

**CITY OF BALTIMORE  
COUNCIL BILL 10-0593  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: September 20, 2010  
Assigned to: Public Safety and Health Committee

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REFERRED TO THE FOLLOWING AGENCIES: Department of Housing and Community Development, Fire Department, Department of Public Works, Department of Transportation, Department of General Services, Planning Department, Board of Municipal and Zoning Appeals, City Solicitor, Comptroller

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building, Fire, and Related Codes – 2010 Edition**

3 FOR the purpose of adopting a revised Building, Fire, and Related Codes Article, comprising the  
4 Maryland Building Performance Standards (effective January 1, 2010), the International  
5 Building Code (2009 Edition), the National Electrical Code (2008 Edition), the National Fuel  
6 Gas Code (2009 Edition), the International Mechanical Code (2009 Edition), the National  
7 Standard Plumbing Code (2009 Edition), the International Property Maintenance Code (2009  
8 Edition), the International Fire Code (2009 Edition), the International Energy Conservation  
9 Code (2009 Edition), and the International Residential Code for One- and Two-Family  
10 Dwellings (2009 Edition), all as supplemented, amended, or otherwise modified by this  
11 Ordinance; providing for the effect, construction, and effective date of these new standards  
12 and codes; conforming, correcting, and clarifying certain language; and generally relating to  
13 the adoption of new building, fire, property maintenance, electrical, plumbing, mechanical,  
14 and related codes for Baltimore City.

15 By repealing

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

20 By adding

21 Article - Building, Fire, and Related Codes  
22 Baltimore City Revised Code  
23 (Edition 2000)

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25 Building, Fire, and Related Codes Article of the City Code is repealed.

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

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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**Baltimore City Revised Code**

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

**PART I. MARYLAND BUILDING PERFORMANCE STANDARDS**

**§ 1-101. STATE ACTION.**

(A) *IN GENERAL.*

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

(B) *CONTENTS.*

AS AMENDED EFFECTIVE JANUARY 1, 2010, THESE STANDARDS CONSIST OF:

(1) THE INTERNATIONAL BUILDING CODE (2009 EDITION), WITH CERTAIN STATE MODIFICATIONS {COMAR 05.02.07.04A AND B};

(2) THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (2009 EDITION), WITH CERTAIN STATE MODIFICATIONS {COMAR 05.02.07.04A AND C}; AND

(3) THE INTERNATIONAL ENERGY CONSERVATION CODE (2009 EDITION), WITH CERTAIN STATE MODIFICATIONS {COMAR 05.02.07.04A AND D}.

**§ 1-102. CITY ADOPTION.**

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

(1) IN THE INTERNATIONAL BUILDING CODE (2009 EDITION):

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

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

(2) IN THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (2009 EDITION):

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

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

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1 (3) IN THE INTERNATIONAL ENERGY CONSERVATION CODE (2009 EDITION):

2 (I) INCORPORATE THE STATE MODIFICATIONS INDICATED IN THE APPROPRIATE  
3 CHAPTER, SECTION, OR OTHER PROVISION OF PART IX BELOW; AND

4 (II) ADD THE BALTIMORE CITY MODIFICATIONS INDICATED IN THE APPROPRIATE  
5 CHAPTER, SECTION, OR OTHER PROVISION OF PART IX BELOW

6 **PART II**  
7 **INTERNATIONAL BUILDING CODE**

8 **§ 2-101. CITY ADOPTION.**

9 (A) *IN GENERAL.*

10 THE INTERNATIONAL BUILDING CODE (2009 EDITION) IS ADOPTED AS PART OF THE  
11 BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS,  
12 DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART II.

13 (B) *CODIFICATION.*

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

16 **§ 2-102. MARYLAND BUILDING PERFORMANCE STANDARDS.**

17 THE MARYLAND BUILDING PERFORMANCE STANDARDS CONTAIN CERTAIN STATE  
18 MODIFICATIONS TO THE INTERNATIONAL BUILDING CODE. THE STATE MODIFICATIONS THAT  
19 BALTIMORE CITY HAS ADOPTED ARE REPEATED IN THIS PART II, FOR THE USER'S  
20 CONVENIENCE, IN THE APPROPRIATE CHAPTER, SECTION, OR OTHER PROVISION. THESE STATE  
21 MODIFICATIONS ARE LABELED "MBPS MODIFICATION".

22 **§ 2-103. CITY MODIFICATIONS.**

23 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE  
24 CITY ARE AS FOLLOWS:

25 **CHAPTER 1**  
26 **ADMINISTRATION**

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

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### 1 SECTION 101 GENERAL

2 **101.1 TITLE.** THE INTERNATIONAL BUILDING CODE, TOGETHER WITH THE STANDARDS AND CODES  
3 LISTED IN § 101.4, AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY THESE PROVISIONS,  
4 COLLECTIVELY CONSTITUTE AND ARE KNOWN AS THE “BUILDING, FIRE, AND RELATED CODES OF  
5 BALTIMORE CITY”.

6 **101.1.1 REFERENCES TO “THIS CODE”.** THROUGHOUT THESE PROVISIONS AND THE STANDARDS  
7 AND CODES LISTED IN § 101.4, ALL REFERENCES TO “THIS CODE” REFER TO THE BUILDING, FIRE,  
8 AND RELATED CODES OF BALTIMORE CITY.

9 **101.2 SCOPE.** *{AS IN IBC}*

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

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

14 **101.2.1 APPENDICES {PER MBPS MODIFICATION}.** THE APPENDICES TO THE INTERNATIONAL  
15 BUILDING CODE APPLY AS FOLLOWS:

16 **101.2.1.1 APPENDICES ADOPTED.** THE PROVISIONS OF THE FOLLOWING APPENDICES ARE  
17 ADOPTED AS PART OF THIS CODE:

- 18 1. APPENDIX C: “GROUP U – AGRICULTURAL BUILDINGS”.
- 19 2. APPENDIX D: “DOWNTOWN FIRE DISTRICT”.
- 20 3. APPENDIX F: “RODENT PROOFING”.
- 21 4. APPENDIX G: “FLOOD RESISTANT CONSTRUCTION”.
- 22 5. APPENDIX H: “SIGNS”.
- 23 6. APPENDIX I: “PATIO COVERS”.

24 **101.2.1.2 APPENDICES NOT ADOPTED.** THE FOLLOWING APPENDICES ARE NOT ADOPTED AS  
25 PART OF THIS CODE:

- 26 1. APPENDIX A: “EMPLOYEE QUALIFICATIONS”.
- 27 2. APPENDIX B: “BOARD OF APPEALS”.
- 28 3. APPENDIX E: “SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS”.
- 29 4. APPENDIX J: “SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR QUALIFIED  
30 HISTORIC BUILDINGS AND FACILITIES”.

31 **101.3 INTENT.** *{AS IN IBC}*

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1 **101.4 REFERENCED CODES.** THE STANDARDS AND CODES LISTED IN THIS § 101.4, AS MODIFIED BY  
2 THESE PROVISIONS AND AS REFERRED TO ELSEWHERE IN THIS CODE, ARE PART OF THE REQUIREMENTS  
3 OF THIS CODE TO THE EXTENT PRESCRIBED BY THE REFERENCE.

4 **101.4.1 ELECTRICAL.** THE NATIONAL ELECTRICAL CODE (2008 EDITION) APPLIES TO THE  
5 INSTALLATION OF ELECTRICAL SYSTEMS, INCLUDING THEIR ALTERATION, REPAIR, REPLACEMENT,  
6 EQUIPMENT, APPLIANCES, FIXTURES, FITTINGS, AND APPURTENANCES.

7 **101.4.2 GAS.** THE NATIONAL FUEL GAS CODE (2009 EDITION) APPLIES TO THE INSTALLATION OF  
8 GAS PIPING FROM THE POINT OF DELIVERY, TO GAS APPLIANCES, AND TO RELATED ACCESSORIES AS  
9 COVERED IN THIS CODE. THESE REQUIREMENTS APPLY TO GAS PIPING SYSTEMS EXTENDING FROM  
10 THE POINT OF DELIVERY TO THE INLET CONNECTIONS OF APPLIANCES AND THE INSTALLATION AND  
11 OPERATION OF RESIDENTIAL AND COMMERCIAL GAS APPLIANCES AND RELATED ACCESSORIES.

12 **101.4.3 MECHANICAL.** *{AS IN IBC}*

13 **101.4.4 PLUMBING.** THE NATIONAL STANDARD PLUMBING CODE (2009 EDITION) APPLIES TO THE  
14 ERECTION, INSTALLATION, ALTERATION, REPAIR, RELOCATION, REPLACEMENT, USE, OR  
15 MAINTENANCE OF OR ADDITION TO PLUMBING SYSTEMS, INCLUDING EQUIPMENT, APPLIANCES,  
16 FIXTURES, FITTINGS, AND APPURTENANCES.

17 **101.4.5 PROPERTY MAINTENANCE.** *{AS IN IBC}*

18 **101.4.6 FIRE PREVENTION.** *{AS IN IBC}*

19 **101.4.7 ENERGY.** *{AS IN IBC}*

20 **101.5 STATE REHABILITATION CODE.** THE MARYLAND REHABILITATION CODE, ADOPTED UNDER  
21 STATE CODE ARTICLE 83B, § 6-503, AND CODIFIED IN COMAR 05.16, APPLIES TO ALL  
22 REHABILITATION PROJECTS UNDERTAKEN IN EXISTING BUILDINGS, AS PROVIDED IN THAT CODE.

23 **101.6 REFERENCES TO FORMER CODES.** ALL REFERENCES IN A VIOLATION OR CONDEMNATION  
24 NOTICE OR IN THE BALTIMORE CITY CODE TO ANY FORMER VERSION OF THE BUILDING CODE OR TO  
25 ANY PROVISION OF THAT CODE ARE CONSIDERED TO REFER TO THE COMPARABLE OR OTHERWISE  
26 APPLICABLE PROVISIONS OF THIS CODE.

### 27 SECTION 102 APPLICABILITY

28 **102.1 TO 102.5** *{AS IN IBC}*

29 **102.6 EXISTING CONDITIONS.** CONDITIONS LAWFULLY EXISTING ON THE EFFECTIVE DATE OF THIS  
30 CODE MAY BE CONTINUED WITHOUT CHANGE, EXCEPT AS:

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

35 **102.7 STRUCTURES OWNED BY CITY.** THIS CODE DOES NOT APPLY TO ANY STRUCTURE (OTHER THAN  
36 A BUILDING) THAT IS OWNED BY THE CITY, TO THE EXTENT THAT THE STRUCTURE:

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

5           **102.8 PUBLIC SERVICE STRUCTURES ON STREETS.** THIS CODE DOES NOT APPLY TO ANY POLE,  
6           CONDUIT, TUNNEL, PIPE LINE, MANHOLE, OR OTHER SIMILAR SURFACE OR SUBSURFACE STRUCTURE,  
7           INCLUDING ITS EQUIPMENT, THAT IS OWNED AND CONTROLLED BY A PUBLIC SERVICE CORPORATION, TO  
8           THE EXTENT THAT:

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

14           **102.9 PROPERTY OWNED OR LEASED BY UNITED STATES OR BY MARYLAND.** EXCEPT AS SPECIFIED  
15           IN § 102.9.1, LAND OWNED BY THE UNITED STATES OR BY THE STATE OF MARYLAND, INCLUDING ANY  
16           STRUCTURE OWNED BY EITHER AND LOCATED ON THE LAND, IS EXEMPT FROM THIS CODE.

17           **102.9.1 EXCEPTIONS.** THE FOLLOWING ARE NOT EXEMPT FROM THIS CODE:

- 18           1. LAND OR STRUCTURES LEASED BY THE UNITED STATES OR THE STATE OF MARYLAND
- 19           FROM A PRIVATE OWNER,
- 20           2. LAND OR STRUCTURES LEASED BY A PRIVATE OWNER FROM THE UNITED STATES OR THE
- 21           STATE OF MARYLAND, AND
- 22           3. LAND OR STRUCTURES HELD BY THE UNITED STATES OR THE STATE OF MARYLAND
- 23           PURSUANT TO THE FORECLOSURE OF A RESIDENTIAL MORTGAGE.

24           **102.10 WATERWAYS.** OTHER THAN WORK DONE BY THE UNITED STATES OR THE STATE OF  
25           MARYLAND, ALL CONSTRUCTION DONE ALONG THE SHORELINE AND WATERWAYS WITHIN THE CITY  
26           MUST:

- 27           1. COMPLY WITH THIS CODE, AND
- 28           2. BE APPROVED BY:
  - 29           A. THE DEPARTMENT OF PUBLIC WORKS,
  - 30           B. THE DEPARTMENT OF PLANNING,
  - 31           C. THE FIRE DEPARTMENT,
  - 32           D. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, AND
  - 33           E. THE U.S. ARMY CORPS OF ENGINEERS.

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1 **102.11 RAILROAD FACILITIES.** RAILROAD FACILITIES WITHIN A RAILROAD RIGHT-OF-WAY ARE  
2 EXEMPT FROM THE PROVISIONS OF THIS CODE, EXCEPT FOR THOSE PROVISIONS THAT RELATE TO  
3 SANITARY MAINTENANCE. HOWEVER, PRIVATELY OWNED STRUCTURES WITHIN A RIGHT-OF-WAY ARE  
4 NOT EXEMPT UNLESS THEY ARE ANCILLARY TO THE RAILROAD.

5 **102.12 MOVED STRUCTURES.** STRUCTURES THAT ARE MOVED INTO OR WITHIN BALTIMORE CITY:

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

9 **102.13 TO 102.14 {RESERVED}**

10 **102.15 COMPLIANCE WITH CODE REQUIRED.** NO STRUCTURE, PREMISES, LAND, OR EQUIPMENT MAY  
11 BE CONSTRUCTED, ALTERED, ADDED TO, REPAIRED, REHABILITATED, DEMOLISHED, MOVED, LOCATED,  
12 USED, OCCUPIED, OR MAINTAINED IN VIOLATION OF THIS CODE.

13 **102.15.1 CONSTRUCTION OF STRUCTURE.** WHEN CONSTRUCTED, EVERY STRUCTURE MUST BE  
14 LOCATED SO THAT IT DOES NOT CREATE A VIOLATION OF THIS CODE.

15 **102.15.2 RELOCATION, ETC., OF LOT LINES, ETC.** NO LOT OR PROPERTY LINE MAY BE MOVED OR  
16 RELOCATED AND NO LOT OR PARCEL OF LAND MAY BE SUBDIVIDED IN ANY WAY THAT CREATES A  
17 VIOLATION OF THIS CODE FOR ANY STRUCTURE.

18 **102.16 COMPLIANCE WITH OTHER LAWS.** TO THE EXTENT APPLICABLE, ALL WORK MUST ALSO  
19 COMPLY WITH:

- 20 1. THE CRITICAL AREA MANAGEMENT PROGRAM OF BALTIMORE CITY,
- 21 2. THE BALTIMORE CITY FOREST AND TREE CONSERVATION PROGRAM,
- 22 3. THE ZONING CODE OF BALTIMORE CITY,
- 23 4. CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"};
- 24 5. ANY APPLICABLE URBAN RENEWAL PLAN;
- 25 6. THE DEPARTMENT OF PUBLIC WORKS RULES AND REGULATIONS GOVERNING:
  - 26 A. STORM WATER MANAGEMENT,
  - 27 B. SOIL EROSION AND SEDIMENT CONTROL,
  - 28 C. ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY,
  - 29 D. DISCHARGES TO THE STORM DRAIN SYSTEM;
  - 30 E. DEVELOPER'S AGREEMENTS; AND
  - 31 F. BLASTING,
- 32 7. THE FEDERAL AMERICANS WITH DISABILITIES ACT;

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- 1           8. THE MARYLAND ACCESSIBILITY CODE; AND
- 2           7. ALL OTHER APPLICABLE LAWS OF THE UNITED STATES, THE STATE OF MARYLAND, AND THE
- 3           CITY OF BALTIMORE.

### 4           **SECTION 103 DEPARTMENT OF BUILDING SAFETY**

5           **103.1 ENFORCEMENT AGENCY.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT  
6           OF HOUSING AND COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

- 7           1. "DEPARTMENT OF BUILDING SAFETY" OR "DEPARTMENT" MEANS THE DEPARTMENT OF  
8           HOUSING AND COMMUNITY DEVELOPMENT, AND
- 9           2. "BUILDING OFFICIAL", MEANS THE COMMISSIONER OF HOUSING AND COMMUNITY  
10           DEVELOPMENT OR AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER.

11           **103.2 APPOINTMENT. {NOT ADOPTED}**

12           **103.3 DEPUTIES. {NOT ADOPTED}**

13           **103.4 EMPLOYEE RESTRICTIONS.** AN OFFICER OR EMPLOYEE OF THE DEPARTMENT MAY NOT:

- 14           1. ENGAGE IN OR DIRECTLY OR INDIRECTLY BE CONNECTED WITH THE FURNISHING OF LABOR,  
15           MATERIALS, OR APPLIANCES OR THE PREPARATION OF PLANS OR SPECIFICATIONS FOR THE  
16           CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING, OR  
17           MAINTENANCE OF A STRUCTURE, UNLESS THE OFFICER OR EMPLOYEE IS THE OWNER OF THE  
18           STRUCTURE, OR
- 19           2. ENGAGE IN ANY WORK THAT CONFLICTS WITH HIS OR HER OFFICIAL DUTIES OR WITH THE  
20           INTERESTS OF THE DEPARTMENT.

### 21           **SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL**

22           **104.1 GENERAL.** EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY LAW, THE BUILDING OFFICIAL:

- 23           1. ADMINISTERS AND ENFORCES ALL PROVISIONS OF THIS CODE AND THE PROVISIONS OF ALL  
24           OTHER ORDINANCES, LAWS, OR REGULATIONS RELATING TO THE MATTERS PROVIDED FOR IN  
25           THIS CODE, AND
- 26           2. MAY ACT ON ANY QUESTION RELATIVE TO THE MANNER OF AND THE MATERIALS TO BE USED IN  
27           THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING,  
28           LOCATION, USE, OCCUPANCY, AND MAINTENANCE OF ALL STRUCTURES AND IN THE  
29           INSTALLATION OF EQUIPMENT.

30           **104.1.1 INTERPRETATIONS, RULES, AND REGULATIONS.** THE BUILDING OFFICIAL MAY:

- 31           1. RENDER INTERPRETATIONS OF THIS CODE, AND
- 32           2. ADOPT RULES AND REGULATIONS TO CARRY OUT THIS CODE.

33           **104.1.2 FILING RULES AND REGULATIONS.** A COPY OF ALL RULES AND REGULATIONS ADOPTED  
34           UNDER THIS CODE MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE.

35           **104.2 TO 104.5 {AS IN IBC}**



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1 **104.6 RIGHT OF ENTRY.** IN THE PERFORMANCE OF HIS OR HER DUTIES, THE BUILDING OFFICIAL MAY  
2 ENTER ANY LAND, STRUCTURE, OR PREMISES IN THE CITY TO ENFORCE THIS CODE, AT ANY  
3 REASONABLE TIME OR, IN AN EMERGENCY THAT MIGHT ENDANGER PUBLIC HEALTH OR SAFETY, AT ANY  
4 TIME.

5 **104.6.1 ENTRY WITHOUT NOTICE OR WARRANT.** NEITHER A SEARCH WARRANT NOR PRIOR  
6 NOTICE IS NEEDED IN ANY OF THE FOLLOWING CIRCUMSTANCES:

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

16 **104.6.2 AUTHORITY TO SEEK WARRANT.** WHERE APPROPRIATE, THE BUILDING OFFICIAL MAY  
17 SEEK A SEARCH WARRANT TO ENTER ANY LAND, STRUCTURE, OR PREMISES IN THE CITY TO MAKE  
18 AN INSPECTION OR TO TAKE ANY OTHER AUTHORIZED ACTION TO ADMINISTER AND ENFORCE:

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

27 **104.6.3 WARRANT AFTER PRIOR NOTICE.** BEFORE THE BUILDING OFFICIAL MAY APPLY FOR A  
28 WARRANT TO MAKE A ROUTINE INSPECTION OR SPOT CHECK TO DETERMINE IF A VIOLATION EXISTS,  
29 THE BUILDING OFFICIAL MUST GIVE PRIOR NOTICE OF HIS OR HER INTENT TO THE OCCUPANT OR  
30 OTHER PERSON WITH APPARENT RIGHT OF POSSESSION OR, IN THE CASE OF AN UNOCCUPIED  
31 STRUCTURE OR PREMISES, TO THE OWNER, THE OWNER’S AGENT, OR OTHER PERSON IN APPARENT  
32 CONTROL OF THE STRUCTURE OR PREMISES.

33 **104.6.3.1 CONTENTS OF NOTICE.** THE NOTICE MUST:

- 34 1. STATE THE DATE AND TIME AT WHICH THE BUILDING OFFICIAL WILL BE PRESENT TO  
35 MAKE THE INSPECTION OR SPOT CHECK, AND
- 36 2. INFORM THE PERSON NOTIFIED THAT HE OR SHE MAY RESCHEDULE THE INSPECTION OR  
37 SPOT CHECK TO A REASONABLE DATE AND TIME BY CONTACTING THE BUILDING  
38 OFFICIAL BEFORE THE STATED DATE.

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1 **104.6.3.2 SERVICE OF NOTICE – OCCUPIED PROPERTY.** IF THE STRUCTURE OR PREMISES IS  
2 OCCUPIED, THE NOTICE MUST BE EITHER:

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

6 **104.6.3.3 SERVICE OF NOTICE – UNOCCUPIED PROPERTY.** IF THE STRUCTURE OR PREMISES  
7 IS UNOCCUPIED, THE NOTICE MUST BE MAILED OR DELIVERED TO THE LAST-KNOWN ADDRESS OF  
8 THE OWNER, AGENT, OR OTHER PERSON IN APPARENT CONTROL.

9 **104.6.3.4 OBTAINING WARRANT.** AFTER NOTICE HAS BEEN GIVEN, IF THE PERSON NOTIFIED  
10 FAILS TO ARRANGE FOR, DENIES, OR UNDULY DELAYS THE ENTRY, THE BUILDING OFFICIAL  
11 MAY APPLY TO A COURT OF COMPETENT JURISDICTION FOR A SEARCH WARRANT TO AUTHORIZE  
12 ENTRY FOR THE INSPECTION OR SPOT CHECK.

13 **104.6.3.5 PROBABLE CAUSE.** PROBABLE CAUSE FOR A SEARCH WARRANT UNDER THIS  
14 § 104.6.3 EXISTS IF:

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

24 **104.6.4 WARRANT WITHOUT PRIOR NOTICE.** THE BUILDING OFFICIAL MAY APPLY FOR A SEARCH  
25 WARRANT TO ENTER A STRUCTURE OR PREMISES WITHOUT GIVING THE PRIOR NOTICE OTHERWISE  
26 REQUIRED BY § 104.6.3, IF THERE IS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION OF THIS  
27 CODE OR A RELATED LAW EXISTS IN THE STRUCTURE OR ON THE PREMISES.

28 **104.6.4.1 PROBABLE CAUSE.** PROBABLE CAUSE FOR A SEARCH WARRANT UNDER THIS  
29 § 104.6.4 INCLUDES, AMONG OTHER APPROPRIATE CIRCUMSTANCES, THE FOLLOWING:

- 30 1. THE INSPECTION IS TO IDENTIFY LEAD-BASED HAZARDS IN A DWELLING UNIT THAT IS  
31 THE LAST-REPORTED ADDRESS OF A CHILD WHO, BY NOTICE FROM A HEALTH CARE  
32 PROVIDER OR THE STATE DEPARTMENT OF THE ENVIRONMENT TO THE BUILDING  
33 OFFICIAL OR THE HEALTH COMMISSIONER, IS REPORTED TO HAVE BEEN DIAGNOSED  
34 WITH A VENOUS BLOOD-LEAD LEVEL OF 15 MICROGRAMS PER DECILITER OR MORE, OR
- 35 2. UNTREATED LEAD-BASED PAINT HAZARDS HAVE BEEN FOUND IN A UNIT OF A  
36 MULTIPLE-FAMILY DWELLING IN WHICH A CHILD WHO HAS BEEN DIAGNOSED WITH A  
37 VENOUS BLOOD-LEAD LEVEL OF 15 MICROGRAMS PER DECILITER OR MORE RESIDES  
38 AND ENTRY IS NEEDED TO OTHER UNITS OF THE DWELLING TO DETERMINE COMPLIANCE  
39 WITH LAW.

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1           **104.6.5 APPLICATION FOR WARRANT.** THE APPLICATION FOR A SEARCH WARRANT MUST BE:

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

9           **104.6.6 CONTENTS OF WARRANT.** THE SEARCH WARRANT MUST NAME OR DESCRIBE, WITH

10           REASONABLE PARTICULARITY:

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

15           **104.6.7 EXECUTION OF WARRANT.** AN INSPECTION UNDER THE SEARCH WARRANT MUST BE MADE

16           WITHIN 15 CALENDAR DAYS OF THE DATE THE WARRANT WAS ISSUED. AT THE END OF THAT

17           15-DAY PERIOD, THE WARRANT IS VOID.

18           **104.6.8 DWELLING UNITS.** EXCEPT AS PROVIDED IN § 104.6.8.1, NO INSPECTOR WHO GAINS

19           ENTRANCE TO A DWELLING FOR THE PURPOSE OF ENFORCING THIS CODE OR ANY RELATED LAW

20           MAY OBTAIN OR FURNISH EVIDENCE OF, OR TESTIFY TO, ANY OFFENSE OTHER THAN VIOLATIONS OF

21           THIS CODE OR OF ANY RELATED LAW.

22           **104.6.8.1 EXCEPTION.** THE LIMITATIONS OF § 104.6.8 DO NOT APPLY TO:

- 23                 1.. A FELONY, OR
- 24                 2. A MISDEMEANOR INVOLVING AN ACT OF VIOLENCE AND COMMITTED IN THE
- 25                 INSPECTOR'S PRESENCE.

26           **104.7 DEPARTMENT RECORDS. {AS IN IBC}**

27           **104.8 LIABILITY. {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302.}**

28           **104.9 TO 104.11 {AS IN IBC}**

### 29           SECTION 105 PERMITS

30           **105.1 REQUIRED.** A PERMIT ISSUED BY THE BUILDING OFFICIAL IS REQUIRED BEFORE ANY PERSON

31           MAY DO ANY OF THE FOLLOWING WORK:

- 32           1. CONSTRUCT, ALTER, ADD TO, REPAIR, REHABILITATE, DEMOLISH, OR MOVE ANY STRUCTURE,
- 33           2. CHANGE THE USE OF ANY STRUCTURE OR LAND,
- 34           3. INSTALL OR ALTER ANY EQUIPMENT SUBJECT TO THIS CODE,

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1 4. MOVE A LOT LINE THAT AFFECTS ANY STRUCTURE, OR

2 5. PERFORM ANY GRADING OR EXCAVATING.

3 **105.1.1 ANNUAL PERMIT. {AS IN IBC}**

4 **105.1.2 ANNUAL PERMIT RECORDS. {AS IN IBC}**

5 **105.1.3 BY WHOM APPLICATION TO BE MADE.** THE APPLICATION FOR A PERMIT MUST BE MADE  
6 AS FOLLOWS:

7 1. FOR A DEMOLITION OR MOVING PERMIT, BY THE OWNER OF THE PROPERTY TO BE  
8 DEMOLISHED OR MOVED,

9 2. FOR A PERMIT TO REMOVE FORMSTONE, PAINT, OR OTHER MATERIAL FROM EXTERIOR  
10 SURFACES, BY THE LICENSED CONTRACTOR EMPLOYED TO DO THE PROPOSED WORK,

11 3. FOR A PERMIT TO DO WORK INVOLVING UNDERPINNING OR A RETAINING FOUNDATION  
12 WALL, BY THE LICENSED CONTRACTOR EMPLOYED TO DO THE PROPOSED WORK, AND

13 4. FOR ALL OTHER PERMITS, BY:

14 A. THE OWNER OR LESSEE OF THE STRUCTURE,

15 B. THE AGENT OF THE OWNER OR LESSEE, OR

16 C. THE LICENSED ENGINEER OR ARCHITECT EMPLOYED IN CONNECTION WITH THE  
17 PROPOSED WORK.

18 **105.1.4 WORK DONE WITHOUT PERMIT.** A PERSON WHO DOES ANY WORK WITHOUT A PERMIT, OR  
19 OUTSIDE OR BEYOND THE SCOPE OF A PERMIT, OR IN A MANNER INCONSISTENT WITH PLANS OR  
20 DRAWINGS APPROVED AS PART OF A PERMIT APPLICATION, OR AFTER A PERMIT IS REVOKED FOR  
21 ANY REASON, MUST OBTAIN A PERMIT FOR THAT WORK, EVEN IF ALREADY COMPLETED, AND PAY  
22 THE APPROPRIATE PERMIT FEE AND PENALTY SURCHARGE.

23 **105.1.5 SPECIAL PROFESSIONAL SERVICES.** IN ADDITION TO AND WITHOUT LIMITING ANY OTHER  
24 REQUIREMENTS OF OR AUTHORITY GRANTED BY THIS CODE, THE BUILDING OFFICIAL MAY  
25 REQUIRE, AS A TERM OR CONDITION OF A PERMIT, THAT A REGISTERED DESIGN PROFESSIONAL OR  
26 OTHER LICENSED SPECIALIST OR EXPERT PERFORM SPECIFIC WORK OR SIGN AND SEAL SPECIFIC  
27 PLANS, COMPUTATIONS, SPECIFICATIONS, OR STATEMENTS.

28 **105.2 WORK EXEMPT FROM PERMIT.** AN EXEMPTION FROM THE PERMIT REQUIREMENTS OF THIS  
29 CODE DOES NOT AUTHORIZE ANY WORK TO BE DONE IN A MANNER THAT VIOLATES A PROVISION OF THIS  
30 CODE OR OF ANY OTHER LAW. PERMITS ARE NOT REQUIRED FOR THE FOLLOWING:

31 **BUILDING:**

32 1. TO 4. *{NOT ADOPTED}*

33 5. *{AS IN IBC}*

34 6. *{NOT ADOPTED}*

35 7. INTERIOR PAINTING, PAPERING, TILING, CARPETING, CABINETS, COUNTER TOPS, AND  
36 SIMILAR INTERIOR FINISH WORK.

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1           8. *{NOT ADOPTED}*

2           9. *{AS IN IBC}*

3           10. *{NOT ADOPTED}*

4           11. *{AS IN IBC}*

5           12. *{NOT ADOPTED}*

6           13. *{AS IN IBC}*

7           14. REMOVAL OF DEBRIS, EXCEPT IN CASES OF INTERIOR OR EXTERIOR DEMOLITION.

8           15. BOARDING EXTERIOR OPENINGS WITH PLYWOOD.

9           16. MINOR REPAIR OR PATCHING OF DRYWALL OR PLASTER.

10          17. REPLACING ROOF SHINGLES.

11          18. REPLACING ROOF TARRING.

12           **ELECTRICAL:**

13           **REPAIRS AND MAINTENANCE: *{AS IN IBC}***

14           **RADIO AND TELEVISION TRANSMITTING STATIONS: *{NOT ADOPTED}***

15           **TEMPORARY TESTING SYSTEMS: *{AS IN IBC}***

16           **GAS: *{NOT ADOPTED}***

17           **MECHANICAL: *{NOT ADOPTED}***

18           **PLUMBING: *{AS IN IBC}***

19           **105.2.1 EMERGENCY REPAIRS. *{AS IN IBC}***

20           **105.2.2 REPAIRS. *{AS IN IBC}***

21           **105.2.3 PUBLIC SERVICE AGENCIES. *{AS IN IBC}***

22           **105.3 APPLICATION FOR PERMIT.** TO OBTAIN A PERMIT, THE APPLICANT MUST FIRST FILE AN  
23 APPLICATION ON THE FORM PROVIDED BY THE BUILDING OFFICIAL FOR THAT PURPOSE. THE  
24 APPLICATION MUST:

- 25           1. IDENTIFY AND DESCRIBE THE WORK TO BE COVERED UNDER THE PERMIT,
- 26           2. DESCRIBE THE LAND ON WHICH THE PROPOSED WORK IS TO BE DONE BY LEGAL DESCRIPTION,  
27 STREET ADDRESS, OR SIMILAR DESCRIPTION THAT WILL READILY IDENTIFY AND DEFINITELY  
28 LOCATE THE PROPOSED BUILDING OR WORK,
- 29           3. INDICATE THE USE AND OCCUPANCY FOR WHICH THE PROPOSED WORK IS INTENDED,
- 30           4. SPECIFY THE GROSS FLOOR AREA, AS DEFINED IN § 105.3.2.1, INVOLVED IN THE PROPOSED  
31 WORK,

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- 1           5. SPECIFY THE NUMBER OF DWELLING UNITS, IF ANY, INVOLVED IN THE PROPOSED WORK,
- 2           6. BE ACCOMPANIED BY THE CONSTRUCTION DOCUMENTS AND OTHER INFORMATION REQUIRED
- 3           BY § 107 OF THIS CODE,
- 4           7. IF THE PROPERTY IS IN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT OR ON
- 5           THE HISTORICAL AND ARCHITECTURAL PRESERVATION LANDMARK LIST OR SPECIAL LIST, BE
- 6           ACCOMPANIED BY A NOTICE TO PROCEED OR A CERTIFICATE OF APPROPRIATENESS FROM THE
- 7           COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION,
- 8           8. STATE THE VALUATION OF THE PROPOSED WORK,
- 9           9. IF THE PROPOSED WORK WILL REPLACE ANY EXISTING STRUCTURE, BE ACCOMPANIED BY
- 10          PHOTOGRAPHS THAT DEPICT THE EXISTING CONDITIONS AND EXISTING STRUCTURES ON THE
- 11          SITE,
- 12          10. IDENTIFY THE PARTIES BY PROVIDING:
  - 13                A. THE FULL NAMES AND ADDRESSES OF THE OWNER, LESSEE, AND APPLICANT,
  - 14                B. THE NAME AND PHONE NUMBER OF A PERSON TO BE CONTACTED IN CASE OF
  - 15                AN EMERGENCY, AND
  - 16                C. IF THE OWNER, LESSEE, OR APPLICANT IS A CORPORATION, PARTNERSHIP, LIMITED
  - 17                LIABILITY COMPANY, OR OTHER ENTITY, THE FULL NAMES AND ADDRESSES OF ITS
  - 18                RESPONSIBLE OFFICERS, PARTNERS, OR MEMBERS,
- 19          11. PROVIDE ANY OTHER DATA AND INFORMATION THAT THE BUILDING OFFICIAL REQUIRES,
- 20          12. BE SIGNED BY THE APPLICANT, OR THE APPLICANT’S AUTHORIZED AGENT, AND
- 21          13. IF SIGNED BY AN AGENT, BE ACCOMPANIED BY:
  - 22                A. PROOF OF AGENCY, AND
  - 23                B. PROOF OF THE AGENT’S IDENTITY, BY COPY OR PRESENTATION OF A VALID MARYLAND
  - 24                DRIVER’S LICENSE OR OTHER MARYLAND IDENTIFICATION.

25           **105.3.1 ACTION ON APPLICATION – GENERAL.** THE BUILDING OFFICIAL MUST EXAMINE ALL  
26           APPLICATIONS FOR PERMITS WITHIN A REASONABLE TIME AFTER FILING. IF THE APPLICATION OR  
27           THE PROPOSED WORK DOES NOT CONFORM TO THE REQUIREMENTS OF THIS CODE OR ANY OTHER  
28           APPLICABLE LAW, THE BUILDING OFFICIAL MUST REJECT THE APPLICATION IN WRITING, STATING  
29           THE REASONS FOR THE REJECTION. IF THE BUILDING OFFICIAL IS SATISFIED THAT THE APPLICATION  
30           AND THE PROPOSED WORK CONFORM TO THE REQUIREMENTS OF THIS CODE AND ALL OTHER  
31           APPLICABLE LAWS, THE BUILDING OFFICIAL MUST ISSUE THE PERMIT AS SOON AS PRACTICABLE.

32           **105.3.2 ACTION ON APPLICATION – TRAFFIC-IMPACT STUDY.**

33           **105.3.2.1 “GROSS FLOOR AREA” DEFINED.** IN THIS § 105.3.2, “GROSS FLOOR AREA” MEANS  
34           THE AREA SPECIFIED IN § 1-304 OF THE BALTIMORE CITY ZONING CODE.

35           **105.3.2.2 REFERRAL TO DOT.** WITHIN 15 BUSINESS DAYS OF RECEIVING A COMPLETED  
36           APPLICATION, THE BUILDING OFFICIAL MUST REFER THE APPLICATION AND ALL  
37           ACCOMPANYING DOCUMENTS TO THE DIRECTOR OF TRANSPORTATION IF:

- 38           1. THE PROPOSED WORK INVOLVES 15,000 SQ. FT. OR MORE OF GROSS FLOOR AREA; AND

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- 1                   2. A TRAFFIC-IMPACT STUDY FOR THE PROPOSED WORK HAS NOT ALREADY BEEN  
2                   UNDERTAKEN IN ACCORDANCE WITH THE BALTIMORE CITY ZONING CODE.

3                   **105.3.2.3 STUDY CRITERIA.** A TRAFFIC-IMPACT STUDY IS REQUIRED IF THE PROPOSED WORK  
4                   INVOLVES ANY 1 OF THE FOLLOWING:

- 5                   1. AN IMPACT AREA, AS DETERMINED BY THE DEPARTMENT OF TRANSPORTATION, THAT  
6                   INCLUDES AN INTERSECTION PERFORMING AT LEVEL OF SERVICE D OR WORSE, OR  
7                   2. 100 OR MORE DWELLING UNITS, OR  
8                   3. A GROSS FLOOR AREA THAT EQUALS OR EXCEEDS:  
9                   A. FOR A WAREHOUSE USE, 150,000 SQ. FT., OR  
10                  B. FOR ANY OTHER USE, 50,000 SQ. FT.

11                  **105.3.2.4 DoT INITIAL DETERMINATION.** WITHIN 20 BUSINESS DAYS OF THE REFERRAL OF  
12                  AN APPLICATION, THE DIRECTOR OF TRANSPORTATION MUST REVIEW THE APPLICATION AND  
13                  NOTIFY THE BUILDING OFFICIAL AND THE APPLICANT:

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

21                  **105.3.2.5 HOW CONDUCTED.**

22                  **105.3.2.5.1 BY DoT OR CONSULTANT.** THE DEPARTMENT OF TRANSPORTATION MAY  
23                  ITSELF UNDERTAKE THE STUDY OR CONTRACT WITH INDEPENDENT CONSULTANTS FOR THE  
24                  STUDY, AS THE DIRECTOR OF TRANSPORTATION CONSIDERS NECESSARY OR APPROPRIATE.

25                  **105.3.2.5.2 SCOPE OF STUDY.** THE AREA AND SCOPE OF EACH STUDY IS TO BE  
26                  DETERMINED BY THE DEPARTMENT OF TRANSPORTATION.

27                  **105.3.2.6 EXPENSES.** ALL REASONABLE EXPENSES INCURRED IN UNDERTAKING OR  
28                  CONTRACTING FOR THE STUDY MUST BE PAID BY THE APPLICANT, AS AN ADDITIONAL SERVICE  
29                  CHARGE FOR THE PERMIT, TO BE IMPOSED AND COLLECTED AS PROVIDED IN § 109 OF THIS CODE  
30                  FOR FEES AND SERVICE CHARGES.

31                  **105.3.2.6.1 INITIAL PAYMENT.** BEFORE THE STUDY BEGINS, THE APPLICANT MUST PAY AN  
32                  AMOUNT EQUAL TO 50% OF THE EXPENSES ESTIMATED UNDER § 105.3.2.4.

33                  **105.3.2.6.2 BALANCE.** AFTER THE STUDY IS COMPLETED, BUT BEFORE ANY PERMIT MAY  
34                  BE ISSUED, THE APPLICANT MUST PAY THE DIFFERENCE BETWEEN THE AMOUNT PAID AND  
35                  THE ACTUAL EXPENSES INCURRED FOR THE STUDY.

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1           **105.3.2.7 APPLICANT’S OPTION ON DELAY.** IF THE TRAFFIC-IMPACT STUDY IS NOT  
2 COMPLETED WITHIN 60 BUSINESS DAYS AFTER THE INITIAL PAYMENT IS MADE UNDER  
3 § 105.3.2.6.1, THE APPLICANT MAY PROCEED TO CONTRACT FOR THE TRAFFIC-IMPACT STUDY  
4 WITH A CONSULTANT SELECTED FROM A LIST OF CONSULTANTS APPROVED BY THE  
5 DEPARTMENT OF TRANSPORTATION.

6           **105.3.2.8 MITIGATION.** THE APPLICANT MUST NEGOTIATE IN GOOD FAITH WITH THE  
7 DEPARTMENT OF TRANSPORTATION TO DETERMINE WHO MUST PAY FOR AND UNDERTAKE THE  
8 ACTIONS NECESSARY OR APPROPRIATE TO MITIGATE THE ADVERSE TRAFFIC IMPACTS  
9 IDENTIFIED IN THE TRAFFIC-IMPACT STUDY. IF NO AGREEMENT IS REACHED, THE APPLICATION  
10 IS NOT APPROVED.

### 11           **105.3.2.9 DoT RULES AND REGULATIONS.**

12           **105.3.2.9.1 IN GENERAL.** THE DEPARTMENT OF TRANSPORTATION MAY ADOPT RULES  
13 AND REGULATIONS TO CARRY OUT THIS § 105.3.2.

14           **105.3.2.9.2 FILING.** A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS  
15 § 105.3.2. MUST BE FILED WITH:

- 16                   1. THE BUILDING OFFICIAL,
- 17                   2. THE ZONING ADMINISTRATOR,
- 18                   3. THE BOARD OF MUNICIPAL AND ZONING APPEALS, AND
- 19                   4. THE DEPARTMENT OF LEGISLATIVE REFERENCE.

### 20           **105.3.3 TIME LIMITATION OF APPLICATION. {As in IBC § 105.3.2}**

21           **105.3.4 BOND FOR EXTERIOR REMOVAL OF FORMSTONE, PAINT, ETC.** AN APPLICATION FOR A  
22 PERMIT TO REMOVE FORMSTONE, PAINT, OR OTHER MATERIAL FROM EXTERIOR SURFACES MUST BE  
23 ACCOMPANIED BY EVIDENCE SATISFACTORY TO THE BUILDING OFFICIAL THAT THE APPLICANT HAS  
24 OBTAINED A BOND TO COVER THE CITY’S EXPENSE IN THE EVENT OF A SPILL OR FAILURE TO  
25 PROPERLY DISPOSE OF HAZARDOUS WASTE. THE BOND MUST BE IN AN AMOUNT OF AT LEAST  
26 \$5,000.

### 27           **105.4 VALIDITY OF PERMIT. {As in IBC}**

28           **105.5 EXPIRATION; EXTENSION.** UNLESS AN EXTENSION IS GRANTED, EVERY PERMIT EXPIRES AND  
29 BECOMES INVALID ON THE EXPIRATION DATE SPECIFIED ON THE PERMIT OR, IF EARLIER, AS PROVIDED  
30 IN THIS § 105.5.

31           **105.5.1 EXPIRATION – GENERAL.** EXCEPT AS SPECIFIED IN § 105.5.2, A PERMIT EXPIRES IF:

- 32                   1. THE WORK AUTHORIZED BY THE PERMIT IS NOT BEGUN ON THE SITE WITHIN 180 DAYS  
33                   AFTER THE PERMIT IS ISSUED, OR
- 34                   2. THE WORK AUTHORIZED BY THE PERMIT IS ABANDONED OR SUSPENDED ON THE SITE FOR  
35                   180 DAYS OR MORE.

36           **105.5.2 EXPIRATION – CONDEMNATION, DEMOLITION.** A PERMIT ISSUED TO COMPLY WITH A  
37 CONDEMNATION NOTICE SERVED UNDER § 123 OF THIS CODE OR TO COMPLY WITH A DEMOLITION  
38 ORDER ISSUED UNDER § 116 OF THIS CODE EXPIRES IF:



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- 1           1. THE WORK AUTHORIZED BY THE PERMIT IS NOT BEGUN ON THE SITE WITHIN 30 DAYS AFTER  
2           THE PERMIT IS ISSUED, OR
- 3           2. THE WORK AUTHORIZED BY THE PERMIT IS NOT COMPLETED WITHIN 90 DAYS AFTER THE  
4           PERMIT IS ISSUED.

5           **105.5.4 EXTENSIONS – GENERAL.** ON A TIMELY WRITTEN APPLICATION AND FOR JUSTIFIABLE  
6           CAUSE DEMONSTRATED, THE BUILDING OFFICIAL MAY GRANT 1 OR MORE EXTENSIONS. EXCEPT AS  
7           SPECIFIED IN § 105.5.5:

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

11          **105.5.5 EXTENSIONS – CONDEMNATION, DEMOLITION.** FOR A PERMIT ISSUED TO COMPLY WITH  
12          A CONDEMNATION NOTICE OR A DEMOLITION ORDER:

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

15          **105.5.6 COMPLIANCE WITH VIOLATION NOTICE OR ORDER.** THE EXPIRATION DATE OF A PERMIT  
16          DOES NOT IN ANY WAY EXTEND THE TIME REQUIRED TO COMPLY WITH A VIOLATION NOTICE OR  
17          ORDER.

18          **105.6 SUSPENSION OR REVOCATION.** THE BUILDING OFFICIAL MAY SUSPEND OR REVOKE A PERMIT  
19          ISSUED UNDER THIS CODE IF:

- 20          1. THE WORK IS BEING DONE IN VIOLATION OF THE PERMIT, OF THIS CODE, OR OF ANY OTHER  
21          APPLICABLE LAW OR REGULATION, OR
- 22          2. THE PERMIT WAS ISSUED:
  - 23              A. IN ERROR OR ON THE BASIS OF INCORRECT, INACCURATE, OR INCOMPLETE  
24              INFORMATION, OR
  - 25              B. IN VIOLATION OF THIS CODE OR OF ANY OTHER LAW OR REGULATION.

26          **105.7 PLACEMENT OF PERMIT. {As in IBC}**

27          **105.8 SEPARATE STRUCTURES.** WHENEVER WORK IS BEING DONE ON TWO OR MORE INDEPENDENT  
28          STRUCTURES ON THE SAME PROPERTY, A SEPARATE PERMIT IS REQUIRED FOR EACH INDEPENDENT  
29          STRUCTURE.

30          **105.9 SPECIAL REQUIREMENTS FOR DEMOLITION OR MOVING.**

31          **105.9.1 PRE-PERMIT REQUIREMENTS.** A PERMIT MAY NOT BE GRANTED FOR DEMOLISHING OR  
32          MOVING A STRUCTURE UNLESS THE APPLICANT COMPLIES WITH THE FOLLOWING.

33              **105.9.1.1 INSPECTOR CONSULTATION.** THE APPLICANT MUST HAVE ATTENDED AN ON-SITE,  
34              PRE-DEMOLITION OR PRE-MOVING INSPECTOR CONSULTATION TO DISCUSS AND CONFIRM:

- 35              1. APPROPRIATE HOSING/WETTING REQUIREMENTS AND PROCEDURES,

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- 1                   2. NOTIFICATION REQUIREMENTS, AND
- 2                   3. ANY OTHER MATTERS THE BUILDING OFFICIAL REQUIRES.

3                   **105.9.1.2 WRITTEN NOTICE TO ADJOINING OWNERS, ETC.** THE APPLICANT MUST HAVE  
4 GIVEN WRITTEN NOTICE TO:

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

9                   **105.9.1.2.1 CONTENTS OF NOTICE.** THE WRITTEN NOTICE MUST:

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

14                   **105.9.2 PRE-DEMOLITION, MOVING REQUIREMENTS.** BEFORE BEGINNING ANY DEMOLITION OR  
15 MOVING OPERATIONS, THE PERMIT HOLDER MUST COMPLY WITH THE FOLLOWING.

16                   **105.9.2.1 POSTED NOTICE.** PUBLIC NOTICE OF THE DEMOLITION OR MOVING MUST BE POSTED  
17 ON THE PREMISES AT LEAST 5 DAYS BEFORE THE SCHEDULED ACTION, BUT NOT MORE THAN 10  
18 DAYS BEFORE THE SCHEDULED ACTION.

19                   **105.9.2.1.1 SIGN REQUISITES.** THE SIGN MUST BE:

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

27                   **105.9.2.1.2 PROOF OF POSTING.** THE PERMIT HOLDER MUST SUBMIT TO THE BUILDING  
28 OFFICIAL PHOTOGRAPHIC EVIDENCE OF THE POSTING REQUIRED BY THIS SECTION.

29                   **105.9.3 INSPECTOR PRESENCE.** AT LEAST 24 HOURS BEFORE BEGINNING THE DEMOLITION OR  
30 MOVING OPERATIONS, THE CONTRACTOR MUST CONTACT THE BUILDING OFFICIAL TO SCHEDULE  
31 THE PRESENCE OF AN INSPECTOR.

32                   **105.9.4 FAILURE TO COMPLY.** FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS § 105.9  
33 MAY RESULT IN REVOCATION OF THE PERMIT.

34                   **105.10 REQUIRED CORRECTIONS.** THE ISSUANCE OF A PERMIT DOES NOT PREVENT THE BUILDING  
35 OFFICIAL FROM LATER REQUIRING THE CORRECTION OF ERRORS IN ANY PLANS, DRAWINGS, WORK, OR  
36 OPERATIONS.

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1       **105.11 TO 105.12 {RESERVED}**

2       **105.13 INSPECTION REGISTRATION PERMITS.** AN INSPECTION REGISTRATION PERMIT ISSUED BY THE  
3 BUILDING OFFICIAL IS REQUIRED BEFORE ANY PERSON MAY USE ANY LAND OR STRUCTURE FOR:

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

8       **SECTION 106 FLOOR AND ROOF DESIGN LOADS {AS IN IBC}**

9       **SECTION 107 SUBMITTAL DOCUMENTS**

10       **107.1 GENERAL. {AS IN IBC}**

11       **107.2 SITE PLAN.** THE CONSTRUCTION DOCUMENTS SUBMITTED WITH THE APPLICATION FOR PERMIT  
12 MUST BE ACCOMPANIED BY A SITE PLAN.

13       **107.2.1 GENERAL REQUIREMENTS.** THE SITE PLAN MUST:

- 14           1. SHOW TO SCALE THE SIZE AND LOCATION OF NEW CONSTRUCTION AND EXISTING  
15           STRUCTURES ON THE SITE, DISTANCES FROM LOT LINES, THE ESTABLISHED STREET GRADES,  
16           AND THE PROPOSED FINISHED GRADES,
- 17           2. SHOW, AS APPLICABLE, FLOOD HAZARD AREAS, FLOODWAYS, AND DESIGN FLOOD  
18           ELEVATIONS,
- 19           3. BE DRAWN IN ACCORDANCE WITH AN ACCURATE BOUNDARY LINE SURVEY, AND  
20
- 21           4. COMPORT WITH ALL OTHER REQUIREMENTS OF THIS SECTION.

22       **107.2.2 DEMOLITION.** IN THE CASE OF DEMOLITION, THE SITE PLAN MUST SHOW CONSTRUCTION  
23 TO BE DEMOLISHED AND THE LOCATION AND SIZE OF EXISTING STRUCTURES AND CONSTRUCTION  
24 THAT ARE TO REMAIN ON THE SITE.

25       **107.2.3 SPECIFICATIONS, PHOTOGRAPHS, ADDITIONAL INFORMATION.** THE SITE PLAN MUST:

- 26           1. BE DRAWN IN ACCORDANCE WITH THE SPECIFICATIONS REQUIRED BY RULES OR  
27           REGULATIONS ADOPTED BY THE BUILDING OFFICIAL IN CONSULTATION WITH THE  
28           DIRECTOR OF PUBLIC WORKS, AND
- 29           2. CONTAIN ANY ADDITIONAL INFORMATION REQUIRED BY THOSE RULES OR REGULATIONS.

30       **107.2.4 WAIVER OR MODIFICATION.** THE BUILDING OFFICIAL MAY WAIVE OR MODIFY THE  
31 REQUIREMENT FOR A SITE PLAN IF THE APPLICATION IS FOR ALTERATION OR REPAIR OR IF  
32 OTHERWISE WARRANTED.

33       **107.3 EXAMINATION OF DOCUMENTS. {AS IN IBC}**

34       **107.4 AMENDED CONSTRUCTION DOCUMENTS. {AS IN IBC}**

35       **107.5 RETENTION OF CONSTRUCTION DOCUMENTS. {AS IN IBC}**

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### SECTION 108 TEMPORARY STRUCTURES AND USES

**108.1 IN GENERAL.** *{AS IN IBC}*

**108.2 CONFORMANCE.** *{AS IN IBC}*

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

**108.4 TERMINATION OF APPROVAL.** *{AS IN IBC}*

### SECTION 109 FEES

**109.1 PERMIT FEES.** A PERMIT FOR CONSTRUCTION, ALTERATION, DEMOLITION, MOVING, OR OTHER BUILDING OPERATION IS NOT VALID UNLESS THE FEES PRESCRIBED IN THIS CODE HAVE BEEN PAID, NOR IS ANY AMENDMENT OR EXTENSION TO A PERMIT VALID UNLESS THE PRESCRIBED ADDITIONAL FEE HAS BEEN PAID. PAYMENT MUST BE MADE BEFORE ISSUANCE OF THE PERMIT, AMENDMENT, OR EXTENSION.

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

**109.3 MINIMUM FEES AND SERVICE CHARGES.** FEES OR SERVICE CHARGES FOR THE VARIOUS PERMITS, CERTIFICATES, INSPECTIONS, TESTS, OR OTHER SERVICES PROVIDED UNDER THIS CODE ARE AS SPECIFIED IN THIS § 109. UNLESS OTHERWISE SPECIFIED, THE MINIMUM FEE OR SERVICE CHARGE IS \$25. ALL FEES ARE TO BE ROUNDED TO THE NEAREST DOLLAR.

#### **109.4 REFUNDS; CREDITS.**

**109.4.1 REFUNDS.** NO FEE OR OTHER SERVICE CHARGE PAID FOR ANY APPLICATION, PERMIT, CERTIFICATE, INSPECTION, TEST, OR OTHER SERVICE MAY BE REFUNDED, IN WHOLE OR IN PART, EXCEPT AS PROVIDED IN THIS § 109.4.1. IF NO WORK HAS BEEN DONE NOR ANY PRIVILEGE ENJOYED UNDER A PERMIT, CERTIFICATE, INSPECTION, TEST, OR OTHER SERVICE, A REFUND MAY BE GRANTED OF NOT MORE THAN 50% OF THE FEE OR SERVICE CHARGE PAID. IN NO EVENT, HOWEVER, MAY ANY REFUND BE GRANTED ON ANY FEE OR CHARGE OF LESS THAN \$1,000.

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

1. APPLY UNDER § 109.4.1, 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.

#### **109.5 SERVICE CHARGES.**

**109.5.1 DUPLICATE OR ADDITIONAL DOCUMENTS.** THE CHARGES FOR COPIES OR DUPLICATES OF PERMITS, CERTIFICATES, AND OTHER DOCUMENTS ARE:



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1	OVER 1,000 SQ. FT. TO 5,000 SQ. FT.	\$250
2	OVER 5,000 SQ. FT.	\$500

3 **109.5.5 PRELIMINARY PROJECT REVIEW.** FOR A “PRELIMINARY REVIEW” OF A PROPOSED  
4 PROJECT, THE CHARGE IS \$50 FOR EACH HALF HOUR.

5 **109.5.6 REVISED DRAWINGS.** FOR REVISED DRAWINGS, THE CHARGE IS \$10 FOR EACH SHEET  
6 SUBMITTED, WITH A MINIMUM CHARGE OF \$25.

7 **109.5.7 APPLICATION FEE.** BEFORE AN APPLICATION FOR ANY PERMIT OR CERTIFICATE IS  
8 PROCESSED, THE APPLICANT MUST PAY A NONREFUNDABLE APPLICATION FEE AS FOLLOWS:

9	1. 1- AND 2-FAMILY DWELLINGS	\$25
10	2. ALL OTHERS	\$50

11 **109.5.8 INSPECTION FEES.**

12 **109.5.8.1 OVERTIME FEE.** FOR EACH INSPECTION OR REINSPECTION THAT, AT THE REQUEST  
13 OF THE OWNER OR OWNER’S AGENT, IS MADE OUTSIDE NORMAL WORKING HOURS, A CHARGE IS  
14 IMPOSED AT THE RATE OF \$50 AN HOUR FOR EACH INSPECTOR, WITH A MINIMUM CHARGE,  
15 PAYABLE IN ADVANCE, OF \$200 FOR EACH INSPECTOR.

16 **109.5.8.2 REINSPECTION FEE.** IF THE OWNER OR OWNER’S AGENT SCHEDULES AN INSPECTION  
17 AND, FOR ANY REASON, A REINSPECTION OF THE SAME WORK IS REQUIRED, THE CHARGE,  
18 PAYABLE IN ADVANCE, IS AS FOLLOWS:

- 19 1. \$35 FOR A 1<sup>ST</sup> REINSPECTION,
- 20 2. \$50 FOR A 2<sup>ND</sup> REINSPECTION, AND
- 21 3. \$100 FOR A 3<sup>RD</sup> AND EVERY SUBSEQUENT REINSPECTION.

22 **109.5.9 PENALTY SURCHARGE.** A SURCHARGE MAY BE ASSESSED ON ANY PERMIT THAT IS ISSUED  
23 FOR WORK BEGUN OR COMPLETED:

- 24 1. WITHOUT A PERMIT,
- 25 2. BEYOND THE SCOPE OF A PERMIT OR IN A MANNER INCONSISTENT WITH PLANS OR  
26 DRAWINGS APPROVED AS PART OF A PERMIT APPLICATION, OR
- 27 3. DURING THE SUSPENSION OR AFTER THE REVOCATION OF A PERMIT FOR THAT WORK.

28 **109.5.9.1 AMOUNT – IN GENERAL.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 109.5.9, THE  
29 AMOUNT OF THE SURCHARGE IS THE GREATER OF \$1,000 OR 50% OF THE PERMIT FEE.

30 **109.5.9.2 AMOUNT – DEMOLITION WORK.** FOR DEMOLITION WORK DONE WITHOUT THE  
31 PROPER PERMIT OR IN VIOLATION OF THE TERMS OF A PERMIT, THE SURCHARGE IS 15¢ FOR  
32 EACH CUBIC FOOT OF THE STRUCTURE BEFORE THE DEMOLITION.

33 **109.5.9.3 REDUCTIONS.** THE BUILDING OFFICIAL MAY REDUCE THE AMOUNT OF A  
34 SURCHARGE IMPOSED BY THIS § 109.5.9:

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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.

**109.5.9.4 SURCHARGE IN ADDITION TO OTHER FINES, ETC.** A SURCHARGE IMPOSED BY THIS § 109.5.9 IS IN ADDITION TO ANY OTHER FINE OR PENALTY IMPOSED UNDER THIS CODE OR ANY OTHER LAW OR REGULATION.

**109.5.9.5 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.

**109.5.9.5.1 VIOLATION.** A CONTRACTOR WHO VIOLATES § 109.5.9.5(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.

**109.5.10 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.

### 109.6 FEE SCHEDULES.

#### 109.6.1 PERMIT FEES FOR CONSTRUCTION WORK.

##### A. NEW BUILDINGS AND ADDITIONS.

##### 2. 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	\$150
ADDITIONS	\$75

##### 3. 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	\$250
ADDITIONS	\$150

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**B. STRUCTURES ACCESSORY TO A PRINCIPAL OCCUPANCY.**

EACH STRUCTURE OF 100 SQUARE FEET (9.29 SQ. M.) OR LESS OF GROSS FLOOR AREA	\$25
EACH STRUCTURE OVER 100 SQUARE FEET (9.29 SQ. M.) OF GROSSFLOOR AREA	\$50

**C. ALTERATIONS AND REPAIRS.**

**1. 1- AND 2-FAMILY DWELLINGS**

\$0.30 PER SQUARE FOOT OR FRACTION OF A SQUARE FOOT OF AFFECTED GROSS FLOOR AREA	
MINIMUM	\$50

EXCEPTION: FOR THE FOLLOWING, THE FEE IS \$10 FOR EACH \$1,000 OR FRACTION OF \$1,000 ESTIMATED COST, SUBJECT TO A MINIMUM FEE OF \$50 –

ALTERATIONS LIMITED TO THE EXTERIOR.

ALTERATIONS LIMITED TO THE INSTALLATION OF INTERIOR DOORS WHEN NO OTHER WORK IS CONTEMPLATED ON THE PERMIT.

**2. ALL OTHERS**

\$0.35 PER SQUARE FOOT OR FRACTION OF A SQUARE FOOT OF AFFECTED GROSS FLOOR AREA	
MINIMUM	\$150

EXCEPTION: FOR THE FOLLOWING TYPES OF WORK, THE FEE IS \$12 FOR EACH \$1,000 OR FRACTION OF \$1,000 ESTIMATED COST, WITH A MINIMUM FEE OF \$150 –

ALTERATIONS LIMITED TO THE EXTERIOR.

ALTERATIONS LIMITED TO THE INSTALLATION OF INTERIOR DOORS WHEN NO OTHER WORK IS CONTEMPLATED ON THE PERMIT.

ALTERATIONS LIMITED TO CONSTRUCTION OF NEW-TENANT DEMISING WALL.

ALTERATIONS LIMITED TO CREATION OF NEW-TENANT SHELL SPACE.

**D. INTERIOR ONLY DEMOLITION.**

\$0.02 PER SQUARE FOOT OR FRACTION OF A SQUARE FOOT OF AFFECTED GROSS FLOOR AREA	
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MINIMUMS –	
1- AND 2-FAMILY DWELLINGS	\$25
ALL OTHERS	\$100



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**E. CHIMNEYS, STACKS, TOWERS.**

0 TO 50 FEET (15.24 M) HIGH	\$35
OVER 50 FEET (15.24 M) TO 100 FEET (30.48 M) HIGH	\$50
OVER 100 FEET (30.48 M) HIGH	\$75

**F. RETAINING WALLS.**

\$10 FOR EACH 100 SQUARE FEET (9.29 SQ. M.) OR FRACTION OF 100 SQUARE FEET (9.29 SQ. M.) OF AREA ABOVE FOOTING.

**G. FENCES.**

\$10 FOR EACH 100 LINEAR FEET (30.38 M) OR FRACTION OF 100 LINEAR FEET (30.38 M).

**H. GRADING (EXCAVATING OR FILLING).**

0 TO 5,000 CU. YD. (3822.77 CU. M.)	\$35
OVER 5,000 CU. YD. (3822.77 CU. M.) TO 50,000 CU. YD. (38,227.74 CU. M.)	\$50
OVER 50,000 CU. YD. (38,227.74 CU. M.)	\$75

**I. PAVING OR SURFACING.**

0 TO 1,000 SQ. FT. (92.90 SQ. M.)	\$25
OVER 1,000 SQ. FT. (92.90 SQ. M.) TO 10,000 SQ. FT. (929.03 SQ. M.)	\$35
OVER 10,000 SQ. FT. (929.03 SQ. M.) TO 50,000 SQ. FT. (4645.15 SQ. M.)	\$60
OVER 50,000 SQ. FT. (4645.15 SQ. M.)	\$85

**J. ERECTING, PLACING, HANGING, OR RECONSTRUCTING SIGNS.**

0 TO 10 SQ. FT. (0.929 SQ. M.)	\$25
OVER 10 SQ. FT. (0.929 SQ. M.) TO 150 SQ. FT. (13.94 SQ. M.)	\$35
OVER 150 SQ. FT. (13.94 SQ. M.) TO 200 SQ. FT. (18.58 SQ. M.)	\$60
OVER 200 SQ. FT. (18.58 SQ. M.) TO 500 SQ. FT. (46.45 SQ. M.)	\$150
OVER 500 SQ. FT. (46.45 SQ. M.)	\$250

**K. INSTALLING ON-PREMISES ADVERTISING SIGNS.**

FOR ERECTING, PLACING, HANGING, OR RECONSTRUCTING ANY CONSOLIDATED AREA OF SIGNAGE, AS DESCRIBED IN § 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 J AND K ARE BASED ON THE GROSS SQUARE FEET AREA OF THE SIGN FACE OR FACES. NO FEE IS CHARGED FOR SIGNS LESS THAN 100 SQUARE FEET (9.29 SQ. M.) AND USED EXCLUSIVELY FOR ADVERTISING THE SALE OR LEASE OF THE PROPERTY ON WHICH THEY ARE POSTED.

