

**CITY OF BALTIMORE  
COUNCIL BILL 07-632  
(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: April 16, 2007

Assigned to: Judiciary and Legislative Investigations Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Building, Fire, and Related Codes – 2007 Edition**

3 FOR the purpose of adopting a revised Building, Fire, and Related Codes Article, comprising the  
4 Maryland Building Performance Standards (effective \_\_\_\_\_, 2007), the  
5 International Building Code (2006 Edition), the National Electrical Code (2005 Edition), the  
6 National Fuel Gas Code (2006 Edition), the International Mechanical Code (2006 Edition),  
7 the National Standard Plumbing Code (2006 Edition, 2007 Supplement), the International  
8 Property Maintenance Code (2006 Edition), the International Fire Code (2006 Edition), the  
9 International Energy Conservation Code (2006 Edition), and the International Residential  
10 Code for One- and Two-Family Dwellings, all as supplemented, amended, or otherwise  
11 modified by this Ordinance; providing for the effect, construction, and effective date of these  
12 new standards and codes; conforming, correcting, and clarifying certain language; and  
13 generally relating to the adoption of new building, fire, property maintenance, electrical,  
14 plumbing, mechanical, and related codes for Baltimore City.

15 BY repealing

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

20 BY adding

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

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

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1 BY repealing and reordaining, with amendments  
2 Article - Health  
3 Section(s) 5-301(d)  
4 Baltimore City Revised Code  
5 (Edition 2000)

6 BY repealing and reordaining, with amendments  
7 Article - Zoning  
8 Section(s) 13-719(d)  
9 Baltimore City Revised Code  
10 (Edition 2000)

11 BY repealing and reordaining, with amendments  
12 Article 9 - Fire Suppression and Prevention  
13 Section(s) 9-5(b)  
14 Baltimore City Code  
15 (Edition 2000)

16 BY repealing and reordaining, with amendments  
17 Article 13 - Housing and Urban Renewal  
18 Section(s) 13-5, 13-8  
19 Baltimore City Code  
20 (Edition 2000)

21 BY repealing and reordaining, with amendments  
22 Article 15 - Licensing and Regulation  
23 Section(s) 1-28(a), 3-8(b)  
24 Baltimore City Code  
25 (Edition 2000)

26 BY repealing and reordaining, with amendments  
27 Article 28 - Taxes  
28 Section(s) 10-6(d), 10-8(f)  
29 Baltimore City Code  
30 (Edition 2000)

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

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

34 **Baltimore City Revised Code**

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

**PART I. MARYLAND BUILDING PERFORMANCE STANDARDS**

**§ 1-101. STATE ACTION.**

(A) *IN GENERAL.*

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

(B) *CONTENTS.*

AS AMENDED EFFECTIVE \_\_\_\_\_, 2007, THESE STANDARDS CONSIST OF:

(1) THE INTERNATIONAL BUILDING CODE (2006 EDITION), WITH CERTAIN STATE MODIFICATIONS {COMAR 05.02.07.04A AND B}; AND

(2) THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (2006 EDITION), WITH CERTAIN STATE MODIFICATIONS {COMAR 05.02.07.04C}.

**§ 1-102. CITY ADOPTION.**

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

(1) IN THE INTERNATIONAL BUILDING CODE (2006 EDITION):

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

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

(2) IN THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (2006 EDITION):

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

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

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**PART II. INTERNATIONAL BUILDING CODE**

**§ 2-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE INTERNATIONAL BUILDING CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART II.

(B) *CODIFICATION.*

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

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

THE MARYLAND BUILDING PERFORMANCE STANDARDS CONTAIN CERTAIN STATE MODIFICATIONS TO THE INTERNATIONAL BUILDING CODE. THE STATE MODIFICATIONS THAT BALTIMORE CITY HAS ADOPTED ARE REPEATED IN THIS PART II, FOR THE USER’S CONVENIENCE, IN THE APPROPRIATE CHAPTER, SECTION, OR OTHER PROVISION. THESE STATE MODIFICATIONS ARE LABELED “MBPS MODIFICATION”.

**§ 2-103. CITY MODIFICATIONS.**

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

**CHAPTER 1. ADMINISTRATION**

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

**SECTION 101 GENERAL**

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

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

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

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

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

4           **101.2.1 APPENDICES {PER MBPS MODIFICATION}**. THE APPENDICES TO THE INTERNATIONAL  
5 BUILDING CODE APPLY AS FOLLOWS:

6               **101.2.1.1 APPENDICES ADOPTED.** THE PROVISIONS OF THE FOLLOWING APPENDICES ARE  
7 ADOPTED AS PART OF THIS CODE:

- 8                   1. APPENDIX C: “GROUP U – AGRICULTURAL BUILDINGS”.
- 9                   2. APPENDIX D: “DOWNTOWN FIRE DISTRICT”.
- 10                  3. APPENDIX F: “RODENT PROOFING”.
- 11                  4. APPENDIX G: “FLOOD RESISTANT CONSTRUCTION”.
- 12                  5. APPENDIX H: “SIGNS”.
- 13                  6. APPENDIX I: “PATIO COVERS”.

14               **101.2.1.2 APPENDICES NOT ADOPTED.** THE FOLLOWING APPENDICES ARE NOT ADOPTED AS  
15 PART OF THIS CODE:

- 16                   1. APPENDIX A: “EMPLOYEE QUALIFICATIONS”.
- 17                   2. APPENDIX B: “BOARD OF APPEALS”.
- 18                   3. APPENDIX E: “SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS”.
- 19                   4. APPENDIX J: “SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR QUALIFIED  
20 HISTORIC BUILDINGS AND FACILITIES”.

21           **101.3 INTENT. {AS IN IBC}**

22           **101.4 REFERENCED CODES.** THE STANDARDS AND CODES LISTED IN THIS § 101.4, AS MODIFIED BY  
23 THESE PROVISIONS AND AS REFERRED TO ELSEWHERE IN THIS CODE, ARE PART OF THE REQUIREMENTS  
24 OF THIS CODE TO THE EXTENT PRESCRIBED BY THE REFERENCE.

25               **101.4.1 ELECTRICAL.** THE NATIONAL ELECTRICAL CODE (2005 EDITION) APPLIES TO THE  
26 INSTALLATION OF ELECTRICAL SYSTEMS, INCLUDING THEIR ALTERATION, REPAIR, REPLACEMENT,  
27 EQUIPMENT, APPLIANCES, FIXTURES, FITTINGS, AND APPURTENANCES.

28               **101.4.2 GAS.** THE NATIONAL FUEL GAS CODE (2006 EDITION) APPLIES TO THE INSTALLATION OF  
29 GAS PIPING FROM THE POINT OF DELIVERY, TO GAS APPLIANCES, AND TO RELATED ACCESSORIES AS  
30 COVERED IN THIS CODE. THESE REQUIREMENTS APPLY TO GAS PIPING SYSTEMS EXTENDING FROM  
31 THE POINT OF DELIVERY TO THE INLET CONNECTIONS OF APPLIANCES AND THE INSTALLATION AND  
32 OPERATION OF RESIDENTIAL AND COMMERCIAL GAS APPLIANCES AND RELATED ACCESSORIES.

33               **101.4.3 MECHANICAL. {AS IN IBC}**

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1       **101.4.4 PLUMBING.** THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007  
2       SUPPLEMENT) APPLIES TO THE ERECTION, INSTALLATION, ALTERATION, REPAIR, RELOCATION,  
3       REPLACEMENT, USE, OR MAINTENANCE OF OR ADDITION TO PLUMBING SYSTEMS, INCLUDING  
4       EQUIPMENT, APPLIANCES, FIXTURES, FITTINGS, AND APPURTENANCES.

5       **101.4.5 PROPERTY MAINTENANCE.** *{AS IN IBC}*

6       **101.4.6 FIRE PREVENTION.** *{AS IN IBC}*

7       **101.4.7 ENERGY.** *{AS IN IBC}*

8       **101.5 STATE REHABILITATION CODE.** THE MARYLAND REHABILITATION CODE, ADOPTED UNDER  
9       STATE CODE ARTICLE 83B, § 6-503, AND CODIFIED IN COMAR 05.16, APPLIES TO ALL  
10       REHABILITATION PROJECTS UNDERTAKEN IN EXISTING BUILDINGS, AS PROVIDED IN THAT CODE.

11       **101.6 REFERENCES TO FORMER CODES.** ALL REFERENCES IN A VIOLATION OR CONDEMNATION  
12       NOTICE OR IN THE BALTIMORE CITY CODE TO ANY FORMER VERSION OF THE BUILDING CODE OR TO  
13       ANY PROVISION OF THAT CODE ARE CONSIDERED TO REFER TO THE COMPARABLE OR OTHERWISE  
14       APPLICABLE PROVISIONS OF THIS CODE.

15       **SECTION 102 APPLICABILITY**

16       **102.1 TO 102.5** *{AS IN IBC}*

17       **102.6 EXISTING CONDITIONS.** CONDITIONS LAWFULLY EXISTING ON THE EFFECTIVE DATE OF THIS  
18       CODE MAY BE CONTINUED WITHOUT CHANGE, EXCEPT AS:

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

23       **102.7 STRUCTURES OWNED BY CITY.** THIS CODE DOES NOT APPLY TO ANY STRUCTURE (OTHER THAN  
24       A BUILDING) THAT IS OWNED BY THE CITY, TO THE EXTENT THAT THE STRUCTURE:

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

29       **102.8 PUBLIC SERVICE STRUCTURES ON STREETS.** THIS CODE DOES NOT APPLY TO ANY POLE,  
30       CONDUIT, TUNNEL, PIPE LINE, MANHOLE, OR OTHER SIMILAR SURFACE OR SUBSURFACE STRUCTURE,  
31       INCLUDING ITS EQUIPMENT, THAT IS OWNED AND CONTROLLED BY A PUBLIC SERVICE CORPORATION, TO  
32       THE EXTENT THAT:

- 33               1. THE STRUCTURE IS LOCATED ON, OVER, OR UNDER A STREET, ALLEY, OR OTHER PUBLIC WAY OR  
34               LAND,
- 35               2. ITS CONSTRUCTION IS AUTHORIZED BY THE CITY, AND
- 36               3. ITS INSTALLATION IS REGULATED AND SUPERVISED BY THE DIRECTOR OF PUBLIC WORKS OR AN  
37               AUTHORIZED REPRESENTATIVE OF THE DIRECTOR.

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1 **102.9 PROPERTY OWNED OR LEASED BY UNITED STATES OR BY MARYLAND.** EXCEPT AS SPECIFIED  
2 IN § 102.9.1, LAND OWNED BY THE UNITED STATES OR BY THE STATE OF MARYLAND, INCLUDING ANY  
3 STRUCTURE OWNED BY EITHER AND LOCATED ON THE LAND, IS EXEMPT FROM THIS CODE.

4 **102.9.1 EXCEPTIONS.** THE FOLLOWING ARE NOT EXEMPT FROM THIS CODE:

- 5 1. LAND OR STRUCTURES LEASED BY THE UNITED STATES OR THE STATE OF MARYLAND  
6 FROM A PRIVATE OWNER,
- 7 2. LAND OR STRUCTURES LEASED BY A PRIVATE OWNER FROM THE UNITED STATES OR THE  
8 STATE OF MARYLAND, AND
- 9 3. LAND OR STRUCTURES HELD BY THE UNITED STATES OR THE STATE OF MARYLAND  
10 PURSUANT TO THE FORECLOSURE OF A RESIDENTIAL MORTGAGE.

11 **102.10 WATERWAYS.** OTHER THAN WORK DONE BY THE UNITED STATES OR THE STATE OF  
12 MARYLAND, ALL CONSTRUCTION DONE ALONG THE SHORELINE AND WATERWAYS WITHIN THE CITY  
13 MUST:

- 14 1. COMPLY WITH THIS CODE, AND
- 15 2. BE APPROVED BY:
  - 16 A. THE DEPARTMENT OF PUBLIC WORKS,
  - 17 B. THE DEPARTMENT OF PLANNING,
  - 18 C. THE FIRE DEPARTMENT,
  - 19 D. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, AND
  - 20 E. THE U.S. ARMY CORPS OF ENGINEERS.

21 **102.11 RAILROAD FACILITIES.** RAILROAD FACILITIES WITHIN A RAILROAD RIGHT-OF-WAY ARE  
22 EXEMPT FROM THE PROVISIONS OF THIS CODE, EXCEPT FOR THOSE PROVISIONS THAT RELATE TO  
23 SANITARY MAINTENANCE. HOWEVER, PRIVATELY OWNED STRUCTURES WITHIN A RIGHT-OF-WAY ARE  
24 NOT EXEMPT UNLESS THEY ARE ANCILLARY TO THE RAILROAD.

25 **102.12 MOVED STRUCTURES.** STRUCTURES THAT ARE MOVED INTO OR WITHIN BALTIMORE CITY:

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

29 **102.13 TO 102.14 {RESERVED}**

30 **102.15 COMPLIANCE WITH CODE REQUIRED.** NO STRUCTURE, PREMISES, LAND, OR EQUIPMENT MAY  
31 BE CONSTRUCTED, ALTERED, ADDED TO, REPAIRED, REHABILITATED, DEMOLISHED, MOVED, LOCATED,  
32 USED, OCCUPIED, OR MAINTAINED IN VIOLATION OF THIS CODE.

33 **102.15.1 CONSTRUCTION OF STRUCTURE.** WHEN CONSTRUCTED, EVERY STRUCTURE MUST BE  
34 LOCATED SO THAT IT DOES NOT CREATE A VIOLATION OF THIS CODE.

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1           **102.15.2 RELOCATION, ETC., OF LOT LINES, ETC.** NO LOT OR PROPERTY LINE MAY BE MOVED OR  
2 RELOCATED AND NO LOT OR PARCEL OF LAND MAY BE SUBDIVIDED IN ANY WAY THAT CREATES A  
3 VIOLATION OF THIS CODE FOR ANY STRUCTURE.

4           **102.16 COMPLIANCE WITH OTHER LAWS.** TO THE EXTENT APPLICABLE, ALL WORK MUST ALSO  
5 COMPLY WITH:

- 6           1. THE CRITICAL AREA MANAGEMENT PROGRAM OF BALTIMORE CITY,
- 7           2. THE BALTIMORE CITY FOREST AND TREE CONSERVATION PROGRAM,
- 8           3. THE ZONING CODE OF BALTIMORE CITY,
- 9           4. CITY CODE ARTICLE 6 {“HISTORICAL AND ARCHITECTURAL PRESERVATION”};
- 10          5. THE DEPARTMENT OF PUBLIC WORKS RULES AND REGULATIONS GOVERNING:
  - 11           A. STORM WATER MANAGEMENT,
  - 12           B. SOIL EROSION AND SEDIMENT CONTROL,
  - 13           C. ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, AND
  - 14           D. BLASTING, AND
- 15          6. ALL OTHER APPLICABLE LAWS OF THE CITY AND OF THE STATE OF MARYLAND.

16           **SECTION 103 DEPARTMENT OF BUILDING SAFETY**

17           **103.1 ENFORCEMENT AGENCY.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT  
18 OF HOUSING AND COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

- 19          1. “DEPARTMENT OF BUILDING SAFETY” OR “DEPARTMENT” MEANS THE DEPARTMENT OF  
20 HOUSING AND COMMUNITY DEVELOPMENT, AND
- 21          2. “BUILDING OFFICIAL”, MEANS THE COMMISSIONER OF HOUSING AND COMMUNITY  
22 DEVELOPMENT OR AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER.

23           **103.2 APPOINTMENT. {NOT ADOPTED}**

24           **103.3 DEPUTIES. {NOT ADOPTED}**

25           **103.4 EMPLOYEE RESTRICTIONS.** AN OFFICER OR EMPLOYEE OF THE DEPARTMENT MAY NOT:

- 26          1. ENGAGE IN OR DIRECTLY OR INDIRECTLY BE CONNECTED WITH THE FURNISHING OF LABOR,  
27 MATERIALS, OR APPLIANCES OR THE PREPARATION OF PLANS OR SPECIFICATIONS FOR THE  
28 CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING, OR  
29 MAINTENANCE OF A STRUCTURE, UNLESS THE OFFICER OR EMPLOYEE IS THE OWNER OF THE  
30 STRUCTURE, OR
- 31          2. ENGAGE IN ANY WORK THAT CONFLICTS WITH HIS OR HER OFFICIAL DUTIES OR WITH THE  
32 INTERESTS OF THE DEPARTMENT.



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

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

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

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

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

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

**104.2 TO 104.5 {As in IBC}**

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

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

1. IF ENTRY IS BY PERMISSION OR AT THE REQUEST OF AN OCCUPANT OF THE LAND, STRUCTURE, OR PREMISES OR A PERSON WITH APPARENT RIGHT OF POSSESSION,
2. IF THE LAND, STRUCTURE, OR PREMISES IS OPEN AND ACCESSIBLE TO MEMBERS OF THE GENERAL PUBLIC,
3. IF THE BUILDING OFFICIAL REASONABLY BELIEVES THAT AN IMMINENT DANGER TO HEALTH OR SAFETY EXISTS OR MIGHT EXIST, OR
4. IMMEDIATELY AFTER AN ACCIDENT OR DISASTER.

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

1. THIS CODE (INCLUDING THE STANDARDS AND CODES INCORPORATED IN IT), OR
2. ANY OF THE FOLLOWING (COLLECTIVELY "RELATED LAWS"):
  - A. THE HEALTH CODE OF BALTIMORE CITY,
  - B. THE ZONING CODE OF BALTIMORE CITY,

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- 1 C. AN URBAN RENEWAL PLAN,
- 2
- 3 D. CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"}, OR
- 4 E. ANY OTHER RELATED STATUTE, ORDINANCE, OR REGULATION FOR THE
- 5 PROTECTION OF THE HEALTH AND SAFETY OF THE RESIDENTS OF BALTIMORE CITY.

6 **104.6.3 WARRANT AFTER PRIOR NOTICE.** BEFORE THE BUILDING OFFICIAL MAY APPLY FOR A  
 7 WARRANT TO MAKE A ROUTINE INSPECTION OR SPOT CHECK TO DETERMINE IF A VIOLATION EXISTS,  
 8 THE BUILDING OFFICIAL MUST GIVE PRIOR NOTICE OF HIS OR HER INTENT TO THE OCCUPANT OR  
 9 OTHER PERSON WITH APPARENT RIGHT OF POSSESSION OR, IN THE CASE OF AN UNOCCUPIED  
 10 STRUCTURE OR PREMISES, TO THE OWNER, THE OWNER’S AGENT, OR OTHER PERSON IN APPARENT  
 11 CONTROL OF THE STRUCTURE OR PREMISES.

12 **104.6.3.1 CONTENTS OF NOTICE.** THE NOTICE MUST:

- 13 1. STATE THE DATE AND TIME AT WHICH THE BUILDING OFFICIAL WILL BE PRESENT TO
- 14 MAKE THE INSPECTION OR SPOT CHECK, AND
- 15 2. INFORM THE PERSON NOTIFIED THAT HE OR SHE MAY RESCHEDULE THE INSPECTION OR
- 16 SPOT CHECK TO A REASONABLE DATE AND TIME BY CONTACTING THE BUILDING
- 17 OFFICIAL BEFORE THE STATED DATE.

18 **104.6.3.2 SERVICE OF NOTICE – OCCUPIED PROPERTY.** IF THE STRUCTURE OR PREMISES IS  
 19 OCCUPIED, THE NOTICE MUST BE EITHER:

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

23 **104.6.3.3 SERVICE OF NOTICE – UNOCCUPIED PROPERTY.** IF THE STRUCTURE OR PREMISES  
 24 IS UNOCCUPIED, THE NOTICE MUST BE MAILED OR DELIVERED TO THE LAST-KNOWN ADDRESS OF  
 25 THE OWNER, AGENT, OR OTHER PERSON IN APPARENT CONTROL.

26 **104.6.3.4 OBTAINING WARRANT.** AFTER NOTICE HAS BEEN GIVEN, IF THE PERSON NOTIFIED  
 27 FAILS TO ARRANGE FOR, DENIES, OR UNDULY DELAYS THE ENTRY, THE BUILDING OFFICIAL  
 28 MAY APPLY TO A COURT OF COMPETENT JURISDICTION FOR A SEARCH WARRANT TO AUTHORIZE  
 29 ENTRY FOR THE INSPECTION OR SPOT CHECK.

30 **104.6.3.5 PROBABLE CAUSE.** PROBABLE CAUSE FOR A SEARCH WARRANT UNDER THIS  
 31 § 104.6.3 EXISTS IF:

- 32 1. THE NOTICE REQUIRED BY THIS § 104.6.3 HAS BEEN GIVEN, AND
- 33 2. THE INSPECTION IS :
  - 34 A. A SPOT CHECK MADE AT RANDOM OR RESTRICTED TO A FEW SAMPLE
  - 35 STRUCTURES OR PREMISES IN A DESIGNATED AREA TO DETERMINE IF A
  - 36 BUILDING-BY-BUILDING SURVEY IS NECESSARY,
  - 37 B. A ROUTINE INSPECTION BASED ON A GENERAL ADMINISTRATIVE PLAN FOR THE
  - 38 ENFORCEMENT OF THIS CODE OR ANY RELATED LAW, OR
  - 39 C. A ROUTINE INSPECTION TO DETERMINE COMPLIANCE WITH A NOTICE OR ORDER
  - 40 ISSUED UNDER § 123 OF THIS CODE.

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1 **104.6.4 WARRANT WITHOUT PRIOR NOTICE.** THE BUILDING OFFICIAL MAY APPLY FOR A SEARCH  
2 WARRANT TO ENTER A STRUCTURE OR PREMISES WITHOUT GIVING THE PRIOR NOTICE OTHERWISE  
3 REQUIRED BY § 104.6.3, IF THERE IS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION OF THIS  
4 CODE OR A RELATED LAW EXISTS IN THE STRUCTURE OR ON THE PREMISES.

5 **104.6.4.1 PROBABLE CAUSE.** PROBABLE CAUSE FOR A SEARCH WARRANT UNDER THIS  
6 § 104.6.4 INCLUDES, AMONG OTHER APPROPRIATE CIRCUMSTANCES, THE FOLLOWING:

- 7 1. THE INSPECTION IS TO IDENTIFY LEAD-BASED HAZARDS IN A DWELLING UNIT THAT IS  
8 THE LAST-REPORTED ADDRESS OF A CHILD WHO, BY NOTICE FROM A HEALTH CARE  
9 PROVIDER OR THE STATE DEPARTMENT OF THE ENVIRONMENT TO THE BUILDING  
10 OFFICIAL OR THE HEALTH COMMISSIONER, IS REPORTED TO HAVE BEEN DIAGNOSED  
11 WITH A VENOUS BLOOD-LEAD LEVEL OF 15 MICROGRAMS PER DECILITER OR MORE, OR
- 12 2. UNTREATED LEAD-BASED PAINT HAZARDS HAVE BEEN FOUND IN A UNIT OF A  
13 MULTIPLE-FAMILY DWELLING IN WHICH A CHILD WHO HAS BEEN DIAGNOSED WITH A  
14 VENOUS BLOOD-LEAD LEVEL OF 15 MICROGRAMS PER DECILITER OR MORE RESIDES  
15 AND ENTRY IS NEEDED TO OTHER UNITS OF THE DWELLING TO DETERMINE COMPLIANCE  
16 WITH LAW.

17 **104.6.5 APPLICATION FOR WARRANT.** THE APPLICATION FOR A SEARCH WARRANT MUST BE:

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

25 **104.6.6 CONTENTS OF WARRANT.** THE SEARCH WARRANT MUST NAME OR DESCRIBE, WITH  
26 REASONABLE PARTICULARITY:

- 27 1. THE PLACE TO BE INSPECTED,
- 28 2. THE REASON FOR THE INSPECTION, AND
- 29 3. THE NAME OF THE APPLICANT ON WHOSE WRITTEN APPLICATION THE WARRANT WAS  
30 ISSUED.

31 **104.6.7 EXECUTION OF WARRANT.** AN INSPECTION UNDER THE SEARCH WARRANT MUST BE MADE  
32 WITHIN 15 CALENDAR DAYS OF THE DATE THE WARRANT WAS ISSUED. AT THE END OF THAT  
33 15-DAY PERIOD, THE WARRANT IS VOID.

34 **104.6.8 DWELLING UNITS.** EXCEPT AS PROVIDED IN § 104.6.8.1, NO INSPECTOR WHO GAINS  
35 ENTRANCE TO A DWELLING FOR THE PURPOSE OF ENFORCING THIS CODE OR ANY RELATED LAW  
36 MAY OBTAIN OR FURNISH EVIDENCE OF, OR TESTIFY TO, ANY OFFENSE OTHER THAN VIOLATIONS OF  
37 THIS CODE OR OF ANY RELATED LAW.

38 **104.6.8.1 EXCEPTION.** THE LIMITATIONS OF § 104.6.8 DO NOT APPLY TO:

- 39 1.. A FELONY, OR

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- 1                   2. A MISDEMEANOR INVOLVING AN ACT OF VIOLENCE AND COMMITTED IN THE  
2                   INSPECTOR’S PRESENCE.

3                   **104.7 DEPARTMENT RECORDS. {AS IN IBC}**

4                   **104.8 LIABILITY. {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302.}**

5                   **104.9 TO 104.11 {AS IN IBC}**

6                   **SECTION 105 PERMITS**

7                   **105.1 REQUIRED.** A PERMIT ISSUED BY THE BUILDING OFFICIAL IS REQUIRED BEFORE ANY PERSON  
8                   MAY DO ANY OF THE FOLLOWING WORK:

- 9                   1. CONSTRUCT, ALTER, ADD TO, REPAIR, REHABILITATE, DEMOLISH, OR MOVE ANY STRUCTURE,  
10                  2. CHANGE THE USE OF ANY STRUCTURE OR LAND,  
11                  3. INSTALL OR ALTER ANY EQUIPMENT SUBJECT TO THIS CODE,  
12                  4. MOVE A LOT LINE THAT AFFECTS ANY STRUCTURE, OR  
13                  5. PERFORM ANY GRADING OR EXCAVATING.

14                  **105.1.1 ANNUAL PERMIT. {AS IN IBC}**

15                  **105.1.2 ANNUAL PERMIT RECORDS. {AS IN IBC}**

16                  **105.1.3 BY WHOM APPLICATION TO BE MADE.** THE APPLICATION FOR A PERMIT MUST BE MADE  
17                  AS FOLLOWS:

- 18                  1. FOR A DEMOLITION OR MOVING PERMIT, BY THE OWNER OF THE PROPERTY TO BE  
19                  DEMOLISHED OR MOVED,  
20                  2. FOR A PERMIT TO REMOVE FORMSTONE, PAINT, OR OTHER MATERIAL FROM EXTERIOR  
21                  SURFACES, BY THE LICENSED CONTRACTOR EMPLOYED TO DO THE PROPOSED WORK,  
22                  3. FOR A PERMIT TO DO WORK INVOLVING UNDERPINNING OR A RETAINING FOUNDATION  
23                  WALL, BY THE LICENSED CONTRACTOR EMPLOYED TO DO THE PROPOSED WORK, AND  
24                  4. FOR ALL OTHER PERMITS, BY:  
25                      A. THE OWNER OR LESSEE OF THE STRUCTURE,  
26                      B. THE AGENT OF THE OWNER OR LESSEE, OR  
27                      C. THE LICENSED ENGINEER OR ARCHITECT EMPLOYED IN CONNECTION WITH THE  
28                      PROPOSED WORK.

29                  **105.1.4 WORK DONE WITHOUT PERMIT.** A PERSON WHO DOES ANY WORK WITHOUT A PERMIT, OR  
30                  OUTSIDE OR BEYOND THE SCOPE OF A PERMIT, OR IN A MANNER INCONSISTENT WITH PLANS OR  
31                  DRAWINGS APPROVED AS PART OF A PERMIT APPLICATION, OR AFTER A PERMIT IS REVOKED FOR  
32                  ANY REASON, MUST OBTAIN A PERMIT FOR THAT WORK, EVEN IF ALREADY COMPLETED, AND PAY  
33                  THE APPROPRIATE PERMIT FEE AND PENALTY SURCHARGE.

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1           **105.1.5 SPECIAL PROFESSIONAL SERVICES.** IN ADDITION TO AND WITHOUT LIMITING ANY OTHER  
2 REQUIREMENTS OF OR AUTHORITY GRANTED BY THIS CODE, THE BUILDING OFFICIAL MAY  
3 REQUIRE, AS A TERM OR CONDITION OF A PERMIT, THAT A REGISTERED DESIGN PROFESSIONAL OR  
4 OTHER LICENSED SPECIALIST OR EXPERT PERFORM SPECIFIC WORK OR SIGN AND SEAL SPECIFIC  
5 PLANS, COMPUTATIONS, SPECIFICATIONS, OR STATEMENTS.

6           **105.2 WORK EXEMPT FROM PERMIT.** AN EXEMPTION FROM THE PERMIT REQUIREMENTS OF THIS  
7 CODE DOES NOT AUTHORIZE ANY WORK TO BE DONE IN A MANNER THAT VIOLATES A PROVISION OF THIS  
8 CODE OR OF ANY OTHER LAW. *{BALANCE OF 105.2 NOT ADOPTED}*

9           **105.2.1 EMERGENCY REPAIRS.** *{AS IN IBC}*

10          **105.2.2 REPAIRS.** *{AS IN IBC}*

11          **105.2.3 PUBLIC SERVICE AGENCIES.** *{AS IN IBC}*

12          **105.3 APPLICATION FOR PERMIT.** TO OBTAIN A PERMIT, THE APPLICANT MUST FIRST FILE AN  
13 APPLICATION ON THE FORM PROVIDED BY THE BUILDING OFFICIAL FOR THAT PURPOSE. THE  
14 APPLICATION MUST:

- 15           1. IDENTIFY AND DESCRIBE THE WORK TO BE COVERED UNDER THE PERMIT,
- 16           2. DESCRIBE THE LAND ON WHICH THE PROPOSED WORK IS TO BE DONE BY LEGAL DESCRIPTION,  
17           STREET ADDRESS, OR SIMILAR DESCRIPTION THAT WILL READILY IDENTIFY AND DEFINITELY  
18           LOCATE THE PROPOSED BUILDING OR WORK,
- 19           3. INDICATE THE USE AND OCCUPANCY FOR WHICH THE PROPOSED WORK IS INTENDED,
- 20           4. SPECIFY THE GROSS FLOOR AREA, AS DEFINED IN § 105.3.2.1, INVOLVED IN THE PROPOSED  
21           WORK;
- 22           5. SPECIFY THE NUMBER OF DWELLING UNITS, IF ANY, INVOLVED IN THE PROPOSED WORK;
- 23           6. BE ACCOMPANIED BY THE CONSTRUCTION DOCUMENTS AND OTHER INFORMATION REQUIRED  
24           BY § 106 OF THIS CODE;
- 25           7. IF THE PROPERTY IS IN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT OR ON  
26           THE HISTORICAL AND ARCHITECTURAL PRESERVATION LANDMARK LIST OR SPECIAL LIST, BE  
27           ACCOMPANIED BY A NOTICE TO PROCEED OR A CERTIFICATE OF APPROPRIATENESS FROM THE  
28           COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION ;
- 29           8. STATE THE VALUATION OF THE PROPOSED WORK,
- 30           9. IF THE PROPOSED WORK WILL REPLACE ANY EXISTING STRUCTURE, BE ACCOMPANIED BY  
31           PHOTOGRAPHS THAT DEPICT THE EXISTING CONDITIONS AND EXISTING STRUCTURES ON THE  
32           SITE,
- 33           10. IDENTIFY THE PARTIES BY PROVIDING:
  - 34                   A. THE FULL NAMES AND ADDRESSES OF THE OWNER, LESSEE, AND APPLICANT,
  - 35                   B. THE NAME AND PHONE NUMBER OF A PERSON TO BE CONTACTED IN CASE OF AN  
36                   EMERGENCY, AND

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1 C. IF THE OWNER, LESSEE, OR APPLICANT IS A CORPORATION, PARTNERSHIP, LIMITED  
2 LIABILITY COMPANY, OR OTHER ENTITY, THE FULL NAMES AND ADDRESSES OF ITS  
3 RESPONSIBLE OFFICERS, PARTNERS, OR MEMBERS,

4 11. PROVIDE ANY OTHER DATA AND INFORMATION THAT THE BUILDING OFFICIAL REQUIRES,

5 12. BE SIGNED BY THE APPLICANT, OR THE APPLICANT’S AUTHORIZED AGENT, AND

6 13. IF SIGNED BY AN AGENT, BE ACCOMPANIED BY:

7 A. PROOF OF AGENCY, AND

8 B. PROOF OF THE AGENT’S IDENTITY, BY COPY OR PRESENTATION OF A VALID MARYLAND  
9 DRIVER’S LICENSE OR OTHER MARYLAND IDENTIFICATION.

10 **105.3.1 ACTION ON APPLICATION – GENERAL.** THE BUILDING OFFICIAL MUST EXAMINE ALL  
11 APPLICATIONS FOR PERMITS WITHIN A REASONABLE TIME AFTER FILING. IF THE APPLICATION OR  
12 THE PROPOSED WORK DOES NOT CONFORM TO THE REQUIREMENTS OF THIS CODE OR ANY OTHER  
13 APPLICABLE LAW, THE BUILDING OFFICIAL MUST REJECT THE APPLICATION IN WRITING, STATING  
14 THE REASONS FOR THE REJECTION. IF THE BUILDING OFFICIAL IS SATISFIED THAT THE APPLICATION  
15 AND THE PROPOSED WORK CONFORM TO THE REQUIREMENTS OF THIS CODE AND ALL OTHER  
16 APPLICABLE LAWS, THE BUILDING OFFICIAL MUST ISSUE THE PERMIT AS SOON AS PRACTICABLE.

17 **105.3.2 ACTION ON APPLICATION – TRAFFIC-IMPACT STUDY.**

18 **105.3.2.1 “GROSS FLOOR AREA” DEFINED.** IN THIS § 105.3.2, “GROSS FLOOR AREA” MEANS  
19 THE AREA SPECIFIED IN § 1-304 OF THE BALTIMORE CITY ZONING CODE .

20 **105.3.2.2 REFERRAL TO DOT.** WITHIN 15 BUSINESS DAYS OF RECEIVING A COMPLETED  
21 APPLICATION, THE BUILDING OFFICIAL MUST REFER THE APPLICATION AND ALL  
22 ACCOMPANYING DOCUMENTS TO THE DIRECTOR OF TRANSPORTATION IF:

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

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

26 **105.3.2.3 STUDY CRITERIA.** A TRAFFIC-IMPACT STUDY IS REQUIRED IF THE PROPOSED WORK  
27 INVOLVES ANY 1 OF THE FOLLOWING:

28 1. AN IMPACT AREA, AS DETERMINED BY THE DEPARTMENT OF TRANSPORTATION, THAT  
29 INCLUDES AN INTERSECTION PERFORMING AT LEVEL OF SERVICE D OR WORSE, OR

30 2. 100 OR MORE DWELLING UNITS, OR

31 3. A GROSS FLOOR AREA THAT EQUALS OR EXCEEDS:

32 A. FOR A WAREHOUSE USE, 150,000 SQ. FT., OR

33 B. FOR ANY OTHER USE, 50,000 SQ. FT.

34 **105.3.2.4 DOT INITIAL DETERMINATION.** WITHIN 20 BUSINESS DAYS OF THE REFERRAL OF  
35 AN APPLICATION, THE DIRECTOR OF TRANSPORTATION MUST REVIEW THE APPLICATION AND  
36 NOTIFY THE BUILDING OFFICIAL AND THE APPLICANT:

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1. WHETHER AND, IF SO, WHAT ADDITIONAL INFORMATION IS NEEDED TO EVALUATE THE APPLICATION, OR

2. IF NO ADDITIONAL INFORMATION IS NEEDED:

A. WHETHER, UNDER THE CRITERIA SET FORTH IN § 105.3.2.3, A TRAFFIC-IMPACT STUDY WILL BE REQUIRED, AND

B. IF SO, THE ESTIMATED EXPENSES FOR UNDERTAKING OR CONTRACTING FOR THE STUDY.

**105.3.2.5 HOW CONDUCTED.**

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

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

**105.3.2.6 EXPENSES.** ALL REASONABLE EXPENSES INCURRED IN UNDERTAKING OR CONTRACTING FOR THE STUDY MUST BE PAID BY THE APPLICANT, AS AN ADDITIONAL SERVICE CHARGE FOR THE PERMIT, TO BE IMPOSED AND COLLECTED AS PROVIDED IN § 108 OF THIS CODE FOR FEES AND SERVICE CHARGES.

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

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

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

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

**105.3.2.9 DOT RULES AND REGULATIONS.**

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

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

- 1. THE BUILDING OFFICIAL,
- 2. THE ZONING ADMINISTRATOR,

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- 3. THE BOARD OF MUNICIPAL AND ZONING APPEALS, AND
- 4. THE DEPARTMENT OF LEGISLATIVE REFERENCE.

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

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

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

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

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

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

**105.5.2 EXPIRATION – CONDEMNATION, DEMOLITION.** A PERMIT ISSUED TO COMPLY WITH A CONDEMNATION NOTICE SERVED UNDER § 123 OF THIS CODE OR TO COMPLY WITH A DEMOLITION ORDER ISSUED UNDER § 115 OF THIS CODE EXPIRES IF:

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

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

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

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

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

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



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1 **105.6 SUSPENSION OR REVOCATION.** THE BUILDING OFFICIAL MAY SUSPEND OR REVOKE A PERMIT  
2 ISSUED UNDER THIS CODE IF:

- 3 1. THE WORK IS BEING DONE IN VIOLATION OF THE PERMIT, OF THIS CODE, OR OF ANY OTHER  
4 APPLICABLE LAW OR REGULATION, OR
- 5 2. THE PERMIT WAS ISSUED:
- 6 A. IN ERROR OR ON THE BASIS OF INCORRECT, INACCURATE, OR INCOMPLETE  
7 INFORMATION, OR
- 8 B. IN VIOLATION OF THIS CODE OR OF ANY OTHER LAW OR REGULATION.

9 **105.7 PLACEMENT OF PERMIT. {AS IN IBC}**

10 **105.8 SEPARATE STRUCTURES.** WHENEVER WORK IS BEING DONE ON TWO OR MORE INDEPENDENT  
11 STRUCTURES ON THE SAME PROPERTY, A SEPARATE PERMIT IS REQUIRED FOR EACH INDEPENDENT  
12 STRUCTURE.

13 **105.9 SPECIAL REQUIREMENTS FOR DEMOLITION OR MOVING.**

14 **105.9.1 PRE-PERMIT REQUIREMENTS.** A PERMIT MAY NOT BE GRANTED FOR DEMOLISHING OR  
15 MOVING A STRUCTURE UNLESS THE APPLICANT COMPLIES WITH THE FOLLOWING.

16 **105.9.1.1 INSPECTOR CONSULTATION.** THE APPLICANT MUST HAVE ATTENDED AN ON-SITE,  
17 PRE-DEMOLITION OR PRE-MOVING INSPECTOR CONSULTATION TO DISCUSS AND CONFIRM:

- 18 1. APPROPRIATE HOSING/WETTING REQUIREMENTS AND PROCEDURES,  
19 2. NOTIFICATION REQUIREMENTS, AND  
20 3. ANY OTHER MATTERS THE BUILDING OFFICIAL REQUIRES.

21 **105.9.1.2 WRITTEN NOTICE TO ADJOINING OWNERS, ETC.** THE APPLICANT MUST HAVE  
22 GIVEN WRITTEN NOTICE TO:

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

27 **105.9.1.2.1 CONTENTS OF NOTICE.** THE WRITTEN NOTICE MUST:

- 28 1. INDICATE THE INTENT TO DEMOLISH OR MOVE THE STRUCTURE,  
29 2. SPECIFY WHEN THE WORK IS EXPECTED TO BEGIN, AND  
30 3. IDENTIFY THE CONTRACTOR SCHEDULED TO PREFORM THE DEMOLITION OR  
31 MOVING AND THE CONTRACTOR'S EMERGENCY CONTACT.

32 **105.9.2 PRE-DEMOLITION, MOVING REQUIREMENTS.** BEFORE BEGINNING ANY DEMOLITION OR  
33 MOVING OPERATIONS, THE PERMIT HOLDER MUST COMPLY WITH THE FOLLOWING.

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

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

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

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

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

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

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

**105.11 TO 105.12 {RESERVED}**

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

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

**SECTION 106 CONSTRUCTION DOCUMENTS**

**106.1 SUBMITTAL DOCUMENTS. {AS IN IBC}**

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

**106.2.1 GENERAL REQUIREMENTS.** THE SITE PLAN MUST:

1. SHOW TO SCALE THE SIZE AND LOCATION OF NEW CONSTRUCTION AND EXISTING STRUCTURES ON THE SITE, DISTANCES FROM LOT LINES, THE ESTABLISHED STREET GRADES, AND THE PROPOSED FINISHED GRADES,

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- 1                   2. SHOW, AS APPLICABLE, FLOOD HAZARD AREAS, FLOODWAYS, AND DESIGN FLOOD  
2                   ELEVATIONS,
- 3                   3. BE DRAWN IN ACCORDANCE WITH AN ACCURATE BOUNDARY LINE SURVEY, AND
- 4                   4. COMPORT WITH ALL OTHER REQUIREMENTS OF THIS SECTION.

5                   **106.2.2 DEMOLITION.** IN THE CASE OF DEMOLITION, THE SITE PLAN MUST SHOW CONSTRUCTION  
6                   TO BE DEMOLISHED AND THE LOCATION AND SIZE OF EXISTING STRUCTURES AND CONSTRUCTION  
7                   THAT ARE TO REMAIN ON THE SITE.

8                   **106.2.3 SPECIFICATIONS, PHOTOGRAPHS, ADDITIONAL INFORMATION.** THE SITE PLAN MUST:

- 9                   1. BE DRAWN IN ACCORDANCE WITH THE SPECIFICATIONS REQUIRED BY RULES OR  
10                   REGULATIONS ADOPTED BY THE BUILDING OFFICIAL IN CONSULTATION WITH THE  
11                   DIRECTOR OF PUBLIC WORKS, AND
- 12                   2. CONTAIN ANY ADDITIONAL INFORMATION REQUIRED BY THOSE RULES OR REGULATIONS.

13                   **106.2.4 WAIVER OR MODIFICATION.** THE BUILDING OFFICIAL MAY WAIVE OR MODIFY THE  
14                   REQUIREMENT FOR A SITE PLAN IF THE APPLICATION IS FOR ALTERATION OR REPAIR OR IF  
15                   OTHERWISE WARRANTED.

16                   **106.3 EXAMINATION OF DOCUMENTS.** *{AS IN IBC}*

17                   **106.4 AMENDED CONSTRUCTION DOCUMENTS.** *{AS IN IBC}*

18                   **106.5 RETENTION OF CONSTRUCTION DOCUMENTS.** *{AS IN IBC}*

### 19                   SECTION 107 TEMPORARY STRUCTURES AND USES

20                   **107.1 IN GENERAL.** *{AS IN IBC}*

21                   **107.2 CONFORMANCE.** *{AS IN IBC}*

22                   **107.3 TEMPORARY POWER.** THE BUILDING OFFICIAL MAY GIVE PERMISSION TO TEMPORARILY  
23                   SUPPLY POWER TO A STRUCTURE THAT IS NOT YET COMPLETE, AS LONG AS ALL WORK COMPLIES WITH  
24                   THE REQUIREMENTS OF THIS CODE.

25                   **107.4 TERMINATION OF APPROVAL.** *{AS IN IBC}*

### 26                   SECTION 108 FEES

27                   **108.1 PERMIT FEES.** A PERMIT FOR CONSTRUCTION, ALTERATION, DEMOLITION, MOVING, OR OTHER  
28                   BUILDING OPERATION IS NOT VALID UNLESS THE FEES PRESCRIBED IN THIS CODE HAVE BEEN PAID, NOR  
29                   IS ANY AMENDMENT OR EXTENSION TO A PERMIT VALID UNLESS THE PRESCRIBED ADDITIONAL FEE HAS  
30                   BEEN PAID. FOR CONSTRUCTION WORK DESCRIBED IN § 108.6.1A AND C OF THIS CODE, PAYMENT IN  
31                   FULL MUST BE MADE AT THE TIME OF APPLICATION; FOR ALL OTHERS, PAYMENT MUST BE MADE BEFORE  
32                   ISSUANCE OF THE PERMIT, AMENDMENT, OR EXTENSION.

33  
34                   **108.2 OTHER FEES.** THE PAYMENT OF THE FEE FOR ALL WORK DONE CONCURRENTLY OR IN  
35                   CONNECTION WITH THE WORK CONTEMPLATED BY A PERMIT DOES NOT RELIEVE THE APPLICANT OR  
36                   PERMIT HOLDER FROM THE PAYMENT OF OTHER FEES PRESCRIBED BY LAW FOR WATER TAPS, SEWER  
37                   CONNECTIONS, ELECTRICAL PERMITS, SIGNS AND DISPLAY STRUCTURES, MARQUEES, OR OTHER  
38                   APPURTENANT STRUCTURES, OR FEES FOR INSPECTIONS, OCCUPANCY PERMITS, OR OTHER PRIVILEGES  
39                   OR REQUIREMENTS, WHETHER WITHIN OR WITHOUT THE JURISDICTION OF THE DEPARTMENT.

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1 **108.3 MINIMUM FEES AND SERVICE CHARGES.** FEES OR SERVICE CHARGES FOR THE VARIOUS  
2 PERMITS, CERTIFICATES, INSPECTIONS, TESTS, OR OTHER SERVICES PROVIDED UNDER THIS CODE ARE AS  
3 SPECIFIED IN THIS § 108. UNLESS OTHERWISE SPECIFIED, THE MINIMUM FEE OR SERVICE CHARGE IS \$25.  
4 ALL FEES ARE TO BE ROUNDED TO THE NEAREST DOLLAR.

### 5 **108.4 REFUNDS; CREDITS.**

6 **108.4.1 REFUNDS.** NO FEE OR OTHER SERVICE CHARGE PAID FOR ANY APPLICATION, PERMIT,  
7 CERTIFICATE, INSPECTION, TEST, OR OTHER SERVICE MAY BE REFUNDED, IN WHOLE OR IN PART,  
8 EXCEPT AS PROVIDED IN THIS § 108.4.1. IF NO WORK HAS BEEN DONE NOR ANY PRIVILEGE ENJOYED  
9 UNDER A PERMIT, CERTIFICATE, INSPECTION, TEST, OR OTHER SERVICE, A REFUND MAY BE GRANTED  
10 OF NOT MORE THAN 50% OF THE FEE OR SERVICE CHARGE PAID. IN NO EVENT, HOWEVER, MAY ANY  
11 REFUND BE GRANTED ON ANY FEE OR CHARGE OF LESS THAN \$1,000.

12 **108.4.2 CREDIT FOR ADMINISTRATIVE ERROR.** IF THE BUILDING OFFICIAL REVOKES A PERMIT  
13 BECAUSE OF AN ADMINISTRATIVE ERROR THAT, THROUGH NO FAULT OF THE APPLICANT, WAS MADE  
14 IN ISSUING THE PERMIT, THE APPLICANT MAY:

- 15 1. APPLY UNDER § 108.4.1, IF APPLICABLE, FOR A PARTIAL REFUND OF THE FEE PAID FOR THE  
16 REVOKED PERMIT, OR
- 17 2. REQUEST THAT THE FEE PAID FOR THE REVOKED PERMIT BE APPLIED AND CREDITED TO THE  
18 FEE DUE FOR A NEW PERMIT TO REPLACE THE ONE REVOKED.

### 19 **108.5 SERVICE CHARGES.**

20 **108.5.1 DUPLICATE OR ADDITIONAL DOCUMENTS.** THE CHARGES FOR COPIES OR DUPLICATES OF  
21 PERMITS, CERTIFICATES, AND OTHER DOCUMENTS ARE:

- 22 1. FOR PHOTOCOPIES OF DOCUMENTS OTHER THAN APPROVED PLANS, \$1 FOR THE 1<sup>ST</sup> PAGE  
23 AND 50¢ FOR EACH ADDITIONAL PAGE,
- 24 2. FOR DUPLICATES OF DOCUMENTS OTHER THAN APPROVED PLANS, \$10 FOR EACH DUPLICATE  
25 ISSUED, AND
- 26 3. FOR COPIES OR DUPLICATES OF APPROVED PLANS, \$10 PER SHEET PLUS ANY CHARGE  
27 INVOLVED IN REPRODUCING THEM, WITH A MINIMUM CHARGE OF \$25.

28 **108.5.2 PARTIAL PERMITS.** FOR A PARTIAL PERMIT ISSUED UNDER THIS CODE:

- 29 1. THE CHARGE IS AT THE RATE OF:
  - 30 A. \$10 FOR EACH \$1,000 WORTH OF WORK UP TO \$1,000,000 WORTH OF WORK, PLUS
  - 31 B. \$5 FOR EACH \$1,000 WORTH OF WORK IN EXCESS OF \$1,000,000, AND
- 32 2. THE MINIMUM CHARGE IS:
  - 33 A. \$100 FOR 1- AND 2-FAMILY DWELLINGS, AND
  - 34 B. \$250 FOR ALL OTHER STRUCTURES.

35 **108.5.3 PERMIT EXTENSIONS.** FOR A PERMIT EXTENSION ISSUED UNDER THIS CODE, THE CHARGE  
36 IS AS FOLLOWS:

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- 1 1. IF THE APPLICATION FOR EXTENSION IS MADE WITHIN 30 DAYS AFTER THE PERMIT EXPIRES,  
2 THE FEE FOR THE EXTENSION IS \$25.
- 3 2. IF THE APPLICATION FOR EXTENSION IS MADE BETWEEN 30 - 60 DAYS AFTER THE PERMIT  
4 EXPIRES, THE FEE FOR THE EXTENSION IS 50% OF THE ORIGINAL PERMIT FEE.  
5 ALTERNATIVELY, THE APPLICANT MAY APPLY FOR A NEW PERMIT FOR THE WORK  
6 REMAINING TO BE COMPLETED, WITH THE FEE FOR THAT PERMIT TO BE BASED ON THE  
7 SCOPE OF THAT REMAINING WORK.

8 **108.5.4 PERMIT AMENDMENTS.** FOR AN AMENDMENT TO A PERMIT, THE CHARGE IS AS FOLLOWS:

- 9 1. FOR EACH AMENDMENT THAT INVOLVES WORK NOT ORIGINALLY APPLIED FOR TO  
10 COMPLETE THE ENTIRE PROJECT, THE CHARGE IS THE APPROPRIATE FEE FOR THE WORK  
11 CONTEMPLATED PLUS A SURCHARGE OF 10%, WITH A MINIMUM COMBINED FEE AND  
12 SURCHARGE OF \$50.
- 13 2. FOR EACH AMENDMENT THAT IS OUTSIDE THE SCOPE OF PARAGRAPH 1 ABOVE AND FOR  
14 WHICH REVISED PLANS ARE REQUIRED, THE CHARGE IS 20% PERCENT OF THE ORIGINAL  
15 PERMIT FEE, WITH A MINIMUM CHARGE OF \$50.
- 16 3. FOR EACH AMENDMENT THAT IS OUTSIDE THE SCOPE OF PARAGRAPH 1 ABOVE AND FOR  
17 WHICH REVISED PLANS ARE NOT REQUIRED, THE CHARGE IS \$25.

18 **108.5.5 CANCELLATION OF APPLICATIONS.** IF A LEGAL PERMIT CANNOT BE ISSUED ON AN  
19 APPLICATION, THE DEPARTMENT WILL NOTIFY THE APPLICANT OF THAT FACT, AND THE  
20 APPLICATION MAY BE WITHDRAWN BY THE APPLICANT OR CANCELED BY THE DEPARTMENT. THE  
21 CHARGE FOR THE WITHDRAWAL OR CANCELLATION IS 50% OF THE FEE PRESCRIBED FOR THE WORK  
22 DESCRIBED IN THE APPLICATION. HOWEVER, THERE IS NO CANCELLATION CHARGE IF THE FEE FOR  
23 THE PERMIT APPLIED FOR IS LESS THAN \$100.

24 **108.5.6 PRELIMINARY PROJECT REVIEW.** FOR A "PRELIMINARY REVIEW" OF A PROPOSED  
25 PROJECT, THE CHARGE IS \$50 FOR EACH HALF HOUR.

26 **108.5.7 REVISED DRAWINGS.** FOR REVISED DRAWINGS, THE CHARGE IS \$10 FOR EACH SHEET  
27 SUBMITTED, WITH A MINIMUM CHARGE OF \$25.

28 **108.5.8 APPLICATION FEE.** BEFORE AN APPLICATION FOR ANY PERMIT OR CERTIFICATE IS  
29 PROCESSED, THE APPLICANT MUST PAY A NONREFUNDABLE APPLICATION FEE OF \$25.

30 **108.5.9 INSPECTION FEES.**

31 **108.5.9.1 OVERTIME FEE.** FOR EACH INSPECTION OR REINSPECTION THAT, AT THE REQUEST  
32 OF THE OWNER OR OWNER'S AGENT, IS MADE OUTSIDE NORMAL WORKING HOURS, A CHARGE IS  
33 IMPOSED AT THE RATE OF \$50 AN HOUR FOR EACH INSPECTOR, WITH A MINIMUM CHARGE,  
34 PAYABLE IN ADVANCE, OF \$200 FOR EACH INSPECTOR.

35 **108.5.9.2 REINSPECTION FEE.** IF THE OWNER OR OWNER'S AGENT SCHEDULES AN INSPECTION  
36 AND, FOR ANY REASON, A REINSPECTION OF THE SAME WORK IS REQUIRED, THE CHARGE,  
37 PAYABLE IN ADVANCE, IS AS FOLLOWS:

- 38 1. \$35 FOR A 1<sup>ST</sup> REINSPECTION,

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

3                   **108.5.10 PENALTY SURCHARGE.** A SURCHARGE IS ASSESSED ON ANY PERMIT THAT IS ISSUED FOR  
4 WORK BEGUN OR COMPLETED:

- 5                   1. WITHOUT A PERMIT,
- 6                   2. BEYOND THE SCOPE OF A PERMIT OR IN A MANNER INCONSISTENT WITH PLANS OR  
7                   DRAWINGS APPROVED AS PART OF A PERMIT APPLICATION, OR
- 8                   3. AFTER THE SUSPENSION OR REVOCATION OF A PERMIT FOR THAT WORK.

9                   **108.5.10.1 AMOUNT – IN GENERAL.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 108.5.10,  
10 THE AMOUNT OF THE SURCHARGE IS THE GREATER OF \$1,000 OR 50% OF THE PERMIT FEE.

11                   **108.5.10.2 AMOUNT – DEMOLITION WORK.** FOR DEMOLITION WORK DONE WITHOUT THE  
12 PROPER PERMIT OR IN VIOLATION OF THE TERMS OF A PERMIT, THE SURCHARGE IS 15¢ FOR  
13 EACH CUBIC FOOT OF THE STRUCTURE BEFORE THE DEMOLITION.

14                   **108.5.10.3 REDUCTIONS.** THE BUILDING OFFICIAL MAY REDUCE THE AMOUNT OF A  
15 SURCHARGE IMPOSED BY THIS § 108.5.10:

- 16                   1. ON WRITTEN APPLICATION AND JUSTIFIABLE CAUSE DEMONSTRATED, AND
- 17                   2. IN ACCORDANCE WITH APPLICABLE STANDARDS AND CRITERIA CONTAINED IN THE  
18                   RULES AND REGULATIONS ADOPTED UNDER THIS CODE.

19                   **108.5.10.4 SURCHARGE IN ADDITION TO OTHER FINES, ETC.** A SURCHARGE IMPOSED BY THIS  
20 § 108.5.10 IS IN ADDITION TO ANY OTHER FINE OR PENALTY IMPOSED UNDER THIS CODE OR  
21 ANY OTHER LAW OR REGULATION.

22                   **108.5.10.5 CONTRACTOR’S LIABILITY.** IF THE UNAUTHORIZED WORK FOR WHICH THE  
23 SURCHARGE IS IMPOSED WAS PERFORMED BY A CONTRACTOR, THE CONTRACTOR:

- 24                   1. IS PERSONALLY LIABLE FOR THE SURCHARGE, AND
- 25                   2. MAY NOT, DIRECTLY OR INDIRECTLY, ATTEMPT TO RECOUP THE AMOUNT OF THE  
26                   SURCHARGE FROM THE PROPERTY OWNER.

27                   **108.5.10.5.1 VIOLATION.** A CONTRACTOR WHO VIOLATES § 108.5.10.5(2):

- 28                   1. IS SUBJECT TO THE FINES AND PENALTIES IMPOSED FOR VIOLATIONS OF THIS CODE,  
29                   AND
- 30                   2. MAY BE REPORTED TO THE RELEVANT LICENSING AUTHORITY AND THE CONSUMER  
31                   PROTECTION DIVISION OF THE ATTORNEY GENERAL’S OFFICE.

32                   **108.5.11 VIOLATION REPORTS.** THE CHARGE FOR A VIOLATION REPORT, WHETHER OBTAINED  
33 FROM THE DEPARTMENT OR FROM THE BUREAU OF LIENS, IS \$30, IN ADDITION TO THE CHARGE FOR  
34 A LIEN CERTIFICATE.

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**108.6 FEE SCHEDULES.**

**108.6.1 PERMIT FEES FOR CONSTRUCTION WORK.**

**A. NEW BUILDINGS AND ADDITIONS. (FEE MUST BE PAID IN FULL WITH APPLICATION)**

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

\$10 FOR EACH 1,000 CUBIC FEET (28.31 CU. M.) OR FRACTION OF 1,000 CUBIC FEET (28.31 CU. M.) OF GROSS VOLUME, INCLUDING ALL BASEMENTS AND CELLARS.

MINIMUMS —

NEW BUILDING	\$100
ADDITIONS	\$75

**2. ALL OTHERS**

\$20 FOR EACH 1,000 CUBIC FEET (28.31 CU. M.) OR FRACTION OF 1,000 CUBIC FEET (28.31 CU. M.) OF GROSS VOLUME, INCLUDING ALL BASEMENTS AND CELLARS.

MINIMUMS —

NEW BUILDING	\$200
ADDITIONS	\$100

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

EACH STRUCTURE OF 100 SQUARE FEET (9.29 SQ. M.) OR LESS	\$25
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EACH STRUCTURE OVER 100 SQUARE FEET (9.29 SQ. M.)	\$50
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**C. ALTERATIONS AND REPAIRS. (FEE MUST BE PAID IN FULL WITH APPLICATION)**

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

\$10 FOR EACH \$1,000 OR FRACTION OF \$1,000 ESTIMATED COST

MINIMUM	\$50
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**2. ALL OTHERS**

\$12 FOR EACH \$1,000 OR FRACTION OF \$1,000 ESTIMATED COST

MINIMUM	\$150
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**D. CHIMNEYS, STACKS, TOWERS.**

0 TO 50 FEET (15.24 M) HIGH	\$35
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OVER 50 FEET (15.24 M) TO 100 FEET (30.48 M) HIGH	\$50
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OVER 100 FEET (30.48 M) HIGH	\$75
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**E. RETAINING WALLS.**

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

**F. FENCES.**

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

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

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

**H. PAVING OR SURFACING.**

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

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

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

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

FOR ERECTING, PLACING, HANGING, OR RECONSTRUCTING ANY  
CONSOLIDATED AREA OF SIGNAGE, AS DESCRIBED IN § 11-422 OF  
THE ZONING CODE, THE FEE IS \$1 A SQUARE FOOT, WITH A  
MINIMUM OF \$13 FOR EACH CONSOLIDATED AREA OF SIGNAGE.

THE RATES IN ITEMS I AND J ARE BASED ON THE GROSS SQUARE FEET AREA OF THE  
SIGN FACE OR FACES. NO FEE IS CHARGED FOR SIGNS LESS THAN 100 SQUARE FEET  
(9.29 SQ. M.) AND USED EXCLUSIVELY FOR ADVERTISING THE SALE OR LEASE OF  
THE PROPERTY ON WHICH THEY ARE POSTED.

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

**K. DEMOLITION.**

1- AND 2-FAMILY DWELLINGS	\$0.030 PER CUBIC
MINIMUM	FOOT VOLUME OF STRUCTURE \$300
ALL OTHERS	\$0.075 PER CUBIC
MINIMUM	FOOT VOLUME OF STRUCTURE \$600





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**2. INSTALLING CONDUITS AND DUCT BANKS ONLY**

OVER 0 TO 200 FEET	\$25
OVER 200 TO 1,000 FEET	\$50
OVER 1,000 FEET	\$100

**3. SUB FEEDERS FOR ADDITIONAL METERS ONLY**

0 TO 200 AMPERES	\$30
OVER 200 TO 400 AMPERES	\$40
OVER 400 TO 800 AMPERES	\$60
OVER 800 TO 1,000 AMPERES	\$100
OVER 1,000 TO 2,000 AMPERES	\$150
OVER 2,000 AMPERES	\$200

**4. PHOTOVOLTAIC SYSTEM**

1 TO 6 PHOTOVOLTAIC PANELS	\$50
EACH ADDITIONAL PANEL	\$6

**B. ELECTRICAL WIRING FOR NEW BRANCH CIRCUITS, FEEDERS, AND EXTENSIONS TO OR REPLACEMENTS OF BRANCH CIRCUITS.**

FOR EACH CIRCUIT \$6

A 3-WIRE OR 4-WIRE BRANCH CIRCUIT SERVING SINGLE PHASE LOADS IS CONSIDERED TO BE A 2- OR 3-BRANCH CIRCUIT RESPECTIVELY.

A 3-WIRE BRANCH CIRCUIT SERVING ONLY 3-PHASE LOADS OR SERVING A SINGLE APPLIANCE IS CONSIDERED TO BE A 1-BRANCH CIRCUIT.

**C. FIXTURES OR DEVICES ONLY.**

FOR INSTALLING ELECTRICAL FIXTURES OR DEVICES ONLY:

1 TO 25 FIXTURES \$25

\$5 FOR EACH ADDITIONAL 25 OR FRACTION OF 25 FIXTURES OR DEVICES.

**D. TEMPORARY ELECTRICAL WIRING.**

**1. FOR BAZAARS, CINEMA SHOWS, DANCES, DISPLAYS, EXHIBITIONS, FAIRS, PLAYS, RUMMAGE SALES, SPORTING EVENTS, SUPPERS, AND OTHER SIMILAR ASSEMBLIES.**

\$20 FOR EACH 5 KILOWATTS OR FRACTION OF 5 KILOWATTS OF FEEDER CAPACITY SUPPLYING THE WIRING.

THE FEE IS REDUCED 50% IF THE NET PROCEEDS FROM THE EVENT ARE TO BE USED EXCLUSIVELY FOR A CHARITABLE OR RELIGIOUS ORGANIZATION.

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**2. FOR CARNIVALS AND CIRCUSES.**

\$25 FOR EACH 5 KILOWATTS OR FRACTION OF 5 KILOWATTS OF FEEDER CAPACITY SUPPLYING THE WIRING.

THE FEE IS REDUCED 50% IF THE NET PROCEEDS FROM THE EVENT ARE TO BE USED EXCLUSIVELY FOR A CHARITABLE OR RELIGIOUS ORGANIZATION.

**3. FOR CONSTRUCTION PURPOSES.**

THE FEE IS THE SAME AS FOR PERMANENT INSTALLATIONS, AND THE PERMITS MUST BE APPLIED FOR SEPARATELY.

**E. ELECTRICAL SEMIANNUAL PERMITS FOR MAINTENANCE WORK.**

THE FEE FOR EACH PERMIT IS BASED ON THE TOTAL SERVICE OF THE PLANT.

