRANCH CIRCUIT RESPECTIVELY.

A 3-WIRE BRANCH CIRCUIT SERVING ONLY 3-PHASE LOADS OR SERVING A SINGLE APPLIANCE IS CONSIDERED TO BE A 1-BRANCH CIRCUIT.

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C. FIXTURES OR DEVICES ONLY.

FOR INSTALLING ELECTRICAL FIXTURES OR DEVICES ONLY:

1 TO 25 FIXTURES \$25

\$5 FOR EACH ADDITIONAL 25 OR FRACTION OF 25 FIXTURES OR DEVICES.

D. TEMPORARY ELECTRICAL WIRING.

1. FOR BAZAARS, CINEMA SHOWS, DANCES, DISPLAYS, EXHIBITIONS, FAIRS, PLAYS, RUMMAGE SALES, SPORTING EVENTS, SUPPERS, AND OTHER SIMILAR ASSEMBLIES.

\$20 FOR EACH 5 KILOWATTS OR FRACTION OF 5 KILOWATTS OF FEEDER CAPACITY SUPPLYING THE WIRING.

THE FEE IS REDUCED 50% IF THE NET PROCEEDS FROM THE EVENT ARE TO BE USED EXCLUSIVELY FOR A CHARITABLE OR RELIGIOUS ORGANIZATION.

2. FOR CARNIVALS AND CIRCUSES.

\$25 FOR EACH 5 KILOWATTS OR FRACTION OF 5 KILOWATTS OF FEEDER CAPACITY SUPPLYING THE WIRING.

THE FEE IS REDUCED 50% IF THE NET PROCEEDS FROM THE EVENT ARE TO BE USED EXCLUSIVELY FOR A CHARITABLE OR RELIGIOUS ORGANIZATION.

3. FOR CONSTRUCTION PURPOSES.

THE FEE IS THE SAME AS FOR PERMANENT INSTALLATIONS, AND THE PERMITS MUST BE APPLIED FOR SEPARATELY.

E. ELECTRICAL SEMIANNUAL PERMITS FOR MAINTENANCE WORK.

THE FEE FOR EACH PERMIT IS BASED ON THE TOTAL SERVICE OF THE PLANT.

RATING OF SERVICE IN AMPERES

0 TO 600	\$50
OVER 600 TO 800	\$75
OVER 800 TO 1,200	\$100
OVER 1,200 TO 2,000	\$150
OVER 2,000	\$200

F. NOT OTHERWISE CLASSIFIED.

ELECTRICAL WORK NOT OTHERWISE CLASSIFIED IN THIS SECTION \$25 PER PERMIT

G. LOW VOLTAGE \ WIRING.

1 TO 25 DEVICES \$25
\$5 FOR EACH ADDITIONAL 10 OR FRACTION OF 10 DEVICES

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1	H. TELECOMMUNICATIONS.		
2	POWER SUPPLY FOR INTEGRATED SYSTEMS		
3	UP TO 50KW		\$150
4	OVER 50KW		\$2 PER ADDITIONAL
5		10KW OR FRACTION OF 10KW	
6	MAXIMUM		\$500
7	COMMUNICATION HOTELS		
8	PER RACK		\$10
9	MAXIMUM		\$300
10	TELECOMMUNICATIONS ANTENNAS		
11	1 TO 5 ANTENNAS		\$25
12	OVER 5	\$5 PER ADDITIONAL ANTENNA	
13	GROUNDING AND BONDING		\$25
14	I. INSTALLING ELECTRICAL TRANSFORMERS ONLY.		
15	1 TO 10 KVA		\$25
16	OVER 10 TO 50 KVA		\$35
17	OVER 50 TO 100 KVA		\$75
18	OVER 100 KVA		\$100
19	108.6.3 PERMIT FEES FOR MECHANICAL WORK.		
20	A. FUEL-BURNING EQUIPMENT AND APPLIANCES.		
21	BTU PER HOUR INPUT PER UNIT		
22	0 TO 200,000		\$30
23	OVER 200,000 TO 500,000		\$45
24	OVER 500,000 TO 1,000,000		\$75
25	FOR EACH ADDITIONAL 1,000,000 OR FRACTION OF 1,000,000		\$75
26	MAXIMUM		\$300 PER UNIT
27	LAB TABLES:		\$5 PER OUTLET
28	FUEL OIL OR NATURAL GAS PIPING, NEW OR REPLACEMENT		
29	1- AND 2-FAMILY DWELLINGS		\$25
30	ALL OTHERS		\$50
31	REPLACEMENT OF UNITS SAME AS NEW		
32	B. AIR CONDITIONING SYSTEMS.		
33	COOLING TOWERS		\$150 PER UNIT

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1	ALL OTHERS	
2	\$5 A TON (1 TON EQUALS 12,000 BTU PER HOUR)	
3	MINIMUM	\$ 30
4	MAXIMUM	\$300 PER UNIT
5	C. HYDRONIC AND STEAM-HEATING SYSTEMS.	
6	NEW INSTALLATION OF BASEBOARD RADIATION	
7	1- AND 2-FAMILY DWELLINGS	\$25
8	ALL OTHERS	\$50
9	NEW INSTALLATION OF PIPING	
10	1- AND 2-FAMILY DWELLINGS	\$25
11	ALL OTHERS	\$50
12	NEW INSTALLATION OF RADIATORS OR CONVECTORS	
13	\$5 EACH	
14	MINIMUM	\$30
15	GEOTHERMAL SYSTEM	\$50
16	REPLACEMENT OF UNIT SAME AS NEW	
17	D. DISTRIBUTION SYSTEMS.	
18	NEW INSTALLATION	
19	1- AND 2-FAMILY DWELLINGS	\$25 PER SYSTEM
20	ALL OTHER WORK	\$5 PER 1000 CFM
21	MINIMUM	\$30
22	MAXIMUM	\$300
23	RECONSTRUCTION OF EXISTING DISTRIBUTION SYSTEMS	
24	1 TO 25 DIFFUSERS	\$35
25	OVER 25 DIFFUSERS	\$50 PER 100
26		OR FRACTION OF 100
27	VAV OR MIXING BOXES	\$5 EACH
28	E. EXHAUST SYSTEMS.	
29	\$5 FOR EACH 1,000 CUBIC FEET (28.31 CU. M.) OF AIR PER MINUTE	
30	MINIMUM	\$30
31	MAXIMUM	\$300

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1	F. UNFIRED PRESSURE VESSELS.	
2	\$50 EACH	
3	G. TANKS FOR ALL LIQUIDS, INCLUDING PROPANE GAS CYLINDERS.	
4	LP GAS CYLINDERS IN THE AGGREGATE OF 1,000 GALLONS (3,780 L)	
5	OR FRACTION OF 1,000 GALLONS (3,780 L) ARE CONSIDERED 1 TANK.	
6	0 TO 1,000 GALLONS (3,780 L)	\$20 EACH
7	OVER 1,000 GALLONS (3,780 L) TO 10,000 GALLONS (37,800 L)	\$30 EACH
8	OVER 10,000 GALLONS (37,800 L)	\$30 PLUS
9		\$10 PER 5,000 GALLONS
10		(18,900 L) OR FRACTION OVER
11		10,000 GALLONS (37,800 L);
12		MAXIMUM \$400
13	REMOVAL OF TANKS	\$35 PER TANK
14	H. PUMPS AND DISPENSERS.	
15	FOR EACH HOSE OUTLET	\$10
16	MINIMUM	\$30
17		
18	I. FIRE EXTINGUISHING SYSTEMS.	
19	SPRINKLER SYSTEMS	
20	1 TO 25 HEADS	\$35
21	MORE THAN 25 HEADS	\$50 PER 100 HEADS
22		OR FRACTION
23		OF 100 HEADS
24	RELOCATE SPRINKLER HEADS	\$5 EACH
25	MINIMUM	\$30
26	MAXIMUM	\$100
27	REPLACE SPRINKLER HEADS ONLY	\$20
28	STANDPIPE RISERS	\$50 EACH
29	RELOCATE HOSE STATIONS	\$10 EACH
30	CHEMICAL SYSTEMS	\$50
31	J. PLUMBING AND ON-SITE UTILITIES.	
32	INSTALL, REPLACE, OR RECONSTRUCT PLUMBING FIXTURES	\$5 EACH
33	REMOVE PLUMBING FIXTURES ONLY	\$20
34	ELECTRICAL WATER HEATERS, NEW CONSTRUCTION OR REPLACEMENT	\$20 EACH
35	GREASE INTERCEPTORS	\$25 EACH
36	WATER SERVICE PIPE, NEW OR REPLACEMENT	
37	1-AND 2-FAMILY DWELLINGS	\$25
38	ALL OTHER WORK	\$50
39	SANITARY CONNECTION, NEW OR REPLACEMENT	
40	1- AND 2-FAMILY DWELLINGS	\$25
41	ALL OTHER WORK	\$50

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1	STORM WATER CONNECTION, NEW OR REPLACEMENT	
2	1- AND 2-FAMILY DWELLINGS	\$25
3	ALL OTHER WORK	\$50
4	RECONSTRUCT WATER, SANITARY, OR STORM LINES ON PREMISES	\$20 PER UTILITY
5	CAP OFF WATER, SANITARY, OR STORM LINES ON PREMISES	\$50 PER UTILITY
6	ON-SITE UTILITIES (WATER, SANITARY, OR STORM WATER)	
7	NEW OR RECONSTRUCTION	\$50 PER UTILITY
8	MULTIPLE HOME SITE DEVELOPMENT	\$10 PER UTILITY
9	PRIVATE DISPOSAL SYSTEMS, INCLUDING SEPTIC TANK, DRY WELL,	
10	OR DRAIN FIELDS	\$100, PLUS
11		\$5 PER PLUMBING FIXTURE
12	LAWN IRRIGATION SYSTEM	\$25
13	PRIVATE SWIMMING POOL WHEN CONNECTED TO A WATER	
14	AND SEWER LINE	\$30
15	BACKFLOW PREVENTION DEVICE	
16	INSTALLATION	
17	LESS THAN 2" DIAMETER	\$25 EACH
18	2" DIAMETER OR MORE	\$100 EACH
19	ANNUAL TESTING INSPECTION	\$30

20 **K. INSTALLING ELEVATORS, ESCALATORS, ETC.**

21 INSTALLATION PER UNIT:

22	PASSENGER, POWER FREIGHT, AND PARKING ELEVATORS	\$50, PLUS
23		\$5 PER FLOOR
24	MAXIMUM	\$150
25	ESCALATORS	\$60
26	HAND OR GRAVITY ELEVATORS	\$35
27	STAGE OR ORCHESTRA CONSOLE ELEVATORS	\$50
28	PRIVATE RESIDENCE ELEVATORS OR INCLINED LIFTS	\$35
29	PERSON LIFTS	\$50
30	AUTOMOBILE SERVICE LIFTS	\$20
31	POWER DUMBWAITERS	\$35
32	HAND DUMBWAITERS	\$30
33	TEMPORARY MATERIAL HOISTS AND ELEVATORS	\$35
34	WORKERS' HOISTS	\$35, PLUS
35		\$5 PER FLOOR
36	ALTERATIONS	\$50 PER ELEVATOR

37 **108.6.4 FEES FOR CERTIFICATES.**

38 **A. ELECTRICAL CERTIFICATES OF APPROVAL.**

- 39 1. \$10 EACH WHEN ISSUED AS PART OF ORIGINAL PERMIT.
- 40 2. \$20 EACH WHEN ISSUED SEPARATELY.

41 **B. MECHANICAL CERTIFICATES OF APPROVAL.**

- 42 1. \$10 EACH WHEN ISSUED AS PART OF ORIGINAL PERMIT.
- 43 2. \$20 EACH WHEN ISSUED SEPARATELY.

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C. CERTIFICATES OF COMPLETION OR OTHER.

\$45 EACH

108.6.5 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 A CHARITABLE OR RELIGIOUS ORGANIZATION, THE FEE IS REDUCED 50%.

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 FEE (929.03 SQ. M.)

<i>PURPOSE</i>	<i>1 DAY</i>	<i>1 WEEK</i>
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	—

IF THE NET PROCEEDS FROM ANY OF THESE ACTIVITIES, EXCEPT AMUSEMENT DEVICES, ARE TO BE USED EXCLUSIVELY FOR A CHARITABLE OR RELIGIOUS ORGANIZATION, THE FEE IS REDUCED 50%.

C. ROOF TANKS AND ROOF SIGNS.

FOR ROOF TANKS AND ROOF SIGNS, THE ANNUAL FEE IS:

ROOF TANKS	\$20 EACH
ROOF SIGNS	

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1	100 SQ. FT. (9.29 SQ. M.) TO 500 SQ. FT. (46.45 SQ. M.)	\$20
2	OVER 500 SQ. FT. (46.45 SQ. M.) TO 1,000 SQ. FT. (92.90 SQ. M.)	\$35
3	OVER 1,000 SQ. FT. (92.90 SQ. M.)	\$50

4 **108.6.6 FEES FOR MISCELLANEOUS WORK.** PERMIT FEES FOR MISCELLANEOUS WORK,
5 OPERATIONS, AND OTHER PURPOSES, NOT ELSEWHERE PROVIDED FOR IN THIS CODE, ARE CHARGED
6 AT THE RATE OF \$10 FOR EACH \$1,000 OR FRACTION OF \$1,000 OF ESTIMATED COST.

7 **108.7 BUILDING CODE PERMIT TAX.** A TAX IS LEVIED AND IMPOSED ON EVERY ISSUANCE OF A
8 PERMIT UNDER THIS CODE. THE AMOUNT OF THE TAX IS 5% OF THE FINAL COST OF THAT PERMIT
9 ROUNDED UP TO THE NEAREST WHOLE DOLLAR. THE FUNDS SO COLLECTED ARE TO BE DEPOSITED TO
10 THE GENERAL FUND AND ACCOUNTED FOR IN A REVENUE ACCOUNT ENTITLED “HOMELESS RELIEF
11 ASSISTANCE”, WITH THE LEGISLATIVE INTENT THAT AN EQUIVALENT AMOUNT BE APPROPRIATED IN THE
12 FUTURE FOR THE RELIEF OF THE HOMELESS.

13 **SECTION 109 INSPECTIONS {AS IN IBC}**

14 **SECTION 110 OCCUPANCY PERMIT; CERTIFICATE OF COMPLETION**

15 **110.1 TO 110.4 {AS IN IBC. BUT NOTE: THE “CERTIFICATE OF OCCUPANCY” TO WHICH THE IBC REFERS**
16 **IS KNOWN IN BALTIMORE CITY AS AN “OCCUPANCY PERMIT” .}**

17 **110.5 CERTIFICATE OF COMPLETION.** WITHIN 10 DAYS OF WRITTEN APPLICATION, THE BUILDING
18 OFFICIAL WILL ISSUE A CERTIFICATE OF COMPLETION IF ALL WORK AUTHORIZED BY A BUILDING PERMIT
19 HAS BEEN SATISFACTORILY COMPLETED IN COMPLIANCE WITH THIS CODE. THE CERTIFICATE CERTIFIES
20 THE SATISFACTORY COMPLETION OF THE WORK AND THE PURPOSE FOR WHICH THE STRUCTURE MAY BE
21 USED IN ITS SEVERAL PARTS.

22 **110.6 REVOCATION. {AS IN IBC § 110.5}**

23 **SECTION 111 SERVICE UTILITIES {AS IN IBC}**

24 **SECTION 112 BOARD OF APPEALS {NOT ADOPTED}**

25 **SECTION 113 VIOLATIONS**

26 **113.1 UNLAWFUL ACTS.** IT IS UNLAWFUL FOR ANY PERSON TO:

27 1. CONSTRUCT, ALTER, ADD TO, REPAIR, REHABILITATE, DEMOLISH, MOVE, LOCATE, USE, OCCUPY,
28 OR MAINTAIN ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT REGULATED BY THIS CODE,
29 CONTRARY TO OR IN CONFLICT WITH OR IN VIOLATION OF:

30 A. ANY PROVISION OF THIS CODE, OR

31 B. ANY PROVISION OF ANY REGULATION, ORDER, REQUIREMENT, DECISION, PERMIT, OR
32 NOTICE ISSUED UNDER THIS CODE BY THE BUILDING OFFICIAL OR BY ANY OTHER
33 PERSON, BOARD, DEPARTMENT, BUREAU, COMMISSION, OR AGENCY WITH
34 JURISDICTION, OR

35 2. OTHERWISE FAIL TO COMPLY WITH ANY PROVISION OF THIS CODE OR OF ANY REGULATION,
36 ORDER, REQUIREMENT, DECISION, PERMIT, OR NOTICE ISSUED UNDER THIS CODE, OR

37 3. CAUSE ANY OF THESE ACTS OR OMISSIONS TO BE DONE.

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1 **113.2 VIOLATION NOTICE OR ORDER.** EXCEPT AS OTHERWISE PROVIDED IN THIS CODE, THE
2 BUILDING OFFICIAL MAY SERVE A VIOLATION NOTICE OR ORDER ON ANY PERSON LEGALLY
3 RESPONSIBLE FOR THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION,
4 DEMOLITION, MOVING, LOCATION, USE, OCCUPANCY, OR MAINTENANCE OF ANY STRUCTURE, PREMISES,
5 LAND, OR EQUIPMENT IN VIOLATION OF ANY PROVISION OF:

- 6 1. THIS CODE, OR
- 7 2. A PLAN APPROVED UNDER THIS CODE, OR
- 8 3. A PERMIT OR CERTIFICATE ISSUED UNDER THIS CODE.

9 **113.2.1 TENOR OF NOTICE OR ORDER.** THE NOTICE OR ORDER MAY DIRECT:

- 10 1. THE DISCONTINUANCE OF THE ILLEGAL ACTION OR CONDITION, AND
- 11 2. THE ABATEMENT OF THE VIOLATION, WHICH MAY INCLUDE RESTORATION TO THE PRIOR
12 CONDITION.

13 **113.3 ENFORCEMENT GENERALLY.** IF A VIOLATION IS NOT PROMPTLY DISCONTINUED OR ABATED, OR
14 IF THE VIOLATION NOTICE OR ORDER IS NOT COMPLIED WITH PROMPTLY, THE BUILDING OFFICIAL MAY
15 INSTITUTE OR CAUSE TO BE INSTITUTED ANY APPROPRIATE LEGAL PROCEEDINGS.

16 **113.3.1 TYPES OF PROCEEDINGS.** ENFORCEMENT PROCEEDINGS MAY INCLUDE:

- 17 1. INJUNCTIVE OR OTHER EQUITY PROCEEDINGS, INCLUDING AN ACTION INITIATED BY A CODE-
18 ENFORCEMENT-INJUNCTION CITATION UNDER CITY CODE ARTICLE 19, § 71-3, OR AN
19 ACTION FOR APPOINTMENT OF A RECEIVER UNDER § 121 OF THIS CODE,
- 20 2. CRIMINAL PROSECUTION, INCLUDING A PROSECUTION INITIATED BY A PREPAYABLE
21 CRIMINAL CITATION UNDER CITY CODE ARTICLE 19, § 71-2, AND
- 22 3. ADMINISTRATIVE PROCEEDINGS, INCLUDING ONE INITIATED BY AN ENVIRONMENTAL
23 CITATION UNDER CITY CODE ARTICLE 1, § 40-14.

24 **113.3.2 REMEDIES NOT EXCLUSIVE.** IN PURSUING A VIOLATION, THE BUILDING OFFICIAL MAY
25 USE ANY 1 OR MORE AVAILABLE REMEDIES OR ENFORCEMENT ACTIONS. THE INITIATION OF ANY
26 1 REMEDY OR ENFORCEMENT ACTION DOES NOT PRECLUDE PURSUING ANY OTHER REMEDY OR
27 ENFORCEMENT ACTION AUTHORIZED BY LAW. NEITHER DAMAGES, IRREPARABLE INJURY, NOR
28 THE LACK OF AN ADEQUATE REMEDY AT LAW IS A PREREQUISITE TO ENFORCEMENT IN EQUITY.

29 **113.3.3 WHEN PRIOR NOTICE NOT REQUIRED.** A VIOLATION NOTICE OR ORDER IS NOT A
30 PREREQUISITE TO ENFORCEMENT ACTION IN THE FOLLOWING SITUATIONS:

- 31 1. WHEN SEEKING A TEMPORARY RESTRAINING ORDER OR INJUNCTION IN AN EMERGENCY,
- 32 2. WHEN SEEKING EQUITABLE RELIEF FOR A PATTERN OR PRACTICE OF NON-COMPLIANCE,
- 33 3. FOR WORK BEING DONE WITHOUT A PERMIT OR IN VIOLATION OF A STOP-WORK ORDER,
- 34 4. FOR A VIOLATION THAT REMAINS UNABATED AFTER A PRIOR PROSECUTION FOR THAT
35 VIOLATION,
- 36 5. FOR A PREPAYABLE CRIMINAL CITATION THAT IS ISSUED UNDER CITY CODE ARTICLE 19,
37 SUBTITLE 71 {"SPECIAL ENFORCEMENT OFFICERS"} AND FOR WHICH PRIOR NOTICE IS
38 WAIVED UNDER ARTICLE 19, § 71-2,

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- 1 6. FOR AN ENVIRONMENTAL CITATION THAT IS ISSUED UNDER CITY CODE ARTICLE 1,
2 SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}, AND
- 3 7. IN ANY OTHER CASE SPECIFICALLY AUTHORIZED BY THIS CODE.

4 **113.4 VIOLATION A MISDEMEANOR.** A PERSON IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION,
5 SUBJECT TO THE PENALTIES SPECIFIED IN THIS § 113.4, IF THE PERSON:

- 6 1. VIOLATES A PROVISION OF THIS CODE,
- 7 2. FAILS TO COMPLY WITH ANY REQUIREMENT OF THIS CODE OR OF A REGULATION, ORDER,
8 DECISION, PERMIT, OR NOTICE ISSUED UNDER THIS CODE, OR
- 9 3. CONSTRUCTS, ALTERS, ADDS TO, REPAIRS, REHABILITATES, DEMOLISHES, MOVES, LOCATES,
10 USES, OCCUPIES, OR MAINTAINS ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT IN
11 VIOLATION OF AN APPROVED PLAN OR DIRECTIVE OF THE BUILDING OFFICIAL OR OF A PERMIT
12 OR CERTIFICATE ISSUED UNDER THIS CODE.

13 **113.4.1 NOTICE REQUIRED.** EXCEPT AS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW,
14 CRIMINAL PROCEEDINGS MAY NOT BE INITIATED UNLESS THE BUILDING OFFICIAL ISSUES A NOTICE
15 OF VIOLATION AND ALLOWS A REASONABLE TIME TO CORRECT THE VIOLATION.

16 **113.4.2 EACH DAY A SEPARATE OFFENSE.** EACH DAY THAT A VIOLATION CONTINUES IS A
17 SEPARATE OFFENSE. PROOF THAT A VIOLATION EXISTS ON ANY DATE AFTER ISSUANCE OF A
18 VIOLATION NOTICE IS PRIMA FACIE EVIDENCE THAT THE VIOLATION HAS CONTINUED UNABATED
19 THROUGHOUT THE INTERVENING PERIOD.

20 **113.4.3 PENALTIES.** THE PENALTY FOR EACH OFFENSE IS AS FOLLOWS:

- 21 1. FOR WORK DONE WITHOUT A PERMIT OR IN VIOLATION OF A STOP-WORK ORDER, A FINE OF
22 NOT MORE THAN ~~\$1,000~~ \$500 OR IMPRISONMENT FOR NOT MORE THAN ~~12 MONTHS~~ 90
23 DAYS OR BOTH FINE AND IMPRISONMENT, AND
- 24 2. FOR ALL OTHER VIOLATIONS, A FINE OF NOT MORE THAN \$500.

25 **113.5 CIVIL PENALTIES AND COSTS.** IN EQUITY PROCEEDINGS INSTITUTED UNDER THIS CODE:

- 26 1. A VIOLATION FOR WHICH EQUITABLE RELIEF IS SOUGHT IS SUBJECT TO A CIVIL FINE OF NOT
27 MORE THAN \$500 FOR EACH DAY THAT THE VIOLATION CONTINUES UNABATED,
- 28 2. THE DEFENDANT IS LIABLE FOR THE PLAINTIFF'S ENFORCEMENT COSTS AND REASONABLE
29 ATTORNEYS' FEES, AT THE RATE ESTABLISHED BY THE COURT OF APPEALS, WHETHER OR NOT
30 THE ATTORNEY IS A SALARIED EMPLOYEE OF THE PLAINTIFF, AND
- 31 3. JUDGMENT MAY BE SOUGHT FOR OUTSTANDING LIENS IMPOSED BY THE CITY ON PROPERTY
32 SUBJECT TO THE PROCEEDING AND OWNED BY THE DEFENDANT.

33 **113.6 ADDITIONAL LEGAL ACTION.** THE IMPOSITION OF PENALTIES DOES NOT PRECLUDE THE CITY
34 SOLICITOR FROM INSTITUTING APPROPRIATE LEGAL PROCEEDINGS TO:

- 35 1. PREVENT UNLAWFUL CONSTRUCTION,
- 36 2. RESTRAIN, CORRECT, OR ABATE A VIOLATION,
- 37 3. PREVENT ILLEGAL OCCUPANCY OF A STRUCTURE OR PREMISES, OR

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- 1 4. STOP AN ILLEGAL ACT, CONDUCT, BUSINESS, OR USE OF A STRUCTURE ON OR ABOUT ANY
2 PREMISES.

3 **113.7 TO 113.10 {RESERVED}**

4 **113.11 REVOKING OR WITHHOLDING VIOLATOR’S PERMITS.**

5 **113.11.1 SCOPE.** THIS § 113.11 APPLIES WHENEVER THE BUILDING OFFICIAL FINDS THAT AN
6 OWNER, CONTRACTOR, OR ARCHITECT, ENGINEER, OR OTHER DESIGN PROFESSIONAL HAS VIOLATED
7 A PROVISION OF THIS CODE, OF A PERMIT, OR OF THE RULES AND REGULATIONS OF ANY
8 DEPARTMENT OR AGENCY OF THE CITY IN CONNECTION WITH THE CONSTRUCTION, ALTERATION,
9 ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING, LOCATION, USE, OCCUPANCY, OR
10 MAINTENANCE OF ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT.

11 **113.11.2 ACTIONS AUTHORIZED.** IN ANY SITUATION DESCRIBED IN § 113.11.1, THE BUILDING
12 OFFICIAL MAY:

13 A. REVOKE, WITHOUT PRIOR NOTICE, ANY EXISTING PERMIT THAT HAS BEEN GRANTED:

- 14 1. TO THE OWNER, CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN
15 PROFESSIONAL, OR
16 2. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED,
17 AND

18 B. REFUSE TO GRANT, FOR A PERIOD OF UP TO 5 YEARS, ANY FURTHER PERMITS:

- 19 1. TO THE OWNER, CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN
20 PROFESSIONAL, OR
21 2. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED.

22 **113.12 TO 113.13 {RESERVED}**

23 **113.14 WORK WITHOUT PERMIT.** ANY PERSON WHO DOES WORK WITHOUT A PERMIT, OUTSIDE OR
24 BEYOND THE SCOPE OF A PERMIT, OR IN A MANNER INCONSISTENT WITH PLANS OR DRAWINGS APPROVED
25 AS PART OF A PERMIT APPLICATION:

- 26 1. IS IN VIOLATION OF THIS CODE AND SUBJECT TO ENFORCEMENT ACTION WITHOUT NOTICE,
27 2. MUST IMMEDIATELY STOP ANY WORK IN PROGRESS,
28 3. MUST OBTAIN A PERMIT, PAYING ALL ASSOCIATED FEES AND PENALTIES, WHETHER THE WORK
29 IS IN PROGRESS OR COMPLETED, AND
30 4. MUST RESTORE THE STRUCTURE TO ITS ORIGINAL CONDITION, UNLESS:

- 31 A. THE WORK OTHERWISE CONFORMS TO THE RELEVANT REQUIREMENTS OF LAW, AND
32 B. THE BUILDING OFFICIAL, IN HIS OR HER DISCRETION, ALLOWS THE WORK TO REMAIN
33 OR CONTINUE.

34 **113.15 TO 113.20 {RESERVED}**

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1 **113.21 RESPONSIBILITY OF OWNERS AND OPERATORS.** EXCEPT AS OTHERWISE SPECIFICALLY
2 PROVIDED IN § 113.21.1, THE OWNER AND THE OPERATOR OF ANY PROPERTY SUBJECT TO THIS CODE
3 ARE EACH:

- 4 1. RESPONSIBLE FOR COMPLIANCE WITH ALL PROVISIONS OF THIS CODE IN ALL MATTERS
5 PERTAINING DIRECTLY OR INDIRECTLY TO THAT PROPERTY, AND
- 6 2. LIABLE FOR ALL VIOLATIONS OF THIS CODE IN CONNECTION WITH ANY LAND, STRUCTURE,
7 MATTER, OR THING OWNED OR CONTROLLED BY THEM.

8 **113.21.1 EXCEPTIONS.** ONLY THE OWNER IS RESPONSIBLE FOR COMPLIANCE WITH A PROVISION
9 REQUIRING AN OWNER’S SIGNATURE. EXCEPT AS SPECIFIED IN § 113.21.2, AN OWNER OR
10 OPERATOR IS NOT RESPONSIBLE FOR COMPLIANCE WITH A PROVISION OF THIS CODE THAT IS
11 SPECIFICALLY DESIGNATED AS THE RESPONSIBILITY OF THE OCCUPANT, UNLESS THAT OWNER OR
12 OPERATOR IS ALSO AN OCCUPANT.

13 ~~**113.21.2 SECONDARY LIABILITY FOR SANITARY MAINTENANCE.** IF, AFTER A NOTICE, ORDER, OR~~
14 ~~CITATION, A TENANT FAILS TO CORRECT A VIOLATION OF PROPERTY MAINTENANCE CODE § 304~~
15 ~~{“EXTERIOR SANITARY MAINTENANCE – GENERAL”} OR § 305 {“EXTERIOR SANITARY~~
16 ~~MAINTENANCE – TRASH, GARBAGE, AND DEBRIS”} FOR WHICH OCCUPANTS ARE RESPONSIBLE~~
17 ~~UNDER PROPERTY MAINTENANCE CODE § 307 {“OCCUPANT’S SANITARY RESPONSIBILITIES”},~~
18 ~~THE OWNER AND OPERATOR OF THE PROPERTY ARE SECONDARILY LIABLE.~~

19 ~~**113.21.2.1 NOTICE TO OWNER, OPERATOR.** BEFORE AN OWNER OR OPERATOR MAY BE~~
20 ~~CHARGED UNDER THIS § 113.21.2, HE OR SHE MUST BE SERVED WITH A VIOLATION NOTICE~~
21 ~~UNDER § 123.4.~~

22 ~~**113.21.2.2 RECOVERY OF EXPENSES.** IF AN OWNER OR OPERATOR INCURS EXPENSES IN~~
23 ~~CORRECTING THE VIOLATION, THE OWNER OR OPERATOR:~~

- 24 1. ~~MAY RECOVER THOSE EXPENSES FROM THE TENANT AS RENT, AND~~
- 25 2. ~~HAS ALL THE RIGHTS AND REMEDIES AVAILABLE UNDER THE LAW FOR NONPAYMENT.~~

26 **113.21.2 LIABILITY FOR SANITARY MAINTENANCE.**

27 **A. SECONDARY LIABILITY.** IF, AFTER A NOTICE, ORDER, OR CITATION, A TENANT FAILS
28 TO CORRECT A VIOLATION OF PROPERTY MAINTENANCE CODE § 305 {“EXTERIOR
29 SANITARY MAINTENANCE – GENERAL”} OR § 306 {“EXTERIOR SANITARY
30 MAINTENANCE – TRASH, GARBAGE, AND DEBRIS”} FOR WHICH OCCUPANTS ARE
31 RESPONSIBLE UNDER PROPERTY MAINTENANCE CODE § 308 {“OCCUPANT’S SANITARY
32 RESPONSIBILITIES”}, THE OWNER AND OPERATOR OF THE PROPERTY ARE SECONDARILY
33 LIABLE.

34 **B. LIABILITY – FAILURE TO REGISTER PROPERTY.** THE OWNER OF A PROPERTY IS
35 RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE IF:

- 36 1. THE OWNER FAILS TO REGISTER OR LICENSE THE PROPERTY AS REQUIRED BY
37 CITY CODE ARTICLE 13, SUBTITLE 4 {“NON-OWNER-OCCUPIED
38 DWELLINGS”} OR SUBTITLE 5 {“LICENSING OF MULTI-FAMILY DWELLINGS”},
39 OR
- 40 2. REASONABLE ATTEMPTS AT TELEPHONE CONTACT, USING INFORMATION IN A
41 CURRENT REGISTRATION STATEMENT, DO NOT LEAD WITHIN 2 BUSINESS DAYS
42 TO CURRENT OCCUPANT INFORMATION.

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C. LIABILITY – THIRD ENVIRONMENTAL CITATION. THE OWNER OF A PROPERTY IS RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE IF:

- 1. WITHIN THE PREVIOUS 12 MONTHS, TWO OR MORE ENVIRONMENTAL CITATIONS WERE ISSUED UNDER CITY CODE ARTICLE 1, SUBTITLE 40, FOR VIOLATIONS OF THIS CODE THAT WERE THE RESPONSIBILITY OF AN OCCUPANT OF THE PROPERTY UNDER PROPERTY MAINTENANCE CODE § 307 {“OCCUPANTS’ SANITARY RESPONSIBILITIES”}; AND
- 2. NOTIFICATION OF EACH CITATION HAS BEEN SENT TO THE OWNER BY REGULAR MAIL.

113.21.2.1 NOTICE TO OWNER, OPERATOR. BEFORE AN OWNER OR OPERATOR MAY BE CHARGED UNDER § 113.21.2A {“SECONDARY LIABILITY”}, HE OR SHE MUST BE SERVED WITH A VIOLATION NOTICE UNDER § 123.4. A VIOLATION NOTICE UNDER § 123.4 IS NOT NECESSARY TO CHARGE AN OWNER UNDER §§ 113.21.2B {“LIABILITY – FAILURE TO REGISTER PROPERTY”} OR 113.21.2C {“LIABILITY – THIRD ENVIRONMENTAL CITATION”}.

113.21.2.2 RECOVERY OF EXPENSES. IF AN OWNER OR OPERATOR INCURS EXPENSES IN CORRECTING THE VIOLATION, THE OWNER OR OPERATOR:

- 1. MAY BRING LEGAL ACTION TO RECOVER THOSE EXPENSES FROM THE TENANT, AND
- 2. HAS ALL THE RIGHTS AND REMEDIES AVAILABLE UNDER THE LAW FOR NONPAYMENT.

113.22 RESPONSIBILITY OF OTHERS. IN ADDITION TO THE OWNER OR OPERATOR OF THE PROPERTY INVOLVED, ANY OTHER PERSON WHO VIOLATES ANY PROVISION OF THIS CODE IS LIABLE FOR THE VIOLATION AND, ON CONVICTION, IS SUBJECT TO ALL PENALTIES PROVIDED IN THIS CODE FOR THE VIOLATION.

113.23 RESPONSIBILITY OF TRANSFEREE. THIS § 113.23 APPLIES WHENEVER ANY PROPERTY IS TRANSFERRED BY SALE, ASSIGNMENT, GROUND RENT LEASE, OR OTHERWISE, WITH OR WITHOUT CONSIDERATION (“TRANSFER”). EXCEPT AS PROVIDED IN § 113.25, THIS § 113.23 DOES NOT APPLY TO A MORTGAGEE OR TO THE HOLDER OF A NOTE SECURED BY A DEED OF TRUST.

113.23.1 DUTY BEFORE TRANSFER. BEFORE ANY TRANSFER OF PROPERTY, THE TRANSFEREE MUST OBTAIN A COPY OF A VIOLATION REPORT FOR THE PROPERTY.

113.23.2 PRIMARY LIABILITY OF TRANSFEREE. ON TRANSFER OF THE PROPERTY, IF ANY VIOLATION OR CONDEMNATION NOTICES LIE AGAINST THE PROPERTY AND ARE INCLUDED IN THE VIOLATION REPORT, THE TRANSFEREE:

- 1. BECOMES PRIMARILY LIABLE FOR THOSE NOTICES THE SAME AS IF THE NOTICES HAD BEEN ADDRESSED TO THE TRANSFEREE,
- 2. MUST ABATE THE VIOLATION, AND
- 3. IS LIABLE IN ACCORDANCE WITH § 117 OF THIS CODE FOR ANY EXPENSES INCURRED BY THE CITY IN ABATING THE VIOLATION OR CONDEMNATION NOTICE, IF THE TRANSFEREE FAILED TO REQUEST A VIOLATION REPORT AS REQUIRED BY § 113.23.1.

113.23.3 RELIANCE ON VIOLATION REPORT. A TRANSFEREE IS NOT LIABLE FOR ABATEMENT EXPENSES INCURRED BY THE CITY IF, BEFORE THE TRANSFER, THE TRANSFEREE REQUESTED A VIOLATION REPORT AND THE REPORT DOES NOT SHOW THE VIOLATION.

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1 **113.24 RESPONSIBILITY OF OFFICERS, DIRECTORS, ETC., OF CORPORATIONS, PARTNERSHIPS, ETC.**
2 WHENEVER A CORPORATION, JOINT STOCK COMPANY, PARTNERSHIP, ASSOCIATION, LIMITED LIABILITY
3 COMPANY, OR OTHER ENTITY VIOLATES ANY PROVISION OF THIS CODE, EVERY OFFICER, DIRECTOR,
4 TRUSTEE, PARTNER, MEMBER, OR AGENT OF THAT ENTITY WHO HAS AUTHORIZED OR DONE ANY OF
5 THE ACTS CONSTITUTING THE VIOLATION, IN WHOLE OR IN PART, OR WHO HAS FAILED TO ACT OR
6 ACQUIESCED IN ANY FAILURE TO ACT CONSTITUTING THE VIOLATION, IN WHOLE OR IN PART, IS
7 INDIVIDUALLY GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE PENALTIES
8 PROVIDED IN THIS § 113.

9 **113.25 RESPONSIBILITY OF MORTGAGEE.** A PERSON THAT ACQUIRES AN INTEREST IN PROPERTY
10 BY WAY OF A MORTGAGE OR DEED OF TRUST (“LENDER”) IS LIABLE TO THE SAME EXTENT AS AN
11 OWNER/TRANSFeree FOR A VIOLATION OR CONDEMNATION NOTICE PERTAINING TO A VACANT UNSAFE
12 STRUCTURE, IF:

- 13 1. THE PERSON WITH PRIMARY RESPONSIBILITY FAILS TO COMPLY WITH THE NOTICE,
- 14 2. THE LENDER HAS BEEN NOTIFIED BY CERTIFIED MAIL OF THE VIOLATION OR CONDEMNATION
15 NOTICE, AND
- 16 3. WITHIN 180 DAYS AFTER THE RECEIPT OF THE NOTICE:
 - 17 A. RATIFICATION OF A FORECLOSURE SALE OF THE PROPERTY HAS NOT OCCURRED, OR
 - 18 B. THE LENDER HAS NOT RELEASED ITS MORTGAGE OR DEED OF TRUST.

19 **113.25.1 BANKRUPTCY TOLL.** THE 180-DAY PERIOD REFERRED TO IN § 113.25(3) IS TOLLED BY
20 ANY PERIOD DURING WHICH THE LENDER’S RIGHT TO FORECLOSE IS STAYED BY A PENDING
21 PROCEEDING UNDER THE FEDERAL BANKRUPTCY CODE.

22 **113.25.2 DEFENSE.** DURING ANY ENFORCEMENT PROCEEDING INSTITUTED AGAINST A LENDER
23 UNDER THIS SECTION, IT IS A DEFENSE THAT THE LENDER DID NOT HAVE THE RIGHT TO INSTITUTE
24 FORECLOSURE PROCEEDINGS.

25 **113.25.3 DURING PENDENCY OF FORECLOSURE.** DURING THE PENDENCY OF A FORECLOSURE,
26 THE LENDER IS RESPONSIBLE FOR MAINTAINING THE PROPERTY FREE FROM HIGH VEGETATION AND
27 FROM ACCUMULATION OF TRASH AND DEBRIS.

28 **113.26 RESPONSIBILITY OF BUYER ON FORECLOSURE.** ON FORECLOSURE OR SALE IN LIEU OF
29 FORECLOSURE, THE BUYER:

- 30 1. ACQUIRES OWNERSHIP RESPONSIBILITY WHEN THE SALE IS RATIFIED, AND
- 31 2. TAKES TITLE SUBJECT TO ANY OUTSTANDING NOTICES.

32 **SECTION 114 STOP-WORK ORDER**

33 **114.1 AUTHORITY {As IN IBC}**

34 **114.2 ISSUANCE.** THE STOP-WORK ORDER MUST BE IN WRITING. IT MUST BE SENT BY FIRST CLASS AND
35 CERTIFIED MAIL TO THE OWNER OF THE PROPERTY INVOLVED, AND HAND DELIVERED TO THE OWNER’S
36 AGENT OR TO THE PERSON DOING THE WORK. A COPY OF THE STOP-WORK ORDER MUST BE POSTED ON
37 THE PROPERTY. ON POSTING OF THE STOP-WORK ORDER, THE CITED WORK MUST IMMEDIATELY CEASE.
38 THE STOP-WORK ORDER MUST STATE THE REASON FOR THE ORDER.

39 **114.3 UNLAWFUL CONTINUANCE {As IN IBC}**

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1 **114.4 REMOVAL, ETC., OF POSTED NOTICE.** UNTIL THE BUILDING OFFICIAL SO AUTHORIZES, NO
2 PERSON MAY REMOVE, DEFACE, DAMAGE, OR CHANGE ANY NOTICE, POSTER, OR SIGN PLACED UNDER
3 THIS SECTION ON ANY LAND, STRUCTURE, OR OTHER OBJECT.

4 **SECTION 115 UNSAFE STRUCTURES**

5 **115.1 GENERAL.** ANY STRUCTURE OR PART OF A STRUCTURE FOUND TO BE UNSAFE OR UNFIT FOR
6 HUMAN HABITATION OR OTHER AUTHORIZED USE MUST BE REHABILITATED OR, AS PERMITTED OR
7 REQUIRED BY THE BUILDING OFFICIAL, DEMOLISHED.

8 **115.1.1 SCOPE.** A STRUCTURE MAY BE UNSAFE OR UNFIT FOR HUMAN HABITATION OR OTHER
9 AUTHORIZED USE BECAUSE OF:

- 10 1. CONDITIONS CONSTITUTING A FIRE HAZARD OR CONDITIONS OF DAMAGE, DECAY,
11 DILAPIDATION, OBSOLESCENCE, ABANDONMENT, VACANCY (AS DESCRIBED IN § 115.4),
12 INSANITATION, OR VERMIN OR RODENT INFESTATION THAT CONSTITUTE A HAZARD TO THE
13 HEALTH, WELFARE, OR SAFETY OF OCCUPANTS OR THE PUBLIC,
- 14 2. LACK OF SANITATION, ILLUMINATION, VENTILATION, HEATING, PLUMBING, EXITWAYS, FIRE
15 PROTECTION, UTILITIES, OR OTHER FACILITIES ADEQUATE TO PROTECT THE HEALTH,
16 WELFARE, OR SAFETY OF OCCUPANTS OR THE PUBLIC, OR
- 17 3. CONDITIONS THAT ARE SO UNSAFE, INSANITARY, OVERCROWDED, IMPROPER IN USE OR
18 OCCUPANCY, OR OTHERWISE DANGEROUS TO LIFE, HEALTH, WELFARE, OR SAFETY AS TO
19 CREATE A HAZARD TO OCCUPANTS OR THE PUBLIC.

20 **115.2 OCCUPIED UNSAFE STRUCTURES.** WHENEVER THE BUILDING OFFICIAL OR THE COMMISSIONER
21 OF HEALTH FINDS ALL OR ANY PART OF AN OCCUPIED STRUCTURE TO BE UNSAFE OR UNFIT FOR HUMAN
22 HABITATION OR OTHER AUTHORIZED USE:

- 23 1. EITHER THE BUILDING OFFICIAL OR COMMISSIONER OF HEALTH MAY:
 - 24 A. POST AN ORDER REQUIRING THE STRUCTURE OR AFFECTED PART TO BE VACATED, AND
 - 25 B. TAKE NECESSARY STEPS TO REMOVE OCCUPANTS WHO FAIL OR REFUSE TO VACATE,
- 26 2. ONCE VACATED, THE STRUCTURE OR AFFECTED PART MAY NOT BE REOCCUPIED UNTIL:
 - 27 A. IT IS REHABILITATED TO COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES, AND
 - 28 B. THE BUILDING OFFICIAL HAS ISSUED AN OCCUPANCY PERMIT, AND
- 29 3. PENDING REHABILITATION, THE STRUCTURE MUST BE KEPT SECURE AGAINST CASUAL ENTRY
30 AND THE PREMISES KEPT FREE OF LITTER, HIGH GRASS, AND WEEDS.

31 **115.3 TEMPORARILY UNOCCUPIED STRUCTURES.** ANY STRUCTURE OR PART OF A STRUCTURE THAT
32 HAS BEEN LEFT UNOCCUPIED WITHOUT REMOVING APPLIANCES OR PORTABLE EQUIPMENT OR
33 FURNITURE AND WITHOUT DISCONNECTING UTILITY SERVICE MUST BE SAFEGUARDED BY CLOSING AND
34 SECURELY LOCKING ALL WINDOWS, DOORS, AND OTHER OPENINGS.

35 **115.4 UNSAFE VACANT STRUCTURES.** EVERY VACANT STRUCTURE , AS DEFINED IN THIS § 115.4, IS
36 DECLARED TO BE A FIRE HAZARD AND A NUISANCE PER SE, AND MUST BE SAFEGUARDED AND
37 OTHERWISE MAINTAINED AS REQUIRED IN THIS § 115.4.

38 **115.4.1 DEFINITION.** “VACANT STRUCTURE” MEANS AN UNOCCUPIED STRUCTURE THAT IS UNSAFE
39 OR UNFIT FOR HUMAN HABITATION OR OTHER AUTHORIZED USE.

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115.4.2 DETERMINATIONS. A DETERMINATION OF VACANCY AND A DETERMINATION OF NONCOMPLIANCE WITH A NOTICE OR ORDER ISSUED UNDER THIS SECTION MAY BE BASED ON OBSERVATION THAT A STRUCTURE:

- 1. IS OPEN TO CASUAL ENTRY,
- 2. HAS BOARDED WINDOWS OR DOORS, OR
- 3. LACKS INTACT WINDOW SASHES, WALLS, OR ROOF SURFACES TO REPEL WEATHER ENTRY.

115.4.3 REQUIRED SAFEGUARDING. EVERY VACANT STRUCTURE MUST BE CLEANED, CLOSED, AND SAFEGUARDED AS FOLLOWS:

- 1. BEFORE THE STRUCTURE IS CLOSED AND SECURED, ALL LITTER, TRASH, AND OTHER DEBRIS MUST BE REMOVED FROM THE PREMISES.
- 2. ALL WINDOWS, DOORS, AND OTHER OPENINGS MUST BE CLOSED, SECURELY LOCKED, AND, IF WITHIN 20 FEET OF THE GROUND OR READILY ACCESSIBLE, FURTHER PROTECTED BY BOARDING UP WITH SUBSTANTIAL MATERIAL, INCLUDING MASONRY, APPROVED BY THE BUILDING OFFICIAL. THE BUILDING OFFICIAL MAY REQUIRE WINDOWS FACING STREETS TO BE BOARDED WITH LEXAN, VINYL, OR SIMILAR MATERIAL, PROTECTED BY SECURITY GRILLS, OR BOTH.
- 3. AS LONG AS THE STRUCTURE REMAINS UNREHABILITATED, IT MUST BE KEPT BOARDED AND THE PREMISES KEPT FREE OF LITTER, TRASH, DEBRIS, HIGH GRASS, AND WEEDS AT ALL TIMES. BOARDING AND CLEANING, HOWEVER, DOES NOT RELIEVE THE OWNER OF RESPONSIBILITY TO DEMOLISH OR TO REPAIR AND MAINTAIN THE PROPERTY IN CONFORMITY WITH THIS CODE.
- 4. THE STRUCTURE MAY NOT BE REOCCUPIED UNTIL THE BUILDING OFFICIAL HAS ISSUED AN OCCUPANCY PERMIT.

115.4.4 EMERGENCY CONDITION. A VACANT STRUCTURE THAT IS NOT KEPT BOARDED AND FREE FROM ACCUMULATIONS OF DEBRIS AND HIGH VEGETATION OR THAT, IN THE OPINION OF THE BUILDING OFFICIAL, IS SO DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION IS NOT FEASIBLE, CONSTITUTES AN EMERGENCY CONDITION THAT IMMINENTLY THREATENS THE PUBLIC HEALTH AND SAFETY AND REQUIRES IMMEDIATE RESOLUTION.

115.4.5 RODENTICIDE PROCEDURE. SEE § 3313 OF THIS CODE.

115.4.6 NOTICE TO PUBLIC WORKS. WHENEVER THE BUILDING OFFICIAL DETERMINES A STRUCTURE TO BE VACANT, THE BUILDING OFFICIAL MUST PROMPTLY NOTIFY THE DIRECTOR OF PUBLIC WORKS OF THAT DETERMINATION. ON RECEIPT OF THE NOTICE, THE DIRECTOR OF PUBLIC WORKS MUST PROCEED TO CUT OFF WATER SERVICE, AS PROVIDED IN CITY CODE ARTICLE 24, § 2-3.

115.5 REHABILITATION, DEMOLITION, AND STABILIZATION. EXCEPT AS OTHERWISE AUTHORIZED OR REQUIRED UNDER THIS SECTION, A STRUCTURE FOUND TO BE UNSAFE OR UNFIT FOR HUMAN HABITATION OR OTHER AUTHORIZED USE MUST BE REHABILITATED.

115.5.1 PERMITTED DEMOLITION. ON TIMELY APPEAL OF AN ORDER TO REHABILITATE, THE BUILDING OFFICIAL MAY PERMIT AN OWNER TO DEMOLISH AN UNSAFE STRUCTURE INSTEAD OF REHABILITATING IT IF, IN THE BUILDING OFFICIAL’S OPINION, DEMOLITION IS NOT DETRIMENTAL TO THE IMMEDIATE NEIGHBORHOOD.

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1 **115.5.2 REQUIRED DEMOLITION.** THE BUILDING OFFICIAL MAY ORDER THE IMMEDIATE
2 DEMOLITION OF ANY UNSAFE STRUCTURE THAT, IN THE BUILDING OFFICIAL'S OPINION, IS EITHER
3 SO DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION IS NOT FEASIBLE.

4 **115.5.2.1 APPEAL.** THE RECIPIENT OF AN ORDER TO DEMOLISH AN UNSAFE STRUCTURE MAY
5 REQUEST ADMINISTRATIVE REVIEW OF THE ORDER UNDER § 128 OF THIS CODE.

6 **115.5.2.2 RESCISSION OF DEMOLITION ORDER.** THE BUILDING OFFICIAL MAY RESCIND OR
7 MODIFY A DEMOLITION ORDER IF THE OWNER DEMONSTRATES THE FINANCIAL ABILITY AND
8 REQUISITE EXPERTISE TO REHABILITATE THE STRUCTURE WITHIN A REASONABLE TIME, AS
9 DETERMINED BY THE BUILDING OFFICIAL, AND AGREES TO COMPLY WITH A SPECIFIED
10 TIMETABLE. FAILURE TO COMPLY WITH AN AGREED TIMETABLE REINSTATES THE DEMOLITION
11 ORDER.

12 **115.5.3 STABILIZATION.** THE BUILDING OFFICIAL MAY PERMIT OR ORDER AN INTERIM
13 STABILIZATION OF AN UNSAFE STRUCTURE PENDING ITS REHABILITATION.

14 **115.5.4 REOCCUPANCY OF REHABILITATED STRUCTURE.** A STRUCTURE DECLARED UNSAFE OR
15 UNFIT FOR OCCUPANCY MAY NOT BE REOCCUPIED UNTIL THE BUILDING OFFICIAL HAS:

- 16 1. ABATED THE VIOLATION NOTICE OR ORDER, AND
- 17 2. ISSUED AN OCCUPANCY PERMIT.

18 **115.6 VACANT LOT MAINTENANCE.** WHEN A STRUCTURE HAS BEEN DEMOLISHED UNDER THIS § 115,
19 THE PREMISES MUST BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE AND OF THE
20 REGULATIONS ADOPTED UNDER THIS CODE.

21 **115.7 REMEDIAL ACTION BY BUILDING OFFICIAL.** THE BUILDING OFFICIAL MAY TAKE ACTION
22 UNDER THIS § 115.7 WHENEVER THE OWNER, AGENT, OR PERSON IN CONTROL CANNOT BE FOUND OR
23 FAILS TO COMPLY WITH A NOTICE OR ORDER SERVED UNDER THIS CODE:

- 24 1. TO REPAIR, REHABILITATE, STABILIZE, OR DEMOLISH AN UNSAFE STRUCTURE,
- 25 2. TO CLEAN, CLOSE, BOARD, OR OTHERWISE SAFEGUARD A VACANT STRUCTURE, OR
- 26 3. TO REMOVE HIGH GRASS AND WEEDS OR LITTER, TRASH, AND DEBRIS FROM THE PREMISES OF A
27 VACANT STRUCTURE.

28 **115.7.1 ACTIONS AUTHORIZED.** THE BUILDING OFFICIAL MAY PROCEED TO:

- 29 1. HAVE A RECEIVER APPOINTED, OR
- 30 2. COMPLETE ALL OR ANY PART OF THE REQUIRED WORK THROUGH OFFICERS, AGENTS,
31 EMPLOYEES, OR CONTRACTORS.

32 **115.7.2 ENTRY TO PROPERTY.** BEFORE TAKING ANY REMEDIAL ACTION, THE BUILDING OFFICIAL
33 MAY ENTER THE PREMISES, WITHOUT ADDITIONAL NOTICE, TO DETERMINE THE EXTENT OF
34 DETERIORATION AND THE FEASIBILITY OF REHABILITATION.

35 **115.7.3 WHEN ADDITIONAL NOTICE NOT REQUIRED.** BOARDING, CLEANING, AND OTHERWISE
36 SAFEGUARDING A VACANT STRUCTURE THAT IS SUBJECT TO AN EXPIRED VIOLATION NOTICE IS AN
37 EMERGENCY ACTION THAT REQUIRES NO ADDITIONAL PRIOR NOTICE.

38 **115.7.4 REMEDIES NONEXCLUSIVE.** REMEDIAL ACTION UNDER THIS § 115 DOES NOT PRECLUDE
39 ANY OTHER ENFORCEMENT ACTION AUTHORIZED BY THIS CODE.

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1 **115.8 {RESERVED}**

2 **115.9 “ABANDONED” PROPERTY.** IF A PROPERTY IS CITED AS “VACANT” OR “UNFIT FOR HUMAN
3 HABITATION” ON A VIOLATION NOTICE ISSUED UNDER THIS § 115, THE PROPERTY IS CONSIDERED TO
4 BE CITED AS “ABANDONED” OR TO BE IN NEED OF SUBSTANTIAL REPAIR WITHIN THE MEANING OF THE
5 STATE TAX-PROPERTY ARTICLE, TITLE 14, SUBTITLE 8.

6 **115.10 EFFECT OF DESIGNATION.** ON ISSUANCE OF A VIOLATION NOTICE THAT DESIGNATES A
7 STRUCTURE TO BE A VACANT STRUCTURE, THE STRUCTURE IS DEEMED TO BE CONDEMNED.

8 **SECTION 116 EMERGENCY AND CORRECTIVE MEASURES**

9 **116.1 POWER OF BUILDING OFFICIAL IN EMERGENCIES.** IN AN EMERGENCY WHERE LIFE, HEALTH,
10 SAFETY, OR PROPERTY IS IN IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY IMMEDIATELY TAKE
11 ANY ACTION NECESSARY TO PROTECT THE ENDANGERED LIFE, HEALTH, SAFETY, OR PROPERTY,
12 WITHOUT COMPLYING WITH THE NOTICE PROVISIONS OF THIS CODE.

13 **116.2 PHOTOGRAPHS OF DANGEROUS CONDITIONS.** IN ALL EMERGENCIES, IF IT IS PRACTICAL AND IF
14 ENOUGH TIME IS AVAILABLE TO DO SO, THE BUILDING OFFICIAL MUST CAUSE THE DANGEROUS OR
15 UNSAFE CONDITION THAT CREATED THE EMERGENCY TO BE PHOTOGRAPHED BEFORE ANY DEMOLITION
16 OR OTHER WORK OR OPERATION IS BEGUN TO ELIMINATE THE DANGEROUS OR UNSAFE CONDITION.

17 **116.3 CLOSING STREETS.** WHEN NECESSARY FOR THE PUBLIC SAFETY, THE BUILDING OFFICIAL MAY
18 TEMPORARILY CLOSE ADJACENT STRUCTURES AND ~~CLOSE OR~~ REQUEST THE DIRECTOR OF PUBLIC
19 WORKS TO CLOSE ADJACENT SIDEWALKS, STREETS, AND OTHER PUBLIC WAYS AND PROHIBIT THEM
20 FROM BEING USED. THE BUILDING OFFICIAL MAY TEMPORARILY CLOSE ADJACENT SIDEWALKS,
21 STREETS, AND OTHER PUBLIC WAYS ONLY PURSUANT TO AN AGREEMENT WITH THE DEPARTMENT OF
22 PUBLIC WORKS.

23 **116.4 LABOR AND MATERIAL FOR EMERGENCY WORK.** IN AN EMERGENCY WHERE LIFE, HEALTH,
24 SAFETY, OR PROPERTY IS IN IMMEDIATE DANGER AND IT IS NECESSARY TO PERFORM ANY WORK OR
25 OPERATION TO PROTECT THAT LIFE, HEALTH, SAFETY, OR PROPERTY, THE BUILDING OFFICIAL MAY
26 EMPLOY THE PERSONS AND BUY THE MATERIALS NEEDED TO PERFORM THE WORK OR OPERATION AS
27 EXPEDITIOUSLY AS POSSIBLE.

28 **116.5 LIABILITY FOR COSTS OF EMERGENCY WORK.** LIABILITY FOR EXPENSES INCURRED IN THE
29 COURSE OF PERFORMING EMERGENCY WORK AND THE PROCEDURE FOR COLLECTING RESULTANT DEBTS
30 AND LIENS ARE AS PROVIDED IN § 117 OF THIS CODE.

31 **SECTION 117 LIABILITY FOR EXPENSES AND COLLECTION OF DEBTS AND LIENS**

32 **117.1 SCOPE.** THIS § 117 APPLIES TO ALL CASES WHERE:

- 33 1. THE BUILDING OFFICIAL ENFORCES ANY PROVISION OF THIS CODE, INCLUDING BUT NOT
34 LIMITED TO:
 - 35 A. THE ELIMINATION OF ANY SAFETY, HEALTH, OR FIRE HAZARD,
 - 36 B. THE ELIMINATION OF ANY NUISANCE, BLIGHT, OR INSANITARY CONDITION,
 - 37 C. THE REMOVAL OF ANY ABANDONED OR ILLEGALLY CONSTRUCTED STRUCTURE OR
38 OTHER OBJECT, OR
 - 39 D. THE TAKING OF ANY CORRECTIVE ACTION IN EMERGENCIES OR OTHERWISE, AND
- 40 2. IN CONNECTION WITH THOSE EFFORTS, THE BUILDING OFFICIAL:

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- 1 A. FURNISHES OR CAUSES TO BE FURNISHED ANY LABOR, SUPERVISION, EQUIPMENT, OR
- 2 MATERIALS, OR
- 3 B. PERFORMS OR CAUSES TO BE PERFORMED ANY INSPECTION, WORK, OR OPERATION TO
- 4 ELIMINATE THE HAZARD OR CONDITION OR TO REMOVE THE STRUCTURE OR OTHER
- 5 OBJECT.

6 **117.2 LIABILITY AND LIEN FOR EXPENSES.** IN THE CASES DESCRIBED IN § 117.1, THE ENTIRE AMOUNT
7 OF THE BUILDING OFFICIAL’S EXPENDITURES, TOGETHER WITH ALL INCIDENTAL COSTS AND ALL
8 ACCRUED PENALTIES:

- 9 1. ARE A PERSONAL DEBT OWED TO THE CITY JOINTLY AND SEVERALLY BY EVERY PERSON MADE
- 10 LIABLE UNDER THIS CODE, AND
- 11 2. ARE A LIEN IN FAVOR OF THE CITY ON THE LAND AND IMPROVEMENTS IN RESPECT TO WHICH
- 12 THE EXPENDITURES WERE MADE.

13 **117.3 WHEN DEBTS AND LIENS BECOME EFFECTIVE.** ALL DEBTS BECOME DUE AND OWING TO THE
14 CITY IMMEDIATELY WHEN THE WORK IS COMPLETED OR THE EXPENDITURE MADE. ALL LIENS BECOME
15 EFFECTIVE IMMEDIATELY AFTER THE BUILDING OFFICIAL NOTIFIES THE BUREAU OF LIENS THAT
16 APPROPRIATE NOTICE HAS BEEN GIVEN OR THAT A STRUCTURE HAS BEEN POSTED IN ACCORDANCE WITH
17 THIS CODE.

18 **117.4 COLLECTION OF DEBTS AND LIENS.** ALL DEBTS DUE AND LIENS INCURRED UNDER THIS § 117:

- 19 1. ARE COLLECTIBLE FROM ANY ASSETS OF THE PERSONS MADE LIABLE UNDER THIS CODE,
- 20 INCLUDING A FORMER OWNER, AND
- 21 2. MAY BE COLLECTED AND ENFORCED IN THE SAME WAY THAT THE CITY COLLECTS AND
- 22 ENFORCES OTHER DEBTS DUE TO IT OR LIENS IN ITS FAVOR.

23 **117.5 PRIORITY OVER OTHER LIENS AND ENCUMBRANCES.** ALL DEBTS AND LIENS INCURRED UNDER
24 THIS § 117 HAVE PRIORITY OVER ALL OTHER LIENS AND ENCUMBRANCES, EXCEPT TAXES OR OTHER
25 GOVERNMENT ASSESSMENTS.

26 **SECTIONS 118 TO 119 {RESERVED}**

27 **SECTION 120 CONDEMNATION PROCEEDINGS**

28 **120.1 IN GENERAL.** IF ANY LAND, STRUCTURE, OR EQUIPMENT BECOMES UNSAFE OR DANGEROUS TO
29 PUBLIC HEALTH OR SAFETY, THE BUILDING OFFICIAL MAY CONDEMN THE LAND, STRUCTURE, OR
30 EQUIPMENT AS PROVIDED IN THIS § 120 AND ISSUE A CONDEMNATION NOTICE AS PROVIDED IN § 123 OF
31 THIS CODE. THE ISSUANCE OF A VIOLATION NOTICE IS NOT A PREREQUISITE FOR THE CONDEMNATION
32 OF REAL PROPERTY.

33 **120.2 POSTING NOTICE.** IF THE BUILDING OFFICIAL CONDEMNS ANY LAND, STRUCTURE, OR
34 EQUIPMENT, THE BUILDING OFFICIAL MUST CAUSE A NOTICE TO BE CONSPICUOUSLY DISPLAYED ON THE
35 CONDEMNED LAND, STRUCTURE, OR EQUIPMENT.

36 **120.2.1 CONTENTS.** THE NOTICE MUST:

- 37 1. BE AT LEAST 11 BY 18 INCHES,
- 38 2. BE SIGNED BY THE BUILDING OFFICIAL, AND
- 39 3. ADVISE THE PUBLIC THAT:

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1 A. THE PARTICULAR LAND, STRUCTURE, OR EQUIPMENT HAS BEEN CONDEMNED AS
2 BEING UNSAFE OR DANGEROUS FOR OCCUPANCY OR USE, AND

3 B. THE PUBLIC IS WARNED TO KEEP AWAY.

4 **120.2.2 EMERGENCIES.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY MAY BE IN
5 IMMEDIATE DANGER, THE BUILDING OFFICIAL NEED NOT POST THE PROPERTY AND MAY PROCEED
6 IN ACCORDANCE WITH § 116 OF THIS CODE.

7 **120.3 VACATING CONDEMNED PROPERTY.** A NOTICE POSTED UNDER § 120.2 IS DEEMED TO BE
8 SUFFICIENT WARNING TO ALL OCCUPANTS OF THE CONDEMNED PROPERTY TO LEAVE IMMEDIATELY. IF
9 ANY OCCUPANT FAILS TO VACATE THE PROPERTY IMMEDIATELY AFTER THE NOTICE IS POSTED, THE
10 BUILDING OFFICIAL MAY TAKE WHATEVER ACTION IS PROPER AND EXPEDIENT TO REMOVE THAT
11 OCCUPANT.

12 **120.4 RECEIVER OF CONDEMNED PROPERTY.** AFTER A PROPERTY IS CONDEMNED, THE BUILDING
13 OFFICIAL MAY:

14 1. TAKE ANY ACTION AUTHORIZED UNDER § 120.7, OR

15 2. IN ACCORDANCE WITH § 121 OF THIS CODE, APPLY TO COURT FOR THE APPOINTMENT OF A
16 RECEIVER.

17 **120.5 STATUS OF CONDEMNED PROPERTY.** AFTER PROPERTY HAS BEEN CONDEMNED AND POSTED IN
18 ACCORDANCE WITH THIS § 120, THAT PROPERTY REMAINS CONDEMNED AND MAY NOT BE OCCUPIED OR
19 USED AGAIN UNTIL THE BUILDING OFFICIAL DECLARES THE PROPERTY SAFE FOR OCCUPANCY OR USE
20 AND HAS REMOVED THE CONDEMNATION.

21 **120.6 ORDER TO DEMOLISH.** IF, IN THE BUILDING OFFICIAL'S OPINION, A STRUCTURE IS SO
22 DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION IS NOT FEASIBLE, THE
23 CONDEMNATION NOTICE MAY ORDER THE OWNER TO DEMOLISH THE STRUCTURE IMMEDIATELY.

24 **120.7 REMOVAL OF UNSAFE CONDITIONS.** ANYTIME AFTER PROPERTY HAS BEEN POSTED IN
25 ACCORDANCE WITH THIS § 120, THE BUILDING OFFICIAL MAY DEMOLISH, MOVE, ALTER, REPAIR,
26 REHABILITATE, REBUILD, RECONSTRUCT, OR TAKE ANY OTHER APPROPRIATE ACTION TO ELIMINATE OR
27 MAKE SAFE AND SECURE ANY DANGEROUS OR UNSAFE CONDITION. BEFORE DOING SO, HOWEVER, THE
28 BUILDING OFFICIAL MUST PROVIDE THE NOTICE REQUIRED BY § 105.9 OF THIS CODE.

