

**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 05-0252**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: September 19, 2005
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: January 23, 2006

AN ORDINANCE CONCERNING

1 Building, Fire, and Related Codes – State and City Modifications

2 FOR the purpose of amending the Building, Fire, and Related Codes article to reflect certain
3 changes made to the Maryland Building Performance Standards; prohibiting certain required
4 guards from being constructed with horizontal rails or other pattern that results in a ladder
5 effect; correcting, clarifying, and conforming certain language; and generally relating to the
6 building, fire, property maintenance, electrical, plumbing, mechanical, and related codes for
7 Baltimore City.

8 BY repealing and reordaining, with amendments
9 Article - Building, Fire, and Related Codes
10 Section(s) 1-101, 1-102, and 2-103 (IBC §§ 101.2, 504.2, 901.1,
11 1001.1, 1003.2.12, 1003.3, 2406, 3501, and Notes to Chs. 30 and 34)
12 Baltimore City Revised Code
13 (Edition 2000)

14 BY repealing and reordaining, without amendments
15 Article - Building, Fire, and Related Codes
16 Section(s) 2-102
17 Baltimore City Revised Code
18 (Edition 2000)

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

21 **Baltimore City Revised Code**

22 **Article – Building, Fire, and Related Codes**

23 **Part I. Maryland Building Performance Standards**

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.

1 **§ 1-101. State action.**

2 (a) *In general.*

3 The Maryland Building Performance Standards [were] ARE adopted AND, FROM TO TIME,
4 AMENDED by the State Department of Housing and Community Development under
5 [Article 83B, Title 6, Subtitle 4 of the Maryland Code] STATE PUBLIC SAFETY ARTICLE,
6 TITLE 12, SUBTITLE 5.

7 (b) *Contents.*

8 As most recently amended, effective [October 15, 2001] SEPTEMBER 20, 2004, these
9 Standards consist of:

10 (1) the International Building Code [(2000 Edition)] (2003 EDITION), with certain
11 State modifications {COMAR 05.02.07.04A and B}; and

12 (2) The International Residential Code for One- and Two-Family Dwellings [(2000
13 Edition)] (2003 EDITION), with certain State modifications {COMAR
14 05.02.07.04C}.

15 **§ 1-102. City adoption.**

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

18 (1) BALTIMORE CITY ADOPTS THE INTERNATIONAL BUILDING CODE (2000 EDITION);

19 (2) [(1)] in the International Building Code (2000 Edition):

20 (i) incorporate the State modifications[, as] indicated in the appropriate chapter,
21 section, or other provision of Part II below; and

22 (ii) add the Baltimore City modifications[, as] indicated in the appropriate
23 chapter, section, or other provision of Part II below; and

24 (3) [(2)] the International Residential Code for One- and Two-Family Dwellings [(2000)]
25 is not adopted by Baltimore City.

26 **Part II. International Building Code**

27 **§ 2-102. Maryland Building Performance Standards.**

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

1 § 2-103. City modifications.

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

4 Chapter 1. Administration

5 101.2 Scope. *[As in IBC]*

6 Exception: *[IBC EXCEPTION Not Adopted]*

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

10 101.2.1 Appendices {Per MBPS Modification}. The appendices to the International
11 Building Code apply as follows:

12 101.2.1.1 Appendices Adopted. The provisions of the following appendices are
13 adopted as part of this Code:

- 14 a. Appendix C: “Group U — Agricultural Buildings”.
- 15 b. Appendix F: “Rodent Proofing”.
- 16 c. Appendix G: “Flood Resistant Construction”.
- 17 d. Appendix H: “Signs”.
- 18 e. Appendix I: “Patio Covers”.

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

- 21 a. Appendix A: “Employee Qualifications”.
- 22 b. Appendix B: “Board of Appeals”.
- 23 c. Appendix D: “Fire Districts”.
- 24 d. Appendix E: “Supplementary Accessibility Requirements”.
- 25 e. Appendix J: “Supplementary Accessibility Requirements for Qualified
26 Historic Buildings and Facilities”.

