

Introduced by: The Council President

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

Prepared by: Department of Legislative Reference

Date: February 1, 2017

Referred to: JUDICIARY AND LEGISLATIVE INVESTIGATIONS Committee

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

CITY COUNCIL 17-0017

A BILL ENTITLED

AN ORDINANCE concerning

Building, Fire, and Related Codes – International Residential Code – Corrections

FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes
Section 8-102 (FC § 605.11.1.2)
Baltimore City Revised Code
(2015 Edition)

BY adding

Article - Building, Fire, and Related Codes
Section 10-102 (RC § 327)
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: _____

Boards and Commissions

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: _____

Environmental Control Board

Fire & Police Employees' Retirement System

Labor Commissioner

Parking Authority Board

Planning Commission

Wage Commission

Other: _____

Other: _____

Other: _____

CITY OF BALTIMORE
ORDINANCE 17-008
Council Bill 17-0017

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: February 6, 2017
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable
Council action: Adopted
Read second time: February 27, 2017

AN ORDINANCE CONCERNING

Building, Fire, and Related Codes – International Residential Code – Corrections

FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

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Article - Building, Fire, and Related Codes

Section 8-102 (FC § 605.11.1.2)

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(2015 Edition)

BY adding

Article - Building, Fire, and Related Codes

Section 10-102 (RC § 327)

Baltimore City Revised Code

(2015 Edition)

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

Baltimore City Revised Code

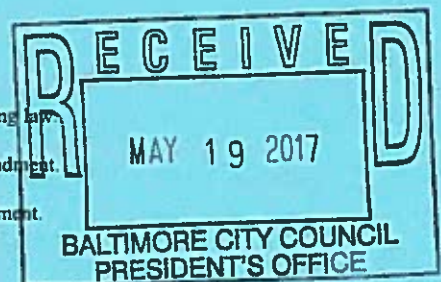
Article – Building, Fire, and Related Codes

Part VIII. International Fire Code

§ 8-102. City modifications.

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

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 17-0017

Chapter 6. Building Services and Systems

[Sections 605 to 608 {As in IFC}]

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.1 TO 605.10 {AS IN IFC}

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. {AS IN IFC}

605.11.1 ACCESS AND PATHWAYS. {AS IN IFC}

605.11.1.1 ROOF ACCESS POINTS. {AS IN IFC}

605.11.1.2 SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS. Solar photovoltaic systems for Group R-3 buildings shall comply with [Sections] §§ 605.11.1.2.1 through 605.11.1.2.5.

EXCEPTION: [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.]
{NOT ADOPTED}

605.11.1.2.1 TO 605.1.2.5 {AS IN IFC}

605.11.1.2 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS. {AS IN IFC}

605.12 ABANDONED WIRING IN PLENUMS. {AS IN IFC}

SECTIONS 606 TO 608 {AS IN IFC}

COMMENT: For several years, IRC § 324.7 parroted requirements also covered by IFC § 605.11 {"Solar photovoltaic power systems"}. Both of these sections have been incorporated by reference, without modification, into the City's BFR Codes, including the current 2015 Edition. Recently, however, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7, in its entirety, from the ICC's 2015 Edition of the IRC. Presumably, it did this in reliance on -- and to avoid undue redundancy with -- the like requirements already imposed by IFC § 605.11. Unfortunately, the persons responsible for this "Errata" seem to have overlooked the Exception to IFC § 605.11.1.2, which (as shown above) provides that the section's requirements governing solar photovoltaic systems for Group R-3 buildings "shall not apply to structures designed and constructed in accordance with the International Residential Code". This correction repeals that exception, thereby continuing the requirements -- and their consequent protections -- for all Group R-3 buildings, including those structures governed by the IRC.

Part X. International Residential Code

§ 10-102. City modifications.

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

Council Bill 17-0017

Chapter 3. Building Planning

SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES

327.1 DRIVEWAY ENTRANCES. ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES, REGULATIONS, AND PERMIT REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION.

327.2 SURFACE PAVING. PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. PERMEABLE PAVING SYSTEMS MAY BE UTILIZED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS. ALL PAVING MUST BE ABLE TO SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

327.3 PARKING AREAS. THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING AREAS MUST COMPLY WITH:

1. THE BALTIMORE CITY ZONING CODE, AND
2. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

327.4 SURFACE DRAINAGE. STORM DRAINAGE OFF PAVED SURFACE AREAS MUST BE PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR OTHER APPROVED WATER COURSES.

3112.6.1 LIMITATIONS. NO DRAINAGE MAY BE DISCHARGED:

1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A DRIVEWAY WITH A DEPRESSED CURB, OR
2. ACROSS ANY ADJOINING PROPERTY.

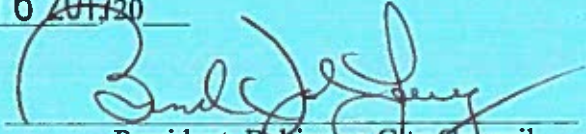
COMMENT: The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Until then, the IBC generally applied to all structures, including 1- and 2-family dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was amended to exclude from its scope those 1- and 2-family dwellings newly governed by the IRC. See BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings, were amended into the local RC by reference. Cf., e.g., RC § 404.6 {"Underpinning"}; RC § 910.1 {"Rooftop ... Structures"}. More recently, it was discovered that one set of local BC provisions (BC § 3112 {"Parking Lots, Driveways, and Other Paved Surfaces"}, relevant portions of which have also been long applicable to 1- and 2-family dwellings, was inadvertently overlooked. This section corrects that oversight by expressly incorporating those relevant portions into the RC

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 30th day after the date it is enacted.

Council Bill 17-0017

Certified as duly passed this _____ day of MAR 06 2017



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of MAR 06 2017




Chief Clerk

Approved this 17 day of March, 2017



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 9th Day of March 2017


Assistant Solicitor

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

BILL#: CC-17-0017 DATE: 2-21-17

**BILL TITLE: Building, Fire, And Related Codes –
International Residential Code - Corrections**

MOTION BY: SCOTT SECONDED BY: CLARKE

- 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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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| TOTALS | 6 | 0 | 1 | 0 |

CHAIRPERSON: C. V. [Signature]
 COMMITTEE STAFF: D'Paul S. Nibber, Initials: DN



HEARING NOTES

Bill: 17-0017

Building, Fire, And Related Codes - International Residential Code - Corrections

Committee: Judiciary and Legislative Investigations

Chaired By: Councilmember Eric Costello

Hearing Date: February 21, 2017

Time (Beginning): 10:20 a.m.