RATING OF SERVICE IN AMPERES

0 TO 600	\$50
OVER 600 TO 800	\$75
OVER 800 TO 1,200	\$100
OVER 1,200 TO 2,000	\$150
OVER 2,000	\$200

**F. NOT OTHERWISE CLASSIFIED.**

ELECTRICAL WORK NOT OTHERWISE CLASSIFIED IN THIS SECTION \$25 PER PERMIT

**G. LOW VOLTAGE \ WIRING.**

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

**H. TELECOMMUNICATIONS.**

POWER SUPPLY FOR INTEGRATED SYSTEMS

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

COMMUNICATION HOTELS

PER RACK	\$10
MAXIMUM	\$300

TELECOMMUNICATIONS ANTENNAS

1 TO 5 ANTENNAS \$25  
OVER 5 \$5 PER ADDITIONAL ANTENNA

GROUNDING AND BONDING \$25

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**I. INSTALLING ELECTRICAL TRANSFORMERS ONLY.**

1 TO 10 KVA	\$25
OVER 10 TO 50 KVA	\$35
OVER 50 TO 100 KVA	\$75
OVER 100 KVA	\$100

**108.6.3 PERMIT FEES FOR MECHANICAL WORK.**

**A. FUEL-BURNING EQUIPMENT AND APPLIANCES.**

BTU PER HOUR INPUT PER UNIT

0 TO 200,000	\$30
OVER 200,000 TO 500,000	\$45
OVER 500,000 TO 1,000,000	\$75
FOR EACH ADDITIONAL 1,000,000 OR FRACTION OF 1,000,000	\$75

MAXIMUM \$300 PER UNIT

LAB TABLES: \$5 PER OUTLET

FUEL OIL OR NATURAL GAS PIPING, NEW OR REPLACEMENT

1- AND 2-FAMILY DWELLINGS \$25

ALL OTHERS \$50

REPLACEMENT OF UNITS SAME AS NEW

**B. AIR CONDITIONING SYSTEMS.**

COOLING TOWERS \$150 PER UNIT

ALL OTHERS

\$5 A TON (1 TON EQUALS 12,000 BTU PER HOUR)

MINIMUM \$ 30

MAXIMUM \$300 PER UNIT

**C. HYDRONIC AND STEAM-HEATING SYSTEMS.**

NEW INSTALLATION OF BASEBOARD RADIATION

1- AND 2-FAMILY DWELLINGS \$25

ALL OTHERS \$50

NEW INSTALLATION OF PIPING

1- AND 2-FAMILY DWELLINGS \$25

ALL OTHERS \$50

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

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**H. PUMPS AND DISPENSERS.**

FOR EACH HOSE OUTLET	\$10
MINIMUM	\$30

**I. FIRE EXTINGUISHING SYSTEMS.**

<b>SPRINKLER SYSTEMS</b>	
1 TO 25 HEADS	\$35
MORE THAN 25 HEADS	\$50 PER 100 HEADS
	OR FRACTION
	OF 100 HEADS
RELOCATE SPRINKLER HEADS	\$5 EACH
MINIMUM	\$30
MAXIMUM	\$100
REPLACE SPRINKLER HEADS ONLY	\$20
STANDPIPE RISERS	\$50 EACH
RELOCATE HOSE STATIONS	\$10 EACH
CHEMICAL SYSTEMS	\$50

**J. PLUMBING AND ON-SITE UTILITIES.**

INSTALL, REPLACE, OR RECONSTRUCT PLUMBING FIXTURES	\$5 EACH
REMOVE PLUMBING FIXTURES ONLY	\$20
ELECTRICAL WATER HEATERS, NEW CONSTRUCTION OR REPLACEMENT	\$20 EACH
GREASE INTERCEPTORS	\$25 EACH
WATER SERVICE PIPE, NEW OR REPLACEMENT	
1-AND 2-FAMILY DWELLINGS	\$25
ALL OTHER WORK	\$50
SANITARY CONNECTION, NEW OR REPLACEMENT	
1- AND 2-FAMILY DWELLINGS	\$25
ALL OTHER WORK	\$50
STORM WATER CONNECTION, NEW OR REPLACEMENT	
1- AND 2-FAMILY DWELLINGS	\$25
ALL OTHER WORK	\$50
RECONSTRUCT WATER, SANITARY, OR STORM LINES ON PREMISES	\$20 PER UTILITY
CAP OFF WATER, SANITARY, OR STORM LINES ON PREMISES	\$50 PER UTILITY
ON-SITE UTILITIES (WATER, SANITARY, OR STORM WATER)	
NEW OR RECONSTRUCTION	\$50 PER UTILITY
MULTIPLE HOME SITE DEVELOPMENT	\$10 PER UTILITY
PRIVATE DISPOSAL SYSTEMS, INCLUDING SEPTIC TANK, DRY WELL,	
OR DRAIN FIELDS	\$100, PLUS
	\$5 PER PLUMBING FIXTURE
LAWN IRRIGATION SYSTEM	\$25
PRIVATE SWIMMING POOL WHEN CONNECTED TO A WATER	
AND SEWER LINE	\$30
BACKFLOW PREVENTION DEVICE	
INSTALLATION	
LESS THAN 2" DIAMETER	\$25 EACH
2" DIAMETER OR MORE	\$100 EACH
ANNUAL TESTING INSPECTION	\$30

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**K. INSTALLING ELEVATORS, ESCALATORS, ETC.**

INSTALLATION PER UNIT:

PASSENGER, POWER FREIGHT, AND PARKING ELEVATORS	\$50, PLUS \$5 PER FLOOR
MAXIMUM	\$150
ESCALATORS	\$60
HAND OR GRAVITY ELEVATORS	\$35
STAGE OR ORCHESTRA CONSOLE ELEVATORS	\$50
PRIVATE RESIDENCE ELEVATORS OR INCLINED LIFTS	\$35
PERSON LIFTS	\$50
AUTOMOBILE SERVICE LIFTS	\$20
POWER DUMBWAITERS	\$35
HAND DUMBWAITERS	\$30
TEMPORARY MATERIAL HOISTS AND ELEVATORS	\$35
WORKERS' HOISTS	\$35, PLUS \$5 PER FLOOR
ALTERATIONS	\$50 PER ELEVATOR

**108.6.4 FEES FOR CERTIFICATES.**

**A. ELECTRICAL CERTIFICATES OF APPROVAL.**

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

**B. MECHANICAL CERTIFICATES OF APPROVAL.**

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

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

\$45 EACH

**108.6.5 FEES FOR INSPECTION REGISTRATION PERMITS. FOR INSPECTION REGISTRATION PERMITS, THE FEES ARE AS FOLLOWS:**

**A. PUBLIC ASSEMBLIES – ANNUAL.**

FOR PUBLIC ASSEMBLIES, THE ANNUAL FEE IS:

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

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

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

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

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

<i>PURPOSE</i>	<i>1 DAY</i>	<i>1 WEEK</i>
BAZAARS	\$20	\$ 60
CARNIVALS	\$35	\$ 95
CIRCUSES	\$60	\$200
DANCES	\$30	\$ 70
DISPLAYS	\$20	\$ 50
EXHIBITIONS	\$20	\$ 50
FAIRS	\$35	\$ 85
LECTURES	\$20	\$ 50
MOVIES OR VIDEOS	\$20	\$ 60
PLAYS	\$20	\$ 50
RUMMAGE SALES	\$20	\$ 50
SPORTING EVENTS	\$35	\$ 85
SUPPERS	\$20	\$ 50
OTHER ASSEMBLIES	\$20	\$ 50
AMUSEMENT DEVICES	\$30 EACH	–

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

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

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

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

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

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

**SECTION 109 INSPECTIONS {AS IN IBC}**



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**SECTION 110 OCCUPANCY PERMIT; CERTIFICATE OF COMPLETION**

**110.1 TO 110.4** {AS IN IBC. BUT NOTE: THE "CERTIFICATE OF OCCUPANCY" TO WHICH THE IBC REFERS IS KNOWN IN BALTIMORE CITY AS AN "OCCUPANCY PERMIT".}

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

**110.6 REVOCATION.** {AS IN IBC § 110.5}

**SECTION 111 SERVICE UTILITIES {AS IN IBC}**

**SECTION 112 BOARD OF APPEALS {NOT ADOPTED}**

**SECTION 113 VIOLATIONS**

**113.1 UNLAWFUL ACTS.** IT IS UNLAWFUL FOR ANY PERSON TO:

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

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

1. THIS CODE, OR
2. A PLAN APPROVED UNDER THIS CODE, OR
3. A PERMIT OR CERTIFICATE ISSUED UNDER THIS CODE.

**113.2.1 TENOR OF NOTICE OR ORDER.** THE NOTICE OR ORDER MAY DIRECT:

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

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1 **113.3 ENFORCEMENT GENERALLY.** IF A VIOLATION IS NOT PROMPTLY DISCONTINUED OR ABATED, OR  
2 IF THE VIOLATION NOTICE OR ORDER IS NOT COMPLIED WITH PROMPTLY, THE BUILDING OFFICIAL MAY  
3 INSTITUTE OR CAUSE TO BE INSTITUTED ANY APPROPRIATE LEGAL PROCEEDINGS.

4 **113.3.1 TYPES OF PROCEEDINGS.** ENFORCEMENT PROCEEDINGS MAY INCLUDE:

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

12 **113.3.2 REMEDIES NOT EXCLUSIVE.** IN PURSUING A VIOLATION, THE BUILDING OFFICIAL MAY  
13 USE ANY 1 OR MORE AVAILABLE REMEDIES OR ENFORCEMENT ACTIONS. THE INITIATION OF ANY  
14 1 REMEDY OR ENFORCEMENT ACTION DOES NOT PRECLUDE PURSUING ANY OTHER REMEDY OR  
15 ENFORCEMENT ACTION AUTHORIZED BY LAW. NEITHER DAMAGES, IRREPARABLE INJURY, NOR  
16 THE LACK OF AN ADEQUATE REMEDY AT LAW IS A PREREQUISITE TO ENFORCEMENT IN EQUITY.

17 **113.3.3 WHEN PRIOR NOTICE NOT REQUIRED.** A VIOLATION NOTICE OR ORDER IS NOT A  
18 PREREQUISITE TO ENFORCEMENT ACTION IN THE FOLLOWING SITUATIONS:

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

30 **113.4 VIOLATION A MISDEMEANOR.** A PERSON IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION,  
31 SUBJECT TO THE PENALTIES SPECIFIED IN THIS § 113.4, IF THE PERSON:

- 32 1. VIOLATES A PROVISION OF THIS CODE,
- 33 2. FAILS TO COMPLY WITH ANY REQUIREMENT OF THIS CODE OR OF A REGULATION, ORDER,  
34 DECISION, PERMIT, OR NOTICE ISSUED UNDER THIS CODE, OR
- 35 3. CONSTRUCTS, ALTERS, ADDS TO, REPAIRS, REHABILITATES, DEMOLISHES, MOVES, LOCATES,  
36 USES, OCCUPIES, OR MAINTAINS ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT IN  
37 VIOLATION OF AN APPROVED PLAN OR DIRECTIVE OF THE BUILDING OFFICIAL OR OF A PERMIT  
38 OR CERTIFICATE ISSUED UNDER THIS CODE.

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

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

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

- 1. FOR WORK DONE WITHOUT A PERMIT OR IN VIOLATION OF A STOP-WORK ORDER, A FINE OF NOT MORE THAN \$1,000 OR IMPRISONMENT FOR NOT MORE THAN 12 MONTHS OR BOTH FINE AND IMPRISONMENT, AND
- 2. FOR ALL OTHER VIOLATIONS, A FINE OF NOT MORE THAN \$500.

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

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

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

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

**113.7 TO 113.10 {RESERVED}**

**113.11 REVOKING OR WITHHOLDING VIOLATOR’S PERMITS.**

**113.11.1 SCOPE.** THIS § 113.11 APPLIES WHENEVER THE BUILDING OFFICIAL FINDS THAT AN OWNER, CONTRACTOR, OR ARCHITECT, ENGINEER, OR OTHER DESIGN PROFESSIONAL HAS VIOLATED A PROVISION OF THIS CODE, OF A PERMIT, OR OF THE RULES AND REGULATIONS OF ANY DEPARTMENT OR AGENCY OF THE CITY IN CONNECTION WITH THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REHABILITATION, DEMOLITION, MOVING, LOCATION, USE, OCCUPANCY, OR MAINTENANCE OF ANY STRUCTURE, PREMISES, LAND, OR EQUIPMENT.

**113.11.2 ACTIONS AUTHORIZED.** IN ANY SITUATION DESCRIBED IN § 113.11.1, THE BUILDING OFFICIAL MAY:

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

2                   1. TO THE OWNER, CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN  
3                   PROFESSIONAL, OR

4                   2. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED,  
5                   AND

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

7                   1. TO THE OWNER, CONTRACTOR, ARCHITECT, ENGINEER, OR OTHER DESIGN  
8                   PROFESSIONAL, OR

9                   2. FOR WORK IN CONNECTION WITH WHICH THE DESIGN PROFESSIONAL IS EMPLOYED.

10       **113.12 TO 113.13 {RESERVED}**

11       **113.14 WORK WITHOUT PERMIT.** ANY PERSON WHO DOES WORK WITHOUT A PERMIT, OUTSIDE OR  
12       BEYOND THE SCOPE OF A PERMIT, OR IN A MANNER INCONSISTENT WITH PLANS OR DRAWINGS APPROVED  
13       AS PART OF A PERMIT APPLICATION:

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

15           2. MUST IMMEDIATELY STOP ANY WORK IN PROGRESS,

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

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

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

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

22       **113.15 TO 113.20 {RESERVED}**

23       **113.21 RESPONSIBILITY OF OWNERS AND OPERATORS.** EXCEPT AS OTHERWISE SPECIFICALLY  
24       PROVIDED IN § 113.21.1, THE OWNER AND THE OPERATOR OF ANY PROPERTY SUBJECT TO THIS CODE  
25       ARE EACH:

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

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

30       **113.21.1 EXCEPTIONS.** ONLY THE OWNER IS RESPONSIBLE FOR COMPLIANCE WITH A PROVISION  
31       REQUIRING AN OWNER’S SIGNATURE. EXCEPT AS SPECIFIED IN § 113.21.2, AN OWNER OR  
32       OPERATOR IS NOT RESPONSIBLE FOR COMPLIANCE WITH A PROVISION OF THIS CODE THAT IS  
33       SPECIFICALLY DESIGNATED AS THE RESPONSIBILITY OF THE OCCUPANT, UNLESS THAT OWNER OR  
34       OPERATOR IS ALSO AN OCCUPANT.

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1 **113.21.2 SECONDARY LIABILITY FOR SANITARY MAINTENANCE.** IF, AFTER A NOTICE, ORDER, OR  
2 CITATION, A TENANT FAILS TO CORRECT A VIOLATION OF PROPERTY MAINTENANCE CODE § 304  
3 {"EXTERIOR SANITARY MAINTENANCE – GENERAL"} OR § 305 {"EXTERIOR SANITARY  
4 MAINTENANCE – TRASH, GARBAGE, AND DEBRIS"} FOR WHICH OCCUPANTS ARE RESPONSIBLE  
5 UNDER PROPERTY MAINTENANCE CODE § 307 {"OCCUPANT’S SANITARY RESPONSIBILITIES"},  
6 THE OWNER AND OPERATOR OF THE PROPERTY ARE SECONDARILY LIABLE.

7 **113.21.2.1 NOTICE TO OWNER, OPERATOR.** BEFORE AN OWNER OR OPERATOR MAY BE  
8 CHARGED UNDER THIS § 113.21.2, HE OR SHE MUST BE SERVED WITH A VIOLATION NOTICE  
9 UNDER § 123.4.

10 **113.21.2.2 RECOVERY OF EXPENSES.** IF AN OWNER OR OPERATOR INCURS EXPENSES IN  
11 CORRECTING THE VIOLATION, THE OWNER OR OPERATOR:

- 12 1. MAY RECOVER THOSE EXPENSES FROM THE TENANT AS RENT, AND  
13 2. HAS ALL THE RIGHTS AND REMEDIES AVAILABLE UNDER THE LAW FOR NONPAYMENT.

14 **113.22 RESPONSIBILITY OF OTHERS.** IN ADDITION TO THE OWNER OR OPERATOR OF THE PROPERTY  
15 INVOLVED, ANY OTHER PERSON WHO VIOLATES ANY PROVISION OF THIS CODE IS LIABLE FOR THE  
16 VIOLATION AND, ON CONVICTION, IS SUBJECT TO ALL PENALTIES PROVIDED IN THIS CODE FOR THE  
17 VIOLATION.

18 **113.23 RESPONSIBILITY OF TRANSFEREE.** THIS § 113.23 APPLIES WHENEVER ANY PROPERTY IS  
19 TRANSFERRED BY SALE, ASSIGNMENT, GROUND RENT LEASE, OR OTHERWISE, WITH OR WITHOUT  
20 CONSIDERATION ("TRANSFER"). EXCEPT AS PROVIDED IN § 113.25, THIS § 113.23 DOES NOT APPLY  
21 TO A MORTGAGEE OR TO THE HOLDER OF A NOTE SECURED BY A DEED OF TRUST.

22 **113.23.1 DUTY BEFORE TRANSFER.** BEFORE ANY TRANSFER OF PROPERTY, THE TRANSFEREE  
23 MUST OBTAIN A COPY OF A VIOLATION REPORT FOR THE PROPERTY.

24 **113.23.2 PRIMARY LIABILITY OF TRANSFEREE.** ON TRANSFER OF THE PROPERTY, IF ANY  
25 VIOLATION OR CONDEMNATION NOTICES LIE AGAINST THE PROPERTY AND ARE INCLUDED IN  
26 THE VIOLATION REPORT, THE TRANSFEREE:

- 27 1. BECOMES PRIMARILY LIABLE FOR THOSE NOTICES THE SAME AS IF THE NOTICES HAD  
28 BEEN ADDRESSED TO THE TRANSFEREE,  
29 2. MUST ABATE THE VIOLATION, AND  
30 3. IS LIABLE IN ACCORDANCE WITH § 117 OF THIS CODE FOR ANY EXPENSES INCURRED BY THE  
31 CITY IN ABATING THE VIOLATION OR CONDEMNATION NOTICE, IF THE TRANSFEREE FAILED  
32 TO REQUEST A VIOLATION REPORT AS REQUIRED BY § 113.23.1.

33 **113.23.3 RELIANCE ON VIOLATION REPORT.** A TRANSFEREE IS NOT LIABLE FOR ABATEMENT  
34 EXPENSES INCURRED BY THE CITY IF, BEFORE THE TRANSFER, THE TRANSFEREE REQUESTED A  
35 VIOLATION REPORT AND THE REPORT DOES NOT SHOW THE VIOLATION.

36 **113.24 RESPONSIBILITY OF OFFICERS, DIRECTORS, ETC., OF CORPORATIONS, PARTNERSHIPS, ETC.**  
37 WHENEVER A CORPORATION, JOINT STOCK COMPANY, PARTNERSHIP, ASSOCIATION, LIMITED LIABILITY  
38 COMPANY, OR OTHER ENTITY VIOLATES ANY PROVISION OF THIS CODE, EVERY OFFICER, DIRECTOR,  
39 TRUSTEE, PARTNER, MEMBER, OR AGENT OF THAT ENTITY WHO HAS AUTHORIZED OR DONE ANY OF  
40 THE ACTS CONSTITUTING THE VIOLATION, IN WHOLE OR IN PART, OR WHO HAS FAILED TO ACT OR  
41 ACQUIESCED IN ANY FAILURE TO ACT CONSTITUTING THE VIOLATION, IN WHOLE OR IN PART, IS  
42 INDIVIDUALLY GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE PENALTIES  
43 PROVIDED IN THIS § 113.

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1 **113.25 RESPONSIBILITY OF MORTGAGEE.** A PERSON THAT ACQUIRES AN INTEREST IN PROPERTY BY  
2 WAY OF A MORTGAGE OR DEED OF TRUST (“LENDER”) IS LIABLE TO THE SAME EXTENT AS AN  
3 OWNER/TRANSFEEE FOR A VIOLATION OR CONDEMNATION NOTICE PERTAINING TO A VACANT UNSAFE  
4 STRUCTURE, IF:

- 5 1. THE PERSON WITH PRIMARY RESPONSIBILITY FAILS TO COMPLY WITH THE NOTICE,
- 6 2. THE LENDER HAS BEEN NOTIFIED BY CERTIFIED MAIL OF THE VIOLATION OR CONDEMNATION  
7 NOTICE, AND
- 8 3. WITHIN 180 DAYS AFTER THE RECEIPT OF THE NOTICE:
  - 9 A. RATIFICATION OF A FORECLOSURE SALE OF THE PROPERTY HAS NOT OCCURRED, OR
  - 10 B. THE LENDER HAS NOT RELEASED ITS MORTGAGE OR DEED OF TRUST.

11 **113.25.1 BANKRUPTCY TOLL.** THE 180-DAY PERIOD REFERRED TO IN § 113.25(3) IS TOLLED BY  
12 ANY PERIOD DURING WHICH THE LENDER’S RIGHT TO FORECLOSE IS STAYED BY A PENDING  
13 PROCEEDING UNDER THE FEDERAL BANKRUPTCY CODE.

14 **113.25.2 DEFENSE.** DURING ANY ENFORCEMENT PROCEEDING INSTITUTED AGAINST A LENDER  
15 UNDER THIS SECTION, IT IS A DEFENSE THAT THE LENDER DID NOT HAVE THE RIGHT TO INSTITUTE  
16 FORECLOSURE PROCEEDINGS.

17 **113.25.3 DURING PENDENCY OF FORECLOSURE.** DURING THE PENDENCY OF A FORECLOSURE,  
18 THE LENDER IS RESPONSIBLE FOR MAINTAINING THE PROPERTY FREE FROM HIGH VEGETATION AND  
19 FROM ACCUMULATION OF TRASH AND DEBRIS.

20 **113.26 RESPONSIBILITY OF BUYER ON FORECLOSURE.** ON FORECLOSURE OR SALE IN LIEU OF  
21 FORECLOSURE, THE BUYER:

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

24 **SECTION 114 STOP-WORK ORDER**

25 **114.1 AUTHORITY** *{As in IBC}*

26 **114.2 ISSUANCE.** THE STOP-WORK ORDER MUST BE IN WRITING. IT MUST BE SENT BY FIRST CLASS AND  
27 CERTIFIED MAIL TO THE OWNER OF THE PROPERTY INVOLVED, AND HAND DELIVERED TO THE OWNER’S  
28 AGENT OR TO THE PERSON DOING THE WORK. A COPY OF THE STOP-WORK ORDER MUST BE POSTED ON  
29 THE PROPERTY. ON POSTING OF THE STOP-WORK ORDER, THE CITED WORK MUST IMMEDIATELY CEASE.  
30 THE STOP-WORK ORDER MUST STATE THE REASON FOR THE ORDER.

31 **114.3 UNLAWFUL CONTINUANCE** *{As in IBC}*

32 **114.4 REMOVAL, ETC., OF POSTED NOTICE.** UNTIL THE BUILDING OFFICIAL SO AUTHORIZES, NO  
33 PERSON MAY REMOVE, DEFACE, DAMAGE, OR CHANGE ANY NOTICE, POSTER, OR SIGN PLACED UNDER  
34 THIS SECTION ON ANY LAND, STRUCTURE, OR OTHER OBJECT.

35 **SECTION 115 UNSAFE STRUCTURES**

36 **115.1 GENERAL.** ANY STRUCTURE OR PART OF A STRUCTURE FOUND TO BE UNSAFE OR UNFIT FOR  
37 HUMAN HABITATION OR OTHER AUTHORIZED USE MUST BE REHABILITATED OR, AS PERMITTED OR  
38 REQUIRED BY THE BUILDING OFFICIAL, DEMOLISHED.

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1 **115.1.1 SCOPE.** A STRUCTURE MAY BE UNSAFE OR UNFIT FOR HUMAN HABITATION OR OTHER  
2 AUTHORIZED USE BECAUSE OF:

- 3 1. CONDITIONS CONSTITUTING A FIRE HAZARD OR CONDITIONS OF DAMAGE, DECAY,  
4 DILAPIDATION, OBSOLESCENCE, ABANDONMENT, VACANCY (AS DESCRIBED IN § 115.4),  
5 INSANITATION, OR VERMIN OR RODENT INFESTATION THAT CONSTITUTE A HAZARD TO THE  
6 HEALTH, WELFARE, OR SAFETY OF OCCUPANTS OR THE PUBLIC,
- 7 2. LACK OF SANITATION, ILLUMINATION, VENTILATION, HEATING, PLUMBING, EXITWAYS, FIRE  
8 PROTECTION, UTILITIES, OR OTHER FACILITIES ADEQUATE TO PROTECT THE HEALTH,  
9 WELFARE, OR SAFETY OF OCCUPANTS OR THE PUBLIC, OR
- 10 3. CONDITIONS THAT ARE SO UNSAFE, INSANITARY, OVERCROWDED, IMPROPER IN USE OR  
11 OCCUPANCY, OR OTHERWISE DANGEROUS TO LIFE, HEALTH, WELFARE, OR SAFETY AS TO  
12 CREATE A HAZARD TO OCCUPANTS OR THE PUBLIC.

13 **115.2 OCCUPIED UNSAFE STRUCTURES.** WHENEVER THE BUILDING OFFICIAL OR THE COMMISSIONER  
14 OF HEALTH FINDS ALL OR ANY PART OF AN OCCUPIED STRUCTURE TO BE UNSAFE OR UNFIT FOR HUMAN  
15 HABITATION OR OTHER AUTHORIZED USE:

- 16 1. EITHER THE BUILDING OFFICIAL OR COMMISSIONER OF HEALTH MAY:
  - 17 A. POST AN ORDER REQUIRING THE STRUCTURE OR AFFECTED PART TO BE VACATED, AND
  - 18 B. TAKE NECESSARY STEPS TO REMOVE OCCUPANTS WHO FAIL OR REFUSE TO VACATE,
- 19 2. ONCE VACATED, THE STRUCTURE OR AFFECTED PART MAY NOT BE REOCCUPIED UNTIL:
  - 20 A. IT IS REHABILITATED TO COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES, AND
  - 21 B. THE BUILDING OFFICIAL HAS ISSUED AN OCCUPANCY PERMIT, AND
- 22 3. PENDING REHABILITATION, THE STRUCTURE MUST BE KEPT SECURE AGAINST CASUAL ENTRY  
23 AND THE PREMISES KEPT FREE OF LITTER, HIGH GRASS, AND WEEDS.

24 **115.3 TEMPORARILY UNOCCUPIED STRUCTURES.** ANY STRUCTURE OR PART OF A STRUCTURE THAT  
25 HAS BEEN LEFT UNOCCUPIED WITHOUT REMOVING APPLIANCES OR PORTABLE EQUIPMENT OR  
26 FURNITURE AND WITHOUT DISCONNECTING UTILITY SERVICE MUST BE SAFEGUARDED BY CLOSING AND  
27 SECURELY LOCKING ALL WINDOWS, DOORS, AND OTHER OPENINGS.

28 **115.4 UNSAFE VACANT STRUCTURES.** EVERY VACANT STRUCTURE , AS DEFINED IN THIS § 115.4, IS  
29 DECLARED TO BE A FIRE HAZARD AND A NUISANCE PER SE, AND MUST BE SAFEGUARDED AND  
30 OTHERWISE MAINTAINED AS REQUIRED IN THIS § 115.4.

31 **115.4.1 DEFINITION.** “VACANT STRUCTURE” MEANS AN UNOCCUPIED STRUCTURE THAT IS UNSAFE  
32 OR UNFIT FOR HUMAN HABITATION OR OTHER AUTHORIZED USE.

33 **115.4.2 DETERMINATIONS.** A DETERMINATION OF VACANCY AND A DETERMINATION OF  
34 NONCOMPLIANCE WITH A NOTICE OR ORDER ISSUED UNDER THIS SECTION MAY BE BASED ON  
35 OBSERVATION THAT A STRUCTURE:

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

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1 **115.4.3 REQUIRED SAFEGUARDING.** EVERY VACANT STRUCTURE MUST BE CLEANED, CLOSED,  
2 AND SAFEGUARDED AS FOLLOWS:

- 3 1. BEFORE THE STRUCTURE IS CLOSED AND SECURED, ALL LITTER, TRASH, AND OTHER DEBRIS  
4 MUST BE REMOVED FROM THE PREMISES.
- 5 2. ALL WINDOWS, DOORS, AND OTHER OPENINGS MUST BE CLOSED, SECURELY LOCKED, AND,  
6 IF WITHIN 20 FEET OF THE GROUND OR READILY ACCESSIBLE, FURTHER PROTECTED BY  
7 BOARDING UP WITH SUBSTANTIAL MATERIAL, INCLUDING MASONRY, APPROVED BY THE  
8 BUILDING OFFICIAL. THE BUILDING OFFICIAL MAY REQUIRE WINDOWS FACING STREETS TO  
9 BE BOARDED WITH LEXAN, VINYL, OR SIMILAR MATERIAL, PROTECTED BY SECURITY  
10 GRILLS, OR BOTH.
- 11 3. AS LONG AS THE STRUCTURE REMAINS UNREHABILITATED, IT MUST BE KEPT BOARDED AND  
12 THE PREMISES KEPT FREE OF LITTER, TRASH, DEBRIS, HIGH GRASS, AND WEEDS AT ALL  
13 TIMES. BOARDING AND CLEANING, HOWEVER, DOES NOT RELIEVE THE OWNER OF  
14 RESPONSIBILITY TO DEMOLISH OR TO REPAIR AND MAINTAIN THE PROPERTY IN  
15 CONFORMITY WITH THIS CODE.
- 16 4. THE STRUCTURE MAY NOT BE REOCCUPIED UNTIL THE BUILDING OFFICIAL HAS ISSUED AN  
17 OCCUPANCY PERMIT.

18 **115.4.4 EMERGENCY CONDITION.** A VACANT STRUCTURE THAT IS NOT KEPT BOARDED AND FREE  
19 FROM ACCUMULATIONS OF DEBRIS AND HIGH VEGETATION OR THAT, IN THE OPINION OF THE  
20 BUILDING OFFICIAL, IS SO DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION  
21 IS NOT FEASIBLE, CONSTITUTES AN EMERGENCY CONDITION THAT IMMINENTLY THREATENS THE  
22 PUBLIC HEALTH AND SAFETY AND REQUIRES IMMEDIATE RESOLUTION.

23 **115.4.5 RODENTICIDE PROCEDURE.** *SEE* § 3313 OF THIS CODE.

24 **115.5 REHABILITATION, DEMOLITION, AND STABILIZATION.** EXCEPT AS OTHERWISE AUTHORIZED OR  
25 REQUIRED UNDER THIS SECTION, A STRUCTURE FOUND TO BE UNSAFE OR UNFIT FOR HUMAN  
26 HABITATION OR OTHER AUTHORIZED USE MUST BE REHABILITATED.

27 **115.5.1 PERMITTED DEMOLITION.** ON TIMELY APPEAL OF AN ORDER TO REHABILITATE, THE  
28 BUILDING OFFICIAL MAY PERMIT AN OWNER TO DEMOLISH AN UNSAFE STRUCTURE INSTEAD OF  
29 REHABILITATING IT IF, IN THE BUILDING OFFICIAL'S OPINION, DEMOLITION IS NOT DETRIMENTAL TO  
30 THE IMMEDIATE NEIGHBORHOOD.

31 **115.5.2 REQUIRED DEMOLITION.** THE BUILDING OFFICIAL MAY ORDER THE IMMEDIATE  
32 DEMOLITION OF ANY UNSAFE STRUCTURE THAT, IN THE BUILDING OFFICIAL'S OPINION, IS EITHER  
33 SO DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION IS NOT FEASIBLE.

34 **115.5.2.1 APPEAL.** THE RECIPIENT OF AN ORDER TO DEMOLISH AN UNSAFE STRUCTURE MAY  
35 REQUEST ADMINISTRATIVE REVIEW OF THE ORDER UNDER § 128 OF THIS CODE.

36 **115.5.2.2 RESCISSION OF DEMOLITION ORDER.** THE BUILDING OFFICIAL MAY RESCIND OR  
37 MODIFY A DEMOLITION ORDER IF THE OWNER DEMONSTRATES THE FINANCIAL ABILITY AND  
38 REQUISITE EXPERTISE TO REHABILITATE THE STRUCTURE WITHIN A REASONABLE TIME, AS  
39 DETERMINED BY THE BUILDING OFFICIAL, AND AGREES TO COMPLY WITH A SPECIFIED  
40 TIMETABLE. FAILURE TO COMPLY WITH AN AGREED TIMETABLE REINSTATES THE DEMOLITION  
41 ORDER.

42 **115.5.3 STABILIZATION.** THE BUILDING OFFICIAL MAY PERMIT OR ORDER AN INTERIM  
43 STABILIZATION OF AN UNSAFE STRUCTURE PENDING ITS REHABILITATION.



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

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

**115.6 VACANT LOT MAINTENANCE.** WHEN A STRUCTURE HAS BEEN DEMOLISHED UNDER THIS § 115, THE PREMISES MUST BE MADE TO CONFORM TO THE PROVISIONS OF THIS CODE AND OF THE REGULATIONS ADOPTED UNDER THIS CODE.

**115.7 REMEDIAL ACTION BY BUILDING OFFICIAL.** THE BUILDING OFFICIAL MAY TAKE ACTION UNDER THIS § 115.7 WHENEVER THE OWNER, AGENT, OR PERSON IN CONTROL CANNOT BE FOUND OR FAILS TO COMPLY WITH A NOTICE OR ORDER SERVED UNDER THIS CODE:

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

**115.7.1 ACTIONS AUTHORIZED.** THE BUILDING OFFICIAL MAY PROCEED TO:

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

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

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

**115.7.4 REMEDIES NONEXCLUSIVE.** REMEDIAL ACTION UNDER THIS § 115 DOES NOT PRECLUDE ANY OTHER ENFORCEMENT ACTION AUTHORIZED BY THIS CODE.

**115.8 {RESERVED}**

**115.9 “ABANDONED” PROPERTY.** IF A PROPERTY IS CITED AS “VACANT” OR “UNFIT FOR HUMAN HABITATION” ON A VIOLATION NOTICE ISSUED UNDER THIS § 115, THE PROPERTY IS CONSIDERED TO BE CITED AS “ABANDONED” OR TO BE IN NEED OF SUBSTANTIAL REPAIR WITHIN THE MEANING OF THE STATE TAX-PROPERTY ARTICLE, TITLE 14, SUBTITLE 8.

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

**SECTION 116 EMERGENCY AND CORRECTIVE MEASURES**

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

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1 **116.2 PHOTOGRAPHS OF DANGEROUS CONDITIONS.** IN ALL EMERGENCIES, IF IT IS PRACTICAL AND IF  
2 ENOUGH TIME IS AVAILABLE TO DO SO, THE BUILDING OFFICIAL MUST CAUSE THE DANGEROUS OR  
3 UNSAFE CONDITION THAT CREATED THE EMERGENCY TO BE PHOTOGRAPHED BEFORE ANY DEMOLITION  
4 OR OTHER WORK OR OPERATION IS BEGUN TO ELIMINATE THE DANGEROUS OR UNSAFE CONDITION.

5 **116.3 CLOSING STREETS.** WHEN NECESSARY FOR THE PUBLIC SAFETY, THE BUILDING OFFICIAL MAY  
6 TEMPORARILY CLOSE ADJACENT STRUCTURES AND CLOSE OR REQUEST THE DIRECTOR OF PUBLIC  
7 WORKS TO CLOSE ADJACENT SIDEWALKS, STREETS, AND OTHER PUBLIC WAYS AND PROHIBIT THEM  
8 FROM BEING USED.

9 **116.4 LABOR AND MATERIAL FOR EMERGENCY WORK.** IN AN EMERGENCY WHERE LIFE, HEALTH,  
10 SAFETY, OR PROPERTY IS IN IMMEDIATE DANGER AND IT IS NECESSARY TO PERFORM ANY WORK OR  
11 OPERATION TO PROTECT THAT LIFE, HEALTH, SAFETY, OR PROPERTY, THE BUILDING OFFICIAL MAY  
12 EMPLOY THE PERSONS AND BUY THE MATERIALS NEEDED TO PERFORM THE WORK OR OPERATION AS  
13 EXPEDITIOUSLY AS POSSIBLE.

14 **116.5 LIABILITY FOR COSTS OF EMERGENCY WORK.** LIABILITY FOR EXPENSES INCURRED IN THE  
15 COURSE OF PERFORMING EMERGENCY WORK AND THE PROCEDURE FOR COLLECTING RESULTANT DEBTS  
16 AND LIENS ARE AS PROVIDED IN § 117 OF THIS CODE.

17 **SECTION 117 LIABILITY FOR EXPENSES AND COLLECTION OF DEBTS AND LIENS**

18 **117.1 SCOPE.** THIS § 117 APPLIES TO ALL CASES WHERE:

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

32 **117.2 LIABILITY AND LIEN FOR EXPENSES.** IN THE CASES DESCRIBED IN § 117.1, THE ENTIRE AMOUNT  
33 OF THE BUILDING OFFICIAL'S EXPENDITURES, TOGETHER WITH ALL INCIDENTAL COSTS AND ALL  
34 ACCRUED PENALTIES:

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

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1 **117.3 WHEN DEBTS AND LIENS BECOME EFFECTIVE.** ALL DEBTS BECOME DUE AND OWING TO THE  
2 CITY IMMEDIATELY WHEN THE WORK IS COMPLETED OR THE EXPENDITURE MADE. ALL LIENS BECOME  
3 EFFECTIVE IMMEDIATELY AFTER THE BUILDING OFFICIAL NOTIFIES THE BUREAU OF LIENS THAT  
4 APPROPRIATE NOTICE HAS BEEN GIVEN OR THAT A STRUCTURE HAS BEEN POSTED IN ACCORDANCE WITH  
5 THIS CODE.

6 **117.4 COLLECTION OF DEBTS AND LIENS.** ALL DEBTS DUE AND LIENS INCURRED UNDER THIS § 117:

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

11 **117.5 PRIORITY OVER OTHER LIENS AND ENCUMBRANCES.** ALL DEBTS AND LIENS INCURRED UNDER  
12 THIS § 117 HAVE PRIORITY OVER ALL OTHER LIENS AND ENCUMBRANCES, EXCEPT TAXES OR OTHER  
13 GOVERNMENT ASSESSMENTS.

14 **SECTIONS 118 TO 119 {RESERVED}**

15 **SECTION 120 CONDEMNATION PROCEEDINGS**

16 **120.1 IN GENERAL.** IF ANY LAND, STRUCTURE, OR EQUIPMENT BECOMES UNSAFE OR DANGEROUS TO  
17 PUBLIC HEALTH OR SAFETY, THE BUILDING OFFICIAL MAY CONDEMN THE LAND, STRUCTURE, OR  
18 EQUIPMENT AS PROVIDED IN THIS § 120 AND ISSUE A CONDEMNATION NOTICE AS PROVIDED IN § 123 OF  
19 THIS CODE. THE ISSUANCE OF A VIOLATION NOTICE IS NOT A PREREQUISITE FOR THE CONDEMNATION  
20 OF REAL PROPERTY.

21 **120.2 POSTING NOTICE.** IF THE BUILDING OFFICIAL CONDEMNS ANY LAND, STRUCTURE, OR  
22 EQUIPMENT, THE BUILDING OFFICIAL MUST CAUSE A NOTICE TO BE CONSPICUOUSLY DISPLAYED ON THE  
23 CONDEMNED LAND, STRUCTURE, OR EQUIPMENT.

24 **120.2.1 CONTENTS.** THE NOTICE MUST:

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

31 **120.2.2 EMERGENCIES.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY MAY BE IN  
32 IMMEDIATE DANGER, THE BUILDING OFFICIAL NEED NOT POST THE PROPERTY AND MAY PROCEED  
33 IN ACCORDANCE WITH § 116 OF THIS CODE.

34 **120.3 VACATING CONDEMNED PROPERTY.** A NOTICE POSTED UNDER § 120.2 IS DEEMED TO BE  
35 SUFFICIENT WARNING TO ALL OCCUPANTS OF THE CONDEMNED PROPERTY TO LEAVE IMMEDIATELY. IF  
36 ANY OCCUPANT FAILS TO VACATE THE PROPERTY IMMEDIATELY AFTER THE NOTICE IS POSTED, THE  
37 BUILDING OFFICIAL MAY TAKE WHATEVER ACTION IS PROPER AND EXPEDIENT TO REMOVE THAT  
38 OCCUPANT.

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1 **120.4 RECEIVER OF CONDEMNED PROPERTY.** AFTER A PROPERTY IS CONDEMNED, THE BUILDING  
2 OFFICIAL MAY:

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

6 **120.5 STATUS OF CONDEMNED PROPERTY.** AFTER PROPERTY HAS BEEN CONDEMNED AND POSTED IN  
7 ACCORDANCE WITH THIS § 120, THAT PROPERTY REMAINS CONDEMNED AND MAY NOT BE OCCUPIED OR  
8 USED AGAIN UNTIL THE BUILDING OFFICIAL DECLARES THE PROPERTY SAFE FOR OCCUPANCY OR USE  
9 AND HAS REMOVED THE CONDEMNATION.

10 **120.6 ORDER TO DEMOLISH.** IF, IN THE BUILDING OFFICIAL'S OPINION, A STRUCTURE IS SO  
11 DANGEROUSLY UNSOUND OR SO DETERIORATED THAT REHABILITATION IS NOT FEASIBLE, THE  
12 CONDEMNATION NOTICE MAY ORDER THE OWNER TO DEMOLISH THE STRUCTURE IMMEDIATELY.

13 **120.7 REMOVAL OF UNSAFE CONDITIONS.** ANYTIME AFTER PROPERTY HAS BEEN POSTED IN  
14 ACCORDANCE WITH THIS § 120, THE BUILDING OFFICIAL MAY DEMOLISH, MOVE, ALTER, REPAIR,  
15 REHABILITATE, REBUILD, RECONSTRUCT, OR TAKE ANY OTHER APPROPRIATE ACTION TO ELIMINATE OR  
16 MAKE SAFE AND SECURE ANY DANGEROUS OR UNSAFE CONDITION. BEFORE DOING SO, HOWEVER, THE  
17 BUILDING OFFICIAL MUST PROVIDE THE NOTICE REQUIRED BY § 105.9 OF THIS CODE.

18 **120.8 CONDEMNATION OF ELECTRICAL WORK.** IF ANY ELECTRICAL WIRING OR EQUIPMENT THAT  
19 HAS BEEN THE SUBJECT OF A CONDEMNATION NOTICE IS NOT MADE SAFE WITHIN THE TIME REQUIRED  
20 BY THE CONDEMNATION NOTICE, THE WIRING OR EQUIPMENT MUST BE PUT OUT OF SERVICE BY CUTTING  
21 OFF ALL ELECTRIC CURRENT TO IT AND BY SEALING ALL SWITCHES THAT OPERATE IN CONNECTION WITH  
22 THE WIRING OR EQUIPMENT.

23 **120.8.1 EMERGENCY ACTION.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY IS IN  
24 IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY ORDER ALL ELECTRIC CURRENT SERVING THE  
25 WIRING OR EQUIPMENT TO BE CUT OFF AND ALL SWITCHES THAT CONTROL THE WIRING OR  
26 EQUIPMENT TO BE SEALED. THE BUILDING OFFICIAL'S ORDERS MUST BE COMPLIED WITH  
27 IMMEDIATELY, REGARDLESS OF ANY OTHER PROVISIONS OF THIS CODE THAT MIGHT APPLY.

28 **120.8.2 PERMISSION NEEDED TO REACTIVATE.** WHENEVER ELECTRIC CURRENT HAS BEEN CUT  
29 OFF OR SWITCHES HAVE BEEN SEALED UNDER THIS § 120.8, THE ELECTRIC CURRENT MAY NOT BE  
30 CUT IN AND THE SEALS MAY NOT BE BROKEN, EXCEPT BY AN AUTHORIZED AGENT OF THE BUILDING  
31 OFFICIAL, AFTER ALL REQUIREMENTS OF THE BUILDING OFFICIAL HAVE BEEN COMPLIED WITH AND  
32 THE BUILDING OFFICIAL HAS ISSUED A CERTIFICATE OF APPROVAL.

33 **120.9 CONDEMNATION OF MECHANICAL WORK.** IF ANY MECHANICAL EQUIPMENT THAT HAS BEEN  
34 THE SUBJECT OF A CONDEMNATION NOTICE IS NOT MADE SAFE WITHIN THE TIME REQUIRED BY THE  
35 CONDEMNATION NOTICE, THE MECHANICAL EQUIPMENT MUST BE PUT OUT OF SERVICE AND SEALED.

36 **120.9.1 EMERGENCY ACTION.** IN CASE OF AN EMERGENCY WHERE LIFE OR PROPERTY IS IN  
37 IMMEDIATE DANGER, THE BUILDING OFFICIAL MAY ORDER THE MECHANICAL EQUIPMENT TO BE  
38 PUT OUT OF SERVICE AND SEALED. THE ORDERS OF THE BUILDING OFFICIAL MUST BE COMPLIED  
39 WITH IMMEDIATELY, REGARDLESS OF ANY OTHER PROVISIONS OF THIS CODE THAT MIGHT APPLY.

40 **120.9.2 PERMISSION NEEDED TO REACTIVATE.** WHENEVER MECHANICAL EQUIPMENT HAS BEEN  
41 PUT OUT OF SERVICE AND SEALED UNDER THIS § 120.9, THE MECHANICAL EQUIPMENT MAY NOT BE  
42 PUT BACK IN SERVICE AND THE SEALS MAY NOT BE BROKEN, EXCEPT BY AN AUTHORIZED AGENT OF  
43 THE BUILDING OFFICIAL, AFTER ALL REQUIREMENTS OF THE BUILDING OFFICIAL HAVE BEEN  
44 COMPLIED WITH AND THE BUILDING OFFICIAL HAS ISSUED A CERTIFICATE OF APPROVAL.

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**SECTION 121 VACANT BUILDING RECEIVER**

**121.1 SCOPE.** THIS § 121 APPLIES TO A VACANT BUILDING, AS DEFINED IN § 115.4, FOR WHICH A NOTICE OR ORDER TO REHABILITATE OR TO DEMOLISH IS OUTSTANDING.

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

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

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

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

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

**121.4.1 EFFECT OF FAILURE TO NAME PLAINTIFF.** FAILURE TO NAME A PERSON DESCRIBED IN § 121.4(3) DOES NOT PREVENT THE ACTION FROM GOING FORWARD, BUT DOES PREVENT THE RECEIVER'S LIEN FOR EXPENSES INCURRED IN REHABILITATING, DEMOLISHING, OR SELLING THE VACANT BUILDING FROM HAVING PRIORITY OVER THAT PERSON'S LIEN INTEREST.

**121.5 FILING WITH BUREAU OF LIENS.** A NOTICE OF THE PROCEEDING, TOGETHER WITH A COPY OF THE VIOLATION NOTICE OR ORDER, MUST BE FILED WITH THE BUREAU OF LIENS. THE BUREAU MUST INCLUDE A RECORD OF THESE IN ITS LIEN REPORTS, AND THE PROPERTY CANNOT BE TRANSFERRED WITHOUT THE PRIOR APPROVAL OF THE COURT.

**121.6 NOTICE TO JUDGMENT CREDITORS AND LIEN HOLDERS.** WITHIN 10 DAYS AFTER FILING THE PETITION, THE BUILDING OFFICIAL MUST GIVE NOTICE OF THE PENDENCY AND NATURE OF THE PROCEEDINGS BY REGULAR AND CERTIFIED MAIL TO THE LAST-KNOWN ADDRESSES OF ALL JUDGMENT CREDITORS AND LIEN HOLDERS WITH A RECORDED INTEREST IN THE PROPERTY.

**121.6.1 INTERVENTION.** WITHIN 30 DAYS OF THE DATE ON WHICH THE NOTICE WAS MAILED, A JUDGMENT CREDITOR OR LIEN HOLDER MAY APPLY TO INTERVENE IN THE PROCEEDING AND TO BE APPOINTED UNDER § 121.7.

**121.6.2 EFFECT OF FAILURE TO GIVE NOTICE.** FAILURE TO GIVE ANY REQUIRED NOTICE TO ANY INTERESTED PERSON UNDER THIS § 121 DOES NOT PREVENT THE ACTION FROM GOING FORWARD, BUT DOES PREVENT THE RECEIVER'S LIEN FOR EXPENSES INCURRED IN REHABILITATING, DEMOLISHING, OR SELLING THE VACANT BUILDING FROM HAVING PRIORITY OVER THAT PERSON'S LIEN INTEREST.

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1 **121.7 APPOINTMENT OF OWNER, ETC., INSTEAD OF RECEIVER.** INSTEAD OF APPOINTING A RECEIVER  
2 TO REHABILITATE OR SELL A VACANT BUILDING, THE COURT MAY PERMIT AN OWNER, MORTGAGEE, OR  
3 OTHER PERSON WITH AN INTEREST IN THE PROPERTY TO REHABILITATE OR DEMOLISH IT, IF THAT  
4 PERSON:

- 5 1. DEMONSTRATES ABILITY TO COMPLETE THE REHABILITATION OR DEMOLITION WITHIN A  
6 REASONABLE TIME,
- 7 2. AGREES TO COMPLY WITH A SPECIFIED SCHEDULE FOR REHABILITATION OR DEMOLITION , AND
- 8 3. POSTS BOND, IN AN AMOUNT DETERMINED BY THE COURT, AS SECURITY FOR PERFORMANCE OF  
9 THE REQUIRED WORK IN COMPLIANCE WITH THE SPECIFIED SCHEDULE.

10 **121.7.1 APPLICATION TO DISMISS OWNER.** IF IT APPEARS TO THE PETITIONER THAT THE PERSON  
11 APPOINTED IS NOT PROCEEDING WITH DUE DILIGENCE OR IN COMPLIANCE WITH THE  
12 COURT-ORDERED SCHEDULE, THE PETITIONER MAY APPLY TO THE COURT FOR IMMEDIATE  
13 REVOCATION OF THAT PERSON’S APPOINTMENT AND FOR APPOINTMENT OF A RECEIVER. THE BOND  
14 POSTED UNDER THIS SECTION MUST THEN BE APPLIED TO THE SUBSEQUENTLY APPOINTED  
15 RECEIVER’S EXPENSES IN REHABILITATING, DEMOLISHING, OR SELLING THE VACANT BUILDING.

16 **121.8 APPOINTMENT OF RECEIVER.** IF NO QUALIFIED PERSON WITH AN OWNERSHIP INTEREST  
17 REQUESTS APPOINTMENT TO REHABILITATE OR DEMOLISH THE PROPERTY, OR IF AN APPOINTEE IS  
18 DISMISSED, THE COURT MUST THEN APPOINT A RECEIVER OF THE PROPERTY FOR THE PURPOSE OF  
19 REHABILITATING AND MANAGING THE PROPERTY, DEMOLISHING THE PROPERTY, OR SELLING IT TO A  
20 QUALIFIED BUYER.

21 **121.8.1 PARTIES DIVESTED OF AUTHORITY.** ON APPOINTMENT OF A RECEIVER TO REHABILITATE,  
22 DEMOLISH, OR SELL THE PROPERTY, ALL PARTIES ARE DIVESTED OF ANY AUTHORITY TO ACT IN  
23 FURTHERANCE OF THOSE GOALS.

24 **121.8.2 PENALTIES.** ANY PARTY WHO TAKES ANY STEP TO REHABILITATE, DEMOLISH, OR SELL  
25 THE PROPERTY IS SUBJECT TO THE PENALTIES FOR CONTEMPT.

26 **121.9 POWERS OF RECEIVER APPOINTED TO REHABILITATE OR DEMOLISH.** A RECEIVER APPOINTED  
27 TO REHABILITATE OR DEMOLISH A VACANT BUILDING, IN ADDITION TO ALL NECESSARY AND  
28 CUSTOMARY POWERS, HAS THE RIGHT OF POSSESSION WITH AUTHORITY TO:

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

37 **121.10 POWERS OF RECEIVER APPOINTED TO SELL.** A RECEIVER APPOINTED TO SELL A VACANT  
38 BUILDING, IN ADDITION TO ALL NECESSARY AND CUSTOMARY POWERS, HAS AUTHORITY TO:

- 39 1. SELL THE PROPERTY TO THE HIGH BIDDER AT PUBLIC AUCTION, FOLLOWING THE SAME PRESALE  
40 NOTICE PROVISIONS THAT APPLY TO A FORECLOSURE, OR

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1 2. SELL THE PROPERTY PRIVATELY FOR FAIR MARKET VALUE IF NO PARTY TO THE RECEIVERSHIP  
2 OBJECTS TO THE AMOUNT AND PROCEDURE.

3 **121.10.1 NOTICE OF AUCTION.** IN THE NOTICE OF PUBLIC AUCTION, IT IS SUFFICIENT TO DESCRIBE  
4 THE PROPERTY BY A STREET ADDRESS AND BY REFERENCE TO THE LIBER AND FOLIO NUMBER OF  
5 THE TITLE DEED RECORDED IN THE LAND RECORDS OF BALTIMORE CITY.

6 **121.10.2 BUYER QUALIFICATIONS.** BEFORE ANY SALE, THE APPLICANTS TO BID IN A PUBLIC SALE  
7 OR THE PROPOSED BUYER IN A PRIVATE SALE MUST DEMONSTRATE THE ABILITY AND EXPERIENCE  
8 NEEDED TO REHABILITATE THE PROPERTY WITHIN A REASONABLE TIME.

9 **121.10.3 APPLICATION OF SALE PROCEEDS.** AFTER DEDUCTING THE EXPENSES OF THE SALE, THE  
10 AMOUNT OF OUTSTANDING TAXES AND OTHER GOVERNMENT ASSESSMENTS, AND THE AMOUNT OF  
11 THE RECEIVER’S LIEN, THE RECEIVER MUST APPLY ANY REMAINING PROCEEDS OF THE SALE, FIRST  
12 TO THE PETITIONER’S COSTS AND EXPENSES, INCLUDING REASONABLE ATTORNEY’S FEES, AND THEN  
13 TO THE LIENS AGAINST THE PROPERTY IN ORDER OF PRIORITY.

14 **121.11 TENURE OF RECEIVER APPOINTED TO REHABILITATE.** THE TENURE OF A RECEIVER  
15 APPOINTED TO REHABILITATE A VACANT BUILDING MAY EXTEND NO LONGER THAN 2 YEARS AFTER  
16 REHABILITATION. ANYTIME AFTER REHABILITATION, ANY PARTY TO THE RECEIVERSHIP MAY FILE A  
17 MOTION TO DISMISS THE RECEIVER ON PAYMENT OF THE RECEIVER’S OUTSTANDING COSTS, FEES, AND  
18 EXPENSES.

19 **121.12 FINAL ACCOUNTING.** AT THE END OF THE RECEIVER’S TENURE, THE RECEIVER MUST FILE A  
20 FINAL ACCOUNTING WITH THE COURT.

21 **121.13 RECEIVER’S LIEN FOR COSTS, ETC.** ANY COSTS OR FEES INCURRED BY THE RECEIVER ARE A  
22 LIEN AGAINST THE PROPERTY IN ACCORDANCE WITH § 117 OF THIS CODE. THE RECEIVER’S LIEN HAS  
23 PRIORITY OVER ALL OTHER LIENS AND ENCUMBRANCES, EXCEPT TAXES OR OTHER GOVERNMENT  
24 ASSESSMENTS. THE RECEIVER MUST ALLOW THE PETITIONER’S COSTS AND EXPENSES, INCLUDING  
25 REASONABLE ATTORNEY’S FEES, TO BE PAID TO THE EXTENT THAT THE PROCEEDS OF THE SALE PERMIT.

26 **121.13.1 FORECLOSURE OF LIEN.** A RECEIVER MAY FORECLOSE ON THE LIEN BY A SALE OF THE  
27 PROPERTY AT PUBLIC AUCTION, FOLLOWING 1 PUBLIC NOTICE AND NOTICE TO INTERESTED PARTIES  
28 IN THE MANNER OF A MORTGAGE FORECLOSURE. AFTER DEDUCTING THE EXPENSES OF THE SALE,  
29 THE RECEIVER MUST APPLY THE PROCEEDS OF THE SALE TO THE LIENS AGAINST THE PROPERTY, IN  
30 ORDER OF PRIORITY. IN LIEU OF FORECLOSURE, AND ONLY IF THE RECEIVER HAS REHABILITATED  
31 THE PROPERTY, AN OWNER MAY PAY THE RECEIVER’S COSTS, FEES, INCLUDING ATTORNEY’S FEES,  
32 AND EXPENSES OR MAY TRANSFER ALL OWNERSHIP IN THE PROPERTY TO EITHER THE RECEIVER OR  
33 AN AGREED-ON THIRD PARTY FOR AN AMOUNT AGREED TO BY ALL PARTIES TO THE RECEIVERSHIP  
34 AS BEING THE PROPERTY’S FAIR MARKET VALUE.

35 **121.14 TRANSFER ON SALE.** FOLLOWING COURT RATIFICATION OF A SALE, THE RECEIVER MUST SIGN A  
36 DEED CONVEYING TITLE TO THE BUYER, FREE AND CLEAR OF ALL ENCUMBRANCES.

37 **121.15 DISMISSAL.** ON SALE OF THE PROPERTY, THE RECEIVER MUST:

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

40 **SECTION 122 {RESERVED}**

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**SECTION 123 NOTICES**

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

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

1. CONDEMNATION NOTICES, OR
2. VIOLATION NOTICES.

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

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

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

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

1. THE LOCATION AND CHARACTER OF THE VIOLATION,
2. A REFERENCE TO APPLICABLE PROVISIONS OF THIS CODE,
3. THE RIGHT OF THE PERSON TO WHOM THE NOTICE IS DIRECTED TO REQUEST A HEARING WITHIN 10 DAYS OF THE DATE ON WHICH THE NOTICE WAS SERVED, AND
4. UNLESS TO BE CONTAINED IN A FOLLOW-UP OR SUBSEQUENT NOTICE:
  - A. A STATEMENT OF THE REQUIREMENTS THAT MUST BE COMPLIED WITH TO RECTIFY THE VIOLATION,



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B. THE TIME WITHIN WHICH THE VIOLATION MUST BE RECTIFIED, AND

C. THE BUILDING OFFICIAL’S AUTHORITY UNDER § 123.8 TO TAKE ACTION AT THE OWNER’S EXPENSE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1. MAY TAKE WHATEVER ACTION IS NECESSARY AND PROPER, INCLUDING THE INSTITUTION OF LEGAL PROCEEDINGS, TO COMPEL COMPLIANCE WITH THE NOTICE OR CITATION OR TO ENFORCE THE PENALTY PROVISIONS OF THIS CODE, AND
- 2. SUBJECT TO THE NOTICE REQUIREMENTS OF § 123.8.1, MAY PROCEED TO REPAIR, REBUILD, DEMOLISH, OR TAKE ANY OTHER ACTION NECESSARY TO ELIMINATE, IN WHOLE OR IN PART, OR MAKE SAFE ANY NUISANCE, BLIGHT, HEALTH HAZARD, OR DANGEROUS, INSANITARY, OR UNSAFE CONDITION THAT IS THE SUBJECT OF THE VIOLATION NOTICE, CONDEMNATION NOTICE, OR CITATION.

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

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

- 1. IN THE CASE OF AN EMERGENCY,
- 2. AS PROVIDED IN § 115.7 OF THIS CODE FOR UNSAFE STRUCTURES, OR
- 3. IF THE INITIAL OR ANY OTHER PRIOR NOTICE OR ORDER ISSUED BY THE BUILDING OFFICIAL INFORMED THE RECIPIENT OF THE BUILDING OFFICIAL’S AUTHORITY TO TAKE CORRECTIVE ACTION AND OF THE RECIPIENT’S RIGHT TO REQUEST ADMINISTRATIVE REVIEW.

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

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

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

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

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**SECTION 124 VIOLATION REPORTS**

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

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

**SECTIONS 125 TO 127 {RESERVED}**

**SECTION 128 ADMINISTRATIVE AND JUDICIAL REVIEW**

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

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

- 1. BE MADE WITHIN 10 DAYS OF THE ACTION FOR WHICH REVIEW IS SOUGHT,
- 2. SET FORTH IN FULL THE REASONS FOR THE REVIEW, AND
- 3. EITHER BE:
  - A. MAILED TO THE BUILDING OFFICIAL BY CERTIFIED OR REGISTERED MAIL, RETURN RECEIPT REQUESTED, OR
  - B. DELIVERED TO THE BUILDING OFFICIAL’S OFFICE AND STAMPED RECEIPTED BY THE OFFICE.

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

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

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

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

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

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

- 1. AT THE TIME THE BUILDING OFFICIAL DESIGNATES, AND

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1                   2. IN THE OFFICE OF THE BUILDING OFFICIAL OR AT ANY OTHER PLACE THE BUILDING  
2                   OFFICIAL DESIGNATES.

3                   **128.5.3.1 POSTPONEMENTS.** THE BUILDING OFFICIAL MAY POSTPONE A HEARING ONLY FOR  
4                   GOOD CAUSE SHOWN.

5                   **128.5.4 HEARING OFFICER OR PANEL.** A HEARING OFFICER OR 3-PERSON PANEL DESIGNATED BY  
6                   THE BUILDING OFFICIAL PRESIDES AT ALL HEARINGS. THE INDIVIDUAL WHO ISSUED THE NOTICE,  
7                   ORDER, PERMIT, PENALTY ASSESSMENT, OR OTHER ACT BEING APPEALED MAY NOT SERVE AS THE  
8                   HEARING OFFICER OR AS A MEMBER OF THE PANEL.

9                   **128.5.5 RULES FOR CONDUCTING HEARINGS.**

10                  **128.5.5.1 BUILDING OFFICIAL.** THE BUILDING OFFICIAL MAY ADOPT GENERAL RULES AND  
11                  REGULATIONS FOR THE PROPER CONDUCT OF HEARINGS.

12                  **128.5.5.1 HEARING OFFICER OR PANEL.** THE HEARING OFFICER OR PANEL MAY SET  
13                  REQUIREMENTS TO ENSURE A FAIR AND EXPEDITIOUS HEARING. THE REQUIREMENTS SET:

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

19                  **128.5.6 DECISION.** WITHIN 30 DAYS AFTER A HEARING IS COMPLETED, THE HEARING OFFICER OR  
20                  PANEL MUST RENDER A DECISION.

21                  **128.5.6.1 FORM AND CONTENTS.** THE DECISION MUST:

- 22                   1. BE IN WRITING, AND
- 23                   2. CONTAIN SEPARATE STATEMENTS OF:
- 24                   A. THE FINDINGS OF FACT,
- 25                   B. THE CONCLUSIONS OF LAW, APPLYING THE RELEVANT PROVISIONS OF LAW TO  
26                   THE FINDINGS OF FACT, AND
- 27                   C. THE DECISION OR ORDER.

28                  **128.5.6.2 DISTRIBUTION.** A COPY OF THE DECISION MUST BE MAILED OR DELIVERED TO EACH  
29                  PARTY OR THAT PARTY'S ATTORNEY OF RECORD.

30                  **128.5.6.3 FINAL ADMINISTRATIVE DECISION.** A DECISION ISSUED UNDER THIS § 128 IS A  
31                  FINAL ADMINISTRATIVE DECISION.

32                  **128.5.7 RECORDS.** THE DEPARTMENT MUST KEEP A COMPLETE RECORD OF ALL PAPERS FILED IN  
33                  CONNECTION WITH ANY HEARING, TOGETHER WITH A COPY OF THE WRITTEN DECISION.

34                  **128.5.8 TRANSCRIPT.** THE COSTS OF PREPARING A HEARING TRANSCRIPT MUST BE PAID BY THE  
35                  PARTY REQUESTING THE TRANSCRIPT.

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1 **128.6 JUDICIAL REVIEW.** A PARTY AGGRIEVED BY THE DECISION MAY SEEK JUDICIAL REVIEW OF  
2 THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE  
3 MARYLAND RULES OF PROCEDURE. A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S  
4 FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES  
5 OF PROCEDURE.

6 **128.6.1 PROCEEDINGS NOT STAYED.** A JUDICIAL REVIEW OR APPEAL DOES NOT STAY ANY  
7 CRIMINAL OR EQUITABLE PROCEEDINGS OR PREVENT THE BUILDING OFFICIAL FROM PURSUING ANY  
8 OTHER ACTION OR ENFORCEMENT PROCEDURE AUTHORIZED BY LAW.