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

**L. DEMOLITION (OTHER THAN INTERIOR ONLY).**

1- AND 2-FAMILY DWELLINGS	\$0.03 PER CUBIC FOOT VOLUME OF STRUCTURE
MINIMUM	\$300

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1	ALL OTHERS	\$0.075 PER CUBIC
2		FOOT VOLUME OF STRUCTURE
3	MINIMUM	\$600
4	ACCESSORY STRUCTURES	\$50 EACH
5	MAXIMUM	\$5,000 PER STRUCTURE
6	<b>M. TEMPORARY STRUCTURES.</b>	
7		
8	FOR EACH TEMPORARY STRUCTURE, THE FEE IS \$20 A YEAR FOR EACH 500 SQUARE FEET OR	
9	FRACTION OF 500 SQUARE FEET OF GROSS FLOOR AREA.	
10	MINIMUM	\$35
11	MAXIMUM	\$800
12	<b>N. MOVING BUILDINGS.</b>	
13	\$50 EACH	
14	<b>O. SWIMMING POOLS.</b>	
15	1- AND 2-FAMILY DWELLINGS	\$50
16	ALL OTHERS	\$250
17	<b>P. OCCUPANCY PERMIT (INCLUDING ANY ACCOMPANYING USE PERMIT ISSUED</b>	
18	<b>UNDER ZONING CODE).</b>	
19	FOR EACH USE IN EACH BUILDING OR PART OF A BUILDING	\$45
20	<b>Q. SEDIMENT AND EROSION CONTROL.</b>	
21	SEDIMENT AND EROSION CONTROL PERMIT AND REVIEW FEES WILL BE ASSESSED BY	
22	THE DEPARTMENT OF PUBLIC WORKS IN ACCORDANCE WITH THE FEE SCHEDULE	
23	ESTABLISHED FROM TIME TO TIME BY THE BOARD OF ESTIMATES.	
24	<b>R. DPW REVIEW CHARGES.</b>	
25	A FEE OF \$100 WILL BE CHARGED FOR REVIEW BY THE DEPARTMENT OF PUBLIC WORKS OF	
26	EACH APPLICATION FOR A BUILDING PERMIT. ADDITIONAL FEES FOR CONSULTATION	
27	MEETINGS WITH THE APPLICANT WILL BE CHARGED AT THE RATE OF \$50 FOR EACH HALF	
28	HOUR.	
29	<b>109.6.2 PERMIT FEES FOR ELECTRICAL WORK.</b>	
30	<b>A. ELECTRICAL SERVICE WIRING AND EQUIPMENT TO BE INSTALLED, REPLACED, OR</b>	
31	<b>RELOCATED, INCLUDING PROVISION FOR CONNECTION OF METER.</b>	
32	<b>1. RATING IN AMPERES</b>	
33	0 TO 100	\$25
34	OVER 100 TO 200	\$30
35	OVER 200 TO 400	\$40
36	OVER 400 TO 800	\$60
37	OVER 800 TO 1,000	\$100

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1	OVER 1,000 TO 2,000	\$150
2	OVER 2,000	\$200
3	FOR SERVICES OVER 600 VOLTS, ADD \$100.	
4	<b>2. INSTALLING CONDUITS AND DUCT BANKS ONLY</b>	
5	OVER 0 TO 200 FEET	\$25
6	OVER 200 TO 1,000 FEET	\$50
7	OVER 1,000 FEET	\$100
8	<b>3. SUB FEEDERS FOR ADDITIONAL METERS ONLY</b>	
9	0 TO 200 AMPERES	\$30
10	OVER 200 TO 400 AMPERES	\$40
11	OVER 400 TO 800 AMPERES	\$60
12	OVER 800 TO 1,000 AMPERES	\$100
13	OVER 1,000 TO 2,000 AMPERES	\$150
14	OVER 2,000 AMPERES	\$200
15	<b>4. PHOTOVOLTAIC SYSTEM</b>	
16	1 TO 6 PHOTOVOLTAIC PANELS	\$50
17	EACH ADDITIONAL PANEL	\$6
18	<b>B. ELECTRICAL WIRING FOR NEW BRANCH CIRCUITS, FEEDERS, AND EXTENSIONS TO</b>	
19	<b>OR REPLACEMENTS OF BRANCH CIRCUITS.</b>	
20	FOR EACH CIRCUIT	\$6
21	A 3-WIRE OR 4-WIRE BRANCH CIRCUIT SERVING SINGLE PHASE LOADS IS CONSIDERED TO BE	
22	A 2- OR 3-BRANCH CIRCUIT RESPECTIVELY.	
23	A 3-WIRE BRANCH CIRCUIT SERVING ONLY 3-PHASE LOADS OR SERVING A SINGLE	
24	APPLIANCE IS CONSIDERED TO BE A 1-BRANCH CIRCUIT.	
25	<b>C. FIXTURES OR DEVICES ONLY.</b>	
26	FOR INSTALLING ELECTRICAL FIXTURES OR DEVICES ONLY:	
27	1 TO 25 FIXTURES	\$25
28	\$5 FOR EACH ADDITIONAL 25 OR FRACTION OF 25 FIXTURES OR DEVICES.	
29	<b>D. TEMPORARY ELECTRICAL WIRING.</b>	
30	<b>1. FOR BAZAARS, CINEMA SHOWS, DANCES, DISPLAYS, EXHIBITIONS, FAIRS, PLAYS,</b>	
31	<b>RUMMAGE SALES, SPORTING EVENTS, SUPPERS, AND OTHER SIMILAR ASSEMBLIES.</b>	
32	\$20 FOR EACH 5 KILOWATTS OR FRACTION OF 5 KILOWATTS OF FEEDER CAPACITY	
33	SUPPLYING THE WIRING.	
34	THE FEE IS REDUCED 50% IF THE NET PROCEEDS FROM THE EVENT ARE TO BE USED	
35	EXCLUSIVELY FOR A CHARITABLE OR RELIGIOUS ORGANIZATION.	

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**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
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**G. LOW VOLTAGE \ WIRING.**

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

**H. TELECOMMUNICATIONS.**

POWER SUPPLY FOR INTEGRATED SYSTEMS

UP TO 50KW	\$150
OVER 50KW	\$2 PER ADDITIONAL 10KW OR FRACTION OF 10KW
MAXIMUM	\$500

COMMUNICATION HOTELS

PER RACK	\$10
MAXIMUM	\$300

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1	TELECOMMUNICATIONS ANTENNAS	
2	1 TO 5 ANTENNAS	\$25
3	OVER 5	\$5 PER ADDITIONAL
4		ANTENNA
5	GROUNDING AND BONDING	\$25
6		
7	<b>I. INSTALLING ELECTRICAL TRANSFORMERS ONLY.</b>	
8	1 TO 10 KVA	\$25
9	OVER 10 TO 50 KVA	\$35
10	OVER 50 TO 100 KVA	\$75
11	OVER 100 KVA	\$100
12	<b>109.6.3 PERMIT FEES FOR MECHANICAL WORK.</b>	
13	<b>A. FUEL-BURNING EQUIPMENT AND APPLIANCES.</b>	
14	BTU PER HOUR INPUT PER UNIT	
15	0 TO 200,000	\$30
16	OVER 200,000 TO 500,000	\$45
17	OVER 500,000 TO 1,000,000	\$75
18	FOR EACH ADDITIONAL 1,000,000 OR FRACTION OF 1,000,000	\$75
19	MAXIMUM	\$300 PER UNIT
20	LAB TABLES:	\$5 PER OUTLET
21	FUEL OIL OR NATURAL GAS PIPING, NEW OR REPLACEMENT	
22	1- AND 2-FAMILY DWELLINGS	\$25
23	ALL OTHERS	\$50
24	REPLACEMENT OF UNITS SAME AS NEW	
25	<b>B. AIR CONDITIONING SYSTEMS.</b>	
26	COOLING TOWERS	\$150 PER UNIT
27	ALL OTHERS	\$5 A TON
28		(1 TON = 12,000 BTU PER HOUR)
29	MINIMUM	\$ 30
30	MAXIMUM	\$300 PER UNIT
31	<b>C. HYDRONIC AND STEAM-HEATING SYSTEMS.</b>	
32	NEW INSTALLATION OF BASEBOARD RADIATION	
33	1- AND 2-FAMILY DWELLINGS	\$25
34	ALL OTHERS	\$50
35	NEW INSTALLATION OF PIPING	
36	1- AND 2-FAMILY DWELLINGS	\$25
37	ALL OTHERS	\$50

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1	NEW INSTALLATION OF RADIATORS OR CONVECTORS	\$5 EACH
2	MINIMUM	\$30
3	GEOTHERMAL SYSTEM	\$50
4	REPLACEMENT OF UNIT SAME AS NEW	
5	<b>D. DISTRIBUTION SYSTEMS.</b>	
6	NEW INSTALLATION	
7	1- AND 2-FAMILY DWELLINGS	\$25 PER SYSTEM
8	ALL OTHER WORK	\$5 PER 1000 CFM
9	MINIMUM	\$30
10	MAXIMUM	\$300
11	RECONSTRUCTION OF EXISTING DISTRIBUTION SYSTEMS	
12	1 TO 25 DIFFUSERS	\$35
13	OVER 25 DIFFUSERS	\$50 PER 100
14		OR FRACTION OF 100
15	VAV OR MIXING BOXES	\$5 EACH
16	<b>E. EXHAUST SYSTEMS.</b>	
17	\$5 FOR EACH 1,000 CUBIC FEET (28.31 CU. M.) OF AIR PER MINUTE	
18	MINIMUM	\$30
19	MAXIMUM	\$300
20	<b>F. UNFIRED PRESSURE VESSELS.</b>	
21	\$50 EACH	
22	<b>G. TANKS FOR ALL LIQUIDS, INCLUDING PROPANE GAS CYLINDERS.</b>	
23	LP GAS CYLINDERS IN THE AGGREGATE OF 1,000 GALLONS (3,780 L) OR FRACTION OF	
24	1,000 GALLONS (3,780 L) ARE CONSIDERED 1 TANK.	
25	0 TO 1,000 GALLONS (3,780 L)	\$20 EACH
26	OVER 1,000 GALLONS (3,780 L) TO 10,000 GALLONS (37,800 L)	\$30 EACH
27	OVER 10,000 GALLONS (37,800 L)	\$30 PLUS \$10 PER 5,000 GALLONS
28		(18,900 L) OR FRACTION OVER
29		10,000 GALLONS (37,800 L);
30		MAXIMUM \$400
31	REMOVAL OF TANKS	\$35 PER TANK

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1	<b>H. PUMPS AND DISPENSERS.</b>	
2	FOR EACH HOSE OUTLET	\$10
3	MINIMUM	\$30
4		
5	<b>I. FIRE EXTINGUISHING SYSTEMS.</b>	
6	SPRINKLER SYSTEMS	
7	1 TO 25 HEADS	\$35
8	MORE THAN 25 HEADS	\$50 PER 100 HEADS OR
9		FRACTION OF 100 HEADS
10		
11	RELOCATE SPRINKLER HEADS	\$5 EACH
12	MINIMUM	\$30
13	MAXIMUM	\$100
14	REPLACE SPRINKLER HEADS ONLY	\$20
15	STANDPIPE RISERS	\$50 EACH
16	RELOCATE HOSE STATIONS	\$10 EACH
17	CHEMICAL SYSTEMS	\$50
18	<b>J. PLUMBING AND ON-SITE UTILITIES.</b>	
19	INSTALL, REPLACE, OR RECONSTRUCT PLUMBING FIXTURES	\$5 EACH
20	REMOVE PLUMBING FIXTURES ONLY	\$20
21	ELECTRICAL WATER HEATERS, NEW CONSTRUCTION OR REPLACEMENT	\$20 EACH
22	GREASE INTERCEPTORS	\$25 EACH
23	WATER SERVICE PIPE, NEW OR REPLACEMENT	
24	1-AND 2-FAMILY DWELLINGS	\$25
25	ALL OTHER WORK	\$50
26	SANITARY CONNECTION, NEW OR REPLACEMENT	
27	1- AND 2-FAMILY DWELLINGS	\$25
28	ALL OTHER WORK	\$50
29	STORM WATER CONNECTION, NEW OR REPLACEMENT	
30	1- AND 2-FAMILY DWELLINGS	\$25
31	ALL OTHER WORK	\$50
32	RECONSTRUCT WATER, SANITARY, OR STORM LINES ON PREMISES	\$20 PER UTILITY
33	CAP OFF WATER, SANITARY, OR STORM LINES ON PREMISES	\$50 PER UTILITY
34	ON-SITE UTILITIES (WATER, SANITARY, OR STORM WATER)	
35	NEW OR RECONSTRUCTION	\$50 PER UTILITY
36	MULTIPLE HOME SITE DEVELOPMENT	\$10 PER UTILITY

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1	PRIVATE DISPOSAL SYSTEMS, INCLUDING SEPTIC TANK, DRY WELL,	
2	OR DRAIN FIELDS	\$100, PLUS
3		\$5 PER PLUMBING FIXTURE
4	LAWN IRRIGATION SYSTEM	\$25
5	PRIVATE SWIMMING POOL WHEN CONNECTED TO A WATER AND SEWER LINE	\$30
6	BACKFLOW PREVENTION DEVICE	
7	INSTALLATION	
8	LESS THAN 2" DIAMETER	\$25 EACH
9	2" DIAMETER OR MORE	\$100 EACH
10	ANNUAL TESTING INSPECTION	\$30
11	<b>K. INSTALLING ELEVATORS, ESCALATORS, ETC.</b>	
12	INSTALLATION PER UNIT:	
13	PASSENGER, POWER FREIGHT, AND PARKING ELEVATORS	\$50, PLUS \$5 PER FLOOR
14	MAXIMUM	\$150
15	ESCALATORS	\$60
16	HAND OR GRAVITY ELEVATORS	\$35
17	STAGE OR ORCHESTRA CONSOLE ELEVATORS	\$50
18	PRIVATE RESIDENCE ELEVATORS OR INCLINED LIFTS	\$35
19	PERSON LIFTS	\$50
20	AUTOMOBILE SERVICE LIFTS	\$20
21	POWER DUMBWAITERS	\$35
22	HAND DUMBWAITERS	\$30
23	TEMPORARY MATERIAL HOISTS AND ELEVATORS	\$35
24	WORKERS' HOISTS	\$35, PLUS \$5 PER FLOOR
25	ALTERATIONS	\$50 PER ELEVATOR

26 **109.6.4 FEES FOR CERTIFICATES.**

27 **A. ELECTRICAL CERTIFICATES OF APPROVAL.**

- 28 1. \$10 EACH WHEN ISSUED AS PART OF ORIGINAL PERMIT.
- 29 2. \$20 EACH WHEN ISSUED SEPARATELY.

30 **B. MECHANICAL CERTIFICATES OF APPROVAL.**

- 31 1. \$10 EACH WHEN ISSUED AS PART OF ORIGINAL PERMIT.
- 32 2. \$20 EACH WHEN ISSUED SEPARATELY.

33 **C. CERTIFICATES OF COMPLETION OR OTHER.**

34 \$45 EACH

35 **109.6.5 FEES FOR INSPECTION REGISTRATION PERMITS. FOR INSPECTION REGISTRATION**  
36 **PERMITS, THE FEES ARE AS FOLLOWS:**



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1           **A. PUBLIC ASSEMBLIES – ANNUAL.**

2           FOR PUBLIC ASSEMBLIES, THE ANNUAL FEE IS:

3           0 TO 6,000 SQ. FT. (557.42 SQ. M.)	\$55
4           OVER 6,000 SQ. FT. (557.42 SQ. M.) TO 12,000 SQ. FT. (1114.84 SQ. M.)	\$60
5           OVER 12,000 SQ. FT. (1114.84 SQ. M.) TO 25,000 SQ. FT. (2322.58 SQ. M.)	\$75
6           OVER 25,000 SQ. FT. (2322.58 SQ. M.)	\$85

7           IF THE NET PROCEEDS FROM ANY OF THESE ASSEMBLIES ARE TO BE USED CONTINUOUSLY  
8           AND EXCLUSIVELY FOR A CHARITABLE OR RELIGIOUS ORGANIZATION, THE FEE IS REDUCED  
9           50%.

10           **B. PUBLIC ASSEMBLIES – SHORT TERM.**

11           FOR PUBLIC ASSEMBLIES FOR WHICH AN ANNUAL PERMIT HAS NOT BEEN OBTAINED,  
12           FEES ARE CHARGED AS FOLLOWS:

13           FOR EACH 10,000 SQUARE FEET (929.03 SQ. M.) OR FRACTION OF 10,000 SQUARE FEE  
14           (929.03 SQ. M.)

15           PURPOSE	1 DAY	1 WEEK
16           BAZAARS	\$20	\$ 60
17           CARNIVALS	\$35	\$ 95
18           CIRCUSES	\$60	\$200
19           DANCES	\$30	\$ 70
20           DISPLAYS	\$20	\$ 50
21           EXHIBITIONS	\$20	\$ 50
22           FAIRS	\$35	\$ 85
23           LECTURES	\$20	\$ 50
24           MOVIES OR VIDEOS	\$20	\$ 60
25           PLAYS	\$20	\$ 50
26           RUMMAGE SALES	\$20	\$ 50
27           SPORTING EVENTS	\$35	\$ 85
28           SUPPERS	\$20	\$ 50
29           OTHER ASSEMBLIES	\$20	\$ 50
30           AMUSEMENT DEVICES	\$30 EACH	–

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

33           **C. ROOF TANKS AND ROOF SIGNS.**

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

35           ROOF TANKS	\$20 EACH
36           ROOF SIGNS	
37           100 SQ. FT. (9.29 SQ. M.) TO 500 SQ. FT. (46.45 SQ. M.)	\$20
38           OVER 500 SQ. FT. (46.45 SQ. M.) TO 1,000 SQ. FT. (92.90 SQ. M.)	\$35
39           OVER 1,000 SQ. FT. (92.90 SQ. M.)	\$50

40           **109.6.6 FEES FOR MISCELLANEOUS WORK.** PERMIT FEES FOR MISCELLANEOUS WORK,  
41           OPERATIONS, AND OTHER PURPOSES, NOT ELSEWHERE PROVIDED FOR IN THIS CODE, ARE CHARGED  
42           AT THE RATE OF \$10 FOR EACH \$1,000 OR FRACTION OF \$1,000 OF ESTIMATED COST.

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1       **109.7 BUILDING CODE PERMIT TAX.** A TAX IS LEVIED AND IMPOSED ON EVERY ISSUANCE OF A  
2 PERMIT UNDER THIS CODE. THE AMOUNT OF THE TAX IS 5% OF THE FINAL COST OF THAT PERMIT  
3 ROUNDED UP TO THE NEAREST WHOLE DOLLAR. THE FUNDS SO COLLECTED ARE TO BE DEPOSITED TO  
4 THE GENERAL FUND AND ACCOUNTED FOR IN A REVENUE ACCOUNT ENTITLED “HOMELESS RELIEF  
5 ASSISTANCE”, WITH THE LEGISLATIVE INTENT THAT AN EQUIVALENT AMOUNT BE APPROPRIATED IN THE  
6 FUTURE FOR THE RELIEF OF THE HOMELESS.

### 7       **SECTION 110 INSPECTIONS** *{AS IN IBC}*

### 8       **SECTION 111 OCCUPANCY PERMIT; CERTIFICATE OF COMPLETION**

9       **111.1 TO 111.4** *{AS IN IBC. BUT NOTE: THE “CERTIFICATE OF OCCUPANCY” TO WHICH THE IBC REFERS*  
10 *IS KNOWN IN BALTIMORE CITY AS AN “OCCUPANCY PERMIT” .}*

11       **111.5 CERTIFICATE OF COMPLETION.** WITHIN 10 DAYS OF WRITTEN APPLICATION, THE BUILDING  
12 OFFICIAL WILL ISSUE A CERTIFICATE OF COMPLETION IF ALL WORK AUTHORIZED BY A BUILDING PERMIT  
13 HAS BEEN SATISFACTORILY COMPLETED IN COMPLIANCE WITH THIS CODE. THE CERTIFICATE CERTIFIES  
14 THE SATISFACTORY COMPLETION OF THE WORK AND THE PURPOSE FOR WHICH THE STRUCTURE MAY BE  
15 USED IN ITS SEVERAL PARTS.

16       **111.6 REVOCATION.** *{AS IN IBC § 110.5}*

### 17       **SECTION 112 SERVICE UTILITIES** *{AS IN IBC}*

### 18       **SECTION 113 BOARD OF APPEALS** *{NOT ADOPTED}*

### 19       **SECTION 114 VIOLATIONS**

20       **114.1 UNLAWFUL ACTS.** IT IS UNLAWFUL FOR ANY PERSON TO:

- 21           1. CONSTRUCT, ALTER, ADD TO, REPAIR, REHABILITATE, DEMOLISH, MOVE, LOCATE, USE, OCCUPY,  
22           OR MAINTAIN ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT REGULATED BY THIS CODE,  
23           CONTRARY TO OR IN CONFLICT WITH OR IN VIOLATION OF:
  - 24                   A. ANY PROVISION OF THIS CODE, OR
  - 25                   B. ANY PROVISION OF ANY REGULATION, ORDER, REQUIREMENT, DECISION, PERMIT, OR  
26                   NOTICE ISSUED UNDER THIS CODE BY THE BUILDING OFFICIAL OR BY ANY OTHER  
27                   PERSON, BOARD, DEPARTMENT, BUREAU, COMMISSION, OR AGENCY WITH  
28                   JURISDICTION, OR
- 29           2. OTHERWISE FAIL TO COMPLY WITH ANY PROVISION OF THIS CODE OR OF ANY REGULATION,  
30           ORDER, REQUIREMENT, DECISION, PERMIT, OR NOTICE ISSUED UNDER THIS CODE, OR
- 31           3. CAUSE ANY OF THESE ACTS OR OMISSIONS TO BE DONE.

32       **114.2 VIOLATION NOTICE OR ORDER.** EXCEPT AS OTHERWISE PROVIDED IN THIS CODE, THE  
33 BUILDING OFFICIAL MAY SERVE A VIOLATION NOTICE OR ORDER ON ANY PERSON LEGALLY  
34 RESPONSIBLE FOR THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION,  
35 DEMOLITION, MOVING, LOCATION, USE, OCCUPANCY, OR MAINTENANCE OF ANY STRUCTURE, PREMISES,  
36 LAND, OR EQUIPMENT IN VIOLATION OF ANY PROVISION OF:

- 37           1. THIS CODE, OR
- 38           2. A PLAN APPROVED UNDER THIS CODE, OR
- 39           3. A PERMIT OR CERTIFICATE ISSUED UNDER THIS CODE.

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1           **114.2.1 TENOR OF NOTICE OR ORDER.** THE NOTICE OR ORDER MAY DIRECT:

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

5           **114.3 ENFORCEMENT GENERALLY.** IF A VIOLATION IS NOT PROMPTLY DISCONTINUED OR ABATED, OR

6 IF THE VIOLATION NOTICE OR ORDER IS NOT COMPLIED WITH PROMPTLY, THE BUILDING OFFICIAL MAY

7 INSTITUTE OR CAUSE TO BE INSTITUTED ANY APPROPRIATE LEGAL PROCEEDINGS.

8           **114.3.1 TYPES OF PROCEEDINGS.** ENFORCEMENT PROCEEDINGS MAY INCLUDE:

- 9                   1. INJUNCTIVE OR OTHER EQUITY PROCEEDINGS, INCLUDING AN ACTION INITIATED BY A CODE-
- 10                   ENFORCEMENT-INJUNCTION CITATION UNDER CITY CODE ARTICLE 19, § 71-3, OR AN
- 11                   ACTION FOR APPOINTMENT OF A RECEIVER UNDER § 121 OF THIS CODE,
- 12                   2. CRIMINAL PROSECUTION, INCLUDING A PROSECUTION INITIATED BY A PREPAYABLE
- 13                   CRIMINAL CITATION UNDER CITY CODE ARTICLE 19, § 71-2, AND
- 14                   3. ADMINISTRATIVE PROCEEDINGS, INCLUDING ONE INITIATED BY AN ENVIRONMENTAL
- 15                   CITATION UNDER CITY CODE ARTICLE 1, § 40-14.

16           **114.3.2 REMEDIES NOT EXCLUSIVE.** IN PURSUING A VIOLATION, THE BUILDING OFFICIAL MAY

17 USE ANY 1 OR MORE AVAILABLE REMEDIES OR ENFORCEMENT ACTIONS. THE INITIATION OF ANY

18 1 REMEDY OR ENFORCEMENT ACTION DOES NOT PRECLUDE PURSUING ANY OTHER REMEDY OR

19 ENFORCEMENT ACTION AUTHORIZED BY LAW. NEITHER DAMAGES, IRREPARABLE INJURY, NOR

20 THE LACK OF AN ADEQUATE REMEDY AT LAW IS A PREREQUISITE TO ENFORCEMENT IN EQUITY.

21           **114.3.3 WHEN PRIOR NOTICE NOT REQUIRED.** A VIOLATION NOTICE OR ORDER IS NOT A

22 PREREQUISITE TO ENFORCEMENT ACTION IN THE FOLLOWING SITUATIONS:

- 23                   1. WHEN SEEKING A TEMPORARY RESTRAINING ORDER OR INJUNCTION IN AN EMERGENCY,
- 24                   2. WHEN SEEKING EQUITABLE RELIEF FOR A PATTERN OR PRACTICE OF NONCOMPLIANCE,
- 25                   3. FOR WORK BEING DONE WITHOUT A PERMIT OR IN VIOLATION OF A STOP-WORK ORDER,
- 26                   4. FOR A VIOLATION THAT REMAINS UNABATED AFTER A PRIOR PROSECUTION FOR THAT
- 27                   VIOLATION,
- 28                   5. FOR A PREPAYABLE CRIMINAL CITATION THAT IS ISSUED UNDER CITY CODE ARTICLE 19,
- 29                   SUBTITLE 71 {"SPECIAL ENFORCEMENT OFFICERS"} AND FOR WHICH PRIOR NOTICE
- 30                   IS WAIVED UNDER ARTICLE 19, § 71-2,
- 31                   6. FOR AN ENVIRONMENTAL CITATION THAT IS ISSUED UNDER CITY CODE ARTICLE 1,
- 32                   SUBTITLE 40 {"ENVIRONMENTAL CONTROL BOARD"}, AND
- 33                   7. IN ANY OTHER CASE SPECIFICALLY AUTHORIZED BY THIS CODE.

34           **114.4 VIOLATION A MISDEMEANOR.** A PERSON IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION,

35 SUBJECT TO THE PENALTIES SPECIFIED IN THIS § 114.4, IF THE PERSON:

- 36                   1. VIOLATES A PROVISION OF THIS CODE,
- 37                   2. FAILS TO COMPLY WITH ANY REQUIREMENT OF THIS CODE OR OF A REGULATION, ORDER,
- 38                   DECISION, PERMIT, OR NOTICE ISSUED UNDER THIS CODE, OR

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- 1 3. CONSTRUCTS, ALTERS, ADDS TO, REPAIRS, REHABILITATES, DEMOLISHES, MOVES, LOCATES,  
2 USE, OCCUPIES, OR MAINTAINS ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT IN  
3 VIOLATION OF AN APPROVED PLAN OR DIRECTIVE OF THE BUILDING OFFICIAL OR OF A PERMIT  
4 OR CERTIFICATE ISSUED UNDER THIS CODE.

5 **114.4.1 NOTICE REQUIRED.** EXCEPT AS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW,  
6 CRIMINAL PROCEEDINGS MAY NOT BE INITIATED UNLESS THE BUILDING OFFICIAL ISSUES A NOTICE  
7 OF VIOLATION AND ALLOWS A REASONABLE TIME TO CORRECT THE VIOLATION.

8 **114.4.2 EACH DAY A SEPARATE OFFENSE.** EACH DAY THAT A VIOLATION CONTINUES IS A  
9 SEPARATE OFFENSE. PROOF THAT A VIOLATION EXISTS ON ANY DATE AFTER ISSUANCE OF A  
10 VIOLATION NOTICE IS PRIMA FACIE EVIDENCE THAT THE VIOLATION HAS CONTINUED UNABATED  
11 THROUGHOUT THE INTERVENING PERIOD.

12 **114.4.3 PENALTIES.** THE PENALTY FOR EACH OFFENSE IS AS FOLLOWS:

- 13 1. FOR WORK DONE WITHOUT A PERMIT OR IN VIOLATION OF A STOP-WORK ORDER, A FINE OF  
14 NOT MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR BOTH FINE AND  
15 IMPRISONMENT, AND
- 16 2. FOR ALL OTHER VIOLATIONS, A FINE OF NOT MORE THAN \$500.

17 **114.5 CIVIL PENALTIES AND COSTS.** IN EQUITY PROCEEDINGS INSTITUTED UNDER THIS CODE:

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

25 **114.6 ADDITIONAL LEGAL ACTION.** THE IMPOSITION OF PENALTIES DOES NOT PRECLUDE THE CITY  
26 SOLICITOR FROM INSTITUTING APPROPRIATE LEGAL PROCEEDINGS TO:

- 27 1. PREVENT UNLAWFUL CONSTRUCTION,
- 28 2. RESTRAIN, CORRECT, OR ABATE A VIOLATION,
- 29 3. PREVENT ILLEGAL OCCUPANCY OF A STRUCTURE OR PREMISES, OR
- 30 4. STOP AN ILLEGAL ACT, CONDUCT, BUSINESS, OR USE OF A STRUCTURE ON OR ABOUT ANY  
31 PREMISES.

32 **114.7 TO 114.10 {RESERVED}**

33 **114.11 REVOKING OR WITHHOLDING VIOLATOR'S PERMITS.**

34 **114.11.1 SCOPE.** THIS § 114.11 APPLIES WHENEVER THE BUILDING OFFICIAL FINDS THAT AN  
35 OWNER, CONTRACTOR, OR ARCHITECT, ENGINEER, OR OTHER DESIGN PROFESSIONAL HAS VIOLATED  
36 A PROVISION OF THIS CODE, OF A PERMIT, OR OF THE RULES AND REGULATIONS OF ANY  
37 DEPARTMENT OR AGENCY OF THE CITY IN CONNECTION WITH THE CONSTRUCTION, ALTERATION,  
38 ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING, LOCATION, USE, OCCUPANCY, OR  
39 MAINTENANCE OF ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT.

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1           **114.11.2 ACTIONS AUTHORIZED.** IN ANY SITUATION DESCRIBED IN § 114.11.1, THE BUILDING  
2 OFFICIAL MAY:

3           1. REVOKE, WITHOUT PRIOR NOTICE, ANY EXISTING PERMIT THAT HAS BEEN GRANTED:

4                   A. TO THE OWNER, CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN  
5                   PROFESSIONAL, OR

6                   B. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED,  
7                   AND

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

9                   A. TO THE OWNER, CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN  
10                   PROFESSIONAL, OR

11                   B. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED.

12           **114.12 TO 114.13 {RESERVED}**

13           **114.14 WORK WITHOUT PERMIT.** ANY PERSON WHO DOES WORK WITHOUT A PERMIT, OUTSIDE OR  
14 BEYOND THE SCOPE OF A PERMIT, OR IN A MANNER INCONSISTENT WITH PLANS OR DRAWINGS APPROVED  
15 AS PART OF A PERMIT APPLICATION:

16           1. IS IN VIOLATION OF THIS CODE AND SUBJECT TO ENFORCEMENT ACTION WITHOUT NOTICE,

17           2. MUST IMMEDIATELY STOP ANY WORK IN PROGRESS,

18           3. MUST OBTAIN A PERMIT, PAYING ALL ASSOCIATED FEES AND PENALTIES, WHETHER THE WORK  
19 IS IN PROGRESS OR COMPLETED, AND

20           4. MUST RESTORE THE STRUCTURE TO ITS ORIGINAL CONDITION, UNLESS:

21                   A. THE WORK OTHERWISE CONFORMS TO THE RELEVANT REQUIREMENTS OF LAW, AND

22                   B. THE BUILDING OFFICIAL, IN HIS OR HER DISCRETION, ALLOWS THE WORK TO  
23 REMAIN OR CONTINUE.

24           **114.15 TO 114.20 {RESERVED}**

25           **114.21 RESPONSIBILITY OF OWNERS AND OPERATORS.** EXCEPT AS OTHERWISE SPECIFICALLY  
26 PROVIDED IN § 114.21.1, THE OWNER AND THE OPERATOR OF ANY PROPERTY SUBJECT TO THIS CODE  
27 ARE EACH:

28           1. RESPONSIBLE FOR COMPLIANCE WITH ALL PROVISIONS OF THIS CODE IN ALL MATTERS  
29 PERTAINING DIRECTLY OR INDIRECTLY TO THAT PROPERTY, AND

30           2. LIABLE FOR ALL VIOLATIONS OF THIS CODE IN CONNECTION WITH ANY LAND, STRUCTURE,  
31 MATTER, OR THING OWNED OR CONTROLLED BY THEM.

32           **114.21.1 EXCEPTIONS.** ONLY THE OWNER IS RESPONSIBLE FOR COMPLIANCE WITH A PROVISION  
33 REQUIRING AN OWNER'S SIGNATURE. EXCEPT AS SPECIFIED IN § 114.21.2, AN OWNER OR  
34 OPERATOR IS NOT RESPONSIBLE FOR COMPLIANCE WITH A PROVISION OF THIS CODE THAT IS  
35 SPECIFICALLY DESIGNATED AS THE RESPONSIBILITY OF THE OCCUPANT, UNLESS THAT OWNER OR  
36 OPERATOR IS ALSO AN OCCUPANT.

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### 114.21.2 LIABILITY FOR SANITARY MAINTENANCE.

1  
2       **A. SECONDARY LIABILITY.** IF, AFTER A NOTICE, ORDER, OR CITATION, A TENANT FAILS TO  
3 CORRECT A VIOLATION OF PROPERTY MAINTENANCE CODE § 305 {"EXTERIOR SANITARY  
4 MAINTENANCE – GENERAL"} OR § 306 {"EXTERIOR SANITARY MAINTENANCE – TRASH,  
5 GARBAGE, AND DEBRIS"} FOR WHICH OCCUPANTS ARE RESPONSIBLE UNDER PROPERTY  
6 MAINTENANCE CODE § 308 {"OCCUPANT’S SANITARY RESPONSIBILITIES"}, THE OWNER  
7 AND OPERATOR OF THE PROPERTY ARE SECONDARILY LIABLE.

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

- 10           1. THE OWNER FAILS TO REGISTER OR LICENSE THE PROPERTY AS REQUIRED BY CITY  
11 CODE ARTICLE 13, SUBTITLE 4 {"NON-OWNER-OCCUPIED DWELLINGS"} OR  
12 SUBTITLE 5 {"LICENSING OF MULTI-FAMILY DWELLINGS"}, OR  
13  
14           2. REASONABLE ATTEMPTS AT TELEPHONE CONTACT, USING INFORMATION IN A  
15 CURRENT REGISTRATION STATEMENT, DO NOT LEAD WITHIN 2 BUSINESS DAYS TO  
CURRENT OCCUPANT INFORMATION.

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

- 18           1. WITHIN THE PREVIOUS 12 MONTHS, TWO OR MORE ENVIRONMENTAL CITATIONS  
19 WERE ISSUED UNDER CITY CODE ARTICLE 1, SUBTITLE 40, FOR VIOLATIONS OF  
20 THIS CODE THAT WERE THE RESPONSIBILITY OF AN OCCUPANT OF THE PROPERTY  
21 UNDER PROPERTY MAINTENANCE CODE § 307 {"OCCUPANTS’ SANITARY  
22 RESPONSIBILITIES"}, AND  
23  
24           2. NOTIFICATION OF EACH CITATION HAS BEEN SENT TO THE OWNER BY REGULAR  
MAIL.

25       **114.21.2.1 NOTICE TO OWNER, OPERATOR.** BEFORE AN OWNER OR OPERATOR MAY BE  
26 CHARGED UNDER § 114.21.2A {"SECONDARY LIABILITY"}, HE OR SHE MUST BE SERVED WITH A  
27 VIOLATION NOTICE UNDER § 123.4. A VIOLATION NOTICE UNDER § 123.4 IS NOT NECESSARY TO  
28 CHARGE AN OWNER UNDER §§ 114.21.2B {"LIABILITY – FAILURE TO REGISTER PROPERTY"}  
29 OR 114.21.2C {"LIABILITY – THIRD ENVIRONMENTAL CITATION"}.

30       **114.21.2.2 RECOVERY OF EXPENSES.** IF AN OWNER OR OPERATOR INCURS EXPENSES IN  
31 CORRECTING THE VIOLATION, THE OWNER OR OPERATOR:

- 32           1. MAY BRING LEGAL ACTION TO RECOVER THOSE EXPENSES FROM THE TENANT, AND  
33  
34           2. HAS ALL THE RIGHTS AND REMEDIES AVAILABLE UNDER THE LAW FOR NONPAYMENT.

34       **114.22 RESPONSIBILITY OF OTHERS.** IN ADDITION TO THE OWNER OR OPERATOR OF THE PROPERTY  
35 INVOLVED, ANY OTHER PERSON WHO VIOLATES ANY PROVISION OF THIS CODE IS LIABLE FOR THE  
36 VIOLATION AND, ON CONVICTION, IS SUBJECT TO ALL PENALTIES PROVIDED IN THIS CODE FOR THE  
37 VIOLATION.

38       **114.23 RESPONSIBILITY OF TRANSFEREE.** THIS § 114.23 APPLIES WHENEVER ANY PROPERTY IS  
39 TRANSFERRED BY SALE, ASSIGNMENT, GROUND RENT LEASE, OR OTHERWISE, WITH OR WITHOUT  
40 CONSIDERATION ("TRANSFER"). EXCEPT AS PROVIDED IN § 114.25, THIS § 114.23 DOES NOT APPLY  
41 TO A MORTGAGEE OR TO THE HOLDER OF A NOTE SECURED BY A DEED OF TRUST.

42       **114.23.1 DUTY BEFORE TRANSFER.** BEFORE ANY TRANSFER OF PROPERTY, THE TRANSFEREE  
43 MUST OBTAIN A COPY OF A VIOLATION REPORT FOR THE PROPERTY.

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1           **114.23.2 PRIMARY LIABILITY OF TRANSFEREE.** ON TRANSFER OF THE PROPERTY, IF ANY  
2 VIOLATION OR CONDEMNATION NOTICES LIE AGAINST THE PROPERTY AND ARE INCLUDED IN  
3 THE VIOLATION REPORT, THE TRANSFEREE:

- 4           1. BECOMES PRIMARILY LIABLE FOR THOSE NOTICES THE SAME AS IF THE NOTICES  
5           HAD BEEN ADDRESSED TO THE TRANSFEREE,
- 6           2. MUST ABATE THE VIOLATION, AND
- 7           3. IS LIABLE IN ACCORDANCE WITH § 117 OF THIS CODE FOR ANY EXPENSES INCURRED BY THE  
8           CITY IN ABATING THE VIOLATION OR CONDEMNATION NOTICE, IF THE TRANSFEREE FAILED  
9           TO REQUEST A VIOLATION REPORT AS REQUIRED BY § 114.23.1.

10           **114.23.3 RELIANCE ON VIOLATION REPORT.** A TRANSFEREE IS NOT LIABLE FOR ABATEMENT  
11 EXPENSES INCURRED BY THE CITY IF, BEFORE THE TRANSFER, THE TRANSFEREE REQUESTED A  
12 VIOLATION REPORT AND THE REPORT DOES NOT SHOW THE VIOLATION.

13           **114.24 RESPONSIBILITY OF OFFICERS, DIRECTORS, ETC., OF CORPORATIONS, PARTNERSHIPS, ETC.**  
14 WHENEVER A CORPORATION, JOINT STOCK COMPANY, PARTNERSHIP, ASSOCIATION, LIMITED LIABILITY  
15 COMPANY, OR OTHER ENTITY VIOLATES ANY PROVISION OF THIS CODE, EVERY OFFICER, DIRECTOR,  
16 TRUSTEE, PARTNER, MEMBER, OR AGENT OF THAT ENTITY WHO HAS AUTHORIZED OR DONE ANY OF  
17 THE ACTS CONSTITUTING THE VIOLATION, IN WHOLE OR IN PART, OR WHO HAS FAILED TO ACT OR  
18 ACQUIESCED IN ANY FAILURE TO ACT CONSTITUTING THE VIOLATION, IN WHOLE OR IN PART,  
19 IS INDIVIDUALLY GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE PENALTIES  
20 PROVIDED IN THIS § 114.

21           **114.25 RESPONSIBILITY OF MORTGAGEE.** A PERSON THAT ACQUIRES AN INTEREST IN PROPERTY BY  
22 WAY OF A MORTGAGE OR DEED OF TRUST (“LENDER”) IS LIABLE TO THE SAME EXTENT AS AN  
23 OWNER/TRANSFEREE FOR A VIOLATION OR CONDEMNATION NOTICE PERTAINING TO A VACANT UNSAFE  
24 STRUCTURE, IF:

- 25           1. THE PERSON WITH PRIMARY RESPONSIBILITY FAILS TO COMPLY WITH THE NOTICE,
- 26           2. THE LENDER HAS BEEN NOTIFIED BY CERTIFIED MAIL OF THE VIOLATION OR CONDEMNATION  
27           NOTICE, AND
- 28           3. WITHIN 180 DAYS AFTER THE RECEIPT OF THE NOTICE:
  - 29           A. RATIFICATION OF A FORECLOSURE SALE OF THE PROPERTY HAS NOT OCCURRED, OR
  - 30           B. THE LENDER HAS NOT RELEASED ITS MORTGAGE OR DEED OF TRUST.

31           **114.25.1 BANKRUPTCY TOLL.** THE 180-DAY PERIOD REFERRED TO IN § 114.25(3) IS TOLLED BY  
32 ANY PERIOD DURING WHICH THE LENDER’S RIGHT TO FORECLOSE IS STAYED BY A PENDING  
33 PROCEEDING UNDER THE FEDERAL BANKRUPTCY CODE.

34           **114.25.2 DEFENSE.** DURING ANY ENFORCEMENT PROCEEDING INSTITUTED AGAINST A LENDER  
35 UNDER THIS SECTION, IT IS A DEFENSE THAT THE LENDER DID NOT HAVE THE RIGHT TO INSTITUTE  
36 FORECLOSURE PROCEEDINGS.

37           **114.25.3 DURING PENDENCY OF FORECLOSURE.** DURING THE PENDENCY OF A FORECLOSURE,  
38 THE LENDER IS RESPONSIBLE FOR MAINTAINING THE PROPERTY FREE FROM HIGH VEGETATION AND  
39 FROM ACCUMULATION OF TRASH AND DEBRIS.

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1 **114.26 RESPONSIBILITY OF BUYER ON FORECLOSURE.** ON FORECLOSURE OR SALE IN LIEU OF  
2 FORECLOSURE, THE BUYER:

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

### 5 SECTION 115 STOP-WORK ORDER

6 **115.1 AUTHORITY.** *{As in IBC}*

7 **115.2 ISSUANCE.** THE STOP-WORK ORDER MUST BE IN WRITING AND STATE THE REASON FOR THE  
8 ORDER. IT MUST BE POSTED ON THE PROPERTY. ON POSTING, THE CITED WORK MUST IMMEDIATELY  
9 CEASE. WRITTEN NOTICE OF THE STOP-WORK ORDER MUST BE SENT BY FIRST CLASS AND CERTIFIED  
10 MAIL TO THE OWNER OF THE PROPERTY INVOLVED.

11 **115.3 UNLAWFUL CONTINUANCE.** *{As in IBC}*

12 **115.4 REMOVAL, ETC., OF POSTED NOTICE.** UNTIL THE BUILDING OFFICIAL SO AUTHORIZES, NO  
13 PERSON MAY REMOVE, DEFACE, DAMAGE, OR CHANGE ANY NOTICE, POSTER, OR SIGN PLACED UNDER  
14 THIS SECTION ON ANY LAND, STRUCTURE, OR OTHER OBJECT.

### 15 SECTION 116 UNSAFE STRUCTURES

16 **116.1 GENERAL.** ANY STRUCTURE OR PART OF A STRUCTURE FOUND TO BE UNSAFE OR UNFIT FOR  
17 HUMAN HABITATION OR OTHER AUTHORIZED USE MUST BE REHABILITATED OR, AS PERMITTED OR  
18 REQUIRED BY THE BUILDING OFFICIAL, DEMOLISHED.

19 **116.1.1 SCOPE.** A STRUCTURE MAY BE UNSAFE OR UNFIT FOR HUMAN HABITATION OR OTHER  
20 AUTHORIZED USE BECAUSE OF:

- 21 1. CONDITIONS CONSTITUTING A FIRE HAZARD OR CONDITIONS OF DAMAGE, DECAY,  
22 DILAPIDATION, OBSOLESCENCE, ABANDONMENT, VACANCY (AS DESCRIBED IN § 116.4),  
23 INSANITATION, OR VERMIN OR RODENT INFESTATION THAT CONSTITUTE A HAZARD TO THE  
24 HEALTH, WELFARE, OR SAFETY OF OCCUPANTS OR THE PUBLIC,
- 25 2. LACK OF SANITATION, ILLUMINATION, VENTILATION, HEATING, PLUMBING, EXITWAYS, FIRE  
26 PROTECTION, UTILITIES, OR OTHER FACILITIES ADEQUATE TO PROTECT THE HEALTH,  
27 WELFARE, OR SAFETY OF OCCUPANTS OR THE PUBLIC, OR
- 28 3. CONDITIONS THAT ARE SO UNSAFE, INSANITARY, OVERCROWDED, IMPROPER IN USE OR  
29 OCCUPANCY, OR OTHERWISE DANGEROUS TO LIFE, HEALTH, WELFARE, OR SAFETY AS TO  
30 CREATE A HAZARD TO OCCUPANTS OR THE PUBLIC.

31 **116.2 OCCUPIED UNSAFE STRUCTURES.** WHENEVER THE BUILDING OFFICIAL OR THE COMMISSIONER  
32 OF HEALTH FINDS ALL OR ANY PART OF AN OCCUPIED STRUCTURE TO BE UNSAFE OR UNFIT FOR HUMAN  
33 HABITATION OR OTHER AUTHORIZED USE:

34 1. EITHER THE BUILDING OFFICIAL OR COMMISSIONER OF HEALTH MAY:

- 35 A. POST AN ORDER REQUIRING THE STRUCTURE OR AFFECTED PART TO BE VACATED, AND
- 36 B. TAKE NECESSARY STEPS TO REMOVE OCCUPANTS WHO FAIL OR REFUSE TO VACATE,



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- 1           2. ONCE VACATED, THE STRUCTURE OR AFFECTED PART MAY NOT BE REOCCUPIED UNTIL:
  - 2                   A. IT IS REHABILITATED TO COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES, AND
  - 3                   B. THE BUILDING OFFICIAL HAS ISSUED AN OCCUPANCY PERMIT, AND
- 4           3. PENDING REHABILITATION, THE STRUCTURE MUST BE KEPT SECURE AGAINST CASUAL ENTRY
- 5               AND THE PREMISES KEPT FREE OF LITTER, HIGH GRASS, AND WEEDS.

6           **116.3 TEMPORARILY UNOCCUPIED STRUCTURES.** ANY STRUCTURE OR PART OF A STRUCTURE THAT  
7           HAS BEEN LEFT UNOCCUPIED WITHOUT REMOVING APPLIANCES OR PORTABLE EQUIPMENT OR  
8           FURNITURE AND WITHOUT DISCONNECTING UTILITY SERVICE MUST BE SAFEGUARDED BY CLOSING AND  
9           SECURELY LOCKING ALL WINDOWS, DOORS, AND OTHER OPENINGS.

10          **116.4 UNSAFE VACANT STRUCTURES.** EVERY VACANT STRUCTURE, AS DEFINED IN THIS § 116.4, IS  
11          DECLARED TO BE A FIRE HAZARD AND A NUISANCE PER SE, AND MUST BE SAFEGUARDED AND  
12          OTHERWISE MAINTAINED AS REQUIRED IN THIS § 116.4.

13          **116.4.1 DEFINITION.** “VACANT STRUCTURE” MEANS AN UNOCCUPIED STRUCTURE THAT IS UNSAFE  
14          OR UNFIT FOR HUMAN HABITATION OR OTHER AUTHORIZED USE.

15          **116.4.2 DETERMINATIONS.** A DETERMINATION OF VACANCY AND A DETERMINATION OF  
16          NONCOMPLIANCE WITH A NOTICE OR ORDER ISSUED UNDER THIS SECTION MAY BE BASED ON  
17          OBSERVATION THAT A STRUCTURE:

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

21          **116.4.3 REQUIRED SAFEGUARDING.** EVERY VACANT STRUCTURE MUST BE CLEANED, CLOSED,  
22          AND SAFEGUARDED AS FOLLOWS:

- 23               1. BEFORE THE STRUCTURE IS CLOSED AND SECURED, ALL LITTER, TRASH, AND OTHER DEBRIS  
24               MUST BE REMOVED FROM THE PREMISES.
- 25               2. ALL WINDOWS, DOORS, AND OTHER OPENINGS MUST BE CLOSED, SECURELY LOCKED, AND,  
26               IF WITHIN 20 FEET OF THE GROUND OR READILY ACCESSIBLE, FURTHER PROTECTED BY  
27               BOARDING UP WITH SUBSTANTIAL MATERIAL, INCLUDING MASONRY, APPROVED BY THE  
28               BUILDING OFFICIAL. THE BUILDING OFFICIAL MAY REQUIRE WINDOWS FACING STREETS TO  
29               BE BOARDED WITH LEXAN, VINYL, OR SIMILAR MATERIAL, PROTECTED BY SECURITY  
30               GRILLS, OR BOTH.
- 31               3. AS LONG AS THE STRUCTURE REMAINS UNREHABILITATED:
  - 32                   A. IT MUST BE KEPT BOARDED,
  - 33                   B. THE PREMISES MUST BE CONSPICUOUSLY POSTED AGAINST TRESPASS, AND
  - 34                   C. THE PREMISES MUST BE KEPT FREE OF LITTER, TRASH, DEBRIS, HIGH GRASS, AND  
35                   WEEDS AT ALL TIMES.
- 36               4. BOARDING, POSTING, AND CLEANING, HOWEVER, DO NOT RELIEVE THE OWNER OF  
37               RESPONSIBILITY TO DEMOLISH OR TO REPAIR AND MAINTAIN THE PROPERTY IN  
38               CONFORMITY WITH THIS CODE.

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- 1           5. THE STRUCTURE MAY NOT BE REOCCUPIED UNTIL THE BUILDING OFFICIAL HAS ISSUED  
2           AN OCCUPANCY PERMIT.

3           **116.4.4 EMERGENCY CONDITION.** A VACANT STRUCTURE THAT IS NOT KEPT BOARDED AND FREE  
4           FROM ACCUMULATIONS OF DEBRIS AND HIGH VEGETATION OR THAT, IN THE OPINION OF THE  
5           BUILDING OFFICIAL, IS SO DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION  
6           IS NOT FEASIBLE, CONSTITUTES AN EMERGENCY CONDITION THAT IMMEDIATELY THREATENS THE  
7           PUBLIC HEALTH AND SAFETY AND REQUIRES IMMEDIATE RESOLUTION.

8           **116.4.5 RODENTICIDE PROCEDURE.** *SEE* § 3313 OF THIS CODE.

9           **116.4.6 NOTICE TO PUBLIC WORKS.** WHENEVER THE BUILDING OFFICIAL DETERMINES A  
10          STRUCTURE TO BE VACANT, THE BUILDING OFFICIAL MUST PROMPTLY NOTIFY THE DIRECTOR OF  
11          PUBLIC WORKS OF THAT DETERMINATION. ON RECEIPT OF THE NOTICE, THE DIRECTOR OF PUBLIC  
12          WORKS MUST PROCEED TO CUT OFF WATER SERVICE, AS PROVIDED IN CITY CODE ARTICLE 24,  
13          § 2-3.

14          **116.5 REHABILITATION, DEMOLITION, AND STABILIZATION.** EXCEPT AS OTHERWISE AUTHORIZED OR  
15          REQUIRED UNDER THIS SECTION, A STRUCTURE FOUND TO BE UNSAFE OR UNFIT FOR HUMAN  
16          HABITATION OR OTHER AUTHORIZED USE MUST BE REHABILITATED.

17          **116.5.1 PERMITTED DEMOLITION.** ON TIMELY APPEAL OF AN ORDER TO REHABILITATE, THE  
18          BUILDING OFFICIAL MAY PERMIT AN OWNER TO DEMOLISH AN UNSAFE STRUCTURE INSTEAD OF  
19          REHABILITATING IT IF, IN THE BUILDING OFFICIAL'S OPINION, DEMOLITION IS NOT DETRIMENTAL TO  
20          THE IMMEDIATE NEIGHBORHOOD.

21          **116.5.2 REQUIRED DEMOLITION.** THE BUILDING OFFICIAL MAY ORDER THE IMMEDIATE  
22          DEMOLITION OF ANY UNSAFE STRUCTURE THAT, IN THE BUILDING OFFICIAL'S OPINION, IS EITHER  
23          SO DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION IS NOT FEASIBLE.

24                  **116.5.2.1 APPEAL.** THE RECIPIENT OF AN ORDER TO DEMOLISH AN UNSAFE STRUCTURE MAY  
25                  REQUEST ADMINISTRATIVE REVIEW OF THE ORDER UNDER § 128 OF THIS CODE.

26                  **116.5.2.2 RESCISSION OF DEMOLITION ORDER.** THE BUILDING OFFICIAL MAY RESCIND OR  
27                  MODIFY A DEMOLITION ORDER IF THE OWNER DEMONSTRATES THE FINANCIAL ABILITY AND  
28                  REQUISITE EXPERTISE TO REHABILITATE THE STRUCTURE WITHIN A REASONABLE TIME, AS  
29                  DETERMINED BY THE BUILDING OFFICIAL, AND AGREES TO COMPLY WITH A SPECIFIED  
30                  TIMETABLE. FAILURE TO COMPLY WITH AN AGREED TIMETABLE REINSTATES THE DEMOLITION  
31                  ORDER.

32          **116.5.3 STABILIZATION.** THE BUILDING OFFICIAL MAY PERMIT OR ORDER AN INTERIM  
33          STABILIZATION OF AN UNSAFE STRUCTURE PENDING ITS REHABILITATION.

34          **116.5.4 REOCCUPANCY OF REHABILITATED STRUCTURE.** A STRUCTURE DECLARED UNSAFE OR  
35          UNFIT FOR OCCUPANCY MAY NOT BE REOCCUPIED UNTIL THE BUILDING OFFICIAL HAS:

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

38          **116.6 VACANT LOT MAINTENANCE.** WHEN A STRUCTURE HAS BEEN DEMOLISHED UNDER THIS § 116,  
39          THE PREMISES MUST BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE AND OF THE  
40          REGULATIONS ADOPTED UNDER THIS CODE.

41          **116.7 REMEDIAL ACTION BY BUILDING OFFICIAL.** THE BUILDING OFFICIAL MAY TAKE ACTION  
42          UNDER THIS § 116.7 WHENEVER THE OWNER, AGENT, OR PERSON IN CONTROL CANNOT BE FOUND OR  
43          FAILS TO COMPLY WITH A NOTICE OR ORDER SERVED UNDER THIS CODE:

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

5 **116.7.1 ACTIONS AUTHORIZED.** THE BUILDING OFFICIAL MAY PROCEED TO:

- 6 1. HAVE A RECEIVER APPOINTED, OR
- 7 2. COMPLETE ALL OR ANY PART OF THE REQUIRED WORK THROUGH OFFICERS,
- 8 AGENTS, EMPLOYEES, OR CONTRACTORS.

9 **116.7.2 ENTRY TO PROPERTY.** BEFORE TAKING ANY REMEDIAL ACTION, THE BUILDING OFFICIAL  
10 MAY ENTER THE PREMISES, WITHOUT ADDITIONAL NOTICE, TO DETERMINE THE EXTENT OF  
11 DETERIORATION AND THE FEASIBILITY OF REHABILITATION.

12 **116.7.3 WHEN ADDITIONAL NOTICE NOT REQUIRED.** BOARDING, CLEANING, AND OTHERWISE  
13 SAFEGUARDING A VACANT STRUCTURE THAT IS SUBJECT TO AN EXPIRED VIOLATION NOTICE IS AN  
14 EMERGENCY ACTION THAT REQUIRES NO ADDITIONAL PRIOR NOTICE.

15 **116.7.4 REMEDIES NONEXCLUSIVE.** REMEDIAL ACTION UNDER THIS § 116 DOES NOT PRECLUDE  
16 ANY OTHER ENFORCEMENT ACTION AUTHORIZED BY THIS CODE.

17 **116.8 {RESERVED}**

18 **116.9 “ABANDONED” PROPERTY.** IF A PROPERTY IS CITED AS “VACANT” OR “UNFIT FOR HUMAN  
19 HABITATION” ON A VIOLATION NOTICE ISSUED UNDER THIS § 116, THE PROPERTY IS CONSIDERED TO  
20 BE CITED AS “ABANDONED” OR TO BE IN NEED OF SUBSTANTIAL REPAIR WITHIN THE MEANING OF THE  
21 STATE TAX-PROPERTY ARTICLE, TITLE 14, SUBTITLE 8.

22 **116.10 EFFECT OF DESIGNATION.** ON ISSUANCE OF A VIOLATION NOTICE THAT DESIGNATES A  
23 STRUCTURE TO BE A VACANT STRUCTURE, THE STRUCTURE IS DEEMED TO BE CONDEMNED.

### 24 SECTION 117 EMERGENCY AND CORRECTIVE MEASURES

25 **117.1 POWER OF BUILDING OFFICIAL IN EMERGENCIES.** IN AN EMERGENCY WHERE LIFE, HEALTH,  
26 SAFETY, OR PROPERTY IS IN IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY IMMEDIATELY TAKE  
27 ANY ACTION NECESSARY TO PROTECT THE ENDANGERED LIFE, HEALTH, SAFETY, OR PROPERTY,  
28 WITHOUT COMPLYING WITH THE NOTICE PROVISIONS OF THIS CODE.

29 **117.2 PHOTOGRAPHS OF DANGEROUS CONDITIONS.** IN ALL EMERGENCIES, IF IT IS PRACTICAL AND IF  
30 ENOUGH TIME IS AVAILABLE TO DO SO, THE BUILDING OFFICIAL MUST CAUSE THE DANGEROUS OR  
31 UNSAFE CONDITION THAT CREATED THE EMERGENCY TO BE PHOTOGRAPHED BEFORE ANY DEMOLITION  
32 OR OTHER WORK OR OPERATION IS BEGUN TO ELIMINATE THE DANGEROUS OR UNSAFE CONDITION.

33 **117.3 CLOSING STREETS.** WHEN NECESSARY FOR THE PUBLIC SAFETY, THE BUILDING OFFICIAL MAY  
34 TEMPORARILY CLOSE ADJACENT STRUCTURES AND REQUEST THE DIRECTOR OF PUBLIC WORKS TO  
35 CLOSE ADJACENT SIDEWALKS, STREETS, AND OTHER PUBLIC WAYS AND PROHIBIT THEM FROM BEING  
36 USED. THE BUILDING OFFICIAL MAY TEMPORARILY CLOSE ADJACENT SIDEWALKS, STREETS, AND  
37 OTHER PUBLIC WAYS ONLY PURSUANT TO AN AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS.

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1       **117.4 LABOR AND MATERIAL FOR EMERGENCY WORK.** IN AN EMERGENCY WHERE LIFE, HEALTH,  
2 SAFETY, OR PROPERTY IS IN IMMEDIATE DANGER AND IT IS NECESSARY TO PERFORM ANY WORK OR  
3 OPERATION TO PROTECT THAT LIFE, HEALTH, SAFETY, OR PROPERTY, THE BUILDING OFFICIAL MAY  
4 EMPLOY THE PERSONS AND BUY THE MATERIALS NEEDED TO PERFORM THE WORK OR OPERATION AS  
5 EXPEDITIOUSLY AS POSSIBLE.

6       **117.5 LIABILITY FOR COSTS OF EMERGENCY WORK.** LIABILITY FOR EXPENSES INCURRED IN THE  
7 COURSE OF PERFORMING EMERGENCY WORK AND THE PROCEDURE FOR COLLECTING RESULTANT DEBTS  
8 AND LIENS ARE AS PROVIDED IN § 117 OF THIS CODE.

### 9       **SECTION 118 LIABILITY FOR EXPENSES AND COLLECTION OF DEBTS AND LIENS**

10       **118.1 SCOPE.** THIS § 118 APPLIES TO ALL CASES WHERE:

- 11           1. THE BUILDING OFFICIAL ENFORCES ANY PROVISION OF THIS CODE, INCLUDING BUT NOT  
12           LIMITED TO:
- 13               A. THE ELIMINATION OF ANY SAFETY, HEALTH, OR FIRE HAZARD,  
14               B. THE ELIMINATION OF ANY NUISANCE, BLIGHT, OR INSANITARY CONDITION,  
15               C. THE REMOVAL OF ANY ABANDONED OR ILLEGALLY CONSTRUCTED STRUCTURE OR  
16               OTHER OBJECT, OR  
17               D. THE TAKING OF ANY CORRECTIVE ACTION IN EMERGENCIES OR OTHERWISE, AND
- 18           2. IN CONNECTION WITH THOSE EFFORTS, THE BUILDING OFFICIAL:
- 19               A. FURNISHES OR CAUSES TO BE FURNISHED ANY LABOR, SUPERVISION, EQUIPMENT, OR  
20               MATERIALS, OR  
21               B. PERFORMS OR CAUSES TO BE PERFORMED ANY INSPECTION, WORK, OR OPERATION TO  
22               ELIMINATE THE HAZARD OR CONDITION OR TO REMOVE THE STRUCTURE OR OTHER  
23               OBJECT.

24       **118.2 LIABILITY AND LIEN FOR EXPENSES.** IN THE CASES DESCRIBED IN § 118.1, THE ENTIRE AMOUNT  
25 OF THE BUILDING OFFICIAL'S EXPENDITURES, TOGETHER WITH ALL INCIDENTAL COSTS AND ALL  
26 ACCRUED PENALTIES:

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

31       **118.3 WHEN DEBTS AND LIENS BECOME EFFECTIVE.** ALL DEBTS BECOME DUE AND OWING TO THE  
32 CITY IMMEDIATELY WHEN THE WORK IS COMPLETED OR THE EXPENDITURE MADE. ALL LIENS BECOME  
33 EFFECTIVE IMMEDIATELY AFTER THE BUILDING OFFICIAL NOTIFIES THE BUREAU OF LIENS THAT  
34 APPROPRIATE NOTICE HAS BEEN GIVEN OR THAT A STRUCTURE HAS BEEN POSTED IN ACCORDANCE WITH  
35 THIS CODE.

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1 **118.4 COLLECTION OF DEBTS AND LIENS.** ALL DEBTS DUE AND LIENS INCURRED UNDER THIS § 118:

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

6 **118.5 PRIORITY OVER OTHER LIENS AND ENCUMBRANCES.** ALL DEBTS AND LIENS INCURRED UNDER  
7 THIS § 118 HAVE PRIORITY OVER ALL OTHER LIENS AND ENCUMBRANCES, EXCEPT TAXES OR OTHER  
8 GOVERNMENT ASSESSMENTS.

9 **SECTION 119 {RESERVED}**

10 **SECTION 120 CONDEMNATION PROCEEDINGS**

11 **120.1 IN GENERAL.** IF ANY LAND, STRUCTURE, OR EQUIPMENT BECOMES UNSAFE OR DANGEROUS TO  
12 PUBLIC HEALTH OR SAFETY, THE BUILDING OFFICIAL MAY CONDEMN THE LAND, STRUCTURE, OR  
13 EQUIPMENT AS PROVIDED IN THIS § 120 AND ISSUE A CONDEMNATION NOTICE AS PROVIDED IN § 123 OF  
14 THIS CODE. THE ISSUANCE OF A VIOLATION NOTICE IS NOT A PREREQUISITE FOR THE CONDEMNATION  
15 OF REAL PROPERTY.

16 **120.2 POSTING NOTICE.** IF THE BUILDING OFFICIAL CONDEMNNS ANY LAND, STRUCTURE, OR  
17 EQUIPMENT, THE BUILDING OFFICIAL MUST CAUSE A NOTICE TO BE CONSPICUOUSLY DISPLAYED ON THE  
18 CONDEMNED LAND, STRUCTURE, OR EQUIPMENT.

19 **120.2.1 CONTENTS.** THE NOTICE MUST:

- 20 1. BE AT LEAST 11 BY 18 INCHES,
- 21 2. BE SIGNED BY THE BUILDING OFFICIAL, AND
- 22 3. ADVISE THE PUBLIC THAT:
  - 23 A. THE PARTICULAR LAND, STRUCTURE, OR EQUIPMENT HAS BEEN CONDEMNED AS  
24 BEING UNSAFE OR DANGEROUS FOR OCCUPANCY OR USE, AND
  - 25 B. THE PUBLIC IS WARNED TO KEEP AWAY.

26 **120.2.2 EMERGENCIES.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY MAY BE IN  
27 IMMEDIATE DANGER, THE BUILDING OFFICIAL NEED NOT POST THE PROPERTY AND MAY PROCEED  
28 IN ACCORDANCE WITH § 117 OF THIS CODE.