Time (Ending): 10:30 a.m.

Location: Clarence "Du" Burns Chamber

Total Attendance: ~20

Committee Members in Attendance:

Mary Pat Clarke John Bullock Brandon Scott

Leon Pinkett Robert Stokes Eric Costello

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

Major Speakers

(This is not an attendance record.)

- Ms. Sharon Duboin, Housing and Community Development
- Mr. Franc Udentia, Housing and Community Development

Major Issues Discussed

1. Chairman Costello introduced the proceedings and asked the agencies in attendance whether they stand by their reports. Each agency reported in the affirmative.
2. Ms. Sharon Duboin discussed the purpose of the Bill. She stated that the building code must be updated from time to time according to international standards. Ms. Duboin added that the current revision creates two changes affecting solar panels and certain rights-of-way.
3. Councilwoman Clarke asked what the meaning of photovoltaic systems is, and was told that it is a reference to solar panels. She then asked what the specific regulation would be as it pertains to solar panels. Mr. Franc Udentia informed the Councilwoman that it relates to fire safety, and requires a three foot right-of-way along two edges of a given roof for first responders.
4. Councilman Scott asked whether non-paved alleys, or "paper alleys," would be included in the regulations governing drainage. Mr. Udentia informed him that they likely would be because they are an area into which water drains and they are a "right-of-way" as described in the Bill.

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

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

D'Paul Nibber, Committee Staff

Date: February 22, 2017

cc: Bill File
OCS Chrono File



**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, February 21, 2017
10:05 AM**

CLARENCE "DU" BURNS COUNCIL CHAMBERS

***Council Bill 17-0017
Building, Fire, and Related Codes -
International Residential Code - Corrections***

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 17-0017

Building, Fire, And Related Codes - International Residential Code - Corrections

Sponsor: President Young, et al

Introduced: February 6, 2017

Purpose:

For the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

Effective: 30th day after the date it is enacted

Hearing Date/Time/Location: February 21, 2017/10:05 a.m./Clarence "Du" Burns Chamber

Agency Reports

| | |
|---|-----------|
| Department of Law | Favorable |
| Department of Housing and Community Development | Favorable |
| Department of Transportation | Favorable |
| Department of Public Works | Favorable |

ANALYSIS

Current Law

Council Bill 17-0017 amends the current building code, specifically City Code, Building, Fire, and Related Codes, § 8-102 (FC § 605.11.1.2).

Background

Council Bill 17-0017 revises the City's International Fire Code and International Residential Code with respect to solar photovoltaic systems, better known as solar energy panels. Specifically, it adopts new changes to the International Residential Code by the International Code Council, and repeals an unintentional exception for Group R-3 buildings regarding regulations that govern the use of solar panels. The Bill also amends the International Residential Code to improve consistency between the regulations concerning the driveways, paved surfaces, parking areas, and/or surface drainage of one- and two- family dwellings, and other residential units.

The Department of Law has approved the Bill for form and sufficiency. The Department of Housing and Community Development and the Department of Public Works offered favorable reports for 17-0014. The Department of Transportation also offered a favorable report, and noted that the language of the bill "clarifies the need for a permit from [DOT] when creating a driveway entrance on a public right-of-way."

Additional Information

Fiscal Note: Not Available

Information Source(s): Department of Housing and Community Development; Department of Law; Department of Transportation; Department of Public Works

Analysis by: *D'Paul S. Nibber*
D'Paul S. Nibber
Analysis Date: February 17, 2017

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE
COUNCIL BILL 17-0017
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: February 6, 2017
Assigned to: Judiciary and Legislative Investigations Committee
REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Department of Transportation, Department of Public Works

A BILL ENTITLED

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2 **Building, Fire, and Related Codes – International Residential Code – Corrections**

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EXPLANATION: CAPITALS indicate matter added to existing law.
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Council Bill 17-0017

Chapter 6. Building Services and Systems

[Sections 605 to 608 *{As in IFC}*]

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.1 TO 605.10 *{AS IN IFC}*

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Part X. International Residential Code

§ 10-102. City modifications.

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Council Bill 17-0017

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SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES

327.1 DRIVEWAY ENTRANCES. ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES, REGULATIONS, AND PERMIT REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION.

327.2 SURFACE PAVING. PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. PERMEABLE PAVING SYSTEMS MAY BE UTILIZED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS. ALL PAVING MUST BE ABLE TO SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

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COMMENT: The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Until then, the IBC generally applied to all structures, including 1- and 2-family dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was amended to exclude from its scope those 1- and 2-family dwellings newly governed by the IRC. See BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings, were amended into the local RC by reference. Cf., e.g., RC § 404.6 {"Underpinning"}; RC § 910.1 {"Rooftop ... Structures"}. More recently, it was discovered that one set of local BC provisions (BC § 3112 {"Parking Lots, Driveways, and Other Paved Surfaces"}), relevant portions of which have also been long applicable to 1- and 2-family dwellings, was inadvertently overlooked. This section corrects that oversight by expressly incorporating those relevant portions into the RC

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JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE

Council Bill 17-0017

Hearing Date: February 21, 2017

Agency Reports:

- **Department of Law**
 - **Favorable**
- **Department of Housing and Community Development**
 - **Favorable**
- **Department of Transportation**
 - **Favorable**
- **Department of Public Works**
 - **Favorable**

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

February 16, 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 17-0017 – Building, Fire, and Related Codes –
International Residential Code – Corrections

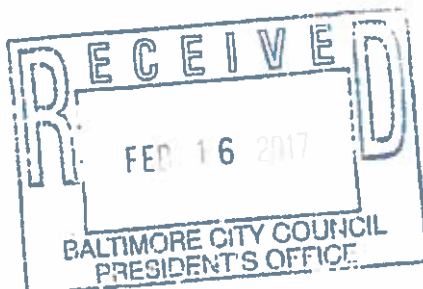
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0017 and approves it for form and legal sufficiency. The bill expressly continues the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings and reinstates the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