### CHAPTER 2. DEFINITIONS

#### SECTION 201 GENERAL

11 **201.1 SCOPE.** *{AS IN IBC}*

12 **201.2 INTERCHANGEABILITY.** *{AS IN IBC}*

13 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CHAPTER AND IS DEFINED  
14 IN ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED IN § 101.4 OF THIS CODE, THE TERM HAS  
15 THE MEANING GIVEN TO IT IN THAT STANDARD OR CODE.

16 **201.4 TERMS NOT DEFINED.** *{AS IN IBC}*

#### SECTION 202 DEFINITIONS

18 **202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED IN THIS CODE AND DEFINED  
19 IN THE INTERNATIONAL BUILDING CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE  
20 INTERNATIONAL BUILDING CODE (2006 EDITION).

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.

23 **202.2.1 ACCESSORY STRUCTURE.** "ACCESSORY STRUCTURE" MEANS A STRUCTURE:

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

26 **202.2.2 AGENT.** "AGENT" MEANS, AS THE CONTEXT INDICATES, ANY PERSON WHO:

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

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1       **202.2.3 AUTHORIZED USE.** “AUTHORIZED USE” MEANS A USE OF LAND OR STRUCTURE APPROVED  
2       IN ACCORDANCE WITH THE ZONING CODE.

3       **202.2.4 BLIGHT.** “BLIGHT” INCLUDES EXTERIOR SURFACES DEFACED BY CARVINGS, MARKINGS,  
4       OR GRAFFITI.

5       **202.2.5 BUILDING.** “BUILDING” HAS THE MEANING STATED IN IBC § 202 AND, UNLESS THE  
6       CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

7       **202.2.6 BUILDING OFFICIAL.** “BUILDING OFFICIAL” HAS THE MEANING STATED IN § 103.1.

8       **202.2.7 BUILDING PERMIT.** “BUILDING PERMIT” MEANS ANY PERMIT ISSUED UNDER THIS CODE.

9       **202.2.7 CERTIFICATE OF OCCUPANCY.** “CERTIFICATE OF OCCUPANCY” MEANS AN OCCUPANCY  
10       PERMIT.

11       **202.2.9 CHANGE IN OCCUPANCY.** “CHANGE IN OCCUPANCY” MEANS A CHANGE IN THE PURPOSE  
12       OR LEVEL OF ACTIVITY ON LAND OR WITHIN A STRUCTURE.

13       **202.2.10 CHANGE OF USE.** “CHANGE OF USE” MEANS CHANGE IN OCCUPANCY.

14       **202.2.11 CITY.** “CITY” MEANS THE MAYOR AND CITY COUNCIL OF BALTIMORE.

15       **202.2.12 CODE.** “CODE” MEANS, UNLESS OTHERWISE SPECIFIED, THE BUILDING, FIRE, AND  
16       RELATED CODES OF BALTIMORE CITY, AS FURTHER DEFINED IN § 101.1.

17       **202.2.13 DEMOLITION.** “DEMOLITION”:

- 18           1. MEANS RAZING OR DEMOLITION, AND
- 19           2. INCLUDES REMOVAL OF THE DEBRIS RESULTING FROM ANY RAZING OR DEMOLITION.

20       **202.2.14 DEPARTMENT.** “DEPARTMENT” MEANS, UNLESS THE CONTEXT CLEARLY INDICATES  
21       OTHERWISE, THE DEPARTMENT OF BUILDING SAFETY, AS FURTHER DEFINED IN § 103.1.

22       **202.2.15 DEPARTMENT OF BUILDING SAFETY.** “DEPARTMENT OF BUILDING SAFETY” HAS THE  
23       MEANING STATED IN § 103.1.

24       **202.2.16 DWELLING.** “DWELLING” INCLUDES, BUT IS NOT LIMITED TO, ANY ONE OR MORE OF THE  
25       FOLLOWING:

26           **202.2.16.1 BOARDING HOUSE.** *{AS IN IBC}*

27           **202.2.16.2 DORMITORY.** “DORMITORY” MEANS A SPACE IN A BUILDING THAT PROVIDES  
28           GROUP SLEEPING ACCOMMODATIONS IN 1 ROOM OR IN A SERIES OF CLOSELY ASSOCIATED  
29           ROOMS FOR PERSONS NOT MEMBERS OF THE SAME FAMILY GROUP.

30           **202.2.16.3 MULTIPLE-FAMILY DWELLING.** “MULTIPLE-FAMILY DWELLING” MEANS A  
31           BUILDING OR PART OF A BUILDING THAT CONTAINS MORE THAN 2 DWELLING UNITS.

32           **202.2.16.4 1-FAMILY DWELLING; SINGLE-FAMILY DWELLING UNIT.** “1-FAMILY DWELLING”  
33           OR “SINGLE-FAMILY DWELLING UNIT” MEANS A BUILDING THAT CONTAINS ONLY 1 DWELLING  
34           UNIT AND IS USED ONLY FOR THAT PURPOSE.

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1           **202.2.16.5 2-FAMILY DWELLING.** “2-FAMILY DWELLING” MEANS A BUILDING THAT CONTAINS  
2 DWELLING UNITS AND IS USED ONLY FOR THAT PURPOSE.

3           **202.2.17 DWELLING UNIT.** “DWELLING UNIT” MEANS A SINGLE UNIT THAT PROVIDES OR THAT IS  
4 DESIGNED OR INTENDED TO PROVIDE COMPLETE, INDEPENDENT LIVING FACILITIES FOR 1 OR MORE  
5 PERSONS, INCLUDING PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING, COOKING, AND  
6 SANITATION.

7           **202.2.18 HIGH-RISE BUILDING.** “HIGH-RISE BUILDING” HAS THE MEANING STATED IN ARTICLE  
8 38A, § 49 OF THE MARYLAND CODE.

### 9           **202.2.19 INTERNATIONAL CODES.**

10           **202.2.19.1 ENERGY CONSERVATION CODE.** “ENERGY CONSERVATION CODE” MEANS THE  
11 INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION), AS SUPPLEMENTED,  
12 AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

13           **202.2.19.2 FIRE CODE.** “FIRE CODE” MEANS THE INTERNATIONAL FIRE CODE (2006  
14 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

15           **202.2.19.3 MECHANICAL CODE.** “MECHANICAL CODE” MEANS THE INTERNATIONAL  
16 MECHANICAL CODE (2006 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED  
17 BY BALTIMORE CITY.

18           **202.2.19.4 PROPERTY MAINTENANCE CODE.** “PROPERTY MAINTENANCE CODE” MEANS THE  
19 INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 EDITION), AS SUPPLEMENTED,  
20 AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE CITY.

21           **202.2.20 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY  
22 NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

23           **202.2.21 MORTGAGE.** “MORTGAGE” INCLUDES A DEED OF TRUST OR OTHER DEED IN THE NATURE  
24 OF A MORTGAGE.

25           **202.2.22 MORTGAGEE.** “MORTGAGEE” INCLUDES A BENEFICIARY UNDER A DEED OF TRUST OR  
26 OTHER DEED IN THE NATURE OF A MORTGAGE.

27           **202.2.23 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A  
28 REQUIREMENT OR TO IMPOSE A DUTY.

### 29           **202.2.24 NATIONAL CODES.**

30           **202.2.24.1 ELECTRICAL CODE.** “ELECTRICAL CODE” MEANS THE NATIONAL ELECTRICAL  
31 CODE (2005 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY  
32 BALTIMORE CITY.

33           **202.2.24.2 FUEL GAS CODE.** “FUEL GAS CODE” MEANS THE NATIONAL FUEL GAS CODE  
34 (2006 EDITION), AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY BALTIMORE  
35 CITY.

36           **202.2.24.3 PLUMBING CODE.** “PLUMBING CODE” MEANS THE NATIONAL STANDARD  
37 PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT), AS SUPPLEMENTED, AMENDED, OR  
38 OTHERWISE MODIFIED BY BALTIMORE CITY.

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1       **202.2.25 OCCUPANCY.** “OCCUPANCY” MEANS:

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

6       **202.2.26 OCCUPANCY PERMIT.** “OCCUPANCY PERMIT” MEANS A PERMIT THAT:

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

10       **202.2.27 OCCUPANT.** “OCCUPANT” MEANS ANY PERSON WHO USES OR WHO HAS THE RIGHT OF  
11       POSSESSION OF ALL OR ANY PART OF A STRUCTURE OR PREMISES.

12       **202.2.28 OPERATOR.** “OPERATOR” MEANS ANY PERSON WHO HAS CHARGE, CARE, OR CONTROL OF  
13       ALL OR ANY PART OF A STRUCTURE OR PREMISES.

14       **202.2.29 PERSON.** “PERSON”:

- 15           1. MEANS ANY INDIVIDUAL, SOLE PROPRIETORSHIP, CORPORATION, LIMITED LIABILITY  
16           COMPANY, FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, JOINT VENTURE, OR OTHER  
17           ENTITY OR GROUP ACTING AS A UNIT, EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER,  
18           GUARDIAN, OR OTHER REPRESENTATIVE APPOINTED BY LAW, AND  
19           2. WHENEVER USED IN THIS CODE WITH REFERENCE TO LIABILITY OR TO THE IMPOSITION OF A  
20           PENALTY OR FINE, INCLUDES:  
21           A. AS TO AN UNINCORPORATED FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION,  
22           OR JOINT VENTURE, THE PARTNERS OR MEMBERS OF THE FIRM, PARTNERSHIP,  
23           ASSOCIATION, ORGANIZATION, OR JOINT VENTURE,  
24           B. AS TO A CORPORATION, THE OFFICERS, TRUSTEES, AGENTS, OR MEMBERS OF THE  
25           CORPORATION WHO ARE RESPONSIBLE FOR THE VIOLATION OF ANY RELEVANT  
26           CODE PROVISION, AND  
27           C. IN ADDITION, THE RESPONSIBLE OFFICER, TRUSTEE, PARTNER, OR MEMBER  
28           DESIGNATED ON A REGISTRATION STATEMENT MADE UNDER CITY CODE ARTICLE  
29           13, SUBTITLE 4 {“REGISTRATION OF RESIDENTIAL PROPERTIES”}.

30       **202.2.30 PREMISES.** “PREMISES” MEANS A LOT OR GROUP OF LOTS, TOGETHER WITH ALL OR ANY  
31       PART OF ANY BUILDINGS OR STRUCTURES ON THE LOT OR GROUP OF LOTS, CONSIDERED AS A UNIT  
32       DEVOTED TO A PARTICULAR USE, INCLUDING ACCESSORY STRUCTURES AND OPEN SPACES REQUIRED  
33       OR USED IN CONNECTION WITH THAT PARTICULAR USE.

34       **202.2.31 REHABILITATION.** “REHABILITATION” MEANS ALL REPAIRS AND OTHER WORK, OF ANY  
35       KIND, NEEDED TO MAKE A DWELLING OR OTHER STRUCTURE FIT TO BE OCCUPIED FOR ITS  
36       AUTHORIZED USE IN CONFORMITY WITH ALL APPLICABLE STANDARDS AND REQUIREMENTS OF THIS  
37       CODE.

38       **202.2.32 RELATED LAWS.** “RELATED LAWS” HAS THE MEANING STATED IN § 104.6.2.

39       **202.2.33 {RESERVED}**



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1           **202.2.34 {RESERVED}**

2           **202.2.35 STRUCTURE.** “STRUCTURE” HAS THE MEANING STATED IN IBC § 202 AND, UNLESS THE  
3           CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

4           **202.2.36 STABILIZATION.** “STABILIZATION”, WITH REFERENCE TO A STRUCTURE THAT HAS BEEN  
5           DECLARED UNSAFE OR UNFIT FOR OCCUPANCY, MEANS ALL WORK OF ANY KIND, NOT AMOUNTING  
6           TO REHABILITATION, THAT IS NEEDED, OR THAT IS PERFORMED OR REQUIRED BY THE BUILDING  
7           OFFICIAL, TO MAKE THE STRUCTURE SAFE AND SECURE, TO PREVENT ITS FURTHER DETERIORATION,  
8           AND TO ELIMINATE ITS BLIGHTING INFLUENCE.

9           **202.2.37 TRANSFER.** “TRANSFER”, WHEN USED WITH RESPECT TO PROPERTY SUBJECT TO THIS  
10          CODE, HAS THE MEANING STATED IN § 113.23.

11          **202.2.38 USE.** “USE” MEANS, UNLESS THE CONTEXT INDICATES OTHERWISE:

- 12                   1. THE PURPOSE FOR WHICH A BUILDING, STRUCTURE, OR LAND IS USED, OCCUPIED, OR  
13                   INTENDED TO BE USED OR OCCUPIED, AND
- 14                   2. ANY ACTIVITY, OCCUPATION, BUSINESS, OR OPERATION CARRIED OUT ON LAND OR IN A  
15                   BUILDING OR STRUCTURE.

16          **202.2.40 ZONING CODE.** “ZONING CODE” MEANS THE ZONING CODE OF BALTIMORE CITY,  
17          INCLUDING THE ACCOMPANYING ZONING DISTRICT MAPS.

18                                   **CHAPTER 3. USE AND OCCUPANCY CLASSIFICATION**

19          **SECTIONS 301 TO 307 {AS IN IBC}**

20          **SECTION 308 INSTITUTIONAL GROUP I**

21           **308.1 INSTITUTIONAL GROUP I. {AS IN IBC}**

22           **308.2 GROUP I-1. {AS IN IBC}**

23           **308.3 GROUP I-2. {AS IN IBC}**

24                   **308.3.1 CHILD CARE FACILITY.** A CHILD CARE FACILITY THAT PROVIDES CARE ON A 24-HOUR  
25                   BASIS TO MORE THAN 8 CHILDREN 2½ YEARS OF AGE OR LESS IS CLASSIFIED AS GROUP I-2.

26           **308.4 GROUP I-3. {AS IN IBC}**

27                   **308.5 GROUP I-4, DAY CARE FACILITIES.** THIS GROUP INCLUDES BUILDINGS AND STRUCTURES  
28                   OCCUPIED BY PERSONS OF ANY AGE WHO RECEIVE CUSTODIAL CARE FOR LESS THAN 24 HOURS BY  
29                   INDIVIDUALS OTHER THAN PARENTS OR GUARDIANS, RELATIVES BY BLOOD, MARRIAGE, OR ADOPTION,  
30                   AND IN A PLACE OTHER THAN HOME OF THE PERSON CARED FOR. A FACILITY LIKE THIS WITH 8 OR  
31                   FEWER PERSONS IS CLASSIFIED AS A GROUP R-3 OR SHALL COMPLY WITH THE INTERNATIONAL  
32                   RESIDENTIAL CODE IN ACCORDANCE WITH § 101.2 OF THIS CODE. PLACES OF WORSHIP DURING  
33                   RELIGIOUS FUNCTIONS ARE NOT INCLUDED.

34                   **308.5.1 ADULT CARE FACILITY.** A FACILITY THAT PROVIDES ACCOMMODATION FOR LESS THAN  
35                   24 HOURS FOR MORE THAN 8 UNRELATED ADULTS AND PROVIDES SUPERVISION AND PERSONAL  
36                   CARE SERVICES IS CLASSIFIED AS GROUP I-4.

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**EXCEPTION:** A FACILITY IN WHICH THE OCCUPANTS ARE CAPABLE OF RESPONDING TO AN EMERGENCY SITUATION WITHOUT PHYSICAL ASSISTANCE FROM THE STAFF IS CLASSIFIED AS GROUP A-3.

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

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

**SECTION 309 MERCANTILE GROUP M {As in IBC}**

**SECTION 310 RESIDENTIAL GROUP R**

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

**R-1 TO R-2 {As in IBC}**

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

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

GROUP R-4 OCCUPANCIES MUST:

1. MEET THE CONSTRUCTION REQUIREMENTS FOR GROUP R-3, EXCEPT AS OTHERWISE PROVIDED IN THIS CODE, OR
2. COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE.

**310.2 DEFINITIONS. {As in IBC}**

**SECTION 311 STORAGE GROUP S {As in IBC}**

**SECTION 312 UTILITY AND MISCELLANEOUS GROUP U**

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

- AGRICULTURAL BUILDINGS
- AIRCRAFT HANGARS, ACCESSORY TO A ONE- OR TWO-FAMILY RESIDENCE
- BARNs
- CARPORTS
- FENCES
- GRAIN SILOS, ACCESSORY TO A RESIDENTIAL OCCUPANCY
- GREENHOUSES

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- 1 LIVESTOCK SHELTERS
- 2 PRIVATE GARAGES
- 3 RETAINING WALLS
- 4 SHEDS
- 5 STABLES
- 6 TANKS
- 7 TOWERS

**CHAPTER 4. SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY**

**SECTION 401 SCOPE {As IN IBC}**

**SECTION 402 COVERED MALL BUILDINGS {As IN IBC}**

**SECTION 403 HIGH-RISE BUILDINGS**

**403.1 APPLICABILITY.** THIS § 403 APPLIES TO ALL “HIGH-RISE BUILDINGS”, AS DEFINED IN ARTICLE 38A, § 49 OF THE MARYLAND CODE.

**403.2 TO 403.11 {As IN IBC}**

**403.12 STAIRWAY DOOR OPERATION.** ALL STAIRWAY DOORS THAT ARE TO BE LOCKED FROM THE STAIRWAY SIDE MUST BE CAPABLE OF BEING UNLOCKED SIMULTANEOUSLY, WITHOUT UNLATCHING, ON A SIGNAL FROM THE FIRE COMMAND STATION, ON ACTIVATION OF THE FIRE ALARM SYSTEM, OR ON LOSS OF POWER TO THE BUILDING.

**403.12.1 STAIRWAY COMMUNICATION SYSTEM. {As IN IBC}**

**403.13 SMOKEPROOF EXIT ENCLOSURES. {As IN IBC}**

**403.14 SEISMIC CONSIDERATIONS. {As IN IBC}**

**SECTIONS 404 TO 414 {As IN IBC}**

**SECTION 415 GROUPS H-1, H-2, H-3, H-4, AND H-5**

**415.1 TO 415.5 {As IN IBC}**

**415.6 GROUP H-2. {As IN IBC}**

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

**415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS. {As IN IBC}**

**415.6.3 LIQUEFIED PETROLEUM GAS DISTRIBUTION FACILITIES.** THE DESIGN AND CONSTRUCTION OF PROPANE, BUTANE, PROPYLENE, BUTYLENE, AND OTHER LIQUEFIED PETROLEUM GAS DISTRIBUTION FACILITIES MUST CONFORM TO THE APPLICABLE PROVISIONS OF §§ 415.6.3.1 THROUGH 415.6.3.5.2. THE STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS SYSTEMS MUST CONFORM TO THE INTERNATIONAL FIRE CODE. THE DESIGN AND INSTALLATION OF PIPING, EQUIPMENT, AND SYSTEMS THAT UTILIZE LIQUEFIED PETROLEUM GAS MUST BE IN ACCORDANCE WITH THE NATIONAL FUEL GAS CODE. LIQUEFIED PETROLEUM GAS DISTRIBUTION FACILITIES MUST BE VENTILATED IN ACCORDANCE WITH THE INTERNATIONAL MECHANICAL CODE AND § 415.6.3.1.

**415.6.3.1 TO 415.6.3.5 {As IN IBC}**

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1           **415.6.4 DRY CLEANING PLANTS.** THE CONSTRUCTION AND INSTALLATION OF DRY CLEANING  
2           PLANTS MUST BE IN ACCORDANCE WITH THIS CODE, THE INTERNATIONAL MECHANICAL CODE, AND  
3           NFPA 32. DRY CLEANING SOLVENTS AND SYSTEMS MUST BE CLASSIFIED IN ACCORDANCE WITH  
4           THE INTERNATIONAL FIRE CODE.

5           **415.7 GROUPS H-3 AND H-4. {AS IN IBC}**

6           **415.8 GROUP H-5. {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.**  
7           **OTHERWISE, AS IN IBC.}**

8           **SECTIONS 416 TO 420 {AS IN IBC}**

9           **SECTION 421 GREENHOUSES**

10           **421.1 GENERAL.** STRUCTURES WITH GLAZED SURFACES THAT ARE USED ONLY FOR HORTICULTURE  
11           ARE CLASSIFIED AS GREENHOUSES. THESE STRUCTURES MUST BE INDEPENDENT AND SEPARATED FROM  
12           OTHER BUILDINGS ON THE SAME LOT. ALL GREENHOUSES MUST CONFORM TO THE REQUIREMENTS OF  
13           THIS CODE FOR EXITS AND FOR MATERIALS.

14           **421.2 COMMERCIAL GREENHOUSES.** COMMERCIAL GREENHOUSES ARE CLASSIFIED AS GROUP S-2,  
15           LOW HAZARD STORAGE BUILDINGS, AND MUST COMPLY WITH TABLES 503, 601, AND 602.

16           **421.3 RESIDENTIAL GREENHOUSES.** GREENHOUSES THAT ARE LOCATED ON A LOT ZONED FOR  
17           RESIDENTIAL USE ARE CLASSIFIED AS GROUP U, UTILITY AND MISCELLANEOUS STRUCTURES.

18           **421.3.1 HEIGHT.** RESIDENTIAL GREENHOUSES MAY NOT EXCEED 20 FEET (6.10 M) ABOVE GRADE.

19           **421.3.2 SIZE.** THE FLOOR AREA OF A RESIDENTIAL GREENHOUSE MUST CONFORM TO THE  
20           REQUIREMENTS OF THE ZONING CODE.

21           **421.3.3 LOCATION.** RESIDENTIAL GREENHOUSES MUST BE LOCATED AT LEAST 36 INCHES  
22           (914 MM) FROM ANY PROPERTY LINE OR OTHER STRUCTURE.

23           **SECTIONS 422 TO 423 {RESERVED}**

24           **SECTION 424 CIRCUSES AND CARNIVALS**

25           **424.1 DEFINITION.** “CIRCUS” OR “CARNIVAL” MEANS ANY USE OF PUBLIC OR PRIVATE LAND, STREETS,  
26           LANES, OR ALLEYS FOR FETES, BAZAARS, CIRCUSES, STREET CARNIVALS, CARNIVALS, FEATS OF  
27           HORSEBACK-RIDING ABILITY, ACROBATIC STUNTS, TRAINED ANIMAL ACTS, CLOWNING, AND OTHER  
28           SIMILAR PERFORMANCES, MECHANICAL RIDES, OR OTHER AMUSEMENT DEVICES TO WHICH THE PUBLIC  
29           IS ADMITTED, AND INCLUDES ANY TEMPORARY STANDS OR FACILITIES FOR SELLING OR DISPENSING  
30           PRODUCTS FOR HUMAN CONSUMPTION IN CONNECTION WITH THESE USES.

31           **424.2 SCOPE.** THIS SECTION COVERS REGULATIONS FOR CIRCUSES AND CARNIVALS THAT ARE NOT  
32           PROVIDED FOR IN OTHER SECTIONS OF THIS CODE.

33           **424.3 PERMIT REQUIRED.** BEFORE ANY PERSON MAY BEGIN TO SET UP ANY STRUCTURE, APPLIANCE,  
34           OR EQUIPMENT FOR A CIRCUS OR CARNIVAL, THE PERSON MUST OBTAIN THE APPROPRIATE PERMIT FROM  
35           THE BUILDING OFFICIAL.

36           **424.3.1 APPLICATION FOR PERMIT.** THE APPLICATION FOR THE PERMIT MUST BE:

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

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1           **424.3.2 REFERRAL OF APPLICATION.** THE BUILDING OFFICIAL MUST IMMEDIATELY REFER EACH  
2 APPLICATION TO THE FOLLOWING, FOR THEIR RECOMMENDATIONS:

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

7           **424.3.3 DISAPPROVAL OF POLICE COMMISSIONER.** IF THE POLICE COMMISSIONER DISAPPROVES  
8 THE APPLICATION:

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

12          **424.3.4 APPROVAL OF POLICE COMMISSIONER.** IF THE POLICE COMMISSIONER APPROVES THE  
13 APPLICATION, THE BUILDING OFFICIAL MUST:

- 14          1. ISSUE THE PERMIT, SUBJECT TO ANY RECOMMENDATIONS OF THE POLICE COMMISSIONER,  
15 PUBLIC WORKS DIRECTOR, FIRE CHIEF, AND HEALTH COMMISSIONER, AND
- 16          2. IMMEDIATELY SEND A COPY OF THE PERMIT TO EACH OF THEM.

17          **424.4 INSURANCE FOR MECHANICAL RIDES, ETC.** EVERY APPLICATION FOR A CIRCUS OR CARNIVAL  
18 PERMIT MUST SPECIFY WHETHER OR NOT MECHANICAL RIDES OR DEVICES WILL BE USED IN CONNECTION  
19 WITH THE CIRCUS OR CARNIVAL. IF MECHANICAL RIDES OR DEVICES WILL BE USED, THE PERSON  
20 SUPPLYING THESE RIDES OR DEVICES MUST, BEFORE THE PERMIT MAY BE ISSUED, FURNISH  
21 SATISFACTORY EVIDENCE OF INSURANCE, IN AN AMOUNT THAT THE BUILDING OFFICIAL, IN HIS OR HER  
22 DISCRETION, CONSIDERS SUFFICIENT, TO:

- 23          1. INSURE THE APPLICANT AGAINST LIABILITY FOR DAMAGE OR INJURY TO PROPERTY OR PERSON,  
24 INCLUDING DEATH, DUE TO FAULTY EQUIPMENT OR NEGLIGENCE, AND
- 25          2. INDEMNIFY THE CITY AGAINST ANY SUIT, LOSS, CLAIM, DAMAGES, OR EXPENSE TO WHICH THE  
26 CITY IS SUBJECTED BECAUSE OF ANY DAMAGE OR INJURY TO PROPERTY OR PERSON, INCLUDING  
27 DEATH, OR INJURY TO ANY PUBLIC HIGHWAY OR OTHER PUBLIC PROPERTY DONE BY OR IN  
28 CONNECTION WITH THE TRANSPORTATION, ERECTION, OPERATION, MAINTENANCE, OR  
29 SUPERVISION OF A MECHANICAL RIDE OR DEVICE.

30          **424.5 FINANCIAL RESPONSIBILITY.** BEFORE A PERMIT MAY BE ISSUED, THE APPLICANT MUST FURNISH  
31 PROOF OF FINANCIAL RESPONSIBILITY, IN THE FORM OF A CERTIFICATE OF INSURANCE FROM AN  
32 INSURER AUTHORIZED TO DO BUSINESS IN THIS STATE. THE CERTIFICATE OF INSURANCE MUST STATE  
33 THAT THE CIRCUS OR CARNIVAL IS INSURED AGAINST ANY LEGAL LIABILITY (OTHER THAN THAT  
34 COVERED BY § 424.4), CAUSED BY ACCIDENTS OR OTHERWISE AND RESULTING IN DAMAGE OR INJURY  
35 TO PROPERTY OR PERSON, INCLUDING DEATH, AS A CONSEQUENCE OF THE OWNERSHIP, OPERATION, OR  
36 MAINTENANCE OF THE CIRCUS OR CARNIVAL OR OTHERWISE IN ANY WAY CONNECTED WITH THE CIRCUS  
37 OR CARNIVAL. THE INSURANCE MUST BE FOR AT LEAST THE AMOUNT THAT THE BUILDING OFFICIAL, IN  
38 HIS OR HER DISCRETION, CONSIDERS SUFFICIENT TO PROTECT THE PUBLIC.

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1       **424.5.1 NONRESIDENT APPLICANTS.** IF THE APPLICANT IS NOT A RESIDENT OF THE CITY, THE  
2       APPLICANT AND THE INSURER MUST EXECUTE A POWER OF ATTORNEY THAT AUTHORIZES THE  
3       BUILDING OFFICIAL TO ACCEPT ON THEIR BEHALF SERVICE OF NOTICES, PROCESSES, AND ANY  
4       ACTIONS ARISING OUT OF THE OWNERSHIP, OPERATION, OR MAINTENANCE OF THE CIRCUS OR  
5       CARNIVAL OR OTHERWISE IN ANY WAY CONNECTED WITH THE CIRCUS OR CARNIVAL. IF THE  
6       APPLICANT IS A NONRESIDENT CORPORATION, THE CORPORATION, IN ADDITION TO COMPLYING  
7       WITH ALL OTHER REQUIREMENTS OF THIS CODE, MUST SUBMIT WITH ITS APPLICATION A  
8       CERTIFICATE FROM THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION CERTIFYING  
9       THAT IT IS A CORPORATION AUTHORIZED TO DO BUSINESS IN THIS STATE.

10       **424.5.2 NONPROFIT ENTITIES EXCEPTED.** THIS § 424.5 DOES NOT APPLY TO ANY APPLICANT  
11       THAT IS A CHURCH, SCHOOL, CHARITABLE ORGANIZATION, VETERANS' ORGANIZATION, OR OTHER  
12       NONPROFIT ORGANIZATION.

13       **424.6 ZONING REQUIREMENTS.** THE PROVISIONS OF THE ZONING CODE THAT PROHIBIT CARNIVALS IN  
14       RESIDENTIAL AREAS DO NOT APPLY TO A CARNIVAL THAT:

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

18       **424.7 LAYOUT.** EVERY CIRCUS AND CARNIVAL MUST BE LAID OUT AS PROVIDED IN THIS § 424.7.

19       **424.7.1 MAIN AISLE.** A MAIN AISLE OR CONCOURSE MUST:

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

26       **424.7.2 SIDE OR BRANCH AISLES.** SIDE OR BRANCH AISLES THAT ARE OPEN AT BOTH ENDS MUST  
27       BE AT LEAST 6 FEET (1.83 M) WIDE FOR A LENGTH OF UP TO 50 FEET (15.24 M), PLUS AN  
28       ADDITIONAL 1 FOOT IN WIDTH FOR EACH ADDITIONAL 50 FEET (15.24 M) OR FRACTION OF 50 FEET  
29       (15.24 M) IN LENGTH. SIDE OR BRANCH AISLES THAT ARE OPEN AT ONLY 1 END MUST BE AT LEAST  
30       TWICE THE WIDTH FOR SIDE OR BRANCH AISLES THAT ARE OPEN AT BOTH ENDS.

31       **424.8 CIRCUS AND CARNIVAL STRUCTURES.** CIRCUS AND CARNIVAL STRUCTURES, IN ADDITION TO  
32       COMPLYING WITH ALL OTHER APPLICABLE PROVISIONS OF THIS CODE, MUST COMPLY WITH THE  
33       REQUIREMENTS OF THIS § 424.8.

34       **424.8.1 TENTS.** ALL TENTS MUST CONFORM TO THE REQUIREMENTS FOR TEMPORARY STRUCTURES  
35       IN § 3103 OF THIS CODE.

36       **424.8.2 EXITS AND LIGHTING.** EVERY TENT AND OTHER STRUCTURE MUST BE PROVIDED WITH  
37       ADEQUATE EXITS. THE MEANS OF EGRESS AND THE WIDTH AND NUMBER OF EXITS ARE BASED ON  
38       AND MUST COMPLY WITH THE GENERAL REQUIREMENTS OF CHAPTER 10 OF THIS CODE FOR EXITS  
39       AND MEANS OF EGRESS IN ASSEMBLY STRUCTURES, WHICH APPLY IN ADDITION TO THE  
40       REQUIREMENTS OF THIS SECTION FOR GENERAL LAYOUT. ALL EXITS AND AISLES MUST BE WELL  
41       LIGHTED WHENEVER THE TENT OR STRUCTURE IS OCCUPIED.

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1           **424.8.3 MECHANICAL RIDES AND DEVICES.** NO MERRY-GO-ROUND, FERRIS WHEEL, WHIP, OR  
2 OTHER MECHANICAL RIDE OR DEVICE MAY BE OPERATED WITHOUT A PERMIT FROM THE BUILDING  
3 OFFICIAL. ALL MECHANICAL RIDES AND DEVICES MUST BE DESIGNED, CONSTRUCTED, AND  
4 ERECTED IN ACCORDANCE WITH APPLICABLE STATE REGULATIONS.

5           **424.8.4 CONCESSION STANDS.** CONCESSION STANDS MUST BE OF EITHER:

- 6                   1. STANDARD PREFABRICATED CONSTRUCTION, OR
- 7                   2. SPECIAL CONSTRUCTION APPROVED BY THE BUILDING OFFICIAL FOR THE PARTICULAR  
8                   PURPOSE.

9           **424.9 ELECTRICAL AND MECHANICAL REQUIREMENTS.** ALL ELECTRICAL WORK MUST CONFORM TO  
10 THE REQUIREMENTS OF CHAPTER 27 OF THIS CODE. ALL MECHANICAL WORK MUST CONFORM TO THE  
11 REQUIREMENTS OF THIS CODE.

12           **424.10 MAINTENANCE AND OPERATION.** EVERY CIRCUS OR CARNIVAL MUST BE MAINTAINED AND  
13 OPERATED SO AS NOT TO CAUSE A HAZARD OR INJURY TO LIFE OR PROPERTY. THE APPLICANT IS  
14 RESPONSIBLE FOR:

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

18           **424.11 POLICE TO POLICE OPERATIONS.** THE POLICE COMMISSIONER IS RESPONSIBLE FOR KEEPING A  
19 CLOSE WATCH ON EVERY CIRCUS OR CARNIVAL TO DETERMINE WHETHER ANY LAWS ARE BEING  
20 VIOLATED.

### 21   **SECTION 425 CHESAPEAKE BAY CRITICAL AREA DEVELOPMENT**

22           **425.1 GENERAL.** THE BALTIMORE CITY CRITICAL AREA MANAGEMENT PROGRAM, AS ADOPTED BY  
23 THE DEPARTMENT OF PLANNING TO GUIDE AND RESTRICT DEVELOPMENT WITHIN THE BALTIMORE CITY  
24 CRITICAL AREA, MUST BE COMPLIED WITH. THE REQUIREMENTS OF THAT PROGRAM ARE IN ADDITION  
25 TO ALL OTHER CITY, STATE, AND FEDERAL LAWS AND REGULATIONS GOVERNING CONSTRUCTION AND  
26 DEVELOPMENT WITHIN THE BALTIMORE CITY CRITICAL AREA. IN CASE OF ANY CONFLICT, THE MORE  
27 RESTRICTIVE REQUIREMENT PREVAILS WITHIN THE CRITICAL AREA.

28           **425.2 COMPLIANCE REQUIRED.** ANY DEVELOPMENT ACTIVITY WITHIN THE BALTIMORE CITY  
29 CRITICAL AREA OR THE BUFFER, INCLUDING THE CONSTRUCTION, RECONSTRUCTION, REHABILITATION,  
30 DEMOLITION, ALTERATION, OR EXPANSION OF STRUCTURES, OR THE FILLING, DREDGING, MINING,  
31 STORING MATERIALS, EXCAVATION, CLEARING, GRADING, PAVING, OR IMPROVEMENT OF LAND, MUST  
32 COMPLY WITH THE APPLICABLE DEVELOPMENT REQUIREMENTS OF THE CRITICAL AREA PROGRAM  
33 DOCUMENT (THE "CAMP DOCUMENT"), AS AMENDED FROM TIME TO TIME.

34           **425.3 ENFORCEMENT.** ANY VIOLATION OF THE CAMP DOCUMENT IS A VIOLATION OF THIS CODE,  
35 SUBJECT TO ENFORCEMENT UNDER § 113 OF THIS CODE.

## 36                   **CHAPTER 5. GENERAL BUILDING HEIGHTS AND AREAS**

### 37   **SECTIONS 501 TO 503 {As IN IBC}**

### 38   **SECTION 504 HEIGHT**

#### 39           **504.1 GENERAL {As IN IBC}**

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1 **504.2 AUTOMATIC SPRINKLER SYSTEM INCREASE {PER MBPS MODIFICATION}**. THE MAXIMUM  
2 NUMBER OF STORIES SPECIFIED IN TABLE 503 AND THE VALUE SPECIFIED IN THAT TABLE FOR MAXIMUM  
3 HEIGHT ARE INCREASED AS FOLLOWS, THESE INCREASES BEING PERMITTED IN ADDITION TO ANY AREA  
4 INCREASE UNDER §§ 506.2 AND 506.3:

- 5 1. 1 STORY AND 20 FEET (6096 MM), IF THE BUILDING IS EQUIPPED THROUGHOUT WITH AN  
6 AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH § 903.3.1.1 OF THIS CODE,
- 7 2. 1 STORY AND 20 FEET (6096 MM) BUT NOT TO EXCEED A HEIGHT OF 4 STORIES AND 60 FEET  
8 (18,288 MM) ABOVE GRADE LEVEL, IF THE BUILDING HAS AN OCCUPANCY IN GROUP R-1, R-2,  
9 OR R-4 AND IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN  
10 ACCORDANCE WITH § 903.3.1.2 OF THIS CODE, AND
- 11 3. 1 STORY AND 20 FEET (6096 MM) BUT NOT TO EXCEED A HEIGHT OF 4 STORIES AND 60 FEET  
12 (18,288 MM) ABOVE GRADE LEVEL, IF THE BUILDING HAS AN OCCUPANCY IN GROUP R-3 AND IS  
13 EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE  
14 WITH § 903.3.1.3.

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

16 **504.3 ROOF STRUCTURES {AS IN IBC}**

17 **SECTIONS 505 TO 509 {AS IN IBC}**

18 **CHAPTER 6. TYPES OF CONSTRUCTION**  
19 **{AS IN IBC}**

20 **CHAPTER 7. FIRE-RESISTANCE-RATED CONSTRUCTION**

21 **SECTIONS 701 TO 704 {AS IN IBC}**

22 **SECTION 705 FIRE WALLS**

23 **705.1 TO 705.5 {AS IN IBC}**

24 **705.6 VERTICAL CONTINUITY {PER MBPS MODIFICATION}**. FIRE WALLS MUST EXTEND FROM THE  
25 FOUNDATION TO A TERMINATION POINT AT LEAST 30 INCHES (762 MM) ABOVE BOTH ADJACENT ROOFS.

26 **EXCEPTIONS:**

27 **{EXCEPTIONS 1 - 5: AS IN IBC}**

- 28 6. IN GROUPS R-2 AND R-3 AS APPLICABLE IN § 101.2 OF THIS CODE, WALLS ARE PERMITTED  
29 TO TERMINATE AT THE ROOF SHEATHING OR DECK IN TYPES III, IV, AND V CONSTRUCTION,  
30 IF:

- 31 6.1. THE ROOF SHEATHING OR DECK IS CONSTRUCTED OF APPROVED  
32 NONCOMBUSTIBLE MATERIALS OR OF FIRE-RETARDANT-TREATED WOOD FOR A  
33 DISTANCE OF 4 FEET (1220 MM) ON BOTH SIDES IF THE WALL, OR

- 34 6.2. THE BUILDING IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER  
35 SYSTEM INSTALLED IN ACCORDANCE WITH § 903.3.1.1 OR § 903.3.1.2 FOR  
36 GROUP R-2, AND § 903.3.1.1, § 903.3.1.2, § 903.3.1.3 FOR GROUP R-3, OR



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1                   6.3. ALL OF THE FOLLOWING:

2                           6.3.1. THE ROOF IS PROTECTED WITH 3/8-INCH (15.9-MM) TYPE X GYPSUM  
3   BOARD DIRECTLY BENEATH THE UNDERSIDE OF THE ROOF SHEATHING  
4   OR DECK, SUPPORTED BY A MINIMUM OF 2-INCH (51-MM) LEDGERS  
5   ATTACHED TO THE SIDES OF THE ROOF FRAMING MEMBERS, FOR A  
6   MINIMUM DISTANCE OF 4 FEET (1220 MM) ON BOTH SIDES OF THE FIRE  
7   WALL, AND

8                           6.3.2. OPENINGS IN THE ROOF ARE NOT LOCATED WITHIN 4 FEET (1220 MM)  
9   OF THE FIRE WALL, AND

10                       6.3.3. THE ROOF IS COVERED WITH A MINIMUM CLASS C ROOF COVERING.

11                   **705.6.1 STEPPED BUILDINGS. {AS IN IBC}**

12                   **705.7 COMBUSTIBLE FRAMING IN FIRE WALLS. {AS IN IBC}**

13                   **705.8 OPENINGS. {AS IN IBC}**

14                   **705.9 PENETRATIONS.** PENETRATIONS THROUGH FIRE WALLS MUST COMPLY WITH § 712 OF THIS  
15                   CODE. PENETRATIONS THROUGH PARTY WALLS ARE NOT ALLOWED.

16                   **705.10 JOINTS. {AS IN IBC}**

17                   **705.11 DUCTS AND AIR TRANSFER OPENINGS. {AS IN IBC}**

18                   **SECTIONS 706 TO 716 {AS IN IBC}**

19                   **SECTION 717 CONCEALED SPACES**

20                   **717.1 TO 717.4 {AS IN IBC}**

21                   **717.5 COMBUSTIBLE MATERIALS IN CONCEALED PLACES IN TYPE I OR TYPE II CONSTRUCTION.**  
22                   **{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING**  
23                   **CODE”. OTHERWISE, AS IN IBC.}**

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

25   **CHAPTER 8. INTERIOR FINISHES**  
26   **{AS IN IBC}**

27   **CHAPTER 9. FIRE PROTECTION SYSTEMS**

28                   **SECTION 901 GENERAL**

29                   **901.1 SCOPE. {AS IN IBC, SUBJECT TO FOLLOWING NOTE}**

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

35                   **901.2 TO 901.7 {AS IN IBC}**

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

2     **SECTION 903 AUTOMATIC SPRINKLER SYSTEMS**

3         **903.1 GENERAL.** *{AS IN IBC}*

4         **903.2 WHERE REQUIRED.** APPROVED AUTOMATIC SPRINKLER SYSTEMS MUST BE INSTALLED IN THE  
5         LOCATIONS INDICATED IN THIS § 903.2 AND AS REQUIRED BY STATE LAW.

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

7             **903.2.1 TO 903.2.13** *{AS IN IBC}*

8         **903.3 INSTALLATION REQUIREMENTS.** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*  
9         *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IBC.}*

10        **903.4 SPRINKLER SYSTEM MONITORING AND ALARMS.** *{AS IN IBC}*

11        **903.5 TESTING AND MAINTENANCE.** *{AS IN IBC}*

12     **SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS** *{SUBSTITUTE “NATIONAL*  
13     *ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

14     **SECTION 905 STANDPIPE SYSTEMS** *{AS IN IBC}*

15     **SECTION 906 PORTABLE FIRE EXTINGUISHERS** *{AS IN IBC}*

16     **SECTION 907 FIRE ALARM AND DETECTION SYSTEMS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE”*  
17     *FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

18     **SECTION 908 EMERGENCY ALARM SYSTEMS** *{AS IN IBC}*

19     **SECTION 909 SMOKE CONTROL SYSTEMS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC*  
20     *ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

21     **SECTION 910 SMOKE AND HEAT VENTS** *{AS IN IBC}*

22     **SECTION 911 FIRE COMMAND CENTER** *{AS IN IBC}*

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

25                             **CHAPTER 10. MEANS OF EGRESS**

26     **SECTION 1001 ADMINISTRATION**

27         **1001.1 GENERAL.** *{AS IN IBC, SUBJECT TO THE FOLLOWING NOTE}*

28             {**MBPS MODIFICATIONS – NOTE TO § 1001.1:** THE MEANS OF EGRESS REQUIREMENTS OF CHAPTER  
29             10 MAY BE CONCURRENTLY COVERED BY THE STATE FIRE PREVENTION CODE, ADOPTED UNDER  
30             STATE PUBLIC SAFETY ARTICLE § 6-206 AND CONTAINED IN COMAR 29.06.01. THE STATE FIRE  
31             CODE IS ENFORCED BY THE STATE FIRE MARSHALL OR AUTHORIZED FIRE OFFICIAL.}

32         **1001.2 MINIMUM REQUIREMENTS.** *{AS IN IBC}*

33         **1001.3 MAINTENANCE.** *{AS IN IBC}*

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1     **SECTIONS 1002 TO 1008** *{AS IN IBC}*

2     **SECTION 1009 STAIRWAYS**

3         **1009.1 STAIRWAY WIDTH.** *{AS IN IBC}*

4         **1009.2 HEADROOM.** *{AS IN IBC}*

5         **1009.3 STAIR TREADS AND RISERS.** *{AS IN IBC}*

6             **EXCEPTIONS:**

7                 1 - 3. *{AS IN IBC}*

8                 4. **{PER MBPS MODIFICATIONS}** IN OCCUPANCIES IN GROUP R-3, AS APPLICABLE IN § 101.2,  
9                 IN DWELLING UNITS IN OCCUPANCIES IN GROUP R-2, AS APPLICABLE IN § 101.2, AND IN  
10                 OCCUPANCIES IN GROUP U THAT ARE ACCESSORY TO AN OCCUPANCY IN GROUP R-3, AS  
11                 APPLICABLE IN § 101.2:

12                     A. THE MAXIMUM RISER HEIGHT IS 8¼ INCHES (210 MM),

13                     B. THE MINIMUM TREAD DEPTH IS 9 INCHES (229 MM),

14                     C. THE MINIMUM WINDER TREAD DEPTH AT THE WALK LINE IS 9 INCHES (229 MM),

15                     D. THE MINIMUM WINDER TREAD DEPTH IS 6 INCHES (152 MM), AND

16                     E. A NOSING NOT LESS THAN ¾ INCH (19 MM) BUT NOT MORE THAN 1¼ INCHES  
17                     (32 MM) MUST BE PROVIDED ON STAIRWAYS WITH SOLID RISERS WHERE THE TREAD  
18                     DEPTH IS LESS THAN 11 INCHES (279 MM).

19                 5. **{PER MBPS MODIFICATIONS}** FOR THE REPLACEMENT OF EXISTING STAIRWAYS, SEE THE  
20                 MARYLAND BUILDING REHABILITATION CODE, SET FORTH IN COMAR 05.16.

21             **1009.3.1 TO 1009.3.3** *{AS IN IBC}*

22             **1009.4 TO 1009.11** *{AS IN IBC}*

23     **SECTION 1010 RAMPS** *{AS IN IBC}*

24     **SECTION 1011 EXIT SIGNS** *{AS IN IBC}*

25     **SECTION 1012 HANDRAILS**

26         **1012.1 WHERE REQUIRED.** *{AS IN IBC}*

27         **1012.2 HEIGHT.** *{AS IN IBC}*

28         **1012.3 HANDRAIL GRASPABILITY.** *{AS IN IBC}*

29             **EXCEPTION: {PER MBPS MODIFICATIONS}** FOR OCCUPANCIES IN GROUP R-3, AS APPLICABLE IN  
30             § 101.2, AND IN DWELLING UNITS IN OCCUPANCIES IN GROUP R-2, AS APPLICABLE IN § 101.2, THE  
31             GRIP PORTION OF HANDRAILS MUST HAVE A CIRCULAR CROSS SECTION OF 1¼ INCHES (32 MM)  
32             MINIMUM TO 2.625 INCHES (66.7 MM) MAXIMUM. OTHER SHAPES THAT PROVIDE AN EQUIVALENT  
33             GRASPING SURFACE ARE PERMISSIBLE. EDGES MUST HAVE A MINIMUM RADIUS OF 0.125 INCH  
34             (3.2 MM).

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1       **1012.5 TO 1012.8** *{As IN IBC}*

2       **SECTION 1013 GUARDS**

3       **1013.1 WHERE REQUIRED.** *{As IN IBC}*

4       **1013.2 HEIGHT.** *{As IN IBC}*

5       **1013.3 OPENING LIMITATIONS – GENERAL.** OPEN GUARDS MUST HAVE BALUSTERS OR ORNAMENTAL  
6       PATTERNS SO THAT:

- 7           1. TO A HEIGHT OF 34 INCHES (864 MM) ABOVE THE ADJACENT WALKING SURFACES, A SPHERE  
8           4 INCHES (102 MM) IN DIAMETER CANNOT PASS THROUGH ANY OPENING, AND
- 9           2. FROM A HEIGHT OF 34 INCHES (864 MM) TO 42 INCHES (1067 MM) ABOVE THE ADJACENT  
10          WALKING SURFACES, A SPHERE 8 INCHES (203 MM) IN DIAMETER CANNOT PASS THROUGH ANY  
11          OPENING.

12       **1013.3.1 OPENING LIMITATIONS – RESIDENTIAL OCCUPANCIES.** FOR OCCUPANCIES IN USE  
13       GROUP R, REQUIRED GUARDS MAY NOT BE CONSTRUCTED WITH HORIZONTAL RAILS OR ANY  
14       ORNAMENTAL PATTERN THAT RESULTS IN A LADDER EFFECT.

15       **EXCEPTIONS:** *{As IN IBC}*

16       **1013.4 TO 1013.6** *{As IN IBC}*

17       **SECTIONS 1014 TO 1026** *{As IN IBC}*

18                               **CHAPTER 11. ACCESSIBILITY**  
19                               *{NOT ADOPTED}*

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

22                               **CHAPTER 12. INTERIOR ENVIRONMENT**

23       **SECTIONS 1201 TO 1204** *{As IN IBC}*

24       **SECTION 1205 LIGHTING** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
25       *OTHERWISE, AS IN IBC.}*

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

28       **SECTIONS 1207 TO 1210** *{As IN IBC}*

29                               **CHAPTER 13. ENERGY EFFICIENCY**

30       **SECTION 1301 GENERAL**

31       **1301.1 SCOPE.** *{As IN IBC, SUBJECT TO THE FOLLOWING NOTE}*

32           {**MBPS MODIFICATIONS** - NOTE TO § 1301.1: THE REQUIREMENTS CONCERNING ENERGY  
33           CONSERVATION FOR BUILDINGS AND STRUCTURES ARE GOVERNED BY THE ENERGY CONSERVATION  
34           BUILDING STANDARDS ACT, CONTAINED IN THE STATE PUBLIC UTILITY COMPANIES ARTICLE,

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1 TITLE 7, SUBTITLE 4. IN THE EVENT OF A CONFLICT BETWEEN THE ENERGY CONSERVATION  
2 BUILDING STANDARDS ACT AND THE IBC, THE REQUIREMENTS OF THE ENERGY CONSERVATION  
3 BUILDING STANDARDS ACT PREVAIL. }

4 **CHAPTER 14. EXTERIOR WALLS**

5 **SECTIONS 1401 TO 1404** {As in IBC}

6 **SECTION 1405 INSTALLATION OF WALL COVERINGS** {SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR  
7 "ICC ELECTRICAL CODE". OTHERWISE, AS IN IBC.}

8 **SECTIONS 1406 TO 1407** {As in IBC}

9 **CHAPTER 15. ROOF ASSEMBLIES AND ROOFTOP STRUCTURES**

10 **SECTION 1501 GENERAL** {As in IBC}

11 **SECTION 1502 DEFINITIONS** {As in IBC}

12 **SECTION 1503 WEATHER PROTECTION**

13 **1503.1 TO 1503.3** {As in IBC}

14 **1503.4 ROOF DRAINAGE.** THE DESIGN AND INSTALLATION OF ROOF DRAINAGE SYSTEMS MUST COMPLY  
15 WITH THE NATIONAL STANDARD PLUMBING CODE.

16 **1503.4.1 GUTTERS.** {As in IBC}

17 **1503.4.2 GENERAL DISCHARGE REQUIREMENTS.** GUTTERS, DOWNSPOUTS, AND LEADERS MUST BE  
18 PROVIDED ON ALL BUILDINGS TO PROPERLY COLLECT, CONDUCT, AND DISCHARGE THE WATER FROM  
19 THEIR ROOFS INTO A STORM DRAIN OR INTO THE DRIVEWAY OF AN ALLEY, STREET, OR OTHER PUBLIC  
20 WAY. NO WATER FROM ANY BUILDING MAY BE DISCHARGED SO AS TO RUN OR FLOW OVER ANY  
21 SIDEWALK, FOOTWAY, OR ANY ADJOINING PROPERTY, EXCEPT FROM WINDOW SILLS, COPINGS, OR  
22 CORNICES THAT PROJECT NO MORE THAN 1 FOOT (305 MM).

23 **1503.4.3 EXCEPTIONS.** SECTION 1503.4.2 DOES NOT APPLY TO:

- 24 1. ROOFS, CORNICES, COPINGS, OR OTHER SIMILAR PROJECTIONS THAT ARE LESS THAN 5 FEET  
25 (1.52 M), MEASURED HORIZONTALLY IN THE LINE OF FLOW, AS LONG AS THE WATER FROM  
26 THEM IS NOT DISCHARGED ON ANY SIDEWALK, FOOTWAY, OR ADJOINING PROPERTY, OR
- 27 2. AWNINGS OR MARQUEES THAT DISCHARGE OFF THE OUTER EDGE.

28 **1503.4.4 METHODS.** DRAINAGE MUST BE CONVEYED IN 1 OF THE FOLLOWING METHODS.

29 **1503.4.4.1 METHOD 1.** DRAINAGE MAY BE DISCHARGED BY PIPING TO A STORM DRAIN, TO THE  
30 STREET OR ALLEY, OR TO AN APPROVED WATER COURSE. THE INSTALLATION OF PIPING,  
31 CONNECTIONS TO STORM DRAINS, ETC., MUST BE MADE IN ACCORDANCE WITH THE PLUMBING  
32 REGULATIONS OF CHAPTER 29 OF THIS CODE.

33 **1503.4.4.2 METHOD 2.** DRAINAGE MAY BE DISCHARGED NOT LESS THAN 10 FEET (3.05 M)  
34 FROM THE BUILDING, FROM OTHER BUILDINGS, OR FROM ANY ADJACENT PROPERTY LINE, AS  
35 LONG AS THE DISCHARGE IS IN SUCH A MANNER AS NOT TO ALLOW DRAINAGE TO CROSS  
36 ADJACENT PROPERTY LINES OR SIDEWALKS.

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1 **1503.4.5 INDIVIDUAL DOWNSPOUTS.** GUTTERS OF BUILDINGS ON ADJOINING PROPERTIES MAY NOT  
2 BE CONNECTED WITH COMMON DOWNSPOUTS OR LEADERS, BUT EACH BUILDING MUST HAVE  
3 INDIVIDUAL DOWNSPOUTS OR LEADERS ON ITS OWN PROPERTY. IF A BUILDING IS MORE THAN 4  
4 STORIES OR 50 FEET (15.24 M) HIGH, ITS LEADER AND DOWNSPOUTS MUST BE INSIDE THE BUILDING'S  
5 EXTERIOR WALLS.

6 **1503.4.6 RELIEF SCUPPERS.** ROOFS WITH INTERIOR ROOF DRAINS AND ENCLOSED BY PARAPET  
7 WALLS THAT WILL IMPOUND WATER MUST BE PROVIDED WITH RELIEF SCUPPERS PLACED IN THE  
8 PARAPET WALL NOT MORE THAN 6 INCHES (152 MM) ABOVE THE ROOF LEVEL. THE OPENINGS OF  
9 THESE RELIEF SCUPPERS MUST BE AT LEAST 6 INCHES (152 MM) IN DIAMETER. EACH 6-INCH  
10 (152-MM) DIAMETER RELIEF SCUPPER OPENING MAY ONLY SERVE A ROOF AREA OF NOT MORE THAN  
11 1,000 SQUARE FEET (92.9 SQUARE METERS).

12 **1503.4.6.1 INTERNAL RELIEF DRAINS.** INTERNAL RELIEF DRAINS MAY BE USED INSTEAD OF  
13 RELIEF SCUPPERS. INTERNAL RELIEF DRAINS MUST BE INDEPENDENT OF THE REQUIRED ROOF  
14 DRAINS.

15 **SECTIONS 1504 TO 1508 {As in IBC}**

16 **SECTION 1509 ROOFTOP STRUCTURES**

17 **1509.1 TO 1509.5 {As in IBC}**

18 **1509.6 ROOFTOP DECKS.** ROOFTOP DECKS MUST COMPLY WITH THIS § 1509.6 AND WITH CHAPTER  
19 16 OF THIS CODE.

20 **1509.6.1 MATERIALS.** ROOFTOP DECKS MUST BE CONSTRUCTED WITH APPROVED MATERIALS IN  
21 ACCORDANCE WITH CHAPTERS 19 THROUGH 26 OF THIS CODE.

22 **1509.6.2 NOTICE TO ADJOURNING OWNERS.** IF A ROOFTOP DECK IS TO BE SUPPORTED BY PARTY  
23 WALLS:

- 24 1. THE OWNERS OF THE ADJOINING PROPERTIES MUST BE NOTIFIED IN WRITING, AND  
25 2. EVIDENCE OF THIS NOTICE MUST BE SUBMITTED WITH THE CONSTRUCTION DOCUMENTS.

26 **1509.6.3 CONSTRUCTION DOCUMENTS.** CONSTRUCTION DOCUMENTS FOR ALL ROOFTOP DECKS  
27 MUST:

- 28 1. INCLUDE DIMENSIONAL SETBACKS, AND  
29 2. BE SIGNED AND SEALED BY A PROFESSIONAL ARCHITECT OR ENGINEER LICENSED IN  
30 MARYLAND.

31 **1509.6.4 CLEARANCES.** ALL ROOFTOP DECKS MUST MAINTAIN ALL CLEARANCES OTHERWISE  
32 REQUIRED BY THIS CODE, INCLUDING CHAPTER 8 OF THE INTERNATIONAL MECHANICAL CODE AND  
33 § 230-24(E) OF THE NATIONAL ELECTRICAL CODE.

34 **1509.6.5 HEIGHT.** NO ROOFTOP DECK MAY BE RAISED MORE THAN 2 FEET (0.61 M) ABOVE THE  
35 PLANE THAT IS MIDWAY BETWEEN THE LOWEST AND THE HIGHEST POINTS OF THE ROOF SURFACE  
36 SUPPORTING THE ROOFTOP DECK.

37 **1509.6.6 SETBACKS.** A ROOFTOP DECK MUST COMPLY WITH:

- 38 1. THE MINIMUM SETBACKS SPECIFIED IN § 1509.6.6.1, AND

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2. ANY GREATER OR ADDITIONAL SETBACK REQUIREMENTS ESTABLISHED BY OR UNDER THE BALTIMORE CITY ZONING CODE AND ANY APPLICABLE URBAN RENEWAL PLAN.

**1509.6.6.1 MINIMUM SETBACKS.** A ROOFTOP DECK MUST COMPLY WITH THE FOLLOWING MINIMUM SETBACKS:

*FRONT*

FLAT ROOF – 8 FEET (2.44 M) FROM FACE OF BUILDING WALL

GABLED ROOF – 6 FEET (1.83 M) BEHIND RIDGE LINE

MANSARD ROOF (STEEPLY PITCHED FRONT SLOPE FOLLOWED BY FLAT ROOF) – 6 FEET (1.83 M) BEHIND RIDGE LINE

*SIDES AND REAR*

NONE

**SECTION 1510 REROOFING {AS IN IBC}**

**CHAPTER 16. STRUCTURAL DESIGN**

**SECTIONS 1601 TO 1606 {AS IN IBC}**

**SECTION 1607 LIVE LOADS**

**1607.1 TO 1607.10 {AS IN IBC}**

**1607.11 ROOF LOADS. {AS IN IBC}**

**1607.11.1 DISTRIBUTION OF ROOF LOADS. {AS IN IBC}**

**1607.11.2 MINIMUM ROOF LIVE LOADS. {AS IN IBC}**

**1607.11.2.1 FLAT, PITCHED, AND CURVED ROOFS.** ORDINARY FLAT, PITCHED, AND CURVED ROOFS MUST BE DESIGNED FOR THE FOLLOWING MINIMUM LIVE LOADS:

		<b>LIVE LOAD</b>
		(POUNDS/SQUARE FOOT OF HORIZONTAL PROJECTION)
<b>ROOF SLOPE</b>		
<b>FLAT:</b>	FLAT OR RISE LESS THAN 4 INCHES	30
<b>PITCHED:</b>	RISE 4 INCHES (102 MM) PER FOOT TO LESS THAN 12 INCHES (305 MM) PER FOOT	20
	RISE 12 INCHES (305 MM) PER FOOT AND GREATER	12
<b>CURVED:</b>	ARCH OR DOME WITH RISE LESS THAN 1/8 OF SPAN	30
	ARCH OR DOME WITH RISE 1/8 OF SPAN TO LESS THAN 3/8 OF SPAN	20
	ARCH OR DOME WITH RISE 3/8 OF SPAN OR GREATER	12

**1607.11.2.2 TO 1607.11.2.5 {AS IN IBC}**

**1607.12 CRANE LOADS. {AS IN IBC}**

**1607.13 INTERIOR WALLS AND PARTITIONS. {AS IN IBC}**

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1 **SECTIONS 1608 TO 1613 {As IN IBC}**

2 **CHAPTER 17. STRUCTURAL TESTS AND SPECIAL INSPECTION**  
3 **{As IN IBC}**

4 **CHAPTER 18. SOILS AND FOUNDATIONS**

5 **SECTION 1801 GENERAL {As IN IBC}**

6 **SECTION 1802 FOUNDATION AND SOILS INVESTIGATIONS {As IN IBC}**

7 **SECTION 1803 EXCAVATION, GRADING, AND FILL**

8 **1803.1 EXCAVATION NEAR FOOTINGS OR FOUNDATIONS. {As IN IBC}**

9 **1803.1.1 UNDERPINNING FOUNDATION WALLS.** ANY PERMIT APPLICATION FOR UNDERPINNING  
10 FOUNDATION WALLS MUST INCLUDE THE FOLLOWING:

11 1. STRUCTURAL DRAWINGS THAT:

12 A. INDICATE THE EXACT SEQUENCE OF OPERATION, AND

13 B. ARE SIGNED AND SEALED BY AN ARCHITECT OR ENGINEER LICENSED TO PRACTICE IN  
14 THIS STATE,

15 2. A STATEMENT OF RESPONSIBILITY FROM THE ARCHITECT OR ENGINEER OF RECORD THAT THE  
16 ARCHITECT OR ENGINEER AGREES:

17 A. TO ENSURE THAT THE WORK WILL CONFORM TO THE STRUCTURAL DRAWINGS AND  
18 ALL APPLICABLE CODES,

19 B. TO PERIODICALLY INSPECT THE WORK, AND

20 C. WITHIN 10 DAYS AFTER THE WORK IS COMPLETED, TO SUBMIT A CERTIFICATION OF  
21 COMPLETION, AND

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

24 **1803.2 TO 1803.6 {As IN IBC}**

25 **SECTION 1804 ALLOWABLE LOAD-BEARING VALUES OF SOILS {As IN IBC}**

26 **SECTION 1805 FOOTINGS AND FOUNDATIONS**

27 **1805.1 GENERAL. {As IN IBC}**

28 **1805.2 DEPTH OF FOOTINGS. {As IN IBC}**

29 **1805.2.1 FROST PROTECTION.** EXCEPT WHERE OTHERWISE PROTECTED FROM FROST, FOUNDATION  
30 WALLS, PIERS, AND OTHER PERMANENT SUPPORTS OF BUILDINGS AND STRUCTURES MUST BE  
31 PROTECTED BY ONE OR MORE OF THE FOLLOWING METHODS:

32 1. EXTENDING 30" BELOW GRADE,





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**CHAPTER 20. ALUMINUM**  
*{AS IN IBC}*

**CHAPTER 21. MASONRY**

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

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

**CHAPTER 22. STEEL**  
*{AS IN IBC}*

**CHAPTER 23. WOOD**  
*{AS IN IBC}*

**CHAPTER 24. GLASS AND GLAZING**

**SECTIONS 2401 TO 2405** *{AS IN IBC}*

**SECTION 2406 SAFETY GLAZING** *{AS IN IBC, SUBJECT TO THE FOLLOWING NOTE}*

**{MBPS MODIFICATION** — THE REQUIREMENTS FOR SAFETY GLAZING CONTAINED IN STATE PUBLIC SAFETY ARTICLE, TITLE 12, SUBTITLE 4, ARE IN ADDITION TO THOSE CONTAINED IN § 2406 OF THE IBC. IN THE EVENT OF A CONFLICT BETWEEN THE MARYLAND CODE AND THE IBC, THE MARYLAND CODE PREVAILS. }

**SECTIONS 2407 TO 2409** *{AS IN IBC}*

**CHAPTER 25. GYPSUM BOARD AND PLASTER**  
*{AS IN IBC}*

**CHAPTER 26. PLASTIC**

**SECTIONS 2601 TO 2608** *{AS IN IBC}*

**SECTION 2609 LIGHT-TRANSMITTING PLASTIC ROOF PANELS**

**2609.1 GENERAL.** *{AS IN IBC}*

**2609.2 SEPARATION.** *{AS IN IBC}*

**2609.3 LOCATION.** WHERE § 704.8 OF THIS CODE REQUIRES EXTERIOR WALL OPENINGS TO BE PROTECTED, A ROOF PANEL OR UNIT MAY NOT BE INSTALLED WITHIN 4 FEET (1219 MM) OF THE EXTERIOR WALL.

