

**Introduced by:** The Council President

**At the request of:** The Administration (Department of Housing and Community Development)

**Prepared by:** Department of Legislative Reference

**Date:** March 15, 2017

**Referred to:** JUDICIARY AND LEGISLATIVE INVESTIGATIONS Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0033

A BILL ENTITLED

AN ORDINANCE concerning

**Building Code – Correcting Definition of “High-Rise Building”**

FOR the purpose of deleting from the City Building Code an outdated definition of “high-rise building”, thereby conforming that term’s meaning to the more modern definition adopted by the International Building Code.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes  
Section 2-103 (BC § 202.2.35 and §§ 403.1 to 403.4.)  
Baltimore City Revised Code  
(2015 Edition)

**\*\*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

**Agencies**

_____	Baltimore City Public School System
_____	Baltimore Development Corporation
_____	City Solicitor
_____	Comptroller's Office
_____	Department of Audits
_____	Department of Finance
_____	Department of General Services
_____	Department of Housing and Community Development
_____	Department of Human Resources
_____	Department of Planning
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Department of Public Works
_____	Department of Real Estate
_____	Department of Recreation and Parks
_____	Department of Transportation
_____	Fire Department
_____	Health Department
_____	Mayor's Office of Employment Development
_____	Mayor's Office of Human Services
_____	Mayor's Office of Information Technology
_____	Office of the Mayor
_____	Police Department
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____

**Boards and Commissions**

CITY OF BALTIMORE  
ORDINANCE 17-017  
Council Bill 17-0033

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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: March 20, 2017  
Assigned to: Judiciary and Legislative Investigations Committee

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Committee Report: Favorable  
Council action: Adopted  
Read second time: April 24, 2017

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AN ORDINANCE CONCERNING

1                    **Building Code – Correcting Definition of “High-Rise Building”**

2                    FOR the purpose of deleting from the City Building Code an outdated definition of “high-rise  
3                    building”, thereby conforming that term’s meaning to the more modern definition adopted by  
4                    the International Building Code.

5                    BY repealing and reordaining, with amendments  
6                    Article - Building, Fire, and Related Codes  
7                    Section 2-103 (BC § 202.2.35 and §§ 403.1 to 403.4.)  
8                    Baltimore City Revised Code  
9                    (2015 Edition)

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

12    **Baltimore City Revised Code**

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

14    **Part II. International Building Code**

15                    **§ 2-103. City modifications.**

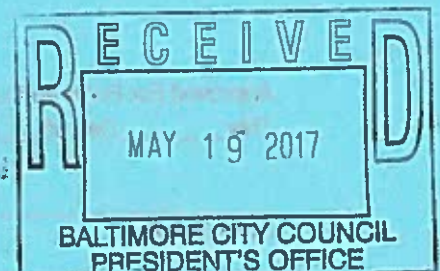
16                    The additions, deletions, amendments, and other modifications adopted by the City are as  
17                    follows:

18    **Chapter 2. Definitions; Rules of Construction**

19                    **Section 202 Definitions**

20                    **202.2 Supplemental definitions.** Notwithstanding any different definition in the  
21                    International Building Code, the following terms have the meanings given in this § 202.2.

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
Strike-out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.



Council Bill 17-0033

1 202.2.35 [High-rise building. "High-rise building" has the meaning stated in State  
2 Public Safety Article § 9-401.] {VACANT}

3 Chapter 4. Special Detailed Requirements Based on Use and Occupancy

4 Section 403 High-Rise Buildings

5 [403.1 Applicability. This § 403 applies to all "high-rise buildings", as defined in State  
6 Public Safety Article § 9-401.]

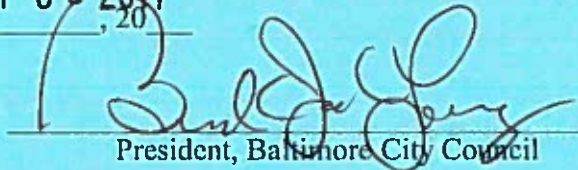
7 [Exception: {Not Adopted}]

8 [403.2] 403.1 to 403.4 {As in IBC}

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

12 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30<sup>th</sup> day  
13 after the date it is enacted.