Sincerely,

Victor K. Terval
Chief Solicitor

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

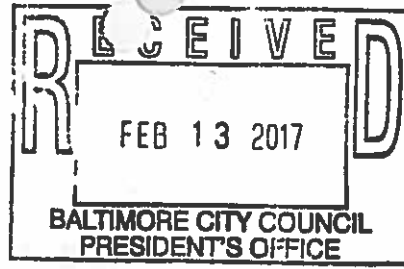




**BALTIMORE
HOUSING**

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
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 *MB*

Date: February 8, 2017

Re: **City Council Bill 17-0017 – Building, Fire, And Related Codes –
international Residential Code - Corrections**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0017 for the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

If enacted, this bill would modify two sections of the City's 2015 Edition of the Building, Fire and Related Codes (BFR). The first change would be to accommodate recent changes to the International Code Council (ICC) governing solar photovoltaic power systems that need to be incorporated into the local code. The second change is to add provisions in the local code that guide the development of parking lots, driveway and other paved surfaces.

The current version of the City's BFR Codes incorporates, by reference, the requirements of the International Residential Codes (IRC) §324.7 for Solar photovoltaic power systems. Recently, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7 in its entirety, except for a section that refers to Group R-3 buildings, which states, "These requirements shall not apply to structures designed and constructed in accordance with the IRC". The deletion was to avoid redundancy with like requirements in IFC § 605.11.1.2 but the failure to remove the language pertaining to R-3 building inadvertently removed the requirements of IRC from pertaining to Group R-3 Buildings. The proposed legislation repeals that language, thereby continuing the requirements – and their consequent protections – for all Group R-3 building, including those structures governed by the IRC.

The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Various local building code provisions not addressed by the IRC, but applicable




to 1 – and 2-family dwellings were amended into the BFR codes. Recently, it was discovered that the local building codes provisions for Parking Lots, Driveways, and Other Paved Surfaces, applicable to 1- and 2-family dwellings, was mistakenly omitted. This section corrects that oversight by expressly incorporating those relevant portions into the appropriate sections of the BFR codes.

The Department of Housing and Community Development encourages the passage of City Council Bill 17-0017.

MB:sd

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

| | | | | |
|------------------|-----------------------|---|----------------------|---|
| I R C M | NAME & TITLE | Frank J. Murphy, Acting Director | CITY of BALTIMORE |  |
| | AGENCY NAME & ADDRESS | Department of Transportation (DOT) 417 East Fayette Street, Room 527 | | |
| | SUBJECT | City Council Bill 17-0017 | M E M O | |

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

February 16, 2017

I am herein reporting on City Council Bill 17-0017 for the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

As drafted this bill would modify two sections of the City's 2015 Edition of the Building, Fire and Related Codes (BFR). The first change would be to accommodate recent changes to the International Code Council (ICC) governing solar photovoltaic power systems that need to be incorporated into the local code. The second change is to add provisions in the local code that guide the development of parking lots, driveway and other paved surfaces.

Recently, it was discovered that the local building codes provisions for Parking Lots, Driveways, and Other Paved Surfaces, applicable to 1- and 2-family dwellings, was mistakenly omitted. This bill corrects that oversight by expressly incorporating those relevant portions into the appropriate sections of the BFR codes. The new language clarifies the need for a permit from the Department of Transportation (DOT) when creating a driveway entrance on a public right-of-way.

DOT supports this bill.

Thank you for this opportunity to comment.

Respectfully,



Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office

| | | | | |
|-------------|----------------------------------|--|---|---|
| FROM | NAME & TITLE | Rudolph S. Chow, P.E., Director | CITY of BALTIMORE MEMO |  |
| | AGENCY NAME & ADDRESS | Department of Public Works 600 Abel Wolman Municipal Building | | |
| | SUBJECT | CITY COUNCIL BILL 17-0017 | | |

DATE: February 13, 2017

TO

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0017 introduced by the Council President at the request of the Administration (DHCD).

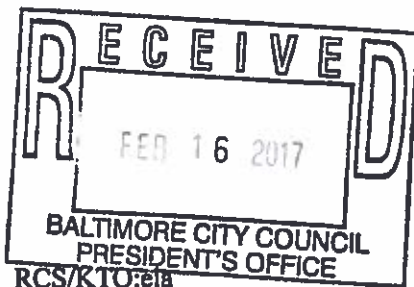
The purpose of this Bill is to expressly continue the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

The City's 2015 Edition of the Building, Fire and Related Codes (BFR) is in part comprised of the International Building Code (IBC), International Fire Code (IFC), and International Residential Code (IRC), among various other International Codes published by the International Code Council (ICC). City Council Bill 17-0017, if adopted, would amend two sections of the City's BFR Codes.

The first proposed change would accommodate recent changes made by the ICC to the IRC on solar photovoltaic power systems. The current version of the City's Code incorporates both the IRC § 324.7 and the IFC § 605.11, which each describe the same requirements for solar photovoltaic power systems. Recently, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7, in its entirety, from the ICC's 2015 Edition of the IRC, in order to avoid the redundancy with the IFC. However, the change did not repeal the language that exempts Group R-3 buildings that are designed and constructed in accordance with the IRC, thereby inadvertently removing the requirement for R-3 buildings to abide to the IFC. City Council Bill 17-0017 would repeal the exception language, ensuring that the requirements of the IFC regarding photovoltaic power systems also apply to all Group R-3 buildings.


Various local building code provisions not addressed by the IRC but applicable to 1- and 2-family dwellings are included in the City's BFR Codes. The second change proposed by City Council Bill 17-0017 would correct an oversight that had omitted the local building code provisions for parking lots, driveways, and other paved surfaces, applicable to 1- and 2-family dwellings. The legislation would expressly incorporate those relevant portions regarding driveway entrances, surface paving, parking areas, and surface drainage into the BFR Codes.

Based on these findings, the Department of Public Works supports the passage of City Council Bill 17-0017.