29 **120.8 CONDEMNATION OF ELECTRICAL WORK.** IF ANY ELECTRICAL WIRING OR EQUIPMENT THAT
30 HAS BEEN THE SUBJECT OF A CONDEMNATION NOTICE IS NOT MADE SAFE WITHIN THE TIME REQUIRED
31 BY THE CONDEMNATION NOTICE, THE WIRING OR EQUIPMENT MUST BE PUT OUT OF SERVICE BY CUTTING
32 OFF ALL ELECTRIC CURRENT TO IT AND BY SEALING ALL SWITCHES THAT OPERATE IN CONNECTION WITH
33 THE WIRING OR EQUIPMENT.

34 **120.8.1 EMERGENCY ACTION.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY IS IN
35 IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY ORDER ALL ELECTRIC CURRENT SERVING THE
36 WIRING OR EQUIPMENT TO BE CUT OFF AND ALL SWITCHES THAT CONTROL THE WIRING OR
37 EQUIPMENT TO BE SEALED. THE BUILDING OFFICIAL'S ORDERS MUST BE COMPLIED WITH
38 IMMEDIATELY, REGARDLESS OF ANY OTHER PROVISIONS OF THIS CODE THAT MIGHT APPLY.

39 **120.8.2 PERMISSION NEEDED TO REACTIVATE.** WHENEVER ELECTRIC CURRENT HAS BEEN CUT
40 OFF OR SWITCHES HAVE BEEN SEALED UNDER THIS § 120.8, THE ELECTRIC CURRENT MAY NOT BE
41 CUT IN AND THE SEALS MAY NOT BE BROKEN, EXCEPT BY AN AUTHORIZED AGENT OF THE BUILDING
42 OFFICIAL, AFTER ALL REQUIREMENTS OF THE BUILDING OFFICIAL HAVE BEEN COMPLIED WITH AND
43 THE BUILDING OFFICIAL HAS ISSUED A CERTIFICATE OF APPROVAL.

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1 **120.9 CONDEMNATION OF MECHANICAL WORK.** IF ANY MECHANICAL EQUIPMENT THAT HAS BEEN
2 THE SUBJECT OF A CONDEMNATION NOTICE IS NOT MADE SAFE WITHIN THE TIME REQUIRED BY THE
3 CONDEMNATION NOTICE, THE MECHANICAL EQUIPMENT MUST BE PUT OUT OF SERVICE AND SEALED.

4 **120.9.1 EMERGENCY ACTION.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY IS IN
5 IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY ORDER THE MECHANICAL EQUIPMENT TO BE
6 PUT OUT OF SERVICE AND SEALED. THE ORDERS OF THE BUILDING OFFICIAL MUST BE COMPLIED
7 WITH IMMEDIATELY, REGARDLESS OF ANY OTHER PROVISIONS OF THIS CODE THAT MIGHT APPLY.

8 **120.9.2 PERMISSION NEEDED TO REACTIVATE.** WHENEVER MECHANICAL EQUIPMENT HAS BEEN
9 PUT OUT OF SERVICE AND SEALED UNDER THIS § 120.9, THE MECHANICAL EQUIPMENT MAY NOT BE
10 PUT BACK IN SERVICE AND THE SEALS MAY NOT BE BROKEN, EXCEPT BY AN AUTHORIZED AGENT OF
11 THE BUILDING OFFICIAL, AFTER ALL REQUIREMENTS OF THE BUILDING OFFICIAL HAVE BEEN
12 COMPLIED WITH AND THE BUILDING OFFICIAL HAS ISSUED A CERTIFICATE OF APPROVAL.

13 **SECTION 121 VACANT BUILDING RECEIVER**

14 **121.1 SCOPE.** THIS § 121 APPLIES TO A VACANT BUILDING, AS DEFINED IN § 115.4, FOR WHICH A
15 NOTICE OR ORDER TO REHABILITATE OR TO DEMOLISH IS OUTSTANDING.

16 **121.2 IN GENERAL.** THE BUILDING OFFICIAL MAY PETITION THE COURT FOR APPOINTMENT OF A
17 RECEIVER TO REHABILITATE A VACANT PROPERTY, TO DEMOLISH IT, OR TO SELL IT TO A QUALIFIED
18 BUYER.

19 **121.3 CONTENTS OF PETITION.** THE PETITION FOR APPOINTMENT OF A RECEIVER MUST INCLUDE:

- 20 1. A COPY OF THE ORIGINAL VIOLATION NOTICE OR ORDER, AND
- 21 2. A VERIFIED PLEADING THAT:
 - 22 A. AVERS THAT THE REQUIRED REHABILITATION OR DEMOLITION HAS NOT BEEN
 - 23 COMPLETED, AND
 - 24 B. IDENTIFIES AND STATES THE QUALIFICATIONS OF THE PROPOSED RECEIVER, IF
 - 25 OTHER THAN THE BUILDING OFFICIAL.

26 **121.4 NAMED RESPONDENTS.** THE PETITION FOR APPOINTMENT OF RECEIVER MUST NAME AS
27 RESPONDENTS:

- 28 1. THE OWNER OF THE PROPERTY,
- 29 2. ANY MORTGAGEE, AND
- 30 3. THE PLAINTIFF IN ANY PROCEEDING THAT WAS TIMELY FILED UNDER STATE TAX-PROPERTY
- 31 ARTICLE § 14-833 {"COMPLAINTS TO FORECLOSE RIGHT OF REDEMPTION"} AND FOR WHICH
- 32 THE TIME FOR SECURING A DECREE OF FORECLOSURE HAS NOT YET EXPIRED.

33 **121.4.1 EFFECT OF FAILURE TO NAME PLAINTIFF.** FAILURE TO NAME A PERSON DESCRIBED IN
34 § 121.4(3) DOES NOT PREVENT THE ACTION FROM GOING FORWARD, BUT DOES PREVENT THE
35 RECEIVER’S LIEN FOR EXPENSES INCURRED IN REHABILITATING, DEMOLISHING, OR SELLING THE
36 VACANT BUILDING FROM HAVING PRIORITY OVER THAT PERSON’S LIEN INTEREST.

37 **121.5 FILING WITH BUREAU OF LIENS.** A NOTICE OF THE PROCEEDING, TOGETHER WITH A COPY OF
38 THE VIOLATION NOTICE OR ORDER, MUST BE FILED WITH THE BUREAU OF LIENS. THE BUREAU MUST
39 INCLUDE A RECORD OF THESE IN ITS LIEN REPORTS, AND THE PROPERTY CANNOT BE TRANSFERRED
40 WITHOUT THE PRIOR APPROVAL OF THE COURT.

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1 **121.6 NOTICE TO JUDGMENT CREDITORS AND LIEN HOLDERS.** WITHIN 10 DAYS AFTER FILING THE
2 PETITION, THE BUILDING OFFICIAL MUST GIVE NOTICE OF THE PENDENCY AND NATURE OF THE
3 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 **121.6.1 INTERVENTION.** WITHIN 30 DAYS OF THE DATE ON WHICH THE NOTICE WAS MAILED, A
6 JUDGMENT CREDITOR OR LIEN HOLDER MAY APPLY TO INTERVENE IN THE PROCEEDING AND TO BE
7 APPOINTED UNDER § 121.7.

8 **121.6.2 EFFECT OF FAILURE TO GIVE NOTICE.** FAILURE TO GIVE ANY REQUIRED NOTICE TO ANY
9 INTERESTED PERSON UNDER THIS § 121 DOES NOT PREVENT THE ACTION FROM GOING FORWARD,
10 BUT DOES PREVENT THE RECEIVER'S LIEN FOR EXPENSES INCURRED IN REHABILITATING,
11 DEMOLISHING, OR SELLING THE VACANT BUILDING FROM HAVING PRIORITY OVER THAT PERSON'S
12 LIEN INTEREST.

13 **121.7 APPOINTMENT OF OWNER, ETC., INSTEAD OF RECEIVER.** INSTEAD OF APPOINTING A RECEIVER
14 TO REHABILITATE OR SELL A VACANT BUILDING, THE COURT MAY PERMIT AN OWNER, MORTGAGEE, OR
15 OTHER PERSON WITH AN INTEREST IN THE PROPERTY TO REHABILITATE OR DEMOLISH IT, IF THAT
16 PERSON:

- 17 1. DEMONSTRATES ABILITY TO COMPLETE THE REHABILITATION OR DEMOLITION WITHIN A
18 REASONABLE TIME,
- 19 2. AGREES TO COMPLY WITH A SPECIFIED SCHEDULE FOR REHABILITATION OR DEMOLITION , AND
- 20 3. POSTS BOND, IN AN AMOUNT DETERMINED BY THE COURT, AS SECURITY FOR PERFORMANCE
21 OF THE REQUIRED WORK IN COMPLIANCE WITH THE SPECIFIED SCHEDULE.

22 **121.7.1 APPLICATION TO DISMISS OWNER.** IF IT APPEARS TO THE PETITIONER THAT THE PERSON
23 APPOINTED IS NOT PROCEEDING WITH DUE DILIGENCE OR IN COMPLIANCE WITH THE
24 COURT-ORDERED SCHEDULE, THE PETITIONER MAY APPLY TO THE COURT FOR IMMEDIATE
25 REVOCATION OF THAT PERSON'S APPOINTMENT AND FOR APPOINTMENT OF A RECEIVER. THE BOND
26 POSTED UNDER THIS SECTION MUST THEN BE APPLIED TO THE SUBSEQUENTLY APPOINTED
27 RECEIVER'S EXPENSES IN REHABILITATING, DEMOLISHING, OR SELLING THE VACANT BUILDING.

28 **121.8 APPOINTMENT OF RECEIVER.** IF NO QUALIFIED PERSON WITH AN OWNERSHIP INTEREST
29 REQUESTS APPOINTMENT TO REHABILITATE OR DEMOLISH THE PROPERTY, OR IF AN APPOINTEE IS
30 DISMISSED, THE COURT MUST THEN APPOINT A RECEIVER OF THE PROPERTY FOR THE PURPOSE OF
31 REHABILITATING AND MANAGING THE PROPERTY, DEMOLISHING THE PROPERTY, OR SELLING IT TO A
32 QUALIFIED BUYER.

33 **121.8.1 PARTIES DIVESTED OF AUTHORITY.** ON APPOINTMENT OF A RECEIVER TO REHABILITATE,
34 DEMOLISH, OR SELL THE PROPERTY, ALL PARTIES ARE DIVESTED OF ANY AUTHORITY TO ACT IN
35 FURTHERANCE OF THOSE GOALS.

36 **121.8.2 PENALTIES.** ANY PARTY WHO TAKES ANY STEP TO REHABILITATE, DEMOLISH, OR SELL
37 THE PROPERTY IS SUBJECT TO THE PENALTIES FOR CONTEMPT.

38 **121.9 POWERS OF RECEIVER APPOINTED TO REHABILITATE OR DEMOLISH.** A RECEIVER APPOINTED
39 TO REHABILITATE OR DEMOLISH A VACANT BUILDING, IN ADDITION TO ALL NECESSARY AND
40 CUSTOMARY POWERS, HAS THE RIGHT OF POSSESSION WITH AUTHORITY TO:

- 41 1. CONTRACT FOR NECESSARY LABOR AND SUPPLIES FOR REHABILITATION OR DEMOLITION,

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- 1 2. BORROW MONEY FOR REHABILITATION OR DEMOLITION FROM AN APPROVED LENDING
2 INSTITUTION OR THROUGH A GOVERNMENT AGENCY OR PROGRAM, USING THE RECEIVER’S LIEN
3 AGAINST THE PROPERTY AS SECURITY,
- 4 3. MANAGE THE PROPERTY AFTER REHABILITATION, WITH ALL THE POWERS OF A LANDLORD, FOR
5 A PERIOD OF UP TO 2 YEARS AND APPLY THE RENT RECEIVED TO CURRENT OPERATING EXPENSES
6 AND TO REPAYMENT OF OUTSTANDING REHABILITATION EXPENSES, AND
- 7 4. FORECLOSE ON THE RECEIVER’S LIEN OR ACCEPT A DEED IN LIEU OF FORECLOSURE.

8 **121.10 POWERS OF RECEIVER APPOINTED TO SELL.** A RECEIVER APPOINTED TO SELL A VACANT
9 BUILDING, IN ADDITION TO ALL NECESSARY AND CUSTOMARY POWERS, HAS AUTHORITY TO:

- 10 1. SELL THE PROPERTY TO THE HIGH BIDDER AT PUBLIC AUCTION, FOLLOWING THE SAME PRESALE
11 NOTICE PROVISIONS THAT APPLY TO A FORECLOSURE, OR
- 12 2. SELL THE PROPERTY PRIVATELY FOR FAIR MARKET VALUE IF NO PARTY TO THE RECEIVERSHIP
13 OBJECTS TO THE AMOUNT AND PROCEDURE.

14 **121.10.1 NOTICE OF AUCTION.** IN THE NOTICE OF PUBLIC AUCTION, IT IS SUFFICIENT TO DESCRIBE
15 THE PROPERTY BY A STREET ADDRESS AND BY REFERENCE TO THE LIBER AND FOLIO NUMBER OF
16 THE TITLE DEED RECORDED IN THE LAND RECORDS OF BALTIMORE CITY.

17 **121.10.2 BUYER QUALIFICATIONS.** BEFORE ANY SALE, THE APPLICANTS TO BID IN A PUBLIC SALE
18 OR THE PROPOSED BUYER IN A PRIVATE SALE MUST DEMONSTRATE THE ABILITY AND EXPERIENCE
19 NEEDED TO REHABILITATE THE PROPERTY WITHIN A REASONABLE TIME.

20 **121.10.3 APPLICATION OF SALE PROCEEDS.** AFTER DEDUCTING THE EXPENSES OF THE SALE, THE
21 AMOUNT OF OUTSTANDING TAXES AND OTHER GOVERNMENT ASSESSMENTS, AND THE AMOUNT OF
22 THE RECEIVER’S LIEN, THE RECEIVER MUST APPLY ANY REMAINING PROCEEDS OF THE SALE, FIRST
23 TO THE PETITIONER’S COSTS AND EXPENSES, INCLUDING REASONABLE ATTORNEY’S FEES, AND THEN
24 TO THE LIENS AGAINST THE PROPERTY IN ORDER OF PRIORITY.

25 **121.11 TENURE OF RECEIVER APPOINTED TO REHABILITATE.** THE TENURE OF A RECEIVER
26 APPOINTED TO REHABILITATE A VACANT BUILDING MAY EXTEND NO LONGER THAN 2 YEARS AFTER
27 REHABILITATION. ANYTIME AFTER REHABILITATION, ANY PARTY TO THE RECEIVERSHIP MAY FILE A
28 MOTION TO DISMISS THE RECEIVER ON PAYMENT OF THE RECEIVER’S OUTSTANDING COSTS, FEES, AND
29 EXPENSES.

30 **121.12 FINAL ACCOUNTING.** AT THE END OF THE RECEIVER’S TENURE, THE RECEIVER MUST FILE A
31 FINAL ACCOUNTING WITH THE COURT.

32 **121.13 RECEIVER’S LIEN FOR COSTS, ETC.** ANY COSTS OR FEES INCURRED BY THE RECEIVER ARE A
33 LIEN AGAINST THE PROPERTY IN ACCORDANCE WITH § 117 OF THIS CODE. THE RECEIVER’S LIEN HAS
34 PRIORITY OVER ALL OTHER LIENS AND ENCUMBRANCES, EXCEPT TAXES OR OTHER GOVERNMENT
35 ASSESSMENTS. THE RECEIVER MUST ALLOW THE PETITIONER’S COSTS AND EXPENSES, INCLUDING
36 REASONABLE ATTORNEY’S FEES, TO BE PAID TO THE EXTENT THAT THE PROCEEDS OF THE SALE PERMIT.

37 **121.13.1 FORECLOSURE OF LIEN.** A RECEIVER MAY FORECLOSE ON THE LIEN BY A SALE OF THE
38 PROPERTY AT PUBLIC AUCTION, FOLLOWING 1 PUBLIC NOTICE AND NOTICE TO INTERESTED PARTIES
39 IN THE MANNER OF A MORTGAGE FORECLOSURE. AFTER DEDUCTING THE EXPENSES OF THE SALE,
40 THE RECEIVER MUST APPLY THE PROCEEDS OF THE SALE TO THE LIENS AGAINST THE PROPERTY, IN
41 ORDER OF PRIORITY. IN LIEU OF FORECLOSURE, AND ONLY IF THE RECEIVER HAS REHABILITATED
42 THE PROPERTY, AN OWNER MAY PAY THE RECEIVER’S COSTS, FEES, INCLUDING ATTORNEY’S FEES,

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1 AND EXPENSES OR MAY TRANSFER ALL OWNERSHIP IN THE PROPERTY TO EITHER THE RECEIVER OR
2 AN AGREED-ON THIRD PARTY FOR AN AMOUNT AGREED TO BY ALL PARTIES TO THE RECEIVERSHIP
3 AS BEING THE PROPERTY’S FAIR MARKET VALUE.

4 **121.14 TRANSFER ON SALE.** FOLLOWING COURT RATIFICATION OF A SALE, THE RECEIVER MUST SIGN A
5 DEED CONVEYING TITLE TO THE BUYER, FREE AND CLEAR OF ALL ENCUMBRANCES.

6 **121.15 DISMISSAL.** ON SALE OF THE PROPERTY, THE RECEIVER MUST:

- 7 1. FILE WITH THE COURT A FINAL ACCOUNTING, AND
- 8 2. AT THE SAME TIME, FILE A MOTION WITH THE COURT TO DISMISS THE ACTION.

9 **SECTION 122 {RESERVED}**

10 **SECTION 123 NOTICES**

11 **123.1 IN GENERAL.** ALL NOTICES UNDER THIS CODE MUST BE ISSUED IN ACCORDANCE WITH THIS
12 § 123. HOWEVER, NOTHING IN THIS CODE MAY BE CONSTRUED TO EXCUSE OR RELIEVE ANY PERSON
13 FROM COMPLYING WITH ALL PROVISIONS OF THIS CODE AT ALL TIMES, REGARDLESS OF WHETHER ANY
14 NOTICE OR ORDER HAS BEEN ISSUED BY THE BUILDING OFFICIAL IN ANY PARTICULAR CASE.

15 **123.2 CLASSIFICATION.** NOTICES ISSUED UNDER THIS CODE ARE CLASSIFIED AS EITHER:

- 16 1. CONDEMNATION NOTICES, OR
- 17 2. VIOLATION NOTICES.

18 **123.3 CONTENTS – CONDEMNATION NOTICES.** EXCEPT AS SPECIFIED IN § 123.3.1, EVERY
19 CONDEMNATION NOTICE MUST SET FORTH:

- 20 1. THE LOCATION OF THE CONDEMNED STRUCTURE OR EQUIPMENT,
- 21 2. THE REASON THE STRUCTURE OR EQUIPMENT IS CONDEMNED,
- 22 3. A REFERENCE TO APPLICABLE PROVISIONS OF THIS CODE,
- 23 4. A WARNING AGAINST ENTERING OR USING THE CONDEMNED STRUCTURE OR EQUIPMENT,
- 24 5. THE RIGHT OF THE PERSON TO WHOM THE NOTICE IS DIRECTED TO REQUEST A HEARING WITHIN
25 10 DAYS OF THE DATE ON WHICH THE NOTICE WAS SERVED, AND
- 26 6 UNLESS TO BE CONTAINED IN A FOLLOW-UP OR SUBSEQUENT NOTICE:

- 27 A. A STATEMENT OF THE REQUIREMENTS THAT MUST BE COMPLIED WITH TO RECTIFY THE
28 UNSAFE CONDITION,
- 29 B. THE TIME WITHIN WHICH THE UNSAFE CONDITION MUST BE RECTIFIED, AND
- 30 C. THE BUILDING OFFICIAL’S AUTHORITY UNDER § 123.8 TO TAKE ACTION AT THE
31 OWNER’S EXPENSE.

32 **123.3.1 FOLLOW-UP NOTICES.** A FOLLOW-UP OR OTHER SUBSEQUENT NOTICE INVOLVING THE
33 SAME CONDEMNATION NEED NOT REPEAT THE INFORMATION CONTAINED IN A PRIOR NOTICE AS
34 LONG AS THE SUBSEQUENT NOTICE IDENTIFIES THE PRIOR NOTICE.

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1 **123.4 VIOLATION NOTICES.** EXCEPT AS SPECIFIED IN § 123.4.1, EVERY VIOLATION NOTICE MUST SET
2 FORTH:

- 3 1. THE LOCATION AND CHARACTER OF THE VIOLATION,
- 4 2. A REFERENCE TO APPLICABLE PROVISIONS OF THIS CODE,
- 5 3. THE RIGHT OF THE PERSON TO WHOM THE NOTICE IS DIRECTED TO REQUEST A HEARING WITHIN
6 10 DAYS OF THE DATE ON WHICH THE NOTICE WAS SERVED, AND
- 7 4. UNLESS TO BE CONTAINED IN A FOLLOW-UP OR SUBSEQUENT NOTICE:
 - 8 A. A STATEMENT OF THE REQUIREMENTS THAT MUST BE COMPLIED WITH TO RECTIFY THE
9 VIOLATION,
 - 10 B. THE TIME WITHIN WHICH THE VIOLATION MUST BE RECTIFIED, AND
 - 11 C. THE BUILDING OFFICIAL'S AUTHORITY UNDER § 123.8 TO TAKE ACTION AT THE
12 OWNER'S EXPENSE.

13 **123.4.1 FOLLOW-UP NOTICES.** A FOLLOW-UP OR OTHER SUBSEQUENT NOTICE INVOLVING THE
14 SAME VIOLATION NEED NOT REPEAT THE INFORMATION CONTAINED IN A PRIOR NOTICE AS LONG AS
15 THE SUBSEQUENT NOTICE IDENTIFIES THE PRIOR NOTICE.

16 **123.5 WHEN NOTICES TO BE ISSUED.** EXCEPT AS OTHERWISE SPECIFIED IN THIS CODE, NOTICES MUST
17 BE ISSUED IN ALL CASES WHERE LEGAL PROCEEDINGS MIGHT BE NECESSARY TO ENFORCE THIS CODE.

18 **123.5.1 CONDEMNATION NOTICES.** FOR ANY LAND, STRUCTURE, OR EQUIPMENT BEING
19 CONDEMNED, THE CONDEMNATION NOTICE MUST BE ISSUED TO THE OWNER OF THE LAND,
20 STRUCTURE, OR EQUIPMENT.

21 **123.5.2 VIOLATION NOTICES.** FOR VIOLATIONS, THE VIOLATION NOTICE MUST BE ISSUED TO THE
22 PERSON WHO COMMITTED OR OTHERWISE IS RESPONSIBLE FOR THE VIOLATION.

23 **123.6 SERVICE OF NOTICE – GENERAL.** EXCEPT AS OTHERWISE SPECIFIED IN § 123.7, ALL NOTICES
24 ISSUED BY THE BUILDING OFFICIAL MUST BE SERVED ON THE PERSON THAT THE NOTICE IS INTENDED
25 FOR OR ON ANY AUTHORIZED AGENT OR REPRESENTATIVE OF THAT PERSON.

26 **123.6.1 MORE THAN 1 PERSON RESPONSIBLE.** IF MORE THAN 1 PERSON IS RESPONSIBLE FOR THE
27 VIOLATION OR RESPONSIBLE FOR COMPLYING WITH THIS CODE, AS IN A CASE OF PROPERTY OWNED
28 BY MORE THAN 1 PERSON, NOTICE MAY BE SERVED ON ANY 1 OF THOSE PERSONS OR ON ANY
29 AUTHORIZED AGENT OR REPRESENTATIVE OF ANY OF THEM.

30 **123.6.2 METHOD OF SERVICE.** A NOTICE IS PROPERLY SERVED IF:

- 31 1. SERVED PERSONALLY ON THE OWNER, AGENT, PERSON IN CONTROL, FORMER OWNER, OR
32 OTHER PERSON RESPONSIBLE FOR THE PROPERTY,
- 33 2. HAND DELIVERED TO THAT PERSON'S HOME, BUSINESS, OR TAX RECORD ADDRESS, OR
- 34 3. SENT BY CERTIFIED OR REGISTERED MAIL TO THAT PERSON'S HOME, BUSINESS, OR TAX
35 RECORD ADDRESS.

36 **123.6.3 AUTHORIZED SERVER.** SERVICE UNDER § 123.6.2(1) OR (2) MUST BE MADE BY:

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1. A MEMBER OF THE BALTIMORE CITY POLICE DEPARTMENT, OR
2. AN OFFICIAL OR EMPLOYEE OF THE CITY OR THE STATE OF MARYLAND.

123.7 SERVICE OF NOTICE – POSTING. ADEQUATE AND SUFFICIENT NOTICE MAY BE MADE BY POSTING A COPY OF THE NOTICE ON THE PROPERTY IN QUESTION IF:

1. THE IDENTITY OR WHEREABOUTS OF THE OWNER, AGENT, PERSON IN CONTROL, FORMER OWNER, OR OTHER PERSON RESPONSIBLE FOR THE PROPERTY IS UNKNOWN, OR
2. NOTICE MAILED UNDER § 123.6 IS RETURNED UNCLAIMED OR REFUSED OR IS DESIGNATED UNDELIVERABLE BY THE POST OFFICE FOR ANY OTHER REASON, AND NEITHER OF THE FOLLOWING SOURCES CAN PROVIDE A MORE ACCURATE ADDRESS:
 - A. THE TAX RECORDS OF THE BUREAU OF TREASURY MANAGEMENT, COLLECTIONS DIVISION, AND
 - B. THE PROPERTY REGISTRATION FILES OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

123.8 FAILURE TO COMPLY WITH NOTICE OR CITATION. IF ANY PERSON FAILS TO COMPLY WITH A VIOLATION NOTICE, CONDEMNATION NOTICE, OR CITATION, THE BUILDING OFFICIAL:

1. MAY TAKE WHATEVER ACTION IS NECESSARY AND PROPER, INCLUDING THE INSTITUTION OF LEGAL PROCEEDINGS, TO COMPEL COMPLIANCE WITH THE NOTICE OR CITATION OR TO ENFORCE THE PENALTY PROVISIONS OF THIS CODE, AND
2. SUBJECT TO THE NOTICE REQUIREMENTS OF § 123.8.1, MAY PROCEED TO REPAIR, REBUILD, DEMOLISH, OR TAKE ANY OTHER ACTION NECESSARY TO ELIMINATE, IN WHOLE OR IN PART, OR MAKE SAFE ANY NUISANCE, BLIGHT, HEALTH HAZARD, OR DANGEROUS, INSANITARY, OR UNSAFE CONDITION THAT IS THE SUBJECT OF THE VIOLATION NOTICE, CONDEMNATION NOTICE, OR CITATION.

123.8.1 NOTICE OF INTENT TO REPAIR, ETC. EXCEPT AS PROVIDED IN § 123.8.2, BEFORE THE BUILDING OFFICIAL PROCEEDS TO REPAIR, REBUILD, DEMOLISH, OR TAKE ANY OTHER ACTION TO ELIMINATE OR MAKE SAFE ANY NUISANCE, BLIGHT, HEALTH HAZARD, OR DANGEROUS, INSANITARY, OR UNSAFE CONDITION, A NOTICE MUST BE POSTED ON THE FRONT OF THE STRUCTURE STATING THAT THE VIOLATION HAS NOT BEEN RECTIFIED AND THAT THE BUILDING OFFICIAL INTENDS TO UNDERTAKE THE NECESSARY WORK AND CHARGE THE EXPENSES OF THAT WORK TO 1 OR MORE OF THE OWNER, AGENT, PERSON IN CONTROL, OR FORMER OWNER OF THE PREMISES, AS THE CASE MAY BE. THIS NOTICE MUST ALSO BE MAILED OR DELIVERED TO THE HOME, BUSINESS, OR TAX RECORD ADDRESS OF THE OWNER, AGENT, PERSON IN CONTROL, FORMER OWNER, OR OTHER PERSON RESPONSIBLE FOR THE PROPERTY, AS THE CASE MAY BE, OR THEIR RESPECTIVE AGENTS.

123.8.2 EXCEPTION. THE NOTICE REQUIRED BY § 123.8.1 NEED NOT BE GIVEN:

1. IN THE CASE OF AN EMERGENCY,
2. AS PROVIDED IN § 115.7 OF THIS CODE FOR UNSAFE STRUCTURES, OR
3. IF THE INITIAL OR ANY OTHER PRIOR NOTICE OR ORDER ISSUED BY THE BUILDING OFFICIAL INFORMED THE RECIPIENT OF THE BUILDING OFFICIAL'S AUTHORITY TO TAKE CORRECTIVE 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
2 UNDER THIS § 123.8 DO NOT CONSTITUTE AN ABATEMENT OR CANCELLATION OF THE UNDERLYING
3 NOTICE OR CITATION.

4 **123.9 EXTENSION OF TIME LIMIT ON NOTICES.** THE BUILDING OFFICIAL MAY EXTEND THE TIME
5 WITHIN WHICH TO COMPLY WITH A CONDEMNATION NOTICE OR VIOLATION NOTICE IF, IN THE BUILDING
6 OFFICIAL'S JUDGMENT, MORE TIME IS NEEDED TO COMPLY.

7 **123.10 REMOVAL OR DEFACEMENT OF POSTED NOTICES.** NO PERSON MAY REMOVE, DEFACE,
8 DAMAGE, OR CHANGE ANY NOTICE, POSTER, OR SIGN PLACED UNDER THIS CODE ON ANY LAND,
9 STRUCTURE, OR OTHER OBJECT, UNTIL THE BUILDING OFFICIAL AUTHORIZES ITS REMOVAL.

10 **123.11 NOTICES FOR PROPERTY OWNED BY THE CITY.** IF THE LAND, STRUCTURE, OR OTHER OBJECT
11 IN VIOLATION OF THIS CODE IS OWNED BY THE CITY, THE BUILDING OFFICIAL MUST NOTIFY THE HEAD
12 OF THE BUREAU, DEPARTMENT, COMMISSION, OR OTHER AGENCY HAVING JURISDICTION OVER THAT
13 LAND, STRUCTURE, OR OTHER OBJECT.

14 **SECTION 124 VIOLATION REPORTS**

15 **124.1 BUILDING OFFICIAL TO ISSUE.** ON APPLICATION TO THE DEPARTMENT OR TO THE BUREAU OF
16 LIENS, THE BUILDING OFFICIAL MUST ISSUE A VIOLATION REPORT FOR A PARTICULAR PROPERTY. THE
17 REPORT:

- 18 1. MUST STATE WHETHER ANY VIOLATION OR CONDEMNATION NOTICES HAVE BEEN ISSUED FOR
19 THAT PROPERTY, AND
- 20 2. IF THERE HAS BEEN ANY, MUST INCLUDE A TRUE COPY OF EACH NOTICE.

21 **SECTIONS 125 TO 127 {RESERVED}**

22 **SECTION 128 ADMINISTRATIVE AND JUDICIAL REVIEW**

23 **128.1 RIGHT OF REVIEW.** IF ANY PERSON IS AGGRIEVED BY ANY NOTICE, ORDER, PERMIT, PENALTY
24 ASSESSMENT, OR OTHER ACT OF THE BUILDING OFFICIAL, THE PERSON MAY APPLY IN WRITING TO THE
25 BUILDING OFFICIAL FOR A REVIEW.

26 **128.2 APPLICATION – GENERAL.** THE APPLICATION FOR REVIEW MUST:

- 27 1. BE MADE WITHIN 10 DAYS OF THE ACTION FOR WHICH REVIEW IS SOUGHT,
- 28 2. SET FORTH IN FULL THE REASONS FOR THE REVIEW, AND
- 29 3. EITHER BE:
 - 30 A. MAILED TO THE BUILDING OFFICIAL BY CERTIFIED OR REGISTERED MAIL, RETURN
31 RECEIPT REQUESTED, OR
 - 32 B. DELIVERED TO THE BUILDING OFFICIAL'S OFFICE AND STAMPED ~~RECEIPTED~~ RECEIVED
33 BY THE OFFICE.

34 **128.3 APPLICATION – EMERGENCIES.** IN THE CASE OF AN EMERGENCY THAT PRESENTS SUBSTANTIAL
35 AND IMMINENT DANGER TO LIFE, PROPERTY, OR THE GENERAL PUBLIC WELFARE, THE TIME FOR
36 REQUESTING REVIEW MAY BE SHORTENED OR ELIMINATED, AS SPECIFIED IN THE APPLICABLE NOTICE,
37 ORDER, PERMIT, PENALTY ASSESSMENT, OR OTHER ACT .

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1 **128.4 WHEN REVIEW TO BE HELD.** THE REQUESTED REVIEW MUST BE HELD WITHIN A REASONABLE
2 TIME. IF A NOTICE, ORDER, PERMIT, PENALTY ASSESSMENT, OR OTHER ACT REQUIRES ACTION WITHIN
3 10 DAYS OR LESS AND AN APPLICATION FOR REVIEW IS MADE BEFORE THE NOTICE, ORDER PERMIT,
4 PENALTY ASSESSMENT, OR TIME FOR OTHER ACT EXPIRES, THE BUILDING OFFICIAL MUST PROMPTLY
5 SCHEDULE A HEARING, TO BE CONDUCTED IN ACCORDANCE WITH § 128.5.

6 **128.5 HEARINGS.** ALL HEARINGS MUST BE CONDUCTED IN ACCORDANCE WITH THIS § 128.5.

7 **128.5.1 HEARINGS TO BE PUBLIC.** ALL HEARINGS MUST BE OPEN TO THE PUBLIC.

8 **128.5.2 NOTIFICATION OF COMPLAINANTS.** BEFORE A HEARING, THE BUILDING OFFICIAL MUST
9 NOTIFY ALL PERSONS WHO THE BUILDING OFFICIAL KNOWS ARE INTERESTED IN THE HEARING OF
10 ITS SCHEDULED DATE, TIME, PLACE, AND PURPOSE.

11 **128.5.3 TIME AND PLACE FOR HEARINGS.** HEARINGS MUST BE HELD:

- 12 1. AT THE TIME THE BUILDING OFFICIAL DESIGNATES, AND
- 13 2. IN THE OFFICE OF THE BUILDING OFFICIAL OR AT ANY OTHER PLACE THE BUILDING
14 OFFICIAL DESIGNATES.

15 **128.5.3.1 POSTPONEMENTS.** THE BUILDING OFFICIAL MAY POSTPONE A HEARING ONLY FOR
16 GOOD CAUSE SHOWN.

17 **128.5.4 HEARING OFFICER OR PANEL.** A HEARING OFFICER OR 3-PERSON PANEL DESIGNATED BY
18 THE BUILDING OFFICIAL PRESIDES AT ALL HEARINGS. THE INDIVIDUAL WHO ISSUED THE NOTICE,
19 ORDER, PERMIT, PENALTY ASSESSMENT, OR OTHER ACT BEING APPEALED MAY NOT SERVE AS THE
20 HEARING OFFICER OR AS A MEMBER OF THE PANEL.

21 **128.5.5 RULES FOR CONDUCTING HEARINGS.**

22 **128.5.5.1 BUILDING OFFICIAL.** THE BUILDING OFFICIAL MAY ADOPT GENERAL RULES AND
23 REGULATIONS FOR THE PROPER CONDUCT OF HEARINGS.

24 **128.5.5.1 HEARING OFFICER OR PANEL.** THE HEARING OFFICER OR PANEL MAY SET
25 REQUIREMENTS TO ENSURE A FAIR AND EXPEDITIOUS HEARING. THE REQUIREMENTS SET:

- 26 1. MAY INCLUDE THE HOLDING OF A PRE-HEARING CONFERENCE, THE BRIEFING OF
27 CERTAIN ISSUES, DEADLINES FOR THE FILING OF MOTIONS, AND OTHER SCHEDULING
28 MATTERS, BUT
- 29 2. MAY NOT BE INCONSISTENT WITH THE GENERAL RULES AND REGULATIONS ADOPTED BY
30 THE BUILDING OFFICIAL.

31 **128.5.6 DECISION.** WITHIN 30 DAYS AFTER A HEARING IS COMPLETED, THE HEARING OFFICER OR
32 PANEL MUST RENDER A DECISION.

33 **128.5.6.1 FORM AND CONTENTS.** THE DECISION MUST:

- 34 1. BE IN WRITING, AND
- 35 2. CONTAIN SEPARATE STATEMENTS OF:
 - 36 A. THE FINDINGS OF FACT,

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1 B. THE CONCLUSIONS OF LAW, APPLYING THE RELEVANT PROVISIONS OF LAW TO
2 THE FINDINGS OF FACT, AND

3 C. THE DECISION OR ORDER.

4 **128.5.6.2 DISTRIBUTION.** A COPY OF THE DECISION MUST BE MAILED OR DELIVERED TO EACH
5 PARTY OR THAT PARTY'S ATTORNEY OF RECORD.

6 **128.5.6.3 FINAL ADMINISTRATIVE DECISION.** A DECISION ISSUED UNDER THIS § 128 IS A
7 FINAL ADMINISTRATIVE DECISION.

8 **128.5.7 RECORDS.** THE DEPARTMENT MUST KEEP A COMPLETE RECORD OF ALL PAPERS FILED IN
9 CONNECTION WITH ANY HEARING, TOGETHER WITH A COPY OF THE WRITTEN DECISION.

10 **128.5.8 TRANSCRIPT.** THE COSTS OF PREPARING A HEARING TRANSCRIPT MUST BE PAID BY THE
11 PARTY REQUESTING THE TRANSCRIPT.

12 **128.6 JUDICIAL REVIEW.** A PARTY AGGRIEVED BY THE DECISION MAY SEEK JUDICIAL REVIEW OF
13 THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE
14 MARYLAND RULES OF PROCEDURE. A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S
15 FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES
16 OF PROCEDURE.

17 **128.6.1 PROCEEDINGS NOT STAYED.** A JUDICIAL REVIEW OR APPEAL DOES NOT STAY ANY
18 CRIMINAL OR EQUITABLE PROCEEDINGS OR PREVENT THE BUILDING OFFICIAL FROM PURSUING ANY
19 OTHER ACTION OR ENFORCEMENT PROCEDURE AUTHORIZED BY LAW.

20 CHAPTER 2. DEFINITIONS

21 SECTION 201 GENERAL

22 **201.1 SCOPE.** *{AS IN IBC}*

23 **201.2 INTERCHANGEABILITY.** *{AS IN IBC}*

24 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CHAPTER AND IS DEFINED
25 IN ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED IN § 101.4 OF THIS CODE, THE TERM HAS
26 THE MEANING GIVEN TO IT IN THAT STANDARD OR CODE.

27 **201.4 TERMS NOT DEFINED.** *{AS IN IBC}*

28 SECTION 202 DEFINITIONS

29 **202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED IN THIS CODE AND DEFINED
30 IN THE INTERNATIONAL BUILDING CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE
31 INTERNATIONAL BUILDING CODE (2006 EDITION).

32 **202.2 SUPPLEMENTAL DEFINITIONS.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE
33 INTERNATIONAL BUILDING CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 202.2.

34 **202.2.1 ACCESSORY STRUCTURE.** "ACCESSORY STRUCTURE" MEANS A STRUCTURE:

- 35 1. LOCATED ON THE SAME LOT AS THE MAIN STRUCTURE, AND
36 2. THE USE OF WHICH IS INCIDENTAL TO THAT OF THE MAIN STRUCTURE.

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1 **202.2.2 AGENT.** “AGENT” MEANS, AS THE CONTEXT INDICATES, ANY PERSON WHO:

2 1.. IN ANY PARTICULAR CASE INVOLVING ANY PROPERTY:

3 A. IS RESPONSIBLE FOR THE MANAGEMENT, MAINTENANCE, OPERATION, RENTAL,
4 LEASING, OR SALE OF THE PROPERTY,

5 B. APPLIES FOR OR SEEKS A PERMIT OR CERTIFICATE FROM A CITY AUTHORITY ON
6 BEHALF OF THE OWNER OF THE PROPERTY, OR

7 C. IN ANY WAY REPRESENTS THE OWNER OF THE PROPERTY,

8 2. REPRESENTS THE BUILDING OFFICIAL, OR

9 3. IN GENERAL, REPRESENTS ANOTHER.

10 **202.2.3 AUTHORIZED USE.** “AUTHORIZED USE” MEANS A USE OF LAND OR STRUCTURE APPROVED
11 IN ACCORDANCE WITH THE ZONING CODE.

12 **202.2.4 BLIGHT.** “BLIGHT” INCLUDES EXTERIOR SURFACES DEFACED BY CARVINGS, MARKINGS,
13 OR GRAFFITI.

14 **202.2.5 BUILDING.** “BUILDING” HAS THE MEANING STATED IN IBC § 202 AND, UNLESS THE
15 CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

16 **202.2.6 BUILDING OFFICIAL.** “BUILDING OFFICIAL” HAS THE MEANING STATED IN § 103.1.

17 **202.2.7 BUILDING PERMIT.** “BUILDING PERMIT” MEANS ANY PERMIT ISSUED UNDER THIS CODE.

18 **202.2.7 CERTIFICATE OF OCCUPANCY.** “CERTIFICATE OF OCCUPANCY” MEANS AN OCCUPANCY
19 PERMIT.

20 **202.2.9 CHANGE IN OCCUPANCY.** “CHANGE IN OCCUPANCY” MEANS A CHANGE IN THE PURPOSE
21 OR LEVEL OF ACTIVITY ON LAND OR WITHIN A STRUCTURE.

22 **202.2.10 CHANGE OF USE.** “CHANGE OF USE” MEANS CHANGE IN OCCUPANCY.

23 **202.2.11 CITY.** “CITY” MEANS THE MAYOR AND CITY COUNCIL OF BALTIMORE.

24 **202.2.12 CODE.** “CODE” MEANS, UNLESS OTHERWISE SPECIFIED, THE BUILDING, FIRE, AND
25 RELATED CODES OF BALTIMORE CITY, AS FURTHER DEFINED IN § 101.1.

26 **202.2.13 DEMOLITION.** “DEMOLITION”:

27 1. MEANS RAZING OR DEMOLITION, AND

28 2. INCLUDES REMOVAL OF THE DEBRIS RESULTING FROM ANY RAZING OR DEMOLITION.

29 **202.2.14 DEPARTMENT.** “DEPARTMENT” MEANS, UNLESS THE CONTEXT CLEARLY INDICATES
30 OTHERWISE, THE DEPARTMENT OF BUILDING SAFETY, AS FURTHER DEFINED IN § 103.1.

31 **202.2.15 DEPARTMENT OF BUILDING SAFETY.** “DEPARTMENT OF BUILDING SAFETY” HAS THE
32 MEANING STATED IN § 103.1.

33 **202.2.16 DWELLING.** “DWELLING” INCLUDES, BUT IS NOT LIMITED TO, ANY ONE OR MORE OF THE
34 FOLLOWING:

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- 1 **202.2.16.1 BOARDING HOUSE. {AS IN IBC}**
- 2 **202.2.16.2 DORMITORY.** “DORMITORY” MEANS A SPACE IN A BUILDING THAT PROVIDES
3 GROUP SLEEPING ACCOMMODATIONS IN 1 ROOM OR IN A SERIES OF CLOSELY ASSOCIATED
4 ROOMS FOR PERSONS NOT MEMBERS OF THE SAME FAMILY GROUP.
- 5 **202.2.16.3 MULTIPLE-FAMILY DWELLING.** “MULTIPLE-FAMILY DWELLING” MEANS A
6 BUILDING OR PART OF A BUILDING THAT CONTAINS MORE THAN 2 DWELLING UNITS.
- 7 **202.2.16.4 1-FAMILY DWELLING; SINGLE-FAMILY DWELLING UNIT.** “1-FAMILY DWELLING”
8 OR “SINGLE-FAMILY DWELLING UNIT” MEANS A BUILDING THAT CONTAINS ONLY 1 DWELLING
9 UNIT AND IS USED ONLY FOR THAT PURPOSE.
- 10 **202.2.16.5 2-FAMILY DWELLING.** “2-FAMILY DWELLING” MEANS A BUILDING THAT CONTAINS
11 2 DWELLING UNITS AND IS USED ONLY FOR THAT PURPOSE.
- 12 **202.2.17 DWELLING UNIT.** “DWELLING UNIT” MEANS A SINGLE UNIT THAT PROVIDES OR THAT IS
13 DESIGNED OR INTENDED TO PROVIDE COMPLETE, INDEPENDENT LIVING FACILITIES FOR 1 OR MORE
14 PERSONS, INCLUDING PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING, COOKING, AND
15 SANITATION.
- 16 **202.2.18 HIGH-RISE BUILDING.** “HIGH-RISE BUILDING” HAS THE MEANING STATED IN ARTICLE
17 38A, § 49 OF THE MARYLAND CODE.
- 18 **202.2.19 INTERNATIONAL CODES.**
- 19 **202.2.19.1 ENERGY CONSERVATION CODE.** “ENERGY CONSERVATION CODE” MEANS THE
20 INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION), AS SUPPLEMENTED,
21 AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.
- 22 **202.2.19.2 FIRE CODE.** “FIRE CODE” MEANS THE INTERNATIONAL FIRE CODE (2006
23 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.
- 24 **202.2.19.3 MECHANICAL CODE.** “MECHANICAL CODE” MEANS THE INTERNATIONAL
25 MECHANICAL CODE (2006 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED
26 BY BALTIMORE CITY.
- 27 **202.2.19.4 PROPERTY MAINTENANCE CODE.** “PROPERTY MAINTENANCE CODE” MEANS THE
28 INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 EDITION), AS SUPPLEMENTED,
29 AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.
- 30 **202.2.20 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY
31 NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.
- 32 **202.2.21 MORTGAGE.** “MORTGAGE” INCLUDES A DEED OF TRUST OR OTHER DEED IN THE NATURE
33 OF A MORTGAGE.
- 34 **202.2.22 MORTGAGEE.** “MORTGAGEE” INCLUDES A BENEFICIARY UNDER A DEED OF TRUST OR
35 OTHER DEED IN THE NATURE OF A MORTGAGE.
- 36 **202.2.23 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A
37 REQUIREMENT OR TO IMPOSE A DUTY.

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202.2.24 NATIONAL CODES.

202.2.24.1 ELECTRICAL CODE. “ELECTRICAL CODE” MEANS THE NATIONAL ELECTRICAL CODE (2005 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

202.2.24.2 FUEL GAS CODE. “FUEL GAS CODE” MEANS THE NATIONAL FUEL GAS CODE (2006 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

202.2.24.3 PLUMBING CODE. “PLUMBING CODE” MEANS THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

202.2.25 OCCUPANCY. “OCCUPANCY” MEANS:

1. THE STATE OF OCCUPYING OR USING ANY LAND OR STRUCTURE, OR
2. THE ACT OF TAKING, HOLDING POSSESSION OF, OR USING ANY LAND OR STRUCTURE, OR
3. THE PURPOSE FOR WHICH ANY LAND OR STRUCTURE IS USED OR OCCUPIED.

202.2.26 OCCUPANCY PERMIT. “OCCUPANCY PERMIT” MEANS A PERMIT THAT:

1. SIGNIFIES COMPLIANCE WITH THIS CODE AND RELATED LAWS, AND
2. INDICATES THE BUILDING OFFICIAL’S APPROVAL TO OCCUPY A STRUCTURE FOR THE AUTHORIZED USE.

202.2.27 OCCUPANT. “OCCUPANT” MEANS ANY PERSON WHO USES OR WHO HAS THE RIGHT OF POSSESSION OF ALL OR ANY PART OF A STRUCTURE OR PREMISES.

202.2.28 OPERATOR. “OPERATOR” MEANS ANY PERSON WHO HAS CHARGE, CARE, OR CONTROL OF ALL OR ANY PART OF A STRUCTURE OR PREMISES.

202.2.29 PERSON. “PERSON”:

1. MEANS ANY INDIVIDUAL, SOLE PROPRIETORSHIP, CORPORATION, LIMITED LIABILITY COMPANY, FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, JOINT VENTURE, OR OTHER ENTITY OR GROUP ACTING AS A UNIT, EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER, GUARDIAN, OR OTHER REPRESENTATIVE APPOINTED BY LAW, AND
2. WHENEVER USED IN THIS CODE WITH REFERENCE TO LIABILITY OR TO THE IMPOSITION OF A PENALTY OR FINE, INCLUDES:
 - A. AS TO AN UNINCORPORATED FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, OR JOINT VENTURE, THE PARTNERS OR MEMBERS OF THE FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, OR JOINT VENTURE,
 - B. AS TO A CORPORATION, THE OFFICERS, TRUSTEES, AGENTS, OR MEMBERS OF THE CORPORATION WHO ARE RESPONSIBLE FOR THE VIOLATION OF ANY RELEVANT CODE PROVISION, AND
 - C. IN ADDITION, THE RESPONSIBLE OFFICER, TRUSTEE, PARTNER, OR MEMBER DESIGNATED ON A REGISTRATION STATEMENT MADE UNDER CITY CODE ARTICLE 13, SUBTITLE 4 {“REGISTRATION OF RESIDENTIAL PROPERTIES”}.

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1 **202.2.30 PREMISES.** “PREMISES” MEANS A LOT OR GROUP OF LOTS, TOGETHER WITH ALL OR ANY
2 PART OF ANY BUILDINGS OR STRUCTURES ON THE LOT OR GROUP OF LOTS, CONSIDERED AS A UNIT
3 DEVOTED TO A PARTICULAR USE, INCLUDING ACCESSORY STRUCTURES AND OPEN SPACES REQUIRED
4 OR USED IN CONNECTION WITH THAT PARTICULAR USE.

5 **202.2.31 REHABILITATION.** “REHABILITATION” MEANS ALL REPAIRS AND OTHER WORK, OF ANY
6 KIND, NEEDED TO MAKE A DWELLING OR OTHER STRUCTURE FIT TO BE OCCUPIED FOR ITS
7 AUTHORIZED USE IN CONFORMITY WITH ALL APPLICABLE STANDARDS AND REQUIREMENTS OF THIS
8 CODE.

9 **202.2.32 RELATED LAWS.** “RELATED LAWS” HAS THE MEANING STATED IN § 104.6.2.

10 **202.2.33 {RESERVED}**

11 **202.2.34 {RESERVED}**

12 **202.2.35 STRUCTURE.** “STRUCTURE” HAS THE MEANING STATED IN IBC § 202 AND, UNLESS THE
13 CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

14 **202.2.36 STABILIZATION.** “STABILIZATION”, WITH REFERENCE TO A STRUCTURE THAT HAS BEEN
15 DECLARED UNSAFE OR UNFIT FOR OCCUPANCY, MEANS ALL WORK OF ANY KIND, NOT AMOUNTING
16 TO REHABILITATION, THAT IS NEEDED, OR THAT IS PERFORMED OR REQUIRED BY THE BUILDING
17 OFFICIAL, TO MAKE THE STRUCTURE SAFE AND SECURE, TO PREVENT ITS FURTHER DETERIORATION,
18 AND TO ELIMINATE ITS BLIGHTING INFLUENCE.

19 **202.2.37 TRANSFER.** “TRANSFER”, WHEN USED WITH RESPECT TO PROPERTY SUBJECT TO THIS
20 CODE, HAS THE MEANING STATED IN § 113.23.

21 **202.2.38 USE.** “USE” MEANS, UNLESS THE CONTEXT INDICATES OTHERWISE:

- 22 1. THE PURPOSE FOR WHICH A BUILDING, STRUCTURE, OR LAND IS USED, OCCUPIED, OR
23 INTENDED TO BE USED OR OCCUPIED, AND
- 24 2. ANY ACTIVITY, OCCUPATION, BUSINESS, OR OPERATION CARRIED OUT ON LAND OR IN A
25 BUILDING OR STRUCTURE.

26 **202.2.40 ZONING CODE.** “ZONING CODE” MEANS THE ZONING CODE OF BALTIMORE CITY,
27 INCLUDING THE ACCOMPANYING ZONING DISTRICT MAPS.

28 CHAPTER 3. USE AND OCCUPANCY CLASSIFICATION

29 SECTIONS 301 TO 307 *{AS IN IBC}*

30 SECTION 308 INSTITUTIONAL GROUP I

31 **308.1 INSTITUTIONAL GROUP I. *{AS IN IBC}***

32 **308.2 GROUP I-1. *{AS IN IBC}***

33 **308.3 GROUP I-2. *{AS IN IBC}***

34 **308.3.1 CHILD CARE FACILITY.** A CHILD CARE FACILITY THAT PROVIDES CARE ON A 24-HOUR
35 BASIS TO MORE THAN 8 CHILDREN 2½ YEARS OF AGE OR LESS IS CLASSIFIED AS GROUP I-2.

36 **308.4 GROUP I-3. *{AS IN IBC}***

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1 **308.5 GROUP I-4, DAY CARE FACILITIES.** THIS GROUP INCLUDES BUILDINGS AND STRUCTURES
2 OCCUPIED BY PERSONS OF ANY AGE WHO RECEIVE CUSTODIAL CARE FOR LESS THAN 24 HOURS BY
3 INDIVIDUALS OTHER THAN PARENTS OR GUARDIANS, RELATIVES BY BLOOD, MARRIAGE, OR ADOPTION,
4 AND IN A PLACE OTHER THAN HOME OF THE PERSON CARED FOR. A FACILITY LIKE THIS WITH 8 OR
5 FEWER PERSONS IS CLASSIFIED AS A GROUP R-3 OR SHALL COMPLY WITH THE INTERNATIONAL
6 RESIDENTIAL CODE IN ACCORDANCE WITH § 101.2 OF THIS CODE. PLACES OF WORSHIP DURING
7 RELIGIOUS FUNCTIONS ARE NOT INCLUDED.

8 **308.5.1 ADULT CARE FACILITY.** A FACILITY THAT PROVIDES ACCOMMODATION FOR LESS THAN
9 24 HOURS FOR MORE THAN 8 UNRELATED ADULTS AND PROVIDES SUPERVISION AND PERSONAL
10 CARE SERVICES IS CLASSIFIED AS GROUP I-4.

11 **EXCEPTION:** A FACILITY IN WHICH THE OCCUPANTS ARE CAPABLE OF RESPONDING TO AN
12 EMERGENCY SITUATION WITHOUT PHYSICAL ASSISTANCE FROM THE STAFF IS CLASSIFIED AS
13 GROUP A-3.

14 **308.5.2 CHILD CARE FACILITY.** A FACILITY THAT PROVIDES SUPERVISION AND PERSONAL CARE
15 ON LESS THAN A 24-HOUR BASIS FOR MORE THAN 8 CHILDREN 2½ YEARS OF AGE OR LESS IS
16 CLASSIFIED AS GROUP I-4.

17 **EXCEPTION:** A CHILD CARE FACILITY THAT PROVIDES CARE FOR MORE THAN 8 BUT NOT MORE
18 THAN 100 CHILDREN 2½ YEARS OF AGE OR LESS, WHERE THE ROOMS IN WHICH THOSE
19 CHILDREN ARE CARED FOR ARE LOCATED ON THE LEVEL OF EXIT DISCHARGE AND WHERE EACH
20 OF THESE ROOMS HAS AN EXIT DOOR DIRECTLY TO THE EXTERIOR, IS CLASSIFIED AS GROUP E.

21 **SECTION 309 MERCANTILE GROUP M {As in IBC}**

22 **SECTION 310 RESIDENTIAL GROUP R**

23 **310.1 RESIDENTIAL GROUP R. {INTRO AS IN IBC}**

24 **R-1 TO R-2 {As in IBC}**

25 **R-3** RESIDENTIAL OCCUPANCIES WHERE THE OCCUPANTS ARE PRIMARILY PERMANENT IN NATURE
26 AND NOT CLASSIFIED AS R-1, R-2, OR I AND WHERE BUILDINGS DO NOT CONTAIN MORE THAN
27 2 DWELLING UNITS, OR ADULT AND CHILD CARE FACILITY THAT PROVIDE ACCOMMODATIONS
28 FOR 8 OR FEWER PERSONS OF ANY AGE AND COMPLY WITH THE ZONING CODE.

29 **R-4** RESIDENTIAL OCCUPANCIES THAT COMPRISE BUILDINGS ARRANGED FOR OCCUPANCY AS
30 RESIDENTIAL CARE/ASSISTED LIVING FACILITIES WITH MORE THAN 8 BUT NO MORE THAN
31 16 PERSONS EXCLUDING STAFF.

32 GROUP R-4 OCCUPANCIES MUST:

- 33 1. MEET THE CONSTRUCTION REQUIREMENTS FOR GROUP R-3, EXCEPT AS OTHERWISE
34 PROVIDED IN THIS CODE, OR
35 2. COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE.

36 **310.2 DEFINITIONS. {As in IBC}**

37 **SECTION 311 STORAGE GROUP S {As in IBC}**

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SECTION 312 UTILITY AND MISCELLANEOUS GROUP U

312.1 GENERAL. BUILDINGS AND STRUCTURES OF AN ACCESSORY CHARACTER AND MISCELLANEOUS STRUCTURES NOT CLASSIFIED IN ANY SPECIFIC OCCUPANCY MUST BE CONSTRUCTED, EQUIPPED, AND MAINTAINED TO CONFORM TO THE REQUIREMENTS OF THIS CODE COMMENSURATE WITH THE FIRE AND LIFE HAZARD INCIDENTAL TO THEIR OCCUPANCY. GROUP U INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

- AGRICULTURAL BUILDINGS
- AIRCRAFT HANGARS, ACCESSORY TO A ONE- OR TWO-FAMILY RESIDENCE
- BARNs
- CARPORTS
- FENCES
- GRAIN SILOS, ACCESSORY TO A RESIDENTIAL OCCUPANCY
- GREENHOUSES
- LIVESTOCK SHELTERS
- PRIVATE GARAGES
- RETAINING WALLS
- SHEDS
- STABLES
- TANKS
- TOWERS

CHAPTER 4. SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

SECTION 401 SCOPE {As IN IBC}

SECTION 402 COVERED MALL BUILDINGS {As IN IBC}

SECTION 403 HIGH-RISE BUILDINGS

403.1 APPLICABILITY. THIS § 403 APPLIES TO ALL “HIGH-RISE BUILDINGS”, AS DEFINED IN ARTICLE 38A, § 49 OF THE MARYLAND CODE.

403.2 TO 403.11 {As IN IBC}

403.12 STAIRWAY DOOR OPERATION. ALL STAIRWAY DOORS THAT ARE TO BE LOCKED FROM THE STAIRWAY SIDE MUST BE CAPABLE OF BEING UNLOCKED SIMULTANEOUSLY, WITHOUT UNLATCHING, ON A SIGNAL FROM THE FIRE COMMAND STATION, ON ACTIVATION OF THE FIRE ALARM SYSTEM, OR ON LOSS OF POWER TO THE BUILDING.

403.12.1 STAIRWAY COMMUNICATION SYSTEM. {As IN IBC}

403.13 SMOKEPROOF EXIT ENCLOSURES. {As IN IBC}

403.14 SEISMIC CONSIDERATIONS. {As IN IBC}

SECTIONS 404 TO 414 {As IN IBC}

SECTION 415 GROUPS H-1, H-2, H-3, H-4, AND H-5

415.1 TO 415.5 {As IN IBC}

415.6 GROUP H-2. {As IN IBC}

415.6.1 COMBUSTIBLE DUSTS, GRAIN PROCESSING, AND STORAGE. {As IN IBC}

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1 **415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS. {As IN IBC}**

2 **415.6.3 LIQUEFIED PETROLEUM GAS DISTRIBUTION FACILITIES.** THE DESIGN AND
3 CONSTRUCTION OF PROPANE, BUTANE, PROPYLENE, BUTYLENE, AND OTHER LIQUEFIED PETROLEUM
4 GAS DISTRIBUTION FACILITIES MUST CONFORM TO THE APPLICABLE PROVISIONS OF §§ 415.6.3.1
5 THROUGH 415.6.3.5.2. THE STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS SYSTEMS
6 MUST CONFORM TO THE INTERNATIONAL FIRE CODE. THE DESIGN AND INSTALLATION OF PIPING,
7 EQUIPMENT, AND SYSTEMS THAT UTILIZE LIQUEFIED PETROLEUM GAS MUST BE IN ACCORDANCE
8 WITH THE NATIONAL FUEL GAS CODE. LIQUEFIED PETROLEUM GAS DISTRIBUTION FACILITIES
9 MUST BE VENTILATED IN ACCORDANCE WITH THE INTERNATIONAL MECHANICAL CODE AND
10 § 415.6.3.1.

11 **415.6.3.1 TO 415.6.3.5 {As IN IBC}**

12 **415.6.4 DRY CLEANING PLANTS.** THE CONSTRUCTION AND INSTALLATION OF DRY CLEANING
13 PLANTS MUST BE IN ACCORDANCE WITH THIS CODE, THE INTERNATIONAL MECHANICAL CODE, AND
14 NFPA 32. DRY CLEANING SOLVENTS AND SYSTEMS MUST BE CLASSIFIED IN ACCORDANCE WITH
15 THE INTERNATIONAL FIRE CODE.

16 **415.7 GROUPS H-3 AND H-4. {As IN IBC}**

17 **415.8 GROUP H-5. {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.**
18 **OTHERWISE, AS IN IBC.}**

19 **SECTIONS 416 TO 420 {As IN IBC}**

20 **SECTION 421 GREENHOUSES**

21 **421.1 GENERAL.** STRUCTURES WITH GLAZED SURFACES THAT ARE USED ONLY FOR HORTICULTURE
22 ARE CLASSIFIED AS GREENHOUSES. THESE STRUCTURES MUST BE INDEPENDENT AND SEPARATED FROM
23 OTHER BUILDINGS ON THE SAME LOT. ALL GREENHOUSES MUST CONFORM TO THE REQUIREMENTS OF
24 THIS CODE FOR EXITS AND FOR MATERIALS.

25 **421.2 COMMERCIAL GREENHOUSES.** COMMERCIAL GREENHOUSES ARE CLASSIFIED AS GROUP S-2,
26 LOW HAZARD STORAGE BUILDINGS, AND MUST COMPLY WITH TABLES 503, 601, AND 602.

27 **421.3 RESIDENTIAL GREENHOUSES.** GREENHOUSES THAT ARE LOCATED ON A LOT ZONED FOR
28 RESIDENTIAL USE ARE CLASSIFIED AS GROUP U, UTILITY AND MISCELLANEOUS STRUCTURES.

29 **421.3.1 HEIGHT.** RESIDENTIAL GREENHOUSES MAY NOT EXCEED 20 FEET (6.10 M) ABOVE GRADE.

30 **421.3.2 SIZE.** THE FLOOR AREA OF A RESIDENTIAL GREENHOUSE MUST CONFORM TO THE
31 REQUIREMENTS OF THE ZONING CODE.

32 **421.3.3 LOCATION.** RESIDENTIAL GREENHOUSES MUST BE LOCATED AT LEAST 36 INCHES
33 (914 MM) FROM ANY PROPERTY LINE OR OTHER STRUCTURE.

34 **SECTIONS 422 TO 423 {RESERVED}**

35 **SECTION 424 CIRCUSES AND CARNIVALS**

36 **424.1 DEFINITION.** “CIRCUS” OR “CARNIVAL” MEANS ANY USE OF PUBLIC OR PRIVATE LAND, STREETS,
37 LANES, OR ALLEYS FOR FETES, BAZAARS, CIRCUSES, STREET CARNIVALS, CARNIVALS, FEATS OF
38 HORSEBACK-RIDING ABILITY, ACROBATIC STUNTS, TRAINED ANIMAL ACTS, CLOWNING, AND OTHER
39 SIMILAR PERFORMANCES, MECHANICAL RIDES, OR OTHER AMUSEMENT DEVICES TO WHICH THE PUBLIC

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1 IS ADMITTED, AND INCLUDES ANY TEMPORARY STANDS OR FACILITIES FOR SELLING OR DISPENSING
2 PRODUCTS FOR HUMAN CONSUMPTION IN CONNECTION WITH THESE USES.

3 **424.2 SCOPE.** THIS SECTION COVERS REGULATIONS FOR CIRCUSES AND CARNIVALS THAT ARE NOT
4 PROVIDED FOR IN OTHER SECTIONS OF THIS CODE.

5 **424.3 PERMIT REQUIRED.** BEFORE ANY PERSON MAY BEGIN TO SET UP ANY STRUCTURE, APPLIANCE,
6 OR EQUIPMENT FOR A CIRCUS OR CARNIVAL, THE PERSON MUST OBTAIN THE APPROPRIATE PERMIT FROM
7 THE BUILDING OFFICIAL.

8 **424.3.1 APPLICATION FOR PERMIT.** THE APPLICATION FOR THE PERMIT MUST BE:

- 9 1. FILED AT LEAST 10 DAYS BEFORE THE OPENING DATE OF THE CIRCUS OR CARNIVAL, AND
- 10 2. SIGNED BY A RESPONSIBLE PERSON OR OFFICIAL ACTING FOR THE APPLICANT.

11 **424.3.2 REFERRAL OF APPLICATION.** THE BUILDING OFFICIAL MUST IMMEDIATELY REFER EACH
12 APPLICATION TO THE FOLLOWING, FOR THEIR RECOMMENDATIONS:

- 13 1. THE POLICE COMMISSIONER,
- 14 2. THE DIRECTOR OF PUBLIC WORKS,
- 15 3. THE CHIEF OF THE FIRE DEPARTMENT, AND
- 16 4. THE COMMISSIONER OF HEALTH.

17 **424.3.3 DISAPPROVAL OF POLICE COMMISSIONER.** IF THE POLICE COMMISSIONER DISAPPROVES
18 THE APPLICATION:

- 19 1. THE POLICE COMMISSIONER MUST RETURN IT TO THE BUILDING OFFICIAL, WITH A
20 STATEMENT OF THE REASONS FOR THE DISAPPROVAL, AND
- 21 2. THE BUILDING OFFICIAL MAY NOT ISSUE THE PERMIT.

22 **424.3.4 APPROVAL OF POLICE COMMISSIONER.** IF THE POLICE COMMISSIONER APPROVES THE
23 APPLICATION, THE BUILDING OFFICIAL ~~MUST~~:

- 24 1. MAY ISSUE THE PERMIT, SUBJECT TO ANY RECOMMENDATIONS OF THE POLICE
25 COMMISSIONER, PUBLIC WORKS DIRECTOR, FIRE CHIEF, AND HEALTH COMMISSIONER,
26 AND
- 27 2. IF THE PERMIT IS ISSUED, MUST IMMEDIATELY SEND A COPY OF THE PERMIT TO EACH OF
28 THEM.