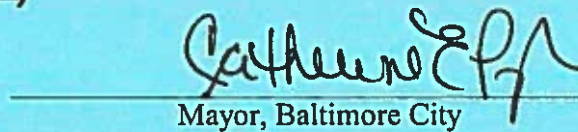
Certified as duly passed this \_\_\_\_\_ day of MAY 08 2017, 2017

  
President, Baltimore City Council

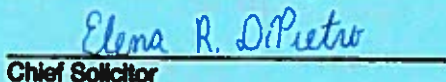
Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of MAY 08 2017

  
Chief Clerk

Approved this 16 day of May, 2017

  
Mayor, Baltimore City

Approved For Form and Legal Sufficiency  
This 11<sup>th</sup> Day of May 2017

  
Chief Solicitor

**BALTIMORE CITY COUNCIL**  
**JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE**  
**VOTING RECORD**

BILL#: CC-17-0033      DATE: 4-4-17

**BILL TITLE: Building Code - Correcting Definition of "High-Rise Building"**

MOTION BY: SCOTT      SECONDED BY: PINKETT

- FAVORABLE                       FAVORABLE WITH AMENDMENTS  
 UNFAVORABLE                       WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, E., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, M., Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bullock, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, L.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<b>TOTALS</b>	<u>7</u>			

CHAIRPERSON: C-T-Curtis  
 COMMITTEE STAFF: D'Paul S. Nibber, Initials: DN





**HEARING NOTES**

**Bill: 17-0033**

**Building Code - Correcting Definition of "High-Rise Building"**

**Committee:** Judiciary and Legislative Investigations

**Chaired By:** Councilmember Eric Costello

**Hearing Date:** April 4, 2017

**Time (Beginning):** 9:55 a.m.

**Time (Ending):** 10:05 a.m.

**Location:** Clarence "Du" Burns Chamber

**Total Attendance:** ~10

**Committee Members in Attendance:**

Mary Pat Clarke      John Bullock      Brandon Scott

Leon Pinkett      Robert Stokes      Eric Costello      Edward Reisinger

Bill Synopsis in the file? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded? .....	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file? .....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners? .....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by: .....	Councilmember Scott		
Seconded by: .....	Councilmember Pinkett		
Final Vote: .....	Favorable		

**Major Speakers**

*(This is not an attendance record.)*

- Sharon Daboin, Department of Housing and Community Development





### Major Issues Discussed

1. Chairman Costello introduced the proceedings and asked if each of the agencies stood by their reports, with each agency responding in the affirmative.
2. Ms. Sharon Daboin discussed the purpose of the Bill and why it is needed. She stated that the current code is not very clear as to what constitutes a "High-Rise Building." Ms. Daboin added that the newest version of the International Building Code is much clearer and provides for a definition of buildings larger than 75 feet.
3. Councilwoman Clarke asked about new building requirements regarding sprinklers, and was told that this is based on state law. She was also told that the sprinkler requirement is based on the size of a proposed building. According to Maryland code, the requirement currently applies to buildings between 45 to 75 feet, whereas the new International Building Code requirements would clarify the size requirement and apply to all new buildings.

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### Further Study

Was further study requested?

Yes  No

If yes, describe.

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### Committee Vote:

E. Costello: ..... Yea  
M. Clarke: ..... Yea  
J. Bullock: ..... Yea  
L. Pinkett: ..... Yea  
E. Reisinger: ..... Yea  
B. Scott: ..... Yea  
R. Stokes: ..... Yea

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*D'Paul Nibber*

D'Paul Nibber, Committee Staff

Date: April 21, 2017

cc: Bill File  
OCS Chrono File



West's Annotated Code of Maryland  
Public Safety (Refs & Annos)  
Title 9. Fire Protection and Prevention  
Subtitle 4. High-Rise Building Safety in Case of Fire

MD Code, Public Safety, § 9-401  
Formerly cited as MD CODE Art. 38A, § 49

§ 9-401. Right of mobility-impaired residents to request lower floor units

Effective: October 1, 2011  
Currentness

**In general**

(a) In this subtitle the following words have the meanings indicated.

received  
4-4-17

**High-rise building**

(b)(1) "High-rise building" means a building for human occupancy that is:

- (i) four or more stories above grade level; or
- (ii) over 45 feet in height.

(2) "High-rise building" does not include:

- (i) a structure or building used exclusively for open air parking; or
- (ii) a building used exclusively for agricultural purposes.

**Local fire department**

(c) "Local fire department" means a career or volunteer fire department.

**Mobility impaired**

(d) "Mobility impaired" means unable to carry objects or to move or travel without the use of an assistive device or service animal.

**Public way**

(e) "Public way" means a paved thoroughfare over 21 feet in width that:



(1) is located on privately owned and privately maintained property but is designated for public use; or

(2) is publicly owned and publicly maintained.