27 Chapter 5. General Building Heights and Areas

28 504.2 Automatic sprinkler increase {per MBPS Modification}. The maximum number of
29 stories specified in Table 503 and the value specified in that Table for maximum height are
30 increased as follows, these increases being permitted in addition to [the] ANY area increase
31 UNDER §§ 506.2 AND 506.3:

- 1 a. 1 story and 20 feet (6096 mm), if the building is equipped throughout with an
2 automatic sprinkler system installed in accordance with § 903.3.1.1 of this Code,
- 3 b. 1 story and 20 feet (6096 mm) but not to exceed a height of 4 stories and 60 feet
4 (18,288 mm) above grade level, if the building has an occupancy in Group R-1, R-2,
5 or R-4 and is equipped throughout with an automatic sprinkler system installed in
6 accordance with § 903.3.1.2 of this Code, and
- 7 c. 1 story and 20 feet (6096 mm) but not to exceed a height of 4 stories and 60 feet
8 (18,288 mm) above grade level, if the building has an occupancy in Group R-3 and is
9 equipped throughout with an automatic sprinkler system installed in accordance with
10 section 903.3.1.3.

11 **Exceptions:** *[As in IBC]*

12 **Chapter 9. Fire Protection Systems**

13 **901.1 Scope.** *[As in IBC, subject to following Note]*

14 {**MBPS Modification — Note to § 901.1:** The fire protection system
15 requirements of Chapter 9 may be concurrently covered [in] BY the State Fire
16 PREVENTION Code, ADOPTED UNDER STATE PUBLIC SAFETY ARTICLE §6-206 AND
17 contained in [Article 38A, §§3 through 68, of the Maryland Code and] COMAR
18 29.06.01. The State Fire Code is enforced by the State Fire Marshall or
19 authorized fire official.}

20 **Chapter 10. Means of Egress**

21 **1001.1 General.** *[As in IBC, subject to the following Note]*

22 {**MBPS Modifications - Note to § 1001.1:** The means of egress requirements of Chapter
23 10 may be concurrently covered [in] BY the State Fire PREVENTION Code, ADOPTED
24 UNDER STATE PUBLIC SAFETY ARTICLE §6-206 AND contained in [Article 38A, §§3
25 through 68, of the Maryland Code and] COMAR 29.06.01. The State Fire PREVENTION
26 Code is enforced by the State Fire Marshall or authorized fire official.}

27 **1003.2 System design requirements.**

28 **1003.2.12 Guards.** Guards must be located along open-sided walking surfaces,
29 mezzanines, industrial equipment platforms, stairways, ramps, and landings that are
30 located more than 15½ inches (394 mm) above the floor or grade below. Guards must be
31 adequate in strength and attached in accordance with § 1607.7 of this Code. Guards must
32 also be located along glazed sides of stairways, ramps, and landings that are located more
33 than 15½ inches (394 mm) above the floor or grade below where the glazing provided
34 does not meet the strength and attachment requirements in § 1607.7.

35 **Exceptions:** *[As in IBC]*

36 **1003.2.12.1 Height.** *[As in IBC]*

1 **1003.2.12.2 Opening limitations – GENERAL.** Open guards [shall] MUST have
2 balusters or ornamental patterns [such] so that:

- 3 A. TO A HEIGHT OF 34 INCHES (864 MM) ABOVE THE ADJACENT WALKING
4 SURFACES, a [4-inch-diameter (102 mm)] sphere 4 INCHES (102 MM) IN
5 DIAMETER cannot pass through any opening [up to a height of 34 inches (864
6 mm).]; AND
- 7 B. [From] FROM a height of 34 inches (864 mm) to 42 inches (1067 mm) above
8 the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter [shall
9 not] CANNOT pass THROUGH ANY OPENING.

10 **1003.2.12.2.1 OPENING LIMITATIONS – RESIDENTIAL OCCUPANCIES.** FOR
11 OCCUPANCIES IN USE GROUP R, REQUIRED GUARDS MAY NOT BE CONSTRUCTED
12 WITH HORIZONTAL RAILS OR ANY ORNAMENTAL PATTERN THAT RESULTS IN A
13 LADDER EFFECT.