29 **424.4 INSURANCE FOR MECHANICAL RIDES, ETC.** EVERY APPLICATION FOR A CIRCUS OR CARNIVAL
30 PERMIT MUST SPECIFY WHETHER OR NOT MECHANICAL RIDES OR DEVICES WILL BE USED IN CONNECTION
31 WITH THE CIRCUS OR CARNIVAL. IF MECHANICAL RIDES OR DEVICES WILL BE USED, THE PERSON
32 SUPPLYING THESE RIDES OR DEVICES MUST, BEFORE THE PERMIT MAY BE ISSUED, FURNISH
33 SATISFACTORY EVIDENCE OF INSURANCE, IN AN AMOUNT THAT THE ~~BUILDING OFFICIAL, IN HIS OR HER~~
34 ~~DISCRETION,~~ CITY'S OFFICE OF RISK MANAGEMENT CONSIDERS SUFFICIENT, TO:

- 35 1. INSURE THE APPLICANT, AND NAME THE CITY AS AN ADDITIONAL INSURED, AGAINST LIABILITY
36 FOR DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING DEATH, DUE TO FAULTY
37 EQUIPMENT OR NEGLIGENCE, AND

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- 2. INDEMNIFY THE CITY AGAINST ANY SUIT, LOSS, CLAIM, DAMAGES, OR EXPENSE TO WHICH THE CITY IS SUBJECTED BECAUSE OF ANY DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING DEATH, OR INJURY TO ANY PUBLIC HIGHWAY OR OTHER PUBLIC PROPERTY DONE BY OR IN CONNECTION WITH THE TRANSPORTATION, ERECTION, OPERATION, MAINTENANCE, OR SUPERVISION OF A MECHANICAL RIDE OR DEVICE.

424.5 FINANCIAL RESPONSIBILITY. BEFORE A PERMIT MAY BE ISSUED, THE APPLICANT MUST FURNISH PROOF OF FINANCIAL RESPONSIBILITY, IN THE FORM OF A CERTIFICATE OF INSURANCE FROM AN INSURER AUTHORIZED TO DO BUSINESS IN THIS STATE. THE CERTIFICATE OF INSURANCE MUST STATE THAT THE CIRCUS OR CARNIVAL IS INSURED AGAINST ANY LEGAL LIABILITY (OTHER THAN THAT COVERED BY § 424.4), CAUSED BY ACCIDENTS OR OTHERWISE AND RESULTING IN DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING DEATH, AS A CONSEQUENCE OF THE OWNERSHIP, OPERATION, OR MAINTENANCE OF THE CIRCUS OR CARNIVAL OR OTHERWISE IN ANY WAY CONNECTED WITH THE CIRCUS OR CARNIVAL. THE INSURANCE MUST BE FOR AT LEAST THE AMOUNT THAT THE ~~BUILDING OFFICIAL, IN HIS OR HER DISCRETION,~~ CITY'S OFFICE OF RISK MANAGEMENT CONSIDERS SUFFICIENT TO PROTECT THE PUBLIC, AND MUST NAME THE CITY AS AN ADDITIONAL INSURED. ADDITIONALLY, THE INSURANCE MUST BE IN AN AMOUNT THAT THE CITY'S OFFICE OF RISK MANAGEMENT CONSIDERS SUFFICIENT TO:

- 1. INSURE THE APPLICANT AGAINST LIABILITY FOR DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING DEATH, DUE TO FAULTY EQUIPMENT OR NEGLIGENCE, AND
- 2. INDEMNIFY THE CITY AGAINST ANY SUIT, LOSS, CLAIM, DAMAGES, OR EXPENSE TO WHICH THE CITY IS SUBJECTED BECAUSE OF ANY DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING DEATH, OR INJURY TO ANY PUBLIC HIGHWAY OR OTHER PUBLIC PROPERTY DONE BY OR IN CONNECTION WITH THE APPLICANT'S BUSINESS.

424.5.1 NONRESIDENT APPLICANTS. IF THE APPLICANT IS NOT A RESIDENT OF THE CITY, THE APPLICANT AND THE INSURER MUST EXECUTE A POWER OF ATTORNEY THAT AUTHORIZES THE BUILDING OFFICIAL TO ACCEPT ON THEIR BEHALF SERVICE OF NOTICES, PROCESSES, AND ANY ACTIONS ARISING OUT OF THE OWNERSHIP, OPERATION, OR MAINTENANCE OF THE CIRCUS OR CARNIVAL OR OTHERWISE IN ANY WAY CONNECTED WITH THE CIRCUS OR CARNIVAL. IF THE APPLICANT IS A NONRESIDENT CORPORATION, THE CORPORATION, IN ADDITION TO COMPLYING WITH ALL OTHER REQUIREMENTS OF THIS CODE, MUST SUBMIT WITH ITS APPLICATION A CERTIFICATE FROM THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION CERTIFYING THAT IT IS A CORPORATION AUTHORIZED TO DO BUSINESS IN THIS STATE.

424.5.2 NONPROFIT ENTITIES EXCEPTED. THIS § 424.5 DOES NOT APPLY TO ANY APPLICANT THAT IS A CHURCH, SCHOOL, CHARITABLE ORGANIZATION, VETERANS' ORGANIZATION, OR OTHER NONPROFIT ORGANIZATION.

424.6 ZONING REQUIREMENTS. THE PROVISIONS OF THE ZONING CODE THAT PROHIBIT CARNIVALS IN RESIDENTIAL AREAS DO NOT APPLY TO A CARNIVAL THAT:

- 1. IS OPERATED UNDER A PERMIT ISSUED TO A CHURCH, SCHOOL, CHARITABLE ORGANIZATION, VETERANS' ORGANIZATION, OR OTHER NONPROFIT ORGANIZATION, AND
- 2. OPERATES FOR NO MORE THAN 15 DAYS IN ANY 1 CALENDAR YEAR.

424.7 LAYOUT. EVERY CIRCUS AND CARNIVAL MUST BE LAID OUT AS PROVIDED IN THIS § 424.7.

424.7.1 MAIN AISLE. A MAIN AISLE OR CONCOURSE MUST:

- 1. EXTEND ENTIRELY THROUGH THE CIRCUS OR CARNIVAL,
- 2. OPEN AT BOTH ENDS ON A STREET OR OTHER PUBLIC WAY THAT LEADS TO A STREET AT LEAST 30 FEET (9.14 M) WIDE, AND

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- 1 3. BE AT LEAST 10 FEET (3.05 M) WIDE FOR A LENGTH OF UP TO 100 FEET (30.48 M), PLUS AN
2 ADDITIONAL 2½ FEET (0.76 M) IN WIDTH FOR EACH ADDITIONAL 100 FEET (30.38 M) OR
3 FRACTION OF 100 FEET (30.38 M) IN LENGTH.

4 **424.7.2 SIDE OR BRANCH AISLES.** SIDE OR BRANCH AISLES THAT ARE OPEN AT BOTH ENDS MUST
5 BE AT LEAST 6 FEET (1.83 M) WIDE FOR A LENGTH OF UP TO 50 FEET (15.24 M), PLUS AN
6 ADDITIONAL 1 FOOT IN WIDTH FOR EACH ADDITIONAL 50 FEET (15.24 M) OR FRACTION OF 50 FEET
7 (15.24 M) IN LENGTH. SIDE OR BRANCH AISLES THAT ARE OPEN AT ONLY 1 END MUST BE AT LEAST
8 TWICE THE WIDTH FOR SIDE OR BRANCH AISLES THAT ARE OPEN AT BOTH ENDS.

9 **424.8 CIRCUS AND CARNIVAL STRUCTURES.** CIRCUS AND CARNIVAL STRUCTURES, IN ADDITION TO
10 COMPLYING WITH ALL OTHER APPLICABLE PROVISIONS OF THIS CODE, MUST COMPLY WITH THE
11 REQUIREMENTS OF THIS § 424.8.

12 **424.8.1 TENTS.** ALL TENTS MUST CONFORM TO THE REQUIREMENTS FOR TEMPORARY STRUCTURES
13 IN § 3103 OF THIS CODE.

14 **424.8.2 EXITS AND LIGHTING.** EVERY TENT AND OTHER STRUCTURE MUST BE PROVIDED WITH
15 ADEQUATE EXITS. THE MEANS OF EGRESS AND THE WIDTH AND NUMBER OF EXITS ARE BASED ON
16 AND MUST COMPLY WITH THE GENERAL REQUIREMENTS OF CHAPTER 10 OF THIS CODE FOR EXITS
17 AND MEANS OF EGRESS IN ASSEMBLY STRUCTURES, WHICH APPLY IN ADDITION TO THE
18 REQUIREMENTS OF THIS SECTION FOR GENERAL LAYOUT. ALL EXITS AND AISLES MUST BE WELL
19 LIGHTED WHENEVER THE TENT OR STRUCTURE IS OCCUPIED.

20 **424.8.3 MECHANICAL RIDES AND DEVICES.** NO MERRY-GO-ROUND, FERRIS WHEEL, WHIP, OR
21 OTHER MECHANICAL RIDE OR DEVICE MAY BE OPERATED WITHOUT A PERMIT FROM THE BUILDING
22 OFFICIAL. ALL MECHANICAL RIDES AND DEVICES MUST BE DESIGNED, CONSTRUCTED, AND
23 ERECTED IN ACCORDANCE WITH APPLICABLE STATE REGULATIONS.

24 **424.8.4 CONCESSION STANDS.** CONCESSION STANDS MUST BE OF EITHER:

- 25 1. STANDARD PREFABRICATED CONSTRUCTION, OR
26 2. SPECIAL CONSTRUCTION APPROVED BY THE BUILDING OFFICIAL FOR THE PARTICULAR
27 PURPOSE.

28 **424.9 ELECTRICAL AND MECHANICAL REQUIREMENTS.** ALL ELECTRICAL WORK MUST CONFORM TO
29 THE REQUIREMENTS OF CHAPTER 27 OF THIS CODE. ALL MECHANICAL WORK MUST CONFORM TO THE
30 REQUIREMENTS OF THIS CODE.

31 **424.10 MAINTENANCE AND OPERATION.** EVERY CIRCUS OR CARNIVAL MUST BE MAINTAINED AND
32 OPERATED SO AS NOT TO CAUSE A HAZARD OR INJURY TO LIFE OR PROPERTY. THE APPLICANT IS
33 RESPONSIBLE FOR:

- 34 1. MAINTAINING THE SITE IN A SANITARY AND CLEAN CONDITION AT ALL TIMES, AND
35 2. WHEN THE CIRCUS OR CARNIVAL LEAVES, CLEANING ALL DEBRIS AND RUBBISH FROM THE SITE
36 AND FROM ALL STREETS AND ALLEYS IN THE VICINITY.

37 **424.11 POLICE TO POLICE OPERATIONS.** THE POLICE COMMISSIONER IS RESPONSIBLE FOR KEEPING A
38 CLOSE WATCH ON EVERY CIRCUS OR CARNIVAL TO DETERMINE WHETHER ANY LAWS ARE BEING
39 VIOLATED.

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SECTION 425 CHESAPEAKE BAY CRITICAL AREA DEVELOPMENT

425.1 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.

425.2 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.

425.3 ENFORCEMENT. ANY VIOLATION OF THE CAMP DOCUMENT IS A VIOLATION OF THIS CODE, SUBJECT TO ENFORCEMENT UNDER § 113 OF THIS CODE.

CHAPTER 5. GENERAL BUILDING HEIGHTS AND AREAS

SECTIONS 501 TO 503 {As in IBC}

SECTION 504 HEIGHT

504.1 GENERAL {As in IBC}

504.2 AUTOMATIC SPRINKLER SYSTEM INCREASE {PER MBPS MODIFICATION}. THE MAXIMUM NUMBER OF STORIES SPECIFIED IN TABLE 503 AND THE VALUE SPECIFIED IN THAT TABLE FOR MAXIMUM HEIGHT ARE INCREASED AS FOLLOWS, THESE INCREASES BEING PERMITTED IN ADDITION TO ANY AREA INCREASE UNDER §§ 506.2 AND 506.3:

1. 1 STORY AND 20 FEET (6096 MM), IF THE BUILDING IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH § 903.3.1.1 OF THIS CODE,
2. 1 STORY AND 20 FEET (6096 MM) BUT NOT TO EXCEED A HEIGHT OF 4 STORIES AND 60 FEET (18,288 MM) ABOVE GRADE LEVEL, IF THE BUILDING HAS AN OCCUPANCY IN GROUP R-1, R-2, OR R-4 AND IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH § 903.3.1.2 OF THIS CODE, AND
3. 1 STORY AND 20 FEET (6096 MM) BUT NOT TO EXCEED A HEIGHT OF 4 STORIES AND 60 FEET (18,288 MM) ABOVE GRADE LEVEL, IF THE BUILDING HAS AN OCCUPANCY IN GROUP R-3 AND IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH § 903.3.1.3.

EXCEPTIONS: {As in IBC}

504.3 ROOF STRUCTURES {As in IBC}

SECTIONS 505 TO 509 {As in IBC}

CHAPTER 6. TYPES OF CONSTRUCTION {As in IBC}

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CHAPTER 7. FIRE-RESISTANCE-RATED CONSTRUCTION

SECTIONS 701 TO 704 *{As IN IBC}*

SECTION 705 FIRE WALLS

705.1 TO 705.5 *{As IN IBC}*

705.6 VERTICAL CONTINUITY {PER MBPS MODIFICATION}. FIRE WALLS MUST EXTEND FROM THE FOUNDATION TO A TERMINATION POINT AT LEAST 30 INCHES (762 MM) ABOVE BOTH ADJACENT ROOFS.

EXCEPTIONS:

{EXCEPTIONS 1 - 5: AS IN IBC}

6. IN GROUPS R-2 AND R-3 AS APPLICABLE IN § 101.2 OF THIS CODE, WALLS ARE PERMITTED TO TERMINATE AT THE ROOF SHEATHING OR DECK IN TYPES III, IV, AND V CONSTRUCTION, IF:

6.1. THE ROOF SHEATHING OR DECK IS CONSTRUCTED OF APPROVED NONCOMBUSTIBLE MATERIALS OR OF FIRE-RETARDANT-TREATED WOOD FOR A DISTANCE OF 4 FEET (1220 MM) ON BOTH SIDES IF THE WALL, OR

6.2. THE BUILDING IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH § 903.3.1.1 OR § 903.3.1.2 FOR GROUP R-2, AND § 903.3.1.1, § 903.3.1.2, § 903.3.1.3 FOR GROUP R-3, OR

6.3. ALL OF THE FOLLOWING:

6.3.1. THE ROOF IS PROTECTED WITH 3/8-INCH (15.9-MM) TYPE X GYPSUM BOARD DIRECTLY BENEATH THE UNDERSIDE OF THE ROOF SHEATHING OR DECK, SUPPORTED BY A MINIMUM OF 2-INCH (51-MM) LEDGERS ATTACHED TO THE SIDES OF THE ROOF FRAMING MEMBERS, FOR A MINIMUM DISTANCE OF 4 FEET (1220 MM) ON BOTH SIDES OF THE FIRE WALL, AND

6.3.2. OPENINGS IN THE ROOF ARE NOT LOCATED WITHIN 4 FEET (1220 MM) OF THE FIRE WALL, AND

6.3.3. THE ROOF IS COVERED WITH A MINIMUM CLASS C ROOF COVERING.

705.6.1 STEPPED BUILDINGS. *{As IN IBC}*

705.7 COMBUSTIBLE FRAMING IN FIRE WALLS. *{As IN IBC}*

705.8 OPENINGS. *{As IN IBC}*

705.9 PENETRATIONS. PENETRATIONS THROUGH FIRE WALLS MUST COMPLY WITH § 712 OF THIS CODE. PENETRATIONS THROUGH PARTY WALLS ARE NOT ALLOWED.

705.10 JOINTS. *{As IN IBC}*

705.11 DUCTS AND AIR TRANSFER OPENINGS. *{As IN IBC}*

SECTIONS 706 TO 716 *{As IN IBC}*

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1 **SECTION 717 CONCEALED SPACES**

2 **717.1 TO 717.4** *{AS IN IBC}*

3 **717.5 COMBUSTIBLE MATERIALS IN CONCEALED PLACES IN TYPE I OR TYPE II CONSTRUCTION.**
4 *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING*
5 *CODE”. OTHERWISE, AS IN IBC.}*

6 **SECTIONS 718 TO 721** *{AS IN IBC}*

7 **CHAPTER 8. INTERIOR FINISHES**
8 *{AS IN IBC}*

9 **CHAPTER 9. FIRE PROTECTION SYSTEMS**

10 **SECTION 901 GENERAL**

11 **901.1 SCOPE.** *{AS IN IBC, SUBJECT TO FOLLOWING NOTE}*

12 **{MBPS MODIFICATION – NOTE TO § 901.1:** THE FIRE PROTECTION SYSTEM
13 REQUIREMENTS OF CHAPTER 9 MAY BE CONCURRENTLY COVERED BY THE STATE FIRE
14 PREVENTION CODE, ADOPTED UNDER STATE PUBLIC SAFETY ARTICLE § 6-206 AND
15 CONTAINED IN COMAR 29.06.01. THE STATE FIRE CODE IS ENFORCED BY THE STATE
16 FIRE MARSHALL OR AUTHORIZED FIRE OFFICIAL. }

17 **901.2 TO 901.7** *{AS IN IBC}*

18 **SECTION 902 DEFINITIONS** *{AS IN IBC}*

19 **SECTION 903 AUTOMATIC SPRINKLER SYSTEMS**

20 **903.1 GENERAL.** *{AS IN IBC}*

21 **903.2 WHERE REQUIRED.** APPROVED AUTOMATIC SPRINKLER SYSTEMS MUST BE INSTALLED IN THE
22 LOCATIONS INDICATED IN THIS § 903.2 AND AS REQUIRED BY STATE LAW.

23 **EXCEPTION:** *{AS IN IBC}*

24 **903.2.1 TO 903.2.13** *{AS IN IBC}*

25 **903.3 INSTALLATION REQUIREMENTS.** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*
26 *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IBC.}*

27 **903.4 SPRINKLER SYSTEM MONITORING AND ALARMS.** *{AS IN IBC}*

28 **903.5 TESTING AND MAINTENANCE.** *{AS IN IBC}*

29 **SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS** *{SUBSTITUTE “NATIONAL*
30 *ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

31 **SECTION 905 STANDPIPE SYSTEMS** *{AS IN IBC}*

32 **SECTION 906 PORTABLE FIRE EXTINGUISHERS** *{AS IN IBC}*

33 **SECTION 907 FIRE ALARM AND DETECTION SYSTEMS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE”*
34 *FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

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1 **SECTION 908 EMERGENCY ALARM SYSTEMS** *{AS IN IBC}*

2 **SECTION 909 SMOKE CONTROL SYSTEMS** *{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC*
3 *ELECTRICAL CODE". OTHERWISE, AS IN IBC.}*

4 **SECTION 910 SMOKE AND HEAT VENTS** *{AS IN IBC}*

5 **SECTION 911 FIRE COMMAND CENTER** *{AS IN IBC}*

6 **SECTION 912 FIRE DEPARTMENT CONNECTIONS** *{SUBSTITUTE "NATIONAL STANDARD PLUMBING*
7 *CODE" FOR "INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IBC.}*

8 **CHAPTER 10. MEANS OF EGRESS**

9 **SECTION 1001 ADMINISTRATION**

10 **1001.1 GENERAL.** *{AS IN IBC, SUBJECT TO THE FOLLOWING NOTE}*

11 **{MBPS MODIFICATIONS – NOTE TO § 1001.1:** THE MEANS OF EGRESS REQUIREMENTS OF CHAPTER
12 10 MAY BE CONCURRENTLY COVERED BY THE STATE FIRE PREVENTION CODE, ADOPTED UNDER
13 STATE PUBLIC SAFETY ARTICLE § 6-206 AND CONTAINED IN COMAR 29.06.01. THE STATE FIRE
14 CODE IS ENFORCED BY THE STATE FIRE MARSHALL OR AUTHORIZED FIRE OFFICIAL. }

15 **1001.2 MINIMUM REQUIREMENTS.** *{AS IN IBC}*

16 **1001.3 MAINTENANCE.** *{AS IN IBC}*

17 **SECTIONS 1002 TO 1008** *{AS IN IBC}*

18 **SECTION 1009 STAIRWAYS**

19 **1009.1 STAIRWAY WIDTH.** *{AS IN IBC}*

20 **1009.2 HEADROOM.** *{AS IN IBC}*

21 **1009.3 STAIR TREADS AND RISERS.** *{AS IN IBC}*

22 **EXCEPTIONS:**

23 1 - 3. *{AS IN IBC}*

24 4. **{PER MBPS MODIFICATIONS}** IN OCCUPANCIES IN GROUP R-3, AS APPLICABLE IN § 101.2,
25 IN DWELLING UNITS IN OCCUPANCIES IN GROUP R-2, AS APPLICABLE IN § 101.2, AND IN
26 OCCUPANCIES IN GROUP U THAT ARE ACCESSORY TO AN OCCUPANCY IN GROUP R-3, AS
27 APPLICABLE IN § 101.2:

28 A. THE MAXIMUM RISER HEIGHT IS 8¼ INCHES (210 MM),

29 B. THE MINIMUM TREAD DEPTH IS 9 INCHES (229 MM),

30 C. THE MINIMUM WINDER TREAD DEPTH AT THE WALK LINE IS 9 INCHES (229 MM),

31 D. THE MINIMUM WINDER TREAD DEPTH IS 6 INCHES (152 MM), AND

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1 E. A NOSING NOT LESS THAN ¾ INCH (19 MM) BUT NOT MORE THAN 1¼ INCHES
2 (32 MM) MUST BE PROVIDED ON STAIRWAYS WITH SOLID RISERS WHERE THE
3 TREAD DEPTH IS LESS THAN 11 INCHES (279 MM).

4 5. **{PER MBPS MODIFICATIONS}** FOR THE REPLACEMENT OF EXISTING STAIRWAYS, SEE THE
5 MARYLAND BUILDING REHABILITATION CODE, SET FORTH IN COMAR 05.16.

6 **1009.3.1 TO 1009.3.3 {AS IN IBC}**

7 **1009.4 TO 1009.11 {AS IN IBC}**

8 **SECTION 1010 RAMPS {AS IN IBC}**

9 **SECTION 1011 EXIT SIGNS {AS IN IBC}**

10 **SECTION 1012 HANDRAILS**

11 **1012.1 WHERE REQUIRED. {AS IN IBC}**

12 **1012.2 HEIGHT. {AS IN IBC}**

13 **1012.3 HANDRAIL GRASPABILITY. {AS IN IBC}**

14 **EXCEPTION: {PER MBPS MODIFICATIONS}** FOR OCCUPANCIES IN GROUP R-3, AS APPLICABLE IN
15 § 101.2, AND IN DWELLING UNITS IN OCCUPANCIES IN GROUP R-2, AS APPLICABLE IN § 101.2, THE
16 GRIP PORTION OF HANDRAILS MUST HAVE A CIRCULAR CROSS SECTION OF 1¼ INCHES (32 MM)
17 MINIMUM TO 2.625 INCHES (66.7 MM) MAXIMUM. OTHER SHAPES THAT PROVIDE AN EQUIVALENT
18 GRASPING SURFACE ARE PERMISSIBLE. EDGES MUST HAVE A MINIMUM RADIUS OF 0.125 INCH
19 (3.2 MM).

20 **1012.5 TO 1012.8 {AS IN IBC}**

21 **SECTION 1013 GUARDS**

22 **1013.1 WHERE REQUIRED. {AS IN IBC}**

23 **1013.2 HEIGHT. {AS IN IBC}**

24 **1013.3 OPENING LIMITATIONS – GENERAL.** OPEN GUARDS MUST HAVE BALUSTERS OR ORNAMENTAL
25 PATTERNS SO THAT:

- 26 1. TO A HEIGHT OF 34 INCHES (864 MM) ABOVE THE ADJACENT WALKING SURFACES, A SPHERE
27 4 INCHES (102 MM) IN DIAMETER CANNOT PASS THROUGH ANY OPENING, AND
- 28 2. FROM A HEIGHT OF 34 INCHES (864 MM) TO 42 INCHES (1067 MM) ABOVE THE ADJACENT
29 WALKING SURFACES, A SPHERE 8 INCHES (203 MM) IN DIAMETER CANNOT PASS THROUGH ANY
30 OPENING.

31 **1013.3.1 OPENING LIMITATIONS – RESIDENTIAL OCCUPANCIES.** FOR OCCUPANCIES IN USE
32 GROUP R, REQUIRED GUARDS MAY NOT BE CONSTRUCTED WITH HORIZONTAL RAILS OR ANY
33 ORNAMENTAL PATTERN THAT RESULTS IN A LADDER EFFECT.

34 **EXCEPTIONS: {AS IN IBC}**

35 **1013.4 TO 1013.6 {AS IN IBC}**

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1 **SECTIONS 1014 TO 1026** *{AS IN IBC}*

2 **CHAPTER 11. ACCESSIBILITY**
3 *{NOT ADOPTED}*

4 **{MBPS MODIFICATION: CHAPTER 11 OF THE IBC, RELATING TO ACCESSIBILITY REQUIREMENTS, IS**
5 **REPLACED WITH THE MARYLAND ACCESSIBILITY CODE, CODIFIED IN COMAR 05.02.02.}**

6 **CHAPTER 12. INTERIOR ENVIRONMENT**

7 **SECTIONS 1201 TO 1204** *{AS IN IBC}*

8 **SECTION 1205 LIGHTING** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*
9 *OTHERWISE, AS IN IBC.}*

10 **SECTION 1206 YARDS OR COURTS** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*
11 *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IBC.}*

12 **SECTIONS 1207 TO 1210** *{AS IN IBC}*

13 **CHAPTER 13. ENERGY EFFICIENCY**

14 **SECTION 1301 GENERAL**

15 **1301.1 SCOPE.** *{AS IN IBC, SUBJECT TO THE FOLLOWING NOTE}*

16 **{MBPS MODIFICATIONS - NOTE TO § 1301.1: THE REQUIREMENTS CONCERNING ENERGY**
17 **CONSERVATION FOR BUILDINGS AND STRUCTURES ARE GOVERNED BY THE ENERGY CONSERVATION**
18 **BUILDING STANDARDS ACT, CONTAINED IN THE STATE PUBLIC UTILITY COMPANIES ARTICLE,**
19 **TITLE 7, SUBTITLE 4. IN THE EVENT OF A CONFLICT BETWEEN THE ENERGY CONSERVATION**
20 **BUILDING STANDARDS ACT AND THE IBC, THE REQUIREMENTS OF THE ENERGY CONSERVATION**
21 **BUILDING STANDARDS ACT PREVAIL.}**

22 **CHAPTER 14. EXTERIOR WALLS**

23 **SECTIONS 1401 TO 1404** *{AS IN IBC}*

24 **SECTION 1405 INSTALLATION OF WALL COVERINGS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR*
25 *“ICC ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

26 **SECTIONS 1406 TO 1407** *{AS IN IBC}*

27 **CHAPTER 15. ROOF ASSEMBLIES AND ROOFTOP STRUCTURES**

28 **SECTION 1501 GENERAL** *{AS IN IBC}*

29 **SECTION 1502 DEFINITIONS** *{AS IN IBC}*

30 **SECTION 1503 WEATHER PROTECTION**

31 **1503.1 TO 1503.3** *{AS IN IBC}*

32 **1503.4 ROOF DRAINAGE.** THE DESIGN AND INSTALLATION OF ROOF DRAINAGE SYSTEMS MUST COMPLY
33 WITH THE NATIONAL STANDARD PLUMBING CODE.

34 **1503.4.1 GUTTERS.** *{AS IN IBC}*

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1 **1503.4.2 GENERAL DISCHARGE REQUIREMENTS.** GUTTERS, DOWNSPOUTS, AND LEADERS MUST BE
2 PROVIDED ON ALL BUILDINGS TO PROPERLY COLLECT, CONDUCT, AND DISCHARGE THE WATER FROM
3 THEIR ROOFS INTO A STORM DRAIN OR INTO THE DRIVEWAY OF AN ALLEY, STREET, OR OTHER PUBLIC
4 WAY. NO WATER FROM ANY BUILDING MAY BE DISCHARGED SO AS TO RUN OR FLOW OVER ANY
5 SIDEWALK, FOOTWAY, OR ANY ADJOINING PROPERTY, EXCEPT FROM WINDOW SILLS, COPINGS, OR
6 CORNICES THAT PROJECT NO MORE THAN 1 FOOT (305 MM).

7 **1503.4.3 EXCEPTIONS.** SECTION 1503.4.2 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 **1503.4.4 METHODS.** DRAINAGE MUST BE CONVEYED IN 1 OF THE FOLLOWING METHODS.

13 **1503.4.4.1 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,
15 CONNECTIONS TO STORM DRAINS, ETC., MUST BE MADE IN ACCORDANCE WITH THE PLUMBING
16 REGULATIONS OF CHAPTER 29 OF THIS CODE. ANY CONTINUOUS DISCHARGE OF DRAINAGE
17 WATER INTO THE PUBLIC RIGHT-OF-WAY OF SUCH A VOLUME AND FREQUENCY AS TO CAUSE
18 PONDING OR ICING IS PROHIBITED AND MUST BE CONVEYED TO THE NEAREST PUBLIC STORM
19 WATER DRAIN OR INLET THROUGH UNDERGROUND PIPING.

20 **1503.4.4.2 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
22 LONG AS THE DISCHARGE IS IN SUCH A MANNER AS NOT TO ALLOW DRAINAGE TO CROSS
23 ADJACENT PROPERTY LINES OR SIDEWALKS.

24 **1503.4.5 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
27 STORIES OR 50 FEET (15.24 M) HIGH, ITS LEADER AND DOWNSPOUTS MUST BE INSIDE THE BUILDING'S
28 EXTERIOR WALLS.

29 **1503.4.6 RELIEF SCUPPERS.** ROOFS WITH INTERIOR ROOF DRAINS AND ENCLOSED BY PARAPET
30 WALLS THAT WILL IMPOUND WATER MUST BE PROVIDED WITH RELIEF SCUPPERS PLACED IN THE
31 PARAPET WALL NOT MORE THAN 6 INCHES (152 MM) ABOVE THE ROOF LEVEL. THE OPENINGS OF
32 THESE RELIEF SCUPPERS MUST BE AT LEAST 6 INCHES (152 MM) IN DIAMETER. EACH 6-INCH
33 (152-MM) DIAMETER RELIEF SCUPPER OPENING MAY ONLY SERVE A ROOF AREA OF NOT MORE THAN
34 1,000 SQUARE FEET (92.9 SQUARE METERS).

35 **1503.4.6.1 INTERNAL RELIEF DRAINS.** INTERNAL RELIEF DRAINS MAY BE USED INSTEAD OF
36 RELIEF SCUPPERS. INTERNAL RELIEF DRAINS MUST BE INDEPENDENT OF THE REQUIRED ROOF
37 DRAINS.

38 **SECTIONS 1504 TO 1508 {AS IN IBC}**

39 **SECTION 1509 ROOFTOP STRUCTURES**

40 **1509.1 TO 1509.5 {AS IN IBC}**

41 **1509.6 ROOFTOP DECKS.** ROOFTOP DECKS MUST COMPLY WITH THIS § 1509.6 AND WITH CHAPTER
42 16 OF THIS CODE.

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1 **1509.6.1 MATERIALS.** ROOFTOP DECKS MUST BE CONSTRUCTED WITH APPROVED MATERIALS IN
2 ACCORDANCE WITH CHAPTERS 19 THROUGH 26 OF THIS CODE.

3 **1509.6.2 NOTICE TO ADJOURNING OWNERS.** IF A ROOFTOP DECK IS TO BE SUPPORTED BY PARTY
4 WALLS:

- 5 1. THE OWNERS OF THE ADJOINING PROPERTIES MUST BE NOTIFIED IN WRITING, AND
- 6 2. EVIDENCE OF THIS NOTICE MUST BE SUBMITTED WITH THE CONSTRUCTION DOCUMENTS.

7 **1509.6.3 CONSTRUCTION DOCUMENTS.** CONSTRUCTION DOCUMENTS FOR ALL ROOFTOP DECKS
8 MUST:

- 9 1. INCLUDE DIMENSIONAL SETBACKS, AND
- 10 2. BE SIGNED AND SEALED BY A PROFESSIONAL ARCHITECT OR ENGINEER LICENSED IN
11 MARYLAND.

12 **1509.6.4 CLEARANCES.** ALL ROOFTOP DECKS MUST MAINTAIN ALL CLEARANCES OTHERWISE
13 REQUIRED BY THIS CODE, INCLUDING CHAPTER 8 OF THE INTERNATIONAL MECHANICAL CODE AND
14 § 230-24(E) OF THE NATIONAL ELECTRICAL CODE.

15 **1509.6.5 HEIGHT.** NO ROOFTOP DECK MAY BE RAISED MORE THAN 2 FEET (0.61 M) ABOVE THE
16 PLANE THAT IS MIDWAY BETWEEN THE LOWEST AND THE HIGHEST POINTS OF THE ROOF SURFACE
17 SUPPORTING THE ROOFTOP DECK.

18 **1509.6.6 SETBACKS.** A ROOFTOP DECK MUST COMPLY WITH:

- 19 1. THE MINIMUM SETBACKS SPECIFIED IN § 1509.6.6.1, AND
- 20 2. ANY GREATER OR ADDITIONAL SETBACK REQUIREMENTS ESTABLISHED BY OR UNDER THE
21 BALTIMORE CITY ZONING CODE AND ANY APPLICABLE URBAN RENEWAL PLAN.

22 **1509.6.6.1 MINIMUM SETBACKS.** A ROOFTOP DECK MUST COMPLY WITH THE FOLLOWING
23 MINIMUM SETBACKS:

24 *FRONT*

25 FLAT ROOF – 8 FEET (2.44 M) FROM FACE OF BUILDING
26 WALL

27 GABLED ROOF – 6 FEET (1.83 M) BEHIND RIDGE LINE

28 MANSARD ROOF (STEEPLY PITCHED
29 FRONT SLOPE FOLLOWED BY FLAT ROOF) – 6 FEET (1.83 M) BEHIND RIDGE LINE

30 *SIDES AND REAR*

31 NONE

32 **SECTION 1510 REROOFING {AS IN IBC}**

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CHAPTER 16. STRUCTURAL DESIGN

SECTIONS 1601 TO 1606 *{AS IN IBC}*

SECTION 1607 LIVE LOADS

1607.1 TO 1607.10 *{AS IN IBC}*

1607.11 ROOF LOADS. *{AS IN IBC}*

1607.11.1 DISTRIBUTION OF ROOF LOADS. *{AS IN IBC}*

1607.11.2 MINIMUM ROOF LIVE LOADS. *{AS IN IBC}*

1607.11.2.1 FLAT, PITCHED, AND CURVED ROOFS. ORDINARY FLAT, PITCHED, AND CURVED ROOFS MUST BE DESIGNED FOR THE FOLLOWING MINIMUM LIVE LOADS:

ROOF SLOPE	LIVE LOAD (POUNDS/SQUARE FOOT OF HORIZONTAL PROJECTION)
FLAT: FLAT OR RISE LESS THAN 4 INCHES	30
PITCHED: RISE 4 INCHES (102 MM) PER FOOT TO LESS THAN 12 INCHES (305 MM) PER FOOT	20
RISE 12 INCHES (305 MM) PER FOOT AND GREATER	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

1607.11.2.2 TO 1607.11.2.5 *{AS IN IBC}*

1607.12 CRANE LOADS. *{AS IN IBC}*

1607.13 INTERIOR WALLS AND PARTITIONS. *{AS IN IBC}*

SECTIONS 1608 TO 1613 *{AS IN IBC}*

CHAPTER 17. STRUCTURAL TESTS AND SPECIAL INSPECTION
{AS IN IBC}

CHAPTER 18. SOILS AND FOUNDATIONS

SECTION 1801 GENERAL *{AS IN IBC}*

SECTION 1802 FOUNDATION AND SOILS INVESTIGATIONS *{AS IN IBC}*

SECTION 1803 EXCAVATION, GRADING, AND FILL

1803.1 EXCAVATION NEAR FOOTINGS OR FOUNDATIONS. *{AS IN IBC}*

1803.1.1 UNDERPINNING FOUNDATION WALLS. ANY PERMIT APPLICATION FOR UNDERPINNING FOUNDATION WALLS MUST INCLUDE THE FOLLOWING:

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- 1 1. STRUCTURAL DRAWINGS THAT:
 - 2 A. INDICATE THE EXACT SEQUENCE OF OPERATION, AND
 - 3 B. ARE SIGNED AND SEALED BY AN ARCHITECT OR ENGINEER LICENSED TO PRACTICE IN
 - 4 THIS STATE,
 - 5 2. A STATEMENT OF RESPONSIBILITY FROM THE ARCHITECT OR ENGINEER OF RECORD THAT THE
 - 6 ARCHITECT OR ENGINEER AGREES:
 - 7 A. TO ENSURE THAT THE WORK WILL CONFORM TO THE STRUCTURAL DRAWINGS AND
 - 8 ALL APPLICABLE CODES,
 - 9 B. TO PERIODICALLY INSPECT THE WORK, AND
 - 10 C. WITHIN 10 DAYS AFTER THE WORK IS COMPLETED, TO SUBMIT A CERTIFICATION OF
 - 11 COMPLETION, AND
 - 12 3. IF THE UNDERPINNING IS TO BE DONE ON A PARTY WALL, WRITTEN, NOTARIZED PERMISSION
 - 13 TO DO THE WORK FROM THE ADJOINING PROPERTY OWNER.

14 **1803.2 TO 1803.6 {AS IN IBC}**

15 **SECTION 1804 ALLOWABLE LOAD-BEARING VALUES OF SOILS {AS IN IBC}**

16 **SECTION 1805 FOOTINGS AND FOUNDATIONS**

17 **1805.1 GENERAL. {AS IN IBC}**

18 **1805.2 DEPTH OF FOOTINGS. {AS IN IBC}**

19 **1805.2.1 FROST PROTECTION.** EXCEPT WHERE OTHERWISE PROTECTED FROM FROST, FOUNDATION
20 WALLS, PIERS, AND OTHER PERMANENT SUPPORTS OF BUILDINGS AND STRUCTURES MUST BE
21 PROTECTED BY ONE OR MORE OF THE FOLLOWING METHODS:

- 22 1. EXTENDING 30" BELOW GRADE,
- 23 2. CONSTRUCTING IN ACCORDANCE WITH ASCE 32, OR
- 24 3. ERECTING ON SOLID ROCK.

25 **EXCEPTIONS: {AS IN IBC}**

26 **1805.2.2 ISOLATED FOOTINGS. {AS IN IBC}**

27 **1805.2.3 SHIFTING OR MOVING SOILS. {AS IN IBC}**

28 **1805.3 FOOTINGS ON OR ADJACENT TO SLOPES. {AS IN IBC}**

29 **1805.4 – 1805.9 {AS IN IBC}**

30 **SECTION 1806 RETAINING WALLS**

31 **1806.1 GENERAL. {AS IN IBC}**

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1 **1806.2 RETAINING FOUNDATION WALLS.** ANY PERMIT APPLICATION FOR RETAINING FOUNDATION
2 WALLS MUST INCLUDE THE FOLLOWING:

- 3 1. STRUCTURAL DRAWINGS THAT:
 - 4 A. INDICATE THE EXACT SEQUENCE OF OPERATION, AND
 - 5 B. ARE SIGNED AND SEALED BY AN ARCHITECT OR ENGINEER LICENSED TO PRACTICE IN
6 THIS STATE,
- 7 2. A STATEMENT OF RESPONSIBILITY FROM THE ARCHITECT OR ENGINEER OF RECORD THAT THE
8 ARCHITECT OR ENGINEER AGREES:
 - 9 A. TO ENSURE THAT THE WORK WILL CONFORM TO THE STRUCTURAL DRAWINGS AND ALL
10 APPLICABLE CODES,
 - 11 B. TO PERIODICALLY INSPECT THE WORK, AND
 - 12 C. WITHIN 10 DAYS AFTER THE WORK IS COMPLETED, TO SUBMIT A CERTIFICATION OF
13 COMPLETION, AND
- 14 3. IF THE RETAINING FOUNDATION WALL IS TO BE INSTALLED CLOSE TO A PARTY WALL, EVIDENCE
15 THAT NOTICE OF THE PROPOSED WORK WAS SENT TO THE ADJOINING PROPERTY OWNER BY
16 REGISTERED MAIL.

17 **SECTION 1807 DAMPPROOFING AND WATERPROOFING**

18 **1807.1 TO 1807.3** *{AS IN IBC}*

19 **1807.4 SUBSOIL DRAINAGE SYSTEM.** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*
20 *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IBC.}*

21 **SECTIONS 1808 TO 1812** *{AS IN IBC}*

22 **CHAPTER 19. CONCRETE**
23 *{AS IN IBC}*

24 **CHAPTER 20. ALUMINUM**
25 *{AS IN IBC}*

26 **CHAPTER 21. MASONRY**

27 **SECTIONS 2101 TO 2112** *{AS IN IBC}*

28 **SECTION 2113 MASONRY CHIMNEYS** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL*
29 *FUEL GAS CODE”. OTHERWISE, AS IN IBC.}*

30 **CHAPTER 22. STEEL**
31 *{AS IN IBC}*

32 **CHAPTER 23. WOOD**
33 *{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 AND PLASTER
{As in IBC}

CHAPTER 26. PLASTIC

SECTIONS 2601 TO 2608 *{As in IBC}*

SECTION 2609 LIGHT-TRANSMITTING PLASTIC ROOF PANELS

2609.1 GENERAL. *{As in IBC}*

2609.2 SEPARATION. *{As in IBC}*

2609.3 LOCATION. WHERE § 704.8 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 § 704.8 OF THIS CODE REQUIRES EXTERIOR WALL OPENINGS TO BE PROTECTED, A SKYLIGHT MAY NOT BE INSTALLED WITHIN 4 FEET (1219 MM) OF THE EXTERIOR WALL.

2610.8 COMBINATIONS, ETC. *{As in IBC}*

SECTION 2611 LIGHT-TRANSMITTING PLASTIC INTERIOR SIGNS *{As in IBC}*

CHAPTER 27. ELECTRICAL

{MBPS MODIFICATION — THE SUBJECT MATTER OF THIS CHAPTER IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.... **}**

SECTION 2701 GENERAL

2701.1 SCOPE. THIS CHAPTER GOVERNS THE ELECTRICAL COMPONENTS, EQUIPMENT, AND SYSTEMS USED IN STRUCTURES COVERED BY THIS CODE. ELECTRICAL COMPONENTS, EQUIPMENT, AND SYSTEMS MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (“NEC”).

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1 **2701.2 ELECTRIC EQUIPMENT STANDARDS.** ONLY ELECTRICAL MATERIALS, APPLIANCES, OR
2 EQUIPMENT APPROVED BY THE BUILDING OFFICIAL MAY BE INSTALLED. THE BUILDING OFFICIAL MUST
3 APPROVE ALL MATERIALS, APPLIANCES, AND EQUIPMENT THAT ARE LISTED AND LABELED BY THE
4 UNDERWRITERS' LABORATORIES, INCORPORATED, OR BY ANY OTHER INDEPENDENT TESTING
5 ORGANIZATION THAT THE BUILDING OFFICIAL APPROVES, EXCEPT FOR ANY MATERIALS, APPLIANCES, OR
6 EQUIPMENT THAT OTHER PROVISIONS OF THIS CODE PRECLUDE FROM BEING INSTALLED. IN
7 INVESTIGATING NEW MATERIALS, APPLIANCES, AND EQUIPMENT, THE BUILDING OFFICIAL MUST
8 CONSIDER THE FACTORS LISTED IN NEC § 110-3.

9 SECTION 2702 EMERGENCY AND STANDBY POWER SYSTEMS

10 **2702.1 INSTALLATION.** EMERGENCY AND STANDBY POWER SYSTEMS MUST BE INSTALLED IN
11 ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE.

12 **2702.1.1 STATIONARY GENERATORS.** *{AS IN IBC}*

13 **2702.2 WHERE REQUIRED.** *{AS IN IBC}*

14 **2702.3 MAINTENANCE.** *{AS IN IBC}*

15 SECTION 2703 PERMIT AND CERTIFICATE OF INSPECTION

16 **2703.1 APPLICATIONS.** THE APPLICATION FOR AN ELECTRICAL PERMIT MUST BEAR THE NAME AND
17 ADDRESS OF THE LICENSED ELECTRICIAN RESPONSIBLE FOR ALL WORK TO BE DONE UNDER THE PERMIT.

18 **2703.2 PERMITS FOR MAINTENANCE WORK.** ANY PERSON WHO EMPLOYS 1 OR MORE LICENSED
19 MAINTENANCE ELECTRICIANS OR LICENSED MASTER ELECTRICIANS FOR MAINTENANCE OF APPROVED
20 INSTALLATIONS IN OR ON A STRUCTURE OR PREMISES OWNED OR OPERATED BY THE PERSON MUST:

- 21 1. OBTAIN INDIVIDUAL PERMITS FOR THE MAINTENANCE WORK, OR
- 22 2. APPLY FOR AND OBTAIN A SEMIANNUAL PERMIT FOR ALL MAINTENANCE WORK TO BE
23 PERFORMED BY THESE LICENSED ELECTRICIANS.

24 **2703.3 SEMIANNUAL RECORDS.** THE PERSON TO WHOM A SEMIANNUAL PERMIT IS ISSUED MUST KEEP A
25 DETAILED RECORD OF ALL MAINTENANCE WORK DONE UNDER THE PERMIT. THESE RECORDS MUST BE:

- 26 1. AVAILABLE AT ALL TIMES FOR INSPECTION BY THE BUILDING OFFICIAL, OR
- 27 2. IF THE BUILDING OFFICIAL SO SPECIFIES, FILED WITH THE BUILDING OFFICIAL.

28 **2703.4 CERTIFICATES.** AN ELECTRICAL CERTIFICATE IS REQUIRED BEFORE ELECTRIC SERVICE MAY BE
29 ENERGIZED IN ANY STRUCTURE. ON REQUEST AND PAYMENT OF THE REQUIRED FEE, THE BUILDING
30 OFFICIAL WILL ISSUE AN ELECTRICAL CERTIFICATE TO THE OWNER OF ANY ELECTRICAL INSTALLATION
31 THAT CONFORMS TO THE REQUIREMENTS OF THIS CODE.

32 SECTION 2704 INSPECTIONS

33 **2704.1 PERIODIC INSPECTIONS FOR PLACES OF ASSEMBLY.** IN ANY PLACE OF PUBLIC ASSEMBLY FOR
34 WHICH AN INSPECTION REGISTRATION PERMIT IS REQUIRED, THE BUILDING OFFICIAL MUST MAKE
35 PERIODIC INSPECTIONS OF THE ELECTRIC WIRING, APPLIANCES, AND EQUIPMENT.

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1 SECTION 2705 UNSAFE EXISTING INSTALLATIONS

2 **2705.1 CONFORMANCE REQUIRED.** ANY EXISTING ELECTRICAL EQUIPMENT, APPLIANCE, WIRING, OR
3 OTHER ELECTRICAL WORK IN SERVICE THAT DOES NOT COMPLY WITH THIS CODE AND CREATES A
4 MENACE TO LIFE OR PROPERTY MUST, AS DIRECTED IN WRITING BY THE BUILDING OFFICIAL:

- 5 1. BE MADE TO CONFORM TO THE REQUIREMENTS OF THIS CODE, OR
- 6 2. BE PUT OUT OF SERVICE AND EITHER SEALED OR REMOVED.

7 CHAPTER 28. MECHANICAL SYSTEMS

8 {**MBPS MODIFICATION** — THE SUBJECT MATTER OF THIS CHAPTER IS NOT WITHIN THE SCOPE OF THE
9 MARYLAND BUILDING PERFORMANCE STANDARDS.... }

10 SECTION 2801 GENERAL

11 **2801.1 SCOPE – GENERAL.** MECHANICAL APPLIANCES, EQUIPMENT, AND SYSTEMS MUST BE
12 CONSTRUCTED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH:

- 13 1. THE INTERNATIONAL MECHANICAL CODE (2006 EDITION), AS MODIFIED BY PART V OF THIS
14 CODE, AND
- 15 2. THE NATIONAL FUEL GAS CODE (2006 EDITION), AS MODIFIED BY PART IV OF THIS CODE.

16 **2801.2 SCOPE – CHIMNEYS, FIREPLACES, BARBECUES.** MASONRY CHIMNEYS, FIREPLACES, AND
17 BARBECUES MUST COMPLY WITH:

- 18 1. CHAPTER 21 OF THIS CODE, AND
- 19 2. THE INTERNATIONAL MECHANICAL CODE, AS MODIFIED BY PART V OF THIS CODE.

20 CHAPTER 29. PLUMBING SYSTEMS

21 {**MBPS MODIFICATION** — THE SUBJECT MATTER OF THIS CHAPTER IS NOT WITHIN THE SCOPE OF THE
22 MARYLAND BUILDING PERFORMANCE STANDARDS.... }

23 SECTION 2901 GENERAL

24 **2901.1 SCOPE.** THE ERECTION, INSTALLATION, ALTERATION, REPAIRS, RELOCATION, REPLACEMENT,
25 USE, OR MAINTENANCE OF OR ADDITION TO PLUMBING EQUIPMENT AND SYSTEMS ARE GOVERNED BY:

- 26 1. THIS CHAPTER, AND
- 27 2. SUBJECT TO THE MODIFICATIONS SPECIFIED IN PART VI OF THIS CODE, THE NATIONAL
28 STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT) (THE “NSPC”).

29 PRIVATE SEWAGE DISPOSAL SYSTEMS MUST CONFORM TO COMAR 26.04.02.

30 **2901.1.1 “PLUMBING REGULATIONS”.** TOGETHER, THIS CHAPTER 29 AND THE NSPC ARE
31 REFERRED TO IN THIS CODE AS “PLUMBING REGULATIONS”.

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1 **SECTION 2902 PERMITS**

2 **2902.1 PERMIT REQUIRED.** UNLESS SPECIFICALLY EXCEPTED BY THESE PLUMBING REGULATIONS, NO
3 PLUMBING WORK MAY BE UNDERTAKEN BEFORE THE BUILDING OFFICIAL HAS ISSUED A PERMIT FOR
4 THAT WORK.

5 **2902.2 TO WHOM ISSUED.** A PERMIT MAY BE ISSUED ONLY:

- 6 1. TO A MASTER PLUMBER LICENSED TO DO BUSINESS IN THE CITY,
- 7 2. TO A MASTER GAS FITTER LICENSED TO DO BUSINESS IN THE CITY, OR
- 8 3. FOR ON-SITE UTILITY FACILITIES, TO AN ON-SITE UTILITY CONTRACTOR LICENSED TO DO
9 BUSINESS IN THE CITY.

10 **2902.3 INSURANCE.** THE BUILDING OFFICIAL MAY NOT ISSUE A PERMIT TO ANY MASTER PLUMBER
11 UNLESS THE MASTER PLUMBER HAS PROVIDED THE BUILDING OFFICIAL WITH CERTIFICATION OF
12 INSURANCE, AS REQUIRED BY STATE LAW.

13 **2902.4 EMERGENCY WORK.** WHEN EMERGENCY WORK NEEDS TO BE DONE TO RECTIFY A POSSIBLE
14 HEALTH HAZARD OR OTHER HAZARDOUS CONDITION, THE WORK MAY BE UNDERTAKEN, EVEN BEFORE A
15 PERMIT IS ISSUED, BY:

- 16 1. A MASTER PLUMBER, OR
- 17 2. WITHIN THE SCOPE OF HIS OR HER LICENSE:
 - 18 A. AN ON-SITE UTILITY CONTRACTOR, OR
 - 19 B. A GAS FITTER.

20 **2902.4.1 NOTICE AND SUBSEQUENT PERMIT.** A MASTER PLUMBER, CONTRACTOR, OR GAS FITTER
21 WHO PERFORMS EMERGENCY WORK UNDER THIS SECTION MUST:

- 22 1. PROMPTLY NOTIFY THE PROPER CITY AUTHORITIES OF THE EMERGENCY, AND
- 23 2. WITHIN A REASONABLE TIME, OBTAIN A PERMIT FOR THE WORK.

24 **SECTION 2903 {RESERVED}**

25 **SECTION 2904 LICENSING REQUIREMENTS**

26 **2904.1 LICENSES AND SUPERVISION REQUIRED.** EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,
27 NO PERSON MAY PROVIDE PLUMBING SERVICES OR OTHERWISE ENGAGE IN ANY PLUMBING WORK
28 UNLESS:

- 29 1. THE PERSON IS LICENSED TO DO SO IN ACCORDANCE WITH STATE LAW, AND
- 30 2. THE SERVICES AND WORK ARE DONE BY OR UNDER THE DIRECT SUPERVISION OF AN INSURED,
31 LICENSED MASTER PLUMBER.

32 **2904.1.1 ON-SITE UTILITIES WORK.** ON-SITE UTILITY WORK, AS DEFINED IN CITY CODE ARTICLE
33 13, § 18-1, MAY BE DONE BY OR UNDER THE DIRECT SUPERVISION OF AN ON-SITE UTILITY
34 CONTRACTOR LICENSED BY THE CITY.

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1 **2904.1.2 GAS-FITTING WORK.** A LICENSED GAS FITTER MAY PERFORM ANY GAS-FITTING WORK
2 THAT FALLS WITHIN THE SCOPE OF HIS OR HER LICENSE.

3 **2904.2 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
5 FOR MATERIALS FURNISHED OR WORK DONE UNDER THIS CODE DOES NOT EXTEND TO DEFECTS IN
6 MATERIALS OR WORKMANSHIP DISCOVERED MORE THAN 1 YEAR AFTER COMPLETION OF THE WORK.

7 **2904.2.1 PLUMBER’S, ETC., RESPONSIBILITY FOR CERTAIN DEFECTS.** THE SURETY AND THE
8 MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR ARE RESPONSIBLE TO THE CITY TO CORRECT
9 ALL DEFECTS THAT ARE DISCOVERED DURING THE 1-YEAR PERIOD AFTER COMPLETION OF THE WORK
10 AND ABOUT WHICH THEY WERE PROMPTLY NOTIFIED IN WRITING.

11 **2904.2.2 OWNER REMAINS RESPONSIBLE.** NOTWITHSTANDING THE LIMITED LIABILITIES OF THE
12 SURETY AND THE MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR, THE OWNER OF THE
13 PROPERTY IS RESPONSIBLE AT ALL TIMES TO THE CITY TO CORRECT ANY DEFECTS IN THE PLUMBING
14 INSTALLATIONS IN OR ON HIS OR HER PROPERTY.

15 **2904.3 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
17 FOR OBTAINING PERMITS OR FOR DOING BUSINESS OR WORK UNDER HIS OR HER LICENSE.

18 **CHAPTER 30. ELEVATORS AND CONVEYING SYSTEMS** 19 *{AS IN IBC}*

20 {**MBPS MODIFICATION** – NOTE TO CHAPTER 30: THE PROVISIONS OF CHAPTER 30 OF THE IBC RELATE TO
21 ELEVATORS AND CONVEYING SYSTEMS AND ARE IN ADDITION TO AND NOT INSTEAD OF THE REQUIREMENTS
22 CONTAINED IN STATE PUBLIC SAFETY ARTICLE, TITLE 12, SUBTITLE 8. IN THE EVENT OF A CONFLICT
23 BETWEEN THE MARYLAND CODE AND THE IBC, THE MARYLAND CODE PREVAILS. }

24 **CHAPTER 31. SPECIAL CONSTRUCTION**

25 **SECTIONS 3101 TO 3104** *{AS IN IBC}*

26 **SECTION 3105 AWNINGS AND CANOPIES**

27 **3105.1 GENERAL.** AWNINGS AND CANOPIES MUST COMPLY WITH THE REQUIREMENTS OF:

- 28 1. THIS SECTION,
- 29 2. OTHER APPLICABLE SECTIONS OF THIS CODE, AND
- 30 3. THE LAWS AND REGULATIONS GOVERNING MINOR PRIVILEGE PERMITS.

31 **3105.2 DESIGN AND CONSTRUCTION.** *{AS IN IBC}*

32 **3105.3 CANOPY MATERIALS.** *{AS IN IBC}*

33 **SECTION 3106 MARQUEES** *{AS IN IBC}*

34 **SECTION 3107 SIGNS** *{AS IN IBC}*

35 **SECTION 3108 RADIO AND TELEVISION TOWERS**

36 **3108.1 TO 3108.5** *{AS IN IBC}*

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1 **3108.6 AIRCRAFT WARNING LIGHTS.** RADIO AND TELEVISION TOWERS MUST BE EQUIPPED WITH
2 AIRCRAFT WARNING LIGHTS THAT COMPLY WITH FEDERAL AVIATION ADMINISTRATION REQUIREMENTS.

3 **SECTION 3109 SWIMMING POOLS**

4 **3109.1 GENERAL.** SWIMMING POOLS MUST COMPLY WITH THE REQUIREMENTS OF:

- 5 1. THIS SECTION,
- 6 2. OTHER APPLICABLE SECTIONS OF THIS CODE,
- 7 3. ALL REGULATIONS OF THE BALTIMORE CITY HEALTH DEPARTMENT, AND
- 8 4. ALL LOCATION AND OTHER APPLICABLE PROVISIONS OF THE BALTIMORE CITY ZONING CODE.

9 **3109.2 TO 3109.8 {As in IBC}**

10 **SECTION 3110 PARKING LOTS, DRIVEWAYS, AND OTHER PAVED SURFACES**

11 **3110.1 DRIVEWAY ENTRANCES.** ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY
12 MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF
13 PUBLIC WORKS.

14 **3110.2 SURFACE PAVING.** PARKING LOTS, PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE
15 PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. THE PAVING MUST BE ABLE TO
16 SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

17 **3110.2.1 GRASS PAVING BLOCKS.** PAVING BLOCKS DESIGNED TO SUPPORT VEHICULAR TRAFFIC
18 WHILE ALLOWING GRASS TO GROW THROUGH MAY ONLY BE USED FOR OVERFLOW PARKING IN
19 EXCESS OF THE MINIMUM PARKING SPACES REQUIRED BY THE ZONING CODE.

20 **3110.3 PARKING SPACES.** THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING SPACES MUST COMPLY
21 WITH:

- 22 1. THE ZONING CODE,
- 23 2. THE MARYLAND STATE ACCESSABILITY CODE, AND
- 24 3. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

25 **3110.4 CURBS OR BUMPERS.** CURBS OR BUMPERS MUST BE INSTALLED FOR ALL PARKING SPACES.
26 EACH CURB OR BUMPER MUST BE:

- 27 1. MADE OF CONCRETE, WOOD, OR AN APPROVED METAL WHEEL STOP,
- 28 2. AT LEAST 6 INCHES (152 MM) HIGH AND 8 INCHES (203 MM) WIDE,
- 29 3. SECURELY FIXED IN PLACE, AND
- 30 4. LOCATED:
 - 31 A. AT LEAST 4 FEET (1.22 M) FROM THE PARKING LOT PERIMETER, OR
 - 32 B. FOR PARKING SPACES THAT ARE PARALLEL TO THE PERIMETER OF THE PARKING LOT, AT
33 LEAST 2 FEET (0.61 M) FROM THE PERIMETER.

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1 **3110.5 SURFACE DRAINAGE.** STORM DRAINAGE OFF PAVED SURFACE AREAS, SUCH AS PARKING LOTS,
2 PLAYGROUNDS, AND PLAZAS, MUST BE PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR
3 OTHER APPROVED WATER COURSES.

4 **3110.5.1 LIMITATIONS.** NO DRAINAGE MAY BE DISCHARGED:

- 5 1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A DRIVEWAY WITH A
6 DEPRESSED CURB, OR
- 7 2. ACROSS ANY ADJOINING PROPERTY.

8 **3110.5.2 METHODS.** DRAINAGE MUST BE PIPED TO A STORM DRAIN, TO THE STREET OR ALLEY, TO A
9 PAVED SWALE, OR TO ANOTHER APPROVED WATER COURSE. THE INSTALLATION OF PIPING,
10 CONNECTIONS TO STORM DRAINS, ETC., MUST BE MADE IN ACCORDANCE WITH THE PLUMBING
11 REGULATIONS OF CHAPTER 29 OF THIS CODE.

12 SECTION 3111 PIERS AND MARINAS

13 **3111.1 GENERAL.** ALL PIERS, MARINAS, AND RELATED STRUCTURES CONSTRUCTED OR DEMOLISHED
14 ALONG THE SHORELINE OF THE CITY MUST COMPLY WITH THE REQUIREMENTS OF THIS § 3111, IN
15 ADDITION TO ALL OTHER APPLICABLE PROVISIONS OF THIS CODE.

16 **3111.2 PLANS AND SPECIFICATIONS.** ALL PROPOSED WORK FOR PIERS AND MARINAS REQUIRES PLANS
17 AND SPECIFICATIONS THAT ILLUSTRATE, DESCRIBE, AND SPECIFY THE PROPOSED WORK IN SUFFICIENT
18 DETAIL AND CLARITY.

19 **3111.3 APPROVALS.** BEFORE A BUILDING PERMIT MAY BE ISSUED FOR THE CONSTRUCTION OR
20 DEMOLITION OF A PIER, MARINA, OR RELATED STRUCTURE, THE WORK MUST BE APPROVED BY:

- 21 1. THE U.S. ARMY CORPS OF ENGINEERS (BALTIMORE DISTRICT),
- 22 2. THE STATE OF MARYLAND,
- 23 3. THE DIVISION OF CONSTRUCTION AND BUILDINGS INSPECTION,
- 24 4. THE BALTIMORE CITY FIRE DEPARTMENT, AND
- 25 5. THE BALTIMORE CITY DEPARTMENT OF PUBLIC WORKS.

26 **3111.4 DESIGN.** ALL SHORELINE AND OFFSHORE FREESTANDING PIERS, WITH OR WITHOUT BUILDINGS,
27 MUST BE DESIGNED IN ACCORDANCE WITH:

- 28 1. THE DESIGN MANUALS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND
- 29 2. THE REQUIREMENTS OF THIS CODE.

30 **3111.5 STRUCTURAL DESIGN FOR PIERS.** MINIMUM LIVE LOAD REQUIREMENTS ARE AS FOLLOWS:

- 31 1. FOR STATIC OR FIXED PIERS OR MARINAS FOR LIGHT DUTY USES, 60 POUNDS PER SQUARE FOOT,
32 AND
- 33 2. FOR HEAVY DUTY LIVE LOADS AND FOR STRUCTURES CONSTRUCTED ON PIERS, AS REQUIRED BY
34 CHAPTER 16 OF THIS CODE.

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1 **3111.6 STRUCTURES ON PIERS.** EVERY STRUCTURE THAT IS CONSTRUCTED ON A PIER, WHARF, DOCK,
2 BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE MUST COMPLY WITH THIS § 3111 AND
3 ALL OTHER APPLICABLE PROVISIONS OF THIS CODE AND OTHER LAW.

4 **SECTION 3112 FENCES**

5 **3112.1 LOCATION.** A FENCE MAY BE BUILT ONLY ON THE PROPERTY OF THE OWNER OF THE FENCE.
6 HOWEVER, IF THE OWNERS OF ADJOINING PROPERTY AGREE TO BUILD A FENCE ON THE PROPERTY LINE
7 BETWEEN THEM, THEY MAY DO SO IF THEY BOTH SUBMIT, WITH THE APPLICATION FOR THE PERMIT, A
8 WRITTEN STATEMENT OF THEIR AGREEMENT.

9 **3112.2 HEIGHT.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3112.2, THE HEIGHT OF A FENCE MAY NOT
10 EXCEED 42 INCHES (1067 MM), MEASURED ON THE HIGH SIDE.

11 **3112.2.1 ENCLOSING DWELLINGS.** FENCES ENCLOSING DWELLINGS MAY BE AS HIGH AS, BUT MAY
12 NOT EXCEED, 6 FEET (1.83 M) IF LOCATED IN SIDE OR REAR YARDS.

13 **3112.2.2 ENCLOSING CERTAIN OTHER BUILDINGS.** FENCES ENCLOSING BUILDINGS USED FOR
14 PUBLIC ASSEMBLY, PRIVATE ASSEMBLY, INSTITUTIONS, OFFICES, COMMERCIAL STORAGE, OR
15 INDUSTRIAL OCCUPANCIES MAY BE AS HIGH AS, BUT MAY NOT EXCEED, 8 FEET (2.44 M).

16 **3112.2.3 SPECIAL PURPOSES.** FOR SPECIAL PURPOSES LIKE PROTECTION AROUND DANGEROUS
17 PLACES, HIGHLY HAZARDOUS OPERATIONS, OR ATHLETIC FIELDS, AND IN SIMILAR CASES WHERE A
18 HIGH FENCE IS NECESSARY FOR THE SAFETY OF THE PUBLIC, FENCES MAY BE HIGHER THAN 8 FEET
19 (2.44 M) TO THE EXTENT SPECIALLY AUTHORIZED BY THE BUILDING OFFICIAL.

20 **3112.3 CONSTRUCTION.** FENCES MAY BE BUILT OF ANY MATERIAL OR CONSTRUCTION THAT IS
21 PERMITTED IN THIS CODE FOR EXPOSED STRUCTURES. HOWEVER, ALL FENCES MUST BE DESIGNED AND
22 CONSTRUCTED, IN ACCORDANCE WITH THE APPLICABLE STRUCTURAL PROVISIONS OF THIS CODE, TO
23 RESIST FROM ANY DIRECTION A HORIZONTAL FORCE OF 20 POUNDS PER SQUARE FOOT, APPLIED NORMAL
24 TO AND OVER EITHER THE GROSS AREA OF THE FENCE OR THE NET AREA OF THE FENCE PLUS 50% OF THE
25 GROSS AREA, WHICHEVER IS LESS.

26 **3112.3.1 WOOD FENCES.** THE POSTS FOR WOOD FENCES MUST BE:

- 27 1. LOCUST, HEART CEDAR, OR ANY OTHER WOOD THAT WILL RESIST DECAY UNDERGROUND,
- 28 2. ANY WOOD THAT HAS BEEN TREATED IN ACCORDANCE WITH THIS CODE, OR
- 29 3. ANY GOOD TIMBER SET IN CONCRETE.

30 **3112.3.2 WIRE FENCES.** WIRE FENCES MUST BE CONSTRUCTED WITH WIRE MESH SUBSTANTIALLY
31 FABRICATED AND CONSTRUCTED SO AS TO RESIST A NOMINAL HORIZONTAL LOAD OF 500 POUNDS
32 WITHOUT DEFLECTING MORE THAN 6 INCHES (152 MM). THE POSTS FOR WIRE FENCES MUST BE
33 METAL POSTS SET IN CONCRETE, PROPERLY DESIGNED MASONRY POSTS, OR WOOD POSTS OF THE
34 TYPE REQUIRED FOR WOOD FENCES.

35 **3112.3.3 METAL FENCES.** METAL FENCES MUST BE OF A SUBSTANTIAL DESIGN AND
36 CONSTRUCTION APPROVED BY THE BUILDING OFFICIAL. THE POSTS FOR METAL FENCES MUST BE
37 CONCRETE, MASONRY, OR METAL SET IN CONCRETE OR MASONRY.

38 **3112.3.4 MASONRY FENCES.** MASONRY FENCES MUST BE OF REINFORCED CONCRETE OR OTHER
39 MASONRY AND MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS
40 GOVERNING REINFORCED CONCRETE OR FREESTANDING MASONRY WALLS. ALL MASONRY FENCES
41 MUST EXTEND AT LEAST 2 FEET (0.61 M) INTO THE GROUND.