**2609.4 AREA LIMITATIONS.** *{AS IN IBC}*

**SECTION 2610 LIGHT-TRANSMITTING PLASTIC SKYLIGHT GLAZING**

**2610.1 TO 2610.6** *{AS IN IBC}*

**2610.7 LOCATION.** WHERE § 704.8 OF THIS CODE REQUIRES EXTERIOR WALL OPENINGS TO BE PROTECTED, A SKYLIGHT MAY NOT BE INSTALLED WITHIN 4 FEET (1219 MM) OF THE EXTERIOR WALL.



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1. AVAILABLE AT ALL TIMES FOR INSPECTION BY THE BUILDING OFFICIAL, OR
2. IF THE BUILDING OFFICIAL SO SPECIFIES, FILED WITH THE BUILDING OFFICIAL.

**2703.4 CERTIFICATES.** AN ELECTRICAL CERTIFICATE IS REQUIRED BEFORE ELECTRIC SERVICE MAY BE ENERGIZED IN ANY STRUCTURE. ON REQUEST AND PAYMENT OF THE REQUIRED FEE, THE BUILDING OFFICIAL WILL ISSUE AN ELECTRICAL CERTIFICATE TO THE OWNER OF ANY ELECTRICAL INSTALLATION THAT CONFORMS TO THE REQUIREMENTS OF THIS CODE.

### SECTION 2704 INSPECTIONS

**2704.1 PERIODIC INSPECTIONS FOR PLACES OF ASSEMBLY.** IN ANY PLACE OF PUBLIC ASSEMBLY FOR WHICH AN INSPECTION REGISTRATION PERMIT IS REQUIRED, THE BUILDING OFFICIAL MUST MAKE PERIODIC INSPECTIONS OF THE ELECTRIC WIRING, APPLIANCES, AND EQUIPMENT.

### SECTION 2705 UNSAFE EXISTING INSTALLATIONS

**2705.1 CONFORMANCE REQUIRED.** ANY EXISTING ELECTRICAL EQUIPMENT, APPLIANCE, WIRING, OR OTHER ELECTRICAL WORK IN SERVICE THAT DOES NOT COMPLY WITH THIS CODE AND CREATES A MENACE TO LIFE OR PROPERTY MUST, AS DIRECTED IN WRITING BY THE BUILDING OFFICIAL:

1. BE MADE TO CONFORM TO THE REQUIREMENTS OF THIS CODE, OR
2. BE PUT OUT OF SERVICE AND EITHER SEALED OR REMOVED.

## CHAPTER 28. MECHANICAL SYSTEMS

{**MBPS MODIFICATION** — THE SUBJECT MATTER OF THIS CHAPTER IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.... }

### SECTION 2801 GENERAL

**2801.1 SCOPE – GENERAL.** MECHANICAL APPLIANCES, EQUIPMENT, AND SYSTEMS MUST BE CONSTRUCTED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH:

1. THE INTERNATIONAL MECHANICAL CODE (2006 EDITION), AS MODIFIED BY PART V OF THIS CODE, AND
2. THE NATIONAL FUEL GAS CODE (2006 EDITION), AS MODIFIED BY PART IV OF THIS CODE.

**2801.2 SCOPE – CHIMNEYS, FIREPLACES, BARBECUES.** MASONRY CHIMNEYS, FIREPLACES, AND BARBECUES MUST COMPLY WITH:

1. CHAPTER 21 OF THIS CODE, AND
2. THE INTERNATIONAL MECHANICAL CODE, AS MODIFIED BY PART V OF THIS CODE.

## CHAPTER 29. PLUMBING SYSTEMS

{**MBPS MODIFICATION** — THE SUBJECT MATTER OF THIS CHAPTER IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.... }

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### 1 SECTION 2901 GENERAL

2 **2901.1 SCOPE.** THE ERECTION, INSTALLATION, ALTERATION, REPAIRS, RELOCATION, REPLACEMENT,  
3 USE, OR MAINTENANCE OF OR ADDITION TO PLUMBING EQUIPMENT AND SYSTEMS ARE GOVERNED BY:

- 4 1. THIS CHAPTER, AND
- 5 2. SUBJECT TO THE MODIFICATIONS SPECIFIED IN PART VI OF THIS CODE, THE NATIONAL  
6 STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT) (THE "NSPC").

7 PRIVATE SEWAGE DISPOSAL SYSTEMS MUST CONFORM TO COMAR 26.04.02.

8 **2901.1.1 "PLUMBING REGULATIONS".** TOGETHER, THIS CHAPTER 29 AND THE NSPC ARE  
9 REFERRED TO IN THIS CODE AS "PLUMBING REGULATIONS".

### 10 SECTION 2902 PERMITS

11 **2902.1 PERMIT REQUIRED.** UNLESS SPECIFICALLY EXCEPTED BY THESE PLUMBING REGULATIONS, NO  
12 PLUMBING WORK MAY BE UNDERTAKEN BEFORE THE BUILDING OFFICIAL HAS ISSUED A PERMIT FOR  
13 THAT WORK.

14 **2902.2 TO WHOM ISSUED.** A PERMIT MAY BE ISSUED ONLY:

- 15 1. TO A MASTER PLUMBER LICENSED TO DO BUSINESS IN THE CITY,
- 16 2. TO A MASTER GAS FITTER LICENSED TO DO BUSINESS IN THE CITY, OR
- 17 3. FOR ON-SITE UTILITY FACILITIES, TO AN ON-SITE UTILITY CONTRACTOR LICENSED TO DO  
18 BUSINESS IN THE CITY.

19 **2902.3 INSURANCE.** THE BUILDING OFFICIAL MAY NOT ISSUE A PERMIT TO ANY MASTER PLUMBER  
20 UNLESS THE MASTER PLUMBER HAS PROVIDED THE BUILDING OFFICIAL WITH CERTIFICATION OF  
21 INSURANCE, AS REQUIRED BY STATE LAW.

22 **2902.4 EMERGENCY WORK.** WHEN EMERGENCY WORK NEEDS TO BE DONE TO RECTIFY A POSSIBLE  
23 HEALTH HAZARD OR OTHER HAZARDOUS CONDITION, THE WORK MAY BE UNDERTAKEN, EVEN BEFORE A  
24 PERMIT IS ISSUED, BY:

- 25 1. A MASTER PLUMBER, OR
- 26 2. WITHIN THE SCOPE OF HIS OR HER LICENSE:
  - 27 A. AN ON-SITE UTILITY CONTRACTOR, OR
  - 28 B. A GAS FITTER.

29 **2902.4.1 NOTICE AND SUBSEQUENT PERMIT.** A MASTER PLUMBER, CONTRACTOR, OR GAS FITTER  
30 WHO PERFORMS EMERGENCY WORK UNDER THIS SECTION MUST:

- 31 1. PROMPTLY NOTIFY THE PROPER CITY AUTHORITIES OF THE EMERGENCY, AND
- 32 2. WITHIN A REASONABLE TIME, OBTAIN A PERMIT FOR THE WORK.

### 33 SECTION 2903 {RESERVED}

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**SECTION 2904 LICENSING REQUIREMENTS**

**2904.1 LICENSES AND SUPERVISION REQUIRED.** EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, NO PERSON MAY PROVIDE PLUMBING SERVICES OR OTHERWISE ENGAGE IN ANY PLUMBING WORK UNLESS:

- 1. THE PERSON IS LICENSED TO DO SO IN ACCORDANCE WITH STATE LAW, AND
- 2. THE SERVICES AND WORK ARE DONE BY OR UNDER THE DIRECT SUPERVISION OF AN INSURED, LICENSED MASTER PLUMBER.

**2904.1.1 ON-SITE UTILITIES WORK.** ON-SITE UTILITY WORK, AS DEFINED IN CITY CODE ARTICLE 13, § 18-1, MAY BE DONE BY OR UNDER THE DIRECT SUPERVISION OF AN ON-SITE UTILITY CONTRACTOR LICENSED BY THE CITY.

**2904.1.2 GAS-FITTING WORK.** A LICENSED GAS FITTER MAY PERFORM ANY GAS-FITTING WORK THAT FALLS WITHIN THE SCOPE OF HIS OR HER LICENSE.

**2904.2 LIMITS ON PLUMBER’S, ETC., LIABILITY.** THE LIABILITY OF THE SURETY ON ANY BOND GIVEN UNDER THIS CHAPTER AND THE LIABILITY OF ANY MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR FOR MATERIALS FURNISHED OR WORK DONE UNDER THIS CODE DOES NOT EXTEND TO DEFECTS IN MATERIALS OR WORKMANSHIP DISCOVERED MORE THAN 1 YEAR AFTER COMPLETION OF THE WORK.

**2904.2.1 PLUMBER’S, ETC., RESPONSIBILITY FOR CERTAIN DEFECTS.** THE SURETY AND THE MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR ARE RESPONSIBLE TO THE CITY TO CORRECT ALL DEFECTS THAT ARE DISCOVERED DURING THE 1-YEAR PERIOD AFTER COMPLETION OF THE WORK AND ABOUT WHICH THEY WERE PROMPTLY NOTIFIED IN WRITING.

**2904.2.2 OWNER REMAINS RESPONSIBLE.** NOTWITHSTANDING THE LIMITED LIABILITIES OF THE SURETY AND THE MASTER PLUMBER OR ON-SITE UTILITY CONTRACTOR, THE OWNER OF THE PROPERTY IS RESPONSIBLE AT ALL TIMES TO THE CITY TO CORRECT ANY DEFECTS IN THE PLUMBING INSTALLATIONS IN OR ON HIS OR HER PROPERTY.

**2904.3 USE OF LICENSE BY OTHERS PROHIBITED.** A MASTER PLUMBER, ON-SITE UTILITY CONTRACTOR, OR GAS FITTER MAY NOT ALLOW HIS OR HER NAME TO BE USED BY ANY OTHER PERSON FOR OBTAINING PERMITS OR FOR DOING BUSINESS OR WORK UNDER HIS OR HER LICENSE.

**CHAPTER 30. ELEVATORS AND CONVEYING SYSTEMS**  
*{As in IBC}*

{**MBPS MODIFICATION** – NOTE TO CHAPTER 30: THE PROVISIONS OF CHAPTER 30 OF THE IBC RELATE TO ELEVATORS AND CONVEYING SYSTEMS AND ARE IN ADDITION TO AND NOT INSTEAD OF THE REQUIREMENTS CONTAINED IN STATE PUBLIC SAFETY ARTICLE, TITLE 12, SUBTITLE 8. IN THE EVENT OF A CONFLICT BETWEEN THE MARYLAND CODE AND THE IBC, THE MARYLAND CODE PREVAILS. }

**CHAPTER 31. SPECIAL CONSTRUCTION**

**SECTIONS 3101 TO 3104 {As in IBC}**

**SECTION 3105 AWNINGS AND CANOPIES**

**3105.1 GENERAL.** AWNINGS AND CANOPIES MUST COMPLY WITH THE REQUIREMENTS OF:

- 1. THIS SECTION,

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2. OTHER APPLICABLE SECTIONS OF THIS CODE, AND
3. THE LAWS AND REGULATIONS GOVERNING MINOR PRIVILEGE PERMITS.

**3105.2 DESIGN AND CONSTRUCTION. {As in IBC}**

**3105.3 CANOPY MATERIALS. {As in IBC}**

**SECTION 3106 MARQUEES {As in IBC}**

**SECTION 3107 SIGNS {As in IBC}**

**SECTION 3108 RADIO AND TELEVISION TOWERS**

**3108.1 TO 3108.5 {As in IBC}**

**3108.6 AIRCRAFT WARNING LIGHTS.** RADIO AND TELEVISION TOWERS MUST BE EQUIPPED WITH AIRCRAFT WARNING LIGHTS THAT COMPLY WITH FEDERAL AVIATION ADMINISTRATION REQUIREMENTS.

**SECTION 3109 SWIMMING POOLS**

**3109.1 GENERAL.** SWIMMING POOLS MUST COMPLY WITH THE REQUIREMENTS OF:

1. THIS SECTION,
2. OTHER APPLICABLE SECTIONS OF THIS CODE,
3. ALL REGULATIONS OF THE BALTIMORE CITY HEALTH DEPARTMENT, AND
4. ALL LOCATION AND OTHER APPLICABLE PROVISIONS OF THE BALTIMORE CITY ZONING CODE.

**3109.2 TO 3109.8 {As in IBC}**

**SECTION 3110 PARKING LOTS, DRIVEWAYS, AND OTHER PAVED SURFACES**

**3110.1 DRIVEWAY ENTRANCES.** ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC WORKS.

**3110.2 SURFACE PAVING.** PARKING LOTS, PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE PAVED WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. THE PAVING MUST BE ABLE TO SUPPORT THE DESIGN LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.

**3110.2.1 GRASS PAVING BLOCKS.** PAVING BLOCKS DESIGNED TO SUPPORT VEHICULAR TRAFFIC WHILE ALLOWING GRASS TO GROW THROUGH MAY ONLY BE USED FOR OVERFLOW PARKING IN EXCESS OF THE MINIMUM PARKING SPACES REQUIRED BY THE ZONING CODE.

**3110.3 PARKING SPACES.** THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING SPACES MUST COMPLY WITH:

1. THE ZONING CODE,
2. THE MARYLAND STATE ACCESSABILITY CODE, AND
3. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.

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1 **3110.4 CURBS OR BUMPERS.** CURBS OR BUMPERS MUST BE INSTALLED FOR ALL PARKING SPACES.  
2 EACH CURB OR BUMPER MUST BE:

- 3 1. MADE OF CONCRETE, WOOD, OR AN APPROVED METAL WHEEL STOP,
- 4 2. AT LEAST 6 INCHES (152 MM) HIGH AND 8 INCHES (203 MM) WIDE,
- 5 3. SECURELY FIXED IN PLACE, AND
- 6 4. LOCATED:
  - 7 A. AT LEAST 4 FEET (1.22 M) FROM THE PARKING LOT PERIMETER, OR
  - 8 B. FOR PARKING SPACES THAT ARE PARALLEL TO THE PERIMETER OF THE PARKING LOT, AT  
9 LEAST 2 FEET (0.61 M) FROM THE PERIMETER.

10 **3110.5 SURFACE DRAINAGE.** STORM DRAINAGE OFF PAVED SURFACE AREAS, SUCH AS PARKING LOTS,  
11 PLAYGROUNDS, AND PLAZAS, MUST BE PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR  
12 OTHER APPROVED WATER COURSES.

13 **3110.5.1 LIMITATIONS.** NO DRAINAGE MAY BE DISCHARGED:

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

17 **3110.5.2 METHODS.** DRAINAGE MUST BE PIPED TO A STORM DRAIN, TO THE STREET OR ALLEY, TO A  
18 PAVED SWALE, OR TO ANOTHER APPROVED WATER COURSE. THE INSTALLATION OF PIPING,  
19 CONNECTIONS TO STORM DRAINS, ETC., MUST BE MADE IN ACCORDANCE WITH THE PLUMBING  
20 REGULATIONS OF CHAPTER 29 OF THIS CODE.

### 21 SECTION 3111 PIERS AND MARINAS

22 **3111.1 GENERAL.** ALL PIERS, MARINAS, AND RELATED STRUCTURES CONSTRUCTED OR DEMOLISHED  
23 ALONG THE SHORELINE OF THE CITY MUST COMPLY WITH THE REQUIREMENTS OF THIS § 3111, IN  
24 ADDITION TO ALL OTHER APPLICABLE PROVISIONS OF THIS CODE.

25 **3111.2 PLANS AND SPECIFICATIONS.** ALL PROPOSED WORK FOR PIERS AND MARINAS REQUIRES PLANS  
26 AND SPECIFICATIONS THAT ILLUSTRATE, DESCRIBE, AND SPECIFY THE PROPOSED WORK IN SUFFICIENT  
27 DETAIL AND CLARITY.

28 **3111.3 APPROVALS.** BEFORE A BUILDING PERMIT MAY BE ISSUED FOR THE CONSTRUCTION OR  
29 DEMOLITION OF A PIER, MARINA, OR RELATED STRUCTURE, THE WORK MUST BE APPROVED BY:

- 30 1. THE U.S. ARMY CORPS OF ENGINEERS (BALTIMORE DISTRICT),
- 31 2. THE STATE OF MARYLAND,
- 32 3. THE DIVISION OF CONSTRUCTION AND BUILDINGS INSPECTION,
- 33 4. THE BALTIMORE CITY FIRE DEPARTMENT, AND
- 34 5. THE BALTIMORE CITY DEPARTMENT OF PUBLIC WORKS.



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1 **3111.4 DESIGN.** ALL SHORELINE AND OFFSHORE FREESTANDING PIERS, WITH OR WITHOUT BUILDINGS,  
2 MUST BE DESIGNED IN ACCORDANCE WITH:

- 3 1. THE DESIGN MANUALS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND
- 4 2. THE REQUIREMENTS OF THIS CODE.

5 **3111.5 STRUCTURAL DESIGN FOR PIERS.** MINIMUM LIVE LOAD REQUIREMENTS ARE AS FOLLOWS:

- 6 1. FOR STATIC OR FIXED PIERS OR MARINAS FOR LIGHT DUTY USES, 60 POUNDS PER SQUARE FOOT,  
7 AND
- 8 2. FOR HEAVY DUTY LIVE LOADS AND FOR STRUCTURES CONSTRUCTED ON PIERS, AS REQUIRED BY  
9 CHAPTER 16 OF THIS CODE.

10 **3111.6 STRUCTURES ON PIERS.** EVERY STRUCTURE THAT IS CONSTRUCTED ON A PIER, WHARF, DOCK,  
11 BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE MUST COMPLY WITH THIS § 3111 AND  
12 ALL OTHER APPLICABLE PROVISIONS OF THIS CODE AND OTHER LAW.

13 **SECTION 3112 FENCES**

14 **3112.1 LOCATION.** A FENCE MAY BE BUILT ONLY ON THE PROPERTY OF THE OWNER OF THE FENCE.  
15 HOWEVER, IF THE OWNERS OF ADJOINING PROPERTY AGREE TO BUILD A FENCE ON THE PROPERTY LINE  
16 BETWEEN THEM, THEY MAY DO SO IF THEY BOTH SUBMIT, WITH THE APPLICATION FOR THE PERMIT, A  
17 WRITTEN STATEMENT OF THEIR AGREEMENT.

18 **3112.2 HEIGHT.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3112.2, THE HEIGHT OF A FENCE MAY NOT  
19 EXCEED 42 INCHES (1067 MM), MEASURED ON THE HIGH SIDE.

20 **3112.2.1 ENCLOSING DWELLINGS.** FENCES ENCLOSING DWELLINGS MAY BE AS HIGH AS, BUT MAY  
21 NOT EXCEED, 6 FEET (1.83 M) IF LOCATED IN SIDE OR REAR YARDS.

22 **3112.2.2 ENCLOSING CERTAIN OTHER BUILDINGS.** FENCES ENCLOSING BUILDINGS USED FOR  
23 PUBLIC ASSEMBLY, PRIVATE ASSEMBLY, INSTITUTIONS, OFFICES, COMMERCIAL STORAGE, OR  
24 INDUSTRIAL OCCUPANCIES MAY BE AS HIGH AS, BUT MAY NOT EXCEED, 8 FEET (2.44 M).

25 **3112.2.3 SPECIAL PURPOSES.** FOR SPECIAL PURPOSES LIKE PROTECTION AROUND DANGEROUS  
26 PLACES, HIGHLY HAZARDOUS OPERATIONS, OR ATHLETIC FIELDS, AND IN SIMILAR CASES WHERE A  
27 HIGH FENCE IS NECESSARY FOR THE SAFETY OF THE PUBLIC, FENCES MAY BE HIGHER THAN 8 FEET  
28 (2.44 M) TO THE EXTENT SPECIALLY AUTHORIZED BY THE BUILDING OFFICIAL.

29 **3112.3 CONSTRUCTION.** FENCES MAY BE BUILT OF ANY MATERIAL OR CONSTRUCTION THAT IS  
30 PERMITTED IN THIS CODE FOR EXPOSED STRUCTURES. HOWEVER, ALL FENCES MUST BE DESIGNED AND  
31 CONSTRUCTED, IN ACCORDANCE WITH THE APPLICABLE STRUCTURAL PROVISIONS OF THIS CODE, TO  
32 RESIST FROM ANY DIRECTION A HORIZONTAL FORCE OF 20 POUNDS PER SQUARE FOOT, APPLIED NORMAL  
33 TO AND OVER EITHER THE GROSS AREA OF THE FENCE OR THE NET AREA OF THE FENCE PLUS 50% OF THE  
34 GROSS AREA, WHICHEVER IS LESS.

35 **3112.3.1 WOOD FENCES.** THE POSTS FOR WOOD FENCES MUST BE:

- 36 1. LOCUST, HEART CEDAR, OR ANY OTHER WOOD THAT WILL RESIST DECAY UNDERGROUND,
- 37 2. ANY WOOD THAT HAS BEEN TREATED IN ACCORDANCE WITH THIS CODE, OR
- 38 3. ANY GOOD TIMBER SET IN CONCRETE.

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1           **3112.3.2 WIRE FENCES.** WIRE FENCES MUST BE CONSTRUCTED WITH WIRE MESH SUBSTANTIALLY  
2 FABRICATED AND CONSTRUCTED SO AS TO RESIST A NOMINAL HORIZONTAL LOAD OF 500 POUNDS  
3 WITHOUT DEFLECTING MORE THAN 6 INCHES (152 MM). THE POSTS FOR WIRE FENCES MUST BE  
4 METAL POSTS SET IN CONCRETE, PROPERLY DESIGNED MASONRY POSTS, OR WOOD POSTS OF THE  
5 TYPE REQUIRED FOR WOOD FENCES.

6           **3112.3.3 METAL FENCES.** METAL FENCES MUST BE OF A SUBSTANTIAL DESIGN AND  
7 CONSTRUCTION APPROVED BY THE BUILDING OFFICIAL. THE POSTS FOR METAL FENCES MUST BE  
8 CONCRETE, MASONRY, OR METAL SET IN CONCRETE OR MASONRY.

9           **3112.3.4 MASONRY FENCES.** MASONRY FENCES MUST BE OF REINFORCED CONCRETE OR OTHER  
10 MASONRY AND MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS  
11 GOVERNING REINFORCED CONCRETE OR FREESTANDING MASONRY WALLS. ALL MASONRY FENCES  
12 MUST EXTEND AT LEAST 2 FEET (0.61 M) INTO THE GROUND.

13           **3112.3.5 COMBINATION FENCES.** FENCES THAT CONSIST OF 2 OR MORE KINDS OF MATERIALS MAY  
14 BE BUILT AS LONG AS ALL APPLICABLE REQUIREMENTS OF THIS CODE FOR THOSE MATERIALS AND  
15 CONSTRUCTION ARE MET. THE TOTAL AGGREGATE HEIGHT OF A COMBINATION FENCE MUST BE USED  
16 IN DETERMINING THE HEIGHT LIMITATIONS FOR THAT FENCE.

17           **3112.4 SHARP POINTS, PROJECTIONS, ETC.** NO FENCE MAY HAVE ANY PROJECTING SHARP POINTS,  
18 JAGGED EDGES, OR OTHER PROJECTIONS THAT CAN INJURE PERSONS OR ANIMALS COMING IN CONTACT  
19 WITH THE FENCE.

20           **3112.4.1 FENCE TOPS.** NO FENCE LESS THAN 3 FEET 6 INCHES (1.07 M) HIGH MAY HAVE ANY SHARP  
21 PICKETS OR VERTICAL POINTED OBJECTS AT THE TOP. BARBED WIRE OR OTHER APPROVED  
22 RETARDING MATERIAL OR CONSTRUCTION MAY BE PLACED ON THE TOP OF ANY FENCE THAT IS MORE  
23 THAN 6 FEET 9 INCHES (2.06 M) HIGH, UNLESS THE BARBED WIRE OR OTHER RETARDING MATERIAL  
24 WILL CREATE A HIGHLY HAZARDOUS CONDITION.

25           **3112.4.2 RAZOR WIRE.** RAZOR WIRE MAY NOT BE USED ANYWHERE IN ANY FENCE.

26           **3112.5 MAINTENANCE.** EVERY FENCE MUST BE MAINTAINED IN GOOD REPAIR BY ITS OWNER. THE  
27 BUILDING OFFICIAL MAY DETERMINE THE SUFFICIENCY OF ANY FENCE AND THE AMOUNT AND  
28 CHARACTER OF REPAIRS REQUIRED TO MAKE IT SAFE.

29           **3112.6 NONCONFORMING FENCES.** ANY EXISTING FENCE THAT WAS COMPLIANT WHEN ERECTED BUT  
30 DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS § 3112 IS PERMITTED TO CONTINUE TO EXIST AND  
31 BE REPAIRED AT ANY TIME, UNLESS THE FENCE HAS DETERIORATED MORE THAN 50%. ALL  
32 NONCONFORMING FENCES THAT HAVE DETERIORATED MORE THAN 50% OR BEYOND REPAIR MUST BE  
33 REMOVED OR RECONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CODE.

### 34 SECTION 3113 RADIO AND TELEVISION ANTENNAS

35           **3113.1 AIRCRAFT WARNING LIGHTS.** RADIO AND TELEVISION ANTENNAS LOCATED ON A HIGH RISE  
36 BUILDING OR ON A HIGH TERRAIN FEATURE MUST COMPLY WITH FEDERAL AVIATION ADMINISTRATION  
37 REQUIREMENTS FOR AIRCRAFT WARNING LIGHTS.

### 38 SECTION 3114 LIGHTENING PROTECTION

39           **3114.1 GENERAL.** LIGHTENING PROTECTION FOR BUILDINGS AND STRUCTURES MUST COMPLY WITH  
40 NFIPA 780.

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**CHAPTER 32. ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY**

**SECTION 3201 GENERAL**

**3201.1 SCOPE.** *{AS IN IBC}*

**3201.2 MEASUREMENT.** *{AS IN IBC}*

**3201.3 OTHER LAWS.** THIS CHAPTER DOES NOT PERMIT ANYTHING THAT IS OTHERWISE PROHIBITED OR REGULATED BY ANY LAW GOVERNING THE USE OF PUBLIC PROPERTY.

**3201.3.1 PERMISSION NEEDED FOR ENCROACHMENTS.** NO PERSON MAY USE, ENCROACH ON, OR CONNECT TO ANY STREET, HIGHWAY, ALLEY, OR OTHER PUBLIC RIGHT-OF-WAY FOR ANY PURPOSE UNLESS THAT PERSON FIRST OBTAINS PERMISSION TO DO SO BY:

1. AN ORDINANCE OF THE MAYOR AND CITY COUNCIL,
2. A MINOR PRIVILEGE PERMIT ISSUED BY OR UNDER THE AUTHORITY OF THE BOARD OF ESTIMATES, OR
3. AN APPROPRIATE PERMIT ISSUED BY THE DEPARTMENT OF PUBLIC WORKS.

**3201.4 DRAINAGE GENERALLY.** DRAINAGE MAY NOT BE DISCHARGED FROM PRIVATE PROPERTY ON TO THE PUBLIC RIGHT OF WAY EXCEPT THROUGH PIPING TO A STORM DRAIN, TO A STREET OR ALLEY, OR TO SOME OTHER WATER COURSE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. DRAINAGE MAY NOT BE DISCHARGED TO FLOW OVER THE SURFACE OF ANY PUBLIC SIDEWALK.

**SECTION 3202 ENCROACHMENTS**

**3202.1 ENCROACHMENT BELOW GRADE.** *{AS IN IBC}*

**3202.2 ENCROACHMENT ABOVE GRADE AND BELOW 8' IN HEIGHT.** *{AS IN IBC}*

**3202.2.1 STEPS.** STEPS MAY NOT PROJECT MORE THAN:

1. 1/4 OF THE WIDTH OF A PUBLIC SIDEWALK ON WHICH THE STEPS ARE LOCATED,
2. 4 FEET (1219 MM) INTO A PUBLIC SIDEWALK, OR
3. ANY DISTANCE THAT LEAVES A CLEAR PUBLIC SIDEWALK OF LESS THAN 4 FEET (1219 MM).

**3202.2.2 ARCHITECTURAL FEATURES.** *{AS IN IBC}*

**3202.2.3 AWNINGS.** *{AS IN IBC}*

**3202.3 ENCROACHMENT 8' OR MORE ABOVE GRADE.** *{AS IN IBC}*

**3202.4 TEMPORARY ENCROACHMENTS.** *{AS IN IBC}*

**3202.5 UNAUTHORIZED ENCROACHMENT.** IN THIS §3202.5, “UNAUTHORIZED ENCROACHMENT” MEANS ANY BUILDING, STRUCTURE, PROJECTION, OBJECT, OR OTHER THING THAT HAS BEEN PLACED, CONSTRUCTED, OR INSTALLED ON OR CONNECTED TO A PUBLIC RIGHT-OF-WAY WITHOUT APPROPRIATE PERMISSION, AS OUTLINED IN § 3201.3.1.

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1           **3202.5.1 REMOVAL OF UNAUTHORIZED ENCROACHMENTS.** ON NOTICE FROM THE BUILDING  
2           OFFICIAL OR THE DIRECTOR OF PUBLIC WORKS, THE OWNER OF ANY UNAUTHORIZED  
3           ENCROACHMENT MUST IMMEDIATELY:

- 4                   1. REMOVE THE ENCROACHMENT, OR
- 5                   2. OBTAIN APPROPRIATE PERMISSION FOR ITS CONTINUATION.

6                                   **CHAPTER 33. SAFEGUARDS DURING CONSTRUCTION**

7           **SECTION 3301 GENERAL**

8                   **3301.1 SCOPE.** *{As in IBC}*

9                   **3301.2 STORAGE AND PLACEMENT.** *{As in IBC}*

10           **3301.3 PROHIBITED HOURS.** NO SITE WORK, DEMOLITION, PILE DRIVING, OR CONSTRUCTION IS  
11           PERMITTED WITHIN 300 FEET (91.44 M) OF ANY DWELLING BETWEEN 7:00 P.M. AND 7:00 A.M.

12                   **3301.3.1 EXCEPTION.** THIS § 3301.3 DOES NOT APPLY TO AN EMERGENCY OPERATION THAT HAS  
13           BEEN SPECIFICALLY APPROVED BY THE BUILDING OFFICIAL.

14           **SECTION 3302 CONSTRUCTION SAFEGUARDS** *{As in IBC}*

15           **SECTION 3303 DEMOLITION**

16                   **3303.1 CONSTRUCTION DOCUMENTS.** *{As in IBC}*

17                   **3303.2 PEDESTRIAN PROTECTION.** *{As in IBC}*

18                   **3303.3 MEANS OF EGRESS.** *{As in IBC}*

19           **3303.4 FILLING REQUIRED.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3303.4, WHERE A STRUCTURE  
20           HAS BEEN DEMOLISHED OR REMOVED, THE VACANT AREA MUST BE FILLED AND MAINTAINED TO THE  
21           EXISTING GRADE OR OTHERWISE IN ACCORDANCE WITH CITY LAW.

22                   **3303.4.1 CELLAR FLOORS.** ALL BASEMENT AND CELLAR FLOORS MUST BE REMOVED OR  
23           COMPLETELY BROKEN UP BEFORE ANY FILLING MATERIALS ARE USED.

24                   **3303.4.2 EXCEPTION.** THE BUILDING OFFICIAL MAY WAIVE THE FILLING REQUIREMENTS OF THIS  
25           § 3303.4 FOR UP TO 3 MONTHS IF:

- 26                   1. THE BUILDING OFFICIAL RECEIVES SATISFACTORY EVIDENCE THAT CONSTRUCTION OF A  
27                   NEW BUILDING OR STRUCTURE WILL BEGIN ON THE SITE WITHIN 3 MONTHS OF THE  
28                   DEMOLITION OR REMOVAL, AND
- 29                   2. THE SITE IS PROTECTED WITH BARRIERS THAT COMPLY WITH § 3306.5 OF THIS CODE.

30                   **3303.5 WATER ACCUMULATION.** *{As in IBC}*

31                   **3303.6 UTILITY CONNECTIONS.** *{As in IBC}*

32                   **3303.7 NOTICE TO ADJOINING OWNERS AND OTHERS.** A PERMIT TO DEMOLISH A STRUCTURE MAY NOT  
33           BE ISSUED UNLESS:

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- 1           1. ALL NOTICES REQUIRED BY §§ 105.9 AND 3307.1 OF THIS CODE HAVE BEEN GIVEN, AND
- 2           2. COPIES OF THE NOTICES ARE SUBMITTED WITH THE PERMIT APPLICATION.

3           **3303.8 DEMOLITION CONTRACTOR’S LICENSE.** EXCEPT AS OTHERWISE SPECIFIED IN THIS § 3303.8, NO  
4 PERSON MAY ENGAGE IN THE DEMOLITION OF ANY STRUCTURE WITHOUT FIRST OBTAINING A  
5 DEMOLITION CONTRACTOR’S LICENSE FROM THE BUILDING OFFICIAL.

6           **3303.8.1 PREREQUISITES.** EVERY CONTRACTOR APPLYING FOR A NEW LICENSE OR FOR THE  
7 RENEWAL OF A LICENSE MUST:

- 8                   1. PROVIDE THE BUILDING OFFICIAL WITH THE NAME AND ADDRESS OF THE CONTRACTOR’S  
9                   BUSINESS,
- 10                   2. PROVIDE THE BUILDING OFFICIAL WITH A COPY OF A LIABILITY INSURANCE POLICY THAT  
11                   COMPLIES WITH § 3303.9 OF THIS CODE, AND
- 12                   3. PROVIDE EVIDENCE SATISFACTORY TO THE BUILDING OFFICIAL THAT THE CONTRACTOR HAS  
13                   OBTAINED A BOND THAT COMPLIES WITH § 3303.10 OF THIS CODE.

14           **3303.8.2 TERM; FEES.** A DEMOLITION CONTRACTOR’S LICENSE EXPIRES ON DECEMBER 31 OF EACH  
15 YEAR. THE LICENSE MAY BE RENEWED ANNUALLY, ON OR BEFORE DECEMBER 31, ON PAYMENT OF  
16 THE RENEWAL FEE. THE LICENSE FEES ARE AS SET BY THE BUILDING OFFICIAL WITH THE APPROVAL  
17 OF THE BOARD OF ESTIMATES.

18           **3303.8.3 CHANGE OF NAME OR ADDRESS.** A LICENSEE MUST IMMEDIATELY NOTIFY THE BUILDING  
19 OFFICIAL OF ANY CHANGE IN THE NAME OR ADDRESS OF THE LICENSEE’S BUSINESS.

20           **3303.8.4 USE OF LICENSE BY OTHER.** A LICENSEE MAY NOT ALLOW HIS OR HER NAME TO BE USED  
21 BY ANOTHER PERSON FOR THE PURPOSE OF OBTAINING PERMITS OR FOR DOING ANY DEMOLITION  
22 WORK UNDER THE LICENSEE’S LICENSE.

23           **3303.8.5 EXCEPTION.** THE BUILDING OFFICIAL MAY WAIVE THE REQUIREMENTS OF THIS § 3303.8  
24 IF THE STRUCTURE TO BE DEMOLISHED IS A MISCELLANEOUS STRUCTURE AS DESCRIBED IN § 312 OF  
25 THIS CODE.

26           **3303.8.6 ENFORCEMENT.** A VIOLATION NOTICE IS NOT A PREREQUISITE TO THE ENFORCEMENT OF  
27 THIS § 3303.8 BY ANY APPROPRIATE LEGAL PROCEEDING. PENALTIES WILL BE ASSESSED IN  
28 ACCORDANCE WITH § 113 OF THIS CODE.

29           **3303.8.7 DEBARMENT ON CONVICTION.** ANY PERSON CONVICTED OF A VIOLATION OF THIS  
30 § 3303.8 IS, IN ADDITION TO ANY OTHER PENALTY THAT MIGHT BE IMPOSED:

- 31                   1. PROHIBITED FROM PERFORMING DEMOLITION WORK WITHOUT FIRST OBTAINING A NEW  
32                   LICENSE, AND
- 33                   2. IS INELIGIBLE TO RECEIVE A NEW LICENSE FOR 6 MONTHS.

34           **3303.9 DEMOLITION INSURANCE.** THE LICENSEE MUST HAVE AN INSURANCE POLICY THAT COMPLIES  
35 WITH THE MINIMUM REQUIREMENTS OF THIS § 3303.9.

36           **3303.9.1 COVERAGE.** THE POLICY MUST PROVIDE COVERAGE FOR ALL OPERATIONS FOR WHICH A  
37 PERMIT MIGHT BE SOUGHT. THE MINIMUM COVERAGE REQUIREMENTS ARE:

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- 1           1. \$100,000 FOR DAMAGES (INCLUDING DAMAGES FOR CARE AND LOSS OF SERVICES) BECAUSE  
2           OF BODILY INJURY (INCLUDING DEATH AT ANY TIME RESULTING FROM BODILY INJURY), PER  
3           PERSON, PER INCIDENT,
- 4           2. \$300,000 FOR DAMAGES (INCLUDING DAMAGES FOR CARE AND LOSS OF SERVICES) BECAUSE  
5           OF BODILY INJURY (INCLUDING DEATH AT ANY TIME RESULTING FROM BODILY INJURY)  
6           SUSTAINED BY MORE THAN 1 PERSON PER INCIDENT, AND
- 7           3. \$25,000 FOR INJURY TO OR DESTRUCTION OF PROPERTY OF OTHERS PER INCIDENT.

8           **3303.9.2 PROHIBITED EXCLUSIONS.** THE POLICY MAY NOT CONTAIN:

- 9           1. ANY "COLLAPSE HAZARD" EXCLUSION,
- 10          2. ANY EXCLUSION THAT WOULD PROHIBIT THE CONTRACTOR FROM PERFORMING THE  
11          DEMOLITION OPERATIONS IN ACCORDANCE WITH THIS CODE AND THE NORMAL PROCEDURES  
12          OF THE INDUSTRY, OR
- 13          3. ANY EXCLUSION THAT WOULD CREATE AN UNDUE RISK TO THE CITY OR TO THE HEALTH,  
14          SAFETY, AND WELFARE OF THE GENERAL PUBLIC.

15          **3303.9.3 CANCELLATION.** THE TERMS OF POLICY MUST PROVIDE EITHER:

- 16          1. THAT THE POLICY MAY NOT BE CANCELED DURING THE DURATION OF THE OPERATIONS TO  
17          BE PERFORMED, OR
- 18          2. THAT THE BUILDING OFFICIAL WILL BE NOTIFIED IN WRITING, AT LEAST 15 DAYS BEFORE  
19          THE POLICY IS CANCELED.

20          **3303.10 DEMOLITION BOND.** THE LICENSEE MUST POST A BOND THAT COMPLIES WITH THE MINIMUM  
21          REQUIREMENTS OF THIS § 3303.10.

22          **3303.10.1. AMOUNT.** THE BOND MUST BE IN THE AMOUNT OF AT LEAST:

- 23          1. \$10,000, OR
- 24          2. ANY HIGHER AMOUNT SET BY THE BUILDING OFFICIAL.

26          **3303.10.2 TENOR OF BOND.** THE BOND MUST BE CONDITIONED ON:

- 27          1. THE CONTRACTOR'S COMPLIANCE WITH THIS CODE, WITH THE RULES AND REGULATIONS  
28          ADOPTED UNDER THIS CODE, AND WITH ALL OTHER APPLICABLE LAWS OF THE STATE AND  
29          THE CITY,
- 30          2. THE CONTRACTOR'S INDEMNIFYING THE CITY FROM ALL COSTS, EXPENSES, DAMAGES,  
31          INJURY, AND LOSS THAT RESULT FROM ANY WRONGDOING, MISCONDUCT, WANT OF CARE OR  
32          SKILL, NEGLIGENCE, OR DEFAULT ON THE PART OF THE CONTRACTOR OR ANY OF THE  
33          CONTRACTOR'S AGENTS OR EMPLOYEES IN THE PERFORMANCE OF THEIR OPERATIONS, AND
- 34          3. THE CONTRACTOR'S FURTHER INDEMNIFYING THE CITY FROM ALL EXPENSES INCURRED IN  
35          CORRECTING ANY OF THE CONTRACTOR'S WORK THAT IS CONSIDERED HARMFUL TO THE  
36          SAFETY, HEALTH, AND WELFARE OF THE GENERAL PUBLIC OR THAT ADVERSELY AFFECTS  
37          ADJOINING PROPERTY.

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1           **3303.10.3 BOND CONTINUITY.** THE BOND MUST BE CONTINUOUS, PROVIDING INDEMNIFICATION IN  
2 THE MINIMUM AMOUNT REQUIRED FOR EACH YEAR THAT THE BOND IS VALID. THE TERMS OF THE  
3 BOND MUST PROVIDE THAT THE BUILDING OFFICIAL AND THE CONTRACTOR WILL BE NOTIFIED BY  
4 THE SURETY AT LEAST 30 DAYS BEFORE THE BOND IS CANCELED.

5           **3303.10.4 PENALTY FOR CANCELLATION.** IF THE BOND IS CANCELED AND THE CONTRACTOR FAILS  
6 TO PROVIDE A NEW BOND BEFORE THE CANCELLATION IS EFFECTIVE, THE CONTRACTOR'S LICENSE  
7 AND ALL OUTSTANDING WORK PERMITS ARE AUTOMATICALLY SUSPENDED. THE SUSPENSION  
8 CONTINUES UNTIL THE CONTRACTOR PROVIDES A NEW BOND THAT COMPLIES WITH THIS § 3303.10.

9           **3303.10.5 CONTINUITY OF LIABILITY.** THE TERMS OF THE BOND MUST PROVIDE THAT,  
10 NOTWITHSTANDING ITS CANCELLATION, THE SURETY AND THE CONTRACTOR REMAIN LIABLE FOR  
11 DEFECTS DISCOVERED WITHIN 12 MONTHS AFTER THE WORK IS COMPLETED, AS PROVIDED IN  
12 § 3303.27 OF THIS CODE.

13           **3303.10.6 UNSATISFACTORY SURETY.** IF AT ANY TIME THE BUILDING OFFICIAL CONSIDERS THE  
14 SURETY ON THE BOND TO BE UNSATISFACTORY, THE BUILDING OFFICIAL MUST GIVE THE  
15 CONTRACTOR WRITTEN NOTICE TO THAT EFFECT. WITHIN 10 DAYS OF THE NOTICE, THE  
16 CONTRACTOR MUST PROVIDE A NEW BOND, IN THE SAME PENALTY AND ON THE SAME CONDITIONS,  
17 WITH A SURETY SATISFACTORY TO THE BUILDING OFFICIAL. IF THE CONTRACTOR FAILS TO PROVIDE  
18 THE NEW BOND WITHIN 10 DAYS, THE BUILDING OFFICIAL MUST IMMEDIATELY REVOKE EVERY  
19 OUTSTANDING PERMIT FOR WHICH THE WORK REMAINS UNCOMPLETED 1 YEAR AFTER ITS ISSUANCE  
20 AND IMMEDIATELY SUSPEND THE CONTRACTOR'S LICENSE UNTIL A SATISFACTORY BOND IS  
21 PROVIDED.

22           **3303.11 TO 3303.12 {RESERVED}**

23           **3303.13 DEMOLITION PERMITS.** EACH APPLICATION FOR A DEMOLITION PERMIT MUST:

- 24           1. COMPLY WITH § 105 OF THIS CODE,  
25           2. EXCEPT AS PROVIDED IN § 3303.13.1, BE ACCOMPANIED BY A CERTIFICATE OF INSURANCE THAT  
26           EVIDENCES COMPLIANCE WITH § 3303.9, AND  
27           3. BE ACCOMPANIED BY AN AFFIDAVIT TO THE BUILDING OFFICIAL THAT ALL CONTRACTS AND  
28           OTHER ARRANGEMENTS COMPLYING WITH THIS CODE HAVE BEEN MADE.

29           **3303.13.1 ALTERNATIVE CERTIFICATE OF CONTINUING INSURANCE.** INSTEAD OF PROVIDING A  
30 SEPARATE CERTIFICATE FOR EACH PERMIT, A CONTRACTOR MAY PROVIDE ONE GENERAL  
31 CERTIFICATE OF CONTINUING INSURANCE, AS LONG AS THE CERTIFICATE EVIDENCES:

- 32           1. THE REQUIRED COVERAGE FOR ALL WORK TO BE PERFORMED BY THE CONTRACTOR, AND  
33           2. THE INSURER'S OBLIGATION TO NOTIFY THE BUILDING OFFICIAL, IN WRITING, AT LEAST 15  
34           DAYS BEFORE THE POLICY IS CANCELED.

35           **3303.14 TO 3303.15 {RESERVED}**

36           **3303.16 METHODS OF DEMOLITION.** THE FOLLOWING METHODS MUST BE USED FOR THE DEMOLITION  
37 OF A STRUCTURE:

- 38           1. THE DEMOLITION MUST BE PERFORMED IN APPROXIMATELY THE REVERSE ORDER IN WHICH THE  
39           STRUCTURE WAS ERECTED. WHERE UNUSUAL CONDITIONS EXIST, THE BUILDING OFFICIAL MAY  
40           AUTHORIZE A DIFFERENT METHOD.  
41           2. STRUCTURAL ELEMENTS MUST BE CAREFULLY DISSEMBLED TO AVOID COLLAPSE.

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1           3. HEAVY PIECES OF STONE OR OTHER HEAVY AND BULKY MATERIALS OR EQUIPMENT MUST BE  
2           CAREFULLY HANDLED IN ACCORDANCE WITH §§ 3304 THROUGH 3312 OF THIS CODE.

3           **3303.17 USE OF EXPLOSIVES.** THE USE OF EXPLOSIVES IS GENERALLY PROHIBITED. EXPLOSIVES FOR  
4           DEMOLITION BY IMPLOSION MAY BE USED BY SPECIAL PERMIT FROM THE BUILDING OFFICIAL.

5           **3303.18 PARTIAL DEMOLITION.** BUILDING ELEMENTS THAT BECOME EXPOSED AS RESULT OF A  
6           PARTIAL DEMOLITION MUST BE PROPERLY FINISHED, BRACED, OR OTHERWISE MADE SAFE.

7           **3303.19 {RESERVED}**

8           **3303.20 {RESERVED}**

9           **3303.21 REMOVAL OF DEBRIS.** THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THOSE OF  
10          § 3302.2.

11          **3303.21.1 GENERAL REQUIREMENTS.** DEBRIS ON UPPER FLOORS MUST BE LOWERED TO GROUND  
12          LEVEL:

- 13               1. IN RECEPTACLES, BY ELEVATORS OR HOISTS, OR  
14               2. IN TIGHT AND COMPLETELY ENCLOSED CHUTES.

15          **3303.21.2 CHUTE REQUIREMENTS.** NO CHUTE USED FOR THIS PURPOSE MAY EXTEND IN AN  
16          UNBROKEN LINE THAT IS MORE THAN 25 FEET (7.62 M) WITHOUT SUITABLE BARRIERS TO PREVENT  
17          DEBRIS FROM FALLING TOO FAST. EACH CHUTE MUST BE EQUIPPED WITH A PROPER GATE OR STOP AT  
18          THE BOTTOM TO CONTROL THE FLOW OF MATERIALS FROM THE CHUTE.

19          **3303.22 {RESERVED}**

20          **3303.23 DISPOSITION OF RECYCLABLE DEBRIS.** WHENEVER RECYCLABLE DEBRIS TO BE CLEARED  
21          FROM A SITE EXCEEDS 5 TONS, AT LEAST 30% OF THAT RECYCLABLE DEBRIS MUST BE IMMEDIATELY  
22          TRANSPORTED TO A LICENSED RECYCLING FIRM FOR EXPORT OUT OF THE CITY.

23          **3303.23.1 “RECYCLABLE DEBRIS” DEFINED.** IN THIS SECTION:

- 24               1. “RECYCLABLE DEBRIS” MEANS, EXCEPT AS SPECIFIED IN ITEM B, MATERIALS THAT:  
25                       A. IF NOT RECYCLED, WOULD BECOME SOLID WASTE FOR DISPOSAL IN A SOLID WASTE  
26                       ACCEPTANCE FACILITY, AND  
27                       B. MAY BE COLLECTED, SEPARATED, OR PROCESSED AND RETURNED TO THE  
28                       MARKETPLACE IN THE FORM OF RAW MATERIALS OR PRODUCTS.
- 29               2. “RECYCLABLE DEBRIS” DOES NOT INCLUDE MATERIALS THAT ARE:  
30                       A. DERIVED SOLELY FROM THE DEMOLITION OF A 1- OR 2-FAMILY DWELLING, AND  
31                       B. DISPOSED OF AT THE CITY’S QUARANTINE LANDFILL.

32          **3303.24 TO 3303.25 {RESERVED}**

33          **3303.26 CORRECTION OF INJURIOUS CONDITIONS.** THIS SECTION APPLIES TO ANY DEMOLITION  
34          CONTRACTOR WHO:



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- 1 1. PERFORMS ANY DEMOLITION WORK THAT CREATES A CONDITION THAT VIOLATES THIS CODE OR  
2 A CONDITION THAT MIGHT BE INJURIOUS TO THE GENERAL PUBLIC OR ADJOURNING TO  
3 ADJOINING PROPERTIES, AND
- 4 2. REFUSES OR FAILS TO CORRECT THE CONDITION IN THE MANNER AND TIME REQUIRED BY THIS  
5 CODE.

6 **3303.26.1 FIRST RIGHT OF SURETY TO CORRECT.** EXCEPT IN AN EMERGENCY, THE BUILDING  
7 OFFICIAL MUST:

- 8 1. NOTIFY THE SURETY ON THE BOND OF THE CONTRACTOR’S REFUSAL OR FAILURE, AND
- 9 2. ALLOW THE SURETY TO CORRECT THE CONDITION WITHIN THE TIME THE BUILDING OFFICIAL  
10 DIRECTS.

11 **3303.26.2 CORRECTION BY BUILDING OFFICIAL.** IF THE SURETY REFUSES OR FAILS TO CORRECT  
12 THE CONDITION OR IF AN EMERGENCY OCCURS AS A RESULT THE CONDITION, THE BUILDING  
13 OFFICIAL MAY CORRECT THE CONDITION OR PERFORM ANY OTHER OPERATIONS NECESSARY TO  
14 BRING THE DEMOLITION OPERATIONS INTO COMPLIANCE WITH THIS CODE. ALL WORK THE BUILDING  
15 OFFICIAL PERFORMS UNDER THIS SECTION IS AT THE EXPENSE OF THE CONTRACTOR AND  
16 CHARGEABLE TO AND COLLECTIBLE FROM THE CONTRACTOR’S SURETY.

17 **3303.26.3 CONTRACTOR NOT RELIEVED OF RESPONSIBILITY.** THE BUILDING OFFICIAL’S  
18 PERFORMANCE OF ANY WORK UNDER THIS SECTION DOES NOT RELIEVE THE CONTRACTOR FROM  
19 RESPONSIBILITY FOR ALL WORK PERFORMED BY THE CONTRACTOR. ANY REMEDIES OR PENALTIES  
20 PROVIDED IN THIS SECTION ARE IN ADDITION TO ANY OTHER REMEDIES OR PENALTIES PROVIDED BY  
21 LAW.

22 **3303.27 LIMITS OF LIABILITY.** THE LIABILITY OF ANY CONTRACTOR FOR MATERIALS FURNISHED OR  
23 WORK DONE UNDER THIS CODE AND THE LIABILITY OF THE CONTRACTOR’S SURETY DOES NOT EXTEND  
24 TO DEFECTS IN MATERIALS OR WORKMANSHIP DISCOVERED MORE THAN 12 MONTHS AFTER THE  
25 COMPLETION OF THE WORK. THE CONTRACTOR AND SURETY ARE RESPONSIBLE TO THE CITY TO  
26 CORRECT ALL DEFECTS DISCOVERED DURING THIS 12-MONTH PERIOD AND ABOUT WHICH THEY WERE  
27 NOTIFIED IN WRITING.

28 **3303.28 OWNER’S RESPONSIBILITY.** NOTWITHSTANDING THE LIMITED LIABILITIES OF THE  
29 CONTRACTOR AND THE SURETY, THE OWNER OF THE PROPERTY IS RESPONSIBLE AT ALL TIMES TO THE  
30 CITY TO CORRECT ANY DEFECTS IN THE OPERATIONS PERFORMED ON HIS OR HER PROPERTY.

31 **3303.29 PENALTY FOR VIOLATION.** ON A CONTRACTOR’S REFUSAL OR FAILURE TO CORRECT ANY  
32 VIOLATION, THE CONTRACTOR’S LICENSE AND ALL OUTSTANDING WORK PERMITS ARE AUTOMATICALLY  
33 SUSPENDED. THE SUSPENSION CONTINUES UNTIL THE VIOLATION IS CORRECTED.

34 **SECTION 3304 SITE WORK {AS IN IBC}**

35 **SECTION 3305 SANITARY FACILITIES**

36 **3305.1 FACILITIES REQUIRED.** SANITARY FACILITIES MUST BE PROVIDED DURING CONSTRUCTION,  
37 REMODELING, OR DEMOLITION ACTIVITIES IN ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING  
38 CODE.

39 **SECTION 3306 PROTECTION OF PEDESTRIANS {AS IN IBC}**

40 **SECTION 3307 PROTECTION OF ADJOINING PROPERTY**

41 **3307.1 PROTECTION REQUIRED. {AS IN IBC}**

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1 **3307.2 SHARED ELEMENTS – GENERAL.** REPAIRS TO ELEMENTS SHARED BY A DEMOLISHED OR MOVED  
2 STRUCTURE AND AN ADJOINING STRUCTURE MUST COMPLY WITH ALL APPLICABLE PROVISIONS OF THIS  
3 CODE.

4 **3307.3 SHARED ELEMENTS – WALLS.** PARTY WALLS MUST BE REPAIRED AND FINISHED BY THE OWNER  
5 OF THE DEMOLISHED OR MOVED STRUCTURE. THE REPAIRS MUST INCLUDE:

- 6 1. RESTORATION OR REPLACEMENT OF ANY FLASHING ON ADJOINING PROPERTY THAT HAS BEEN  
7 BROKEN OR DAMAGED DURING THE OPERATIONS,
- 8 2. REMOVAL OF ALL PLASTER FROM THE EXPOSED SIDE OF THE WALL, AND
- 9 3. CLEANING AND FINISHING THE WALL WITH APPROVED WATER-PROOF MATERIAL.

10 **SECTIONS 3308 TO 3312 {AS IN IBC}**

11 **SECTION 3313 RODENTICIDE PROCEDURE**

12 **3313.1 CERTIFICATION REQUIRED.** BEFORE ANY STRUCTURE MAY BE DEMOLISHED, MOVED TO  
13 ANOTHER SITE, OR SUBSTANTIALLY REHABILITATED, THE APPLICANT FOR A PERMIT MUST PROVIDE  
14 CERTIFICATION FROM A PESTICIDE APPLICATOR LICENSED BY THE STATE OF MARYLAND THAT ALL  
15 AREAS OF THE STRUCTURE AND ITS LOT ARE FREE FROM RODENT INFESTATION. A CERTIFICATION OF  
16 TREATMENT AND ABATEMENT OF ALL INFESTATION MUST ACCOMPANY THE PERMIT APPLICATION.

17 **3313.2 TREATMENT REQUIRED.** STRUCTURES OR LOTS FOUND TO BE INFESTED MUST BE TREATED BY A  
18 LICENSED PESTICIDE APPLICATOR BEFORE DEMOLITION, MOVING, OR REHABILITATION.

19 **SECTION 3314 UNSAFE WALLS**

20 **3314.1 PRESUMPTION.** FOR PURPOSES OF THIS § 3314, ANY LOAD-BEARING WALL THAT IS CRACKED OR  
21 BOWED AND ANY 4-INCH LOAD-BEARING WALL IS CONSIDERED A STRUCTURALLY UNSAFE WALL UNLESS  
22 CERTIFIED TO BE SAFE BY A PROFESSIONAL STRUCTURAL ENGINEER LICENSED IN MARYLAND.

23 **3314.2 REMOVAL OR CORRECTION REQUIRED.** ANY STRUCTURALLY UNSAFE WALL THAT REMAINS  
24 AFTER THE DEMOLITION OR MOVING OF A STRUCTURE MUST BE:

- 25 1. REMOVED AND REPLACED AS REQUIRED BY ALL APPLICABLE SECTIONS OF THIS CODE, OR
- 26 2. IN THE CASE OF A PARTY WALL, CORRECTED AS PROVIDED IN § 3314.3.

27 **3314.3 PARTY WALLS.** IF THE STRUCTURALLY UNSAFE WALL THAT REMAINS IS A PARTY WALL, THE  
28 OWNER OF THE STRUCTURE BEING DEMOLISHED OR REMOVED MUST:

- 29 1. REMOVE ALL OR ANY PART OF THE WALL THAT THE BUILDING OFFICIAL CONSIDERS  
30 DANGEROUS, AND
- 31 2. RECONSTRUCT AND DO ALL OTHER NECESSARY WORK TO PROPERLY ENCLOSE THE ADJOINING  
32 STRUCTURE.

33 **SECTION 3315 OPERATIONS NOT TO CAUSE NUISANCE**

34 **3315.1 SCOPE.** THIS SECTION APPLIES TO ALL OPERATIONS THAT INVOLVE:

- 35 1. MOVING OR DEMOLISHING ANY STRUCTURE, OR



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- 1 1. IS NEWLY CONSTRUCTED ON A VACANT LOT, AND
- 2 2. RECEIVES FUNDING OR OTHER ASSISTANCE FROM THE CITY OR ANY CITY AGENCY (INCLUDING
- 3 THE HOUSING AUTHORITY OF BALTIMORE CITY) BY ANY ONE OF THE FOLLOWING METHODS:
  - 4 A. A BUILDING CONTRACT OR SIMILAR AGREEMENT THAT INVOLVES ANY FEDERAL, STATE,
  - 5 OR CITY FUNDS,
  - 6 B. ACQUISITION, BY GIFT, PURCHASE, LEASE, OR OTHERWISE, OF ANY REAL PROPERTY FOR
  - 7 LESS THAN ITS APPRAISED VALUE, AS DETERMINED BY A CERTIFIED APPRAISER,
  - 8 C. PREFERENTIAL TAX TREATMENT, SUCH AS PAYMENTS IN LIEU OF TAXES, TAX
  - 9 INCREMENT FINANCING, OR SIMILAR BENEFIT,
  - 10 D. BOND PROCEEDS OR ISSUANCE ASSISTANCE, A LOAN, OR SIMILAR FINANCIAL BENEFIT,
  - 11 E. RECEIPT UNDER CITY AUTHORITY OF FEDERAL OR STATE CONSTRUCTION FUNDS,
  - 12 INCLUDING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND
  - 13 F. EXCEPT AS OTHERWISE SPECIFIED IN THIS SECTION, RECEIPT OF ANY OTHER FORM OF
  - 14 FUNDING OR FINANCIAL BENEFIT FROM THE CITY OR A CITY AGENCY.

15 **3601.2 EXCLUSIONS.** THIS CHAPTER DOES NOT APPLY TO:

- 16 1 ADDITIONS TO OR REMODELINGS OF EXISTING BUILDINGS, OR
- 17 2. NEW CONSTRUCTION FOR WHICH CITY FUNDING OR ASSISTANCE IS LIMITED TO EITHER OR BOTH:
  - 18 A. A PROPERTY TAX CREDIT UNDER CITY CODE ARTICLE 28, § 10-5 {“NEWLY
  - 19 CONSTRUCTED BUILDINGS”}, AND
  - 20 B. WAIVER OF A CITY LIEN ON PROPERTY WHERE THE LIEN EXCEEDS THE VALUE OF THE
  - 21 PROPERTY.

22 **SECTION 3602 ACCESSIBLE ENTRY**

23 **3602.1 REQUIREMENTS.** EVERY DWELLING THAT IS SUBJECT TO THIS CHAPTER MUST PROVIDE AT

24 LEAST 1 ENTRANCE THAT:

- 25 1. IS ACCESSIBLE TO, AND USABLE BY, A PERSON WITH A MOBILITY DISABILITY,
- 26 2. DOES NOT INCLUDE STEPS,
- 27 3. HAS A LEVEL CHANGE (INCLUDING ANY LEVEL CHANGE AT THRESHOLD) THAT DOES NOT EXCEED
- 28 ½ INCH AND, IF THE LEVEL CHANGE EXCEEDS ¼ INCH, IS BEVELED, AND
- 29 4. IS LOCATED ON A CONTINUOUS UNOBSTRUCTED PATH THAT, THROUGH THE USE AS NECESSARY
- 30 OR APPROPRIATE OF CURB RAMPS, PARKING ACCESS AISLES, WALKS, RAMPS, ELEVATORS, LIFTS,
- 31 AND THE LIKE:
  - 32 A. CONNECTS THE LOT ENTRANCE TO THE DWELLING ENTRANCE, AND
  - 33 B. CAN BE NEGOTIATED BY A PERSON WITH A DISABILITY WHO USES A WHEELCHAIR, BY A
  - 34 PERSON WITH A DISABILITY WHO DOES NOT REQUIRE USE OF A WHEELCHAIR, AND BY A
  - 35 PERSON WITHOUT A DISABILITY.

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### SECTION 3603 ACCESSIBLE INTERIOR

**3603.1 "ENTRY LEVEL" DEFINED.** IN THIS § 3603, "ENTRY LEVEL" MEANS THE LEVEL AT WHICH AN ACCESSIBLE ENTRANCE IS PROVIDED UNDER § 3602.1.

**3603.2 INTERIOR DOORS.** ON THE ENTRY LEVEL OF THE DWELLING, EACH DOOR DESIGNED TO ALLOW PASSAGE MUST HAVE AN UNOBSTRUCTED OPENING OF AT LEAST 32 INCHES WHEN THE DOOR IS OPEN AT A 90-DEGREE ANGLE.

### 3603.3 ENVIRONMENTAL CONTROLS.

**3603.3.1 "ENVIRONMENTAL CONTROL" DEFINED.** IN THIS § 3603.3, "ENVIRONMENTAL CONTROL" MEANS ANY SWITCH OR DEVICE THAT CONTROLS OR REGULATES LIGHTS, TEMPERATURE, FUSES, FANS, DOORS, SECURITY SYSTEMS, OR SIMILAR FEATURES INCLUDED IN THE CONSTRUCTION OF THE DWELLING UNIT.

**3603.3.2 REQUIREMENTS.** ON THE ENTRY LEVEL OF THE DWELLING, EACH ENVIRONMENTAL CONTROL MUST BE LOCATED:

1. NO HIGHER THAN 48 INCHES ABOVE THE FLOOR AND NO LOWER THAN 15 INCHES ABOVE THE FLOOR, AND
2. IF AN ENVIRONMENTAL CONTROL IS LOCATED DIRECTLY ABOVE A COUNTER, SINK, OR APPLIANCE, NO HIGHER THAN 3 INCHES ABOVE THE COUNTER, SINK, OR APPLIANCE.