29 **120.3 VACATING CONDEMNED PROPERTY.** A NOTICE POSTED UNDER § 120.2 IS DEEMED TO BE  
30 SUFFICIENT WARNING TO ALL OCCUPANTS OF THE CONDEMNED PROPERTY TO LEAVE IMMEDIATELY. IF  
31 ANY OCCUPANT FAILS TO VACATE THE PROPERTY IMMEDIATELY AFTER THE NOTICE IS POSTED, THE  
32 BUILDING OFFICIAL MAY TAKE WHATEVER ACTION IS PROPER AND EXPEDIENT TO REMOVE THAT  
33 OCCUPANT.

34 **120.4 RECEIVER OF CONDEMNED PROPERTY.** AFTER A PROPERTY IS CONDEMNED, THE BUILDING  
35 OFFICIAL MAY:

- 36 1. TAKE ANY ACTION AUTHORIZED UNDER § 120.7, OR
- 37 2. IN ACCORDANCE WITH § 121 OF THIS CODE, APPLY TO COURT FOR THE APPOINTMENT OF A  
38 RECEIVER.

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1 **120.5 STATUS OF CONDEMNED PROPERTY.** AFTER PROPERTY HAS BEEN CONDEMNED AND POSTED IN  
2 ACCORDANCE WITH THIS § 120, THAT PROPERTY REMAINS CONDEMNED AND MAY NOT BE OCCUPIED OR  
3 USED AGAIN UNTIL THE BUILDING OFFICIAL DECLARES THE PROPERTY SAFE FOR OCCUPANCY OR USE  
4 AND HAS REMOVED THE CONDEMNATION.

5 **120.6 ORDER TO DEMOLISH.** IF, IN THE BUILDING OFFICIAL'S OPINION, A STRUCTURE IS SO  
6 DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION IS NOT FEASIBLE, THE  
7 CONDEMNATION NOTICE MAY ORDER THE OWNER TO DEMOLISH THE STRUCTURE IMMEDIATELY.

8 **120.7 REMOVAL OF UNSAFE CONDITIONS.** ANYTIME AFTER PROPERTY HAS BEEN POSTED IN  
9 ACCORDANCE WITH THIS § 120, THE BUILDING OFFICIAL MAY DEMOLISH, MOVE, ALTER, REPAIR,  
10 REHABILITATE, REBUILD, RECONSTRUCT, OR TAKE ANY OTHER APPROPRIATE ACTION TO ELIMINATE OR  
11 MAKE SAFE AND SECURE ANY DANGEROUS OR UNSAFE CONDITION. BEFORE DOING SO, HOWEVER, THE  
12 BUILDING OFFICIAL MUST PROVIDE THE NOTICE REQUIRED BY § 105.9 OF THIS CODE.

13 **120.8 CONDEMNATION OF ELECTRICAL WORK.** IF ANY ELECTRICAL WIRING OR EQUIPMENT THAT  
14 HAS BEEN THE SUBJECT OF A CONDEMNATION NOTICE IS NOT MADE SAFE WITHIN THE TIME REQUIRED  
15 BY THE CONDEMNATION NOTICE, THE WIRING OR EQUIPMENT MUST BE PUT OUT OF SERVICE BY CUTTING  
16 OFF ALL ELECTRIC CURRENT TO IT AND BY SEALING ALL SWITCHES THAT OPERATE IN CONNECTION WITH  
17 THE WIRING OR EQUIPMENT.

18 **120.8.1 EMERGENCY ACTION.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY IS IN  
19 IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY ORDER ALL ELECTRIC CURRENT SERVING THE  
20 WIRING OR EQUIPMENT TO BE CUT OFF AND ALL SWITCHES THAT CONTROL THE WIRING OR  
21 EQUIPMENT TO BE SEALED. THE BUILDING OFFICIAL'S ORDERS MUST BE COMPLIED WITH  
22 IMMEDIATELY, REGARDLESS OF ANY OTHER PROVISIONS OF THIS CODE THAT MIGHT APPLY.

23 **120.8.2 PERMISSION NEEDED TO REACTIVATE.** WHENEVER ELECTRIC CURRENT HAS BEEN CUT  
24 OFF OR SWITCHES HAVE BEEN SEALED UNDER THIS § 120.8, THE ELECTRIC CURRENT MAY NOT BE  
25 CUT IN AND THE SEALS MAY NOT BE BROKEN, EXCEPT BY AN AUTHORIZED AGENT OF THE BUILDING  
26 OFFICIAL, AFTER ALL REQUIREMENTS OF THE BUILDING OFFICIAL HAVE BEEN COMPLIED WITH AND  
27 THE BUILDING OFFICIAL HAS ISSUED A CERTIFICATE OF APPROVAL.

28 **120.9 CONDEMNATION OF MECHANICAL WORK.** IF ANY MECHANICAL EQUIPMENT THAT HAS BEEN  
29 THE SUBJECT OF A CONDEMNATION NOTICE IS NOT MADE SAFE WITHIN THE TIME REQUIRED BY THE  
30 CONDEMNATION NOTICE, THE MECHANICAL EQUIPMENT MUST BE PUT OUT OF SERVICE AND SEALED.

31 **120.9.1 EMERGENCY ACTION.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY IS IN  
32 IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY ORDER THE MECHANICAL EQUIPMENT TO BE  
33 PUT OUT OF SERVICE AND SEALED. THE ORDERS OF THE BUILDING OFFICIAL MUST BE COMPLIED  
34 WITH IMMEDIATELY, REGARDLESS OF ANY OTHER PROVISIONS OF THIS CODE THAT MIGHT APPLY.

35 **120.9.2 PERMISSION NEEDED TO REACTIVATE.** WHENEVER MECHANICAL EQUIPMENT HAS BEEN  
36 PUT OUT OF SERVICE AND SEALED UNDER THIS § 120.9, THE MECHANICAL EQUIPMENT MAY NOT BE  
37 PUT BACK IN SERVICE AND THE SEALS MAY NOT BE BROKEN, EXCEPT BY AN AUTHORIZED AGENT OF  
38 THE BUILDING OFFICIAL, AFTER ALL REQUIREMENTS OF THE BUILDING OFFICIAL HAVE BEEN  
39 COMPLIED WITH AND THE BUILDING OFFICIAL HAS ISSUED A CERTIFICATE OF APPROVAL.

### 40 SECTION 121 VACANT BUILDING RECEIVER

41 **121.1 SCOPE.** THIS § 121 APPLIES TO A VACANT STRUCTURE, AS DEFINED IN § 116.4, FOR WHICH A  
42 NOTICE OR ORDER TO REHABILITATE OR TO DEMOLISH IS OUTSTANDING.

43 **121.2 IN GENERAL.** THE BUILDING OFFICIAL MAY PETITION THE COURT FOR APPOINTMENT OF A  
44 RECEIVER TO REHABILITATE A VACANT PROPERTY, TO DEMOLISH IT, OR TO SELL IT TO A QUALIFIED  
45 BUYER.

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1       **121.3 CONTENTS OF PETITION.** THE PETITION FOR APPOINTMENT OF A RECEIVER MUST INCLUDE:

- 2           1. A COPY OF THE ORIGINAL VIOLATION NOTICE OR ORDER, AND
- 3           2. A VERIFIED PLEADING THAT:
- 4                 A. AVERS THAT THE REQUIRED REHABILITATION OR DEMOLITION HAS NOT BEEN
- 5                 COMPLETED, AND
- 6                 B. IDENTIFIES AND STATES THE QUALIFICATIONS OF THE PROPOSED RECEIVER, IF OTHER
- 7                 THAN THE BUILDING OFFICIAL.

8       **121.4 NAMED RESPONDENTS.** THE PETITION FOR APPOINTMENT OF RECEIVER MUST NAME AS

9       RESPONDENTS:

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

15       **121.4.1 EFFECT OF FAILURE TO NAME PLAINTIFF.** FAILURE TO NAME A PERSON DESCRIBED IN

16       § 121.4(3) DOES NOT PREVENT THE ACTION FROM GOING FORWARD, BUT DOES PREVENT THE

17       RECEIVER'S LIEN FOR EXPENSES INCURRED IN REHABILITATING, DEMOLISHING, OR SELLING THE

18       VACANT BUILDING FROM HAVING PRIORITY OVER THAT PERSON'S LIEN INTEREST.

19       **121.5 FILING WITH BUREAU OF LIENS.** A NOTICE OF THE PROCEEDING, TOGETHER WITH A COPY OF

20       THE VIOLATION NOTICE OR ORDER, MUST BE FILED WITH THE BUREAU OF LIENS. THE BUREAU MUST

21       INCLUDE A RECORD OF THESE IN ITS LIEN REPORTS, AND THE PROPERTY CANNOT BE TRANSFERRED

22       WITHOUT THE PRIOR APPROVAL OF THE COURT.

23       **121.6 NOTICE TO JUDGMENT CREDITORS AND LIEN HOLDERS.** WITHIN 10 DAYS AFTER FILING THE

24       PETITION, THE BUILDING OFFICIAL MUST GIVE NOTICE OF THE PENDENCY AND NATURE OF THE

25       PROCEEDINGS BY REGULAR AND CERTIFIED MAIL TO THE LAST-KNOWN ADDRESSES OF ALL JUDGMENT

26       CREDITORS AND LIEN HOLDERS WITH A RECORDED INTEREST IN THE PROPERTY.

27       **121.6.1 INTERVENTION.** WITHIN 30 DAYS OF THE DATE ON WHICH THE NOTICE WAS MAILED, A

28       JUDGMENT CREDITOR OR LIEN HOLDER MAY APPLY TO INTERVENE IN THE PROCEEDING AND TO BE

29       APPOINTED UNDER § 121.7.

30       **121.6.2 EFFECT OF FAILURE TO GIVE NOTICE.** FAILURE TO GIVE ANY REQUIRED NOTICE TO ANY

31       INTERESTED PERSON UNDER THIS § 121 DOES NOT PREVENT THE ACTION FROM GOING FORWARD,

32       BUT DOES PREVENT THE RECEIVER'S LIEN FOR EXPENSES INCURRED IN REHABILITATING,

33       DEMOLISHING, OR SELLING THE VACANT BUILDING FROM HAVING PRIORITY OVER THAT PERSON'S

34       LIEN INTEREST.

35       **121.7 APPOINTMENT OF OWNER, ETC., INSTEAD OF RECEIVER.** INSTEAD OF APPOINTING A RECEIVER

36       TO REHABILITATE OR SELL A VACANT BUILDING, THE COURT MAY PERMIT AN OWNER, MORTGAGEE, OR

37       OTHER PERSON WITH AN INTEREST IN THE PROPERTY TO REHABILITATE OR DEMOLISH IT, IF THAT

38       PERSON:

- 39           1. DEMONSTRATES ABILITY TO COMPLETE THE REHABILITATION OR DEMOLITION WITHIN A
- 40           REASONABLE TIME,

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- 1           2.   AGREES TO COMPLY WITH A SPECIFIED SCHEDULE FOR REHABILITATION OR DEMOLITION, AND
- 2           3.   POSTS BOND, IN AN AMOUNT DETERMINED BY THE COURT, AS SECURITY FOR PERFORMANCE OF
- 3           THE REQUIRED WORK IN COMPLIANCE WITH THE SPECIFIED SCHEDULE.

4           **121.7.1 APPLICATION TO DISMISS OWNER.** IF IT APPEARS TO THE PETITIONER THAT THE PERSON  
5           APPOINTED IS NOT PROCEEDING WITH DUE DILIGENCE OR IN COMPLIANCE WITH THE  
6           COURT-ORDERED SCHEDULE, THE PETITIONER MAY APPLY TO THE COURT FOR IMMEDIATE  
7           REVOCATION OF THAT PERSON'S APPOINTMENT AND FOR APPOINTMENT OF A RECEIVER. THE BOND  
8           POSTED UNDER THIS SECTION MUST THEN BE APPLIED TO THE SUBSEQUENTLY APPOINTED  
9           RECEIVER'S EXPENSES IN REHABILITATING, DEMOLISHING, OR SELLING THE VACANT BUILDING.

10          **121.8 APPOINTMENT OF RECEIVER.** IF NO QUALIFIED PERSON WITH AN OWNERSHIP INTEREST  
11          REQUESTS APPOINTMENT TO REHABILITATE OR DEMOLISH THE PROPERTY, OR IF AN APPOINTEE IS  
12          DISMISSED, THE COURT MUST THEN APPOINT A RECEIVER OF THE PROPERTY FOR THE PURPOSE OF  
13          REHABILITATING AND MANAGING THE PROPERTY, DEMOLISHING THE PROPERTY, OR SELLING IT TO A  
14          QUALIFIED BUYER.

15          **121.8.1 PARTIES DIVESTED OF AUTHORITY.** ON APPOINTMENT OF A RECEIVER TO REHABILITATE,  
16          DEMOLISH, OR SELL THE PROPERTY, ALL PARTIES ARE DIVESTED OF ANY AUTHORITY TO ACT IN  
17          FURTHERANCE OF THOSE GOALS.

18          **121.8.2 PENALTIES.** ANY PARTY WHO TAKES ANY STEP TO REHABILITATE, DEMOLISH, OR SELL  
19          THE PROPERTY IS SUBJECT TO THE PENALTIES FOR CONTEMPT.

20          **121.9 POWERS OF RECEIVER APPOINTED TO REHABILITATE OR DEMOLISH.** A RECEIVER APPOINTED  
21          TO REHABILITATE OR DEMOLISH A VACANT BUILDING, IN ADDITION TO ALL NECESSARY AND  
22          CUSTOMARY POWERS, HAS THE RIGHT OF POSSESSION WITH AUTHORITY TO:

- 23           1.   CONTRACT FOR NECESSARY LABOR AND SUPPLIES FOR REHABILITATION OR DEMOLITION,
- 24           2.   BORROW MONEY FOR REHABILITATION OR DEMOLITION FROM AN APPROVED LENDING
- 25           INSTITUTION OR THROUGH A GOVERNMENT AGENCY OR PROGRAM, USING THE RECEIVER'S LIEN
- 26           AGAINST THE PROPERTY AS SECURITY,
- 27           3.   MANAGE THE PROPERTY AFTER REHABILITATION, WITH ALL THE POWERS OF A LANDLORD, FOR
- 28           A PERIOD OF UP TO 2 YEARS AND APPLY THE RENT RECEIVED TO CURRENT OPERATING EXPENSES
- 29           AND TO REPAYMENT OF OUTSTANDING REHABILITATION EXPENSES, AND
- 30           4.   FORECLOSE ON THE RECEIVER'S LIEN OR ACCEPT A DEED IN LIEU OF FORECLOSURE.

31          **121.10 POWERS OF RECEIVER APPOINTED TO SELL.** A RECEIVER APPOINTED TO SELL A VACANT  
32          BUILDING, IN ADDITION TO ALL NECESSARY AND CUSTOMARY POWERS, HAS AUTHORITY TO:

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

37          **121.10.1 NOTICE OF AUCTION.** IN THE NOTICE OF PUBLIC AUCTION, IT IS SUFFICIENT TO DESCRIBE  
38          THE PROPERTY BY A STREET ADDRESS AND BY REFERENCE TO THE LIBER AND FOLIO NUMBER OF  
39          THE TITLE DEED RECORDED IN THE LAND RECORDS OF BALTIMORE CITY.

40          **121.10.2 BUYER QUALIFICATIONS.** BEFORE ANY SALE, THE APPLICANTS TO BID IN A PUBLIC SALE  
41          OR THE PROPOSED BUYER IN A PRIVATE SALE MUST DEMONSTRATE THE ABILITY AND EXPERIENCE  
42          NEEDED TO REHABILITATE THE PROPERTY WITHIN A REASONABLE TIME.



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1           **121.10.3 APPLICATION OF SALE PROCEEDS.** AFTER DEDUCTING THE EXPENSES OF THE SALE, THE  
2           AMOUNT OF OUTSTANDING TAXES AND OTHER GOVERNMENT ASSESSMENTS, AND THE AMOUNT OF  
3           THE RECEIVER'S LIEN, THE RECEIVER MUST APPLY ANY REMAINING PROCEEDS OF THE SALE, FIRST  
4           TO THE PETITIONER'S COSTS AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, AND THEN  
5           TO THE LIENS AGAINST THE PROPERTY IN ORDER OF PRIORITY.

6           **121.11 TENURE OF RECEIVER APPOINTED TO REHABILITATE.** THE TENURE OF A RECEIVER  
7           APPOINTED TO REHABILITATE A VACANT BUILDING MAY EXTEND NO LONGER THAN 2 YEARS AFTER  
8           REHABILITATION. ANYTIME AFTER REHABILITATION, ANY PARTY TO THE RECEIVERSHIP MAY FILE A  
9           MOTION TO DISMISS THE RECEIVER ON PAYMENT OF THE RECEIVER'S OUTSTANDING COSTS, FEES, AND  
10          EXPENSES.

11          **121.12 FINAL ACCOUNTING.** AT THE END OF THE RECEIVER'S TENURE, THE RECEIVER MUST FILE A  
12          FINAL ACCOUNTING WITH THE COURT.

13          **121.13 RECEIVER'S LIEN FOR COSTS, ETC.** ANY COSTS OR FEES INCURRED BY THE RECEIVER ARE A  
14          LIEN AGAINST THE PROPERTY IN ACCORDANCE WITH § 118 OF THIS CODE. THE RECEIVER'S LIEN HAS  
15          PRIORITY OVER ALL OTHER LIENS AND ENCUMBRANCES, EXCEPT TAXES OR OTHER GOVERNMENT  
16          ASSESSMENTS. THE RECEIVER MUST ALLOW THE PETITIONER'S COSTS AND EXPENSES, INCLUDING  
17          REASONABLE ATTORNEY'S FEES, TO BE PAID TO THE EXTENT THAT THE PROCEEDS OF THE SALE PERMIT.

18          **121.13.1 FORECLOSURE OF LIEN.** A RECEIVER MAY FORECLOSE ON THE LIEN BY A SALE OF THE  
19          PROPERTY AT PUBLIC AUCTION, FOLLOWING 1 PUBLIC NOTICE AND NOTICE TO INTERESTED PARTIES  
20          IN THE MANNER OF A MORTGAGE FORECLOSURE. AFTER DEDUCTING THE EXPENSES OF THE SALE,  
21          THE RECEIVER MUST APPLY THE PROCEEDS OF THE SALE TO THE LIENS AGAINST THE PROPERTY, IN  
22          ORDER OF PRIORITY. IN LIEU OF FORECLOSURE, AND ONLY IF THE RECEIVER HAS REHABILITATED  
23          THE PROPERTY, AN OWNER MAY PAY THE RECEIVER'S COSTS, FEES, INCLUDING ATTORNEY'S FEES,  
24          AND EXPENSES OR MAY TRANSFER ALL OWNERSHIP IN THE PROPERTY TO EITHER THE RECEIVER OR  
25          AN AGREED-ON THIRD PARTY FOR AN AMOUNT AGREED TO BY ALL PARTIES TO THE RECEIVERSHIP  
26          AS BEING THE PROPERTY'S FAIR MARKET VALUE.

27          **121.14 TRANSFER ON SALE.** FOLLOWING COURT RATIFICATION OF A SALE, THE RECEIVER MUST SIGN A  
28          DEED CONVEYING TITLE TO THE BUYER, FREE AND CLEAR OF ALL ENCUMBRANCES.

29          **121.15 DISMISSAL.** ON SALE OF THE PROPERTY, THE RECEIVER MUST:

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

### 32          **SECTION 122 {RESERVED}**

### 33          **SECTION 123 NOTICES**

34          **123.1 IN GENERAL.** ALL NOTICES UNDER THIS CODE MUST BE ISSUED IN ACCORDANCE WITH THIS  
35          § 123. HOWEVER, NOTHING IN THIS CODE MAY BE CONSTRUED TO EXCUSE OR RELIEVE ANY PERSON  
36          FROM COMPLYING WITH ALL PROVISIONS OF THIS CODE AT ALL TIMES, REGARDLESS OF WHETHER ANY  
37          NOTICE OR ORDER HAS BEEN ISSUED BY THE BUILDING OFFICIAL IN ANY PARTICULAR CASE.

38          **123.2 CLASSIFICATION.** NOTICES ISSUED UNDER THIS CODE ARE CLASSIFIED AS EITHER:

- 39               1. CONDEMNATION NOTICES, OR
- 40               2. VIOLATION NOTICES.

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1 **123.3 CONTENTS – CONDEMNATION NOTICES.** EXCEPT AS SPECIFIED IN § 123.3.1, EVERY  
2 CONDEMNATION NOTICE MUST SET FORTH:

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

15 **123.3.1 FOLLOW-UP NOTICES.** A FOLLOW-UP OR OTHER SUBSEQUENT NOTICE INVOLVING THE  
16 SAME CONDEMNATION NEED NOT REPEAT THE INFORMATION CONTAINED IN A PRIOR NOTICE AS  
17 LONG AS THE SUBSEQUENT NOTICE IDENTIFIES THE PRIOR NOTICE.

18 **123.4 VIOLATION NOTICES.** EXCEPT AS SPECIFIED IN § 123.4.1, EVERY VIOLATION NOTICE MUST SET  
19 FORTH:

- 20 1. THE LOCATION AND CHARACTER OF THE VIOLATION,
- 21 2. A REFERENCE TO APPLICABLE PROVISIONS OF THIS CODE,
- 22 3. THE RIGHT OF THE PERSON TO WHOM THE NOTICE IS DIRECTED TO REQUEST A HEARING WITHIN  
23 10 DAYS OF THE DATE ON WHICH THE NOTICE WAS SERVED, AND
- 24 4. UNLESS TO BE CONTAINED IN A FOLLOW-UP OR SUBSEQUENT NOTICE:
  - 25 A. A STATEMENT OF THE REQUIREMENTS THAT MUST BE COMPLIED WITH TO RECTIFY THE  
26 VIOLATION,
  - 27 B. THE TIME WITHIN WHICH THE VIOLATION MUST BE RECTIFIED, AND
  - 28 C. THE BUILDING OFFICIAL’S AUTHORITY UNDER § 123.8 TO TAKE ACTION AT THE  
29 OWNER’S EXPENSE.

30 **123.4.1 FOLLOW-UP NOTICES.** A FOLLOW-UP OR OTHER SUBSEQUENT NOTICE INVOLVING THE  
31 SAME VIOLATION NEED NOT REPEAT THE INFORMATION CONTAINED IN A PRIOR NOTICE AS LONG AS  
32 THE SUBSEQUENT NOTICE IDENTIFIES THE PRIOR NOTICE.

33 **123.5 WHEN NOTICES TO BE ISSUED.** EXCEPT AS OTHERWISE SPECIFIED IN THIS CODE, NOTICES MUST  
34 BE ISSUED IN ALL CASES WHERE LEGAL PROCEEDINGS MIGHT BE NECESSARY TO ENFORCE THIS CODE.

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1           **123.5.1 CONDEMNATION NOTICES.** FOR ANY LAND, STRUCTURE, OR EQUIPMENT BEING  
2 CONDEMNED, THE CONDEMNATION NOTICE MUST BE ISSUED TO THE OWNER OF THE LAND,  
3 STRUCTURE, OR EQUIPMENT.

4           **123.5.2 VIOLATION NOTICES.** FOR VIOLATIONS, THE VIOLATION NOTICE MUST BE ISSUED TO THE  
5 PERSON WHO COMMITTED OR OTHERWISE IS RESPONSIBLE FOR THE VIOLATION.

6           **123.6 SERVICE OF NOTICE – GENERAL.** EXCEPT AS OTHERWISE SPECIFIED IN § 123.7, ALL NOTICES  
7 ISSUED BY THE BUILDING OFFICIAL MUST BE SERVED ON THE PERSON THAT THE NOTICE IS INTENDED  
8 FOR OR ON ANY AUTHORIZED AGENT OR REPRESENTATIVE OF THAT PERSON.

9           **123.6.1 MORE THAN 1 PERSON RESPONSIBLE.** IF MORE THAN 1 PERSON IS RESPONSIBLE FOR THE  
10 VIOLATION OR RESPONSIBLE FOR COMPLYING WITH THIS CODE, AS IN A CASE OF PROPERTY OWNED  
11 BY MORE THAN 1 PERSON, NOTICE MAY BE SERVED ON ANY 1 OF THOSE PERSONS OR ON ANY  
12 AUTHORIZED AGENT OR REPRESENTATIVE OF ANY OF THEM.

13           **123.6.2 METHOD OF SERVICE.** A NOTICE IS PROPERLY SERVED IF:

- 14           1. SERVED PERSONALLY ON THE OWNER, AGENT, PERSON IN CONTROL, FORMER OWNER, OR  
15           OTHER PERSON RESPONSIBLE FOR THE PROPERTY,
- 16           2. HAND DELIVERED TO THAT PERSON’S HOME, BUSINESS, OR TAX RECORD ADDRESS, OR
- 17           3. SENT BY CERTIFIED OR REGISTERED MAIL TO THAT PERSON’S HOME, BUSINESS, OR TAX  
18           RECORD ADDRESS.

19           **123.6.3 AUTHORIZED SERVER.** SERVICE UNDER § 123.6.2(1) OR (2) MUST BE MADE BY:

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

22           **123.7 SERVICE OF NOTICE – POSTING.** ADEQUATE AND SUFFICIENT NOTICE MAY BE MADE BY  
23 POSTING A COPY OF THE NOTICE ON THE PROPERTY IN QUESTION IF:

- 24           1. THE IDENTITY OR WHEREABOUTS OF THE OWNER, AGENT, PERSON IN CONTROL, FORMER  
25           OWNER, OR OTHER PERSON RESPONSIBLE FOR THE PROPERTY IS UNKNOWN, OR
- 26           2. NOTICE MAILED UNDER § 123.6 IS RETURNED UNCLAIMED OR REFUSED OR IS DESIGNATED  
27           UNDELIVERABLE BY THE POST OFFICE FOR ANY OTHER REASON, AND NEITHER OF THE  
28           FOLLOWING SOURCES CAN PROVIDE A MORE ACCURATE ADDRESS:

29           A. THE TAX RECORDS OF THE BUREAU OF TREASURY MANAGEMENT, COLLECTIONS  
30           DIVISION, AND

31           B. THE PROPERTY REGISTRATION FILES OF THE DEPARTMENT OF HOUSING AND  
32           COMMUNITY DEVELOPMENT.

33           **123.8 FAILURE TO COMPLY WITH NOTICE OR CITATION.** IF ANY PERSON FAILS TO COMPLY WITH A  
34 VIOLATION NOTICE, CONDEMNATION NOTICE, OR CITATION, THE BUILDING OFFICIAL:

- 35           1. MAY ENFORCE THE VIOLATION NOTICE OR CONDEMNATION NOTICE BY ISSUANCE OF AN  
36           ENVIRONMENTAL CITATION AS AUTHORIZED BY CITY CODE ARTICLE 1, SUBTITLE 40  
37           {“ENVIRONMENTAL CONTROL BOARD”},

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1 2. MAY TAKE WHATEVER ACTION IS NECESSARY AND PROPER, INCLUDING THE INSTITUTION OF  
2 LEGAL PROCEEDINGS, TO COMPEL COMPLIANCE WITH THE NOTICE OR CITATION OR TO ENFORCE  
3 THE PENALTY PROVISIONS OF THIS CODE, AND

4 3. SUBJECT TO THE NOTICE REQUIREMENTS OF § 123.8.1, MAY PROCEED TO REPAIR, REBUILD,  
5 DEMOLISH, OR TAKE ANY OTHER ACTION NECESSARY TO ELIMINATE, IN WHOLE OR IN PART, OR  
6 MAKE SAFE ANY NUISANCE, BLIGHT, HEALTH HAZARD, OR DANGEROUS, INSANITARY, OR  
7 UNSAFE CONDITION THAT IS THE SUBJECT OF THE VIOLATION NOTICE, CONDEMNATION NOTICE,  
8 OR CITATION.

9 **123.8.1 NOTICE OF INTENT TO REPAIR, ETC.** EXCEPT AS PROVIDED IN § 123.8.2, BEFORE THE  
10 BUILDING OFFICIAL PROCEEDS TO REPAIR, REBUILD, DEMOLISH, OR TAKE ANY OTHER ACTION TO  
11 ELIMINATE OR MAKE SAFE ANY NUISANCE, BLIGHT, HEALTH HAZARD, OR DANGEROUS, INSANITARY,  
12 OR UNSAFE CONDITION, A NOTICE MUST BE POSTED ON THE FRONT OF THE STRUCTURE STATING  
13 THAT THE VIOLATION HAS NOT BEEN RECTIFIED AND THAT THE BUILDING OFFICIAL INTENDS TO  
14 UNDERTAKE THE NECESSARY WORK AND CHARGE THE EXPENSES OF THAT WORK TO 1 OR MORE OF  
15 THE OWNER, AGENT, PERSON IN CONTROL, OR FORMER OWNER OF THE PREMISES, AS THE CASE MAY  
16 BE. THIS NOTICE MUST ALSO BE MAILED OR DELIVERED TO THE HOME, BUSINESS, OR TAX RECORD  
17 ADDRESS OF THE OWNER, AGENT, PERSON IN CONTROL, FORMER OWNER, OR OTHER PERSON  
18 RESPONSIBLE FOR THE PROPERTY, AS THE CASE MAY BE, OR THEIR RESPECTIVE AGENTS.

19 **123.8.2 EXCEPTION.** THE NOTICE REQUIRED BY §123.8.1 NEED NOT BE GIVEN:

- 20 1. IN THE CASE OF AN EMERGENCY,  
21 2. AS PROVIDED IN § 116.7 OF THIS CODE FOR UNSAFE STRUCTURES, OR  
22 3. IF THE INITIAL OR ANY OTHER PRIOR NOTICE OR ORDER ISSUED BY THE BUILDING OFFICIAL  
23 INFORMED THE RECIPIENT OF THE BUILDING OFFICIAL'S AUTHORITY TO TAKE CORRECTIVE  
24 ACTION AND OF THE RECIPIENT'S RIGHT TO REQUEST ADMINISTRATIVE REVIEW.

25 **123.8.3 ACTIONS NOT AN ABATEMENT, ETC.** ACTIONS TAKEN BY THE BUILDING OFFICIAL  
26 UNDER THIS § 123.8 DO NOT CONSTITUTE AN ABATEMENT OR CANCELLATION OF THE UNDERLYING  
27 NOTICE OR CITATION.

28 **123.9 EXTENSION OF TIME LIMIT ON NOTICES.** THE BUILDING OFFICIAL MAY EXTEND THE TIME  
29 WITHIN WHICH TO COMPLY WITH A CONDEMNATION NOTICE OR VIOLATION NOTICE IF, IN THE BUILDING  
30 OFFICIAL'S JUDGMENT, MORE TIME IS NEEDED TO COMPLY.

31 **123.10 REMOVAL OR DEFACEMENT OF POSTED NOTICES.** NO PERSON MAY REMOVE, DEFACE,  
32 DAMAGE, OR CHANGE ANY NOTICE, POSTER, OR SIGN PLACED UNDER THIS CODE ON ANY LAND,  
33 STRUCTURE, OR OTHER OBJECT, UNTIL THE BUILDING OFFICIAL AUTHORIZES ITS REMOVAL.

34 **123.11 NOTICES FOR PROPERTY OWNED BY THE CITY.** IF THE LAND, STRUCTURE, OR OTHER OBJECT  
35 IN VIOLATION OF THIS CODE IS OWNED BY THE CITY, THE BUILDING OFFICIAL MUST NOTIFY THE HEAD  
36 OF THE BUREAU, DEPARTMENT, COMMISSION, OR OTHER AGENCY HAVING JURISDICTION OVER THAT  
37 LAND, STRUCTURE, OR OTHER OBJECT.

### 38 SECTION 124 VIOLATION REPORTS

39 **124.1 BUILDING OFFICIAL TO ISSUE.** ON APPLICATION TO THE DEPARTMENT OR TO THE BUREAU OF  
40 LIENS, THE BUILDING OFFICIAL MUST ISSUE A VIOLATION REPORT FOR A PARTICULAR PROPERTY. THE  
41 REPORT:

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

**SECTIONS 125 TO 127 {RESERVED}**

**SECTION 128 ADMINISTRATIVE AND JUDICIAL REVIEW**

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

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

- 1. BE MADE WITHIN 10 DAYS OF THE ACTION FOR WHICH REVIEW IS SOUGHT,
- 2. SET FORTH IN FULL THE REASONS FOR THE REVIEW, AND
- 3. EITHER BE:

- A. MAILED TO THE BUILDING OFFICIAL BY CERTIFIED OR REGISTERED MAIL, RETURN RECEIPT REQUESTED, OR
- B. DELIVERED TO THE BUILDING OFFICIAL’S OFFICE AND STAMPED RECEIVED BY THE OFFICE.

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

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

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

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

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

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

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

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

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1 **128.5.4 HEARING OFFICER OR PANEL.** A HEARING OFFICER OR 3-PERSON PANEL DESIGNATED BY  
2 THE BUILDING OFFICIAL PRESIDES AT ALL HEARINGS. THE INDIVIDUAL WHO ISSUED THE NOTICE,  
3 ORDER, PERMIT, PENALTY ASSESSMENT, OR OTHER ACT BEING APPEALED MAY NOT SERVE AS THE  
4 HEARING OFFICER OR AS A MEMBER OF THE PANEL.

### 5 **128.5.5 RULES FOR CONDUCTING HEARINGS.**

6 **128.5.5.1 BUILDING OFFICIAL.** THE BUILDING OFFICIAL MAY ADOPT GENERAL RULES AND  
7 REGULATIONS FOR THE PROPER CONDUCT OF HEARINGS.

8 **128.5.5.1 HEARING OFFICER OR PANEL.** THE HEARING OFFICER OR PANEL MAY SET  
9 REQUIREMENTS TO ENSURE A FAIR AND EXPEDITIOUS HEARING. THE REQUIREMENTS SET:

- 10 1. MAY INCLUDE THE HOLDING OF A PRE-HEARING CONFERENCE, THE BRIEFING OF  
11 CERTAIN ISSUES, DEADLINES FOR THE FILING OF MOTIONS, AND OTHER SCHEDULING  
12 MATTERS, BUT
- 13 2. MAY NOT BE INCONSISTENT WITH THE GENERAL RULES AND REGULATIONS ADOPTED BY  
14 THE BUILDING OFFICIAL.

15 **128.5.6 DECISION.** WITHIN 30 DAYS AFTER A HEARING IS COMPLETED, THE HEARING OFFICER OR  
16 PANEL MUST RENDER A DECISION.

17 **128.5.6.1 FORM AND CONTENTS.** THE DECISION MUST:

- 18 1. BE IN WRITING, AND
- 19 2. CONTAIN SEPARATE STATEMENTS OF:
- 20 A. THE FINDINGS OF FACT,
- 21 B. THE CONCLUSIONS OF LAW, APPLYING THE RELEVANT PROVISIONS OF LAW TO  
22 THE FINDINGS OF FACT, AND
- 23 C. THE DECISION OR ORDER.

24 **128.5.6.2 DISTRIBUTION.** A COPY OF THE DECISION MUST BE MAILED OR DELIVERED TO  
25 EACH PARTY OR THAT PARTY'S ATTORNEY OF RECORD.

26 **128.5.6.3 FINAL ADMINISTRATIVE DECISION.** A DECISION ISSUED UNDER THIS § 128 IS A  
27 FINAL ADMINISTRATIVE DECISION.

28 **128.5.7 RECORDS.** THE DEPARTMENT MUST KEEP A COMPLETE RECORD OF ALL PAPERS FILED IN  
29 CONNECTION WITH ANY HEARING, TOGETHER WITH A COPY OF THE WRITTEN DECISION.

30 **128.5.8 TRANSCRIPT.** THE COSTS OF PREPARING A HEARING TRANSCRIPT MUST BE PAID BY THE  
31 PARTY REQUESTING THE TRANSCRIPT.

32 **128.6 JUDICIAL REVIEW.** A PARTY AGGRIEVED BY THE DECISION MAY SEEK JUDICIAL REVIEW OF  
33 THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE  
34 MARYLAND RULES OF PROCEDURE. A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S  
35 FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES  
36 OF PROCEDURE.

37 **128.6.1 PROCEEDINGS NOT STAYED.** A JUDICIAL REVIEW OR APPEAL DOES NOT STAY ANY  
38 CRIMINAL OR EQUITABLE PROCEEDINGS OR PREVENT THE BUILDING OFFICIAL FROM PURSUING ANY  
39 OTHER ACTION OR ENFORCEMENT PROCEDURE AUTHORIZED BY LAW.

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**CHAPTER 2  
DEFINITIONS**

**SECTION 201 GENERAL**

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

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

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

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

**SECTION 202 DEFINITIONS**

**202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED IN THIS CODE AND DEFINED IN THE INTERNATIONAL BUILDING CODE (2009 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL BUILDING CODE (2009 EDITION).

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

**202.2.1. ACCESSORY STRUCTURE.** “ACCESSORY STRUCTURE” MEANS A STRUCTURE:

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

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

1. IN ANY PARTICULAR CASE INVOLVING ANY PROPERTY:
  - A. IS RESPONSIBLE FOR THE MANAGEMENT, MAINTENANCE, OPERATION, RENTAL, LEASING, OR SALE OF THE PROPERTY,
  - B. APPLIES FOR OR SEEKS A PERMIT OR CERTIFICATE FROM A CITY AUTHORITY ON BEHALF OF THE OWNER OF THE PROPERTY, OR
  - C. IN ANY WAY REPRESENTS THE OWNER OF THE PROPERTY,
2. REPRESENTS THE BUILDING OFFICIAL, OR
3. IN GENERAL, REPRESENTS ANOTHER.

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

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

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

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

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1           **202.2.7 BUILDING PERMIT.** “BUILDING PERMIT” MEANS ANY PERMIT ISSUED UNDER THIS CODE.

2           **202.2.8 CERTIFICATE OF OCCUPANCY.** “CERTIFICATE OF OCCUPANCY” MEANS AN OCCUPANCY  
3 PERMIT.

4           **202.2.9 CHANGE IN OCCUPANCY.** “CHANGE IN OCCUPANCY” MEANS A CHANGE IN THE PURPOSE  
5 OR LEVEL OF ACTIVITY ON LAND OR WITHIN A STRUCTURE.

6           **202.2.10 CHANGE OF USE.** “CHANGE OF USE” MEANS CHANGE IN OCCUPANCY.

7           **202.2.11 CITY.** “CITY” MEANS THE MAYOR AND CITY COUNCIL OF BALTIMORE.

8           **202.2.12 CODE.** “CODE” MEANS, UNLESS OTHERWISE SPECIFIED, THE BUILDING, FIRE, AND  
9 RELATED CODES OF BALTIMORE CITY, AS FURTHER DEFINED IN § 101.1.

10          **202.2.13 DEMOLITION.** “DEMOLITION”:

11           1. MEANS RAZING OR DEMOLITION, AND

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

13          **202.2.14 DEPARTMENT.** “DEPARTMENT” MEANS, UNLESS THE CONTEXT CLEARLY INDICATES  
14 OTHERWISE, THE DEPARTMENT OF BUILDING SAFETY, AS FURTHER DEFINED IN § 103.1.

15          **202.2.15 DEPARTMENT OF BUILDING SAFETY.** “DEPARTMENT OF BUILDING SAFETY” HAS THE  
16 MEANING STATED IN § 103.1.

17          **202.2.16 DWELLING.** “DWELLING” INCLUDES, BUT IS NOT LIMITED TO, ANY ONE OR MORE OF THE  
18 FOLLOWING:

19           **202.2.16.1 BOARDING HOUSE.** *{AS IN IBC}*

20           **202.2.16.2 DORMITORY.** “DORMITORY” MEANS A SPACE IN A BUILDING THAT PROVIDES  
21 GROUP SLEEPING ACCOMMODATIONS IN 1 ROOM OR IN A SERIES OF CLOSELY ASSOCIATED  
22 ROOMS FOR PERSONS NOT MEMBERS OF THE SAME FAMILY GROUP.

23           **202.2.16.3 MULTIPLE-FAMILY DWELLING.** “MULTIPLE-FAMILY DWELLING” MEANS A  
24 BUILDING OR PART OF A BUILDING THAT CONTAINS MORE THAN 2 DWELLING UNITS.

25           **202.2.16.4 1-FAMILY DWELLING; SINGLE-FAMILY DWELLING UNIT.** “1-FAMILY DWELLING”  
26 OR “SINGLE-FAMILY DWELLING UNIT” MEANS A BUILDING THAT CONTAINS ONLY 1 DWELLING  
27 UNIT AND IS USED ONLY FOR THAT PURPOSE.

28           **202.2.16.5 2-FAMILY DWELLING.** “2-FAMILY DWELLING” MEANS A BUILDING THAT CONTAINS  
29 2 DWELLING UNITS AND IS USED ONLY FOR THAT PURPOSE.

30          **202.2.17 DWELLING UNIT.** “DWELLING UNIT” MEANS A SINGLE UNIT THAT PROVIDES OR THAT IS  
31 DESIGNED OR INTENDED TO PROVIDE COMPLETE, INDEPENDENT LIVING FACILITIES FOR 1 OR MORE  
32 PERSONS, INCLUDING PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING, COOKING, AND  
33 SANITATION.

34          **202.2.18 HIGH-RISE BUILDING.** “HIGH-RISE BUILDING” HAS THE MEANING STATED IN ARTICLE  
35 38A, § 49 OF THE MARYLAND CODE.



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### 1           **202.2.19 INTERNATIONAL CODES.**

2           **202.2.19.1 ENERGY CONSERVATION CODE.** “ENERGY CONSERVATION CODE” MEANS THE  
3 INTERNATIONAL ENERGY CONSERVATION CODE (2009 EDITION), AS SUPPLEMENTED,  
4 AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

5           **202.2.19.2 FIRE CODE.** “FIRE CODE” MEANS THE INTERNATIONAL FIRE CODE (2009  
6 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

7           **202.2.19.3 MECHANICAL CODE.** “MECHANICAL CODE” MEANS THE INTERNATIONAL  
8 MECHANICAL CODE (2009 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED  
9 BY BALTIMORE CITY.

10           **202.2.19.4 PROPERTY MAINTENANCE CODE.** “PROPERTY MAINTENANCE CODE” MEANS THE  
11 INTERNATIONAL PROPERTY MAINTENANCE CODE (2009 EDITION), AS SUPPLEMENTED,  
12 AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

13           **202.2.20 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY  
14 NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

15           **202.2.21 MORTGAGE.** “MORTGAGE” INCLUDES A DEED OF TRUST OR OTHER DEED IN THE NATURE  
16 OF A MORTGAGE.

17           **202.2.22 MORTGAGEE.** “MORTGAGEE” INCLUDES A BENEFICIARY UNDER A DEED OF TRUST OR  
18 OTHER DEED IN THE NATURE OF A MORTGAGE.

19           **202.2.23 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A  
20 REQUIREMENT OR TO IMPOSE A DUTY.

### 21           **202.2.24 NATIONAL CODES.**

22           **202.2.24.1 ELECTRICAL CODE.** “ELECTRICAL CODE” MEANS THE NATIONAL ELECTRICAL  
23 CODE (20089EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY  
24 BALTIMORE CITY.

25           **202.2.24.2 FUEL GAS CODE.** “FUEL GAS CODE” MEANS THE NATIONAL FUEL GAS CODE  
26 (2006 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE  
27 CITY.

28           **202.2.24.3 PLUMBING CODE.** “PLUMBING CODE” MEANS THE NATIONAL STANDARD  
29 PLUMBING CODE (2009 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED  
30 BY BALTIMORE CITY.

31           **202.2.25 OCCUPANCY.** “OCCUPANCY” MEANS:

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

35           **202.2.26 OCCUPANCY PERMIT.** “OCCUPANCY PERMIT” MEANS A PERMIT THAT:

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

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1       **202.2.27 OCCUPANT.** “OCCUPANT” MEANS ANY PERSON WHO USES OR WHO HAS THE RIGHT OF  
2       POSSESSION OF ALL OR ANY PART OF A STRUCTURE OR PREMISES.

3       **202.2.28 OPERATOR.** “OPERATOR” MEANS ANY PERSON WHO HAS CHARGE, CARE, OR CONTROL OF  
4       ALL OR ANY PART OF A STRUCTURE OR PREMISES.

5       **202.2.29 PERSON.** “PERSON”:

6           1. MEANS ANY INDIVIDUAL, SOLE PROPRIETORSHIP, CORPORATION, LIMITED LIABILITY  
7           COMPANY, FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, JOINT VENTURE, OR OTHER  
8           ENTITY OR GROUP ACTING AS A UNIT, EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER,  
9           GUARDIAN, OR OTHER REPRESENTATIVE APPOINTED BY LAW, AND

10          2. WHENEVER USED IN THIS CODE WITH REFERENCE TO LIABILITY OR TO THE IMPOSITION OF A  
11          PENALTY OR FINE, INCLUDES:

12           A. AS TO AN UNINCORPORATED FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION,  
13           OR JOINT VENTURE, THE PARTNERS OR MEMBERS OF THE FIRM, PARTNERSHIP,  
14           ASSOCIATION, ORGANIZATION, OR JOINT VENTURE,

15           B. AS TO A CORPORATION, THE OFFICERS, TRUSTEES, AGENTS, OR MEMBERS OF THE  
16           CORPORATION WHO ARE RESPONSIBLE FOR THE VIOLATION OF ANY RELEVANT  
17           CODE PROVISION, AND

18           C. IN ADDITION, THE RESPONSIBLE OFFICER, TRUSTEE, PARTNER, OR MEMBER  
19           DESIGNATED ON A REGISTRATION STATEMENT MADE UNDER CITY CODE ARTICLE  
20           13, SUBTITLE 4 {“REGISTRATION OF RESIDENTIAL PROPERTIES”}.

21       **202.2.30 PREMISES.** “PREMISES” MEANS A LOT OR GROUP OF LOTS, TOGETHER WITH ALL OR ANY  
22       PART OF ANY BUILDINGS OR STRUCTURES ON THE LOT OR GROUP OF LOTS, CONSIDERED AS A UNIT  
23       DEVOTED TO A PARTICULAR USE, INCLUDING ACCESSORY STRUCTURES AND OPEN SPACES REQUIRED  
24       OR USED IN CONNECTION WITH THAT PARTICULAR USE.

25       **202.2.31 REHABILITATION.** “REHABILITATION” MEANS ALL REPAIRS AND OTHER WORK, OF ANY  
26       KIND, NEEDED TO MAKE A DWELLING OR OTHER STRUCTURE FIT TO BE OCCUPIED FOR ITS  
27       AUTHORIZED USE IN CONFORMITY WITH ALL APPLICABLE STANDARDS AND REQUIREMENTS OF THIS  
28       CODE.

29       **202.2.32 RELATED LAWS.** “RELATED LAWS” HAS THE MEANING STATED IN § 104.6.2.

30       **202.2.33 {RESERVED}**

31       **202.2.34 {RESERVED}**

32       **202.2.35 STRUCTURE.** “STRUCTURE” HAS THE MEANING STATED IN IBC § 202 AND, UNLESS THE  
33       CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

34       **202.2.36 STABILIZATION.** “STABILIZATION”, WITH REFERENCE TO A STRUCTURE THAT HAS BEEN  
35       DECLARED UNSAFE OR UNFIT FOR OCCUPANCY, MEANS ALL WORK OF ANY KIND, NOT AMOUNTING  
36       TO REHABILITATION, THAT IS NEEDED, OR THAT IS PERFORMED OR REQUIRED BY THE BUILDING  
37       OFFICIAL, TO MAKE THE STRUCTURE SAFE AND SECURE, TO PREVENT ITS FURTHER DETERIORATION,  
38       AND TO ELIMINATE ITS BLIGHTING INFLUENCE.

39       **202.2.37 TRANSFER.** “TRANSFER”, WHEN USED WITH RESPECT TO PROPERTY SUBJECT TO THIS  
40       CODE, HAS THE MEANING STATED IN § 114.23.



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1           **308.5.1 ADULT CARE FACILITY.** A FACILITY THAT PROVIDES ACCOMMODATION FOR LESS THAN  
2 24 HOURS FOR MORE THAN 8 UNRELATED ADULTS AND PROVIDES SUPERVISION AND PERSONAL  
3 CARE SERVICES IS CLASSIFIED AS GROUP I-4.

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

5           **308.5.2 CHILD CARE FACILITY.** A FACILITY THAT PROVIDES SUPERVISION AND PERSONAL CARE  
6 ON LESS THAN A 24-HOUR BASIS FOR MORE THAN 8 CHILDREN 2½ YEARS OF AGE OR LESS IS  
7 CLASSIFIED AS GROUP I-4.

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

13   **SECTION 309 MERCANTILE GROUP M {AS IN IBC}**

14   **SECTION 310 RESIDENTIAL GROUP R**

15           **310.1 RESIDENTIAL GROUP R. {INTRO AS IN IBC}**

16                   **R-1 TO R-2 {AS IN IBC}**

17           **R-3** RESIDENTIAL OCCUPANCIES WHERE THE OCCUPANTS ARE PRIMARILY PERMANENT IN NATURE  
18 AND NOT CLASSIFIED AS R-1, R-2, R-4, OR I AND WHERE BUILDINGS DO NOT CONTAIN MORE  
19 THAN 2 DWELLING UNITS, OR ADULT AND CHILD CARE FACILITY THAT PROVIDE  
20 ACCOMMODATIONS FOR 8 OR FEWER PERSONS OF ANY AGE AND COMPLY WITH THE ZONING  
21 CODE.

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

25                   GROUP R-4 OCCUPANCIES MUST:

- 26                   1. BE PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE
- 27                   WITH § 903.2.8 OF THIS CODE; AND
- 28                   2. EITHER:
- 29                   A. MEET THE CONSTRUCTION REQUIREMENTS FOR GROUP R-3, EXCEPT AS
- 30                   OTHERWISE PROVIDED IN THIS CODE, OR
- 31                   B. COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE.

32           **310.2 DEFINITIONS. {AS IN IBC}**

33   **SECTION 311 STORAGE GROUP S {AS IN IBC}**

34   **SECTION 312 UTILITY, MISCELLANEOUS GROUP U**

35           **312.1 GENERAL.** BUILDINGS AND STRUCTURES OF AN ACCESSORY CHARACTER AND MISCELLANEOUS  
36 STRUCTURES NOT CLASSIFIED IN ANY SPECIFIC OCCUPANCY MUST BE CONSTRUCTED, EQUIPPED, AND  
37 MAINTAINED TO CONFORM TO THE REQUIREMENTS OF THIS CODE COMMENSURATE WITH THE FIRE AND  
38 LIFE HAZARD INCIDENTAL TO THEIR OCCUPANCY. GROUP U INCLUDES THE FOLLOWING:



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### 1       **415.6 GROUP H-2. {AS IN IBC}**

2               **415.6.1 COMBUSTIBLE DUSTS, GRAIN PROCESSING, AND STORAGE. {AS IN IBC}**

3  
4               **415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS. {AS IN IBC}**

5               **415.6.3 LIQUEFIED PETROLEUM GAS DISTRIBUTION FACILITIES. {SUBSTITUTE "NATIONAL**  
6               **FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE". OTHERWISE, AS IN IBC.}**

7               **415.6.4 DRY CLEANING PLANTS.** THE CONSTRUCTION AND INSTALLATION OF DRY CLEANING  
8               PLANTS MUST BE IN ACCORDANCE WITH THIS CODE, THE INTERNATIONAL MECHANICAL CODE, AND  
9               NFPA 32. DRY CLEANING SOLVENTS AND SYSTEMS MUST BE CLASSIFIED IN ACCORDANCE WITH  
10              THE INTERNATIONAL FIRE CODE.

### 11       **415.7 GROUPS H-3 AND H-4. {AS IN IBC}**

### 12       **415.8 GROUP H-5. {AS IN IBC}**

## 13       **SECTIONS 416 TO 423 {AS IN IBC}**

### 14       **SECTION 424 GREENHOUSES**

15              **424.1 GENERAL.** STRUCTURES WITH GLAZED SURFACES THAT ARE USED ONLY FOR HORTICULTURE  
16              ARE CLASSIFIED AS GREENHOUSES. THESE STRUCTURES MUST BE INDEPENDENT AND SEPARATED FROM  
17              OTHER BUILDINGS ON THE SAME LOT. ALL GREENHOUSES MUST CONFORM TO THE REQUIREMENTS  
18              OF THIS CODE FOR EXITS AND FOR MATERIALS.  
19

20              **424.2 COMMERCIAL GREENHOUSES.** COMMERCIAL GREENHOUSES ARE CLASSIFIED AS GROUP S-2,  
21              LOW HAZARD STORAGE BUILDINGS, AND MUST COMPLY WITH TABLES 503, 601, AND 602.

22              **424.3 RESIDENTIAL GREENHOUSES.** GREENHOUSES THAT ARE LOCATED ON A LOT ZONED FOR  
23              RESIDENTIAL USE ARE CLASSIFIED AS GROUP U, UTILITY AND MISCELLANEOUS STRUCTURES.

24              **424.3.1 HEIGHT.** RESIDENTIAL GREENHOUSES MAY NOT EXCEED 20 FEET (6.10 M) ABOVE GRADE.

25              **424.3.2 SIZE.** THE FLOOR AREA OF A RESIDENTIAL GREENHOUSE MUST CONFORM TO THE  
26              REQUIREMENTS OF THE ZONING CODE.

27              **424.3.3 LOCATION.** RESIDENTIAL GREENHOUSES MUST BE LOCATED AT LEAST 36 INCHES  
28              (914 MM) FROM ANY PROPERTY LINE OR OTHER STRUCTURE.

### 29       **SECTION 425 CIRCUSES AND CARNIVALS**

30              **425.1 DEFINITION.** "CIRCUS" OR "CARNIVAL" MEANS ANY USE OF PUBLIC OR PRIVATE LAND, STREETS,  
31              LANES, OR ALLEYS FOR FETES, BAZAARS, CIRCUSES, STREET CARNIVALS, CARNIVALS, FEATS OF  
32              HORSEBACK-RIDING ABILITY, ACROBATIC STUNTS, TRAINED ANIMAL ACTS, CLOWNING, AND OTHER  
33              SIMILAR PERFORMANCES, MECHANICAL RIDES, OR OTHER AMUSEMENT DEVICES TO WHICH THE PUBLIC  
34              IS ADMITTED, AND INCLUDES ANY TEMPORARY STANDS OR FACILITIES FOR SELLING OR DISPENSING  
35              PRODUCTS FOR HUMAN CONSUMPTION IN CONNECTION WITH THESE USES.

36              **425.2 SCOPE.** THIS SECTION COVERS REGULATIONS FOR CIRCUSES AND CARNIVALS THAT ARE NOT  
37              PROVIDED FOR IN OTHER SECTIONS OF THIS CODE.

38              **425.3 PERMIT REQUIRED.** BEFORE ANY PERSON MAY BEGIN TO SET UP ANY STRUCTURE, APPLIANCE,  
39              OR EQUIPMENT FOR A CIRCUS OR CARNIVAL, THE PERSON MUST OBTAIN THE APPROPRIATE PERMIT FROM  
40              THE BUILDING OFFICIAL.

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1           **425.3.1 APPLICATION FOR PERMIT.** THE APPLICATION FOR THE PERMIT MUST BE:

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

4           **425.3.2 REFERRAL OF APPLICATION.** THE BUILDING OFFICIAL MUST IMMEDIATELY REFER EACH  
5 APPLICATION TO THE FOLLOWING, FOR THEIR RECOMMENDATIONS:

- 6                   1. THE POLICE COMMISSIONER,
- 7                   2. THE DIRECTOR OF PUBLIC WORKS,
- 8                   3. THE CHIEF OF THE FIRE DEPARTMENT, AND
- 9                   4. THE COMMISSIONER OF HEALTH.

10          **425.3.3 DISAPPROVAL OF POLICE COMMISSIONER.** IF THE POLICE COMMISSIONER DISAPPROVES  
11 THE APPLICATION:

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

15          **425.3.4 APPROVAL OF POLICE COMMISSIONER.** IF THE POLICE COMMISSIONER APPROVES THE  
16 APPLICATION, THE BUILDING OFFICIAL:

- 17                   1. MAY ISSUE THE PERMIT, SUBJECT TO ANY RECOMMENDATIONS OF THE POLICE  
18                   COMMISSIONER, PUBLIC WORKS DIRECTOR, FIRE CHIEF, AND HEALTH COMMISSIONER,  
19                   AND
- 20                   2. IF THE PERMIT IS ISSUED, MUST IMMEDIATELY SEND A COPY OF THE PERMIT TO EACH OF  
21                   THEM.

22          **425.4 INSURANCE FOR MECHANICAL RIDES, ETC.** EVERY APPLICATION FOR A CIRCUS OR CARNIVAL  
23 PERMIT MUST SPECIFY WHETHER OR NOT MECHANICAL RIDES OR DEVICES WILL BE USED IN CONNECTION  
24 WITH THE CIRCUS OR CARNIVAL. IF MECHANICAL RIDES OR DEVICES WILL BE USED, THE PERSON  
25 SUPPLYING THESE RIDES OR DEVICES MUST, BEFORE THE PERMIT MAY BE ISSUED, FURNISH  
26 SATISFACTORY EVIDENCE OF INSURANCE, IN AN AMOUNT THAT THE CITY'S OFFICE OF RISK  
27 MANAGEMENT CONSIDERS SUFFICIENT, TO:

- 28                   1. INSURE THE APPLICANT, AND NAME THE CITY AS AN ADDITIONAL INSURED, AGAINST LIABILITY  
29                   FOR DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING DEATH, DUE TO FAULTY  
30                   EQUIPMENT OR NEGLIGENCE, AND
- 31                   2. INDEMNIFY THE CITY AGAINST ANY SUIT, LOSS, CLAIM, DAMAGES, OR EXPENSE TO WHICH THE  
32                   CITY IS SUBJECTED BECAUSE OF ANY DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING  
33                   DEATH, OR INJURY TO ANY PUBLIC HIGHWAY OR OTHER PUBLIC PROPERTY DONE BY OR IN  
34                   CONNECTION WITH THE TRANSPORTATION, ERECTION, OPERATION, MAINTENANCE, OR  
35                   SUPERVISION OF A MECHANICAL RIDE OR DEVICE.

36          **425.5 FINANCIAL RESPONSIBILITY.** BEFORE A PERMIT MAY BE ISSUED, THE APPLICANT MUST FURNISH  
37 PROOF OF FINANCIAL RESPONSIBILITY, IN THE FORM OF A CERTIFICATE OF INSURANCE FROM AN  
38 INSURER AUTHORIZED TO DO BUSINESS IN THIS STATE. THE CERTIFICATE OF INSURANCE MUST STATE  
39 THAT THE CIRCUS OR CARNIVAL IS INSURED AGAINST ANY LEGAL LIABILITY (OTHER THAN THAT  
40 COVERED BY § 425.4), CAUSED BY ACCIDENTS OR OTHERWISE AND RESULTING IN DAMAGE OR INJURY

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1 TO PROPERTY OR PERSON, INCLUDING DEATH, AS A CONSEQUENCE OF THE OWNERSHIP, OPERATION, OR  
2 MAINTENANCE OF THE CIRCUS OR CARNIVAL OR OTHERWISE IN ANY WAY CONNECTED WITH THE CIRCUS  
3 OR CARNIVAL. THE INSURANCE MUST BE FOR AT LEAST THE AMOUNT THAT THE CITY'S OFFICE OF RISK  
4 MANAGEMENT CONSIDERS SUFFICIENT TO PROTECT THE PUBLIC, AND MUST NAME THE CITY AS AN  
5 ADDITIONAL INSURED. ADDITIONALLY, THE INSURANCE MUST BE IN AN AMOUNT THAT THE CITY'S  
6 OFFICE OF RISK MANAGEMENT CONSIDERS SUFFICIENT TO:

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

13 **425.5.1 NONRESIDENT APPLICANTS.** IF THE APPLICANT IS NOT A RESIDENT OF THE CITY, THE  
14 APPLICANT AND THE INSURER MUST EXECUTE A POWER OF ATTORNEY THAT AUTHORIZES THE  
15 BUILDING OFFICIAL TO ACCEPT ON THEIR BEHALF SERVICE OF NOTICES, PROCESSES, AND ANY  
16 ACTIONS ARISING OUT OF THE OWNERSHIP, OPERATION, OR MAINTENANCE OF THE CIRCUS OR  
17 CARNIVAL OR OTHERWISE IN ANY WAY CONNECTED WITH THE CIRCUS OR CARNIVAL. IF THE  
18 APPLICANT IS A NONRESIDENT CORPORATION, THE CORPORATION, IN ADDITION TO COMPLYING  
19 WITH ALL OTHER REQUIREMENTS OF THIS CODE, MUST SUBMIT WITH ITS APPLICATION A  
20 CERTIFICATE FROM THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION CERTIFYING  
21 THAT IT IS A CORPORATION AUTHORIZED TO DO BUSINESS IN THIS STATE.

22 **425.5.2 NONPROFIT ENTITIES EXCEPTED.** THIS § 425.5 DOES NOT APPLY TO ANY APPLICANT  
23 THAT IS A CHURCH, SCHOOL, CHARITABLE ORGANIZATION, VETERANS' ORGANIZATION, OR OTHER  
24 NONPROFIT ORGANIZATION.

25 **425.6 ZONING REQUIREMENTS.** THE PROVISIONS OF THE ZONING CODE THAT PROHIBIT CARNIVALS IN  
26 RESIDENTIAL AREAS DO NOT APPLY TO A CARNIVAL THAT:

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

30 **425.7 LAYOUT.** EVERY CIRCUS AND CARNIVAL MUST BE LAID OUT AS PROVIDED IN THIS § 425.7.

31 **425.7.1 MAIN AISLE.** A MAIN AISLE OR CONCOURSE MUST:

- 32 1. EXTEND ENTIRELY THROUGH THE CIRCUS OR CARNIVAL,
- 33 2. OPEN AT BOTH ENDS ON A STREET OR OTHER PUBLIC WAY THAT LEADS TO A STREET AT  
34 LEAST 30 FEET (9.14 M) WIDE, AND
- 35 3. BE AT LEAST 10 FEET (3.05 M) WIDE FOR A LENGTH OF UP TO 100 FEET (30.48 M), PLUS AN  
36 ADDITIONAL 2½ FEET (0.76 M) IN WIDTH FOR EACH ADDITIONAL 100 FEET (30.38 M) OR  
37 FRACTION OF 100 FEET (30.38 M) IN LENGTH.

38 **425.7.2 SIDE OR BRANCH AISLES.** SIDE OR BRANCH AISLES THAT ARE OPEN AT BOTH ENDS MUST  
39 BE AT LEAST 6 FEET (1.83 M) WIDE FOR A LENGTH OF UP TO 50 FEET (15.24 M), PLUS AN  
40 ADDITIONAL 1 FOOT IN WIDTH FOR EACH ADDITIONAL 50 FEET (15.24 M) OR FRACTION OF 50 FEET  
41 (15.24 M) IN LENGTH. SIDE OR BRANCH AISLES THAT ARE OPEN AT ONLY 1 END MUST BE AT LEAST  
42 TWICE THE WIDTH FOR SIDE OR BRANCH AISLES THAT ARE OPEN AT BOTH ENDS.



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1 **425.8 CIRCUS AND CARNIVAL STRUCTURES.** CIRCUS AND CARNIVAL STRUCTURES, IN ADDITION TO  
2 COMPLYING WITH ALL OTHER APPLICABLE PROVISIONS OF THIS CODE, MUST COMPLY WITH THE  
3 REQUIREMENTS OF THIS § 425.8.

4 **425.8.1 TENTS.** ALL TENTS MUST CONFORM TO THE REQUIREMENTS FOR TEMPORARY STRUCTURES  
5 IN § 3103 OF THIS CODE.

6 **425.8.2 EXITS AND LIGHTING.** EVERY TENT AND OTHER STRUCTURE MUST BE PROVIDED WITH  
7 ADEQUATE EXITS. THE MEANS OF EGRESS AND THE WIDTH AND NUMBER OF EXITS ARE BASED ON  
8 AND MUST COMPLY WITH THE GENERAL REQUIREMENTS OF CHAPTER 10 OF THIS CODE FOR EXITS  
9 AND MEANS OF EGRESS IN ASSEMBLY STRUCTURES, WHICH APPLY IN ADDITION TO THE  
10 REQUIREMENTS OF THIS SECTION FOR GENERAL LAYOUT. ALL EXITS AND AISLES MUST BE WELL  
11 LIGHTED WHENEVER THE TENT OR STRUCTURE IS OCCUPIED.

12 **425.8.3 MECHANICAL RIDES AND DEVICES.** NO MERRY-GO-ROUND, FERRIS WHEEL, WHIP, OR  
13 OTHER MECHANICAL RIDE OR DEVICE MAY BE OPERATED WITHOUT A PERMIT FROM THE BUILDING  
14 OFFICIAL. ALL MECHANICAL RIDES AND DEVICES MUST BE DESIGNED, CONSTRUCTED, AND  
15 ERECTED IN ACCORDANCE WITH APPLICABLE STATE REGULATIONS.