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1 **3112.3.5 COMBINATION FENCES.** FENCES THAT CONSIST OF 2 OR MORE KINDS OF MATERIALS MAY
2 BE BUILT AS LONG AS ALL APPLICABLE REQUIREMENTS OF THIS CODE FOR THOSE MATERIALS AND
3 CONSTRUCTION ARE MET. THE TOTAL AGGREGATE HEIGHT OF A COMBINATION FENCE MUST BE USED
4 IN DETERMINING THE HEIGHT LIMITATIONS FOR THAT FENCE.

5 **3112.4 SHARP POINTS, PROJECTIONS, ETC.** NO FENCE MAY HAVE ANY PROJECTING SHARP POINTS,
6 JAGGED EDGES, OR OTHER PROJECTIONS THAT CAN INJURE PERSONS OR ANIMALS COMING IN CONTACT
7 WITH THE FENCE.

8 **3112.4.1 FENCE TOPS.** NO FENCE LESS THAN 3 FEET 6 INCHES (1.07 M) HIGH MAY HAVE ANY SHARP
9 PICKETS OR VERTICAL POINTED OBJECTS AT THE TOP. BARBED WIRE OR OTHER APPROVED
10 RETARDING MATERIAL OR CONSTRUCTION MAY BE PLACED ON THE TOP OF ANY FENCE THAT IS MORE
11 THAN 6 FEET 9 INCHES (2.06 M) HIGH, UNLESS THE BARBED WIRE OR OTHER RETARDING MATERIAL
12 WILL CREATE A HIGHLY HAZARDOUS CONDITION.

13 **3112.4.2 RAZOR WIRE.** RAZOR WIRE MAY NOT BE USED ANYWHERE IN ANY FENCE.

14 **3112.5 MAINTENANCE.** EVERY FENCE MUST BE MAINTAINED IN GOOD REPAIR BY ITS OWNER. THE
15 BUILDING OFFICIAL MAY DETERMINE THE SUFFICIENCY OF ANY FENCE AND THE AMOUNT AND
16 CHARACTER OF REPAIRS REQUIRED TO MAKE IT SAFE.

17 **3112.6 NONCONFORMING FENCES.** ANY EXISTING FENCE THAT WAS COMPLIANT WHEN ERECTED BUT
18 DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS § 3112 IS PERMITTED TO CONTINUE TO EXIST AND
19 BE REPAIRED AT ANY TIME, UNLESS THE FENCE HAS DETERIORATED MORE THAN 50%. ALL
20 NONCONFORMING FENCES THAT HAVE DETERIORATED MORE THAN 50% OR BEYOND REPAIR MUST BE
21 REMOVED OR RECONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CODE.

22 **SECTION 3113 RADIO AND TELEVISION ANTENNAS**

23 **3113.1 AIRCRAFT WARNING LIGHTS.** RADIO AND TELEVISION ANTENNAS LOCATED ON A HIGH RISE
24 BUILDING OR ON A HIGH TERRAIN FEATURE MUST COMPLY WITH FEDERAL AVIATION ADMINISTRATION
25 REQUIREMENTS FOR AIRCRAFT WARNING LIGHTS.

26 **SECTION 3114 LIGHTENING PROTECTION**

27 **3114.1 GENERAL.** LIGHTENING PROTECTION FOR BUILDINGS AND STRUCTURES MUST COMPLY WITH
28 NFIPA 780.

29 **CHAPTER 32. ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY**

30 **SECTION 3201 GENERAL**

31 **3201.1 SCOPE.** *{AS IN IBC}*

32 **3201.2 MEASUREMENT.** *{AS IN IBC}*

33 **3201.3 OTHER LAWS.** THIS CHAPTER DOES NOT PERMIT ANYTHING THAT IS OTHERWISE PROHIBITED OR
34 REGULATED BY ANY LAW GOVERNING THE USE OF PUBLIC PROPERTY.

35 **3201.3.1 PERMISSION NEEDED FOR ENCROACHMENTS.** NO PERSON MAY USE, ENCROACH ON, OR
36 CONNECT TO ANY STREET, HIGHWAY, ALLEY, OR OTHER PUBLIC RIGHT-OF-WAY FOR ANY PURPOSE
37 UNLESS THAT PERSON FIRST OBTAINS PERMISSION TO DO SO BY:

- 38 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 PUBLIC WORKS.

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
6 SOME OTHER WATER COURSE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. DRAINAGE MAY NOT
7 BE 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:

- 12 1. 1/4 OF THE WIDTH OF A PUBLIC SIDEWALK ON WHICH THE STEPS ARE LOCATED,
13 2. 4 FEET (1219 MM) INTO A PUBLIC SIDEWALK, OR
14 3. ANY DISTANCE THAT LEAVES A CLEAR PUBLIC SIDEWALK OF LESS THAN 4 FEET (1219 MM).

15 **3202.2.2 ARCHITECTURAL FEATURES. {As IN IBC}**

16 **3202.2.3 AWNINGS. {As IN IBC}**

17 **3202.3 ENCROACHMENT 8' OR MORE ABOVE GRADE. {As IN IBC}**

18 **3202.4 TEMPORARY ENCROACHMENTS. {As IN IBC}**

19 **3202.5 UNAUTHORIZED ENCROACHMENT.** IN THIS §3202.5, “UNAUTHORIZED ENCROACHMENT”
20 MEANS ANY BUILDING, STRUCTURE, PROJECTION, OBJECT, OR OTHER THING THAT HAS BEEN PLACED,
21 CONSTRUCTED, OR INSTALLED ON OR CONNECTED TO A PUBLIC RIGHT-OF-WAY WITHOUT APPROPRIATE
22 PERMISSION, AS OUTLINED IN § 3201.3.1.

23 **3202.5.1 REMOVAL OF UNAUTHORIZED ENCROACHMENTS.** ON NOTICE FROM THE BUILDING
24 OFFICIAL OR THE DIRECTOR OF PUBLIC WORKS, THE OWNER OF ANY UNAUTHORIZED
25 ENCROACHMENT MUST IMMEDIATELY:

- 26 1. REMOVE THE ENCROACHMENT, OR
27 2. OBTAIN APPROPRIATE PERMISSION FOR ITS CONTINUATION.

28 **CHAPTER 33. SAFEGUARDS DURING CONSTRUCTION**

29 **SECTION 3301 GENERAL**

30 **3301.1 SCOPE. {As IN IBC}**

31 **3301.2 STORAGE AND PLACEMENT. {As IN IBC}**

32 ~~**3301.3 PROHIBITED HOURS.** NO SITE WORK, DEMOLITION, PILE DRIVING, OR CONSTRUCTION IS~~
33 ~~PERMITTED WITHIN 300 FEET (91.44 M) OF ANY DWELLING BETWEEN 7:00 P.M. AND 7:00 A.M.~~

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1 **3301.3 PROHIBITED HOURS.** NO SITE WORK, DEMOLITION WORK, PILE DRIVING WORK, OR
2 CONSTRUCTION WORK IS PERMITTED BETWEEN 7:00 P.M. AND 7:00 A.M., IF THAT WORK OR ANY PART OF
3 A PREMISES IN OR ON WHICH THE WORK IS TO BE DONE IS WITHIN 300 FEET (91.44 M) OF ANY DWELLING.

4 **3301.3.1 EXCEPTION.** THIS § 3301.3 DOES NOT APPLY TO AN EMERGENCY OPERATION THAT HAS
5 BEEN SPECIFICALLY APPROVED BY THE BUILDING OFFICIAL.

6 **SECTION 3302 CONSTRUCTION SAFEGUARDS {AS IN IBC}**

7 **SECTION 3303 DEMOLITION**

8 **3303.1 CONSTRUCTION DOCUMENTS. {AS IN IBC}**

9 **3303.2 PEDESTRIAN PROTECTION. {AS IN IBC}**

10 **3303.3 MEANS OF EGRESS. {AS IN IBC}**

11 **3303.4 FILLING REQUIRED.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3303.4, WHERE A STRUCTURE
12 HAS BEEN DEMOLISHED OR REMOVED, THE VACANT AREA MUST BE FILLED AND MAINTAINED TO THE
13 EXISTING GRADE OR OTHERWISE IN ACCORDANCE WITH CITY LAW.

14 **3303.4.1 CELLAR FLOORS.** ALL BASEMENT AND CELLAR FLOORS MUST BE REMOVED OR
15 COMPLETELY BROKEN UP BEFORE ANY FILLING MATERIALS ARE USED.

16 **3303.4.2 EXCEPTION.** THE BUILDING OFFICIAL MAY WAIVE THE FILLING REQUIREMENTS OF THIS
17 § 3303.4 FOR UP TO 3 MONTHS IF:

- 18 1. THE BUILDING OFFICIAL RECEIVES SATISFACTORY EVIDENCE THAT CONSTRUCTION OF A
19 NEW BUILDING OR STRUCTURE WILL BEGIN ON THE SITE WITHIN 3 MONTHS OF THE
20 DEMOLITION OR REMOVAL, AND
- 21 2. THE SITE IS PROTECTED WITH BARRIERS THAT COMPLY WITH § 3306.5 OF THIS CODE.

22 **3303.5 WATER ACCUMULATION. {AS IN IBC}**

23 **3303.6 UTILITY CONNECTIONS. {AS IN IBC}**

24 **3303.7 NOTICE TO ADJOINING OWNERS AND OTHERS.** A PERMIT TO DEMOLISH A STRUCTURE MAY NOT
25 BE ISSUED UNLESS:

- 26 1. ALL NOTICES REQUIRED BY §§ 105.9 AND 3307.1 OF THIS CODE HAVE BEEN GIVEN, AND
- 27 2. COPIES OF THE NOTICES ARE SUBMITTED WITH THE PERMIT APPLICATION.

28 **3303.8 DEMOLITION CONTRACTOR'S LICENSE.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3303.8, NO
29 PERSON MAY ENGAGE IN THE DEMOLITION OF ANY STRUCTURE WITHOUT FIRST OBTAINING A
30 DEMOLITION CONTRACTOR'S LICENSE FROM THE BUILDING OFFICIAL.

31 **3303.8.1 PREREQUISITES.** EVERY CONTRACTOR APPLYING FOR A NEW LICENSE OR FOR THE
32 RENEWAL OF A LICENSE MUST:

- 33 1. PROVIDE THE BUILDING OFFICIAL WITH THE NAME AND ADDRESS OF THE CONTRACTOR'S
34 BUSINESS,
- 35 2. PROVIDE THE BUILDING OFFICIAL WITH A COPY OF A LIABILITY INSURANCE POLICY THAT
36 COMPLIES WITH § 3303.9 OF THIS CODE, AND

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- 1 3. PROVIDE EVIDENCE SATISFACTORY TO THE BUILDING OFFICIAL THAT THE CONTRACTOR HAS
2 OBTAINED A BOND THAT COMPLIES WITH § 3303.10 OF THIS CODE.

3 **3303.8.2 TERM; FEES.** A DEMOLITION CONTRACTOR'S LICENSE EXPIRES ON DECEMBER 31 OF EACH
4 YEAR. THE LICENSE MAY BE RENEWED ANNUALLY, ON OR BEFORE DECEMBER 31, ON PAYMENT OF
5 THE RENEWAL FEE. THE LICENSE FEES ARE AS SET BY THE BUILDING OFFICIAL WITH THE APPROVAL
6 OF THE BOARD OF ESTIMATES.

7 **3303.8.3 CHANGE OF NAME OR ADDRESS.** A LICENSEE MUST IMMEDIATELY NOTIFY THE BUILDING
8 OFFICIAL OF ANY CHANGE IN THE NAME OR ADDRESS OF THE LICENSEE'S BUSINESS.

9 **3303.8.4 USE OF LICENSE BY OTHER.** A LICENSEE MAY NOT ALLOW HIS OR HER NAME TO BE USED
10 BY ANOTHER PERSON FOR THE PURPOSE OF OBTAINING PERMITS OR FOR DOING ANY DEMOLITION
11 WORK UNDER THE LICENSEE'S LICENSE.

12 **3303.8.5 EXCEPTION.** THE BUILDING OFFICIAL MAY WAIVE THE REQUIREMENTS OF THIS § 3303.8
13 IF THE STRUCTURE TO BE DEMOLISHED IS A MISCELLANEOUS STRUCTURE AS DESCRIBED IN § 312 OF
14 THIS CODE.

15 **3303.8.6 ENFORCEMENT.** A VIOLATION NOTICE IS NOT A PREREQUISITE TO THE ENFORCEMENT OF
16 THIS § 3303.8 BY ANY APPROPRIATE LEGAL PROCEEDING. PENALTIES WILL BE ASSESSED IN
17 ACCORDANCE WITH § 113 OF THIS CODE.

18 **3303.8.7 DEBARMENT ON CONVICTION.** ANY PERSON CONVICTED OF A VIOLATION OF THIS
19 § 3303.8 IS, IN ADDITION TO ANY OTHER PENALTY THAT MIGHT BE IMPOSED:

- 20 1. PROHIBITED FROM PERFORMING DEMOLITION WORK WITHOUT FIRST OBTAINING A NEW
21 LICENSE, AND
- 22 2. IS INELIGIBLE TO RECEIVE A NEW LICENSE FOR 6 MONTHS.

23 **3303.9 DEMOLITION INSURANCE.** THE LICENSEE MUST HAVE AN INSURANCE POLICY THAT COMPLIES
24 WITH THE MINIMUM REQUIREMENTS OF THIS § 3303.9.

25 **3303.9.1 COVERAGE.** THE POLICY MUST PROVIDE COVERAGE FOR ALL OPERATIONS FOR WHICH A
26 PERMIT MIGHT BE SOUGHT. THE MINIMUM COVERAGE REQUIREMENTS ARE:

- 27 1. \$100,000 FOR DAMAGES (INCLUDING DAMAGES FOR CARE AND LOSS OF SERVICES) BECAUSE
28 OF BODILY INJURY (INCLUDING DEATH AT ANY TIME RESULTING FROM BODILY INJURY), PER
29 PERSON, PER INCIDENT,
- 30 2. \$300,000 FOR DAMAGES (INCLUDING DAMAGES FOR CARE AND LOSS OF SERVICES) BECAUSE
31 OF BODILY INJURY (INCLUDING DEATH AT ANY TIME RESULTING FROM BODILY INJURY)
32 SUSTAINED BY MORE THAN 1 PERSON PER INCIDENT, AND
- 33 3. \$25,000 FOR INJURY TO OR DESTRUCTION OF PROPERTY OF OTHERS PER INCIDENT.

34 **3303.9.2 PROHIBITED EXCLUSIONS.** THE POLICY MAY NOT CONTAIN:

- 35 1. ANY "COLLAPSE HAZARD" EXCLUSION,
- 36 2. ANY EXCLUSION THAT WOULD PROHIBIT THE CONTRACTOR FROM PERFORMING THE
37 DEMOLITION OPERATIONS IN ACCORDANCE WITH THIS CODE AND THE NORMAL PROCEDURES
38 OF THE INDUSTRY, OR

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- 1 3. ANY EXCLUSION THAT WOULD CREATE AN UNDUE RISK TO THE CITY OR TO THE HEALTH,
2 SAFETY, AND WELFARE OF THE GENERAL PUBLIC.

3 **3303.9.3 CANCELLATION.** THE TERMS OF POLICY MUST PROVIDE EITHER:

- 4 1. THAT THE POLICY MAY NOT BE CANCELED DURING THE DURATION OF THE OPERATIONS TO
5 BE PERFORMED, OR
6 2. THAT THE BUILDING OFFICIAL WILL BE NOTIFIED IN WRITING, AT LEAST 15 DAYS BEFORE
7 THE POLICY IS CANCELED.

8 **3303.10 DEMOLITION BOND.** THE LICENSEE MUST POST A BOND THAT COMPLIES WITH THE MINIMUM
9 REQUIREMENTS OF THIS § 3303.10.

10 **3303.10.1. AMOUNT.** THE BOND MUST BE IN THE AMOUNT OF AT LEAST:

- 11 1. \$10,000, OR
12 2. ANY HIGHER AMOUNT SET BY THE BUILDING OFFICIAL.

13 **3303.10.2 TENOR OF BOND.** THE BOND MUST BE CONDITIONED ON:

- 14 1. THE CONTRACTOR'S COMPLIANCE WITH THIS CODE, WITH THE RULES AND REGULATIONS
15 ADOPTED UNDER THIS CODE, AND WITH ALL OTHER APPLICABLE LAWS OF THE STATE AND
16 THE CITY,
17 2. THE CONTRACTOR'S INDEMNIFYING THE CITY FROM ALL COSTS, EXPENSES, DAMAGES,
18 INJURY, AND LOSS THAT RESULT FROM ANY WRONGDOING, MISCONDUCT, WANT OF CARE OR
19 SKILL, NEGLIGENCE, OR DEFAULT ON THE PART OF THE CONTRACTOR OR ANY OF THE
20 CONTRACTOR'S AGENTS OR EMPLOYEES IN THE PERFORMANCE OF THEIR OPERATIONS, AND
21 3. THE CONTRACTOR'S FURTHER INDEMNIFYING THE CITY FROM ALL EXPENSES INCURRED IN
22 CORRECTING ANY OF THE CONTRACTOR'S WORK THAT IS CONSIDERED HARMFUL TO THE
23 SAFETY, HEALTH, AND WELFARE OF THE GENERAL PUBLIC OR THAT ADVERSELY AFFECTS
24 ADJOINING PROPERTY.

25 **3303.10.3 BOND CONTINUITY.** THE BOND MUST BE CONTINUOUS, PROVIDING INDEMNIFICATION IN
26 THE MINIMUM AMOUNT REQUIRED FOR EACH YEAR THAT THE BOND IS VALID. THE TERMS OF THE
27 BOND MUST PROVIDE THAT THE BUILDING OFFICIAL AND THE CONTRACTOR WILL BE NOTIFIED BY
28 THE SURETY AT LEAST 30 DAYS BEFORE THE BOND IS CANCELED.

29 **3303.10.4 PENALTY FOR CANCELLATION.** IF THE BOND IS CANCELED AND THE CONTRACTOR FAILS
30 TO PROVIDE A NEW BOND BEFORE THE CANCELLATION IS EFFECTIVE, THE CONTRACTOR'S LICENSE
31 AND ALL OUTSTANDING WORK PERMITS ARE AUTOMATICALLY SUSPENDED. THE SUSPENSION
32 CONTINUES UNTIL THE CONTRACTOR PROVIDES A NEW BOND THAT COMPLIES WITH THIS § 3303.10.

33 **3303.10.5 CONTINUITY OF LIABILITY.** THE TERMS OF THE BOND MUST PROVIDE THAT,
34 NOTWITHSTANDING ITS CANCELLATION, THE SURETY AND THE CONTRACTOR REMAIN LIABLE FOR
35 DEFECTS DISCOVERED WITHIN 12 MONTHS AFTER THE WORK IS COMPLETED, AS PROVIDED IN
36 § 3303.27 OF THIS CODE.

37 **3303.10.6 UNSATISFACTORY SURETY.** IF AT ANY TIME THE BUILDING OFFICIAL CONSIDERS THE
38 SURETY ON THE BOND TO BE UNSATISFACTORY, THE BUILDING OFFICIAL MUST GIVE THE
39 CONTRACTOR WRITTEN NOTICE TO THAT EFFECT. WITHIN 10 DAYS OF THE NOTICE, THE
40 CONTRACTOR MUST PROVIDE A NEW BOND, IN THE SAME PENALTY AND ON THE SAME CONDITIONS,
41 WITH A SURETY SATISFACTORY TO THE BUILDING OFFICIAL. IF THE CONTRACTOR FAILS TO PROVIDE

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1 THE NEW BOND WITHIN 10 DAYS, THE BUILDING OFFICIAL MUST IMMEDIATELY REVOKE EVERY
2 OUTSTANDING PERMIT FOR WHICH THE WORK REMAINS UNCOMPLETED 1 YEAR AFTER ITS ISSUANCE
3 AND IMMEDIATELY SUSPEND THE CONTRACTOR'S LICENSE UNTIL A SATISFACTORY BOND IS
4 PROVIDED.

5 **3303.11 TO 3303.12 {RESERVED}**

6 **3303.13 DEMOLITION PERMITS.** EACH APPLICATION FOR A DEMOLITION PERMIT MUST:

- 7 1. COMPLY WITH § 105 OF THIS CODE,
- 8 2. EXCEPT AS PROVIDED IN § 3303.13.1, BE ACCOMPANIED BY A CERTIFICATE OF INSURANCE THAT
9 EVIDENCES COMPLIANCE WITH § 3303.9, AND
- 10 3. BE ACCOMPANIED BY AN AFFIDAVIT TO THE BUILDING OFFICIAL THAT ALL CONTRACTS AND
11 OTHER ARRANGEMENTS COMPLYING WITH THIS CODE HAVE BEEN MADE.

12 **3303.13.1 ALTERNATIVE CERTIFICATE OF CONTINUING INSURANCE.** INSTEAD OF PROVIDING A
13 SEPARATE CERTIFICATE FOR EACH PERMIT, A CONTRACTOR MAY PROVIDE ONE GENERAL
14 CERTIFICATE OF CONTINUING INSURANCE, AS LONG AS THE CERTIFICATE EVIDENCES:

- 15 1. THE REQUIRED COVERAGE FOR ALL WORK TO BE PERFORMED BY THE CONTRACTOR, AND
- 16 2. THE INSURER'S OBLIGATION TO NOTIFY THE BUILDING OFFICIAL, IN WRITING, AT LEAST 15
17 DAYS BEFORE THE POLICY IS CANCELED.

18 **3303.14 TO 3303.15 {RESERVED}**

19 **3303.16 METHODS OF DEMOLITION.** THE FOLLOWING METHODS MUST BE USED FOR THE DEMOLITION
20 OF A STRUCTURE:

- 21 1. THE DEMOLITION MUST BE PERFORMED IN APPROXIMATELY THE REVERSE ORDER IN WHICH THE
22 STRUCTURE WAS ERECTED. WHERE UNUSUAL CONDITIONS EXIST, THE BUILDING OFFICIAL MAY
23 AUTHORIZE A DIFFERENT METHOD.
- 24 2. STRUCTURAL ELEMENTS MUST BE CAREFULLY DISSEMBLED TO AVOID COLLAPSE.
- 25 3. HEAVY PIECES OF STONE OR OTHER HEAVY AND BULKY MATERIALS OR EQUIPMENT MUST BE
26 CAREFULLY HANDLED IN ACCORDANCE WITH §§ 3304 THROUGH 3312 OF THIS CODE.

27 **3303.17 USE OF EXPLOSIVES.** THE USE OF EXPLOSIVES IS GENERALLY PROHIBITED. EXPLOSIVES FOR
28 DEMOLITION BY IMPLOSION MAY BE USED BY SPECIAL PERMIT FROM THE BUILDING OFFICIAL.

29 **3303.18 PARTIAL DEMOLITION.** BUILDING ELEMENTS THAT BECOME EXPOSED AS RESULT OF A
30 PARTIAL DEMOLITION MUST BE PROPERLY FINISHED, BRACED, OR OTHERWISE MADE SAFE.

31 **3303.19 {RESERVED}**

32 **3303.20 {RESERVED}**

33 **3303.21 REMOVAL OF DEBRIS.** THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THOSE OF
34 § 3302.2.

35 **3303.21.1 GENERAL REQUIREMENTS.** DEBRIS ON UPPER FLOORS MUST BE LOWERED TO GROUND
36 LEVEL:

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1. IN RECEPTACLES, BY ELEVATORS OR HOISTS, OR
2. IN TIGHT AND COMPLETELY ENCLOSED CHUTES.

3303.21.2 CHUTE REQUIREMENTS. NO CHUTE USED FOR THIS PURPOSE MAY EXTEND IN AN UNBROKEN LINE THAT IS MORE THAN 25 FEET (7.62 M) WITHOUT SUITABLE BARRIERS TO PREVENT DEBRIS FROM FALLING TOO FAST. EACH CHUTE MUST BE EQUIPPED WITH A PROPER GATE OR STOP AT THE BOTTOM TO CONTROL THE FLOW OF MATERIALS FROM THE CHUTE.

3303.22 {RESERVED}

3303.23 DISPOSITION OF RECYCLABLE DEBRIS. WHENEVER RECYCLABLE DEBRIS TO BE CLEARED FROM A SITE EXCEEDS 5 TONS, AT LEAST 30% OF THAT RECYCLABLE DEBRIS MUST BE IMMEDIATELY TRANSPORTED TO A LICENSED RECYCLING FIRM FOR EXPORT OUT OF THE CITY.

3303.23.1 "RECYCLABLE DEBRIS" DEFINED. IN THIS SECTION:

1. "RECYCLABLE DEBRIS" MEANS, EXCEPT AS SPECIFIED IN ~~ITEM B~~ PARAGRAPH 2, MATERIALS THAT:
 - A. IF NOT RECYCLED, WOULD BECOME SOLID WASTE FOR DISPOSAL IN A SOLID WASTE ACCEPTANCE FACILITY, AND
 - B. MAY BE COLLECTED, SEPARATED, OR PROCESSED AND RETURNED TO THE MARKETPLACE IN THE FORM OF RAW MATERIALS OR PRODUCTS.
2. "RECYCLABLE DEBRIS" DOES NOT INCLUDE MATERIALS THAT ARE:
 - A. DERIVED SOLELY FROM THE DEMOLITION OF A 1- OR 2-FAMILY DWELLING, AND
 - B. DISPOSED OF AT THE CITY'S QUARANTINE LANDFILL.

3303.24 TO 3303.25 {RESERVED}

3303.26 CORRECTION OF INJURIOUS CONDITIONS. THIS SECTION APPLIES TO ANY DEMOLITION CONTRACTOR WHO:

1. PERFORMS ANY DEMOLITION WORK THAT CREATES A CONDITION THAT VIOLATES THIS CODE OR A CONDITION THAT MIGHT BE INJURIOUS TO THE GENERAL PUBLIC OR ADJOURNING TO ADJOINING PROPERTIES, AND
2. REFUSES OR FAILS TO CORRECT THE CONDITION IN THE MANNER AND TIME REQUIRED BY THIS CODE.

3303.26.1 FIRST RIGHT OF SURETY TO CORRECT. EXCEPT IN AN EMERGENCY, THE BUILDING OFFICIAL MUST:

1. NOTIFY THE SURETY ON THE BOND OF THE CONTRACTOR'S REFUSAL OR FAILURE, AND
2. ALLOW THE SURETY TO CORRECT THE CONDITION WITHIN THE TIME THE BUILDING OFFICIAL DIRECTS.

3303.26.2 CORRECTION BY BUILDING OFFICIAL. IF THE SURETY REFUSES OR FAILS TO CORRECT THE CONDITION OR IF AN EMERGENCY OCCURS AS A RESULT THE CONDITION, THE BUILDING OFFICIAL MAY CORRECT THE CONDITION OR PERFORM ANY OTHER OPERATIONS NECESSARY TO

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1 BRING THE DEMOLITION OPERATIONS INTO COMPLIANCE WITH THIS CODE. ALL WORK THE BUILDING
2 OFFICIAL PERFORMS UNDER THIS SECTION IS AT THE EXPENSE OF THE CONTRACTOR AND
3 CHARGEABLE TO AND COLLECTIBLE FROM THE CONTRACTOR'S SURETY.

4 **3303.26.3 CONTRACTOR NOT RELIEVED OF RESPONSIBILITY.** THE BUILDING OFFICIAL'S
5 PERFORMANCE OF ANY WORK UNDER THIS SECTION DOES NOT RELIEVE THE CONTRACTOR FROM
6 RESPONSIBILITY FOR ALL WORK PERFORMED BY THE CONTRACTOR. ANY REMEDIES OR PENALTIES
7 PROVIDED IN THIS SECTION ARE IN ADDITION TO ANY OTHER REMEDIES OR PENALTIES PROVIDED BY
8 LAW.

9 **3303.27 LIMITS OF LIABILITY.** THE LIABILITY OF ANY CONTRACTOR FOR MATERIALS FURNISHED OR
10 WORK DONE UNDER THIS CODE AND THE LIABILITY OF THE CONTRACTOR'S SURETY DOES NOT EXTEND
11 TO DEFECTS IN MATERIALS OR WORKMANSHIP DISCOVERED MORE THAN 12 MONTHS AFTER THE
12 COMPLETION OF THE WORK. THE CONTRACTOR AND SURETY ARE RESPONSIBLE TO THE CITY TO
13 CORRECT ALL DEFECTS DISCOVERED DURING THIS 12-MONTH PERIOD AND ABOUT WHICH THEY WERE
14 NOTIFIED IN WRITING.

15 **3303.28 OWNER'S RESPONSIBILITY.** NOTWITHSTANDING THE LIMITED LIABILITIES OF THE
16 CONTRACTOR AND THE SURETY, THE OWNER OF THE PROPERTY IS RESPONSIBLE AT ALL TIMES TO THE
17 CITY TO CORRECT ANY DEFECTS IN THE OPERATIONS PERFORMED ON HIS OR HER PROPERTY.

18 **3303.29 PENALTY FOR VIOLATION.** ON A CONTRACTOR'S REFUSAL OR FAILURE TO CORRECT ANY
19 VIOLATION, THE CONTRACTOR'S LICENSE AND ALL OUTSTANDING WORK PERMITS ARE AUTOMATICALLY
20 SUSPENDED. THE SUSPENSION CONTINUES UNTIL THE VIOLATION IS CORRECTED.

21 SECTION 3304 SITE WORK *{As in IBC}*

22 SECTION 3305 SANITARY FACILITIES

23 **3305.1 FACILITIES REQUIRED.** SANITARY FACILITIES MUST BE PROVIDED DURING CONSTRUCTION,
24 REMODELING, OR DEMOLITION ACTIVITIES IN ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING
25 CODE.

26 SECTION 3306 PROTECTION OF PEDESTRIANS *{As in IBC}*

27 SECTION 3307 PROTECTION OF ADJOINING PROPERTY

28 **3307.1 PROTECTION REQUIRED.** *{As in IBC}*

29 **3307.2 SHARED ELEMENTS – GENERAL.** REPAIRS TO ELEMENTS SHARED BY A DEMOLISHED OR MOVED
30 STRUCTURE AND AN ADJOINING STRUCTURE MUST COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS
31 CODE.

32 **3307.3 SHARED ELEMENTS – WALLS.** PARTY WALLS MUST BE REPAIRED AND FINISHED BY THE OWNER
33 OF THE DEMOLISHED OR MOVED STRUCTURE. THE REPAIRS MUST INCLUDE:

- 34 1. RESTORATION OR REPLACEMENT OF ANY FLASHING ON ADJOINING PROPERTY THAT HAS BEEN
35 BROKEN OR DAMAGED DURING THE OPERATIONS,
- 36 2. REMOVAL OF ALL PLASTER FROM THE EXPOSED SIDE OF THE WALL, AND
- 37 3. CLEANING AND FINISHING THE WALL WITH APPROVED WATER-PROOF MATERIAL.

38 SECTIONS 3308 TO 3312 *{As in IBC}*

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1 SECTION 3313 RODENTICIDE PROCEDURE

2 **3313.1 CERTIFICATION REQUIRED.** BEFORE ANY STRUCTURE MAY BE DEMOLISHED, MOVED TO
3 ANOTHER SITE, OR SUBSTANTIALLY REHABILITATED, THE APPLICANT FOR A PERMIT MUST PROVIDE
4 CERTIFICATION FROM A PESTICIDE APPLICATOR LICENSED BY THE STATE OF MARYLAND THAT ALL
5 AREAS OF THE STRUCTURE AND ITS LOT ARE FREE FROM RODENT INFESTATION. A CERTIFICATION OF
6 TREATMENT AND ABATEMENT OF ALL INFESTATION MUST ACCOMPANY THE PERMIT APPLICATION.

7 **3313.2 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 3314 UNSAFE WALLS

10 **3314.1 PRESUMPTION.** FOR PURPOSES OF THIS § 3314, 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 **3314.2 REMOVAL OR CORRECTION REQUIRED.** ANY STRUCTURALLY UNSAFE WALL THAT REMAINS
14 AFTER 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 § 3314.3.

17 **3314.3 PARTY WALLS.** IF THE STRUCTURALLY UNSAFE WALL THAT REMAINS IS A PARTY WALL, THE
18 OWNER OF THE STRUCTURE BEING DEMOLISHED OR REMOVED MUST:

- 19 1. REMOVE ALL OR ANY PART OF THE WALL THAT THE BUILDING OFFICIAL CONSIDERS
20 DANGEROUS, AND
- 21 2. RECONSTRUCT AND DO ALL OTHER NECESSARY WORK TO PROPERLY ENCLOSE THE ADJOINING
22 STRUCTURE.

23 SECTION 3315 OPERATIONS NOT TO CAUSE NUISANCE

24 **3315.1 SCOPE.** THIS SECTION APPLIES TO ALL OPERATIONS THAT INVOLVE:

- 25 1. MOVING OR DEMOLISHING ANY STRUCTURE, OR
- 26 2. REMOVING ANY MACHINERY OR EQUIPMENT FROM ANY STRUCTURE TO BE MOVED OR
27 DEMOLISHED.

28 **3315.2 WORK TO AVOID NUISANCE.** ALL OPERATIONS OF THE SORT DESCRIBED IN § 3315.1 MUST BE
29 CONDUCTED SO THAT:

- 30 1. NO MATERIAL, OBJECT, OR THING IS ALLOWED TO FALL IN OR ON ANY STRUCTURE OR PREMISES
31 OR ANY ALLEY OR OTHER PUBLIC WAY,
- 32 2. ALL MATERIALS, OBJECTS, AND THINGS ARE WELL WETTED DOWN OR OTHERWISE TREATED AS
33 NEEDED TO PREVENT DUST OR OTHER AIRBORNE DEBRIS, AND
- 34 3. NO NUISANCE IS OTHERWISE CREATED IN THE VICINITY OF THE OPERATIONS.

35 **3315.3 STOP WORK ORDER.** IF ANY OPERATION VIOLATES THESE REQUIREMENTS, THE BUILDING
36 OFFICIAL MUST ISSUE A STOP WORK ORDER. WORK MAY RESUME ONLY AFTER THE VIOLATION HAS BEEN
37 CORRECTED AND MEASURES TAKEN TO PREVENT A RECURRENCE.

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CHAPTER 34. EXISTING STRUCTURES {NOT ADOPTED}

{**MBPS MODIFICATION:** REHABILITATION WORK IN AN EXISTING BUILDING MUST COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE MARYLAND BUILDING REHABILITATION CODE, COMAR 05.16. }

CHAPTER 35. REFERENCED STANDARDS

SECTION 3501 GENERAL

3501.1 SCOPE. THIS CHAPTER 35 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.4 OF THIS CODE.

3501.2 CITY MODIFICATIONS. THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

CHAPTER 36. VISITABILITY REQUIREMENTS FOR PUBLICLY ASSISTED DWELLINGS

SECTION 3601 SCOPE

3601.1 GENERAL. THIS CHAPTER APPLIES TO EVERY SINGLE-FAMILY DWELLING, WHETHER DETACHED, SEMI-DETACHED, OR ATTACHED, AND TO ALL GROUND-FLOOR DWELLING UNITS OF ANY 2-FAMILY DWELLING OR OF ANY MULTIPLE-FAMILY DWELLING THAT CONTAINS 4 OR FEWER DWELLING UNITS, THAT:

1. IS NEWLY CONSTRUCTED ON A VACANT LOT, AND
2. RECEIVES FUNDING OR OTHER ASSISTANCE FROM THE CITY OR ANY CITY AGENCY (INCLUDING THE HOUSING AUTHORITY OF BALTIMORE CITY) BY ANY ONE OF THE FOLLOWING METHODS:
 - A. A BUILDING CONTRACT OR SIMILAR AGREEMENT THAT INVOLVES ANY FEDERAL, STATE, OR CITY FUNDS,
 - B. ACQUISITION, BY GIFT, PURCHASE, LEASE, OR OTHERWISE, OF ANY REAL PROPERTY FOR LESS THAN ITS APPRAISED VALUE, AS DETERMINED BY A CERTIFIED APPRAISER,
 - C. PREFERENTIAL TAX TREATMENT, SUCH AS PAYMENTS IN LIEU OF TAXES, TAX INCREMENT FINANCING, OR SIMILAR BENEFIT,
 - D. BOND PROCEEDS OR ISSUANCE ASSISTANCE, A LOAN, OR SIMILAR FINANCIAL BENEFIT,
 - E. RECEIPT UNDER CITY AUTHORITY OF FEDERAL OR STATE CONSTRUCTION FUNDS, INCLUDING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND

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F. EXCEPT AS OTHERWISE SPECIFIED IN THIS SECTION, RECEIPT OF ANY OTHER FORM OF FUNDING OR FINANCIAL BENEFIT FROM THE CITY OR A CITY AGENCY.

3601.2 EXCLUSIONS. THIS CHAPTER DOES NOT APPLY TO:

- 1 ADDITIONS TO OR REMODELINGS OF EXISTING BUILDINGS, OR
2. NEW CONSTRUCTION FOR WHICH CITY FUNDING OR ASSISTANCE IS LIMITED TO EITHER OR BOTH:
 - A. A PROPERTY TAX CREDIT UNDER CITY CODE ARTICLE 28, § 10-5 {“NEWLY CONSTRUCTED BUILDINGS”}, AND
 - B. WAIVER OF A CITY LIEN ON PROPERTY WHERE THE LIEN EXCEEDS THE VALUE OF THE PROPERTY.

SECTION 3602 ACCESSIBLE ENTRY

3602.1 REQUIREMENTS. EVERY DWELLING THAT IS SUBJECT TO THIS CHAPTER MUST PROVIDE AT LEAST 1 ENTRANCE THAT:

1. IS ACCESSIBLE TO, AND USABLE BY, A PERSON WITH A MOBILITY DISABILITY,
2. DOES NOT INCLUDE STEPS,
3. HAS A LEVEL CHANGE (INCLUDING ANY LEVEL CHANGE AT THRESHOLD) THAT DOES NOT EXCEED ½ INCH AND, IF THE LEVEL CHANGE EXCEEDS ¼ INCH, IS BEVELED, AND
4. IS LOCATED ON A CONTINUOUS UNOBSTRUCTED PATH THAT, THROUGH THE USE AS NECESSARY OR APPROPRIATE OF CURB RAMPS, PARKING ACCESS AISLES, WALKS, RAMPS, ELEVATORS, LIFTS, AND THE LIKE:
 - A. CONNECTS THE LOT ENTRANCE TO THE DWELLING ENTRANCE, AND
 - B. CAN BE NEGOTIATED BY A PERSON WITH A DISABILITY WHO USES A WHEELCHAIR, BY A PERSON WITH A DISABILITY WHO DOES NOT REQUIRE USE OF A WHEELCHAIR, AND BY A PERSON WITHOUT A DISABILITY.

SECTION 3603 ACCESSIBLE INTERIOR

3603.1 “ENTRY LEVEL” DEFINED. IN THIS § 3603, “ENTRY LEVEL” MEANS THE LEVEL AT WHICH AN ACCESSIBLE ENTRANCE IS PROVIDED UNDER § 3602.1.

3603.2 INTERIOR DOORS. ON THE ENTRY LEVEL OF THE DWELLING, EACH DOOR DESIGNED TO ALLOW PASSAGE MUST HAVE AN UNOBSTRUCTED OPENING OF AT LEAST 32 INCHES WHEN THE DOOR IS OPEN AT A 90-DEGREE ANGLE.

3603.3 ENVIRONMENTAL CONTROLS.

3603.3.1 “ENVIRONMENTAL CONTROL” DEFINED. IN THIS § 3603.3, “ENVIRONMENTAL CONTROL” MEANS ANY SWITCH OR DEVICE THAT CONTROLS OR REGULATES LIGHTS, TEMPERATURE, FUSES, FANS, DOORS, SECURITY SYSTEMS, OR SIMILAR FEATURES INCLUDED IN THE CONSTRUCTION OF THE DWELLING UNIT.

3603.3.2 REQUIREMENTS. ON THE ENTRY LEVEL OF THE DWELLING, EACH ENVIRONMENTAL CONTROL MUST BE LOCATED:

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1. NO HIGHER THAN 48 INCHES ABOVE THE FLOOR AND NO LOWER THAN 15 INCHES ABOVE THE FLOOR, AND
2. IF AN ENVIRONMENTAL CONTROL IS LOCATED DIRECTLY ABOVE A COUNTER, SINK, OR APPLIANCE, NO HIGHER THAN 3 INCHES ABOVE THE COUNTER, SINK, OR APPLIANCE.

3603.4 HABITABLE SPACE. THE ENTRY LEVEL OF THE DWELLING MUST CONTAIN AT LEAST 1 INTERIOR ROOM THAT:

1. HAS AN AREA OF NOT LESS THAT 108 SQ. FT., AND
2. CONTAINS NO SIDE OR DIMENSION NARROWER THAN 9 FEET.

3603.5 BATHROOM. THE ENTRY LEVEL OF THE DWELLING MUST CONTAIN AT LEAST 1 BATHROOM THAT CONTAINS:

1. A TOILET,
2. A SINK,
3. REINFORCED WALLS AT THE TOILET, TO ALLOW FOR FUTURE INSTALLATION OF GRAB BARS, AND
4. THE FOLLOWING MINIMUM DIMENSIONS:
 - A. 30"-BY-48" OF CLEAR FLOOR SPACE OUTSIDE OF THE DOOR SWING,
 - B. 30"-BY-48" OF CLEAR FLOOR SPACE PARALLEL TO AND CENTERED ON THE SINK, AND
 - C. 48"-BY-56" OF CLEAR FLOOR SPACE AT THE TOILET FOR A SIDE APPROACH.

SECTION 3604 WAIVERS

3604.1 GENERAL. THE BUILDING OFFICIAL MAY GRANT A WAIVER FROM ONE OR MORE OF THE REQUIREMENTS OF THIS CHAPTER IF:

1. THE COST OF GRADING THE TERRAIN TO MEET THE REQUIREMENT IS DISPROPORTIONATELY EXPENSIVE IN RELATION TO THE VALUE OF THE DWELLING,
2. THE WIDTH OF THE LOT IS LESS THAN 16 FEET, OR
3. COMPLIANCE WITH THE REQUIREMENT IS PRECLUDED OR LIMITED BECAUSE OF THE LOT'S LOCATION IN A FEDERAL, STATE, OR CITY HISTORIC DISTRICT.

3604.1.1 "DISPROPORTIONATELY EXPENSIVE" DEFINED. FOR PURPOSES OF THIS SECTION, "DISPROPORTIONATELY EXPENSIVE" MEANS THAT THE COST OF GRADING THE TERRAIN TO MEET THE REQUIREMENT EXCEEDS 5% OF THE FAIR MARKET VALUE OF THE UNIMPROVED PROPERTY.

SECTION 3605 RELATIONSHIP TO OTHER LAWS.

3605.1 FEDERAL AND STATE LAWS. FEDERAL AND STATE LAWS ALSO GOVERN MULTIPLE-FAMILY DWELLINGS AND PUBLIC ACCOMMODATIONS. NEWLY CONSTRUCTED MULTIPLE-FAMILY DWELLINGS MAY ALSO BE SUBJECT TO THE FEDERAL AMERICANS WITH DISABILITIES ACT AND THE FEDERAL FAIR HOUSING ACT AND THEIR RESPECTIVE GUIDELINES.

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3605.2 CITY LAW. THIS CHAPTER APPLIES TO SOME DWELLINGS THAT ARE NOT COVERED BY FEDERAL OR STATE LAW, SUCH AS NEWLY-CONSTRUCTED SINGLE-FAMILY DWELLINGS.

3605.3 MORE RESTRICTIVE LAW CONTROLS. TO THE EXTENT THAT THE PROVISIONS OF THIS CHAPTER ARE NOT IDENTICAL TO FEDERAL OR STATE LAWS, THE MORE RESTRICTIVE LAW CONTROLS.

APPENDICES

APPENDIX A. EMPLOYEE QUALIFICATIONS
{NOT ADOPTED}

APPENDIX B. BOARD OF APPEALS
{NOT ADOPTED}

APPENDIX C. GROUP U – AGRICULTURAL BUILDINGS
{AS IN IBC}

APPENDIX D. DOWNTOWN FIRE DISTRICT

D101 FIRE DISTRICT. THE DOWNTOWN FIRE DISTRICT COMPRISES ALL OF THE FOLLOWING AREA (BOUNDARY LINES TO BE IN THE CENTER OF THE SPECIFIED STREETS):

BEGINNING AT THE INTERSECTION OF FALLSWAY AND MADISON STREET, THENCE IN A GENERAL SOUTHERLY AND SOUTHEASTERLY DIRECTION ALONG FALLSWAY TO BALTIMORE STREET, THENCE WESTERLY ALONG BALTIMORE STREET TO WEST FALLS AVENUE, THENCE SOUTHERLY ALONG WEST FALLS AVENUE TO PRATT STREET, THENCE EASTERLY ALONG PRATT STREET TO EAST FALLS AVENUE, THENCE SOUTHERLY ALONG EAST FALLS AVENUE TO ALICEANNA STREET, THENCE WESTERLY ALONG AN IMAGINARY LINE CONNECTING THE INTERSECTION OF EAST FALLS AVENUE AND ALICEANNA STREET TO THE INTERSECTION OF LIGHT STREET AND LEE STREET, THENCE WESTERLY ALONG LEE STREET TO RUSSELL STREET, THENCE NORTHERLY ALONG RUSSELL STREET TO GREENE STREET, THENCE NORTHERLY ALONG GREENE STREET TO PENNSYLVANIA AVENUE, THENCE NORTHWESTERLY ALONG PENNSYLVANIA AVENUE TO ST. MARY STREET, THENCE NORTHEASTERLY ALONG ST. MARY STREET TO EUTAW STREET, THENCE SOUTHERLY ALONG EUTAW STREET TO MADISON STREET, THENCE EASTERLY ALONG MADISON STREET TO ITS INTERSECTION WITH FALLSWAY, THE POINT OF BEGINNING.

D102 GENERAL REQUIREMENTS. NEW BUILDINGS AND STRUCTURES, AND ADDITIONS TO EXISTING BUILDINGS AND STRUCTURES, WITHIN THE DOWNTOWN FIRE DISTRICT MUST BE CONSTRUCTED:

1. WITHIN THE HEIGHT AND AREA LIMITATIONS OF TABLE 503 OF THIS CODE, AND
2. OF 1 OF THE FOLLOWING TYPES OF CONSTRUCTION, AS DEFINED IN CHAPTER 6 AND REGULATED IN TABLES 601 AND 602 OF THIS CODE:
 - A. FIREPROOF (TYPE I),
 - B. PROTECTED NONCOMBUSTIBLE (TYPES IIA AND IIB),
 - C. ORDINARY PROTECTED (TYPE IIIA), OR
 - D. HEAVY TIMBER (TYPE IV).

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1 **D103 TYPES IIIB, VA, AND VB CONSTRUCTION NOT PERMITTED.** NEW BUILDINGS AND STRUCTURES,
2 AND ADDITIONS TO EXISTING BUILDINGS AND STRUCTURES, WITHIN THE DOWNTOWN FIRE DISTRICT MAY
3 NOT BE OF TYPE IIIB, VA, OR VB CONSTRUCTION, AS DEFINED IN CHAPTER 6 OF THIS CODE.

4 **D104 TO D106** *{NOT ADOPTED}*

5 **APPENDIX E. SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS**
6 *{NOT ADOPTED}*

7 **APPENDIX F. RODENT PROOFING**
8 *{AS IN IBC}*

9 **APPENDIX G. FLOOD RESISTANT CONSTRUCTION**

10 **SECTIONS G101 TO G104** *{AS IN IBC}*

11 **SECTION G105 VARIANCES**

12 **G105.1 GENERAL.** THE BUILDING OFFICIAL HEARS AND DECIDES ALL REQUESTS FOR VARIANCES. THE
13 BUILDING OFFICIAL:

- 14 1. MUST BASE HIS OR HER DECISION ON TECHNICAL JUSTIFICATIONS, AND
15 2. MAY ATTACH CONDITIONS TO A VARIANCE AS HE OR SHE CONSIDERS NECESSARY TO FURTHER
16 THE PURPOSES AND OBJECTIVES OF THIS APPENDIX AND OF § 1612.

17 **G105.2 TO G105.4** *{AS IN IBC}*

18 **G105.5 RESTRICTIONS.** THE BUILDING OFFICIAL MAY NOT ISSUE A VARIANCE FOR ANY PROPOSED
19 DEVELOPMENT IN A FLOODWAY IF ANY INCREASE IN FLOOD LEVELS WOULD RESULT DURING THE BASE
20 FLOOD DISCHARGE.

21 **G105.6 CONSIDERATIONS.** IN REVIEWING APPLICATIONS FOR VARIANCES THE BUILDING OFFICIAL
22 MUST CONSIDER ALL TECHNICAL EVALUATIONS, ALL RELEVANT FACTORS, ALL OTHER PARTS OF THIS
23 APPENDIX, AND THE FOLLOWING:

24 1 - 10. *{AS IN IBC}*

25 **G105.7 CONDITIONS FOR ISSUANCE.** A VARIANCE MAY ONLY BE ISSUED BY THE BUILDING OFFICIAL
26 ON:

27 1 - 5. *{AS IN IBC}*

28 **SECTIONS G201 TO G901** *{AS IN IBC}*

29 **APPENDIX H. SIGNS**

30 **SECTION H101 GENERAL** *{AS IN IBC}*

31 **SECTION H102 DEFINITIONS** *{AS IN IBC}*

32 **SECTION H103 LOCATION**

33 **H103.1 GENERAL RESTRICTIONS.** *{AS IN IBC}*

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1 **H103.2 CHARLES STREET CORRIDOR.** ON EITHER SIDE OF CHARLES STREET FROM BALTIMORE
2 STREET TO MOUNT ROYAL AVENUE, NO SIGN MAY EXTEND OR PROJECT MORE THAN 8 INCHES
3 (203.2 MM) BEYOND THE BUILDING WALL PROPER.

4 **SECTION H104 IDENTIFICATION** *{AS IN IBC}*

5 **SECTION H105 DESIGN AND CONSTRUCTION** *{AS IN IBC}*

6 **SECTION H106 ELECTRICAL**

7 **H106.1 ILLUMINATION.** A SIGN MAY NOT BE ILLUMINATED BY OTHER THAN ELECTRICAL MEANS,
8 AND ELECTRICAL DEVICES AND WIRING MUST BE INSTALLED IN ACCORDANCE WITH THE NATIONAL
9 ELECTRICAL CODE. NO OPEN SPARK OR FLAME MAY BE USED FOR DISPLAY PURPOSES UNLESS
10 SPECIFICALLY APPROVED.

11 **H106.1.1 INTERNALLY ILLUMINATED SIGNS.** *{AS IN IBC}*

12 **H106.2 ELECTRICAL SERVICE.** SIGNS THAT REQUIRE ELECTRICAL SERVICE MUST COMPLY WITH THE
13 NATIONAL ELECTRICAL CODE.

14 **SECTION H107 COMBUSTIBLE MATERIALS** *{AS IN IBC}*

15 **SECTION H108 ANIMATED DEVICES** *{AS IN IBC}*

16 **SECTION H109 GROUND SIGNS** *{AS IN IBC}*

17 **SECTION H110 ROOF SIGNS** *{AS IN IBC}*

18 **SECTION H111 WALL SIGNS** *{AS IN IBC}*

19 **SECTION H112 PROJECTING SIGNS**

20 **H112.1 – H112.5** *{AS IN IBC}*

21 **H112.6 CLEARANCE.** A VERTICAL CLEARANCE OF 10 FEET (3.05M) MUST BE MAINTAINED BELOW EACH
22 PROJECTING SIGN.

23 **SECTION H113 MARQUEE SIGNS** *{AS IN IBC}*

24 **SECTION H114 PORTABLE SIGNS** *{AS IN IBC}*

25 **TABLES 4-A AND 4-B** *{AS IN IBC}*

26 **SECTION H115 REFERENCED STANDARDS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC*
27 *ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

28 **APPENDIX I. PATIO COVERS**
29 *{AS IN IBC}*

30 **APPENDIX J. GRADING**
31 *{AS IN IBC}*

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APPENDIX K. ICC ELECTRICAL CODE
{NOT ADOPTED}

PART III. NATIONAL ELECTRICAL CODE

§ 3-101. CITY ADOPTION.

(A) *IN GENERAL.*

THE NATIONAL ELECTRICAL CODE (2005 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 III.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER, ARTICLE, AND SECTION NUMBERS IN THIS PART III REFER TO THE CHAPTER, ARTICLE, AND SECTION NUMBERS OF THE NATIONAL ELECTRICAL CODE.

§ 3-102. CITY MODIFICATIONS.

THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE CITY ARE AS FOLLOWS:

INTRODUCTION

ARTICLE 90. INTRODUCTION

SECTIONS 90.1 TO 90.4. {AS IN NEC}

SECTION 90.5. MANDATORY RULES, PERMISSIVE RULES, AND EXPLANATORY MATERIAL.

(A) **MANDATORY RULES.** MANDATORY RULES OF THIS CODE ARE THOSE THAT IDENTIFY ACTIONS THAT ARE SPECIFICALLY REQUIRED OR PROHIBITED AND ARE CHARACTERIZED BY THE USE OF THE FOLLOWING TERMS:

(1) FOR IMPOSING A DUTY OR CONDITION PRECEDENT, “SHALL” OR “MUST”, AND

(2) FOR PROHIBITING ACTION, “SHALL NOT”, “MAY NOT”, OR “NO ... MAY”.

(B) **PERMISSIVE RULES.** PERMISSIVE RULES OF THIS CODE ARE THOSE THAT IDENTIFY ACTIONS THAT ARE ALLOWED BUT NOT REQUIRED, ARE NORMALLY USED TO DESCRIBE OPTIONS OR ALTERNATIVE METHODS, AND ARE CHARACTERIZED BY THE USE OF THE FOLLOWING TERMS:

(1) FOR DISCRETIONARY AUTHORITY, “SHALL BE PERMITTED”, “IS PERMITTED”, OR “MAY”, AND

(2) FOR NEGATING A DUTY OR CONDITION PRECEDENT, “SHALL NOT BE REQUIRED”, “IS NOT REQUIRED”, OR “NEED NOT”.

(C) **EXPLANATORY MATERIAL. {AS IN NEC}**

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1 SECTIONS 90.6 TO 90.9. {AS IN NEC}

2 CHAPTER 1. GENERAL

3 ARTICLE 100. DEFINITIONS

4 SECTION 100.1. IN GENERAL.

5 EXCEPT AS PROVIDED IN § 100.2, TERMS THAT ARE USED IN THESE REGULATIONS AND DEFINED IN
6 THE NATIONAL ELECTRICAL CODE (2005 EDITION) HAVE THE MEANINGS GIVEN IN THAT CODE.

7 SECTION 100.2. SUPPLEMENTAL DEFINITIONS

8 (A) IN GENERAL. NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE NEC, THE FOLLOWING
9 TERMS HAVE THE MEANINGS GIVEN IN THIS § 100.2.

10 (B) AUTHORITY HAVING JURISDICTION. "AUTHORITY HAVING JURISDICTION" MEANS THE
11 BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

12 ARTICLE 110. REQUIREMENTS FOR ELECTRICAL INSTALLATIONS

13 SECTIONS 110.1 TO 110.23. {AS IN NEC}

14 SECTION 110.26. SPACES ABOUT ELECTRICAL EQUIPMENT. {INTRODUCTORY PARAGRAPH AS IN
15 NEC}

16 (A) - (E) {AS IN NEC}

17
18 (F) DEDICATED EQUIPMENT SPACE. {INTRODUCTORY PARAGRAPH AS IN NEC}

19 EXCEPTION: {AS IN NEC}

20 (1) INDOOR. FOR INDOOR INSTALLATIONS, THE DEDICATED SPACE MUST COMPLY WITH THE
21 FOLLOWING.

22 (A) DEDICATED ELECTRICAL SPACE. SPACE EQUAL TO THE WIDTH AND DEPTH OF
23 THE EQUIPMENT AND EXTENDING FROM THE FLOOR TO A STRUCTURAL CEILING,
24 PLUS THE WORKING SPACE REQUIRED BY § 110.26(A)(1), MUST BE DEDICATED TO
25 THE ELECTRICAL INSTALLATION. NO PIPING, DUCTS, OR EQUIPMENT FOREIGN TO
26 THE ELECTRICAL INSTALLATION MAY BE LOCATED IN THIS SPACE.

27 EXCEPTION: SUSPENDED CEILINGS WITH REMOVABLE PANELS ARE PERMITTED
28 WITHIN THE DEDICATED ELECTRICAL SPACE.

29 (B) FOREIGN SYSTEMS. THE DEDICATED SPACE REQUIRED BY SUBPARAGRAPH (A)
30 MUST BE KEPT CLEAR OF FOREIGN SYSTEMS UNLESS PROTECTION IS PROVIDED TO
31 AVOID DAMAGE FROM CONDENSATION, LEAKS, OR BREAKS IN THE FOREIGN
32 SYSTEMS. THIS PROTECTION MUST BE APPROVED BY THE BUILDING OFFICIAL AND
33 SIGNED AND SEALED BY A REGISTERED PROFESSIONAL ENGINEER LICENSED TO DO
34 BUSINESS IN THE STATE.

35 (C) - (D) {AS IN NEC}

36 (E) ELECTRICAL ROOM. NO PIPING, DUCTS, OR EQUIPMENT FOREIGN TO THE
37 ELECTRICAL INSTALLATION MAY BE LOCATED IN ELECTRICAL ROOMS.

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1 *EXCEPTION: BY SPECIAL PERMISSIONS, AS DESCRIBED IN (B), FOR EXISTING*
2 *CONDITIONS ONLY.*

3 **(2) OUTDOOR.** *{AS IN NEC}*

4 **SECTIONS 110.27 TO 110.33.** *{AS IN NEC}*

5 **SECTION 110.34 WORK SPACE AND GUARDING**

6 **(A) - (E)** *{AS IN NEC}*

7 **(F) PROTECTION OF SERVICE EQUIPMENT.** PIPES OR DUCTS FOREIGN TO THE ELECTRICAL
8 INSTALLATION MAY NOT BE LOCATED IN THE SPACES DEDICATED TO THE ELECTRICAL
9 EQUIPMENT AS DESCRIBED IN § 110.26(F) AND § 110.34(A). PIPING AND OTHER FACILITIES ARE
10 NOT CONSIDERED FOREIGN IF THEY ARE PROVIDED FOR FIRE PROTECTION OF THE ELECTRICAL
11 INSTALLATION.

12 **SECTIONS 110.36 TO 110.79.** *{AS IN NEC}*

13 **CHAPTER 2. WIRING AND PROTECTION**

14 **ARTICLE 200. USE AND IDENTIFICATION OF GROUNDED CONDUCTORS** *{AS IN NEC}*

15 **ARTICLE 210. BRANCH CIRCUITS**

16 **SECTIONS 210.1 TO 210.4.** *{AS IN NEC}*

17 **SECTION 210.5. IDENTIFICATION FOR BRANCH CIRCUITS.**

18 **(A) - (C)** *{AS IN NEC}*

19 **(D) IDENTIFICATION OF UNGROUNDED CONDUCTORS.**

20 **(1) SPECIFIED COLORS.** FOR BASIC SINGLE-PHASE WIRING SYSTEMS OF 120/240 VOLTS,
21 3-WIRE CIRCUITS MUST USE 1 BLACK, 1 WHITE, AND 1 RED WIRE. 120/208 3-PHASE 4-WIRE
22 CIRCUITS MUST USE 1 BLACK, 1 WHITE, 1 RED, AND 1 BLUE WIRE. FOR BASIC 3-PHASE
23 WIRING SYSTEMS OF 277/480 VOLTS, THE COLORS GRAY, BROWN, ORANGE, AND YELLOW
24 MUST BE USED IN ACCORDANCE WITH COMMONLY ACCEPTED TRADE PRACTICES.

25 **(2) BRANCH CIRCUITS.** CONDUCTORS #10 AND SMALLER MUST CARRY THE APPROPRIATE
26 IDENTIFICATION COLOR THEIR ENTIRE LENGTH. CONDUCTORS #8 AND LARGER NEED NOT
27 CARRY ITS IDENTIFICATION COLOR THEIR ENTIRE LENGTH, BUT MUST BE IDENTIFIED AT ALL
28 JUNCTION POINTS BY OTHER APPROVED MEANS. CABLE ASSEMBLIES MUST ALSO BE
29 IDENTIFIED AT ALL JUNCTION POINTS BY APPROVED MEANS.

30 **SECTIONS 210.6 TO 210.7.** *{AS IN NEC}*

31 **SECTION 210.8. GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL.**

32 **(A) DWELLING UNITS.** *{AS IN NEC}*

33 **(B) OTHER THAN DWELLING UNITS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

34 **(1) - (5)** *{AS IN NEC}*

35 **(6) SINK AREAS.** WITHIN 6 FEET (1.83 M) OF A SINK TO SERVE COUNTER TOP SURFACES.

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1 *EXCEPTION: {AS IN NEC}*

2 **(C) BOAT HOISTS.** *{AS IN NEC}*

3 **SECTION 210.9. CIRCUITS DERIVED FROM AUTOTRANSFORMERS.** *{AS IN NEC}*

4 **SECTION 210.10. UNGROUNDED CONDUCTORS TAPPED FROM GROUNDED SYSTEMS.** *{AS IN NEC}*

5 **SECTION 210.11. BRANCH CIRCUITS REQUIRED.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

6 **(A) NUMBER OF BRANCH CIRCUITS.** *{AS IN NEC}*

7 **(B) LOAD EVENLY PROPORTIONED AMONG BRANCH CIRCUITS.** *{AS IN NEC}*

8 **(C) DWELLING UNITS.**

9 **(1) - (3)** *{AS IN NEC}*

10 *EXCEPTION: {AS IN NEC}*

11 **(4) WINDOW AIR CONDITIONER BRANCH CIRCUITS.** A CIRCUIT FOR A CORD-CONNECTED
12 WINDOW AIR CONDITIONER MUST CONTAIN A DEDICATED RECEPTACLE.

13 **SECTIONS 210.12 TO 210.21.** *{AS IN NEC}*

14 **SECTION 210.23. PERMISSIBLE LOADS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

15 **(A) - (D)** *{AS IN NEC}*

16 **(E) CIRCUITS FOR FUEL-BURNING EQUIPMENT.** FOR FUEL-BURNING EQUIPMENT SUCH AS OIL
17 AND GAS BURNERS AND STOKERS, INCLUDING AUXILIARIES SUCH AS FANS, BLOWERS, AND
18 PUMPS, AN INDIVIDUAL BRANCH CIRCUIT WITH A DISCONNECTING MEANS ON THE LINE SIDE OF
19 ALL EQUIPMENT AND DEVICES, OTHER THAN THE BRANCH-CIRCUIT FUSES, MUST BE PROVIDED.
20 IF 2 OR MORE BRANCH CIRCUITS ARE PROVIDED FOR A FUEL-BURNING SYSTEM, THEY MUST BE
21 SUPPLIED THROUGH A COMMON FEEDER WITH A DISCONNECTING MEANS THAT WILL
22 DISCONNECT ALL COMPONENTS OF THE SYSTEM.

23 **(F) CONTROLS.** OIL BURNERS, OTHER THAN OIL STOVES WITH INTEGRAL TANKS, MUST BE
24 PROVIDED WITH A DEVICE TO MANUALLY STOP THE FLOW OF OIL TO THE BURNERS. THE DEVICE
25 MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER. WITH
26 ELECTRICALLY DRIVEN EQUIPMENT, THIS MAY BE ACCOMPLISHED BY AN IDENTIFIED SWITCH IN
27 THE BURNER SUPPLY CIRCUIT, PLACED NEAR THE ENTRANCE TO THE ROOM WHERE THE BURNER
28 IS LOCATED.

29 **(G) EMERGENCY SWITCH FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT MUST
30 HAVE A DEVICE TO MANUALLY STOP THE FLOW OF FUEL AT THE FUEL TRAIN TO THE BURNER.
31 THE DEVICE MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE
32 BURNER AND MUST BE IDENTIFIED AS AN EMERGENCY DISCONNECT. SEE IMC §304.1.1.

33 **SECTIONS 210.24 TO 210.50.** *{AS IN NEC}*

34 **SECTION 210.52. DWELLING UNIT RECEPTACLE OUTLETS.** *{INTRODUCTORY PARAGRAPHS AS IN*
35 *NEC}*

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- 1 **(A) - (D) {As IN NEC}**
- 2 **(E) OUTDOOR OUTLETS.**
- 3 **(1) 1- AND 2-FAMILY DWELLINGS.** FOR A 1-FAMILY DWELLING AND FOR EACH UNIT OF A
- 4 2-FAMILY DWELLING THAT IS AT GRADE LEVEL, AT LEAST 1 RECEPTACLE OUTLET,
- 5 ACCESSIBLE AT GRADE LEVEL AND NOT MORE THEN 6½ FEET (1.98 M) ABOVE GRADE, MUST
- 6 BE INSTALLED AT THE FRONT AND BACK OF THE DWELLING.
- 7 **(2) MULTIFAMILY DWELLINGS.** IN A MULTIFAMILY DWELLING, FOR EACH DWELLING UNIT
- 8 THAT IS LOCATED AT GRADE LEVEL AND PROVIDED WITH INDIVIDUAL EXTERIOR
- 9 ENTRANCE/EGRESS, AT LEAST 1 RECEPTACLE OUTLET, ACCESSIBLE AT GRADE LEVEL AND
- 10 NOT MORE THAN 6½ FEET (1.98 M) ABOVE GRADE, MUST BE INSTALLED. *SEE § 210.8*
- 11 **(A)(3).**
- 12 **(3) NEAR PUBLIC WALKWAY.** A RECEPTACLE INSTALLED LESS THAN 10 FEET (3.05 M) FROM A
- 13 PUBLIC WALKWAY MUST BE WALL-SWITCH CONTROLLED FROM WITHIN THE DWELLING UNIT.
- 14 **(4) DECKS.** AT LEAST 1 GFI RECEPTACLE MUST BE INSTALLED ON ALL LEVELS OF DECKS.
- 15 **(F) - (H) {As IN NEC}**
- 16 **SECTIONS 210.60 TO 210.70. {As IN NEC}**
- 17 **ARTICLE 215. FEEDERS {As IN NEC}**
- 18 **ARTICLE 220. BRANCH-CIRCUIT, FEEDER, AND SERVICE CALCULATIONS {As IN NEC}**
- 19 **ARTICLE 225. OUTSIDE BRANCH CIRCUITS AND FEEDERS**
- 20 **SECTIONS 225.1 TO 225.26. {As IN NEC}**
- 21 **SECTION 225.30. NUMBER OF SUPPLIES. {INTRODUCTORY PARAGRAPH AS IN NEC}**
- 22 **(A) SPECIAL CONDITIONS.** ADDITIONAL FEEDERS OR BRANCH CIRCUITS ARE PERMITTED TO SUPPLY
- 23 THE FOLLOWING:
- 24 **(1) {As IN NEC}**
- 25 **(2) {NOT ADOPTED}**
- 26 **(3) - (5) {As IN NEC}**
- 27 **(6) BY SPECIAL PERMISSION, SYSTEMS DESIGNED FOR CONNECTION TO MULTIPLE SOURCES**
- 28 **OF SUPPLY FOR PURPOSES OF ENHANCED RELIABILITY.**
- 29 **(B) SPECIAL OCCUPANCIES. {As IN NEC}**
- 30 **(C) CAPACITY REQUIREMENTS. {As IN NEC}**
- 31 **(D) DIFFERENT CHARACTERISTICS.** BY SPECIAL PERMISSION, ADDITIONAL FEEDERS OR BRANCH
- 32 CIRCUITS MAY BE USED FOR DIFFERENT VOLTAGES, FREQUENCIES, OR PHASES, OR FOR
- 33 DIFFERENT USES, SUCH AS CONTROL OF OUTSIDE LIGHTING FROM MULTIPLE LOCATIONS.
- 34 **(E) DOCUMENTED SWITCHING PROCEDURES. {As IN NEC}**

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1 **SECTIONS 225.31 TO 225.61. {AS IN NEC}**

2 **ARTICLE 230. SERVICES**

3 **SECTION 230.1. SCOPE. {AS IN NEC}**

4 **SECTION 230.2. NUMBER OF SERVICES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

5 **(A) SPECIAL CONDITIONS.** ADDITIONAL SERVICES ARE PERMITTED TO SUPPLY THE FOLLOWING:

6 **(1) {AS IN NEC}**

7 **(2) {NOT ADOPTED}**

8 **(3) - (5) {AS IN NEC}**

9 **(6) SYSTEMS DESIGNED FOR CONNECTION TO MULTIPLE SOURCES OF SUPPLY FOR PURPOSES**
10 OF ENHANCED RELIABILITY, IF SUPPLIED FROM DIFFERENT UTILITY TRANSFORMERS AND
11 CONNECTED BY THE TIE BREAKER.