**Credits**

Added by Acts 2003, c. 5, § 2, eff. Oct. 1, 2003. Amended by Acts 2011, c. 596, § 1, eff. Oct. 1, 2011.

MD Code, Public Safety, § 9-401, MD PUBLIC SAFETY § 9-401

Current through all legislation from the 2016 Regular Session of the General Assembly



West's Annotated Code of Maryland  
Public Safety (Refs & Annos)  
Title 9. Fire Protection and Prevention  
Subtitle 4. High-Rise Building Safety in Case of Fire

MD Code, Public Safety, § 9-402  
Formerly cited as MD CODE Art. 38A, § 48

§ 9-402. Purpose of subtitle; legislative findings

**Currentness**

**Purpose of subtitle**

(a) The purpose of this subtitle is to provide for the physical safety and protection of property of occupants of high-rise buildings in case of fire.

**Legislative findings**

(b)(1) Without adequate protection, residents of high-rise buildings are dependent on descending multiple flights of steps or jumping from windows when a fire occurs.

(2) For many elderly residents of high-rise buildings, this is physically impossible.

(3) Most fire fighting and rescue operations are also conducted inside the high-rise building, where there are greater obstacles to rescuing occupants and controlling and extinguishing the fire.

(4) Many tragedies could be avoided by installation of automatic fire extinguishing equipment in these situations, usually at no great additional cost to builders.

**Credits**

Added by Acts 2003, c. 5, § 2, eff. Oct. 1, 2003.

MD Code, Public Safety, § 9-402, MD PUBLIC SAFETY § 9-402  
Current through all legislation from the 2016 Regular Session of the General Assembly





West's Annotated Code of Maryland  
Public Safety (Refs & Annos)  
Title 9. Fire Protection and Prevention  
Subtitle 4. High-Rise Building Safety in Case of Fire

MD Code, Public Safety, § 9-403  
Formerly cited as MD CODE Art. 38A, § 49; MD CODE Art. 38A, § 50

§ 9-403. Automatic sprinkler system required

Currentness

In general

(a) Each high-rise building constructed after July 1, 1974, shall be protected by a complete automatic sprinkler system installed in accordance with accepted engineering practices as approved by the authority with jurisdiction.

Exception

(b)(1) This section does not apply to a building that is less than 75 feet in height above grade level if:

(i) the local fire department has at least one approved first line piece of aerial equipment that is capable of reaching the roof of the building; and

(ii) accessibility to the building is provided on two sides of the perimeter of the building by a public way that is:

1. kept accessible at all times to the local fire department; and

2. close enough to the building to allow the fire department aerial equipment to reach 75 feet in height.

(2) For purposes of this subsection, height above grade level shall be determined by using the lowest elevation of the public way as a reference datum.

Credits

Added by Acts 2003, c. 5, § 2, eff. Oct. 1, 2003.

MD Code, Public Safety, § 9-403, MD PUBLIC SAFETY § 9-403  
Current through all legislation from the 2016 Regular Session of the General Assembly



West's Annotated Code of Maryland  
Public Safety (Refs & Annos)  
Title 9. Fire Protection and Prevention  
Subtitle 4. High-Rise Building Safety in Case of Fire

MD Code, Public Safety, § 9-404  
Formerly cited as MD CODE Art. 38A, § 50

§ 9-404. Appeal of orders for compliance

Currentness

**Appeal to State Fire Prevention Commission**

(a) An order for compliance with the requirements of § 9-403 of this subtitle that is issued in accordance with the authority granted under Title 6, Subtitle 3 of this article may be appealed to the State Fire Prevention Commission.

**Appeal to local authority**

(b) An order for compliance with the requirements of § 9-403 of this subtitle that is issued in accordance with the authority granted by a local law, ordinance, or regulation may be appealed as provided by law, ordinance, or regulation of the local jurisdiction.

**Credits**

Added by Acts 2003, c. 5, § 2, eff. Oct. 1, 2003.

MD Code, Public Safety, § 9-404, MD PUBLIC SAFETY § 9-404

Current through all legislation from the 2016 Regular Session of the General Assembly



West's Annotated Code of Maryland  
Public Safety (Refs & Annos)  
Title 9. Fire Protection and Prevention  
Subtitle 4. High-Rise Building Safety in Case of Fire

MD Code, Public Safety, § 9-405

§ 9-405. Right of mobility-impaired residents to request lower floor units

Effective: October 1, 2011

Currentness

For fire safety purposes, the owner of a residential high-rise building with rental units shall provide reasonable written notice annually to all residents of the residential high-rise building to inform residents who are mobility impaired of their right to request a rental unit on the first five floors of the high-rise building if one should become available.