Sincerely,


Rudolph S. Chow, P.E.
Director

| | | | | |
|------------|-----------------------|---|----------------------|---|
| MEMORANDUM | NAME & TITLE | Frank J. Murphy, Acting Director | CITY of BALTIMORE |  |
| | AGENCY NAME & ADDRESS | Department of Transportation (DOT) 417 East Fayette Street, Room 527 | | |
| | SUBJECT | City Council Bill 17-0017 | MEMO | |

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

February 16, 2017

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DOT supports this bill.

Thank you for this opportunity to comment.

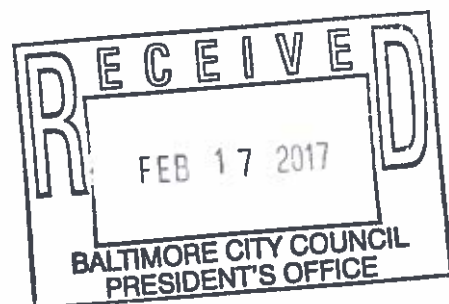
Respectfully,



Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office



F

| | | |
|-------------|-----------------------|--|
| FROM | NAME & TITLE | Rudolph S. Chow, P.E., Director |
| | AGENCY NAME & ADDRESS | Department of Public Works 600 Abel Wolman Municipal Building |
| | SUBJECT | CITY COUNCIL BILL 17-0017 |

CITY of
BALTIMORE
MEMO



DATE: February 13, 2017

TO

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

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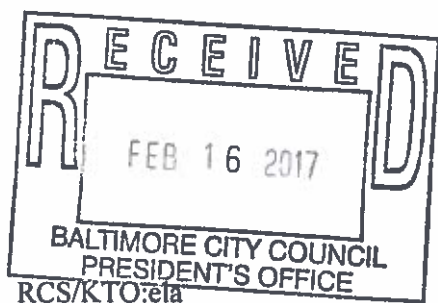
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Based on these findings, the Department of Public Works supports the passage of City Council Bill 17-0017.



Sincerely,

Rudolph S. Chow, P.E.
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

February 16, 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 17-0017 – Building, Fire, and Related Codes –
International Residential Code – Corrections

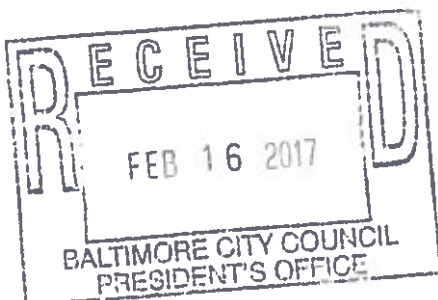
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0017 and approves it for form and legal sufficiency. The bill expressly continues the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings and reinstates the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

Sincerely,

Victor K. Tervala
Chief Solicitor

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

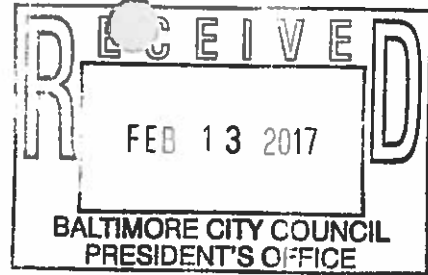




**BALTIMORE
HOUSING**

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
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: February 8, 2017

Re: **City Council Bill 17-0017 – Building, Fire, And Related Codes –
international Residential Code - Corrections**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0017 for the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

If enacted, this bill would modify two sections of the City's 2015 Edition of the Building, Fire and Related Codes (BFR). The first change would be to accommodate recent changes to the International Code Council (ICC) governing solar photovoltaic power systems that need to be incorporated into the local code. The second change is to add provisions in the local code that guide the development of parking lots, driveway and other paved surfaces.

The current version of the City's BFR Codes incorporates, by reference, the requirements of the International Residential Codes (IRC) §324.7 for Solar photovoltaic power systems. Recently, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7 in its entirety, except for a section that refers to Group R-3 buildings, which states, "These requirements shall not apply to structures designed and constructed in accordance with the IRC". The deletion was to avoid redundancy with like requirements in IFC § 605.11.1.2 but the failure to remove the language pertaining to R-3 building inadvertently removed the requirements of IRC from pertaining to Group R-3 Buildings. The proposed legislation repeals that language, thereby continuing the requirements – and their consequent protections – for all Group R-3 building, including those structures governed by the IRC.

The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Various local building code provisions not addressed by the IRC, but applicable



to 1 – and 2-family dwellings were amended into the BFR codes. Recently, it was discovered that the local building codes provisions for Parking Lots, Driveways, and Other Paved Surfaces, applicable to 1- and 2-family dwellings, was mistakenly omitted. This section corrects that oversight by expressly incorporating those relevant portions into the appropriate sections of the BFR codes.

The Department of Housing and Community Development encourages the passage of City Council Bill 17-0017.

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 17-0017
(First Reader)**

Introduced by: The Council President

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

Introduced and read first time: February 6, 2017

Assigned to: Judiciary and Legislative Investigations Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building, Fire, and Related Codes – International Residential Code – Corrections**

3 FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for
4 all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations
5 governing driveways and other paved surfaces for all 1- and 2-family dwellings.

6 BY repealing and reordaining, with amendments

7 Article - Building, Fire, and Related Codes

8 Section 8-102 (FC § 605.11.1.2)

9 Baltimore City Revised Code

10 (2015 Edition)

11 BY adding

12 Article - Building, Fire, and Related Codes

13 Section 10-102 (RC § 327)

14 Baltimore City Revised Code

15 (2015 Edition)

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

18 **Baltimore City Revised Code**

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

20 **Part VIII. International Fire Code**

21 **§ 8-102. City modifications.**

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

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

Council Bill 17-0017

Chapter 6. Building Services and Systems

[Sections 605 to 608 {As in IFC}]

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.1 TO 605.10 {AS IN IFC}

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. {AS IN IFC}

605.11.1 ACCESS AND PATHWAYS. {AS IN IFC}

605.11.1.1 ROOF ACCESS POINTS. {AS IN IFC}

605.11.1.2 SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS. Solar photovoltaic systems for Group R-3 buildings shall comply with [Sections] §§ 605.11.1.2.1 through 605.11.1.2.5.