16 **425.8.4 CONCESSION STANDS.** CONCESSION STANDS MUST BE OF EITHER:

- 17 1. STANDARD PREFABRICATED CONSTRUCTION, OR
- 18 2. SPECIAL CONSTRUCTION APPROVED BY THE BUILDING OFFICIAL FOR THE PARTICULAR  
19 PURPOSE.

20 **425.9 ELECTRICAL AND MECHANICAL REQUIREMENTS.** ALL ELECTRICAL WORK MUST CONFORM TO  
21 THE REQUIREMENTS OF CHAPTER 27 OF THIS CODE. ALL MECHANICAL WORK MUST CONFORM TO THE  
22 REQUIREMENTS OF THIS CODE.

23 **425.10 MAINTENANCE AND OPERATION.** EVERY CIRCUS OR CARNIVAL MUST BE MAINTAINED AND  
24 OPERATED SO AS NOT TO CAUSE A HAZARD OR INJURY TO LIFE OR PROPERTY. THE APPLICANT IS  
25 RESPONSIBLE FOR:

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

29 **425.11 POLICE TO POLICE OPERATIONS.** THE POLICE COMMISSIONER IS RESPONSIBLE FOR KEEPING A  
30 CLOSE WATCH ON EVERY CIRCUS OR CARNIVAL TO DETERMINE WHETHER ANY LAWS ARE BEING  
31 VIOLATED.

### 32 SECTION 426 CHESAPEAKE BAY CRITICAL AREA DEVELOPMENT

33 **426.1 GENERAL.** THE BALTIMORE CITY CRITICAL AREA MANAGEMENT PROGRAM, AS ADOPTED BY  
34 THE DEPARTMENT OF PLANNING TO GUIDE AND RESTRICT DEVELOPMENT WITHIN THE BALTIMORE CITY  
35 CRITICAL AREA, MUST BE COMPLIED WITH. THE REQUIREMENTS OF THAT PROGRAM ARE IN ADDITION  
36 TO ALL OTHER CITY, STATE, AND FEDERAL LAWS AND REGULATIONS GOVERNING CONSTRUCTION AND  
37 DEVELOPMENT WITHIN THE BALTIMORE CITY CRITICAL AREA. IN CASE OF ANY CONFLICT, THE MORE  
38 RESTRICTIVE REQUIREMENT PREVAILS WITHIN THE CRITICAL AREA.

39 **426.2 COMPLIANCE REQUIRED.** ANY DEVELOPMENT ACTIVITY WITHIN THE BALTIMORE CITY  
40 CRITICAL AREA OR THE BUFFER, INCLUDING THE CONSTRUCTION, RECONSTRUCTION, REHABILITATION,  
41 DEMOLITION, ALTERATION, OR EXPANSION OF STRUCTURES, OR THE FILLING, DREDGING, MINING,  
42 STORING MATERIALS, EXCAVATION, CLEARING, GRADING, PAVING, OR IMPROVEMENT OF LAND, MUST

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1 COMPLY WITH THE APPLICABLE DEVELOPMENT REQUIREMENTS OF THE CRITICAL AREA PROGRAM  
2 DOCUMENT (THE "CAMP DOCUMENT"), AS AMENDED FROM TIME TO TIME.

3 **426.3 ENFORCEMENT.** ANY VIOLATION OF THE CAMP DOCUMENT IS A VIOLATION OF THIS CODE,  
4 SUBJECT TO ENFORCEMENT UNDER § 114 OF THIS CODE.  
5

6 **CHAPTER 5**  
7 **GENERAL BUILDING HEIGHTS AND AREAS**  
8 *{AS IN IBC}*

9 **CHAPTER 6**  
10 **TYPES OF CONSTRUCTION**

11 **SECTION 601 GENERAL** *{AS IN IBC}*

12 **SECTION 602 CONSTRUCTION CLASSIFICATION** *{AS IN IBC}*

13 **SECTION 603 COMBUSTIBLE MATERIAL IN TYPE I AND II CONSTRUCTION** *{SUBSTITUTE "NATIONAL*  
14 *STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IBC.}*

15 **CHAPTER 7**  
16 **FIRE AND SMOKE PROTECTION FEATURES**

17 **SECTIONS 701 TO 705** *{AS IN IBC}*

18 **SECTION 706 FIRE WALLS**

19 **706.1 TO 706.8** *{AS IN IBC}*

20 **706.9 PENETRATIONS.** PENETRATIONS THROUGH FIRE WALLS MUST COMPLY WITH § 713 OF THIS  
21 CODE. PENETRATIONS THROUGH PARTY WALLS ARE NOT ALLOWED.

22 **706.10 TO 706.11** *{AS IN IBC}*

23 **SECTIONS 707 TO 716** *{AS IN IBC}*

24 **SECTION 717 CONCEALED SPACES**

25 **717.1 TO 717.4** *{AS IN IBC}*

26 **717.5 COMBUSTIBLE MATERIALS IN CONCEALED PLACES IN TYPE I OR TYPE II CONSTRUCTION.**  
27 *{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE".*  
28 *OTHERWISE, AS IN IBC.}*

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

30 **CHAPTER 8**  
31 **INTERIOR FINISHES**  
32 *{AS IN IBC}*

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**CHAPTER 9  
FIRE PROTECTION SYSTEMS**

**SECTION 901 GENERAL**

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

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

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

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

**SECTION 903 AUTOMATIC SPRINKLER SYSTEMS**

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

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

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

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

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

**903.4 TO 903.5** *{AS IN IBC}*

**SECTIONS 904 TO 911** *{AS IN IBC}*

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

**SECTIONS 913 TO 915** *{AS IN IBC}*

**CHAPTER 10  
MEANS OF EGRESS**

**SECTION 1001 ADMINISTRATION**

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

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

**1001.2 TO 1001.3** *{AS IN IBC}*

**SECTIONS 1002 TO 1012** *{AS IN IBC}*

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**SECTION 1013 GUARDS**

**1013.1 TO 1013.2** *{AS IN IBC}*

**1013.3 OPENING LIMITATIONS – GENERAL.** *{AS IN IBC}*

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

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

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

**SECTIONS 1014 TO 1029** *{AS IN IBC}*

**CHAPTER 11  
ACCESSIBILITY  
{NOT ADOPTED}**

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

**CHAPTER 12  
INTERIOR ENVIRONMENT**

**SECTIONS 1201 TO 1205** *{AS IN IBC}*

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

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

**SECTION 1211 CARBON MONOXIDE ALARMS.**

**1211.1 DEFINITIONS.** IN THIS § 1211 , THE FOLLOWING TERMS HAVE THE MEANING INDICATED.

**1211.1.1 CARBON MONOXIDE ALARM.** “CARBON MONOXIDE ALARM” MEANS A DEVICE THAT:

1. SENSES CARBON MONOXIDE,
2. WHEN SENSING CARBON MONOXIDE, EMITS A DISTINCT AND AUDIBLE SOUND, AND
3. IS CERTIFIED BY A NATIONALLY RECOGNIZED TESTING LABORATORY THAT HAS BEEN APPROVED BY:
  - A. THE OFFICE OF THE STATE FIRE MARSHAL, OR
  - B. FOR DWELLINGS SUBJECT TO THIS SECTION BUT NOT TO STATE PUBLIC SAFETY ARTICLE TITLE 12 {“BUILDING AND MATERIAL CODES”}, SUBTITLE 11 {“CARBON MONOXIDE ALARMS”}, EITHER:
    - I. THE OFFICE OF THE STATE FIRE MARSHAL, OR
    - II. THE CITY FIRE CODE OFFICIAL.

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1           **1211.1.2 DWELLING.** “DWELLING” INCLUDES A HOTEL, MOTEL, BOARDING HOUSE, ROOMING  
2 HOUSE, OR OTHER BUILDING OR PART OF A BUILDING THAT PROVIDES LIVING OR SLEEPING  
3 FACILITIES FOR 1 OR MORE INDIVIDUALS.

4           **1211.2 SCOPE.** THIS § 1211 APPLIES TO ANY DWELLING, WHETHER NEWLY CONSTRUCTED OR  
5 ALREADY EXISTING, THAT:

- 6           1. USES GAS- OR FOSSIL-FUEL FOR HEATING, COOKING, HOT WATER, OR CLOTHES-DRYING  
7           OPERATIONS,
- 8           2. IS ATTACHED TO A GARAGE, OR
- 9           3. HAS A GAS- OR WOOD-BURNING FIREPLACE.

10          **1211.3 INSTALLATION AND MAINTENANCE REQUIRED.**

11          **1211.3.1 OWNERS’ RESPONSIBILITIES.** IN EVERY DWELLING SUBJECT TO THIS SECTION, THE  
12 OWNER OF THE DWELLING MUST:

- 13           1. SUPPLY AND INSTALL 1 OR MORE CARBON MONOXIDE ALARMS,
- 14           2. EXCEPT FOR ALARMS IN A TENANT-OCCUPIED DWELLING UNIT, TEST AND MAINTAIN THESE  
15           ALARMS ACCORDING TO THEIR MANUFACTURERS’ GUIDELINES, AND
- 16           3. FOR ALARMS IN A TENANT-OCCUPIED DWELLING UNIT, PROVIDE WRITTEN INFORMATION ON  
17           ALARM TESTING AND MAINTENANCE TO AT LEAST 1 ADULT OCCUPANT OF THAT UNIT.

18          **1211.3.2 OCCUPANTS’ RESPONSIBILITIES.** FOR CARBON MONOXIDE ALARMS LOCATED IN  
19 A TENANT-OCCUPIED DWELLING UNIT, THE TENANT MUST:

- 20           1. TEST AND MAINTAIN THE ALARMS ACCORDING TO THEIR MANUFACTURERS’ GUIDELINES,  
21           AND
- 22           2. REPLACE BATTERIES AS NEEDED.

23          **1211.3.3 REQUIRED LOCATIONS.** A CARBON MONOXIDE ALARM MUST BE INSTALLED IN A  
24 CENTRAL LOCATION OUTSIDE OF EACH SLEEPING AREA IN THE DWELLING.

25          **1211.3.4 METHOD OF INSTALLATION.** INSTALLATION OF AN ALARM MUST BE BY ATTACHMENT  
26 TO A WALL OR CEILING IN ACCORDANCE WITH:

- 27           1. NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 720, STANDARD FOR THE  
28           INSTALLATION OF HOUSEHOLD CARBON MONOXIDE (CO)WARNING EQUIPMENT IN  
29           DWELLING UNITS; OR
- 30           2. THE MANUFACTURER’S RECOMMENDATIONS.

31          **1211.4 POWER SOURCE.**

32          **1211.4.1 DWELLINGS SUBJECT TO STATE LAW.** FOR A NEWLY CONSTRUCTED DWELLING TO  
33 WHICH STATE PUBLIC SAFETY ARTICLE TITLE 12 {“BUILDING AND MATERIAL CODES”}, SUBTITLE  
34 11 {“CARBON MONOXIDE ALARMS”} APPLIES, THE CARBON MONOXIDE ALARM MUST BE WIRED  
35 INTO AN ALTERNATING CURRENT (AC) POWERLINE WITH BATTERY BACKUP.



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1 **1503.4.4 GENERAL DISCHARGE REQUIREMENTS.** GUTTERS, DOWNSPOUTS, AND LEADERS MUST  
2 BE PROVIDED ON ALL BUILDINGS TO PROPERLY COLLECT, CONDUCT, AND DISCHARGE THE WATER  
3 FROM THEIR ROOFS INTO A STORM DRAIN OR INTO THE DRIVEWAY OF AN ALLEY, STREET, OR OTHER  
4 PUBLIC WAY. NO WATER FROM ANY BUILDING MAY BE DISCHARGED SO AS TO RUN OR FLOW OVER  
5 ANY SIDEWALK, FOOTWAY, OR ANY ADJOINING PROPERTY, EXCEPT FROM WINDOW SILLS, COPINGS,  
6 OR CORNICES THAT PROJECT NO MORE THAN 1 FOOT (305 MM).

7 **1503.4.5 EXCEPTIONS.** SECTION 1503.4.4 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 **1503.4.6 METHODS.** DRAINAGE MUST BE CONVEYED IN 1 OF THE FOLLOWING METHODS.

13 **1503.4.6.1 METHOD 1.** DRAINAGE MAY BE DISCHARGED BY PIPING TO A STORM DRAIN, TO  
14 THE 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 **1503.4.6.2 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 **1503.4.7 INDIVIDUAL DOWNSPOUTS.** GUTTERS OF BUILDINGS ON ADJOINING PROPERTIES MAY  
25 NOT 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  
28 BUILDING'S EXTERIOR WALLS.

29 **1503.4.8 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 **1503.4.8.1 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 **1503.5 TO 1503.6** *{AS IN IBC}*

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

40 **SECTION 1509 ROOFTOP STRUCTURES**

41 **1509.1 TO 1509.5** *{AS IN IBC}*

42 **1509.6 ROOFTOP DECKS.** ROOFTOP DECKS MUST COMPLY WITH THIS § 1509.6 AND WITH CHAPTER  
43 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  
21 THE 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 WALL
26           GABLED ROOF –	6 FEET (1.83 M) BEHIND RIDGE LINE
27           MANSARD ROOF (STEEPLY 28           PITCHED FRONT SLOPE 29           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 REDUCTION IN 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:

<b>ROOF SLOPE</b>	<b>LIVE LOAD</b> (POUNDS/SQUARE FOOT OF HORIZONTAL PROJECTION)
<b>FLAT:</b> FLAT OR RISE LESS THAN 4"	30
<b>PITCHED:</b> RISE 4" (102 MM) PER FOOT TO LESS THAN 12" (305 MM) PER FOOT	20
RISE 12" (305 MM) PER FOOT AND GREATER	12
<b>CURVED:</b> 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 SPECIAL-PURPOSE ROOFS. {AS IN IBC}**

**1607.11.3 TO 1607.11.4 {AS IN IBC}**

**1607.12 TO 1607.13 {AS IN IBC}**

**SECTIONS 1608 TO 1614 {AS IN IBC}**

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

**CHAPTER 18  
SOILS AND FOUNDATIONS**

**SECTIONS 1801 TO 1803 {AS IN IBC}**

**SECTION 1804 EXCAVATION, GRADING, AND FILL**

**1804.1 EXCAVATION FOUNDATIONS. {AS IN IBC}**

**1804.1.1 UNDERPINNING FOUNDATION WALLS.** ANY PERMIT APPLICATION FOR UNDERPINNING FOUNDATION WALLS MUST INCLUDE THE FOLLOWING:

1. STRUCTURAL DRAWINGS THAT:

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- 1                   A. INDICATE THE EXACT SEQUENCE OF OPERATION, AND  
2                   B. ARE SIGNED AND SEALED BY AN ARCHITECT OR ENGINEER LICENSED TO PRACTICE  
3                   IN THIS STATE,

- 4                   2. A STATEMENT OF RESPONSIBILITY FROM THE ARCHITECT OR ENGINEER OF RECORD THAT  
5                   THE ARCHITECT OR ENGINEER AGREES:

- 6                   A. TO ENSURE THAT THE WORK WILL CONFORM TO THE STRUCTURAL DRAWINGS AND  
7                   ALL APPLICABLE CODES,  
8                   B. TO PERIODICALLY INSPECT THE WORK, AND  
9                   C. WITHIN 10 DAYS AFTER THE WORK IS COMPLETED, TO SUBMIT A CERTIFICATION OF  
10                   COMPLETION, AND

- 11                   3. IF THE UNDERPINNING IS TO BE DONE ON A PARTY WALL, WRITTEN, NOTARIZED PERMISSION  
12                   TO DO THE WORK FROM THE ADJOINING PROPERTY OWNER.

### 13                   **1804.2 TO 1804.6 {AS IN IBC}**

### 14                   **SECTION 1805 DAMPPROOFING AND WATERPROOFING {SUBSTITUTE "NATIONAL STANDARD PLUMBING** 15                   **CODE" FOR "INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IBC.}**

### 16                   **SECTION 1806 PRESUMPTIVE LOAD-BEARING VALUES OF SOILS {AS IN IBC}**

### 17                   **SECTION 1807 FOUNDATION WALLS, RETAINING WALLS, AND EMBEDDED POSTS AND POLES**

#### 18                   **1807.1 FOUNDATION WALLS. {AS IN IBC}**

#### 19                   **1807.2 RETAINING WALLS. RETAINING WALLS MUST BE DESIGNED IN ACCORDANCE WITH THIS §** 20                   **1807.2.**

#### 21                   **1807.2.1 TO 1807.2.3 {AS IN IBC}**

#### 22                   **1807.2.4 RETAINING FOUNDATION WALLS. ANY PERMIT APPLICATION FOR RETAINING** 23                   **FOUNDATION WALLS MUST INCLUDE THE FOLLOWING:**

- 24                   1. STRUCTURAL DRAWINGS THAT:

- 25                   A. INDICATE THE EXACT SEQUENCE OF OPERATION, AND  
26                   B. ARE SIGNED AND SEALED BY AN ARCHITECT OR ENGINEER LICENSED TO PRACTICE  
27                   IN THIS STATE,

- 28                   2. A STATEMENT OF RESPONSIBILITY FROM THE ARCHITECT OR ENGINEER OF RECORD THAT  
29                   THE ARCHITECT OR ENGINEER AGREES:

- 30                   A. TO ENSURE THAT THE WORK WILL CONFORM TO THE STRUCTURAL DRAWINGS AND  
31                   ALL APPLICABLE CODES,  
32                   B. TO PERIODICALLY INSPECT THE WORK, AND  
33                   C. WITHIN 10 DAYS AFTER THE WORK IS COMPLETED, TO SUBMIT A CERTIFICATION OF  
34                   COMPLETION, AND

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- 1           3. IF THE RETAINING FOUNDATION WALL IS TO BE INSTALLED CLOSE TO A PARTY WALL,  
2           EVIDENCE THAT NOTICE OF THE PROPOSED WORK WAS SENT TO THE ADJOINING PROPERTY  
3           OWNER BY REGISTERED MAIL.

4           **1807.3 EMBEDDED POSTS AND POLES. {AS IN IBC}**

5           **SECTION 1808 FOUNDATIONS {AS IN IBC}**

6           **SECTION 1809 SHALLOW FOUNDATIONS**

7           **1809.1 TO 1809.4 {AS IN IBC}**

8           **1809.5 FROST PROTECTION.** EXCEPT WHERE OTHERWISE PROTECTED FROM FROST, FOUNDATION  
9           WALLS, PIERS, AND OTHER PERMANENT SUPPORTS OF BUILDINGS AND STRUCTURES MUST BE PROTECTED  
10          BY ONE OR MORE OF THE FOLLOWING METHODS:

- 11           1. EXTENDING 30" BELOW GRADE,  
12           2. CONSTRUCTING IN ACCORDANCE WITH ASCE 32, OR  
13           3. ERECTING ON SOLID ROCK.

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

15          **1809.6 TO 1809.13 {AS IN IBC}**

16          **SECTION 1810 DEEP FOUNDATIONS**

17                           **CHAPTER 19**  
18                           **CONCRETE**  
19                           **{AS IN IBC}**

20                           **CHAPTER 20**  
21                           **ALUMINUM**  
22                           **{AS IN IBC}**

23                           **CHAPTER 21**  
24                           **MASONRY**

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

26          **SECTION 2113 MASONRY CHIMNEYS {SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL**  
27          **FUEL GAS CODE". OTHERWISE, AS IN IBC.}**

28                           **CHAPTER 22**  
29                           **STEEL**  
30                           **{AS IN IBC}**

31                           **CHAPTER 23**  
32                           **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 TO 2609.2** *{AS IN IBC}*

**2609.3 LOCATION.** WHERE § 705.8 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 § 705 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}*

**SECTIONS 2611 TO 2613** *{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....}

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### 1 SECTION 2701 GENERAL

2 **2701.1 SCOPE.** THIS CHAPTER GOVERNS THE ELECTRICAL COMPONENTS, EQUIPMENT, AND SYSTEMS  
3 USED IN STRUCTURES COVERED BY THIS CODE. ELECTRICAL COMPONENTS, EQUIPMENT, AND SYSTEMS  
4 MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE  
5 (“NEC”).

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

### 14 SECTION 2702 EMERGENCY AND STANDBY POWER SYSTEMS

15 **2702.1 INSTALLATION.** EMERGENCY AND STANDBY POWER SYSTEMS MUST BE INSTALLED IN  
16 ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE.

17 **2702.1.1 STATIONARY GENERATORS.** *{AS IN IBC}*

18 **2702.2 TO 2702.3** *{AS IN IBC}*

### 19 SECTION 2703 PERMIT AND CERTIFICATE OF INSPECTION

20 **2703.1 APPLICATIONS.** THE APPLICATION FOR AN ELECTRICAL PERMIT MUST BEAR THE NAME AND  
21 ADDRESS OF THE INSURED, LICENSED ELECTRICIAN RESPONSIBLE FOR ALL WORK TO BE DONE UNDER  
22 THE PERMIT.

23 **2703.2 PERMITS FOR MAINTENANCE WORK.** ANY PERSON WHO EMPLOYS 1 OR MORE LICENSED  
24 MAINTENANCE ELECTRICIANS OR LICENSED MASTER ELECTRICIANS FOR MAINTENANCE OF APPROVED  
25 INSTALLATIONS IN OR ON A STRUCTURE OR PREMISES OWNED OR OPERATED BY THE PERSON MUST:

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

29 **2703.3 SEMIANNUAL RECORDS.** THE PERSON TO WHOM A SEMIANNUAL PERMIT IS ISSUED MUST KEEP  
30 A DETAILED RECORD OF ALL MAINTENANCE WORK DONE UNDER THE PERMIT. THESE RECORDS MUST  
31 BE:

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

34 **2703.4 CERTIFICATES.** AN ELECTRICAL CERTIFICATE IS REQUIRED BEFORE ELECTRIC SERVICE MAY BE  
35 ENERGIZED IN ANY STRUCTURE. ON REQUEST AND PAYMENT OF THE REQUIRED FEE, THE BUILDING  
36 OFFICIAL WILL ISSUE AN ELECTRICAL CERTIFICATE TO THE OWNER OF ANY ELECTRICAL INSTALLATION  
37 THAT CONFORMS TO THE REQUIREMENTS OF THIS CODE.

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### 1 SECTION 2704 INSPECTIONS

2 **2704.1 PERIODIC INSPECTIONS FOR PLACES OF ASSEMBLY.** IN ANY PLACE OF PUBLIC ASSEMBLY FOR  
3 WHICH AN INSPECTION REGISTRATION PERMIT IS REQUIRED, THE BUILDING OFFICIAL MUST MAKE  
4 PERIODIC INSPECTIONS OF THE ELECTRIC WIRING, APPLIANCES, AND EQUIPMENT.

### 5 SECTION 2705 UNSAFE EXISTING INSTALLATIONS

6 **2705.1 CONFORMANCE REQUIRED.** ANY EXISTING ELECTRICAL EQUIPMENT, APPLIANCE, WIRING, OR  
7 OTHER ELECTRICAL WORK IN SERVICE THAT DOES NOT COMPLY WITH THIS CODE AND CREATES A  
8 MENACE TO LIFE OR PROPERTY MUST, AS DIRECTED IN WRITING BY THE BUILDING OFFICIAL:

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

### 11 SECTION 2706 PERMITS

12 **2706.1 PERMIT REQUIRED.** UNLESS SPECIFICALLY EXCEPTED BY THIS BUILDING, FIRE, AND RELATED  
13 CODES ARTICLE, NO ELECTRICAL WORK MAY BE UNDERTAKEN BEFORE THE BUILDING OFFICIAL HAS  
14 ISSUED A PERMIT FOR THAT WORK.

15 **2706.2 TO WHOM ISSUED.** A PERMIT MAY BE ISSUED ONLY:

- 16 1. TO A MASTER ELECTRICIAN LICENSED TO DO BUSINESS IN THE CITY,
- 17 2. TO A MASTER RESTRICTED ELECTRICIAN LICENSED TO DO BUSINESS IN THE CITY,
- 18 3. TO A RESTRICTED ELECTRICIAN LICENSED TO DO BUSINESS IN THE CITY, OR
- 19 4. TO A MAINTENANCE ELECTRICIAN LICENSED TO DO BUSINESS IN THE CITY.

### 20 SECTION 2707 LICENSING REQUIREMENTS

21 **2707.1 LICENSES AND SUPERVISION REQUIRED.** NO PERSON MAY PROVIDE ELECTRICAL SERVICES OR  
22 OTHERWISE ENGAGE IN ANY ELECTRICAL WORK UNLESS THE PERSON:

- 23 1. IS LICENSED TO DO SO IN ACCORDANCE WITH STATE LAW, AND
- 24 2. IS INSURED OR WORKING UNDER THE DIRECT SUPERVISION OF AN INSURED, LICENSED  
25 ELECTRICIAN.

## 26 CHAPTER 28 27 MECHANICAL SYSTEMS

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

### 30 SECTION 2801 GENERAL

31 **2801.1 SCOPE – GENERAL.** MECHANICAL APPLIANCES, EQUIPMENT, AND SYSTEMS MUST BE  
32 CONSTRUCTED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH:

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1. THE INTERNATIONAL MECHANICAL CODE (2009 EDITION), AS MODIFIED BY PART V OF THIS CODE, AND
2. THE NATIONAL FUEL GAS CODE (2009 EDITION), AS MODIFIED BY PART IV OF THIS CODE.

**2801.2 SCOPE – CHIMNEYS, FIREPLACES, BARBECUES.** MASONRY CHIMNEYS, FIREPLACES, AND BARBECUES MUST COMPLY WITH:

1. CHAPTER 21 OF THIS CODE, AND
2. THE INTERNATIONAL MECHANICAL CODE, AS MODIFIED BY PART V OF THIS CODE.

### SECTION 2802 PERMITS

**2802.1 PERMIT REQUIRED.** UNLESS SPECIFICALLY EXCEPTED BY THIS BUILDING, FIRE, AND RELATED CODES ARTICLE, NO HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION (“HVACR”) WORK MAY BE UNDERTAKEN BEFORE THE BUILDING OFFICIAL HAS ISSUED A PERMIT FOR THAT WORK.

**2802.2 APPLICATIONS.** THE APPLICATION FOR AN HVACR WORK PERMIT MUST BEAR THE NAME AND ADDRESS OF THE INSURED, LICENSED HVACR CONTRACTOR RESPONSIBLE FOR ALL WORK TO BE DONE UNDER THE PERMIT.

**2802.3 TO WHOM ISSUED.** A PERMIT MAY BE ISSUED ONLY:

1. TO A MASTER HVACR CONTRACTOR LICENSED TO DO BUSINESS IN THE CITY,
- 2.. TO A MASTER RESTRICTED HVACR CONTRACTOR LICENSED TO DO BUSINESS IN THE CITY,
3. TO A LIMITED HVACR CONTRACTOR LICENSED TO DO BUSINESS IN THE CITY,
4. TO A JOURNEYMAN HVACR CONTRACTOR LICENSED TO DO BUSINESS IN THE CITY, OR
5. TO A JOURNEYMAN RESTRICTED HVACR CONTRACTOR LICENSED TO DO BUSINESS IN THE CITY.

### SECTION 2803 LICENSING REQUIREMENTS

**2803.1 LICENSES AND SUPERVISION REQUIRED.** NO PERSON MAY PROVIDE HVACR SERVICES OR OTHERWISE ENGAGE IN ANY HVACR WORK UNLESS THE PERSON:

1. IS LICENSED TO DO SO IN ACCORDANCE WITH STATE LAW, AND
2. IS INSURED OR WORKING UNDER THE DIRECT SUPERVISION OF AN INSURED, LICENSED HVACR CONTRACTOR.

## CHAPTER 29 PLUMBING SYSTEMS

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

### SECTION 2901 GENERAL

**2901.1 SCOPE.** THE ERECTION, INSTALLATION, ALTERATION, REPAIRS, RELOCATION, REPLACEMENT, USE, OR MAINTENANCE OF OR ADDITION TO PLUMBING EQUIPMENT AND SYSTEMS ARE GOVERNED BY:

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- 1 1. THIS CHAPTER, AND
- 2 2. SUBJECT TO THE MODIFICATIONS SPECIFIED IN PART VI OF THIS CODE, THE NATIONAL
- 3 STANDARD PLUMBING CODE (2009 EDITION) (THE "NSPC").

4 PRIVATE SEWAGE DISPOSAL SYSTEMS MUST CONFORM TO COMAR 26.04.02.

5 **2901.1.1 "PLUMBING REGULATIONS"**. TOGETHER, THIS CHAPTER 29 AND THE NSPC ARE

6 REFERRED TO IN THIS CODE AS "PLUMBING REGULATIONS".

### 7 SECTION 2902 PERMITS

8 **2902.1 PERMIT REQUIRED.** UNLESS SPECIFICALLY EXCEPTED BY THESE PLUMBING REGULATIONS, NO

9 PLUMBING WORK MAY BE UNDERTAKEN BEFORE THE BUILDING OFFICIAL HAS ISSUED A PERMIT FOR

10 THAT WORK.

11 **2902.2 APPLICATIONS.** THE APPLICATION FOR A PLUMBING WORK PERMIT MUST BEAR THE NAME AND

12 ADDRESS OF THE INSURED, LICENSED MASTER PLUMBER RESPONSIBLE FOR ALL WORK TO BE DONE UNDER

13 THE PERMIT.

14 **2902.3 TO WHOM ISSUED.** A PERMIT MAY BE ISSUED ONLY:

- 15 1. TO A MASTER PLUMBER LICENSED TO DO BUSINESS IN THE CITY,
- 16 2. TO A MASTER GAS FITTER LICENSED TO DO BUSINESS IN THE CITY, OR
- 17 3. FOR ON-SITE UTILITY FACILITIES, TO AN ON-SITE UTILITY CONTRACTOR LICENSED
- 18 TO DO BUSINESS IN THE CITY.

19 **2902.4 INSURANCE.** THE BUILDING OFFICIAL MAY NOT ISSUE A PERMIT TO ANY MASTER PLUMBER

20 UNLESS THE MASTER PLUMBER HAS PROVIDED THE BUILDING OFFICIAL WITH CERTIFICATION OF

21 INSURANCE, AS REQUIRED BY STATE LAW.

22 **2902.5 EMERGENCY WORK.** WHEN EMERGENCY WORK NEEDS TO BE DONE TO RECTIFY A POSSIBLE

23 HEALTH HAZARD OR OTHER HAZARDOUS CONDITION, THE WORK MAY BE UNDERTAKEN, EVEN BEFORE A

24 PERMIT IS ISSUED, BY:

- 25 1. A MASTER PLUMBER, OR
- 26 2. WITHIN THE SCOPE OF HIS OR HER LICENSE:
  - 27 A. AN ON-SITE UTILITY CONTRACTOR, OR
  - 28 B. A GAS FITTER.

29 **2902.4.1 NOTICE AND SUBSEQUENT PERMIT.** A MASTER PLUMBER, CONTRACTOR, OR GAS FITTER

30 WHO PERFORMS EMERGENCY WORK UNDER THIS SECTION MUST:

- 31 1. PROMPTLY NOTIFY THE PROPER CITY AUTHORITIES OF THE EMERGENCY, AND
- 32 2. WITHIN A REASONABLE TIME, OBTAIN A PERMIT FOR THE WORK.

### 33 SECTION 2903 {RESERVED}



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### SECTION 2904 LICENSING REQUIREMENTS

**2904.1 LICENSES AND SUPERVISION REQUIRED.** EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, NO PERSON MAY PROVIDE PLUMBING SERVICES OR OTHERWISE ENGAGE IN ANY PLUMBING WORK UNLESS:

1. THE PERSON IS LICENSED TO DO SO IN ACCORDANCE WITH STATE LAW, AND
2. THE SERVICES AND WORK ARE DONE BY OR UNDER THE DIRECT SUPERVISION OF AN INSURED, LICENSED MASTER PLUMBER.

**2904.1.1 ON-SITE UTILITIES WORK.** ON-SITE UTILITY WORK, AS DEFINED IN CITY CODE ARTICLE 13, § 18-1, MAY BE DONE BY OR UNDER THE DIRECT SUPERVISION OF AN ON-SITE UTILITY CONTRACTOR LICENSED BY THE CITY.

**2904.1.2 GAS-FITTING WORK.** A LICENSED GAS FITTER MAY PERFORM ANY GAS-FITTING WORK THAT FALLS WITHIN THE SCOPE OF HIS OR HER LICENSE.

**2904.2 LIMITS ON PLUMBER'S, ETC., LIABILITY.** THE LIABILITY OF THE SURETY ON ANY BOND GIVEN UNDER THIS CHAPTER AND THE LIABILITY OF ANY MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR FOR MATERIALS FURNISHED OR WORK DONE UNDER THIS CODE DOES NOT EXTEND TO DEFECTS IN MATERIALS OR WORKMANSHIP DISCOVERED MORE THAN 1 YEAR AFTER COMPLETION OF THE WORK.

**2904.2.1 PLUMBER'S, ETC., RESPONSIBILITY FOR CERTAIN DEFECTS.** THE SURETY AND THE MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR ARE RESPONSIBLE TO THE CITY TO CORRECT ALL DEFECTS THAT ARE DISCOVERED DURING THE 1-YEAR PERIOD AFTER COMPLETION OF THE WORK AND ABOUT WHICH THEY WERE PROMPTLY NOTIFIED IN WRITING.

**2904.2.2 OWNER REMAINS RESPONSIBLE.** NOTWITHSTANDING THE LIMITED LIABILITIES OF THE SURETY AND THE MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR, THE OWNER OF THE PROPERTY IS RESPONSIBLE AT ALL TIMES TO THE CITY TO CORRECT ANY DEFECTS IN THE PLUMBING INSTALLATIONS IN OR ON HIS OR HER PROPERTY.

**2904.3 USE OF LICENSE BY OTHERS PROHIBITED.** A MASTER PLUMBER, ON-SITE UTILITY CONTRACTOR, OR GAS FITTER MAY NOT ALLOW HIS OR HER NAME TO BE USED BY ANY OTHER PERSON FOR OBTAINING PERMITS OR FOR DOING BUSINESS OR WORK UNDER HIS OR HER LICENSE.

### CHAPTER 30 ELEVATORS AND CONVEYING SYSTEMS {AS IN IBC, SUBJECT TO FOLLOWING NOTE}

{**MBPS MODIFICATION** – NOTE TO CHAPTER 30: THE PROVISIONS OF CHAPTER 30 OF THE IBC RELATE TO ELEVATORS AND CONVEYING SYSTEMS AND ARE IN ADDITION TO AND NOT INSTEAD OF THE REQUIREMENTS CONTAINED IN STATE PUBLIC SAFETY ARTICLE, TITLE 12, SUBTITLE 8. IN THE EVENT OF A CONFLICT BETWEEN THE MARYLAND CODE AND THE IBC, THE MARYLAND CODE PREVAILS.}

### CHAPTER 31 SPECIAL CONSTRUCTION

SECTIONS 3101 TO 3104 {AS IN IBC}

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### 1 SECTION 3105 AWNINGS AND CANOPIES

2 **3105.1 GENERAL.** AWNINGS AND CANOPIES MUST COMPLY WITH THE REQUIREMENTS OF:

- 3 1. THIS SECTION,
- 4 2. OTHER APPLICABLE SECTIONS OF THIS CODE, AND
- 5 3. THE LAWS AND REGULATIONS GOVERNING MINOR PRIVILEGE PERMITS.

6 **3105.2 DEFINITION.** *{AS IN IBC}*

7 **3105.3 DESIGN AND CONSTRUCTION.** *{AS IN IBC}*

8 **3105.4 CANOPY MATERIALS.** *{AS IN IBC}*

9 SECTION 3106 MARQUEES *{AS IN IBC}*

10 SECTION 3107 SIGNS *{AS IN IBC}*

11 SECTION 3108 TELECOMMUNICATION AND BROADCAST TOWERS

12 **3108.1 GENERAL** *{AS IN IBC}*

13 **3108.2 LOCATION AND ACCESS.** *{AS IN IBC}*

14 **3108.3 AIRCRAFT WARNING LIGHTS.** RADIO AND TELEVISION TOWERS MUST BE EQUIPPED WITH  
15 AIRCRAFT WARNING LIGHTS THAT COMPLY WITH FEDERAL AVIATION ADMINISTRATION REQUIREMENTS.

16 SECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

17 **3109.1 GENERAL.** SWIMMING POOLS MUST COMPLY WITH THE REQUIREMENTS OF:

- 18 1. THIS SECTION,
- 19 2. OTHER APPLICABLE SECTIONS OF THIS CODE,
- 20 3. ALL REGULATIONS OF THE BALTIMORE CITY HEALTH DEPARTMENT, AND
- 21 4. ALL LOCATION AND OTHER APPLICABLE PROVISIONS OF THE BALTIMORE CITY ZONING CODE.

22 **3109.2 TO 3109.5** *{AS IN IBC}*

23 SECTION 3110 AUTOMATIC VEHICULAR GATES *{AS IN IBC}*

24 SECTION 3111 PARKING LOTS, DRIVEWAYS, AND OTHER PAVED SURFACES

25 **3111.1 DRIVEWAY ENTRANCES.** ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY  
26 MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF  
27 PUBLIC WORKS.

28 **3111.2 SURFACE PAVING.** PARKING LOTS, PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE  
29 PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. THE PAVING MUST BE ABLE TO  
30 SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

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1           **3111.2.1 GRASS PAVING BLOCKS.** PAVING BLOCKS DESIGNED TO SUPPORT VEHICULAR TRAFFIC  
2           WHILE ALLOWING GRASS TO GROW THROUGH MAY ONLY BE USED FOR OVERFLOW PARKING IN  
3           EXCESS OF THE MINIMUM PARKING SPACES REQUIRED BY THE ZONING CODE.

4           **3111.3 PARKING SPACES.** THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING SPACES MUST COMPLY  
5           WITH:

- 6           1. THE ZONING CODE,
- 7           2. THE MARYLAND STATE ACCESSABILITY CODE, AND
- 8           3. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

9           **3111.4 CURBS OR BUMPERS.** CURBS OR BUMPERS MUST BE INSTALLED FOR ALL PARKING SPACES.  
10          EACH CURB OR BUMPER MUST BE:

- 11          1. MADE OF CONCRETE, WOOD, OR AN APPROVED METAL WHEEL STOP,
- 12          2. AT LEAST 6 INCHES (152 MM) HIGH AND 8 INCHES (203 MM) WIDE,
- 13          3. SECURELY FIXED IN PLACE, AND
- 14          4. LOCATED:
  - 15               A. AT LEAST 4 FEET (1.22 M) FROM THE PARKING LOT PERIMETER, OR
  - 16               B. FOR PARKING SPACES THAT ARE PARALLEL TO THE PERIMETER OF THE PARKING LOT,  
17               AT LEAST 2 FEET (0.61 M) FROM THE PERIMETER.

18          **3111.5 SURFACE DRAINAGE.** STORM DRAINAGE OFF PAVED SURFACE AREAS, SUCH AS PARKING LOTS,  
19          PLAYGROUNDS, AND PLAZAS, MUST BE PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR  
20          OTHER APPROVED WATER COURSES.

21          **3111.5.1 LIMITATIONS.** NO DRAINAGE MAY BE DISCHARGED:

- 22               1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A DRIVEWAY WITH  
23               A DEPRESSED CURB, OR
- 24               2. ACROSS ANY ADJOINING PROPERTY.

25          **3111.5.2 METHODS.** DRAINAGE MUST BE PIPED TO A STORM DRAIN, TO THE STREET OR ALLEY, TO A  
26          PAVED SWALE, OR TO ANOTHER APPROVED WATER COURSE. THE INSTALLATION OF PIPING,  
27          CONNECTIONS TO STORM DRAINS, ETC., MUST BE MADE IN ACCORDANCE WITH THE PLUMBING  
28          REGULATIONS OF CHAPTER 29 OF THIS CODE.

### 29          SECTION 3112 PIERS AND MARINAS

30          **3112.1 GENERAL.** ALL PIERS, MARINAS, AND RELATED STRUCTURES CONSTRUCTED OR DEMOLISHED  
31          ALONG THE SHORELINE OF THE CITY MUST COMPLY WITH THE REQUIREMENTS OF THIS § 3112, IN  
32          ADDITION TO ALL OTHER APPLICABLE PROVISIONS OF THIS CODE.

33          **3112.2 PLANS AND SPECIFICATIONS.** ALL PROPOSED WORK FOR PIERS AND MARINAS REQUIRES PLANS  
34          AND SPECIFICATIONS THAT ILLUSTRATE, DESCRIBE, AND SPECIFY THE PROPOSED WORK IN SUFFICIENT  
35          DETAIL AND CLARITY.

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1 **3112.3 APPROVALS.** BEFORE A BUILDING PERMIT MAY BE ISSUED FOR THE CONSTRUCTION OR  
2 DEMOLITION OF A PIER, MARINA, OR RELATED STRUCTURE, THE WORK MUST BE APPROVED BY:

- 3 1. THE U.S. ARMY CORPS OF ENGINEERS (BALTIMORE DISTRICT),
- 4 2. THE STATE OF MARYLAND,
- 5 3. THE DIVISION OF CONSTRUCTION AND BUILDINGS INSPECTION,
- 6 4. THE BALTIMORE CITY FIRE DEPARTMENT, AND
- 7 5. THE BALTIMORE CITY DEPARTMENT OF PUBLIC WORKS.

8 **3112.4 DESIGN.** ALL SHORELINE AND OFFSHORE FREE-STANDING PIERS, WITH OR WITHOUT BUILDINGS,  
9 MUST BE DESIGNED IN ACCORDANCE WITH:

- 10 1. THE DESIGN MANUALS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND
- 11 2. THE REQUIREMENTS OF THIS CODE.

12 **3112.5 STRUCTURAL DESIGN FOR PIERS.** MINIMUM LIVE LOAD REQUIREMENTS ARE AS FOLLOWS:

- 13 1. FOR STATIC OR FIXED PIERS OR MARINAS FOR LIGHT DUTY USES, 60 POUNDS PER SQUARE FOOT,  
14 AND
- 15 2. FOR HEAVY DUTY LIVE LOADS AND FOR STRUCTURES CONSTRUCTED ON PIERS, AS REQUIRED BY  
16 CHAPTER 16 OF THIS CODE.

17 **3112.6 STRUCTURES ON PIERS.** EVERY STRUCTURE THAT IS CONSTRUCTED ON A PIER, WHARF, DOCK,  
18 BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE MUST COMPLY WITH THIS § 3112 AND  
19 ALL OTHER APPLICABLE PROVISIONS OF THIS CODE AND OTHER LAW.

### 20 SECTION 3113 FENCES

21 **3113.1 LOCATION.** A FENCE MAY BE BUILT ONLY ON THE PROPERTY OF THE OWNER OF THE FENCE.  
22 HOWEVER, IF THE OWNERS OF ADJOINING PROPERTY AGREE TO BUILD A FENCE ON THE PROPERTY LINE  
23 BETWEEN THEM, THEY MAY DO SO IF THEY BOTH SUBMIT, WITH THE APPLICATION FOR THE PERMIT, A  
24 WRITTEN STATEMENT OF THEIR AGREEMENT.

25 **3113.2 HEIGHT.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3113.2, THE HEIGHT OF A FENCE MAY NOT  
26 EXCEED 42 INCHES (1067 MM), MEASURED ON THE HIGH SIDE.

27 **3113.2.1 ENCLOSING DWELLINGS.** FENCES ENCLOSING DWELLINGS MAY BE AS HIGH AS, BUT MAY  
28 NOT EXCEED, 6 FEET (1.83 M) IF LOCATED IN SIDE OR REAR YARDS.

29 **3113.2.2 ENCLOSING CERTAIN OTHER BUILDINGS.** FENCES ENCLOSING BUILDINGS USED FOR  
30 PUBLIC ASSEMBLY, PRIVATE ASSEMBLY, INSTITUTIONS, OFFICES, COMMERCIAL STORAGE, OR  
31 INDUSTRIAL OCCUPANCIES MAY BE AS HIGH AS, BUT MAY NOT EXCEED, 8 FEET (2.44 M).

32 **3113.2.3 SPECIAL PURPOSES.** FOR SPECIAL PURPOSES LIKE PROTECTION AROUND DANGEROUS  
33 PLACES, HIGHLY HAZARDOUS OPERATIONS, OR ATHLETIC FIELDS, AND IN SIMILAR CASES WHERE A  
34 HIGH FENCE IS NECESSARY FOR THE SAFETY OF THE PUBLIC, FENCES MAY BE HIGHER THAN 8 FEET  
35 (2.44 M) TO THE EXTENT SPECIALLY AUTHORIZED BY THE BUILDING OFFICIAL.

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1 **3113.3 CONSTRUCTION.** FENCES MAY BE BUILT OF ANY MATERIAL OR CONSTRUCTION THAT IS  
2 PERMITTED IN THIS CODE FOR EXPOSED STRUCTURES. HOWEVER, ALL FENCES MUST BE DESIGNED AND  
3 CONSTRUCTED, IN ACCORDANCE WITH THE APPLICABLE STRUCTURAL PROVISIONS OF THIS CODE, TO  
4 RESIST FROM ANY DIRECTION A HORIZONTAL FORCE OF 20 POUNDS PER SQUARE FOOT, APPLIED NORMAL  
5 TO AND OVER EITHER THE GROSS AREA OF THE FENCE OR THE NET AREA OF THE FENCE PLUS 50% OF THE  
6 GROSS AREA, WHICHEVER IS LESS.

7 **3113.3.1 WOOD FENCES.** THE POSTS FOR WOOD FENCES MUST BE:

- 8 1. LOCUST, HEART CEDAR, OR ANY OTHER WOOD THAT WILL RESIST DECAY UNDERGROUND,
- 9 2. ANY WOOD THAT HAS BEEN TREATED IN ACCORDANCE WITH THIS CODE, OR
- 10 3. ANY GOOD TIMBER SET IN CONCRETE.

11 **3113.3.2 WIRE FENCES.** WIRE FENCES MUST BE CONSTRUCTED WITH WIRE MESH SUBSTANTIALLY  
12 FABRICATED AND CONSTRUCTED SO AS TO RESIST A NOMINAL HORIZONTAL LOAD OF 500 POUNDS  
13 WITHOUT DEFLECTING MORE THAN 6 INCHES (152 MM). THE POSTS FOR WIRE FENCES MUST BE  
14 METAL POSTS SET IN CONCRETE, PROPERLY DESIGNED MASONRY POSTS, OR WOOD POSTS OF THE  
15 TYPE REQUIRED FOR WOOD FENCES.

16 **3113.3.3 METAL FENCES.** METAL FENCES MUST BE OF A SUBSTANTIAL DESIGN AND  
17 CONSTRUCTION APPROVED BY THE BUILDING OFFICIAL. THE POSTS FOR METAL FENCES MUST BE  
18 CONCRETE, MASONRY, OR METAL SET IN CONCRETE OR MASONRY.

19 **3113.3.4 MASONRY FENCES.** MASONRY FENCES MUST BE OF REINFORCED CONCRETE OR OTHER  
20 MASONRY AND MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS  
21 GOVERNING REINFORCED CONCRETE OR FREESTANDING MASONRY WALLS. ALL MASONRY FENCES  
22 MUST EXTEND AT LEAST 2 FEET (0.61 M) INTO THE GROUND.

23 **3113.3.5 COMBINATION FENCES.** FENCES THAT CONSIST OF 2 OR MORE KINDS OF MATERIALS MAY  
24 BE BUILT AS LONG AS ALL APPLICABLE REQUIREMENTS OF THIS CODE FOR THOSE MATERIALS AND  
25 CONSTRUCTION ARE MET. THE TOTAL AGGREGATE HEIGHT OF A COMBINATION FENCE MUST BE USED  
26 IN DETERMINING THE HEIGHT LIMITATIONS FOR THAT FENCE.

27 **3113.4 SHARP POINTS, PROJECTIONS, ETC.** NO FENCE MAY HAVE ANY PROJECTING SHARP POINTS,  
28 JAGGED EDGES, OR OTHER PROJECTIONS THAT CAN INJURE PERSONS OR ANIMALS COMING IN CONTACT  
29 WITH THE FENCE.

30 **3113.4.1 FENCE TOPS.** NO FENCE LESS THAN 3 FEET 6 INCHES (1.07 M) HIGH MAY HAVE ANY SHARP  
31 PICKETS OR VERTICAL POINTED OBJECTS AT THE TOP. BARBED WIRE OR OTHER APPROVED  
32 RETARDING MATERIAL OR CONSTRUCTION MAY BE PLACED ON THE TOP OF ANY FENCE THAT IS MORE  
33 THAN 6 FEET 9 INCHES (2.06 M) HIGH, UNLESS THE BARBED WIRE OR OTHER RETARDING MATERIAL  
34 WILL CREATE A HIGHLY HAZARDOUS CONDITION.

35 **3113.4.2 RAZOR WIRE.** RAZOR WIRE MAY NOT BE USED ANYWHERE IN ANY FENCE.

36 **3113.5 MAINTENANCE.** EVERY FENCE MUST BE MAINTAINED IN GOOD REPAIR BY ITS OWNER. THE  
37 BUILDING OFFICIAL MAY DETERMINE THE SUFFICIENCY OF ANY FENCE AND THE AMOUNT AND  
38 CHARACTER OF REPAIRS REQUIRED TO MAKE IT SAFE.

39 **3113.6 NONCONFORMING FENCES.** ANY EXISTING FENCE THAT WAS COMPLIANT WHEN ERECTED BUT  
40 DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS § 3113 IS PERMITTED TO CONTINUE TO EXIST AND  
41 BE REPAIRED AT ANY TIME, UNLESS THE FENCE HAS DETERIORATED MORE THAN 50%. ALL  
42 NONCONFORMING FENCES THAT HAVE DETERIORATED MORE THAN 50% OR BEYOND REPAIR MUST BE  
43 REMOVED OR RECONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CODE.

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**SECTION 3114 RADIO AND TELEVISION ANTENNAS**

**3114.1 AIRCRAFT WARNING LIGHTS.** RADIO AND TELEVISION ANTENNAS LOCATED ON A HIGH RISE BUILDING OR ON A HIGH TERRAIN FEATURE MUST COMPLY WITH FEDERAL AVIATION ADMINISTRATION REQUIREMENTS FOR AIRCRAFT WARNING LIGHTS.

**SECTION 3115 LIGHTNING PROTECTION**

**3115.1 GENERAL.** LIGHTNING PROTECTION FOR BUILDINGS AND STRUCTURES MUST COMPLY WITH NFPA 780.

**CHAPTER 32  
ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY**

**SECTION 3201 GENERAL**

**3201.1 SCOPE.** *{AS IN IBC}*

**3201.2 MEASUREMENT.** *{AS IN IBC}*

**3201.3 OTHER LAWS.** THIS CHAPTER DOES NOT PERMIT ANYTHING THAT IS OTHERWISE PROHIBITED OR REGULATED BY ANY LAW GOVERNING THE USE OF PUBLIC PROPERTY.

**3201.3.1 PERMISSION NEEDED FOR ENCROACHMENTS.** NO PERSON MAY USE, ENCROACH ON, OR CONNECT TO ANY STREET, HIGHWAY, ALLEY, OR OTHER PUBLIC RIGHT-OF-WAY FOR ANY PURPOSE UNLESS THAT PERSON FIRST OBTAINS PERMISSION TO DO SO BY:

1. AN ORDINANCE OF THE MAYOR AND CITY COUNCIL,
2. A MINOR PRIVILEGE PERMIT ISSUED BY OR UNDER THE AUTHORITY OF THE BOARD OF ESTIMATES, OR
3. AN APPROPRIATE PERMIT ISSUED BY THE DEPARTMENT OF GENERAL SERVICES.

**3201.4 DRAINAGE GENERALLY.** DRAINAGE MAY NOT BE DISCHARGED FROM PRIVATE PROPERTY ON TO THE PUBLIC RIGHT-OF-WAY EXCEPT THROUGH PIPING TO A STORM DRAIN, TO A STREET OR ALLEY, OR TO SOME OTHER WATER COURSE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. DRAINAGE MAY NOT BE DISCHARGED TO FLOW OVER THE SURFACE OF ANY PUBLIC SIDEWALK.

**SECTION 3202 ENCROACHMENTS**

**3202.1 ENCROACHMENT BELOW GRADE.** *{AS IN IBC}*

**3202.2 ENCROACHMENT ABOVE GRADE AND BELOW 8' IN HEIGHT.** *{AS IN IBC}*

**3202.2.1 STEPS.** STEPS MAY NOT PROJECT MORE THAN ANY 1 OR ANOTHER OF THE FOLLOWING DISTANCES:

1. 1/4 OF THE WIDTH OF A PUBLIC SIDEWALK ON WHICH THE STEPS ARE LOCATED,
2. 4 FEET (1219 MM) INTO A PUBLIC SIDEWALK, OR
3. ANY DISTANCE THAT LEAVES A CLEAR PUBLIC SIDEWALK OF LESS THAN 4 FEET (1219 MM).

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1           **3202.2.2 ARCHITECTURAL FEATURES. {AS IN IBC}**

2           **3202.2.3 AWNINGS. {AS IN IBC}**

3           **3202.3 ENCROACHMENT 8' OR MORE ABOVE GRADE. {AS IN IBC}**

4           **3202.4 TEMPORARY ENCROACHMENTS. {AS IN IBC}**

5           **3202.5 UNAUTHORIZED ENCROACHMENT.** IN THIS §3202.5, “UNAUTHORIZED ENCROACHMENT”  
6 MEANS ANY BUILDING, STRUCTURE, PROJECTION, OBJECT, OR OTHER THING THAT HAS BEEN PLACED,  
7 CONSTRUCTED, OR INSTALLED ON OR CONNECTED TO A PUBLIC RIGHT-OF-WAY WITHOUT APPROPRIATE  
8 PERMISSION, AS OUTLINED IN § 3201.3.1.

9           **3202.5.1 REMOVAL OF UNAUTHORIZED ENCROACHMENTS.** ON NOTICE FROM THE BUILDING  
10 OFFICIAL OR THE DIRECTOR OF GENERAL SERVICES, THE OWNER OF ANY UNAUTHORIZED  
11 ENCROACHMENT MUST IMMEDIATELY:

- 12                 1. REMOVE THE ENCROACHMENT, OR  
13                 2. OBTAIN APPROPRIATE PERMISSION FOR ITS CONTINUATION.

14                                   **CHAPTER 33**  
15                                   **SAFEGUARDS DURING CONSTRUCTION**

16           **SECTION 3301 GENERAL**

17           **3301.1 TO 3301.2 {AS IN IBC}**

18           **3301.3 PROHIBITED HOURS.** NO SITE WORK, DEMOLITION WORK, PILE DRIVING WORK, OR  
19 CONSTRUCTION WORK IS PERMITTED BETWEEN 7:00 P.M. AND 7:00 A.M., IF THAT WORK OR ANY PART OF  
20 A PREMISES IN OR ON WHICH THE WORK IS TO BE DONE IS WITHIN 300 FEET (91.44 M) OF ANY DWELLING.

21           **3301.3.1 EXCEPTION.** THIS § 3301.3 DOES NOT APPLY TO AN EMERGENCY OPERATION THAT HAS  
22 BEEN SPECIFICALLY APPROVED BY THE BUILDING OFFICIAL.

23           **SECTION 3302 CONSTRUCTION SAFEGUARDS**

24           **3302.1 REMODELING AND ADDITIONS.** REQUIRED EXITS, EXISTING STRUCTURAL ELEMENTS, FIRE  
25 PROTECTION DEVICES, AND SANITARY SAFEGUARDS MUST BE MAINTAINED AT ALL TIMES DURING  
26 REMODELING, ALTERATIONS, REPAIRS, OR ADDITIONS TO ANY BUILDING OR STRUCTURE.

27           **EXCEPTIONS:**

- 28                 1. WHEN THESE REQUIRED ELEMENTS OR DEVICES ARE THEMSELVES BEING REMODELED,  
29                         ALTERED, OR REPAIRED, ADEQUATE SUBSTITUTE PROVISIONS MUST BE MADE.  
30                 2. THESE REQUIREMENTS DO NOT APPLY IF THE EXISTING BUILDING IS NOT OCCUPIED.

31           **3302.2 WASTE AND DEBRIS.** ALL SITES FOR NEW CONSTRUCTION OR FOR REMODELING, ALTERATIONS,  
32 REPAIRS, OR ADDITIONS, AND ALL ABUTTING SIDEWALKS, GUTTERS, AND ALLEYS, MUST BE PROPERLY  
33 MAINTAINED AND KEPT FREE OF ACCUMULATED TRASH, GARBAGE, WASTE, OR DEBRIS, INCLUDING  
34 CONSTRUCTION WASTE OR DEBRIS, AND OF ANY OBJECT OR CONDITION THAT CONSTITUTES A NUISANCE.  
35 REMOVAL OF ALL TRASH, GARBAGE, WASTE, AND DEBRIS MUST BE DONE IN A MANNER THAT PREVENTS  
36 INJURY OR DAMAGE TO PERSONS, ADJOINING PROPERTIES, AND PUBLIC RIGHTS-OF-WAY.

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### 1 SECTION 3303 DEMOLITION

#### 2 3303.1 TO 3303.3 *{As in IBC}*

3 **3303.4 FILLING REQUIRED.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3303.4, WHERE A STRUCTURE  
4 HAS BEEN DEMOLISHED OR REMOVED, THE VACANT AREA MUST BE FILLED AND MAINTAINED TO THE  
5 EXISTING GRADE OR OTHERWISE IN ACCORDANCE WITH CITY LAW AND SEEDED.

6 **3303.4.1 CELLAR FLOORS.** ALL BASEMENT AND CELLAR FLOORS MUST BE REMOVED OR  
7 COMPLETELY BROKEN UP BEFORE ANY FILLING MATERIALS ARE USED.

8 **3303.4.2 EXCEPTION.** THE BUILDING OFFICIAL MAY WAIVE THE FILLING REQUIREMENTS OF THIS  
9 § 3303.4 FOR UP TO 3 MONTHS IF:

- 10 1. THE BUILDING OFFICIAL RECEIVES SATISFACTORY EVIDENCE THAT CONSTRUCTION OF A  
11 NEW BUILDING OR STRUCTURE WILL BEGIN ON THE SITE WITHIN 3 MONTHS OF THE  
12 DEMOLITION OR REMOVAL, AND
- 13 2. THE SITE IS PROTECTED WITH BARRIERS THAT COMPLY WITH § 3306.5 OF THIS CODE.

#### 14 3303.5 TO 3303.6 *{As in IBC}*

15 **3303.7 NOTICE TO ADJOINING OWNERS AND OTHERS.** A PERMIT TO DEMOLISH A STRUCTURE MAY NOT  
16 BE ISSUED UNLESS:

- 17 1. ALL NOTICES REQUIRED BY §§ 105.9 AND 3307.1 OF THIS CODE HAVE BEEN GIVEN, AND
- 18 2. COPIES OF THE NOTICES ARE SUBMITTED WITH THE PERMIT APPLICATION.

19 **3303.8 DEMOLITION CONTRACTOR'S LICENSE.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3303.8, NO  
20 PERSON MAY ENGAGE IN THE DEMOLITION OF ANY STRUCTURE WITHOUT FIRST OBTAINING A  
21 DEMOLITION CONTRACTOR'S LICENSE FROM THE BUILDING OFFICIAL.

22 **3303.8.1 PREREQUISITES.** EVERY CONTRACTOR APPLYING FOR A NEW LICENSE OR FOR THE  
23 RENEWAL OF A LICENSE MUST:

- 24 1. PROVIDE THE BUILDING OFFICIAL WITH THE NAME AND ADDRESS OF THE CONTRACTOR'S  
25 BUSINESS,
- 26 2. PROVIDE THE BUILDING OFFICIAL WITH A COPY OF A LIABILITY INSURANCE POLICY THAT  
27 COMPLIES WITH § 3303.9 OF THIS CODE, AND
- 28 3. PROVIDE EVIDENCE SATISFACTORY TO THE BUILDING OFFICIAL THAT THE CONTRACTOR HAS  
29 OBTAINED A BOND THAT COMPLIES WITH § 3303.10 OF THIS CODE.

30 **3303.8.2 TERM; FEES.** A DEMOLITION CONTRACTOR'S LICENSE EXPIRES ON DECEMBER 31 OF EACH  
31 YEAR. THE LICENSE MAY BE RENEWED ANNUALLY, ON OR BEFORE DECEMBER 31, ON PAYMENT OF  
32 THE RENEWAL FEE. THE LICENSE FEES ARE AS SET BY THE BUILDING OFFICIAL WITH THE APPROVAL  
33 OF THE BOARD OF ESTIMATES.

34 **3303.8.3 CHANGE OF NAME OR ADDRESS.** A LICENSEE MUST IMMEDIATELY NOTIFY THE BUILDING  
35 OFFICIAL OF ANY CHANGE IN THE NAME OR ADDRESS OF THE LICENSEE'S BUSINESS.

36 **3303.8.4 USE OF LICENSE BY OTHER.** A LICENSEE MAY NOT ALLOW HIS OR HER NAME TO BE USED  
37 BY ANOTHER PERSON FOR THE PURPOSE OF OBTAINING PERMITS OR FOR DOING ANY DEMOLITION  
38 WORK UNDER THE LICENSEE'S LICENSE.



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1       **3303.8.5 EXCEPTION.** THE BUILDING OFFICIAL MAY WAIVE THE REQUIREMENTS OF THIS § 3303.8  
2 IF THE STRUCTURE TO BE DEMOLISHED IS A MISCELLANEOUS STRUCTURE AS DESCRIBED IN § 312 OF  
3 THIS CODE.

4       **3303.8.6 ENFORCEMENT.** A VIOLATION NOTICE IS NOT A PREREQUISITE TO THE ENFORCEMENT OF  
5 THIS § 3303.8 BY ANY APPROPRIATE LEGAL PROCEEDING. PENALTIES WILL BE ASSESSED IN  
6 ACCORDANCE WITH § 114 OF THIS CODE.

7       **3303.8.7 DEBARMENT ON CONVICTION.** ANY PERSON CONVICTED OF A VIOLATION OF THIS  
8 § 3303.8 IS, IN ADDITION TO ANY OTHER PENALTY THAT MIGHT BE IMPOSED:

- 9           1. PROHIBITED FROM PERFORMING DEMOLITION WORK WITHOUT FIRST OBTAINING A NEW  
10            LICENSE, AND
- 11           2. IS INELIGIBLE TO RECEIVE A NEW LICENSE FOR 6 MONTHS.

12       **3303.9 DEMOLITION INSURANCE.** THE LICENSEE MUST HAVE AN INSURANCE POLICY THAT COMPLIES  
13 WITH THE MINIMUM REQUIREMENTS OF THIS § 3303.9.

14       **3303.9.1 COVERAGE.** THE POLICY MUST PROVIDE COVERAGE FOR ALL OPERATIONS FOR WHICH A  
15 PERMIT MIGHT BE SOUGHT. THE MINIMUM COVERAGE REQUIREMENTS ARE:

- 16           1. \$100,000 FOR DAMAGES (INCLUDING DAMAGES FOR CARE AND LOSS OF SERVICES) BECAUSE  
17            OF BODILY INJURY (INCLUDING DEATH AT ANY TIME RESULTING FROM BODILY INJURY), PER  
18            PERSON, PER INCIDENT,
- 19           2. \$300,000 FOR DAMAGES (INCLUDING DAMAGES FOR CARE AND LOSS OF SERVICES) BECAUSE  
20            OF BODILY INJURY (INCLUDING DEATH AT ANY TIME RESULTING FROM BODILY INJURY)  
21            SUSTAINED BY MORE THAN 1 PERSON PER INCIDENT, AND
- 22           3. \$25,000 FOR INJURY TO OR DESTRUCTION OF PROPERTY OF OTHERS PER INCIDENT.

23       **3303.9.2 PROHIBITED EXCLUSIONS.** THE POLICY MAY NOT CONTAIN:

- 24           1. ANY "COLLAPSE HAZARD" EXCLUSION,
- 25           2. ANY EXCLUSION THAT WOULD PROHIBIT THE CONTRACTOR FROM PERFORMING THE  
26            DEMOLITION OPERATIONS IN ACCORDANCE WITH THIS CODE AND THE NORMAL PROCEDURES  
27            OF THE INDUSTRY, OR
- 28           3. ANY EXCLUSION THAT WOULD CREATE AN UNDUE RISK TO THE CITY OR TO THE HEALTH,  
29            SAFETY, AND WELFARE OF THE GENERAL PUBLIC.