**Credits**

Added by Acts 2011, c. 596, § 1, eff. Oct. 1, 2011.

MD Code, Public Safety, § 9-405, MD PUBLIC SAFETY § 9-405

Current through all legislation from the 2016 Regular Session of the General Assembly











**BALTIMORE CITY COUNCIL  
JUDICIARY AND LEGISLATIVE INVESTIGATIONS  
COMMITTEE**

**Mission Statement**

*On behalf of the Citizens of Baltimore City, the mission of the Judiciary and Legislative Investigations Committee is to investigate and study the continuing operations, efficiency, and functions of Baltimore City government in accordance with the laws of Baltimore City, the State of Maryland, and the United States.*

*As a result of its investigations and studies, the Committee will recommend and oversee reforms to improve the operations of Baltimore City's government through legislative, administrative, and/or budgetary processes.*

**The Honorable Eric T. Costello  
Chairman**

**PUBLIC HEARING**

**Tuesday, April 4, 2017  
9:35 AM**

**CLARENCE "DU" BURNS COUNCIL CHAMBERS**

***Council Bill 17-0033  
Building Code - Correcting Definition of "High-Rise Building"***

## CITY COUNCIL COMMITTEES

### BUDGET AND APPROPRIATIONS

Eric Costello – Chair  
Leon Pinkett – Vice Chair  
Bill Henry  
Sharon Green Middleton  
Brandon M. Scott  
Isaac "Yitzy" Schleifer  
Shannon Sneed  
*Staff: Marguerite Murray*

### EDUCATION AND YOUTH

Zeke Cohen – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Kristerfer Burnett  
Ryan Dorsey  
*Staff: D'Paul Nibber*

### EXECUTIVE APPOINTMENTS

Robert Stokes – Chair  
Kristerfer Burnett – Vice Chair  
Mary Pat Clarke  
Zeke Cohen  
Isaac "Yitzy" Schleifer  
*Staff: Jennifer Coates*

### HOUSING AND URBAN AFFAIRS

John Bullock – Chair  
Isaac "Yitzy" Schleifer – Vice Chair  
Kristerfer Burnett  
Bill Henry  
Shannon Sneed  
Zeke Cohen  
Ryan Dorsey  
*Staff: Richard Krummerich*

### JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Leon Pinkett  
Ed Reisinger  
Brandon Scott  
Robert Stokes  
*Staff: D'Paul Nibber*

### LABOR

Shannon Sneed – Chair  
Robert Stokes – Vice Chair  
Eric Costello  
Bill Henry  
Mary Pat Clarke  
*Staff: Marguerite Murray*

### LAND USE AND TRANSPORTATION

Edward Reisinger - Chair  
Sharon Green Middleton – Vice Chair  
Mary Pat Clarke  
Eric Costello  
Ryan Dorsey  
Leon Pinkett  
Robert Stokes  
*Staff: Marshall Bell*

### PUBLIC SAFETY

Brandon Scott – Chair  
Ryan Dorsey – Vice Chair  
Kristerfer Burnett  
Shannon Sneed  
Zeke Cohen  
Leon Pinkett  
Isaac "Yitzy" Schleifer  
*Staff: Marshall Bell*

### TAXATION, FINANCE AND ECONOMIC

#### DEVELOPMENT

Sharon Green Middleton – Chair  
Leon Pinkett – Vice Chair  
Erick Costello  
Edward Reisinger  
Robert Stokes  
*Staff: Jennifer Coates*  
*- Larry Greene (pension only)*

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410 545-7596  
email: larry.greene@baltimorecity.gov

## BILL SYNOPSIS

**Committee:** Judiciary and Legislative Investigations

**Bill 17-0033**

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**Building Code - Correcting Definition Of "High-Rise Building"**

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**Sponsor:** President Young, et al

**Introduced:** March 20, 2017

**Purpose:**

For the purpose of deleting from the City Building Code an outdated definition of "high-rise building", thereby conforming that term's meaning to the more modern definition adopted by the International Building Code.

**Effective:** Upon the 30th day after the date it is enacted

**Hearing Date/Time/Location:** April 4, 2017/9:35 a.m./Clarence "Du" Burns Chamber

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**Agency Reports**

Department of Housing and Community Development  
Department of Law

Favorable  
Favorable

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## **ANALYSIS**

### **Current Law**

The current definition of "high-rise building" is included in Baltimore City's Building, Fire, and Related Codes, § 202 and § 403.