EXCEPTION: [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.]
{NOT ADOPTED}

605.11.1.2.1 TO 605.1.2.5 {AS IN IFC}

605.11.1.2 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS. {AS IN IFC}

605.12 ABANDONED WIRING IN PLENUMS. {AS IN IFC}

SECTIONS 606 TO 608 {AS IN IFC}

COMMENT: For several years, IRC § 324.7 parroted requirements also covered by IFC § 605.11 {"Solar photovoltaic power systems"}. Both of these sections have been incorporated by reference, without modification, into the City's BFR Codes, including the current 2015 Edition. Recently, however, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7, in its entirety, from the ICC's 2015 Edition of the IRC. Presumably, it did this in reliance on – and to avoid undue redundancy with – the like requirements already imposed by IFC § 605.11. Unfortunately, the persons responsible for this "Errata" seem to have overlooked the Exception to IFC § 605.11.1.2, which (as shown above) provides that the section's requirements governing solar photovoltaic systems for Group R-3 buildings "shall not apply to structures designed and constructed in accordance with the International Residential Code". This correction repeals that exception, thereby continuing the requirements – and their consequent protections – for all Group R-3 buildings, including those structures governed by the IRC.

Part X. International Residential Code

§ 10-102. City modifications.

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

Council Bill 17-0017

Chapter 3. Building Planning

SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES

327.1 DRIVEWAY ENTRANCES. ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES, REGULATIONS, AND PERMIT REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION.

327.2 SURFACE PAVING. PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. PERMEABLE PAVING SYSTEMS MAY BE UTILIZED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS. ALL PAVING MUST BE ABLE TO SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

327.3 PARKING AREAS. THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING AREAS MUST COMPLY WITH:

- 1. THE BALTIMORE CITY ZONING CODE, AND
2. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

327.4 SURFACE DRAINAGE. STORM DRAINAGE OFF PAVED SURFACE AREAS MUST BE PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR OTHER APPROVED WATER COURSES.

3112.6.1 LIMITATIONS. NO DRAINAGE MAY BE DISCHARGED:

- 1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A DRIVEWAY WITH A DEPRESSED CURB, OR
2. ACROSS ANY ADJOINING PROPERTY.

COMMENT: The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Until then, the IBC generally applied to all structures, including 1- and 2-family dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was amended to exclude from its scope those 1- and 2-family dwellings newly governed by the IRC. See BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings, were amended into the local RC by reference. Cf., e.g., RC § 404.6 {"Underpinning"}; RC § 910.1 {"Rooftop ... Structures"}. More recently, it was discovered that one set of local BC provisions (BC § 3112 {"Parking Lots, Driveways, and Other Paved Surfaces"}), relevant portions of which have also been long applicable to 1- and 2-family dwellings, was inadvertently overlooked. This section corrects that oversight by expressly incorporating those relevant portions into the RC

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 30th day after the date it is enacted.

Avery

Catherine E. Pugh
Mayor



Room 250, City Hall
Baltimore, MD 21202

January 31, 2017

TO: Avery Aisenstark, Director, Department of Legislative Reference
FROM: Angela C. Gibson, Mayor's Legislative Liaison to the City Council *acg:sw*
SUBJECT: Bill Introduction for the Administration:
An Ordinance Concerning:
**Building, Fire, and Related Codes – International Residential
Code - Corrections**

Please prepare the attached for introduction at the City Council meeting scheduled for Monday, February 6, 2017. This bill is introduced at the request of the Administration (Department of Housing and Community Development). Please return legislation to this office when completed.

If you have any questions regarding this legislation, please contact Sharon Daboin at 410.361.9015.

Thank you

ACG:sw

Attachment

cc: Peter Hammen, Chief of Operations
Karen Stokes, Director, Mayor's Office of Government Relations

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

| |
|--|
| APPROVED FOR FORM STYLE, AND TEXTUAL EFFICIENCY |
| 2-1-17 |
| DEPT LEGISLATIVE REFERENCE |

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

A BILL ENTITLED

AN ORDINANCE concerning

Building, Fire, and Related Codes – International Residential Code – Corrections

FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes
Section 8-102 (FC § 605.11.1.2)
Baltimore City Revised Code
(2015 Edition)

BY adding

Article - Building, Fire, and Related Codes
Section 10-102 (RC § 327)
Baltimore City Revised Code
(2015 Edition)

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

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part VIII. International Fire Code

§ 8-102. City modifications.

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

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Chapter 6. Building Services and Systems

[Sections 605 to 608 *{As in IFC}*]

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.1 TO 605.10 *{AS IN IFC}*

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. *{AS IN IFC}*

605.11.1 ACCESS AND PATHWAYS. *{AS IN IFC}*

605.11.1.1 ROOF ACCESS POINTS. *{AS IN IFC}*

605.11.1.2 SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS. Solar photovoltaic systems for Group R-3 buildings shall comply with [Sections] §§ 605.11.1.2.1 through 605.11.1.2.5.

EXCEPTION: [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.]
{NOT ADOPTED}

605.11.1.2.1 TO 605.1.2.5 *{AS IN IFC}*

605.11.1.2 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS. *{AS IN IFC}*

605.12 ABANDONED WIRING IN PLENUMS. *{AS IN IFC}*

SECTIONS 606 TO 608 *{AS IN IFC}*

COMMENT: For several years, IRC § 324.7 parroted requirements also covered by IFC § 605.11 (“Solar photovoltaic power systems”). Both of these sections have been incorporated by reference, without modification, into the City’s BFR Codes, including the current 2015 Edition. Recently, however, the ICC posted an “Errata” that, among other things, “deleted” IRC § 324.7, in its entirety, from the ICC’s 2015 Edition of the IRC. Presumably, it did this in reliance on – and to avoid undue redundancy with -- the like requirements already imposed by IFC § 605.11. Unfortunately, the persons responsible for this “Errata” seem to have overlooked the Exception to IFC § 605.11.2, which (as shown above) provides that the section’s requirements governing solar photovoltaic systems for Group R-3 buildings “shall not apply to structures designed and constructed in accordance with the International Residential Code”. This correction repeals that exception, thereby continuing the requirements – and their consequent protections – for all Group R-3 buildings, including those structures governed by the IRC.