**3603.4 HABITABLE SPACE.** THE ENTRY LEVEL OF THE DWELLING MUST CONTAIN AT LEAST 1 INTERIOR ROOM THAT:

1. HAS AN AREA OF NOT LESS THAN 108 SQ. FT., AND
2. CONTAINS NO SIDE OR DIMENSION NARROWER THAN 9 FEET.

**3603.5 BATHROOM.** THE ENTRY LEVEL OF THE DWELLING MUST CONTAIN AT LEAST 1 BATHROOM THAT CONTAINS:

1. A TOILET,
2. A SINK,
3. REINFORCED WALLS AT THE TOILET, TO ALLOW FOR FUTURE INSTALLATION OF GRAB BARS, AND
4. THE FOLLOWING MINIMUM DIMENSIONS:
  - A. 30"-BY-48" OF CLEAR FLOOR SPACE OUTSIDE OF THE DOOR SWING,
  - B. 30"-BY-48" OF CLEAR FLOOR SPACE PARALLEL TO AND CENTERED ON THE SINK, AND
  - C. 48"-BY-56" OF CLEAR FLOOR SPACE AT THE TOILET FOR A SIDE APPROACH.

### SECTION 3604 WAIVERS

**3604.1 GENERAL.** THE BUILDING OFFICIAL MAY GRANT A WAIVER FROM ONE OR MORE OF THE REQUIREMENTS OF THIS CHAPTER IF:



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**D102 GENERAL REQUIREMENTS.** NEW BUILDINGS AND STRUCTURES, AND ADDITIONS TO EXISTING BUILDINGS AND STRUCTURES, WITHIN THE DOWNTOWN FIRE DISTRICT MUST BE CONSTRUCTED:

1. WITHIN THE HEIGHT AND AREA LIMITATIONS OF TABLE 503 OF THIS CODE, AND
2. OF 1 OF THE FOLLOWING TYPES OF CONSTRUCTION, AS DEFINED IN CHAPTER 6 AND REGULATED IN TABLES 601 AND 602 OF THIS CODE:
  - A. FIREPROOF (TYPE I),
  - B. PROTECTED NONCOMBUSTIBLE (TYPES IIA AND IIB),
  - C. ORDINARY PROTECTED (TYPE IIIA), OR
  - D. HEAVY TIMBER (TYPE IV).

**D103 TYPES IIIB, VA, AND VB CONSTRUCTION NOT PERMITTED.** NEW BUILDINGS AND STRUCTURES, AND ADDITIONS TO EXISTING BUILDINGS AND STRUCTURES, WITHIN THE DOWNTOWN FIRE DISTRICT MAY NOT BE OF TYPE IIIB, VA, OR VB CONSTRUCTION, AS DEFINED IN CHAPTER 6 OF THIS CODE.

**D104 TO D106 {NOT ADOPTED}**

**APPENDIX E. SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS  
{NOT ADOPTED}**

**APPENDIX F. RODENT PROOFING  
{AS IN IBC}**

**APPENDIX G. FLOOD RESISTANT CONSTRUCTION**

**SECTIONS G101 TO G104 {AS IN IBC}**

**SECTION G105 VARIANCES**

**G105.1 GENERAL.** THE BUILDING OFFICIAL HEARS AND DECIDES ALL REQUESTS FOR VARIANCES. THE BUILDING OFFICIAL:

1. MUST BASE HIS OR HER DECISION ON TECHNICAL JUSTIFICATIONS, AND
2. MAY ATTACH CONDITIONS TO A VARIANCE AS HE OR SHE CONSIDERS NECESSARY TO FURTHER THE PURPOSES AND OBJECTIVES OF THIS APPENDIX AND OF § 1612.

**G105.2 TO G105.4 {AS IN IBC}**

**G105.5 RESTRICTIONS.** THE BUILDING OFFICIAL MAY NOT ISSUE A VARIANCE FOR ANY PROPOSED DEVELOPMENT IN A FLOODWAY IF ANY INCREASE IN FLOOD LEVELS WOULD RESULT DURING THE BASE FLOOD DISCHARGE.

**G105.6 CONSIDERATIONS.** IN REVIEWING APPLICATIONS FOR VARIANCES THE BUILDING OFFICIAL MUST CONSIDER ALL TECHNICAL EVALUATIONS, ALL RELEVANT FACTORS, ALL OTHER PARTS OF THIS APPENDIX, AND THE FOLLOWING:

- 1 - 10. {AS IN IBC}

**G105.7 CONDITIONS FOR ISSUANCE.** A VARIANCE MAY ONLY BE ISSUED BY THE BUILDING OFFICIAL ON:





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1 **SECTION H114 PORTABLE SIGNS** *{AS IN IBC}*

2 **TABLES 4-A AND 4-B** *{AS IN IBC}*

3 **SECTION H115 REFERENCED STANDARDS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC*  
4 *ELECTRICAL CODE”. OTHERWISE, AS IN IBC.}*

5 **APPENDIX I. PATIO COVERS**  
6 *{AS IN IBC}*

7 **APPENDIX J. GRADING**  
8 *{AS IN IBC}*

9 **APPENDIX K. ICC ELECTRICAL CODE**  
10 *{NOT ADOPTED}*

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PART III. NATIONAL ELECTRICAL CODE

§ 3-101. CITY ADOPTION.

(A) IN GENERAL.

THE NATIONAL ELECTRICAL CODE (2005 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART III.

(B) CODIFICATION.

UNLESS OTHERWISE SPECIFIED, CHAPTER, ARTICLE, AND SECTION NUMBERS IN THIS PART III REFER TO THE CHAPTER, ARTICLE, AND SECTION NUMBERS OF THE NATIONAL ELECTRICAL CODE.

§ 3-102. CITY MODIFICATIONS.

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

INTRODUCTION

ARTICLE 90. INTRODUCTION

SECTIONS 90.1 TO 90.4. {AS IN NEC}

SECTION 90.5. MANDATORY RULES, PERMISSIVE RULES, AND EXPLANATORY MATERIAL.

(A) MANDATORY RULES. MANDATORY RULES OF THIS CODE ARE THOSE THAT IDENTIFY ACTIONS THAT ARE SPECIFICALLY REQUIRED OR PROHIBITED AND ARE CHARACTERIZED BY THE USE OF THE FOLLOWING TERMS:

- (1) FOR IMPOSING A DUTY OR CONDITION PRECEDENT, "SHALL" OR "MUST", AND
(2) FOR PROHIBITING ACTION, "SHALL NOT", "MAY NOT", OR "NO ... MAY".

(B) PERMISSIVE RULES. PERMISSIVE RULES OF THIS CODE ARE THOSE THAT IDENTIFY ACTIONS THAT ARE ALLOWED BUT NOT REQUIRED, ARE NORMALLY USED TO DESCRIBE OPTIONS OR ALTERNATIVE METHODS, AND ARE CHARACTERIZED BY THE USE OF THE FOLLOWING TERMS:

- (1) FOR DISCRETIONARY AUTHORITY, "SHALL BE PERMITTED", "IS PERMITTED", OR "MAY", AND
(2) FOR NEGATING A DUTY OR CONDITION PRECEDENT, "SHALL NOT BE REQUIRED", "IS NOT REQUIRED", OR "NEED NOT".

(C) EXPLANATORY MATERIAL. {AS IN NEC}

SECTIONS 90.6 TO 90.9. {AS IN NEC}

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**CHAPTER 1. GENERAL**

**ARTICLE 100. DEFINITIONS**

**SECTION 100.1. IN GENERAL.**

EXCEPT AS PROVIDED IN § 100.2, TERMS THAT ARE USED IN THESE REGULATIONS AND DEFINED IN THE NATIONAL ELECTRICAL CODE (2005 EDITION) HAVE THE MEANINGS GIVEN IN THAT CODE.

**SECTION 100.2. SUPPLEMENTAL DEFINITIONS**

**(A) IN GENERAL.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE NEC, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 100.2.

**(B) AUTHORITY HAVING JURISDICTION.** “AUTHORITY HAVING JURISDICTION” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

**ARTICLE 110. REQUIREMENTS FOR ELECTRICAL INSTALLATIONS**

**SECTIONS 110.1 TO 110.23. {AS IN NEC}**

**SECTION 110.26. SPACES ABOUT ELECTRICAL EQUIPMENT. {INTRODUCTORY PARAGRAPH AS IN NEC}**

**(A) - (E) {AS IN NEC}**

**(F) DEDICATED EQUIPMENT SPACE. {INTRODUCTORY PARAGRAPH AS IN NEC}**

**EXCEPTION: {AS IN NEC}**

**(1) INDOOR.** FOR INDOOR INSTALLATIONS, THE DEDICATED SPACE MUST COMPLY WITH THE FOLLOWING.

**(A) DEDICATED ELECTRICAL SPACE.** SPACE EQUAL TO THE WIDTH AND DEPTH OF THE EQUIPMENT AND EXTENDING FROM THE FLOOR TO A STRUCTURAL CEILING, PLUS THE WORKING SPACE REQUIRED BY § 110.26(A)(1), MUST BE DEDICATED TO THE ELECTRICAL INSTALLATION. NO PIPING, DUCTS, OR EQUIPMENT FOREIGN TO THE ELECTRICAL INSTALLATION MAY BE LOCATED IN THIS SPACE.

**EXCEPTION:** SUSPENDED CEILINGS WITH REMOVABLE PANELS ARE PERMITTED WITHIN THE DEDICATED ELECTRICAL SPACE.

**(B) FOREIGN SYSTEMS.** THE DEDICATED SPACE REQUIRED BY SUBPARAGRAPH (A) MUST BE KEPT CLEAR OF FOREIGN SYSTEMS UNLESS PROTECTION IS PROVIDED TO AVOID DAMAGE FROM CONDENSATION, LEAKS, OR BREAKS IN THE FOREIGN SYSTEMS. THIS PROTECTION MUST BE APPROVED BY THE BUILDING OFFICIAL AND SIGNED AND SEALED BY A REGISTERED PROFESSIONAL ENGINEER LICENSED TO DO BUSINESS IN THE STATE.

**(C) - (D) {AS IN NEC}**

**(E) ELECTRICAL ROOM.** NO PIPING, DUCTS, OR EQUIPMENT FOREIGN TO THE ELECTRICAL INSTALLATION MAY BE LOCATED IN ELECTRICAL ROOMS.

**EXCEPTION:** BY SPECIAL PERMISSIONS, AS DESCRIBED IN (B), FOR EXISTING CONDITIONS ONLY.

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1           **(2) OUTDOOR.** *{AS IN NEC}*

2           **SECTIONS 110.27 TO 110.33.** *{AS IN NEC}*

3           **SECTION 110.34 WORK SPACE AND GUARDING**

4           **(A) - (E)** *{AS IN NEC}*

5           **(F) PROTECTION OF SERVICE EQUIPMENT.** PIPES OR DUCTS FOREIGN TO THE ELECTRICAL  
6           INSTALLATION MAY NOT BE LOCATED IN THE SPACES DEDICATED TO THE ELECTRICAL  
7           EQUIPMENT AS DESCRIBED IN § 110.26(F) AND § 110.34(A). PIPING AND OTHER FACILITIES ARE  
8           NOT CONSIDERED FOREIGN IF THEY ARE PROVIDED FOR FIRE PROTECTION OF THE ELECTRICAL  
9           INSTALLATION.

10          **SECTIONS 110.36 TO 110.79.** *{AS IN NEC}*

### 11                               **CHAPTER 2. WIRING AND PROTECTION**

12          **ARTICLE 200. USE AND IDENTIFICATION OF GROUNDED CONDUCTORS** *{AS IN NEC}*

13          **ARTICLE 210. BRANCH CIRCUITS**

14               **SECTIONS 210.1 TO 210.4.** *{AS IN NEC}*

15               **SECTION 210.5. IDENTIFICATION FOR BRANCH CIRCUITS.**

16               **(A) - (C)** *{AS IN NEC}*

17               **(D) IDENTIFICATION OF UNGROUNDED CONDUCTORS.**

18                   **(1) SPECIFIED COLORS.** FOR BASIC SINGLE-PHASE WIRING SYSTEMS OF 120/240 VOLTS,  
19                   3-WIRE CIRCUITS MUST USE 1 BLACK, 1 WHITE, AND 1 RED WIRE. 120/208 3-PHASE 4-WIRE  
20                   CIRCUITS MUST USE 1 BLACK, 1 WHITE, 1 RED, AND 1 BLUE WIRE. FOR BASIC 3-PHASE  
21                   WIRING SYSTEMS OF 277/480 VOLTS, THE COLORS GRAY, BROWN, ORANGE, AND YELLOW  
22                   MUST BE USED IN ACCORDANCE WITH COMMONLY ACCEPTED TRADE PRACTICES.

23                   **(2) BRANCH CIRCUITS.** CONDUCTORS #10 AND SMALLER MUST CARRY THE APPROPRIATE  
24                   IDENTIFICATION COLOR THEIR ENTIRE LENGTH. CONDUCTORS #8 AND LARGER NEED NOT  
25                   CARRY ITS IDENTIFICATION COLOR THEIR ENTIRE LENGTH, BUT MUST BE IDENTIFIED AT ALL  
26                   JUNCTION POINTS BY OTHER APPROVED MEANS. CABLE ASSEMBLIES MUST ALSO BE  
27                   IDENTIFIED AT ALL JUNCTION POINTS BY APPROVED MEANS.

28          **SECTIONS 210.6 TO 210.7.** *{AS IN NEC}*

29          **SECTION 210.8. GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL.**

30               **(A) DWELLING UNITS.** *{AS IN NEC}*

31               **(B) OTHER THAN DWELLING UNITS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

32                   **(1) - (5)** *{AS IN NEC}*

33                   **(6) SINK AREAS.** WITHIN 6 FEET (1.83 M) OF A SINK TO SERVE COUNTER TOP SURFACES.

34                   **EXCEPTION:** *{AS IN NEC}*

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1           **(C) BOAT HOISTS.** *{AS IN NEC}*

2           **SECTION 210.9. CIRCUITS DERIVED FROM AUTOTRANSFORMERS.** *{AS IN NEC}*

3           **SECTION 210.10. UNGROUNDED CONDUCTORS TAPPED FROM GROUNDED SYSTEMS.** *{AS IN NEC}*

4           **SECTION 210.11. BRANCH CIRCUITS REQUIRED.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

5           **(A) NUMBER OF BRANCH CIRCUITS.** *{AS IN NEC}*

6           **(B) LOAD EVENLY PROPORTIONED AMONG BRANCH CIRCUITS.** *{AS IN NEC}*

7           **(C) DWELLING UNITS.**

8                 **(1) - (3)** *{AS IN NEC}*

9                 **EXCEPTION:** *{AS IN NEC}*

10                **(4) WINDOW AIR CONDITIONER BRANCH CIRCUITS.** A CIRCUIT FOR A CORD-CONNECTED  
11                    WINDOW AIR CONDITIONER MUST CONTAIN A DEDICATED RECEPTACLE.

12           **SECTIONS 210.12 TO 210.21.** *{AS IN NEC}*

13           **SECTION 210.23. PERMISSIBLE LOADS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

14           **(A) - (D)** *{AS IN NEC}*

15           **(E) CIRCUITS FOR FUEL-BURNING EQUIPMENT.** FOR FUEL-BURNING EQUIPMENT SUCH AS OIL  
16                    AND GAS BURNERS AND STOKERS, INCLUDING AUXILIARIES SUCH AS FANS, BLOWERS, AND  
17                    PUMPS, AN INDIVIDUAL BRANCH CIRCUIT WITH A DISCONNECTING MEANS ON THE LINE SIDE OF  
18                    ALL EQUIPMENT AND DEVICES, OTHER THAN THE BRANCH-CIRCUIT FUSES, MUST BE PROVIDED.  
19                    IF 2 OR MORE BRANCH CIRCUITS ARE PROVIDED FOR A FUEL-BURNING SYSTEM, THEY MUST BE  
20                    SUPPLIED THROUGH A COMMON FEEDER WITH A DISCONNECTING MEANS THAT WILL  
21                    DISCONNECT ALL COMPONENTS OF THE SYSTEM.

22           **(F) CONTROLS.** OIL BURNERS, OTHER THAN OIL STOVES WITH INTEGRAL TANKS, MUST BE  
23                    PROVIDED WITH A DEVICE TO MANUALLY STOP THE FLOW OF OIL TO THE BURNERS. THE DEVICE  
24                    MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER. WITH  
25                    ELECTRICALLY DRIVEN EQUIPMENT, THIS MAY BE ACCOMPLISHED BY AN IDENTIFIED SWITCH IN  
26                    THE BURNER SUPPLY CIRCUIT, PLACED NEAR THE ENTRANCE TO THE ROOM WHERE THE BURNER  
27                    IS LOCATED.

28           **(G) EMERGENCY SWITCH FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT MUST  
29                    HAVE A DEVICE TO MANUALLY STOP THE FLOW OF FUEL AT THE FUEL TRAIN TO THE BURNER.  
30                    THE DEVICE MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE  
31                    BURNER AND MUST BE IDENTIFIED AS AN EMERGENCY DISCONNECT. SEE IMC §304.1.1.

32           **SECTIONS 210.24 TO 210.50.** *{AS IN NEC}*

33           **SECTION 210.52. DWELLING UNIT RECEPTACLE OUTLETS.** *{INTRODUCTORY PARAGRAPHS AS IN*  
34                    *NEC}*

35           **(A) - (D)** *{AS IN NEC}*

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**(E) OUTDOOR OUTLETS.**

(1) **1- AND 2-FAMILY DWELLINGS.** FOR A 1-FAMILY DWELLING AND FOR EACH UNIT OF A 2-FAMILY DWELLING THAT IS AT GRADE LEVEL, AT LEAST 1 RECEPTACLE OUTLET, ACCESSIBLE AT GRADE LEVEL AND NOT MORE THEN 6½ FEET (1.98 M) ABOVE GRADE, MUST BE INSTALLED AT THE FRONT AND BACK OF THE DWELLING.

(2) **MULTIFAMILY DWELLINGS.** IN A MULTIFAMILY DWELLING, FOR EACH DWELLING UNIT THAT IS LOCATED AT GRADE LEVEL AND PROVIDED WITH INDIVIDUAL EXTERIOR ENTRANCE/EGRESS, AT LEAST 1 RECEPTACLE OUTLET, ACCESSIBLE AT GRADE LEVEL AND NOT MORE THAN 6½ FEET (1.98 M) ABOVE GRADE, MUST BE INSTALLED. *SEE § 210.8 (A)(3).*

(3) **NEAR PUBLIC WALKWAY.** A RECEPTACLE INSTALLED LESS THAN 10 FEET (3.05 M) FROM A PUBLIC WALKWAY MUST BE WALL-SWITCH CONTROLLED FROM WITHIN THE DWELLING UNIT.

(4) **DECKS.** AT LEAST 1 GFI RECEPTACLE MUST BE INSTALLED ON ALL LEVELS OF DECKS.

**(F) - (H) {AS IN NEC}**

**SECTIONS 210.60 TO 210.70. {AS IN NEC}**

**ARTICLE 215. FEEDERS {AS IN NEC}**

**ARTICLE 220. BRANCH-CIRCUIT, FEEDER, AND SERVICE CALCULATIONS {AS IN NEC}**

**ARTICLE 225. OUTSIDE BRANCH CIRCUITS AND FEEDERS**

**SECTIONS 225.1 TO 225.26. {AS IN NEC}**

**SECTION 225.30. NUMBER OF SUPPLIES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

(A) **SPECIAL CONDITIONS.** ADDITIONAL FEEDERS OR BRANCH CIRCUITS ARE PERMITTED TO SUPPLY THE FOLLOWING:

(1) *{AS IN NEC}*

(2) *{NOT ADOPTED}*

(3) - (5) *{AS IN NEC}*

(6) BY SPECIAL PERMISSION, SYSTEMS DESIGNED FOR CONNECTION TO MULTIPLE SOURCES OF SUPPLY FOR PURPOSES OF ENHANCED RELIABILITY.

(B) **SPECIAL OCCUPANCIES. {AS IN NEC}**

(C) **CAPACITY REQUIREMENTS. {AS IN NEC}**

(D) **DIFFERENT CHARACTERISTICS.** BY SPECIAL PERMISSION, ADDITIONAL FEEDERS OR BRANCH CIRCUITS MAY BE USED FOR DIFFERENT VOLTAGES, FREQUENCIES, OR PHASES, OR FOR DIFFERENT USES, SUCH AS CONTROL OF OUTSIDE LIGHTING FROM MULTIPLE LOCATIONS.

(E) **DOCUMENTED SWITCHING PROCEDURES. {AS IN NEC}**

**SECTIONS 225.31 TO 225.61. {AS IN NEC}**

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1 **ARTICLE 230. SERVICES**

2 **SECTION 230.1. SCOPE. {AS IN NEC}**

3 **SECTION 230.2. NUMBER OF SERVICES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

4 **(A) SPECIAL CONDITIONS.** ADDITIONAL SERVICES ARE PERMITTED TO SUPPLY THE FOLLOWING:

5 (1) *{AS IN NEC}*

6 (2) *{NOT ADOPTED}*

7 (3) - (5) *{AS IN NEC}*

8 (6) SYSTEMS DESIGNED FOR CONNECTION TO MULTIPLE SOURCES OF SUPPLY FOR PURPOSES  
9 OF ENHANCED RELIABILITY, IF SUPPLIED FROM DIFFERENT UTILITY TRANSFORMERS AND  
10 CONNECTED BY THE TIE BREAKER.

11 **(B) SPECIAL OCCUPANCIES. {AS IN NEC}**

12 **(C) CAPACITY REQUIREMENTS. {AS IN NEC}**

13 **(D) DIFFERENT CHARACTERISTICS.** BY SPECIAL PERMISSION, ADDITIONAL SERVICES MAY BE USED  
14 FOR DIFFERENT VOLTAGES (WHERE COMPATIBLE), FREQUENCIES, OR PHASES, OR FOR DIFFERENT  
15 USES, SUCH AS FOR DIFFERENT RATE SCHEDULES.

16 **(E) IDENTIFICATION. {AS IN NEC}**

17 **SECTIONS 230.3 TO 230.23. {AS IN NEC}**

18 **SECTION 230.24. CLEARANCES. {INTRODUCTORY PARAGRAPH AS IN NEC}**

19 **(A) - (D) {AS IN NEC}**

20 **(E) CLEARANCE ABOVE DECK.** CONDUCTORS MUST HAVE A VERTICAL CLEARANCE OF AT LEAST  
21 8' AT THE LOWEST POINT ABOVE THE DECK SURFACE.

22 **SECTIONS 230.26 TO 230.33. {AS IN NEC}**

23 **SECTION 230.40 NUMBER OF SERVICE-ENTRANCE CONDUCTOR SETS.** EACH SERVICE DROP OR  
24 LATERAL MAY SUPPLY ONLY 1 SET OF SERVICE-ENTRANCE CONDUCTORS.

25 **EXCEPTIONS:**

26 1. *{AS IN NEC, BUT BY SPECIAL PERMISSION ONLY}*

27 2 - 5. *{AS IN NEC}*

28 **SECTIONS 230.41 TO 230.212 {AS IN NEC}**

29 **ARTICLE 240. OVERCURRENT PROTECTION {AS IN NEC}**

30 **ARTICLE 250. GROUNDING AND BONDING**

31 **SECTIONS 250.1 TO 250.50. {AS IN NEC}**

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1       **SECTION 250.52. GROUNDING ELECTRODES. *{INTRODUCTORY PARAGRAPH AS IN NEC}***

2               **(A) ELECTRODES PERMITTED FOR GROUNDING *{AS IN NEC}***

3               **(B) ELECTRODES NOT PERMITTED FOR GROUNDING. THE FOLLOWING MAY NOT BE USED AS**  
4               **GROUNDING ELECTRODES:**

5                       **(1) GAS PIPING OR ANY OTHER METALLIC PIPING OR TANK THAT CONTAINS FLAMMABLE**  
6                       **LIQUIDS**

7                       **(2) *{AS IN NEC}***

8       **SECTIONS 250.53 TO 250.66. *{AS IN NEC}***

9       **SECTION 250.68. GROUNDING ELECTRODE CONDUCTOR AND BONDING JUMPER CONNECTION TO**  
10       **GROUNDING ELECTRODES.**

11               **(A) ACCESSIBILITY. THE CONNECTION OF A GROUNDING ELECTRODE CONDUCTOR OR BONDING**  
12               **JUMPER CONDUCTOR TO A GROUNDING ELECTRODE MUST BE:**

13                       **(1) AHEAD OF ALL TURNOFF VALVES AND UNIONS, AND**

14                       **(2) ACCESSIBLE.**

15               ***EXCEPTIONS: {AS IN NEC}***

16               **(B) EFFECTIVE GROUNDING PATH. *{AS IN NEC}***

17       **SECTIONS 250.70 TO 250.102. *{AS IN NEC}***

18       **SECTION 250.104. BONDING OF PIPING SYSTEMS AND EXPOSED STRUCTURAL STEEL.**

19               **(A) METAL WIRE PIPING. *{AS IN NEC}***

20               **(B) OTHER METAL PIPING. WHERE INSTALLED IN OR ATTACHED TO A BUILDING OR STRUCTURE,**  
21               **METAL PIPING SYSTEM(S), EXCLUDING GAS PIPING THAT IS LIKELY TO BECOME ENERGIZED, MUST**  
22               **BE BONDED TO THE SERVICE EQUIPMENT ENCLOSURE, THE GROUNDED CONDUCTOR AT THE**  
23               **SERVICE, THE GROUNDING ELECTRODE CONDUCTOR WHERE OF SUFFICIENT SIZE, OR TO THE ONE**  
24               **OR MORE GROUNDING ELECTRODES USED. THE BONDING JUMPER(S) SHALL BE SIZED IN**  
25               **ACCORDANCE WITH § 250.122, USING THE RATING OF THE CIRCUIT THAT IS LIKELY TO ENERGIZE**  
26               **THE PIPING SYSTEM(S). THE EQUIPMENT GROUNDING CONDUCTOR FOR THE CIRCUIT THAT IS**  
27               **LIKELY TO ENERGIZE THE PIPING MAY SERVE AS THE BONDING MEANS. THE POINTS OF**  
28               **ATTACHMENT OF THE BONDING JUMPER(S) MUST BE ACCESSIBLE.**

29               **(C) STRUCTURAL METAL. *{AS IN NEC}***

30               **(D) SEPARATELY DERIVED SYSTEMS. *{AS IN NEC}***

31       **SECTIONS 250.106 TO 250.190. *{AS IN NEC}***

32       **ARTICLE 280. SURGE ARRESTERS *{AS IN NEC}***

33       **ARTICLE 285. TRANSIENT VOLTAGE SURGE SUPPRESSORS *{AS IN NEC}***



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**CHAPTER 3. WIRING METHODS AND MATERIALS**

**ARTICLES 300 TO 332** *{AS IN NEC}*

**ARTICLE 334. NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC, AND NMS**

**SECTIONS 334.1 TO 334.6.** *{AS IN NEC}*

**SECTION 334.10. USES PERMITTED.** TYPE NM, TYPE NMC, AND TYPE NMS CABLES MAY BE USED IN THE FOLLOWING:

**(1) - (4)** *{AS IN NEC}*

**(5)** ANY DWELLING OR STRUCTURE THAT:

**A.** CONTAINS NO MORE THAN 4 FLOORS OF HABITABLE SPACE, AND

**B.** IS EQUIPPED WITH AN APPROVED AUTOMATIC FIRE SUPPRESSION SYSTEM.

**(A) - (C)** *{AS IN NEC}*

**SECTIONS 334.12 TO 334.24.** *{AS IN NEC}*

**SECTION 334.30 SECURING AND SUPPORTING.** NONMETALLIC-SHEATHED CABLE MUST BE SUPPORTED AND SECURED BY INSULATED STAPLES, CABLE TIES, STRAPS, HANGERS, OR SIMILAR FITTINGS, DESIGNED AND INSTALLED SO AS NOT TO DAMAGE THE CABLE, AT INTERVALS NOT EXCEEDING 4½ FEET (1.4M ) AND WITHIN 12 INCHES (300 MM) OF EVERY OUTLET BOX, JUNCTION BOX, CABINET, OR FITTING. FLAT CABLES MAY NOT BE STAPLED ON EDGE. SECTIONS OF CABLE PROTECTED FROM PHYSICAL DAMAGE BY A RACEWAY NEED NOT BE SECURED WITHIN THE RACEWAY.

**(A) - (C)** *{AS IN NEC}*

**SECTION 334.40 TO 334.116** *{AS IN NEC}*

**ARTICLES 336 TO 384** *{AS IN NEC}*

**ARTICLE 386. SURFACE METAL RACEWAYS**

**SECTIONS 386.1 TO 386.60.** *{AS IN NEC}*

**SECTION 386.61 EQUIPMENT GROUNDING CONDUCTOR.** IN ALL OCCUPANCIES, RECEPTACLE OUTLETS SUPPLIED BY A SURFACE METAL RACEWAY MUST CONTAIN AN EQUIPMENT GROUNDING CONDUCTOR WITHIN THE RACEWAY.

**SECTIONS 386.70 TO 386.100.** *{AS IN NEC}*

**ARTICLES 388 TO 398** *{AS IN NEC}*

**CHAPTER 4. EQUIPMENT FOR GENERAL USE**

**ARTICLES 400 TO 411** *{AS IN NEC}*

**ARTICLE 422. APPLIANCES**

**SECTIONS 422.1 TO 422.46.** *{AS IN NEC}*

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1       **SECTION 422.47. WATER HEATER CONTROLS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

2               **(1) - (2)** *{AS IN NEC}*

3               **(3) DISCONNECTING MEANS.** CIRCUITS THAT SUPPLY WATER HEATERS MUST HAVE A  
4               DISCONNECTING MEANS OTHER THAN THE OVERCURRENT DEVICE. THIS DISCONNECTING MEANS  
5               MUST BE INSTALLED CLOSE TO THE WATER HEATER.

6               **EXCEPTIONS:** *{AS IN NEC}*

7       **SECTIONS 422.48 TO 422.62.** *{AS IN NEC}*

8       **ARTICLES 424 TO 490** *{AS IN NEC}*

9                               **CHAPTER 5. SPECIAL OCCUPANCIES**

10       **ARTICLES 500 TO 520** *{AS IN NEC}*

11       **ARTICLE 525. CARNIVALS, CIRCUSES, FAIRS, AND SIMILAR EVENTS.**

12               **SECTIONS 525.1 TO 525.20.** *{AS IN NEC}*

13               **SECTION 525.21. RIDES, TENTS, AND CONCESSIONS.**

14                       **(A) DISCONNECTING MEANS** *{AS IN NEC}*

15                       **(B) PORTABLE WIRING INSIDE TENTS AND CONCESSIONS** *{AS IN NEC}*

16                       **(C) ELECTRICAL LAMPS.** ELECTRICAL FIXTURES MUST BE SO INSTALLED THAT LAMPS ARE KEPT AT  
17                       LEAST 8 INCHES (203 MM) AWAY FROM TENT CANVAS OR OTHER COMBUSTIBLE MATERIALS.

18               **SECTION 525.22. PORTABLE DISTRIBUTION OR TERMINATION BOXES.** PORTABLE DISTRIBUTION OR  
19               TERMINATION BOXES MUST COMPLY WITH ALL OF THE REQUIREMENTS OF THIS § 525.22.

20                       **(A) - (D)** *{AS IN NEC}*

21                       **(E) JUNCTION BOXES.** TAPS AND CONNECTIONS WITHIN 8 FEET (2.44 M) OF THE GROUND MUST BE  
22                       MADE IN JUNCTION BOXES THAT ARE KEPT LOCKED AT ALL TIMES WHEN THE PUBLIC IS ON THE  
23                       GROUNDS. METAL JUNCTION BOXES MUST BE GROUNDED.

24               **SECTIONS 525.23 TO 525.32.** *{AS IN NEC}*

25       **ARTICLES 530 TO 590** *{AS IN NEC}*

26                               **CHAPTER 6. SPECIAL EQUIPMENT**

27       **ARTICLE 600. ELECTRIC SIGNS AND OUTLINE LIGHTING**

28               **SECTIONS 600.1 TO 600.5.** *{AS IN NEC}*

29               **SECTION 600.6. DISCONNECTS.** *{INTRODUCTORY PARAGRAPH AS IN NEC}*

30               **EXCEPTIONS:** *{AS IN NEC}*

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1 (A) LOCATION. *{AS IN NEC}*

2 (B) CONTROL SWITCH RATING. *{AS IN NEC}*

3 (C) SIGN OUTSIDE BUILDING. IF A SIGN IS SUPPORTED ON THE OUTSIDE OF A BUILDING, THE  
4 SWITCH REQUIRED BY THIS SECTION MUST BE MOUNTED ADJACENT TO THE SIGN ON THE OUTSIDE  
5 OF THE BUILDING. ONLY THE WIRING ON THE LOAD SIDE OF THE SWITCH IS PERMITTED WITHIN  
6 THE SIGN.

7 SECTIONS 600.7 TO 600.42. *{AS IN NEC}*

8 ARTICLES 604 TO 692 *{AS IN NEC}*

9 ARTICLE 695. FIRE PUMPS

10 SECTIONS 695.1 TO 695.2. *{AS IN NEC}*

11 SECTION 695.3. POWER SOURCE(S) FOR ELECTRIC MOTOR-DRIVEN FIRE PUMPS. *{INTRODUCTORY*  
12 *PARAGRAPH AS IN NEC}*

13 (A) INDIVIDUAL SOURCES. *{INTRODUCTORY PARAGRAPH AS IN NEC}*

14 (1) ELECTRIC UTILITY SERVICE CONNECTION. *{AS IN NEC}*

15 (2) ON-SITE POWER PRODUCTION FACILITY. *{NOT ADOPTED}*

16 (B) MULTIPLE SOURCES. *{INTRODUCTORY PARAGRAPH AS IN NEC}*

17 (1) GENERATOR CAPACITY. AN ON-SITE GENERATOR(S) USED TO COMPLY WITH THIS SECTION  
18 MUST BE OF SUFFICIENT CAPACITY TO ALLOW NORMAL STARTING AND RUNNING OF THE  
19 MOTOR(S) DRIVING THE FIRE PUMP(S) WHILE SUPPLYING ALL OTHER SIMULTANEOUSLY  
20 OPERATED LOAD. AUTOMATIC SHEDDING OF ONE OR MORE OPTIONAL STANDBY LOADS TO  
21 COMPLY WITH THIS CAPACITY REQUIREMENT IS PERMITTED. A TAP AHEAD OF THE ON-SITE  
22 GENERATOR DISCONNECTING MEANS IS REQUIRED. THE REQUIREMENTS OF § 430.113 DO  
23 NOT APPLY.

24 (2) FEEDER SOURCES. *{AS IN NEC}*

25 (3) ARRANGEMENT. *{AS IN NEC}*

26 SECTIONS 695.4 TO 695.5. *{AS IN NEC}*

27 SECTION 695.6. POWER WIRING. *{INTRODUCTORY PARAGRAPH AS IN NEC}*

28 (A) SERVICE CONDUCTORS. *{AS IN NEC}*

29 EXCEPTION: *{AS IN NEC}*

30 (B) CIRCUIT CONDUCTORS. *{INTRODUCTORY PARAGRAPH AS IN NEC}*

31 (1) - (3) *{AS IN NEC}*

32 EXCEPTION: *{NOT ADOPTED}*

33 (C) - (H) *{AS IN NEC}*

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1       **SECTIONS 695.7 TO 695.10. *{AS IN NEC}***

2       **SECTION 695.12. EQUIPMENT LOCATION.**

3               **(A) - (F) *{AS IN NEC}***

4               **(G) FIRE PUMP LOCATION. FIRE PUMP AND ASSOCIATED EQUIPMENT MUST BE LOCATED IN A**  
5                       SEPARATE ROOM THAT IS ENCLOSED WITH 2-HOUR FIRE-RESISTANCE-RATED FIRE-SEPARATION  
6                       ASSEMBLIES.

7       **SECTION 695.14. CONTROL WIRING. *{AS IN NEC}***

8                                       **CHAPTER 7. SPECIAL CONDITIONS**

9       **ARTICLE 700 – EMERGENCY SYSTEMS**

10               **SECTIONS 700.1 TO 700.9. *{AS IN NEC}***

11               **SECTION 700.12. GENERAL REQUIREMENTS. *{INTRODUCTORY PARAGRAPHS AS IN NEC}***

12                       **(A) - (C) *{AS IN NEC}***

13                       **(D) SEPARATE SERVICE. *{NOT ADOPTED}***

14                       **(E) - (F) *{AS IN NEC}***

15               **SECTIONS 700.15 TO 700.27. *{AS IN NEC}***

16       **ARTICLE 701 – LEGALLY REQUIRED STANDBY SYSTEMS**

17               **SECTIONS 701.1 TO 701.10. *{AS IN NEC}***

18               **SECTION 701.11. LEGALLY REQUIRED STANDBY SYSTEMS. *{INTRODUCTORY PARAGRAPHS AS IN***  
19                       ***NEC}***

20                       **(A) - (C) *{AS IN NEC}***

21                       **(D) - (E) *{NOT ADOPTED}***

22                       **(F) - (G) *{AS IN NEC}***

23               **SECTIONS 701.15 TO 701.18. *{AS IN NEC}***

24       **ARTICLE 702. OPTIONAL STANDBY SYSTEMS**

25               **SECTIONS 702.1 TO 702.11. *{AS IN NEC}***

26               **SECTION 702.12. PORTABLE GASOLINE-POWERED GENERATORS. WHERE PUBLIC UTILITY SERVICE IS**  
27                       AVAILABLE, A PORTABLE GASOLINE-POWERED GENERATOR MAY NOT BE USED IN PLACE OF NORMAL  
28                       POWER SOURCE.

29                       ***EXCEPTION: WHERE POWER IS INTERRUPTED DUE TO EMERGENCY CONDITIONS.***

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1     **ARTICLES 705 TO 780** *{AS IN NEC}*

2                                     **CHAPTER 8. COMMUNICATIONS SYSTEMS**  
3                                     *{AS IN NEC}*

4                                     **CHAPTER 9. TABLES**  
5                                     *{AS IN NEC}*

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**PART IV. NATIONAL FUEL GAS CODE**

**§ 4-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE NATIONAL FUEL GAS CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART IV.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART IV REFER TO THE CHAPTER AND SECTION NUMBERS OF THE NATIONAL FUEL GAS CODE.

**§ 4-102. CITY MODIFICATIONS.**

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

**CHAPTER 1. ADMINISTRATION**

**1.1 TO 1.4 {AS IN NFGC}**

**1.5 ENFORCEMENT {NOT ADOPTED}**

**CHAPTER 2. REFERENCED PUBLICATIONS  
{AS IN NFGC}**

**CHAPTER 3. DEFINITIONS**

**3.1 GENERAL.**

**3.1.1 AS IN NFGC.** EXCEPT AS PROVIDED IN § 3.1.2, TERMS THAT ARE USED AND DEFINED IN THE NATIONAL FUEL GAS CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE NATIONAL FUEL GAS CODE (2006 EDITION).

**3.1.2 SUPPLEMENTAL DEFINITIONS.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE NATIONAL FUEL GAS CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 3.1.2.

**3.1.2.1 AUTHORITY HAVING JURISDICTION.** “AUTHORITY HAVING JURISDICTION” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

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

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

**3.1.2.4 PERSON.** “PERSON” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY BUILDING CODE.

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1 **3.1.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CODE AND IS DEFINED IN  
2 THE BALTIMORE CITY BUILDING CODE OR IN ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED  
3 IN § 101.4 OF THE BALTIMORE CITY BUILDING CODE, THE TERM HAS THE MEANING GIVEN TO IT IN THAT  
4 CODE OR STANDARD.

5 **3.2 NFPA OFFICIAL DEFINITIONS.** *{AS IN NFGC}*

6 **CHAPTER 4. GENERAL**  
7 *{AS IN NFGC}*

8 **CHAPTER 5. GAS PIPING SYSTEM DESIGN, MATERIAL, AND COMPONENTS**

9 **5.1 TO 5.5** *[AS IN NFGC]*

10 **5.6 ACCEPTABLE PIPING MATERIALS AND JOINING METHODS**

11 **5.6.1 TO 5.6.7** *[AS IN NFGC]*

12 **5.6.8 METALLIC PIPING JOINTS AND FITTINGS.** THE TYPE OF PIPING JOINT MUST BE SUITABLE FOR  
13 THE PRESSURE-TEMPERATURE CONDITIONS AND MUST BE SELECTED GIVING CONSIDERATION TO JOINT  
14 TIGHTNESS AND MECHANICAL STRENGTH UNDER SERVICE CONDITIONS. THE JOINT MUST BE ABLE TO  
15 SUSTAIN THE MAXIMUM END FORCE DUE TO THE INTERNAL PRESSURE AND ANY ADDITIONAL FORCES DUE  
16 TO TEMPERATURE EXPANSION OR CONTRACTION, VIBRATION, FATIGUE, OR THE WEIGHT OF THE PIPE AND  
17 ITS CONTENTS.

18 **5.6.8.1 TO 5.6.8.3** *[AS IN NFGC]*

19 **5.6.8.4 METALLIC FITTINGS (INCLUDING VALVES, STRAINERS, FILTERS).** METALLIC FITTINGS  
20 SHALL COMPLY WITH THE FOLLOWING:

21 **5.6.8.4(1) TO 5.6.8.4(4)** *[AS IN NFGC]*

22 **5.6.8.4(5) CAST-IRON FITTINGS.** CAST-IRON FITTINGS MUST COMPLY WITH THE FOLLOWING:

23 (A) - (E) *[AS IN NFGC]*

24 (F) STREET FITTINGS ARE PROHIBITED.

25 (G) ALL-THREAD NIPPLES ARE PROHIBITED.

26 **CHAPTER 6. PIPE SIZING**  
27 *{AS IN NFGC}*

28 **CHAPTER 7. GAS PIPING INSTALLATION**

29 **7.1 PIPING UNDERGROUND**

30 **7.1.1 TO 7.1.4** *{AS IN NFGC}*

31 **7.1.5 THROUGH OUTER FOUNDATION OR BASEMENT WALL.** UNDERGROUND PIPING, WHERE  
32 INSTALLED THROUGH THE OUTER FOUNDATION OR BASEMENT WALL OF A BUILDING, MUST BE ENCASED  
33 IN A PROTECTIVE PIPE. THE SPACE BETWEEN THE GAS PIPING AND THE BUILDING MUST BE SEALED TO  
34 PREVENT THE ENTRY OF GAS OR WATER. THE EXTERIOR END OF THE PROTECTIVE PIPING MUST BE  
35 SEALED.

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1 **7.2 TO 7.4** *{AS IN NFGC}*

2 **7.5 GAS PIPE TURNS.** CHANGES IN DIRECTION OF GAS PIPE MUST BE MADE BY THE USE OF FITTINGS.  
3 FACTORY BENDS OR FIELD BENDS ARE ONLY PERMITTED UNDERGROUND, IN A LOCATION THAT IS OUTSIDE OF  
4 ANY BUILDING.

5 **7.5.1 TO 7.5.3** *{AS IN NFGC}*

6 **7.6 TO 7.15** *{AS IN NFGC}*

7 **CHAPTER 8. INSPECTION, TESTING, AND PURGING**

8 **8.1 PRESSURE TESTING AND INSPECTION.**

9 **8.1.1 GENERAL.**

10 **A.8.1.1 TO 8.1.1.6** *{AS IN NFGC}*

11 **8.1.1.7** ALL TESTING MUST BE COMPLETED BEFORE ANY PROTECTIVE COATING IS APPLIED.

12 **8.1.2 TO 8.1.5** *{AS IN NFGC}*

13 **8.2 PIPING SYSTEM, APPLIANCE, AND EQUIPMENT LEAKAGE CHECK.** *{AS IN NFGC}*

14 **8.3 PURGING.** *{AS IN NFGC}*

15 **CHAPTER 9. APPLIANCE, EQUIPMENT, AND ACCESSORY INSTALLATION**  
16 *{AS IN NFGC}*

17 **CHAPTER 10. INSTALLATION OF SPECIFIC APPLIANCES**

18 **10.1 GENERAL.** *{AS IN NFGC}*

19 **10.2 AIR-CONDITIONING EQUIPMENT (GAS-FIRED AIR CONDITIONERS AND HEAT PUMPS).**  
20 *{AS IN NFGC}*

21 **10.3 CENTRAL HEATING BOILERS AND FURNACES.**

22 **10.3.1 TO 10.3.5** *{AS IN NFGC}*

23 **10.3.6 STEAM SAFETY AND PRESSURE RELIEF VALVES.** *{INTRODUCTORY PARAGRAPH AS IN NFGC}*

24 **A.10.3.6** *{AS IN NFGC}*

25 **10.3.6.1** RELIEF VALVES MUST BE PIPED TO A FLOOR DRAIN, TO AN APPROVED RECEPTOR, OR AS  
26 SPECIFIED BY THE BUILDING OFFICIAL.

27 **10.3.6.2** *{AS IN NFGC}*

28 **10.3.6.3** *{AS IN NFGC}*

29 **10.3.7 TO 6.3.9** *{AS IN NFGC}*



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1 **10.4 TO 10.22** *{AS IN NFGC}*

2 **10.23 ROOM HEATERS.**

3 **10.23.1 PROHIBITED INSTALLATIONS.** UNVENTED ROOM HEATERS ARE PROHIBITED.

4 *EXCEPTIONS 1 -2 {NOT ADOPTED}*

5 **10.23.2 TO 10.23.4** *{AS IN NFGC}*

6 **10.24 TO 10.31** *{AS IN NFGC}*

7 **CHAPTER 11. PROCEDURES TO PLACE APPLIANCE IN OPERATION**  
8 *{AS IN NFGC}*

9 **CHAPTER 12. VENTING OF APPLIANCES**  
10 *{AS IN NFGC}*

11 **CHAPTER 13. SIZING CATEGORY I VENTING SYSTEMS**  
12 *{AS IN NFGC}*

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**PART V. INTERNATIONAL MECHANICAL CODE**

**§ 5-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE INTERNATIONAL MECHANICAL CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART V.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS PART V REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL MECHANICAL CODE.

**§ 5-102. CITY MODIFICATIONS.**

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

**CHAPTER 1. ADMINISTRATION**

**SECTION 101 GENERAL**

**101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “MECHANICAL CODE OF BALTIMORE CITY”.

**101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE MECHANICAL CODE OF BALTIMORE CITY.

**101.2 SCOPE.** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”. OTHERWISE, AS IN IMC.}*

**101.3 INTENT.** *{AS IN IMC}*

**101.4 SEVERABILITY.** *{AS IN IMC}*

**SECTION 102 APPLICABILITY** *{AS IN IMC}*

**SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION**

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

1. “DEPARTMENT OF MECHANICAL INSPECTION” OR “DEPARTMENT” MEANS THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, AND
2. “CODE OFFICIAL”, MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

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

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1       **103.3 DEPUTIES. {NOT ADOPTED}**

2       **103.4 LIABILITY. {NOT ADOPTED}**

3       **SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL {AS IN IMC}**

4       **SECTION 105 APPROVAL {AS IN IMC}**

5       **SECTION 106 PERMITS**

6       **106.1 WHEN REQUIRED. {AS IN IMC}**

7       **106.2 PERMITS NOT REQUIRED. PERMITS ARE NOT REQUIRED FOR THE FOLLOWING:**

8           **1. {AS IN IMC}**

9           **2 - 3. {NOT ADOPTED}**

10          **4 - 7. {AS IN IMC}**

11           **106.2.1 CODE COMPLIANCE STILL REQUIRED. AN EXEMPTION FROM THE PERMIT REQUIREMENTS**  
12           **OF THIS CODE DOES NOT AUTHORIZE ANY WORK TO BE DONE IN VIOLATION OF THIS CODE OR ANY**  
13           **OTHER APPLICABLE LAW.**

14       **106.3 APPLICATION FOR PERMIT. {AS IN IMC}**

15       **106.4 PERMIT ISSUANCE. {AS IN IMC}**

16       **106.5 FEES. {AS IN IMC}**

17           **106.5.1 WORK COMMENCING BEFORE PERMIT ISSUANCE. {NOT ADOPTED}**

18           **106.5.2 FEE SCHEDULE. THE FEES FOR MECHANICAL WORK ARE AS PROVIDED IN THE BALTIMORE**  
19           **CITY BUILDING CODE.**

20           **106.5.3 FEE REFUNDS. {NOT ADOPTED}**

21       **SECTION 107 INSPECTIONS AND TESTING {AS IN IMC}**

22       **SECTION 108 VIOLATIONS**

23       **108.1 TO 108.3 {AS IN IMC}**

24       **108.4 VIOLATION PENALTIES. THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED FOR**  
25       **A VIOLATION OF THE BALTIMORE CITY BUILDING CODE.**

26       **108.5 STOP WORK ORDERS. THE ISSUANCE AND ENFORCEMENT OF STOP WORK ORDERS ARE AS**  
27       **PROVIDED IN THE BALTIMORE CITY BUILDING CODE.**

28       **108.6 ABATEMENT OF VIOLATION. {AS IN IMC}**

29       **108.7 UNSAFE MECHANICAL SYSTEMS. {AS IN IMC}**

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**SECTION 109 ADMINISTRATIVE AND JUDICIAL REVIEW**

**109.1 GENERAL.** A DECISION OF THE CODE OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND JUDICIAL REVIEW AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

**109.2 TO 109.7 {NOT ADOPTED}**

**CHAPTER 2. DEFINITIONS**

**SECTION 201 GENERAL**

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

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

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

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

**SECTION 202 GENERAL DEFINITIONS**

**202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE INTERNATIONAL MECHANICAL CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL MECHANICAL CODE (2006 EDITION).

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

**202.2.1 AIR DISTRIBUTION SYSTEM** “AIR DISTRIBUTION SYSTEM” MEANS A SYSTEM OF DUCTS, PLENUMS, AND AIR-HANDLING EQUIPMENT THAT CIRCULATES, SUPPLIES, RETURNS, OR EXHAUSTS AIR WITHIN A SPACE, AS REQUIRED BY CODE OR DESIGN, AND INCLUDES A SYSTEM MADE UP OF 1 OR MORE AIR-HANDLING UNITS.

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

**202.2.3 CODE OFFICIAL.** “CODE OFFICIAL” HAS THE MEANING STATED IN § 103.1 OF THIS CODE.

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

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

**202.2.6 OCCUPANCY.** “OCCUPANCY” MEANS:

1. THE STATE OF OCCUPYING OR USING LANDS, BUILDINGS, OR STRUCTURES, OR
2. THE ACT OF TAKING, HOLDING POSSESSION OF, OR USING LANDS, BUILDINGS, OR STRUCTURES.



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- 1           1. SLEEPING ROOMS,
- 2           2. BATHROOMS,
- 3           3. TOILET ROOMS,
- 4           4. STORAGE CLOSETS,
- 5           5. SURGICAL ROOMS, OR
- 6           6. RESIDENTIAL KITCHENS (EXCEPT COOKING APPLIANCES).

7           ***EXCEPTION: {AS IN IMC}***

8           **303.4 TO 303.8 {AS IN IMC}**

9           **SECTION 304 INSTALLATION**

10          **304.1 TO 304.11 {AS IN IMC}**

11          **304.12 DISCONNECTS FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT MUST BE  
12          SUPPLIED WITH 2 EMERGENCY DISCONNECT SWITCHES. ONE SWITCH MUST BE INSTALLED ON THE  
13          EQUIPMENT AND THE OTHER IN A CONVENIENT, LABELED LOCATION THAT IS NEAR THE ENTRANCE TO  
14          THE AREA WHERE THE EQUIPMENT IS LOCATED. SEE NEC § 210-23.

15          **SECTION 305 PIPING SUPPORT {AS IN IMC}**

16          **SECTION 306 ACCESS AND SERVICE SPACE {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC**  
17          **ELECTRICAL CODE”. OTHERWISE, AS IN IMC.}**

18          **SECTION 307 CONDENSATE DISPOSAL**

19          **307.1 FUEL-BURNING APPLIANCES. {AS IN IMC}**

20          **307.2 EVAPORATORS AND COOLING COILS. {AS IN IMC}**

21                 **307.2.1 CONDENSATE DISPOSAL.** CONDENSATE FROM ALL COOLING COILS OR EVAPORATORS MUST  
22                 BE CONVEYED FROM THE DRAIN PAN OUTLET TO AN APPROVED PLACE OF DISPOSAL. CONDENSATE  
23                 MAY NOT DISCHARGE INTO A STREET, ALLEY, OR OTHER AREA SO AS TO CAUSE A NUISANCE. CLEAR  
24                 WATER DISCHARGE MUST BE CONVEYED TO THE STORM DRAIN UNLESS OTHERWISE APPROVED BY  
25                 THE CODE OFFICIAL.

26                 **307.2.2 TO 307.2.3 {AS IN IMC}**

27                 **307.2.4 TRAPS. {NOT ADOPTED}**

28          **SECTION 308 CLEARANCE REDUCTION {AS IN IMC}**

29          **SECTION 309 TEMPERATURE CONTROL {AS IN IMC}**

30          **SECTION 310 EXPLOSION VENTING {AS IN IMC}**

31          **SECTION 311 SMOKE AND HEAT VENTS {AS IN IMC}**

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### SECTION 312 HEATING AND COOLING LOAD CALCULATIONS

**312.1 LOAD CALCULATIONS.** HEATING AND COOLING SYSTEM DESIGN LOADS FOR THE PURPOSE OF SIZING SYSTEMS, APPLIANCES, AND EQUIPMENT MUST BE DETERMINED IN ACCORDANCE WITH THE PROCEDURES DESCRIBED IN THE ASHRAE “HANDBOOK OF FUNDAMENTALS”. HEATING AND COOLING LOADS MUST BE ADJUSTED TO ACCOUNT FOR LOAD REDUCTIONS THAT ARE ACHIEVED WHEN ENERGY RECOVERY SYSTEMS ARE USED IN THE HVAC SYSTEM IN ACCORDANCE WITH THE ASHRAE HANDBOOK “HVAC SYSTEMS AND EQUIPMENT”. ALTERNATIVELY, DESIGN LOADS MUST BE DETERMINED BY AN APPROVED EQUIVALENT COMPUTATION PROCEDURE, USING THE DESIGN PARAMETERS SPECIFIED IN CHAPTER 3 OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND § 301.2 OF THIS CODE. FOR NEW OR REPLACED HEATING AND COOLING EQUIPMENT, ENVELOPE CALCULATIONS BASED ON MANUAL “J”, PUBLISHED BY THE AIR CONDITIONING CONTRACTORS OF AMERICA, OR ITS EQUIVALENT MUST BE SUBMITTED TO THE CODE OFFICIAL WITH THE PERMIT APPLICATION.

### CHAPTER 4. VENTILATION

#### SECTION 401 GENERAL

**401.1 TO 401.3** *{AS IN IMC}*

**401.4 OPENING LOCATION.** *{AS IN IMC}*

**401.4.1 INTAKE OPENINGS.** *{AS IN IMC}*

**401.4.2 EXHAUST OPENINGS.** OUTSIDE EXHAUST OPENINGS MUST BE LOCATED SO AS NOT TO CREATE A NUISANCE. EXHAUST AIR MAY NOT BE DIRECTED ONTO WALKWAYS. EXHAUST OPENINGS MUST BE AT LEAST 10 FEET (3048 MM) ABOVE GRADE.

**401.4.3 FLOOD HAZARD.** *{AS IN IMC}*

**401.5 OUTDOOR OPENING PROTECTION.** *{AS IN IMC}*

**401.6 CONTAMINANTS SOURCES.** *{AS IN IMC}*

**SECTIONS 402 TO 406 NATURAL VENTILATION** *{AS IN IMC}*

### CHAPTER 5. EXHAUST SYSTEMS

#### SECTION 501 GENERAL

**501.1 SCOPE.** *{AS IN IMC}*

**501.2 EXHAUST DISCHARGE.** *{AS IN IMC}*

**EXCEPTIONS:** *{NOT ADOPTED}*

**501.2.1 LOCATION OF EXHAUST OUTLETS.** *{AS IN IMC}*

**501.3 PRESSURE EQUALIZATION.** *{AS IN IMC}*

**501.4 DUCTS.** *{AS IN IMC}*

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**SECTION 502 REQUIRED SYSTEMS**

**502.1 TO 502.13** *{AS IN IMC}*

**502.14 MOTOR VEHICLE OPERATION.** IN ANY AREA WHERE MOTOR VEHICLES OPERATE:

1. RECIRCULATION OF VENTILATION AIR IS PROHIBITED,
2. FOR STATIONARY MOTOR VEHICLES, THE AREA MUST BE PROVIDED WITH A SOURCE CAPTURE SYSTEM THAT CONNECTS DIRECTLY TO THE MOTOR VEHICLE EXHAUST SYSTEMS, AND
3. IN FUEL-DISPENSING AREAS, THE BOTTOM OF THE AIR INLET OR EXHAUST OPENING MUST BE LOCATED NO MORE THAN 18 INCHES (203 MM) ABOVE THE FLOOR.

**EXCEPTIONS:** *{AS IN IMC}*

**502.15 TO 502.19** *{AS IN IMC}*

**SECTION 503 MOTORS AND FANS** *{AS IN IMC}*

**SECTION 504 CLOTHES DRYER EXHAUST** *{AS IN IMC}*

**SECTION 505 DOMESTIC KITCHEN EXHAUST EQUIPMENT** *{AS IN IMC}*

**SECTION 506 COMMERCIAL KITCHEN GREASE DUCTS AND EXHAUST EQUIPMENT** *{AS IN IMC}*

**506.1 GENERAL.** *{AS IN IMC}*

**506.2 CORROSION PROTECTION.** *{AS IN IMC}*

**506.3 DUCTS SERVING TYPE I HOODS.** *{AS IN IMC}*

**506.3.1 TO 506.3.11** *{AS IN IMC}*

**506.3.12 EXHAUST OUTLETS SERVING TYPE I HOODS.** EXHAUST OUTLETS FOR DUCTS THAT SERVE COMMERCIAL FOOD HEAT-PROCESSING EQUIPMENT MUST EXTEND AS DIRECTLY AS POSSIBLE THROUGH THE ROOF. THE DISCHARGE EXHAUST AIRFLOW MUST BE DIRECTED VERTICALLY TO THE GREATEST EXTENT POSSIBLE.

**506.3.12.1 TERMINATION ABOVE THE ROOF.** *{AS IN IMC}*

**506.3.12.2 TERMINATION THROUGH AN EXTERIOR WALL.** *{NOT ADOPTED}*

**506.3.12.3 TERMINATION LOCATION.** *{AS IN IMC}*

**EXCEPTIONS:** *{AS IN IMC}*

**506.4 DUCTS SERVING TYPE II HOODS.** *{AS IN IMC}*

**506.5 EXHAUST EQUIPMENT.** *{AS IN IMC}*

**SECTION 507 COMMERCIAL KITCHEN HOODS** *{AS IN IMC}*

**SECTION 508 COMMERCIAL KITCHEN MAKEUP AIR** *{AS IN IMC}*



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- 1    **SECTION 509 FIRE SUPPRESSION SYSTEMS** *{AS IN IMC}*
- 2    **SECTION 510 HAZARDOUS EXHAUST SYSTEMS** *{AS IN IMC}*
- 3    **SECTION 511 DUST, STOCK, AND REFUSE CONVEYING SYSTEMS** *{AS IN IMC}*
- 4    **SECTION 512 SUBSLAB SOIL EXHAUST SYSTEMS** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE”*  
5        *FOR “INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.}*

- 6    **SECTION 513 SMOKE CONTROL SYSTEMS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC*  
7        *ELECTRICAL CODE”. OTHERWISE, AS IN IMC.}*

8                            **CHAPTER 6. DUCT SYSTEMS**  
9                            *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.}*

- 10   **SECTION 601 GENERAL** *{AS IN IMC}*

- 11   **SECTION 602 PLENUMS**

- 12        **602.1 GENERAL.** *{AS IN IMC}*

- 13        **602.2 CONSTRUCTION.** *{AS IN IMC}*

- 14        **602.3 STUD CAVITY AND JOIST SPACE PLENUMS.** *{AS IN IMC}*

15            **EXCEPTION:** STUD WALL CAVITIES AND SPACES BETWEEN SOLID FLOOR JOISTS ABUTTING GARAGE  
16            WALLS MAY NOT BE UTILIZED AS AIR PLENUMS.

- 17        **602.4 FLOOD HAZARD.** *{AS IN IMC}*

- 18   **SECTIONS 603 TO 607** *{AS IN IMC}*

19                            **CHAPTER 7. COMBUSTION AIR**  
20                            *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
21                            *OTHERWISE, AS IN IMC.}*

22                            **CHAPTER 8. CHIMNEYS AND VENTS**  
23                            *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.}*  
24

- 25   **801 GENERAL**

- 26        **801.1 TO 801.17** *{AS IN IMC}*

- 27        **801.18 EXISTING CHIMNEYS AND VENTS.** *{[AS IN IMC}*

- 28            **801.18.1 - 801.18.4** *{AS IN IMC}*

29            **801.18.5 PROHIBITED USE.** MASONRY CHIMNEYS MAY NOT BE USED SIMULTANEOUSLY AS AIR  
30            DUCT CHASES AND FLUE GAS CHASES.

- 31        **801.19 MULTISTORY PROHIBITED.** *{AS IN IMC}*

- 32        **801.20 PLASTIC VENT JOINTS.** *{AS IN IMC}*

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1    **SECTIONS 802 TO 806** *{AS IN IMC}*

2                   **CHAPTER 9. SPECIFIC APPLIANCES, FIREPLACES, AND SOLID FUEL-BURNING EQUIPMENT**  
3                    *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”, AND*  
4                    *“NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”.*  
5                    **OTHERWISE, AS IN IMC.}**

6                    **CHAPTER 10. BOILERS, WATER HEATERS, AND PRESSURE VESSELS**

7    **SECTION 1001 GENERAL** *{AS IN IMC}*

8    **SECTION 1002 WATER HEATERS** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*  
9                    *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.}*

10   **SECTION 1003 PRESSURE VESSELS** *{AS IN IMC}*

11   **SECTION 1004 BOILERS** *{AS IN IMC}*

12   **SECTION 1005 BOILER CONNECTIONS** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*  
13                    *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.}*

14   **SECTION 1006 SAFETY AND PRESSURE RELIEF VALVES AND CONTROLS**

15        **1006.1 TO 1006.5** *{AS IN IMC}*

16        **1006.6 SAFETY AND RELIEF VALVE DISCHARGE.** SAFETY AND RELIEF VALVE DISCHARGE PIPES MUST  
17        BE OF RIGID PIPE THAT IS APPROVED FOR THE TEMPERATURE OF THE SYSTEM. THE DISCHARGE PIPE MUST  
18        BE THE SAME DIAMETER AS THE SAFETY OR RELIEF VALVE OUTLET. SAFETY AND RELIEF VALVES MAY  
19        NOT DISCHARGE SO AS TO BE A HAZARD, A POTENTIAL CAUSE OF DAMAGE, OR OTHERWISE A NUISANCE.  
20        HIGH-PRESSURE-STEAM SAFETY VALVES MUST BE VENTED TO THE OUTSIDE OF THE STRUCTURE. WHERE  
21        A LOW- PRESSURE SAFETY VALVE OR WHERE A RELIEF VALVE DISCHARGES THE DRAINAGE SYSTEM, THE  
22        INSTALLATION MUST CONFORM TO THE NATIONAL STANDARD PLUMBING CODE. ALL DISCHARGES TO  
23        FLOOR DRAINS MUST BE FROM WITHIN 2 TO 6 INCHES (50.8 MM TO 152.4 MM) FROM THE DRAIN.

24        **1006.7 BOILER SAFETY DEVICES.** *{AS IN IMC}*

25        **1006.8 ELECTRICAL REQUIREMENTS.** *{AS IN IMC}*

26    **SECTION 1007 BOILER LOW-WATER CUTOFF** *{AS IN IMC}*

27    **SECTION 1008 STEAM BLOWOFF VALVE** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR*  
28                    *“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.}*

29    **SECTION 1009 HOT WATER BOILER EXPANSION TANK** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING*  
30                    *CODE” FOR “INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IMC.}*

31    **SECTION 1010 GAUGES** *{AS IN IMC}*

32    **SECTION 1011 TESTS** *{AS IN IMC}*

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**CHAPTER 11. REFRIGERATION**

{*SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”, AND  
“NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.  
OTHERWISE, AS IN IMC.*}

**CHAPTER 12. HYDRONIC PIPING**

{*SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”.  
OTHERWISE, AS IN IMC.*}

**CHAPTER 13. FUEL OIL PIPING AND STORAGE**

*{AS IN IMC}*

**CHAPTER 14. SOLAR SYSTEMS**

{*SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”.  
OTHERWISE, AS IN IMC.*}

**CHAPTER 15. REFERENCED STANDARDS**

**SECTION 1501 GENERAL**

**1501.1 SCOPE.** THIS CHAPTER 15 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.8 OF THIS CODE.

**1501.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,  
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,  
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,  
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

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**PART VI. NATIONAL STANDARD PLUMBING CODE**

**§ 6-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART VI.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART VI REFER TO THE CHAPTER AND SECTION NUMBERS OF THE NATIONAL STANDARD PLUMBING CODE.