30       **3303.9.3 CANCELLATION.** THE TERMS OF POLICY MUST PROVIDE EITHER:

- 31           1. THAT THE POLICY MAY NOT BE CANCELED DURING THE DURATION OF THE OPERATIONS  
32            TO BE PERFORMED, OR
- 33           2. THAT THE BUILDING OFFICIAL WILL BE NOTIFIED IN WRITING, AT LEAST 15 DAYS BEFORE  
34            THE POLICY IS CANCELED.

35       **3303.10 DEMOLITION BOND.** THE LICENSEE MUST POST A BOND THAT COMPLIES WITH THE MINIMUM  
36 REQUIREMENTS OF THIS § 3303.10.

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1       **3303.10.1. AMOUNT.** THE BOND MUST BE IN THE AMOUNT OF AT LEAST:

- 2           1. \$10,000, OR
- 3
- 4           2. ANY HIGHER AMOUNT SET BY THE BUILDING OFFICIAL.

5       **3303.10.2 TENOR OF BOND.** THE BOND MUST BE CONDITIONED ON:

- 6           1. THE CONTRACTOR'S COMPLIANCE WITH THIS CODE, WITH THE RULES AND REGULATIONS
- 7           ADOPTED UNDER THIS CODE, AND WITH ALL OTHER APPLICABLE LAWS OF THE STATE AND
- 8           THE CITY,
- 9           2. THE CONTRACTOR'S INDEMNIFYING THE CITY FROM ALL COSTS, EXPENSES, DAMAGES,
- 10           INJURY, AND LOSS THAT RESULT FROM ANY WRONGDOING, MISCONDUCT, WANT OF CARE OR
- 11           SKILL, NEGLIGENCE, OR DEFAULT ON THE PART OF THE CONTRACTOR OR ANY OF THE
- 12           CONTRACTOR'S AGENTS OR EMPLOYEES IN THE PERFORMANCE OF THEIR OPERATIONS, AND
- 13           3. THE CONTRACTOR'S FURTHER INDEMNIFYING THE CITY FROM ALL EXPENSES INCURRED IN
- 14           CORRECTING ANY OF THE CONTRACTOR'S WORK THAT IS CONSIDERED HARMFUL TO THE
- 15           SAFETY, HEALTH, AND WELFARE OF THE GENERAL PUBLIC OR THAT ADVERSELY AFFECTS
- 16           ADJOINING PROPERTY.

17       **3303.10.3 BOND CONTINUITY.** THE BOND MUST BE CONTINUOUS, PROVIDING INDEMNIFICATION IN

18       THE MINIMUM AMOUNT REQUIRED FOR EACH YEAR THAT THE BOND IS VALID. THE TERMS OF THE

19       BOND MUST PROVIDE THAT THE BUILDING OFFICIAL AND THE CONTRACTOR WILL BE NOTIFIED BY

20       THE SURETY AT LEAST 30 DAYS BEFORE THE BOND IS CANCELED.

21       **3303.10.4 PENALTY FOR CANCELLATION.** IF THE BOND IS CANCELED AND THE CONTRACTOR FAILS

22       TO PROVIDE A NEW BOND BEFORE THE CANCELLATION IS EFFECTIVE, THE CONTRACTOR'S LICENSE

23       AND ALL OUTSTANDING WORK PERMITS ARE AUTOMATICALLY SUSPENDED. THE SUSPENSION

24       CONTINUES UNTIL THE CONTRACTOR PROVIDES A NEW BOND THAT COMPLIES WITH THIS § 3303.10.

25       **3303.10.5 CONTINUITY OF LIABILITY.** THE TERMS OF THE BOND MUST PROVIDE THAT,

26       NOTWITHSTANDING ITS CANCELLATION, THE SURETY AND THE CONTRACTOR REMAIN LIABLE FOR

27       DEFECTS DISCOVERED WITHIN 12 MONTHS AFTER THE WORK IS COMPLETED, AS PROVIDED IN

28       § 3303.27 OF THIS CODE.

29       **3303.10.6 UNSATISFACTORY SURETY.** IF AT ANY TIME THE BUILDING OFFICIAL CONSIDERS THE

30       SURETY ON THE BOND TO BE UNSATISFACTORY, THE BUILDING OFFICIAL MUST GIVE THE

31       CONTRACTOR WRITTEN NOTICE TO THAT EFFECT. WITHIN 10 DAYS OF THE NOTICE, THE

32       CONTRACTOR MUST PROVIDE A NEW BOND, IN THE SAME PENALTY AND ON THE SAME CONDITIONS,

33       WITH A SURETY SATISFACTORY TO THE BUILDING OFFICIAL. IF THE CONTRACTOR FAILS TO PROVIDE

34       THE NEW BOND WITHIN 10 DAYS, THE BUILDING OFFICIAL MUST IMMEDIATELY REVOKE EVERY

35       OUTSTANDING PERMIT FOR WHICH THE WORK REMAINS UNCOMPLETED 1 YEAR AFTER ITS ISSUANCE

36       AND IMMEDIATELY SUSPEND THE CONTRACTOR'S LICENSE UNTIL A SATISFACTORY BOND IS

37       PROVIDED.

38       **3303.11 TO 3303.12 {RESERVED}**

39       **3303.13 DEMOLITION PERMITS.** EACH APPLICATION FOR A DEMOLITION PERMIT MUST:

- 40           1. COMPLY WITH § 105 OF THIS CODE,
- 41           2. EXCEPT AS PROVIDED IN § 3303.13.1, BE ACCOMPANIED BY A CERTIFICATE OF INSURANCE THAT
- 42           EVIDENCES COMPLIANCE WITH § 3303.9, AND

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- 1           3. BE ACCOMPANIED BY AN AFFIDAVIT TO THE BUILDING OFFICIAL THAT ALL CONTRACTS AND  
2           OTHER ARRANGEMENTS COMPLYING WITH THIS CODE HAVE BEEN MADE.

3           **3303.13.1 ALTERNATIVE CERTIFICATE OF CONTINUING INSURANCE.** INSTEAD OF PROVIDING A  
4           SEPARATE CERTIFICATE FOR EACH PERMIT, A CONTRACTOR MAY PROVIDE ONE GENERAL  
5           CERTIFICATE OF CONTINUING INSURANCE, AS LONG AS THE CERTIFICATE EVIDENCES:

- 6                   1. THE REQUIRED COVERAGE FOR ALL WORK TO BE PERFORMED BY THE CONTRACTOR, AND  
7                   2. THE INSURER'S OBLIGATION TO NOTIFY THE BUILDING OFFICIAL, IN WRITING, AT LEAST  
8                   15 DAYS BEFORE THE POLICY IS CANCELED.

9           **3303.14 TO 3303.15 {RESERVED}**

10          **3303.16 METHODS OF DEMOLITION.** THE FOLLOWING METHODS MUST BE USED FOR THE DEMOLITION  
11          OF A STRUCTURE:

- 12                   1. THE DEMOLITION MUST BE PERFORMED IN APPROXIMATELY THE REVERSE ORDER IN WHICH  
13                   THE STRUCTURE WAS ERECTED. WHERE UNUSUAL CONDITIONS EXIST, THE BUILDING OFFICIAL  
14                   MAY AUTHORIZE A DIFFERENT METHOD.
- 15                   2. STRUCTURAL ELEMENTS MUST BE CAREFULLY DISSEMBLED TO AVOID COLLAPSE.
- 16                   3. HEAVY PIECES OF STONE OR OTHER HEAVY AND BULKY MATERIALS OR EQUIPMENT MUST BE  
17                   CAREFULLY HANDLED IN ACCORDANCE WITH §§ 3304 THROUGH 3312 OF THIS CODE.

18          **3303.17 USE OF EXPLOSIVES.** THE USE OF EXPLOSIVES IS GENERALLY PROHIBITED. EXPLOSIVES FOR  
19          DEMOLITION BY IMPLOSION MAY BE USED BY SPECIAL PERMIT FROM THE BUILDING OFFICIAL.

20          **3303.18 PARTIAL DEMOLITION.** BUILDING ELEMENTS THAT BECOME EXPOSED AS RESULT OF A  
21          PARTIAL DEMOLITION MUST BE PROPERLY FINISHED, BRACED, OR OTHERWISE MADE SAFE.

22          **3303.19 TO 3303.20 {RESERVED}**

23          **3303.21 REMOVAL OF DEBRIS.** THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THOSE OF  
24          § 3302.2.

25                   **3303.21.1 GENERAL REQUIREMENTS.** DEBRIS ON UPPER FLOORS MUST BE LOWERED TO GROUND  
26                   LEVEL:

- 27                           1. IN RECEPTACLES, BY ELEVATORS OR HOISTS, OR  
28                           2. IN TIGHT AND COMPLETELY ENCLOSED CHUTES.

29                   **3303.21.2 CHUTE REQUIREMENTS.** NO CHUTE USED FOR THIS PURPOSE MAY EXTEND IN AN  
30                   UNBROKEN LINE THAT IS MORE THAN 25 FEET (7.62 M) WITHOUT SUITABLE BARRIERS TO PREVENT  
31                   DEBRIS FROM FALLING TOO FAST. EACH CHUTE MUST BE EQUIPPED WITH A PROPER GATE OR STOP AT  
32                   THE BOTTOM TO CONTROL THE FLOW OF MATERIALS FROM THE CHUTE.

33          **3303.22 {RESERVED}**

34          **3303.23 DISPOSITION OF RECYCLABLE DEBRIS.** WHENEVER RECYCLABLE DEBRIS TO BE CLEARED  
35          FROM A SITE EXCEEDS 5 TONS, AT LEAST 30% OF THAT RECYCLABLE DEBRIS MUST BE IMMEDIATELY  
36          TRANSPORTED TO A LICENSED RECYCLING FIRM FOR EXPORT OUT OF THE CITY.

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1       **3303.23.1 “RECYCLABLE DEBRIS” DEFINED.** IN THIS SECTION:

- 2           1. “RECYCLABLE DEBRIS” MEANS, EXCEPT AS SPECIFIED IN PARAGRAPH 2, MATERIALS THAT:
- 3                   A. IF NOT RECYCLED, WOULD BECOME SOLID WASTE FOR DISPOSAL IN A SOLID WASTE
- 4                   ACCEPTANCE FACILITY, AND
- 5                   B. MAY BE COLLECTED, SEPARATED, OR PROCESSED AND RETURNED TO THE
- 6                   MARKETPLACE IN THE FORM OF RAW MATERIALS OR PRODUCTS.
- 7           2. “RECYCLABLE DEBRIS” DOES NOT INCLUDE MATERIALS THAT ARE:
- 8                   A. DERIVED SOLELY FROM THE DEMOLITION OF A 1- OR 2-FAMILY DWELLING, AND
- 9                   B. DISPOSED OF AT THE CITY’S QUARANTINE LANDFILL.

10       **3303.24 TO 3303.25 {RESERVED}**

11       **3303.26 CORRECTION OF INJURIOUS CONDITIONS.** THIS SECTION APPLIES TO ANY DEMOLITION

12       CONTRACTOR WHO:

- 13           1. PERFORMS ANY DEMOLITION WORK THAT CREATES A CONDITION THAT VIOLATES THIS CODE OR
- 14           A CONDITION THAT MIGHT BE INJURIOUS TO THE GENERAL PUBLIC OR ADJOURNING TO
- 15           ADJOINING PROPERTIES, AND
- 16           2. REFUSES OR FAILS TO CORRECT THE CONDITION IN THE MANNER AND TIME REQUIRED BY THIS
- 17           CODE.

18       **3303.26.1 FIRST RIGHT OF SURETY TO CORRECT.** EXCEPT IN AN EMERGENCY, THE BUILDING

19       OFFICIAL MUST:

- 20           1. NOTIFY THE SURETY ON THE BOND OF THE CONTRACTOR’S REFUSAL OR FAILURE, AND
- 21           2. ALLOW THE SURETY TO CORRECT THE CONDITION WITHIN THE TIME THE BUILDING OFFICIAL
- 22           DIRECTS.

23       **3303.26.2 CORRECTION BY BUILDING OFFICIAL.** IF THE SURETY REFUSES OR FAILS TO CORRECT

24       THE CONDITION OR IF AN EMERGENCY OCCURS AS A RESULT THE CONDITION, THE BUILDING

25       OFFICIAL MAY CORRECT THE CONDITION OR PERFORM ANY OTHER OPERATIONS NECESSARY TO

26       BRING THE DEMOLITION OPERATIONS INTO COMPLIANCE WITH THIS CODE. ALL WORK THE BUILDING

27       OFFICIAL PERFORMS UNDER THIS SECTION IS AT THE EXPENSE OF THE CONTRACTOR AND

28       CHARGEABLE TO AND COLLECTIBLE FROM THE CONTRACTOR’S SURETY.

29       **3303.26.3 CONTRACTOR NOT RELIEVED OF RESPONSIBILITY.** THE BUILDING OFFICIAL’S

30       PERFORMANCE OF ANY WORK UNDER THIS SECTION DOES NOT RELIEVE THE CONTRACTOR FROM

31       RESPONSIBILITY FOR ALL WORK PERFORMED BY THE CONTRACTOR. ANY REMEDIES OR PENALTIES

32       PROVIDED IN THIS SECTION ARE IN ADDITION TO ANY OTHER REMEDIES OR PENALTIES PROVIDED BY

33       LAW.

34       **3303.27 LIMITS OF LIABILITY.** THE LIABILITY OF ANY CONTRACTOR FOR MATERIALS FURNISHED OR

35       WORK DONE UNDER THIS CODE AND THE LIABILITY OF THE CONTRACTOR’S SURETY DOES NOT EXTEND

36       TO DEFECTS IN MATERIALS OR WORKMANSHIP DISCOVERED MORE THAN 12 MONTHS AFTER THE

37       COMPLETION OF THE WORK. THE CONTRACTOR AND SURETY ARE RESPONSIBLE TO THE CITY TO

38       CORRECT ALL DEFECTS DISCOVERED DURING THIS 12-MONTH PERIOD AND ABOUT WHICH THEY WERE

39       NOTIFIED IN WRITING.

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1 **3303.28 OWNER'S RESPONSIBILITY.** NOTWITHSTANDING THE LIMITED LIABILITIES OF THE  
2 CONTRACTOR AND THE SURETY, THE OWNER OF THE PROPERTY IS RESPONSIBLE AT ALL TIMES TO THE  
3 CITY TO CORRECT ANY DEFECTS IN THE OPERATIONS PERFORMED ON HIS OR HER PROPERTY.

4 **3303.29 PENALTY FOR VIOLATION.** ON A CONTRACTOR'S REFUSAL OR FAILURE TO CORRECT ANY  
5 VIOLATION, THE CONTRACTOR'S LICENSE AND ALL OUTSTANDING WORK PERMITS ARE AUTOMATICALLY  
6 SUSPENDED. THE SUSPENSION CONTINUES UNTIL THE VIOLATION IS CORRECTED.

### 7 SECTION 3304 SITE WORK *{AS IN IBC}*

### 8 SECTION 3305 SANITARY FACILITIES

9 **3305.1 FACILITIES REQUIRED.** SANITARY FACILITIES MUST BE PROVIDED DURING CONSTRUCTION,  
10 REMODELING, OR DEMOLITION ACTIVITIES IN ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING  
11 CODE.

### 12 SECTION 3306 PROTECTION OF PEDESTRIANS *{AS IN IBC}*

### 13 SECTION 3307 PROTECTION OF ADJOINING PROPERTY

14 **3307.1 PROTECTION REQUIRED.** *{AS IN IBC}*

15 **3307.2 SHARED ELEMENTS – GENERAL.** REPAIRS TO ELEMENTS SHARED BY A DEMOLISHED OR MOVED  
16 STRUCTURE AND AN ADJOINING STRUCTURE MUST COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS  
17 CODE.

18 **3307.3 SHARED ELEMENTS – WALLS.** PARTY WALLS MUST BE REPAIRED AND FINISHED BY THE OWNER  
19 OF THE DEMOLISHED OR MOVED STRUCTURE. THE REPAIRS MUST INCLUDE:

- 20 1. RESTORATION OR REPLACEMENT OF ANY FLASHING ON ADJOINING PROPERTY THAT HAS BEEN  
21 BROKEN OR DAMAGED DURING THE OPERATIONS,
- 22 2. REMOVAL OF ALL PLASTER FROM THE EXPOSED SIDE OF THE WALL, AND
- 23 3. CLEANING AND FINISHING THE WALL WITH APPROVED WATERPROOF MATERIAL.

### 24 SECTIONS 3308 TO 3312 *{AS IN IBC}*

### 25 SECTION 3313 RODENTICIDE PROCEDURE

26 **3313.1 CERTIFICATION REQUIRED.** BEFORE ANY STRUCTURE MAY BE DEMOLISHED, MOVED TO  
27 ANOTHER SITE, OR SUBSTANTIALLY REHABILITATED, THE APPLICANT FOR A PERMIT MUST PROVIDE  
28 CERTIFICATION FROM A PESTICIDE APPLICATOR LICENSED BY THE STATE OF MARYLAND THAT ALL  
29 AREAS OF THE STRUCTURE AND ITS LOT ARE FREE FROM RODENT INFESTATION. A CERTIFICATION OF  
30 TREATMENT AND ABATEMENT OF ALL INFESTATION MUST ACCOMPANY THE PERMIT APPLICATION.

31 **3313.2 TREATMENT REQUIRED.** STRUCTURES OR LOTS FOUND TO BE INFESTED MUST BE TREATED BY A  
32 LICENSED PESTICIDE APPLICATOR BEFORE DEMOLITION, MOVING, OR REHABILITATION.

### 33 SECTION 3314 UNSAFE WALLS

34 **3314.1 PRESUMPTION.** FOR PURPOSES OF THIS § 3314, ANY LOAD-BEARING WALL THAT IS CRACKED OR  
35 BOWED AND ANY 4-INCH LOAD-BEARING WALL IS CONSIDERED A STRUCTURALLY UNSAFE WALL UNLESS  
36 CERTIFIED TO BE SAFE BY A PROFESSIONAL STRUCTURAL ENGINEER LICENSED IN MARYLAND.

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1 **3314.2 REMOVAL OR CORRECTION REQUIRED.** ANY STRUCTURALLY UNSAFE WALL THAT REMAINS  
2 AFTER THE DEMOLITION OR MOVING OF A STRUCTURE MUST BE:

- 3 1. REMOVED AND REPLACED AS REQUIRED BY ALL APPLICABLE SECTIONS OF THIS CODE, OR
- 4
- 5 2. IN THE CASE OF A PARTY WALL, CORRECTED AS PROVIDED IN § 3314.3.

6 **3314.3 PARTY WALLS.** IF THE STRUCTURALLY UNSAFE WALL THAT REMAINS IS A PARTY WALL, THE  
7 OWNER OF THE STRUCTURE BEING DEMOLISHED OR REMOVED MUST:

- 8 1. REMOVE ALL OR ANY PART OF THE WALL THAT THE BUILDING OFFICIAL CONSIDERS  
9 DANGEROUS, AND
- 10 2. RECONSTRUCT AND DO ALL OTHER NECESSARY WORK TO PROPERLY ENCLOSE THE ADJOINING  
11 STRUCTURE.

### 12 SECTION 3315 OPERATIONS NOT TO CAUSE NUISANCE

13 **3315.1 SCOPE.** THIS SECTION APPLIES TO ALL OPERATIONS THAT INVOLVE:

- 14 1. MOVING OR DEMOLISHING ANY STRUCTURE, OR
- 15 2. REMOVING ANY MACHINERY OR EQUIPMENT FROM ANY STRUCTURE TO BE MOVED OR  
16 DEMOLISHED.

17 **3315.2 WORK TO AVOID NUISANCE.** ALL OPERATIONS OF THE SORT DESCRIBED IN § 3315.1 MUST BE  
18 CONDUCTED SO THAT:

- 19 1. NO MATERIAL, OBJECT, OR THING IS ALLOWED TO FALL IN OR ON ANY STRUCTURE OR PREMISES  
20 OR ANY ALLEY OR OTHER PUBLIC WAY,
- 21 2. ALL MATERIALS, OBJECTS, AND THINGS ARE WELL WETTED DOWN OR OTHERWISE TREATED AS  
22 NEEDED TO PREVENT DUST OR OTHER AIRBORNE DEBRIS, AND
- 23 3. NO NUISANCE IS OTHERWISE CREATED IN THE VICINITY OF THE OPERATIONS.

24 **3315.3 STOP-WORK ORDER.** IF ANY OPERATION VIOLATES THESE REQUIREMENTS, THE BUILDING  
25 OFFICIAL MUST ISSUE A STOP-WORK ORDER. WORK MAY RESUME ONLY AFTER THE VIOLATION HAS  
26 BEEN CORRECTED AND MEASURES TAKEN TO PREVENT A RECURRENCE.

### 27 CHAPTER 34 28 EXISTING STRUCTURES 29 {NOT ADOPTED}

30 {MBPS MODIFICATION: REHABILITATION WORK IN AN EXISTING BUILDING MUST COMPLY WITH THE  
31 APPLICABLE REQUIREMENTS OF THE MARYLAND BUILDING REHABILITATION CODE, COMAR 05.16.}

### 32 CHAPTER 35 33 REFERENCED STANDARDS

#### 34 SECTION 3501 GENERAL

35 **3501.1 SCOPE.** THIS CHAPTER 35 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS  
36 OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD

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1 IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO  
2 THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.4 OF THIS CODE.

3 **3501.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS  
4 LISTED:

- 5 1. FOR INTERNATIONAL FUEL GAS CODE,  
6 SUBSTITUTE **NATIONAL FUEL GAS CODE (2009 EDITION)**.
- 7 2. FOR INTERNATIONAL PLUMBING CODE,  
8 SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2009 EDITION)**.

### 9 **CHAPTER 36** 10 **“VISITABILITY” REQUIREMENTS FOR PUBLICLY ASSISTED DWELLINGS**

#### 11 **SECTION 3601 SCOPE**

12 **3601.1 GENERAL.** THIS CHAPTER APPLIES TO EVERY SINGLE-FAMILY DWELLING, WHETHER DETACHED,  
13 SEMI-DETACHED, OR ATTACHED, AND TO ALL GROUND-FLOOR DWELLING UNITS OF ANY 2-FAMILY  
14 DWELLING OR OF ANY MULTIPLE-FAMILY DWELLING THAT CONTAINS 4 OR FEWER DWELLING UNITS,  
15 THAT:

- 16 1. IS NEWLY CONSTRUCTED ON A VACANT LOT, AND
- 17 2. RECEIVES FUNDING OR OTHER ASSISTANCE FROM THE CITY OR ANY CITY AGENCY (INCLUDING  
18 THE HOUSING AUTHORITY OF BALTIMORE CITY) BY ANY ONE OF THE FOLLOWING METHODS:
  - 19 A. A BUILDING CONTRACT OR SIMILAR AGREEMENT THAT INVOLVES ANY FEDERAL, STATE,  
20 OR CITY FUNDS,
  - 21 B. ACQUISITION, BY GIFT, PURCHASE, LEASE, OR OTHERWISE, OF ANY REAL PROPERTY  
22 FOR LESS THAN ITS APPRAISED VALUE, AS DETERMINED BY A CERTIFIED APPRAISER,
  - 23 C. PREFERENTIAL TAX TREATMENT, SUCH AS PAYMENTS IN LIEU OF TAXES, TAX  
24 INCREMENT FINANCING, OR SIMILAR BENEFIT,
  - 25 D. BOND PROCEEDS OR ISSUANCE ASSISTANCE, A LOAN, OR SIMILAR FINANCIAL BENEFIT,
  - 26 E. RECEIPT UNDER CITY AUTHORITY OF FEDERAL OR STATE CONSTRUCTION  
27 FUNDS, INCLUDING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND
  - 28 F. EXCEPT AS OTHERWISE SPECIFIED IN THIS SECTION, RECEIPT OF ANY OTHER FORM OF  
29 FUNDING OR FINANCIAL BENEFIT FROM THE CITY OR A CITY AGENCY.

30 **3601.2 EXCLUSIONS.** THIS CHAPTER DOES NOT APPLY TO:

- 31 1 ADDITIONS TO OR REMODELINGS OF EXISTING BUILDINGS, OR
- 32 2. NEW CONSTRUCTION FOR WHICH CITY FUNDING OR ASSISTANCE IS LIMITED TO EITHER OR BOTH:
  - 33 A. A PROPERTY TAX CREDIT UNDER CITY CODE ARTICLE 28, § 10-5 {“NEWLY  
34 CONSTRUCTED BUILDINGS”}, AND
  - 35 B. WAIVER OF A CITY LIEN ON PROPERTY WHERE THE LIEN EXCEEDS THE VALUE OF THE  
36 PROPERTY.

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### 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:

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 THAN 108 SQ. FT., AND
2. CONTAINS NO SIDE OR DIMENSION NARROWER THAN 9 FEET.



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1 **3603.5 BATHROOM.** THE ENTRY LEVEL OF THE DWELLING MUST CONTAIN AT LEAST 1 BATHROOM THAT  
2 CONTAINS:

- 3 1. A TOILET,
- 4 2. A SINK,
- 5 3. REINFORCED WALLS AT THE TOILET, TO ALLOW FOR FUTURE INSTALLATION OF GRAB BARS, AND
- 6 4. THE FOLLOWING MINIMUM DIMENSIONS:
  - 7 A. 30"-BY-48" OF CLEAR FLOOR SPACE OUTSIDE OF THE DOOR SWING,
  - 8 B. 30"-BY-48" OF CLEAR FLOOR SPACE PARALLEL TO AND CENTERED ON THE SINK, AND
  - 9 C. 48"-BY-56" OF CLEAR FLOOR SPACE AT THE TOILET FOR A SIDE APPROACH.

### 10 SECTION 3604 WAIVERS

11 **3604.1 GENERAL.** THE BUILDING OFFICIAL MAY GRANT A WAIVER FROM ONE OR MORE OF THE  
12 REQUIREMENTS OF THIS CHAPTER IF:

- 13 1. THE COST OF GRADING THE TERRAIN TO MEET THE REQUIREMENT IS DISPROPORTIONATELY  
14 EXPENSIVE IN RELATION TO THE VALUE OF THE DWELLING,
- 15 2. THE WIDTH OF THE LOT IS LESS THAN 16 FEET, OR
- 16 3. COMPLIANCE WITH THE REQUIREMENT IS PRECLUDED OR LIMITED BECAUSE OF THE LOT'S  
17 LOCATION IN A FEDERAL, STATE, OR CITY HISTORIC DISTRICT.

18 **3604.1.1 "DISPROPORTIONATELY EXPENSIVE" DEFINED.** FOR PURPOSES OF THIS SECTION,  
19 "DISPROPORTIONATELY EXPENSIVE" MEANS THAT THE COST OF GRADING THE TERRAIN TO MEET THE  
20 REQUIREMENT EXCEEDS 5% OF THE FAIR MARKET VALUE OF THE UNIMPROVED PROPERTY.

### 21 SECTION 3605 RELATIONSHIP TO OTHER LAWS.

22 **3605.1 FEDERAL AND STATE LAWS.** FEDERAL AND STATE LAWS ALSO GOVERN MULTIPLE-FAMILY  
23 DWELLINGS AND PUBLIC ACCOMMODATIONS. NEWLY CONSTRUCTED MULTIPLE-FAMILY DWELLINGS  
24 MAY ALSO BE SUBJECT TO THE FEDERAL AMERICANS WITH DISABILITIES ACT AND THE FEDERAL FAIR  
25 HOUSING ACT AND THEIR RESPECTIVE GUIDELINES.

26 **3605.2 CITY LAW.** THIS CHAPTER APPLIES TO SOME DWELLINGS THAT ARE NOT COVERED BY FEDERAL  
27 OR STATE LAW, SUCH AS NEWLY-CONSTRUCTED SINGLE-FAMILY DWELLINGS.

28 **3605.3 MORE RESTRICTIVE LAW CONTROLS.** TO THE EXTENT THAT THE PROVISIONS OF THIS CHAPTER  
29 ARE NOT IDENTICAL TO FEDERAL OR STATE LAWS, THE MORE RESTRICTIVE LAW CONTROLS.

## 30 CHAPTER 37 31 "GREEN BUILDING" REQUIREMENTS

### 32 SECTION 3701 POLICY; SHORT TITLE

33 **3701.1. POLICY.** THIS CHAPTER IS INTENDED TO PROTECT THE PUBLIC HEALTH AND WELFARE BY  
34 REQUIRING AN INTEGRATED APPROACH TO PLANNING, DESIGN, CONSTRUCTION, AND OPERATION OF A  
35 COVERED BUILDING AND ITS SURROUNDING LANDSCAPE, HELPING TO MITIGATE THE ENERGY AND

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1 ENVIRONMENTAL IMPACTS OF THE BUILDING SO THAT IT IS ENERGY EFFICIENT, SUSTAINABLE, SECURE,  
2 SAFE, COST-EFFECTIVE, ACCESSIBLE, FUNCTIONAL, AND PRODUCTIVE.

3 **3701.2. SHORT TITLE.** THIS CHAPTER MAY BE CITED AS THE BALTIMORE CITY GREEN BUILDINGS  
4 LAW.

### 5 SECTION 3702 DEFINITIONS

6 **3702.1 GENERAL.** IN THIS CHAPTER, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

7 **3702.1.1 CITY BUILDING.** “CITY BUILDING” MEANS ANY COVERED BUILDING THAT IS OWNED BY  
8 THE MAYOR AND CITY COUNCIL OF BALTIMORE.

9 **3702.1.2 CITY-SUBSIDIZED BUILDING.** “CITY-SUBSIDIZED BUILDING” MEANS ANY COVERED  
10 BUILDING FOR WHICH THE CITY OR ANY OF ITS AGENTS OR CONTRACTORS PROVIDES FUNDS,  
11 RESOURCES, OR FINANCIAL ASSISTANCE, INCLUDING:

- 12 1. THE SALE OR TRANSFER OF LAND SUBSTANTIALLY BELOW ITS APPRAISED VALUE;
- 13 2. PAYMENT IN LIEU OF TAXES;
- 14 3. TAX INCREMENT FINANCING;
- 15 4. GRANTS OR LOANS THAT EQUAL OR EXCEED 15% OF TOTAL PROJECTED PROJECT COSTS; OR
- 16 5. INSTALLATION OR REPAIR OF PHYSICAL INFRASTRUCTURE DIRECTLY RELATED TO THE  
17 PROJECT AND WITH VALUE EQUAL TO OR EXCEEDING 5% OF TOTAL PROJECTED  
18 PROJECT COSTS.  
19

20 **3702.1.3 COVERED BUILDING.** “COVERED BUILDING” MEANS A NEWLY CONSTRUCTED OR  
21 EXTENSIVELY MODIFIED NON-RESIDENTIAL OR MULTI-FAMILY RESIDENTIAL BUILDING THAT HAS OR  
22 WILL HAVE AT LEAST 10,000 SQUARE FEET OF GROSS FLOOR AREA.

23 **3702.1.4 EXTENSIVELY MODIFIED.** “EXTENSIVELY MODIFIED” REFERS TO A STRUCTURAL  
24 MODIFICATION THAT ALTERS MORE THAN 50% OF A BUILDING’S GROSS FLOOR AREA, AS INDICATED  
25 ON THE APPLICATION FOR A BUILDING PERMIT.

26 **3702.1.4.1 EXCLUSIONS.** “EXTENSIVELY MODIFIED” DOES NOT INCLUDE ANY MODIFICATION  
27 THAT IS LIMITED TO 1 OR MORE OF THE FOLLOWING BUILDING SYSTEMS:

- 28 1. MECHANICAL,
- 29 2. ELECTRICAL,
- 30 3. PLUMBING,
- 31 4. HEATING, VENTILATION, AND AIR CONDITIONING, AND
- 32 5. FIRE PROTECTION.

33 **3702.1.5 GREEN BUILDING COUNCIL.** “GREEN BUILDING COUNCIL” MEANS THE U.S. GREEN  
34 BUILDING COUNCIL, AN ORGANIZATION THAT HAS DEVELOPED AND PUBLISHED THE LEED RATING  
35 SYSTEM TO MEASURE THE ENERGY AND ENVIRONMENTAL PERFORMANCE OF A BUILDING.

36 **3702.1.6 LEED.** “LEED” MEANS THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN  
37 RATING SYSTEM DEVELOPED BY THE GREEN BUILDING COUNCIL.

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1           **3702.1.7 LEED RATING SYSTEM.** “LEED RATING SYSTEM” MEANS THE PARTICULAR LEED  
2 RATING SYSTEM THAT APPLIES TO A COVERED BUILDING, AS SPECIFIED IN THE REGULATIONS  
3 ADOPTED UNDER THIS CHAPTER..

4           **3702.1.8 MULTI-FAMILY RESIDENTIAL BUILDING.** “MULTI-FAMILY RESIDENTIAL BUILDING”  
5 MEANS:

- 6                   1. ANY MULTI-FAMILY RESIDENTIAL BUILDING THAT CONTAINS 5 OR MORE DWELLING UNITS  
7                   AND IS TALLER THAN 3 STORIES; OR
- 8                   2. ANY MIXED-USE BUILDING THAT CONTAINS A RESIDENTIAL COMPONENT AND IS TALLER  
9                   THAN 3 STORIES.

10           **3702.1.9 NEWLY CONSTRUCTED.** “NEWLY CONSTRUCTED” REFERS TO A NEW, STAND-ALONE  
11 BUILDING OR AN ADDITION TO AN EXISTING BUILDING.

12                   **3702.1.9.1 EXCLUSIONS.** “NEWLY CONSTRUCTED” DOES NOT INCLUDE ANY CHANGE TO AN  
13 EXISTING PORTION OF A BUILDING.

14           **3702.1.10 NON-RESIDENTIAL BUILDING.** “NON-RESIDENTIAL BUILDING” MEANS A BUILDING NOT  
15 USED AS A DWELLING.

16   **SECTION 3703 REGULATIONS**

17           **3703.1 IN GENERAL.** THE BUILDING OFFICIAL MUST ISSUE REGULATIONS TO ADMINISTER THIS  
18 CHAPTER.

19           **3703.2 REQUIRED ELEMENTS.** THOSE REGULATIONS MUST SPECIFY:

- 20                   1. THE LEED RATING SYSTEM, AND ANY EQUIVALENT ENERGY AND ENVIRONMENTAL DESIGN  
21                   STANDARD, THAT APPLIES TO EACH TYPE OF COVERED BUILDING UNDER § 3705,
- 22                   2. THE PROCESS BY WHICH TO VERIFY COMPLIANCE WITH ANY APPLICABLE STANDARD, INCLUDING  
23                   THE TYPES OF PERSONS WHO ARE QUALIFIED TO VERIFY COMPLIANCE,
- 24                   3. STANDARDS AND PROCEDURES UNDER WHICH THE WAIVERS MAY BE REQUESTED UNDER § 3708,  
25                   AND
- 26                   4. STANDARDS AND PROCEDURES FOR ANY ENFORCEMENT MECHANISM, SUCH AS PERFORMANCE  
27                   BONDS, THAT THE BUILDING OFFICIAL FINDS NECESSARY TO ACCOMPLISH THE PURPOSES OF  
28                   THIS CHAPTER.

29   **SECTION 3704 {RESERVED}**

30   **SECTION 3705 STANDARDS AND REQUIREMENTS**

31           **3705.1 FOR CITY BUILDINGS.** EVERY CITY BUILDING MUST ACHIEVE A RATING AS PROVIDED IN THIS §  
32 3705.1.

33                   **3705.1.1. FISCAL YEAR 2009.** FOR A CITY BUILDING INCLUDED IN THE CAPITAL BUDGET FOR  
34 FISCAL YEAR 2009 OR FOR WHICH A BUILDING PERMIT APPLICATION IS FILED DURING FISCAL YEAR  
35 2009, THE BUILDING MUST ACHIEVE:

- 36                   1. A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY  
37                   THE GREEN BUILDING COUNCIL, OR

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- 1           2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL  
2           IDENTIFIES AS EQUIVALENT TO A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED  
3           RATING SYSTEM.

4           **3705.1.2. FISCAL YEAR 2010 AND AFTER.** FOR A CITY BUILDING INCLUDED IN THE CAPITAL  
5           BUDGET FOR FISCAL YEAR 2010 OR LATER OR FOR WHICH A BUILDING PERMIT APPLICATION IS FILED  
6           ON OR AFTER JULY 1, 2009, THE BUILDING MUST ACHIEVE:

- 7           1. A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE  
8           GREEN BUILDING COUNCIL, OR
- 9           2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL  
10           IDENTIFIES AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING  
11           SYSTEM.

12           **3705.2 FOR CITY-SUBSIDIZED BUILDINGS.** EVERY CITY-SUBSIDIZED BUILDING MUST ACHIEVE A  
13           RATING AS PROVIDED IN THIS § 3705.2.

14           **3705.2.1. FISCAL YEAR 2009.** FOR A CITY-SUBSIDIZED BUILDING FOR WHICH A BUILDING PERMIT  
15           APPLICATION IS FILED ON OR AFTER JANUARY 1, 2009, AND ON OR BEFORE JUNE 30, 2009, THE  
16           BUILDING MUST ACHIEVE:

- 17           1. A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY  
18           THE GREEN BUILDING COUNCIL, OR
- 19           2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL  
20           IDENTIFIES AS EQUIVALENT TO A CERTIFIED-LEVEL RATING IN THE APPROPRIATE LEED  
21           RATING SYSTEM.

22           **3705.2.2. FISCAL YEAR 2010 AND AFTER.** FOR A CITY-SUBSIDIZED BUILDING FOR WHICH A  
23           BUILDING PERMIT APPLICATION IS FILED ON OR AFTER JULY 1, 2009, THE BUILDING MUST ACHIEVE:

- 24           1. A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE  
25           GREEN BUILDING COUNCIL, OR
- 26           2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL  
27           IDENTIFIES AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING  
28           SYSTEM.

29           **3705.3. FOR OTHER COVERED BUILDINGS.** EVERY OTHER COVERED BUILDING FOR WHICH A BUILDING  
30           PERMIT APPLICATION IS FILED ON OR AFTER JULY 1, 2009, MUST ACHIEVE:

- 31           1. A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM, AS CERTIFIED BY THE  
32           GREEN BUILDING COUNCIL, OR
- 33           2. ENERGY AND ENVIRONMENTAL DESIGN STANDARDS THAT THE BUILDING OFFICIAL IDENTIFIES  
34           AS EQUIVALENT TO A SILVER-LEVEL RATING IN THE APPROPRIATE LEED RATING SYSTEM.

35           **3705.4 EXCEPTIONS.** FOR ANY BUILDING FOR WHICH ALL APPLICATIONS FOR ALL NECESSARY  
36           BUILDING PERMITS WERE FILED ON OR BEFORE JUNE 30, 2009, ANY LATER ADDITION TO THAT BUILDING  
37           NEED ONLY MEET THE REQUIREMENTS OF § 3705.1, § 3705.2, OR § 3705.3, IF THE ADDITION WOULD:

- 38           1. INCREASE THE BUILDING'S LAND COVERAGE BY 100% OR MORE, OR
- 39           2. INCREASE THE BUILDING'S GROSS FLOOR AREA BY AT LEAST 10,000 SQ. FT.

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### 1 SECTION 3706 BUILDING PERMITS; OCCUPANCY PERMITS; CERTIFICATES OF COMPLETION

2 **3706.1 APPLICATION FOR BUILDING PERMIT.** IN ADDITION TO ALL OTHER SUBMISSIONS REQUIRED BY  
3 THIS ARTICLE, THE APPLICANT FOR A BUILDING PERMIT FOR A COVERED BUILDING MUST SUBMIT TO THE  
4 BUILDING OFFICIAL:

- 5 1. DESIGN PLANS FOR THE BUILDING THAT ARE LIKELY TO ACHIEVE THE APPLICABLE STANDARD  
6 REQUIRED BY § 3705, AND
- 7 2. ANY OTHER DOCUMENT OR INFORMATION THE BUILDING OFFICIAL FINDS NECESSARY TO DECIDE  
8 WHETHER THE BUILDING WILL ACHIEVE THE APPLICABLE STANDARD REQUIRED BY § 3705.

9 **3706.2 COMPLIANCE AS CONDITION OF BUILDING PERMIT.** THE BUILDING OFFICIAL MUST REQUIRE  
10 COMPLIANCE WITH § 3705 AS A CONDITION OF ANY BUILDING PERMIT ISSUED FOR A COVERED BUILDING.

11 **3706.3 OCCUPANCY PERMITS; CERTIFICATES OF COMPLETION.** THE BUILDING OFFICIAL MAY NOT  
12 ISSUE A FINAL OCCUPANCY PERMIT OR CERTIFICATE OF COMPLETION FOR A COVERED BUILDING UNLESS  
13 THE BUILDING OFFICIAL FINDS THAT THE BUILDING HAS ACHIEVED THE APPLICABLE STANDARD  
14 REQUIRED BY § 3705.

### 15 SECTION 3707 *{RESERVED}*

### 16 SECTION 3708 WAIVERS

17 **3708.1 WHEN AUTHORIZED.** THE BUILDING OFFICIAL MAY APPROVE FULL OR PARTIAL WAIVERS OF  
18 THE REQUIREMENTS OF THIS CHAPTER TO THE EXTENT THAT:

- 19 1. COMPLIANCE WOULD BE IMPRACTICAL OR UNDULY BURDENSOME, AND
- 20 2. THE PUBLIC INTEREST WOULD BE SERVED BY THE WAIVER.

21 **3708.2 CONDITIONS, ETC.** THE BUILDING OFFICIAL MAY IMPOSE ANY CONDITIONS, RESTRICTIONS, OR  
22 LIMITATIONS ON A WAIVER THAT THE BUILDING OFFICIAL CONSIDERS NECESSARY OR APPROPRIATE IN  
23 THE CIRCUMSTANCES.

24 **3708.3 REPORT OF WAIVERS.** THE BUILDING OFFICIAL MUST SUBMIT TO THE MAYOR AND THE CITY  
25 COUNCIL, NOT LATER THAN MARCH 1 OF EACH YEAR, A LIST OF EACH WAIVER OF THIS CHAPTER THAT  
26 THE BUILDING OFFICIAL APPROVED DURING THE PRECEDING CALENDAR YEAR AND ANY CONDITIONS,  
27 RESTRICTIONS, OR LIMITATIONS THAT WERE ATTACHED TO THAT WAIVER.

28 **APPENDIX A**  
29 **EMPLOYEE QUALIFICATIONS**  
30 *{NOT ADOPTED}*

31 **APPENDIX B**  
32 **BOARD OF APPEALS**  
33 *{NOT ADOPTED}*

34 **APPENDIX C**  
35 **GROUP U – AGRICULTURAL BUILDINGS**  
36 *{AS IN IBC}*

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**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).

**D103 TYPES IIIB, VA, AND VB CONSTRUCTION NOT PERMITTED.** NEW BUILDINGS AND STRUCTURES, AND ADDITIONS TO EXISTING BUILDINGS AND STRUCTURES, WITHIN THE DOWNTOWN FIRE DISTRICT MAY NOT BE OF TYPE IIIB, VA, OR VB CONSTRUCTION, AS DEFINED IN CHAPTER 6 OF THIS CODE.

**D104 TO D106 {NOT ADOPTED}**

**APPENDIX E  
SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS  
{NOT ADOPTED}**

**APPENDIX F  
RODENT PROOFING  
{AS IN IBC}**

**APPENDIX G  
FLOOD-RESISTANT CONSTRUCTION**

**SECTIONS G101 TO G104 {AS IN IBC}**

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### 1 SECTION G105 VARIANCES

2 **G105.1 GENERAL.** THE BUILDING OFFICIAL HEARS AND DECIDES ALL REQUESTS FOR VARIANCES. THE  
3 BUILDING OFFICIAL:

- 4 1. MUST BASE HIS OR HER DECISION ON TECHNICAL JUSTIFICATIONS, AND  
5 2. MAY ATTACH CONDITIONS TO A VARIANCE AS HE OR SHE CONSIDERS NECESSARY TO FURTHER  
6 THE PURPOSES AND OBJECTIVES OF THIS APPENDIX AND OF § 1612.

### 7 **G105.2 TO G105.4** *{AS IN IBC}*

8 **G105.5 RESTRICTIONS.** THE BUILDING OFFICIAL MAY NOT ISSUE A VARIANCE FOR ANY PROPOSED  
9 DEVELOPMENT IN A FLOODWAY IF ANY INCREASE IN FLOOD LEVELS WOULD RESULT DURING THE BASE  
10 FLOOD DISCHARGE.

11 **G105.6 CONSIDERATIONS.** IN REVIEWING APPLICATIONS FOR VARIANCES THE BUILDING OFFICIAL  
12 MUST CONSIDER ALL TECHNICAL EVALUATIONS, ALL RELEVANT FACTORS, ALL OTHER PARTS OF THIS  
13 APPENDIX, AND THE FOLLOWING:

14 1 - 10. *{AS IN IBC}*

15 **G105.7 CONDITIONS FOR ISSUANCE.** A VARIANCE MAY ONLY BE ISSUED BY THE BUILDING OFFICIAL  
16 ON:

17 1 - 5. *{AS IN IBC}*

### 18 SECTIONS G201 TO G1101 *{AS IN IBC}*

## 19 APPENDIX H 20 SIGNS

### 21 SECTIONS H101 TO H102 *{AS IN IBC}*

### 22 SECTION H103 LOCATION

23 **H103.1 GENERAL RESTRICTIONS.** *{AS IN IBC}*

24 **H103.2 CHARLES STREET CORRIDOR.** ON EITHER SIDE OF CHARLES STREET FROM BALTIMORE  
25 STREET TO MOUNT ROYAL AVENUE, NO SIGN MAY EXTEND OR PROJECT MORE THAN 8 INCHES  
26 (203.2 MM) BEYOND THE BUILDING WALL PROPER.

### 27 SECTIONS H104 TO H111 *{AS IN IBC}*

### 28 SECTION H112 PROJECTING SIGNS

29 **H112.1 TO H112.5** *{AS IN IBC}*

30 **H112.6 CLEARANCE.** A VERTICAL CLEARANCE OF 10 FEET (3.05M) MUST BE MAINTAINED BELOW EACH  
31 PROJECTING SIGN.

### 32 SECTIONS H113 TO H115 *{AS IN IBC}*

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**APPENDIX I  
PATIO COVERS  
{AS IN IBC}**

**APPENDIX J  
GRADING  
{AS IN IBC}**

**APPENDIX K  
ADMINISTRATIVE PROVISIONS  
{NOT ADOPTED}**

**PART III  
NATIONAL ELECTRICAL CODE**

**§ 3-101. CITY ADOPTION.**

*(A) IN GENERAL.*

THE NATIONAL ELECTRICAL CODE (2008 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”.







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1       **SECTION 210.11. BRANCH CIRCUITS REQUIRED.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

2           **(A) - (B)** *{AS IN NEC}*

3           **(C) DWELLING UNITS.**

4               **(1) - (3)** *{AS IN NEC}*

5               *EXCEPTION: {AS IN NEC}*

6               **(4) WINDOW AIR CONDITIONER BRANCH CIRCUITS.** A CIRCUIT FOR A CORD-CONNECTED  
7               WINDOW AIR CONDITIONER MUST CONTAIN A DEDICATED RECEPTACLE.

8       **SECTIONS 210.12 TO 210.21.** *{AS IN NEC}*

9       **SECTION 210.23. PERMISSIBLE LOADS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

10           **(A) - (D)** *{AS IN NEC}*

11           **(E) CIRCUITS FOR FUEL-BURNING EQUIPMENT.** FOR FUEL-BURNING EQUIPMENT SUCH AS OIL AND  
12           GAS BURNERS AND STOKERS, INCLUDING AUXILIARIES SUCH AS FANS, BLOWERS, AND PUMPS, AN  
13           INDIVIDUAL BRANCH CIRCUIT WITH A DISCONNECTING MEANS ON THE LINE SIDE OF ALL  
14           EQUIPMENT AND DEVICES, OTHER THAN THE BRANCH-CIRCUIT FUSES, MUST BE PROVIDED. IF 2  
15           OR MORE BRANCH CIRCUITS ARE PROVIDED FOR A FUEL-BURNING SYSTEM, THEY MUST BE  
16           SUPPLIED THROUGH A COMMON FEEDER WITH A DISCONNECTING MEANS THAT WILL DISCONNECT  
17           ALL COMPONENTS OF THE SYSTEM.

18           **(F) CONTROLS.** OIL BURNERS, OTHER THAN OIL STOVES WITH INTEGRAL TANKS, MUST BE  
19           PROVIDED WITH A DEVICE TO MANUALLY STOP THE FLOW OF OIL TO THE BURNERS. THE DEVICE  
20           MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER. WITH  
21           ELECTRICALLY DRIVEN EQUIPMENT, THIS MAY BE ACCOMPLISHED BY AN IDENTIFIED SWITCH IN  
22           THE BURNER SUPPLY CIRCUIT, PLACED NEAR THE ENTRANCE TO THE ROOM WHERE THE BURNER  
23           IS LOCATED.

24           **(G) EMERGENCY SWITCH FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT MUST  
25           HAVE A DEVICE TO MANUALLY STOP THE FLOW OF FUEL AT THE FUEL TRAIN TO THE BURNER.  
26           THE DEVICE MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE  
27           BURNER AND MUST BE IDENTIFIED AS AN EMERGENCY DISCONNECT. SEE IMC § 304.1.1.

28       **SECTIONS 210.24 TO 210.70.** *{AS IN NEC}*

29       **ARTICLES 215 TO 220.** *{AS IN NEC}*

30       **ARTICLE 225. OUTSIDE BRANCH CIRCUITS AND FEEDERS**

31           **SECTIONS 225.1 TO 225.26.** *{AS IN NEC}*

32       **SECTION 225.30. NUMBER OF SUPPLIES.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

33           **(A) SPECIAL CONDITIONS.** ADDITIONAL FEEDERS OR BRANCH CIRCUITS ARE PERMITTED TO SUPPLY  
34           THE FOLLOWING:

35               **(1)** *{AS IN NEC}*

36               **(2)** *{NOT ADOPTED}*

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1           **(3) - (5) {AS IN NEC}**

2           **(6)** BY SPECIAL PERMISSION, SYSTEMS DESIGNED FOR CONNECTION TO MULTIPLE SOURCES OF  
3           SUPPLY FOR PURPOSES OF ENHANCED RELIABILITY.

4           **(B) - (C) {AS IN NEC}**

5           **(D) DIFFERENT CHARACTERISTICS.** BY SPECIAL PERMISSION, ADDITIONAL FEEDERS OR BRANCH  
6           CIRCUITS MAY BE USED FOR DIFFERENT VOLTAGES, FREQUENCIES, OR PHASES, OR FOR  
7           DIFFERENT USES, SUCH AS CONTROL OF OUTSIDE LIGHTING FROM MULTIPLE LOCATIONS.

8           **(E) DOCUMENTED SWITCHING PROCEDURES. {AS IN NEC}**

9           **SECTIONS 225.31 TO 225.61. {AS IN NEC}**

10          **ARTICLE 230. SERVICES**

11          **SECTION 230.1. SCOPE. {AS IN NEC}**

12          **SECTION 230.2. NUMBER OF SERVICES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

13           **(A) SPECIAL CONDITIONS.** ADDITIONAL SERVICES ARE PERMITTED TO SUPPLY THE FOLLOWING:

14           **(1) {AS IN NEC}**

15           **(2) {NOT ADOPTED}**

16           **(3) - (5) {AS IN NEC}**

17           **(6)** SYSTEMS DESIGNED FOR CONNECTION TO MULTIPLE SOURCES OF SUPPLY FOR PURPOSES OF  
18           ENHANCED RELIABILITY, IF SUPPLIED FROM DIFFERENT UTILITY TRANSFORMERS AND  
19           CONNECTED BY THE TIE BREAKER.

20           **(B) - (C) {AS IN NEC}**

21           **(D) DIFFERENT CHARACTERISTICS.** BY SPECIAL PERMISSION, ADDITIONAL SERVICES MAY BE USED  
22           FOR DIFFERENT VOLTAGES (WHERE COMPATIBLE), FREQUENCIES, OR PHASES, OR FOR DIFFERENT  
23           USES, SUCH AS FOR DIFFERENT RATE SCHEDULES.

24           **(E) IDENTIFICATION. {AS IN NEC}**

25          **SECTIONS 230.3 TO 230.23. {AS IN NEC}**

26          **SECTION 230.24. CLEARANCES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

27           **(A) - (D) {AS IN NEC}**

28           **(E) CLEARANCE ABOVE DECK.** CONDUCTORS MUST HAVE A VERTICAL CLEARANCE OF AT LEAST  
29           8' AT THE LOWEST POINT ABOVE THE DECK SURFACE.

30          **SECTIONS 230.26 TO 230.33. {AS IN NEC}**

31          **SECTION 230.40 NUMBER OF SERVICE-ENTRANCE CONDUCTOR SETS.** EACH SERVICE DROP OR  
32          LATERAL MAY SUPPLY ONLY 1 SET OF SERVICE-ENTRANCE CONDUCTORS.

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**EXCEPTIONS:**

**1. {AS IN NEC, BUT BY SPECIAL PERMISSION ONLY}**

**2. - 5. {AS IN NEC}**

**SECTIONS 230.41 TO 230.212 {AS IN NEC}**

**ARTICLE 240. OVERCURRENT PROTECTION {AS IN NEC}**

**ARTICLE 250. GROUNDING AND BONDING**

**SECTIONS 250.1 TO 250.50. {AS IN NEC}**

**SECTION 250.52. GROUNDING ELECTRODES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

**(A) ELECTRODES PERMITTED FOR GROUNDING. {AS IN NEC}**

**(B) ELECTRODES NOT PERMITTED FOR GROUNDING. THE FOLLOWING MAY NOT BE USED AS GROUNDING ELECTRODES:**

**(1) GAS PIPING OR ANY OTHER METALLIC PIPING OR TANK THAT CONTAINS FLAMMABLE LIQUIDS**

**(2) {AS IN NEC}**

**SECTIONS 250.53 TO 250.66. {AS IN NEC}**

**SECTION 250.68. GROUNDING ELECTRODE CONDUCTOR AND BONDING JUMPER CONNECTION TO GROUNDING ELECTRODES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

**(A) ACCESSIBILITY. THE CONNECTION OF A GROUNDING ELECTRODE CONDUCTOR OR BONDING JUMPER CONDUCTOR TO A GROUNDING ELECTRODE MUST BE:**

**(1) AHEAD OF ALL TURNOFF VALVES AND UNIONS, AND**

**(2) ACCESSIBLE.**

**EXCEPTIONS: {AS IN NEC}**

**(B) EFFECTIVE GROUNDING PATH. {AS IN NEC}**

**SECTIONS 250.70 TO 250.190. {AS IN NEC}**

**ARTICLES 280 TO 285. {AS IN NEC}**

**CHAPTER 3  
WIRING METHODS AND MATERIALS**

**ARTICLES 300 TO 332. {AS IN NEC}**

**ARTICLE 334. NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC, AND NMS**

**SECTIONS 334.1 TO 334.6. {AS IN NEC}**

**SECTION 334.10. USES PERMITTED. TYPE NM, TYPE NMC, AND TYPE NMS CABLES MAY BE USED IN THE FOLLOWING:**



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1     **ARTICLE 422. APPLIANCES**

2             **SECTIONS 422.1 TO 422.46. {AS IN NEC}**

3             **SECTION 422.47. WATER HEATER CONTROLS. {INTRODUCTORY PARAGRAPH AS IN NEC}**

4                 **(1) - (2) {AS IN NEC}**

5                 **(3) DISCONNECTING MEANS.** CIRCUITS THAT SUPPLY WATER HEATERS MUST HAVE A  
6                     DISCONNECTING MEANS OTHER THAN THE OVERCURRENT DEVICE. THIS DISCONNECTING MEANS  
7                     MUST BE INSTALLED CLOSE TO THE WATER HEATER.

8                 **EXCEPTIONS: {AS IN NEC}**

9             **SECTIONS 422.48 TO 422.62. {AS IN NEC}**

10     **ARTICLES 424 TO 490. {AS IN NEC}**

11                                     **CHAPTER 5**  
12                                     **SPECIAL OCCUPANCIES**

13     **ARTICLES 500 TO 520. {AS IN NEC}**

14     **ARTICLE 522. CONTROL SYSTEMS FOR PERMANENT AMUSEMENT ATTRACTIONS {AS IN NEC}**

15     **ARTICLE 525. CARNIVALS, CIRCUSES, FAIRS, AND SIMILAR EVENTS.**

16             **SECTIONS 525.1 TO 525.20. {AS IN NEC}**

17             **SECTION 525.21. RIDES, TENTS, AND CONCESSIONS.**

18                 **(A) - (B) {AS IN NEC}**

19                 **(C) ELECTRICAL LAMPS.** ELECTRICAL FIXTURES MUST BE SO INSTALLED THAT LAMPS ARE KEPT AT  
20                     LEAST 8 INCHES (203 MM) AWAY FROM TENT CANVAS OR OTHER COMBUSTIBLE MATERIALS.

21             **SECTION 525.22. PORTABLE DISTRIBUTION OR TERMINATION BOXES.** PORTABLE DISTRIBUTION OR  
22             TERMINATION BOXES MUST COMPLY WITH ALL OF THE REQUIREMENTS OF THIS § 525.22.

23                 **(A) - (D) {AS IN NEC}**

24                 **(E) JUNCTION BOXES.** TAPS AND CONNECTIONS WITHIN 8 FEET (2.44 M) OF THE GROUND MUST BE  
25                     MADE IN JUNCTION BOXES THAT ARE KEPT LOCKED AT ALL TIMES WHEN THE PUBLIC IS ON THE  
26                     GROUNDS. METAL JUNCTION BOXES MUST BE GROUNDED.

27             **SECTIONS 525.23 TO 525.32. {AS IN NEC}**

28     **ARTICLES 530 TO 590. {AS IN NEC}**

29                                     **CHAPTER 6**  
30                                     **SPECIAL EQUIPMENT**  
31

32     **ARTICLE 600. ELECTRIC SIGNS AND OUTLINE LIGHTING**

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1       **SECTIONS 600.1 TO 600.5. {AS IN NEC}**

2       **SECTION 600.6. DISCONNECTS. {INTRODUCTORY PARAGRAPH AS IN NEC}**

3           *EXCEPTIONS: {AS IN NEC}*

4           **(A) - (B) {AS IN NEC}**

5           **(C) SIGN OUTSIDE BUILDING.** IF A SIGN IS SUPPORTED ON THE OUTSIDE OF A BUILDING, THE  
6           SWITCH REQUIRED BY THIS SECTION MUST BE MOUNTED ADJACENT TO THE SIGN ON THE OUTSIDE  
7           OF THE BUILDING. ONLY THE WIRING ON THE LOAD SIDE OF THE SWITCH IS PERMITTED WITHIN  
8           THE SIGN.

9       **SECTIONS 600.7 TO 600.42. {AS IN NEC}**

10      **ARTICLES 604 TO 692. {AS IN NEC}**

11      **ARTICLE 695. FIRE PUMPS**

12      **SECTIONS 695.1 TO 695.2. {AS IN NEC}**

13      **SECTION 695.3. POWER SOURCE(S) FOR ELECTRIC MOTOR-DRIVEN FIRE PUMPS. {INTRODUCTORY**  
14      **PARAGRAPH AS IN NEC}**

15           **(A) INDIVIDUAL SOURCES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

16               **(1) ELECTRIC UTILITY SERVICE CONNECTION. {AS IN NEC}**

17               **(2) ON-SITE POWER PRODUCTION FACILITY. {NOT ADOPTED}**

18           **(B) MULTIPLE SOURCES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

19               **(1) GENERATOR CAPACITY.** AN ON-SITE GENERATOR(S) USED TO COMPLY WITH THIS SECTION  
20               MUST BE OF SUFFICIENT CAPACITY TO ALLOW NORMAL STARTING AND RUNNING OF THE  
21               MOTOR(S) DRIVING THE FIRE PUMP(S) WHILE SUPPLYING ALL OTHER SIMULTANEOUSLY  
22               OPERATED LOAD. AUTOMATIC SHEDDING OF ONE OR MORE OPTIONAL STANDBY LOADS TO  
23               COMPLY WITH THIS CAPACITY REQUIREMENT IS PERMITTED. A TAP AHEAD OF THE ON-SITE  
24               GENERATOR DISCONNECTING MEANS IS REQUIRED. THE REQUIREMENTS OF § 430.113 DO  
25               NOT APPLY.

26               **(2) - (3) {AS IN NEC}**

27      **SECTIONS 695.4 TO 695.5. {AS IN NEC}**

28      **SECTION 695.6. POWER WIRING. {INTRODUCTORY PARAGRAPH AS IN NEC}**

29           **(A) SERVICE CONDUCTORS. {AS IN NEC}**

30               *EXCEPTION: {AS IN NEC}*

31           **(B) CIRCUIT CONDUCTORS. {INTRODUCTORY PARAGRAPH AS IN NEC}**

32               **(1) - (3) {AS IN NEC}**

33               *EXCEPTION: {NOT ADOPTED}*

34           **(C) - (H) {AS IN NEC}**





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**CHAPTER 8  
COMMUNICATIONS SYSTEMS  
{As IN NEC}**

**CHAPTER 9  
TABLES  
{As IN NEC}**

**PART IV  
NATIONAL FUEL GAS CODE**

**§ 4-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE NATIONAL FUEL GAS CODE (2009 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART IV.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART IV REFER TO THE CHAPTER AND SECTION NUMBERS OF THE NATIONAL FUEL GAS CODE.

**§ 4-102. CITY MODIFICATIONS.**

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

**CHAPTER 1  
ADMINISTRATION**

**1.1 TO 1.4 {As IN NFGC}**

**1.5 ENFORCEMENT. {NOT ADOPTED}**

**CHAPTER 2  
REFERENCED PUBLICATIONS  
{As IN NFGC}**

**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 (2009 EDITION) HAVE THE MEANINGS GIVEN IN THE NATIONAL FUEL GAS CODE (2009 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.



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1       **5.6.9 PLASTIC PIPING, JOINTS, AND FITTINGS. {AS IN NFGC}**

2       **5.6.10 FLANGES. {AS IN NFGC}**

3       **5.6.11 FLANGE GASKETS. {AS IN NFGC}**

4       **5.7 TO 5.14 {AS IN NFGC}**

5                                   **CHAPTER 6**  
6                                   **PIPE SIZING**  
7                                   **{AS IN NFGC}**

8                                   **CHAPTER 7**  
9                                   **GAS PIPING INSTALLATION**

10      **7.1 PIPING UNDERGROUND.**

11           **7.1.1 TO 7.1.4 {AS IN NFGC}**

12           **7.1.5 THROUGH OUTER FOUNDATION OR BASEMENT WALL.** UNDERGROUND PIPING, WHERE  
13           INSTALLED THROUGH THE OUTER FOUNDATION OR BASEMENT WALL OF A BUILDING, MUST BE ENCASED  
14           IN A PROTECTIVE PIPE. THE SPACE BETWEEN THE GAS PIPING AND THE BUILDING MUST BE SEALED TO  
15           PREVENT THE ENTRY OF GAS OR WATER. THE EXTERIOR END OF THE PROTECTIVE PIPING MUST BE  
16           SEALED.

17           **7.1.6 PIPING UNDERGROUND BENEATH BUILDINGS. {AS IN NFGC}**

18           **7.1.7 PLASTIC PIPE. {AS IN NFGC}**

19      **7.2 TO 7.4 {AS IN NFGC}**

20      **7.5 GAS PIPE TURNS.** CHANGES IN DIRECTION OF GAS PIPE MUST BE MADE BY THE USE OF FITTINGS.  
21      FACTORY BENDS OR FIELD BENDS ARE ONLY PERMITTED UNDERGROUND, IN A LOCATION THAT IS OUTSIDE OF  
22      ANY BUILDING.