12 **(B) SPECIAL OCCUPANCIES. {AS IN NEC}**

13 **(C) CAPACITY REQUIREMENTS. {AS IN NEC}**

14 **(D) DIFFERENT CHARACTERISTICS.** BY SPECIAL PERMISSION, ADDITIONAL SERVICES MAY BE USED
15 FOR DIFFERENT VOLTAGES (WHERE COMPATIBLE), FREQUENCIES, OR PHASES, OR FOR DIFFERENT
16 USES, SUCH AS FOR DIFFERENT RATE SCHEDULES.

17 **(E) IDENTIFICATION. {AS IN NEC}**

18 **SECTIONS 230.3 TO 230.23. {AS IN NEC}**

19 **SECTION 230.24. CLEARANCES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

20 **(A) - (D) {AS IN NEC}**

21 **(E) CLEARANCE ABOVE DECKS.** CONDUCTORS MUST HAVE A VERTICAL CLEARANCE OF AT LEAST
22 8' AT THE LOWEST POINT ABOVE THE DECK SURFACE.

23 **SECTIONS 230.26 TO 230.33. {AS IN NEC}**

24 **SECTION 230.40 NUMBER OF SERVICE-ENTRANCE CONDUCTOR SETS.** EACH SERVICE DROP OR
25 LATERAL MAY SUPPLY ONLY 1 SET OF SERVICE-ENTRANCE CONDUCTORS.

26 **EXCEPTIONS:**

27 **1. {AS IN NEC, BUT BY SPECIAL PERMISSION ONLY}**

28 **2 - 5. {AS IN NEC}**

29 **SECTIONS 230.41 TO 230.212 {AS IN NEC}**

30 **ARTICLE 240. OVERCURRENT PROTECTION {AS IN NEC}**

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1 **ARTICLE 250. GROUNDING AND BONDING**

2 **SECTIONS 250.1 TO 250.50. {AS IN NEC}**

3 **SECTION 250.52. GROUNDING ELECTRODES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

4 **(A) ELECTRODES PERMITTED FOR GROUNDING {AS IN NEC}**

5 **(B) ELECTRODES NOT PERMITTED FOR GROUNDING. THE FOLLOWING MAY NOT BE USED AS**
6 **GROUNDING ELECTRODES:**

7 **(1) GAS PIPING OR ANY OTHER METALLIC PIPING OR TANK THAT CONTAINS FLAMMABLE**
8 **LIQUIDS**

9 **(2) {AS IN NEC}**

10 **SECTIONS 250.53 TO 250.66. {AS IN NEC}**

11 **SECTION 250.68. GROUNDING ELECTRODE CONDUCTOR AND BONDING JUMPER CONNECTION TO**
12 **GROUNDING ELECTRODES.**

13 **(A) ACCESSIBILITY. THE CONNECTION OF A GROUNDING ELECTRODE CONDUCTOR OR BONDING**
14 **JUMPER CONDUCTOR TO A GROUNDING ELECTRODE MUST BE:**

15 **(1) AHEAD OF ALL TURNOFF VALVES AND UNIONS, AND**

16 **(2) ACCESSIBLE.**

17 **EXCEPTIONS: {AS IN NEC}**

18 **(B) EFFECTIVE GROUNDING PATH. {AS IN NEC}**

19 **SECTIONS 250.70 TO 250.102. {AS IN NEC}**

20 **SECTION 250.104. BONDING OF PIPING SYSTEMS AND EXPOSED STRUCTURAL STEEL.**

21 **(A) METAL WIRE PIPING. {AS IN NEC}**

22 **(B) OTHER METAL PIPING. WHERE INSTALLED IN OR ATTACHED TO A BUILDING OR STRUCTURE,**
23 **METAL PIPING SYSTEM(S), EXCLUDING GAS PIPING THAT IS LIKELY TO BECOME ENERGIZED, MUST**
24 **BE BONDED TO THE SERVICE EQUIPMENT ENCLOSURE, THE GROUNDED CONDUCTOR AT THE**
25 **SERVICE, THE GROUNDING ELECTRODE CONDUCTOR WHERE OF SUFFICIENT SIZE, OR TO THE ONE**
26 **OR MORE GROUNDING ELECTRODES USED. THE BONDING JUMPER(S) SHALL BE SIZED IN**
27 **ACCORDANCE WITH § 250.122, USING THE RATING OF THE CIRCUIT THAT IS LIKELY TO ENERGIZE**
28 **THE PIPING SYSTEM(S). THE EQUIPMENT GROUNDING CONDUCTOR FOR THE CIRCUIT THAT IS**
29 **LIKELY TO ENERGIZE THE PIPING MAY SERVE AS THE BONDING MEANS. THE POINTS OF**
30 **ATTACHMENT OF THE BONDING JUMPER(S) MUST BE ACCESSIBLE.**

31 **(C) STRUCTURAL METAL. {AS IN NEC}**

32 **(D) SEPARATELY DERIVED SYSTEMS. {AS IN NEC}**

33 **SECTIONS 250.106 TO 250.190. {AS IN NEC}**

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1 **ARTICLE 280. SURGE ARRESTERS** *{AS IN NEC}*

2 **ARTICLE 285. TRANSIENT VOLTAGE SURGE SUPPRESSORS** *{AS IN NEC}*

3 **CHAPTER 3. WIRING METHODS AND MATERIALS**

4 **ARTICLES 300 TO 332** *{AS IN NEC}*

5 **ARTICLE 334. NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC, AND NMS**

6 **SECTIONS 334.1 TO 334.6.** *{AS IN NEC}*

7 **SECTION 334.10. USES PERMITTED.** TYPE NM, TYPE NMC, AND TYPE NMS CABLES MAY BE USED IN
8 THE FOLLOWING:

9 (1) - (4) *{AS IN NEC}*

10 (5) ANY DWELLING OR STRUCTURE THAT:

11 A. CONTAINS NO MORE THAN 4 FLOORS OF HABITABLE SPACE, AND

12 B. IS EQUIPPED WITH AN APPROVED AUTOMATIC FIRE SUPPRESSION SYSTEM.

13 (A) - (C) *{AS IN NEC}*

14 **SECTIONS 334.12 TO 334.24.** *{AS IN NEC}*

15 **SECTION 334.30 SECURING AND SUPPORTING.** NONMETALLIC-SHEATHED CABLE MUST BE SUPPORTED
16 AND SECURED BY INSULATED STAPLES, CABLE TIES, STRAPS, HANGERS, OR SIMILAR FITTINGS, DESIGNED
17 AND INSTALLED SO AS NOT TO DAMAGE THE CABLE, AT INTERVALS NOT EXCEEDING 4½ FEET (1.4M) AND
18 WITHIN 12 INCHES (300 MM) OF EVERY OUTLET BOX, JUNCTION BOX, CABINET, OR FITTING. FLAT
19 CABLES MAY NOT BE STAPLED ON EDGE. SECTIONS OF CABLE PROTECTED FROM PHYSICAL DAMAGE BY
20 A RACEWAY NEED NOT BE SECURED WITHIN THE RACEWAY.

21 (A) - (C) *{AS IN NEC}*

22 **SECTION 334.40 TO 334.116** *{AS IN NEC}*

23 **ARTICLES 336 TO 384** *{AS IN NEC}*

24 **ARTICLE 386. SURFACE METAL RACEWAYS**

25 **SECTIONS 386.1 TO 386.60.** *{AS IN NEC}*

26 **SECTION 386.61 EQUIPMENT GROUNDING CONDUCTOR.** IN ALL OCCUPANCIES, RECEPTACLE OUTLETS
27 SUPPLIED BY A SURFACE METAL RACEWAY MUST CONTAIN AN EQUIPMENT GROUNDING CONDUCTOR
28 WITHIN THE RACEWAY.

29 **SECTIONS 386.70 TO 386.100.** *{AS IN NEC}*

30 **ARTICLES 388 TO 398** *{AS IN NEC}*

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CHAPTER 4. EQUIPMENT FOR GENERAL USE

ARTICLES 400 TO 411 *{AS IN NEC}*

ARTICLE 422. APPLIANCES

SECTIONS 422.1 TO 422.46. *{AS IN NEC}*

SECTION 422.47. WATER HEATER CONTROLS. *{INTRODUCTORY PARAGRAPH AS IN NEC}*

(1) - (2) *{AS IN NEC}*

(3) **DISCONNECTING MEANS.** CIRCUITS THAT SUPPLY WATER HEATERS MUST HAVE A DISCONNECTING MEANS OTHER THAN THE OVERCURRENT DEVICE. THIS DISCONNECTING MEANS MUST BE INSTALLED CLOSE TO THE WATER HEATER.

EXCEPTIONS: {AS IN NEC}

SECTIONS 422.48 TO 422.62. *{AS IN NEC}*

ARTICLES 424 TO 490 *{AS IN NEC}*

CHAPTER 5. SPECIAL OCCUPANCIES

ARTICLES 500 TO 520 *{AS IN NEC}*

ARTICLE 525. CARNIVALS, CIRCUSES, FAIRS, AND SIMILAR EVENTS.

SECTIONS 525.1 TO 525.20. *{AS IN NEC}*

SECTION 525.21. RIDES, TENTS, AND CONCESSIONS.

(A) **DISCONNECTING MEANS** *{AS IN NEC}*

(B) **PORTABLE WIRING INSIDE TENTS AND CONCESSIONS** *{AS IN NEC}*

(C) **ELECTRICAL LAMPS.** ELECTRICAL FIXTURES MUST BE SO INSTALLED THAT LAMPS ARE KEPT AT LEAST 8 INCHES (203 MM) AWAY FROM TENT CANVAS OR OTHER COMBUSTIBLE MATERIALS.

SECTION 525.22. **PORTABLE DISTRIBUTION OR TERMINATION BOXES.** PORTABLE DISTRIBUTION OR TERMINATION BOXES MUST COMPLY WITH ALL OF THE REQUIREMENTS OF THIS § 525.22.

(A) - (D) *{AS IN NEC}*

(E) **JUNCTION BOXES.** TAPS AND CONNECTIONS WITHIN 8 FEET (2.44 M) OF THE GROUND MUST BE MADE IN JUNCTION BOXES THAT ARE KEPT LOCKED AT ALL TIMES WHEN THE PUBLIC IS ON THE GROUNDS. METAL JUNCTION BOXES MUST BE GROUNDED.

SECTIONS 525.23 TO 525.32. *{AS IN NEC}*

ARTICLES 530 TO 590 *{AS IN NEC}*

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CHAPTER 6. SPECIAL EQUIPMENT

ARTICLE 600. ELECTRIC SIGNS AND OUTLINE LIGHTING

SECTIONS 600.1 TO 600.5. {AS IN NEC}

SECTION 600.6. DISCONNECTS. {INTRODUCTORY PARAGRAPH AS IN NEC}

EXCEPTIONS: {AS IN NEC}

(A) LOCATION. {AS IN NEC}

(B) CONTROL SWITCH RATING. {AS IN NEC}

(C) SIGN OUTSIDE BUILDING. IF A SIGN IS SUPPORTED ON THE OUTSIDE OF A BUILDING, THE SWITCH REQUIRED BY THIS SECTION MUST BE MOUNTED ADJACENT TO THE SIGN ON THE OUTSIDE OF THE BUILDING. ONLY THE WIRING ON THE LOAD SIDE OF THE SWITCH IS PERMITTED WITHIN THE SIGN.

SECTIONS 600.7 TO 600.42. {AS IN NEC}

ARTICLES 604 TO 692 {AS IN NEC}

ARTICLE 695. FIRE PUMPS

SECTIONS 695.1 TO 695.2. {AS IN NEC}

SECTION 695.3. POWER SOURCE(S) FOR ELECTRIC MOTOR-DRIVEN FIRE PUMPS. {INTRODUCTORY PARAGRAPH AS IN NEC}

(A) INDIVIDUAL SOURCES. {INTRODUCTORY PARAGRAPH AS IN NEC}

(1) ELECTRIC UTILITY SERVICE CONNECTION. {AS IN NEC}

(2) ON-SITE POWER PRODUCTION FACILITY. {NOT ADOPTED}

(B) MULTIPLE SOURCES. {INTRODUCTORY PARAGRAPH AS IN NEC}

(1) GENERATOR CAPACITY. AN ON-SITE GENERATOR(S) USED TO COMPLY WITH THIS SECTION MUST BE OF SUFFICIENT CAPACITY TO ALLOW NORMAL STARTING AND RUNNING OF THE MOTOR(S) DRIVING THE FIRE PUMP(S) WHILE SUPPLYING ALL OTHER SIMULTANEOUSLY OPERATED LOAD. AUTOMATIC SHEDDING OF ONE OR MORE OPTIONAL STANDBY LOADS TO COMPLY WITH THIS CAPACITY REQUIREMENT IS PERMITTED. A TAP AHEAD OF THE ON-SITE GENERATOR DISCONNECTING MEANS IS REQUIRED. THE REQUIREMENTS OF § 430.113 DO NOT APPLY.

(2) FEEDER SOURCES. {AS IN NEC}

(3) ARRANGEMENT. {AS IN NEC}

SECTIONS 695.4 TO 695.5. {AS IN NEC}

SECTION 695.6. POWER WIRING. {INTRODUCTORY PARAGRAPH AS IN NEC}

(A) SERVICE CONDUCTORS. {AS IN NEC}

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1 *EXCEPTION: {AS IN NEC}*

2 **(B) CIRCUIT CONDUCTORS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

3 **(1) - (3)** *{AS IN NEC}*

4 *EXCEPTION: {NOT ADOPTED}*

5 **(C) - (H)** *{AS IN NEC}*

6 **SECTIONS 695.7 TO 695.10.** *{AS IN NEC}*

7 **SECTION 695.12. EQUIPMENT LOCATION.**

8 **(A) - (F)** *{AS IN NEC}*

9 **(G) FIRE PUMP LOCATION.** FIRE PUMP AND ASSOCIATED EQUIPMENT MUST BE LOCATED IN A
10 SEPARATE ROOM THAT IS ENCLOSED WITH 2-HOUR FIRE-RESISTANCE-RATED FIRE-SEPARATION
11 ASSEMBLIES.

12 **SECTION 695.14. CONTROL WIRING.** *{AS IN NEC}*

13 **CHAPTER 7. SPECIAL CONDITIONS**

14 **ARTICLE 700 – EMERGENCY SYSTEMS**

15 **SECTIONS 700.1 TO 700.9.** *{AS IN NEC}*

16 **SECTION 700.12. GENERAL REQUIREMENTS.** *{INTRODUCTORY PARAGRAPHS AS IN NEC}*

17 **(A) - (C)** *{AS IN NEC}*

18 **(D) SEPARATE SERVICE.** *{NOT ADOPTED}*

19 **(E) - (F)** *{AS IN NEC}*

20 **SECTIONS 700.15 TO 700.27.** *{AS IN NEC}*

21 **ARTICLE 701 – LEGALLY REQUIRED STANDBY SYSTEMS**

22 **SECTIONS 701.1 TO 701.10.** *{AS IN NEC}*

23 **SECTION 701.11. LEGALLY REQUIRED STANDBY SYSTEMS.** *{INTRODUCTORY PARAGRAPHS AS IN*
24 *NEC}*

25 **(A) - (C)** *{AS IN NEC}*

26 **(D) - (E)** *{NOT ADOPTED}*

27 **(F) - (G)** *{AS IN NEC}*

28 **SECTIONS 701.15 TO 701.18.** *{AS IN NEC}*

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1 **ARTICLE 702. OPTIONAL STANDBY SYSTEMS**

2 **SECTIONS 702.1 TO 702.11. {AS IN NEC}**

3 **SECTION 702.12. PORTABLE GASOLINE-POWERED GENERATORS.** WHERE PUBLIC UTILITY SERVICE IS
4 AVAILABLE, A PORTABLE GASOLINE-POWERED GENERATOR MAY NOT BE USED IN PLACE OF NORMAL
5 POWER SOURCE.

6 **EXCEPTION:** WHERE POWER IS INTERRUPTED DUE TO EMERGENCY CONDITIONS.

7 **ARTICLES 705 TO 780 {AS IN NEC}**

8 **CHAPTER 8. COMMUNICATIONS SYSTEMS**
9 **{AS IN NEC}**

10 **CHAPTER 9. TABLES**
11 **{AS IN NEC}**
12

13 **PART IV. NATIONAL FUEL GAS CODE**

14 **§ 4-101. CITY ADOPTION.**

15 (A) *IN GENERAL.*

16 THE NATIONAL FUEL GAS CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING,
17 FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS,
18 AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART IV.

19 (B) *CODIFICATION.*

20 UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART IV REFER
21 TO THE CHAPTER AND SECTION NUMBERS OF THE NATIONAL FUEL GAS CODE.

22 **§ 4-102. CITY MODIFICATIONS.**

23 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE
24 CITY ARE AS FOLLOWS:

25 **CHAPTER 1. ADMINISTRATION**

26 **1.1 TO 1.4 {AS IN NFGC}**

27 **1.5 ENFORCEMENT {NOT ADOPTED}**

28 **CHAPTER 2. REFERENCED PUBLICATIONS**
29 **{AS IN NFGC}**

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CHAPTER 3. DEFINITIONS

3.1 GENERAL.

3.1.1 AS IN NFGC. EXCEPT AS PROVIDED IN § 3.1.2, TERMS THAT ARE USED AND DEFINED IN THE NATIONAL FUEL GAS CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE NATIONAL FUEL GAS CODE (2006 EDITION).

3.1.2 SUPPLEMENTAL DEFINITIONS. NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE NATIONAL FUEL GAS CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 3.1.2.

3.1.2.1 AUTHORITY HAVING JURISDICTION. “AUTHORITY HAVING JURISDICTION” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

3.1.2.2 MAY NOT, ETC. “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

3.1.2.3 MUST/SHALL. “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT OR TO IMPOSE A DUTY.

3.1.2.4 PERSON. “PERSON” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY BUILDING CODE.

3.1.3 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 OF THE BALTIMORE CITY BUILDING CODE, THE TERM HAS THE MEANING GIVEN TO IT IN THAT CODE OR STANDARD.

3.2 NFPA OFFICIAL DEFINITIONS. {AS IN NFGC}

**CHAPTER 4. GENERAL
{AS IN NFGC}**

CHAPTER 5. GAS PIPING SYSTEM DESIGN, MATERIAL, AND COMPONENTS

5.1 TO 5.5 [AS IN NFGC]

5.6 ACCEPTABLE PIPING MATERIALS AND JOINING METHODS

5.6.1 TO 5.6.7 [AS IN NFGC]

5.6.8 METALLIC PIPING JOINTS AND FITTINGS. THE TYPE OF PIPING JOINT MUST BE SUITABLE FOR THE PRESSURE-TEMPERATURE CONDITIONS AND MUST BE SELECTED GIVING CONSIDERATION TO JOINT TIGHTNESS AND MECHANICAL STRENGTH UNDER SERVICE CONDITIONS. THE JOINT MUST BE ABLE TO SUSTAIN THE MAXIMUM END FORCE DUE TO THE INTERNAL PRESSURE AND ANY ADDITIONAL FORCES DUE TO TEMPERATURE EXPANSION OR CONTRACTION, VIBRATION, FATIGUE, OR THE WEIGHT OF THE PIPE AND ITS CONTENTS.

5.6.8.1 TO 5.6.8.3 [AS IN NFGC]

5.6.8.4 METALLIC FITTINGS (INCLUDING VALVES, STRAINERS, FILTERS). METALLIC FITTINGS SHALL COMPLY WITH THE FOLLOWING:

5.6.8.4(1) TO 5.6.8.4(4) [AS IN NFGC]

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1 **5.6.8.4(5) CAST-IRON FITTINGS.** CAST-IRON FITTINGS MUST COMPLY WITH THE FOLLOWING:

2 (A) - (E) *{AS IN NFGC}*

3 (F) STREET FITTINGS ARE PROHIBITED.

4 (G) ALL-THREAD NIPPLES ARE PROHIBITED.

5 **CHAPTER 6. PIPE SIZING**
6 *{AS IN NFGC}*

7 **CHAPTER 7. GAS PIPING INSTALLATION**

8 **7.1 PIPING UNDERGROUND**

9 **7.1.1 TO 7.1.4** *{AS IN NFGC}*

10 **7.1.5 THROUGH OUTER FOUNDATION OR BASEMENT WALL.** UNDERGROUND PIPING, WHERE
11 INSTALLED THROUGH THE OUTER FOUNDATION OR BASEMENT WALL OF A BUILDING, MUST BE ENCASED
12 IN A PROTECTIVE PIPE. THE SPACE BETWEEN THE GAS PIPING AND THE BUILDING MUST BE SEALED TO
13 PREVENT THE ENTRY OF GAS OR WATER. THE EXTERIOR END OF THE PROTECTIVE PIPING MUST BE
14 SEALED.

15 **7.2 TO 7.4** *{AS IN NFGC}*

16 **7.5 GAS PIPE TURNS.** CHANGES IN DIRECTION OF GAS PIPE MUST BE MADE BY THE USE OF FITTINGS.
17 FACTORY BENDS OR FIELD BENDS ARE ONLY PERMITTED UNDERGROUND, IN A LOCATION THAT IS OUTSIDE OF
18 ANY BUILDING.

19 **7.5.1 TO 7.5.3** *{AS IN NFGC}*

20 **7.6 TO 7.15** *{AS IN NFGC}*

21 **CHAPTER 8. INSPECTION, TESTING, AND PURGING**

22 **8.1 PRESSURE TESTING AND INSPECTION.**

23 **8.1.1 GENERAL.**

24 **A.8.1.1 TO 8.1.1.6** *{AS IN NFGC}*

25 **8.1.1.7** ALL TESTING MUST BE COMPLETED BEFORE ANY PROTECTIVE COATING IS APPLIED.

26 **8.1.2 TO 8.1.5** *{AS IN NFGC}*

27 **8.2 PIPING SYSTEM, APPLIANCE, AND EQUIPMENT LEAKAGE CHECK.** *{AS IN NFGC}*

28 **8.3 PURGING.** *{AS IN NFGC}*

29 **CHAPTER 9. APPLIANCE, EQUIPMENT, AND ACCESSORY INSTALLATION**
30 *{AS IN NFGC}*

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CHAPTER 10. INSTALLATION OF SPECIFIC APPLIANCES

10.1 GENERAL. *{AS IN NFGC}*

10.2 AIR-CONDITIONING EQUIPMENT (GAS-FIRED AIR CONDITIONERS AND HEAT PUMPS).
{AS IN NFGC}

10.3 CENTRAL HEATING BOILERS AND FURNACES.

10.3.1 TO 10.3.5 *{AS IN NFGC}*

10.3.6 STEAM SAFETY AND PRESSURE RELIEF VALVES. *{INTRODUCTORY PARAGRAPH AS IN NFGC}*

A.10.3.6 *{AS IN NFGC}*

10.3.6.1 RELIEF VALVES MUST BE PIPED TO A FLOOR DRAIN, TO AN APPROVED RECEPTOR, OR AS SPECIFIED BY THE BUILDING OFFICIAL.

10.3.6.2 *{AS IN NFGC}*

10.3.6.3 *{AS IN NFGC}*

10.3.7 TO 6.3.9 *{AS IN NFGC}*

10.4 TO 10.22 *{AS IN NFGC}*

10.23 ROOM HEATERS.

10.23.1 PROHIBITED INSTALLATIONS. UNVENTED ROOM HEATERS ARE PROHIBITED.

EXCEPTIONS 1 -2 {NOT ADOPTED}

10.23.2 TO 10.23.4 *{AS IN NFGC}*

10.24 TO 10.31 *{AS IN NFGC}*

CHAPTER 11. PROCEDURES TO PLACE APPLIANCE IN OPERATION
{AS IN NFGC}

CHAPTER 12. VENTING OF APPLIANCES
{AS IN NFGC}

CHAPTER 13. SIZING CATEGORY I VENTING SYSTEMS
{AS IN NFGC}

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1 **PART V. INTERNATIONAL MECHANICAL CODE**

2 **§ 5-101. CITY ADOPTION.**

3 (A) *IN GENERAL.*

4 THE INTERNATIONAL MECHANICAL CODE (2006 EDITION) IS ADOPTED AS PART OF THE
5 BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS,
6 DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART V.

7 (B) *CODIFICATION.*

8 UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS PART V REFER TO THE
9 CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL MECHANICAL CODE.

10 **§ 5-102. CITY MODIFICATIONS.**

11 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE
12 CITY ARE AS FOLLOWS:

13 **CHAPTER 1. ADMINISTRATION**

14 **SECTION 101 GENERAL**

15 **101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “MECHANICAL CODE OF
16 BALTIMORE CITY”.

17 **101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE
18 MECHANICAL CODE OF BALTIMORE CITY.

19 **101.2 SCOPE.** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*
20 *OTHERWISE, AS IN IMC.}*

21 **101.3 INTENT.** *{AS IN IMC}*

22 **101.4 SEVERABILITY.** *{AS IN IMC}*

23 **SECTION 102 APPLICABILITY** *{AS IN IMC}*

24 **SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION**

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:

- 27 1. “DEPARTMENT OF MECHANICAL INSPECTION” OR “DEPARTMENT” MEANS THE DEPARTMENT OF
28 HOUSING AND COMMUNITY DEVELOPMENT, AND
- 29 2. “CODE OFFICIAL”, MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING
30 CODE OF BALTIMORE CITY.

31 **103.2 APPOINTMENT.** *{NOT ADOPTED}*

32 **103.3 DEPUTIES.** *{NOT ADOPTED}*

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1 **103.4 LIABILITY. {NOT ADOPTED}**

2 **SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL {AS IN IMC}**

3 **SECTION 105 APPROVAL {AS IN IMC}**

4 **SECTION 106 PERMITS**

5 **106.1 WHEN REQUIRED. {AS IN IMC}**

6 **106.2 PERMITS NOT REQUIRED. PERMITS ARE NOT REQUIRED FOR THE FOLLOWING:**

7 **1. {AS IN IMC}**

8 **2 - 3. {NOT ADOPTED}**

9 **4 - 7. {AS IN IMC}**

10 **106.2.1 CODE COMPLIANCE STILL REQUIRED.** AN EXEMPTION FROM THE PERMIT REQUIREMENTS
11 OF THIS CODE DOES NOT AUTHORIZE ANY WORK TO BE DONE IN VIOLATION OF THIS CODE OR ANY
12 OTHER APPLICABLE LAW.

13 **106.3 APPLICATION FOR PERMIT. {AS IN IMC}**

14 **106.4 PERMIT ISSUANCE. {AS IN IMC}**

15 **106.5 FEES. {AS IN IMC}**

16 **106.5.1 WORK COMMENCING BEFORE PERMIT ISSUANCE. {NOT ADOPTED}**

17 **106.5.2 FEE SCHEDULE.** THE FEES FOR MECHANICAL WORK ARE AS PROVIDED IN THE BALTIMORE
18 CITY BUILDING CODE.

19 **106.5.3 FEE REFUNDS. {NOT ADOPTED}**

20 **SECTION 107 INSPECTIONS AND TESTING {AS IN IMC}**

21 **SECTION 108 VIOLATIONS**

22 **108.1 TO 108.3 {AS IN IMC}**

23 **108.4 VIOLATION PENALTIES.** THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED FOR
24 A VIOLATION OF THE BALTIMORE CITY BUILDING CODE.

25 **108.5 STOP WORK ORDERS.** THE ISSUANCE AND ENFORCEMENT OF STOP WORK ORDERS ARE AS
26 PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

27 **108.6 ABATEMENT OF VIOLATION. {AS IN IMC}**

28 **108.7 UNSAFE MECHANICAL SYSTEMS. {AS IN IMC}**

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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 CHAPTER 2. DEFINITIONS

6 SECTION 201 GENERAL

7 **201.1 SCOPE.** *{AS IN IMC}*

8 **201.2 INTERCHANGEABILITY.** *{AS IN IMC}*

9 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CODE AND IS DEFINED IN
10 THE BALTIMORE CITY BUILDING CODE OR IN ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED
11 IN § 101.4 OF THE BALTIMORE CITY BUILDING CODE, THE TERM HAS THE MEANING GIVEN TO IT IN THAT
12 CODE OR STANDARD.

13 **201.4 TERMS NOT DEFINED.** *{AS IN IMC}*

14 SECTION 202 GENERAL DEFINITIONS

15 **202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE
16 INTERNATIONAL MECHANICAL CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE
17 INTERNATIONAL MECHANICAL CODE (2006 EDITION).

18 **202.2 SUPPLEMENTAL DEFINITIONS** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE
19 INTERNATIONAL MECHANICAL CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS
20 § 202.2.

21 **202.2.1 AIR DISTRIBUTION SYSTEM** “AIR DISTRIBUTION SYSTEM” MEANS A SYSTEM OF DUCTS,
22 PLENUMS, AND AIR-HANDLING EQUIPMENT THAT CIRCULATES, SUPPLIES, RETURNS, OR EXHAUSTS
23 AIR WITHIN A SPACE, AS REQUIRED BY CODE OR DESIGN, AND INCLUDES A SYSTEM MADE UP OF 1 OR
24 MORE AIR-HANDLING UNITS.

25 **202.2.2 BUILDING.** “BUILDING” HAS THE MEANING STATED IN IMC § 202 AND, UNLESS THE
26 CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

27 **202.2.3 CODE OFFICIAL.** “CODE OFFICIAL” HAS THE MEANING STATED IN § 103.1 OF THIS CODE.

28 **202.2.4 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY
29 NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

30 **202.2.5 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A
31 REQUIREMENT OR TO IMPOSE A DUTY.

32 **202.2.6 OCCUPANCY.** “OCCUPANCY” MEANS:

- 33 1. THE STATE OF OCCUPYING OR USING LANDS, BUILDINGS, OR STRUCTURES, OR
34 2. THE ACT OF TAKING, HOLDING POSSESSION OF, OR USING LANDS, BUILDINGS, OR
35 STRUCTURES.

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202.2.7 PREMISES. "PREMISES" MEANS A LOT OR GROUP OF LOTS, TOGETHER WITH ALL OR ANY PART OF ANY BUILDINGS OR STRUCTURES ON THE LOT OR GROUP OF LOTS, CONSIDERED AS A UNIT DEVOTED TO A PARTICULAR USE, INCLUDING ACCESSORY STRUCTURES AND OPEN SPACES REQUIRED OR USED IN CONNECTION WITH THAT PARTICULAR USE.

CHAPTER 3. GENERAL REGULATIONS

SECTION 301 GENERAL

301.1 SCOPE. {As in IMC}

301.2 ENERGY UTILIZATION. {As in IMC}

301.2.1 OUTDOOR DESIGN TEMPERATURES. OUTDOOR DESIGN TEMPERATURES MUST BE BASED ON:

- 1. THE 97.5% VALUE FOR HEATING (17° F), AND
- 2. THE 2.5% VALUE FOR COOLING (89° F DRY BULB; 78° F WET BULB).

301.2.2 INDOOR DESIGN TEMPERATURES. INDOOR DESIGN TEMPERATURES MUST BE:

- 1. 70° F (22° C) FOR HEATING, AND
- 2. 78° F (25° C) FOR COOLING.

301.3 FUEL GAS APPLIANCES AND EQUIPMENT. THE APPROVAL AND INSTALLATION OF FUEL GAS DISTRIBUTION PIPING AND EQUIPMENT, FUEL GAS-FIRED APPLIANCES, AND FUEL GAS-FIRED APPLIANCE VENTING SYSTEMS MUST BE IN ACCORDANCE WITH THE NATIONAL FUEL GAS CODE.

301.4 TO 301.6 {As in IMC}

301.7 ELECTRICAL. ELECTRICAL WIRING, CONTROLS, AND CONNECTIONS TO EQUIPMENT AND APPLIANCES REGULATED BY THIS CODE MUST BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE.

301.8 PLUMBING CONNECTIONS. POTABLE WATER SUPPLY AND BUILDING DRAINAGE SYSTEM CONNECTIONS TO EQUIPMENT AND APPLIANCES REGULATED BY THIS CODE MUST BE ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING CODE.

301.9 TO 301.16 {As in IMC}

SECTION 302 PROTECTION OF STRUCTURE {As in IMC}

SECTION 303 EQUIPMENT AND APPLIANCE LOCATION

303.1 GENERAL. {As in IMC}

303.2 HAZARDOUS LOCATIONS. {As in IMC}

303.3 PROHIBITED LOCATIONS. FUEL-FIRED APPLIANCES MAY NOT BE LOCATED IN, OR OBTAIN COMBUSTION AIR FROM, ANY OF THE FOLLOWING ROOMS OR SPACES:

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- 1 1. SLEEPING ROOMS,
- 2 2. BATHROOMS,
- 3 3. TOILET ROOMS,
- 4 4. STORAGE CLOSETS,
- 5 5. SURGICAL ROOMS, OR
- 6 6. RESIDENTIAL KITCHENS (EXCEPT COOKING APPLIANCES).

7 **EXCEPTION: {AS IN IMC}**

8 **303.4 TO 303.8 {AS IN IMC}**

9 **SECTION 304 INSTALLATION**

10 **304.1 TO 304.11 {AS IN IMC}**

11 **304.12 DISCONNECTS FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT MUST BE
12 SUPPLIED WITH 2 EMERGENCY DISCONNECT SWITCHES. ONE SWITCH MUST BE INSTALLED ON THE
13 EQUIPMENT AND THE OTHER IN A CONVENIENT, LABELED LOCATION THAT IS NEAR THE ENTRANCE TO
14 THE AREA WHERE THE EQUIPMENT IS LOCATED. SEE NEC § 210-23.

15 **SECTION 305 PIPING SUPPORT {AS IN IMC}**

16 **SECTION 306 ACCESS AND SERVICE SPACE {SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC**
17 **ELECTRICAL CODE". OTHERWISE, AS IN IMC.}**

18 **SECTION 307 CONDENSATE DISPOSAL**

19 **307.1 FUEL-BURNING APPLIANCES. {AS IN IMC}**

20 **307.2 EVAPORATORS AND COOLING COILS. {AS IN IMC}**

21 **307.2.1 CONDENSATE DISPOSAL.** CONDENSATE FROM ALL COOLING COILS OR EVAPORATORS MUST
22 BE CONVEYED FROM THE DRAIN PAN OUTLET TO AN APPROVED PLACE OF DISPOSAL. CONDENSATE
23 MAY NOT DISCHARGE INTO A STREET, ALLEY, OR OTHER AREA SO AS TO CAUSE A NUISANCE. CLEAR
24 WATER DISCHARGE MUST BE CONVEYED TO THE STORM DRAIN UNLESS OTHERWISE APPROVED BY
25 THE CODE OFFICIAL.

26 **307.2.2 TO 307.2.3 {AS IN IMC}**

27 **307.2.4 TRAPS. {NOT ADOPTED}**

28 **SECTION 308 CLEARANCE REDUCTION {AS IN IMC}**

29 **SECTION 309 TEMPERATURE CONTROL {AS IN IMC}**

30 **SECTION 310 EXPLOSION VENTING {AS IN IMC}**

31 **SECTION 311 SMOKE AND HEAT VENTS {AS IN IMC}**

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1 SECTION 312 HEATING AND COOLING LOAD CALCULATIONS

2 **312.1 LOAD CALCULATIONS.** HEATING AND COOLING SYSTEM DESIGN LOADS FOR THE PURPOSE OF
3 SIZING SYSTEMS, APPLIANCES, AND EQUIPMENT MUST BE DETERMINED IN ACCORDANCE WITH THE
4 PROCEDURES DESCRIBED IN THE ASHRAE “HANDBOOK OF FUNDAMENTALS”. HEATING AND COOLING
5 LOADS MUST BE ADJUSTED TO ACCOUNT FOR LOAD REDUCTIONS THAT ARE ACHIEVED WHEN ENERGY
6 RECOVERY SYSTEMS ARE USED IN THE HVAC SYSTEM IN ACCORDANCE WITH THE ASHRAE HANDBOOK
7 “HVAC SYSTEMS AND EQUIPMENT”. ALTERNATIVELY, DESIGN LOADS MUST BE DETERMINED BY AN
8 APPROVED EQUIVALENT COMPUTATION PROCEDURE, USING THE DESIGN PARAMETERS SPECIFIED IN
9 CHAPTER 3 OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND § 301.2 OF THIS CODE. FOR
10 NEW OR REPLACED HEATING AND COOLING EQUIPMENT, ENVELOPE CALCULATIONS BASED ON MANUAL
11 “J”, PUBLISHED BY THE AIR CONDITIONING CONTRACTORS OF AMERICA, OR ITS EQUIVALENT MUST BE
12 SUBMITTED TO THE CODE OFFICIAL WITH THE PERMIT APPLICATION.

13 CHAPTER 4. VENTILATION

14 SECTION 401 GENERAL

15 **401.1 TO 401.3** *{AS IN IMC}*

16 **401.4 OPENING LOCATION.** *{AS IN IMC}*

17 **401.4.1 INTAKE OPENINGS.** *{AS IN IMC}*

18 **401.4.2 EXHAUST OPENINGS.** OUTSIDE EXHAUST OPENINGS MUST BE LOCATED SO AS NOT TO
19 CREATE A NUISANCE. EXHAUST AIR MAY NOT BE DIRECTED ONTO WALKWAYS. EXHAUST OPENINGS
20 MUST BE AT LEAST 10 FEET (3048 MM) ABOVE GRADE.

21 **401.4.3 FLOOD HAZARD.** *{AS IN IMC}*

22 **401.5 OUTDOOR OPENING PROTECTION.** *{AS IN IMC}*

23 **401.6 CONTAMINANTS SOURCES.** *{AS IN IMC}*

24 **SECTIONS 402 TO 406 NATURAL VENTILATION** *{AS IN IMC}*

25 CHAPTER 5. EXHAUST SYSTEMS

26 SECTION 501 GENERAL

27 **501.1 SCOPE.** *{AS IN IMC}*

28 **501.2 EXHAUST DISCHARGE.** *{AS IN IMC}*

29 **EXCEPTIONS:** *{NOT ADOPTED}*

30 **501.2.1 LOCATION OF EXHAUST OUTLETS.** *{AS IN IMC}*

31 **501.3 PRESSURE EQUALIZATION.** *{AS IN IMC}*

32 **501.4 DUCTS.** *{AS IN IMC}*

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1 **SECTION 502 REQUIRED SYSTEMS**

2 **502.1 TO 502.13** *{As in IMC}*

3 **502.14 MOTOR VEHICLE OPERATION.** IN ANY AREA WHERE MOTOR VEHICLES OPERATE:

- 4 1. RECIRCULATION OF VENTILATION AIR IS PROHIBITED,
- 5 2. FOR STATIONARY MOTOR VEHICLES, THE AREA MUST BE PROVIDED WITH A SOURCE CAPTURE
- 6 SYSTEM THAT CONNECTS DIRECTLY TO THE MOTOR VEHICLE EXHAUST SYSTEMS, AND
- 7 3. IN FUEL-DISPENSING AREAS, THE BOTTOM OF THE AIR INLET OR EXHAUST OPENING MUST BE
- 8 LOCATED NO MORE THAN 18 INCHES (203 MM) ABOVE THE FLOOR.

9 **EXCEPTIONS:** *{As in IMC}*

10 **502.15 TO 502.19** *{As in IMC}*

11 **SECTION 503 MOTORS AND FANS** *{As in IMC}*

12 **SECTION 504 CLOTHES DRYER EXHAUST** *{As in IMC}*

13 **SECTION 505 DOMESTIC KITCHEN EXHAUST EQUIPMENT** *{As in IMC}*

14 **SECTION 506 COMMERCIAL KITCHEN GREASE DUCTS AND EXHAUST EQUIPMENT** *{As in IMC}*

15 **506.1 GENERAL.** *{As in IMC}*

16 **506.2 CORROSION PROTECTION.** *{As in IMC}*

17 **506.3 DUCTS SERVING TYPE I HOODS.** *{As in IMC}*

18 **506.3.1 TO 506.3.11** *{As in IMC}*

19 **506.3.12 EXHAUST OUTLETS SERVING TYPE I HOODS.** EXHAUST OUTLETS FOR DUCTS THAT SERVE

20 COMMERCIAL FOOD HEAT-PROCESSING EQUIPMENT MUST EXTEND AS DIRECTLY AS POSSIBLE

21 THROUGH THE ROOF. THE DISCHARGE EXHAUST AIRFLOW MUST BE DIRECTED VERTICALLY TO THE

22 GREATEST EXTENT POSSIBLE.

23 **506.3.12.1 TERMINATION ABOVE THE ROOF.** *{As in IMC}*

24 **506.3.12.2 TERMINATION THROUGH AN EXTERIOR WALL.** *{NOT ADOPTED}*

25 **506.3.12.3 TERMINATION LOCATION.** *{As in IMC}*

26 **EXCEPTIONS:** *{As in IMC}*

27 **506.4 DUCTS SERVING TYPE II HOODS.** *{As in IMC}*

28 **506.5 EXHAUST EQUIPMENT.** *{As in IMC}*

29 **SECTION 507 COMMERCIAL KITCHEN HOODS** *{As in IMC}*

30 **SECTION 508 COMMERCIAL KITCHEN MAKEUP AIR** *{As in IMC}*

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1 **SECTION 509 FIRE SUPPRESSION SYSTEMS** *{AS IN IMC}*

2 **SECTION 510 HAZARDOUS EXHAUST SYSTEMS** *{AS IN IMC}*

3 **SECTION 511 DUST, STOCK, AND REFUSE CONVEYING SYSTEMS** *{AS IN IMC}*

4 **SECTION 512 SUBSLAB SOIL EXHAUST SYSTEMS** *{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE"*
5 *FOR "INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IMC.}*

6 **SECTION 513 SMOKE CONTROL SYSTEMS** *{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC*
7 *ELECTRICAL CODE". OTHERWISE, AS IN IMC.}*

8 **CHAPTER 6. DUCT SYSTEMS**
9 *{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".}*

10 **SECTION 601 GENERAL** *{AS IN IMC}*

11 **SECTION 602 PLENUMS**

12 **602.1 GENERAL.** *{AS IN IMC}*

13 **602.2 CONSTRUCTION.** *{AS IN IMC}*

14 **602.3 STUD CAVITY AND JOIST SPACE PLENUMS.** *{AS IN IMC}*

15 **EXCEPTION:** STUD WALL CAVITIES AND SPACES BETWEEN SOLID FLOOR JOISTS ABUTTING GARAGE
16 WALLS MAY NOT BE UTILIZED AS AIR PLENUMS.

17 **602.4 FLOOD HAZARD.** *{AS IN IMC}*

18 **SECTIONS 603 TO 607** *{AS IN IMC}*

19 **CHAPTER 7. COMBUSTION AIR**
20 *{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".*
21 *OTHERWISE, AS IN IMC.}*

22 **CHAPTER 8. CHIMNEYS AND VENTS**
23 *{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".}*

24 **801 GENERAL**

25 **801.1 TO 801.17** *{AS IN IMC}*

26 **801.18 EXISTING CHIMNEYS AND VENTS.** *{AS IN IMC}*

27 **801.18.1 - 801.18.4** *{AS IN IMC}*

28 **801.18.5 PROHIBITED USE.** MASONRY CHIMNEYS MAY NOT BE USED SIMULTANEOUSLY AS AIR
29 DUCT CHASES AND FLUE GAS CHASES.

30 **801.19 MULTISTORY PROHIBITED.** *{AS IN IMC}*

31 **801.20 PLASTIC VENT JOINTS.** *{AS IN IMC}*

32 **SECTIONS 802 TO 806** *{AS IN IMC}*

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1 **CHAPTER 9. SPECIFIC APPLIANCES, FIREPLACES, AND SOLID FUEL-BURNING EQUIPMENT**
2 ***{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”, AND***
3 ***“NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”.***
4 ***OTHERWISE, AS IN IMC.***

5 **CHAPTER 10. BOILERS, WATER HEATERS, AND PRESSURE VESSELS**

6 **SECTION 1001 GENERAL *{AS IN IMC}***

7 **SECTION 1002 WATER HEATERS *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR***
8 ***“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.***

9 **SECTION 1003 PRESSURE VESSELS *{AS IN IMC}***

10 **SECTION 1004 BOILERS *{AS IN IMC}***

11 **SECTION 1005 BOILER CONNECTIONS *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR***
12 ***“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.***

13 **SECTION 1006 SAFETY AND PRESSURE RELIEF VALVES AND CONTROLS**

14 **1006.1 TO 1006.5 *{AS IN IMC}***

15 **1006.6 SAFETY AND RELIEF VALVE DISCHARGE.** SAFETY AND RELIEF VALVE DISCHARGE PIPES MUST
16 BE OF RIGID PIPE THAT IS APPROVED FOR THE TEMPERATURE OF THE SYSTEM. THE DISCHARGE PIPE MUST
17 BE THE SAME DIAMETER AS THE SAFETY OR RELIEF VALVE OUTLET. SAFETY AND RELIEF VALVES MAY
18 NOT DISCHARGE SO AS TO BE A HAZARD, A POTENTIAL CAUSE OF DAMAGE, OR OTHERWISE A NUISANCE.
19 HIGH-PRESSURE-STEAM SAFETY VALVES MUST BE VENTED TO THE OUTSIDE OF THE STRUCTURE. WHERE
20 A LOW- PRESSURE SAFETY VALVE OR WHERE A RELIEF VALVE DISCHARGES THE DRAINAGE SYSTEM, THE
21 INSTALLATION MUST CONFORM TO THE NATIONAL STANDARD PLUMBING CODE. ALL DISCHARGES TO
22 FLOOR DRAINS MUST BE FROM WITHIN 2 TO 6 INCHES (50.8 MM TO 152.4 MM) FROM THE DRAIN.

23 **1006.7 BOILER SAFETY DEVICES. *{AS IN IMC}***

24 **1006.8 ELECTRICAL REQUIREMENTS. *{AS IN IMC}***

25 **SECTION 1007 BOILER LOW-WATER CUTOFF *{AS IN IMC}***

26 **SECTION 1008 STEAM BLOWOFF VALVE *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR***
27 ***“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.***

28 **SECTION 1009 HOT WATER BOILER EXPANSION TANK *{SUBSTITUTE “NATIONAL STANDARD PLUMBING***
29 ***CODE” FOR “INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.***

30 **SECTION 1010 GAUGES *{AS IN IMC}***

31 **SECTION 1011 TESTS *{AS IN IMC}***

32 **CHAPTER 11. REFRIGERATION**
33 ***{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”, AND***
34 ***“NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.***
35 ***OTHERWISE, AS IN IMC.***

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CHAPTER 12. HYDRONIC PIPING

*{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE".
OTHERWISE, AS IN IMC.}*

CHAPTER 13. FUEL OIL PIPING AND STORAGE

{AS IN IMC}

CHAPTER 14. SOLAR SYSTEMS

*{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE".
OTHERWISE, AS IN IMC.}*

CHAPTER 15. REFERENCED STANDARDS

SECTION 1501 GENERAL

1501.1 SCOPE. THIS CHAPTER 15 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.8 OF THIS CODE.

1501.2 CITY MODIFICATIONS. THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

PART VI. NATIONAL STANDARD PLUMBING CODE

§ 6-101. CITY ADOPTION.

(A) *IN GENERAL.*

THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT) 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 NATIONAL STANDARD PLUMBING CODE.

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1 § 6-102. CITY MODIFICATIONS.

2 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE
3 CITY ARE AS FOLLOWS:

4 ADMINISTRATION

5 ADM 1.1 TO 1.5 *{AS IN NSPC}*

6 ADM 1.6 ORGANIZATION AND ENFORCEMENT

7 1.6.1 AUTHORITY HAVING JURISDICTION

8 THE BUILDING OFFICIAL IS THE AUTHORITY HAVING JURISDICTION TO ADMINISTER AND ENFORCE
9 THIS CODE, AS ADOPTED AND AMENDED BY THE CITY.

10 1.6.2 TO 1.6.8 *{AS IN NSPC}*

11 ADM 1.7 VIOLATIONS AND PENALTIES

12 1.7.1 VIOLATIONS *{AS IN NSPC}*

13 1.7.2 PENALTIES

14 THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED FOR A VIOLATION OF THE
15 BALTIMORE CITY BUILDING CODE.

16 ADM 1.8 PERMITS *{AS IN NSPC}*

17 ADM 1.9 PROCESS FOR OBTAINING PERMITS

18 1.9.1 TO 1.9.7 *{AS IN NSPC}*

19 1.9.8 PERMIT EXPIRATION

20 A PERMIT EXPIRES AT THE TIMES AND UNDER THE CIRCUMSTANCES PROVIDED IN THE BALTIMORE
21 CITY BUILDING CODE FOR THE EXPIRATION OF BUILDING PERMITS. AN EXPIRED PERMIT MAY BE
22 EXTENDED AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE FOR THE EXTENSION OF
23 BUILDING PERMITS.

24 1.9.9 REVOCATION OR SUSPENSION *{AS IN NSPC}*

25 ADM 1.10 PERMIT FEES

26 FEES FOR PERMITS ISSUED UNDER THIS CODE AND ~~FOR~~ FOR RELATED SERVICES ARE AS PROVIDED IN THE
27 BALTIMORE CITY BUILDING CODE.

28 ADM 1.11 INSPECTIONS

29 1.11.1 TO 1.11.4 *{AS IN NSPC}*

30 1.11.5 REQUESTS FOR INSPECTION

31 WHEN THE WORK IS READY FOR INSPECTION, THE PERSON DOING THE WORK UNDER THE PERMIT:
32

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- 1 1. MUST GIVE THE BUILDING OFFICIAL AT LEAST 24 HOURS' ADVANCE NOTICE, BY THE
2 METHOD (IN WRITING OR BY TELEPHONE) THAT THE BUILDING OFFICIAL REQUIRES,
- 3 2. IS RESPONSIBLE TO MAKE SURE THAT, BEFORE GIVING NOTICE, THE WORK WILL PASS ANY
4 TEST THAT MAY BE REQUIRED, AND
- 5 3. IS RESPONSIBLE TO PROVIDE REASONABLE ACCESS AND MEANS FOR ACCOMPLISHING PROPER
6 INSPECTIONS AND TESTS.

7 **1.11.6 OTHER INSPECTIONS {AS IN NSPC}**

8 **1.11.7 REINSPECTION FEES {AS IN NSPC}**

9 **ADM 1.12 FINAL CONNECTIONS {AS IN NSPC}**

10 **ADM 1.13 UNCONSTITUTIONALITY {AS IN NSPC}**

11 **BASIC PRINCIPLES** 12 **{AS IN NSPC}**

13 **CHAPTER 1. DEFINITIONS**

14 **1.1 GENERAL {AS IN NSPC}**

15 **1.2 DEFINITION OF TERMS**

16 **1.2.1 GENERAL**

17 EXCEPT AS PROVIDED IN § 1.2.2, TERMS THAT ARE USED IN THESE PLUMBING REGULATIONS AND
18 DEFINED IN THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT) HAVE
19 THE MEANINGS GIVEN IN THAT CODE.

20 **1.2.2 SUPPLEMENTAL DEFINITIONS**

21 NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE NSPC, THE FOLLOWING TERMS HAVE THE
22 MEANINGS GIVEN IN THIS § 1.2.2.

23 **1.2.2.1 APPROVED**

24 “APPROVED” MEANS ACCEPTED OR ACCEPTABLE UNDER AN APPLICABLE STANDARD STATED OR
25 CITED IN THIS CODE, OR ACCEPTED AS SUITABLE FOR THE PROPOSED USE UNDER PROCEDURES
26 AND POWERS OF THE BUILDING OFFICIAL UNDER THE GUIDANCE OF, OR IN CONFORMITY WITH,
27 THE STANDARDS OR LISTINGS, OR BOTH, OF ACCEPTABLE FIXTURES AND DEVICES THAT REDUCE
28 WATER CONSUMPTION AND MEET REQUIREMENTS OF SAFETY AND SANITATION AND ARE
29 CERTIFIED BY AN INDEPENDENT TESTING LABORATORY TO MEET ONE OR MORE OF THE
30 STANDARDS CITED IN TABLE 3.1.3 OF THIS CODE.

31 *SEE {AS IN NSPC}*

32 **1.2.2.2 AUTHORITY HAVING JURISDICTION**

33 “AUTHORITY HAVING JURISDICTION” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2
34 OF THE BUILDING CODE OF BALTIMORE CITY.

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1.2.2.3 HOT WATER

“HOT WATER” MEANS POTABLE WATER AT A TEMPERATURE OF NOT LESS THAN 110° F AND NOT MORE THAN 140° F.

SEE {AS IN NSPC}

1.2.2.4 MUST

“MUST” IS A MANDATORY TERM. (*SEE ALSO* “SHALL”.)

1.2.2.5 SHALL.

“SHALL” IS A MANDATORY TERM. (*SEE ALSO* “MUST”.)

CHAPTER 2. GENERAL REGULATIONS

2.1 TO 2.15 {AS IN NSPC}

2.16 FREEZING OR OVERHEATING

A. THE PLUMBING SYSTEM MUST BE PROTECTED FROM FREEZING OR OVERHEATING.

B. THE FOLLOWING CONDITIONS MUST BE MET:

1. WATER SERVICE PIPING MUST BE INSTALLED BELOW RECORDED FROST LINES. EARTH COVER MUST BE AT LEAST 36 INCHES (914 MM).
2. MINIMUM EARTH COVER FOR BUILDING SEWERS THAT CONNECT TO PUBLIC SEWAGE SYSTEMS MUST BE 30 INCHES (762 MM). MINIMUM EARTH COVER FOR BUILDING SEWERS THAT CONNECT TO INDIVIDUAL SEWAGE DISPOSAL SYSTEMS MUST BE 30 INCHES (762 MM).
3. IN SYSTEMS THAT ARE USED SEASONALLY, WATER PIPING MUST BE INSTALLED TO BE DRAINED.
4. PIPING MUST BE INSTALLED SO THAT THE CONTENTS WILL NOT BE HEATED DUE TO CLOSE PROXIMITY TO ANY HEAT SOURCE OR FROM DIRECT SOLAR RADIATION.
5. ALL WASTE AND WATER SUPPLY PIPING IN EXTERIOR WALLS AND OTHER AREAS MUST BE PROTECTED FROM FREEZING.

SEE {AS IN NSPC}

NOTE: *{AS IN NSPC}*

2.17 PROTECTIVE FOOTINGS {AS IN NSPC}

2.18 CONNECTIONS TO PLUMBING SYSTEMS REQUIRED {AS IN NSPC}

2.19 CONNECTION TO WATER AND SEWER SYSTEMS

2.19.1 AVAILABILITY OF PUBLIC WATER AND SEWER

THE WATER DISTRIBUTION AND ~~DRAINAGE~~ SEWER SYSTEM OF ANY BUILDING IN WHICH PLUMBING FIXTURES ARE INSTALLED MUST BE CONNECTED TO A PUBLIC WATER SUPPLY SYSTEM AND TO A

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1 PUBLIC SEWER SYSTEM UNLESS OTHERWISE AUTHORIZED BY A NATIONAL POLLUTANT DISCHARGE
2 ELIMINATION SYSTEM PERMIT ISSUED UNDER TITLE 9 OF THE STATE ENVIRONMENT ARTICLE.
3 PRIVATE SEPTIC TANK SYSTEMS MAY ONLY BE INSTALLED WITH THE WRITTEN PERMISSION OF THE
4 BUILDING OFFICIAL IF THE PUBLIC SYSTEM IS WITHIN:

5 A. ~~200 FEET (18.58 M) OF ANY PROPERTY LINE OF THE PREMISES, OR~~

6 B. ~~ANY OTHER REASONABLE DISTANCE SET BY THE BUILDING OFFICIAL.~~

7 *SEE {AS IN NSPC}*

8 **NOTE: {AS IN NSPC}**

9 **2.19.2 PRIVATE SYSTEMS {AS IN NSPC}**

10 **2.20 TO 2.24 {AS IN NSPC}**

11 **2.25 FOOD HANDLING AREAS**

12 IN NEWLY CONSTRUCTED ESTABLISHMENTS, SOIL OR DRAIN PIPES MAY NOT BE LOCATED OVER FOOD
13 PREPARATION, STORAGE, DISPLAY, SERVING, OR DINING AREAS. WHERE BUILDING DESIGN FOR A
14 REMODELED ESTABLISHMENT REQUIRES THAT THE SOIL OR DRAIN PIPES BE LOCATED OVER THOSE
15 AREAS, PIPES MUST BE PROTECTED AGAINST LEAKAGE OR CONDENSATION REACHING THE FOOD OR
16 DRINK AS DESCRIBED BELOW. THE INSTALLATION MUST BE MADE WITH THE LEAST POSSIBLE NUMBER OF
17 JOINTS AND INSTALLED SO AS TO CONNECT TO A VERTICAL STACK AT THE NEAREST WALL OR VERTICAL
18 BUILDING SUPPORT, AND THE CONSTRUCTION MUST BE PERFORMED AS FOLLOWS:

19 1. TO 10. *{AS IN NSPC}*

20 *SEE {AS IN NSPC}*

21 **CHAPTER 3. MATERIALS**

22 **3.1 MATERIALS {AS IN NSPC}**

23 **3.2 SPECIAL MATERIALS**

24 **3.2.1 MISCELLANEOUS MATERIALS {AS IN NSPC}**

25 **3.2.2 LEAD {AS IN NSPC}**

26 **3.2.3 PLASTIC**

27 A. - C. *{AS IN NSPC}*

28 D. SDR-35 OR THINNER PLASTIC PIPING MAY NOT BE USED IN UNDERGROUND SANITARY STORM
29 AND VENT PIPING SYSTEMS.

30 *SEE {AS IN NSPC}*

31 **NOTE: {AS IN NSPC}**

32 **3.3 FITTINGS, FIXTURES, APPLIANCES & APPURTENANCES {AS IN NSPC}**

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1 **3.4 POTABLE WATER PIPING**

2 **3.4.1 TO 3.4.6** *{AS IN NSPC}*

3 **TABLE 3.4 MATERIALS FOR POTABLE WATER**
4 **COPPER WATER TUBE, TYPE M (ASTM B88) –**
5 **NOT APPROVED FOR UNDERGROUND WATER SERVICE PIPING.**

6 **3.5 TO 3.12** *{AS IN NSPC}*

7 **CHAPTER 4. JOINTS AND CONNECTIONS**
8 *{AS IN NSPC}*

9 **CHAPTER 5. TRAPS, CLEANOUTS, AND BACKWATER VALVES**

10 **5.1 SEPARATE TRAPS FOR EACH FIXTURE** *{AS IN NSPC}*

11 **5.2 SIZE OF FIXTURE TRAPS** *{AS IN NSPC}*

12 **5.3 GENERAL REQUIREMENTS FOR TRAPS**

13 **5.3.1 TO 5.3.4** *{AS IN NSPC}*

14 **5.3.5 PROHIBITED TRAPS**

15 A. THE FOLLOWING TYPES OF TRAPS ARE PROHIBITED:

16 1. TO 3. *{AS IN NSPC}*

17 4. SEPARATE FIXTURE TRAPS THAT DEPEND ON INTERIOR PARTITIONS FOR THEIR SEAL.

18 5. TO 6. *{AS IN NSPC}*

19 B. *{AS IN NSPC}*

20 *SEE {AS IN NSPC}*

21 **5.3.6 TRAP SEAL MAINTENANCE** *{AS IN NSPC}*

22 **5.4 DRAINAGE PIPE CLEANOUTS**

23 **5.4.1 TO 5.4.3** *{AS IN NSPC}*

24 **5.4.4 CLEANOUTS FOR CONCEALED PIPING**

25 CLEANOUTS FOR CONCEALED PIPING MUST EXTEND THROUGH AND TERMINATE FLUSH WITH THE
26 FINISHED WALL OR FLOOR; OR PITS OR CHASES MAY BE LEFT IN THE WALL OR FLOOR, IF THEY ARE OF
27 SUFFICIENT SIZE TO PERMIT REMOVAL OF THE CLEANOUT PLUG AND PROPER CLEANING OF THE
28 SYSTEM. CLEANOUTS ARE NOT PERMITTED IN CEILING SPACES.

29 *SEE {AS IN NSPC}*

30 **5.4.5 TO 5.4.9** *{AS IN NSPC}*

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5.4.10 MANHOLES FOR LARGE PIPES

A. - D. *{AS IN NSPC}*

E. MANHOLE CONSTRUCTION MUST COMPLY WITH THE DEPARTMENT OF PUBLIC WORK'S "~~BOOK~~
OF STANDARDS" GUIDELINES AND STANDARDS.

SEE {AS IN NSPC}

5.4.11 TO 5.4.14 {AS IN NSPC}

5.5 BACKWATER VALVES {AS IN NSPC}

CHAPTER 6. LIQUID WASTE TREATMENT EQUIPMENT

6.1 GENERAL

6.1.1 TO 6.1.8 {AS IN NSPC}

6.2 GREASE INTERCEPTORS AND GREASE RECOVERY DEVICES (GRD)

6.2.1 TO 6.2.3 {AS IN NSPC}

6.2.4 COMMERCIAL DISHWASHERS

COMMERCIAL DISHWASHERS ARE NOT PERMITTED TO DISCHARGE THROUGH A GREASE INTERCEPTOR.

6.2.5 TO 6.2.8 {AS IN NSPC}

6.3 OIL/WATER SEPARATORS

6.3.1 WHERE REQUIRED AND APPROVED POINT OF DISCHARGE

A. - D. *{AS IN NSPC}*

E. WHERE PARKING GARAGES WITHOUT PROVISIONS FOR VEHICLE-WASHING OR FLOOR-RINSING FACILITIES REQUIRE STORM WATER DRAINAGE, DRAINS MAY BE CONNECTED TO THE STORM SEWER WITHOUT A SAND AND OIL INTERCEPTOR. THIS DRAINAGE, INCLUDING MELTING SNOW, ICE, OR RAINWATER RUNOFF FROM VEHICLES, MAY NOT BE CONNECTED TO A SANITARY SEWER. OIL INTERCEPTORS ARE NOT REQUIRED IN OPEN PARKING GARAGES.

F. WHERE OIL SEPARATORS INCLUDE A WASTE HOLDING TANK, THE TANK MAY NOT BE USED TO STORE OR CONTAIN ANY OTHER WASTE OIL (E.G., MOTOR OIL) OR HAZARDOUS FLUID. THE INSTALLATION OF WASTE-OIL STORAGE TANKS MUST COMPLY WITH COMAR 26.10 ("OIL POLLUTION AND TANK MANAGEMENT").

SEE {AS IN NSPC}

6.3.2 DESIGN OF OIL SEPARATORS

A - D. *{AS IN NSPC}*

E. THE OIL DRAW-OFF OR OVERFLOW FROM OIL SEPARATORS MUST BE CONNECTED TO AN APPROVED WASTE-OIL TANK THAT MEETS THE ENVIRONMENTAL REQUIREMENTS OF THE

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1 MARYLAND DEPARTMENT OF THE ENVIRONMENT. THE WASTE OIL FROM THE SEPARATOR MUST
2 FLOW BY GRAVITY OR MAY BE PUMPED TO A HIGHER ELEVATION BY AN AUTOMATIC PUMP.
3 PUMPS MUST BE ADEQUATELY SIZED, EXPLOSION PROOF, AND ACCESSIBLE. WASTE-OIL TANKS
4 MUST HAVE A 2" MINIMUM PUMP-OUT CONNECTION AND A 1½" MINIMUM VENT TO THE
5 ATMOSPHERE.

6 F. - H. *{AS IN NSPC}*

7 *SEE {AS IN NSPC}*

8 **6.3.3 VAPOR VENTING** *{AS IN NSPC}*

9 **6.3.4 COMBINATION OIL SEPARATOR AND SAND SEPARATOR** *{AS IN NSPC}*

10 **6.4 TO 6.7** *{AS IN NSPC}*

11 CHAPTER 7. PLUMBING FIXTURES, FIXTURE FITTINGS, AND PLUMBING APPLIANCES

12 **7.1 FIXTURE STANDARDS** *{AS IN NSPC}*

13 **7.2 FIXTURES FOR ACCESSIBLE USE** *{AS IN NSPC}*

14 **7.3 INSTALLATION**

15 **7.3.1 TO 7.3.8** *{AS IN NSPC}*

16 **7.3.9 WATER CLOSET AND URINAL COMPARTMENTS**

17 EACH WATER CLOSET AND URINAL USED BY THE PUBLIC OR BY EMPLOYEES IN A NON-RESTRICTED
18 USE MUST OCCUPY A SEPARATE COMPARTMENT TO ASSURE PRIVACY. WATER CLOSETS MUST BE
19 LOCATED WITHIN COMPARTMENTS EQUIPPED WITH DOORS. PRIVACY PARTITIONS ARE ACCEPTABLE
20 BETWEEN URINALS.

21 **EXCEPTION:** A WATER CLOSET COMPARTMENT IS NOT REQUIRED IN A SINGLE-OCCUPANT
22 TOILET ROOM WITH A LOCKABLE DOOR.