### **Background**

Council Bill 17-0033 revises the definition of "high-rise building" in accordance with the most recent revision of the International Building Code. It deletes current language in the City's "Building, Fire, and Related Codes" referencing State Public Safety Article § 9-401. The Bill also adopts sections 403.1 to 403.4 from the International Building Code. According to the Department of Housing and Community Development ("Housing"), this language "includes guidance on the construction of high rise buildings, including fire-resistance rating, seismic considerations, structural integrity of exit enclosures and elevator hoistway enclosures, sprinkler systems, and emergency systems."

Both Housing and the Law Department provided favorable reports for 17-0033.

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**Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Department of Housing and Community Development; Law Department

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Analysis by: *D'Paul S. Nibber*  
D'Paul S. Nibber  
Analysis Date: March 31, 2017

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE  
COUNCIL BILL 17-0033  
(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: March 20, 2017

Assigned to: Judiciary and Legislative Investigations Committee

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

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building Code – Correcting Definition of “High-Rise Building”**

3 FOR the purpose of deleting from the City Building Code an outdated definition of “high-rise  
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16 **§ 2-103. City modifications.**

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[Brackets] indicate matter deleted from existing law.

**Council Bill 17-0033**

1           **202.2.35 [High-rise building.** “High-rise building” has the meaning stated in State  
2           Public Safety Article § 9-401.] *{VACANT}*

3           **Chapter 4. Special Detailed Requirements Based on Use and Occupancy**

4           **Section 403 High-Rise Buildings**

5           **[403.1 Applicability.** This § 403 applies to all “high-rise buildings”, as defined in State  
6           Public Safety Article § 9-401.]

7           **[Exception: *{Not Adopted}*]**

8           **[403.2] 403.1 to 403.4 *{As in IBC}***

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

12          **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
13          after the date it is enacted.

# **JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE**

**Council Bill 17-0033**

**Hearing Date: April 4, 2017**

## **Agency Reports:**

- **Department of Housing and Community Development**
  - **Favorable**
- **Department of Law**
  - **Favorable**





**BALTIMORE  
HOUSING**

**CATHERINE PUGH**  
Mayor

**MICHAEL BRAVERMAN**  
Acting Executive Director, HABCD  
Acting Commissioner, HCD

## MEMORANDUM

**To:** The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

**From:** Michael Braverman, Acting Commissioner 

**Date:** March 24, 2017

**Re:** City Council Bill 17-0033 - Building Code – Correcting Definition of  
“High-Rise Building”

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The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0033, for the purpose of deleting from the City Building Code an outdated definition of “high-rise building”, thereby conforming that term’s meaning to the more modern definition adopted by the International Building Code.

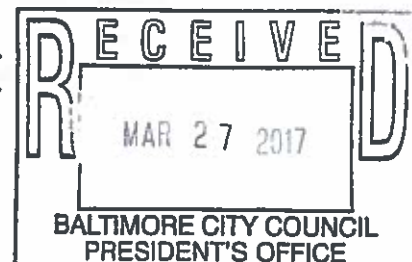
If enacted, this bill would update the outdated language in the City BFR Codes by modifying Sections 202 and 403 that references Public Safety Article §9-401, to incorporate Section 403 of the International Building Code (IBC), which is current and more consistent with national codes.

Section 403 of the IBC includes guidance on the construction of high rise buildings, including fire-resistance rating, seismic considerations, structural integrity of exit enclosures and elevator hoistway enclosures, sprinkler systems, and emergency systems.

The Department of Housing and Community Development encourages the passage of City Council Bill 17-0033.

MB:sd

cc: Ms. Karen Stokes, *Mayor’s Office of Government Relations*  
Mr. Kyron Banks, *Mayor’s Office of Government Relations*



**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**DEPARTMENT OF LAW**

101 City Hall  
Baltimore, Maryland 21202

March 29, 2017

The Honorable President and Members  
of the Baltimore City Council  
Attn: Natawna B. Austin, Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 17-0033 – Building Code – Correcting Definition of  
“High-Rise Building”

Dear President and City Council Members:

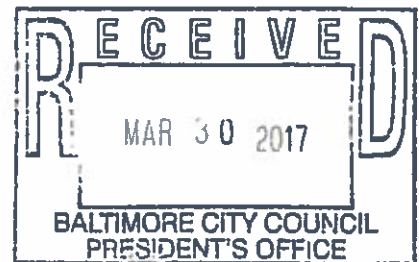
The Law Department has reviewed City Council Bill 17-0033 and approves it for form and legal sufficiency. The bill deletes from the City Building Code an outdated definition of “high-rise building”, thereby conforming that term’s meaning to the more modern definition adopted by the International Building Code.