23           **7.5.1 TO 7.5.3 {AS IN NFGC}**

24      **7.6 TO 7.15 {AS IN NFGC}**

25                                   **CHAPTER 8**  
26                                   **INSPECTION, TESTING, AND PURGING**

27      **8.1 PRESSURE TESTING AND INSPECTION.**

28           **8.1.1 GENERAL.**

29                   **8.1.1.1 TO 8.1.1.6 {AS IN NFGC}**

30                   **8.1.1.7 ALL TESTING MUST BE COMPLETED BEFORE ANY PROTECTIVE COATING IS APPLIED.**

31           **8.1.2 TO 8.1.5 {AS IN NFGC}**

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1 **8.2 PIPING SYSTEM LEAK CHECK. *{AS IN NFGC}***

2 **8.3 PURGING. *{AS IN NFGC}***

3 **CHAPTER 9**  
4 **APPLIANCE, EQUIPMENT, AND ACCESSORY INSTALLATION**  
5 ***{AS IN NFGC}***

6 **CHAPTER 10**  
7 **INSTALLATION OF SPECIFIC APPLIANCES**

8 **10.1 GENERAL. *{AS IN NFGC}***

9 **10.2 AIR-CONDITIONING APPLIANCES (GAS-FIRED AIR CONDITIONERS AND HEAT PUMPS).**  
10 ***{AS IN NFGC}***

11 **10.3 CENTRAL HEATING BOILERS AND FURNACES.**

12 **10.3.1 TO 10.3.5 *{AS IN NFGC}***

13 **10.3.6 STEAM SAFETY AND PRESSURE RELIEF VALVES. *{INTRODUCTORY PARAGRAPH AS IN NFGC}***

14 **10.3.6.1 RELIEF VALVES MUST BE PIPED TO A FLOOR DRAIN, TO AN APPROVED RECEPTOR, OR AS**  
15 **SPECIFIED BY THE BUILDING OFFICIAL.**

16 **10.3.6.2 *{AS IN NFGC}***

17 **10.3.6.3 *{AS IN NFGC}***

18 **10.3.7 TO 10.3.9 *{AS IN NFGC}***

19 **10.4 TO 10.22 *{AS IN NFGC}***

20 **10.23 ROOM HEATERS.**

21 **10.23.1 PROHIBITED INSTALLATIONS. UNVENTED ROOM HEATERS ARE PROHIBITED.**

22 ***EXCEPTIONS 1 -2 {NOT ADOPTED}***

23 **10.23.2 TO 10.23.5 *{AS IN NFGC}***

24 **10.24 TO 10.32 *{AS IN NFGC}***

25 **CHAPTER 11**  
26 **PROCEDURES TO PLACE APPLIANCE IN OPERATION**  
27 ***{AS IN NFGC}***

28 **CHAPTER 12**  
29 **VENTING OF APPLIANCES**  
30 ***{AS IN NFGC}***

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**CHAPTER 13  
SIZING OF CATEGORY I VENTING SYSTEMS  
{AS IN NFGC}**

**PART V  
INTERNATIONAL MECHANICAL CODE**

**§ 5-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE INTERNATIONAL MECHANICAL CODE (2009 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART V.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART V REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL MECHANICAL CODE.

**§ 5-102. CITY MODIFICATIONS.**

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

**CHAPTER 1  
ADMINISTRATION**

**SECTION 101 GENERAL**

**101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “MECHANICAL CODE OF BALTIMORE CITY”.

**101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE MECHANICAL CODE OF BALTIMORE CITY.

**101.2 SCOPE.** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”. OTHERWISE, AS IN IMC.}*

**101.3 TO 101.4** *{AS IN IMC}*

**SECTION 102 APPLICABILITY** *{AS IN IMC}*

**SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION**

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

1. “DEPARTMENT OF MECHANICAL INSPECTION” OR “DEPARTMENT” MEANS THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, AND
2. “CODE OFFICIAL”, MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.



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## SECTION 202 GENERAL DEFINITIONS

**202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE INTERNATIONAL MECHANICAL CODE (2009 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL MECHANICAL CODE (2009 EDITION).

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

**202.2.1 BUILDING.** “BUILDING” HAS THE MEANING STATED IN IMC § 202 AND, UNLESS THE CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

**202.2.2 CODE OFFICIAL.** “CODE OFFICIAL” HAS THE MEANING STATED IN § 103.1 OF THIS CODE.

**202.2.3 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

**202.2.4 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT OR TO IMPOSE A DUTY.

**202.2.5 OCCUPANCY.** “OCCUPANCY” MEANS:

1. THE STATE OF OCCUPYING OR USING LANDS, BUILDINGS, OR STRUCTURES, OR
2. THE ACT OF TAKING, HOLDING POSSESSION OF, OR USING LANDS, BUILDINGS, OR STRUCTURES.

**202.2.6 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 TO 301.2** *{AS IN IMC}*

**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 301.7** *{AS IN IMC}*

**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 301.15** *{AS IN IMC}*

### SECTION 302 PROTECTION OF STRUCTURE *{AS IN IMC}*



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1     **SECTION 303 EQUIPMENT AND APPLIANCE LOCATION**

2             **303.1 TO 303.2** *{As in IMC}*

3             **303.3 PROHIBITED LOCATIONS.** FUEL-FIRED APPLIANCES MAY NOT BE LOCATED IN, OR OBTAIN  
4             COMBUSTION AIR FROM, ANY OF THE FOLLOWING ROOMS OR SPACES:

- 5                 1. SLEEPING ROOMS,
- 6                 2. BATHROOMS,
- 7                 3. TOILET ROOMS,
- 8                 4. STORAGE CLOSETS,
- 9                 5. SURGICAL ROOMS, OR
- 10                6. RESIDENTIAL KITCHENS (EXCEPT COOKING APPLIANCES).

11             **EXCEPTION:** *{As in IMC}*

12             **303.4 TO 303.8** *{As in IMC}*

13     **SECTION 304 INSTALLATION**

14             **304.1 TO 304.12** *{As in IMC}*

15             **304.13 DISCONNECTS FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT MUST BE  
16             SUPPLIED WITH 2 EMERGENCY DISCONNECT SWITCHES. ONE SWITCH MUST BE INSTALLED ON THE  
17             EQUIPMENT AND THE OTHER IN A CONVENIENT, LABELED LOCATION THAT IS NEAR THE ENTRANCE  
18             TO THE AREA WHERE THE EQUIPMENT IS LOCATED.

19     **SECTIONS 305 TO 306** *{As in IMC}*

20     **SECTION 307 CONDENSATE DISPOSAL**

21             **307.1 FUEL-BURNING APPLIANCES.** *{As in IMC}*

22             **307.2 EVAPORATORS AND COOLING COILS.** *{As in IMC}*

23                 **307.2.1 CONDENSATE DISPOSAL.** CONDENSATE FROM ALL COOLING COILS OR EVAPORATORS MUST  
24                 BE CONVEYED FROM THE DRAIN PAN OUTLET TO AN APPROVED PLACE OF DISPOSAL. THE PIPING  
25                 MUST MAINTAIN A MINIMUM HORIZONTAL SLOPE IN THE DIRECTION OF DISCHARGE OF NOT LESS  
26                 THAN ONE-EIGHTH UNIT VERTICAL IN 12 UNITS HORIZONTAL (1% SLOPE). CONDENSATE MAY NOT  
27                 DISCHARGE INTO A STREET, ALLEY, OR OTHER AREA SO AS TO CAUSE A NUISANCE. CLEAR WATER  
28                 DISCHARGE MUST BE CONVEYED TO THE STORM DRAIN UNLESS OTHERWISE APPROVED BY THE CODE  
29                 OFFICIAL.

30                 **307.2.2 DRAIN PIPE MATERIAL AND SIZES.** *{SUBSTITUTE "NATIONAL STANDARD PLUMBING*  
31                 *CODE" FOR "INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IMC.}*

32                 **307.2.3 AUXILIARY AND SECONDARY DRAIN SYSTEMS.** *{As in IMC}*

33                 **307.2.4 TRAPS.** *{NOT ADOPTED}*

34     **SECTIONS 308 TO 311** *{As in IMC}*

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## SECTION 312 HEATING AND COOLING LOAD CALCULATIONS

**312.1 LOAD CALCULATIONS.** HEATING AND COOLING SYSTEM DESIGN LOADS FOR THE PURPOSE OF SIZING SYSTEMS, APPLIANCES, AND EQUIPMENT MUST BE DETERMINED IN ACCORDANCE WITH THE PROCEDURES DESCRIBED IN ASHRAE/ACCA STANDARD 183. ALTERNATIVELY, DESIGN LOADS MUST BE DETERMINED BY AN APPROVED EQUIVALENT COMPUTATION PROCEDURE, USING THE DESIGN PARAMETERS SPECIFIED IN CHAPTER 3 OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND § 301.2 OF THIS CODE. FOR NEW OR REPLACED HEATING AND COOLING EQUIPMENT, ENVELOPE CALCULATIONS BASED ON MANUAL “J”, PUBLISHED BY THE AIR CONDITIONING CONTRACTORS OF AMERICA, OR ITS EQUIVALENT MUST BE MADE AVAILABLE TO THE CODE OFFICIAL ON REQUEST.

## CHAPTER 4 VENTILATION *{AS IN IMC}*

## CHAPTER 5 EXHAUST SYSTEMS

## SECTION 501 GENERAL

**501.1 SCOPE.** *{AS IN IMC}*

**501.2 EXHAUST DISCHARGE.** *{AS IN IMC}*

### EXCEPTIONS:

1. *{AS IN IMC}*

2. *{NOT ADOPTED}*

**501.2.1 LOCATION OF EXHAUST OUTLETS.** *{AS IN IMC}*

**501.3 TO 501.4** *{AS IN IMC}*

## SECTION 502 REQUIRED SYSTEMS

**502.1 TO 502.13** *{AS IN IMC}*

**502.14 MOTOR VEHICLE OPERATION.** IN ANY AREA WHERE MOTOR VEHICLES OPERATE:

1. MECHANICAL VENTILATION MUST BE PROVIDED IN ACCORDANCE WITH § 403,
2. FOR STATIONARY MOTOR VEHICLES, THE AREA MUST BE PROVIDED WITH A SOURCE CAPTURE SYSTEM THAT CONNECTS DIRECTLY TO THE MOTOR VEHICLE EXHAUST SYSTEMS, AND
3. IN FUEL-DISPENSING AREAS, THE BOTTOM OF THE AIR INLET OR EXHAUST OPENING MUST BE LOCATED NO MORE THAN 18 INCHES (203 MM) ABOVE THE FLOOR.

**EXCEPTIONS:** *{AS IN IMC}*

**502.15 TO 502.19** *{AS IN IMC}*

**SECTIONS 503 TO 511** *{AS IN IMC}*

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1 **SECTION 512** **SUBSLAB SOIL EXHAUST SYSTEMS** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE”*  
2 *FOR “INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.}*

3 **SECTION 513** **SMOKE CONTROL SYSTEMS** *{AS IN IMC}*

4 **CHAPTER 6**  
5 **DUCT SYSTEMS**

6 **SECTION 601** **GENERAL** *{AS IN IMC}*

7 **SECTION 602** **PLENUMS**

8 **602.1 TO 602.2** *{AS IN IMC}*

9 **602.3** **STUD CAVITY AND JOIST SPACE PLENUMS.** *{AS IN IMC}*

10 1 - 5. *{AS IN IMC}*

11 6. STUD WALL CAVITIES AND SPACES BETWEEN SOLID FLOOR JOISTS ABUTTING GARAGE WALLS  
12 MAY NOT BE UTILIZED AS AIR PLENUMS.

13 **602.4** **FLOOD HAZARD.** *{AS IN IMC}*

14 **SECTIONS 603 TO 607** *{AS IN IMC}*

15 **CHAPTER 7**  
16 **COMBUSTION AIR**  
17 *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
18 *OTHERWISE, AS IN IMC.}*

19 **CHAPTER 8**  
20 **CHIMNEYS AND VENTS**

21 **SECTION 801** **GENERAL**

22 **801.1** **SCOPE** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
23 *OTHERWISE AS IN IBC.}*

24 **801.2 TO 801.17** *{AS IN IMC}*

25 **801.18** **EXISTING CHIMNEYS AND VENTS.** *{AS IN IMC}*

26 **801.18.1 TO 801.18.4** *{AS IN IMC}*

27 **801.18.5** **PROHIBITED USE.** MASONRY CHIMNEYS MAY NOT BE USED SIMULTANEOUSLY AS AIR  
28 DUCT CHASES AND FLUE GAS CHASES.

29 **801.19** **MULTISTORY PROHIBITED.** *{AS IN IMC}*

30 **801.20** **PLASTIC VENT JOINTS.** *{AS IN IMC}*

31 **SECTIONS 802 TO 806** *{AS IN IMC}*

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**CHAPTER 9**

**SPECIFIC APPLIANCES, FIREPLACES, AND SOLID FUEL-BURNING EQUIPMENT**  
*{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE", AND*  
*"NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE".*  
*OTHERWISE, AS IN IMC.}*

**CHAPTER 10**

**BOILERS, WATER HEATERS, AND PRESSURE VESSELS**

**SECTIONS 1001 TO 1005** *{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR*  
*"INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IMC.}*

**SECTION 1006 SAFETY AND PRESSURE RELIEF VALVES AND CONTROLS**

**1006.1 TO 1006.5** *{AS IN IMC}*

**1006.6 SAFETY AND RELIEF VALVE DISCHARGE.** SAFETY AND RELIEF VALVE DISCHARGE PIPES MUST BE OF RIGID PIPE THAT IS APPROVED FOR THE TEMPERATURE OF THE SYSTEM. THE DISCHARGE PIPE MUST BE THE SAME DIAMETER AS THE SAFETY OR RELIEF VALVE OUTLET. SAFETY AND RELIEF VALVES MAY NOT DISCHARGE SO AS TO BE A HAZARD, A POTENTIAL CAUSE OF DAMAGE, OR OTHERWISE A NUISANCE. HIGH-PRESSURE-STEAM SAFETY VALVES MUST BE VENTED TO THE OUTSIDE OF THE STRUCTURE. WHERE A LOW-PRESSURE SAFETY VALVE OR WHERE A RELIEF VALVE DISCHARGES THE DRAINAGE SYSTEM, THE INSTALLATION MUST CONFORM TO THE NATIONAL STANDARD PLUMBING CODE. ALL DISCHARGES TO FLOOR DRAINS MUST BE FROM WITHIN 2 TO 6 INCHES (50.8 MM TO 152.4 MM) FROM THE DRAIN.

**1006.7 TO 1006.8** *{AS IN IMC}*

**SECTIONS 1007 TO 1011** *{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR*  
*"INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IMC.}*

**CHAPTER 11**

**REFRIGERATION**

*{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE", AND*  
*"NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".*  
*OTHERWISE, AS IN IMC.}*

**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.}*

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## 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 INTERNATIONAL FUEL GAS CODE,  
SUBSTITUTE **NATIONAL FUEL GAS CODE (2009 EDITION)**.
2. FOR INTERNATIONAL PLUMBING CODE,  
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2009 EDITION)**.

## PART VI NATIONAL STANDARD PLUMBING CODE

### § 6-101. CITY ADOPTION.

(A) *IN GENERAL.*

THE NATIONAL STANDARD PLUMBING CODE (2009 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART VI.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART VI REFER TO THE CHAPTER AND SECTION NUMBERS OF THE NATIONAL STANDARD PLUMBING CODE.

### § 6-102. CITY MODIFICATIONS.

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

#### ADMINISTRATION

**ADM 1.1 TO 1.5** *{AS IN NSPC}*

**ADM 1.6 ORGANIZATION AND ENFORCEMENT**

**ADM 1.6.1 AUTHORITY HAVING JURISDICTION**

THE BUILDING OFFICIAL IS THE AUTHORITY HAVING JURISDICTION TO ADMINISTER AND ENFORCE THIS CODE, AS ADOPTED AND AMENDED BY THE CITY.

**ADM 1.6.2 TO 1.6.8** *{AS IN NSPC}*

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### 1 **ADM 1.7 VIOLATIONS AND PENALTIES**

#### 2 **ADM 1.7.1 VIOLATIONS *{As in NSPC}***

#### 3 **ADM 1.7.2 PENALTIES**

4 THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED FOR A VIOLATION OF THE  
5 BALTIMORE CITY BUILDING CODE.

### 6 **ADM 1.8 PERMITS *{As in NSPC}***

### 7 **ADM 1.9 PROCESS FOR OBTAINING PERMITS**

#### 8 **ADM 1.9.1 TO 1.9.7 *{As in NSPC}***

#### 9 **ADM 1.9.8 PERMIT EXPIRATION**

10 A PERMIT EXPIRES AT THE TIMES AND UNDER THE CIRCUMSTANCES PROVIDED IN THE BALTIMORE  
11 CITY BUILDING CODE FOR THE EXPIRATION OF BUILDING PERMITS. AN EXPIRED PERMIT MAY BE  
12 EXTENDED AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE FOR THE EXTENSION OF  
13 BUILDING PERMITS.

#### 14 **ADM 1.9.9 REVOCATION OR SUSPENSION *{As in NSPC}***

### 15 **ADM 1.10 PERMIT FEES**

16 FEES FOR PERMITS ISSUED UNDER THIS CODE AND FOR RELATED SERVICES ARE AS PROVIDED IN THE  
17 BALTIMORE CITY BUILDING CODE.

### 18 **ADM 1.11 INSPECTIONS**

#### 19 **ADM 1.11.1 TO 1.11.4 *{As in NSPC}***

#### 20 **ADM 1.11.5 REQUESTS FOR INSPECTION**

21 WHEN THE WORK IS READY FOR INSPECTION, THE PERSON DOING THE WORK UNDER THE PERMIT:

- 22 1. MUST GIVE THE BUILDING OFFICIAL AT LEAST 24 HOURS' ADVANCE NOTICE, BY THE  
23 METHOD (IN WRITING OR BY TELEPHONE) THAT THE BUILDING OFFICIAL REQUIRES,
- 24 2. IS RESPONSIBLE TO MAKE SURE THAT, BEFORE GIVING NOTICE, THE WORK WILL PASS ANY  
25 TEST THAT MAY BE REQUIRED, AND
- 26 3. IS RESPONSIBLE TO PROVIDE REASONABLE ACCESS AND MEANS FOR ACCOMPLISHING PROPER  
27 INSPECTIONS AND TESTS.

#### 28 **ADM 1.11.6 TO 1.11.7 OTHER INSPECTIONS *{As in NSPC}***

### 29 **ADM 1.12 TO 1.13 *{As in NSPC}***

### 30 **BASIC PRINCIPLES** 31 ***{As in NSPC}***

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## CHAPTER 1 DEFINITIONS

### 1.1 GENERAL *{AS IN NSPC}*

### 1.2 DEFINITION OF TERMS

#### 1.2.1 GENERAL

EXCEPT AS PROVIDED IN § 1.2.2, TERMS THAT ARE USED IN THESE PLUMBING REGULATIONS AND DEFINED IN THE NATIONAL STANDARD PLUMBING CODE (2009 EDITION) HAVE THE MEANINGS GIVEN IN THAT CODE.

#### 1.2.2 SUPPLEMENTAL DEFINITIONS

NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE NSPC, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 1.2.2.

##### 1.2.2.1 APPROVED

“APPROVED” MEANS ACCEPTED OR ACCEPTABLE UNDER AN APPLICABLE STANDARD STATED OR CITED IN THIS CODE, OR ACCEPTED AS SUITABLE FOR THE PROPOSED USE UNDER PROCEDURES AND POWERS OF THE BUILDING OFFICIAL UNDER THE GUIDANCE OF, OR IN CONFORMITY WITH, THE STANDARDS OR LISTINGS, OR BOTH, OF ACCEPTABLE FIXTURES AND DEVICES THAT REDUCE WATER CONSUMPTION AND MEET REQUIREMENTS OF SAFETY AND SANITATION AND ARE CERTIFIED BY AN INDEPENDENT TESTING LABORATORY TO MEET ONE OR MORE OF THE STANDARDS CITED IN TABLE 3.1.3 OF THIS CODE.

*SEE {AS IN NSPC}*

##### 1.2.2.2 AUTHORITY HAVING JURISDICTION

“AUTHORITY HAVING JURISDICTION” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

##### 1.2.2.3 MUST

“MUST” IS A MANDATORY TERM. (*SEE ALSO* “SHALL”.)

##### 1.2.2.4 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 ABOVE THE TOP OF THE PIPE MUST BE AT LEAST 36 INCHES (914 MM).

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- 1           2   EARTH COVER ABOVE THE TOP OF BUILDING SEWERS THAT CONNECT TO PUBLIC SEWAGE  
2                   SYSTEMS OR TO INDIVIDUAL SEWAGE DISPOSAL SYSTEMS MUST BE AT LEAST 30 INCHES (762  
3                   MM).
- 4           3.   IN SYSTEMS THAT ARE USED SEASONALLY, WATER PIPING MUST HAVE PROVISIONS TO BE  
5                   DRAINED.
- 6           4.   PIPING MUST BE INSTALLED SO THAT THE CONTENTS WILL NOT BE HEATED DUE TO CLOSE  
7                   PROXIMITY TO ANY HEAT SOURCE OR FROM DIRECT SOLAR RADIATION.
- 8           5.   ALL DRAIN PIPING AND WATER PIPING INSTALLED IN EXTERIOR WALLS, ATTICS, AND OTHER  
9                   AREAS EXPOSED TO OUTDOOR TEMPERATURES MUST BE PROTECTED FROM FREEZING. IN HEATED  
10                  SPACES, THE PIPING MUST BE INSTALLED ON THE HEATED SIDE OF THE BUILDING INSULATION.

11           *SEE {AS IN NSPC}*

12           NOTES: *{AS IN NSPC}*

13   **2.17 TO 2.18 {AS IN NSPC}**

14   **2.19 CONNECTION TO WATER AND SEWER SYSTEMS**

15       **2.19.1 AVAILABILITY OF PUBLIC WATER AND SEWER**

16           THE WATER DISTRIBUTION AND SEWER SYSTEM OF ANY BUILDING IN WHICH PLUMBING FIXTURES  
17           ARE INSTALLED MUST BE CONNECTED TO A PUBLIC WATER SUPPLY SYSTEM AND TO A PUBLIC SEWER  
18           SYSTEM UNLESS OTHERWISE AUTHORIZED BY A NATIONAL POLLUTANT DISCHARGE ELIMINATION  
19           SYSTEM PERMIT ISSUED UNDER TITLE 9 OF THE STATE ENVIRONMENT ARTICLE. PRIVATE SEPTIC  
20           TANK SYSTEMS MAY ONLY BE INSTALLED WITH THE WRITTEN PERMISSION OF THE BUILDING  
21           OFFICIAL.

22           *SEE {AS IN NSPC}*

23           NOTE: *{AS IN NSPC}*

24       **2.19.2 PRIVATE SYSTEMS {AS IN NSPC}**

25   **2.20 TO 2.24 {AS IN NSPC}**

26   **2.25 FOOD HANDLING ESTABLISHMENTS AND FOOD HANDLING AREAS WITHIN BUILDINGS**

27       A. *{AS IN NSPC}*

28       B.   IN NEW CONSTRUCTION, DRAIN AND VENT PIPING MAY NOT BE LOCATED ABOVE FOOD PREPARATION,  
29           STORAGE, DISPLAY, OR SERVING AREAS.

30           **EXCEPTION:** SEATING AREAS.

31       C.   WHERE BUILDING DESIGN FOR A REMODELED ESTABLISHMENT REQUIRES THAT DRAIN OR VENT PIPES  
32           BE LOCATED OVER AREAS WHERE FOOD AND DRINK ARE STORED, PREPARED, OR DISPLAYED, PIPES  
33           MUST BE PROTECTED, WITH DRIP PANS AND AS DESCRIBED BELOW, AGAINST LEAKAGE OR  
34           CONDENSATION REACHING THE FOOD OR DRINK.

35       D. - K. *{AS IN NSPC}*





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### 1 5.4 DRAINAGE PIPE CLEANOUTS

2 5.4.1 TO 5.4.3 *{AS IN NSPC}*

### 3 5.4.4 CLEANOUTS FOR CONCEALED PIPING

4 CLEANOUTS FOR CONCEALED PIPING MUST EXTEND THROUGH AND TERMINATE FLUSH WITH THE  
5 FINISHED WALL OR FLOOR; OR PITS OR CHASES MAY BE LEFT IN THE WALL OR FLOOR, IF THEY ARE OF  
6 SUFFICIENT SIZE TO PERMIT REMOVAL OF THE CLEANOUT PLUG AND PROPER CLEANING OF THE  
7 SYSTEM. CLEANOUTS ARE NOT PERMITTED IN CEILING SPACES.

8 *SEE {AS IN NSPC}*

9 5.4.5 TO 5.4.9 *{AS IN NSPC}*

### 10 5.4.10 MANHOLES FOR LARGE PIPES

11 A. - D. *{AS IN NSPC}*

12 E. MANHOLE CONSTRUCTION MUST COMPLY WITH THE DEPARTMENT OF PUBLIC WORK'S  
13 GUIDELINES AND STANDARDS.

14 *SEE {AS IN NSPC}*

15 5.4.11 TO 5.4.14 *{AS IN NSPC}*

### 16 5.5 BACKWATER VALVES *{AS IN NSPC}*

## 17 CHAPTER 6 18 LIQUID WASTE TREATMENT EQUIPMENT

### 19 6.1 GENERAL *{AS IN NSPC}*

### 20 6.2 GREASE INTERCEPTORS

#### 21 6.2.1 GENERAL

22 A. GREASE INTERCEPTORS MUST COMPLY WITH THE REQUIREMENTS OF THE BUILDING OFFICIAL.

23 B. - C. *{AS IN NSPC}*

24 6.2.1.1 TO 6.2.1.3 *{AS IN NSPC}*

25 6.2.2 TO 6.2.5 *{AS IN NSPC}*

#### 26 6.2.6 COMMERCIAL DISHWASHERS

27 A. COMMERCIAL DISHWASHERS ARE NOT PERMITTED TO DISCHARGE THROUGH A GREASE  
28 INTERCEPTOR.

29 B. *{AS IN NSPC}*

30 6.2.7 TO 6.2.12 *{AS IN NSPC}*

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**6.3 OIL/WATER SEPARATORS**

**6.3.1 WHERE REQUIRED AND APPROVED POINT OF DISCHARGE**

A. - E. *{As in NSPC}*

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 MARYLAND DEPARTMENT OF THE ENVIRONMENT. THE WASTE OIL FROM THE SEPARATOR MUST FLOW BY GRAVITY OR MAY BE PUMPED TO A HIGHER ELEVATION BY AN AUTOMATIC PUMP. PUMPS MUST BE ADEQUATELY SIZED, EXPLOSION PROOF, AND ACCESSIBLE. WASTE-OIL TANKS MUST HAVE A 2" MINIMUM PUMP-OUT CONNECTION AND A 1½" MINIMUM VENT TO THE ATMOSPHERE.

F. - H. *{As in NSPC}*

*SEE {As in NSPC}*

**6.3.3 TO 6.3.4 *{As in NSPC}***

**6.4 TO 6.7 *{As in NSPC}***

**CHAPTER 7**

**PLUMBING FIXTURES, FIXTURE FITTINGS, AND PLUMBING APPLIANCES**

**7.1 TO 7.2 *{As in NSPC}***

**7.3 INSTALLATION**

**7.3.1 TO 7.3.8 *{As in NSPC}***

**7.3.9 WATER CLOSET AND URINAL COMPARTMENTS**

EACH WATER CLOSET AND URINAL USED BY THE PUBLIC OR BY EMPLOYEES IN A NONRESTRICTED USE MUST OCCUPY A SEPARATE COMPARTMENT TO ASSURE PRIVACY. WATER CLOSETS MUST BE LOCATED WITHIN COMPARTMENTS EQUIPPED WITH DOORS. PRIVACY PARTITIONS ARE ACCEPTABLE BETWEEN URINALS.

**EXCEPTION:** A WATER CLOSET COMPARTMENT IS NOT REQUIRED IN A SINGLE-OCCUPANT TOILET ROOM WITH A LOCKABLE DOOR.

**7.4 TO 7.24 *{As in NSPC}***

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**CHAPTER 8  
HANGERS AND SUPPORTS  
{AS IN NSPC}**

**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 TO 9.4 {AS IN NSPC}**

**CHAPTER 10  
WATER SUPPLY AND DISTRIBUTION**

**10.1 TO 10.2 {AS IN NSPC}**

**10.3 WATER REQUIRED**

**10.3.1 BUILDINGS**

EVERY BUILDING EQUIPPED WITH PLUMBING FIXTURES AND USED FOR HUMAN OCCUPANCY MUST BE PROVIDED WITH A POTABLE SUPPLY OF COLD WATER IN THE AMOUNTS AND AT THE PRESSURES SPECIFIED IN THIS CHAPTER. FOR PERMANENT RESIDENCES AND FOR BUILDINGS IN WHICH PEOPLE ARE EMPLOYED, HOT WATER MUST ALSO BE PROVIDED IN THE AMOUNTS AND AT THE PRESSURES SPECIFIED IN THIS CHAPTER.

**10.4 PROTECTION OF POTABLE WATER SUPPLY {AS IN NSPC}**

**10.5 BACKFLOW PREVENTION**

**10.5.1 TO 10.5.4 {AS IN NSPC}**

**10.5.5 INSTALLATION OF BACKFLOW PREVENTION DEVICES**

A. - E. **{AS IN NSPC}**

F. A PERSON MAY NOT CONNECT BACKFLOW PREVENTION DEVICES TO THE POTABLE WATER SUPPLY IN THE CITY UNLESS THAT PERSON IS LICENSED BY THE STATE AS A MASTER OR JOURNEYMAN PLUMBER.

G. A BACKFLOW PREVENTION DEVICE IS REQUIRED ON BOTH DOMESTIC AND SPRINKLER SYSTEM WATER MAINS AS THEY ENTER THE BUILDING. A BYPASS SYSTEM MUST BE PROVIDED TO ALLOW TESTING OF THE BACKFLOW DEVICE. THE BYPASS SYSTEM MUST ALSO BE EQUIPPED WITH A BACKFLOW PREVENTION DEVICE.

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1       **10.5.6 TO 10.5.13** *{As IN NSPC}*

2       **10.5.14 HIGH HAZARD BUILDINGS**

3           IN ADDITION TO THE BACKFLOW DEVICE ON THE WATER SUPPLY MAIN, AT EACH FLOOR WHERE  
4           HAZARDOUS USES OF WATER ARE FOUND, A BACKFLOW PREVENTION DEVICE MUST BE INSTALLED ON  
5           THE WATER SERVICE LINE THAT SUPPLIES THAT FLOOR.

6       **10.5.15 BACKFLOW PREVENTION DEVICES ON HOT WATER SUPPLY**

7           WHEN HOT WATER RETURN PIPING IS NEEDED, IT MUST BE TAKEN FROM THE SUPPLY SIDE OF THE  
8           BACKFLOW PREVENTION DEVICE.

9       **10.5.16 TESTING AND INSPECTION CERTIFICATE**

10          ALL TESTING AND INSPECTIONS MUST BE DOCUMENTED ON A CERTIFICATE ATTACHED  
11          TO THE BACKFLOW PREVENTION DEVICE.

12       **10.6 TO 10.11** *{As IN NSPC}*

13       **10.12 WATER SUPPLY CONTROL VALVES**

14          **10.12.1 TO 10.12.9** *{As IN NSPC}*

15          **10.12.10 INDIVIDUAL VALVES ON SPRINKLER SYSTEMS**

16           DOMESTIC WATER SERVICE LINES USED TO SUPPLY WATER TO BOTH THE SPRINKLER AND THE  
17           DOMESTIC WATER PIPING INSIDE A BUILDING MUST HAVE AN INDIVIDUAL VALVE ON BOTH BRANCH  
18           LINES WHEN SERVED BY A SINGLE WATER SERVICE PIPE. A BUILDING VALVE MAY NOT BE USED  
19           TO SERVE BOTH SYSTEMS. A FLOW ALARM MUST BE PROVIDED ON THE SPRINKLER SYSTEM.

20           **EXCEPTION:** THIS § 10.12.10 DOES NOT APPLY TO SINGLE-FAMILY DWELLINGS.

21       **10.13 TO 10.14** *{As IN NSPC}*

22       **10.15 HOT WATER**

23          **10.15.1 TO 10.15.8** *{As IN NSPC}*

24          **10.15.9 DRIP PANS**

25           **10.15.9.1 WHERE REQUIRED**

26           WHERE TANK-TYPE WATER HEATERS, HOT WATER STORAGE TANKS, CLOTHES WASHERS, OR  
27           SIMILAR PLUMBING APPLIANCES ARE INSTALLED IN LOCATIONS WHERE LEAKAGE WILL CAUSE  
28           STRUCTURAL DAMAGE TO THE BUILDING, THE APPLIANCE MUST BE INSTALLED IN A DRIP PAN IN  
29           ACCORDANCE WITH §§ 10.15.9.2 AND 10.15.9.3.

30           **10.15.9.2 TO 10.15.9.3** *{As IN NSPC}*

31          **10.15.10 WATER HEATERS USED FOR SPACE HEATING** *{As IN NSPC}*

32       **10.16 SAFETY DEVICES FOR PRESSURE VESSELS**

33          **10.16.1 TO 10.16.5** *{As IN NSPC}*

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**10.16.6 RELIEF VALVE DISCHARGE PIPING**

A. - C. *{AS IN NSPC}*

D. FOR NEW CONSTRUCTION, AN AIR GAP MUST BE PROVIDED WHERE RELIEF VALVES DISCHARGE INTO AN INDIRECT WASTE PIPE, FLOOR DRAIN, TRENCH DRAIN, SERVICE SINK, MOP BASIN, LAUNDRY SINK, STANDPIPE, OR OTHER APPROVED RECEPTOR. THE MINIMUM SIZE OF FIXTURE DRAINS OR WASTE PIPES THAT RECEIVE THE DISCHARGE FROM RELIEF VALVES IS AS INDICATED IN TABLE 10.16.6.

E. IN EXISTING CONSTRUCTION, WHERE RELIEF VALVES DISCHARGE TO THE FLOOR, THE DISCHARGE PIPE MUST TERMINATE NOT MORE THAN 6 INCHES NOR LESS THAN 2 INCHES ABOVE THE FLOOR.

F. - G. *{AS IN NSPC}*

*SEE {AS IN NSPC}*

**10.16.7 TO 10.16.8 {AS IN NSPC}**

**10.17 TO 10.19 {AS IN NSPC}**

**CHAPTER 11  
SANITARY DRAINAGE SYSTEMS  
{AS IN NSPC}**

**CHAPTER 12  
VENTS AND VENTING**

**12.1 TO 12.18 {AS IN NSPC}**

**12.19 WASTE STACK VENTING**

**12.19.1 PERMITTED FIXTURES**

LAVATORIES, BATHTUBS, SHOWERS, WATER CLOSETS, URINALS, KITCHEN SINKS WITH AND WITHOUT FOOD WASTE GRINDERS, AND DISHWASHERS, LAUNDRY SINKS, CLOTHES WASHER STANDPIPES, DRINKING FOUNTAINS, FLOOR DRAINS, AND SIMILAR FIXTURES MAY BE VENTED BY A WASTE STACK THAT IS SIZED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION.

**12.19.2 PROHIBITED FIXTURES {NOT ADOPTED}**

**12.19.3 WASTE STACKS**

A. *{AS IN NSPC}*

B. *{NOT ADOPTED}*

**12.19.4 TO 12.19.6 {AS IN NSPC}**

**12.20 OTHER DESIGNS {AS IN NSPC}**

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## CHAPTER 13 STORM WATER DRAINAGE

### 13.1 GENERAL

#### 13.1.1 TO 13.1.9 *{As IN NSPC}*

#### 13.1.10 ROOF DRAINAGE

##### 13.1.10.1 PRIMARY ROOF DRAINAGE

- A. ROOF AREA OF BUILDINGS MUST BE DRAINED INTO A STORM DRAIN BY ROOF DRAINS, UNLESS GUTTERS AND DOWNSPOUTS OR OTHER NON-PLUMBING DRAINAGE IS PROVIDED. THE LOCATION AND SIZING OF ROOF DRAINS AND GUTTERS MUST BE COORDINATED WITH THE STRUCTURAL DESIGN AND SLOPE 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.

#### 13.1.10.2 TO 13.1.10.4 *{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 TO 13.1.12 *{As IN NSPC}*

#### 13.2 TO 13.5 *{As IN NSPC}*

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1                                   **CHAPTER 14**  
2                                   **SPECIAL REQUIREMENTS FOR HEALTH CARE FACILITIES**  
3                                   *{AS IN NSPC}*

4                                   **CHAPTER 15**  
5                                   **TESTS AND MAINTENANCE**

6   **15.1 TO 15.6** *{AS IN NSPC}*

7   **15.6A METHODS OF TESTING INTERIOR LEADERS OR DOWNSPOUTS**

8           THE BUILDING OFFICIAL MAY REQUIRE LEADERS AND DOWNSPOUTS AND BRANCHES WITHIN A BUILDING  
9           TO BE TESTED BY WATER OR AIR IN ACCORDANCE WITH § 15.4.1.

10 **15.7 TO 15.8** *{AS IN NSPC}*

11                                   **CHAPTER 16**  
12 **SEWAGE DISPOSAL AND CERTAIN WATER SYSTEMS FOR HOMES AND OTHER ESTABLISHMENTS WHERE**  
13 **A PUBLIC SEWAGE SYSTEM IS NOT AVAILABLE**  
14 *{PER COMAR 26.04.02}*

15                                   **CHAPTER 17**  
16 **POTABLE WATER SUPPLY SYSTEMS**  
17 *{AS IN NSPC}*

18                                   **CHAPTER 18**  
19 **MOBILE HOME AND TRAVEL TRAILER PARK PLUMBING STANDARDS**  
20 *{AS IN NSPC}*

21                                   **CHAPTER 19**  
22 **WATER SUPPLY AND SEWAGE SYSTEMS IN THE SUBDIVISION OF LAND IN MARYLAND**  
23 *{PER COMAR 26.04.03}*

24                                   **APPENDICES A THROUGH M**  
25 *{AS IN NSPC}*

26                                   **PART VII**  
27 **INTERNATIONAL PROPERTY MAINTENANCE CODE**

28 **§ 7-101. CITY ADOPTION.**

29       (A) *IN GENERAL.*

30           THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2009 EDITION) IS ADOPTED AS  
31           PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE  
32           ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS  
33           PART VII.



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1 (B) *CODIFICATION.*

2 UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART VII REFER  
3 TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL PROPERTY  
4 MAINTENANCE CODE.

### 5 § 7-102. CITY MODIFICATIONS.

6 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE  
7 CITY ARE AS FOLLOWS:

#### 8 CHAPTER 1 9 ADMINISTRATION

#### 10 SECTION 101 GENERAL

11 **101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “PROPERTY MAINTENANCE  
12 CODE OF BALTIMORE CITY”.

13 **101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE  
14 PROPERTY MAINTENANCE CODE OF BALTIMORE CITY.

15 **101.2 TO 101.4** *{AS IN IPMC}*

#### 16 SECTION 102 APPLICABILITY

17 **102.1 GENERAL.** *{AS IN IPMC}*

18 **102.2 MAINTENANCE.** EQUIPMENT, SYSTEMS, DEVICES, AND SAFEGUARDS REQUIRED BY THIS CODE OR  
19 BY A PREVIOUS REGULATION OR CODE UNDER WHICH THE STRUCTURE OR PREMISES WAS CONSTRUCTED,  
20 ALTERED, OR REPAIRED MUST BE MAINTAINED IN GOOD WORKING ORDER.

21 **102.2.1 SHUT-OFF PROHIBITED.** NO OWNER, OPERATOR, OR OCCUPANT MAY CAUSE ANY SERVICE,  
22 FACILITY, EQUIPMENT, OR UTILITY REQUIRED UNDER THIS SECTION TO BE REMOVED OR SHUT OFF  
23 FROM OR DISCONTINUED FOR ANY OCCUPIED DWELLING, EXCEPT FOR A TEMPORARY INTERRUPTION  
24 NECESSARY WHILE REPAIRS OR ALTERATIONS ARE IN PROGRESS.

25 **102.2.2 CODE NOT OVERRIDE OF FIRE AND SAFETY SYSTEMS.** THE REQUIREMENTS OF THIS CODE  
26 ARE NOT INTENDED TO PROVIDE THE BASIS FOR REMOVAL OR ABROGATION OF FIRE PROTECTION AND  
27 SAFETY SYSTEMS AND DEVICES IN EXISTING STRUCTURES.

28 **102.2.3 OWNER AND OPERATOR RESPONSIBLE.** EXCEPT AS OTHERWISE SPECIFIED, EACH OWNER  
29 AND EACH OPERATOR OF A STRUCTURE OR PREMISES IS RESPONSIBLE FOR THE MAINTENANCE OF  
30 THAT STRUCTURE OR PREMISES.

31 **102.3 APPLICATION OF OTHER CODES.** ALL REPAIRS, ADDITIONS, OR ALTERATIONS TO A STRUCTURE  
32 AND ALL CHANGES OF OCCUPANCY MUST BE DONE IN ACCORDANCE WITH THIS CODE AND WITH THE  
33 FOLLOWING CODES AND STANDARDS, AS MODIFIED BY BALTIMORE CITY:

- 34 1. THE INTERNATIONAL BUILDING CODE (2009 EDITION),
- 35 2. THE NATIONAL ELECTRICAL CODE (2008 EDITION),
- 36 3. THE NATIONAL FUEL GAS CODE (2009 EDITION),
- 37 4. THE INTERNATIONAL MECHANICAL CODE (2009 EDITION),

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- 1           5. THE NATIONAL STANDARD PLUMBING CODE (2009 EDITION),
- 2           6. THE INTERNATIONAL FIRE CODE (2009 EDITION),
- 3           7. THE INTERNATIONAL ENERGY CONSERVATION CODE (2009 EDITION), AND
- 4           8. THE ZONING CODE OF BALTIMORE CITY.

5           **102.4 EXISTING REMEDIES.** THE PROVISIONS OF THIS CODE MAY NOT BE CONSTRUED TO ABOLISH OR  
6           IMPAIR EXISTING REMEDIES OF THE CITY OR ITS OFFICERS OR AGENCIES RELATING TO:

- 7           1. ENFORCEMENT OF REPAIR AND MAINTENANCE STANDARDS, OR
- 8           2. THE REMOVAL OR DEMOLITION OF ANY STRUCTURE THAT IS DANGEROUS, UNSAFE, AND  
9           INSANITARY.

10           **102.5 WORKMANSHIP.** ALL REPAIRS, MAINTENANCE WORK, ALTERATIONS, OR INSTALLATIONS MUST  
11           BE EXECUTED AND INSTALLED IN A WORKMANLIKE MANNER AND INSTALLED IN ACCORDANCE WITH THE  
12           MANUFACTURER'S INSTALLATION INSTRUCTIONS.

13           **102.6 HISTORIC BUILDINGS. {NOT ADOPTED}**

14           **102.7 TO 102.10 {AS IN IPMC}**

### 15           **SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION**

16           **103.1 GENERAL.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT OF HOUSING AND  
17           COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

- 18           1. "DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION" OR "DEPARTMENT" MEANS THE  
19           DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, AND
- 20           2. "CODE OFFICIAL" MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING  
21           CODE OF BALTIMORE CITY.

22           **103.2 APPOINTMENT. {NOT ADOPTED}**

23           **103.3 DEPUTIES. {NOT ADOPTED}**

24           **103.4 LIABILITY. {NOT ADOPTED}**

25           **103.5 FEES.** THE FEES FOR WORK OR REPAIRS THAT REQUIRE A BUILDING PERMIT ARE AS PROVIDED IN  
26           THE BALTIMORE CITY BUILDING CODE.

### 27           **SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL**

28           **104.1 GENERAL. {AS IN IPMC}**

29           **104.2 INSPECTIONS.** THE CODE OFFICIAL MUST MAKE ALL OF THE REQUIRED INSPECTIONS OR ACCEPT  
30           REPORTS OF INSPECTION BY APPROVED AGENCIES OR INDIVIDUALS. ALL REPORTS OF THESE INSPECTIONS  
31           MUST BE IN WRITING AND SIGNED BY A RESPONSIBLE OFFICER OF THE APPROVED AGENCY OR BY THE  
32           RESPONSIBLE INDIVIDUAL. THE CODE OFFICIAL MAY ENGAGE ANY EXPERT OPINION THAT THE CODE  
33           OFFICIAL CONSIDERS NECESSARY TO REPORT ON UNUSUAL TECHNICAL ISSUES THAT ARISE.

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1 **104.3 RIGHT OF ENTRY.** THE CODE OFFICIAL MAY ENTER ANY STRUCTURE OR PREMISES AT  
2 REASONABLE TIMES TO INSPECT, SUBJECT TO CONSTITUTIONAL RESTRICTIONS ON UNREASONABLE  
3 SEARCHES AND SEIZURES. IF ENTRY IS REFUSED OR NOT OBTAINED, THE CODE OFFICIAL MAY PURSUE  
4 RECOURSE AS PROVIDED BY LAW, INCLUDING § 104 OF THE BALTIMORE CITY BUILDING CODE.

5 **104.4 IDENTIFICATION.** *{AS IN IPMC}*

6 **104.5 NOTICES AND ORDERS.** THE CODE OFFICIAL MAY ISSUE ALL NOTICES OR ORDERS NECESSARY TO  
7 ENSURE COMPLIANCE WITH THIS CODE.

8 **104.6 DEPARTMENT RECORDS.** THE CODE OFFICIAL MUST KEEP RECORDS OF ALL OF THE  
9 DEPARTMENT'S BUSINESS AND ACTIVITIES SPECIFIED IN THIS CODE.

10 **104.7 NOTICE OF ABATEMENT.** WHEN THE RECIPIENT OF A VIOLATION NOTICE HAS ABATED THE  
11 VIOLATION, THE CODE OFFICIAL MUST ISSUE A NOTICE OF ABATEMENT.

### 12 SECTION 105 APPROVAL

13 **105.1 MODIFICATIONS.** *{AS IN IPMC}*

14 **105.2 ALTERNATIVE MATERIALS, METHODS, AND EQUIPMENT.** THE PROVISIONS OF THIS CODE ARE  
15 NOT INTENDED TO PREVENT THE INSTALLATION OF ANY MATERIAL OR TO PROHIBIT ANY METHOD OF  
16 CONSTRUCTION NOT SPECIFICALLY PRESCRIBED BY THIS CODE, AS LONG AS THAT ALTERNATIVE HAS  
17 BEEN APPROVED. AN ALTERNATIVE MATERIAL OR METHOD OF CONSTRUCTION MAY BE APPROVED IF THE  
18 CODE OFFICIAL FINDS THAT THE PROPOSED DESIGN IS SATISFACTORY AND COMPLIES WITH THE INTENT  
19 OF THIS CODE AND THAT THE MATERIAL, METHOD, OR WORK OFFERED IS, FOR THE PURPOSE INTENDED,  
20 AT LEAST THE EQUIVALENT OF THAT PRESCRIBED IN THIS CODE IN QUALITY, STRENGTH, EFFECTIVENESS,  
21 FIRE RESISTANCE, DURABILITY, AND SAFETY.

22 **105.3 REQUIRED TESTING.** *{AS IN IPMC}*

23 **105.4 USED MATERIAL AND EQUIPMENT.** *{AS IN IPMC}*

24 **105.5 APPROVED MATERIALS AND EQUIPMENT.** *{AS IN IPMC}*

25 **105.6 RESEARCH REPORTS.** *{AS IN IPMC}*

### 26 SECTION 106 VIOLATIONS

27 **106.1 UNLAWFUL ACTS.** IT IS UNLAWFUL FOR ANY PERSON TO BE IN CONFLICT WITH OR IN VIOLATION  
28 OF ANY PROVISION OF THIS CODE OR OF ANY REGULATION, PERMIT, NOTICE, OR ORDER ISSUED UNDER  
29 THIS CODE.

30 **106.2 NOTICE OF VIOLATION.** EXCEPT AS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW, THE CODE  
31 OFFICIAL MUST SERVE A NOTICE OF VIOLATION OR AN ORDER BEFORE UNDERTAKING A PROSECUTION OR  
32 OTHER ENFORCEMENT ACTION.

33 **106.3 PROSECUTION OF VIOLATION.** ANY PERSON WHO VIOLATES A PROVISION OF THIS CODE OR WHO  
34 FAILS TO COMPLY WITH A NOTICE OF VIOLATION OR AN ORDER SERVED IN ACCORDANCE WITH § 107 IS  
35 GUILTY OF A MISDEMEANOR. IF THE VIOLATION IS NOT ABATED OR THE NOTICE OR ORDER NOT  
36 COMPLIED WITH, THE CODE OFFICIAL MAY INSTITUTE THE APPROPRIATE PROCEEDING AT LAW OR IN  
37 EQUITY TO RESTRAIN, CORRECT, OR ABATE THE VIOLATION OR TO REQUIRE THE REMOVAL OR  
38 TERMINATION OF THE UNLAWFUL OCCUPANCY OF THE STRUCTURE IN VIOLATION OF THIS CODE OR OF  
39 THE ORDER OR DIRECTION MADE UNDER THIS CODE.

40 **106.4 VIOLATION PENALTIES.** THE PENALTIES FOR A VIOLATION ARE AS PROVIDED FOR A VIOLATION  
41 OF THE BALTIMORE CITY BUILDING CODE.

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1 **106.5 REMEDIES AND ENFORCEMENT.** THE IMPOSITION OF PENALTIES UNDER THIS SECTION DOES NOT  
2 PRECLUDE THE INSTITUTION OF APPROPRIATE ACTION:

- 3 1. TO RESTRAIN, CORRECT, OR ABATE A VIOLATION,
- 4 2. TO PREVENT ILLEGAL OCCUPANCY OF A STRUCTURE OR PREMISES, OR
- 5 3. TO STOP AN ILLEGAL ACT, CONDUCT, BUSINESS, OR USE OF THE STRUCTURE OR PREMISES.

6 **106.5.1 BUILDING CODE PROVISIONS.** ADDITIONAL REMEDIES, CIVIL PENALTIES, AND  
7 ENFORCEMENT PROCEEDINGS ARE AS PROVIDED IN §§ 113.3 AND 113.5 OF THE BALTIMORE CITY  
8 BUILDING CODE.

### 9 SECTION 107 NOTICES AND ORDERS

10 **107.1 NOTICE TO OWNER OR PERSON RESPONSIBLE.** WHENEVER THE CODE OFFICIAL DETERMINES OR  
11 HAS GROUNDS TO BELIEVE THAT A VIOLATION OF THIS CODE HAS OCCURRED, NOTICE MUST BE GIVEN TO  
12 AN OWNER OR OTHER PERSON RESPONSIBLE FOR COMPLIANCE WITH THIS CODE.

13 **107.2 FORM OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE IN THE FORM PROVIDED  
14 BY § 123 OF THE BALTIMORE CITY BUILDING CODE.

15 **107.3 SERVICE OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE SERVED AS PROVIDED  
16 BY § 123 OF THE BALTIMORE CITY BUILDING CODE.

17 **107.4 UNAUTHORIZED TAMPERING.** *{NOT ADOPTED}*

18 **107.5 PENALTIES.** *{NOT ADOPTED. SEE § 106.4 }*

19 **107.6 TRANSFER OF OWNERSHIP.** *{AS PROVIDED IN IBC § 113.23}*

20 **107.7 RESPONSIBILITIES OF OWNERS, OPERATORS, AND OTHERS.** THE RESPONSIBILITIES OF OWNERS,  
21 OPERATORS, AND OTHERS ARE AS FOLLOWS:

- 22 1. OWNERS AND OPERATORS: AS PROVIDED IN § 113.21 OF THE BALTIMORE CITY BUILDING CODE.
- 23 2. OFFICERS, DIRECTORS, TRUSTEES, PARTNERS, MEMBERS, AND AGENTS OF ENTITIES: AS  
24 PROVIDED IN § 113.24 OF THE BALTIMORE CITY BUILDING CODE.

### 25 SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

26 **108.1 GENERAL.** PROCEDURES FOR ENFORCEMENT OR OTHER ACTIONS INVOLVING UNSAFE  
27 STRUCTURES AND EQUIPMENT ARE AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

28 **108.2 TO 108.7** *{NOT ADOPTED}*

### 29 SECTION 109 EMERGENCY MEASURES

30 **109.1 GENERAL.** WHENEVER NECESSARY OR APPROPRIATE, THE CODE OFFICIAL MAY TAKE  
31 EMERGENCY MEASURES AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

32 **109.2 TO 109.6** *{NOT ADOPTED}*

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### 1 SECTION 110 DEMOLITION

2 **110.1 GENERAL.** THE CODE OFFICIAL MAY ORDER THE REHABILITATION, STABILIZATION, OR  
3 DEMOLITION OF STRUCTURES FOUND TO BE UNSAFE OR UNFIT FOR HUMAN HABITATION OR OTHER  
4 AUTHORIZED USE AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

5 **110.2 TO 110.4** *{NOT ADOPTED}*

### 6 SECTION 111 ADMINISTRATIVE AND JUDICIAL REVIEW

7 **111.1 GENERAL.** A DECISION OF THE CODE OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND JUDICIAL  
8 REVIEW AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

9 **111.2 TO 111.8** *{NOT ADOPTED}*

## 10 CHAPTER 2 11 DEFINITIONS

### 12 SECTION 201 GENERAL

13 **201.1 SCOPE.** *{AS IN IPMC}*

14 **201.2 INTERCHANGEABILITY.** *{AS IN IPMC}*

15 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CODE AND IS DEFINED IN  
16 ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED IN § 102.3 OF THIS CODE, THE TERM HAS THE  
17 MEANING GIVEN TO IT IN THAT STANDARD OR CODE.

18 **201.4 TERMS NOT DEFINED.** *{AS IN IPMC}*

19 **201.5 PARTS.** *{AS IN IPMC}*

### 20 SECTION 202 GENERAL DEFINITIONS

21 **202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE  
22 INTERNATIONAL PROPERTY MAINTENANCE CODE (2009 EDITION) HAVE THE MEANINGS GIVEN IN THE  
23 INTERNATIONAL PROPERTY MAINTENANCE CODE (2009 EDITION).

24 **202.2 SUPPLEMENTAL DEFINITIONS.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE  
25 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN  
26 IN THIS § 202.2.

27 **202.2.1 CODE OFFICIAL.** “CODE OFFICIAL” HAS THE MEANING STATED IN § 103.1 OF THIS CODE.

28 **202.2.2 CONDEMN.** “CONDEMN” MEANS:

- 29 1. TO ADJUDGE EQUIPMENT OR FACILITIES AS BEING UNSAFE FOR USE, OR  
30 2. TO ADJUDGE A STRUCTURE AS BEING UNSAFE OR UNFIT FOR OCCUPANCY.

31 **202.2.3 DWELLING UNIT.** “DWELLING UNIT” HAS THE MEANING STATED IN § 202.2 OF THE  
32 BALTIMORE CITY BUILDING CODE.

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1       **202.2.4 HABITABLE SPACE.** “HABITABLE SPACE” MEANS SPACE IN A STRUCTURE FOR LIVING,  
2 SLEEPING, OR EATING. BATHROOMS, TOILET ROOMS, CLOSETS, HALLS, STORAGE OR UTILITY SPACES,  
3 AND SIMILAR AREAS ARE NOT CONSIDERED HABITABLE SPACES. KITCHENS WITH LESS THAN 56 SQ.  
4 FT. (5.2 SQ. M.) OF FLOOR AREA ARE NOT CONSIDERED HABITABLE SPACES.

5       **202.2.5 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY  
6 NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

7       **202.2.6 MULTIPLE-FAMILY DWELLING.** “MULTIPLE-FAMILY DWELLING” MEANS A BUILDING OR A  
8 GROUP OF BUILDINGS ON THE SAME LOT THAT CONTAINS OR IS DESIGNED OR INTENDED TO CONTAIN:

- 9           1. MORE THAN 2 DWELLING UNITS,  
10           2. 2 DWELLING UNITS AND ANY OTHER RESIDENTIAL OR COMMERCIAL OCCUPANCY, OR  
11           3. ANY COMBINATION OF 3 OR MORE ROOMING UNITS AND DWELLING UNITS.

12       **202.2.7 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A  
13 REQUIREMENT OR TO IMPOSE A DUTY.

14       **202.2.8 OCCUPANCY.** “OCCUPANCY” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE  
15 CITY BUILDING CODE.

16       **202.2.9 OCCUPANT.** “OCCUPANT” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
17 BUILDING CODE.

18       **202.2.10 OPERATOR.** “OPERATOR” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
19 BUILDING CODE.

20       **202.2.11 OWNER.** “OWNER” MEANS ANY PERSON THAT:

- 21           1. HAS A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY,  
22           2. IS RECORDED IN THE LAND RECORDS AS HOLDING TITLE TO THE PROPERTY, OR  
23           3. OTHERWISE HAS CONTROL OF THE PROPERTY, WITH OR WITHOUT ACCOMPANYING  
24 POSSESSION OF THE PROPERTY, INCLUDING:  
25               A. A GUARDIAN OF THE PERSON OR ESTATE OF AN OWNER,  
26               B. A TRUSTEE, INCLUDING A TRUSTEE IN BANKRUPTCY, OF AN OWNER, OR  
27               C. THE PERSONAL REPRESENTATIVE OF THE ESTATE OF AN OWNER.

28       **202.2.12 PERSON.** “PERSON” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
29 BUILDING CODE.

30       **202.2.13 PREMISES.** “PREMISES” MEANS A LOT OR GROUP OF LOTS, TOGETHER WITH ALL OR ANY  
31 PART OF ANY STRUCTURES ON THE LOT OR GROUP OF LOTS, CONSIDERED AS A UNIT DEVOTED TO A  
32 PARTICULAR USE, INCLUDING ACCESSORY STRUCTURES AND OPEN SPACES REQUIRED OR USED IN  
33 CONNECTION WITH THAT PARTICULAR USE.

34       **202.2.14 ROOMING HOUSE.** “ROOMING HOUSE” MEANS A BUILDING THAT:

- 35           1. IS NOT A MULTIPLE FAMILY DWELLING, AND



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- 1                   A. KEEPING IN A CLEAN AND SANITARY CONDITION THE OCCUPANT’S UNIT AND ANY  
2                   OTHER PART OF THE PREMISES THAT THE OCCUPANT OCCUPIES OR CONTROLS, AND
- 3                   B. OTHERWISE COMPLYING WITH THE REQUIREMENTS SPECIFIED IN § 308 OF THIS  
4                   CHAPTER.

5                   **301.2.3 OCCUPANTS – VANDALISM.** THE OCCUPANT OF A NON-OWNER OCCUPIED DWELLING MAY  
6 NOT DESTROY, DEFACE, DAMAGE, IMPAIR, OR CARRY AWAY, NOR PERMIT ANY OTHER PERSON ON  
7 THE PREMISES TO DESTROY, DEFACE, DAMAGE, IMPAIR, OR CARRY AWAY ANY OF THE FACILITIES,  
8 EQUIPMENT, APPURTENANCES, OR ANY PART OF THE STRUCTURE OF THE DWELLING.

9                   **301.3 VACANT STRUCTURES AND LAND.** ALL VACANT STRUCTURES AND THEIR PREMISES AND ALL  
10 VACANT LAND MUST BE MAINTAINED IN A CLEAN, SANITARY, AND SAFE CONDITION, AS PROVIDED IN  
11 THIS CODE.

12                   **301.4 LEAD-BASED PAINT.** LEAD-PAINT HAZARDS MUST BE ABATED IN ACCORDANCE WITH:

- 13                   1. THE RULES AND REGULATIONS OF:
- 14                   A. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT; AND
- 15                   B. THE BALTIMORE CITY HEALTH DEPARTMENT; AND
- 16                   2. THE DEPARTMENT OF PUBLIC WORKS’ REQUIREMENTS GOVERNING DISCHARGES  
17 INTO THE STORM WATER SYSTEM.

18                   **301.4.1 UNOCCUPIED DWELLING UNIT – SCOPE.** THESE PROVISIONS APPLY TO ANY DWELLING  
19 UNIT THAT:

- 20                   1. IS THE SUBJECT OF A NOTICE OR ORDER FOR THE TREATMENT OF LEAD PAINT, AND
- 21                   2. BECOMES UNOCCUPIED EITHER:
- 22                   A. BEFORE THE NOTICE OR ORDER IS SERVED, OR
- 23                   B. WHILE THE NOTICE OR ORDER IS STILL OUTSTANDING.

24                   **301.4.2 UNOCCUPIED DWELLING UNIT – POSTING PROPERTY.** IF A DWELLING UNIT IS OR  
25 BECOMES UNOCCUPIED, THE HEALTH COMMISSIONER IMMEDIATELY MUST POST 1 OR MORE PUBLIC  
26 NOTICES IN, ON, OR AROUND THE DWELLING UNIT STATING THAT THE DWELLING UNIT MAY NOT BE  
27 REOCCUPIED UNTIL THE LEAD PAINT NOTICE OR ORDER HAS BEEN ABATED.

28                   **301.4.3 UNOCCUPIED DWELLING UNIT – REOCCUPANCY PROHIBITED.** IF A DWELLING UNIT IS OR  
29 BECOMES UNOCCUPIED, THE DWELLING UNIT MAY NOT BE REOCCUPIED UNTIL:

- 30                   1. THE LEAD PAINT NOTICE OR ORDER HAS BEEN ABATED, AND
- 31                   2. THE HEALTH COMMISSIONER HAS GIVEN WRITTEN APPROVAL OF REOCCUPANCY.

32                   **301.4.4 UNOCCUPIED DWELLING UNIT – REMOVING NOTICE, ETC., PROHIBITED.** UNTIL THE  
33 HEALTH COMMISSIONER HAS GIVE WRITTEN APPROVAL OF REOCCUPANCY, NO PERSON MAY  
34 REMOVE, DEFACE, OR OTHERWISE TAMPER WITH ANY NOTICE THAT HAS BEEN POSTED UNDER THIS  
35 SECTION.

36                   **301.4.5 UNOCCUPIED DWELLING UNIT – UNAUTHORIZED REOCCUPANCY.** IF A DWELLING UNIT  
37 IS REOCCUPIED IN VIOLATION OF THIS SECTION:



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- 1           1. EACH DAY THAT AN UNAUTHORIZED OCCUPANCY CONTINUES IS A SEPARATE OFFENSE, AND
- 2           2. THE OWNER, OPERATOR, AND UNAUTHORIZED OCCUPANT OF THE UNIT ARE SUBJECT TO THE
- 3           FOLLOWING PENALTIES:
  - 4                 A. IN A CRIMINAL PROSECUTION, A CRIMINAL FINE OF UP TO \$500 FOR EACH OFFENSE,
  - 5                 AND
  - 6                 B. IN AN ACTION SEEKING EQUITABLE RELIEF, A CIVIL FINE OF UP TO \$500 FOR EACH
  - 7                 OFFENSE.

### 8   **SECTION 302 EXTERIOR PROPERTY AREAS *{NOT ADOPTED}***

### 9   **SECTION 303 SWIMMING POOLS, SPAS, AND HOT TUBS *{NOT ADOPTED}***

### 10 **SECTION 304 REPAIR AND MAINTENANCE OF STRUCTURES**

11       **304.1 GENERAL.** THE INTERIOR AND EXTERIOR OF A STRUCTURE MUST BE MAINTAINED IN GOOD REPAIR  
12       AND IN A STRUCTURALLY SOUND AND SANITARY CONDITION.

#### 13       **304.1.1 UNSAFE CONDITIONS. *{NOT ADOPTED}***

#### 14       **304.2 PROTECTIVE TREATMENT. *{AS IN IPMC}***

15       **304.3 PREMISES IDENTIFICATION.** BUILDINGS MUST DISPLAY IDENTIFYING ADDRESS NUMBERS AS  
16       REQUIRED BY CITY CODE ARTICLE 26, SUBTITLE 6 {"BUILDING ADDRESS NUMBERS"}

17       **304.4 STRUCTURAL MEMBERS.** ALL INTERIOR AND EXTERIOR STRUCTURAL MEMBERS MUST BE:

- 18           1. MAINTAINED IN A STRUCTURALLY SOUND CONDITION AND FREE FROM DETERIORATION, AND
- 19           2. CAPABLE OF SAFELY SUPPORTING THE IMPOSED DEAD AND LIVE LOADS.

#### 20       **304.5 FOUNDATION WALLS. *{AS IN IPMC}***

#### 21       **304.6 EXTERIOR WALLS. *{AS IN IPMC}***

22       **304.7 ROOFS AND DRAINAGE.** THE ROOF AND FLASHING MUST BE SOUND, TIGHT, AND WITHOUT  
23       DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE MUST BE ADEQUATE TO PREVENT DAMPNES OR  
24       DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS, AND  
25       DOWNSPOUTS MUST BE PROVIDED AND MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS.  
26       ROOF WATER MUST BE DISCHARGED AWAY FROM THE FOUNDATION AND MAY NOT BE DISCHARGED IN A  
27       MANNER THAT CREATES A PUBLIC NUISANCE.

#### 28       **304.8 DECORATIVE FEATURES. *{AS IN IPMC}***

#### 29       **304.9 OVERHANG EXTENSIONS. *{AS IN IPMC}***

30       **304.10 STAIRWAYS, FLOORS, DECKS, ETC.** EVERY INTERIOR AND EXTERIOR STAIRWAY, FLOOR, DECK,  
31       PORCH, AND BALCONY, AND ALL THEIR APPURTENANCES MUST BE:

- 32           1. STRUCTURALLY SOUND,
- 33           2. PROPERLY ANCHORED AND CAPABLE OF SUPPORTING THE IMPOSED LOADS, AND
- 34           3. MAINTAINED IN GOOD REPAIR AND SAFE CONDITION.