Part X. International Residential Code

§ 10-102. City modifications.

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

Chapter 3. Building Planning

SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES

327.1 DRIVEWAY ENTRANCES. ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES, REGULATIONS, AND PERMIT REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION.

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



11 11 11

ACTION BY THE CITY COUNCIL

FEB 06 2017

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON FEBRUARY 21 20 17

COMMITTEE REPORT AS OF FEBRUARY 27 20 17

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

X C.V. [Signature]
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:

FEB 27 2017

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

THIRD READING _____ MAR 06 2017

_____ 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 _____ 20 _____

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

[Signature]
President

[Signature]
Chief Clerk

| | | | | |
|------------------|----------------------------------|---|----------------------|---|
| M E M O | NAME & TITLE | Frank J. Murphy, Acting Director | CITY of BALTIMORE |  |
| | AGENCY NAME & ADDRESS | Department of Transportation (DOT) 417 East Fayette Street, Room 527 | | |
| | SUBJECT | City Council Bill 17-0017 | MEMO | |

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

February 16, 2017

I am herein reporting on City Council Bill 17-0017 for the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

As drafted this bill would modify two sections of the City's 2015 Edition of the Building, Fire and Related Codes (BFR). The first change would be to accommodate recent changes to the International Code Council (ICC) governing solar photovoltaic power systems that need to be incorporated into the local code. The second change is to add provisions in the local code that guide the development of parking lots, driveway and other paved surfaces.

Recently, it was discovered that the local building codes provisions for Parking Lots, Driveways, and Other Paved Surfaces, applicable to 1- and 2-family dwellings, was mistakenly omitted. This bill corrects that oversight by expressly incorporating those relevant portions into the appropriate sections of the BFR codes. The new language clarifies the need for a permit from the Department of Transportation (DOT) when creating a driveway entrance on a public right-of-way.

DOT supports this bill.

Thank you for this opportunity to comment.

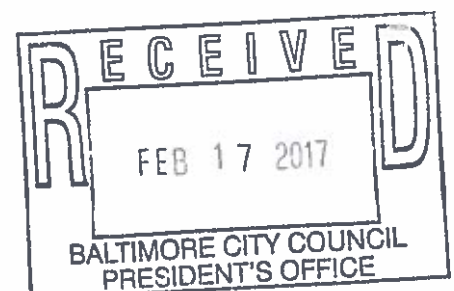
Respectfully,



Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyrone Banks, Mayor's Office

| | | |
|-------------|-----------------------|--|
| FROM | NAME & TITLE | Rudolph S. Chow, P.E., Director |
| | AGENCY NAME & ADDRESS | Department of Public Works 600 Abel Wolman Municipal Building |
| | SUBJECT | CITY COUNCIL BILL 17-0017 |

CITY of
BALTIMORE
MEMO



DATE: February 13, 2017

TO

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0017 introduced by the Council President at the request of the Administration (DHCD).

The purpose of this Bill is to expressly continue the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.


The City's 2015 Edition of the Building, Fire and Related Codes (BFR) is in part comprised of the International Building Code (IBC), International Fire Code (IFC), and International Residential Code (IRC), among various other International Codes published by the International Code Council (ICC). City Council Bill 17-0017, if adopted, would amend two sections of the City's BFR Codes.

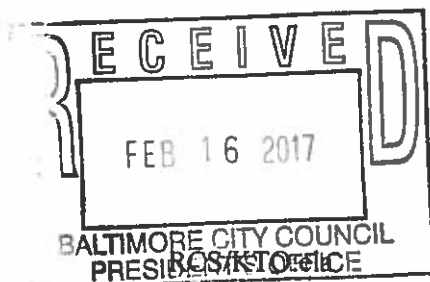
The first proposed change would accommodate recent changes made by the ICC to the IRC on solar photovoltaic power systems. The current version of the City's Code incorporates both the IRC § 324.7 and the IFC § 605.11, which each describe the same requirements for solar photovoltaic power systems. Recently, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7, in its entirety, from the ICC's 2015 Edition of the IRC, in order to avoid the redundancy with the IFC. However, the change did not repeal the language that exempts Group R-3 buildings that are designed and constructed in accordance with the IRC, thereby inadvertently removing the requirement for R-3 buildings to abide to the IFC. City Council Bill 17-0017 would repeal the exception language, ensuring that the requirements of the IFC regarding photovoltaic power systems also apply to all Group R-3 buildings.

Various local building code provisions not addressed by the IRC but applicable to 1- and 2-family dwellings are included in the City's BFR Codes. The second change proposed by City Council Bill 17-0017 would correct an oversight that had omitted the local building code provisions for parking lots, driveways, and other paved surfaces, applicable to 1- and 2-family dwellings. The legislation would expressly incorporate those relevant portions regarding driveway entrances, surface paving, parking areas, and surface drainage into the BFR Codes.

Based on these findings, the Department of Public Works supports the passage of City Council Bill 17-0017.

Sincerely,


Rudolph S. Chow, P.E.
Director



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

February 16, 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 17-0017 – Building, Fire, and Related Codes –
International Residential Code – Corrections

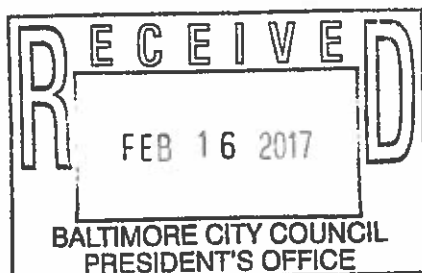
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0017 and approves it for form and legal sufficiency. The bill expressly continues the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings and reinstates the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

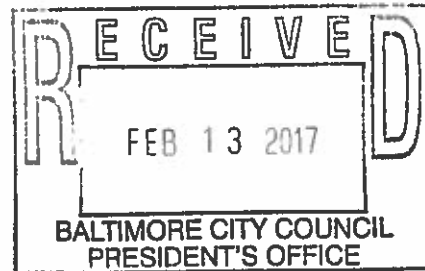
Sincerely,

Victor K. Tervala
Chief Solicitor

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



F



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: February 8, 2017

Re: **City Council Bill 17-0017 – Building, Fire, And Related Codes – international Residential Code - Corrections**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0017 for the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

If enacted, this bill would modify two sections of the City's 2015 Edition of the Building, Fire and Related Codes (BFR). The first change would be to accommodate recent changes to the International Code Council (ICC) governing solar photovoltaic power systems that need to be incorporated into the local code. The second change is to add provisions in the local code that guide the development of parking lots, driveway and other paved surfaces.