**§ 6-102. CITY MODIFICATIONS.**

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

**ADMINISTRATION**

**ADM 1.1 TO 1.5 {AS IN NSPC}**

**ADM 1.6 ORGANIZATION AND ENFORCEMENT**

**1.6.1 AUTHORITY HAVING JURISDICTION**

THE BUILDING OFFICIAL IS THE AUTHORITY HAVING JURISDICTION TO ADMINISTER AND ENFORCE THIS CODE, AS ADOPTED AND AMENDED BY THE CITY.

**1.6.2 TO 1.6.8 {AS IN NSPC}**

**ADM 1.7 VIOLATIONS AND PENALTIES**

**1.7.1 VIOLATIONS {AS IN NSPC}**

**1.7.2 PENALTIES**

THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED FOR A VIOLATION OF THE BALTIMORE CITY BUILDING CODE.

**ADM 1.8 PERMITS {AS IN NSPC}**

**ADM 1.9 PROCESS FOR OBTAINING PERMITS**

**1.9.1 TO 1.9.7 {AS IN NSPC}**

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1 **1.9.8 PERMIT EXPIRATION**

2 A PERMIT EXPIRES AT THE TIMES AND UNDER THE CIRCUMSTANCES PROVIDED IN THE BALTIMORE  
3 CITY BUILDING CODE FOR THE EXPIRATION OF BUILDING PERMITS. AN EXPIRED PERMIT MAY BE  
4 EXTENDED AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE FOR THE EXTENSION OF  
5 BUILDING PERMITS.

6 **1.9.9 REVOCATION OR SUSPENSION {AS IN NSPC}**

7 **ADM 1.10 PERMIT FEES**

8 FEES FOR PERMITS ISSUED UNDER THIS CODE AND FIR RELATED SERVICES ARE AS PROVIDED IN THE  
9 BALTIMORE CITY BUILDING CODE.

10 **ADM 1.11 INSPECTIONS**

11 **1.11.1 TO 1.11.4 {AS IN NSPC}**

12 **1.11.5 REQUESTS FOR INSPECTION**

13  
14 WHEN THE WORK IS READY FOR INSPECTION, THE PERSON DOING THE WORK UNDER THE PERMIT:

- 15 1. MUST GIVE THE BUILDING OFFICIAL AT LEAST 24 HOURS' ADVANCE NOTICE, BY THE  
16 METHOD (IN WRITING OR BY TELEPHONE) THAT THE BUILDING OFFICIAL REQUIRES,
- 17 2. IS RESPONSIBLE TO MAKE SURE THAT, BEFORE GIVING NOTICE, THE WORK WILL PASS ANY  
18 TEST THAT MAY BE REQUIRED, AND
- 19 3. IS RESPONSIBLE TO PROVIDE REASONABLE ACCESS AND MEANS FOR ACCOMPLISHING PROPER  
20 INSPECTIONS AND TESTS.

21 **1.11.6 OTHER INSPECTIONS {AS IN NSPC}**

22 **1.11.7 REINSPECTION FEES {AS IN NSPC}**

23 **ADM 1.12 FINAL CONNECTIONS {AS IN NSPC}**

24 **ADM 1.13 UNCONSTITUTIONALITY {AS IN NSPC}**

25 **BASIC PRINCIPLES**  
26 **{AS IN NSPC}**

27 **CHAPTER 1. DEFINITIONS**

28 **1.1 GENERAL {AS IN NSPC}**

29 **1.2 DEFINITION OF TERMS**

30 **1.2.1 GENERAL**

31 EXCEPT AS PROVIDED IN § 1.2.2, TERMS THAT ARE USED IN THESE PLUMBING REGULATIONS AND  
32 DEFINED IN THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT) HAVE  
33 THE MEANINGS GIVEN IN THAT CODE.

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### 1.2.2 SUPPLEMENTAL DEFINITIONS

NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE NSPC, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN IN THIS § 1.2.2.

#### 1.2.2.1 APPROVED

“APPROVED” MEANS ACCEPTED OR ACCEPTABLE UNDER AN APPLICABLE STANDARD STATED OR CITED IN THIS CODE, OR ACCEPTED AS SUITABLE FOR THE PROPOSED USE UNDER PROCEDURES AND POWERS OF THE BUILDING OFFICIAL UNDER THE GUIDANCE OF, OR IN CONFORMITY WITH, THE STANDARDS OR LISTINGS, OR BOTH, OF ACCEPTABLE FIXTURES AND DEVICES THAT REDUCE WATER CONSUMPTION AND MEET REQUIREMENTS OF SAFETY AND SANITATION AND ARE CERTIFIED BY AN INDEPENDENT TESTING LABORATORY TO MEET ONE OR MORE OF THE STANDARDS CITED IN TABLE 3.1.3 OF THIS CODE.

*SEE {AS IN NSPC}*

#### 1.2.2.2 AUTHORITY HAVING JURISDICTION

“AUTHORITY HAVING JURISDICTION” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

#### 1.2.2.3 HOT WATER

“HOT WATER” MEANS POTABLE WATER AT A TEMPERATURE OF NOT LESS THAN 110° F AND NOT MORE THAN 140° F.

*SEE {AS IN NSPC}*

#### 1.2.2.4 MUST

“MUST” IS A MANDATORY TERM. (*SEE ALSO* “SHALL”.)

#### 1.2.2.5 SHALL.

“SHALL” IS A MANDATORY TERM. (*SEE ALSO* “MUST”.)

## CHAPTER 2. GENERAL REGULATIONS

### 2.1 TO 2.15 {AS IN NSPC}

### 2.16 FREEZING OR OVERHEATING

A. THE PLUMBING SYSTEM MUST BE PROTECTED FROM FREEZING OR OVERHEATING.

B. THE FOLLOWING CONDITIONS MUST BE MET:

1. WATER SERVICE PIPING MUST BE INSTALLED BELOW RECORDED FROST LINES. EARTH COVER MUST BE AT LEAST 36 INCHES (914 MM).
2. MINIMUM EARTH COVER FOR BUILDING SEWERS THAT CONNECT TO PUBLIC SEWAGE SYSTEMS MUST BE 30 INCHES (762 MM). MINIMUM EARTH COVER FOR BUILDING SEWERS THAT CONNECT TO INDIVIDUAL SEWAGE DISPOSAL SYSTEMS MUST BE 30 INCHES (762 MM).

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- 1           3. IN SYSTEMS THAT ARE USED SEASONALLY, WATER PIPING MUST BE INSTALLED TO BE  
2           DRAINED.
- 3           4. PIPING MUST BE INSTALLED SO THAT THE CONTENTS WILL NOT BE HEATED DUE TO CLOSE  
4           PROXIMITY TO ANY HEAT SOURCE OR FROM DIRECT SOLAR RADIATION.
- 5           5. ALL WASTE AND WATER SUPPLY PIPING IN EXTERIOR WALLS AND OTHER AREAS MUST BE  
6           PROTECTED FROM FREEZING.

7           *SEE {AS IN NSPC}*

8           **NOTE: {AS IN NSPC}**

9           **2.17 PROTECTIVE FOOTINGS {AS IN NSPC}**

10          **2.18 CONNECTIONS TO PLUMBING SYSTEMS REQUIRED {AS IN NSPC}**

11          **2.19 CONNECTION TO WATER AND SEWER SYSTEMS**

12           **2.19.1 AVAILABILITY OF PUBLIC WATER AND SEWER**

13           THE WATER DISTRIBUTION AND DRAINAGE SYSTEM OF ANY BUILDING IN WHICH PLUMBING FIXTURES  
14           ARE INSTALLED MUST BE CONNECTED TO A PUBLIC WATER SUPPLY SYSTEM AND TO A PUBLIC SEWER  
15           SYSTEM IF THE PUBLIC SYSTEM IS WITHIN:

- 16           A. 200 FEET (18.58 M) OF ANY PROPERTY LINE OF THE PREMISES, OR
- 17           B. ANY OTHER REASONABLE DISTANCE SET BY THE BUILDING OFFICIAL.

18           *SEE {AS IN NSPC}*

19           **NOTE: {AS IN NSPC}**

20           **2.19.2 PRIVATE SYSTEMS {AS IN NSPC}**

21          **2.20 TO 2.24 {AS IN NSPC}**

22          **2.25 FOOD HANDLING AREAS**

23           IN NEWLY CONSTRUCTED ESTABLISHMENTS, SOIL OR DRAIN PIPES MAY NOT BE LOCATED OVER FOOD  
24           PREPARATION, STORAGE, DISPLAY, SERVING, OR DINING AREAS. WHERE BUILDING DESIGN FOR A  
25           REMODELED ESTABLISHMENT REQUIRES THAT THE SOIL OR DRAIN PIPES BE LOCATED OVER THOSE  
26           AREAS, PIPES MUST BE PROTECTED AGAINST LEAKAGE OR CONDENSATION REACHING THE FOOD OR  
27           DRINK AS DESCRIBED BELOW. THE INSTALLATION MUST BE MADE WITH THE LEAST POSSIBLE NUMBER OF  
28           JOINTS AND INSTALLED SO AS TO CONNECT TO A VERTICAL STACK AT THE NEAREST WALL OR VERTICAL  
29           BUILDING SUPPORT, AND THE CONSTRUCTION MUST BE PERFORMED AS FOLLOWS:

- 30           1. TO 10. *{AS IN NSPC}*

31           *SEE {AS IN NSPC}*

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**CHAPTER 3. MATERIALS**

**3.1 MATERIALS {AS IN NSPC}**

**3.2 SPECIAL MATERIALS**

**3.2.1 MISCELLANEOUS MATERIALS {AS IN NSPC}**

**3.2.2 LEAD {AS IN NSPC}**

**3.2.3 PLASTIC**

A. - C. {AS IN NSPC}

D. SDR-35 OR THINNER PLASTIC PIPING MAY NOT BE USED IN UNDERGROUND SANITARY STORM AND VENT PIPING SYSTEMS.

SEE {AS IN NSPC}

NOTE: {AS IN NSPC}

**3.3 FITTINGS, FIXTURES, APPLIANCES & APPURTENANCES {AS IN NSPC}**

**3.4 POTABLE WATER PIPING**

**3.4.1 TO 3.4.6 {AS IN NSPC}**

**TABLE 3.4 MATERIALS FOR POTABLE WATER**  
COPPER WATER TUBE, TYPE M (ASTM B88) –  
NOT APPROVED FOR UNDERGROUND WATER SERVICE PIPING.

**3.5 TO 3.12 {AS IN NSPC}**

**CHAPTER 4. JOINTS AND CONNECTIONS**  
**{AS IN NSPC}**

**CHAPTER 5. TRAPS, CLEANOUTS, AND BACKWATER VALVES**

**5.1 SEPARATE TRAPS FOR EACH FIXTURE {AS IN NSPC}**

**5.2 SIZE OF FIXTURE TRAPS {AS IN NSPC}**

**5.3 GENERAL REQUIREMENTS FOR TRAPS**

**5.3.1 TO 5.3.4 {AS IN NSPC}**

**5.3.5 PROHIBITED TRAPS**

A. THE FOLLOWING TYPES OF TRAPS ARE PROHIBITED:

1. TO 3. {AS IN NSPC}

4. SEPARATE FIXTURE TRAPS THAT DEPEND ON INTERIOR PARTITIONS FOR THEIR SEAL.

5. TO 6. {AS IN NSPC}



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1           B. *{AS IN NSPC}*

2           *SEE {AS IN NSPC}*

3           **5.3.6 TRAP SEAL MAINTENANCE *{AS IN NSPC}***

4           **5.4 DRAINAGE PIPE CLEANOUTS**

5           **5.4.1 TO 5.4.3 *{AS IN NSPC}***

6           **5.4.4 CLEANOUTS FOR CONCEALED PIPING**

7           CLEANOUTS FOR CONCEALED PIPING MUST EXTEND THROUGH AND TERMINATE FLUSH WITH THE  
8           FINISHED WALL OR FLOOR; OR PITS OR CHASES MAY BE LEFT IN THE WALL OR FLOOR, IF THEY ARE OF  
9           SUFFICIENT SIZE TO PERMIT REMOVAL OF THE CLEANOUT PLUG AND PROPER CLEANING OF THE  
10          SYSTEM. CLEANOUTS ARE NOT PERMITTED IN CEILING SPACES.

11          *SEE {AS IN NSPC}*

12          **5.4.5 TO 5.4.9 *{AS IN NSPC}***

13          **5.4.10 MANHOLES FOR LARGE PIPES**

14          A. - D. *{AS IN NSPC}*

15          E. MANHOLE CONSTRUCTION MUST COMPLY WITH THE DEPARTMENT OF PUBLIC WORK'S "BOOK  
16          OF STANDARDS".

17          *SEE {AS IN NSPC}*

18          **5.4.11 TO 5.4.14 *{AS IN NSPC}***

19          **5.5 BACKWATER VALVES *{AS IN NSPC}***

20                               **CHAPTER 6. LIQUID WASTE TREATMENT EQUIPMENT**

21          **6.1 GENERAL**

22          **6.1.1 TO 6.1.8 *{AS IN NSPC}***

23          **6.2 GREASE INTERCEPTORS AND GREASE RECOVERY DEVICES (GRD)**

24          **6.2.1 TO 6.2.3 *{AS IN NSPC}***

25          **6.2.4 COMMERCIAL DISHWASHERS**

26          COMMERCIAL DISHWASHERS ARE NOT PERMITTED TO DISCHARGE THROUGH A GREASE INTERCEPTOR.

27          **6.2.5 TO 6.2.8 *{AS IN NSPC}***

28          **6.3 OIL/WATER SEPARATORS**

29          **6.3.1 WHERE REQUIRED AND APPROVED POINT OF DISCHARGE**

30          A. - D. *{AS IN NSPC}*

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- 1 E. WHERE PARKING GARAGES WITHOUT PROVISIONS FOR VEHICLE-WASHING OR FLOOR-RINSING  
2 FACILITIES REQUIRE STORM WATER DRAINAGE, DRAINS MAY BE CONNECTED TO THE STORM  
3 SEWER WITHOUT A SAND AND OIL INTERCEPTOR. THIS DRAINAGE, INCLUDING MELTING SNOW,  
4 ICE, OR RAINWATER RUNOFF FROM VEHICLES, MAY NOT BE CONNECTED TO A SANITARY SEWER.  
5 OIL INTERCEPTORS ARE NOT REQUIRED IN OPEN PARKING GARAGES.
  
- 6 F. WHERE OIL SEPARATORS INCLUDE A WASTE HOLDING TANK, THE TANK MAY NOT BE USED TO  
7 STORE OR CONTAIN ANY OTHER WASTE OIL (E.G., MOTOR OIL) OR HAZARDOUS FLUID. THE  
8 INSTALLATION OF WASTE-OIL STORAGE TANKS MUST COMPLY WITH COMAR 26.10 (“OIL  
9 POLLUTION AND TANK MANAGEMENT”).

10 *SEE {AS IN NSPC}*

11 **6.3.2 DESIGN OF OIL SEPARATORS**

12 A - D. *{AS IN NSPC}*

- 13 E. THE OIL DRAW-OFF OR OVERFLOW FROM OIL SEPARATORS MUST BE CONNECTED TO AN  
14 APPROVED WASTE-OIL TANK THAT MEETS THE ENVIRONMENTAL REQUIREMENTS OF THE  
15 MARYLAND DEPARTMENT OF THE ENVIRONMENT. THE WASTE OIL FROM THE SEPARATOR MUST  
16 FLOW BY GRAVITY OR MAY BE PUMPED TO A HIGHER ELEVATION BY AN AUTOMATIC PUMP.  
17 PUMPS MUST BE ADEQUATELY SIZED, EXPLOSION PROOF, AND ACCESSIBLE. WASTE-OIL TANKS  
18 MUST HAVE A 2" MINIMUM PUMP-OUT CONNECTION AND A 1½" MINIMUM VENT TO THE  
19 ATMOSPHERE.

20 F. - H. *{AS IN NSPC}*

21 *SEE {AS IN NSPC}*

22 **6.3.3 VAPOR VENTING {AS IN NSPC}**

23 **6.3.4 COMBINATION OIL SEPARATOR AND SAND SEPARATOR {AS IN NSPC}**

24 **6.4 TO 6.7 {AS IN NSPC}**

25 **CHAPTER 7. PLUMBING FIXTURES, FIXTURE FITTINGS, AND PLUMBING APPLIANCES**

26 **7.1 FIXTURE STANDARDS {AS IN NSPC}**

27 **7.2 FIXTURES FOR ACCESSIBLE USE {AS IN NSPC}**

28 **7.3 INSTALLATION**

29 **7.3.1 TO 7.3.8 {AS IN NSPC}**

30 **7.3.9 WATER CLOSET AND URINAL COMPARTMENTS**

31 EACH WATER CLOSET AND URINAL USED BY THE PUBLIC OR BY EMPLOYEES IN A NON-RESTRICTED  
32 USE MUST OCCUPY A SEPARATE COMPARTMENT TO ASSURE PRIVACY. WATER CLOSETS MUST BE  
33 LOCATED WITHIN COMPARTMENTS EQUIPPED WITH DOORS. PRIVACY PARTITIONS ARE ACCEPTABLE  
34 BETWEEN URINALS.

35 **EXCEPTION:** A WATER CLOSET COMPARTMENT IS NOT REQUIRED IN A SINGLE-OCCUPANT  
36 TOILET ROOM WITH A LOCKABLE DOOR.

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1 **7.4 TO 7.24 {As IN NSPC}**

2 **CHAPTER 8. HANGERS AND SUPPORTS**

3 **8.1 GENERAL**

4 A. - C. *{As IN NSPC}*

5 D. FLEXIBLE PLASTIC AND METAL STRAP USED FOR SUPPORT OR HANGERS MUST BE INSTALLED SO AS  
6 NOT TO ALLOW VIBRATION OR UNDUE MOVEMENT OF THE PLUMBING FIXTURES, PIPES, APPLIANCES,  
7 OR EQUIPMENT. FLEXIBLE STRAP MAY ONLY BE USED WITH LIKE MATERIALS AND MAY NOT CAUSE  
8 DAMAGE TO THE PLUMBING SYSTEM. FLEXIBLE PLASTIC OR METAL STRAP MAY NOT BE USED IN ANY  
9 GAS FITTING INSTALLATIONS.

10 **8.2 TO 8.9 {As IN NSPC}**

11 **CHAPTER 9. INDIRECT WASTE PIPING AND SPECIAL WASTES**

12 **9.1 INDIRECT WASTES**

13 **9.1.1 TO 9.1.10 {As IN NSPC}**

14 **9.1.11 SWIMMING POOLS {As IN NSPC}**

15 **9.1.11.1 WADING AND TODDLER POOLS**

16 ALL WADING POOLS AND TODDLER POOLS MUST BE EQUIPPED WITH 2 DRAINS FROM A SINGLE  
17 DRAIN LINE SO AS NOT TO CREATE A VACUUM IF EITHER OF THE DRAINS IS COVERED. THE  
18 DRAINAGE MUST DISCHARGE INDIRECTLY THROUGH AN AIR GAP TO A TRAPPED AND VENTED  
19 RECEPTOR.

20 **9.2 INDIRECT WASTE PIPING {As IN NSPC}**

21 **9.3 INDIRECT WASTE RECEPTORS {As IN NSPC}**

22 **9.4 SPECIAL WASTES**

23 **9.4.1 TREATMENT OF CORROSIVE WASTES {As IN NSPC}**

24 **9.4.2 HIGH TEMPERATURE WASTES {As IN NSPC}**

25 **9.4.3 AIR CONDITIONING CONDENSATE**

26 A. - B. *{As IN NSPC}*

27 C. DISCHARGE OF AIR CONDITIONING CONDENSATE MAY NOT BE ALLOWED TO CREATE A NUISANCE,  
28 SUCH AS BY FLOWING ACROSS THE GROUND OR PAVED SURFACES. UNLESS EXPRESSLY  
29 PROHIBITED BY THE BUILDING OFFICIAL, THE POINT OF INDIRECT DISCHARGE FOR AIR  
30 CONDITIONING CONDENSATE MUST BE ONE OF THE FOLLOWING:

- 31 1. THE BUILDING STORM DRAINAGE SYSTEM,  
32 2. THE BUILDING SANITARY DRAINAGE SYSTEM, AS APPROVED BY THE BUILDING OFFICIAL,  
33 3. A SUMP PUMP, OR

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- 1                   4. WITHIN DWELLINGS, A TUB WASTE AND OVERFLOW OR A LAVATORY TAILPIECE WITHIN  
2                   THE SAME DWELLING.

3                   *SEE {AS IN NSPC}*

4                   **CHAPTER 10. WATER SUPPLY AND DISTRIBUTION**

5                   **10.1 QUALITY OF WATER SUPPLY {AS IN NSPC}**

6                   **10.2 IDENTIFICATION OF POTABLE AND NON-POTABLE WATER {AS IN NSPC}**

7                   **10.3 WATER REQUIRED**

8                   **10.3.1 BUILDINGS**

9                   EVERY BUILDING EQUIPPED WITH PLUMBING FIXTURES AND USED FOR HUMAN OCCUPANCY MUST BE  
10                  PROVIDED WITH A POTABLE SUPPLY OF COLD WATER IN THE AMOUNTS AND AT THE PRESSURES  
11                  SPECIFIED IN THIS CHAPTER. FOR PERMANENT RESIDENCES AND FOR BUILDINGS IN WHICH PEOPLE  
12                  ARE EMPLOYED, HOT WATER MUST ALSO BE PROVIDED IN THE AMOUNTS AND AT THE PRESSURES  
13                  SPECIFIED IN THIS CHAPTER.

14                  **10.4 PROTECTION OF POTABLE WATER SUPPLY {AS IN NSPC}**

15                  **10.5 BACKFLOW PREVENTION**

16                  **10.5.1 TO 10.5.4 {AS IN NSPC}**

17                  **10.5.5 INSTALLATION OF BACKFLOW PREVENTION DEVICES**

18                  A. - E. *{AS IN NSPC}*

19                  F. A PERSON MAY NOT INSTALL BACKFLOW PREVENTION DEVICES IN THE CITY UNLESS THAT  
20                  PERSON IS LICENSED BY THE STATE AS A MASTER OR JOURNEYMAN PLUMBER.

21                  G. A BACKFLOW PREVENTION DEVICE IS REQUIRED ON BOTH DOMESTIC AND SPRINKLER SYSTEM  
22                  WATER MAINS AS THEY ENTER THE BUILDING. A BYPASS SYSTEM MUST BE PROVIDED TO ALLOW  
23                  TESTING OF THE BACKFLOW DEVICE.

24                  **10.5.6 - 10.5.8 {AS IN NSPC}**

25                  **10.5.9 PROTECTION FROM FIRE SYSTEMS**

26                  A. POTABLE WATER SUPPLIES TO WATER-BASED FIRE PROTECTION SYSTEMS, INCLUDING  
27                  STANDPIPES AND AUTOMATIC SPRINKLER SYSTEMS, MUST BE PROTECTED FROM BACK-PRESSURE  
28                  AND BACK-SIPHONAGE BY ONE OF THE FOLLOWING TESTABLE DEVICES:

- 29                   1. DOUBLE CHECK FIRE PROTECTION BACKFLOW PROTECTION ASSEMBLY,  
30                   2. DOUBLE CHECK DETECTOR FIRE PROTECTION BACKFLOW PROTECTION ASSEMBLY,  
31                   3. REDUCED PRESSURE PRINCIPLE FIRE PROTECTION BACKFLOW PREVENTION ASSEMBLY,  
32                   4. REDUCED PRESSURE DETECTOR FIRE PROTECTION BACKFLOW PREVENTION ASSEMBLY.

33                  **EXCEPTIONS {AS IN NSPC}**

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1 B. - D. *{AS IN NSPC}*

2 **10.5.10 - 10.5.13** *{AS IN NSPC}*

3 **10.5.14 HIGH HAZARD BUILDINGS**

4 A. IN ADDITION TO THE BACKFLOW DEVICE ON THE WATER SUPPLY MAIN, AT EACH FLOOR WHERE  
5 HAZARDOUS USES OF WATER ARE FOUND, A BACKFLOW PREVENTION DEVICE MUST BE  
6 INSTALLED ON THE WATER SERVICE LINE THAT SUPPLIES THAT FLOOR.

7 B. ANY BYPASS PIPING MUST ALSO HAVE A BACKFLOW PREVENTION DEVICE INSTALLED.

8 **10.5.15 BACKFLOW PREVENTION DEVICES ON HOT WATER SUPPLY**

9 WHEN HOT WATER RETURN PIPING IS NEEDED, IT MUST BE TAKEN FROM THE SUPPLY SIDE OF THE  
10 BACKFLOW PREVENTION DEVICE.

11 **10.5.16 TESTING AND INSPECTION CERTIFICATE**

12 ALL TESTING AND INSPECTIONS MUST BE DOCUMENTED ON A CERTIFICATE ATTACHED TO THE  
13 BACKFLOW PREVENTION DEVICE.

14 **10.6 TO 10.11** *{AS IN NSPC}*

15 **10.12 WATER SUPPLY CONTROL VALVES**

16 **10.12.1 TO 10.12.9** *{AS IN NSPC}*

17 **10.12.10 INDIVIDUAL VALVES ON SPRINKLER SYSTEMS**

18 DOMESTIC WATER SERVICE LINES USED TO SUPPLY WATER TO BOTH THE SPRINKLER AND THE  
19 DOMESTIC WATER PIPING INSIDE A BUILDING MUST HAVE AN INDIVIDUAL VALVE ON BOTH BRANCH  
20 LINES WHEN SERVED BY A SINGLE WATER SERVICE PIPE. A BUILDING VALVE MAY NOT BE USED TO  
21 SERVE BOTH SYSTEMS. A FLOW ALARM MUST BE PROVIDED ON THE SPRINKLER SYSTEM.

22 **EXCEPTION:** THIS § 10.12.10 DOES NOT APPLY TO SINGLE-FAMILY DWELLINGS.

23 **10.13 TO 10.15** *{AS IN NSPC}*

24 **10.16 SAFETY DEVICES FOR PRESSURE VESSELS**

25 **10.16.1 TO 10.16.5** *{AS IN NSPC}*

26 **10.16.6 RELIEF VALVE DISCHARGE PIPING**

27 A – C. *{AS IN NSPC}*

28 D. FOR NEW CONSTRUCTION, AN AIR GAP MUST BE PROVIDED WHERE RELIEF VALVES DISCHARGE  
29 INTO AN INDIRECT WASTE PIPE, FLOOR DRAIN, TRENCH DRAIN, SERVICE SINK, MOP BASIN,  
30 LAUNDRY SINK, STANDPIPE, OR OTHER APPROVED RECEPTOR. THE MINIMUM SIZE OF FIXTURE  
31 DRAINS OR WASTE PIPES THAT RECEIVE THE DISCHARGE FROM RELIEF VALVES IS AS INDICATED  
32 IN TABLE 10.16.6.

33 E. IN EXISTING CONSTRUCTION, WHERE RELIEF VALVES DISCHARGE TO THE FLOOR, THE DISCHARGE  
34 PIPE MUST TERMINATE NOT MORE THAN 6 INCHES NOR LESS THAN 2 INCHES ABOVE THE FLOOR.

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1 F. - G. *{AS IN NSPC}*

2 *SEE {AS IN NSPC}*

3 **10.16.7 VACUUM RELIEF VALVES *{AS IN NSPC}***

4 **10.16.8 REPLACEMENT OF RELIEF VALVES *{AS IN NSPC}***

5 **10.17 TO 10.19 *{AS IN NSPC}***

6 **CHAPTER 11. SANITARY DRAINAGE SYSTEMS**  
7 *{AS IN NSPC}*

8 **CHAPTER 12. VENTS AND VENTING**  
9 *{AS IN NSPC}*

10 **CHAPTER 13. STORM WATER DRAINAGE**

11 **13.1 GENERAL**

12 **13.1.1 TO 13.1.4 *{AS IN NSPC}***

13 **13.1.5 FOUNDATION DRAINS**

14 A. FOUNDATION DRAINS MUST BE PROVIDED AROUND THE PERIMETER OF BASEMENTS, CELLARS,  
15 CRAWL SPACES, OR ANY BUILDING SPACE BELOW GRADE. THE DRAINS MUST BE POSITIONED  
16 EITHER INSIDE OR OUTSIDE OF THE FOOTINGS AND MUST BE PERFORATED OR OPEN-JOINT  
17 APPROVED DRAIN TILE OR PIPE NOT LESS THAN 3" PIPE SIZE. THE INVERT OF FOUNDATION  
18 DRAINS MAY NOT BE LESS THAN 2 INCHES BELOW THE UNDERSIDE OF THE FLOOR SLAB BEING  
19 PROTECTED. EXTERIOR PIPING MUST BE AT LEAST 30" BELOW GRADE.

20 B. - F. *{AS IN NSPC}*

21 *SEE {AS IN NSPC}*

22 **13.1.6 TO 13.1.9 *{AS IN NSPC}***

23 **13.1.10 ROOF DRAINAGE**

24 **13.1.10.1 PRIMARY ROOF DRAINAGE**

25 A. GUTTERS, DOWNSPOUTS, AND LEADERS MUST BE PROVIDED ON ALL BUILDINGS TO  
26 PROPERLY COLLECT, CONDUCT, AND DISCHARGE THE WATER FROM THEIR ROOF AREAS INTO  
27 A STORM DRAIN. THE LOCATION AND SIZING OF DRAINS AND GUTTERS MUST BE  
28 COORDINATED WITH THE STRUCTURAL DESIGN AND PITCH OF THE ROOF.

29 B. UNLESS OTHERWISE REQUIRED BY THE BUILDING OFFICIAL, ROOF DRAINS, GUTTERS,  
30 VERTICAL CONDUCTORS OR LEADERS, AND HORIZONTAL STORM DRAINS FOR PRIMARY  
31 DRAINAGE MUST BE SIZED BASED ON A STORM OF 60 MINUTES DURATION AND 100-YEAR  
32 RETURN PERIOD. (*SEE APPENDIX A.*)

33 C. NO WATER FROM ANY BUILDING MAY BE DISCHARGED SO AS TO FLOW OVER ANY SIDEWALK,  
34 FOOTWAY, OR ADJOINING PROPERTY, EXCEPT FROM WINDOW SILLS, COPINGS, OR CORNICES  
35 THAT PROJECT NO MORE THAN 1 FOOT (305 MM).

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### EXCEPTIONS:

1. ROOFS, CORNICES, COPINGS, OR OTHER SIMILAR PROJECTIONS THAT ARE LESS THAN 5 FEET (3.03 M), MEASURED HORIZONTALLY IN THE LINE OF FLOW, AS LONG THE WATER IS NOT DISCHARGED ON ANY SIDEWALK, FOOTWAY, OR ADJOINING PROPERTY, OR
2. AWNINGS OR MARQUEES THAT DISCHARGE OFF THE OUTER EDGE.

### 13.1.10.2 SECONDARY ROOF DRAINAGE

#### A. *{AS IN NSPC}*

#### B. WHERE SECONDARY DRAINAGE IS PROVIDED BY MEANS OF ROOF DRAINS OR STANDPIPES, THE SECONDARY SYSTEM MUST:

1. BE SEPARATE FROM THE PRIMARY SYSTEM, AND
2. EITHER:
  - I. DISCHARGE INDEPENDENTLY AT GRADE, OR
  - II. TIE INTO THE PRIMARY SYSTEM'S VERTICAL STACKS AT A LOCATION TO BE DETERMINED BY THE BUILDING OFFICIAL.

#### C. - F. *{AS IN NSPC}*

### 13.1.10.3 VERTICAL WALLS *{AS IN NSPC}*

### 13.1.10.4 EQUIVALENT SYSTEMS *{AS IN NSPC}*

### 13.1.10.5 METHODS OF ROOF DRAINAGE

- A. METHOD 1: DRAINAGE MAY BE DISCHARGED BY PIPING TO A STORM DRAIN, TO THE STREET OR ALLEY, OR TO AN APPROVED WATER COURSE. THE INSTALLATION OF PIPING, CONNECTIONS TO STORM DRAINS, ETC., MUST BE MADE IN ACCORDANCE WITH THIS CODE.
- B. METHOD 2: DRAINAGE MAY BE DISCHARGED NOT LESS THAN 10 FEET (3.05 M) FROM THE BUILDING, FROM OTHER BUILDINGS, OR FROM ANY ADJACENT PROPERTY LINE, AS LONG AS THE DISCHARGE IS IN A MANNER THAT DOES NOT ALLOW DRAINAGE TO CROSS ADJACENT PROPERTY LINES OR SIDEWALKS.

### 13.1.10.6 INDIVIDUAL DOWNSPOUTS

GUTTERS OF BUILDINGS ON ADJOINING PROPERTIES MAY NOT BE CONNECTED WITH COMMON DOWNSPOUTS OR LEADERS, BUT EACH BUILDING MUST HAVE INDIVIDUAL DOWNSPOUTS OR LEADERS ON ITS OWN PROPERTY. IF A BUILDING IS MORE THAN 4 STORIES OR 50 FEET (15.24 M) HIGH, ITS LEADER AND DOWNSPOUTS MUST BE INSIDE THE BUILDING'S EXTERIOR WALLS.

### 13.1.11 CONTINUOUS FLOW *{AS IN NSPC}*

### 13.1.12 BACKWATER VALVES *{AS IN NSPC}*

### 13.2 TO 13.4 *{AS IN NSPC}*

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1 **13.5 ROOF DRAINS**

2 **13.5.1 TO 13.5.4** *{AS IN NSPC}*

3 **13.5.5 ROOF DRAIN RESTRICTIONS**

4 TO INSURE WATER FLOW INTO THE DRAIN, THE ROOF DRAIN OPENING MAY NOT BE RESTRICTED BY  
5 INSERTION OF ANY ROOFING MATERIAL OR OTHER OBJECTS. ROOF DRAINS MUST BE TRAPPED IF  
6 THEY ARE LOCATED DIRECTLY BENEATH ANY DOOR, WINDOW, OR OTHER VENTILATING OPENING OF  
7 THE BUILDING OR OF AN ADJACENT BUILDING.

8 **13.5.6 ROOF DRAIN OUTLET PIPE SIZE** *{AS IN NSPC}*

9 **13.6 TO 13.9** *{AS IN NSPC}*

10 **CHAPTER 14. SPECIAL REQUIREMENTS FOR HEALTH CARE FACILITIES**  
11 *{AS IN NSPC}*

12 **CHAPTER 15. TESTS AND MAINTENANCE**

13 **15.1 TO 15.6** *{AS IN NSPC}*

14 **15.6A METHODS OF TESTING INTERIOR LEADERS OR DOWNSPOUTS**

15 THE BUILDING OFFICIAL MAY REQUIRE LEADERS AND DOWNSPOUTS AND BRANCHES WITHIN A BUILDING  
16 TO BE TESTED BY WATER OR AIR IN ACCORDANCE WITH § 15.4.1.

17 **15.7 DEFECTIVE PLUMBING** *{AS IN NSPC}*

18 **15.8 MAINTENANCE** *{AS IN NSPC}*

19 **CHAPTER 16. SEWAGE DISPOSAL AND CERTAIN WATER SYSTEMS FOR HOMES AND OTHER**  
20 **ESTABLISHMENTS WHERE A PUBLIC SEWAGE SYSTEM IS NOT AVAILABLE**  
21 **{PER STATE MODIFICATION}**

22 *SEE COMAR 26.04.02*

23 **CHAPTER 17. POTABLE WATER SUPPLY SYSTEMS**  
24 *{AS IN NSPC}*

25 **CHAPTER 18. MOBILE HOME AND TRAVEL TRAILER PARK PLUMBING STANDARDS**  
26 *{AS IN NSPC}*

27 **CHAPTER 19. INSTALLATION OF GAS APPLIANCES AND GAS PIPING**  
28 *{AS IN NSPC}*

29 **CHAPTER 20. WATER SUPPLY AND SEWAGE SYSTEMS**  
30 **IN THE SUBDIVISION OF LAND IN MARYLAND**  
31 **{PER STATE MODIFICATION}**

32 *SEE COMAR 26.04.03*



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**PART VII. INTERNATIONAL PROPERTY MAINTENANCE CODE**

**§ 7-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART VII.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART VII REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

**§ 7-102. CITY MODIFICATIONS.**

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

**CHAPTER 1. ADMINISTRATION**

**SECTION 101 GENERAL**

**101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “PROPERTY MAINTENANCE CODE OF BALTIMORE CITY”.

**101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE PROPERTY MAINTENANCE CODE OF BALTIMORE CITY.

**101.2 TO 101.4** *{AS IN IPMC}*

**SECTION 102 APPLICABILITY**

**102.1 GENERAL.** *{AS IN IPMC}*

**102.2 MAINTENANCE.** EQUIPMENT, SYSTEMS, DEVICES, AND SAFEGUARDS REQUIRED BY THIS CODE OR BY A PREVIOUS REGULATION OR CODE UNDER WHICH THE STRUCTURE OR PREMISES WAS CONSTRUCTED, ALTERED, OR REPAIRED MUST BE MAINTAINED IN GOOD WORKING ORDER.

**102.2.1 SHUT-OFF PROHIBITED.** NO OWNER, OPERATOR, OR OCCUPANT MAY CAUSE ANY SERVICE, FACILITY, EQUIPMENT, OR UTILITY REQUIRED UNDER THIS SECTION TO BE REMOVED OR SHUT OFF FROM OR DISCONTINUED FOR ANY OCCUPIED DWELLING, EXCEPT FOR A TEMPORARY INTERRUPTION NECESSARY WHILE REPAIRS OR ALTERATIONS ARE IN PROGRESS.

**102.2.2 CODE NOT OVERRIDE OF FIRE AND SAFETY SYSTEMS.** THE REQUIREMENTS OF THIS CODE ARE NOT INTENDED TO PROVIDE THE BASIS FOR REMOVAL OR ABROGATION OF FIRE PROTECTION AND SAFETY SYSTEMS AND DEVICES IN EXISTING STRUCTURES.

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1           **102.2.3 OWNER AND OPERATOR RESPONSIBLE.** EXCEPT AS OTHERWISE SPECIFIED, EACH OWNER  
2           AND EACH OPERATOR OF A STRUCTURE OR PREMISES IS RESPONSIBLE FOR THE MAINTENANCE OF  
3           THAT STRUCTURE OR PREMISES.

4           **102.3 APPLICATION OF OTHER CODES.** ALL REPAIRS, ADDITIONS, OR ALTERATIONS TO A STRUCTURE  
5           AND ALL CHANGES OF OCCUPANCY MUST BE DONE IN ACCORDANCE WITH THIS CODE AND WITH THE  
6           FOLLOWING CODES AND STANDARDS, AS MODIFIED BY BALTIMORE CITY:

- 7           1. THE INTERNATIONAL BUILDING CODE (2006 EDITION),
- 8           2. THE NATIONAL ELECTRICAL CODE (2005 EDITION),
- 9           3. THE NATIONAL FUEL GAS CODE (2006 EDITION),
- 10          4. THE INTERNATIONAL MECHANICAL CODE (2006 EDITION),
- 11          5. THE NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT),
- 12          6. THE INTERNATIONAL FIRE CODE (2006 EDITION),
- 13          7. THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION), AND
- 14          8. THE ZONING CODE OF BALTIMORE CITY.

15          **102.4 EXISTING REMEDIES.** THE PROVISIONS OF THIS CODE MAY NOT BE CONSTRUED TO ABOLISH OR  
16          IMPAIR EXISTING REMEDIES OF THE CITY OR ITS OFFICERS OR AGENCIES RELATING TO:

- 17          1. ENFORCEMENT OF REPAIR AND MAINTENANCE STANDARDS, OR
- 18          2. THE REMOVAL OR DEMOLITION OF ANY STRUCTURE THAT IS DANGEROUS, UNSAFE, AND  
19          INSANITARY.

20          **102.5 WORKMANSHIP.** ALL REPAIRS, MAINTENANCE WORK, ALTERATIONS, OR INSTALLATIONS MUST  
21          BE EXECUTED AND INSTALLED IN A WORKMANLIKE MANNER AND INSTALLED IN ACCORDANCE WITH THE  
22          MANUFACTURER’S INSTALLATION INSTRUCTIONS.

23          **102.6 HISTORIC BUILDINGS. {NOT ADOPTED}**

24          **102.7 TO 102.8 {AS IN IPMC}**

25          **SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION**

26          **103.1 GENERAL.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT OF HOUSING AND  
27          COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

- 28          1. “DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION” OR “DEPARTMENT” MEANS THE  
29          DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, AND
- 30          2. “CODE OFFICIAL” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING  
31          CODE OF BALTIMORE CITY.

32          **103.2 APPOINTMENT. {NOT ADOPTED}**

33          **103.3 DEPUTIES. {NOT ADOPTED}**

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1 **103.4 RESTRICTION OF EMPLOYEES. {NOT ADOPTED}**

2 **103.5 LIABILITY. {NOT ADOPTED}**

3 **103.6 FEES.** THE FEES FOR WORK OR REPAIRS THAT REQUIRE A BUILDING PERMIT ARE AS PROVIDED IN  
4 THE BALTIMORE CITY BUILDING CODE.

5 **SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL**

6 **104.1 GENERAL. {AS IN IPMC}**

7 **104.2 RULEMAKING AUTHORITY. {AS IN IPMC}**

8 **104.3 INSPECTIONS.** THE CODE OFFICIAL MUST MAKE ALL OF THE REQUIRED INSPECTIONS OR ACCEPT  
9 REPORTS OF INSPECTION BY APPROVED AGENCIES OR INDIVIDUALS. ALL REPORTS OF THESE INSPECTIONS  
10 MUST BE IN WRITING AND SIGNED BY A RESPONSIBLE OFFICER OF THE APPROVED AGENCY OR BY THE  
11 RESPONSIBLE INDIVIDUAL. THE CODE OFFICIAL MAY ENGAGE ANY EXPERT OPINION THAT THE CODE  
12 OFFICIAL CONSIDERS NECESSARY TO REPORT ON UNUSUAL TECHNICAL ISSUES THAT ARISE.

13 **104.4 RIGHT OF ENTRY.** THE CODE OFFICIAL MAY ENTER ANY STRUCTURE OR PREMISES AT  
14 REASONABLE TIMES TO INSPECT, SUBJECT TO CONSTITUTIONAL RESTRICTIONS ON UNREASONABLE  
15 SEARCHES AND SEIZURES. IF ENTRY IS REFUSED OR NOT OBTAINED, THE CODE OFFICIAL MAY PURSUE  
16 RECOURSE AS PROVIDED BY LAW, INCLUDING § 104 OF THE BALTIMORE CITY BUILDING CODE.

17 **104.5 IDENTIFICATION. {AS IN IPMC}**

18 **104.6 NOTICES AND ORDERS.** THE CODE OFFICIAL MAY ISSUE ALL NOTICES OR ORDERS NECESSARY TO  
19 ENSURE COMPLIANCE WITH THIS CODE.

20 **104.7 DEPARTMENT RECORDS.** THE CODE OFFICIAL MUST KEEP RECORDS OF ALL OF THE  
21 DEPARTMENT'S BUSINESS AND ACTIVITIES SPECIFIED IN THIS CODE.

22 **104.8 NOTICE OF ABATEMENT.** WHEN THE RECIPIENT OF A VIOLATION NOTICE HAS ABATED THE  
23 VIOLATION, THE CODE OFFICIAL MUST ISSUE A NOTICE OF ABATEMENT.

24 **SECTION 105 APPROVAL**

25 **105.1 MODIFICATIONS. {AS IN IPMC}**

26 **105.2 ALTERNATIVE MATERIALS, METHODS, AND EQUIPMENT.** THE PROVISIONS OF THIS CODE ARE  
27 NOT INTENDED TO PREVENT THE INSTALLATION OF ANY MATERIAL OR TO PROHIBIT ANY METHOD OF  
28 CONSTRUCTION NOT SPECIFICALLY PRESCRIBED BY THIS CODE, AS LONG AS THAT ALTERNATIVE HAS  
29 BEEN APPROVED. AN ALTERNATIVE MATERIAL OR METHOD OF CONSTRUCTION MAY BE APPROVED IF THE  
30 CODE OFFICIAL FINDS THAT THE PROPOSED DESIGN IS SATISFACTORY AND COMPLIES WITH THE INTENT  
31 OF THIS CODE AND THAT THE MATERIAL, METHOD, OR WORK OFFERED IS, FOR THE PURPOSE INTENDED,  
32 AT LEAST THE EQUIVALENT OF THAT PRESCRIBED IN THIS CODE IN QUALITY, STRENGTH, EFFECTIVENESS,  
33 FIRE RESISTANCE, DURABILITY, AND SAFETY.

34 **105.3 REQUIRED TESTING. {AS IN IPMC}**

35 **105.4 MATERIAL AND EQUIPMENT REUSE. {AS IN IPMC}**

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### SECTION 106 VIOLATIONS

**106.1 UNLAWFUL ACTS.** IT IS UNLAWFUL FOR ANY PERSON TO BE IN CONFLICT WITH OR IN VIOLATION OF ANY PROVISION OF THIS CODE OR OF ANY REGULATION, PERMIT, OR NOTICE ISSUED UNDER THIS CODE.

**106.2 NOTICE OF VIOLATION.** EXCEPT AS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW, THE CODE OFFICIAL MUST SERVE A NOTICE OF VIOLATION OR AN ORDER BEFORE UNDERTAKING A PROSECUTION OR OTHER ENFORCEMENT ACTION.

**106.3 PROSECUTION OF VIOLATION.** ANY PERSON WHO VIOLATES A PROVISION OF THIS CODE OR WHO FAILS TO COMPLY WITH A NOTICE OF VIOLATION OR AN ORDER SERVED IN ACCORDANCE WITH § 107 IS GUILTY OF A MISDEMEANOR. IF THE VIOLATION IS NOT ABATED OR THE NOTICE OR ORDER NOT COMPLIED WITH, THE CODE OFFICIAL MAY INSTITUTE THE APPROPRIATE PROCEEDING AT LAW OR IN EQUITY TO RESTRAIN, CORRECT, OR ABATE THE VIOLATION OR TO REQUIRE THE REMOVAL OR TERMINATION OF THE UNLAWFUL OCCUPANCY OF THE STRUCTURE IN VIOLATION OF THIS CODE OR OF THE ORDER OR DIRECTION MADE UNDER THIS CODE.

**106.4 VIOLATION PENALTIES.** THE PENALTIES FOR A VIOLATION OF THIS CODE ARE AS PROVIDED FOR A VIOLATION OF THE BALTIMORE CITY BUILDING CODE.

**106.5 REMEDIES AND ENFORCEMENT.** THE IMPOSITION OF PENALTIES UNDER THIS SECTION DOES NOT PRECLUDE THE INSTITUTION OF APPROPRIATE ACTION:

1. TO RESTRAIN, CORRECT, OR ABATE A VIOLATION,
2. TO PREVENT ILLEGAL OCCUPANCY OF A STRUCTURE OR PREMISES, OR
3. TO STOP AN ILLEGAL ACT, CONDUCT, BUSINESS, OR USE OF THE STRUCTURE OR PREMISES.

**106.5.1 BUILDING CODE PROVISIONS.** ADDITIONAL REMEDIES, CIVIL PENALTIES, AND ENFORCEMENT PROCEEDINGS ARE AS PROVIDED IN §§ 113.3 AND 113.5 OF THE BALTIMORE CITY BUILDING CODE.

### SECTION 107 NOTICES AND ORDERS

**107.1 NOTICE TO OWNER OR PERSON RESPONSIBLE.** WHENEVER THE CODE OFFICIAL DETERMINES OR HAS GROUNDS TO BELIEVE THAT A VIOLATION OF THIS CODE HAS OCCURRED, NOTICE MUST BE GIVEN TO AN OWNER OR OTHER PERSON RESPONSIBLE FOR COMPLIANCE WITH THIS CODE.

**107.2 FORM OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE IN THE FORM PROVIDED BY § 123 OF THE BALTIMORE CITY BUILDING CODE.

**107.3 SERVICE OF NOTICE.** VIOLATION AND CONDEMNATION NOTICES MUST BE SERVED AS PROVIDED BY § 123 OF THE BALTIMORE CITY BUILDING CODE.

**107.4 RESPONSIBILITIES OF OWNERS, OPERATORS, AND OTHERS.** THE RESPONSIBILITIES OF OWNERS, OPERATORS, AND OTHERS ARE AS FOLLOWS:

1. OWNERS AND OPERATORS: AS PROVIDED IN § 113.21 OF THE BALTIMORE CITY BUILDING CODE.
2. OFFICERS, DIRECTORS, TRUSTEES, PARTNERS, MEMBERS, AND AGENTS OF ENTITIES: AS PROVIDED IN § 113.24 OF THE BALTIMORE CITY BUILDING CODE.

**107.5 TRANSFER OF OWNERSHIP.** *{AS PROVIDED IN IBC § 113.23}*

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1 **SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT**

2 **108.1 GENERAL.** PROCEDURES FOR ENFORCEMENT OR OTHER ACTIONS INVOLVING UNSAFE  
3 STRUCTURES AND EQUIPMENT ARE AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

4 **108.2 TO 108.6 {NOT ADOPTED}**

5 **SECTION 109 EMERGENCY MEASURES**

6 **109.1 GENERAL.** WHENEVER NECESSARY OR APPROPRIATE, THE CODE OFFICIAL MAY TAKE  
7 EMERGENCY MEASURES AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

8 **109.2 TO 109.6 {NOT ADOPTED}**

9 **SECTION 110 DEMOLITION**

10 **110.1 GENERAL.** THE CODE OFFICIAL MAY ORDER THE REHABILITATION, STABILIZATION, OR  
11 DEMOLITION OF STRUCTURES FOUND TO BE UNSAFE OR UNFIT FOR HUMAN HABITATION OR OTHER  
12 AUTHORIZED USE AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

13 **110.2 TO 110.4 {NOT ADOPTED}**

14 **SECTION 111 ADMINISTRATIVE AND JUDICIAL REVIEW**

15 **111.1 GENERAL.** A DECISION OF THE CODE OFFICIAL IS SUBJECT TO ADMINISTRATIVE AND JUDICIAL  
16 REVIEW AS PROVIDED IN THE BALTIMORE CITY BUILDING CODE.

17 **111.2 TO 111.8 {NOT ADOPTED}**

18 **CHAPTER 2. DEFINITIONS**

19 **SECTION 201 GENERAL**

20 **201.1 SCOPE.** *{AS IN IPMC}*

21 **201.2 INTERCHANGEABILITY.** *{AS IN IPMC}*

22 **201.3 TERMS DEFINED IN OTHER CODES.** IF A TERM IS NOT DEFINED IN THIS CODE AND IS DEFINED IN  
23 ONE OR ANOTHER OF THE STANDARDS AND CODES LISTED IN § 102.3 OF THIS CODE, THE TERM HAS THE  
24 MEANING GIVEN TO IT IN THAT STANDARD OR CODE.

25 **201.4 TERMS NOT DEFINED.** *{AS IN IPMC}*

26 **201.5 PARTS.** *{AS IN IPMC}*

27 **SECTION 202 GENERAL DEFINITIONS**

28 **202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE  
29 INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE  
30 INTERNATIONAL PROPERTY MAINTENANCE CODE (2006 EDITION).

31 **202.2 SUPPLEMENTAL DEFINITIONS.** NOTWITHSTANDING ANY DIFFERENT DEFINITION IN THE  
32 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE FOLLOWING TERMS HAVE THE MEANINGS GIVEN  
33 IN THIS § 202.2.

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1       **202.2.1 ALLEY.** “ALLEY” MEANS ANY PUBLIC WAY THAT IS LESS THAN 30 FEET (9144 MM) WIDE  
2       AND ON WHICH DWELLINGS DO NOT FRONT.

3       **202.2.2 CODE OFFICIAL.** “CODE OFFICIAL” HAS THE MEANING STATED IN § 103.1 OF THIS CODE.

4       **202.2.3 CONDEMN.** “CONDEMN” MEANS:

- 5           1. TO ADJUDGE EQUIPMENT OR FACILITIES AS BEING UNSAFE FOR USE, OR
- 6           2. TO ADJUDGE A STRUCTURE AS BEING UNSAFE OR UNFIT FOR OCCUPANCY.

7       **202.2.4 DWELLING UNIT.** “DWELLING UNIT” HAS THE MEANING STATED IN § 202.2 OF THE  
8       BALTIMORE CITY BUILDING CODE.

9       **202.2.5 HABITABLE SPACE.** “HABITABLE SPACE” MEANS SPACE IN A STRUCTURE FOR LIVING,  
10       SLEEPING, OR EATING. BATHROOMS, TOILET ROOMS, CLOSETS, HALLS, STORAGE OR UTILITY SPACES,  
11       AND SIMILAR AREAS ARE NOT CONSIDERED HABITABLE SPACES. KITCHENS WITH LESS THAN 56 SQ.  
12       FT. (5.2 SQ. M.) OF FLOOR AREA ARE NOT CONSIDERED HABITABLE SPACES.

13       **202.2.6 MAY NOT, ETC.** “MAY NOT”, “MUST NOT”, AND “NO ... MAY” ARE EACH MANDATORY  
14       NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

15       **202.2.7 MULTIPLE-FAMILY DWELLING.** “MULTIPLE-FAMILY DWELLING” MEANS A BUILDING OR A  
16       GROUP OF BUILDINGS ON THE SAME LOT THAT CONTAINS OR IS DESIGNED OR INTENDED TO CONTAIN:

- 17           1. MORE THAN 2 DWELLING UNITS,
- 18           2. 2 DWELLING UNITS AND ANY OTHER RESIDENTIAL OR COMMERCIAL OCCUPANCY, OR
- 19           3. ANY COMBINATION OF 3 OR MORE ROOMING UNITS AND DWELLING UNITS.

20       **202.2.8 MUST/SHALL.** “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A  
21       REQUIREMENT OR TO IMPOSE A DUTY.

22       **202.2.9 OCCUPANCY.** “OCCUPANCY” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE  
23       CITY BUILDING CODE.

24       **202.2.10 OCCUPANT.** “OCCUPANT” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
25       BUILDING CODE.

26       **202.2.11 OPERATOR.** “OPERATOR” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
27       BUILDING CODE.

28       **202.2.12 OWNER.** “OWNER” MEANS ANY PERSON THAT:

- 29           1. HAS A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY,
- 30           2. IS RECORDED IN THE LAND RECORDS AS HOLDING TITLE TO THE PROPERTY, OR
- 31           3. OTHERWISE HAS CONTROL OF THE PROPERTY, WITH OR WITHOUT ACCOMPANYING  
32           POSSESSION OF THE PROPERTY, INCLUDING:
  - 33               A. A GUARDIAN OF THE PERSON OR ESTATE OF AN OWNER,
  - 34               B. A TRUSTEE, INCLUDING A TRUSTEE IN BANKRUPTCY, OF AN OWNER, OR

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1 C. THE PERSONAL REPRESENTATIVE OF THE ESTATE OF AN OWNER.

2 **202.2.13 PERSON.** “PERSON” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
3 BUILDING CODE.

4 **202.2.14 PREMISES.** “PREMISES” MEANS A LOT OR GROUP OF LOTS, TOGETHER WITH ALL OR ANY  
5 PART OF ANY STRUCTURES ON THE LOT OR GROUP OF LOTS, CONSIDERED AS A UNIT DEVOTED TO A  
6 PARTICULAR USE, INCLUDING ACCESSORY STRUCTURES AND OPEN SPACES REQUIRED OR USED IN  
7 CONNECTION WITH THAT PARTICULAR USE.

8 **202.2.15 ROOMING HOUSE.** “ROOMING HOUSE” MEANS A BUILDING THAT:

- 9 1. IS NOT A MULTIPLE FAMILY DWELLING, AND
- 10 2. CONTAINS MORE THAN 2 ROOMING UNITS OCCUPIED OR DESIGNED OR INTENDED TO BE  
11 OCCUPIED BY INDIVIDUALS WHO, EVEN THOUGH THEY MIGHT SHARE COMMON AREAS AND  
12 FACILITIES, DO NOT FORM A SINGLE HOUSEKEEPING UNIT AND DO NOT PROVIDE  
13 COMPENSATION UNDER A SINGLE LEASE FOR OCCUPANCY OF THE ROOMING HOUSE.

14 **202.2.15.1 INCLUSIONS.** “ROOMING HOUSE” INCLUDES A HOTEL, MOTEL, OR BOARDING HOUSE.

15 **202.2.16 ROOMING UNIT.** “ROOMING UNIT” MEANS ANY ROOM OR GROUP OF ROOMS THAT FORM A  
16 SINGLE HABITABLE UNIT OCCUPIED OR DESIGNED OR INTENDED TO BE OCCUPIED FOR SLEEPING OR  
17 LIVING, BUT NOT FOR COOKING PURPOSES.

18 **202.2.17 STRICT LIABILITY OFFENSE.** “STRICT LIABILITY OFFENSE” MEANS AN OFFENSE IN WHICH  
19 THE PROSECUTION IN A LEGAL PROCEEDING IS NOT REQUIRED TO PROVE KNOWLEDGE OR INTENT AS  
20 A PART OF ITS CASE. IT IS ENOUGH TO PROVE THAT THE DEFENDANT EITHER DID AN ACT THAT WAS  
21 PROHIBITED OR FAILED TO DO AN ACT THAT THE DEFENDANT WAS LEGALLY REQUIRED TO DO.

22 **202.2.18 STRUCTURE.** “STRUCTURE” HAS THE MEANING STATED IN IPMC § 202 AND, UNLESS THE  
23 CONTEXT INDICATES OTHERWISE, INCLUDES PREMISES AND LANDS.

24 **202.2.19 TRASH.** “TRASH” MEANS RUBBISH, AS DEFINED IN IPMC § 202.

25 **202.2.20 WORKMANLIKE.** “WORKMANLIKE” MEANS EXECUTED IN A SKILLED MANNER IN  
26 ACCORDANCE WITH THE STANDARDS OF THE TRADE – E.G., GENERALLY PLUMB, LEVEL, SQUARE, IN  
27 LINE, UNDAMAGED, AND WITHOUT MARRING ADJACENT WORK.

### 28 CHAPTER 3. GENERAL REQUIREMENTS

#### 29 SECTION 301 GENERAL

30 **301.1 SCOPE.** THIS CHAPTER GOVERNS THE MINIMUM REQUIREMENTS AND THE RESPONSIBILITIES OF  
31 PERSONS FOR REPAIR AND MAINTENANCE OF STRUCTURES, EQUIPMENT, AND PREMISES.

#### 32 **301.2 RESPONSIBILITY.**

33 **301.2.1 OWNERS AND OPERATORS.** EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED, THE OWNER  
34 AND THE OPERATOR OF ANY PREMISES ARE RESPONSIBLE FOR MAINTAINING ALL STRUCTURES AND  
35 EXTERIOR PROPERTY AREAS IN COMPLIANCE WITH ALL REQUIREMENTS OF THIS CHAPTER.

36 **301.2.2 OCCUPANTS – IN GENERAL.** THE OCCUPANT OF ANY PREMISES:

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- 1           1. MUST GIVE THE OWNER AND THE OWNER’S AGENTS ACCESS TO THE PREMISES, AT ALL  
2           REASONABLE TIMES, FOR THE PURPOSE OF INSPECTING AND MAKING REPAIRS OR  
3           ALTERATIONS AS NECESSARY TO EFFECT COMPLIANCE WITH THIS CODE OR WITH ANY  
4           LAWFUL RULE OR REGULATION ADOPTED OR ORDER ISSUED UNDER THIS CODE,
- 5           2. MAY NOT OBSTRUCT ANY REQUIRED MEANS OF EGRESS,
- 6           3. MAY NOT STORE FLAMMABLE LIQUIDS OR GAS OR UNSAFE QUANTITIES OF COMBUSTIBLE  
7           MATERIALS,
- 8           4. IF IN CONTROL OF THE HEATING FACILITIES, MUST MAINTAIN A SUFFICIENTLY HIGH  
9           TEMPERATURE IN ALL PARTS OF THE UNIT TO PREVENT DAMAGE TO THE PLUMBING SYSTEM,  
10          AND
- 11          5. IS RESPONSIBLE FOR:
  - 12                A. KEEPING IN A CLEAN AND SANITARY CONDITION THE OCCUPANT’S UNIT AND ANY  
13                OTHER PART OF THE PREMISES THAT THE OCCUPANT OCCUPIES OR CONTROLS, AND
  - 14                B. OTHERWISE COMPLYING WITH THE REQUIREMENTS SPECIFIED IN § 308 OF THIS  
15                CHAPTER.

16           **301.2.3 OCCUPANTS – VANDALISM.** THE OCCUPANT OF A NON-OWNER OCCUPIED DWELLING MAY  
17           NOT DESTROY, DEFACE, DAMAGE, IMPAIR, OR CARRY AWAY, NOR PERMIT ANY OTHER PERSON ON  
18           THE PREMISES TO DESTROY, DEFACE, DAMAGE, IMPAIR, OR CARRY AWAY ANY OF THE FACILITIES,  
19           EQUIPMENT, APPURTENANCES, OR ANY PART OF THE STRUCTURE OF THE DWELLING.

20           **301.3 VACANT STRUCTURES AND LAND.** ALL VACANT STRUCTURES AND THEIR PREMISES AND ALL  
21           VACANT LAND MUST BE MAINTAINED IN A CLEAN, SANITARY, AND SAFE CONDITION, AS PROVIDED IN  
22           THIS CODE.

23           **301.4 LEAD-BASED PAINT.** LEAD-PAINT HAZARDS MUST BE ABATED IN ACCORDANCE WITH THE RULES  
24           AND REGULATIONS OF THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND THE BALTIMORE CITY  
25           HEALTH DEPARTMENT.

26           **301.4.1 UNOCCUPIED DWELLING UNIT — SCOPE.** THESE PROVISIONS APPLY TO ANY DWELLING  
27           UNIT THAT:

- 28           1. IS THE SUBJECT OF A NOTICE OR ORDER FOR THE TREATMENT OF LEAD PAINT, AND
- 29           2. BECOMES UNOCCUPIED EITHER:
  - 30                A. BEFORE THE NOTICE OR ORDER IS SERVED, OR
  - 31                B. WHILE THE NOTICE OR ORDER IS STILL OUTSTANDING.

32           **301.4.2 UNOCCUPIED DWELLING UNIT — POSTING PROPERTY.** IF A DWELLING UNIT IS OR  
33           BECOMES UNOCCUPIED, THE HEALTH COMMISSIONER IMMEDIATELY MUST POST 1 OR MORE PUBLIC  
34           NOTICES IN, ON, OR AROUND THE DWELLING UNIT STATING THAT THE DWELLING UNIT MAY NOT BE  
35           REOCCUPIED UNTIL THE LEAD PAINT NOTICE OR ORDER HAS BEEN ABATED.

36           **301.4.3 UNOCCUPIED DWELLING UNIT — REOCCUPANCY PROHIBITED.** IF A DWELLING UNIT IS  
37           OR BECOMES UNOCCUPIED, THE DWELLING UNIT MAY NOT BE REOCCUPIED UNTIL:



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1           1. THE LEAD PAINT NOTICE OR ORDER HAS BEEN ABATED, AND

2           2. THE HEALTH COMMISSIONER HAS GIVEN WRITTEN APPROVAL OF REOCCUPANCY.

3           **301.4.4 UNOCCUPIED DWELLING UNIT — REMOVING NOTICE, ETC., PROHIBITED.** UNTIL THE  
4 HEALTH COMMISSIONER HAS GIVE WRITTEN APPROVAL OF REOCCUPANCY, NO PERSON MAY  
5 REMOVE, DEFACE, OR OTHERWISE TAMPER WITH ANY NOTICE THAT HAS BEEN POSTED UNDER THIS  
6 SECTION.