23 **7.4 TO 7.24** *{AS IN NSPC}*

24 CHAPTER 8. HANGERS AND SUPPORTS

25 **8.1 GENERAL**

26 A. - C. *{AS IN NSPC}*

27 D. FLEXIBLE PLASTIC AND METAL STRAP USED FOR SUPPORT OR HANGERS MUST BE INSTALLED SO AS
28 NOT TO ALLOW VIBRATION OR UNDUE MOVEMENT OF THE PLUMBING FIXTURES, PIPES, APPLIANCES,
29 OR EQUIPMENT. FLEXIBLE STRAP MAY ONLY BE USED WITH LIKE MATERIALS AND MAY NOT CAUSE
30 DAMAGE TO THE PLUMBING SYSTEM. FLEXIBLE PLASTIC OR METAL STRAP MAY NOT BE USED IN ANY
31 GAS FITTING INSTALLATIONS.

32 **8.2 TO 8.9** *{AS IN NSPC}*

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CHAPTER 9. INDIRECT WASTE PIPING AND SPECIAL WASTES

9.1 INDIRECT WASTES

9.1.1 TO 9.1.10 *{AS IN NSPC}*

9.1.11 SWIMMING POOLS *{AS IN NSPC}*

9.1.11.1 WADING AND TODDLER POOLS

ALL WADING POOLS AND TODDLER POOLS MUST BE EQUIPPED WITH 2 DRAINS FROM A SINGLE DRAIN LINE SO AS NOT TO CREATE A VACUUM IF EITHER OF THE DRAINS IS COVERED. THE DRAINAGE MUST DISCHARGE INDIRECTLY THROUGH AN AIR GAP TO A TRAPPED AND VENTED RECEPTOR.

9.2 INDIRECT WASTE PIPING *{AS IN NSPC}*

9.3 INDIRECT WASTE RECEPTORS *{AS IN NSPC}*

9.4 SPECIAL WASTES

9.4.1 TREATMENT OF CORROSIVE WASTES *{AS IN NSPC}*

9.4.2 HIGH TEMPERATURE WASTES *{AS IN NSPC}*

9.4.3 AIR CONDITIONING CONDENSATE

A. - B. *{AS IN NSPC}*

C. DISCHARGE OF AIR CONDITIONING CONDENSATE MAY NOT BE ALLOWED TO CREATE A NUISANCE, SUCH AS BY CONTINUOUSLY DISCHARGING INTO THE PUBLIC RIGHT-OF-WAY OR FLOWING ACROSS THE GROUND OR PAVED SURFACES. UNLESS EXPRESSLY PROHIBITED BY THE BUILDING OFFICIAL, THE POINT OF INDIRECT DISCHARGE FOR AIR CONDITIONING CONDENSATE MUST BE ONE OF THE FOLLOWING:

1. THE BUILDING STORM DRAINAGE SYSTEM,
2. THE BUILDING SANITARY DRAINAGE SYSTEM, AS APPROVED BY THE BUILDING OFFICIAL,
3. A SUMP PUMP, OR
4. WITHIN DWELLINGS, A TUB WASTE AND OVERFLOW OR A LAVATORY TAILPIECE WITHIN THE SAME DWELLING.

SEE {AS IN NSPC}

CHAPTER 10. WATER SUPPLY AND DISTRIBUTION

10.1 QUALITY OF WATER SUPPLY *{AS IN NSPC}*

10.2 IDENTIFICATION OF POTABLE AND NON-POTABLE WATER *{AS IN NSPC}*

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1 **10.3 WATER REQUIRED**

2 **10.3.1 BUILDINGS**

3 EVERY BUILDING EQUIPPED WITH PLUMBING FIXTURES AND USED FOR HUMAN OCCUPANCY MUST BE
4 PROVIDED WITH A POTABLE SUPPLY OF COLD WATER IN THE AMOUNTS AND AT THE PRESSURES
5 SPECIFIED IN THIS CHAPTER. FOR PERMANENT RESIDENCES AND FOR BUILDINGS IN WHICH PEOPLE
6 ARE EMPLOYED, HOT WATER MUST ALSO BE PROVIDED IN THE AMOUNTS AND AT THE PRESSURES
7 SPECIFIED IN THIS CHAPTER.

8 **10.4 PROTECTION OF POTABLE WATER SUPPLY {AS IN NSPC}**

9 **10.5 BACKFLOW PREVENTION**

10 **10.5.1 TO 10.5.4 {AS IN NSPC}**

11 **10.5.5 INSTALLATION OF BACKFLOW PREVENTION DEVICES**

12 A. - E. *{AS IN NSPC}*

13 F. A PERSON MAY NOT INSTALL BACKFLOW PREVENTION DEVICES IN THE CITY UNLESS THAT
14 PERSON IS LICENSED BY THE STATE AS A MASTER OR JOURNEYMAN PLUMBER.

15 G. A BACKFLOW PREVENTION DEVICE IS REQUIRED ON BOTH DOMESTIC AND SPRINKLER SYSTEM
16 WATER MAINS AS THEY ENTER THE BUILDING. A BYPASS SYSTEM MUST BE PROVIDED TO ALLOW
17 TESTING OF THE BACKFLOW DEVICE.

18 **10.5.6 - 10.5.8 {AS IN NSPC}**

19 **10.5.9 PROTECTION FROM FIRE SYSTEMS**

20 A. POTABLE WATER SUPPLIES TO WATER-BASED FIRE PROTECTION SYSTEMS, INCLUDING
21 STANDPIPES AND AUTOMATIC SPRINKLER SYSTEMS, MUST BE PROTECTED FROM BACK-PRESSURE
22 AND BACK-SIPHONAGE BY ONE OF THE FOLLOWING TESTABLE DEVICES:

- 23 1. DOUBLE CHECK FIRE PROTECTION BACKFLOW PROTECTION ASSEMBLY,
- 24 2. DOUBLE CHECK DETECTOR FIRE PROTECTION BACKFLOW PROTECTION ASSEMBLY,
- 25 3. REDUCED PRESSURE PRINCIPLE FIRE PROTECTION BACKFLOW PREVENTION ASSEMBLY,
- 26 4. REDUCED PRESSURE DETECTOR FIRE PROTECTION BACKFLOW PREVENTION ASSEMBLY.

27 **EXCEPTIONS {AS IN NSPC}**

28 B. - D. *{AS IN NSPC}*

29 **10.5.10 - 10.5.13 {AS IN NSPC}**

30 **10.5.14 HIGH HAZARD BUILDINGS**

31 A. IN ADDITION TO THE BACKFLOW DEVICE ON THE WATER SUPPLY MAIN, AT EACH FLOOR WHERE
32 HAZARDOUS USES OF WATER ARE FOUND, A BACKFLOW PREVENTION DEVICE MUST BE
33 INSTALLED ON THE WATER SERVICE LINE THAT SUPPLIES THAT FLOOR.

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1 B. ANY BYPASS PIPING MUST ALSO HAVE A BACKFLOW PREVENTION DEVICE INSTALLED.

2 **10.5.15 BACKFLOW PREVENTION DEVICES ON HOT WATER SUPPLY**

3 WHEN HOT WATER RETURN PIPING IS NEEDED, IT MUST BE TAKEN FROM THE SUPPLY SIDE OF THE
4 BACKFLOW PREVENTION DEVICE.

5 **10.5.16 TESTING AND INSPECTION CERTIFICATE**

6 ALL TESTING AND INSPECTIONS MUST BE DOCUMENTED ON A CERTIFICATE ATTACHED TO THE
7 BACKFLOW PREVENTION DEVICE.

8 **10.6 TO 10.11 {As IN NSPC}**

9 **10.12 WATER SUPPLY CONTROL VALVES**

10 **10.12.1 TO 10.12.9 {As IN NSPC}**

11 **10.12.10 INDIVIDUAL VALVES ON SPRINKLER SYSTEMS**

12 DOMESTIC WATER SERVICE LINES USED TO SUPPLY WATER TO BOTH THE SPRINKLER AND THE
13 DOMESTIC WATER PIPING INSIDE A BUILDING MUST HAVE AN INDIVIDUAL VALVE ON BOTH BRANCH
14 LINES WHEN SERVED BY A SINGLE WATER SERVICE PIPE. A BUILDING VALVE MAY NOT BE USED TO
15 SERVE BOTH SYSTEMS. A FLOW ALARM MUST BE PROVIDED ON THE SPRINKLER SYSTEM.

16 **EXCEPTION:** THIS § 10.12.10 DOES NOT APPLY TO SINGLE-FAMILY DWELLINGS.

17 **10.13 TO 10.15 {As IN NSPC}**

18 **10.16 SAFETY DEVICES FOR PRESSURE VESSELS**

19 **10.16.1 TO 10.16.5 {As IN NSPC}**

20 **10.16.6 RELIEF VALVE DISCHARGE PIPING**

21 A – C. *{As IN NSPC}*

22 D. FOR NEW CONSTRUCTION, AN AIR GAP MUST BE PROVIDED WHERE RELIEF VALVES DISCHARGE
23 INTO AN INDIRECT WASTE PIPE, FLOOR DRAIN, TRENCH DRAIN, SERVICE SINK, MOP BASIN,
24 LAUNDRY SINK, STANDPIPE, OR OTHER APPROVED RECEPTOR. THE MINIMUM SIZE OF FIXTURE
25 DRAINS OR WASTE PIPES THAT RECEIVE THE DISCHARGE FROM RELIEF VALVES IS AS INDICATED
26 IN TABLE 10.16.6.

27 E. IN EXISTING CONSTRUCTION, WHERE RELIEF VALVES DISCHARGE TO THE FLOOR, THE DISCHARGE
28 PIPE MUST TERMINATE NOT MORE THAN 6 INCHES NOR LESS THAN 2 INCHES ABOVE THE FLOOR.

29 F. - G. *{As IN NSPC}*

30 *SEE {As IN NSPC}*

31 **10.16.7 VACUUM RELIEF VALVES {As IN NSPC}**

32 **10.16.8 REPLACEMENT OF RELIEF VALVES {As IN NSPC}**

33 **10.17 TO 10.19 {As IN NSPC}**

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CHAPTER 11. SANITARY DRAINAGE SYSTEMS
{AS IN NSPC}

CHAPTER 12. VENTS AND VENTING
{AS IN NSPC}

CHAPTER 13. STORM WATER DRAINAGE

13.1 GENERAL

13.1.1 TO 13.1.4 *{AS IN NSPC}*

13.1.5 FOUNDATION DRAINS

- A. FOUNDATION DRAINS MUST BE PROVIDED AROUND THE PERIMETER OF BASEMENTS, CELLARS, CRAWL SPACES, OR ANY BUILDING SPACE BELOW GRADE. THE DRAINS MUST BE POSITIONED EITHER INSIDE OR OUTSIDE OF THE FOOTINGS AND MUST BE PERFORATED OR OPEN-JOINT APPROVED DRAIN TILE OR PIPE NOT LESS THAN 3" PIPE SIZE. THE INVERT OF FOUNDATION DRAINS MAY NOT BE LESS THAN 2 INCHES BELOW THE UNDERSIDE OF THE FLOOR SLAB BEING PROTECTED. EXTERIOR PIPING MUST BE AT LEAST 30" BELOW GRADE.

B. - F. *{AS IN NSPC}*

SEE {AS IN NSPC}

13.1.6 TO 13.1.9 *{AS IN NSPC}*

13.1.10 ROOF DRAINAGE

13.1.10.1 PRIMARY ROOF DRAINAGE

- A. GUTTERS, DOWNSPOUTS, AND LEADERS MUST BE PROVIDED ON ALL BUILDINGS TO PROPERLY COLLECT, CONDUCT, AND DISCHARGE THE WATER FROM THEIR ROOF AREAS INTO A STORM DRAIN. THE LOCATION AND SIZING OF DRAINS AND GUTTERS MUST BE COORDINATED WITH THE STRUCTURAL DESIGN AND PITCH OF THE ROOF.
- B. UNLESS OTHERWISE REQUIRED BY THE BUILDING OFFICIAL, ROOF DRAINS, GUTTERS, VERTICAL CONDUCTORS OR LEADERS, AND HORIZONTAL STORM DRAINS FOR PRIMARY DRAINAGE MUST BE SIZED BASED ON A STORM OF 60 MINUTES DURATION AND 100-YEAR RETURN PERIOD. (*SEE* APPENDIX A.)
- C. NO WATER FROM ANY BUILDING MAY BE DISCHARGED SO AS TO FLOW OVER ANY SIDEWALK, FOOTWAY, OR ADJOINING PROPERTY, EXCEPT FROM WINDOW SILLS, COPINGS, OR CORNICES THAT PROJECT NO MORE THAN 1 FOOT (305 MM).

EXCEPTIONS:

1. ROOFS, CORNICES, COPINGS, OR OTHER SIMILAR PROJECTIONS THAT ARE LESS THAN 5 FEET (3.03 M), MEASURED HORIZONTALLY IN THE LINE OF FLOW, AS LONG THE WATER IS NOT DISCHARGED ON ANY SIDEWALK, FOOTWAY, OR ADJOINING PROPERTY, OR
2. AWNINGS OR MARQUEES THAT DISCHARGE OFF THE OUTER EDGE.

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13.1.10.2 SECONDARY ROOF DRAINAGE

A. *{As in NSPC}*

B. WHERE SECONDARY DRAINAGE IS PROVIDED BY MEANS OF ROOF DRAINS OR STANDPIPES, THE SECONDARY SYSTEM MUST:

1. BE SEPARATE FROM THE PRIMARY SYSTEM, AND

2. EITHER:

I. DISCHARGE INDEPENDENTLY AT GRADE, OR

II. TIE INTO THE PRIMARY SYSTEM'S VERTICAL STACKS AT A LOCATION TO BE DETERMINED BY THE BUILDING OFFICIAL.

C. - F. *{As in NSPC}*

13.1.10.3 VERTICAL WALLS *{As in NSPC}*

13.1.10.4 EQUIVALENT SYSTEMS *{As in NSPC}*

13.1.10.5 METHODS OF ROOF DRAINAGE

A. METHOD 1: DRAINAGE MAY BE DISCHARGED BY PIPING TO A STORM DRAIN, TO THE STREET OR ALLEY, OR TO AN APPROVED WATER COURSE. THE INSTALLATION OF PIPING, CONNECTIONS TO STORM DRAINS, ETC., MUST BE MADE IN ACCORDANCE WITH THIS CODE.

B. METHOD 2: DRAINAGE MAY BE DISCHARGED NOT LESS THAN 10 FEET (3.05 M) FROM THE BUILDING, FROM OTHER BUILDINGS, OR FROM ANY ADJACENT PROPERTY LINE, AS LONG AS THE DISCHARGE IS IN A MANNER THAT DOES NOT ALLOW DRAINAGE TO CROSS ADJACENT PROPERTY LINES OR SIDEWALKS.

13.1.10.6 INDIVIDUAL DOWNSPOUTS

GUTTERS OF BUILDINGS ON ADJOINING PROPERTIES MAY NOT BE CONNECTED WITH COMMON DOWNSPOUTS OR LEADERS, BUT EACH BUILDING MUST HAVE INDIVIDUAL DOWNSPOUTS OR LEADERS ON ITS OWN PROPERTY. IF A BUILDING IS MORE THAN 4 STORIES OR 50 FEET (15.24 M) HIGH, ITS LEADER AND DOWNSPOUTS MUST BE INSIDE THE BUILDING'S EXTERIOR WALLS.

13.1.11 CONTINUOUS FLOW *{As in NSPC}*

13.1.12 BACKWATER VALVES *{As in NSPC}*

13.2 TO 13.4 *{As in NSPC}*

13.5 ROOF DRAINS

13.5.1 TO 13.5.4 *{As in NSPC}*

13.5.5 ROOF DRAIN RESTRICTIONS

TO INSURE WATER FLOW INTO THE DRAIN, THE ROOF DRAIN OPENING MAY NOT BE RESTRICTED BY INSERTION OF ANY ROOFING MATERIAL OR OTHER OBJECTS. ROOF DRAINS MUST BE TRAPPED IF

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1 THEY ARE LOCATED DIRECTLY BENEATH ANY DOOR, WINDOW, OR OTHER VENTILATING OPENING OF
2 THE BUILDING OR OF AN ADJACENT BUILDING.

3 **13.5.6 ROOF DRAIN OUTLET PIPE SIZE** *{AS IN NSPC}*

4 **13.6 TO 13.9** *{AS IN NSPC}*

5 **CHAPTER 14. SPECIAL REQUIREMENTS FOR HEALTH CARE FACILITIES**
6 *{AS IN NSPC}*

7 **CHAPTER 15. TESTS AND MAINTENANCE**

8 **15.1 TO 15.6** *{AS IN NSPC}*

9 **15.6A METHODS OF TESTING INTERIOR LEADERS OR DOWNSPOUTS**

10 THE BUILDING OFFICIAL MAY REQUIRE LEADERS AND DOWNSPOUTS AND BRANCHES WITHIN A BUILDING
11 TO BE TESTED BY WATER OR AIR IN ACCORDANCE WITH § 15.4.1.

12 **15.7 DEFECTIVE PLUMBING** *{AS IN NSPC}*

13 **15.8 MAINTENANCE** *{AS IN NSPC}*

14 **CHAPTER 16. SEWAGE DISPOSAL AND CERTAIN WATER SYSTEMS FOR HOMES AND OTHER**
15 **ESTABLISHMENTS WHERE A PUBLIC SEWAGE SYSTEM IS NOT AVAILABLE**
16 **{PER STATE MODIFICATION}**

17 *SEE COMAR 26.04.02*

18 **CHAPTER 17. POTABLE WATER SUPPLY SYSTEMS**
19 *{AS IN NSPC}*

20 **CHAPTER 18. MOBILE HOME AND TRAVEL TRAILER PARK PLUMBING STANDARDS**
21 *{AS IN NSPC}*

22 **CHAPTER 19. INSTALLATION OF GAS APPLIANCES AND GAS PIPING**
23 *{AS IN NSPC}*

24 **CHAPTER 20. WATER SUPPLY AND SEWAGE SYSTEMS**
25 **IN THE SUBDIVISION OF LAND IN MARYLAND**
26 **{PER STATE MODIFICATION}**

27 *SEE COMAR 26.04.03*

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PART VII. INTERNATIONAL PROPERTY MAINTENANCE CODE

§ 7-101. CITY ADOPTION.

(A) IN GENERAL.

THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 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. ADMINISTRATION

SECTION 101 GENERAL

101.1 TITLE. THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE "PROPERTY MAINTENANCE CODE OF BALTIMORE CITY".

101.1.1 REFERENCES TO "THIS CODE". ALL REFERENCES TO "THIS CODE" REFER TO THE PROPERTY MAINTENANCE CODE OF BALTIMORE CITY.

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.

102.2.2 CODE NOT OVERRIDE OF FIRE AND SAFETY SYSTEMS. THE REQUIREMENTS OF THIS CODE ARE NOT INTENDED TO PROVIDE THE BASIS FOR REMOVAL OR ABROGATION OF FIRE PROTECTION AND SAFETY SYSTEMS AND DEVICES IN EXISTING STRUCTURES.

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1 **102.2.3 OWNER AND OPERATOR RESPONSIBLE.** EXCEPT AS OTHERWISE SPECIFIED, EACH OWNER
2 AND EACH OPERATOR OF A STRUCTURE OR PREMISES IS RESPONSIBLE FOR THE MAINTENANCE OF
3 THAT STRUCTURE OR PREMISES.

4 **102.3 APPLICATION OF OTHER CODES.** ALL REPAIRS, ADDITIONS, OR ALTERATIONS TO A STRUCTURE
5 AND ALL CHANGES OF OCCUPANCY MUST BE DONE IN ACCORDANCE WITH THIS CODE AND WITH THE
6 FOLLOWING CODES AND STANDARDS, AS MODIFIED BY BALTIMORE CITY:

- 7 1. THE INTERNATIONAL BUILDING CODE (2006 EDITION),
- 8 2. THE NATIONAL ELECTRICAL CODE (2005 EDITION),
- 9 3. THE NATIONAL FUEL GAS CODE (2006 EDITION),
- 10 4. THE INTERNATIONAL MECHANICAL CODE (2006 EDITION),
- 11 5. THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT),
- 12 6. THE INTERNATIONAL FIRE CODE (2006 EDITION),
- 13 7. THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION), AND
- 14 8. THE ZONING CODE OF BALTIMORE CITY.

15 **102.4 EXISTING REMEDIES.** THE PROVISIONS OF THIS CODE MAY NOT BE CONSTRUED TO ABOLISH OR
16 IMPAIR EXISTING REMEDIES OF THE CITY OR ITS OFFICERS OR AGENCIES RELATING TO:

- 17 1. ENFORCEMENT OF REPAIR AND MAINTENANCE STANDARDS, OR
- 18 2. THE REMOVAL OR DEMOLITION OF ANY STRUCTURE THAT IS DANGEROUS, UNSAFE, AND
19 INSANITARY.

20 **102.5 WORKMANSHIP.** ALL REPAIRS, MAINTENANCE WORK, ALTERATIONS, OR INSTALLATIONS MUST
21 BE EXECUTED AND INSTALLED IN A WORKMANLIKE MANNER AND INSTALLED IN ACCORDANCE WITH THE
22 MANUFACTURER'S INSTALLATION INSTRUCTIONS.

23 **102.6 HISTORIC BUILDINGS. {NOT ADOPTED}**

24 **102.7 TO 102.8 {AS IN IPMC}**

25 **SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION**

26 **103.1 GENERAL.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT OF HOUSING AND
27 COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

- 28 1. "DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION" OR "DEPARTMENT" MEANS THE
29 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, AND
- 30 2. "CODE OFFICIAL" MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING
31 CODE OF BALTIMORE CITY.

32 **103.2 APPOINTMENT. {NOT ADOPTED}**

33 **103.3 DEPUTIES. {NOT ADOPTED}**

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1 **103.4 RESTRICTION OF EMPLOYEES. *{NOT ADOPTED}***

2 **103.5 LIABILITY. *{NOT ADOPTED}***

3 **103.6 FEES.** THE FEES FOR WORK OR REPAIRS THAT REQUIRE A BUILDING PERMIT ARE AS PROVIDED IN
4 THE BALTIMORE CITY BUILDING CODE.

5 **SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL**

6 **104.1 GENERAL. *{AS IN IPMC}***

7 **104.2 RULEMAKING AUTHORITY. *{AS IN IPMC}***

8 **104.3 INSPECTIONS.** THE CODE OFFICIAL MUST MAKE ALL OF THE REQUIRED INSPECTIONS OR ACCEPT
9 REPORTS OF INSPECTION BY APPROVED AGENCIES OR INDIVIDUALS. ALL REPORTS OF THESE INSPECTIONS
10 MUST BE IN WRITING AND SIGNED BY A RESPONSIBLE OFFICER OF THE APPROVED AGENCY OR BY THE
11 RESPONSIBLE INDIVIDUAL. THE CODE OFFICIAL MAY ENGAGE ANY EXPERT OPINION THAT THE CODE
12 OFFICIAL CONSIDERS NECESSARY TO REPORT ON UNUSUAL TECHNICAL ISSUES THAT ARISE.

13 **104.4 RIGHT OF ENTRY.** THE CODE OFFICIAL MAY ENTER ANY STRUCTURE OR PREMISES AT
14 REASONABLE TIMES TO INSPECT, SUBJECT TO CONSTITUTIONAL RESTRICTIONS ON UNREASONABLE
15 SEARCHES AND SEIZURES. IF ENTRY IS REFUSED OR NOT OBTAINED, THE CODE OFFICIAL MAY PURSUE
16 RECOURSE AS PROVIDED BY LAW, INCLUDING § 104 OF THE BALTIMORE CITY BUILDING CODE.

17 **104.5 IDENTIFICATION. *{AS IN IPMC}***

18 **104.6 NOTICES AND ORDERS.** THE CODE OFFICIAL MAY ISSUE ALL NOTICES OR ORDERS NECESSARY TO
19 ENSURE COMPLIANCE WITH THIS CODE.

20 **104.7 DEPARTMENT RECORDS.** THE CODE OFFICIAL MUST KEEP RECORDS OF ALL OF THE
21 DEPARTMENT'S BUSINESS AND ACTIVITIES SPECIFIED IN THIS CODE.

22 **104.8 NOTICE OF ABATEMENT.** WHEN THE RECIPIENT OF A VIOLATION NOTICE HAS ABATED THE
23 VIOLATION, THE CODE OFFICIAL MUST ISSUE A NOTICE OF ABATEMENT.

24 **SECTION 105 APPROVAL**

25 **105.1 MODIFICATIONS. *{AS IN IPMC}***

26 **105.2 ALTERNATIVE MATERIALS, METHODS, AND EQUIPMENT.** THE PROVISIONS OF THIS CODE ARE
27 NOT INTENDED TO PREVENT THE INSTALLATION OF ANY MATERIAL OR TO PROHIBIT ANY METHOD OF
28 CONSTRUCTION NOT SPECIFICALLY PRESCRIBED BY THIS CODE, AS LONG AS THAT ALTERNATIVE HAS
29 BEEN APPROVED. AN ALTERNATIVE MATERIAL OR METHOD OF CONSTRUCTION MAY BE APPROVED IF THE
30 CODE OFFICIAL FINDS THAT THE PROPOSED DESIGN IS SATISFACTORY AND COMPLIES WITH THE INTENT
31 OF THIS CODE AND THAT THE MATERIAL, METHOD, OR WORK OFFERED IS, FOR THE PURPOSE INTENDED,
32 AT LEAST THE EQUIVALENT OF THAT PRESCRIBED IN THIS CODE IN QUALITY, STRENGTH, EFFECTIVENESS,
33 FIRE RESISTANCE, DURABILITY, AND SAFETY.

34 **105.3 REQUIRED TESTING. *{AS IN IPMC}***

35 **105.4 MATERIAL AND EQUIPMENT REUSE. *{AS IN IPMC}***

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1 SECTION 106 VIOLATIONS

2 **106.1 UNLAWFUL ACTS.** IT IS UNLAWFUL FOR ANY PERSON TO BE IN CONFLICT WITH OR IN VIOLATION
3 OF ANY PROVISION OF THIS CODE OR OF ANY REGULATION, PERMIT, OR NOTICE ISSUED UNDER THIS
4 CODE.

5 **106.2 NOTICE OF VIOLATION.** EXCEPT AS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW, THE CODE
6 OFFICIAL MUST SERVE A NOTICE OF VIOLATION OR AN ORDER BEFORE UNDERTAKING A PROSECUTION OR
7 OTHER ENFORCEMENT ACTION.

8 **106.3 PROSECUTION OF VIOLATION.** ANY PERSON WHO VIOLATES A PROVISION OF THIS CODE OR WHO
9 FAILS TO COMPLY WITH A NOTICE OF VIOLATION OR AN ORDER SERVED IN ACCORDANCE WITH § 107 IS
10 GUILTY OF A MISDEMEANOR. IF THE VIOLATION IS NOT ABATED OR THE NOTICE OR ORDER NOT
11 COMPLIED WITH, THE CODE OFFICIAL MAY INSTITUTE THE APPROPRIATE PROCEEDING AT LAW OR IN
12 EQUITY TO RESTRAIN, CORRECT, OR ABATE THE VIOLATION OR TO REQUIRE THE REMOVAL OR
13 TERMINATION OF THE UNLAWFUL OCCUPANCY OF THE STRUCTURE IN VIOLATION OF THIS CODE OR OF
14 THE ORDER OR DIRECTION MADE UNDER THIS CODE.

15 **106.4 VIOLATION PENALTIES.** THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED FOR
16 A VIOLATION OF THE BALTIMORE CITY BUILDING CODE.

17 **106.5 REMEDIES AND ENFORCEMENT.** THE IMPOSITION OF PENALTIES UNDER THIS SECTION DOES NOT
18 PRECLUDE THE INSTITUTION OF APPROPRIATE ACTION:

- 19 1. TO RESTRAIN, CORRECT, OR ABATE A VIOLATION,
- 20 2. TO PREVENT ILLEGAL OCCUPANCY OF A STRUCTURE OR PREMISES, OR
- 21 3. TO STOP AN ILLEGAL ACT, CONDUCT, BUSINESS, OR USE OF THE STRUCTURE OR PREMISES.

22 **106.5.1 BUILDING CODE PROVISIONS.** ADDITIONAL REMEDIES, CIVIL PENALTIES, AND
23 ENFORCEMENT PROCEEDINGS ARE AS PROVIDED IN §§ 113.3 AND 113.5 OF THE BALTIMORE CITY
24 BUILDING CODE.

25 SECTION 107 NOTICES AND ORDERS

26 **107.1 NOTICE TO OWNER OR PERSON RESPONSIBLE.** WHENEVER THE CODE OFFICIAL DETERMINES OR
27 HAS GROUNDS TO BELIEVE THAT A VIOLATION OF THIS CODE HAS OCCURRED, NOTICE MUST BE GIVEN TO
28 AN OWNER OR OTHER PERSON RESPONSIBLE FOR COMPLIANCE WITH THIS CODE.

29 **107.2 FORM OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE IN THE FORM PROVIDED
30 BY § 123 OF THE BALTIMORE CITY BUILDING CODE.

31 **107.3 SERVICE OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE SERVED AS PROVIDED
32 BY § 123 OF THE BALTIMORE CITY BUILDING CODE.

33 **107.4 RESPONSIBILITIES OF OWNERS, OPERATORS, AND OTHERS.** THE RESPONSIBILITIES OF OWNERS,
34 OPERATORS, AND OTHERS ARE AS FOLLOWS:

- 35 1. OWNERS AND OPERATORS: AS PROVIDED IN § 113.21 OF THE BALTIMORE CITY BUILDING CODE.
- 36 2. OFFICERS, DIRECTORS, TRUSTEES, PARTNERS, MEMBERS, AND AGENTS OF ENTITIES: AS PROVIDED
37 IN § 113.24 OF THE BALTIMORE CITY BUILDING CODE.

38 **107.5 TRANSFER OF OWNERSHIP.** *{AS PROVIDED IN IBC § 113.23}*

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1 SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

2 **108.1 GENERAL.** PROCEDURES FOR ENFORCEMENT OR OTHER ACTIONS INVOLVING UNSAFE
3 STRUCTURES AND EQUIPMENT ARE AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

4 **108.2 TO 108.6** *{NOT ADOPTED}*

5 SECTION 109 EMERGENCY MEASURES

6 **109.1 GENERAL.** WHENEVER NECESSARY OR APPROPRIATE, THE CODE OFFICIAL MAY TAKE
7 EMERGENCY MEASURES AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

8 **109.2 TO 109.6** *{NOT ADOPTED}*

9 SECTION 110 DEMOLITION

10 **110.1 GENERAL.** THE CODE OFFICIAL MAY ORDER THE REHABILITATION, STABILIZATION, OR
11 DEMOLITION OF STRUCTURES FOUND TO BE UNSAFE OR UNFIT FOR HUMAN HABITATION OR OTHER
12 AUTHORIZED USE AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

13 **110.2 TO 110.4** *{NOT ADOPTED}*

14 SECTION 111 ADMINISTRATIVE AND JUDICIAL REVIEW

15 **111.1 GENERAL.** A DECISION OF THE CODE OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND JUDICIAL
16 REVIEW AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

17 **111.2 TO 111.8** *{NOT ADOPTED}*

18 CHAPTER 2. DEFINITIONS

19 SECTION 201 GENERAL

20 **201.1 SCOPE.** *{AS IN IPMC}*

21 **201.2 INTERCHANGEABILITY.** *{AS IN IPMC}*

22 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CODE AND IS DEFINED IN
23 ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED IN § 102.3 OF THIS CODE, THE TERM HAS THE
24 MEANING GIVEN TO IT IN THAT STANDARD OR CODE.

25 **201.4 TERMS NOT DEFINED.** *{AS IN IPMC}*

26 **201.5 PARTS.** *{AS IN IPMC}*

27 SECTION 202 GENERAL DEFINITIONS

28 **202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE
29 INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE
30 INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 EDITION).

31 **202.2 SUPPLEMENTAL DEFINITIONS.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE
32 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN
33 IN THIS § 202.2.

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1 **202.2.1 ALLEY.** ~~“ALLEY” MEANS ANY PUBLIC WAY THAT IS LESS THAN 30 FEET (9144 MM) WIDE~~
2 ~~AND ON WHICH DWELLINGS DO NOT FRONT. {VACANT}~~

3 **202.2.2 CODE OFFICIAL.** “CODE OFFICIAL” HAS THE MEANING STATED IN § 103.1 OF THIS CODE.

4 **202.2.3 CONDEMN.** “CONDEMN” MEANS:

- 5 1. TO ADJUDGE EQUIPMENT OR FACILITIES AS BEING UNSAFE FOR USE, OR
- 6 2. TO ADJUDGE A STRUCTURE AS BEING UNSAFE OR UNFIT FOR OCCUPANCY.

7 **202.2.4 DWELLING UNIT.** “DWELLING UNIT” HAS THE MEANING STATED IN § 202.2 OF THE
8 BALTIMORE CITY BUILDING CODE.

9 **202.2.5 HABITABLE SPACE.** “HABITABLE SPACE” MEANS SPACE IN A STRUCTURE FOR LIVING,
10 SLEEPING, OR EATING. BATHROOMS, TOILET ROOMS, CLOSETS, HALLS, STORAGE OR UTILITY SPACES,
11 AND SIMILAR AREAS ARE NOT CONSIDERED HABITABLE SPACES. KITCHENS WITH LESS THAN 56 SQ.
12 FT. (5.2 SQ. M.) OF FLOOR AREA ARE NOT CONSIDERED HABITABLE SPACES.

13 **202.2.6 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY
14 NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

15 **202.2.7 MULTIPLE-FAMILY DWELLING.** “MULTIPLE-FAMILY DWELLING” MEANS A BUILDING OR A
16 GROUP OF BUILDINGS ON THE SAME LOT THAT CONTAINS OR IS DESIGNED OR INTENDED TO CONTAIN:

- 17 1. MORE THAN 2 DWELLING UNITS,
- 18 2. 2 DWELLING UNITS AND ANY OTHER RESIDENTIAL OR COMMERCIAL OCCUPANCY, OR
- 19 3. ANY COMBINATION OF 3 OR MORE ROOMING UNITS AND DWELLING UNITS.

20 **202.2.8 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A
21 REQUIREMENT OR TO IMPOSE A DUTY.

22 **202.2.9 OCCUPANCY.** “OCCUPANCY” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE
23 CITY BUILDING CODE.

24 **202.2.10 OCCUPANT.** “OCCUPANT” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY
25 BUILDING CODE.

26 **202.2.11 OPERATOR.** “OPERATOR” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY
27 BUILDING CODE.

28 **202.2.12 OWNER.** “OWNER” MEANS ANY PERSON THAT:

- 29 1. HAS A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY,
- 30 2. IS RECORDED IN THE LAND RECORDS AS HOLDING TITLE TO THE PROPERTY, OR
- 31 3. OTHERWISE HAS CONTROL OF THE PROPERTY, WITH OR WITHOUT ACCOMPANYING
32 POSSESSION OF THE PROPERTY, INCLUDING:
 - 33 A. A GUARDIAN OF THE PERSON OR ESTATE OF AN OWNER,
 - 34 B. A TRUSTEE, INCLUDING A TRUSTEE IN BANKRUPTCY, OF AN OWNER, OR

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C. THE PERSONAL REPRESENTATIVE OF THE ESTATE OF AN OWNER.

202.2.13 PERSON. “PERSON” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY BUILDING CODE.

202.2.14 PREMISES. “PREMISES” MEANS A LOT OR GROUP OF LOTS, TOGETHER WITH ALL OR ANY PART OF ANY STRUCTURES ON THE LOT OR GROUP OF LOTS, CONSIDERED AS A UNIT DEVOTED TO A PARTICULAR USE, INCLUDING ACCESSORY STRUCTURES AND OPEN SPACES REQUIRED OR USED IN CONNECTION WITH THAT PARTICULAR USE.

202.2.15 ROOMING HOUSE. “ROOMING HOUSE” MEANS A BUILDING THAT:

- 1. IS NOT A MULTIPLE FAMILY DWELLING, AND
- 2. CONTAINS MORE THAN 2 ROOMING UNITS OCCUPIED OR DESIGNED OR INTENDED TO BE OCCUPIED BY INDIVIDUALS WHO, EVEN THOUGH THEY MIGHT SHARE COMMON AREAS AND FACILITIES, DO NOT FORM A SINGLE HOUSEKEEPING UNIT AND DO NOT PROVIDE COMPENSATION UNDER A SINGLE LEASE FOR OCCUPANCY OF THE ROOMING HOUSE.

202.2.15.1 INCLUSIONS. “ROOMING HOUSE” INCLUDES A HOTEL, MOTEL, OR BOARDING HOUSE.

202.2.16 ROOMING UNIT. “ROOMING UNIT” MEANS ANY ROOM OR GROUP OF ROOMS THAT FORM A SINGLE HABITABLE UNIT OCCUPIED OR DESIGNED OR INTENDED TO BE OCCUPIED FOR SLEEPING OR LIVING, BUT NOT FOR COOKING PURPOSES.

202.2.17 STRICT LIABILITY OFFENSE. “STRICT LIABILITY OFFENSE” MEANS AN OFFENSE IN WHICH THE PROSECUTION IN A LEGAL PROCEEDING IS NOT REQUIRED TO PROVE KNOWLEDGE OR INTENT AS A PART OF ITS CASE. IT IS ENOUGH TO PROVE THAT THE DEFENDANT EITHER DID AN ACT THAT WAS PROHIBITED OR FAILED TO DO AN ACT THAT THE DEFENDANT WAS LEGALLY REQUIRED TO DO.

202.2.18 STRUCTURE. “STRUCTURE” HAS THE MEANING STATED IN IPMC § 202 AND, UNLESS THE CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

202.2.19 TRASH. “TRASH” MEANS RUBBISH, AS DEFINED IN IPMC § 202.

202.2.20 WORKMANLIKE. “WORKMANLIKE” MEANS EXECUTED IN A SKILLED MANNER IN ACCORDANCE WITH THE STANDARDS OF THE TRADE – E.G., GENERALLY PLUMB, LEVEL, SQUARE, IN LINE, UNDAMAGED, AND WITHOUT MARRING ADJACENT WORK.

CHAPTER 3. GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 SCOPE. THIS CHAPTER GOVERNS THE MINIMUM REQUIREMENTS AND THE RESPONSIBILITIES OF PERSONS FOR REPAIR AND MAINTENANCE OF STRUCTURES, EQUIPMENT, AND PREMISES.

301.2 RESPONSIBILITY.

301.2.1 OWNERS AND OPERATORS. EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED, THE OWNER AND THE OPERATOR OF ANY PREMISES ARE RESPONSIBLE FOR MAINTAINING ALL STRUCTURES AND EXTERIOR PROPERTY AREAS IN COMPLIANCE WITH ALL REQUIREMENTS OF THIS CHAPTER.

301.2.2 OCCUPANTS – IN GENERAL. THE OCCUPANT OF ANY PREMISES:

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- 1 1. MUST GIVE THE OWNER AND THE OWNER’S AGENTS ACCESS TO THE PREMISES, AT ALL
2 REASONABLE TIMES, FOR THE PURPOSE OF INSPECTING AND MAKING REPAIRS OR
3 ALTERATIONS AS NECESSARY TO EFFECT COMPLIANCE WITH THIS CODE OR WITH ANY
4 LAWFUL RULE OR REGULATION ADOPTED OR ORDER ISSUED UNDER THIS CODE,
- 5 2. MAY NOT OBSTRUCT ANY REQUIRED MEANS OF EGRESS,
- 6 3. MAY NOT STORE FLAMMABLE LIQUIDS OR GAS OR UNSAFE QUANTITIES OF COMBUSTIBLE
7 MATERIALS,
- 8 4. IF IN CONTROL OF THE HEATING FACILITIES, MUST MAINTAIN A SUFFICIENTLY HIGH
9 TEMPERATURE IN ALL PARTS OF THE UNIT TO PREVENT DAMAGE TO THE PLUMBING SYSTEM,
10 AND
- 11 5. IS RESPONSIBLE FOR:
 - 12 A. KEEPING IN A CLEAN AND SANITARY CONDITION THE OCCUPANT’S UNIT AND ANY
13 OTHER PART OF THE PREMISES THAT THE OCCUPANT OCCUPIES OR CONTROLS, AND
 - 14 B. OTHERWISE COMPLYING WITH THE REQUIREMENTS SPECIFIED IN § 308 OF THIS
15 CHAPTER.

16 **301.2.3 OCCUPANTS – VANDALISM.** THE OCCUPANT OF A NON-OWNER OCCUPIED DWELLING MAY
17 NOT DESTROY, DEFACE, DAMAGE, IMPAIR, OR CARRY AWAY, NOR PERMIT ANY OTHER PERSON ON
18 THE PREMISES TO DESTROY, DEFACE, DAMAGE, IMPAIR, OR CARRY AWAY ANY OF THE FACILITIES,
19 EQUIPMENT, APPURTENANCES, OR ANY PART OF THE STRUCTURE OF THE DWELLING.

20 **301.3 VACANT STRUCTURES AND LAND.** ALL VACANT STRUCTURES AND THEIR PREMISES AND ALL
21 VACANT LAND MUST BE MAINTAINED IN A CLEAN, SANITARY, AND SAFE CONDITION, AS PROVIDED IN
22 THIS CODE.

23 **301.4 LEAD-BASED PAINT.** LEAD-PAINT HAZARDS MUST BE ABATED IN ACCORDANCE WITH:

- 24 1. THE RULES AND REGULATIONS OF:
 - 25 A. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT; AND
 - 26 B. THE BALTIMORE CITY HEALTH DEPARTMENT; AND
- 27 2. THE DEPARTMENT OF PUBLIC WORKS’ REQUIREMENTS GOVERNING DISCHARGES INTO THE
28 STORM WATER SYSTEM.

29 **301.4.1 UNOCCUPIED DWELLING UNIT — SCOPE.** THESE PROVISIONS APPLY TO ANY DWELLING
30 UNIT THAT:

- 31 1. IS THE SUBJECT OF A NOTICE OR ORDER FOR THE TREATMENT OF LEAD PAINT, AND
- 32 2. BECOMES UNOCCUPIED EITHER:
 - 33 A. BEFORE THE NOTICE OR ORDER IS SERVED, OR
 - 34 B. WHILE THE NOTICE OR ORDER IS STILL OUTSTANDING.

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1 **301.4.2 UNOCCUPIED DWELLING UNIT — POSTING PROPERTY.** IF A DWELLING UNIT IS OR
2 BECOMES UNOCCUPIED, THE HEALTH COMMISSIONER IMMEDIATELY MUST POST 1 OR MORE PUBLIC
3 NOTICES IN, ON, OR AROUND THE DWELLING UNIT STATING THAT THE DWELLING UNIT MAY NOT BE
4 REOCCUPIED UNTIL THE LEAD PAINT NOTICE OR ORDER HAS BEEN ABATED.

5 **301.4.3 UNOCCUPIED DWELLING UNIT — REOCCUPANCY PROHIBITED.** IF A DWELLING UNIT IS
6 OR BECOMES UNOCCUPIED, THE DWELLING UNIT MAY NOT BE REOCCUPIED UNTIL:

- 7 1. THE LEAD PAINT NOTICE OR ORDER HAS BEEN ABATED, AND
8 2. THE HEALTH COMMISSIONER HAS GIVEN WRITTEN APPROVAL OF REOCCUPANCY.

9 **301.4.4 UNOCCUPIED DWELLING UNIT — REMOVING NOTICE, ETC., PROHIBITED.** UNTIL THE
10 HEALTH COMMISSIONER HAS GIVE WRITTEN APPROVAL OF REOCCUPANCY, NO PERSON MAY
11 REMOVE, DEFACE, OR OTHERWISE TAMPER WITH ANY NOTICE THAT HAS BEEN POSTED UNDER THIS
12 SECTION.

13 **301.4.5 UNOCCUPIED DWELLING UNIT — UNAUTHORIZED REOCCUPANCY.** IF A DWELLING UNIT
14 IS REOCCUPIED IN VIOLATION OF THIS SECTION:

- 15 1. EACH DAY THAT AN UNAUTHORIZED OCCUPANCY CONTINUES IS A SEPARATE OFFENSE, AND
16 2. THE OWNER, ~~AND OPERATOR,~~ AND UNAUTHORIZED OCCUPANT OF THE UNIT ARE SUBJECT TO
17 THE FOLLOWING PENALTIES:
18 A. IN A CRIMINAL PROSECUTION, A CRIMINAL FINE OF UP TO \$500 FOR EACH OFFENSE,
19 AND
20 B. IN AN ACTION SEEKING EQUITABLE RELIEF, A CIVIL FINE OF UP TO \$500 FOR EACH
21 OFFENSE.

22 **SECTION 302 EXTERIOR PROPERTY AREAS** *{NOT ADOPTED}*

23 **SECTION 303 SWIMMING POOLS, SPAS, AND HOT TUBS** *{NOT ADOPTED}*

24 **SECTION 304 REPAIR AND MAINTENANCE OF STRUCTURES**

25 **304.1 GENERAL.** THE INTERIOR AND EXTERIOR OF A STRUCTURE MUST BE MAINTAINED IN GOOD REPAIR
26 AND IN A STRUCTURALLY SOUND AND SANITARY CONDITION.

27 **304.2 PROTECTIVE TREATMENT.** *{AS IN IPMC}*

28 **304.3 PREMISES IDENTIFICATION.** *{NOT ADOPTED}*

29 **304.4 STRUCTURAL MEMBERS.** ALL INTERIOR AND EXTERIOR STRUCTURAL MEMBERS MUST BE:

- 30 1. MAINTAINED IN A STRUCTURALLY SOUND CONDITION AND FREE FROM DETERIORATION, AND
31 2. CAPABLE OF SAFELY SUPPORTING THE IMPOSED DEAD AND LIVE LOADS.

32 **304.5 FOUNDATION WALLS.** *{AS IN IPMC}*

33 **304.6 EXTERIOR WALLS.** *{AS IN IPMC}*

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1 **304.7 ROOFS AND DRAINAGE.** THE ROOF AND FLASHING MUST BE SOUND, TIGHT, AND WITHOUT
2 DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE MUST BE ADEQUATE TO PREVENT DAMPNES OR
3 DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS, AND
4 DOWNSPOUTS MUST BE PROVIDED AND MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS.
5 ROOF WATER MUST BE DISCHARGED AWAY FROM THE FOUNDATION AND MAY NOT BE DISCHARGED IN A
6 MANNER THAT CREATES A PUBLIC NUISANCE.

7 **304.8 DECORATIVE FEATURES.** *{AS IN IPMC}*

8 **304.9 OVERHANG EXTENSIONS.** *{AS IN IPMC}*

9 **304.10 STAIRWAYS, FLOORS, DECKS, ETC.** EVERY INTERIOR AND EXTERIOR STAIRWAY, FLOOR, DECK,
10 PORCH, AND BALCONY, AND ALL THEIR APPURTENANCES MUST BE:

- 11 1. STRUCTURALLY SOUND,
- 12 2. PROPERLY ANCHORED AND CAPABLE OF SUPPORTING THE IMPOSED LOADS, AND
- 13 3. MAINTAINED IN GOOD REPAIR AND SAFE CONDITION.

14 **304.11 CHIMNEYS AND TOWERS.** *{AS IN IPMC}*

15 **304.12 HANDRAILS AND GUARDS.** *{AS IN IPMC}*

16 **304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES.** *{AS IN IPMC}*

17 **304.14 INSECT SCREENS.** *{NOT ADOPTED}*

18 **304.15 DOORS.**

19 **304.15.1 GENERAL.**

- 20 1. ALL DOORS, DOOR ASSEMBLIES, AND HARDWARE MUST BE MAINTAINED IN GOOD
21 CONDITION.
- 22 2. EXCEPT AS OTHERWISE REQUIRED FOR MEANS OF EGRESS DOORS, LOCKS AND LATCHING
23 HARDWARE MUST BE PROVIDED AT ALL ENTRANCES TO DWELLING UNITS AND ROOMING
24 UNITS AND MUST TIGHTLY SECURE THE DOORS AT THOSE ENTRANCES.
- 25 3. DOORS MUST FIT PROPERLY WITHIN THEIR FRAMES.
- 26 4. EXCEPT FOR A BUILDING WHERE THE ENTRANCES ARE STAFFED BY SECURITY PERSONNEL OR
27 WHERE UNOBSTRUCTED ACCESS IS PROVIDED TO THE ENTRANCE OF EACH UNIT, IN A
28 BUILDING THAT CONTAINS 2 OR MORE DWELLING UNITS, AN ELECTRIC DOORBELL MUST BE
29 PROVIDED FOR EACH DWELLING UNIT IN THAT BUILDING.

30 **304.15.2 INTERIOR.** EVERY INTERIOR DOOR MUST BE CAPABLE OF BEING OPENED AND CLOSED BY
31 BEING SECURELY ATTACHED AND PROPERLY EQUIPPED WITH PROPERLY FUNCTIONING ATTACHMENT
32 AND LATCHING HARDWARE.

33 **304.16 BASEMENT HATCHWAYS.** *{AS IN IPMC}*

34 **304.17 GUARDS FOR BASEMENT WINDOWS.** *{AS IN IPMC}*

35 **304.18 BUILDING SECURITY.** *{AS IN IPMC}*

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1 **304.19 {RESERVED}**

2 **304.20 INTERIOR SURFACES.** ALL INTERIOR SURFACES, INCLUDING FLOORS, WALLS, CEILINGS,
3 WINDOWS, AND DOORS, MUST BE MAINTAINED IN GOOD, CLEAN, AND SANITARY CONDITION. PEELING,
4 CHIPPING, FLAKING, OR ABRADED PAINT MUST BE REPAIRED, REMOVED, OR COVERED. CRACKED OR
5 LOOSE PLASTER, DECAYED WOOD, AND OTHER DEFECTIVE SURFACE CONDITIONS MUST BE CORRECTED.
6 FLOORS IN KITCHENS, BATHROOMS, LAVATORIES, TOILET ROOMS, AND LAUNDRY ROOMS MUST BE KEPT
7 IMPERVIOUS TO WATER.

8 **304.21 GRADING AND DRAINAGE.** ALL PREMISES MUST BE GRADED AND MAINTAINED TO:

- 9 1. DRAIN AWAY FROM THE FOUNDATION OF ANY STRUCTURE AND AWAY FROM ADJOINING
10 PROPERTY,
11 2. PREVENT THE EROSION OF SOIL, AND
12 3. PREVENT THE ACCUMULATION OF STAGNANT WATER.

13 **304.22 SIDEWALKS, DRIVEWAYS, ETC.** ALL SIDEWALKS, WALKWAYS, STAIRS, DRIVEWAYS, PARKING
14 SPACES, AND SIMILAR AREAS MUST BE KEPT IN GOOD REPAIR AND FREE FROM HAZARDOUS CONDITIONS.

15 **304.23 EXHAUST VENTS.** PIPES, DUCTS, CONDUCTORS, FANS, OR BLOWERS MAY NOT BE ALLOWED TO
16 DISCHARGE GASES, STEAM, VAPOR, HOT AIR, GREASE, SMOKE, ODORS, OR OTHER GASEOUS OR
17 PARTICULATE WASTES DIRECTLY ON ANY ABUTTING OR ADJACENT PUBLIC OR PRIVATE PROPERTY OR ON
18 ANY PROPERTY AREAS OCCUPIED BY ANOTHER IN THE SAME BUILDING.

19 **304.24 ACCESSORY STRUCTURES.** ALL ACCESSORY STRUCTURES, INCLUDING DETACHED GARAGES,
20 FENCES, GATES, WALLS, AND SWIMMING POOLS, MUST BE MAINTAINED IN A STRUCTURALLY SOUND
21 CONDITION AND IN GOOD REPAIR.

22 **304.25 DEFACED PROPERTY.** IF AN EXTERIOR SURFACE OF A STRUCTURE HAS BEEN DEFACED BY
23 CARVINGS, MARKINGS, OR GRAFFITI, THE SURFACE MUST BE RESTORED TO AN APPROVED STATE OF
24 MAINTENANCE AND REPAIR.

25 **304.26 NUISANCE OR HAZARDOUS CONDITIONS.** ALL PREMISES MUST BE KEPT FREE OF ANY OBJECT,
26 MATERIAL, OR CONDITION THAT CONSTITUTES A NUISANCE OR A FIRE, ACCIDENT, OR HEALTH HAZARD.

27 **304.27 {RESERVED}**

28 **304.28 RATPROOFING.** ALL BUILDINGS MUST BE RATPROOFED AND MAINTAINED IN A RATPROOF
29 CONDITION BY THE OWNER OR HIS AGENT. RATPROOFING METHODS INCLUDE:

- 30 1. PREVENTING ENTRANCE BY BLOCKING PASSAGES WITH RAT-RESISTANT MATERIAL, AND
31 2. PAVING BASEMENTS AND ANY OTHER AREAS THAT ARE IN CONTACT WITH THE SOIL.

32 **304.29 EQUIPMENT.** ALL EQUIPMENT REQUIRED BY THE BUILDING, FIRE, AND RELATED CODES OF
33 BALTIMORE CITY MUST BE MAINTAINED IN GOOD WORKING CONDITION.

34 **304.30 FIRE PROTECTION.** ALL REQUIRED FIRE PROTECTION, INCLUDING SEPARATION BETWEEN
35 NONRESIDENTIAL AND RESIDENTIAL OCCUPANCIES, MUST BE MAINTAINED IN GOOD REPAIR. ALL FIRE
36 DOORS 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,
3 AND 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 PREMISES AND EXTERIOR PROPERTY MUST BE
10 MAINTAINED FREE OF GRASS, WEEDS, OR PLANT GROWTH IN EXCESS OF 8 INCHES (203 MM). ALL
11 NOXIOUS WEEDS ARE PROHIBITED.

12 **305.3 TREES AND SHRUBBERY.** ALL TREES AND SHRUBBERY THAT ARE DANGEROUS TO LIFE AND
13 PROPERTY OR THAT CREATE A FIRE OR TRAFFIC HAZARD MUST BE PRUNED OR REMOVED TO ELIMINATE
14 ~~THE DANGER, HAZARD, OR ENCROACHMENT~~ DANGER OR HAZARD.

15 **305.4 PEST CONTROL.** ALL EXTERIOR PROPERTY AREAS MUST BE KEPT FREE FROM INFESTATION BY
16 INSECTS, RODENTS, AND OTHER PESTS, FROM RODENT HARBORAGE, AND FROM THE CONDITIONS THAT
17 ATTRACT PESTS. WHERE PESTS ARE FOUND, THEY MUST BE PROMPTLY EXTERMINATED BY APPROVED
18 PROCESSES THAT WILL NOT BE INJURIOUS TO HUMAN HEALTH.

19 **305.5 MOTOR VEHICLES AND TRAILERS.** EXCEPT ONLY AS OTHERWISE EXPRESSLY AUTHORIZED BY
20 LAW, THE FOLLOWING RULES APPLY TO ALL MOTOR VEHICLES AND TRAILERS.

- 21 1. NO MOTOR VEHICLE OR TRAILER MAY BE PARKED, KEPT, OR STORED, WHETHER OR NOT
22 COVERED, ON ANY EXTERIOR PREMISES IF:
 - 23 A. IT IS INOPERATIVE, UNREGISTERED, OR FAILS TO DISPLAY CURRENT REGISTRATION
24 TAGS, OR
 - 25 B. IT IS IN A STATE OF DISASSEMBLY OR DISREPAIR OR IN THE PROCESS OF BEING STRIPPED
26 OR DISMANTLED.
- 27 2. A MOTOR VEHICLE OR TRAILER MAY BE PARKED, KEPT, OR STORED ONLY ON A DUSTLESS ALL-
28 WEATHER SURFACE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE BUILDING
29 CODE AND ZONING CODE OF BALTIMORE CITY.
- 30 3. PAINTING A MOTOR VEHICLE OR TRAILER IS PROHIBITED UNLESS CONDUCTED INSIDE AN
31 APPROVED 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
34 ENCLOSED AREA DESIGNED AND APPROVED FOR THAT PURPOSE.

35 **305.6 SWIMMING POOLS.** SWIMMING POOLS MUST BE MAINTAINED IN A CLEAN, SAFE, AND SANITARY
36 CONDITION.

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1 **305.7 OUTDOOR STORAGE.** OUTDOOR STORAGE MUST BE NEAT AND ORDERLY. ALL STORED OBJECTS
2 AND MATERIALS MUST BE ELEVATED AT LEAST 1 FOOT OFF THE GROUND TO PREVENT RAT HARBORAGE,
3 UNLESS ELEVATION IS DETERMINED UNNECESSARY BY THE COMMISSIONER.

4 **305.7.1 CAVEAT.** NOTHING IN THIS SECTION AUTHORIZES ANY OUTDOOR STORAGE THAT IS
5 OTHERWISE PROHIBITED BY LAW.

6 **SECTION 306 EXTERIOR SANITARY MAINTENANCE – TRASH, GARBAGE, AND DEBRIS**

7 **306.1 ACCUMULATION PROHIBITED.** ALL PREMISES, INCLUDING ABUTTING SIDEWALKS, GUTTERS, AND
8 ALLEYS, AS WELL AS THE INTERIOR OF EVERY STRUCTURE, MUST BE KEPT FREE OF ANY ACCUMULATION
9 OF TRASH, GARBAGE, AND DEBRIS, INCLUDING ANY ANIMAL WASTE, CONSTRUCTION MATERIAL,
10 EQUIPMENT, FURNITURE, APPLIANCES, AND SIMILAR OBJECTS AND MATERIALS.

11 **306.2 BULK TRASH.** IF DISCARDED OR ABANDONED ARTICLES ARE TOO LARGE TO BE DISPOSED OF IN
12 REQUIRED RECEPTACLES, THEY MUST BE CONVEYED TO AN APPROPRIATE LANDFILL OR OTHER APPROVED
13 DISPOSAL SITE.

14 **306.3 NO DEPOSIT ON SIDEWALKS, ETC.** NO TRASH, GARBAGE, OR DEBRIS MAY BE DEPOSITED ON ANY
15 SIDEWALK, ALLEY, OR STREET OR ON ANY PUBLIC OR PRIVATE LOT, EXCEPT AS SPECIFIED IN §§ 306.4
16 THROUGH 306.7 OF THIS CHAPTER.

17 **306.4 STORAGE RECEPTACLES – REQUIRED.** TRASH, GARBAGE, OR DEBRIS MAY NOT BE STORED OR
18 PLACED OUT FOR COLLECTION EXCEPT IN APPROVED STORAGE RECEPTACLES. THE OWNER OR OPERATOR
19 OF EVERY OCCUPIED PREMISES MUST SUPPLY A SUFFICIENT NUMBER OF THESE STORAGE RECEPTACLES
20 TO RECEIVE AND STORE TRASH, GARBAGE, AND DEBRIS FROM INDIVIDUAL UNITS BETWEEN DAYS OF
21 COLLECTION. THE RECEPTACLES MUST BE PROVIDED IN A LOCATION ACCESSIBLE TO OCCUPANTS.

22 **306.5 STORAGE RECEPTACLES – LOCATION.** IF, IN THE OPINION OF THE CODE OFFICIAL, THE
23 EXTERIOR MAINTENANCE OF STORAGE RECEPTACLES IS CAUSING NUISANCE OR BLIGHT, THE CODE
24 OFFICIAL MAY REQUIRE THAT, BETWEEN DAYS OF COLLECTION, THE RECEPTACLES BE STORED:

- 25 1. INSIDE THE BUILDING THEY SERVE , OR
26 2. IN THE DISCRETION OF THE CODE OFFICIAL, WITHIN A CONTIGUOUS STRUCTURE.

27 **306.6 STORAGE RECEPTACLES – CONSTRUCTION AND MAINTENANCE.** EACH STORAGE RECEPTACLE
28 MUST BE:

- 29 1. MADE OF METAL OR SOME OTHER DURABLE MATERIAL APPROVED BY THE CODE OFFICIAL,
30 2. WATERTIGHT, WITH TIGHT-FITTING COVERS AND HANDLES,
31 3. MAINTAINED IN GOOD REPAIR,
32 4. KEPT TIGHTLY CLOSED TO PREVENT BLIGHT, NUISANCE, PEST INFESTATION, AND DISPERSAL OF
33 TRASH, GARBAGE, OR DEBRIS, AND
34 5. HAVE A CAPACITY OF:
35 A. NOT LESS THAN 3 GALLONS, AND
36 B. NOT MORE THAN:
37 I. 10 GALLONS, IF USED FOR GARBAGE ONLY, OR

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1 II. 20 GALLONS, IF USED FOR MIXED REFUSE, AS DEFINED IN CITY CODE ARTICLE 23,
2 § 2-1.

3 **306.7 PLACEMENT FOR COLLECTION. STORAGE RECEPTACLES:**

- 4 1. MAY NOT BE PLACED OUT FOR COLLECTION ON A SIDEWALK OR ALONG AN ALLEY EARLIER THAN
5 THE MORNING OF THE DAY OF COLLECTION, AND
- 6 2. MUST BE RETURNED PROMPTLY TO THE PREMISES AFTER COLLECTION.

7 **306.8 OWNER TRANSPORT.** AT ANY BUILDING FOR WHICH THE CITY DOES NOT PROVIDE COLLECTION
8 SERVICES, THE OWNER AND OPERATOR MUST COLLECT AND TRANSPORT THE BUILDING’S TRASH,
9 GARBAGE, AND DEBRIS TO AN APPROPRIATE LANDFILL OR OTHER APPROVED DISPOSAL SITE.

10 **SECTION 307 INTERIOR SANITARY MAINTENANCE**

11 **307.1 GENERAL.** THE INTERIOR OF EACH UNIT AND THE SHARED, COMMON, OR PUBLIC AREAS WITHIN
12 EACH BUILDING THAT CONTAINS MORE THAN ONE UNIT MUST BE MAINTAINED IN A CLEAN AND SANITARY
13 CONDITION.

14 **307.2 FLOOR, FURNITURE, ETC., SURFACES.** FLOORS, FURNITURE, COUNTERTOPS, AND SIMILAR
15 SURFACES MUST BE CLEAN AND FREE OF TRASH, GARBAGE, AND DEBRIS, INCLUDING HUMAN AND
16 ANIMAL WASTE AND ANY OTHER INSANITARY MATTER OR CAUSE OF NUISANCE.

17 **307.3 WALLS, CEILINGS, AND OPENINGS.** WALLS, CEILINGS, WINDOWS, AND DOORWAYS MUST BE
18 CLEAN AND FREE OF DIRT, GREASE, SOOT, AND ANY OTHER INSANITARY MATTER OR CAUSE OF NUISANCE.

19 **307.4 TRASH, ETC., RECEPTACLES.** EACH UNIT MUST HAVE A SUFFICIENT NUMBER OF INTERIOR
20 RECEPTACLES TO CONTAIN THAT UNIT’S TRASH, GARBAGE, AND DEBRIS.

21 **307.5 PLUMBING FIXTURES.** PLUMBING FIXTURES MUST BE KEPT CLEAN AND FREE FROM ANY FOREIGN
22 OBJECT OR MATERIAL THAT COULD OBSTRUCT A FIXTURE OR A LINE CONNECTED TO A FIXTURE.

23 **307.6 {RESERVED}**

24 **307.7 PEST CONTROL.** THE INTERIOR OF EVERY BUILDING MUST BE KEPT FREE OF INFESTATION BY
25 INSECTS, RODENTS, AND OTHER PESTS.

26 **SECTION 308 OCCUPANTS’ SANITARY RESPONSIBILITIES.**

27 **308.1 GENERAL.** AN OCCUPANT MUST KEEP IN A CLEAN AND SANITARY CONDITION THE OCCUPANT’S
28 UNIT AND ANY OTHER PART OF THE PREMISES THAT THE OCCUPANT OCCUPIES OR CONTROLS. HOWEVER,
29 THE OWNER AND OPERATOR IS RESPONSIBLE FOR ANY INSANITARY CONDITION CAUSED BY A SEWER
30 BACK-UP OR A STRUCTURAL DEFECT.

31 **308.2 EXTERIORS.** AN OCCUPANT OF A SINGLE-UNIT BUILDING AND AN OCCUPANT OF A UNIT WITH
32 EXCLUSIVE USE OF AN EXTERIOR PROPERTY AREA MUST MAINTAIN THE EXTERIOR AREAS, INCLUDING
33 ABUTTING SIDEWALKS, GUTTERS, AND ALLEYS, IN COMPLIANCE WITH §§ 305 AND 306 OF THIS CHAPTER.
34 HOWEVER, THE OWNER AND OPERATOR ARE RESPONSIBLE FOR ANY INSANITARY CONDITION CAUSED BY
35 A SEWER BACK-UP OR A STRUCTURAL DEFECT.

36 **308.2.1 EXCEPTION – RESIDENTIAL PROPERTY REGISTRATION. THE OWNER OF A PROPERTY IS**
37 **RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE UNDER ANY OF THE CIRCUMSTANCES**
38 **DESCRIBED IN BUILDING CODE § 113.21.2B {“LIABILITY – FAILURE TO REGISTER PROPERTY”}.**

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308.2.2 EXCEPTION – THIRD ENVIRONMENTAL CITATION. THE OWNER OF A PROPERTY IS RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE UNDER THE CIRCUMSTANCES DESCRIBED IN BUILDING CODE § 113.21.2C {"LIABILITY – THIRD ENVIRONMENTAL CITATION"}.

308.3 INTERIORS. EXCEPT AS OTHERWISE SPECIFIED IN § 308.5, AN OCCUPANT MUST MAINTAIN THE INTERIOR OF THE OCCUPANT’S UNIT AND ANY OTHER PART OF THE BUILDING THAT THE OCCUPANT OCCUPIES OR CONTROLS IN COMPLIANCE WITH § 307 OF THIS CHAPTER.

308.4 PEST CONTROL – SINGLE-UNIT BUILDING. AN OCCUPANT OF A SINGLE-UNIT BUILDING IS RESPONSIBLE FOR EXTERMINATION OF INSECTS, RODENTS, OR OTHER PESTS, OTHER THAN WOOD-DESTROYING INSECTS.

308.5 PEST CONTROL – MULTI-UNIT BUILDING. AN OCCUPANT OF A MULTI-UNIT BUILDING IS RESPONSIBLE FOR EXTERMINATION IF THE OCCUPANT’S UNIT IS THE ONLY ONE AFFECTED.

308.6 TRASH DISPOSAL. AN OCCUPANT MAY DISPOSE OF TRASH, GARBAGE, AND DEBRIS ONLY IN COMPLIANCE WITH § 306 OF THIS CHAPTER.

308.7 NUISANCES. AN OCCUPANT MAY NOT CREATE OR MAINTAIN, IN OR ON THE PROPERTY THAT THE OCCUPANT OCCUPIES AND CONTROLS, ANY CONDITION THAT CONSTITUTES A NUISANCE.