Sincerely,

Victor K. Tervala  
Chief Solicitor

cc: David Ralph, Acting City Solicitor  
Karen Stokes, Director, Mayor’s Office of Government Relations  
Kyron Banks, Mayor’s Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Jennifer Landis, Assistant Solicitor

F



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



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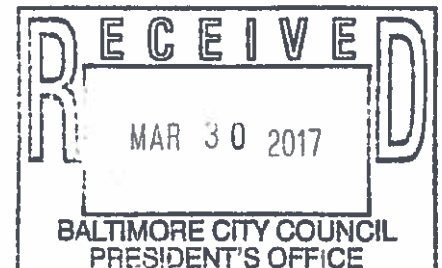
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Sincerely,

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Jennifer Landis, Assistant Solicitor







## BALTIMORE HOUSING

CATHERINE PUGH  
Mayor

MICHAEL BRAVERMAN  
Acting Executive Director, HAABC  
Acting Commissioner, HCD

## MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner

*MBR*

Date: March 24, 2017

Re: **City Council Bill 17-0033 - Building Code – Correcting Definition of “High-Rise Building”**

---

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0033, for the purpose of deleting from the City Building Code an outdated definition of “high-rise building”, thereby conforming that term’s meaning to the more modern definition adopted by the International Building Code.

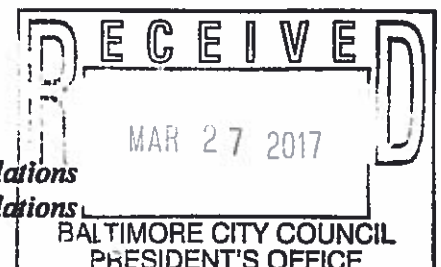
If enacted, this bill would update the outdated language in the City BFR Codes by modifying Sections 202 and 403 that references Public Safety Article §9-401, to incorporate Section 403 of the International Building Code (IBC), which is current and more consistent with national codes.

Section 403 of the IBC includes guidance on the construction of high rise buildings, including fire-resistance rating, seismic considerations, structural integrity of exit enclosures and elevator hoistway enclosures, sprinkler systems, and emergency systems.

The Department of Housing and Community Development encourages the passage of City Council Bill 17-0033.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*  
Mr. Kyron Banks, *Mayor's Office of Government Relations*





**CITY OF BALTIMORE  
COUNCIL BILL 17-0033  
(First Reader)**

---

Introduced by: The Council President

At the request of: The Administration (Department of Housing and Community Development)

Introduced and read first time: March 20, 2017

Assigned to: Judiciary and Legislative Investigations Committee

---

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

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building Code – Correcting Definition of “High-Rise Building”**

3 FOR the purpose of deleting from the City Building Code an outdated definition of “high-rise  
4 building”, thereby conforming that term’s meaning to the more modern definition adopted by  
5 the International Building Code.

6 BY repealing and reordaining, with amendments

7 Article - Building, Fire, and Related Codes  
8 Section 2-103 (BC § 202.2.35 and §§ 403.1 to 403.4.)  
9 Baltimore City Revised Code  
10 (2015 Edition)

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

13 **Baltimore City Revised Code**

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

15 **Part II. International Building Code**

16 **§ 2-103. City modifications.**

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

19 **Chapter 2. Definitions; Rules of Construction**

20 **Section 202 Definitions**

21 **202.2 Supplemental definitions.** Notwithstanding any different definition in the  
22 International Building Code, the following terms have the meanings given in this § 202.2.

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

## Chapter 4. Special Detailed Requirements Based on Use and Occupancy

### Section 403 High-Rise Buildings

[403.1 **Applicability.** This § 403 applies to all “high-rise buildings”, as defined in State Public Safety Article § 9-401.]