7           **301.4.5 UNOCCUPIED DWELLING UNIT — UNAUTHORIZED REOCCUPANCY.** IF A DWELLING UNIT  
8 IS REOCCUPIED IN VIOLATION OF THIS SECTION:

9           1. EACH DAY THAT AN UNAUTHORIZED OCCUPANCY CONTINUES IS A SEPARATE OFFENSE, AND

10          2. THE OWNER AND OPERATOR OF THE UNIT ARE SUBJECT TO THE FOLLOWING PENALTIES:

11                   A. IN A CRIMINAL PROSECUTION, A CRIMINAL FINE OF UP TO \$500 FOR EACH OFFENSE,  
12                   AND

13                   B. IN AN ACTION SEEKING EQUITABLE RELIEF, A CIVIL FINE OF UP TO \$500 FOR EACH  
14                   OFFENSE.

15   **SECTION 302 EXTERIOR PROPERTY AREAS {NOT ADOPTED}**

16   **SECTION 303 SWIMMING POOLS, SPAS, AND HOT TUBS {NOT ADOPTED}**

17   **SECTION 304 REPAIR AND MAINTENANCE OF STRUCTURES**

18           **304.1 GENERAL.** THE INTERIOR AND EXTERIOR OF A STRUCTURE MUST BE MAINTAINED IN GOOD REPAIR  
19 AND IN A STRUCTURALLY SOUND AND SANITARY CONDITION.

20           **304.2 PROTECTIVE TREATMENT. {AS IN IPMC}**

21           **304.3 PREMISES IDENTIFICATION. {NOT ADOPTED}**

22           **304.4 STRUCTURAL MEMBERS.** ALL INTERIOR AND EXTERIOR STRUCTURAL MEMBERS MUST BE:

23                   1. MAINTAINED IN A STRUCTURALLY SOUND CONDITION AND FREE FROM DETERIORATION, AND

24                   2. CAPABLE OF SAFELY SUPPORTING THE IMPOSED DEAD AND LIVE LOADS.

25           **304.5 FOUNDATION WALLS. {AS IN IPMC}**

26           **304.6 EXTERIOR WALLS. {AS IN IPMC}**

27           **304.7 ROOFS AND DRAINAGE.** THE ROOF AND FLASHING MUST BE SOUND, TIGHT, AND WITHOUT  
28 DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE MUST BE ADEQUATE TO PREVENT DAMPNES OR  
29 DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS, AND  
30 DOWNSPOUTS MUST BE PROVIDED AND MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS.  
31 ROOF WATER MUST BE DISCHARGED AWAY FROM THE FOUNDATION AND MAY NOT BE DISCHARGED IN A  
32 MANNER THAT CREATES A PUBLIC NUISANCE.

33           **304.8 DECORATIVE FEATURES. {AS IN IPMC}**

34           **304.9 OVERHANG EXTENSIONS. {AS IN IPMC}**

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1 **304.10 STAIRWAYS, FLOORS, DECKS, ETC.** EVERY INTERIOR AND EXTERIOR STAIRWAY, FLOOR, DECK,  
2 PORCH, AND BALCONY, AND ALL THEIR APPURTENANCES MUST BE:

- 3 1. STRUCTURALLY SOUND,
- 4 2. PROPERLY ANCHORED AND CAPABLE OF SUPPORTING THE IMPOSED LOADS, AND
- 5 3. MAINTAINED IN GOOD REPAIR AND SAFE CONDITION.

6 **304.11 CHIMNEYS AND TOWERS.** *{AS IN IPMC}*

7 **304.12 HANDRAILS AND GUARDS.** *{AS IN IPMC}*

8 **304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES.** *{AS IN IPMC}*

9 **304.14 INSECT SCREENS.** *{NOT ADOPTED}*

10 **304.15 DOORS.**

11 **304.15.1 GENERAL.**

- 12 1. ALL DOORS, DOOR ASSEMBLIES, AND HARDWARE MUST BE MAINTAINED IN GOOD  
13 CONDITION.
- 14 2. EXCEPT AS OTHERWISE REQUIRED FOR MEANS OF EGRESS DOORS, LOCKS AND LATCHING  
15 HARDWARE MUST BE PROVIDED AT ALL ENTRANCES TO DWELLING UNITS AND ROOMING  
16 UNITS AND MUST TIGHTLY SECURE THE DOORS AT THOSE ENTRANCES.
- 17 3. DOORS MUST FIT PROPERLY WITHIN THEIR FRAMES.
- 18 4. EXCEPT FOR A BUILDING WHERE THE ENTRANCES ARE STAFFED BY SECURITY PERSONNEL OR  
19 WHERE UNOBSTRUCTED ACCESS IS PROVIDED TO THE ENTRANCE OF EACH UNIT, IN A  
20 BUILDING THAT CONTAINS 2 OR MORE DWELLING UNITS, AN ELECTRIC DOORBELL MUST BE  
21 PROVIDED FOR EACH DWELLING UNIT IN THAT BUILDING.

22 **304.15.2 INTERIOR.** EVERY INTERIOR DOOR MUST BE CAPABLE OF BEING OPENED AND CLOSED BY  
23 BEING SECURELY ATTACHED AND PROPERLY EQUIPPED WITH PROPERLY FUNCTIONING ATTACHMENT  
24 AND LATCHING HARDWARE.

25 **304.16 BASEMENT HATCHWAYS.** *{AS IN IPMC}*

26 **304.17 GUARDS FOR BASEMENT WINDOWS.** *{AS IN IPMC}*

27 **304.18 BUILDING SECURITY.** *{AS IN IPMC}*

28 **304.19** *{RESERVED}*

29 **304.20 INTERIOR SURFACES.** ALL INTERIOR SURFACES, INCLUDING FLOORS, WALLS, CEILINGS,  
30 WINDOWS, AND DOORS, MUST BE MAINTAINED IN GOOD, CLEAN, AND SANITARY CONDITION. PEELING,  
31 CHIPPING, FLAKING, OR ABRADED PAINT MUST BE REPAIRED, REMOVED, OR COVERED. CRACKED OR  
32 LOOSE PLASTER, DECAYED WOOD, AND OTHER DEFECTIVE SURFACE CONDITIONS MUST BE CORRECTED.  
33 FLOORS IN KITCHENS, BATHROOMS, LAVATORIES, TOILET ROOMS, AND LAUNDRY ROOMS MUST BE KEPT  
34 IMPERVIOUS TO WATER.

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1       **304.21 GRADING AND DRAINAGE.** ALL PREMISES MUST BE GRADED AND MAINTAINED TO:

- 2           1. DRAIN AWAY FROM THE FOUNDATION OF ANY STRUCTURE AND AWAY FROM ADJOINING
- 3           PROPERTY,
- 4           2. PREVENT THE EROSION OF SOIL, AND
- 5           3. PREVENT THE ACCUMULATION OF STAGNANT WATER.

6       **304.22 SIDEWALKS, DRIVEWAYS, ETC.** ALL SIDEWALKS, WALKWAYS, STAIRS, DRIVEWAYS, PARKING

7       SPACES, AND SIMILAR AREAS MUST BE KEPT IN GOOD REPAIR AND FREE FROM HAZARDOUS CONDITIONS.

8       **304.23 EXHAUST VENTS.** PIPES, DUCTS, CONDUCTORS, FANS, OR BLOWERS MAY NOT BE ALLOWED TO

9       DISCHARGE GASES, STEAM, VAPOR, HOT AIR, GREASE, SMOKE, ODORS, OR OTHER GASEOUS OR

10       PARTICULATE WASTES DIRECTLY ON ANY ABUTTING OR ADJACENT PUBLIC OR PRIVATE PROPERTY OR ON

11       ANY PROPERTY AREAS OCCUPIED BY ANOTHER IN THE SAME BUILDING.

12       **304.24 ACCESSORY STRUCTURES.** ALL ACCESSORY STRUCTURES, INCLUDING DETACHED GARAGES,

13       FENCES, GATES, WALLS, AND SWIMMING POOLS, MUST BE MAINTAINED IN A STRUCTURALLY SOUND

14       CONDITION AND IN GOOD REPAIR.

15       **304.25 DEFACED PROPERTY.** IF AN EXTERIOR SURFACE OF A STRUCTURE HAS BEEN DEFACED BY

16       CARVINGS, MARKINGS, OR GRAFFITI, THE SURFACE MUST BE RESTORED TO AN APPROVED STATE OF

17       MAINTENANCE AND REPAIR.

18       **304.26 NUISANCE OR HAZARDOUS CONDITIONS.** ALL PREMISES MUST BE KEPT FREE OF ANY OBJECT,

19       MATERIAL, OR CONDITION THAT CONSTITUTES A NUISANCE OR A FIRE, ACCIDENT, OR HEALTH HAZARD.

20       **304.27 {RESERVED}**

21       **304.28 RATPROOFING.** ALL BUILDINGS MUST BE RATPROOFED AND MAINTAINED IN A RATPROOF

22       CONDITION BY THE OWNER OR HIS AGENT. RATPROOFING METHODS INCLUDE:

- 23           1. PREVENTING ENTRANCE BY BLOCKING PASSAGES WITH RAT-RESISTANT MATERIAL, AND
- 24           2. PAVING BASEMENTS AND ANY OTHER AREAS THAT ARE IN CONTACT WITH THE SOIL.

25       **304.29 EQUIPMENT.** ALL EQUIPMENT REQUIRED BY THE BUILDING, FIRE, AND RELATED CODES OF

26       BALTIMORE CITY MUST BE MAINTAINED IN GOOD WORKING CONDITION.

27       **304.30 FIRE PROTECTION.** ALL REQUIRED FIRE PROTECTION, INCLUDING SEPARATION BETWEEN

28       NONRESIDENTIAL AND RESIDENTIAL OCCUPANCIES, MUST BE MAINTAINED IN GOOD REPAIR. ALL FIRE

29       DOORS MUST BE EQUIPPED AND MAINTAINED AS REQUIRED BY THE FIRE CODE OF BALTIMORE CITY.

### 30       SECTION 305 EXTERIOR SANITARY MAINTENANCE – GENERAL

31       **305.1 GENERAL.** ALL LOTS AND EXTERIOR PREMISES, INCLUDING ABUTTING SIDEWALKS, GUTTERS,

32       AND ALLEYS, MUST BE MAINTAINED IN A CLEAN, SAFE, AND SANITARY CONDITION.

33       **305.2 GRASS AND WEEDS.**

34           **305.2.1 “WEEDS” DEFINED.** IN THIS SECTION, “WEEDS” INCLUDES ALL PLANTS AND VEGETATION

35           OTHER THAN:

- 36           1. TREES OR SHRUBS, OR

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1           2. CULTIVATED FLOWERS AND GARDENS.

2           **305.2.2 MAINTENANCE REQUIREMENTS.** ALL PREMISES AND EXTERIOR PROPERTY MUST BE  
3 MAINTAINED FREE OF GRASS, WEEDS, OR PLANT GROWTH IN EXCESS OF 8 INCHES (203 MM). ALL  
4 NOXIOUS WEEDS ARE PROHIBITED.

5           **305.3 TREES AND SHRUBBERY.** ALL TREES AND SHRUBBERY THAT ARE DANGEROUS TO LIFE AND  
6 PROPERTY OR THAT CREATE A FIRE OR TRAFFIC HAZARD MUST BE PRUNED OR REMOVED TO ELIMINATE  
7 THE DANGER, HAZARD, OR ENCROACHMENT.

8           **305.4 PEST CONTROL.** ALL EXTERIOR PROPERTY AREAS MUST BE KEPT FREE FROM INFESTATION BY  
9 INSECTS, RODENTS, AND OTHER PESTS, FROM RODENT HARBORAGE, AND FROM THE CONDITIONS THAT  
10 ATTRACT PESTS. WHERE PESTS ARE FOUND, THEY MUST BE PROMPTLY EXTERMINATED BY APPROVED  
11 PROCESSES THAT WILL NOT BE INJURIOUS TO HUMAN HEALTH.

12           **305.5 MOTOR VEHICLES AND TRAILERS.** EXCEPT ONLY AS OTHERWISE EXPRESSLY AUTHORIZED BY  
13 LAW, THE FOLLOWING RULES APPLY TO ALL MOTOR VEHICLES AND TRAILERS.

- 14           1. NO MOTOR VEHICLE OR TRAILER MAY BE PARKED, KEPT, OR STORED, WHETHER OR NOT  
15 COVERED, ON ANY EXTERIOR PREMISES IF:
  - 16           A. IT IS INOPERATIVE, UNREGISTERED, OR FAILS TO DISPLAY CURRENT REGISTRATION  
17 TAGS, OR
  - 18           B. IT IS IN A STATE OF DISASSEMBLY OR DISREPAIR OR IN THE PROCESS OF BEING STRIPPED  
19 OR DISMANTLED.
- 20           2. A MOTOR VEHICLE OR TRAILER MAY BE PARKED, KEPT, OR STORED ONLY ON A DUSTLESS ALL-  
21 WEATHER SURFACE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE BUILDING  
22 CODE AND ZONING CODE OF BALTIMORE CITY.
- 23           3. PAINTING A MOTOR VEHICLE OR TRAILER IS PROHIBITED UNLESS CONDUCTED INSIDE AN  
24 APPROVED SPRAY BOOTH.

25           **EXCEPTION:** ON PREMISES WITH A PROPER USE PERMIT, A VEHICLE MAY UNDERGO OVERHAUL,  
26 INCLUDING BODY WORK, IF THAT WORK IS PERFORMED INSIDE A STRUCTURE OR SIMILARLY  
27 ENCLOSED AREA DESIGNED AND APPROVED FOR THAT PURPOSE.

28           **305.6 SWIMMING POOLS.** SWIMMING POOLS MUST BE MAINTAINED IN A CLEAN, SAFE, AND SANITARY  
29 CONDITION.

30           **305.7 OUTDOOR STORAGE.** OUTDOOR STORAGE MUST BE NEAT AND ORDERLY. ALL STORED OBJECTS  
31 AND MATERIALS MUST BE ELEVATED AT LEAST 1 FOOT OFF THE GROUND TO PREVENT RAT HARBORAGE,  
32 UNLESS ELEVATION IS DETERMINED UNNECESSARY BY THE COMMISSIONER.

33           **305.7.1 CAVEAT.** NOTHING IN THIS SECTION AUTHORIZES ANY OUTDOOR STORAGE THAT IS  
34 OTHERWISE PROHIBITED BY LAW.

35           **SECTION 306 EXTERIOR SANITARY MAINTENANCE – TRASH, GARBAGE, AND DEBRIS**

36           **306.1 ACCUMULATION PROHIBITED.** ALL PREMISES, INCLUDING ABUTTING SIDEWALKS, GUTTERS, AND  
37 ALLEYS, AS WELL AS THE INTERIOR OF EVERY STRUCTURE, MUST BE KEPT FREE OF ANY ACCUMULATION  
38 OF TRASH, GARBAGE, AND DEBRIS, INCLUDING ANY ANIMAL WASTE, CONSTRUCTION MATERIAL,  
39 EQUIPMENT, FURNITURE, APPLIANCES, AND SIMILAR OBJECTS AND MATERIALS.

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1 **306.2 BULK TRASH.** IF DISCARDED OR ABANDONED ARTICLES ARE TOO LARGE TO BE DISPOSED OF IN  
2 REQUIRED RECEPTACLES, THEY MUST BE CONVEYED TO AN APPROPRIATE LANDFILL OR OTHER APPROVED  
3 DISPOSAL SITE.

4 **306.3 NO DEPOSIT ON SIDEWALKS, ETC.** NO TRASH, GARBAGE, OR DEBRIS MAY BE DEPOSITED ON ANY  
5 SIDEWALK, ALLEY, OR STREET OR ON ANY PUBLIC OR PRIVATE LOT, EXCEPT AS SPECIFIED IN §§ 306.4  
6 THROUGH 306.7 OF THIS CHAPTER.

7 **306.4 STORAGE RECEPTACLES – REQUIRED.** TRASH, GARBAGE, OR DEBRIS MAY NOT BE STORED OR  
8 PLACED OUT FOR COLLECTION EXCEPT IN APPROVED STORAGE RECEPTACLES. THE OWNER OR OPERATOR  
9 OF EVERY OCCUPIED PREMISES MUST SUPPLY A SUFFICIENT NUMBER OF THESE STORAGE RECEPTACLES  
10 TO RECEIVE AND STORE TRASH, GARBAGE, AND DEBRIS FROM INDIVIDUAL UNITS BETWEEN DAYS OF  
11 COLLECTION. THE RECEPTACLES MUST BE PROVIDED IN A LOCATION ACCESSIBLE TO OCCUPANTS.

12 **306.5 STORAGE RECEPTACLES – LOCATION.** IF, IN THE OPINION OF THE CODE OFFICIAL, THE  
13 EXTERIOR MAINTENANCE OF STORAGE RECEPTACLES IS CAUSING NUISANCE OR BLIGHT, THE CODE  
14 OFFICIAL MAY REQUIRE THAT, BETWEEN DAYS OF COLLECTION, THE RECEPTACLES BE STORED:

- 15 1. INSIDE THE BUILDING THEY SERVE , OR
- 16 2. IN THE DISCRETION OF THE CODE OFFICIAL, WITHIN A CONTIGUOUS STRUCTURE.

17 **306.6 STORAGE RECEPTACLES – CONSTRUCTION AND MAINTENANCE.** EACH STORAGE RECEPTACLE  
18 MUST BE:

- 19 1. MADE OF METAL OR SOME OTHER DURABLE MATERIAL APPROVED BY THE CODE OFFICIAL,
- 20 2. WATERTIGHT, WITH TIGHT-FITTING COVERS AND HANDLES,
- 21 3. MAINTAINED IN GOOD REPAIR,
- 22 4. KEPT TIGHTLY CLOSED TO PREVENT BLIGHT, NUISANCE, PEST INFESTATION, AND DISPERSAL OF  
23 TRASH, GARBAGE, OR DEBRIS, AND
- 24 5. HAVE A CAPACITY OF:
  - 25 A. NOT LESS THAN 3 GALLONS, AND
  - 26 B. NOT MORE THAN:
    - 27 I. 10 GALLONS, IF USED FOR GARBAGE ONLY, OR
    - 28 II. 20 GALLONS, IF USED FOR MIXED REFUSE, AS DEFINED IN CITY CODE ARTICLE 23,  
29 § 2-1.

30 **306.7 PLACEMENT FOR COLLECTION.** STORAGE RECEPTACLES:

- 31 1. MAY NOT BE PLACED OUT FOR COLLECTION ON A SIDEWALK OR ALONG AN ALLEY EARLIER THAN  
32 THE MORNING OF THE DAY OF COLLECTION, AND
- 33 2. MUST BE RETURNED PROMPTLY TO THE PREMISES AFTER COLLECTION.

34 **306.8 OWNER TRANSPORT.** AT ANY BUILDING FOR WHICH THE CITY DOES NOT PROVIDE COLLECTION  
35 SERVICES, THE OWNER AND OPERATOR MUST COLLECT AND TRANSPORT THE BUILDING'S TRASH,  
36 GARBAGE, AND DEBRIS TO AN APPROPRIATE LANDFILL OR OTHER APPROVED DISPOSAL SITE.

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### SECTION 307 INTERIOR SANITARY MAINTENANCE

**307.1 GENERAL.** THE INTERIOR OF EACH UNIT AND THE SHARED, COMMON, OR PUBLIC AREAS WITHIN EACH BUILDING THAT CONTAINS MORE THAN ONE UNIT MUST BE MAINTAINED IN A CLEAN AND SANITARY CONDITION.

**307.2 FLOOR, FURNITURE, ETC., SURFACES.** FLOORS, FURNITURE, COUNTERTOPS, AND SIMILAR SURFACES MUST BE CLEAN AND FREE OF TRASH, GARBAGE, AND DEBRIS, INCLUDING HUMAN AND ANIMAL WASTE AND ANY OTHER INSANITARY MATTER OR CAUSE OF NUISANCE.

**307.3 WALLS, CEILINGS, AND OPENINGS.** WALLS, CEILINGS, WINDOWS, AND DOORWAYS MUST BE CLEAN AND FREE OF DIRT, GREASE, SOOT, AND ANY OTHER INSANITARY MATTER OR CAUSE OF NUISANCE.

**307.4 TRASH, ETC., RECEPTACLES.** EACH UNIT MUST HAVE A SUFFICIENT NUMBER OF INTERIOR RECEPTACLES TO CONTAIN THAT UNIT'S TRASH, GARBAGE, AND DEBRIS.

**307.5 PLUMBING FIXTURES.** PLUMBING FIXTURES MUST BE KEPT CLEAN AND FREE FROM ANY FOREIGN OBJECT OR MATERIAL THAT COULD OBSTRUCT A FIXTURE OR A LINE CONNECTED TO A FIXTURE.

**307.6 {RESERVED}**

**307.7 PEST CONTROL.** THE INTERIOR OF EVERY BUILDING MUST BE KEPT FREE OF INFESTATION BY INSECTS, RODENTS, AND OTHER PESTS.

### SECTION 308 OCCUPANTS' SANITARY RESPONSIBILITIES.

**308.1 GENERAL.** AN OCCUPANT MUST KEEP IN A CLEAN AND SANITARY CONDITION THE OCCUPANT'S UNIT AND ANY OTHER PART OF THE PREMISES THAT THE OCCUPANT OCCUPIES OR CONTROLS. HOWEVER, THE OWNER AND OPERATOR IS RESPONSIBLE FOR ANY INSANITARY CONDITION CAUSED BY A SEWER BACK-UP OR A STRUCTURAL DEFECT.

**308.2 EXTERIORS.** AN OCCUPANT OF A SINGLE-UNIT BUILDING AND AN OCCUPANT OF A UNIT WITH EXCLUSIVE USE OF AN EXTERIOR PROPERTY AREA MUST MAINTAIN THE EXTERIOR AREAS, INCLUDING ABUTTING SIDEWALKS, GUTTERS, AND ALLEYS, IN COMPLIANCE WITH §§ 305 AND 306 OF THIS CHAPTER. HOWEVER, THE OWNER AND OPERATOR ARE RESPONSIBLE FOR ANY INSANITARY CONDITION CAUSED BY A SEWER BACK-UP OR A STRUCTURAL DEFECT.

**308.3 INTERIORS.** EXCEPT AS OTHERWISE SPECIFIED IN § 308.5, AN OCCUPANT MUST MAINTAIN THE INTERIOR OF THE OCCUPANT'S UNIT AND ANY OTHER PART OF THE BUILDING THAT THE OCCUPANT OCCUPIES OR CONTROLS IN COMPLIANCE WITH § 307 OF THIS CHAPTER.

**308.4 PEST CONTROL – SINGLE-UNIT BUILDING.** AN OCCUPANT OF A SINGLE-UNIT BUILDING IS RESPONSIBLE FOR EXTERMINATION OF INSECTS, RODENTS, OR OTHER PESTS, OTHER THAN WOOD-DESTROYING INSECTS.

**308.5 PEST CONTROL – MULTI-UNIT BUILDING.** AN OCCUPANT OF A MULTI-UNIT BUILDING IS RESPONSIBLE FOR EXTERMINATION IF THE OCCUPANT'S UNIT IS THE ONLY ONE AFFECTED.

**308.6 TRASH DISPOSAL.** AN OCCUPANT MAY DISPOSE OF TRASH, GARBAGE, AND DEBRIS ONLY IN COMPLIANCE WITH § 306 OF THIS CHAPTER.

**308.7 NUISANCES.** AN OCCUPANT MAY NOT CREATE OR MAINTAIN, IN OR ON THE PROPERTY THAT THE OCCUPANT OCCUPIES AND CONTROLS, ANY CONDITION THAT CONSTITUTES A NUISANCE.

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## CHAPTER 4. LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS

### SECTION 401 GENERAL

#### 401.1 SCOPE. *{AS IN IPMC}*

**401.2 RESPONSIBILITY.** THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND MAINTAIN LIGHT, VENTILATION, AND SPACE CONDITIONS IN COMPLIANCE WITH THESE REQUIREMENTS.

#### 401.3 ALTERNATIVE DEVICES. *{AS IN IPMC}*

### SECTION 402 LIGHT

**402.1 HABITABLE SPACES.** EVERY HABITABLE SPACE MUST HAVE AT LEAST 1 WINDOW FACING DIRECTLY TO THE OUTDOORS OR TO AN OPEN COURT WHOSE FACING WALL IS AT LEAST 3 FEET (914 MM) AWAY. THE MINIMUM TOTAL GLAZED AREA FOR EVERY HABITABLE SPACE MUST BE 10% OF THE FLOOR AREA OF THAT SPACE.

**EXCEPTION:** NATURAL LIGHT FOR HABITABLE SPACES MAY BE PROVIDED THROUGH AN ADJOINING ROOM IF:

1. THE UNOBSTRUCTED OPENING TO THE ADJOINING ROOM IS AT LEAST 8% OF THE FLOOR AREA OF THE INTERIOR SPACE, AND
2. THE GLAZED AREA PROVIDING NATURAL LIGHT IS AT LEAST 8% OF THE COMBINED TOTAL FLOOR AREA BEING SERVED.

#### 402.2 COMMON HALLS AND STAIRWAYS. *{AS IN IPMC}*

#### 402.3 OTHER SPACES. *{AS IN IPMC}*

### SECTION 403 VENTILATION *{AS IN IPMC}*

### SECTION 404 OCCUPANCY LIMITATIONS

**404.1 PRIVACY.** DWELLING UNITS AND ROOMING UNITS MUST:

1. BE ARRANGED TO PROVIDE PRIVACY,
2. BE SEPARATE FROM ADJOINING UNITS AND COMMON AREAS, AND
3. HAVE A SEPARATE MEANS OF ACCESS FROM A HALLWAY, LANDING, STAIRWAY, OR STREET.

**404.2 MINIMUM ROOM SIZE.** A HABITABLE ROOM, OTHER THAN A KITCHEN, MAY NOT BE LESS THAN 7 FEET (2134 MM) IN ANY PLANE DIMENSION.

**404.2.1 KITCHENS.** A KITCHEN MUST CONTAIN AT LEAST 35 SQ. FT (3.25 SQ. M.) OF FLOOR AREA, AND, IF ARRANGED AS A CORRIDOR THE CORRIDOR BETWEEN COUNTER FRONTS OR BETWEEN A WALL AND COUNTER FRONTS MUST BE AT LEAST 3 FEET (914 MM).

**404.3 MINIMUM CEILING HEIGHTS.** HABITABLE SPACES HALLWAYS, CORRIDORS, LAUNDRY AREAS, AND BATHROOMS MUST HAVE A CLEAR CEILING HEIGHT OF NOT LESS THAN 7 FEET (2134 MM) OVER AT LEAST 50% OF THE FLOOR AREA. TOILET ROOMS MUST HAVE A CEILING HEIGHT OF NOT LESS THAN 6½ FEET (1981 MM) OVER AT LEAST 50% OF THE FLOOR AREA

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### EXCEPTIONS:

1. *{NOT ADOPTED}*
2. BASEMENT ROOMS THAT OTHERWISE MEET THE REQUIREMENTS OF THIS § 404.3 MAY HAVE A CLEAR HEIGHT OF NOT LESS THAN 6 FEET (1829 MM) UNDER BEAMS, GIRDERS, DUCTS, AND SIMILAR OBSTRUCTIONS.
3. ROOMS OCCUPIED EXCLUSIVELY FOR SLEEPING, STUDY, OR SIMILAR PURPOSES AND HAVING A SLOPED CEILING OVER ALL OR PART OF THE ROOM MAY HAVE A CLEAR CEILING HEIGHT OF NOT LESS THAN 7 FEET (2134 MM) OVER NOT LESS THAN 33⅓% OF THE REQUIRED MINIMUM FLOOR AREA.
4. AS ALLOWED BY REGULATIONS OF THE CODE OFFICIAL.

**404.3.1 FLOOR AREA CALCULATIONS.** IN CALCULATING FLOOR AREA FOR PURPOSES OF THIS § 404.3, ONLY THOSE PORTIONS OF THE FLOOR AREA WITH A CLEAR HEIGHT OF 5 FEET (1524 MM) OR MORE MAY BE INCLUDED.

**404.4 BEDROOM REQUIREMENTS.** *{AS IN IPMC}*

**404.5 OVERCROWDING.** *{AS IN IPMC}*

**404.6 EFFICIENCY UNIT.** *{NOT ADOPTED}*

**404.7 FOOD PREPARATION.** A DWELLING UNIT MUST CONTAIN A ROOM OR SPACE FOR THE STORAGE, PREPARATION, AND COOKING OF FOOD, INCLUDING A SINK AND SPACE AND CONNECTIONS FOR A STOVE AND REFRIGERATOR.

**404.8 CLOSETS.** A DWELLING UNIT MUST CONTAIN AT LEAST 1 CLOSET, FOR STORING CLOTHING AND OTHER ARTICLES, WITH A FLOOR AREA OF NOT LESS THAN 6 SQ. FT. (0.6 SQ. M.). A DWELLING UNIT WITH MORE THAN 1 BEDROOM MUST CONTAIN AT LEAST 1 ADDITIONAL CLOSET OF THE SAME MINIMUM SIZE.

**EXCEPTION:** THIS SECTION DOES NOT APPLY TO AN OWNER-OCCUPIED SINGLE FAMILY DWELLING.

**404.9 MINIMUM DWELLING UNIT SIZE.** A DWELLING UNIT MUST CONTAIN AT LEAST 240 SQ. FT. (22.3 SQ. M.) OF CLEAR FLOOR AREA. AT LEAST 1 ROOM MUST HAVE NOT LESS THAN 120 SQ. FT. (11.2 SQ. M.) OF FLOOR AREA, WITH ITS LEAST PLANE DIMENSION NOT LESS THAN 8 FEET (2438 MM).

## CHAPTER 5. PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

### SECTION 501 GENERAL

**501.1 SCOPE.** *{AS IN IPMC}*

**501.2 RESPONSIBILITY.** THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND MAINTAIN PLUMBING FACILITIES AND PLUMBING FIXTURES IN COMPLIANCE WITH THESE REQUIREMENTS.

### SECTION 502 REQUIRED FACILITIES *{AS IN IPMC}*

### SECTION 503 TOILET ROOMS AND BATHROOMS

**503.1 PRIVACY.** TOILET ROOMS AND BATHROOMS MUST PROVIDE PRIVACY AND MAY NOT CONSTITUTE THE ONLY MEANS OF ACCESS TO A DWELLING UNIT OR TO A HABITABLE SPACE OR HALL WITHIN A DWELLING UNIT. A DOOR WITH INTERIOR LOCKING DEVICE MUST BE PROVIDED.



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1       **503.2 LOCATION. {AS IN IPMC}**

2       **503.3 LOCATION OF EMPLOYEE TOILET FACILITIES. {AS IN IPMC}**

3       **503.4 FLOOR SURFACE. {NOT ADOPTED}**

4       **SECTION 504 PLUMBING SYSTEMS AND FIXTURES**

5       **504.1 GENERAL. {AS IN IPMC}**

6       **504.2 FIXTURE CLEARANCES. {AS IN IPMC}**

7       **504.3 PLUMBING SYSTEM DEFECTS.** INADEQUATE SERVICE, INADEQUATE VENTING, CROSS-  
8       CONTAMINATION, BACK-SIPHONAGE, IMPROPER INSTALLATION, DETERIORATION, DAMAGE, AND SIMILAR  
9       DEFECTS IN A PLUMBING SYSTEM MUST BE CORRECTED.

10      **SECTION 505 WATER SYSTEMS**

11      **505.1 GENERAL.** EVERY SINK, LAVATORY, BATHTUB, SHOWER, DRINKING FOUNTAIN, WATER CLOSET,  
12      OR OTHER PLUMBING FIXTURE MUST BE PROPERLY CONNECTED TO EITHER A PUBLIC WATER SYSTEM OR  
13      TO AN APPROVED PRIVATE WATER SYSTEM. ALL KITCHEN SINKS, LAVATORIES, LAUNDRY FACILITIES,  
14      BATHTUBS, AND SHOWERS MUST BE SUPPLIED WITH HOT AND COLD RUNNING WATER IN ACCORDANCE  
15      WITH THE NATIONAL STANDARD PLUMBING CODE.

16      **505.2 TO 505.3 {AS IN IPMC}**

17      **505.4 WATER HEATING FACILITIES.** EVERY DWELLING UNIT MUST HAVE WATER HEATING FACILITIES  
18      THAT ARE:

- 19           1. PROPERLY INSTALLED AND MAINTAINED,
- 20           2. PROPERLY CONNECTED TO EVERY REQUIRED SINK, LAVATORY BASIN, BATHTUB, SHOWER, AND  
21           LAUNDRY FACILITY,
- 22           3. PROPERLY EQUIPPED WITH AN APPROVED COMBINATION TEMPERATURE AND PRESSURE-RELIEF  
23           VALVE AND WITH A RELIEF-VALVE DISCHARGE PIPE,
- 24           4. CAPABLE OF AUTOMATICALLY HEATING WATER TO A TEMPERATURE OF NOT LESS THAN 110° F  
25           (43° C), AND
- 26           5. CAPABLE OF MEETING NORMAL DEMANDS AT EVERY REQUIRED OUTLET.

27      **505.4.1 VENTING GAS-FIRED HEATER.** A GAS-FIRED WATER HEATER MUST BE VENTED TO THE  
28      OUTSIDE AIR.

29      **SECTION 506 SANITARY DRAINAGE SYSTEM {AS IN IPMC}**

30      **SECTION 507 STORM DRAINAGE**

31      **507.1 GENERAL.** DRAINAGE OF ROOFS AND PAVED AREAS, YARDS AND COURTS, AND OTHER OPEN  
32      AREAS ON THE PREMISES MAY NOT BE DISCHARGED IN A MANNER THAT VIOLATES EITHER:

- 33           1. THE DRAINAGE REQUIREMENTS OF THE BALTIMORE CITY BUILDING CODE, OR
- 34           2. THE STORMWATER MANAGEMENT REQUIREMENTS OF THE CITY CODE.

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### CHAPTER 6. MECHANICAL AND ELECTRICAL REQUIREMENTS

#### SECTION 601 GENERAL

##### 601.1 SCOPE. *{AS IN IPMC}*

**601.2 RESPONSIBILITY.** THE OWNER AND THE OPERATOR OF A STRUCTURE MUST PROVIDE AND MAINTAIN MECHANICAL AND ELECTRICAL FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE REQUIREMENTS.

#### SECTION 602 HEATING FACILITIES

##### 602.1 FACILITIES REQUIRED. *{AS IN IPMC}*

**602.2 RESIDENTIAL OCCUPANCIES.** DWELLINGS MUST BE PROVIDED WITH PROPERLY INSTALLED AND MAINTAINED HEATING FACILITIES CAPABLE OF MAINTAINING A ROOM TEMPERATURE OF 70° F (21° C) IN ALL HABITABLE ROOMS, BATHROOMS, AND TOILET ROOMS. COOKING APPLIANCES MAY NOT BE USED TO PROVIDE SPACE HEATING TO MEET THE REQUIREMENTS OF THIS SECTION.

**602.3 HEAT SUPPLY.** EVERY OWNER AND OPERATOR WHO RENTS, LEASES, OR LETS ONE OR MORE DWELLING UNITS, ROOMING UNITS, OR DORMITORY, OR GUEST ROOMS MUST SUPPLY SUFFICIENT HEAT DURING THE PERIOD OF OCTOBER 1 THROUGH APRIL 30, INCLUSIVE, TO MAINTAIN AN AVERAGE TEMPERATURE OF:

1. NOT LESS THAN 70° F (21° C) IN ALL HABITABLE ROOMS, BATHROOMS, AND TOILET ROOMS, AND
2. NOT LESS THAN 65° F (18° C) IN ANY OTHER ROOM.

**EXCEPTION:** *{NOT ADOPTED}*

**602.4 OCCUPIABLE WORK SPACES.** INDOOR OCCUPIABLE WORK SPACES MUST BE SUPPLIED WITH SUFFICIENT HEAT DURING THE PERIOD OF OCTOBER 1 THROUGH APRIL 30, INCLUSIVE, TO MAINTAIN A TEMPERATURE OF NOT LESS THAN 65° F (18° C) DURING THE PERIOD THE SPACES ARE OCCUPIED.

**EXCEPTIONS:** *{AS IN IPMC}*

##### 602.5 ROOM TEMPERATURE MEASUREMENT. *{AS IN IPMC}*

**602.6 CENTRAL HEATING UNITS.** A CENTRAL HEATING UNIT MUST BE:

1. PROPERLY INSTALLED AND MAINTAINED,
2. IF FUEL-BURNING, PROPERLY CONNECTED TO AN APPROVED CHIMNEY OR VENT,
3. IF ELECTRICALLY POWERED, PROPERLY CONNECTED TO AN ELECTRIC CIRCUIT OF ADEQUATE POWER,
4. IF A HOT-AIR TYPE, EQUIPPED WITH PROPER SEALS BETWEEN SECTIONS OF THE FURNACE TO PREVENT FUMES FROM ESCAPING INTO HEAT DUCTS,
5. PROVIDED WITH ALL SAFETY DEVICES REQUIRED BY LAW, AND
6. CONNECTED TO DUCTS, PIPES, OR TUBES THAT ARE FREE FROM LEAKS AND OBSTRUCTIONS.

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**602.7 SPACE-HEATING UNITS. A SPACE-HEATING UNIT:**

1. MAY NOT USE GASOLINE OR ANY SIMILAR HIGHLY FLAMMABLE LIQUID FUEL,

**EXCEPTION:** A KEROSENE SPACE HEATER WITH FUEL PIPED FROM AN APPROVED TANK.

2. IF FUEL-BURNING, MAY NOT BE A PORTABLE UNIT,
3. IF FUEL-BURNING, MUST BE PROPERLY CONNECTED TO AN APPROVED FLUE OR VENT,

**EXCEPTION:** ORNAMENTAL GAS LOGS ARE PERMITTED IN A DWELLING WITH A PROPER HEATING SYSTEM IF LOCATED IN A VENTED FIREPLACE AND NOT IN A ROOM USED FOR SLEEPING.

4. MUST BE LOCATED TO PREVENT AND PROTECT AGAINST OVERHEATING ADJACENT COMBUSTIBLE MATERIAL,
5. IF USING ELECTRICITY, MUST BE PROPERLY CONNECTED TO AN ELECTRIC CIRCUIT OF ADEQUATE POWER,
6. MUST BE PROVIDED WITH ALL AUTOMATIC AND SAFETY DEVICES REQUIRED BY LAW,
7. MAY ONLY BE INSTALLED UNDER A PERMIT, AND
8. MUST BE PROPERLY OPERATED.

**SECTION 603 MECHANICAL EQUIPMENT**

**603.1 GENERAL.** ALL MECHANICAL EQUIPMENT PROVIDED MUST BE PROPERLY INSTALLED AND MAINTAINED IN A SAFE CONDITION. IN ADDITION, ALL REQUIRED MECHANICAL EQUIPMENT MUST BE MAINTAINED IN A SAFE WORKING CONDITION AND MUST BE CAPABLE OF PERFORMING ITS INTENDED FUNCTION.

**603.2 TO 603.6** *{AS IN IPMC}*

**SECTION 604 ELECTRICAL FACILITIES**

**604.1 FACILITIES REQUIRED.** *{AS IN IPMC}*

**604.2 SERVICE.** THE SIZE AND USAGE OF APPLIANCES AND EQUIPMENT SERVES AS A BASIS FOR DETERMINING THE NEED FOR ADDITIONAL FACILITIES IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE. DWELLING UNITS MUST BE SERVED BY A THREE-WIRE, 120/240 VOLT, SINGLE-PHASE ELECTRICAL SERVICE HAVING A RATING OF NOT LESS THAN 60 AMPERES.

**604.3 ELECTRICAL SYSTEM DEFECTS.** INADEQUATE SERVICE, IMPROPER FUSING, INSUFFICIENT RECEPTACLE OR LIGHTING OUTLETS, IMPROPER WIRING OR INSTALLATION, DETERIORATION, DAMAGE, AND SIMILAR DEFECTS IN AN ELECTRICAL SYSTEM MUST BE CORRECTED.

**SECTION 605 ELECTRICAL EQUIPMENT**

**605.1 INSTALLATION.** *{AS IN IPMC}*

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1 **605.2 RECEPTACLES.** EVERY HABITABLE SPACE IN A DWELLING MUST CONTAIN AT LEAST 2 SEPARATE  
2 AND REMOTE DUPLEX OUTLETS. EVERY KITCHEN AREA MUST CONTAIN ADDITIONAL OUTLETS,  
3 CONNECTED TO AN APPROPRIATE CIRCUIT, FOR A STOVE AND FOR A REFRIGERATOR. EVERY LAUNDRY  
4 AREA MUST CONTAIN AT LEAST 1 GROUNDED-TYPE RECEPTACLE OR A RECEPTACLE WITH A GROUND  
5 FAULT CIRCUIT INTERRUPTER. EVERY BATHROOM MUST CONTAIN AT LEAST 1 DUAL-RECEPTACLE. ANY  
6 NEW BATHROOM RECEPTACLE OUTLET MUST HAVE GROUND FAULT CIRCUIT INTERRUPTER PROTECTION.

7 **605.3 LUMINAIRES.** *{As in IPMC}*

8 **605.4 HALLS AND STAIRS.** IN A MULTIPLE-FAMILY DWELLING, EVERY COMMON HALLWAY AND  
9 STAIRWAY MUST BE ADEQUATELY LIGHTED AT ALL TIMES WITH AT LEAST 3 FOOT CANDLES OF LIGHT AT  
10 THE FLOOR OR STAIR TREAD LEVEL. OTHER DWELLINGS MUST HAVE FACILITIES SUFFICIENT TO PROVIDE  
11 THIS LEVEL OF ILLUMINATION AND BE EQUIPPED WITH CONVENIENTLY LOCATED LIGHT SWITCHES TO  
12 TURN THE FACILITIES ON AND OFF AS NEEDED.

13 **SECTION 606 ELEVATORS, ESCALATORS, AND DUMBWAITERS** *{As in IPMC}*

14 **SECTION 607 DUCT SYSTEMS** *{As in IPMC}*

15 **CHAPTER 7. FIRE SAFETY REQUIREMENTS**

16 **SECTION 701 GENERAL**

17 **701.1 SCOPE.** *{As in IPMC}*

18 **701.2 RESPONSIBILITY.** EXCEPT AS PROVIDED IN § 704, THE OWNER AND OPERATOR OF THE PREMISES  
19 MUST PROVIDE AND MAINTAIN FIRE SAFETY FACILITIES AND EQUIPMENT IN COMPLIANCE WITH THESE  
20 REQUIREMENTS.

21 **SECTION 702 MEANS OF EGRESS** *{As in IPMC}*

22 **SECTION 703 FIRE-RESISTANCE RATINGS**

23 **703.1 FIRE-RESISTANCE-RATED ASSEMBLIES.** THE REQUIRED FIRE-RESISTANCE RATING MUST BE  
24 MAINTAINED FOR ALL FIRE-RESISTANCE-RATED WALLS, FIRE STOPS, OCCUPANCY SEPARATIONS, SHAFT  
25 ENCLOSURES, FURNACE ROOM ENCLOSURES, STAIRWELL ENCLOSURES, PARTITIONS, AND FLOORS.

26 **703.2 OPENING PROTECTIVES.** REQUIRED OPENING PROTECTIVES MUST BE MAINTAINED IN AN  
27 OPERATIVE CONDITION.

28 **703.2.1 FIRE AND SMOKESTOP DOORS.** ALL FIRE AND SMOKESTOP DOORS:

- 29 1. MUST BE MAINTAINED IN AN OPERATIVE CONDITION,  
30 2. MAY NOT BE BLOCKED, OBSTRUCTED, OR OTHERWISE MADE INOPERABLE, AND  
31 3. MUST BE EQUIPPED WITH APPROVED SELF-CLOSING DEVICES.

32 **SECTION 704 FIRE PROTECTION SYSTEMS**

33 **704.1 GENERAL.** FIRE ALARM AND DETECTIONS SYSTEMS MUST COMPLY WITH THE REQUIREMENTS OF  
34 FIRE CODE § 907.

35 **704.2 TO 704.4** *{As in IPMC}*

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### CHAPTER 8. REFERENCED STANDARDS

#### SECTION 801 GENERAL

**801.1 SCOPE.** THIS CHAPTER 8 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.7 OF THIS CODE.

**801.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,  
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,  
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,  
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

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**PART VIII. INTERNATIONAL FIRE CODE**

**§ 8-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE INTERNATIONAL FIRE CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART VIII.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART VIII REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL FIRE CODE.

**§ 8-102. CITY MODIFICATIONS.**

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

**CHAPTER 1. ADMINISTRATION**

**SECTION 101 GENERAL**

**101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “FIRE CODE OF BALTIMORE CITY”.

**101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE FIRE CODE OF BALTIMORE CITY.

**101.2 SCOPE. {AS IN IFC}**

**101.2.1 APPENDICES ADOPTED.** THE FOLLOWING APPENDICES TO THE INTERNATIONAL FIRE CODE ARE ADOPTED AS PART OF THIS CODE:

1. APPENDIX B: “FIRE-FLOW REQUIREMENTS FOR BUILDING”.
2. APPENDIX D: “FIRE APPARATUS ACCESS ROADS”.
3. APPENDIX E: “HAZARD CATEGORIES”.
4. APPENDIX F: “HAZARD RANKING”.
5. APPENDIX G: “CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS”.

**101.2.2 APPENDICES NOT ADOPTED.** THE FOLLOWING APPENDICES TO THE INTERNATIONAL FIRE CODE ARE NOT ADOPTED AS PART OF THIS CODE:

1. APPENDIX A: “BOARD OF APPEALS”.
2. APPENDIX C: “FIRE HYDRANT LOCATIONS AND DISTRIBUTION”.

**101.3 TO 101.5 {AS IN IFC}**

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1 **SECTION 102 APPLICABILITY**

2 **102.1 TO 102.4** *{As in IFC}*

3 **102.5 HISTORIC BUILDINGS.** *{NOT ADOPTED}*

4 **102.6 REFERENCED CODES AND STANDARDS.** *{As in IFC}*

5 **102.6.1 MOST RECENT STANDARD.** WHERE A NEWER VERSION OF A STANDARD LISTED IN CHAPTER  
6 45 EXISTS, THE CODE OFFICIAL MAY USE THE NEWER VERSION OF THAT STANDARD UNLESS IT  
7 CREATES AN INCOMPATIBILITY WITH THIS CODE OR WITH THE BUILDING CODE OF BALTIMORE CITY.

8 **102.7 TO 102.9** *{As in IFC}*

9 **SECTION 103 DEPARTMENT OF FIRE PREVENTION** *{NOT ADOPTED}*

10 **SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES**

11 **104.1 GENERAL.** *{As in IFC}*

12 **104.1.1 LEGAL ENFORCEMENT.** THE FIRE CODE OFFICIAL MAY INSTITUTE OR CAUSE TO BE  
13 INSTITUTED, AT ANY TIME, ANY AND ALL LEGAL, EQUITABLE, OR CRIMINAL ACTIONS OR  
14 PROCEEDINGS NECESSARY OR APPROPRIATE TO ENFORCE THIS CODE. NOTHING IN THIS CODE  
15 PREVENTS THE FIRE CODE OFFICIAL FROM INSTITUTING OR CAUSING TO BE INSTITUTED AND FULLY  
16 PROSECUTING ANY AND ALL LEGAL OR EQUITABLE PROCEEDINGS OF ANY KIND NECESSARY OR  
17 APPROPRIATE TO COMPEL COMPLIANCE WITH THIS CODE, EVEN IF CRIMINAL PROCEEDINGS ARE  
18 PENDING OR HAVE BEEN COMPLETED.

19 **104.2 TO 104.9** *{As in IFC}*

20 **104.10 FIRE INVESTIGATIONS.** *{As in IFC}*

21 **104.10.1 FIRE INVESTIGATION BUREAU; FIRE MARSHAL.** THE FIRE INVESTIGATION BUREAU IS  
22 CONTINUED IN THE FIRE DEPARTMENT. THE BUREAU CONSISTS OF MEMBERS ASSIGNED TO IT BY  
23 THE CHIEF OF THE FIRE DEPARTMENT. THE HEAD OF THE BUREAU IS THE FIRE MARSHAL OF  
24 BALTIMORE CITY, TO BE DESIGNATED BY THE CHIEF. THE CHIEF MAY ALSO DESIGNATE ONE OR  
25 MORE OFFICERS OR OFFICIALS TO SERVE IN THE ABSENCE OF THE FIRE MARSHAL.

26 **104.10.2 GENERAL DUTIES.** THE FIRE INVESTIGATION BUREAU INVESTIGATES FIRES AND RELATED  
27 INCIDENTS IN BALTIMORE CITY. THE BUREAU MUST KEEP A COMPLETE RECORD OF THESE FIRES  
28 AND RELATED INCIDENTS, INCLUDING THEIR CAUSE AND ORIGIN, AND A COMPLETE RECORD OF ITS  
29 INVESTIGATIONS. THE ASSISTANT CHIEF OR HIS OR HER DESIGNEE IS THE CUSTODIAN OF ALL  
30 RECORDS OF INVESTIGATIONS. IN ADDITION TO THE DUTIES SPECIFIED IN THIS SECTION, THE BUREAU  
31 PERFORMS ALL OTHER DUTIES ASSIGNED TO IT BY LAW OR BY THE CHIEF OF THE FIRE DEPARTMENT.

32 **104.10.3 CHARGE OF EVIDENCE.** IN INVESTIGATING A FIRE OR RELATED INCIDENT, THE BUREAU  
33 MUST TAKE CHARGE IMMEDIATELY OF THE PHYSICAL EVIDENCE AND, TO PRESERVE THAT EVIDENCE,  
34 TAKE MEASURES TO PREVENT ACCESS BY ANY PERSON TO THE STRUCTURE OR PREMISES UNTIL THE  
35 EVIDENCE HAS BEEN PROPERLY PROCESSED.

36 **104.10.3.1 COOPERATION WITH OTHER AGENCIES.** THE BUREAU MUST NOTIFY THE PERSONS  
37 DESIGNATED BY LAW TO PURSUE INVESTIGATIONS, COOPERATE WITH AUTHORITIES IN  
38 COLLECTING EVIDENCE AND IN PROSECUTING OFFENDERS, AND PURSUE THE INVESTIGATION TO  
39 ITS CONCLUSION.

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1           **104.10.3.2 ASSISTANCE FROM OTHER AGENCIES.** POLICE AND OTHER ENFORCEMENT  
2           AGENCIES ARE AUTHORIZED TO RENDER ASSISTANCE IN THE INVESTIGATION OF FIRES WHEN  
3           REQUESTED TO DO SO.

4           **104.10.4 AUTHORITY OF FIRE MARSHAL.** THE FIRE MARSHAL HAS GENERAL SUPERVISION AND  
5           CONTROL OF ALL FIRE INVESTIGATIONS IN THE CITY AND OF ALL INQUIRIES TO DETERMINE THEIR  
6           CAUSE AND ORIGIN, BOTH FOR THE PURPOSE OF ELIMINATING THAT CAUSE AND, IF ARSON OR  
7           INCENDIARIES IS SUSPECTED, TO ASCERTAIN THE PERSONS RESPONSIBLE.

8           **104.10.5 PENALTY FOR OBSTRUCTING INVESTIGATION.** ANY PERSON WHO PREVENTS OR  
9           OBSTRUCTS OR ATTEMPTS TO PREVENT OR OBSTRUCT AN INVESTIGATION IS GUILTY OF A  
10          MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE PENALTIES SPECIFIED § 109 OF THIS CODE.

11          **104.10.6 SUBPOENA OF WITNESS AND DOCUMENTS.** IN CONDUCTING AN INVESTIGATION, THE FIRE  
12          MARSHAL MAY SUBPOENA AND COMPEL ATTENDANCE OF ANY PERSON AND THE PRODUCTION OF  
13          ANY DOCUMENTS THAT, IN THE JUDGMENT OF THE FIRE MARSHAL, ARE CONNECTED WITH AND  
14          NECESSARY TO THE INVESTIGATION, AND HAVE THAT PERSON EXAMINED ON OATH OR AFFIRMATION  
15          AT THE TIME AND PLACE SPECIFIED IN THE SUBPOENA. OFFICERS OF THE BALTIMORE POLICE  
16          DEPARTMENT MAY SERVE THE SUBPOENA.

17          **104.10.7 ENFORCEMENT OF SUBPOENA.** IF A PERSON IS SERVED WITH A SUBPOENA AND FAILS TO  
18          ATTEND AND TESTIFY, OR FAILS ON EXAMINATION TO ANSWER ANY QUESTION, OR OTHERWISE FAILS  
19          TO COMPLY WITH THE SUBPOENA, THE FIRE MARSHAL MAY APPLY TO A JUDGE OF THE CIRCUIT  
20          COURT OF BALTIMORE CITY TO ORDER COMPLIANCE TO THE SUBPOENA. IF THE JUDGE ORDERS  
21          COMPLIANCE, THE FIRE MARSHAL MUST SO NOTIFY THE PERSON NAMED IN THE SUBPOENA AND FIX  
22          THE TIME AND PLACE FOR HIS OR HER FURTHER EXAMINATION. IF THE PERSON STILL FAILS TO  
23          COMPLY, THE PERSON MAY BE ARRESTED AND CHARGED WITH CONTEMPT.

24          **104.10.8 ADMINISTRATION OF OATHS.** THE FIRE MARSHAL MAY ADMINISTER OATHS OR  
25          AFFIRMATIONS. ANY FALSE TESTIMONY GIVEN UNDER OATH OR AFFIRMATION ADMINISTERED BY  
26          THE FIRE MARSHAL, IF MATERIAL AND MADE WILLFULLY, IS PUNISHABLE AS PERJURY.

27          **104.10.9 SUBMISSION TO STATE'S ATTORNEY.** IF GROSS NEGLIGENCE, ARSON, OR INCENDIARIES  
28          IS REASONABLY EVIDENT IN A CASE, THE FIRE MARSHAL MUST SUBMIT ALL OF THE BUREAU'S  
29          RECORDS ON THE CASE TO THE STATE'S ATTORNEY OF BALTIMORE CITY.

30          **104.11 AUTHORITY AT FIRES AND OTHER EMERGENCIES. {AS IN IFC}**

31          **104.12 FEES FOR NON-FIRE SUPPRESSION SERVICES.** THE DIRECTOR OF FINANCE MUST ESTABLISH  
32          AND ANNUALLY REVIEW A FEE SCHEDULE FOR NON-FIRE SUPPRESSION SERVICES PERFORMED BY THE  
33          FIRE DEPARTMENT. THE DIRECTOR OF FINANCE MUST BASE THESE FEES ON THE EXPENSE INCURRED BY  
34          THE FIRE DEPARTMENT IN PERFORMING NON-FIRE SUPPRESSION SERVICES.

### 35          SECTION 105 PERMITS

36          **105.1 GENERAL. {AS IN IFC}**

37          **105.1.1 PERMITS REQUIRED.** PERMITS MUST BE OBTAINED FROM THE FIRE CODE OFFICIAL AS  
38          REQUIRED BY THIS CODE OR IN THE FIRE CODE OFFICIAL'S FIRE PREVENTION PERMIT SCHEDULE.  
39          PERMIT FEES, IF ANY, MUST BE PAID BEFORE THE PERMIT IS ISSUED. AN ISSUED PERMIT MUST BE  
40          KEPT ON THE PREMISES DESIGNATED IN THAT PERMIT AT ALL TIMES AND MUST BE READILY  
41          AVAILABLE FOR INSPECTION BY THE FIRE CODE OFFICIAL.

42          **105.1.2 TYPES OF PERMITS. {AS IN IFC}**



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1           **105.1.3 PERMITS FOR THE SAME LOCATION. {AS IN IFC}**

2           **105.1.4 SETTING FEES.** THE DIRECTOR OF FINANCE MUST ESTABLISH AND ANNUALLY REVIEW THE  
3 FEES CHARGED FOR PERMITS UNDER THIS CODE. THE DIRECTOR OF FINANCE MUST BASE THESE FEES  
4 ON THE EXPENSES INCURRED BY THE FIRE PREVENTION BUREAU IN PROCESSING PERMIT  
5 APPLICATIONS AND IN CONDUCTING INSPECTIONS.

6           **105.2 APPLICATION. {AS IN IFC}**

7           **105.3 CONDITIONS OF A PERMIT. {AS IN IFC}**

8           **105.3.1 TO 105.3.7 {AS IN IFC}**

9           **105.3.8 VIOLATION OF PERMIT.** FAILURE TO COMPLY WITH ANY TERM OR CONDITION OF ANY  
10 PERMIT ISSUED UNDER THIS CODE CONSTITUTES A VIOLATION OF THIS CODE AND SUBJECTS THE  
11 VIOLATOR TO THE PENALTIES PRESCRIBED IN § 109 OF THIS CODE.

12          **105.4 CONSTRUCTION DOCUMENTS. {AS IN IFC}**

13          **105.5 REVOCATION. {AS IN IFC}**

14          **105.6 REQUIRED OPERATIONAL PERMITS. {AS IN IFC}**

15           **105.6.1 TO 105.6.14 {AS IN IFC}**

16           **105.6.15 FIRE HYDRANTS AND VALVES. {NOT ADOPTED}**

17           **105.6.16 TO 105.6.46 {AS IN IFC}**

18          **105.7 REQUIRED CONSTRUCTION PERMITS. {AS IN IFC}**

19          **SECTION 106 INSPECTIONS**

20           **106.1 INSPECTION AUTHORITY. {AS IN IFC}**

21           **106.2 INSPECTIONS. {AS IN IFC}**

22           **106.3 CONCEALED WORK. {AS IN IFC}**

23           **106.4 APPROVALS. {AS IN IFC}**

24           **106.5 RIGHT OF ENTRY.** WHENEVER NECESSARY TO ENFORCE THIS CODE OR WHENEVER THE FIRE  
25 CODE OFFICIAL HAS REASONABLE CAUSE TO BELIEVE THAT, IN ANY STRUCTURE OR ON AN PREMISES, A  
26 CONDITION EXISTS THAT MAKES THE STRUCTURE OR PREMISES UNSAFE, THE FIRE CODE OFFICIAL MAY  
27 ENTER TO INSPECT THE STRUCTURE OR PREMISES OR TO PERFORM ANY DUTY IMPOSED ON THE FIRE CODE  
28 OFFICIAL BY THIS CODE.  
29

30           **106.5.1 OCCUPIED PREMISES.** IF THE STRUCTURE OR PREMISES IS OCCUPIED, THE FIRE CODE  
31 OFFICIAL MUST FIRST PRESENT PROPER CREDENTIALS AND REQUEST ENTRY. IF ENTRY IS REFUSED,  
32 THE FIRE CODE OFFICIAL HAS THE SAME AUTHORITY TO SECURE A SEARCH WARRANT AS THAT  
33 VESTED IN THE BUILDING OFFICIAL BY § 104.6 OF THE BALTIMORE CITY BUILDING CODE.

34          **SECTION 107 MAINTENANCE {AS IN IFC}**

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**SECTION 108 APPEALS**

**108.1 APPEALS TO BOARD OF FIRE COMMISSIONERS.** ANY PERSON WHO IS AGGRIEVED BY ANY NOTICE, DECISION, ORDER, OR DETERMINATION OF THE FIRE CODE OFFICIAL MAY APPEAL IN WRITING TO THE BOARD OF FIRE COMMISSIONERS. THE APPEAL MUST BE FILED WITH THE BOARD WITHIN 30 DAYS AFTER THE NOTICE, DECISION, ORDER, OR DETERMINATION IS SERVED.

**108.2 AFFECT OF APPEAL.** AN APPEAL FILED WITHIN 5 DAYS OF SERVICE STAYS ALL PROCEEDINGS ON THE NOTICE, DECISION, ORDER, OR DETERMINATION APPEALED FROM. AN APPEAL FILED LATER DOES NOT STAY ANY PROCEEDINGS; HOWEVER, ON APPLICATION OF THE PERSON TAKING THE APPEAL AND NOTICE TO THE FIRE CODE OFFICIAL, THE BOARD MAY GRANT A RESTRAINING ORDER FOR GOOD CAUSE SHOWN.

**108.3 HEARING.** WITHIN 10 DAYS AFTER THE APPEAL IS FILED, THE BOARD MUST GRANT A HEARING TO THE APPELLANT. ALL INTERESTED PARTIES HAVE A RIGHT TO BE HEARD AT THE HEARING.

**108.4 BOARD DECISION.** WITHIN 10 DAYS AFTER THE HEARING CONCLUDES, THE BOARD MUST RENDER ITS DECISION. IN ITS DECISION, THE BOARD MAY REVERSE, AFFIRM, OR MODIFY THE NOTICE, DECISION, ORDER, OR REGULATION APPEALED FROM AND MAY GIVE OR MAKE ANY OTHER NOTICE, DECISION, ORDER, REQUIREMENT, OR DETERMINATION THAT OUGHT TO BE MADE UNDER THE CIRCUMSTANCES. TO THAT END, THE BOARD HAS ALL THE POWERS THAT ARE CONFERRED ON THE FIRE CODE OFFICIAL BY THIS CODE. HOWEVER, THE BOARD DOES NOT HAVE ANY AUTHORITY TO WAIVE, SET ASIDE, OR IN ANY WAY CHANGE ANY SPECIFIC PROVISION OF THIS CODE.

**108.5 APPEALS FROM BOARD.** A PARTY AGGRIEVED BY A BOARD DECISION MADE UNDER § 108.4 MAY SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE. A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT’S FINAL JUDGMENT TO THE COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE. A JUDICIAL REVIEW OR APPEAL DOES NOT STAY ANY CRIMINAL OR EQUITABLE PROCEEDINGS ON THE DECISION APPEALED FROM, NOR DOES IT PREVENT THE FIRE CODE OFFICIAL OR ANY OTHER CITY OFFICIAL FROM PURSUING ANY OTHER ACTION OR ENFORCEMENT PROCEDURE AUTHORIZED BY LAW.

**108.6 LIMITATIONS ON INSTITUTING PROCEEDINGS.** AFTER A NOTICE, DECISION, ORDER, OR DETERMINATION HAS BEEN SERVED, THE FIRE CODE OFFICIAL MAY NOT TAKE ANY ACTION OR INSTITUTE OR CAUSE TO BE INSTITUTED ANY CIVIL OR CRIMINAL PROCEEDINGS IN CONNECTION WITH THE ENFORCEMENT OF THE NOTICE, DECISION, ORDER, OR DETERMINATION UNTIL:

1. AFTER 5 DAYS HAS PASSED WITHOUT AN APPEAL HAVING BEEN TAKEN, OR
2. IF AN APPEAL WAS TAKEN WITHIN THAT PERIOD, AFTER THE BOARD RENDERS ITS DECISION IN THE CASE.

**SECTION 109 VIOLATIONS**

**109.1 UNLAWFUL ACTS. {AS IN IFC}**

**109.2 NOTICE OF VIOLATION. {AS IN IFC}**

**109.2.1 TO 109.2.4 {AS IN IFC}**

**109.2.5 CODE COMPLIANCE REQUIRED AT ALL TIMES.** NEITHER THIS SECTION NOR ANY OTHER PROVISION OF THIS CODE EXCUSES ANY PERSON FROM FULLY COMPLYING WITH ALL PROVISIONS OF THIS CODE AT ALL TIMES, REGARDLESS OF WHETHER NOTICE HAS BEEN ISSUED BY THE FIRE CODE OFFICIAL IN ANY PARTICULAR CASE.

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1 **109.3 PENALTY FOR VIOLATIONS.** ANY PERSON WHO VIOLATES OR FAILS TO COMPLY WITH ANY  
2 PROVISION OF THIS CODE OR OF ANY NOTICE, DECISION, PERMIT, OR REGULATION ISSUED UNDER THIS  
3 CODE OR WHO ERECTS, INSTALLS, ALTERS, REPAIRS, OR DOES WORK IN VIOLATION OF APPROVED  
4 CONSTRUCTION DOCUMENTS OR OF A DIRECTIVE OF THE FIRE CODE OFFICIAL IS GUILTY OF A  
5 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONED  
6 FOR NOT MORE THAN 10 DAYS OR BOTH. EACH DAY THAT A VIOLATION CONTINUES AFTER SERVICE OF  
7 NOTICE IS A SEPARATE OFFENSE.