CHAPTER 4. LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS

SECTION 401 GENERAL

401.1 SCOPE. *{AS IN IPMC}*

401.2 RESPONSIBILITY. THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND MAINTAIN LIGHT, VENTILATION, AND SPACE CONDITIONS IN COMPLIANCE WITH THESE REQUIREMENTS.

401.3 ALTERNATIVE DEVICES. *{AS IN IPMC}*

SECTION 402 LIGHT

402.1 HABITABLE SPACES. EVERY HABITABLE SPACE MUST HAVE AT LEAST 1 WINDOW FACING DIRECTLY TO THE OUTDOORS OR TO AN OPEN COURT WHOSE FACING WALL IS AT LEAST 3 FEET (914 MM) AWAY. THE MINIMUM TOTAL GLAZED AREA FOR EVERY HABITABLE SPACE MUST BE 10% OF THE FLOOR AREA OF THAT SPACE.

EXCEPTION: NATURAL LIGHT FOR HABITABLE SPACES MAY BE PROVIDED THROUGH AN ADJOINING ROOM IF:

1. THE UNOBSTRUCTED OPENING TO THE ADJOINING ROOM IS AT LEAST 8% OF THE FLOOR AREA OF THE INTERIOR SPACE, AND
2. THE GLAZED AREA PROVIDING NATURAL LIGHT IS AT LEAST 8% OF THE COMBINED TOTAL FLOOR AREA BEING SERVED.

402.2 COMMON HALLS AND STAIRWAYS. *{AS IN IPMC}*

402.3 OTHER SPACES. *{AS IN IPMC}*

SECTION 403 VENTILATION *{AS IN IPMC}*

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SECTION 404 OCCUPANCY LIMITATIONS

404.1 PRIVACY. DWELLING UNITS AND ROOMING UNITS MUST:

1. BE ARRANGED TO PROVIDE PRIVACY,
2. BE SEPARATE FROM ADJOINING UNITS AND COMMON AREAS, AND
3. HAVE A SEPARATE MEANS OF ACCESS FROM A HALLWAY, LANDING, STAIRWAY, OR STREET.

404.2 MINIMUM ROOM SIZE. A HABITABLE ROOM, OTHER THAN A KITCHEN, MAY NOT BE LESS THAN 7 FEET (2134 MM) IN ANY PLANE DIMENSION.

404.2.1 KITCHENS. A KITCHEN MUST CONTAIN AT LEAST 35 SQ. FT (3.25 SQ. M.) OF FLOOR AREA, AND, IF ARRANGED AS A CORRIDOR THE CORRIDOR BETWEEN COUNTER FRONTS OR BETWEEN A WALL AND COUNTER FRONTS MUST BE AT LEAST 3 FEET (914 MM).

404.3 MINIMUM CEILING HEIGHTS. HABITABLE SPACES HALLWAYS, CORRIDORS, LAUNDRY AREAS, AND BATHROOMS MUST HAVE A CLEAR CEILING HEIGHT OF NOT LESS THAN 7 FEET (2134 MM) OVER AT LEAST 50% OF THE FLOOR AREA. TOILET ROOMS MUST HAVE A CEILING HEIGHT OF NOT LESS THAN 6½ FEET (1981 MM) OVER AT LEAST 50% OF THE FLOOR AREA

EXCEPTIONS:

1. *{NOT ADOPTED}*
2. BASEMENT ROOMS THAT OTHERWISE MEET THE REQUIREMENTS OF THIS § 404.3 MAY HAVE A CLEAR HEIGHT OF NOT LESS THAN 6 FEET (1829 MM) UNDER BEAMS, GIRDERS, DUCTS, AND SIMILAR OBSTRUCTIONS.
3. ROOMS OCCUPIED EXCLUSIVELY FOR SLEEPING, STUDY, OR SIMILAR PURPOSES AND HAVING A SLOPED CEILING OVER ALL OR PART OF THE ROOM MAY HAVE A CLEAR CEILING HEIGHT OF NOT LESS THAN 7 FEET (2134 MM) OVER NOT LESS THAN 33⅓% OF THE REQUIRED MINIMUM FLOOR AREA.
4. AS ALLOWED BY REGULATIONS OF THE CODE OFFICIAL.

404.3.1 FLOOR AREA CALCULATIONS. IN CALCULATING FLOOR AREA FOR PURPOSES OF THIS § 404.3, ONLY THOSE PORTIONS OF THE FLOOR AREA WITH A CLEAR HEIGHT OF 5 FEET (1524 MM) OR MORE MAY BE INCLUDED.

~~**404.4 BEDROOM REQUIREMENTS.** *{AS IN IPMC}*~~

~~**404.5 OVERCROWDING.** *{AS IN IPMC}*~~

404.4 BEDROOM REQUIREMENTS. EVERY BEDROOM MUST COMPLY WITH THE REQUIREMENTS OF THIS § 404.4.

404.4.1 AREA FOR SLEEPING PURPOSES. EVERY BEDROOM OCCUPIED BY 1 PERSON MUST CONTAIN AT LEAST 70 SQ. FT. (6.5 SQ. M.) OF FLOOR AREA. EVERY BEDROOM OCCUPIED BY MORE THAN ONE PERSON MUST CONTAIN AT LEAST 50 SQ. FT. (4.6 SQ. M.) OF FLOOR AREA FOR EACH OCCUPANT OF THE BEDROOM.

404.4.2 TO 404.4.5 *{AS IN IPMC}*

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1 **404.5 OVERCROWDING.** DWELLING UNITS MAY NOT BE OCCUPIED BY MORE OCCUPANTS THAN
2 PERMITTED BY THE MINIMUM AREA REQUIREMENTS OF TABLE 404.5.

3 **TABLE 405.5**
4 **MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 OCCUPANTS	3-5 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		

11 FOR SI: 1 SQ. FT. = 0.093 SQ. M.

12 ^A FOR COMBINED LIVING ROOM/DINING ROOM SPACES, SEE § 404.5.2.

13 ^B FOR LIMITATIONS ON DETERMINING MINIMUM OCCUPANCY AREA FOR SLEEPING PURPOSES,
14 SEE § 404.5.1.

15 **404.5.1 SLEEPING AREA.** THE MINIMUM OCCUPANCY AREA REQUIRED BY TABLE 404.5
16 MAY NOT BE INCLUDED AS A SLEEPING AREA IN DETERMINING THE MINIMUM OCCUPANCY
17 AREA FOR SLEEPING PURPOSES. ALL SLEEPING AREAS MUST COMPLY WITH § 404.4.

18 **404.5.2 COMBINED SPACES.** COMBINED LIVING ROOM AND DINING ROOM SPACES MUST
19 COMPLY WITH THE REQUIREMENTS OF TABLE 404.5 IF:

- 20 1. THE TOTAL AREA IS EQUAL TO THAT REQUIRED FOR SEPARATE ROOMS, AND
- 21 2. THE SPACE IS LOCATED SO AS TO FUNCTION AS A COMBINATION LIVING
22 ROOM/DINING ROOM.

23 **404.6 EFFICIENCY UNIT. {NOT ADOPTED}**

24 **404.7 FOOD PREPARATION.** A DWELLING UNIT MUST CONTAIN A ROOM OR SPACE FOR THE STORAGE,
25 PREPARATION, AND COOKING OF FOOD, INCLUDING A SINK AND SPACE AND CONNECTIONS FOR A STOVE
26 AND REFRIGERATOR.

27 **404.8 CLOSETS.** A DWELLING UNIT MUST CONTAIN AT LEAST 1 CLOSET, FOR STORING CLOTHING AND
28 OTHER ARTICLES, WITH A FLOOR AREA OF NOT LESS THAN 6 SQ. FT. (0.6 SQ. M.). A DWELLING UNIT WITH
29 MORE THAN 1 BEDROOM MUST CONTAIN AT LEAST 1 ADDITIONAL CLOSET OF THE SAME MINIMUM SIZE.

30 **EXCEPTION:** THIS SECTION DOES NOT APPLY TO AN OWNER-OCCUPIED SINGLE FAMILY DWELLING.

31 **404.9 MINIMUM DWELLING UNIT SIZE.** A DWELLING UNIT MUST CONTAIN AT LEAST 240 SQ. FT. (22.3
32 SQ. M.) OF CLEAR FLOOR AREA. AT LEAST 1 ROOM MUST HAVE NOT LESS THAN 120 SQ. FT. (11.2 SQ. M.)
33 OF FLOOR AREA, WITH ITS LEAST PLANE DIMENSION NOT LESS THAN 8 FEET (2438 MM).

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CHAPTER 5. PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION 501 GENERAL

501.1 SCOPE. *{AS IN IPMC}*

501.2 RESPONSIBILITY. THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND MAINTAIN PLUMBING FACILITIES AND PLUMBING FIXTURES IN COMPLIANCE WITH THESE REQUIREMENTS.

SECTION 502 REQUIRED FACILITIES *{AS IN IPMC}*

SECTION 503 TOILET ROOMS AND BATHROOMS

503.1 PRIVACY. TOILET ROOMS AND BATHROOMS MUST PROVIDE PRIVACY AND MAY NOT CONSTITUTE THE ONLY MEANS OF ACCESS TO A DWELLING UNIT OR TO A HABITABLE SPACE OR HALL WITHIN A DWELLING UNIT. A DOOR WITH INTERIOR LOCKING DEVICE MUST BE PROVIDED.

503.2 LOCATION. *{AS IN IPMC}*

503.3 LOCATION OF EMPLOYEE TOILET FACILITIES. *{AS IN IPMC}*

503.4 FLOOR SURFACE. *{NOT ADOPTED}*

SECTION 504 PLUMBING SYSTEMS AND FIXTURES

504.1 GENERAL. *{AS IN IPMC}*

504.2 FIXTURE CLEARANCES. *{AS IN IPMC}*

504.3 PLUMBING SYSTEM DEFECTS. INADEQUATE SERVICE, INADEQUATE VENTING, CROSS-CONTAMINATION, BACK-SIPHONAGE, IMPROPER INSTALLATION, DETERIORATION, DAMAGE, AND SIMILAR DEFECTS IN A PLUMBING SYSTEM MUST BE CORRECTED.

SECTION 505 WATER SYSTEMS

505.1 GENERAL. EVERY SINK, LAVATORY, BATHTUB, SHOWER, DRINKING FOUNTAIN, WATER CLOSET, OR OTHER PLUMBING FIXTURE MUST BE PROPERLY CONNECTED TO EITHER A PUBLIC WATER SYSTEM OR TO AN APPROVED PRIVATE WATER SYSTEM. ALL KITCHEN SINKS, LAVATORIES, LAUNDRY FACILITIES, BATHTUBS, AND SHOWERS MUST BE SUPPLIED WITH HOT AND COLD RUNNING WATER IN ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING CODE.

505.2 TO 505.3 *{AS IN IPMC}*

505.4 WATER HEATING FACILITIES. EVERY DWELLING UNIT MUST HAVE WATER HEATING FACILITIES THAT ARE:

1. PROPERLY INSTALLED AND MAINTAINED,
2. PROPERLY CONNECTED TO EVERY REQUIRED SINK, LAVATORY BASIN, BATHTUB, SHOWER, AND LAUNDRY FACILITY,
3. PROPERLY EQUIPPED WITH AN APPROVED COMBINATION TEMPERATURE AND PRESSURE-RELIEF VALVE AND WITH A RELIEF-VALVE DISCHARGE PIPE,

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1 4. CAPABLE OF AUTOMATICALLY HEATING WATER TO A TEMPERATURE OF NOT LESS THAN 110° F
2 (43° C), AND

3 5. CAPABLE OF MEETING NORMAL DEMANDS AT EVERY REQUIRED OUTLET.

4 **505.4.1 VENTING GAS-FIRED HEATER.** A GAS-FIRED WATER HEATER MUST BE VENTED TO THE
5 OUTSIDE AIR.

6 **SECTION 506 SANITARY DRAINAGE SYSTEM {AS IN IPMC}**

7 **SECTION 507 STORM DRAINAGE**

8 **507.1 GENERAL.** DRAINAGE OF ROOFS AND PAVED AREAS, YARDS AND COURTS, AND OTHER OPEN
9 AREAS ON THE PREMISES MAY NOT BE DISCHARGED IN A MANNER THAT VIOLATES EITHER:

- 10 1. THE DRAINAGE REQUIREMENTS OF THE BALTIMORE CITY BUILDING CODE, OR
11 2. THE STORMWATER MANAGEMENT REQUIREMENTS OF THE CITY CODE.

12 **CHAPTER 6. MECHANICAL AND ELECTRICAL REQUIREMENTS**

13 **SECTION 601 GENERAL**

14 **601.1 SCOPE.** *{AS IN IPMC}*

15 **601.2 RESPONSIBILITY.** THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND
16 MAINTAIN MECHANICAL AND ELECTRICAL FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE
17 REQUIREMENTS.

18 **SECTION 602 HEATING FACILITIES**

19 **602.1 FACILITIES REQUIRED.** *{AS IN IPMC}*

20 **602.2 RESIDENTIAL OCCUPANCIES.** DWELLINGS MUST BE PROVIDED WITH PROPERLY INSTALLED AND
21 MAINTAINED HEATING FACILITIES CAPABLE OF MAINTAINING A ROOM TEMPERATURE OF 70° F (21° C)
22 IN ALL HABITABLE ROOMS, BATHROOMS, AND TOILET ROOMS. COOKING APPLIANCES MAY NOT BE USED
23 TO PROVIDE SPACE HEATING TO MEET THE REQUIREMENTS OF THIS SECTION.

24 **602.3 HEAT SUPPLY.** EVERY OWNER AND OPERATOR WHO RENTS, LEASES, OR LETS ONE OR MORE
25 DWELLING UNITS, ROOMING UNITS, OR DORMITORY, OR GUEST ROOMS MUST SUPPLY SUFFICIENT HEAT
26 DURING THE PERIOD OF OCTOBER 1 THROUGH APRIL 30, INCLUSIVE, TO MAINTAIN AN AVERAGE
27 TEMPERATURE OF:

- 28 1. NOT LESS THAN 70° F (21° C) IN ALL HABITABLE ROOMS, BATHROOMS, AND TOILET ROOMS,
29 AND
30 2. NOT LESS THAN 65° F (18° C) IN ANY OTHER ROOM.

31 **EXCEPTION:** *{NOT ADOPTED}*

32 **602.4 OCCUPIABLE WORK SPACES.** INDOOR OCCUPIABLE WORK SPACES MUST BE SUPPLIED WITH
33 SUFFICIENT HEAT DURING THE PERIOD OF OCTOBER 1 THROUGH APRIL 30, INCLUSIVE, TO MAINTAIN A
34 TEMPERATURE OF NOT LESS THAT 65° F (18° C) DURING THE PERIOD THE SPACES ARE OCCUPIED.

35 **EXCEPTIONS:** *{AS IN IPMC}*

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1 **602.5 ROOM TEMPERATURE MEASUREMENT. {AS IN IPMC}**

2 **602.6 CENTRAL HEATING UNITS. A CENTRAL HEATING UNIT MUST BE:**

- 3 1. PROPERLY INSTALLED AND MAINTAINED,
- 4 2. IF FUEL-BURNING, PROPERLY CONNECTED TO AN APPROVED CHIMNEY OR VENT,
- 5 3. IF ELECTRICALLY POWERED, PROPERLY CONNECTED TO AN ELECTRIC CIRCUIT OF ADEQUATE
6 POWER,
- 7 4. IF A HOT-AIR TYPE, EQUIPPED WITH PROPER SEALS BETWEEN SECTIONS OF THE FURNACE TO
8 PREVENT FUMES FROM ESCAPING INTO HEAT DUCTS,
- 9 5. PROVIDED WITH ALL SAFETY DEVICES REQUIRED BY LAW, AND
- 10 6. CONNECTED TO DUCTS, PIPES, OR TUBES THAT ARE FREE FROM LEAKS AND OBSTRUCTIONS.

11 **602.7 SPACE-HEATING UNITS. A SPACE-HEATING UNIT:**

- 12 1. MAY NOT USE GASOLINE OR ANY SIMILAR HIGHLY FLAMMABLE LIQUID FUEL,

13 **EXCEPTION:** A KEROSENE SPACE HEATER WITH FUEL PIPED FROM AN APPROVED TANK.

- 14 2. IF FUEL-BURNING, MAY NOT BE A PORTABLE UNIT,
- 15 3. IF FUEL-BURNING, MUST BE PROPERLY CONNECTED TO AN APPROVED FLUE OR VENT,

16 **EXCEPTION:** ORNAMENTAL GAS LOGS ARE PERMITTED IN A DWELLING WITH A PROPER
17 HEATING SYSTEM IF LOCATED IN A VENTED FIREPLACE AND NOT IN A ROOM USED FOR
18 SLEEPING.

- 19 4. MUST BE LOCATED TO PREVENT AND PROTECT AGAINST OVERHEATING ADJACENT COMBUSTIBLE
20 MATERIAL,
- 21 5. IF USING ELECTRICITY, MUST BE PROPERLY CONNECTED TO AN ELECTRIC CIRCUIT OF ADEQUATE
22 POWER,
- 23 6. MUST BE PROVIDED WITH ALL AUTOMATIC AND SAFETY DEVICES REQUIRED BY LAW,
- 24 7. MAY ONLY BE INSTALLED UNDER A PERMIT, AND
- 25 8. MUST BE PROPERLY OPERATED.

26 **SECTION 603 MECHANICAL EQUIPMENT**

27 **603.1 GENERAL.** ALL MECHANICAL EQUIPMENT PROVIDED MUST BE PROPERLY INSTALLED AND
28 MAINTAINED IN A SAFE CONDITION. IN ADDITION, ALL REQUIRED MECHANICAL EQUIPMENT MUST BE
29 MAINTAINED IN A SAFE WORKING CONDITION AND MUST BE CAPABLE OF PERFORMING ITS INTENDED
30 FUNCTION.

31 **603.2 TO 603.6 {AS IN IPMC}**

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1 SECTION 604 ELECTRICAL FACILITIES

2 604.1 FACILITIES REQUIRED. *{AS IN IPMC}*

3 604.2 SERVICE. THE SIZE AND USAGE OF APPLIANCES AND EQUIPMENT SERVES AS A BASIS FOR
4 DETERMINING THE NEED FOR ADDITIONAL FACILITIES IN ACCORDANCE WITH THE NATIONAL ELECTRICAL
5 CODE. DWELLING UNITS MUST BE SERVED BY A THREE-WIRE, 120/240 VOLT, SINGLE-PHASE ELECTRICAL
6 SERVICE HAVING A RATING OF NOT LESS THAN 60 AMPERES.

7 604.3 ELECTRICAL SYSTEM DEFECTS. INADEQUATE SERVICE, IMPROPER FUSING, INSUFFICIENT
8 RECEPTACLE OR LIGHTING OUTLETS, IMPROPER WIRING OR INSTALLATION, DETERIORATION, DAMAGE,
9 AND SIMILAR DEFECTS IN AN ELECTRICAL SYSTEM MUST BE CORRECTED.

10 SECTION 605 ELECTRICAL EQUIPMENT

11 605.1 INSTALLATION. *{AS IN IPMC}*

12 605.2 RECEPTACLES. EVERY HABITABLE SPACE IN A DWELLING MUST CONTAIN AT LEAST 2 SEPARATE
13 AND REMOTE DUPLEX OUTLETS. EVERY KITCHEN AREA MUST CONTAIN ADDITIONAL OUTLETS,
14 CONNECTED TO AN APPROPRIATE CIRCUIT, FOR A STOVE AND FOR A REFRIGERATOR. EVERY LAUNDRY
15 AREA MUST CONTAIN AT LEAST 1 GROUNDED-TYPE RECEPTACLE OR A RECEPTACLE WITH A GROUND
16 FAULT CIRCUIT INTERRUPTER. EVERY BATHROOM MUST CONTAIN AT LEAST 1 DUAL-RECEPTACLE. ANY
17 NEW BATHROOM RECEPTACLE OUTLET MUST HAVE GROUND FAULT CIRCUIT INTERRUPTER PROTECTION.

18 605.3 LUMINAIRES. *{AS IN IPMC}*

19 605.4 HALLS AND STAIRS. IN A MULTIPLE-FAMILY DWELLING, EVERY COMMON HALLWAY AND
20 STAIRWAY MUST BE ADEQUATELY LIGHTED AT ALL TIMES WITH AT LEAST 3 FOOT CANDLES OF LIGHT AT
21 THE FLOOR OR STAIR TREAD LEVEL. OTHER DWELLINGS MUST HAVE FACILITIES SUFFICIENT TO PROVIDE
22 THIS LEVEL OF ILLUMINATION AND BE EQUIPPED WITH CONVENIENTLY LOCATED LIGHT SWITCHES TO
23 TURN THE FACILITIES ON AND OFF AS NEEDED.

24 SECTION 606 ELEVATORS, ESCALATORS, AND DUMBWAITERS *{AS IN IPMC}*

25 SECTION 607 DUCT SYSTEMS *{AS IN IPMC}*

26 CHAPTER 7. FIRE SAFETY REQUIREMENTS

27 SECTION 701 GENERAL

28 701.1 SCOPE. *{AS IN IPMC}*

29 701.2 RESPONSIBILITY. EXCEPT AS PROVIDED IN § 704, THE OWNER AND OPERATOR OF THE PREMISES
30 MUST PROVIDE AND MAINTAIN FIRE SAFETY FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE
31 REQUIREMENTS.

32 SECTION 702 MEANS OF EGRESS *{AS IN IPMC}*

33 SECTION 703 FIRE-RESISTANCE RATINGS

34 703.1 FIRE-RESISTANCE-RATED ASSEMBLIES. THE REQUIRED FIRE-RESISTANCE RATING MUST BE
35 MAINTAINED FOR ALL FIRE-RESISTANCE-RATED WALLS, FIRE STOPS, OCCUPANCY SEPARATIONS, SHAFT
36 ENCLOSURES, FURNACE ROOM ENCLOSURES, STAIRWELL ENCLOSURES, PARTITIONS, AND FLOORS.

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1 **703.2 OPENING PROTECTIVES.** REQUIRED OPENING PROTECTIVES MUST BE MAINTAINED IN AN
2 OPERATIVE CONDITION.

3 **703.2.1 FIRE AND SMOKESTOP DOORS.** ALL FIRE AND SMOKESTOP DOORS:

- 4 1. MUST BE MAINTAINED IN AN OPERATIVE CONDITION,
- 5 2. MAY NOT BE BLOCKED, OBSTRUCTED, OR OTHERWISE MADE INOPERABLE, AND
- 6 3. MUST BE EQUIPPED WITH APPROVED SELF-CLOSING DEVICES.

7 **SECTION 704 FIRE PROTECTION SYSTEMS**

8 **704.1 GENERAL.** FIRE ALARM AND DETECTIONS SYSTEMS MUST COMPLY WITH THE REQUIREMENTS OF
9 FIRE CODE § 907.

10 **704.2 TO 704.4 {AS IN IPMC}**

11 **CHAPTER 8. REFERENCED STANDARDS**

12 **SECTION 801 GENERAL**

13 **801.1 SCOPE.** THIS CHAPTER 8 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF
14 THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD
15 IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO
16 THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.7 OF THIS CODE.

17 **801.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS
18 LISTED:

- 19 1. FOR ICC ELECTRICAL CODE,
20 SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
- 21 2. FOR INTERNATIONAL FUEL GAS CODE,
22 SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
- 23 3. FOR INTERNATIONAL PLUMBING CODE,
24 SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007**
25 **SUPPLEMENT)**.

26 **PART VIII. INTERNATIONAL FIRE CODE**

27 **§ 8-101. CITY ADOPTION.**

28 (A) *IN GENERAL.*

29 THE INTERNATIONAL FIRE CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING,
30 FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS,
31 AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART VIII.

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1 (B) *CODIFICATION.*

2 UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART VIII REFER
3 TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL FIRE CODE.

4 § 8-102. CITY MODIFICATIONS.

5 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE
6 CITY ARE AS FOLLOWS:

7 CHAPTER 1. ADMINISTRATION

8 SECTION 101 GENERAL

9 **101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “FIRE CODE OF BALTIMORE
10 CITY”.

11 **101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE FIRE
12 CODE OF BALTIMORE CITY.

13 **101.2 SCOPE.** *{AS IN IFC}*

14 **101.2.1 APPENDICES ADOPTED.** THE FOLLOWING APPENDICES TO THE INTERNATIONAL FIRE CODE
15 ARE ADOPTED AS PART OF THIS CODE:

- 16 1. APPENDIX B: “FIRE-FLOW REQUIREMENTS FOR BUILDING”.
- 17 2. APPENDIX D: “FIRE APPARATUS ACCESS ROADS”.
- 18 3. APPENDIX E: “HAZARD CATEGORIES”.
- 19 4. APPENDIX F: “HAZARD RANKING”.
- 20 5. APPENDIX G: “CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS”.

21 **101.2.2 APPENDICES NOT ADOPTED.** THE FOLLOWING APPENDICES TO THE INTERNATIONAL FIRE
22 CODE ARE NOT ADOPTED AS PART OF THIS CODE:

- 23 1. APPENDIX A: “BOARD OF APPEALS”.
- 24 2. APPENDIX C: “FIRE HYDRANT LOCATIONS AND DISTRIBUTION”.

25 **101.3 TO 101.5** *{AS IN IFC}*

26 SECTION 102 APPLICABILITY

27 **102.1 TO 102.4** *{AS IN IFC}*

28 **102.5 HISTORIC BUILDINGS.** *{NOT ADOPTED}*

29 **102.6 REFERENCED CODES AND STANDARDS.** *{AS IN IFC}*

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1 **102.6.1 MOST RECENT STANDARD.** WHERE A NEWER VERSION OF A STANDARD LISTED IN CHAPTER
2 45 EXISTS, THE CODE OFFICIAL MAY USE THE NEWER VERSION OF THAT STANDARD UNLESS IT
3 CREATES AN INCOMPATIBILITY WITH THIS CODE OR WITH THE BUILDING CODE OF BALTIMORE CITY.

4 **102.7 TO 102.9 {AS IN IFC}**

5 **SECTION 103 DEPARTMENT OF FIRE PREVENTION {NOT ADOPTED}**

6 **SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES**

7 **104.1 GENERAL. {AS IN IFC}**

8 **104.1.1 LEGAL ENFORCEMENT.** THE FIRE CODE OFFICIAL MAY INSTITUTE OR CAUSE TO BE
9 INSTITUTED, AT ANY TIME, ANY AND ALL LEGAL, EQUITABLE, OR CRIMINAL ACTIONS OR
10 PROCEEDINGS NECESSARY OR APPROPRIATE TO ENFORCE THIS CODE. NOTHING IN THIS CODE
11 PREVENTS THE FIRE CODE OFFICIAL FROM INSTITUTING OR CAUSING TO BE INSTITUTED AND FULLY
12 PROSECUTING ANY AND ALL LEGAL OR EQUITABLE PROCEEDINGS OF ANY KIND NECESSARY OR
13 APPROPRIATE TO COMPEL COMPLIANCE WITH THIS CODE, EVEN IF CRIMINAL PROCEEDINGS ARE
14 PENDING OR HAVE BEEN COMPLETED.

15 **104.2 TO 104.9 {AS IN IFC}**

16 **104.10 FIRE INVESTIGATIONS. {AS IN IFC}**

17 **104.10.1 FIRE INVESTIGATION BUREAU; FIRE MARSHAL.** THE FIRE INVESTIGATION BUREAU IS
18 CONTINUED IN THE FIRE DEPARTMENT. THE BUREAU CONSISTS OF MEMBERS ASSIGNED TO IT BY
19 THE CHIEF OF THE FIRE DEPARTMENT. THE HEAD OF THE BUREAU IS THE FIRE MARSHAL OF
20 BALTIMORE CITY, TO BE DESIGNATED BY THE CHIEF. THE CHIEF MAY ALSO DESIGNATE ONE OR
21 MORE OFFICERS OR OFFICIALS TO SERVE IN THE ABSENCE OF THE FIRE MARSHAL.

22 **104.10.2 GENERAL DUTIES.** THE FIRE INVESTIGATION BUREAU INVESTIGATES FIRES AND RELATED
23 INCIDENTS IN BALTIMORE CITY. THE BUREAU MUST KEEP A COMPLETE RECORD OF THESE FIRES
24 AND RELATED INCIDENTS, INCLUDING THEIR CAUSE AND ORIGIN, AND A COMPLETE RECORD OF ITS
25 INVESTIGATIONS. THE ASSISTANT CHIEF OR HIS OR HER DESIGNEE IS THE CUSTODIAN OF ALL
26 RECORDS OF INVESTIGATIONS. IN ADDITION TO THE DUTIES SPECIFIED IN THIS SECTION, THE BUREAU
27 PERFORMS ALL OTHER DUTIES ASSIGNED TO IT BY LAW OR BY THE CHIEF OF THE FIRE DEPARTMENT.

28 **104.10.3 CHARGE OF EVIDENCE.** IN INVESTIGATING A FIRE OR RELATED INCIDENT, THE BUREAU
29 MUST TAKE CHARGE IMMEDIATELY OF THE PHYSICAL EVIDENCE AND, TO PRESERVE THAT EVIDENCE,
30 TAKE MEASURES TO PREVENT ACCESS BY ANY PERSON TO THE STRUCTURE OR PREMISES UNTIL THE
31 EVIDENCE HAS BEEN PROPERLY PROCESSED.

32 **104.10.3.1 COOPERATION WITH OTHER AGENCIES.** THE BUREAU MUST NOTIFY THE PERSONS
33 DESIGNATED BY LAW TO PURSUE INVESTIGATIONS, COOPERATE WITH AUTHORITIES IN
34 COLLECTING EVIDENCE AND IN PROSECUTING OFFENDERS, AND PURSUE THE INVESTIGATION TO
35 ITS CONCLUSION.

36 **104.10.3.2 ASSISTANCE FROM OTHER AGENCIES.** POLICE AND OTHER ENFORCEMENT
37 AGENCIES ARE AUTHORIZED TO RENDER ASSISTANCE IN THE INVESTIGATION OF FIRES WHEN
38 REQUESTED TO DO SO.

39 **104.10.4 AUTHORITY OF FIRE MARSHAL.** THE FIRE MARSHAL HAS GENERAL SUPERVISION AND
40 CONTROL OF ALL FIRE INVESTIGATIONS IN THE CITY AND OF ALL INQUIRIES TO DETERMINE THEIR
41 CAUSE AND ORIGIN, BOTH FOR THE PURPOSE OF ELIMINATING THAT CAUSE AND, IF ARSON OR
42 INCENDIARIES IS SUSPECTED, TO ASCERTAIN THE PERSONS RESPONSIBLE.

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1 **104.10.5 PENALTY FOR OBSTRUCTING INVESTIGATION.** ANY PERSON WHO PREVENTS OR
2 OBSTRUCTS OR ATTEMPTS TO PREVENT OR OBSTRUCT AN INVESTIGATION IS GUILTY OF A
3 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE PENALTIES SPECIFIED § 109 OF THIS CODE.

4 **104.10.6 SUBPOENA OF WITNESS AND DOCUMENTS.** IN CONDUCTING AN INVESTIGATION, THE FIRE
5 MARSHAL MAY SUBPOENA AND COMPEL ATTENDANCE OF ANY PERSON AND THE PRODUCTION OF
6 ANY DOCUMENTS THAT, IN THE JUDGMENT OF THE FIRE MARSHAL, ARE CONNECTED WITH AND
7 NECESSARY TO THE INVESTIGATION, AND HAVE THAT PERSON EXAMINED ON OATH OR AFFIRMATION
8 AT THE TIME AND PLACE SPECIFIED IN THE SUBPOENA. OFFICERS OF THE BALTIMORE POLICE
9 DEPARTMENT MAY SERVE THE SUBPOENA.

10 **104.10.7 ENFORCEMENT OF SUBPOENA.** IF A PERSON IS SERVED WITH A SUBPOENA AND FAILS TO
11 ATTEND AND TESTIFY, OR FAILS ON EXAMINATION TO ANSWER ANY QUESTION, OR OTHERWISE FAILS
12 TO COMPLY WITH THE SUBPOENA, THE FIRE MARSHAL MAY APPLY TO A JUDGE OF THE CIRCUIT
13 COURT OF BALTIMORE CITY TO ORDER COMPLIANCE TO THE SUBPOENA. IF THE JUDGE ORDERS
14 COMPLIANCE, THE FIRE MARSHAL MUST SO NOTIFY THE PERSON NAMED IN THE SUBPOENA AND FIX
15 THE TIME AND PLACE FOR HIS OR HER FURTHER EXAMINATION. IF THE PERSON STILL FAILS TO
16 COMPLY, THE PERSON MAY BE ARRESTED AND CHARGED WITH CONTEMPT.

17 **104.10.8 ADMINISTRATION OF OATHS.** THE FIRE MARSHAL MAY ADMINISTER OATHS OR
18 AFFIRMATIONS. ANY FALSE TESTIMONY GIVEN UNDER OATH OR AFFIRMATION ADMINISTERED BY
19 THE FIRE MARSHAL, IF MATERIAL AND MADE WILLFULLY, IS PUNISHABLE AS PERJURY.

20 **104.10.9 SUBMISSION TO STATE'S ATTORNEY.** IF GROSS NEGLIGENCE, ARSON, OR INCENDIARIES
21 IS REASONABLY EVIDENT IN A CASE, THE FIRE MARSHAL MUST SUBMIT ALL OF THE BUREAU'S
22 RECORDS ON THE CASE TO THE STATE'S ATTORNEY OF BALTIMORE CITY.

23 **104.11 AUTHORITY AT FIRES AND OTHER EMERGENCIES. {AS IN IFC}**

24 **104.12 FEES FOR NON-FIRE SUPPRESSION SERVICES.** THE DIRECTOR OF FINANCE MUST ESTABLISH
25 AND ANNUALLY REVIEW A FEE SCHEDULE FOR NON-FIRE SUPPRESSION SERVICES PERFORMED BY THE
26 FIRE DEPARTMENT. THE DIRECTOR OF FINANCE MUST BASE THESE FEES ON THE EXPENSE INCURRED BY
27 THE FIRE DEPARTMENT IN PERFORMING NON-FIRE SUPPRESSION SERVICES.

28 SECTION 105 PERMITS

29 **105.1 GENERAL. {AS IN IFC}**

30 **105.1.1 PERMITS REQUIRED.** PERMITS MUST BE OBTAINED FROM THE FIRE CODE OFFICIAL AS
31 REQUIRED BY THIS CODE OR IN THE FIRE CODE OFFICIAL'S FIRE PREVENTION PERMIT SCHEDULE.
32 PERMIT FEES, IF ANY, MUST BE PAID BEFORE THE PERMIT IS ISSUED. AN ISSUED PERMIT MUST BE
33 KEPT ON THE PREMISES DESIGNATED IN THAT PERMIT AT ALL TIMES AND MUST BE READILY
34 AVAILABLE FOR INSPECTION BY THE FIRE CODE OFFICIAL.

35 **105.1.2 TYPES OF PERMITS. {AS IN IFC}**

36 **105.1.3 PERMITS FOR THE SAME LOCATION. {AS IN IFC}**

37 **105.1.4 SETTING FEES.** THE DIRECTOR OF FINANCE MUST ESTABLISH AND ANNUALLY REVIEW THE
38 FEES CHARGED FOR PERMITS UNDER THIS CODE. THE DIRECTOR OF FINANCE MUST BASE THESE FEES
39 ON THE EXPENSES INCURRED BY THE FIRE PREVENTION BUREAU IN PROCESSING PERMIT
40 APPLICATIONS AND IN CONDUCTING INSPECTIONS.

41 **105.2 APPLICATION. {AS IN IFC}**

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1 **105.3 CONDITIONS OF A PERMIT. {As IN IFC}**

2 **105.3.1 TO 105.3.7 {As IN IFC}**

3 **105.3.8 VIOLATION OF PERMIT.** FAILURE TO COMPLY WITH ANY TERM OR CONDITION OF ANY
4 PERMIT ISSUED UNDER THIS CODE CONSTITUTES A VIOLATION OF THIS CODE AND SUBJECTS THE
5 VIOLATOR TO THE PENALTIES PRESCRIBED IN § 109 OF THIS CODE.

6 **105.4 CONSTRUCTION DOCUMENTS. {As IN IFC}**

7 **105.5 REVOCATION. {As IN IFC}**

8 **105.6 REQUIRED OPERATIONAL PERMITS. {As IN IFC}**

9 **105.6.1 TO 105.6.14 {As IN IFC}**

10 **105.6.15 FIRE HYDRANTS AND VALVES. {NOT ADOPTED}**

11 **105.6.16 TO 105.6.46 {As IN IFC}**

12 **105.7 REQUIRED CONSTRUCTION PERMITS. {As IN IFC}**

13 **SECTION 106 INSPECTIONS**

14 **106.1 INSPECTION AUTHORITY. {As IN IFC}**

15 **106.2 INSPECTIONS. {As IN IFC}**

16 **106.3 CONCEALED WORK. {As IN IFC}**

17 **106.4 APPROVALS. {As IN IFC}**

18 **106.5 RIGHT OF ENTRY.** WHENEVER NECESSARY TO ENFORCE THIS CODE OR WHENEVER THE FIRE
19 CODE OFFICIAL HAS REASONABLE CAUSE TO BELIEVE THAT, IN ANY STRUCTURE OR ON AN PREMISES, A
20 CONDITION EXISTS THAT MAKES THE STRUCTURE OR PREMISES UNSAFE, THE FIRE CODE OFFICIAL MAY
21 ENTER TO INSPECT THE STRUCTURE OR PREMISES OR TO PERFORM ANY DUTY IMPOSED ON THE FIRE CODE
22 OFFICIAL BY THIS CODE.

23 **106.5.1 OCCUPIED PREMISES.** IF THE STRUCTURE OR PREMISES IS OCCUPIED, THE FIRE CODE
24 OFFICIAL MUST FIRST PRESENT PROPER CREDENTIALS AND REQUEST ENTRY. IF ENTRY IS REFUSED,
25 THE FIRE CODE OFFICIAL HAS THE SAME AUTHORITY TO SECURE A SEARCH WARRANT AS THAT
26 VESTED IN THE BUILDING OFFICIAL BY § 104.6 OF THE BALTIMORE CITY BUILDING CODE.

27 **SECTION 107 MAINTENANCE {As IN IFC}**

28 **SECTION 108 APPEALS**

29 **108.1 APPEALS TO BOARD OF FIRE COMMISSIONERS.** ANY PERSON WHO IS AGGRIEVED BY ANY
30 NOTICE, DECISION, ORDER, OR DETERMINATION OF THE FIRE CODE OFFICIAL MAY APPEAL IN WRITING TO
31 THE BOARD OF FIRE COMMISSIONERS. THE APPEAL MUST BE FILED WITH THE BOARD WITHIN 30 DAYS
32 AFTER THE NOTICE, DECISION, ORDER, OR DETERMINATION IS SERVED.

33 **108.2 AFFECT OF APPEAL.** AN APPEAL FILED WITHIN 5 DAYS OF SERVICE STAYS ALL PROCEEDINGS ON
34 THE NOTICE, DECISION, ORDER, OR DETERMINATION APPEALED FROM. AN APPEAL FILED LATER DOES

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1 NOT STAY ANY PROCEEDINGS; HOWEVER, ON APPLICATION OF THE PERSON TAKING THE APPEAL AND
2 NOTICE TO THE FIRE CODE OFFICIAL, THE BOARD MAY GRANT A RESTRAINING ORDER FOR GOOD CAUSE
3 SHOWN.

4 **108.3 HEARING.** WITHIN 10 DAYS AFTER THE APPEAL IS FILED, THE BOARD MUST GRANT A HEARING TO
5 THE APPELLANT. ALL INTERESTED PARTIES HAVE A RIGHT TO BE HEARD AT THE HEARING.

6 **108.4 BOARD DECISION.** WITHIN 10 DAYS AFTER THE HEARING CONCLUDES, THE BOARD MUST RENDER
7 ITS DECISION. IN ITS DECISION, THE BOARD MAY REVERSE, AFFIRM, OR MODIFY THE NOTICE, DECISION,
8 ORDER, OR REGULATION APPEALED FROM AND MAY GIVE OR MAKE ANY OTHER NOTICE, DECISION,
9 ORDER, REQUIREMENT, OR DETERMINATION THAT OUGHT TO BE MADE UNDER THE CIRCUMSTANCES. TO
10 THAT END, THE BOARD HAS ALL THE POWERS THAT ARE CONFERRED ON THE FIRE CODE OFFICIAL BY
11 THIS CODE. HOWEVER, THE BOARD DOES NOT HAVE ANY AUTHORITY TO WAIVE, SET ASIDE, OR IN ANY
12 WAY CHANGE ANY SPECIFIC PROVISION OF THIS CODE.

13 **108.5 APPEALS FROM BOARD.** A PARTY AGGRIEVED BY A BOARD DECISION MADE UNDER § 108.4 MAY
14 SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN
15 ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE. A PARTY TO THE JUDICIAL REVIEW MAY
16 APPEAL THE COURT’S FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE
17 MARYLAND RULES OF PROCEDURE. A JUDICIAL REVIEW OR APPEAL DOES NOT STAY ANY CRIMINAL OR
18 EQUITABLE PROCEEDINGS ON THE DECISION APPEALED FROM, NOR DOES IT PREVENT THE FIRE CODE
19 OFFICIAL OR ANY OTHER CITY OFFICIAL FROM PURSUING ANY OTHER ACTION OR ENFORCEMENT
20 PROCEDURE AUTHORIZED BY LAW.

21 **108.6 LIMITATIONS ON INSTITUTING PROCEEDINGS.** AFTER A NOTICE, DECISION, ORDER, OR
22 DETERMINATION HAS BEEN SERVED, THE FIRE CODE OFFICIAL MAY NOT TAKE ANY ACTION, EXCEPT IN
23 THE CASE OF IMMINENT DANGER, OR INSTITUTE OR CAUSE TO BE INSTITUTED ANY CIVIL OR CRIMINAL
24 PROCEEDINGS IN CONNECTION WITH THE ENFORCEMENT OF THE NOTICE, DECISION, ORDER, OR
25 DETERMINATION UNTIL:

- 26 1. AFTER 5 DAYS HAS PASSED WITHOUT AN APPEAL HAVING BEEN TAKEN, OR
- 27 2. IF AN APPEAL WAS TAKEN WITHIN THAT PERIOD, AFTER THE BOARD RENDERS ITS DECISION IN
28 THE CASE.

29 **SECTION 109 VIOLATIONS**

30 **109.1 UNLAWFUL ACTS.** *{AS IN IFC}*

31 **109.2 NOTICE OF VIOLATION.** *{AS IN IFC}*

32 **109.2.1 TO 109.2.4** *{AS IN IFC}*

33 **109.2.5 CODE COMPLIANCE REQUIRED AT ALL TIMES.** NEITHER THIS SECTION NOR ANY OTHER
34 PROVISION OF THIS CODE EXCUSES ANY PERSON FROM FULLY COMPLYING WITH ALL PROVISIONS OF
35 THIS CODE AT ALL TIMES, REGARDLESS OF WHETHER NOTICE HAS BEEN ISSUED BY THE FIRE CODE
36 OFFICIAL IN ANY PARTICULAR CASE.

37 **109.3 PENALTY FOR VIOLATIONS.** ANY PERSON WHO VIOLATES OR FAILS TO COMPLY WITH ANY
38 PROVISION OF THIS CODE OR OF ANY NOTICE, DECISION, PERMIT, OR REGULATION ISSUED UNDER THIS
39 CODE OR WHO ERECTS, INSTALLS, ALTERS, REPAIRS, OR DOES WORK IN VIOLATION OF APPROVED
40 CONSTRUCTION DOCUMENTS OR OF A DIRECTIVE OF THE FIRE CODE OFFICIAL IS GUILTY OF A
41 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONED
42 FOR NOT MORE THAN 10 DAYS OR BOTH. EACH DAY THAT A VIOLATION CONTINUES AFTER SERVICE OF
43 NOTICE IS A SEPARATE OFFENSE.

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109.3.1 ABATEMENT OF VIOLATION. {AS IN IFC}

109.4 FAILURE TO CORRECT VIOLATIONS. IF A VIOLATION NOTICE IS NOT COMPLIED WITH WITHIN THE TIME SPECIFIED, THE FIRE CODE OFFICIAL MAY DO ANY ONE OR MORE OF THE FOLLOWING:

- 1. TAKE ACTION UNDER § 109.6,
- 2. REQUEST THE STATE’S ATTORNEY OR THE CITY SOLICITOR TO INSTITUTE APPROPRIATE LEGAL PROCEEDINGS:
 - A. TO RESTRAIN, CORRECT, OR ABATE THE VIOLATION, OR
 - B. TO REQUIRE REMOVAL OR TERMINATION OF THE UNLAWFUL USE OF THE STRUCTURE OR PREMISES IN VIOLATION OF THIS CODE, OR OF ANY ORDER OR DIRECTION MADE UNDER THIS CODE, OR
- 3. IF THE VIOLATION AFFECTS THE IMMEDIATE SAFETY OF THE PUBLIC, REQUEST THE BALTIMORE POLICE DEPARTMENT TO ARREST THOSE RESPONSIBLE FOR THE VIOLATION.

109.5 VIOLATION OF NOTICES, ETC. – CONSTITUTE VIOLATION OF CODE. EVERY PERSON MUST FULLY COMPLY WITH ALL PROVISIONS OF THIS CODE AND WITH ALL PROVISIONS OF ANY NOTICE, ORDER, DECISION, PERMIT, OR REGULATION ISSUED BY THE FIRE CODE OFFICIAL. ANY ACT CONTRARY TO AND ANY FAILURE TO COMPLY WITH ANY PROVISION OR REQUIREMENT OF ANY NOTICE, ORDER, DECISION, PERMIT, OR REGULATION OF THE FIRE CODE OFFICIAL CONSTITUTES A VIOLATION OF THIS CODE.

109.6 VIOLATION OF NOTICES, ETC. – ACTION BY FIRE CODE OFFICIAL. WHENEVER ANY PERSON FAILS IN ANY RESPECT TO FULLY COMPLY ANY PROVISION OF ANY NOTICE, ORDER, DECISION, PERMIT, OR REGULATION ISSUED UNDER THIS CODE, THE FIRE CODE OFFICIAL MAY TAKE ANY ACTION NECESSARY TO ELIMINATE OR MAKE SAFE ANY CONDITION THAT VIOLATES THIS CODE.

109.7 CITATIONS FOR CERTAIN OFFENSES. IN ACCORDANCE WITH CITY CODE ARTICLE 1, SUBTITLE 40 {“ENVIRONMENTAL CONTROL BOARD”}, CITY CODE ARTICLE 1, SUBTITLE 41 {“CIVIL CITATIONS”}, OR CITY CODE ARTICLE 19, SUBTITLE 71 {“SPECIAL ENFORCEMENT OFFICERS”}, A PREPAYABLE CITATION MAY BE ISSUED TO THE OWNER, AGENT, OR PERSON RESPONSIBLE FOR THE OPERATION OR IN CHARGE OF ANY OCCUPANCY THAT FAILS TO COMPLY WITH:

- 1. § 110.1 {“UNSAFE BUILDINGS: GENERAL”},
- 2. § 1001.2 {“MEANS OF EGRESS: MINIMUM REQUIREMENTS”}, OR
- 3. § 1001.3 {“MEANS OF EGRESS: OVERCROWDING”}.

109.7.1 EACH DAY A SEPARATE OFFENSE. EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE. A CITATION MAY BE ISSUED UNDER THIS SECTION ANY TIME THAT A VIOLATION IS DISCOVERED, WHETHER OR NOT A PRIOR CITATION HAS BEEN ISSUED FOR THE SAME CONDITION.

109.7.2 PERMIT REVOCATION FOR REPEAT VIOLATORS. IF 3 CITATIONS ARE ISSUED TO THE SAME PERSON OR OPERATION WITHIN A 1-YEAR PERIOD, THE FIRE CODE OFFICIAL MAY REVOKE ALL PERMITS ISSUED BY THE FIRE CODE OFFICIAL TO OR FOR THAT PERSON OR OPERATION AND NOTIFY ALL APPROPRIATE CITY AGENCIES OF THE REVOCATION.

109.7.3 PROCEDURE NOT EXCLUSIVE. THE ISSUANCE OF A CITATION UNDER THIS SECTION DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

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1 SECTION 110 UNSAFE BUILDINGS

2 110.1 TO 110.4 *{As in IFC}*

3 **110.5 FIRE HAZARDS.** WHENEVER THE MAINTENANCE, OPERATION, OR USE OF ALL OR PART OF ANY
4 LAND, STRUCTURE, MATERIAL, OR OTHER OBJECT CONSTITUTES A FIRE HAZARD AND THE ACTION TO BE
5 TAKEN TO ELIMINATE THE HAZARD IS NOT SPECIFICALLY PROVIDED FOR IN THIS CODE, THE FIRE CODE
6 OFFICIAL MAY TAKE ANY ACTION NECESSARY TO ELIMINATE THE HAZARD.

7 SECTION 111 STOP WORK ORDER *{As in IFC}*

8 SECTION 112 EMERGENCY MEASURES

9 **112.1 GENERAL.** IN AN EMERGENCY, WHERE LIFE OR PROPERTY IS IN IMMEDIATE DANGER FROM ANY
10 CAUSE OR THING COVERED OR CONTEMPLATED TO BE COVERED BY THIS CODE, THE FIRE CODE OFFICIAL
11 MAY IMMEDIATELY TAKE ANY ACTION NECESSARY TO PROTECT AGAINST THE DANGER, WITHOUT
12 COMPLYING WITH § 109.2 OF THIS CODE.

13 SECTION 113 COSTS

14 **113.1 OWNER'S LIABILITY FOR COST OF ACTIONS.** WHENEVER THE FIRE CODE OFFICIAL TAKES
15 ACTION UNDER THIS CODE, ALL EXPENSES INCURRED AND FEES IMPOSED BY THE FIRE CODE OFFICIAL IN
16 AVOIDING, CORRECTING, OR REMOVING A DANGEROUS CONDITION OR IN PERFORMING NON-FIRE
17 SUPPRESSION SERVICES BECOMES A DEBT, JOINTLY AND SEVERALLY OWED TO THE CITY BY EVERY
18 OWNER OF THE PROPERTY ON OR IN WHICH THE CONDITION EXISTED OR THE SERVICES PERFORMED.

19 **113.2 WHEN DUE; COLLECTION; LIEN.** THIS DEBT BECOMES IMMEDIATELY DUE TO THE CITY WHEN
20 THE WORK OR OPERATION IS FINISHED AND MAY BE COLLECTED IN THE SAME MANNER AS ANY OTHER
21 DEBT DUE THE CITY. IN ADDITION, WHEN THE WORK OR OPERATION IS FINISHED, A LIEN IN FAVOR OF
22 THE CITY ATTACHES TO THE PREMISES ON OR IN WHICH THE WORK OR OPERATION WAS DONE AND
23 CONTINUES UNTIL THE CITY IS PAID THE FULL AMOUNT OWED.

24 CHAPTER 2. DEFINITIONS

25 SECTION 201 GENERAL

26 201.1 SCOPE. *{As in IFC}*

27 201.2 INTERCHANGEABILITY. *{As in IFC}*

28 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CODE AND IS DEFINED IN
29 THE BALTIMORE CITY BUILDING CODE OR IN ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED
30 IN § 101.4 OF THE BALTIMORE CITY BUILDING CODE, THE TERM HAS THE MEANING GIVEN TO IT IN THAT
31 CODE OR STANDARD.

32 201.4 TERMS NOT DEFINED. *{As in IFC}*

33 SECTION 202 GENERAL DEFINITIONS

34 **202.1 GENERAL.** EXCEPT AS SPECIFIED IN § 202.2, TERMS USED IN THIS CODE AND DEFINED IN THE
35 INTERNATIONAL FIRE CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL FIRE
36 CODE (2006 EDITION).

37 **202.2 SUPPLEMENTAL DEFINITIONS.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE
38 INTERNATIONAL FIRE CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 202.2.

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1 **202.2.1 FIRE CODE OFFICIAL.** “FIRE CODE OFFICIAL” MEANS THE CHIEF OF THE BALTIMORE CITY
2 FIRE DEPARTMENT OR A DULY AUTHORIZED REPRESENTATIVE OF THE CHIEF.

3 **202.2.2 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY
4 NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

5 **202.2.3 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A
6 REQUIREMENT OR TO IMPOSE A DUTY.

7 **202.2.4 PERSON.** “PERSON”:

8 1. MEANS ANY INDIVIDUAL, SOLE PROPRIETORSHIP, CORPORATION, FIRM, PARTNERSHIP,
9 ASSOCIATION, ORGANIZATION, JOINT VENTURE, OR OTHER ENTITY OR GROUP ACTING AS A
10 UNIT, EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER, GUARDIAN, OR OTHER
11 REPRESENTATIVE APPOINTED BY LAW, AND

12 2. WHENEVER USED IN THIS CODE WITH REFERENCE TO LIABILITY OR TO THE IMPOSITION OF A
13 PENALTY OR FINE, INCLUDES:

14 A. AS TO AN UNINCORPORATED FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, OR
15 JOINT VENTURE, THE PARTNERS OR MEMBERS OF THE FIRM, PARTNERSHIP,
16 ASSOCIATION, ORGANIZATION, OR JOINT VENTURE, AND

17 B. AS TO A CORPORATION, THE OFFICERS, TRUSTEES, AGENTS, OR MEMBERS OF THE
18 CORPORATION WHO ARE RESPONSIBLE FOR THE VIOLATION OF ANY RELEVANT CODE
19 PROVISION.

20 **CHAPTER 3. GENERAL PRECAUTIONS AGAINST FIRE**

21 **SECTIONS 301 TO 307 {As in IFC}**

22 **SECTION 308 OPEN FLAMES**

23 **308.1 TO 308.4 {As in IFC}**

24 **308.5 OPEN-FLAME DEVICES. {As in IFC}**

25 **308.5.1 TO 308.5.2 {As in IFC}**

26 **308.5.3 LP GAS PROHIBITED IN ASSEMBLY AREAS.** THE STORAGE OR USE OF LP-GAS CONTAINERS
27 OF ANY SIZE IN ANY ASSEMBLY BUILDING OR IN ANY ASSEMBLY AREA OF A BUILDING IS PROHIBITED.

28 **308.5.3.1 EXCEPTION.** LISTED AND APPROVED BUTANE-GAS COMMERCIAL FOOD SERVICE
29 APPLIANCES MAY BE USED INSIDE RESTAURANTS AND IN ATTENDED COMMERCIAL FOOD
30 CATERING OPERATIONS AS LONG AS EACH OF THE FOLLOWING CONDITIONS IS COMPLIED WITH:

31 1. NO APPLIANCE HAS MORE THAN TWO 10-OZ. (296 ML) GAS CONTAINERS, WITH A
32 MAXIMUM WATER CAPACITY OF 1.08 LB. (0.049 KG) PER CONTAINER, CONNECTED
33 DIRECTLY TO IT AT ANY TIME.

34 2. THE CONTAINERS ARE NOT MANIFOLD.

35 3. ALL CONTAINERS ARE LISTED AND COMPLY WITH UL 147B, “STANDARD FOR NON-
36 REFILLABLE (DISPOSABLE) TYPE METAL CONTAINER ASSEMBLIES FOR BUTANE”.

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1 4. EACH CONTAINER IS AN INTEGRAL PART OF THE LISTED AND APPROVED COMMERCIAL
2 FOOD SERVICE APPLIANCE AND IS CONNECTED TO THE APPLIANCE WITHOUT THE USE OF
3 A RUBBER HOSE.

4 5. NO MORE THAN 24 OF THESE CONTAINERS ARE STORED IN THE BUILDING, WITH AN
5 ADDITIONAL 24 CONTAINERS PERMITTED TO BE STORED IN ANOTHER STORAGE AREA IN
6 THE BUILDING IF THAT OTHER STORAGE AREA IS SEPARATED OR CONTAINED BY A
7 MINIMUM 2-HOUR FIRE WALL.

8 **308.6 FLAMING FOOD AND BEVERAGE PREPARATION. {AS IN IFC}**

9 **SECTIONS 309 TO 315 {AS IN IFC}**

10 **CHAPTER 4. EMERGENCY PLANNING AND PREPAREDNESS**

11 **SECTIONS 401 TO 404 {AS IN IFC}**

12 **SECTION 405 EMERGENCY EVACUATION DRILLS**

13 **405.1 GENERAL.** EMERGENCY EVACUATION DRILLS MUST BE CONDUCTED, AS PRESCRIBED IN THIS
14 § 405, IN THE OCCUPANCIES LISTED IN § 404.2 OR WHEN REQUIRED BY THE FIRE CODE OFFICIAL.

15 **405.2 FREQUENCY. {AS IN IFC}**

16 **405.2.1 EDUCATIONAL OCCUPANCIES.** EVERY EDUCATIONAL OCCUPANCY FOR MORE THAN 50
17 PERSONS MUST HAVE AT LEAST 2 FIRE DRILLS EACH YEAR, TO BE ARRANGED BY AND CONDUCTED
18 UNDER THE SUPERVISION AND DIRECTION OF THE FIRE CODE OFFICIAL.

19 **405.2.2 HIGH-RISE BUILDINGS.** EVERY HIGH-RISE BUILDING MUST HAVE A LEAST 1 FIRE DRILL
20 EACH YEAR, TO BE ARRANGED BY THE OWNER OR PERSON RESPONSIBLE FOR THE BUILDING, IN
21 COORDINATION WITH THE FIRE CODE OFFICIAL.

22 **405.3 TO 405.9 {AS IN IFC}**

23 **SECTIONS 406 TO 408 {AS IN IFC}**

24 **CHAPTER 5. FIRE SERVICE FEATURES**

25 **SECTIONS 501 TO 506 {AS IN IFC}**

26 **SECTION 507 HAZARDS TO FIRE FIGHTERS**

27 **507.1 TRAPDOORS TO BE CLOSED. {AS IN IFC}**

28 **507.2 SHAFTWAY MARKINGS. {AS IN IFC}**

29 **507.2.1 EXTERIOR ACCESS TO SHAFTWAYS. {AS IN IFC}**

30 **507.2.2 INTERIOR ACCESS TO SHAFTWAYS. {AS IN IFC}**

31 **507.2.3 WINDOW GUARDS.** WINDOWS IN THE EXTERIOR WALLS OF SHAFTS MUST BE PROTECTED BY
32 VERTICAL METAL BARS THAT ARE AT LEAST 5/8-INCH IN DIAMETER AND SPACED NO MORE THAN 10
33 INCHES APART, UNLESS THE SILL OF THE WINDOW IS LESS THAN 5 FEET FROM A FLOOR LANDING OR
34 THE LOWEST TREAD BELOW.

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1 **507.3 PITFALLS.** *{AS IN IFC}*

2 **SECTIONS 508 TO 510** *{AS IN IFC}*

3 **SECTION 511 STRUCTURES ON PIERS**

4 **511.1 DEFINITIONS.** IN THIS SECTION, “PIER” MEANS ANY PIER, WHARF, DOCK, BULKHEAD,
5 BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE.

6 **511.2 GENERAL.** EVERY STRUCTURE THAT IS CONSTRUCTED ON A PIER MUST COMPLY WITH THE
7 REQUIREMENTS OF THIS § 511 AND ALL OTHER APPLICABLE PROVISIONS OF THIS CODE AND OTHER LAW.

8 **511.3 CHAPTER 28 OF NFPA 1.** THE PIER AND STRUCTURE MUST COMPLY WITH CHAPTER 28
9 {“MARINAS AND BOATYARDS”} OF NFPA 1, UNIFORM FIRE CODE (2003 EDITION), SUBJECT ONLY TO
10 THE FOLLOWING MODIFICATION.

11 **511.3.1 FLOW TESTS.** FLOW TESTS MUST BE CONDUCTED UNDER TABLE 6.1 AND § 6.3.1 OF NFPA
12 25, STANDARD FOR THE INSPECTION, TESTING, AND MAINTENANCE OF WATER-BASED FIRE
13 PROTECTION SYSTEMS (2002 EDITION), ANNUALLY (RATHER THAN, AS THERE STATED, “EVERY 5
14 YEARS”).

15 **511.4 PIER MATERIAL.** THE PIER MUST BE MADE OF OR ENCASED BY NON-COMBUSTIBLE MATERIALS.
16 THE STRUCTURE ON THE PIER MUST BE OF TYPE I, TYPE II, OR TYPE III CONSTRUCTION.

17 **511.5 SPRINKLER PROTECTION.** THE ENTIRE STRUCTURE ON THE PIER MUST BE SPRINKLERED.

18 **511.6 SEPARATION.** THE SEPARATION BETWEEN STRUCTURES ON A PIER MUST BE AT LEAST 30 FEET.

19 **511.7 STANDPIPES AND HYDRANTS.** STANDPIPES (FIRE DEPARTMENT CONNECTIONS) MUST BE
20 PROVIDED ON THE PIER AT LEAST EVERY 100 FEET. HYDRANTS MUST BE INSTALLED WITHIN 100 FEET OF
21 A STANDPIPE.

22 **511.8 EMERGENCY VEHICLE ACCESS.** ALL PIERS WITH STRUCTURES MUST PROVIDE ACCESS FOR
23 EMERGENCY VEHICLES ON THE PROMENADE, A ROAD, OR OTHER APPROPRIATE SPACE. THIS ACCESS
24 MUST BE DESIGNED AND CONFIGURED TO ACCOMMODATE FIRE, AMBULANCE, AND OTHER EMERGENCY
25 VEHICLES. ACCESS FOR EMERGENCY VEHICLES MUST BE PROVIDED TO WITHIN AT LEAST 450 FEET OF
26 THE FARTHEST EDGE OF THE STRUCTURE. THE FIRE LANE MUST BE AT LEAST 20 FEET WIDE.

27 **511.9 FIRE BOAT ACCESS.** ACCESS FOR FIRE BOATS MUST BE PROVIDED TO WITHIN AT LEAST 50 FEET
28 OF THE FARTHEST EDGE OF THE STRUCTURE. THE WATER DEPTH OF THAT ACCESS MUST BE AT LEAST 10
29 FEET (MEAN LOW WATER MARK).

30 **511.10 TIE-UPS.** MARINA SLIPS ARE PROHIBITED WITHIN 30 FEET OF ANY STRUCTURE ON A PIER.
31 TRANSIENT (I.E., HOURLY OR DAILY) TIE-UPS ALONG A BULKHEAD ARE ONLY ALLOWED ADJACENT TO
32 COMMERCIAL STRUCTURES AND NO CLOSER THAN 15 FEET FROM THE STRUCTURE.

33 **CHAPTER 6. BUILDING SERVICES AND SYSTEMS**

34 **SECTION 601 GENERAL** *{AS IN IFC}*

35 **SECTION 602 DEFINITIONS** *{AS IN IFC}*

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1 SECTION 603 FUEL-FIRED APPLIANCES

2 **603.1 INSTALLATION.** THE INSTALLATION OF NONPORTABLE FUEL GAS APPLIANCES AND SYSTEMS
3 MUST COMPLY WITH THE NATIONAL FUEL GAS CODE. THE INSTALLATION OF ALL OTHER FUEL-FIRED
4 APPLIANCES, OTHER THAN INTERNAL COMBUSTION ENGINES, OIL LAMPS, AND PORTABLE DEVICES SUCH
5 AS BLOW TORCHES, MELTING POTS, AND WEED BURNERS, MUST COMPLY WITH THIS SECTION, NFPA 31,
6 AND THE INTERNATIONAL MECHANICAL CODE.

7 **603.1.1 MANUFACTURER'S INSTRUCTIONS.** *{AS IN IFC}*

8 **603.1.2 APPROVAL.** *{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL*
9 *GAS CODE". OTHERWISE, AS IN IFC.}*

10 **603.1.3 - 603.1.7** *{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".*
11 *OTHERWISE, AS IN IFC.}*

12 **603.2 CHIMNEYS.** *{AS IN IFC}*

13 **603.3 FUEL OIL STORAGE SYSTEMS.** *{AS IN IFC}*

14 **603.4 PORTABLE HEATING OR COOKING DEVICES.** EXCEPT AS OTHERWISE EXPRESSLY PROVIDED, THE
15 USE OF PORTABLE KEROSENE HEATERS, PORTABLE WASTE OIL HEATERS, OR OTHER FUEL-BURNING
16 APPLIANCES FOR HEATING OR COOKING, CABINET LP-GAS HEATERS, AND UNVENTED GAS-FIRED SPACE
17 HEATERS IS PROHIBITED IN BALTIMORE CITY.

18 **603.4.1 SIGNS REQUIRED.** AT ANY DISPLAY BY A RETAIL MERCHANT OR DISTRIBUTOR OF AN
19 APPLIANCE DESCRIBED IN § 603.4, THE MERCHANT OR DISTRIBUTORS MUST POST THE FOLLOWING
20 NOTICE:

21 WARNING: THE USE OF PORTABLE KEROSENE HEATERS, PORTABLE WASTE OIL HEATERS, OR
22 OTHER SIMILAR FUEL-BURNING APPLIANCES FOR HEATING OR COOKING, CABINET LP-GAS
23 HEATERS, AND UNVENTED GAS-FIRED SPACE HEATERS IS PROHIBITED IN BALTIMORE CITY.

24 THE WORD "WARNING" MUST BE IN RED LETTERS AT LEAST 4 INCHES HIGH. ALL OTHER LETTERING
25 MUST BE AT LEAST 3/8 INCHES HIGH. THE BACKGROUND OF THE SIGN MUST BE WHITE, WITH THE
26 WORDING IN A CONTRASTING COLOR.

27 **603.5 HEATING APPLIANCES.** *{AS IN IFC}*

28 **603.5.1 GUARD AGAINST CONTACT.** *{AS IN IFC}*

29 **603.5.2 HEATING APPLIANCE INSTALLATION.** HEATING APPLIANCES MUST BE INSTALLED IN
30 ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS, THE INTERNATIONAL BUILDING CODE,
31 THE INTERNATIONAL MECHANICAL CODE, AND THE NATIONAL ELECTRICAL CODE.

32 **603.6 CHIMNEYS AND APPLIANCES.** *{AS IN IFC}*

33 **603.7 DISCONTINUING OPERATION OF UNSAFE HEATING APPLIANCES.** *{AS IN IFC}*

34 **603.8 INCINERATORS.** *{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS*
35 *CODE". OTHERWISE, AS IN IFC.}*

36 **603.8.1 TO 603.8.5** *{AS IN IFC}*

37 **603.9 GAS METERS.** *{AS IN IFC}*

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1 **SECTION 604 EMERGENCY AND STANDBY POWER SYSTEMS**

2 **604.1 INSTALLATION.** EMERGENCY AND STANDBY POWER SYSTEMS MUST BE INSTALLED IN
3 ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, NFPA 110, AND NFPA 111. EXISTING
4 INSTALLATIONS MUST BE MAINTAINED IN ACCORDANCE WITH THE ORIGINAL APPROVAL.

