

**CITY OF BALTIMORE
COUNCIL BILL 23-0421
(First Reader)**

Introduced by: Councilmember Costello, President Mosby, Councilmembers Middleton, Stokes,
Torrence, Conway, Ramos, Porter, and Glover

Introduced and read first time: August 21, 2023

Assigned to: Health, Environment, and Technology Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Housing and Community Development, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Public Service Agencies – Gas Metering and Regulation Equipment – Required Permits**

3 FOR the purpose of requiring certain public service agencies to obtain a certain permit before
4 installing gas metering or regulating equipment on certain real property; specifying
5 documents to be submitted with a permit application; requiring a public service agency to
6 obtain a property owner’s consent before a certain permit can be issued; establishing certain
7 exceptions to these requirements; and generally relating to public utilities and permits to
8 install gas metering and regulation equipment.

9 BY adding

10 Article - Building, Fire, and Related Codes
11 Section 2-103 (IBC §§ 105.1(8), 105.14, and 2903.3.1)
12 Baltimore City Revised Code
13 (2020 Edition)

14 BY repealing and reordaining, with amendments

15 Article - Building, Fire, and Related Codes
16 Section 2-103 (IBC §§ 105.2.2)
17 Baltimore City Revised Code
18 (2020 Edition)

19 BY repealing and reordaining, with amendments

20 Article - Building, Fire, and Related Codes
21 Section 2-103 (IBC §§ 2903.1 to 2903.3)
22 Baltimore City Revised Code
23 (2020 Edition)

24 BY repealing and reordaining, with amendments

25 Article - Building, Fire, and Related Codes
26 Sections 2-103 (IRC § R105.2.3)
27 Baltimore City Revised Code
28 (2020 Edition)

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

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1 BY adding
2 Article - Building, Fire, and Related Codes
3 Section(s) 2-103 (IRC § R105.2.3.1)
4 Baltimore City Revised Code
5 (2020 Edition)

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

8 **Baltimore City Revised Code**

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

10 **Part II. International Building Code**

11 **§ 2-103. City modifications.**

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

14 **Chapter 1**
15 **Scope and Administration**

16 **Section 105 Permits**

17 **105.1 Required.** A permit issued by the Building Official is required before any person may do
18 any of the following work:

- 19 8. INSTALL ANY GAS METERING EQUIPMENT OR ANY GAS SERVICE REGULATOR, AS DEFINED IN
- 20 § 7-313(A)(2) OF THE PUBLIC UTILITIES ARTICLE OF THE MARYLAND STATE CODE, IF:
 - 21 A. THE GAS METERING EQUIPMENT OR GAS SERVICE REGULATOR WILL BE LOCATED ON
 - 22 THE EXTERIOR OF THE STRUCTURE;
 - 23 B. THE STRUCTURE HAS 5 OR FEWER DWELLING UNITS; AND
 - 24 C. THE STRUCTURE HAS EXISTING GAS SERVICE.

25 **105.2 Work exempt from permit.**

26 **105.2.2 Public service agencies. [As in IBC]** A PERMIT SHALL NOT BE REQUIRED FOR THE
27 INSTALLATION, ALTERATION OR REPAIR OF GENERATION, TRANSMISSION, DISTRIBUTION OR
28 METERING OR OTHER RELATED EQUIPMENT THAT IS UNDER THE OWNERSHIP AND CONTROL OF
29 PUBLIC SERVICE AGENCIES BY ESTABLISHED RIGHT.

30 **105.2.2.1 EXCEPTION.** PUBLIC SERVICE AGENCIES SHALL OBTAIN A PERMIT FOR THE
31 WORK DESCRIBED IN § 105.1(8) OF THIS CODE.

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105.14 SPECIAL REQUIREMENTS FOR INSTALLATION OF GAS METERING EQUIPMENT AND GAS SERVICE REGULATORS DESCRIBED IN § 105.1(8).

105.14.1 PRE-PERMIT REQUIREMENTS. A PERMIT MAY NOT BE GRANTED FOR THE WORK DESCRIBED IN § 105.1(8) OF THIS CODE UNLESS THE APPLICANT COMPLIES WITH THE FOLLOWING.