The current version of the City's BFR Codes incorporates, by reference, the requirements of the International Residential Codes (IRC) §324.7 for Solar photovoltaic power systems. Recently, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7 in its entirety, except for a section that refers to Group R-3 buildings, which states, "These requirements shall not apply to structures designed and constructed in accordance with the IRC". The deletion was to avoid redundancy with like requirements in IFC § 605.11.1.2 but the failure to remove the language pertaining to R-3 building inadvertently removed the requirements of IRC from pertaining to Group R-3 Buildings. The proposed legislation repeals that language, thereby continuing the requirements – and their consequent protections – for all Group R-3 building, including those structures governed by the IRC.

The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Various local building code provisions not addressed by the IRC, but applicable

A



**CITY OF BALTIMORE
COUNCIL BILL 17-0017
(First Reader)**

Introduced by: The Council President

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

Introduced and read first time: February 6, 2017

Assigned to: Judiciary and Legislative Investigations Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building, Fire, and Related Codes – International Residential Code – Corrections**

3 FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for
4 all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations
5 governing driveways and other paved surfaces for all 1- and 2-family dwellings.

6 BY repealing and reordaining, with amendments

7 Article - Building, Fire, and Related Codes

8 Section 8-102 (FC § 605.11.1.2)

9 Baltimore City Revised Code

10 (2015 Edition)

11 BY adding

12 Article - Building, Fire, and Related Codes

13 Section 10-102 (RC § 327)

14 Baltimore City Revised Code

15 (2015 Edition)

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

18 **Baltimore City Revised Code**

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

20 **Part VIII. International Fire Code**

21 **§ 8-102. City modifications.**

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

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

Council Bill 17-0017

Chapter 6. Building Services and Systems

[Sections 605 to 608 *{As in IFC}*]

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.1 TO 605.10 *{AS IN IFC}*

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. *{AS IN IFC}*

605.11.1 ACCESS AND PATHWAYS. *{AS IN IFC}*

605.11.1.1 ROOF ACCESS POINTS. *{AS IN IFC}*

605.11.1.2 SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS. Solar photovoltaic systems for Group R-3 buildings shall comply with [Sections] §§ 605.11.1.2.1 through 605.11.1.2.5.

EXCEPTION: [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.]
{NOT ADOPTED}

605.11.1.2.1 TO 605.1.2.5 *{AS IN IFC}*

605.11.1.2 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS. *{AS IN IFC}*

605.12 ABANDONED WIRING IN PLENUMS. *{AS IN IFC}*

SECTIONS 606 TO 608 *{AS IN IFC}*

COMMENT: For several years, IRC § 324.7 parroted requirements also covered by IFC § 605.11 {"Solar photovoltaic power systems"}. Both of these sections have been incorporated by reference, without modification, into the City's BFR Codes, including the current 2015 Edition. Recently, however, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7, in its entirety, from the ICC's 2015 Edition of the IRC. Presumably, it did this in reliance on -- and to avoid undue redundancy with -- the like requirements already imposed by IFC § 605.11. Unfortunately, the persons responsible for this "Errata" seem to have overlooked the Exception to IFC § 605.11.1.2, which (as shown above) provides that the section's requirements governing solar photovoltaic systems for Group R-3 buildings "shall not apply to structures designed and constructed in accordance with the International Residential Code". This correction repeals that exception, thereby continuing the requirements -- and their consequent protections -- for all Group R-3 buildings, including those structures governed by the IRC.

Part X. International Residential Code

§ 10-102. City modifications.

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

Council Bill 17-0017

Chapter 3. Building Planning

SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES

327.1 DRIVEWAY ENTRANCES. ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES, REGULATIONS, AND PERMIT REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION.

327.2 SURFACE PAVING. PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. PERMEABLE PAVING SYSTEMS MAY BE UTILIZED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS. ALL PAVING MUST BE ABLE TO SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

327.3 PARKING AREAS. THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING AREAS MUST COMPLY WITH:

1. THE BALTIMORE CITY ZONING CODE, AND
2. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

327.4 SURFACE DRAINAGE. STORM DRAINAGE OFF PAVED SURFACE AREAS MUST BE PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR OTHER APPROVED WATER COURSES.

3112.6.1 LIMITATIONS. NO DRAINAGE MAY BE DISCHARGED:

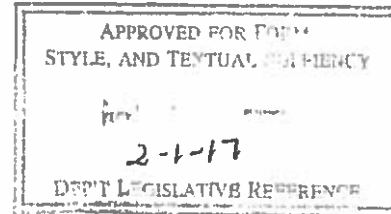
1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A DRIVEWAY WITH A DEPRESSED CURB, OR
2. ACROSS ANY ADJOINING PROPERTY.

COMMENT: The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Until then, the IBC generally applied to all structures, including 1- and 2-family dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was amended to exclude from its scope those 1- and 2-family dwellings newly governed by the IRC. See BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings, were amended into the local RC by reference. Cf., e.g., RC § 404.6 {"Underpinning"}; RC § 910.1 {"Rooftop ... Structures"}. More recently, it was discovered that one set of local BC provisions (BC § 3112 {"Parking Lots, Driveways, and Other Paved Surfaces"}), relevant portions of which have also been long applicable to 1- and 2-family dwellings, was inadvertently overlooked. This section corrects that oversight by expressly incorporating those relevant portions into the RC

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 30th day after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL 17-0017



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

A BILL ENTITLED

AN ORDINANCE concerning

Building, Fire, and Related Codes – International Residential Code – Corrections

JLI
Law
HcD
Dot
DPW

FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

BY repealing and reordaining, with amendments

Article - Building, Fire, and Related Codes
Section 8-102 (FC § 605.11.1.2)
Baltimore City Revised Code
(2015 Edition)

BY adding

Article - Building, Fire, and Related Codes
Section 10-102 (RC § 327)
Baltimore City Revised Code
(2015 Edition)

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

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part VIII. International Fire Code

§ 8-102. City modifications.