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1       **304.11 CHIMNEYS AND TOWERS. {AS IN IPMC}**

2       **304.12 HANDRAILS AND GUARDS. {AS IN IPMC}**

3       **304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES. {AS IN IPMC}**

4       **304.14 INSECT SCREENS. {NOT ADOPTED}**

5       **304.15 DOORS.**

6               **304.15.1 GENERAL.**

- 7                   1. ALL DOORS, DOOR ASSEMBLIES, AND HARDWARE MUST BE MAINTAINED IN GOOD  
8                   CONDITION.
- 9                   2. EXCEPT AS OTHERWISE REQUIRED FOR MEANS OF EGRESS DOORS, LOCKS AND LATCHING  
10                   HARDWARE MUST BE PROVIDED AT ALL ENTRANCES TO DWELLING UNITS AND ROOMING  
11                   UNITS AND MUST TIGHTLY SECURE THE DOORS AT THOSE ENTRANCES.
- 12                   3. DOORS MUST FIT PROPERLY WITHIN THEIR FRAMES.
- 13                   4. EXCEPT FOR A BUILDING WHERE THE ENTRANCES ARE STAFFED BY SECURITY PERSONNEL OR  
14                   WHERE UNOBSTRUCTED ACCESS IS PROVIDED TO THE ENTRANCE OF EACH UNIT, IN A  
15                   BUILDING THAT CONTAINS 2 OR MORE DWELLING UNITS, AN ELECTRIC DOORBELL MUST BE  
16                   PROVIDED FOR EACH DWELLING UNIT IN THAT BUILDING.

17               **304.15.2 INTERIOR.** EVERY INTERIOR DOOR MUST BE CAPABLE OF BEING OPENED AND CLOSED BY  
18               BEING SECURELY ATTACHED AND PROPERLY EQUIPPED WITH PROPERLY FUNCTIONING ATTACHMENT  
19               AND LATCHING HARDWARE.

20       **304.16 BASEMENT HATCHWAYS. {AS IN IPMC}**

21       **304.17 GUARDS FOR BASEMENT WINDOWS. {AS IN IPMC}**

22       **304.18 BUILDING SECURITY. {AS IN IPMC}**

23       **304.19 {RESERVED}**

24       **304.20 INTERIOR SURFACES.** ALL INTERIOR SURFACES, INCLUDING FLOORS, WALLS, CEILINGS,  
25       WINDOWS, AND DOORS, MUST BE MAINTAINED IN GOOD, CLEAN, AND SANITARY CONDITION. PEELING,  
26       CHIPPING, FLAKING, OR ABRADED PAINT MUST BE REPAIRED, REMOVED, OR COVERED. CRACKED OR  
27       LOOSE PLASTER, DECAYED WOOD, AND OTHER DEFECTIVE SURFACE CONDITIONS MUST BE CORRECTED.  
28       FLOORS IN KITCHENS, BATHROOMS, LAVATORIES, TOILET ROOMS, AND LAUNDRY ROOMS MUST BE KEPT  
29       IMPERVIOUS TO WATER.

30       **304.21 GRADING AND DRAINAGE.** ALL PREMISES MUST BE GRADED AND MAINTAINED TO:

- 31                   1. DRAIN AWAY FROM THE FOUNDATION OF ANY STRUCTURE AND AWAY FROM ADJOINING  
32                   PROPERTY,
- 33                   2. PREVENT THE EROSION OF SOIL, AND
- 34                   3. PREVENT THE ACCUMULATION OF STAGNANT WATER.

35       **304.22 SIDEWALKS, DRIVEWAYS, ETC.** ALL SIDEWALKS, WALKWAYS, STAIRS, DRIVEWAYS, PARKING  
36       SPACES, AND SIMILAR AREAS MUST BE KEPT IN GOOD REPAIR AND FREE FROM HAZARDOUS CONDITIONS.

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1 **304.23 EXHAUST VENTS.** PIPES, DUCTS, CONDUCTORS, FANS, OR BLOWERS MAY NOT BE ALLOWED TO  
2 DISCHARGE GASES, STEAM, VAPOR, HOT AIR, GREASE, SMOKE, ODORS, OR OTHER GASEOUS OR  
3 PARTICULATE WASTES DIRECTLY ON ANY ABUTTING OR ADJACENT PUBLIC OR PRIVATE PROPERTY OR ON  
4 ANY PROPERTY AREAS OCCUPIED BY ANOTHER IN THE SAME BUILDING.

5 **304.24 ACCESSORY STRUCTURES.** ALL ACCESSORY STRUCTURES, INCLUDING DETACHED GARAGES,  
6 FENCES, GATES, WALLS, AND SWIMMING POOLS, MUST BE MAINTAINED IN A STRUCTURALLY SOUND  
7 CONDITION AND IN GOOD REPAIR.

8 **304.25 DEFACED PROPERTY.** IF AN EXTERIOR SURFACE OF A STRUCTURE HAS BEEN DEFACED BY  
9 CARVINGS, MARKINGS, OR GRAFFITI, THE SURFACE MUST BE RESTORED TO AN APPROVED STATE OF  
10 MAINTENANCE AND REPAIR.

11 **304.26 NUISANCE OR HAZARDOUS CONDITIONS.** ALL PREMISES MUST BE KEPT FREE OF ANY OBJECT,  
12 MATERIAL, OR CONDITION THAT CONSTITUTES A NUISANCE OR A FIRE, ACCIDENT, OR HEALTH HAZARD.

13 **304.27 {RESERVED}**

14 **304.28 RATPROOFING.** ALL BUILDINGS MUST BE RATPROOFED AND MAINTAINED IN A RATPROOF  
15 CONDITION BY THE OWNER OR HIS AGENT. RATPROOFING METHODS INCLUDE:

- 16 1. PREVENTING ENTRANCE BY BLOCKING PASSAGES WITH RAT-RESISTANT MATERIAL, AND
- 17 2. PAVING BASEMENTS AND ANY OTHER AREAS THAT ARE IN CONTACT WITH THE SOIL.

18 **304.29 EQUIPMENT.** ALL EQUIPMENT REQUIRED BY THE BUILDING, FIRE, AND RELATED CODES OF  
19 BALTIMORE CITY MUST BE MAINTAINED IN GOOD WORKING CONDITION.

20 **304.30 FIRE PROTECTION.** ALL REQUIRED FIRE PROTECTION, INCLUDING SEPARATION BETWEEN  
21 NONRESIDENTIAL AND RESIDENTIAL OCCUPANCIES, MUST BE MAINTAINED IN GOOD REPAIR. ALL FIRE  
22 DOORS MUST BE EQUIPPED AND MAINTAINED AS REQUIRED BY THE FIRE CODE OF BALTIMORE CITY.

### 23 SECTION 305 EXTERIOR SANITARY MAINTENANCE – GENERAL

24 **305.1 GENERAL.** ALL LOTS AND EXTERIOR PREMISES, INCLUDING ABUTTING SIDEWALKS, GUTTERS,  
25 AND ALLEYS, MUST BE MAINTAINED IN A CLEAN, SAFE, AND SANITARY CONDITION.

26 **305.2 GRASS AND WEEDS.**

27 **305.2.1 “WEEDS” DEFINED.** IN THIS SECTION, “WEEDS” INCLUDES ALL PLANTS AND VEGETATION  
28 OTHER THAN:

- 29 1. TREES OR SHRUBS, OR
- 30 2. CULTIVATED FLOWERS AND GARDENS.

31 **305.2.2 MAINTENANCE REQUIREMENTS.** ALL PREMISES AND EXTERIOR PROPERTY MUST BE  
32 MAINTAINED FREE OF GRASS, WEEDS, OR PLANT GROWTH IN EXCESS OF 8 INCHES (203 MM). ALL  
33 NOXIOUS WEEDS ARE PROHIBITED.

34 **305.3 TREES AND SHRUBBERY.** ALL TREES AND SHRUBBERY THAT ARE DANGEROUS TO LIFE AND  
35 PROPERTY OR THAT CREATE A FIRE OR TRAFFIC HAZARD MUST BE PRUNED OR REMOVED TO ELIMINATE  
36 THE DANGER OR HAZARD.

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1 **305.4 PEST CONTROL.** ALL EXTERIOR PROPERTY AREAS MUST BE KEPT FREE FROM INFESTATION BY  
2 INSECTS, RODENTS, AND OTHER PESTS, FROM RODENT HARBORAGE, AND FROM THE CONDITIONS THAT  
3 ATTRACT PESTS. WHERE PESTS ARE FOUND, THEY MUST BE PROMPTLY EXTERMINATED BY APPROVED  
4 PROCESSES THAT WILL NOT BE INJURIOUS TO HUMAN HEALTH.

5 **305.5 MOTOR VEHICLES AND TRAILERS.** EXCEPT ONLY AS OTHERWISE EXPRESSLY AUTHORIZED BY  
6 LAW, THE FOLLOWING RULES APPLY TO ALL MOTOR VEHICLES AND TRAILERS.

7 1. NO MOTOR VEHICLE OR TRAILER MAY BE PARKED, KEPT, OR STORED, WHETHER OR NOT  
8 COVERED, ON ANY EXTERIOR PREMISES IF:

9 A. IT IS INOPERATIVE, UNREGISTERED, OR FAILS TO DISPLAY CURRENT REGISTRATION TAGS,  
10 OR

11 B. IT IS IN A STATE OF DISASSEMBLY OR DISREPAIR OR IN THE PROCESS OF BEING STRIPPED  
12 OR DISMANTLED.

13 2. A MOTOR VEHICLE OR TRAILER MAY BE PARKED, KEPT, OR STORED ONLY ON A DUSTLESS ALL-  
14 WEATHER SURFACE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE BUILDING  
15 CODE AND ZONING CODE OF BALTIMORE CITY.

16 3. PAINTING A MOTOR VEHICLE OR TRAILER IS PROHIBITED UNLESS CONDUCTED INSIDE AN  
17 APPROVED SPRAY BOOTH.

18 **EXCEPTION:** ON PREMISES WITH A PROPER USE PERMIT, A VEHICLE MAY UNDERGO OVERHAUL,  
19 INCLUDING BODY WORK, IF THAT WORK IS PERFORMED INSIDE A STRUCTURE OR SIMILARLY  
20 ENCLOSED AREA DESIGNED AND APPROVED FOR THAT PURPOSE.

21 **305.5.1 REGISTERED OWNER RESPONSIBLE.** FOR A MOTOR VEHICLE OR TRAILER PARKED, KEPT,  
22 OR STORED IN VIOLATION OF § 305.5(1) OR (2), THE REGISTERED OWNER OF THE MOTOR VEHICLE OR  
23 TRAILER IS RESPONSIBLE FOR THE VIOLATION, JOINTLY AND SEVERALLY WITH THE PROPERTY  
24 OWNER.

25 **305.6 SWIMMING POOLS.** SWIMMING POOLS MUST BE MAINTAINED IN A CLEAN, SAFE, AND SANITARY  
26 CONDITION.

27 **305.7 OUTDOOR STORAGE.** OUTDOOR STORAGE MUST BE NEAT AND ORDERLY. ALL STORED OBJECTS  
28 AND MATERIALS MUST BE ELEVATED AT LEAST 1 FOOT OFF THE GROUND TO PREVENT RAT HARBORAGE,  
29 UNLESS ELEVATION IS DETERMINED UNNECESSARY BY THE COMMISSIONER.

30 **305.7.1 CAVEAT.** NOTHING IN THIS SECTION AUTHORIZES ANY OUTDOOR STORAGE THAT IS  
31 OTHERWISE PROHIBITED BY LAW.

32 **305.8 SNOW AND ICE ON SIDEWALKS.** AFTER ANY SNOWFALL THAT RESULTS IN AN ACCUMULATION  
33 OF SNOW OR ICE ON THE GROUND, THE SNOW AND ICE MUST BE REMOVED AND CLEARED AWAY FROM  
34 ALL SIDEWALKS THAT ABUT THE PREMISES.

35 **305.8.1 TIME FOR COMPLIANCE.** THE SNOW AND ICE MUST BE REMOVED AND CLEARED AWAY:

36 1. WITHIN 3 HOURS AFTER THE SNOW HAS STOPPED FALLING; OR

37 2. IF THE SNOW STOPPED FALLING BETWEEN 3 P.M. AND 6 A.M., BEFORE 11 A.M.

38 **305.8.1 MANNER OF COMPLIANCE.** THE SNOW AND ICE MUST BE REMOVED AND CLEARED AWAY  
39 IN A MANNER THAT:

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1. LEAVES A CLEAR PATH THAT IS AT LEAST 2 FEET WIDE; AND
2. DOES NOT OBSTRUCT THE PASSAGE OF WATER IN THE GUTTERS.

### SECTION 306 EXTERIOR SANITARY MAINTENANCE – TRASH, GARBAGE, AND DEBRIS

**306.1 ACCUMULATION PROHIBITED.** ALL PREMISES, INCLUDING ABUTTING SIDEWALKS, GUTTERS, AND ALLEYS, AS WELL AS THE INTERIOR OF EVERY STRUCTURE, MUST BE KEPT FREE OF ANY ACCUMULATION OF TRASH, GARBAGE, AND DEBRIS, INCLUDING ANY ANIMAL WASTE, CONSTRUCTION MATERIAL, EQUIPMENT, FURNITURE, APPLIANCES, AND SIMILAR OBJECTS AND MATERIALS.

**306.2 BULK TRASH.** IF DISCARDED OR ABANDONED ARTICLES ARE TOO LARGE TO BE DISPOSED OF IN REQUIRED RECEPTACLES, THEY MUST BE CONVEYED TO AN APPROPRIATE LANDFILL OR OTHER APPROVED DISPOSAL SITE.

**306.3 NO DEPOSIT ON SIDEWALKS, ETC.** NO TRASH, GARBAGE, OR DEBRIS MAY BE DEPOSITED ON ANY SIDEWALK, ALLEY, OR STREET OR ON ANY PUBLIC OR PRIVATE LOT, EXCEPT AS SPECIFIED IN §§ 306.4 THROUGH 306.7 OF THIS CHAPTER.

**306.4 STORAGE RECEPTACLES – REQUIRED.** TRASH, GARBAGE, OR DEBRIS MAY NOT BE STORED OR PLACED OUT FOR COLLECTION EXCEPT IN APPROVED STORAGE RECEPTACLES. THE OWNER OR OPERATOR OF EVERY OCCUPIED PREMISES MUST ARRANGE FOR A SUFFICIENT NUMBER OF THESE STORAGE RECEPTACLES TO RECEIVE AND STORE TRASH, GARBAGE, AND DEBRIS FROM INDIVIDUAL UNITS BETWEEN DAYS OF COLLECTION. THE RECEPTACLES MUST BE MAINTAINED IN A LOCATION ACCESSIBLE TO OCCUPANTS.

**306.5 STORAGE RECEPTACLES – LOCATION.** IF, IN THE OPINION OF THE CODE OFFICIAL, THE EXTERIOR MAINTENANCE OF STORAGE RECEPTACLES IS CAUSING NUISANCE OR BLIGHT, THE CODE OFFICIAL MAY REQUIRE THAT, BETWEEN DAYS OF COLLECTION, THE RECEPTACLES BE STORED:

1. INSIDE THE BUILDING THEY SERVE, OR
2. IN THE DISCRETION OF THE CODE OFFICIAL, WITHIN A CONTIGUOUS STRUCTURE.

### **306.6 STORAGE RECEPTACLES – SPECIFICATIONS AND MAINTENANCE.**

#### **306.6.1 SPECIFICATIONS.**

##### **306.6.1.1 GENERAL.** EACH STORAGE RECEPTACLE MUST:

1. BE MADE OF METAL OR SOME OTHER DURABLE MATERIAL APPROVED BY THE CODE OFFICIAL,
2. BE WATERTIGHT, WITH TIGHT-FITTING COVERS AND HANDLES, AND
3. HAVE A CAPACITY OF NOT MORE THAN 32 GALLONS.

##### **306.6.1.2. EXCEPTIONS.**

1. RECEPTACLES USED FOR RECYCLING NEED NOT HAVE COVERS.
2. YARD WASTE MAY BE BAGGED OR BUNDLED.

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1           **306.6.2. MAINTENANCE.** EACH STORAGE RECEPTACLE MUST BE:

- 2                   1. MAINTAINED IN GOOD REPAIR, AND
- 3                   2. KEPT TIGHTLY CLOSED TO PREVENT BLIGHT, NUISANCE, PEST INFESTATION, AND
- 4                   DISPERSAL OF TRASH, GARBAGE, OR DEBRIS.

5           **306.7 PLACEMENT FOR COLLECTION.** STORAGE RECEPTACLES:

- 6                   1. SHOULD BE PLACED OUT FOR COLLECTION NO LATER THAN 6 A.M. OF THE DAY OF COLLECTION,
- 7                   2. MAY NOT BE PLACED OUT ON ANY SIDEWALK OR ALONG AN ALLEY EARLIER THAN 6 P.M. OF THE
- 8                   EVENING BEFORE THE DAY OF COLLECTION, AND
- 9                   3. IF PLACED ON A SIDEWALK OR ALONG AN ALLEY, MUST BE RETURNED TO THE PREMISES NO
- 10                  LATER THAN 6 A.M. ON THE DAY AFTER COLLECTION.

11           **306.8 OWNER TRANSPORT.** AT ANY BUILDING FOR WHICH THE CITY DOES NOT PROVIDE COLLECTION  
12 SERVICES, THE OWNER AND OPERATOR MUST COLLECT AND TRANSPORT THE BUILDING'S TRASH,  
13 GARBAGE, AND DEBRIS TO AN APPROPRIATE LANDFILL OR OTHER APPROVED DISPOSAL SITE.

### 14   **SECTION 307 INTERIOR SANITARY MAINTENANCE**

15           **307.1 GENERAL.** THE INTERIOR OF EACH UNIT AND THE SHARED, COMMON, OR PUBLIC AREAS WITHIN  
16 EACH BUILDING THAT CONTAINS MORE THAN ONE UNIT MUST BE MAINTAINED IN A CLEAN AND SANITARY  
17 CONDITION.

18           **307.2 FLOOR, FURNITURE, ETC., SURFACES.** FLOORS, FURNITURE, COUNTERTOPS, AND SIMILAR  
19 SURFACES MUST BE CLEAN AND FREE OF TRASH, GARBAGE, AND DEBRIS, INCLUDING HUMAN AND  
20 ANIMAL WASTE AND ANY OTHER INSANITARY MATTER OR CAUSE OF NUISANCE.

21           **307.3 WALLS, CEILINGS, AND OPENINGS.** WALLS, CEILINGS, WINDOWS, AND DOORWAYS MUST BE  
22 CLEAN AND FREE OF DIRT, GREASE, SOOT, AND ANY OTHER INSANITARY MATTER OR CAUSE OF NUISANCE.

23           **307.4 TRASH, ETC., RECEPTACLES.** EACH UNIT MUST HAVE A SUFFICIENT NUMBER OF INTERIOR  
24 RECEPTACLES TO CONTAIN THAT UNIT'S TRASH, GARBAGE, AND DEBRIS.

25           **307.5 PLUMBING FIXTURES.** PLUMBING FIXTURES MUST BE KEPT CLEAN AND FREE FROM ANY FOREIGN  
26 OBJECT OR MATERIAL THAT COULD OBSTRUCT A FIXTURE OR A LINE CONNECTED TO A FIXTURE.

27           **307.6 {RESERVED}**

28           **307.7 PEST CONTROL.** THE INTERIOR OF EVERY BUILDING MUST BE KEPT FREE OF INFESTATION BY  
29 INSECTS, RODENTS, AND OTHER PESTS.

### 30   **SECTION 308 OCCUPANTS' SANITARY RESPONSIBILITIES.**

31           **308.1 GENERAL.** AN OCCUPANT MUST KEEP IN A CLEAN AND SANITARY CONDITION THE OCCUPANT'S  
32 UNIT AND ANY OTHER PART OF THE PREMISES THAT THE OCCUPANT OCCUPIES OR CONTROLS. HOWEVER,  
33 THE OWNER AND OPERATOR IS RESPONSIBLE FOR ANY INSANITARY CONDITION CAUSED BY A SEWER  
34 BACK-UP OR A STRUCTURAL DEFECT.

35           **308.2 EXTERIORS.** AN OCCUPANT OF A SINGLE-UNIT BUILDING AND AN OCCUPANT OF A UNIT WITH  
36 EXCLUSIVE USE OF AN EXTERIOR PROPERTY AREA MUST MAINTAIN THE EXTERIOR AREAS, INCLUDING  
37 ABUTTING SIDEWALKS, GUTTERS, AND ALLEYS, IN COMPLIANCE WITH §§ 305 AND 306 OF THIS CHAPTER.  
38 HOWEVER, THE OWNER AND OPERATOR ARE RESPONSIBLE FOR ANY INSANITARY CONDITION CAUSED BY  
39 A SEWER BACK-UP OR A STRUCTURAL DEFECT.



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1     **SECTION 403 VENTILATION** *{As in IPMC}*

2     **SECTION 404 OCCUPANCY LIMITATIONS**

3         **404.1 PRIVACY.** DWELLING UNITS AND ROOMING UNITS MUST:

- 4             1. BE ARRANGED TO PROVIDE PRIVACY,
- 5             2. BE SEPARATE FROM ADJOINING UNITS AND COMMON AREAS, AND
- 6             3. HAVE A SEPARATE MEANS OF ACCESS FROM A HALLWAY, LANDING, STAIRWAY, OR STREET.

7         **404.2 MINIMUM ROOM SIZE.** A HABITABLE ROOM, OTHER THAN A KITCHEN, MAY NOT BE LESS THAN 7  
8 FEET (2134 MM) IN ANY PLANE DIMENSION.

9             **404.2.1 KITCHENS.** A KITCHEN MUST CONTAIN AT LEAST 35 SQ. FT (3.25 SQ. M.) OF FLOOR AREA,  
10 AND, IF ARRANGED AS A CORRIDOR THE CORRIDOR BETWEEN COUNTER FRONTS OR BETWEEN A WALL  
11 AND COUNTER FRONTS MUST BE AT LEAST 3 FEET (914 MM).

12         **404.3 MINIMUM CEILING HEIGHTS.** HABITABLE SPACES HALLWAYS, CORRIDORS, LAUNDRY AREAS,  
13 AND BATHROOMS MUST HAVE A CLEAR CEILING HEIGHT OF NOT LESS THAN 7 FEET (2134 MM) OVER AT  
14 LEAST 50% OF THE FLOOR AREA. TOILET ROOMS MUST HAVE A CEILING HEIGHT OF NOT LESS THAN  
15 6½ FEET (1981 MM) OVER AT LEAST 50% OF THE FLOOR AREA

16             **EXCEPTIONS:**

- 17             1. *{NOT ADOPTED}*
- 18             2. BASEMENT ROOMS THAT OTHERWISE MEET THE REQUIREMENTS OF THIS § 404.3 MAY HAVE  
19 A CLEAR HEIGHT OF NOT LESS THAN 6 FEET (1829 MM) UNDER BEAMS, GIRDERS, DUCTS, AND  
20 SIMILAR OBSTRUCTIONS.
- 21             3. ROOMS OCCUPIED EXCLUSIVELY FOR SLEEPING, STUDY, OR SIMILAR PURPOSES AND HAVING  
22 A SLOPED CEILING OVER ALL OR PART OF THE ROOM MAY HAVE A CLEAR CEILING HEIGHT OF  
23 NOT LESS THAN 7 FEET (2134 MM) OVER NOT LESS THAN 33⅓% OF THE REQUIRED MINIMUM  
24 FLOOR AREA.
- 25             4. AS ALLOWED BY REGULATIONS OF THE CODE OFFICIAL.

26         **404.3.1 FLOOR AREA CALCULATIONS.** IN CALCULATING FLOOR AREA FOR PURPOSES OF THIS  
27 § 404.3, ONLY THOSE PORTIONS OF THE FLOOR AREA WITH A CLEAR HEIGHT OF 5 FEET (1524 MM) OR  
28 MORE MAY BE INCLUDED.

29         **404.4 BEDROOM REQUIREMENTS.** EVERY BEDROOM MUST COMPLY WITH THE REQUIREMENTS OF THIS  
30 § 404.4.

31             **404.4.1 AREA FOR SLEEPING PURPOSES.** EVERY BEDROOM OCCUPIED BY 1 PERSON MUST CONTAIN  
32 AT LEAST 70 SQ. FT. (6.5 SQ. M.) OF FLOOR AREA. EVERY BEDROOM OCCUPIED BY MORE THAN ONE  
33 PERSON MUST CONTAIN AT LEAST 50 SQ. FT. (4.6 SQ. M.) OF FLOOR AREA FOR EACH OCCUPANT OF  
34 THE BEDROOM.

35             **404.4.2 TO 404.4.5** *{As in IPMC}*

36         **404.5 OVERCROWDING.** DWELLING UNITS MAY NOT BE OCCUPIED BY MORE OCCUPANTS THAN  
37 PERMITTED BY THE MINIMUM AREA REQUIREMENTS OF TABLE 404.5.



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TABLE 404.5  
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1 TO 2 OCCUPANTS	3 TO 5 OCCUPANTS	6 OR MORE OCCUPANTS
LIVING ROOM <sup>A,B</sup>	NO REQUIREMENTS	120	150
DINING ROOM <sup>A,B</sup>	NO REQUIREMENTS	80	100
KITCHEN <sup>B</sup>	50	50	60
BEDROOMS	MUST COMPLY WITH § 404.4		

FOR SI: 1 SQ. FT. = 0.093 SQ. M.

<sup>A</sup> FOR COMBINED LIVING ROOM/DINING ROOM SPACES, SEE § 404.5.2.

<sup>B</sup> FOR LIMITATIONS ON DETERMINING MINIMUM OCCUPANCY AREA FOR SLEEPING PURPOSES, SEE § 404.5.1.

**404.5.1 SLEEPING AREA.** THE MINIMUM OCCUPANCY AREA REQUIRED BY TABLE 404.5 MAY NOT BE INCLUDED AS A SLEEPING AREA IN DETERMINING THE MINIMUM OCCUPANCY AREA FOR SLEEPING PURPOSES. ALL SLEEPING AREAS MUST COMPLY WITH § 404.4.

**404.5.2 COMBINED SPACES.** COMBINED LIVING ROOM AND DINING ROOM SPACES MUST COMPLY WITH THE REQUIREMENTS OF TABLE 404.5 IF:

1. THE TOTAL AREA IS EQUAL TO THAT REQUIRED FOR SEPARATE ROOMS, AND
2. THE SPACE IS LOCATED SO AS TO FUNCTION AS A COMBINATION LIVING ROOM/DINING ROOM.

**404.6 EFFICIENCY UNIT. {NOT ADOPTED}**

**404.7 FOOD PREPARATION.** A DWELLING UNIT MUST CONTAIN A ROOM OR SPACE FOR THE STORAGE, PREPARATION, AND COOKING OF FOOD, INCLUDING A SINK AND SPACE AND CONNECTIONS FOR A STOVE AND REFRIGERATOR.

**404.8 CLOSETS.** A DWELLING UNIT MUST CONTAIN AT LEAST 1 CLOSET, FOR STORING CLOTHING AND OTHER ARTICLES, WITH A FLOOR AREA OF NOT LESS THAN 6 SQ. FT. (0.6 SQ. M.). A DWELLING UNIT WITH MORE THAN 1 BEDROOM MUST CONTAIN AT LEAST 1 ADDITIONAL CLOSET OF THE SAME MINIMUM SIZE.

**EXCEPTION:** THIS SECTION DOES NOT APPLY TO AN OWNER-OCCUPIED SINGLE FAMILY DWELLING.

**404.9 MINIMUM DWELLING UNIT SIZE.** A DWELLING UNIT MUST CONTAIN AT LEAST 240 SQ. FT. (22.3 SQ. M.) OF CLEAR FLOOR AREA. AT LEAST 1 ROOM MUST HAVE NOT LESS THAN 120 SQ. FT. (11.2 SQ. M.) OF FLOOR AREA, WITH ITS LEAST PLANE DIMENSION NOT LESS THAN 8 FEET (2438 MM).

CHAPTER 5  
PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION 501 GENERAL

501.1 SCOPE. {AS IN IPMC}

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1       **501.2 RESPONSIBILITY.** THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND  
2       MAINTAIN PLUMBING FACILITIES AND PLUMBING FIXTURES IN COMPLIANCE WITH THESE REQUIREMENTS.

3       **SECTION 502 REQUIRED FACILITIES** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*  
4       *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IPMC.}*

### 5       **SECTION 503 TOILET ROOMS AND BATHROOMS**

6       **503.1 PRIVACY.** TOILET ROOMS AND BATHROOMS MUST PROVIDE PRIVACY AND MAY NOT CONSTITUTE  
7       THE ONLY MEANS OF ACCESS TO A DWELLING UNIT OR TO A HABITABLE SPACE OR HALL WITHIN A  
8       DWELLING UNIT. A DOOR WITH INTERIOR LOCKING DEVICE MUST BE PROVIDED.

9       **503.2 LOCATION.** *{AS IN IPMC}*

10       **503.3 LOCATION OF EMPLOYEE TOILET FACILITIES.** *{AS IN IPMC}*

11       **503.4 FLOOR SURFACE.** *{NOT ADOPTED}*

### 12       **SECTION 504 PLUMBING SYSTEMS AND FIXTURES**

13       **504.1 GENERAL.** *{AS IN IPMC}*

14       **504.2 FIXTURE CLEARANCES.** *{AS IN IPMC}*

15       **504.3 PLUMBING SYSTEM DEFECTS.** INADEQUATE SERVICE, INADEQUATE VENTING, CROSS-  
16       CONTAMINATION, BACK-SIPHONAGE, IMPROPER INSTALLATION, DETERIORATION, DAMAGE, AND SIMILAR  
17       DEFECTS IN A PLUMBING SYSTEM MUST BE CORRECTED.

### 18       **SECTION 505 WATER SYSTEMS**

19       **505.1 GENERAL.** EVERY SINK, LAVATORY, BATHTUB, SHOWER, DRINKING FOUNTAIN, WATER CLOSET,  
20       OR OTHER PLUMBING FIXTURE MUST BE PROPERLY CONNECTED TO EITHER A PUBLIC WATER SYSTEM OR  
21       TO AN APPROVED PRIVATE WATER SYSTEM. ALL KITCHEN SINKS, LAVATORIES, LAUNDRY FACILITIES,  
22       BATHTUBS, AND SHOWERS MUST BE SUPPLIED WITH HOT AND COLD RUNNING WATER IN ACCORDANCE  
23       WITH THE NATIONAL STANDARD PLUMBING CODE.

24       **505.2 TO 505.3** *{AS IN IPMC}*

25       **505.4 WATER HEATING FACILITIES.** EVERY DWELLING UNIT MUST HAVE WATER HEATING FACILITIES  
26       THAT ARE:

- 27           1. PROPERLY INSTALLED AND MAINTAINED,
- 28           2. PROPERLY CONNECTED TO EVERY REQUIRED SINK, LAVATORY BASIN, BATHTUB, SHOWER, AND  
29           LAUNDRY FACILITY,
- 30           3. PROPERLY EQUIPPED WITH AN APPROVED COMBINATION TEMPERATURE AND PRESSURE-RELIEF  
31           VALVE AND WITH A RELIEF-VALVE DISCHARGE PIPE,
- 32           4. CAPABLE OF AUTOMATICALLY HEATING WATER TO A TEMPERATURE OF NOT LESS THAN 110° F  
33           (43° C), AND
- 34           5. CAPABLE OF MEETING NORMAL DEMANDS AT EVERY REQUIRED OUTLET.

35       **505.4.1 VENTING GAS-FIRED HEATER.** A GAS-FIRED WATER HEATER MUST BE VENTED TO THE  
36       OUTSIDE AIR.

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### 1 SECTION 506 SANITARY DRAINAGE SYSTEM *{AS IN IPMC}*

### 2 SECTION 507 STORM DRAINAGE

3 **507.1 GENERAL.** DRAINAGE OF ROOFS AND PAVED AREAS, YARDS AND COURTS, AND OTHER OPEN  
4 AREAS ON THE PREMISES MAY NOT BE DISCHARGED IN A MANNER THAT VIOLATES EITHER:

- 5 1. THE DRAINAGE REQUIREMENTS OF THE BALTIMORE CITY BUILDING CODE, OR
- 6 2. THE STORMWATER MANAGEMENT REQUIREMENTS OF THE CITY CODE.

## 7 CHAPTER 6 8 MECHANICAL AND ELECTRICAL REQUIREMENTS

### 9 SECTION 601 GENERAL

10 **601.1 SCOPE.** *{AS IN IPMC}*

11 **601.2 RESPONSIBILITY.** THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND  
12 MAINTAIN MECHANICAL AND ELECTRICAL FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE  
13 REQUIREMENTS.

### 14 SECTION 602 HEATING FACILITIES

15 **602.1 FACILITIES REQUIRED.** *{AS IN IPMC}*

16 **602.2 RESIDENTIAL OCCUPANCIES.** DWELLINGS MUST BE PROVIDED WITH PROPERLY INSTALLED AND  
17 MAINTAINED HEATING FACILITIES CAPABLE OF MAINTAINING A ROOM TEMPERATURE OF 70° F (21° C)  
18 IN ALL HABITABLE ROOMS, BATHROOMS, AND TOILET ROOMS. COOKING APPLIANCES MAY NOT BE USED  
19 TO PROVIDE SPACE HEATING TO MEET THE REQUIREMENTS OF THIS SECTION.

20 **602.3 HEAT SUPPLY.** EVERY OWNER AND OPERATOR WHO RENTS, LEASES, OR LETS ONE OR MORE  
21 DWELLING UNITS, ROOMING UNITS, OR DORMITORY, OR GUEST ROOMS MUST SUPPLY SUFFICIENT HEAT  
22 DURING THE PERIOD OF OCTOBER 1 THROUGH APRIL 30, INCLUSIVE, TO MAINTAIN AN AVERAGE  
23 TEMPERATURE OF:

- 24 1. NOT LESS THAN 70° F (21° C) IN ALL HABITABLE ROOMS, BATHROOMS, AND TOILET ROOMS,  
25 AND
- 26 2. NOT LESS THAN 65° F (18° C) IN ANY OTHER ROOM.

27 **EXCEPTION:** *{NOT ADOPTED}*

28 **602.4 OCCUPIABLE WORK SPACES.** INDOOR OCCUPIABLE WORK SPACES MUST BE SUPPLIED WITH  
29 SUFFICIENT HEAT DURING THE PERIOD OF OCTOBER 1 THROUGH APRIL 30, INCLUSIVE, TO MAINTAIN A  
30 TEMPERATURE OF NOT LESS THAN 65° F (18° C) DURING THE PERIOD THE SPACES ARE OCCUPIED.

31 **EXCEPTIONS:** *{AS IN IPMC}*

32 **602.5 ROOM TEMPERATURE MEASUREMENT.** *{AS IN IPMC}*

33 **602.6 CENTRAL HEATING UNITS.** A CENTRAL HEATING UNIT MUST BE:

- 34 1. PROPERLY INSTALLED AND MAINTAINED,
- 35 2. IF FUEL-BURNING, PROPERLY CONNECTED TO AN APPROVED CHIMNEY OR VENT,

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- 1 3. IF ELECTRICALLY POWERED, PROPERLY CONNECTED TO AN ELECTRIC CIRCUIT OF ADEQUATE  
2 POWER,
- 3 4. IF A HOT-AIR TYPE, EQUIPPED WITH PROPER SEALS BETWEEN SECTIONS OF THE FURNACE TO  
4 PREVENT FUMES FROM ESCAPING INTO HEAT DUCTS,
- 5 5. PROVIDED WITH ALL SAFETY DEVICES REQUIRED BY LAW, AND
- 6 6. CONNECTED TO DUCTS, PIPES, OR TUBES THAT ARE FREE FROM LEAKS AND OBSTRUCTIONS.

### 7 **602.7 SPACE-HEATING UNITS.** A SPACE-HEATING UNIT:

- 8 1. MAY NOT USE GASOLINE OR ANY SIMILAR HIGHLY FLAMMABLE LIQUID FUEL,  
9

10 **EXCEPTION:** A KEROSENE SPACE HEATER WITH FUEL PIPED FROM AN APPROVED TANK.

- 11 2. IF FUEL-BURNING, MAY NOT BE A PORTABLE UNIT,
- 12 3. IF FUEL-BURNING, MUST BE PROPERLY CONNECTED TO AN APPROVED FLUE OR VENT,

13 **EXCEPTION:** ORNAMENTAL GAS LOGS ARE PERMITTED IN A DWELLING WITH A PROPER  
14 HEATING SYSTEM IF LOCATED IN A VENTED FIREPLACE AND NOT IN A ROOM USED FOR  
15 SLEEPING.

- 16 4. MUST BE LOCATED TO PREVENT AND PROTECT AGAINST OVERHEATING ADJACENT COMBUSTIBLE  
17 MATERIAL,
- 18 5. IF USING ELECTRICITY, MUST BE PROPERLY CONNECTED TO AN ELECTRIC CIRCUIT OF ADEQUATE  
19 POWER,
- 20 6. MUST BE PROVIDED WITH ALL AUTOMATIC AND SAFETY DEVICES REQUIRED BY LAW,
- 21 7. MAY ONLY BE INSTALLED UNDER A PERMIT, AND
- 22 8. MUST BE PROPERLY OPERATED.

### 23 **SECTION 603 MECHANICAL EQUIPMENT**

24 **603.1 GENERAL.** ALL MECHANICAL EQUIPMENT PROVIDED MUST BE PROPERLY INSTALLED AND  
25 MAINTAINED IN A SAFE CONDITION. IN ADDITION, ALL REQUIRED MECHANICAL EQUIPMENT MUST BE  
26 MAINTAINED IN A SAFE WORKING CONDITION AND MUST BE CAPABLE OF PERFORMING ITS INTENDED  
27 FUNCTION.

28 **603.2 TO 603.6** *{AS IN IPMC}*

### 29 **SECTION 604 ELECTRICAL FACILITIES**

30 **604.1 FACILITIES REQUIRED.** *{AS IN IPMC}*

31 **604.2 SERVICE.** THE SIZE AND USAGE OF APPLIANCES AND EQUIPMENT SERVES AS A BASIS FOR  
32 DETERMINING THE NEED FOR ADDITIONAL FACILITIES IN ACCORDANCE WITH THE NATIONAL ELECTRICAL  
33 CODE. DWELLING UNITS MUST BE SERVED BY A THREE-WIRE, 120/240 VOLT, SINGLE-PHASE ELECTRICAL  
34 SERVICE HAVING A RATING OF NOT LESS THAN 60 AMPERES.

35 **604.3 ELECTRICAL SYSTEM DEFECTS.** INADEQUATE SERVICE, IMPROPER FUSING, INSUFFICIENT  
36 RECEPTACLE OR LIGHTING OUTLETS, IMPROPER WIRING OR INSTALLATION, DETERIORATION, DAMAGE,  
37 AND SIMILAR DEFECTS IN AN ELECTRICAL SYSTEM MUST BE CORRECTED.

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1           **604.3.1 ABATEMENT OF HAZARDS ASSOCIATED WITH WATER. *{NOT ADOPTED}***

2           **604.3.2 ABATEMENT OF HAZARDS ASSOCIATED WITH FIRE. *{NOT ADOPTED}***

### 3   **SECTION 605 ELECTRICAL EQUIPMENT**

4           **605.1 INSTALLATION. *{AS IN IPMC}***

5           **605.2 RECEPTACLES.** EVERY HABITABLE SPACE IN A DWELLING MUST CONTAIN AT LEAST 2 SEPARATE  
6           AND REMOTE DUPLEX OUTLETS. EVERY KITCHEN AREA MUST CONTAIN ADDITIONAL OUTLETS,  
7           CONNECTED TO AN APPROPRIATE CIRCUIT, FOR A STOVE AND FOR A REFRIGERATOR. EVERY LAUNDRY  
8           AREA MUST CONTAIN AT LEAST 1 GROUNDED-TYPE RECEPTACLE OR A RECEPTACLE WITH A GROUND  
9           FAULT CIRCUIT INTERRUPTER. EVERY BATHROOM MUST CONTAIN AT LEAST 1 DUAL-RECEPTACLE. ANY  
10           NEW BATHROOM RECEPTACLE OUTLET MUST HAVE GROUND FAULT CIRCUIT INTERRUPTER PROTECTION.

11           **605.3 LUMINAIRES. *{AS IN IPMC}***

12           **605.4 HALLS AND STAIRS.** IN A MULTIPLE-FAMILY DWELLING, EVERY COMMON HALLWAY AND  
13           STAIRWAY MUST BE ADEQUATELY LIGHTED AT ALL TIMES WITH AT LEAST 3 FOOT CANDLES OF LIGHT AT  
14           THE FLOOR OR STAIR TREAD LEVEL. OTHER DWELLINGS MUST HAVE FACILITIES SUFFICIENT TO PROVIDE  
15           THIS LEVEL OF ILLUMINATION AND BE EQUIPPED WITH CONVENIENTLY LOCATED LIGHT SWITCHES TO  
16           TURN THE FACILITIES ON AND OFF AS NEEDED.

### 17   **SECTION 606 ELEVATORS, ESCALATORS, AND DUMBWAITERS *{AS IN IPMC}***

### 18   **SECTION 607 DUCT SYSTEMS *{AS IN IPMC}***

## 19                                                           **CHAPTER 7** 20                                                           **FIRE SAFETY REQUIREMENTS**

### 21   **SECTION 701 GENERAL**

22           **701.1 SCOPE. *{AS IN IPMC}***

23           **701.2 RESPONSIBILITY.** EXCEPT AS PROVIDED IN § 704, THE OWNER AND OPERATOR OF THE PREMISES  
24           MUST PROVIDE AND MAINTAIN FIRE SAFETY FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE  
25           REQUIREMENTS.

### 26   **SECTION 702 MEANS OF EGRESS *{AS IN IPMC}***

### 27   **SECTION 703 FIRE-RESISTANCE RATINGS**

28           **703.1 FIRE-RESISTANCE-RATED ASSEMBLIES.** THE REQUIRED FIRE-RESISTANCE RATING MUST BE  
29           MAINTAINED FOR ALL FIRE-RESISTANCE-RATED WALLS, FIRE STOPS, OCCUPANCY SEPARATIONS, SHAFT  
30           ENCLOSURES, FURNACE ROOM ENCLOSURES, STAIRWELL ENCLOSURES, PARTITIONS, AND FLOORS.

31           **703.2 OPENING PROTECTIVES.** REQUIRED OPENING PROTECTIVES MUST BE MAINTAINED IN AN  
32           OPERATIVE CONDITION.

33           **703.2.1 FIRE AND SMOKESTOP DOORS.** ALL FIRE AND SMOKESTOP DOORS:

- 34                   1. MUST BE MAINTAINED IN AN OPERATIVE CONDITION,  
35                   2. MAY NOT BE BLOCKED, OBSTRUCTED, OR OTHERWISE MADE INOPERABLE, AND  
36                   3. MUST BE EQUIPPED WITH APPROVED SELF-CLOSING DEVICES.

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### SECTION 704 PROTECTION AND DETECTION SYSTEMS

**704.1 GENERAL.** FIRE ALARM AND DETECTIONS SYSTEMS MUST COMPLY WITH THE REQUIREMENTS OF FIRE CODE § 907.

**704.1.1 AUTOMATIC SPRINKLER SYSTEMS.** *{As in IPMC}*

**704.2 TO 704.4** *{As in IPMC}*

**704.5 CARBON MONOXIDE ALARMS.** CARBON MONOXIDE ALARMS MUST BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH BUILDING CODE § 1211.

### CHAPTER 8 REFERENCED STANDARDS

#### SECTION 801 GENERAL

**801.1 SCOPE.** THIS CHAPTER 8 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 § 102.7 OF THIS CODE.

**801.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR INTERNATIONAL FUEL GAS CODE,  
SUBSTITUTE **NATIONAL FUEL GAS CODE (2009 EDITION)**.
2. FOR INTERNATIONAL PLUMBING CODE,  
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2009 EDITION)**.

### PART VIII INTERNATIONAL FIRE CODE

#### § 8-101. CITY ADOPTION.

(A) *IN GENERAL.*

THE INTERNATIONAL FIRE CODE (2009 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART VIII.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART VIII REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL FIRE CODE.

#### § 8-102. CITY MODIFICATIONS.

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

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## CHAPTER 1 ADMINISTRATION

### SECTION 101 GENERAL

**101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “FIRE CODE OF BALTIMORE CITY”.

**101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE FIRE CODE OF BALTIMORE CITY.

### **101.2 SCOPE. {AS IN IFC}**

**101.2.1 APPENDICES ADOPTED.** THE FOLLOWING APPENDICES TO THE INTERNATIONAL FIRE CODE ARE ADOPTED AS PART OF THIS CODE:

1. APPENDIX B: “FIRE-FLOW REQUIREMENTS FOR BUILDING”.
2. APPENDIX D: “FIRE APPARATUS ACCESS ROADS”.
3. APPENDIX E: “HAZARD CATEGORIES”.
4. APPENDIX F: “HAZARD RANKING”.
5. APPENDIX G: “CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS”.

**101.2.2 APPENDICES NOT ADOPTED.** THE FOLLOWING APPENDICES TO THE INTERNATIONAL FIRE CODE ARE NOT ADOPTED AS PART OF THIS CODE:

1. APPENDIX A: “BOARD OF APPEALS”.
2. APPENDIX C: “FIRE HYDRANT LOCATIONS AND DISTRIBUTION”.
3. APPENDIX H: “HAZARDOUS MATERIALS MANAGEMENT PLAN”, ETC.
4. APPENDIX I: “FIRE PROTECTION SYSTEMS – NONCOMPLIANT CONDITIONS”.
5. APPENDIX J: “EMERGENCY RESPONDER RADIO COVERAGE”.

### **101.3 TO 101.5 {AS IN IFC}**

### SECTION 102 APPLICABILITY

### **102.1 TO 102.5 {AS IN IFC}**

### **102.6 HISTORIC BUILDINGS. {NOT ADOPTED}**

### **102.7 REFERENCED CODES AND STANDARDS. {AS IN IFC}**

**102.7.1 MOST RECENT STANDARD.** WHERE A NEWER VERSION OF A STANDARD LISTED IN CHAPTER 45 EXISTS, THE CODE OFFICIAL MAY USE THE NEWER VERSION OF THAT STANDARD UNLESS IT CREATES AN INCOMPATIBILITY WITH THIS CODE OR WITH THE BUILDING CODE OF BALTIMORE CITY.

### **102.8 TO 102.12 {AS IN IFC}**

### SECTION 103 DEPARTMENT OF FIRE PREVENTION {NOT ADOPTED}

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### SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

#### 104.1 GENERAL. *{AS IN IFC}*

**104.1.1 LEGAL ENFORCEMENT.** THE FIRE CODE OFFICIAL MAY INSTITUTE OR CAUSE TO BE INSTITUTED, AT ANY TIME, ANY AND ALL LEGAL, EQUITABLE, OR CRIMINAL ACTIONS OR PROCEEDINGS NECESSARY OR APPROPRIATE TO ENFORCE THIS CODE. NOTHING IN THIS CODE PREVENTS THE FIRE CODE OFFICIAL FROM INSTITUTING OR CAUSING TO BE INSTITUTED AND FULLY PROSECUTING ANY AND ALL LEGAL OR EQUITABLE PROCEEDINGS OF ANY KIND NECESSARY OR APPROPRIATE TO COMPEL COMPLIANCE WITH THIS CODE, EVEN IF CRIMINAL PROCEEDINGS ARE PENDING OR HAVE BEEN COMPLETED.

#### 104.2 TO 104.9 *{AS IN IFC}*

#### 104.10 FIRE INVESTIGATIONS. *{AS IN IFC}*

**104.10.1 FIRE INVESTIGATION BUREAU; FIRE MARSHAL.** THE FIRE INVESTIGATION BUREAU IS CONTINUED IN THE FIRE DEPARTMENT. THE BUREAU CONSISTS OF MEMBERS ASSIGNED TO IT BY THE CHIEF OF THE FIRE DEPARTMENT. THE HEAD OF THE BUREAU IS THE FIRE MARSHAL OF BALTIMORE CITY, TO BE DESIGNATED BY THE CHIEF. THE CHIEF MAY ALSO DESIGNATE ONE OR MORE OFFICERS OR OFFICIALS TO SERVE IN THE ABSENCE OF THE FIRE MARSHAL.

**104.10.2 GENERAL DUTIES.** THE FIRE INVESTIGATION BUREAU INVESTIGATES FIRES AND RELATED INCIDENTS IN BALTIMORE CITY. THE BUREAU MUST KEEP A COMPLETE RECORD OF THESE FIRES AND RELATED INCIDENTS, INCLUDING THEIR CAUSE AND ORIGIN, AND A COMPLETE RECORD OF ITS INVESTIGATIONS. THE ASSISTANT CHIEF OR HIS OR HER DESIGNEE IS THE CUSTODIAN OF ALL RECORDS OF INVESTIGATIONS. IN ADDITION TO THE DUTIES SPECIFIED IN THIS SECTION, THE BUREAU PERFORMS ALL OTHER DUTIES ASSIGNED TO IT BY LAW OR BY THE CHIEF OF THE FIRE DEPARTMENT.

**104.10.3 CHARGE OF EVIDENCE.** IN INVESTIGATING A FIRE OR RELATED INCIDENT, THE BUREAU MUST TAKE CHARGE IMMEDIATELY OF THE PHYSICAL EVIDENCE AND, TO PRESERVE THAT EVIDENCE, TAKE MEASURES TO PREVENT ACCESS BY ANY PERSON TO THE STRUCTURE OR PREMISES UNTIL THE EVIDENCE HAS BEEN PROPERLY PROCESSED.

**104.10.3.1 COOPERATION WITH OTHER AGENCIES.** THE BUREAU MUST NOTIFY THE PERSONS DESIGNATED BY LAW TO PURSUE INVESTIGATIONS, COOPERATE WITH AUTHORITIES IN COLLECTING EVIDENCE AND IN PROSECUTING OFFENDERS, AND PURSUE THE INVESTIGATION TO ITS CONCLUSION.

**104.10.3.2 ASSISTANCE FROM OTHER AGENCIES.** POLICE AND OTHER ENFORCEMENT AGENCIES ARE AUTHORIZED TO RENDER ASSISTANCE IN THE INVESTIGATION OF FIRES WHEN REQUESTED TO DO SO.

**104.10.4 AUTHORITY OF FIRE MARSHAL.** THE FIRE MARSHAL HAS GENERAL SUPERVISION AND CONTROL OF ALL FIRE INVESTIGATIONS IN THE CITY AND OF ALL INQUIRIES TO DETERMINE THEIR CAUSE AND ORIGIN, BOTH FOR THE PURPOSE OF ELIMINATING THAT CAUSE AND, IF ARSON OR INCENDIARIES IS SUSPECTED, TO ASCERTAIN THE PERSONS RESPONSIBLE.

**104.10.5 PENALTY FOR OBSTRUCTING INVESTIGATION.** ANY PERSON WHO PREVENTS OR OBSTRUCTS OR ATTEMPTS TO PREVENT OR OBSTRUCT AN INVESTIGATION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE PENALTIES SPECIFIED § 109 OF THIS CODE.



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1       **104.10.6 SUBPOENA OF WITNESS AND DOCUMENTS.** IN CONDUCTING AN INVESTIGATION, THE FIRE  
2       MARSHAL MAY SUBPOENA AND COMPEL ATTENDANCE OF ANY PERSON AND THE PRODUCTION OF  
3       ANY DOCUMENTS THAT, IN THE JUDGMENT OF THE FIRE MARSHAL, ARE CONNECTED WITH AND  
4       NECESSARY TO THE INVESTIGATION, AND HAVE THAT PERSON EXAMINED ON OATH OR AFFIRMATION  
5       AT THE TIME AND PLACE SPECIFIED IN THE SUBPOENA. OFFICERS OF THE BALTIMORE POLICE  
6       DEPARTMENT MAY SERVE THE SUBPOENA.

7       **104.10.7 ENFORCEMENT OF SUBPOENA.** IF A PERSON IS SERVED WITH A SUBPOENA AND FAILS TO  
8       ATTEND AND TESTIFY, OR FAILS ON EXAMINATION TO ANSWER ANY QUESTION, OR OTHERWISE FAILS  
9       TO COMPLY WITH THE SUBPOENA, THE FIRE MARSHAL MAY APPLY TO A JUDGE OF THE CIRCUIT  
10      COURT OF BALTIMORE CITY TO ORDER COMPLIANCE TO THE SUBPOENA. IF THE JUDGE ORDERS  
11      COMPLIANCE, THE FIRE MARSHAL MUST SO NOTIFY THE PERSON NAMED IN THE SUBPOENA AND FIX  
12      THE TIME AND PLACE FOR HIS OR HER FURTHER EXAMINATION. IF THE PERSON STILL FAILS TO  
13      COMPLY, THE PERSON MAY BE ARRESTED AND CHARGED WITH CONTEMPT.

14      **104.10.8 ADMINISTRATION OF OATHS.** THE FIRE MARSHAL MAY ADMINISTER OATHS OR  
15      AFFIRMATIONS. ANY FALSE TESTIMONY GIVEN UNDER OATH OR AFFIRMATION ADMINISTERED BY  
16      THE FIRE MARSHAL, IF MATERIAL AND MADE WILLFULLY, IS PUNISHABLE AS PERJURY.

17      **104.10.9 SUBMISSION TO STATE'S ATTORNEY.** IF GROSS NEGLIGENCE, ARSON, OR INCENDIARIES  
18      IS REASONABLY EVIDENT IN A CASE, THE FIRE MARSHAL MUST SUBMIT ALL OF THE BUREAU'S  
19      RECORDS ON THE CASE TO THE STATE'S ATTORNEY OF BALTIMORE CITY.

20      **104.11 AUTHORITY AT FIRES AND OTHER EMERGENCIES. {AS IN IFC}**

21      **104.12 FEES FOR NON-FIRE SUPPRESSION SERVICES.** THE DIRECTOR OF FINANCE MUST ESTABLISH  
22      AND ANNUALLY REVIEW A FEE SCHEDULE FOR NON-FIRE SUPPRESSION SERVICES PERFORMED BY THE  
23      FIRE DEPARTMENT. THE DIRECTOR OF FINANCE MUST BASE THESE FEES ON THE EXPENSE INCURRED BY  
24      THE FIRE DEPARTMENT IN PERFORMING NON-FIRE SUPPRESSION SERVICES.

### 25      SECTION 105 PERMITS

26      **105.1 GENERAL. {AS IN IFC}**

27      **105.1.1 PERMITS REQUIRED.** PERMITS MUST BE OBTAINED FROM THE FIRE CODE OFFICIAL AS  
28      REQUIRED BY THIS CODE OR IN THE FIRE CODE OFFICIAL'S FIRE PREVENTION PERMIT SCHEDULE.  
29      PERMIT FEES, IF ANY, MUST BE PAID BEFORE THE PERMIT IS ISSUED. AN ISSUED PERMIT MUST BE  
30      KEPT ON THE PREMISES DESIGNATED IN THAT PERMIT AT ALL TIMES AND MUST BE READILY  
31      AVAILABLE FOR INSPECTION BY THE FIRE CODE OFFICIAL.

32      **105.1.2 TYPES OF PERMITS. {AS IN IFC}**

33      **105.1.3 PERMITS FOR THE SAME LOCATION. {AS IN IFC}**

34      **105.1.4 SETTING FEES.** THE DIRECTOR OF FINANCE MUST ESTABLISH AND ANNUALLY REVIEW THE  
35      FEES CHARGED FOR PERMITS UNDER THIS CODE. THE DIRECTOR OF FINANCE MUST BASE THESE FEES  
36      ON THE EXPENSES INCURRED BY THE FIRE PREVENTION BUREAU IN PROCESSING PERMIT  
37      APPLICATIONS AND IN CONDUCTING INSPECTIONS.

38      **105.2 APPLICATION. {AS IN IFC}**

39      **105.3 CONDITIONS OF A PERMIT. {AS IN IFC}**

40      **105.3.1 TO 105.3.8 {AS IN IFC}**

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1           **105.3.9 VIOLATION OF PERMIT.** FAILURE TO COMPLY WITH ANY TERM OR CONDITION OF ANY  
2           PERMIT ISSUED UNDER THIS CODE CONSTITUTES A VIOLATION OF THIS CODE AND SUBJECTS THE  
3           VIOLATOR TO THE PENALTIES PRESCRIBED IN § 109 OF THIS CODE.

4           **105.4 CONSTRUCTION DOCUMENTS.** *{AS IN IFC}*

5           **105.5 REVOCATION.** *{AS IN IFC}*

6           **105.6 REQUIRED OPERATIONAL PERMITS.** *{AS IN IFC}*

7           **105.6.1 TO 105.6.14** *{AS IN IFC}*

8           **105.6.15 FIRE HYDRANTS AND VALVES.** *{NOT ADOPTED}*

9           **105.6.16 TO 105.6.46** *{AS IN IFC}*

10          **105.7 REQUIRED CONSTRUCTION PERMITS.** *{AS IN IFC}*

### 11   **SECTION 106 INSPECTIONS**

12          **106.1 INSPECTION AUTHORITY.** *{AS IN IFC}*

13          **106.2 INSPECTIONS.** *{AS IN IFC}*

14          **106.3 CONCEALED WORK.** *{AS IN IFC}*

15          **106.4 APPROVALS.** *{AS IN IFC}*

16          **106.5 RIGHT OF ENTRY.** WHENEVER NECESSARY TO ENFORCE THIS CODE OR WHENEVER THE FIRE  
17          CODE OFFICIAL HAS REASONABLE CAUSE TO BELIEVE THAT, IN ANY STRUCTURE OR ON AN PREMISES, A  
18          CONDITION EXISTS THAT MAKES THE STRUCTURE OR PREMISES UNSAFE, THE FIRE CODE OFFICIAL MAY  
19          ENTER TO INSPECT THE STRUCTURE OR PREMISES OR TO PERFORM ANY DUTY IMPOSED ON THE FIRE CODE  
20          OFFICIAL BY THIS CODE.

21               **106.5.1 OCCUPIED PREMISES.** IF THE STRUCTURE OR PREMISES IS OCCUPIED, THE FIRE CODE  
22               OFFICIAL MUST FIRST PRESENT PROPER CREDENTIALS AND REQUEST ENTRY. IF ENTRY IS REFUSED,  
23               THE FIRE CODE OFFICIAL HAS THE SAME AUTHORITY TO SECURE A SEARCH WARRANT AS THAT  
24               VESTED IN THE BUILDING OFFICIAL BY § 104.6 OF THE BALTIMORE CITY BUILDING CODE.

### 25   **SECTION 107 MAINTENANCE** *{AS IN IFC}*

### 26   **SECTION 108 APPEALS**

27          **108.1 APPEALS TO BOARD OF FIRE COMMISSIONERS.** ANY PERSON WHO IS AGGRIEVED BY ANY  
28          NOTICE, DECISION, ORDER, OR DETERMINATION OF THE FIRE CODE OFFICIAL MAY APPEAL IN WRITING TO  
29          THE BOARD OF FIRE COMMISSIONERS. THE APPEAL MUST BE FILED WITH THE BOARD WITHIN 30 DAYS  
30          AFTER THE NOTICE, DECISION, ORDER, OR DETERMINATION IS SERVED.

31          **108.2 AFFECT OF APPEAL.** AN APPEAL FILED WITHIN 5 DAYS OF SERVICE STAYS ALL PROCEEDINGS ON  
32          THE NOTICE, DECISION, ORDER, OR DETERMINATION APPEALED FROM. AN APPEAL FILED LATER DOES  
33          NOT STAY ANY PROCEEDINGS; HOWEVER, ON APPLICATION OF THE PERSON TAKING THE APPEAL AND  
34          NOTICE TO THE FIRE CODE OFFICIAL, THE BOARD MAY GRANT A RESTRAINING ORDER FOR GOOD CAUSE  
35          SHOWN.

36          **108.3 HEARING.** WITHIN 10 DAYS AFTER THE APPEAL IS FILED, THE BOARD MUST GRANT A HEARING TO  
37          THE APPELLANT. ALL INTERESTED PARTIES HAVE A RIGHT TO BE HEARD AT THE HEARING.

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1 **108.4 BOARD DECISION.** WITHIN 10 DAYS AFTER THE HEARING CONCLUDES, THE BOARD MUST RENDER  
2 ITS DECISION. IN ITS DECISION, THE BOARD MAY REVERSE, AFFIRM, OR MODIFY THE NOTICE, DECISION,  
3 ORDER, OR REGULATION APPEALED FROM AND MAY GIVE OR MAKE ANY OTHER NOTICE, DECISION,  
4 ORDER, REQUIREMENT, OR DETERMINATION THAT OUGHT TO BE MADE UNDER THE CIRCUMSTANCES. TO  
5 THAT END, THE BOARD HAS ALL THE POWERS THAT ARE CONFERRED ON THE FIRE CODE OFFICIAL BY  
6 THIS CODE. HOWEVER, THE BOARD DOES NOT HAVE ANY AUTHORITY TO WAIVE, SET ASIDE, OR IN ANY  
7 WAY CHANGE ANY SPECIFIC PROVISION OF THIS CODE.

8 **108.5 APPEALS FROM BOARD.** A PARTY AGGRIEVED BY A BOARD DECISION MADE UNDER § 108.4 MAY  
9 SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN  
10 ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE. A PARTY TO THE JUDICIAL REVIEW  
11 MAY APPEAL THE COURT'S FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH  
12 THE MARYLAND RULES OF PROCEDURE. A JUDICIAL REVIEW OR APPEAL DOES NOT STAY ANY CRIMINAL  
13 OR EQUITABLE PROCEEDINGS ON THE DECISION APPEALED FROM, NOR DOES IT PREVENT THE FIRE CODE  
14 OFFICIAL OR ANY OTHER CITY OFFICIAL FROM PURSUING ANY OTHER ACTION OR ENFORCEMENT  
15 PROCEDURE AUTHORIZED BY LAW.

16 **108.6 LIMITATIONS ON INSTITUTING PROCEEDINGS.** AFTER A NOTICE, DECISION, ORDER, OR  
17 DETERMINATION HAS BEEN SERVED, THE FIRE CODE OFFICIAL MAY NOT TAKE ANY ACTION, EXCEPT IN  
18 THE CASE OF IMMINENT DANGER, OR INSTITUTE OR CAUSE TO BE INSTITUTED ANY CIVIL OR CRIMINAL  
19 PROCEEDINGS IN CONNECTION WITH THE ENFORCEMENT OF THE NOTICE, DECISION, ORDER, OR  
20 DETERMINATION UNTIL:

- 21 1. AFTER 5 DAYS HAS PASSED WITHOUT AN APPEAL HAVING BEEN TAKEN, OR
- 22 2. IF AN APPEAL WAS TAKEN WITHIN THAT PERIOD, AFTER THE BOARD RENDERS ITS DECISION IN  
23 THE CASE.

### 24 SECTION 109 VIOLATIONS

25 **109.1 UNLAWFUL ACTS.** *{AS IN IFC}*

26 **109.2 NOTICE OF VIOLATION.** *{AS IN IFC}*

27 **109.2.1 TO 109.2.4** *{AS IN IFC}*

28 **109.2.5 CODE COMPLIANCE REQUIRED AT ALL TIMES.** NEITHER THIS SECTION NOR ANY OTHER  
29 PROVISION OF THIS CODE EXCUSES ANY PERSON FROM FULLY COMPLYING WITH ALL PROVISIONS OF  
30 THIS CODE AT ALL TIMES, REGARDLESS OF WHETHER NOTICE HAS BEEN ISSUED BY THE FIRE CODE  
31 OFFICIAL IN ANY PARTICULAR CASE.

32 **109.3 PENALTY FOR VIOLATIONS.** ANY PERSON WHO VIOLATES OR FAILS TO COMPLY WITH ANY  
33 PROVISION OF THIS CODE OR OF ANY NOTICE, DECISION, PERMIT, OR REGULATION ISSUED UNDER THIS  
34 CODE OR WHO ERECTS, INSTALLS, ALTERS, REPAIRS, OR DOES WORK IN VIOLATION OF APPROVED  
35 CONSTRUCTION DOCUMENTS OR OF A DIRECTIVE OF THE FIRE CODE OFFICIAL IS GUILTY OF A  
36 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONED  
37 FOR NOT MORE THAN 10 DAYS OR BOTH. EACH DAY THAT A VIOLATION CONTINUES AFTER SERVICE OF  
38 NOTICE IS A SEPARATE OFFENSE.

39 **109.3.1 ABATEMENT OF VIOLATION.** *{AS IN IFC}*

40 **109.4 FAILURE TO CORRECT VIOLATIONS.** IF A VIOLATION NOTICE IS NOT COMPLIED WITH WITHIN THE  
41 TIME SPECIFIED, THE FIRE CODE OFFICIAL MAY DO ANY ONE OR MORE OF THE FOLLOWING:

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- 1 1. TAKE ACTION UNDER § 109.6,
- 2 2. REQUEST THE STATE’S ATTORNEY OR THE CITY SOLICITOR TO INSTITUTE APPROPRIATE LEGAL  
3 PROCEEDINGS:
  - 4 A. TO RESTRAIN, CORRECT, OR ABATE THE VIOLATION, OR
  - 5 B. TO REQUIRE REMOVAL OR TERMINATION OF THE UNLAWFUL USE OF THE STRUCTURE OR  
6 PREMISES IN VIOLATION OF THIS CODE, OR OF ANY ORDER OR DIRECTION MADE UNDER  
7 THIS CODE, OR
- 8 3. IF THE VIOLATION AFFECTS THE IMMEDIATE SAFETY OF THE PUBLIC, REQUEST THE BALTIMORE  
9 POLICE DEPARTMENT TO ARREST THOSE RESPONSIBLE FOR THE VIOLATION.