105.14.1.1 WRITTEN NOTICE TO PROPERTY OWNER. THE PERMIT APPLICANT MUST PROVIDE WRITTEN NOTICE TO THE SUBJECT PROPERTY OWNER VIA FIRST CLASS MAIL AT LEAST 30 DAYS BEFORE APPLYING FOR THE PERMIT. THE WRITTEN NOTICE MUST:

1. DESCRIBE IN DETAIL THE SCOPE OF WORK;
2. SPECIFY WHEN THE WORK IS EXPECTED TO BEGIN;
3. IDENTIFY THE CONTRACTOR SCHEDULED TO PERFORM THE WORK;
4. PROVIDE A JUSTIFICATION FOR THE INSTALLATION OF THE SUBJECT EQUIPMENT ON THE EXTERIOR OF THE STRUCTURE VERSUS THE INTERIOR OF THE STRUCTURE; AND
5. CONSISTENT WITH STATE LAW, DESCRIBE IN DETAIL HOW THE PROPERTY OWNER MAY DISPUTE THE PROPOSED WORK WITH THE PUBLIC SERVICE AGENCY AND THE MARYLAND PUBLIC SERVICE COMMISSION’S CONSUMER AFFAIRS DIVISION.

105.14.1.2 WRITTEN STATEMENT TO BUILDING OFFICIAL. THE PERMIT APPLICANT MUST PROVIDE 1 OF THE FOLLOWING WRITTEN STATEMENTS TO THE BUILDING OFFICIAL:

105.14.1.2.1 CONSENT OF PROPERTY OWNER. A WRITTEN STATEMENT SIGNED BY THE PROPERTY OWNER CONSENTING TO THE PROPOSED SCOPE OF WORK.

105.14.1.2.2 WRITTEN STATEMENT IN LIEU OF CONSENT. A WRITTEN STATEMENT SIGNED BY AN AGENT OF THE PUBLIC SERVICE AGENCY, ACCOMPANIED BY A COPY OF THE NOTICE GIVEN PURSUANT TO § 105.14.1.1, ATTESTING THAT:

1. THE PROPERTY OWNER WAS NOTIFIED AS REQUIRED BY § 105.14.1.1; AND
2. AT LEAST 30 DAYS HAVE ELAPSED SINCE THE NOTICE; AND EITHER:
 - A. THE PUBLIC SERVICE AGENCY HAS NOT RECEIVED NOTICE OF A DISPUTE BY THE PROPERTY OWNER OR THE MARYLAND PUBLIC SERVICE COMMISSION’S CONSUMER AFFAIRS DIVISION; OR
 - B. THE PROPERTY OWNER DISPUTED THE PROPOSED WORK, THE DISPUTE-RESOLUTION PROCESS IS AT AN END, AND THE MARYLAND PUBLIC SERVICE COMMISSION HAS NOT OTHERWISE PROHIBITED THE PROPOSED WORK.

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**Chapter 29
Plumbing Systems**

Section 2903 Permits

2903.1 Permit required. Unless specifically excepted by these plumbing regulations, no plumbing work may be undertaken before the Building Official has issued a permit for that work.

2903.2 Applications. The application for a plumbing work permit must bear the name and address of the insured, licensed master plumber responsible for all work to be done under the permit.

2903.3 To whom issued. A permit may be issued only:

1. to a master plumber licensed to do business in the City,
2. to a master gas fitter licensed to do business in the City, or
3. for on-site utility facilities, to an on-site utility contractor licensed to do business in the City.

2903.3.1 EXCEPTION. NOTWITHSTANDING § 2903.3, A PERMIT MAY BE ISSUED TO A PUBLIC SERVICE AGENCY OR THEIR AGENT.

Part X. International Residential Code

§ 10-102. City modifications.

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

Part I – Administrative

**Chapter 1
Scope and Administration**

Section 105 Permits

105.2 Work exempt from permit.

105.2.3 Public service agencies. *[As in IRC]* A PERMIT SHALL NOT BE REQUIRED FOR THE INSTALLATION, ALTERATION OR REPAIR OF GENERATION, TRANSMISSION, DISTRIBUTION OR METERING OR OTHER RELATED EQUIPMENT THAT IS UNDER THE OWNERSHIP AND CONTROL OF PUBLIC SERVICE AGENCIES BY ESTABLISHED RIGHT.

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1 **105.2.3.1 EXCEPTION.** PUBLIC SERVICE AGENCIES SHALL OBTAIN A PERMIT FOR THE
2 INSTALLATION OF GAS METERING EQUIPMENT OR OF A GAS SERVICE REGULATOR, AS
3 DEFINED IN § 7-313(a)(2) OF THE PUBLIC UTILITIES ARTICLE OF THE MARYLAND STATE
4 CODE, IF:

- 5 (I) THE GAS METERING EQUIPMENT OR GAS SERVICE REGULATOR WILL BE LOCATED ON
6 THE EXTERIOR OF THE STRUCTURE;
- 7 (II) THE STRUCTURE HAS 5 OR FEWER DWELLING UNITS; AND
- 8 (III) THE STRUCTURE HAS EXISTING GAS SERVICE.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
10 after the date it is enacted.