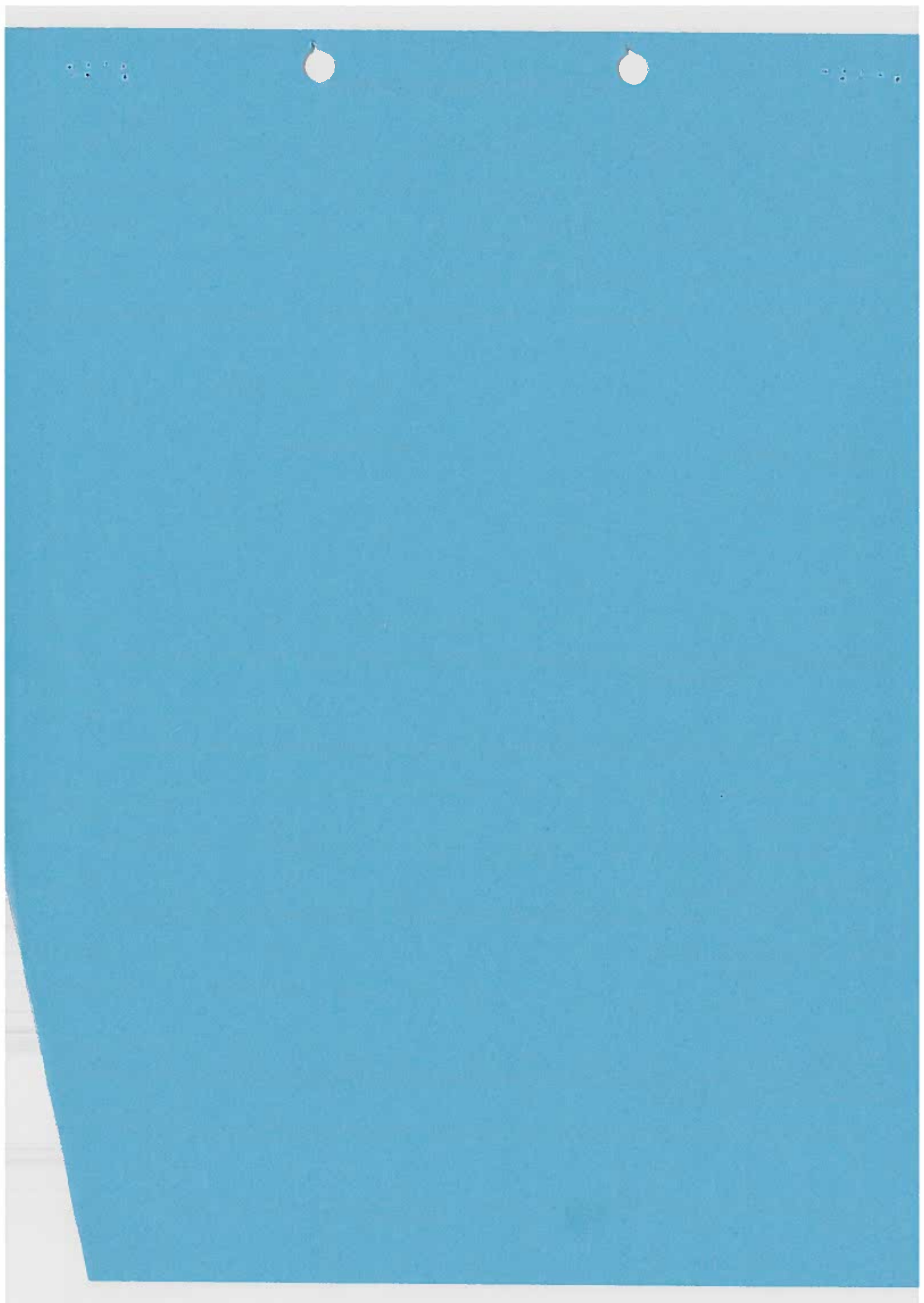
[Exception: *{Not Adopted}*]

[403.2] 403.1 to 403.4 *{As in IBC}*

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

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





**ACTION BY THE CITY COUNCIL**

MAR 20 2017  
20

FIRST READING (INTRODUCTION) \_\_\_\_\_

PUBLIC HEARING HELD ON APRIL 4 20 17

COMMITTEE REPORT AS OF APRIL 24 20 17

FAVORABLE  UNFAVORABLE  FAVORABLE AS AMENDED  WITHOUT RECOMMENDATION

*C. F. Costa*

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

APR 24 2017  
20

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING \_\_\_\_\_ MAY 08 2017  
20

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) \_\_\_\_\_ 20

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20

WITHDRAWAL \_\_\_\_\_

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be from the files of the City Council.