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

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Chapter 6. Building Services and Systems

[Sections 605 to 608 *{As in IFC}*]

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.1 TO 605.10 *{AS IN IFC}*

605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. *{AS IN IFC}*

605.11.1 ACCESS AND PATHWAYS. *{AS IN IFC}*

605.11.1.1 ROOF ACCESS POINTS. *{AS IN IFC}*

605.11.1.2 SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS. Solar photovoltaic systems for Group R-3 buildings shall comply with [Sections] §§ 605.11.1.2.1 through 605.11.1.2.5.

EXCEPTION: [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.]
{NOT ADOPTED}

605.11.1.2.1 TO 605.1.2.5 *{AS IN IFC}*

605.11.1.2 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS. *{AS IN IFC}*

605.12 ABANDONED WIRING IN PLENUMS. *{AS IN IFC}*

SECTIONS 606 TO 608 *{AS IN IFC}*

COMMENT: For several years, IRC § 324.7 parroted requirements also covered by IFC § 605.11 (“Solar photovoltaic power systems”). Both of these sections have been incorporated by reference, without modification, into the City’s BFR Codes, including the current 2015 Edition. Recently, however, the ICC posted an “Errata” that, among other things, “deleted” IRC § 324.7, in its entirety, from the ICC’s 2015 Edition of the IRC. Presumably, it did this in reliance on – and to avoid undue redundancy with – the like requirements already imposed by IFC § 605.11. Unfortunately, the persons responsible for this “Errata” seem to have overlooked the Exception to IFC § 605.11.2, which (as shown above) provides that the section’s requirements governing solar photovoltaic systems for Group R-3 buildings “shall not apply to structures designed and constructed in accordance with the International Residential Code”. This correction repeals that exception, thereby continuing the requirements – and their consequent protections – for all Group R-3 buildings, including those structures governed by the IRC.

Part X. International Residential Code

§ 10-102. City modifications.

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

Chapter 3. Building Planning

SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES

327.1 DRIVEWAY ENTRANCES. ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES, REGULATIONS, AND PERMIT REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION.

327.2 SURFACE PAVING. PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. PERMEABLE PAVING SYSTEMS MAY BE UTILIZED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS. ALL PAVING MUST BE ABLE TO SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

327.3 PARKING AREAS. THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING AREAS MUST COMPLY WITH:

1. THE BALTIMORE CITY ZONING CODE, AND
2. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

327.4 SURFACE DRAINAGE. STORM DRAINAGE OFF PAVED SURFACE AREAS MUST BE PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR OTHER APPROVED WATER COURSES.

3112.6.1 LIMITATIONS. NO DRAINAGE MAY BE DISCHARGED:

1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A DRIVEWAY WITH A DEPRESSED CURB, OR
2. ACROSS ANY ADJOINING PROPERTY.

COMMENT: The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Until then, the IBC generally applied to all structures, including 1- and 2-family dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was amended to exclude from *its* scope those 1- and 2-family dwellings newly governed by the IRC. *See* BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings, were amended into the local RC by reference. *Cf.*, e.g., RC § 404.6 {"Underpinning"}; RC § 910.1 {"Roofstop ... Structures"}. More recently, it was discovered that one set of local BC provisions (BC § 3112 {"Parking Lots, Driveways, and Other Paved Surfaces"}, relevant portions of which have also been long applicable to 1- and 2-family dwellings, was inadvertently overlooked. This section corrects that oversight by expressly incorporating those relevant portions into the RC

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 30th day after the date it is enacted.

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0017

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: February 6, 2017
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: February 27, 2017

AN ORDINANCE CONCERNING

1 Building, Fire, and Related Codes – International Residential Code – Corrections

2 FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for
3 all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations
4 governing driveways and other paved surfaces for all 1- and 2-family dwellings.

5 BY repealing and reordaining, with amendments

6 Article - Building, Fire, and Related Codes
7 Section 8-102 (FC § 605.11.1.2)
8 Baltimore City Revised Code
9 (2015 Edition)

10 BY adding

11 Article - Building, Fire, and Related Codes
12 Section 10-102 (RC § 327)
13 Baltimore City Revised Code
14 (2015 Edition)

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

Baltimore City Revised Code

Article – Building, Fire, and Related Codes

Part VIII. International Fire Code

20 § 8-102. City modifications.

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

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 17-0017

Chapter 6. Building Services and Systems

[Sections 605 to 608 *{As in IFC}*]

SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

605.1 TO 605.10 *{AS IN IFC}*

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EXCEPTION: [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.]
{NOT ADOPTED}

605.11.1.2.1 TO 605.1.2.5 *{AS IN IFC}*

605.11.1.2 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS. *{AS IN IFC}*

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Part X. International Residential Code

§ 10-102. City modifications.

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

Council Bill 17-0017

Chapter 3. Building Planning

SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES

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1. THE BALTIMORE CITY ZONING CODE, AND
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3112.6.1 LIMITATIONS. NO DRAINAGE MAY BE DISCHARGED:

1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A DRIVEWAY WITH A DEPRESSED CURB, OR
2. ACROSS ANY ADJOINING PROPERTY.

COMMENT: The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Until then, the IBC generally applied to all structures, including 1- and 2-family dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was amended to exclude from its scope those 1- and 2-family dwellings newly governed by the IRC. See BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings, were amended into the local RC by reference. Cf., e.g., RC § 404.6 {"Underpinning"}; RC § 910.1 {"Rooftop ... Structures"}. More recently, it was discovered that one set of local BC provisions (BC § 3112 {"Parking Lots, Driveways, and Other Paved Surfaces"}), relevant portions of which have also been long applicable to 1- and 2-family dwellings, was inadvertently overlooked. This section corrects that oversight by expressly incorporating those relevant portions into the RC

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 30th day after the date it is enacted.

Council Bill 17-0017

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