14 **Exceptions:** *[As in IBC]*

15 **1003.2.12.3 Screen porches.** *[As in IBC]*

16 **1003.2.12.4 Mechanical equipment.** *[As in IBC]*

17 **1003.3 Means of egress components.** *[As in IBC]*

18 **1003.3.1 - 1003.3.3.2** *[As in IBC]*

19 **1003.3.3 Stairways.** *[As in IBC]*

20 **1003.3.3.1 - 1003.3.3.2** *[As in IBC]*

21 **1003.3.3.3 Stair treads and risers.** *[As in IBC]*

22 **Exceptions:**

23 1 - 4. *[As in IBC]*

24 5. **{Per MBPS Modifications}** In occupancies in Group R-3, as applicable
25 in § 101.2, in dwelling units in occupancies in Group R-2, AS APPLICABLE
26 IN § 101.2, and in occupancies in Group U that are accessory to an
27 occupancy in Group R-3, AS APPLICABLE IN § 101.2:

- 28 A. the maximum riser height is 8¼ inches (210 mm), [and]
- 29 B. the minimum tread depth is 9 inches (229 mm),
- 30 C. THE MINIMUM WINDER TREAD DEPTH AT THE WALK LINE IS 9
31 INCHES (229 MM),
- 32 D. THE MINIMUM WINDER TREAD DEPTH IS 6 INCHES (152 MM), AND

E. [A] A nosing not less than 3/4 inch (19 mm) but not more than 1 1/4 inches (32 mm) must be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

6. *[As in IBC]* {PER MBPS MODIFICATIONS} FOR THE REPLACEMENT OF EXISTING STAIRWAYS, SEE THE MARYLAND BUILDING REHABILITATION CODE, SET FORTH IN COMAR 05.16.

1003.3.3.11 Handrails. *[As in IBC]*

1003.3.3.11.1 Height. *[As in IBC]*

1003.3.3.11.2 Intermediate handrails. *[As in IBC]*

1003.3.3.11.3 Handrail graspability. *[As in IBC]*

Exception: *{[Adopted] Per MBPS Modifications}* FOR OCCUPANCIES IN GROUP R-3, AS APPLICABLE IN § 101.2, AND IN DWELLING UNITS IN OCCUPANCIES IN GROUP R-2, AS APPLICABLE IN § 101.2, THE GRIP PORTION OF HANDRAILS MUST HAVE A CIRCULAR CROSS SECTION OF 1 1/4 INCHES (32 MM) MINIMUM TO 2.625 INCHES (66.7 MM) MAXIMUM. OTHER SHAPES THAT PROVIDE AN EQUIVALENT GRASPING SURFACE ARE PERMISSIBLE. EDGES MUST HAVE A MINIMUM RADIUS OF 0.125 INCH (3.2 MM).

1003.3.3.11.4 - 1003.3.3.11.7 *[As in IBC]*

1003.3.3.12 Stairway to roof. *[As in IBC]*

1003.3.3.13 Fire escapes. Where fire escapes are permitted, they must comply with all applicable provisions of the Maryland Building Rehabilitation Code, COMAR 05.16.

1003.3.4 Ramps. *[As in IBC]*

1003.3.5 Turnstiles. *[As in IBC]*

Chapter 24. Glass and Glazing

Section 2406 Safety Glazing *[As in IBC, subject to the following Note]*

{MBPS Modification — The requirements for safety glazing contained in [Article 83B, §§ 6-301 through 6-306, of the Maryland Code] 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.}

1
2

Chapter 30. Elevators and Conveying Systems
[As in IBC]

3 {**MBPS Modification – Note to Chapter 30:** The provisions of Chapter 30 of the IBC relate to
4 elevators and conveying systems and are in addition to and not instead of the requirements
5 contained in [Article 89, § 49B, of the Maryland Code] STATE PUBLIC SAFETY ARTICLE, TITLE
6 12, SUBTITLE 8. In the event of a conflict between the[IBC and the] Maryland Code AND THE
7 IBC, the [provisions of the] Maryland Code [prevail] PREVAILS.}

8
9

Chapter 34. Existing Structures
[Not Adopted]

10 {**MBPS Modification:** [Chapter 34 is superseded by] REHABILITATION WORK IN AN EXISTING
11 BUILDING MUST COMPLY WITH THE APPLICABLE REQUIREMENTS OF the Maryland Building
12 Rehabilitation Code, [adopted under State Code Article 83B, § 6-503, and codified] AS SET
13 FORTH in COMAR 05.16.}

14

Chapter 35. Referenced Standards

15 **3501.1 Scope** [**Per MBPS Modification**]. This Chapter 35 lists the standards that are
16 referred to in various sections of this Code. The standards are listed by the promulgating
17 entity, the standard identification, the effective date and title, and the section(s) of this Code
18 that refer to the standard. The application of these standards is as specified in § 102.4 of this
19 Code.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
21 are not law and may not be considered to have been enacted as a part of this or any prior
22 Ordinance.

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
24 after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City