*Burd D. [Signature]*

President

*Lizette J. [Signature]*

Chief Clerk

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall  
Baltimore, Maryland 21202

March 29, 2017

The Honorable President and Members  
of the Baltimore City Council  
Attn: Natawna B. Austin, Executive Secretary  
Room 409, City Hall  
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Re: City Council Bill 17-0033 – Building Code – Correcting Definition of  
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Dear President and City Council Members:

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**BALTIMORE  
HOUSING**

**CATHERINE PUGH**  
Mayor

**MICHAEL BRAVERMAN**  
Acting Executive Director, HAHC  
Acting Commissioner, HCD

## MEMORANDUM

**To:** The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

**From:** Michael Braverman, Acting Commissioner 

**Date:** March 24, 2017

**Re:** **City Council Bill 17-0033 - Building Code – Correcting Definition of “High-Rise Building”**

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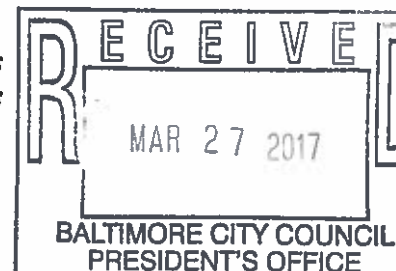
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The Department of Housing and Community Development encourages the passage of City Council Bill 17-0033.

MB:sd

cc: Ms. Karen Stokes, *Mayor’s Office of Government Relations*  
Mr. Kyron Banks, *Mayor’s Office of Government Relations*





**CITY OF BALTIMORE  
COUNCIL BILL 17-0033  
(First Reader)**

---

Introduced by: The Council President

At the request of: The Administration (Department of Housing and Community Development)

Introduced and read first time: March 20, 2017

Assigned to: Judiciary and Legislative Investigations Committee

---

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

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building Code – Correcting Definition of “High-Rise Building”**

3 FOR the purpose of deleting from the City Building Code an outdated definition of “high-rise  
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6 BY repealing and reordaining, with amendments  
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**Council Bill 17-0033**

1           **202.2.35 [High-rise building.** “High-rise building” has the meaning stated in State  
2           Public Safety Article § 9-401.] *{VACANT}*

3                   **Chapter 4. Special Detailed Requirements Based on Use and Occupancy**

4           **Section 403 High-Rise Buildings**

5           **[403.1 Applicability.** This § 403 applies to all “high-rise buildings”, as defined in State  
6           Public Safety Article § 9-401.]

7                   **[Exception: *{Not Adopted}*]**

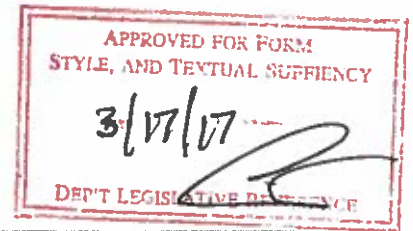
8           **[403.2] 403.1 to 403.4 *{As in IBC}***

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

12          **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
13          after the date it is enacted.



INTRODUCTORY\*  
CITY OF BALTIMORE  
COUNCIL BILL 17-0033



Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)

A BILL ENTITLED

AN ORDINANCE concerning

**Building Code – Correcting Definition of “High-Rise Building”**

JLZ  
Law  
HCD

FOR the purpose of deleting from the City Building Code an outdated definition of “high-rise building”, thereby conforming that term’s meaning to the more modern definition adopted by the International Building Code.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes  
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**202.2.35 [High-rise building.** “High-rise building” has the meaning stated in State Public Safety Article § 9-401.] *{VACANT}*

EXPLANATION: CAPITALS indicate matter added to existing law.  
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\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

## Chapter 4. Special Detailed Requirements Based on Use and Occupancy

### Section 403 High-Rise Buildings

[403.1 Applicability. This § 403 applies to all “high-rise buildings”, as defined in State Public Safety Article § 9-401.]

[Exception: *{Not Adopted}*]

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**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 17-0033**

---

Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: March 20, 2017  
Assigned to: Judiciary and Legislative Investigations Committee

---

Committee Report: Favorable  
Council action: Adopted  
Read second time: April 24, 2017

---

**AN ORDINANCE CONCERNING**

**Building Code – Correcting Definition of “High-Rise Building”**

FOR the purpose of deleting from the City Building Code an outdated definition of “high-rise building”, thereby conforming that term’s meaning to the more modern definition adopted by the International Building Code.

BY repealing and reordaining, with amendments  
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(2015 Edition)

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

**Part II. International Building Code**

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

**Chapter 2. Definitions; Rules of Construction**

**Section 202 Definitions**

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[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 17-0033

1           202.2.35 [High-rise building. "High-rise building" has the meaning stated in State  
2           Public Safety Article § 9-401.] {VACANT}

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13          after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City