5 **604.1.1 STATIONARY GENERATORS.** *{AS IN IFC}*

6 **604.2 TO 604.5** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*
7 *OTHERWISE, AS IN IFC.}*

8 **SECTION 605 ELECTRICAL EQUIPMENT, WIRING, AND HAZARDS** *{SUBSTITUTE “NATIONAL ELECTRICAL*
9 *CODE” FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}*

10 **SECTION 606 MECHANICAL REFRIGERATION** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC*
11 *ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}*

12 **SECTION 607 ELEVATOR RECALL AND MAINTENANCE**

13 **607.1 - 606.3** *{AS IN IFC}*

14 **607.4 RECALL BY FIRE ALARM.** IN A BUILDING THAT IS 4 OR MORE STORIES HIGH, ALL ELEVATORS
15 MUST BE ACTIVATED BY THE BUILDING’S FIRE ALARM.

16 **SECTIONS 608 TO 609** *{AS IN IFC}*

17 **CHAPTER 7. FIRE-RESISTENCE-RATED CONSTRUCTION**
18 *{AS IN IFC}*

19 **CHAPTER 8. INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS**
20 *{AS IN IFC}*

21 **CHAPTER 9. FIRE PROTECTION SYSTEMS**

22 **SECTION 901 GENERAL** *{AS IN IFC}*

23 **SECTION 902 DEFINITIONS** *{AS IN IFC}*

24 **SECTION 903 AUTOMATIC SPRINKLER SYSTEMS**

25 **903.1 GENERAL.** *{AS IN IFC}*

26 **903.2 WHERE REQUIRED.** *{AS IN IFC}*

27 **903.3 INSTALLATION REQUIREMENTS.** *{AS IN IFC}*

28 **903.3.1 STANDARDS** *{AS IN IFC}*

29 **903.3.1.1 TO 903.3.1.3** *{AS IN IFC}*

30 **903.3.1.4 NFPA 13D SPRINKLER SYSTEMS (GARAGES):** A GARAGE MUST BE SPRINKLED
31 WHEN A LIVING AREA IS PROVIDED ABOVE IT. THE SYSTEM DESIGN MUST BE THE SAME FOR THE
32 GARAGE AND THE LIVING AREA.

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1 **903.3.2 TO 903.3.7** *{AS IN IFC}*

2 **903.4 SPRINKLER SYSTEM MONITORING AND ALARM.** *{AS IN IFC}*

3 **903.4.1 SIGNALS** *{AS IN IFC}*

4 **903.4.2 ALARMS** *{AS IN IFC}*

5 **903.4.2.1 NFPA 13D ALARM OR NOTIFICATION.** A WATER FLOW ALARM DEVICE MUST BE
6 INSTALLED TO PROVIDE NOTICE TO OCCUPANTS WHEN A SPRINKLER FLOW CONDITION OCCURS.
7 THE DEVICE MUST PROVIDE AN AUDIBLE ALARM THAT IS AT LEAST 75 DBA IN THE MASTER
8 BEDROOM AND THAT BEGINS WITHIN 60 SECONDS OF FLOW AND CONTINUES UNTIL THE FLOW
9 HAS STOPPED.

10 **903.4.3 FLOOR CONTROL VALVES** *{AS IN IFC}*

11 **903.5 TO 903.6** *{AS IN IFC}*

12 **SECTION 904 ALTERNATIVE AUTOMATIC FIRE EXTINGUISHING SYSTEMS** *{SUBSTITUTE “NATIONAL*
13 *ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}*

14 **SECTION 905 STANDPIPE SYSTEMS** *{AS IN IFC}*

15 **SECTION 906 PORTABLE FIRE EXTINGUISHERS**

16 **906.1 TO 906.10** *{AS IN IFC}*

17 **906.11 REGISTRATION REQUIRED.** NO PERSON MAY REPRESENT HIM- OR HERSELF AS A FIRE
18 EXTINGUISHER REPAIR PERSON OR ENGAGE IN THE BUSINESS OF RECHARGING, TESTING, OR INSTALLING
19 FIRE EXTINGUISHERS OR FIRE EXTINGUISHING EQUIPMENT UNLESS THAT PERSON IS REGISTERED WITH
20 THE FIRE CODE OFFICIAL TO DO SO. REGISTRATION IS FOR A YEAR, RENEWABLE ANNUALLY.

21 **906.11.1 TESTING COMPETENCE.** THE FIRE CODE OFFICIAL MAY REQUIRE THAT ALL APPLICANTS
22 FOR REGISTRATION PASS A TEST THAT DEMONSTRATES THE APPLICANT’S COMPETENCY WITH FIRE
23 EXTINGUISHING EQUIPMENT.

24 **906.11.2 FEE FOR REGISTRATION.** THE FIRE CODE OFFICIAL MAY REQUIRE A FEE FOR THE
25 REGISTRATION OR RENEWAL.

26 **SECTION 907 FIRE ALARM AND DETECTION SYSTEMS**

27 **907.1 GENERAL.** *{AS IN IFC}*

28 **907.2 WHERE REQUIRED — NEW BUILDINGS AND STRUCTURES.** *{AS IN IFC}*

29 **907.2.1 TO 907.2.9** *{AS IN IFC}*

30 **907.2.10 SINGLE- AND MULTIPLE-STATION SMOKE ALARMS.** *{AS IN IFC}*

31 **907.2.10.1 WHERE REQUIRED.** *{AS IN IFC}*

32 **907.2.10.1.1 GROUP R-1.** *{AS IN IFC}*

33 **907.2.10.1.2 GROUPS R-2, R-3, R-4, AND I-1.** *{AS IN IFC}*

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1 **907.2.10.1.2.1 OBLIGATIONS OF LANDLORD AND TENANT.** EXCEPT AS OTHERWISE
2 PROVIDED IN THIS § 907.2.10.1.2, THE LANDLORD IS RESPONSIBLE FOR THE
3 INSTALLATION AND, ON WRITTEN NOTICE BY CERTIFIED OR REGISTERED MAIL, THE
4 REPAIR OR REPLACEMENT OF ALL REQUIRED DETECTORS. THE TENANT IS RESPONSIBLE
5 TO INFORM THE LANDLORD, IN THE MANNER JUST DESCRIBED, OF ANY SMOKE DETECTOR
6 THAT BECOMES DEFECTIVE. A TENANT MAY NOT REMOVE OR RENDER A SMOKE
7 DETECTOR INOPERATIVE.

8 **907.2.10.1.2.2 LIGHT SIGNAL FOR HEARING IMPAIRED.** THE LANDLORD MUST
9 PROVIDE A SMOKE DETECTOR THAT IS DESIGNED (AND HAS BEEN TESTED AND CERTIFIED
10 BY AN APPROVED TESTING LABORATORY) TO ALERT PERSONS WITH HEARING
11 IMPAIRMENTS IF THE TENANCY IS OCCUPIED BY A PERSON WHO IS HEARING IMPAIRED
12 AND THE TENANT HAS ASKED FOR THE DETECTOR IN WRITING BY CERTIFIED OR
13 REGISTERED MAIL.

14 **907.2.10.1.2.3 ONE-, TWO-, AND THREE-FAMILY DWELLINGS.** AN OCCUPANT OF A 1-,
15 2-, OR 3-FAMILY DWELLING MUST:

- 16 1. EQUIP HIS OR HER OWN LIVING UNIT WITH THE NUMBER OF DETECTORS
17 REQUIRED BY THIS § 907.2.10.1.2, EACH OF WHICH MUST BE AN APPROVED
18 BATTERY- OR AC PRIMARY ELECTRIC-POWERED SMOKE DETECTOR, AND

19 2. MAINTAIN THOSE SMOKE DETECTORS ACCORDING TO MANUFACTURER’S
20 GUIDELINES.

21 **907.2.10.1.3 GROUP I-1. {AS IN IFC}**

22 **907.2.10.1.4 ADDITIONS, ALTERATIONS, OR REPAIRS TO GROUP R. {AS IN IFC}**

23 **907.2.10.2 TO 907.2.10.4 {AS IN IFC}**

24 **907.2.11 TO 907.2.23 {AS IN IFC}**

25 **907.3 - 907.9 {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.**
26 **OTHERWISE, AS IN IFC.}**

27 **907.10 ALARM NOTIFICATION APPLIANCES. {AS IN IFC}**

28 **907.10.1 - 907.10.2 {AS IN IFC}**

29 **907.10.3 ELEVATOR RECALL. SEE § 607.4.**

30 **SECTION 908 EMERGENCY ALARM SYSTEMS {AS IN IFC}**

31 **SECTION 909 SMOKE CONTROL SYSTEMS {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC**
32 **ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}**

33 **SECTION 910 SMOKE AND HEAT VENTS {AS IN IFC}**

34 **SECTION 911 EXPLOSION CONTROL {AS IN IFC}**

35 **SECTION 912 FIRE DEPARTMENT CONNECTIONS {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR**
36 **“ICC ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}**

37 **SECTION 913 FIRE PUMPS {AS IN IFC}**

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1 **SECTION 914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND**
2 **OCCUPANCY {AS IN IFC}**

3 **CHAPTER 10. MEANS OF EGRESS**
4 **{AS IN IFC}**

5 **CHAPTER 11. AVIATION FACILITIES**
6 **{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.**
7 **OTHERWISE, AS IN IFC.}**

8 **CHAPTER 12. DRY CLEANING**
9 **{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.**
10 **OTHERWISE, AS IN IFC.}**

11 **CHAPTER 13. COMBUSTIBLE DUST-PRODUCING OPERATIONS**
12 **{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.**
13 **OTHERWISE, AS IN IFC.}**

14 **CHAPTER 14. FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**

15 **SECTION 1401 GENERAL {AS IN IFC}**

16 **SECTION 1402 DEFINITIONS {AS IN IFC}**

17 **SECTION 1403 TEMPORARY HEATING EQUIPMENT**

18 **1403.1 LISTED. {SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.**
19 **OTHERWISE, AS IN IFC.}**

20 **1403.2 OIL-FIRED HEATERS. {AS IN IFC}**

21 **1403.3 LP-GAS HEATERS. FUEL SUPPLIES FOR LIQUEFIED-PETROLEUM GAS-FIRED HEATERS MUST**
22 **COMPLY WITH NFPA 58 AND THE NATIONAL FUEL GAS CODE.**

23 **1403.4 TO 1403.6 {AS IN IFC}**

24 **1403.7 PERMIT REQUIRED. A PERMIT FROM THE FIRE CODE OFFICIAL IS REQUIRED FOR COMMERCIAL**
25 **PORTABLE HEATERS, INCLUDING SALAMANDERS, AND FOR OTHER SIMILAR APPLIANCES OR EQUIPMENT**
26 **USED FOR TEMPORARY HEATING IN STRUCTURES UNDER CONSTRUCTION OR UNDERGOING RENOVATION.**
27 **THIS EQUIPMENT MUST BE MAINTAINED AND OPERATED IN ACCORDANCE WITH ALL APPLICABLE NFPA**
28 **STANDARDS.**

29 **SECTION 1404 PRECAUTIONS AGAINST FIRE {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC**
30 **ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}**

31 **CHAPTER 15. FLAMMABLE FINISHES**
32 **{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.**
33 **OTHERWISE, AS IN IFC.}**

34 **CHAPTER 16. FRUIT AND CROP RIPENING**
35 **{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”,**
36 **AND “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.**
37 **OTHERWISE, AS IN IFC.}**

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CHAPTER 17. FUMIGATION AND THERMAL INSECTICIDAL FOGGING

SECTION 1701 GENERAL *{AS IN IFC}*

SECTION 1702 DEFINITIONS *{AS IN IFC}*

SECTION 1703 FIRE SAFETY REQUIREMENTS *{AS IN IFC}*

1703.1 - 1703.7 *{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}*

1703.8 SULFUR CANDLES PROHIBITED. EXCEPT AS SPECIFICALLY APPROVED BY THE FIRE CODE
OFFICIAL, THE USE OF SULFUR CANDLES FOR FUMIGATING PRIVATE RESIDENCES IS PROHIBITED.

CHAPTER 18. SEMICONDUCTOR FABRICATION FACILITIES
*{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}*

CHAPTER 19. LUMBER YARDS AND WOODWORKING FACILITIES
*{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}*

CHAPTER 20. MANUFACTURE OF ORGANIC COATINGS
*{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}*

CHAPTER 21. INDUSTRIAL OVENS
*{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".
OTHERWISE, AS IN IFC.}*

CHAPTER 22. MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES
*{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE,
AND "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}*

CHAPTER 23. HIGH-PILED COMBUSTIBLE STORAGE
{AS IN IFC}

CHAPTER 24. TENTS, CANOPIES, AND OTHER MEMBRANE STRUCTURES
*{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE,
AND "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}*

CHAPTER 25. TIRE REBUILDING AND TIRE STORAGE
{AS IN IFC}

CHAPTER 26. WELDING AND OTHER HOT WORK
*{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}*

CHAPTER 27. HAZARDOUS MATERIALS – GENERAL PROVISIONS
*{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE",
"NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE", AND
"NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".
OTHERWISE, AS IN IFC.}*

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CHAPTER 28. AEROSOLS
{AS IN IFC}

CHAPTER 29. COMBUSTIBLE FIBERS
{AS IN IFC}

CHAPTER 30. COMPRESSED GASES
{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE",
AND "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}

CHAPTER 31. CORROSIVE MATERIALS
{AS IN IFC}

CHAPTER 32. CRYOGENIC FLUIDS
{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}

CHAPTER 33. EXPLOSIVES AND FIREWORKS
{AS IN IFC}

CHAPTER 34. FLAMMABLE AND COMBUSTIBLE LIQUIDS
{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}

CHAPTER 35. FLAMMABLE GASES
{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE",
AND "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".
OTHERWISE, AS IN IFC.}

CHAPTER 36. FLAMMABLE SOLIDS
{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}

CHAPTER 37. HIGHLY TOXIC AND TOXIC MATERIALS
{SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE".
OTHERWISE, AS IN IFC.}

CHAPTER 38. LIQUEFIED PETROLEUM GASES
{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".
OTHERWISE, AS IN IFC.}

CHAPTER 39. ORGANIC PEROXIDES
{AS IN IFC}

CHAPTER 40. OXIDIZERS
{AS IN IFC}

CHAPTER 41. PYROPHORIC MATERIALS
{AS IN IFC}

CHAPTER 42. PYROXYLIN (CELLULOSE NITRATE) PLASTICS
{AS IN IFC}

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CHAPTER 43. UNSTABLE (REACTIVE) MATERIALS
{AS IN IFC}

CHAPTER 44. WATER-REACTIVE SOLIDS AND LIQUIDS
{AS IN IFC}

CHAPTER 45. REFERENCED STANDARDS

SECTION 4501 GENERAL

4501.1 SCOPE. THIS CHAPTER 45 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.6 OF THIS CODE.

4501.2 CITY MODIFICATIONS. THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

PART IX. INTERNATIONAL ENERGY CONSERVATION CODE

§ 9-101. CITY ADOPTION.

(A) *IN GENERAL.*

THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 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) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART IX REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

§ 9-102. CITY MODIFICATIONS.

THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE CITY ARE AS FOLLOWS:

Council Bill 07-0632

CHAPTER 1. ADMINISTRATION

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

101.1 TITLE. THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “ENERGY CONSERVATION CODE OF BALTIMORE CITY”.

101.1.1 REFERENCES TO “THIS CODE”. ALL REFERENCES TO “THIS CODE” REFER TO THE ENERGY CONSERVATION CODE OF BALTIMORE CITY.

101.2 TO 101.5 *{AS IN IECC}*

SECTIONS 102 TO 107 *{AS IN IECC}*

CHAPTER 2. DEFINITIONS

SECTION 201 GENERAL

201.1 SCOPE. *{AS IN IECC}*

201.2 INTERCHANGEABILITY. *{AS IN IECC}*

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 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}*

SECTION 202 GENERAL DEFINITIONS

202.1 GENERAL. EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION).

202.2 SUPPLEMENTAL DEFINITIONS. NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE INTERNATIONAL ENERGY CONSERVATION CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 202.2.

202.2.1 CODE OFFICIAL. “CODE OFFICIAL” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

CHAPTER 3. CLIMATE ZONES *{AS IN IECC}*

CHAPTER 4. RESIDENTIAL ENERGY EFFICIENCY *{AS IN IECC}*

CHAPTER 5. COMMERCIAL ENERGY EFFICIENCY *{AS IN IECC}*

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CHAPTER 6. REFERENCED STANDARDS

SECTION 601 GENERAL

601.1 SCOPE. THIS CHAPTER 6 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 107 OF THIS CODE.

601.2 CITY MODIFICATIONS. THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

PART X. INTERNATIONAL RESIDENTIAL CODE

§ 10-101. CITY ADOPTION.

(A) *IN GENERAL.*

THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (2006 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:

Council Bill 07-0632

PART I – ADMINISTRATIVE

CHAPTER 1. ADMINISTRATION

SECTION 101 TITLE, SCOPE, AND PURPOSE

101.1 TITLE. THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS OF BALTIMORE CITY”.

101.1.1 REFERENCES TO “THIS CODE”. ALL REFERENCES TO “THIS CODE” REFER TO THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS OF BALTIMORE CITY.

101.2 SCOPE. *{AS IN IRC}*

101.3 PURPOSE *{AS IN IRC}*

SECTION 102 APPLICABILITY

102.1 TO 102.4 *{AS IN IRC}*

102.5 APPENDICES ADOPTED. THE PROVISIONS OF THE FOLLOWING APPENDICES ARE ADOPTED AS PART OF THIS CODE:

1. APPENDIX E: “MANUFACTURED HOUSING USED AS DWELLINGS”.
2. APPENDIX F: “RADON CONTROL METHODS”.
3. APPENDIX G: “SWIMMING POOLS, SPAS, AND HOT TUBS”.
4. APPENDIX H: “PATIO COVERS”.
5. APPENDIX I: “PRIVATE SEWAGE DISPOSAL”.
6. APPENDIX K: “SOUND TRANSMISSION”.
7. APPENDIX M: “HOME DAY CARE – R-3 OCCUPANCY”.
8. APPENDIX O: “GRAY WATER RECYCLING SYSTEMS”.
9. APPENDIX P: “SPRINKLING”.

102.6 TO 102.7 *{AS IN IRC}*

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. “BUILDING OFFICIAL” MEANS THE BUILDING OFFICIAL AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

103.2 APPOINTMENT. *{NOT ADOPTED}*

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1 **103.3 DEPUTIES. {NOT ADOPTED}**

2 **SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL**

3 **104.1 GENERAL. {AS IN IRC}**

4 **104.2 APPLICATION AND PERMITS. {AS IN IRC}**

5 **104.3 NOTICES AND ORDERS. {AS IN IRC}**

6 **104.4 INSPECTIONS.** THE BUILDING OFFICIAL MUST MAKE ALL OF THE REQUIRED INSPECTIONS OR
7 ACCEPT REPORTS OF INSPECTION BY APPROVED AGENCIES OR INDIVIDUALS. ALL REPORTS OF THESE
8 INSPECTIONS MUST BE IN WRITING AND SIGNED BY A RESPONSIBLE OFFICER OF THE APPROVED AGENCY
9 OR BY THE RESPONSIBLE INDIVIDUAL. THE BUILDING OFFICIAL MAY ENGAGE ANY EXPERT OPINION
10 THAT THE BUILDING OFFICIAL CONSIDERS NECESSARY TO REPORT ON UNUSUAL TECHNICAL ISSUES THAT
11 ARISE.

12 **104.5 IDENTIFICATION. {AS IN IRC}**

13 **104.6 RIGHT OF ENTRY.** THE BUILDING OFFICIAL MAY ENTER ANY STRUCTURE OR PREMISES AT
14 REASONABLE TIMES TO INSPECT, SUBJECT TO CONSTITUTIONAL RESTRICTIONS ON UNREASONABLE
15 SEARCHES AND SEIZURES. IF ENTRY IS REFUSED OR NOT OBTAINED, THE BUILDING OFFICIAL MAY
16 PURSUE RECOURSE AS PROVIDED BY LAW, INCLUDING § 104 OF THE BALTIMORE CITY BUILDING CODE.

17 **104.7 DEPARTMENT RECORDS. {AS IN IRC}**

18 **104.8 LIABILITY {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302.}**

19 **104.9 TO 104.11 {AS IN IRC}**

20 **SECTION 105 PERMITS**

21 **105.1 REQUIRED. {AS IN IRC}**

22 **105.2 WORK EXEMPT FROM PERMIT. {INTRODUCTORY PARAGRAPH AS ON IRC}**

23 **BUILDING:**

24 **1 TO 5. {NOT ADOPTED}**

25 **6 TO 8. {AS IN IRC}**

26 **9. {NOT ADOPTED}**

27 **ELECTRICAL: {AS IN IRC}**

28 **GAS: {AS IN IRC}**

29 **MECHANICAL: {AS IN IRC}**

30 **105.2.1 TO 105.2.3 {AS IN IRC}**

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1 **105.3 APPLICATION FOR PERMIT.** THE REQUIREMENTS FOR OBTAINING A PERMIT ARE AS SET FORTH IN
2 § 105.3 OF THE BALTIMORE CITY BUILDING CODE.

3 **105.3.1 ACTION ON APPLICATION.** THE REQUIRED ACTIONS BY THE BUILDING OFFICIAL ARE AS
4 SET FORTH IN § 105.3.1 {"GENERAL"} AND § 105.3.2 {"TRAFFIC-IMPACT STUDY"} OF THE
5 BALTIMORE CITY BUILDING CODE.

6 **105.3.1.1 DETERMINATION OF SUBSTANTIALLY IMPROVED OR DAMAGED EXISTING**
7 **BUILDINGS IN FLOOD HAZARD AREAS. {SUBSTITUTE "IN AN ADMINISTRATIVE REVIEW" FOR**
8 **"BY THE BOARD OF APPEALS". OTHERWISE AS IN IRC.}**

9 **105.3.2 TIME LIMITATION OF APPLICATION. {AS IN IRC}**

10 **105.4 VALIDITY OF PERMIT. {AS IN IRC}**

11 **105.5 EXPIRATION; EXTENSION.** Unless extended, a permit expires as set forth in § 105.5
12 {"Expiration; extension"} of the Baltimore City Building Code.

13 **105.6 SUSPENSION OR REVOCATION.** THE BUILDING OFFICIAL MAY SUSPEND OR REVOKE A PERMIT AS
14 PROVIDED IN § 105.6 {"SUSPENSION OR REVOCATION"} OF THE BALTIMORE CITY BUILDING CODE.

15 **105.7 PLACEMENT OF PERMIT. {AS IN IRC}**

16 **105.8 RESPONSIBILITY. {AS IN IRC}**

17 **SECTION 106 CONSTRUCTION DOCUMENTS {AS IN IRC}**

18 **SECTION 107 TEMPORARY STRUCTURES AND USES {AS IN IRC}**

19 **SECTION 108 FEES**

20 **108.1 GENERAL.** FEES ARE AS SET FORTH IN § 108 {"FEES"} OF THE BALTIMORE CITY BUILDING CODE.

21 **SECTION 109 INSPECTIONS {AS IN IRC}**

22 **SECTION 110 OCCUPANCY PERMITS; CERTIFICATE OF COMPLETION.**

23 **110.1 GENERAL.** OCCUPANCY PERMITS (REFERRED TO IN THE IRC AS A "CERTIFICATE OF
24 OCCUPANCY") AND CERTIFICATES OF COMPLETION ARE GOVERNED BY § 110 {"OCCUPANCY PERMIT;
25 CERTIFICATE OF COMPLETION"} OF THE BALTIMORE CITY BUILDING CODE.

26 **SECTION 111 SERVICE UTILITIES {AS IN IRC}**

27 **SECTION 112 ADMINISTRATIVE AND JUDICIAL REVIEW**

28 **112.1 GENERAL.** A DECISION OF THE BUILDING OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND
29 JUDICIAL REVIEW AS PROVIDED IN § 128 {"ADMINISTRATIVE AND JUDICIAL REVIEW"} OF THE
30 BALTIMORE CITY BUILDING CODE.

31 **112.2 TO 112.4 {NOT ADOPTED}**

32 **SECTION 113 VIOLATIONS**

33 **113.1 TO 113.3 {AS IN IRC}**

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113.4 VIOLATION PENALTIES. THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED IN § 113 {"VIOLATIONS"} OF THE BALTIMORE CITY BUILDING CODE FOR A VIOLATION OF THAT CODE.

SECTION 114 STOP WORK ORDER

114.1 GENERAL. THE ISSUANCE AND ENFORCEMENT OF STOP WORK ORDERS ARE AS PROVIDED IN § 114 {"STOP-WORK ORDER"} OF THE BALTIMORE CITY BUILDING CODE.

114.2 {NOT ADOPTED}

PART II – DEFINITIONS

CHAPTER 2. DEFINITIONS

SECTION 201 GENERAL

201.1 SCOPE. {AS IN IRC}

201.2 INTERCHANGEABILITY. {AS IN IRC}

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 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 IRC}

SECTION 202 DEFINITIONS {AS IN IRC}

PART III – BUILDING PLANNING AND CONSTRUCTION

~~**CHAPTER 3. BUILDING PLANNING**~~
~~*{AS IN IRC}*~~

CHAPTER 3. BUILDING PLANNING

SECTION 301 DESIGN CRITERIA

301.1 APPLICATION {AS IN IRC}

301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA {AS IN IRC}

TABLE 301.2(1)
{INSERT THE FOLLOWING CRITERIA}

GROUND SNOW LOAD	WIND SPEED	SEISMIC DESIGN CATEGORY	WEATHER-ING	FROST LINE DEPTH	TERMITE	WINTER DESIGN TEMP	ICE BARRIER...	FLOOD HAZARDS	AIR FREEZE INDEX	MEAN ANNUAL TEMP
25 PSF	90 MPH	A	SEVERE	30"	MODERATE TO HEAVY	13° F	YES	VARIES	300	52° F

301.3 TO 301.8 {AS IN IRC}

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1 ~~SECTION 302 EXTERIOR WALL LOCATION {AS IN IRC}~~

2 ~~SECTION 303 LIGHT, VENTILATION, AND HEATING~~

3 ~~303.1 TO 303.5 {AS IN IRC}~~

4 ~~303.6 STAIRWAY ILLUMINATION {AS IN IRC}~~

5 ~~EXCEPTION: {AS IN IRC}~~

6 ~~**303.6.1 LIGHT ACTIVATION {PER MBPS MODIFICATIONS}.** THE CONTROL FOR ACTIVATION OF~~
7 ~~THE REQUIRED INTERIOR STAIRWAY LIGHTING MUST BE ACCESSIBLE AT THE TOP AND BOTTOM OF~~
8 ~~EACH STAIRWAY WITHOUT TRAVERSING ANY RISERS. THE ILLUMINATION OF THE EXTERIOR~~
9 ~~STAIRWAYS MUST BE CONTROLLED FROM INSIDE THE DWELLING UNIT.~~

10 ~~EXCEPTIONS:-~~

11 ~~1. LIGHTS THAT ARE CONTINUOUSLY ILLUMINATED OR AUTOMATICALLY CONTROLLED;~~

12 ~~2. INTERIOR STAIRWAYS CONSISTING OF LESS THAN 6 RISERS.~~

13 ~~303.7 TO 303.8 {AS IN IRC}~~

14 ~~SECTIONS 304 302 TO 308 {AS IN IRC}~~

15 ~~SECTION 309 GARAGES, CARPORTS, DRIVEWAYS, ETC.~~

16 ~~309.1 TO 309.6 {AS IN IRC}~~

17 ~~**309.7 PAVED SURFACES.** PARKING PADS, DRIVEWAYS, AND OTHER PAVED SURFACES MUST ALSO~~
18 ~~COMPLY WITH THE REQUIREMENTS OF BUILDING CODE § 3110.~~

19 ~~SECTION 310 EMERGENCY ESCAPE AND RESCUE OPENINGS~~

20 ~~**310.1 EMERGENCY ESCAPE AND RESCUE REQUIRED {PER MBPS MODIFICATIONS}.** EVERY~~
21 ~~SLEEPING ROOM MUST HAVE AT LEAST 1 OPENABLE EMERGENCY ESCAPE AND RESCUE WINDOW OR~~
22 ~~EXTERIOR DOOR OPENING FOR EMERGENCY ESCAPE AND RESCUE. IF OPENINGS ARE PROVIDED AS~~
23 ~~A MEANS OF ESCAPE AND RESCUE THEY MUST HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES~~
24 ~~(1118 MM) ABOVE THE ADJACENT INTERIOR STANDING SURFACE. IF A DOOR OPENING HAVING A~~
25 ~~THRESHOLD BELOW THE ADJACENT GROUND ELEVATION SERVES AS AN EMERGENCY ESCAPE AND~~
26 ~~RESCUE OPENING AND IS PROVIDED WITH A BULKHEAD ENCLOSURE, THE BULKHEAD ENCLOSURE~~
27 ~~MUST COMPLY WITH § 310.3. THE NET CLEAR OPENING DIMENSIONS REQUIRED BY THIS SECTION~~
28 ~~MUST BE OBTAINED BY THE NORMAL OPERATION OF THE WINDOW OR DOOR OPENING FROM THE~~
29 ~~INSIDE. ESCAPE AND RESCUE WINDOW OPENINGS WITH A FINISHED SILL HEIGHT BELOW THE~~
30 ~~ADJACENT GROUND ELEVATION MUST BE PROVIDED WITH A WINDOW WELL IN ACCORDANCE WITH~~
31 ~~§ 310.2.~~

32 ~~310.2 TO 310.5 {AS IN IRC}~~

33 ~~SECTION 311 MEANS OF EGRESS~~

34 ~~311.1 TO 311.4 {AS IN IRC}~~

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311.5 STAIRWAYS.

311.5.1 WIDTH. *{AS IN IRC}*

311.5.2 HEADROOM. *{AS IN IRC}*

311.5.3 STAIR TREADS AND RISERS **{PER MBPS MODIFICATIONS}**.

311.5.3.1 RISER HEIGHT. THE MAXIMUM RISER HEIGHT IS 8-1/4 INCHES (210 MM). THE RISER MUST BE MEASURED VERTICALLY BETWEEN LEADING EDGES OF THE ADJACENT TREADS. THE GREATEST RISER HEIGHT WITHIN ANY FLIGHT OF STAIRS MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM).

311.5.3.2 TREAD DEPTH. THE MINIMUM TREAD DEPTH IS 9 INCHES (229 MM). THE TREAD DEPTH MUST BE MEASURED HORIZONTALLY BETWEEN THE VERTICAL PLANES OF THE FOREMOST PROJECTION OF ADJACENT TREADS AND AT A RIGHT ANGLE TO THE TREADS LEADING EDGE. THE GREATEST TREAD DEPTH WITHIN ANY FLIGHT OF STAIRS MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM). WINDER TREADS MUST HAVE A MINIMUM TREAD DEPTH OF 9 INCHES (229 MM) MEASURED AS ABOVE AT A POINT 12 INCHES (305 MM) FROM THE SIDE WHERE THE TREADS ARE NARROWER. WINDER TREADS MUST HAVE A MINIMUM TREAD DEPTH OF 6 INCHES (152 MM) AT ANY POINT. WITHIN ANY FLIGHT OF STAIRS, THE GREATEST WINDER TREAD DEPTH AT THE 12 INCH (305 MM) WALK LINE MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM).

311.5.3.3 PROFILE. *{AS IN IRC}*

EXCEPTIONS:

1. **{PER MBPS MODIFICATIONS}** A NOSING IS NOT REQUIRED IF THE TREAD DEPTH IS A MINIMUM OF 10 INCHES (254 MM).
2. *{AS IN IRC}*

311.6 RAMPS. *{AS IN IRC}*

SECTION 312 GUARDS

312.1 GUARDS. *{AS IN IRC}*

312.2 GUARD OPENING LIMITATIONS. REQUIRED GUARDS ON OPEN SIDES OF STAIRWAYS, RAISED FLOOR AREAS, BALCONIES, AND PORCHES:

1. MUST HAVE INTERMEDIATE RAILS OR ORNAMENTAL CLOSURES THAT DO NOT ALLOW PASSAGE OF A SPHERE 4 INCHES (102MM) OR MORE IN DIAMETER, AND
2. MAY NOT BE CONSTRUCTED WITH HORIZONTAL RAILS OR ANY ORNAMENTAL PATTERN THAT RESULTS IN A LADDER EFFECT.

EXCEPTIONS: *{AS IN IRC}*

SECTIONS 313 TO 324 *{AS IN IRC}*

CHAPTER 4. FOUNDATIONS

SECTIONS 401 TO 403 *{AS IN IRC}*

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1 **SECTION 404 FOUNDATION AND RETAINING WALLS**

2 **404.1 TO 404.5** *{AS IN IRC}*

3 **404.6 UNDERPINNING.** UNDERPINNING FOUNDATION WALLS MUST BE IN ACCORDANCE WITH
4 BUILDING CODE § 1803.1.

5 **SECTIONS 405 TO 408** *{AS IN IRC}*

6 **CHAPTER 5. FLOORS**
7 *{AS IN IRC}*

8 **CHAPTER 6. WALL CONSTRUCTION**
9 *{AS IN IRC}*

10 **CHAPTER 7. WALL COVERING**
11 *{AS IN IRC}*

12 **CHAPTER 8. ROOF-CEILING CONSTRUCTION**

13
14 **SECTION 801 GENERAL**

15 **801.1 TO 801.2** *{AS IN IRC}*

16 **801.3 ROOF DRAINAGE.** ROOF DRAINAGE MUST BE PROVIDED IN ACCORDANCE WITH BUILDING CODE
17 § 1503.4.

18 **SECTIONS 802 TO 808** *{AS IN IRC}*

19 **CHAPTER 9. ROOF ASSEMBLIES**

20 **SECTIONS 901 TO 907** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL*
21 *PLUMBING CODE”. OTHERWISE, AS IN IFC.}*

22 **SECTION 908 ROOFTOP DECKS AND OTHER STRUCTURES**

23 **908.1 GENERAL.** ALL ROOFTOP STRUCTURES MUST COMPLY WITH BUILDING CODE § 1509.

24 **CHAPTER 10. CHIMNEYS AND FIREPLACES**
25 *{AS IN IRC}*

26 **PART IV – ENERGY CONSERVATION**

27 **CHAPTER 11. ENERGY EFFICIENCY**
28 *{AS IN IRC}*

29 **PART V – MECHANICAL**

30 **{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 12 THROUGH 24 IS NOT WITHIN THE SCOPE**
31 **OF THE MARYLAND BUILDING PERFORMANCE STANDARDS....}**

32 **CHAPTER 12. MECHANICAL ADMINISTRATION**
33 *{AS IN IRC}*

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CHAPTER 13. GENERAL MECHANICAL SYSTEM REQUIREMENTS

SECTION 1301 GENERAL *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”}. OTHERWISE, AS IN IFC.*

SECTIONS 1302 TO 1306 *{AS IN IRC}*

SECTION 1307 APPLIANCE INSTALLATION

1307.1 GENERAL. *{AS IN IRC}*

1307.2 ANCHORAGE OF APPLIANCES. *{AS IN IRC}*

1307.3 ELEVATION OF IGNITION SOURCE. *{AS IN IRC}*

1307.3.1 PROTECTION FROM IMPACT. APPLIANCES LOCATED IN A GARAGE OR CARPORT MUST BE PROTECTED FROM IMPACT BY AUTOMOBILES.

1307.4 HYDROGEN GENERATING AND REFUELING OPERATIONS. *{AS IN IRC}*

1307.5 ELECTRICAL APPLIANCES. *{AS IN IRC}*

SECTION 1308 MECHANICAL SYSTEMS INSTALLATION *{AS IN IRC}*

CHAPTER 14. HEATING AND COOLING EQUIPMENT

SECTIONS 1401 TO 1410 *{AS IN IRC}*

SECTION 1411 HEATING AND COOLING EQUIPMENT

1411.1 APPROVED REFRIGERANTS. *{AS IN IRC}*

1411.2 REFRIGERATION COILS IN WARM-AIR FURNACES. *{AS IN IRC}*

1411.3 CONDENSATE DISPOSAL. *{AS IN IRC}*

1411.3.1 AUXILIARY AND SECONDARY DRAIN SYSTEMS. *{AS IN IRC}*

1411.3.2 DRAIN PIPE MATERIALS AND SIZES. COMPONENTS OF THE CONDENSATE DISPOSAL SYSTEM MUST BE CAST IRON, GALVANIZED STEEL, COPPER, POLYETHYLENE, ABS, CPVC, OR PVC PIPE OR TUBING. ALL COMPONENTS MUST BE SELECTED FOR THE PRESSURE AND TEMPERATURE RATING OF THE INSTALLATION. CONDENSATE WASTE AND DRAIN LINE SIZE MAY NOT BE LESS THAN ¾- INCH (19 MM) INTERNAL DIAMETER AND MAY NOT DECREASE IN SIZE FROM THE DRAIN PAN CONNECTION TO THE PLACE OF CONDENSATE DISPOSAL. WHERE THE DRAIN PIPES FROM MORE THAN ONE UNIT ARE MANIFOLDED TOGETHER FOR CONDENSATE DRAINAGE, THE PIPE OR TUBING MUST BE SIZED IN ACCORDANCE WITH AN APPROVED METHOD. ALL HORIZONTAL SECTIONS OF DRAIN PIPING MUST BE INSTALLED IN UNIFORM ALIGNMENT AT A UNIFORM SLOPE.

1411.4 AUXILIARY DRAIN PAN. *{AS IN IRC}*

1411.5 INSULATION OF REFRIGERANT PIPING. *{AS IN IRC}*

SECTION 1412 ABSORPTION COOLING EQUIPMENT *{AS IN IRC}*

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1 SECTION 1413 EVAPORATE COOLING EQUIPMENT

2 1413.1 GENERAL. *{AS IN IRC}*

3 1413.2 PROTECTION OF POTABLE WATER. THE POTABLE WATER SYSTEM MUST BE PROTECTED FROM
4 BACKFLOW IN ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING CODE.

5 SECTION 1414 FIREPLACE STOVES *{AS IN IRC}*

6 SECTION 1415 MASONRY HEATERS *{AS IN IRC}*

7 CHAPTER 15. EXHAUST SYSTEMS 8 *{AS IN IRC}*

9 CHAPTER 16. DUCT SYSTEMS 10 *{AS IN IRC}*

11 CHAPTER 17. COMBUSTION AIR

12 SECTION 1701 GENERAL

13 1701.1 AIR SUPPLY. *{AS IN IRC}*

14 1701.1.1 BUILDINGS OF UNUSUALLY TIGHT CONSTRUCTION. IN BUILDINGS OF UNUSUALLY
15 TIGHT CONSTRUCTION, COMBUSTION AIR MUST BE OBTAINED FROM OUTSIDE THE SEALED
16 THERMAL ENVELOPE. IN BUILDINGS OF ORDINARY TIGHTNESS, INsofar AS INFILTRATION IS
17 CONCERNED, ALL OR A PORTION OF THE COMBUSTION AIR FOR FUEL-BURNING APPLIANCES MAY BE
18 OBTAINED FROM INFILTRATION WHEN THE ROOM OR SPACE HAS A VOLUME OF 50 CUBIC FEET PER
19 1000 BTU/H (4.83 L/W) INPUT.

20 1701.2 EXHAUST AND VENTILATION SYSTEM. *{AS IN IRC}*

21 1701.3 VOLUME DAMPERS PROHIBITED. *{AS IN IRC}*

22 1701.4 PROHIBITED SOURCES. COMBUSTION AIR DUCTS AND OPENINGS MAY NOT CONNECT
23 APPLIANCE ENCLOSURES WITH SPACE IN WHICH THE OPERATION OF A FAN MAY ADVERSELY AFFECT
24 THE FLOW OF COMBUSTION AIR. COMBUSTION AIR MAY NOT BE OBTAINED FROM AN AREA IN WHICH
25 FLAMMABLE VAPORS PRESENT A HAZARD. FUEL-FIRED APPLIANCES MAY NOT OBTAIN COMBUSTION
26 AIR FROM ANY OF THE FOLLOWING ROOMS OR SPACES:

27 1. SLEEPING ROOMS.

28 2. BATHROOMS.

29 3. TOILET ROOMS.

30 4. COOKING ROOMS OR AREAS.

31 5. STORAGE SPACES THAT DIMINISH COMBUSTION AIR AREA.

32 **EXCEPTION:** THE FOLLOWING APPLIANCES ARE PERMITTED TO OBTAIN COMBUSTION AIR FROM
33 SLEEPING ROOMS, BATHROOMS AND TOILET ROOMS:

34 1. SOLID FUEL-FIRED APPLIANCES, AS LONG AS THE ROOM IS NOT A CONFINED SPACE AND
35 THE BUILDING IS NOT OF UNUSUALLY TIGHT CONSTRUCTION.

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- 1 2. APPLIANCES INSTALLED IN AN ENCLOSURE IN WHICH ALL COMBUSTION AIR IS TAKEN
2 FROM THE OUTDOORS AND THE ENCLOSURE IS EQUIPPED WITH A SOLID WEATHERSTRIPPED
3 DOOR AND SELF-CLOSING DEVICE.

4 **1701.5 OPENING AREA. {AS IN IRC}**

5 **1701.6 OPENING LOCATION. {AS IN IRC}**

6 **SECTION 1702 ALL AIR FROM INSIDE THE BUILDING {AS IN IRC}**

7 **SECTION 1703 ALL AIR FROM OUTDOORS {AS IN IRC}**

8 CHAPTER 18. CHIMNEYS AND VENTS

9 **SECTION 1801 GENERAL {AS IN IRC}**

10 **SECTION 1802 VENT COMPONENTS**

11 **1802.1 DRAFT HOODS.** DRAFT HOODS MUST BE LOCATED IN THE SAME ROOM OR SPACE AS THE
12 COMBUSTION AIR OPENINGS FOR THE APPLIANCES.

13 **EXCEPTION:** DRAFT HOODS OF SAUNAS MAY NOT BE LOCATED IN THE SAME ROOM THAT THE
14 SAUNA IS IN.

15 **1802.2 VENT DAMPERS. {AS IN IRC}**

16 **1802.3 DRAFT REGULATORS. {AS IN IRC}**

17 **SECTIONS 1803 TO 1805 {AS IN IRC}**

18 CHAPTER 19. SPECIAL FUEL-BURNING EQUIPMENT 19 {AS IN IRC}

20 CHAPTER 20. BOILERS AND WATER HEATERS 21 {AS IN IRC}

22 CHAPTER 21. HYDRONIC PIPING

23 **SECTION 2101 HYDRONIC PIPING SYSTEMS INSTALLATION**

24 **2101.1 GENERAL. {AS IN IRC}**

25 **TABLE 2101.1 {AS IN IRC, EXCEPT THAT POLYBUTYLENE (PB) PIPE AND PIPING IS NOT**
26 **APPROVED.}**

27 **2101.2 TO 2101.10 {AS IN IRC}**

28 **SECTION 2102 BASEBOARD CONVECTORS {AS IN IRC}**

29 **SECTION 2103 FLOOR HEATING SYSTEMS**

30 **2103.1 PIPING MATERIALS.** PIPING FOR EMBEDMENT IN CONCRETE OR GYPSUM MATERIALS MUST BE
31 STANDARD-WEIGHT STEEL PIPE, COPPER TUBING, CROSS-LINKED POLYETHYLENE/ALUMINUM/CROSS-
32 LINKED POLYETHYLENE (PEX-AL-PEX) PRESSURE PIPE, CHLORINATED POLYVINYL CHLORIDE

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1 (CPVC), CROSS-LINKED POLYETHYLENE (PEX) TUBING, OR POLYPROPYLENE (PP) WITH A MINIMUM
2 RATING OF 100 PSI AT 180°F (690 kPa AT 82°C).

3 **2103.2 PIPING JOINTS.** PIPING JOINTS THAT ARE EMBEDDED MUST BE INSTALLED IN ACCORDANCE
4 WITH THE FOLLOWING REQUIREMENTS:

5 1. - 2. *{AS IN IRC}*

6 3. *{NOT ADOPTED}*

7 4. - 6. *{AS IN IRC}*

8 **2103.3 TESTING.** *{AS IN IRC}*

9 **SECTION 2104 LOW TEMPERATURE PIPING** *{AS IN IRC}*

10 **SECTION 2105 GROUND SOURCE HEAT PUMP SYSTEM LOOP PIPING** *{AS IN IRC}*

11 **CHAPTER 22. SPECIAL PIPING AND STORAGE SYSTEMS**

12 **SECTION 2201 OIL TANKS**

13 **2201.1 MATERIALS.** *{AS IN IRC}*

14 **2201.2 ABOVE-GROUND TANKS.** *{AS IN IRC}*

15 **2201.2.1 TANKS WITHIN BUILDINGS.** *{AS IN IRC}*

16 **2201.2.2 OUTSIDE ABOVE-GROUND TANKS.** *{AS IN IRC}*

17 **EXCEPTION:** IF THE 5-FEET MINIMUM DISTANCE FROM AN ADJOINING PROPERTY LINE
18 CANNOT BE MET, THE BUILDING OFFICIAL WILL DETERMINE THE LOCATION OF THE TANK.

19 **2201.3 TO 2201.7** *{AS IN IRC}*

20 **SECTIONS 2202 TO 2204** *{AS IN IRC}*

21 **CHAPTER 23. SOLAR SYSTEMS**

22 **SECTION 2301 SOLAR ENERGY SYSTEMS** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*
23 *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IFC.}*

24 **PART VI – FUEL GAS**

25 **CHAPTER 24. FUEL GAS**

26 *{NOT ADOPTED}*

27 *{SEE NATIONAL FUEL GAS CODE AS MODIFIED BY BFR ARTICLE PART IV}*

28 **PART VII – PLUMBING**

29 **{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 25 THROUGH 32 IS NOT WITHIN THE SCOPE**
30 **OF THE MARYLAND BUILDING PERFORMANCE STANDARDS....}**

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CHAPTER 25. PLUMBING ADMINISTRATION

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

CHAPTER 26. GENERAL PLUMBING REQUIREMENTS

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

CHAPTER 27. PLUMBING FIXTURES

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

CHAPTER 28. WATER HEATERS

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

CHAPTER 29. WATER SUPPLY AND DISTRIBUTION

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

CHAPTER 30. SANITARY DRAINAGE

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

CHAPTER 31. VENTS

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

CHAPTER 32. TRAPS

{NOT ADOPTED}

{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}

PART VIII – ELECTRICAL

{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 33 THROUGH 42 IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS....}

CHAPTER 33. GENERAL REQUIREMENTS

{AS IN IRC}

CHAPTER 34. ELECTRICAL DEFINITIONS

{AS IN IRC}

CHAPTER 35. SERVICES

SECTIONS 3501 TO 3503 *{AS IN IRC}*

SECTION 3504 OVERHEAD SERVICE-DROP AND SERVICE CONDUCTOR INSTALLATION

3504.1 CLEARANCES ON BUILDINGS. *{AS IN IRC}*

3504.2 VERTICAL CLEARANCES. *{AS IN IRC}*

3504.2.1 ABOVE ROOFS. *{AS IN IRC}*

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1 **3504.2.2 VERTICAL CLEARANCE FROM GRADE. {INTRODUCTORY PARAGRAPH AS IN IRC}**

2 1. - 3. *{AS IN IRC}*

3 4. **CLEARANCE ABOVE DECKS.** CONDUCTORS MUST HAVE A VERTICAL CLEARANCE OF AT
4 LEAST 8 FEET AT THE LOWEST POINT ABOVE THE DECK SURFACE.

5 **3504.3 TO 3504.6 {AS IN IRC}**

6 **SECTIONS 3505 TO 3508 {AS IN IRC}**

7 **SECTION 3509 BONDING**

8 **3509.1 TO 3509.6 {AS IN IRC}**

9 **3509.7 BONDING OTHER METAL PIPING.** WHERE INSTALLED IN OR ATTACHED TO A BUILDING OR
10 STRUCTURE, METAL PIPING SYSTEMS CAPABLE OF BECOMING ENERGIZED MUST BE BONDED TO THE
11 SERVICE EQUIPMENT ENCLOSURE, THE GROUNDED CONDUCTOR AT THE SERVICE, THE GROUNDING
12 ELECTRODE CONDUCTOR WHERE OF SUFFICIENT SIZE, OR TO THE ONE OR MORE GROUNDING
13 ELECTRODES USED. THE BONDING JUMPER MUST BE SIZED IN ACCORDANCE WITH TABLE E3808.12
14 USING THE RATING OF THE CIRCUIT CAPABLE OF ENERGIZING THE PIPING. THE EQUIPMENT GROUNDING
15 CONDUCTOR FOR THE CIRCUIT THAT IS CAPABLE OF ENERGIZING THE PIPING MUST BE PERMITTED TO
16 SERVE AS THE BONDING MEANS. THE POINTS OF ATTACHMENT OF THE BONDING JUMPERS MUST BE
17 ACCESSIBLE.

18 **3509.7.1 EXCEPTION.** THIS § 3509.7 DOES NOT APPLY TO GAS PIPING.

19 **SECTION 3510 GROUNDING ELECTRODE CONDUCTORS {AS IN IRC}**

20 **SECTION 3511 GROUNDING ELECTRODE CONDUCTOR CONNECTION TO THE GROUNDING** 21 **ELECTRODES**

22 **3511.1 METHODS OF GROUNDING. {AS IN IRC}**

23 **3511.2 ACCESSIBILITY.** THE CONNECTION OF A GROUNDING ELECTRODE CONDUCTOR OR BONDING
24 JUMPER CONDUCTOR TO A GROUNDING ELECTRODE THAT IS NOT BURIED OR CONCRETE ENCASED MUST
25 BE:

26 1. AHEAD OF ALL TURNOFF VALVES AND UNIONS, AND

27 2. ACCESSIBLE.

28 **3511.3 TO 3511.5 {AS IN IRC}**

29 **CHAPTER 36. BRANCH CIRCUIT AND FEEDER REQUIREMENTS**

30 **SECTION 3601 GENERAL {AS IN IRC}**

31 **SECTION 3602 BRANCH CIRCUIT RATINGS**

32 **3602.1 TO 3602.11 {AS IN IRC}**

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1 **3602.12 BRANCH CIRCUITS SERVING ROOM AIR CONDITIONERS. {INTRODUCTORY PARAGRAPH AS IN**
2 **IRC}**

3 1. - 4. *{AS IN IRC}*

4 5. THE CIRCUIT CONTAINS A DEDICATED RECEPTACLE FOR THE AIR CONDITIONER .

5 **3602.12.1 WHERE NO OTHER LOADS ARE SUPPLIED. {AS IN IRC}**

6 **3602.12.2 WHERE LIGHTING UNITS OR OTHER APPLIANCES ARE SUPPLIED. {AS IN IRC}**

7 **3602.13 BRANCH-CIRCUIT REQUIREMENT – SUMMARY. {AS IN IRC}**

8 **3602.13.1 CIRCUITS FOR FUEL-BURNING EQUIPMENT.** IN FUEL-BURNING EQUIPMENT SUCH AS
9 OIL AND GAS BURNERS AND STOVES, INCLUDING AUXILIARIES SUCH AS FANS, BLOWERS, AND
10 PUMPS, AN INDIVIDUAL BRANCH CIRCUIT WITH A DISCONNECTING MEANS ON THE LINE SIDE OF ALL
11 EQUIPMENT AND DEVICES, OTHER THAN THE BRANCH-CIRCUIT FUSES, MUST BE PROVIDED. IF 2 OR
12 MORE BRANCH CIRCUITS ARE PROVIDED FOR A FUEL-BURNING SYSTEM, THEY MUST BE SUPPLIED
13 THROUGH A COMMON FEEDER WITH A DISCONNECTING MEANS THAT WILL DISCONNECT ALL
14 COMPONENTS OF THE SYSTEM.

15 **3602.13.2 CONTROLS.** OIL BURNERS OTHER THAN OIL STORES WITH INTEGRAL TANKS MUST BE
16 PROVIDED WITH A DEVICE TO MANUALLY STOP THE FLOW OF OIL TO THE BURNERS. THE DEVICE
17 MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER WITH
18 ELECTRICALLY DRIVEN EQUIPMENT. THIS MAY BE ACCOMPLISHED BY AN IDENTIFIED SWITCH IN
19 THE BURNER SUPPLY CIRCUIT, PLACED NEAR THE ENTRANCE TO THE ROOM WHERE THE BURNER IS
20 LOCATED.

21 **3602.13.3 EMERGENCY SWITCH FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT
22 MUST HAVE A DEVICE TO MANUALLY STOP THE FLOW OF FUEL AT THE FUEL TRAIN TO THE BURNER.
23 THE DEVICE MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE
24 BURNER AND MUST BE IDENTIFIED AS A EMERGENCY DISCONNECT.

25 **SECTIONS 3603 TO 3606 {AS IN IRC}**

26 **CHAPTER 37. WIRING METHODS**
27 *{AS IN IRC}*

28 **CHAPTER 38. POWER AND LIGHTING DISTRIBUTION**

29 **SECTION 3801 RECEPTACLE OUTLETS**

30 **3801.1 TO 3801.6 {AS IN IRC}**

31 **3801.7 OUTDOOR OUTLETS GENERALLY. {AS IN IRC}**

32 **3801.7.1 NEAR PUBLIC WALKWAYS.** A RECEPTACLE INSTALLED LESS THAN 10 FEET FROM A
33 PUBLIC WALKWAY MUST BE WALL-SWITCH CONTROLLED FROM WITHIN THE DWELLING UNIT.

34 **3801.7.2 DECKS.** AT LEAST 1 GFCI RECEPTACLE MUST BE INSTALLED ON ALL DECKS OF
35 WHATEVER LEVEL.

36 **3801.8 TO 3801.11 {AS IN IRC}**

37 **SECTIONS 3802 TO 3807 {AS IN IRC}**

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1 **SECTION 3808 GROUNDING**

2 **3808.1 TO 3808.7** *{AS IN IRC}*

3 **3808.8 TYPES OF EQUIPMENT GROUNDING CONDUCTORS.** *{INTRODUCTORY PARAGRAPH AS IN IRC}*

4 1. - 8. *{AS IN IRC}*

5 9. SURFACE METAL RACEWAYS THAT ARE LISTED FOR GROUNDING AND THAT CONTAIN
6 EQUIPMENT GROUNDING CONDUCTORS WITHIN THE RACEWAY.

7 **3808.8.1 TO 3808.8.3** *{AS IN IRC}*

8 **3808.9 TO 3808.20** *{AS IN IRC}*

9 **SECTION 3809 FLEXIBLE CORDS** *{AS IN IRC}*

10 **CHAPTER 39. DEVICES AND LUMINAIRES**
11 *{AS IN IRC}*

12 **CHAPTER 40. APPLIANCE INSTALLATION**

13 **SECTION 4001 GENERAL**

14 **4001.1 TO 4001.4** *{AS IN IRC}*

15 **4001.5 DISCONNECTING MEANS GENERALLY.** *{AS IN IRC}*

16 **4001.5.1 WATER HEATERS.** CIRCUITS THAT SUPPLY WATER HEATERS MUST HAVE A
17 DISCONNECTING MEANS OTHER THAN THE OVERCURRENT DEVICE. THIS DISCONNECTING MEANS
18 MUST BE INSTALLED CLOSE TO THE WATER HEATER.

19 **4001.6 TO 4001.7** *{AS IN IRC}*

20 **CHAPTER 41. SWIMMING POOLS**
21 *{AS IN IRC}*

22 **CHAPTER 42. CLASS 2 REMOTE-CONTROL, SIGNALING, AND POWER-LIMITED CIRCUITS**
23 *{AS IN IRC}*

24 **PART IX – REFERENCED STANDARDS**

25 **CHAPTER 43. REFERENCED STANDARDS**

26 **SECTION 4301 GENERAL**

27 **4301.1 SCOPE.** THIS CHAPTER 43 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS
28 SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE
29 STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE
30 THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.4
31 OF THIS CODE.

32 **4301.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE
33 STANDARDS LISTED:

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- 1 1. FOR ICC ELECTRICAL CODE,
2 SUBSTITUTE NATIONAL ELECTRICAL CODE (2005 EDITION).
- 3 2. FOR INTERNATIONAL FUEL GAS CODE,
4 SUBSTITUTE NATIONAL FUEL GAS CODE (2006 EDITION).
- 5 3. FOR INTERNATIONAL PLUMBING CODE,
6 SUBSTITUTE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007
7 SUPPLEMENT).

APPENDICES

APPENDIX A. SIZING AND CAPACITIES OF GAS PIPING
{INFORMATIONAL. NOT ADOPTED}

APPENDIX B. SIZING OF VENTING SYSTEMS ...
{INFORMATIONAL. NOT ADOPTED}

APPENDIX C. EXIT TERMINALS ...
{INFORMATIONAL. NOT ADOPTED}

APPENDIX D. RECOMMENDED PROCEDURE FOR SAFETY INSPECTION ...
{INFORMATIONAL. NOT ADOPTED}

APPENDIX E. MANUFACTURED HOUSING USED AS DWELLINGS
{AS IN IRC}

APPENDIX F. RADON CONTROL METHODS
{AS IN IRC}

APPENDIX G. SWIMMING POOLS, SPAS, AND HOT TUBS

SECTION 101 GENERAL

101.1 GENERAL. {AS IN IRC}

101.2 HEALTH AND ZONING. IN ADDITION, SWIMMING POOLS, SPAS, AND HOT TUBS MUST COMPLY WITH:

- 1. ALL REGULATIONS OF THE BALTIMORE CITY HEALTH DEPARTMENT, AND
- 2. ALL LOCATION AND OTHER APPLICABLE PROVISIONS OF THE BALTIMORE CITY ZONING CODE.

SECTIONS 102 TO 108 {AS IN IRC}

APPENDIX H. PATIO COVERS
{AS IN IRC}

APPENDIX I. PRIVATE SEWAGE DISPOSAL
{NOT ADOPTED}

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1 **APPENDIX J. EXISTING BUILDINGS AND STRUCTURES**
2 *{NOT ADOPTED}*

3 **APPENDIX K. SOUND TRANSMISSION**
4 *{AS IN IRC}*

5 **APPENDIX L. PERMIT FEES**
6 *{NOT ADOPTED}*

7 **APPENDIX M. HOME DAY CARE – R-3 OCCUPANCY**
8 *{AS IN IRC}*

9 **APPENDIX N. VENTING METHODS**
10 *{INFORMATIONAL. NOT ADOPTED}*

11 **APPENDIX O. GRAY WATER RECYCLING SYSTEMS**
12 *{AS IN IRC}*

13 **APPENDIX P. SPRINKLING**

14 **SECTION 101 FIRE SPRINKLERS**

15 **101.1 GENERAL.** AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM MUST BE INSTALLED IN
16 TOWNHOUSES, AS REQUIRED BY STATE LAW. IN ACCORDANCE WITH ITS REGULATIONS, THE
17 DEPARTMENT OF PUBLIC WORKS MUST REQUIRE MINIMUM SERVICE SIZES FOR WATER LINES AND
18 METERS FOR BUILDINGS WITH SPRINKLERS.

19 **APPENDIX Q. IRC/NEC CROSS-REFERENCE**
20 *{INFORMATIONAL. NOT ADOPTED}*

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1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as
2 follows:

3 **Baltimore City Revised Code**

4 **Article – Health**

5 **§ 5-301. Definitions.**

6 (d) *Rooming unit.*

7 “Rooming unit” has the meaning stated in [§ 202] § 202.1 of the Property Maintenance
8 Code of Baltimore City.

9 **Article – Zoning**

10 **§ 13-719. Continuances for noncomplying dwelling units in R-8, R-9, and R-10 Districts.**

11 (d) *Required findings.*

12 The Board must find that:

- 13 (1) the noncomplying dwelling unit has not in fact been abandoned;
- 14 (2) the continuance will not increase the danger of fire or otherwise endanger the
15 public safety;
- 16 (3) the continuance will not overcrowd the lot or structure or create an undue
17 concentration of population;
- 18 (4) the noncomplying structure meets all requirements and standards of the [City’s]
19 HEALTH CODE OF BALTIMORE, THE Building, Fire, [Property Maintenance,] and
20 [Health] RELATED Codes OF BALTIMORE CITY, and [of] all other applicable laws
21 and regulations of the City.

22 **Baltimore City Code**

23 **Article 9. Fire Suppression and Prevention**

24 **§ 9-5. Administration and enforcement.**

25 (b) *Permits.*

26 In addition to any other remedy or proceeding to enforce this subtitle, if the Fire Chief
27 finds any premises or property to be in violation of this subtitle or of a rule, regulation,
28 or standard adopted under it, the Fire Chief may:

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1 (1) withhold or suspend, UNTIL THE VIOLATION HAS BEEN CORRECTED, any permit
2 issued under the Fire [Prevention] Code of Baltimore City for that premises or
3 property [until the violation has been corrected]; and

4 (2) order the [Director] COMMISSIONER of Housing and Community Development to
5 withhold or suspend, UNTIL THE VIOLATION HAS BEEN CORRECTED, any permit
6 issued under the Building, FIRE, OR RELATED [Code] CODES of Baltimore City
7 for that premises or property [until the violation has been corrected].

8 **Article 13. Housing and Urban Renewal**

9 **§ 13-5 Investigation of applicant.**

10 The Commissioner must investigate each applicant for a new or renewal license to
11 determine that:

12 (1) the applicant did not knowingly make a material misstatement in the application; and

13 (2) the establishment and its operation will comply with THE REQUIREMENTS OF:

14 (i) the [building, fire, electrical, health, plumbing, and zoning requirements]
15 BUILDING, FIRE, AND RELATED CODES of [the] BALTIMORE City[.];

16 (II) THE HEALTH CODE OF BALTIMORE CITY;

17 (III) THE ZONING CODE OF BALTIMORE CITY; and

18 (IV) [(ii)] all other applicable laws.

19 **§ 13-8. Revocation or suspension of license.**

20 (a) *In general.*

21 The Commissioner may suspend or revoke any license issued under this subtitle if, after
22 the licensee has been given the opportunity for a hearing, the Commissioner finds that:

23 (1) the licensee knowingly made a material misstatement on the application for the
24 issuance or renewal of the license; or

25 (2) the establishment or its operation is in violation of A REQUIREMENT OF:

26 (i) [any building, fire, electrical, health, plumbing, or zoning requirement]
27 THE BUILDING, FIRE, AND RELATED CODES of [the] BALTIMORE City;

28 (II) THE HEALTH CODE OF BALTIMORE CITY;

29 (III) THE ZONING CODE OF BALTIMORE CITY; or

30 (IV) [(ii)] any other applicable law.

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Article 15. Licensing and Regulation

§ 1-28. Denial, suspension, or revocation.

(a) *In general.*

The Board may deny, suspend, or revoke an adult-entertainment business license or renewal license for any of the following causes:

- (1) failing to pay the applicable license fee on or before the due date;
- (2) making any material false statement in any application for an initial or renewal license;
- (3) lack of accessibility for fire and police protection;
- (4) failing to comply with any provision of the BUILDING, Fire, [Health, Building, or Zoning] AND RELATED Codes of Baltimore City, THE HEALTH CODE OF BALTIMORE CITY, OR THE ZONING CODE OF BALTIMORE CITY;
- (5) failing to comply with any provision of this subtitle or of any rule or regulation adopted under this subtitle; or
- (6) failing to comply with any provision of any other local, state, or federal law that affects or relates to the operation of the adult-entertainment business.

§ 3-8. Denial or suspension of permit.

(b) *Grounds.*

The Zoning Board may take action under subsection (a) of this section for any of the following causes:

- (1) failing or refusing to comply with any provision of this subtitle or of any rule or regulation adopted under this subtitle;
- (2) making any material false statement in any application for an initial or renewal permit;
- (3) violating any provision of the [fire, health, building, or zoning codes] BUILDING, FIRE, AND RELATED CODES of Baltimore City, THE HEALTH CODE OF BALTIMORE CITY, OR THE ZONING CODE OF BALTIMORE CITY, or of any other ordinance, rule, or regulation of the City;
- (4) conviction of an owner, operator, or employee of the establishment of any violation of City Code Article 19, § 34-6 {"Daytime and Nighttime Curfews: Prohibited conduct of establishments"};
- (5) conviction of an owner, operator, or employee of the establishment of any violation of City Code Article 19, Subtitle 25 {"Loitering – General"};

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- 1 (6) permitting the installation, maintenance, or operation of amusement devices in
2 any way that impairs the safety, health, or general welfare of patrons or of the
3 public in the immediate vicinity of the premises;
- 4 (7) lack of accessibility for fire and police protection; or
- 5 (8) lack of accessibility of light and air.

Article 28. Taxes

§ 10-6. Home improvements.

(d) *Qualifications — compliance with Codes.*

- 9 (1) To continue eligibility for a tax credit under this section, a dwelling must remain in
10 compliance with the City Property Maintenance Code.
- 11 (2) If a dwelling owned by a person who has received a tax credit under this section is
12 found to be in violation of the Property Maintenance Code, the property owner is not
13 eligible for any further tax credit under this section until the dwelling is determined
14 again to be in compliance with that Code.
- 15 (3) A dwelling that is again brought into compliance is eligible for a tax credit at the rate
16 it would have been eligible before the violation of the Property Maintenance Code.
- 17 (4) In addition to compliance with the Property Maintenance Code, the homeowner shall
18 comply with ALL OTHER PARTS OF the [City Building Code] BUILDING, FIRE, AND
19 RELATED CODES OF BALTIMORE CITY, including [its] THEIR permit [requirement]
20 REQUIREMENTS for improvements.

§ 10-8. Historic restorations and rehabilitations.

(f) *Continuing eligibility.*

The property owner shall:

- 24 (1) maintain the major historic features of the property; and
- 25 (2) ensure that the property for which the credit was granted is in full compliance
26 with the [City Building Code and Property Maintenance Code] BUILDING, FIRE,
27 AND RELATED CODES OF BALTIMORE CITY.

28 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this
29 Ordinance are not law and may not be considered to have been enacted as a part of this or any
30 prior Ordinance.

31 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance and the Building, Fire,
32 and Related Codes adopted by it applies to all building operations for which a permit
33 application is filed on or after the effective date of this Ordinance.

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1 **SECTION 6. AND BE IT FURTHER ORDAINED,** That, except as expressly provided to the
2 contrary in this Ordinance, any transaction, case, proceeding, investigation, or other matter
3 validly begun before the effective date of this Ordinance and affected by or flowing from any
4 law amended or repealed by this Ordinance, and any right, duty, or interest flowing from any
5 ordinance amended or repealed by this Ordinance, remains valid after the effective date of this
6 Ordinance and may be terminated, completed, enforced, or prosecuted as required or permitted
7 by the prior law as though the amendment or repeal has not occurred. If any change in
8 nomenclature involves a change in name or designation of any City agency or official, the
9 successor agency or official has all the powers and obligations granted the predecessor agency
10 or official.

11 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on ~~the 60th~~
12 ~~day after the date it is enacted~~ December 16, 2007.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City