10 **109.5 VIOLATION OF NOTICES, ETC. – CONSTITUTES VIOLATION OF CODE.** EVERY PERSON MUST  
11 FULLY COMPLY WITH ALL PROVISIONS OF THIS CODE AND WITH ALL PROVISIONS OF ANY NOTICE, ORDER,  
12 DECISION, PERMIT, OR REGULATION ISSUED BY THE FIRE CODE OFFICIAL. ANY ACT CONTRARY TO AND  
13 ANY FAILURE TO COMPLY WITH ANY PROVISION OR REQUIREMENT OF ANY NOTICE, ORDER, DECISION,  
14 PERMIT, OR REGULATION OF THE FIRE CODE OFFICIAL CONSTITUTES A VIOLATION OF THIS CODE.

15 **109.6 VIOLATION OF NOTICES, ETC. – ACTION BY FIRE CODE OFFICIAL.** WHENEVER ANY PERSON  
16 FAILS IN ANY RESPECT TO FULLY COMPLY ANY PROVISION OF ANY NOTICE, ORDER, DECISION, PERMIT, OR  
17 REGULATION ISSUED UNDER THIS CODE, THE FIRE CODE OFFICIAL MAY TAKE ANY ACTION NECESSARY  
18 TO ELIMINATE OR MAKE SAFE ANY CONDITION THAT VIOLATES THIS CODE.

19 **109.7 CITATIONS FOR CERTAIN OFFENSES.** IN ACCORDANCE WITH CITY CODE ARTICLE 1, SUBTITLE  
20 40 {“ENVIRONMENTAL CONTROL BOARD”}, CITY CODE ARTICLE 1, SUBTITLE 41 {“CIVIL CITATIONS”},  
21 OR CITY CODE ARTICLE 19, SUBTITLE 71 {“SPECIAL ENFORCEMENT OFFICERS”}, A PREPAYABLE  
22 CITATION MAY BE ISSUED TO THE OWNER, AGENT, OR PERSON RESPONSIBLE FOR THE OPERATION OR IN  
23 CHARGE OF ANY OCCUPANCY THAT FAILS TO COMPLY WITH:

- 24 1. § 107.6. {“MAINTENANCE: OVERCROWDING”}
- 25 2. § 110.1 {“UNSAFE BUILDINGS: GENERAL”}, OR
- 26 3. § 1001.2 {“MEANS OF EGRESS: MINIMUM REQUIREMENTS”}.

27 **109.7.1 EACH DAY A SEPARATE OFFENSE.** EACH DAY THAT A VIOLATION CONTINUES IS A  
28 SEPARATE OFFENSE. A CITATION MAY BE ISSUED UNDER THIS SECTION ANY TIME THAT A VIOLATION  
29 IS DISCOVERED, WHETHER OR NOT A PRIOR CITATION HAS BEEN ISSUED FOR THE SAME CONDITION.

30 **109.7.2 PERMIT REVOCATION FOR REPEAT VIOLATORS.** IF 3 CITATIONS ARE ISSUED TO THE SAME  
31 PERSON OR OPERATION WITHIN A 1-YEAR PERIOD, THE FIRE CODE OFFICIAL MAY REVOKE ALL  
32 PERMITS ISSUED BY THE FIRE CODE OFFICIAL TO OR FOR THAT PERSON OR OPERATION AND NOTIFY  
33 ALL APPROPRIATE CITY AGENCIES OF THE REVOCATION.

34 **109.7.3 PROCEDURE NOT EXCLUSIVE.** THE ISSUANCE OF A CITATION UNDER THIS SECTION DOES  
35 NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION  
36 AUTHORIZED BY LAW.

### 37 SECTION 110 UNSAFE BUILDINGS

38 **110.1 TO 110.4 {AS IN IFC}**



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### SECTION 202 GENERAL DEFINITIONS

**202.1 GENERAL.** EXCEPT AS SPECIFIED IN § 202.2, TERMS USED IN THIS CODE AND DEFINED IN THE INTERNATIONAL FIRE CODE (2009 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL FIRE CODE (2009 EDITION).

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

**202.2.1 FIRE CODE OFFICIAL.** “FIRE CODE OFFICIAL” MEANS THE CHIEF OF THE BALTIMORE CITY FIRE DEPARTMENT OR A DULY AUTHORIZED REPRESENTATIVE OF THE CHIEF.

**202.2.2 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

**202.2.3 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT OR TO IMPOSE A DUTY.

**202.2.4 PERSON.** “PERSON”:

1. MEANS ANY INDIVIDUAL, SOLE PROPRIETORSHIP, CORPORATION, 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, AND
  - 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.

### CHAPTER 3 GENERAL REQUIREMENTS

#### SECTIONS 301 TO 307 *{AS IN IFC}*

#### SECTION 308 OPEN FLAMES

**308.1 GENERAL** *{AS IN IFC}*

**308.2 PERMIT REQUIRED.** *{AS IN IFC}*

**308.3 GROUP A OCCUPANCIES.** *{AS IN IFC}*

**308.3.1 OPEN-FLAME DECORATIVE DEVICES.** *{AS IN IFC}*

**308.3.2 THEATRICAL PERFORMANCES.** *{AS IN IFC}*

**308.3.3 LP GAS PROHIBITED IN ASSEMBLY AREAS.** THE STORAGE OR USE OF LP-GAS CONTAINERS OF ANY SIZE IN ANY ASSEMBLY BUILDING OR IN ANY ASSEMBLY AREA OF A BUILDING IS PROHIBITED.

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1           **308.3.3.1 EXCEPTION.** LISTED AND APPROVED BUTANE-GAS COMMERCIAL FOOD SERVICE  
2           APPLIANCES MAY BE USED INSIDE RESTAURANTS AND IN ATTENDED COMMERCIAL FOOD  
3           CATERING OPERATIONS AS LONG AS EACH OF THE FOLLOWING CONDITIONS IS COMPLIED WITH:

- 4                   1. NO APPLIANCE HAS MORE THAN TWO 10-OZ. (296 ML) GAS CONTAINERS, WITH A  
5                   MAXIMUM WATER CAPACITY OF 1.08 LB. (0.049 KG) PER CONTAINER, CONNECTED  
6                   DIRECTLY TO IT AT ANY TIME.
- 7                   2. THE CONTAINERS ARE NOT MANIFOLD.
- 8                   3. ALL CONTAINERS ARE LISTED AND COMPLY WITH UL 147B, "STANDARD FOR NON-  
9                   REFILLABLE (DISPOSABLE) TYPE METAL CONTAINER ASSEMBLIES FOR BUTANE".
- 10                  4. EACH CONTAINER IS AN INTEGRAL PART OF THE LISTED AND APPROVED COMMERCIAL  
11                  FOOD SERVICE APPLIANCE AND IS CONNECTED TO THE APPLIANCE WITHOUT THE USE OF  
12                  A RUBBER HOSE.
- 13                  5. NO MORE THAN 24 OF THESE CONTAINERS ARE STORED IN THE BUILDING, WITH AN  
14                  ADDITIONAL 24 CONTAINERS PERMITTED TO BE STORED IN ANOTHER STORAGE AREA IN  
15                  THE BUILDING IF THAT OTHER STORAGE AREA IS SEPARATED OR CONTAINED BY A  
16                  MINIMUM 2-HOUR FIRE WALL.

### 17           **308.4 GROUP R OCCUPANCIES {AS IN IFC}**

### 18           **SECTIONS 309 TO 317 {AS IN IFC}**

## 19                                   **CHAPTER 4**

### 20                                   **EMERGENCY PLANNING AND PREPAREDNESS**

### 21           **SECTIONS 401 TO 404 {AS IN IFC}**

### 22           **SECTION 405 EMERGENCY EVACUATION DRILLS**

23           **405.1 GENERAL.** EMERGENCY EVACUATION DRILLS MUST BE CONDUCTED, AS PRESCRIBED IN THIS  
24           § 405, IN THE OCCUPANCIES LISTED IN § 404.2 OR WHEN REQUIRED BY THE FIRE CODE OFFICIAL.

### 25           **405.2 FREQUENCY. {AS IN IFC}**

26                   **405.2.1 EDUCATIONAL OCCUPANCIES.** EVERY EDUCATIONAL OCCUPANCY FOR MORE THAN 50  
27                   PERSONS MUST HAVE AT LEAST 2 FIRE DRILLS EACH YEAR, TO BE ARRANGED BY AND CONDUCTED  
28                   UNDER THE SUPERVISION AND DIRECTION OF THE FIRE CODE OFFICIAL.

29                   **405.2.2 HIGH-RISE BUILDINGS.** EVERY HIGH-RISE BUILDING MUST HAVE A LEAST 1 FIRE DRILL  
30                   EACH YEAR, TO BE ARRANGED BY THE OWNER OR PERSON RESPONSIBLE FOR THE BUILDING, IN  
31                   COORDINATION WITH THE FIRE CODE OFFICIAL.

### 32           **405.3 TO 405.9 {AS IN IFC}**

### 33           **SECTIONS 406 TO 408 {AS IN IFC}**

## 34                                   **CHAPTER 5**

### 35                                   **FIRE SERVICE FEATURES**

### 36           **SECTIONS 501 TO 510 {AS IN IFC}**

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### SECTION 511 STRUCTURES ON PIERS

**511.1 DEFINITIONS.** IN THIS SECTION, “PIER” MEANS ANY PIER, WHARF, DOCK, BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE.

**511.2 GENERAL.** EVERY STRUCTURE THAT IS CONSTRUCTED ON A PIER MUST COMPLY WITH THE REQUIREMENTS OF THIS § 511 AND ALL OTHER APPLICABLE PROVISIONS OF THIS CODE AND OTHER LAW.

**511.3 CHAPTER 28 OF NFPA 1.** THE PIER AND STRUCTURE MUST COMPLY WITH CHAPTER 28 {“MARINAS AND BOATYARDS, MARINE TERMINALS, PIERS, AND WHARVES”} OF NFPA 1, FIRE CODE (2009 EDITION), SUBJECT TO THE REQUIREMENTS OF THE FIRE CODE OFFICIAL AND THE BUILDING OFFICIAL.

**511.3.1 CHAPTER 6 OF NFPA 25.** FLOW TESTS MUST BE CONDUCTED UNDER TABLE 6.1 AND § 6.3.1.1 OF NFPA 25, STANDARD FOR THE INSPECTION, TESTING, AND MAINTENANCE OF WATER-BASED FIRE PROTECTION SYSTEMS (2008 EDITION), ANNUALLY (RATHER THAN, AS OTHERWISE THERE STATED, EVERY 5 YEARS).

**511.4 PIER MATERIAL.** THE PIER MUST BE MADE OF OR ENCASED BY NON-COMBUSTIBLE MATERIALS. THE STRUCTURE ON THE PIER MUST BE OF TYPE I, TYPE II, OR TYPE III CONSTRUCTION.

**511.5 SPRINKLER PROTECTION.** THE ENTIRE STRUCTURE ON THE PIER MUST BE SPRINKLERED.

**511.6 SEPARATION.** THE SEPARATION BETWEEN STRUCTURES ON A PIER MUST BE AT LEAST 30 FEET.

**511.7 STANDPIPES AND HYDRANTS.** STANDPIPES (FIRE DEPARTMENT CONNECTIONS) MUST BE PROVIDED ON THE PIER AT LEAST EVERY 100 FEET. HYDRANTS MUST BE INSTALLED WITHIN 100 FEET OF A STANDPIPE.

**511.8 EMERGENCY VEHICLE ACCESS.** ALL PIERS WITH STRUCTURES MUST PROVIDE ACCESS FOR EMERGENCY VEHICLES ON THE PROMENADE, A ROAD, OR OTHER APPROPRIATE SPACE. THIS ACCESS MUST BE DESIGNED AND CONFIGURED TO ACCOMMODATE FIRE, AMBULANCE, AND OTHER EMERGENCY VEHICLES. ACCESS FOR EMERGENCY VEHICLES MUST BE PROVIDED TO WITHIN AT LEAST 300 FEET OF THE FARTHEST EDGE OF THE STRUCTURE. THE FIRE LANE MUST BE AT LEAST 20 FEET WIDE.

**511.9 FIRE BOAT ACCESS.** ACCESS FOR FIRE BOATS MUST BE PROVIDED TO WITHIN AT LEAST 50 FEET OF THE FARTHEST EDGE OF THE STRUCTURE. THE WATER DEPTH OF THAT ACCESS MUST BE AT LEAST 10 FEET (MEAN LOW WATER MARK).

**511.10 TIE-UPS.** MARINA SLIPS ARE PROHIBITED WITHIN 30 FEET OF ANY STRUCTURE ON A PIER. TRANSIENT (I.E., HOURLY OR DAILY) TIE-UPS ALONG A BULKHEAD ARE ONLY ALLOWED ADJACENT TO COMMERCIAL STRUCTURES AND NO CLOSER THAN 15 FEET FROM THE STRUCTURE.

## CHAPTER 6 BUILDING SERVICES AND SYSTEMS

### SECTION 601 GENERAL {AS IN IFC}

### SECTION 602 DEFINITIONS {AS IN IFC}

### SECTION 603 FUEL-FIRED APPLIANCES

**603.1 INSTALLATION.** THE INSTALLATION OF NONPORTABLE FUEL GAS APPLIANCES AND SYSTEMS MUST COMPLY WITH THE NATIONAL FUEL GAS CODE. THE INSTALLATION OF ALL OTHER FUEL-FIRED APPLIANCES, OTHER THAN INTERNAL COMBUSTION ENGINES, OIL LAMPS, AND PORTABLE DEVICES SUCH



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1 AS BLOW TORCHES, MELTING POTS, AND WEED BURNERS, MUST COMPLY WITH THIS SECTION, NFPA 31,  
2 AND THE INTERNATIONAL MECHANICAL CODE.

3 **603.1.1 MANUFACTURER’S INSTRUCTIONS. {AS IN IFC}**

4 **603.1.2 APPROVAL. {SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL**  
5 **GAS CODE”. OTHERWISE, AS IN IFC.}**

6 **603.1.3 TO 603.1.7 {AS IN IFC}**

7 **603.2 CHIMNEYS. {AS IN IFC}**

8 **603.3 FUEL OIL STORAGE SYSTEMS. {AS IN IFC}**

9 **603.4 PORTABLE HEATING OR COOKING DEVICES. {AS IN IFC}**

10 **603.5 HEATING APPLIANCES. {AS IN IFC}**

11 **603.5.1 GUARD AGAINST CONTACT. {AS IN IFC}**

12 **603.5.2 HEATING APPLIANCE INSTALLATION.** HEATING APPLIANCES MUST BE INSTALLED IN  
13 ACCORDANCE WITH THE MANUFACTURER’S INSTRUCTIONS, THE INTERNATIONAL BUILDING CODE,  
14 THE INTERNATIONAL MECHANICAL CODE, AND THE NATIONAL ELECTRICAL CODE.

15 **603.6 CHIMNEYS AND APPLIANCES. {AS IN IFC}**

16 **603.7 DISCONTINUING OPERATION OF UNSAFE HEATING APPLIANCES. {AS IN IFC}**

17 **603.8 INCINERATORS. {SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS**  
18 **CODE”. OTHERWISE, AS IN IFC.}**

19 **603.8.1 TO 603.8.5 {AS IN IFC}**

20 **603.9 GAS METERS. {AS IN IFC}**

21 **SECTION 604 EMERGENCY AND STANDBY POWER SYSTEMS**

22 **604.1 INSTALLATION.** EMERGENCY AND STANDBY POWER SYSTEMS MUST BE INSTALLED IN  
23 ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, NFPA 110, AND NFPA 111. EXISTING  
24 INSTALLATIONS MUST BE MAINTAINED IN ACCORDANCE WITH THE ORIGINAL APPROVAL.

25 **604.1.1 STATIONARY GENERATORS. {AS IN IFC}**

26 **604.2 TO 604.5 {AS IN IFC}**

27 **SECTION 605 ELECTRICAL EQUIPMENT, WIRING, AND HAZARDS {AS IN IFC}**

28 **SECTION 606 MECHANICAL REFRIGERATION {AS IN IFC}**

29 **SECTION 607 ELEVATOR RECALL AND MAINTENANCE**

30 **607.1 - 607.4 {AS IN IFC}**

31 **607.5 RECALL BY FIRE ALARM.** IN A BUILDING THAT IS 4 OR MORE STORIES HIGH, ALL ELEVATORS  
32 MUST BE ACTIVATED BY THE BUILDING’S FIRE ALARM.

33 **SECTIONS 608 TO 609 {AS IN IFC}**



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1       **903.5 TO 903.6** *{As IN IFC}*

2       **SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS** *{As IN IFC}*

3       **SECTION 905 STANDPIPE SYSTEMS** *{As IN IFC}*

4       **SECTION 906 PORTABLE FIRE EXTINGUISHERS**

5       **906.1 TO 906.10** *{As IN IFC}*

6       **906.11 REGISTRATION REQUIRED.** NO PERSON MAY REPRESENT HIM- OR HERSELF AS A FIRE  
7       EXTINGUISHER REPAIR PERSON OR ENGAGE IN THE BUSINESS OF RECHARGING, TESTING, OR INSTALLING  
8       FIRE EXTINGUISHERS OR FIRE EXTINGUISHING EQUIPMENT UNLESS THAT PERSON IS REGISTERED WITH  
9       THE FIRE CODE OFFICIAL TO DO SO. REGISTRATION IS FOR A YEAR, RENEWABLE ANNUALLY.

10       **906.11.1 TESTING COMPETENCE.** THE FIRE CODE OFFICIAL MAY REQUIRE THAT ALL APPLICANTS  
11       FOR REGISTRATION PASS A TEST THAT DEMONSTRATES THE APPLICANT’S COMPETENCY WITH FIRE  
12       EXTINGUISHING EQUIPMENT.

13       **906.11.2 FEE FOR REGISTRATION.** THE FIRE CODE OFFICIAL MAY REQUIRE A FEE FOR THE  
14       REGISTRATION OR RENEWAL.

15       **SECTION 907 ALARM AND DETECTION SYSTEMS**

16       **907.1 GENERAL.** *{As IN IFC}*

17       **907.2 WHERE REQUIRED – NEW BUILDINGS AND STRUCTURES.** *{As IN IFC}*

18       **907.2.1 TO 907.2.10** *{As IN IFC}*

19       **907.2.11 SINGLE- AND MULTIPLE-STATION SMOKE ALARMS.** *{As IN IFC}*

20       **907.2.11.1 GROUP R-1.** *{As IN IFC}*

21       **907.2.11.2 GROUPS R-2, R-3, R-4, AND I-1.** *{As IN IFC}*

22       **907.2.11.2.1 OBLIGATIONS OF LANDLORD AND TENANT.** EXCEPT AS OTHERWISE  
23       PROVIDED IN THIS § 907.2.11.2, THE LANDLORD IS RESPONSIBLE FOR THE INSTALLATION  
24       AND, ON WRITTEN NOTICE BY CERTIFIED OR REGISTERED MAIL, THE REPAIR OR  
25       REPLACEMENT OF ALL REQUIRED DETECTORS. THE TENANT IS RESPONSIBLE TO INFORM THE  
26       LANDLORD, IN THE MANNER JUST DESCRIBED, OF ANY SMOKE DETECTOR THAT BECOMES  
27       DEFECTIVE. A TENANT MAY NOT REMOVE OR RENDER A SMOKE DETECTOR INOPERATIVE.

28       **907.2.11.2.2 LIGHT SIGNAL FOR HEARING IMPAIRED.** THE LANDLORD MUST PROVIDE A  
29       SMOKE DETECTOR THAT IS DESIGNED (AND HAS BEEN TESTED AND CERTIFIED BY AN  
30       APPROVED TESTING LABORATORY) TO ALERT PERSONS WITH HEARING IMPAIRMENTS IF THE  
31       TENANCY IS OCCUPIED BY A PERSON WHO IS HEARING IMPAIRED AND THE TENANT HAS  
32       ASKED FOR THE DETECTOR IN WRITING BY CERTIFIED OR REGISTERED MAIL.

33       **907.2.11.2.3 ONE-, TWO-, AND THREE-FAMILY DWELLINGS.** AN OCCUPANT OF A 1-, 2-,  
34       OR 3-FAMILY DWELLING MUST:

- 35           1. EQUIP HIS OR HER OWN LIVING UNIT WITH THE NUMBER OF DETECTORS REQUIRED  
36           BY THIS § 907.2.11.2, EACH OF WHICH MUST BE AN APPROVED BATTERY- OR AC  
37           PRIMARY ELECTRIC-POWERED SMOKE DETECTOR, AND

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1                   2. MAINTAIN THOSE SMOKE DETECTORS ACCORDING TO MANUFACTURER’S  
2                   GUIDELINES.

3                   **907.2.11.3 INTERCONNECTION. {AS IN IFC}**

4                   **907.2.11.4 POWER SOURCE. {AS IN IFC}**

5                   **907.2.12 TO 907.2.23 {AS IN IFC}**

6                   **907.3 - 907.9 {AS IN IFC}**

7                   **907.10 CARBON MONOXIDE ALARMS.** CARBON MONOXIDE ALARMS MUST BE INSTALLED AND  
8                   MAINTAINED IN ACCORDANCE WITH BUILDING CODE § 1211.

9                   **SECTION 908 EMERGENCY ALARM SYSTEMS {AS IN IFC}**

10                  **SECTION 909 SMOKE CONTROL SYSTEMS {AS IN IFC}**

11                  **SECTION 910 SMOKE AND HEAT VENTS {AS IN IFC}**

12                  **SECTION 911 EXPLOSION CONTROL {AS IN IFC}**

13                  **SECTION 912 FIRE DEPARTMENT CONNECTIONS {SUBSTITUTE “NATIONAL STANDARD PLUMBING**  
14                  **CODE” FOR “INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IFC.}**

15                  **SECTION 913 FIRE PUMPS {AS IN IFC}**

16                  **SECTION 914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND**  
17                  **OCCUPANCY {AS IN IFC}**

18                                   **CHAPTER 10**  
19                                   **MEANS OF EGRESS**  
20                                   **{AS IN IFC}**

21                                   **CHAPTER 11**  
22                                   **AVIATION FACILITIES**  
23                                   **{AS IN IFC}**

24                                   **CHAPTER 12**  
25                                   **DRY CLEANING**  
26                                   **{AS IN IFC}**

27                                   **CHAPTER 13**  
28                                   **COMBUSTIBLE DUST-PRODUCING OPERATIONS**  
29                                   **{AS IN IFC}**

30                                   **CHAPTER 14**  
31                                   **FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**

32                   **SECTION 1401 GENERAL {AS IN IFC}**  
33

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1 **SECTION 1402 DEFINITIONS** *{AS IN IFC}*

2 **SECTION 1403 TEMPORARY HEATING EQUIPMENT**

3 **1403.1 LISTED.** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
4 *OTHERWISE, AS IN IFC.}*

5 **1403.2 OIL-FIRED HEATERS.** *{AS IN IFC}*

6 **1403.3 LP-GAS HEATERS.** FUEL SUPPLIES FOR LIQUEFIED-PETROLEUM GAS-FIRED HEATERS MUST  
7 COMPLY WITH NFPA 58 AND THE NATIONAL FUEL GAS CODE.

8 **1403.4 TO 1403.6** *{AS IN IFC}*

9 **1403.7 PERMIT REQUIRED.** A PERMIT FROM THE FIRE CODE OFFICIAL IS REQUIRED FOR COMMERCIAL  
10 PORTABLE HEATERS, INCLUDING SALAMANDERS, AND FOR OTHER SIMILAR APPLIANCES OR EQUIPMENT  
11 USED FOR TEMPORARY HEATING IN STRUCTURES UNDER CONSTRUCTION OR UNDERGOING RENOVATION.  
12 THIS EQUIPMENT MUST BE MAINTAINED AND OPERATED IN ACCORDANCE WITH ALL APPLICABLE NFPA  
13 STANDARDS.

14 **SECTIONS 1404 TO 1417** *{AS IN IFC}*

15 **CHAPTER 15**  
16 **FLAMMABLE FINISHES**  
17 *{AS IN IFC}*

18 **CHAPTER 16**  
19 **FRUIT AND CROP RIPENING**  
20 *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
21 *OTHERWISE, AS IN IFC.}*

22 **CHAPTER 17**  
23 **FUMIGATION AND THERMAL INSECTICIDAL FOGGING**

24 **SECTION 1701 GENERAL** *{AS IN IFC}*

25 **SECTION 1702 DEFINITIONS** *{AS IN IFC}*

26 **SECTION 1703 FIRE SAFETY REQUIREMENTS** *{AS IN IFC}*

27 **1703.1 TO 1703.7** *{AS IN IFC}*

28 **1703.8 SULFUR CANDLES PROHIBITED.** EXCEPT AS SPECIFICALLY APPROVED BY THE FIRE CODE  
29 OFFICIAL, THE USE OF SULFUR CANDLES FOR FUMIGATING PRIVATE RESIDENCES IS PROHIBITED.

30 **CHAPTER 18**  
31 **SEMICONDUCTOR FABRICATION FACILITIES**  
32 *{AS IN IFC}*

33 **CHAPTER 19**  
34 **LUMBER YARDS AND WOODWORKING FACILITIES**  
35 *{AS IN IFC}*

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**CHAPTER 20**  
**MANUFACTURE OF ORGANIC COATINGS**  
*{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 PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE.*  
*OTHERWISE, AS IN IFC.}*

**CHAPTER 23**  
**HIGH-PILED COMBUSTIBLE STORAGE**  
*{AS IN IFC}*

**CHAPTER 24**  
**TENTS AND OTHER MEMBRANE STRUCTURES**  
*{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
*OTHERWISE, AS IN IFC.}*

**CHAPTER 25**  
**TIRE REBUILDING AND TIRE STORAGE**  
*{AS IN IFC}*

**CHAPTER 26**  
**WELDING AND OTHER HOT WORK**  
*{AS IN IFC}*

**CHAPTER 27**  
**HAZARDOUS MATERIALS – GENERAL PROVISIONS**  
*{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”,*  
*AND “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
*OTHERWISE, AS IN IFC.}*

**CHAPTER 28**  
**AEROSOLS**  
*{AS IN IFC}*

**CHAPTER 29**  
**COMBUSTIBLE FIBERS**  
*{AS IN IFC}*

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**CHAPTER 30**  
**COMPRESSED GASES**  
*{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".*  
*OTHERWISE, AS IN IFC.}*

**CHAPTER 31**  
**CORROSIVE MATERIALS**  
*{AS IN IFC}*

**CHAPTER 32**  
**CRYOGENIC FLUIDS**  
*{AS IN IFC}*

**CHAPTER 33**  
**EXPLOSIVES AND FIREWORKS**  
*{AS IN IFC}*

**CHAPTER 34**  
**FLAMMABLE AND COMBUSTIBLE LIQUIDS**  
*{AS IN IFC}*

**CHAPTER 35**  
**FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS**  
*{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".*  
*OTHERWISE, AS IN IFC.}*

**CHAPTER 36**  
**FLAMMABLE SOLIDS**  
*{AS IN IFC}*

**CHAPTER 37**  
**HIGHLY TOXIC AND TOXIC MATERIALS**  
*{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, OXIDIZING GASES, AND OXIDIZING CRYOGENIC FLUIDS**  
*{AS IN IFC}*

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1                                   **CHAPTER 41**  
2                                   **PYROPHORIC MATERIALS**  
3                                    *{AS IN IFC}*

4                                   **CHAPTER 42**  
5                                   **PYROXYLIN (CELLULOSE NITRATE) PLASTICS**  
6                                    *{AS IN IFC}*

7                                   **CHAPTER 43**  
8                                   **UNSTABLE (REACTIVE) MATERIALS**  
9                                    *{AS IN IFC}*

10                                  **CHAPTER 44**  
11                                  **WATER-REACTIVE SOLIDS AND LIQUIDS**  
12                                  *{AS IN IFC}*

13                                  **CHAPTER 46**  
14                                  **CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS**  
15                                  *{AS IN IFC}*

16                                  **CHAPTER 47**  
17                                  **REFERENCED STANDARDS**

18    **SECTION 4701 GENERAL**

19        **4701.1 SCOPE.** THIS CHAPTER 47 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS  
20        OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD  
21        IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO  
22        THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102 OF THIS CODE.

23        **4701.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS  
24        LISTED:

- 25            1. FOR INTERNATIONAL FUEL GAS CODE,  
26                SUBSTITUTE **NATIONAL FUEL GAS CODE (2009 EDITION)**.
- 27            2. FOR INTERNATIONAL PLUMBING CODE,  
28                SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2009 EDITION)**.

29                                   **PART IX**  
30                                   **INTERNATIONAL ENERGY CONSERVATION CODE**

31    **§ 9-101. CITY ADOPTION.**

32        (A) *IN GENERAL.*

33        THE INTERNATIONAL ENERGY CONSERVATION CODE (2009 EDITION) IS ADOPTED AS PART  
34        OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE



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1 ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS  
2 PART IX.

3 (B) *CODIFICATION*.

4 UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART IX REFER  
5 TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL ENERGY CONSERVATION  
6 CODE.

### 7 **§ 9-102. CITY MODIFICATIONS.**

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

#### 10 **CHAPTER 1** 11 **ADMINISTRATION**

##### 12 **SECTION 101 SCOPE AND GENERAL REQUIREMENTS**

13 **101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “ENERGY CONSERVATION  
14 CODE OF BALTIMORE CITY”.

15 **101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE ENERGY  
16 CONSERVATION CODE OF BALTIMORE CITY.

17 **101.2 TO 101.5** *{AS IN IECC}*

18 **SECTIONS 102 TO 108** *{AS IN IECC}*

19 **SECTION 109** *{NOT ADOPTED}*

#### 20 **CHAPTER 2** 21 **DEFINITIONS**

##### 22 **SECTION 201 GENERAL**

23 **201.1 SCOPE.** *{AS IN IECC}*

24 **201.2 INTERCHANGEABILITY.** *{AS IN IECC}*

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

29 **201.4 TERMS NOT DEFINED.** *{AS IN IECC}*

##### 30 **SECTION 202 GENERAL DEFINITIONS**

31 **202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE  
32 INTERNATIONAL ENERGY CONSERVATION CODE (2009 EDITION) HAVE THE MEANINGS GIVEN IN THE  
33 INTERNATIONAL ENERGY CONSERVATION CODE (2009 EDITION).

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1 **202.2 SUPPLEMENTAL DEFINITIONS.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE  
2 INTERNATIONAL ENERGY CONSERVATION CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN  
3 THIS § 202.2.

4 **202.2.1 CODE OFFICIAL.** “CODE OFFICIAL” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2  
5 OF THE BUILDING CODE OF BALTIMORE CITY.

6 **CHAPTER 3**  
7 **CLIMATE ZONES**  
8 *{AS IN IECC}*

9 **CHAPTER 4**  
10 **RESIDENTIAL ENERGY EFFICIENCY**  
11 *{AS IN IECC}*

12 **CHAPTER 5**  
13 **COMMERCIAL ENERGY EFFICIENCY**  
14 *{AS IN IECC}*

15 **CHAPTER 6**  
16 **REFERENCED STANDARDS**

17 **SECTION 601 GENERAL**

18 **601.1 SCOPE.** THIS CHAPTER 6 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF  
19 THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD  
20 IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO  
21 THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 106 OF THIS CODE.

22 **601.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS  
23 LISTED:

- 24 1. FOR INTERNATIONAL FUEL GAS CODE,  
25 SUBSTITUTE **NATIONAL FUEL GAS CODE (2009 EDITION)**.
- 26 2. FOR INTERNATIONAL PLUMBING CODE,  
27 SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2009 EDITION)**.

28 **PART X**  
29 **INTERNATIONAL RESIDENTIAL CODE**

30 **§ 10-101. CITY ADOPTION.**

31 (A) *IN GENERAL.*

32 THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (2009 EDITION)  
33 IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT  
34 TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS  
35 PART X.

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1 (B) *CODIFICATION*.

2 UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART X REFER TO THE  
3 CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL RESIDENTIAL CODE.

### 4 § 10-102. CITY MODIFICATIONS.

5 THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS ADOPTED BY THE CITY ARE AS  
6 FOLLOWS:

## 7 *PART I – ADMINISTRATIVE*

### 8 CHAPTER 1 9 ADMINISTRATION

#### 10 SECTION 101 TITLE, SCOPE, AND PURPOSE

11 **101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “RESIDENTIAL CODE FOR  
12 ONE- AND TWO-FAMILY DWELLINGS OF BALTIMORE CITY”.

13 **101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE  
14 RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS OF BALTIMORE CITY.

15 **101.2 SCOPE.** *{AS IN IRC}*

16 **101.3 INTENT.** *{AS IN IRC}*

#### 17 SECTION 102 APPLICABILITY

18 **102.1 TO 102.4** *{AS IN IRC}*

19 **102.5 APPENDICES ADOPTED.** THE PROVISIONS OF THE FOLLOWING APPENDICES ARE ADOPTED AS PART  
20 OF THIS CODE:

- 21 1. APPENDIX E: “MANUFACTURED HOUSING USED AS DWELLINGS”.
- 22 2. APPENDIX F: “RADON CONTROL METHODS”.
- 23 3. APPENDIX G: “SWIMMING POOLS, SPAS, AND HOT TUBS”.
- 24 4. APPENDIX H: “PATIO COVERS”.
- 25 5. APPENDIX I: “PRIVATE SEWAGE DISPOSAL”.
- 26 6. APPENDIX K: “SOUND TRANSMISSION”.
- 27 7. APPENDIX M: “HOME DAY CARE – R-3 OCCUPANCY”.
- 28 8. APPENDIX O: “GRAY WATER RECYCLING SYSTEMS”.

29 **102.6 TO 102.7** *{AS IN IRC}*

#### 30 SECTION 103 DEPARTMENT OF BUILDING SAFETY

31 **103.1 GENERAL.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT OF HOUSING AND  
32 COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

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1 1. "DEPARTMENT OF BUILDING SAFETY" OR "DEPARTMENT" MEANS THE DEPARTMENT OF  
2 HOUSING AND COMMUNITY DEVELOPMENT, AND

3 2. "BUILDING OFFICIAL" MEANS THE BUILDING OFFICIAL AS DEFINED IN § 202.2 OF THE BUILDING  
4 CODE OF BALTIMORE CITY.

5 **103.2 APPOINTMENT. {NOT ADOPTED}**

6 **103.3 DEPUTIES. {NOT ADOPTED}**

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

8 **104.1 GENERAL. {AS IN IRC}**

9 **104.2 APPLICATION AND PERMITS. {AS IN IRC}**

10 **104.3 NOTICES AND ORDERS. {AS IN IRC}**

11 **104.4 INSPECTIONS.** THE BUILDING OFFICIAL MUST MAKE ALL OF THE REQUIRED INSPECTIONS OR  
12 ACCEPT REPORTS OF INSPECTION BY APPROVED AGENCIES OR INDIVIDUALS. ALL REPORTS OF THESE  
13 INSPECTIONS MUST BE IN WRITING AND SIGNED BY A RESPONSIBLE OFFICER OF THE APPROVED AGENCY  
14 OR BY THE RESPONSIBLE INDIVIDUAL. THE BUILDING OFFICIAL MAY ENGAGE ANY EXPERT OPINION  
15 THAT THE BUILDING OFFICIAL CONSIDERS NECESSARY TO REPORT ON UNUSUAL TECHNICAL ISSUES THAT  
16 ARISE.

17 **104.5 IDENTIFICATION. {AS IN IRC}**

18 **104.6 RIGHT OF ENTRY.** THE BUILDING OFFICIAL MAY ENTER ANY STRUCTURE OR PREMISES AT  
19 REASONABLE TIMES TO INSPECT, SUBJECT TO CONSTITUTIONAL RESTRICTIONS ON UNREASONABLE  
20 SEARCHES AND SEIZURES. IF ENTRY IS REFUSED OR NOT OBTAINED, THE BUILDING OFFICIAL MAY  
21 PURSUE RECOURSE AS PROVIDED BY LAW, INCLUDING § 104 OF THE BALTIMORE CITY BUILDING CODE.

22 **104.7 DEPARTMENT RECORDS. {AS IN IRC}**

23 **104.8 LIABILITY. {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302.}**

24 **104.9 TO 104.11 {AS IN IRC}**

25 **SECTION 105 PERMITS**

26 **105.1 REQUIRED. {AS IN IRC}**

27 **105.2 WORK EXEMPT FROM PERMIT. {INTRODUCTORY PARAGRAPH AS ON IRC}**

28 **BUILDING:**

29 1. TO 3. **{NOT ADOPTED}**

30 4. **{AS IN IRC}**

31 5. **{NOT ADOPTED}**

32 6. TO 8. **{AS IN IRC}**

33 9. TO 10. **{NOT ADOPTED}**

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### **ELECTRICAL:**

1. TO 2. *{AS IN IRC}*

3. *{NOT ADOPTED}*

4. TO 5. *{AS IN IRC}*

**GAS:** *{AS IN IRC}*

**MECHANICAL:** *{AS IN IRC}*

**105.2.1 TO 105.2.3** *{AS IN IRC}*

**105.3 APPLICATION FOR PERMIT.** THE REQUIREMENTS FOR OBTAINING A PERMIT ARE AS SET FORTH IN § 105.3 OF THE BALTIMORE CITY BUILDING CODE.

**105.3.1 ACTION ON APPLICATION.** THE REQUIRED ACTIONS BY THE BUILDING OFFICIAL ARE AS SET FORTH IN § 105.3.1 {"GENERAL"} AND § 105.3.2 {"TRAFFIC-IMPACT STUDY"} OF THE BALTIMORE CITY BUILDING CODE.

**105.3.1.1 DETERMINATION OF SUBSTANTIALLY IMPROVED OR SUBSTANTIALLY DAMAGED EXISTING BUILDINGS IN FLOOD HAZARD AREAS.** *{SUBSTITUTE "IN AN ADMINISTRATIVE REVIEW" FOR "BY THE BOARD OF APPEALS". OTHERWISE AS IN IRC.}*

**105.3.2 TIME LIMITATION OF APPLICATION.** *{AS IN IRC}*

**105.4 VALIDITY OF PERMIT.** *{AS IN IRC}*

**105.5 EXPIRATION; EXTENSION.** UNLESS EXTENDED, A PERMIT EXPIRES AS SET FORTH IN § 105.5 {"EXPIRATION; EXTENSION"} OF THE BALTIMORE CITY BUILDING CODE.

**105.6 SUSPENSION OR REVOCATION.** THE BUILDING OFFICIAL MAY SUSPEND OR REVOKE A PERMIT AS PROVIDED IN § 105.6 {"SUSPENSION OR REVOCATION"} OF THE BALTIMORE CITY BUILDING CODE.

**105.7 PLACEMENT OF PERMIT.** *{AS IN IRC}*

**105.8 RESPONSIBILITY.** *{AS IN IRC}*

**105.9 PRELIMINARY INSPECTION.** *{AS IN IRC}*

**SECTION 106 CONSTRUCTION DOCUMENTS** *{AS IN IRC}*

**SECTION 107 TEMPORARY STRUCTURES AND USES** *{AS IN IRC}*

**SECTION 108 FEES**

**108.1 GENERAL.** FEES ARE AS SET FORTH IN § 108 {"FEES"} OF THE BALTIMORE CITY BUILDING CODE.

**108.2 TO 108.6.** *{NOT ADOPTED}*

**SECTION 109 INSPECTIONS** *{AS IN IRC}*

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### 1 SECTION 110 OCCUPANCY PERMIT; CERTIFICATE OF COMPLETION

2 **110.1 GENERAL.** OCCUPANCY PERMITS (REFERRED TO IN THE IRC AS A “CERTIFICATE OF  
3 OCCUPANCY”) AND CERTIFICATES OF COMPLETION ARE GOVERNED BY § 110 {“OCCUPANCY PERMIT;  
4 CERTIFICATE OF COMPLETION”} OF THE BALTIMORE CITY BUILDING CODE.

5 **110.2 TO 110.5. {NOT ADOPTED}**

### 6 SECTION 111 SERVICE UTILITIES *{AS IN IRC}*

### 7 SECTION 112 ADMINISTRATIVE AND JUDICIAL REVIEW

8 **112.1 GENERAL.** A DECISION OF THE BUILDING OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND  
9 JUDICIAL REVIEW AS PROVIDED IN § 128 {“ADMINISTRATIVE AND JUDICIAL REVIEW”} OF THE  
10 BALTIMORE CITY BUILDING CODE.

11 **112.2 TO 112.4 {NOT ADOPTED}**

### 12 SECTION 113 VIOLATIONS

13 **113.1 TO 113.3 *{AS IN IRC}***

14 **113.4 VIOLATION PENALTIES.** THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED IN  
15 § 114 {“VIOLATIONS”} OF THE BALTIMORE CITY BUILDING CODE FOR A VIOLATION OF THAT CODE.

### 16 SECTION 114 STOP-WORK ORDER

17 **114.1 GENERAL.** THE ISSUANCE AND ENFORCEMENT OF STOP-WORK ORDERS ARE AS PROVIDED IN § 115  
18 {“STOP-WORK ORDER”} OF THE BALTIMORE CITY BUILDING CODE.

19 **114.2 *{NOT ADOPTED}***

## 20 *PART II – DEFINITIONS*

### 21 **CHAPTER 2** 22 **DEFINITIONS**

### 23 SECTION 201 GENERAL

24 **201.1 SCOPE. *{AS IN IRC}***

25 **201.2 INTERCHANGEABILITY. *{AS IN IRC}***

26 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CODE AND IS DEFINED IN  
27 THE BALTIMORE CITY BUILDING CODE OR IN ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED  
28 IN § 101.4 OF THE BALTIMORE CITY BUILDING CODE, THE TERM HAS THE MEANING GIVEN TO IT IN THAT  
29 CODE OR STANDARD.

30 **201.4 TERMS NOT DEFINED. *{AS IN IRC}***

### 31 SECTION 202 DEFINITIONS *{AS IN IRC}*

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**PART III – BUILDING PLANNING AND CONSTRUCTION**

**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	TOPO-GRAPHIC EFFECTS	SEISMIC DESIGN CATEGORY	WEATHERING	FROST LINE DEPTH	TERMITE	WINTER DESIGN TEMP	ICE BARRIER ...	FLOOD HAZARDS	AIR FREEZE INDEX	MEAN ANNUAL TEMP
25 PSF	90 MPH	YES	A	SEVERE	30"	MODERATE TO HEAVY	13° F	YES	VARIES	300	52° F

**301.3 TO 301.8 {AS IN IRC}**

**SECTIONS 302 TO 308 {AS IN IRC}**

**SECTION 309 GARAGES, CARPORTS, DRIVEWAYS, ETC.**

**309.1 TO 309.4 {AS IN IRC}**

**309.5 PAVED SURFACES.** PARKING PADS, DRIVEWAYS, AND OTHER PAVED SURFACES MUST ALSO COMPLY WITH THE REQUIREMENTS OF BUILDING CODE § 3110.

**SECTIONS 310 TO 311 {AS IN IRC}**

**SECTION 312 GUARDS**

**312.1 TO 312.2 {AS IN IRC}**

**312.3 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}**

**312.4 {AS IN IRC}**

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### 1 SECTION 313 AUTOMATIC FIRE SPRINKLER SYSTEMS

2 **313.1 AUTOMATIC FIRE SPRINKLER SYSTEMS REQUIRED.** AN APPROVED AUTOMATIC RESIDENTIAL  
3 FIRE SPRINKLER SYSTEM MUST BE INSTALLED IN ANY NEW:

- 4 1. TOWNHOUSE, OR
- 5 2. 1- OR 2-FAMILY DWELLING.

6 **313.2 DESIGN AND INSTALLATION.** AUTOMATIC RESIDENTIAL FIRE SPRINKLER SYSTEMS FOR  
7 TOWNHOUSES AND 1- AND 2-FAMILY DWELLINGS MUST BE DESIGNED AND INSTALLED IN ACCORDANCE  
8 WITH BUILDING CODE § 903.3.

9 **313.3 DPW REGULATIONS.** IN ACCORDANCE WITH ITS REGULATIONS, THE DEPARTMENT OF PUBLIC  
10 WORKS MUST REQUIRE MINIMUM SERVICE SIZES FOR WATER LINES AND METERS FOR BUILDINGS WITH  
11 SPRINKLERS.

12 SECTIONS 314 TO 323 *{AS IN IRC}*

### 13 CHAPTER 4 14 FOUNDATIONS

15 SECTIONS 401 TO 403 *{AS IN IRC}*

16 SECTION 404 FOUNDATION AND RETAINING WALLS

17 404.1 TO 404.5 *{AS IN IRC}*

18 **404.6 UNDERPINNING.** UNDERPINNING FOUNDATION WALLS MUST BE IN ACCORDANCE WITH BUILDING  
19 CODE § 1804.1.

20 SECTIONS 405 TO 408 *{AS IN IRC}*

### 21 CHAPTER 5 22 FLOORS 23 *{AS IN IRC}*

### 24 CHAPTER 6 25 WALL CONSTRUCTION 26 *{AS IN IRC}*

### 27 CHAPTER 7 28 WALL COVERING 29 *{AS IN IRC}*



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**CHAPTER 8  
ROOF-CEILING CONSTRUCTION**

**SECTION 801 GENERAL**

**801.1 TO 801.2** *{AS IN IRC}*

**801.3 ROOF DRAINAGE.** ROOF DRAINAGE MUST BE PROVIDED IN ACCORDANCE WITH BUILDING CODE § 1503.4.

**SECTIONS 802 TO 807** *{AS IN IRC}*

**CHAPTER 9  
ROOF ASSEMBLIES**

**SECTIONS 901 TO 907** *{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE". OTHERWISE, AS IN IRC.}*

**SECTION 908 ROOFTOP DECKS AND OTHER STRUCTURES**

**908.1 GENERAL.** ALL ROOFTOP STRUCTURES MUST COMPLY WITH BUILDING CODE § 1509.

**CHAPTER 10  
CHIMNEYS AND FIREPLACES  
*{AS IN IRC}***

***PART IV – ENERGY CONSERVATION***

**CHAPTER 11  
ENERGY EFFICIENCY  
*{NOT ADOPTED}***

**{MBPS MODIFICATION – CHAPTER 11 IS REPLACED WITH THE INTERNATIONAL CONSERVATION CODE, AS MODIFIED BY BFR ARTICLE PART IX.}**

***PART V – MECHANICAL***

**{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 12 THROUGH 24 IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS. ...}**

**CHAPTER 12  
MECHANICAL ADMINISTRATION  
*{AS IN IRC}***

**CHAPTER 13  
GENERAL MECHANICAL SYSTEM REQUIREMENTS  
*{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".  
OTHERWISE, AS IN IRC.}***

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**CHAPTER 14  
HEATING AND COOLING EQUIPMENT**

**SECTIONS 1401 TO 1410** *{AS IN IRC}*

**SECTION 1411 HEATING AND COOLING EQUIPMENT**

**1411.1 TO 1411.2** *{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 3/4- 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.

**1411.3.3 APPLIANCES, EQUIPMENT, AND INSULATION IN PANS.** *{AS IN IRC}*

**1411.4 TO 1411.6** *{AS IN IRC}*

**SECTION 1412 ABSORPTION COOLING EQUIPMENT** *{AS IN IRC}*

**SECTION 1413 EVAPORATE COOLING EQUIPMENT**

**1413.1 GENERAL.** *{AS IN IRC}*

**1413.2 PROTECTION OF POTABLE WATER.** THE POTABLE WATER SYSTEM MUST BE PROTECTED FROM BACKFLOW IN ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING CODE.

**SECTIONS 1414 TO 1415** *{AS IN IRC}*

**CHAPTER 15  
EXHAUST SYSTEMS  
*{AS IN IRC}***

**CHAPTER 16  
DUCT SYSTEMS  
*{AS IN IRC}***

**CHAPTER 17  
COMBUSTION AIR  
*{AS IN IRC}***

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**CHAPTER 18  
CHIMNEYS AND VENTS**

**SECTION 1801 GENERAL {AS IN IRC}**

**SECTION 1802 VENT COMPONENTS**

**1802.1 DRAFT HOODS.** DRAFT HOODS MUST BE LOCATED IN THE SAME ROOM OR SPACE AS THE COMBUSTION AIR OPENINGS FOR THE APPLIANCES.

**EXCEPTION:** DRAFT HOODS OF SAUNAS MAY NOT BE LOCATED IN THE SAME ROOM THAT THE SAUNA IS IN.

**1802.2 VENT DAMPERS. {AS IN IRC}**

**1802.3 DRAFT REGULATORS. {AS IN IRC}**

**SECTIONS 1803 TO 1805 {AS IN IRC}**

**CHAPTER 19  
SPECIAL FUEL-BURNING EQUIPMENT  
{SUBSTITUTE "NATIONAL FUEL GAS CODE" FOR "INTERNATIONAL FUEL GAS CODE".  
OTHERWISE, AS IN IRC.}**

**CHAPTER 20  
BOILERS AND WATER HEATERS  
{AS IN IRC}**

**CHAPTER 21  
HYDRONIC PIPING**

**SECTION 2101 HYDRONIC PIPING SYSTEMS INSTALLATION**

**2101.1 GENERAL. {AS IN IRC}**

**TABLE 2101.1 {AS IN IRC, EXCEPT THAT POLYBUTYLENE (PB) PIPE AND PIPING IS NOT APPROVED.}**

**2101.2 TO 2101.10 {AS IN IRC}**

**SECTION 2102 BASEBOARD CONVECTORS {AS IN IRC}**

**SECTION 2103 FLOOR HEATING SYSTEMS**

**2103.1 PIPING MATERIALS.** PIPING FOR EMBEDMENT IN CONCRETE OR GYPSUM MATERIALS MUST BE STANDARD-WEIGHT STEEL PIPE, COPPER TUBING, CROSS-LINKED POLYETHYLENE / ALUMINUM / CROSS-LINKED POLYETHYLENE (PEX-AL-PEX) PRESSURE PIPE, CHLORINATED POLYVINYL CHLORIDE (CPVC), CROSS-LINKED POLYETHYLENE (PEX) TUBING, OR POLYPROPYLENE (PP) WITH A MINIMUM RATING OF 100 PSI AT 180°F (690 kPa AT 82°C).

**2103.2 THERMAL BARRIER REQUIRED. {AS IN IRC}**

**2103.3 PIPING JOINTS.** PIPING JOINTS THAT ARE EMBEDDED MUST BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

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1 1. - 2. *{AS IN IRC}*

2 3. *{NOT ADOPTED}*

3 4. - 6. *{AS IN IRC}*

4 **2103.4 TESTING.** *{AS IN IRC}*

5 **SECTIONS 2104 TO 2105** *{AS IN IRC}*

6 **CHAPTER 22**  
7 **SPECIAL PIPING AND STORAGE SYSTEMS**

8 **SECTION 2201 OIL TANKS**

9 **2201.1 MATERIALS.** *{AS IN IRC}*

10 **2201.2 ABOVE-GROUND TANKS.** *{AS IN IRC}*

11 **2201.2.1 TANKS WITHIN BUILDINGS.** *{AS IN IRC}*

12 **2201.2.2 OUTSIDE ABOVE-GROUND TANKS.** *{AS IN IRC}*

13 **EXCEPTION:** IF THE 5-FEET MINIMUM DISTANCE FROM AN ADJOINING PROPERTY LINE CANNOT  
14 BE MET, THE BUILDING OFFICIAL WILL DETERMINE THE LOCATION OF THE TANK.

15 **2201.3 TO 2201.7** *{AS IN IRC}*

16 **SECTIONS 2202 TO 2204** *{AS IN IRC}*

17 **CHAPTER 23**  
18 **SOLAR SYSTEMS**  
19 *{SUBSTITUTE "NATIONAL STANDARD PLUMBING CODE" FOR "INTERNATIONAL PLUMBING CODE".*  
20 *OTHERWISE, AS IN IRC.}*

21 **PART VI – FUEL GAS**

22 **CHAPTER 24**  
23 **FUEL GAS**  
24 *{NOT ADOPTED}*  
25 *{SEE NATIONAL FUEL GAS CODE, AS MODIFIED BY BFR ARTICLE PART IV}*

26 **PART VII – PLUMBING**

27 **{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 25 THROUGH 33 IS NOT WITHIN THE SCOPE**  
28 **OF THE MARYLAND BUILDING PERFORMANCE STANDARDS. ...}**

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**CHAPTERS 25 TO 33**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE, AS MODIFIED BY BFR ARTICLE PART VI}**

**PART VIII – ELECTRICAL**

**{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 34 THROUGH 43 IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS. ...}**

**CHAPTER 34**

**GENERAL REQUIREMENTS**

**{AS IN IRC}**

**CHAPTER 35**

**ELECTRICAL DEFINITIONS**

**{AS IN IRC}**

**CHAPTER 36**

**SERVICES**

**SECTIONS 3601 TO 3603 {AS IN IRC}**

**SECTION 3604 OVERHEAD SERVICE-DROP AND SERVICE CONDUCTOR INSTALLATION**

**3604.1 CLEARANCES ON BUILDINGS. {AS IN IRC}**

**3604.2 VERTICAL CLEARANCES. {AS IN IRC}**

**3604.2.1 ABOVE ROOFS. {AS IN IRC}**

**3604.2.2 VERTICAL CLEARANCE FROM GRADE. {INTRODUCTORY PARAGRAPH AS IN IRC}**

**1. - 3. {AS IN IRC}**

**4. CLEARANCE ABOVE DECKS. CONDUCTORS MUST HAVE A VERTICAL CLEARANCE OF AT LEAST 8 FEET AT THE LOWEST POINT ABOVE THE DECK SURFACE.**

**3604.3 TO 3604.6 {AS IN IRC}**

**SECTIONS 3605 TO 3608 {AS IN IRC}**

**SECTION 3609 BONDING**

**3609.1 TO 3609.6 {AS IN IRC}**

**3609.7 BONDING OTHER METAL PIPING.** WHERE INSTALLED IN OR ATTACHED TO A BUILDING OR STRUCTURE, METAL PIPING SYSTEMS CAPABLE OF BECOMING ENERGIZED MUST BE BONDED TO THE SERVICE EQUIPMENT ENCLOSURE, THE GROUNDED CONDUCTOR AT THE SERVICE, THE GROUNDING ELECTRODE CONDUCTOR WHERE OF SUFFICIENT SIZE, OR TO THE ONE OR MORE GROUNDING ELECTRODES USED. THE BONDING JUMPER MUST BE SIZED IN ACCORDANCE WITH TABLE E3808.12 USING THE RATING OF THE CIRCUIT CAPABLE OF ENERGIZING THE PIPING. THE EQUIPMENT GROUNDING CONDUCTOR FOR

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1 THE CIRCUIT THAT IS CAPABLE OF ENERGIZING THE PIPING MUST BE PERMITTED TO SERVE AS THE  
2 BONDING MEANS. THE POINTS OF ATTACHMENT OF THE BONDING JUMPERS MUST BE ACCESSIBLE.

3 **3609.7.1 EXCEPTION.** THIS § 3609.7 DOES NOT APPLY TO GAS PIPING.

### 4 **SECTION 3510 GROUNDING ELECTRODE CONDUCTORS** *{AS IN IRC}*

### 5 **SECTION 3611 GROUNDING ELECTRODE CONDUCTOR CONNECTION TO THE GROUNDING ELECTRODES**

#### 6 **3611.1 METHODS OF GROUNDING.** *{AS IN IRC}*

7 **3611.2 ACCESSIBILITY.** THE CONNECTION OF A GROUNDING ELECTRODE CONDUCTOR OR BONDING  
8 JUMPER CONDUCTOR TO A GROUNDING ELECTRODE THAT IS NOT BURIED OR CONCRETE ENCASED MUST  
9 BE:

- 10 1. AHEAD OF ALL TURNOFF VALVES AND UNIONS, AND
- 11 2. ACCESSIBLE.

#### 12 **3611.3 TO 3611.5** *{AS IN IRC}*

## 13 **CHAPTER 37** 14 **BRANCH CIRCUIT AND FEEDER REQUIREMENTS**

### 15 **SECTION 3701 GENERAL** *{AS IN IRC}*

### 16 **SECTION 3702 BRANCH CIRCUIT RATINGS**

#### 17 **3702.1 TO 3702.11** *{AS IN IRC}*

#### 18 **3702.12 BRANCH CIRCUITS SERVING ROOM AIR CONDITIONERS.** *{INTRODUCTORY PARAGRAPH AS IN* 19 *IRC}*

- 20 1. - 4. *{AS IN IRC}*
- 21 5. THE CIRCUIT CONTAINS A DEDICATED RECEPTACLE FOR THE AIR CONDITIONER.

#### 22 **3702.12.1 TO 3702.12.1** *{AS IN IRC}*

#### 23 **3702.13 BRANCH-CIRCUIT REQUIREMENT – SUMMARY.** *{AS IN IRC}*

24 **3702.13.1 CIRCUITS FOR FUEL-BURNING EQUIPMENT.** IN FUEL-BURNING EQUIPMENT SUCH AS OIL  
25 AND GAS BURNERS AND STOVES, INCLUDING AUXILIARIES SUCH AS FANS, BLOWERS, AND PUMPS, AN  
26 INDIVIDUAL BRANCH CIRCUIT WITH A DISCONNECTING MEANS ON THE LINE SIDE OF ALL EQUIPMENT  
27 AND DEVICES, OTHER THAN THE BRANCH-CIRCUIT FUSES, MUST BE PROVIDED. IF 2 OR MORE BRANCH  
28 CIRCUITS ARE PROVIDED FOR A FUEL-BURNING SYSTEM, THEY MUST BE SUPPLIED THROUGH A  
29 COMMON FEEDER WITH A DISCONNECTING MEANS THAT WILL DISCONNECT ALL COMPONENTS OF THE  
30 SYSTEM.

31 **3702.13.2 CONTROLS.** OIL BURNERS OTHER THAN OIL STORES WITH INTEGRAL TANKS MUST BE  
32 PROVIDED WITH A DEVICE TO MANUALLY STOP THE FLOW OF OIL TO THE BURNERS. THE DEVICE  
33 MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER WITH

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1 ELECTRICALLY DRIVEN EQUIPMENT. THIS MAY BE ACCOMPLISHED BY AN IDENTIFIED SWITCH IN THE  
2 BURNER SUPPLY CIRCUIT, PLACED NEAR THE ENTRANCE TO THE ROOM WHERE THE BURNER IS  
3 LOCATED.

4 **3702.13.3 EMERGENCY SWITCH FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT  
5 MUST HAVE A DEVICE TO MANUALLY STOP THE FLOW OF FUEL AT THE FUEL TRAIN TO THE BURNER.  
6 THE DEVICE MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER  
7 AND MUST BE IDENTIFIED AS A EMERGENCY DISCONNECT.

8 **SECTIONS 3703 TO 3706** *{AS IN IRC}*

9 **CHAPTER 38**  
10 **WIRING METHODS**  
11 *{AS IN IRC}*

12 **CHAPTER 39**  
13 **POWER AND LIGHTING DISTRIBUTION**

14 **SECTION 3901 RECEPTACLE OUTLETS**

15 **3901.1 TO 3901.6** *{AS IN IRC}*

16 **3901.7 OUTDOOR OUTLETS GENERALLY.** *{AS IN IRC}*

17 **3901.7.1 NEAR PUBLIC WALKWAYS.** A RECEPTACLE INSTALLED LESS THAN 10 FEET FROM A  
18 PUBLIC WALKWAY MUST BE WALL-SWITCH CONTROLLED FROM WITHIN THE DWELLING UNIT.

19 **3901.7.2 DECKS.** AT LEAST 1 GFCI RECEPTACLE MUST BE INSTALLED ON ALL DECKS OF  
20 WHATEVER LEVEL.

21 **3901.8 TO 3901.11** *{AS IN IRC}*

22 **SECTIONS 3902 TO 3907** *{AS IN IRC}*

23 **SECTION 3908 GROUNDING**

24 **3908.1 TO 3908.7** *{AS IN IRC}*

25 **3908.8 TYPES OF EQUIPMENT GROUNDING CONDUCTORS.** *{INTRODUCTORY PARAGRAPH AS IN IRC}*

26 1. - 8. *{AS IN IRC}*

27 9. SURFACE METAL RACEWAYS THAT ARE LISTED FOR GROUNDING AND THAT CONTAIN EQUIPMENT  
28 GROUNDING CONDUCTORS WITHIN THE RACEWAY.

29 **3908.8.1 TO 3908.8.3** *{AS IN IRC}*

30 **3908.9 TO 3908.20** *{AS IN IRC}*

31 **SECTION 3909 FLEXIBLE CORDS** *{AS IN IRC}*

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1                                   **CHAPTER 40**  
2                                   **DEVICES AND LUMINAIRES**  
3                                    *{AS IN IRC}*

4                                   **CHAPTER 41**  
5                                   **APPLIANCE INSTALLATION**

6   **SECTION 4101 GENERAL**

7           **4101.1 TO 4101.4** *{AS IN IRC}*

8           **4101.5 DISCONNECTING MEANS GENERALLY.** *{AS IN IRC}*

9                   **4101.5.1 WATER HEATERS.** CIRCUITS THAT SUPPLY WATER HEATERS MUST HAVE A  
10                   DISCONNECTING MEANS OTHER THAN THE OVERCURRENT DEVICE. THIS DISCONNECTING MEANS  
11                   MUST BE INSTALLED CLOSE TO THE WATER HEATER.

12           **4101.6 TO 4101.7** *{AS IN IRC}*

13                                   **CHAPTER 42**  
14                                   **SWIMMING POOLS**  
15                                    *{AS IN IRC}*

16                                   **CHAPTER 43**  
17                                   **CLASS 2 REMOTE-CONTROL, SIGNALING, AND POWER-LIMITED CIRCUITS**  
18                                    *{AS IN IRC}*

19                                    *PART IX – REFERENCED STANDARDS*

20                                   **CHAPTER 44**  
21                                   **REFERENCED STANDARDS**

22   **SECTION 4301 GENERAL**

23           **4301.1 SCOPE.** THIS CHAPTER 44 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS  
24           OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD  
25           IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO  
26           THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.4 OF THIS CODE.

27           **4301.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS  
28           LISTED:

- 29                   1. FOR INTERNATIONAL FUEL GAS CODE,  
30                    SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
- 31                   2. FOR INTERNATIONAL PLUMBING CODE,  
32                    SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007**  
33                    **SUPPLEMENT)**.



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*APPENDICES*

**APPENDICES A TO D**  
*{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 TO 101.2** *{AS IN IRC}*

**101.3 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}*

**APPENDIX J. EXISTING BUILDINGS AND STRUCTURES**  
*{NOT ADOPTED}*

**APPENDIX K. SOUND TRANSMISSION**  
*{AS IN IRC}*

**APPENDIX L. PERMIT FEES**  
*{NOT ADOPTED}*

**APPENDIX M. HOME DAY CARE – R-3 OCCUPANCY**  
*{AS IN IRC}*

**APPENDIX N. VENTING METHODS**  
*{INFORMATIONAL. NOT ADOPTED}*

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1                                   **APPENDIX O. GRAY WATER RECYCLING SYSTEMS**  
2                    *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”.*  
3                                   *OTHERWISE, AS IN IRC.}*

4                                   **APPENDIX P. SIZING OF WATER PIPING SYSTEM**  
5                                   *{NOT ADOPTED}*

6                                   **APPENDIX Q. IRC/NEC CROSS-REFERENCE**  
7                                   *{INFORMATIONAL. NOT ADOPTED}*

8            **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
9            are not law and may not be considered to have been enacted as a part of this or any prior  
10           Ordinance.

11           **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance and the Building, Fire, and  
12           Related Codes adopted by it applies to all building operations for which a permit application is  
13           filed on or after the effective date of this Ordinance.

14           **SECTION 5. AND BE IT FURTHER ORDAINED,** That, except as expressly provided to the  
15           contrary in this Ordinance, any transaction, case, proceeding, investigation, or other matter  
16           validly begun before the effective date of this Ordinance and affected by or flowing from any law  
17           amended or repealed by this Ordinance, and any right, duty, or interest flowing from any  
18           ordinance amended or repealed by this Ordinance, remains valid after the effective date of this  
19           Ordinance and may be terminated, completed, enforced, or prosecuted as required or permitted by  
20           the prior law as though the amendment or repeal has not occurred. If any change in nomenclature  
21           involves a change in name or designation of any City agency or official, the successor agency or  
22           official has all the powers and obligations granted the predecessor agency or official.

23           **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
24           after the date it is enacted.