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**CITY OF BALTIMORE**

**BRANDON M. SCOTT**  
Mayor



**DEPARTMENT OF LAW**  
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September 16, 2025

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

Re: City Council Bill 25-0062 – Building Code – Single Exit from Residential Occupancy

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0062 for form and legal sufficiency. The bill would amend the City’s Building Code to permit certain residential buildings to have a single exit or access to a single exit, so long as certain conditions are met regarding the construction of the exit.

The Mayor and City Council of Baltimore have the express power to pass laws that promote the general welfare and to regulate the “construction, use, operation, maintenance and removal of buildings and structures, or any part thereof, of every kind.” City Charter, Art. II, §§ (1), (47). This broad express legislative power is subject to the statewide Maryland Building Performance Standards (“MBPS” or “Standards”), made up of the International Building Code (IBC), the International Residential Code (IRC), and the International Energy Conservation Code (IECC), with modifications by the State. Code of Maryland Regulations (“COMAR”), 09.12.51.02; Md. Code, Pub. Saf., § 12-501(h). State law requires each jurisdiction in Maryland to “implement and enforce” the Standards for buildings and structures, subject to any local amendments. Md. Code, Pub. Saf., §12-505(a)(1)(i).

Local jurisdictions may modify the Standards subject to certain restrictions.

(a)(1) A local jurisdiction may adopt local amendments to the Standards if the local amendments do not:

- (i) prohibit the minimum implementation and enforcement activities set forth in § 12-505 of this subtitle;
- (ii) weaken energy conservation and efficiency provisions contained in the Standards;
- (iii) except as provided in paragraph (3) of this subsection, weaken the automatic fire sprinkler systems provisions for townhouses and one- and two-family dwellings contained in the Standards; or

(iv) weaken wind design and wind-borne debris provisions contained in the Standards.

Md. Code, Pub. Saf., §12-504(a)(1).

These state restrictions do not prohibit the amendments proposed in City Council Bill 25-0062, which would allow single exit or access to a single exit for a building when certain conditions are met.

These amendments conflict with the means of egress standards outlined in the 2021 International Building Code (“IBC”), which only permit single exit or access to a single exit from any story or occupied roof when certain conditions exist. IBC 1006.3.4 (as incorporated by reference by COMAR 09.12.51.04). However, state law allows local jurisdictions to pass amendments that conflict with the Standards. Md. Code, Pub. Saf., §12-504 (c) (“If local amendment conflicts with the Standards, the local amendment prevails in the local jurisdiction.”).

A local jurisdiction must adopt a local amendment in accordance with applicable local law and provide a copy of the local amendment to the Department at least 15 days before the effective date of the amendment or within 5 days after the adoption of an emergency local amendment. Md. Code, Public Safety § 12-504(d)-(e).

As there are no legal impediments to this bill, the Law Department can approve it for form and legal sufficiency

Sincerely,



Desiree Luckey

Assistant Solicitor

cc: Ebony Thompson, City Solicitor  
Hilary Ruley, Chief Solicitor  
Jeff Hochstetler, Chief Solicitor  
Ashlea Brown, Chief Solicitor  
Michelle Toth, Assistant Solicitor