### 8 **109.3.1 ABATEMENT OF VIOLATION. {AS IN IFC}**

9 **109.4 FAILURE TO CORRECT VIOLATIONS.** IF A VIOLATION NOTICE IS NOT COMPLIED WITH WITHIN THE  
10 TIME SPECIFIED, THE FIRE CODE OFFICIAL MAY DO ANY ONE OR MORE OF THE FOLLOWING:

- 11 1. TAKE ACTION UNDER § 109.6,
- 12 2. REQUEST THE STATE'S ATTORNEY OR THE CITY SOLICITOR TO INSTITUTE APPROPRIATE LEGAL  
13 PROCEEDINGS TO RESTRAIN, CORRECT, OR ABATE THE VIOLATION OR TO REQUIRE REMOVAL OR  
14 TERMINATION OF THE UNLAWFUL USE OF THE STRUCTURE OR PREMISES IN VIOLATION OF THIS  
15 CODE, OR OF ANY ORDER OR DIRECTION MADE UNDER THIS CODE, OR
- 16 3. IF THE VIOLATION AFFECTS THE IMMEDIATE SAFETY OF THE PUBLIC, REQUEST THE BALTIMORE  
17 POLICE DEPARTMENT TO ARREST THOSE RESPONSIBLE FOR THE VIOLATION.

18 **109.5 VIOLATION OF NOTICES, ETC. – CONSTITUTE VIOLATION OF CODE.** EVERY PERSON MUST  
19 FULLY COMPLY WITH ALL PROVISIONS OF THIS CODE AND WITH ALL PROVISIONS OF ANY NOTICE, ORDER,  
20 DECISION, PERMIT, OR REGULATION ISSUED BY THE FIRE CODE OFFICIAL. ANY ACT CONTRARY TO AND  
21 ANY FAILURE TO COMPLY WITH ANY PROVISION OR REQUIREMENT OF ANY NOTICE, ORDER, DECISION,  
22 PERMIT, OR REGULATION OF THE FIRE CODE OFFICIAL CONSTITUTES A VIOLATION OF THIS CODE.

23 **109.6 VIOLATION OF NOTICES, ETC. – ACTION BY FIRE CODE OFFICIAL.** WHENEVER ANY PERSON  
24 FAILS IN ANY RESPECT TO FULLY COMPLY ANY PROVISION OF ANY NOTICE, ORDER, DECISION, PERMIT, OR  
25 REGULATION ISSUED UNDER THIS CODE, THE FIRE CODE OFFICIAL MAY TAKE ANY ACTION NECESSARY  
26 TO ELIMINATE OR MAKE SAFE ANY CONDITION THAT VIOLATES THIS CODE.

27 **109.7 CITATIONS FOR CERTAIN OFFENSES.** IN ACCORDANCE WITH CITY CODE ARTICLE 1, SUBTITLE  
28 40 {"ENVIRONMENTAL CONTROL BOARD"}, CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"},  
29 OR CITY CODE ARTICLE 19, SUBTITLE 71 {"SPECIAL ENFORCEMENT OFFICERS"}, A PREPAYABLE  
30 CITATION MAY BE ISSUED TO THE OWNER, AGENT, OR PERSON RESPONSIBLE FOR THE OPERATION OR IN  
31 CHARGE OF ANY OCCUPANCY THAT FAILS TO COMPLY WITH:

- 32 1. § 110.1 {"UNSAFE BUILDINGS: GENERAL"},
- 33 2. § 1001.2 {"MEANS OF EGRESS: MINIMUM REQUIREMENTS"}, OR
- 34 3. § 1001.3 {"MEANS OF EGRESS: OVERCROWDING"}.

35 **109.7.1 EACH DAY A SEPARATE OFFENSE.** EACH DAY THAT A VIOLATION CONTINUES IS A  
36 SEPARATE OFFENSE. A CITATION MAY BE ISSUED UNDER THIS SECTION ANY TIME THAT A VIOLATION  
37 IS DISCOVERED, WHETHER OR NOT A PRIOR CITATION HAS BEEN ISSUED FOR THE SAME CONDITION.

38 **109.7.2 PERMIT REVOCATION FOR REPEAT VIOLATORS.** IF 3 CITATIONS ARE ISSUED TO THE SAME  
39 PERSON OR OPERATION WITHIN A 1-YEAR PERIOD, THE FIRE CODE OFFICIAL MAY REVOKE ALL  
40 PERMITS ISSUED BY THE FIRE CODE OFFICIAL TO OR FOR THAT PERSON OR OPERATION AND NOTIFY  
41 ALL APPROPRIATE CITY AGENCIES OF THE REVOCATION.



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### SECTION 202 GENERAL DEFINITIONS

**202.1 GENERAL.** EXCEPT AS SPECIFIED IN § 202.2, TERMS USED IN THIS CODE AND DEFINED IN THE INTERNATIONAL FIRE CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL FIRE CODE (2006 EDITION).

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

**202.2.1 FIRE CODE OFFICIAL.** “FIRE CODE OFFICIAL” MEANS THE CHIEF OF THE BALTIMORE CITY FIRE DEPARTMENT OR A DULY AUTHORIZED REPRESENTATIVE OF THE CHIEF.

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

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

**202.2.4 PERSON.** “PERSON”:

1. MEANS ANY INDIVIDUAL, SOLE PROPRIETORSHIP, CORPORATION, FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, JOINT VENTURE, OR OTHER ENTITY OR GROUP ACTING AS A UNIT, EXECUTOR, ADMINISTRATOR, TRUSTEE, RECEIVER, GUARDIAN, OR OTHER REPRESENTATIVE APPOINTED BY LAW, AND
2. WHENEVER USED IN THIS CODE WITH REFERENCE TO LIABILITY OR TO THE IMPOSITION OF A PENALTY OR FINE, INCLUDES:
  - A. AS TO AN UNINCORPORATED FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, OR JOINT VENTURE, THE PARTNERS OR MEMBERS OF THE FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, OR JOINT VENTURE, AND
  - B. AS TO A CORPORATION, THE OFFICERS, TRUSTEES, AGENTS, OR MEMBERS OF THE CORPORATION WHO ARE RESPONSIBLE FOR THE VIOLATION OF ANY RELEVANT CODE PROVISION.

### CHAPTER 3. GENERAL PRECAUTIONS AGAINST FIRE

#### SECTIONS 301 TO 307 *{AS IN IFC}*

#### SECTION 308 OPEN FLAMES

##### 308.1 TO 308.4 *{AS IN IFC}*

##### 308.5 OPEN-FLAME DEVICES. *{AS IN IFC}*

##### 308.5.1 TO 308.5.2 *{AS IN IFC}*

**308.5.3 LP GAS PROHIBITED IN ASSEMBLY AREAS.** THE STORAGE OR USE OF LP-GAS CONTAINERS OF ANY SIZE IN ANY ASSEMBLY BUILDING OR IN ANY ASSEMBLY AREA OF A BUILDING IS PROHIBITED.

**308.5.3.1 EXCEPTION.** LISTED AND APPROVED BUTANE-GAS COMMERCIAL FOOD SERVICE APPLIANCES MAY BE USED INSIDE RESTAURANTS AND IN ATTENDED COMMERCIAL FOOD CATERING OPERATIONS AS LONG AS EACH OF THE FOLLOWING CONDITIONS IS COMPLIED WITH:

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- 1 1. NO APPLIANCE HAS MORE THAN TWO 10-OZ. (296 ML) GAS CONTAINERS, WITH A  
2 MAXIMUM WATER CAPACITY OF 1.08 LB. (0.049 KG) PER CONTAINER, CONNECTED  
3 DIRECTLY TO IT AT ANY TIME.
- 4 2. THE CONTAINERS ARE NOT MANIFOLD.
- 5 3. ALL CONTAINERS ARE LISTED AND COMPLY WITH UL 147B, "STANDARD FOR NON-  
6 REFILLABLE (DISPOSABLE) TYPE METAL CONTAINER ASSEMBLIES FOR BUTANE".
- 7 4. EACH CONTAINER IS AN INTEGRAL PART OF THE LISTED AND APPROVED COMMERCIAL  
8 FOOD SERVICE APPLIANCE AND IS CONNECTED TO THE APPLIANCE WITHOUT THE USE OF  
9 A RUBBER HOSE.
- 10 5. NO MORE THAN 24 OF THESE CONTAINERS ARE STORED IN THE BUILDING, WITH AN  
11 ADDITIONAL 24 CONTAINERS PERMITTED TO BE STORED IN ANOTHER STORAGE AREA IN  
12 THE BUILDING IF THAT OTHER STORAGE AREA IS SEPARATED OR CONTAINED BY A  
13 MINIMUM 2-HOUR FIRE WALL.

14 **308.6 FLAMING FOOD AND BEVERAGE PREPARATION. {AS IN IFC}**

15 **SECTIONS 309 TO 315 {AS IN IFC}**

16 **CHAPTER 4. EMERGENCY PLANNING AND PREPAREDNESS**

17 **SECTIONS 401 TO 404 {AS IN IFC}**

18 **SECTION 405 EMERGENCY EVACUATION DRILLS**

19 **405.1 GENERAL.** EMERGENCY EVACUATION DRILLS MUST BE CONDUCTED, AS PRESCRIBED IN THIS  
20 § 405, IN THE OCCUPANCIES LISTED IN § 404.2 OR WHEN REQUIRED BY THE FIRE CODE OFFICIAL.

21 **405.2 FREQUENCY. {AS IN IFC}**

22 **405.2.1 EDUCATIONAL OCCUPANCIES.** EVERY EDUCATIONAL OCCUPANCY FOR MORE THAN 50  
23 PERSONS MUST HAVE AT LEAST 2 FIRE DRILLS EACH YEAR, TO BE ARRANGED BY AND CONDUCTED  
24 UNDER THE SUPERVISION AND DIRECTION OF THE FIRE CODE OFFICIAL.

25 **405.2.2 HIGH-RISE BUILDINGS.** EVERY HIGH-RISE BUILDING MUST HAVE A LEAST 1 FIRE DRILL  
26 EACH YEAR, TO BE ARRANGED BY THE OWNER OR PERSON RESPONSIBLE FOR THE BUILDING, IN  
27 COORDINATION WITH THE FIRE CODE OFFICIAL.

28 **405.3 TO 405.9 {AS IN IFC}**

29 **SECTIONS 406 TO 408 {AS IN IFC}**

30 **CHAPTER 5. FIRE SERVICE FEATURES**

31 **SECTIONS 501 TO 506 {AS IN IFC}**

32 **SECTION 507 HAZARDS TO FIRE FIGHTERS**

33 **507.1 TRAPDOORS TO BE CLOSED. {AS IN IFC}**

34 **507.2 SHAFTWAY MARKINGS. {AS IN IFC}**

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1           **507.2.1 EXTERIOR ACCESS TO SHAFTWAYS. {As in IFC}**

2           **507.2.2 INTERIOR ACCESS TO SHAFTWAYS. {As in IFC}**

3           **507.2.3 WINDOW GUARDS.** WINDOWS IN THE EXTERIOR WALLS OF SHAFTS MUST BE PROTECTED BY  
4           VERTICAL METAL BARS THAT ARE AT LEAST 5/8-INCH IN DIAMETER AND SPACED NO MORE THAN 10  
5           INCHES APART, UNLESS THE SILL OF THE WINDOW IS LESS THAN 5 FEET FROM A FLOOR LANDING OR  
6           THE LOWEST TREAD BELOW.

7           **507.3 PITFALLS. {As in IFC}**

8           **SECTIONS 508 TO 510 {As in IFC}**

9           **SECTION 511 STRUCTURES ON PIERS**

10          **511.1 DEFINITIONS.** IN THIS SECTION, “PIER” MEANS ANY PIER, WHARF, DOCK, BULKHEAD,  
11          BREAKWATER, PILES, OR OTHER SIMILAR STRUCTURE.

12          **511.2 GENERAL.** EVERY STRUCTURE THAT IS CONSTRUCTED ON A PIER MUST COMPLY WITH THE  
13          REQUIREMENTS OF THIS § 511 AND ALL OTHER APPLICABLE PROVISIONS OF THIS CODE AND OTHER LAW.

14          **511.3 CHAPTER 28 OF NFPA 1.** THE PIER AND STRUCTURE MUST COMPLY WITH CHAPTER 28  
15          {“MARINAS AND BOATYARDS”} OF NFPA 1, UNIFORM FIRE CODE (2003 EDITION), SUBJECT ONLY TO  
16          THE FOLLOWING MODIFICATION.

17               **511.3.1 FLOW TESTS.** FLOW TESTS MUST BE CONDUCTED UNDER TABLE 6.1 AND § 6.3.1 OF NFPA  
18               25, STANDARD FOR THE INSPECTION, TESTING, AND MAINTENANCE OF WATER-BASED FIRE  
19               PROTECTION SYSTEMS (2002 EDITION), ANNUALLY (RATHER THAN, AS THERE STATED, “EVERY 5  
20               YEARS”).

21          **511.4 PIER MATERIAL.** THE PIER MUST BE MADE OF OR ENCASED BY NON-COMBUSTIBLE MATERIALS.  
22          THE STRUCTURE ON THE PIER MUST BE OF TYPE I, TYPE II, OR TYPE III CONSTRUCTION.

23          **511.5 SPRINKLER PROTECTION.** THE ENTIRE STRUCTURE ON THE PIER MUST BE SPRINKLERED.

24          **511.6 SEPARATION.** THE SEPARATION BETWEEN STRUCTURES ON A PIER MUST BE AT LEAST 30 FEET.

25          **511.7 STANDPIPES AND HYDRANTS.** STANDPIPES (FIRE DEPARTMENT CONNECTIONS) MUST BE  
26          PROVIDED ON THE PIER AT LEAST EVERY 100 FEET. HYDRANTS MUST BE INSTALLED WITHIN 100 FEET OF  
27          A STANDPIPE.

28          **511.8 EMERGENCY VEHICLE ACCESS.** ALL PIERS WITH STRUCTURES MUST PROVIDE ACCESS FOR  
29          EMERGENCY VEHICLES ON THE PROMENADE, A ROAD, OR OTHER APPROPRIATE SPACE. THIS ACCESS  
30          MUST BE DESIGNED AND CONFIGURED TO ACCOMMODATE FIRE, AMBULANCE, AND OTHER EMERGENCY  
31          VEHICLES. ACCESS FOR EMERGENCY VEHICLES MUST BE PROVIDED TO WITHIN AT LEAST 450 FEET OF  
32          THE FARTHEST EDGE OF THE STRUCTURE. THE FIRE LANE MUST BE AT LEAST 20 FEET WIDE.

33          **511.9 FIRE BOAT ACCESS.** ACCESS FOR FIRE BOATS MUST BE PROVIDED TO WITHIN AT LEAST 50 FEET  
34          OF THE FARTHEST EDGE OF THE STRUCTURE. THE WATER DEPTH OF THAT ACCESS MUST BE AT LEAST 10  
35          FEET (MEAN LOW WATER MARK).

36          **511.10 TIE-UPS.** MARINA SLIPS ARE PROHIBITED WITHIN 30 FEET OF ANY STRUCTURE ON A PIER.  
37          TRANSIENT (I.E., HOURLY OR DAILY) TIE-UPS ALONG A BULKHEAD ARE ONLY ALLOWED ADJACENT TO  
38          COMMERCIAL STRUCTURES AND NO CLOSER THAN 15 FEET FROM THE STRUCTURE.

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**CHAPTER 6. BUILDING SERVICES AND SYSTEMS**

**SECTION 601 GENERAL {As in IFC}**

**SECTION 602 DEFINITIONS {As in IFC}**

**SECTION 603 FUEL-FIRED APPLIANCES**

**603.1 INSTALLATION.** THE INSTALLATION OF NONPORTABLE FUEL GAS APPLIANCES AND SYSTEMS MUST COMPLY WITH THE NATIONAL FUEL GAS CODE. THE INSTALLATION OF ALL OTHER FUEL-FIRED APPLIANCES, OTHER THAN INTERNAL COMBUSTION ENGINES, OIL LAMPS, AND PORTABLE DEVICES SUCH AS BLOW TORCHES, MELTING POTS, AND WEED BURNERS, MUST COMPLY WITH THIS SECTION, NFPA 31, AND THE INTERNATIONAL MECHANICAL CODE.

**603.1.1 MANUFACTURER’S INSTRUCTIONS. {As in IFC}**

**603.1.2 APPROVAL. {SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”. OTHERWISE, AS IN IFC.}**

**603.1.3 - 603.1.7 {SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}**

**603.2 CHIMNEYS. {As in IFC}**

**603.3 FUEL OIL STORAGE SYSTEMS. {As in IFC}**

**603.4 PORTABLE HEATING OR COOKING DEVICES.** EXCEPT AS OTHERWISE EXPRESSLY PROVIDED, THE USE OF PORTABLE KEROSENE HEATERS, PORTABLE WASTE OIL HEATERS, OR OTHER FUEL-BURNING APPLIANCES FOR HEATING OR COOKING, CABINET LP-GAS HEATERS, AND UNVENTED GAS-FIRED SPACE HEATERS IS PROHIBITED IN BALTIMORE CITY.

**603.4.1 SIGNS REQUIRED.** AT ANY DISPLAY BY A RETAIL MERCHANT OR DISTRIBUTOR OF AN APPLIANCE DESCRIBED IN § 603.4, THE MERCHANT OR DISTRIBUTORS MUST POST THE FOLLOWING NOTICE:

WARNING: THE USE OF PORTABLE KEROSENE HEATERS, PORTABLE WASTE OIL HEATERS, OR OTHER SIMILAR FUEL-BURNING APPLIANCES FOR HEATING OR COOKING, CABINET LP-GAS HEATERS, AND UNVENTED GAS-FIRED SPACE HEATERS IS PROHIBITED IN BALTIMORE CITY.

THE WORD “WARNING” MUST BE IN RED LETTERS AT LEAST 4 INCHES HIGH. ALL OTHER LETTERING MUST BE AT LEAST 3/8 INCHES HIGH. THE BACKGROUND OF THE SIGN MUST BE WHITE, WITH THE WORDING IN A CONTRASTING COLOR.

**603.5 HEATING APPLIANCES. {As in IFC}**

**603.5.1 GUARD AGAINST CONTACT. {As in IFC}**

**603.5.2 HEATING APPLIANCE INSTALLATION.** HEATING APPLIANCES MUST BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER’S INSTRUCTIONS, THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL MECHANICAL CODE, AND THE NATIONAL ELECTRICAL CODE.

**603.6 CHIMNEYS AND APPLIANCES. {As in IFC}**

**603.7 DISCONTINUING OPERATION OF UNSAFE HEATING APPLIANCES. {As in IFC}**



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1 **603.8 INCINERATORS.** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS*  
2 *CODE”.* *OTHERWISE, AS IN IFC.*}

3 **603.8.1 TO 603.8.5** *{AS IN IFC}*

4 **603.9 GAS METERS.** *{AS IN IFC}*

5 **SECTION 604 EMERGENCY AND STANDBY POWER SYSTEMS**

6 **604.1 INSTALLATION.** EMERGENCY AND STANDBY POWER SYSTEMS MUST BE INSTALLED IN  
7 ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, NFPA 110, AND NFPA 111. EXISTING  
8 INSTALLATIONS MUST BE MAINTAINED IN ACCORDANCE WITH THE ORIGINAL APPROVAL.

9 **604.1.1 STATIONARY GENERATORS.** *{AS IN IFC}*

10 **604.2 TO 604.5** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
11 *OTHERWISE, AS IN IFC.*}

12 **SECTION 605 ELECTRICAL EQUIPMENT, WIRING, AND HAZARDS** *{SUBSTITUTE “NATIONAL ELECTRICAL*  
13 *CODE” FOR “ICC ELECTRICAL CODE”.* *OTHERWISE, AS IN IFC.*}

14 **SECTION 606 MECHANICAL REFRIGERATION** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC*  
15 *ELECTRICAL CODE”.* *OTHERWISE, AS IN IFC.*}

16 **SECTION 607 ELEVATOR RECALL AND MAINTENANCE**

17 **607.1 - 606.3** *{AS IN IFC}*

18 **607.4 RECALL BY FIRE ALARM.** IN A BUILDING THAT IS 4 OR MORE STORIES HIGH, ALL ELEVATORS  
19 MUST BE ACTIVATED BY THE BUILDING’S FIRE ALARM.

20 **SECTIONS 608 TO 609** *{AS IN IFC}*

21 **CHAPTER 7. FIRE-RESISTENCE-RATED CONSTRUCTION**  
22 *{AS IN IFC}*

23 **CHAPTER 8. INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS**  
24 *{AS IN IFC}*

25 **CHAPTER 9. FIRE PROTECTION SYSTEMS**

26 **SECTION 901 GENERAL** *{AS IN IFC}*

27 **SECTION 902 DEFINITIONS** *{AS IN IFC}*

28 **SECTION 903 AUTOMATIC SPRINKLER SYSTEMS**

29 **903.1 GENERAL.** *{AS IN IFC}*

30 **903.2 WHERE REQUIRED.** *{AS IN IFC}*

31 **903.3 INSTALLATION REQUIREMENTS.** *{AS IN IFC}*

32 **903.3.1 STANDARDS** *{AS IN IFC}*

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1           **903.3.1.1 TO 903.3.1.3** *{AS IN IFC}*

2           **903.3.1.4 NFPA 13D SPRINKLER SYSTEMS (GARAGES):** A GARAGE MUST BE SPRINKLED  
3           WHEN A LIVING AREA IS PROVIDED ABOVE IT. THE SYSTEM DESIGN MUST BE THE SAME FOR THE  
4           GARAGE AND THE LIVING AREA.

5           **903.3.2 TO 903.3.7** *{AS IN IFC}*

6           **903.4 SPRINKLER SYSTEM MONITORING AND ALARM.** *{AS IN IFC}*

7           **903.4.1 SIGNALS** *{AS IN IFC}*

8           **903.4.2 ALARMS** *{AS IN IFC}*

9           **903.4.2.1 NFPA 13D ALARM OR NOTIFICATION.** A WATER FLOW ALARM DEVICE MUST BE  
10           INSTALLED TO PROVIDE NOTICE TO OCCUPANTS WHEN A SPRINKLER FLOW CONDITION OCCURS.  
11           THE DEVICE MUST PROVIDE AN AUDIBLE ALARM THAT IS AT LEAST 75 DBA IN THE MASTER  
12           BEDROOM AND THAT BEGINS WITHIN 60 SECONDS OF FLOW AND CONTINUES UNTIL THE FLOW  
13           HAS STOPPED.

14           **903.4.3 FLOOR CONTROL VALVES** *{AS IN IFC}*

15           **903.5 TO 903.6** *{AS IN IFC}*

16           **SECTION 904 ALTERNATIVE AUTOMATIC FIRE EXTINGUISHING SYSTEMS** *{SUBSTITUTE “NATIONAL*  
17           *ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}*

18           **SECTION 905 STANDPIPE SYSTEMS** *{AS IN IFC}*

19           **SECTION 906 PORTABLE FIRE EXTINGUISHERS**

20           **906.1 TO 906.10** *{AS IN IFC}*

21           **906.11 REGISTRATION REQUIRED.** NO PERSON MAY REPRESENT HIM- OR HERSELF AS A FIRE  
22           EXTINGUISHER REPAIR PERSON OR ENGAGE IN THE BUSINESS OF RECHARGING, TESTING, OR INSTALLING  
23           FIRE EXTINGUISHERS OR FIRE EXTINGUISHING EQUIPMENT UNLESS THAT PERSON IS REGISTERED WITH  
24           THE FIRE CODE OFFICIAL TO DO SO. REGISTRATION IS FOR A YEAR, RENEWABLE ANNUALLY.

25           **906.11.1 TESTING COMPETENCE.** THE FIRE CODE OFFICIAL MAY REQUIRE THAT ALL APPLICANTS  
26           FOR REGISTRATION PASS A TEST THAT DEMONSTRATES THE APPLICANT’S COMPETENCY WITH FIRE  
27           EXTINGUISHING EQUIPMENT.

28           **906.11.2 FEE FOR REGISTRATION.** THE FIRE CODE OFFICIAL MAY REQUIRE A FEE FOR THE  
29           REGISTRATION OR RENEWAL.

30           **SECTION 907 FIRE ALARM AND DETECTION SYSTEMS**

31           **907.1 GENERAL.** *{AS IN IFC}*

32           **907.2 WHERE REQUIRED — NEW BUILDINGS AND STRUCTURES.** *{AS IN IFC}*

33           **907.2.1 TO 907.2.9** *{AS IN IFC}*

34           **907.2.10 SINGLE- AND MULTIPLE-STATION SMOKE ALARMS.** *{AS IN IFC}*

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**907.2.10.1 WHERE REQUIRED. {AS IN IFC}**

**907.2.10.1.1 GROUP R-1. {AS IN IFC}**

**907.2.10.1.2 GROUPS R-2, R-3, R-4, AND I-1. {AS IN IFC}**

**907.2.10.1.2.1 OBLIGATIONS OF LANDLORD AND TENANT.** EXCEPT AS OTHERWISE PROVIDED IN THIS § 907.2.10.1.2, THE LANDLORD IS RESPONSIBLE FOR THE INSTALLATION AND, ON WRITTEN NOTICE BY CERTIFIED OR REGISTERED MAIL, THE REPAIR OR REPLACEMENT OF ALL REQUIRED DETECTORS. THE TENANT IS RESPONSIBLE TO INFORM THE LANDLORD, IN THE MANNER JUST DESCRIBED, OF ANY SMOKE DETECTOR THAT BECOMES DEFECTIVE. A TENANT MAY NOT REMOVE OR RENDER A SMOKE DETECTOR INOPERATIVE.

**907.2.10.1.2.2 LIGHT SIGNAL FOR HEARING IMPAIRED.** THE LANDLORD MUST PROVIDE A SMOKE DETECTOR THAT IS DESIGNED (AND HAS BEEN TESTED AND CERTIFIED BY AN APPROVED TESTING LABORATORY) TO ALERT PERSONS WITH HEARING IMPAIRMENTS IF THE TENANCY IS OCCUPIED BY A PERSON WHO IS HEARING IMPAIRED AND THE TENANT HAS ASKED FOR THE DETECTOR IN WRITING BY CERTIFIED OR REGISTERED MAIL.

**907.2.10.1.2.3 ONE-, TWO-, AND THREE-FAMILY DWELLINGS.** AN OCCUPANT OF A 1-, 2-, OR 3-FAMILY DWELLING MUST:

1. EQUIP HIS OR HER OWN LIVING UNIT WITH THE NUMBER OF DETECTORS REQUIRED BY THIS § 907.2.10.1.2, EACH OF WHICH MUST BE AN APPROVED BATTERY- OR AC PRIMARY ELECTRIC-POWERED SMOKE DETECTOR, AND
2. MAINTAIN THOSE SMOKE DETECTORS ACCORDING TO MANUFACTURER'S GUIDELINES.

**907.2.10.1.3 GROUP I-1. {AS IN IFC}**

**907.2.10.1.4 ADDITIONS, ALTERATIONS, OR REPAIRS TO GROUP R. {AS IN IFC}**

**907.2.10.2 TO 907.2.10.4 {AS IN IFC}**

**907.2.11 TO 907.2.23 {AS IN IFC}**

**907.3 - 907.9 {SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE". OTHERWISE, AS IN IFC.}**

**907.10 ALARM NOTIFICATION APPLIANCES. {AS IN IFC}**

**907.10.1 - 907.10.2 {AS IN IFC}**

**907.10.3 ELEVATOR RECALL. SEE § 607.4.**

**SECTION 908 EMERGENCY ALARM SYSTEMS {AS IN IFC}**

**SECTION 909 SMOKE CONTROL SYSTEMS {SUBSTITUTE "NATIONAL ELECTRICAL CODE" FOR "ICC ELECTRICAL CODE". OTHERWISE, AS IN IFC.}**

**SECTION 910 SMOKE AND HEAT VENTS {AS IN IFC}**

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1 **SECTION 911 EXPLOSION CONTROL** *{AS IN IFC}*

2 **SECTION 912 FIRE DEPARTMENT CONNECTIONS** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR*  
3 *“ICC ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}*

4 **SECTION 913 FIRE PUMPS** *{AS IN IFC}*

5 **SECTION 914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND**  
6 **OCCUPANCY** *{AS IN IBC}*

7 **CHAPTER 10. MEANS OF EGRESS**  
8 *{AS IN IBC}*

9 **CHAPTER 11. AVIATION FACILITIES**  
10 *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
11 *OTHERWISE, AS IN IFC.}*

12 **CHAPTER 12. DRY CLEANING**  
13 *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
14 *OTHERWISE, AS IN IFC.}*

15 **CHAPTER 13. COMBUSTIBLE DUST-PRODUCING OPERATIONS**  
16 *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
17 *OTHERWISE, AS IN IFC.}*

18 **CHAPTER 14. FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**

19 **SECTION 1401 GENERAL** *{AS IN IFC}*

20 **SECTION 1402 DEFINITIONS** *{AS IN IFC}*

21 **SECTION 1403 TEMPORARY HEATING EQUIPMENT**

22 **1403.1 LISTED.** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
23 *OTHERWISE, AS IN IFC.}*

24 **1403.2 OIL-FIRED HEATERS.** *{AS IN IFC}*

25 **1403.3 LP-GAS HEATERS.** FUEL SUPPLIES FOR LIQUEFIED-PETROLEUM GAS-FIRED HEATERS MUST  
26 COMPLY WITH NFPA 58 AND THE NATIONAL FUEL GAS CODE.

27 **1403.4 TO 1403.6** *{AS IN IFC}*

28 **1403.7 PERMIT REQUIRED.** A PERMIT FROM THE FIRE CODE OFFICIAL IS REQUIRED FOR COMMERCIAL  
29 PORTABLE HEATERS, INCLUDING SALAMANDERS, AND FOR OTHER SIMILAR APPLIANCES OR EQUIPMENT  
30 USED FOR TEMPORARY HEATING IN STRUCTURES UNDER CONSTRUCTION OR UNDERGOING RENOVATION.  
31 THIS EQUIPMENT MUST BE MAINTAINED AND OPERATED IN ACCORDANCE WITH ALL APPLICABLE NFPA  
32 STANDARDS.

33 **SECTION 1404 PRECAUTIONS AGAINST FIRE** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC*  
34 *ELECTRICAL CODE”. OTHERWISE, AS IN IFC.}*

35 **CHAPTER 15. FLAMMABLE FINISHES**  
36 *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
37 *OTHERWISE, AS IN IFC.}*

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1                   **CHAPTER 16. FRUIT AND CROP RIPENING**  
2                   *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”,*  
3                   *AND “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
4                   *OTHERWISE, AS IN IFC.}*

5                   **CHAPTER 17. FUMIGATION AND THERMAL INSECTICIDAL FOGGING**

6                   **SECTION 1701 GENERAL** *{AS IN IFC}*

7                   **SECTION 1702 DEFINITIONS** *{AS IN IFC}*

8                   **SECTION 1703 FIRE SAFETY REQUIREMENTS** *{AS IN IFC}*

9                   **1703.1 - 1703.7** *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
10                   *OTHERWISE, AS IN IFC.}*

11                   **1703.8 SULFUR CANDLES PROHIBITED.** EXCEPT AS SPECIFICALLY APPROVED BY THE FIRE CODE  
12                   OFFICIAL, THE USE OF SULFUR CANDLES FOR FUMIGATING PRIVATE RESIDENCES IS PROHIBITED.

13                   **CHAPTER 18. SEMICONDUCTOR FABRICATION FACILITIES**  
14                   *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
15                   *OTHERWISE, AS IN IFC.}*

16                   **CHAPTER 19. LUMBER YARDS AND WOODWORKING FACILITIES**  
17                   *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
18                   *OTHERWISE, AS IN IFC.}*

19                   **CHAPTER 20. MANUFACTURE OF ORGANIC COATINGS**  
20                   *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
21                   *OTHERWISE, AS IN IFC.}*

22                   **CHAPTER 21. INDUSTRIAL OVENS**  
23                   *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
24                   *OTHERWISE, AS IN IFC.}*

25                   **CHAPTER 22. MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES**  
26                   *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE,*  
27                   *AND “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
28                   *OTHERWISE, AS IN IFC.}*

29                   **CHAPTER 23. HIGH-PILED COMBUSTIBLE STORAGE**  
30                   *{AS IN IFC}*

31                   **CHAPTER 24. TENTS, CANOPIES, AND OTHER MEMBRANE STRUCTURES**  
32                   *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE,*  
33                   *AND “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
34                   *OTHERWISE, AS IN IFC.}*

35                   **CHAPTER 25. TIRE REBUILDING AND TIRE STORAGE**  
36                   *{AS IN IFC}*

37                   **CHAPTER 26. WELDING AND OTHER HOT WORK**  
38                   *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
39                   *OTHERWISE, AS IN IFC.}*

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1                   **CHAPTER 27. HAZARDOUS MATERIALS – GENERAL PROVISIONS**  
2                    *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”,*  
3                    *“NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”, AND*  
4                    *“NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
5                    *OTHERWISE, AS IN IFC.}*

6                    **CHAPTER 28. AEROSOLS**  
7                    *{AS IN IFC}*

8                    **CHAPTER 29. COMBUSTIBLE FIBERS**  
9                    *{AS IN IFC}*

10                   **CHAPTER 30. COMPRESSED GASES**  
11                    *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”,*  
12                    *AND “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
13                    *OTHERWISE, AS IN IFC.}*

14                   **CHAPTER 31. CORROSIVE MATERIALS**  
15                    *{AS IN IFC}*

16                    **CHAPTER 32. CRYOGENIC FLUIDS**  
17                    *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
18                    *OTHERWISE, AS IN IFC.}*

19                    **CHAPTER 33. EXPLOSIVES AND FIREWORKS**  
20                    *{AS IN IFC}*

21                    **CHAPTER 34. FLAMMABLE AND COMBUSTIBLE LIQUIDS**  
22                    *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
23                    *OTHERWISE, AS IN IFC.}*

24                    **CHAPTER 35. FLAMMABLE GASES**  
25                    *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”,*  
26                    *AND “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
27                    *OTHERWISE, AS IN IFC.}*

28                    **CHAPTER 36. FLAMMABLE SOLIDS**  
29                    *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
30                    *OTHERWISE, AS IN IFC.}*

31                    **CHAPTER 37. HIGHLY TOXIC AND TOXIC MATERIALS**  
32                    *{SUBSTITUTE “NATIONAL ELECTRICAL CODE” FOR “ICC ELECTRICAL CODE”.*  
33                    *OTHERWISE, AS IN IFC.}*

34                    **CHAPTER 38. LIQUEFIED PETROLEUM GASES**  
35                    *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”.*  
36                    *OTHERWISE, AS IN IFC.}*

37                    **CHAPTER 39. ORGANIC PEROXIDES**  
38                    *{AS IN IFC}*

39                    **CHAPTER 40. OXIDIZERS**  
40                    *{AS IN IFC}*

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**CHAPTER 41. PYROPHORIC MATERIALS**  
*{AS IN IFC}*

**CHAPTER 42. PYROXYLIN (CELLULOSE NITRATE) PLASTICS**  
*{AS IN IFC}*

**CHAPTER 43. UNSTABLE (REACTIVE) MATERIALS**  
*{AS IN IFC}*

**CHAPTER 44. WATER-REACTIVE SOLIDS AND LIQUIDS**  
*{AS IN IFC}*

**CHAPTER 45. REFERENCED STANDARDS**

**SECTION 4501 GENERAL**

**4501.1 SCOPE.** THIS CHAPTER 45 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.6 OF THIS CODE.

**4501.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,  
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,  
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,  
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

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**PART IX. INTERNATIONAL ENERGY CONSERVATION CODE**

**§ 9-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART IX.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART IX REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

**§ 9-102. CITY MODIFICATIONS.**

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

**CHAPTER 1. ADMINISTRATION**

**SECTION 101 SCOPE AND GENERAL REQUIREMENTS**

**101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “ENERGY CONSERVATION CODE OF BALTIMORE CITY”.

**101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE ENERGY CONSERVATION CODE OF BALTIMORE CITY.

**101.2 TO 101.5** *{AS IN IECC}*

**SECTIONS 102 TO 107** *{AS IN IECC}*

**CHAPTER 2. DEFINITIONS**

**SECTION 201 GENERAL**

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

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

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

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



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### SECTION 202 GENERAL DEFINITIONS

**202.1 GENERAL.** EXCEPT AS PROVIDED IN § 202.2, TERMS THAT ARE USED AND DEFINED IN THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION) HAVE THE MEANINGS GIVEN IN THE INTERNATIONAL ENERGY CONSERVATION CODE (2006 EDITION).

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

**202.2.1 CODE OFFICIAL.** “CODE OFFICIAL” MEANS THE BUILDING OFFICIAL, AS DEFINED IN § 202.2 OF THE BUILDING CODE OF BALTIMORE CITY.

### CHAPTER 3. CLIMATE ZONES {AS IN IECC}

### CHAPTER 4. RESIDENTIAL ENERGY EFFICIENCY {AS IN IECC}

### CHAPTER 5. COMMERCIAL ENERGY EFFICIENCY {AS IN IECC}

### CHAPTER 6. REFERENCED STANDARDS

### SECTION 601 GENERAL

**601.1 SCOPE.** THIS CHAPTER 6 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 107 OF THIS CODE.

**601.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE STANDARDS LISTED:

1. FOR ICC ELECTRICAL CODE,  
SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
2. FOR INTERNATIONAL FUEL GAS CODE,  
SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
3. FOR INTERNATIONAL PLUMBING CODE,  
SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007 SUPPLEMENT)**.

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**PART X. INTERNATIONAL RESIDENTIAL CODE**

**§ 10-101. CITY ADOPTION.**

(A) *IN GENERAL.*

THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (2006 EDITION) IS ADOPTED AS PART OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, SUBJECT TO THE ADDITIONS, DELETIONS, AMENDMENTS, AND OTHER MODIFICATIONS CONTAINED IN THIS PART X.

(B) *CODIFICATION.*

UNLESS OTHERWISE SPECIFIED, CHAPTER AND SECTION NUMBERS IN THIS PART X REFER TO THE CHAPTER AND SECTION NUMBERS OF THE INTERNATIONAL RESIDENTIAL CODE.

**§ 10-102. CITY MODIFICATIONS.**

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

***PART I – ADMINISTRATIVE***

**CHAPTER 1. ADMINISTRATION**

**SECTION 101 TITLE, SCOPE, AND PURPOSE**

**101.1 TITLE.** THESE REGULATIONS CONSTITUTE AND ARE KNOWN AS THE “RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS OF BALTIMORE CITY”.

**101.1.1 REFERENCES TO “THIS CODE”.** ALL REFERENCES TO “THIS CODE” REFER TO THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS OF BALTIMORE CITY.

**101.2 SCOPE.** *{AS IN IRC}*

**101.3 PURPOSE** *{AS IN IRC}*

**SECTION 102 APPLICABILITY**

**102.1 TO 102.4** *{AS IN IRC}*

**102.5 APPENDICES ADOPTED.** THE PROVISIONS OF THE FOLLOWING APPENDICES ARE ADOPTED AS PART OF THIS CODE:

1. APPENDIX E: “MANUFACTURED HOUSING USED AS DWELLINGS”.
2. APPENDIX F: “RADON CONTROL METHODS”.
3. APPENDIX G: “SWIMMING POOLS, SPAS, AND HOT TUBS”.
4. APPENDIX H: “PATIO COVERS”.
5. APPENDIX I: “PRIVATE SEWAGE DISPOSAL”.

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- 1           6. APPENDIX K: “SOUND TRANSMISSION”.
- 2           7. APPENDIX M: “HOME DAY CARE – R-3 OCCUPANCY”.
- 3           8. APPENDIX O: “GRAY WATER RECYCLING SYSTEMS”.
- 4           9. APPENDIX P: “SPRINKLING”.

5           **102.6 TO 102.7 {AS IN IRC}**

6           **SECTION 103 DEPARTMENT OF BUILDING SAFETY**

7           **103.1 GENERAL.** THIS CODE IS ADMINISTERED AND ENFORCED BY THE DEPARTMENT OF HOUSING AND  
8           COMMUNITY DEVELOPMENT AND ITS COMMISSIONER. ACCORDINGLY, IN THIS CODE:

- 9           1. “DEPARTMENT OF BUILDING SAFETY” OR “DEPARTMENT” MEANS THE DEPARTMENT OF  
10           HOUSING AND COMMUNITY DEVELOPMENT, AND
- 11           2. “BUILDING OFFICIAL” MEANS THE BUILDING OFFICIAL AS DEFINED IN § 202.2 OF THE BUILDING  
12           CODE OF BALTIMORE CITY.

13           **103.2 APPOINTMENT. {NOT ADOPTED}**

14           **103.3 DEPUTIES. {NOT ADOPTED}**

15           **SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL**

16           **104.1 GENERAL. {AS IN IRC}**

17           **104.2 APPLICATION AND PERMITS. {AS IN IRC}**

18           **104.3 NOTICES AND ORDERS. {AS IN IRC}**

19           **104.4 INSPECTIONS.** THE BUILDING OFFICIAL MUST MAKE ALL OF THE REQUIRED INSPECTIONS OR  
20           ACCEPT REPORTS OF INSPECTION BY APPROVED AGENCIES OR INDIVIDUALS. ALL REPORTS OF THESE  
21           INSPECTIONS MUST BE IN WRITING AND SIGNED BY A RESPONSIBLE OFFICER OF THE APPROVED AGENCY  
22           OR BY THE RESPONSIBLE INDIVIDUAL. THE BUILDING OFFICIAL MAY ENGAGE ANY EXPERT OPINION  
23           THAT THE BUILDING OFFICIAL CONSIDERS NECESSARY TO REPORT ON UNUSUAL TECHNICAL ISSUES THAT  
24           ARISE.

25           **104.5 IDENTIFICATION. {AS IN IRC}**

26           **104.6 RIGHT OF ENTRY.** THE BUILDING OFFICIAL MAY ENTER ANY STRUCTURE OR PREMISES AT  
27           REASONABLE TIMES TO INSPECT, SUBJECT TO CONSTITUTIONAL RESTRICTIONS ON UNREASONABLE  
28           SEARCHES AND SEIZURES. IF ENTRY IS REFUSED OR NOT OBTAINED, THE BUILDING OFFICIAL MAY  
29           PURSUE RECOURSE AS PROVIDED BY LAW, INCLUDING § 104 OF THE BALTIMORE CITY BUILDING CODE.

30           **104.7 DEPARTMENT RECORDS. {AS IN IRC}**

31           **104.8 LIABILITY {NOT ADOPTED. SEE STATE COURTS ARTICLE § 5-302.}**

32           **104.9 TO 104.11 {AS IN IRC}**

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1     **SECTION 105 PERMITS**

2             **105.1 REQUIRED.** *{AS IN IRC}*

3             **105.2 WORK EXEMPT FROM PERMIT.** *{INTRODUCTORY PARAGRAPH AS ON IRC}*

4                     **BUILDING:**

5                             **1 TO 5.** *{NOT ADOPTED}*

6                             **6 TO 8.** *{AS IN IRC}*

7                             **9.** *{NOT ADOPTED}*

8                     **ELECTRICAL:** *{AS IN IRC}*

9                     **GAS:** *{AS IN IRC}*

10                    **MECHANICAL:** *{AS IN IRC}*

11             **105.2.1 TO 105.2.3** *{AS IN IRC}*

12             **105.3 APPLICATION FOR PERMIT. THE REQUIREMENTS FOR OBTAINING A PERMIT ARE AS SET**  
13 **FORTH IN § 105.3 OF THE BALTIMORE CITY BUILDING CODE.**

14                     **105.3.1 ACTION ON APPLICATION. THE REQUIRED ACTIONS BY THE BUILDING OFFICIAL ARE**  
15 **AS SET FORTH IN § 105.3.1 {“GENERAL”} AND § 105.3.2 {“TRAFFIC-IMPACT STUDY” OF THE**  
16 **BALTIMORE CITY BUILDING CODE.**

17                             **105.3.1.1 DETERMINATION OF SUBSTANTIALLY IMPROVED OR DAMAGED EXISTING**  
18 **BUILDINGS IN FLOOD HAZARD AREAS. {SUBSTITUTE “IN AN ADMINISTRATIVE REVIEW” FOR**  
19 **“BY THE BOARD OF APPEALS”. OTHERWISE AS IN IRC.}**

20                     **105.3.2 TIME LIMITATION OF APPLICATION.** *{AS IN IRC}*

21             **105.4 VALIDITY OF PERMIT.** *{AS IN IRC}*

22             **105.5 EXPIRATION; EXTENSION. UNLESS EXTENDED, A PERMIT EXPIRES AS SET FORTH IN § 105.5**  
23 **{“EXPIRATION; EXTENSION”} OF THE BALTIMORE CITY BUILDING CODE.**

24             **105.6 SUSPENSION OR REVOCATION. THE BUILDING OFFICIAL MAY SUSPEND OR REVOKE A PERMIT AS**  
25 **PROVIDED IN § 105.6 {“SUSPENSION OR REVOCATION”} OF THE BALTIMORE CITY BUILDING CODE.**

26             **105.7 PLACEMENT OF PERMIT.** *{AS IN IRC}*

27             **105.8 RESPONSIBILITY.** *{AS IN IRC}*

28     **SECTION 106 CONSTRUCTION DOCUMENTS** *{AS IN IRC}*

29     **SECTION 107 TEMPORARY STRUCTURES AND USES** *{AS IN IRC}*



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**PART III – BUILDING PLANNING AND CONSTRUCTION**

**CHAPTER 3. BUILDING PLANNING  
{AS IN IRC}**

**CHAPTER 3. BUILDING PLANNING**

**SECTION 301 DESIGN CRITERIA**

**301.1 APPLICATION {AS IN IRC}**

**301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA {AS IN IRC}**

**TABLE 301.2(1)  
{INSERT THE FOLLOWING CRITERIA}**

GROUND SNOW LOAD	WIND SPEED	SEISMIC DESIGN CATEGORY	WEATHER-ING	FROST LINE DEPTH	TERMITE	WINTER DESIGN TEMP	ICE BARRIER...	FLOOD HAZARDS	AIR FREEZE INDEX	MEAN ANNUAL TEMP
25 PSF	90 MPH	A	SEVERE	30"	MODERATE TO HEAVY	13° F	YES	VARIES	300	52° F

**301.3 TO 301.8 {AS IN IRC}**

**SECTION 302 EXTERIOR WALL LOCATION {AS IN IRC}**

**SECTION 303 LIGHT, VENTILATION, AND HEATING**

**303.1 TO 303.5 {AS IN IRC}**

**303.6 STAIRWAY ILLUMINATION {AS IN IRC}**

**EXCEPTION: {AS IN IRC}**

**303.6.1 LIGHT ACTIVATION {PER MBPS MODIFICATIONS}.** THE CONTROL FOR ACTIVATION OF THE REQUIRED INTERIOR STAIRWAY LIGHTING MUST BE ACCESSIBLE AT THE TOP AND BOTTOM OF EACH STAIRWAY WITHOUT TRAVERSING ANY RISERS. THE ILLUMINATION OF THE EXTERIOR STAIRWAYS MUST BE CONTROLLED FROM INSIDE THE DWELLING UNIT.

**EXCEPTIONS:**

1. LIGHTS THAT ARE CONTINUOUSLY ILLUMINATED OR AUTOMATICALLY CONTROLLED;
2. INTERIOR STAIRWAYS CONSISTING OF LESS THAN 6 RISERS.

**303.7 TO 303.8 {AS IN IRC}**

**SECTIONS 304 TO 308 {AS IN IRC}**

**SECTION 309 GARAGES, CARPORTS, DRIVEWAYS, ETC.**

**309.1 TO 309.6 {AS IN IRC}**

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**309.7 PAVED SURFACES.** PARKING PADS, DRIVEWAYS, AND OTHER PAVED SURFACES MUST ALSO COMPLY WITH THE REQUIREMENTS OF BUILDING CODE § 3110.

**SECTION 310 EMERGENCY ESCAPE AND RESCUE OPENINGS**

**310.1 EMERGENCY ESCAPE AND RESCUE REQUIRED {PER MBPS MODIFICATIONS}.** EVERY SLEEPING ROOM MUST HAVE AT LEAST 1 OPENABLE EMERGENCY ESCAPE AND RESCUE WINDOW OR EXTERIOR DOOR OPENING FOR EMERGENCY ESCAPE AND RESCUE. IF OPENINGS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY MUST HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES (1118 MM) ABOVE THE ADJACENT INTERIOR STANDING SURFACE. IF A DOOR OPENING HAVING A THRESHOLD BELOW THE ADJACENT GROUND ELEVATION SERVES AS AN EMERGENCY ESCAPE AND RESCUE OPENING AND IS PROVIDED WITH A BULKHEAD ENCLOSURE, THE BULKHEAD ENCLOSURE MUST COMPLY WITH § 310.3. THE NET CLEAR OPENING DIMENSIONS REQUIRED BY THIS SECTION MUST BE OBTAINED BY THE NORMAL OPERATION OF THE WINDOW OR DOOR OPENING FROM THE INSIDE. ESCAPE AND RESCUE WINDOW OPENINGS WITH A FINISHED SILL HEIGHT BELOW THE ADJACENT GROUND ELEVATION MUST BE PROVIDED WITH A WINDOW WELL IN ACCORDANCE WITH § 310.2.

**310.2 TO 310.5 {AS IN IRC}**

**SECTION 311 MEANS OF EGRESS**

**311.1 TO 311.4 {AS IN IRC}**

**311.5 STAIRWAYS.**

**311.5.1 WIDTH. {AS IN IRC}**

**311.5.2 HEADROOM. {AS IN IRC}**

**311.5.3 STAIR TREADS AND RISERS {PER MBPS MODIFICATIONS}.**

**311.5.3.1 RISER HEIGHT.** THE MAXIMUM RISER HEIGHT IS 8-1/4 INCHES (210 MM). THE RISER MUST BE MEASURED VERTICALLY BETWEEN LEADING EDGES OF THE ADJACENT TREADS. THE GREATEST RISER HEIGHT WITHIN ANY FLIGHT OF STAIRS MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM).

**311.5.3.2 TREAD DEPTH.** THE MINIMUM TREAD DEPTH IS 9 INCHES (229 MM). THE TREAD DEPTH MUST BE MEASURED HORIZONTALLY BETWEEN THE VERTICAL PLANES OF THE FOREMOST PROJECTION OF ADJACENT TREADS AND AT A RIGHT ANGLE TO THE TREADS LEADING EDGE. THE GREATEST TREAD DEPTH WITHIN ANY FLIGHT OF STAIRS MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM). WINDER TREADS MUST HAVE A MINIMUM TREAD DEPTH OF 9 INCHES (229 MM) MEASURED AS ABOVE AT A POINT 12 INCHES (305 MM) FROM THE SIDE WHERE THE TREADS ARE NARROWER. WINDER TREADS MUST HAVE A MINIMUM TREAD DEPTH OF 6 INCHES (152 MM) AT ANY POINT. WITHIN ANY FLIGHT OF STAIRS, THE GREATEST WINDER TREAD DEPTH AT THE 12 INCH (305 MM) WALK LINE MAY NOT EXCEED THE SMALLEST BY MORE THAN 3/8 INCH (9.5 MM).

**311.5.3.3 PROFILE. {AS IN IRC}**

**EXCEPTIONS:**

1. **{PER MBPS MODIFICATIONS}** A NOSING IS NOT REQUIRED IF THE TREAD DEPTH IS A MINIMUM OF 10 INCHES (254 MM).

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1                   2. *{AS IN IRC}*

2           **311.6 RAMPS.** *{AS IN IRC}*

3   **SECTION 312 GUARDS**

4           **312.1 GUARDS.** *{AS IN IRC}*

5           **312.2 GUARD OPENING LIMITATIONS.** REQUIRED GUARDS ON OPEN SIDES OF STAIRWAYS, RAISED  
6 FLOOR AREAS, BALCONIES, AND PORCHES:

- 7           1. MUST HAVE INTERMEDIATE RAILS OR ORNAMENTAL CLOSURES THAT DO NOT ALLOW PASSAGE  
8           OF A SPHERE 4 INCHES (102MM) OR MORE IN DIAMETER, AND
- 9           2. MAY NOT BE CONSTRUCTED WITH HORIZONTAL RAILS OR ANY ORNAMENTAL PATTERN THAT  
10           RESULTS IN A LADDER EFFECT.

11           **EXCEPTIONS:** *{AS IN IRC}*

12   **SECTIONS 313 TO 324** *{AS IN IRC}*

13                                   **CHAPTER 4. FOUNDATIONS**

14   **SECTIONS 401 TO 403** *{AS IN IRC}*

15   **SECTION 404 FOUNDATION AND RETAINING WALLS**

16           **404.1 TO 404.5** *{AS IN IRC}*

17           **404.6 UNDERPINNING.** UNDERPINNING FOUNDATION WALLS MUST BE IN ACCORDANCE WITH  
18 BUILDING CODE § 1803.1.

19   **SECTIONS 405 TO 408** *{AS IN IRC}*

20                                   **CHAPTER 5. FLOORS**  
21                                   *{AS IN IRC}*

22                                   **CHAPTER 6. WALL CONSTRUCTION**  
23                                   *{AS IN IRC}*

24                                   **CHAPTER 7. WALL COVERING**  
25                                   *{AS IN IRC}*

26                                   **CHAPTER 8. ROOF-CEILING CONSTRUCTION**

27   **SECTION 801 GENERAL**

28           **801.1 TO 801.2** *{AS IN IRC}*

29           **801.3 ROOF DRAINAGE.** ROOF DRAINAGE MUST BE PROVIDED IN ACCORDANCE WITH BUILDING CODE  
30 § 1503.4.  
31

32   **SECTIONS 802 TO 808** *{AS IN IRC}*



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**CHAPTER 9. ROOF ASSEMBLIES**

**SECTIONS 901 TO 907** *{SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR “INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IFC.}*

**SECTION 908 ROOFTOP DECKS AND OTHER STRUCTURES**

**908.1 GENERAL.** ALL ROOFTOP STRUCTURES MUST COMPLY WITH BUILDING CODE § 1509.

**CHAPTER 10. CHIMNEYS AND FIREPLACES**  
*{AS IN IRC}*

*PART IV – ENERGY CONSERVATION*

**CHAPTER 11. ENERGY EFFICIENCY**  
*{AS IN IRC}*

*PART V – MECHANICAL*

**{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 12 THROUGH 24 IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.... }**

**CHAPTER 12. MECHANICAL ADMINISTRATION**  
*{AS IN IRC}*

**CHAPTER 13. GENERAL MECHANICAL SYSTEM REQUIREMENTS**

**SECTION 1301 GENERAL** *{SUBSTITUTE “NATIONAL FUEL GAS CODE” FOR “INTERNATIONAL FUEL GAS CODE”. OTHERWISE, AS IN IFC.}*

**SECTIONS 1302 TO 1306** *{AS IN IRC}*

**SECTION 1307 APPLIANCE INSTALLATION**

**1307.1 GENERAL.** *{AS IN IRC}*

**1307.2 ANCHORAGE OF APPLIANCES.** *{AS IN IRC}*

**1307.3 ELEVATION OF IGNITION SOURCE.** *{AS IN IRC}*

**1307.3.1 PROTECTION FROM IMPACT.** APPLIANCES LOCATED IN A GARAGE OR CARPORT MUST BE PROTECTED FROM IMPACT BY AUTOMOBILES.

**1307.4 HYDROGEN GENERATING AND REFUELING OPERATIONS.** *{AS IN IRC}*

**1307.5 ELECTRICAL APPLIANCES.** *{AS IN IRC}*

**SECTION 1308 MECHANICAL SYSTEMS INSTALLATION** *{AS IN IRC}*

**CHAPTER 14. HEATING AND COOLING EQUIPMENT**

**SECTIONS 1401 TO 1410** *{AS IN IRC}*

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**SECTION 1411 HEATING AND COOLING EQUIPMENT**

**1411.1 APPROVED REFRIGERANTS. {AS IN IRC}**

**1411.2 REFRIGERATION COILS IN WARM-AIR FURNACES. {AS IN IRC}**

**1411.3 CONDENSATE DISPOSAL. {AS IN IRC}**

**1411.3.1 AUXILIARY AND SECONDARY DRAIN SYSTEMS. {AS IN IRC}**

**1411.3.2 DRAIN PIPE MATERIALS AND SIZES.** COMPONENTS OF THE CONDENSATE DISPOSAL SYSTEM MUST BE CAST IRON, GALVANIZED STEEL, COPPER, POLYETHYLENE, ABS, CPVC, OR PVC PIPE OR TUBING. ALL COMPONENTS MUST BE SELECTED FOR THE PRESSURE AND TEMPERATURE RATING OF THE INSTALLATION. CONDENSATE WASTE AND DRAIN LINE SIZE MAY NOT BE LESS THAN 3/4- INCH (19 MM) INTERNAL DIAMETER AND MAY NOT DECREASE IN SIZE FROM THE DRAIN PAN CONNECTION TO THE PLACE OF CONDENSATE DISPOSAL. WHERE THE DRAIN PIPES FROM MORE THAN ONE UNIT ARE MANIFOLDED TOGETHER FOR CONDENSATE DRAINAGE, THE PIPE OR TUBING MUST BE SIZED IN ACCORDANCE WITH AN APPROVED METHOD. ALL HORIZONTAL SECTIONS OF DRAIN PIPING MUST BE INSTALLED IN UNIFORM ALIGNMENT AT A UNIFORM SLOPE.

**1411.4 AUXILIARY DRAIN PAN. {AS IN IRC}**

**1411.5 INSULATION OF REFRIGERANT PIPING. {AS IN IRC}**

**SECTION 1412 ABSORPTION COOLING EQUIPMENT {AS IN IRC}**

**SECTION 1413 EVAPORATE COOLING EQUIPMENT**

**1413.1 GENERAL. {AS IN IRC}**

**1413.2 PROTECTION OF POTABLE WATER.** THE POTABLE WATER SYSTEM MUST BE PROTECTED FROM BACKFLOW IN ACCORDANCE WITH THE NATIONAL STANDARD PLUMBING CODE.

**SECTION 1414 FIREPLACE STOVES {AS IN IRC}**

**SECTION 1415 MASONRY HEATERS {AS IN IRC}**

**CHAPTER 15. EXHAUST SYSTEMS  
{AS IN IRC}**

**CHAPTER 16. DUCT SYSTEMS  
{AS IN IRC}**

**CHAPTER 17. COMBUSTION AIR**

**SECTION 1701 GENERAL**

**1701.1 AIR SUPPLY. {AS IN IRC}**

**1701.1.1 BUILDINGS OF UNUSUALLY TIGHT CONSTRUCTION.** IN BUILDINGS OF UNUSUALLY TIGHT CONSTRUCTION, COMBUSTION AIR MUST BE OBTAINED FROM OUTSIDE THE SEALED THERMAL ENVELOPE. IN BUILDINGS OF ORDINARY TIGHTNESS, INsofar AS INFILTRATION IS CONCERNED, ALL OR A PORTION OF THE COMBUSTION AIR FOR FUEL-BURNING APPLIANCES MAY BE OBTAINED FROM INFILTRATION WHEN THE ROOM OR SPACE HAS A VOLUME OF 50 CUBIC FEET PER 1000 BTU/H (4.83 L/W) INPUT.

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1 **1701.2 EXHAUST AND VENTILATION SYSTEM. {As in IRC}**

2 **1701.3 VOLUME DAMPERS PROHIBITED. {As in IRC}**

3 **1701.4 PROHIBITED SOURCES.** COMBUSTION AIR DUCTS AND OPENINGS MAY NOT CONNECT  
4 APPLIANCE ENCLOSURES WITH SPACE IN WHICH THE OPERATION OF A FAN MAY ADVERSELY AFFECT  
5 THE FLOW OF COMBUSTION AIR. COMBUSTION AIR MAY NOT BE OBTAINED FROM AN AREA IN WHICH  
6 FLAMMABLE VAPORS PRESENT A HAZARD. FUEL-FIRED APPLIANCES MAY NOT OBTAIN COMBUSTION  
7 AIR FROM ANY OF THE FOLLOWING ROOMS OR SPACES:

8 1. SLEEPING ROOMS.

9 2. BATHROOMS.

10 3. TOILET ROOMS.

11 4. COOKING ROOMS OR AREAS.

12 5. STORAGE SPACES THAT DIMINISH COMBUSTION AIR AREA.

13 **EXCEPTION:** THE FOLLOWING APPLIANCES ARE PERMITTED TO OBTAIN COMBUSTION AIR FROM  
14 SLEEPING ROOMS, BATHROOMS AND TOILET ROOMS:

15 1. SOLID FUEL-FIRED APPLIANCES, AS LONG AS THE ROOM IS NOT A CONFINED SPACE AND  
16 THE BUILDING IS NOT OF UNUSUALLY TIGHT CONSTRUCTION.

17 2. APPLIANCES INSTALLED IN AN ENCLOSURE IN WHICH ALL COMBUSTION AIR IS TAKEN  
18 FROM THE OUTDOORS AND THE ENCLOSURE IS EQUIPPED WITH A SOLID WEATHERSTRIPPED  
19 DOOR AND SELF-CLOSING DEVICE.

20 **1701.5 OPENING AREA. {As in IRC}**

21 **1701.6 OPENING LOCATION. {As in IRC}**

22 **SECTION 1702 ALL AIR FROM INSIDE THE BUILDING {As in IRC}**

23 **SECTION 1703 ALL AIR FROM OUTDOORS {As in IRC}**

24 **CHAPTER 18. CHIMNEYS AND VENTS**

25 **SECTION 1801 GENERAL {As in IRC}**

26 **SECTION 1802 VENT COMPONENTS**

27 **1802.1 DRAFT HOODS.** DRAFT HOODS MUST BE LOCATED IN THE SAME ROOM OR SPACE AS THE  
28 COMBUSTION AIR OPENINGS FOR THE APPLIANCES.

29 **EXCEPTION:** DRAFT HOODS OF SAUNAS MAY NOT BE LOCATED IN THE SAME ROOM THAT THE  
30 SAUNA IS IN.

31 **1802.2 VENT DAMPERS. {As in IRC}**

32 **1802.3 DRAFT REGULATORS. {As in IRC}**

33 **SECTIONS 1803 TO 1805 {As in IRC}**

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**CHAPTER 19. SPECIAL FUEL-BURNING EQUIPMENT**  
*{AS IN IRC}*

**CHAPTER 20. BOILERS AND WATER HEATERS**  
*{AS IN IRC}*

**CHAPTER 21. HYDRONIC PIPING**

**SECTION 2101 HYDRONIC PIPING SYSTEMS INSTALLATION**

**2101.1 GENERAL.** *{AS IN IRC}*

**TABLE 2101.1** *{AS IN IRC, EXCEPT THAT POLYBUTYLENE (PB) PIPE AND PIPING IS NOT APPROVED.}*

**2101.2 TO 2101.10** *{AS IN IRC}*

**SECTION 2102 BASEBOARD CONVECTORS** *{AS IN IRC}*

**SECTION 2103 FLOOR HEATING SYSTEMS**

**2103.1 PIPING MATERIALS.** PIPING FOR EMBEDMENT IN CONCRETE OR GYSUM MATERIALS MUST BE STANDARD-WEIGHT STEEL PIPE, COPPER TUBING, CROSS-LINKED POLYETHYLENE/ALUMINUM/CROSS-LINKED POLYETHYLENE (PEX-AL-PEX) PRESSURE PIPE, CHLORINATED POLYVINYL CHLORIDE (CPVC), CROSS-LINKED POLYETHYLENE (PEX) TUBING, OR POLYPROPYLENE (PP) WITH A MINIMUM RATING OF 100 PSI AT 180°F (690 kPa AT 82°C).

**2103.2 PIPING JOINTS.** PIPING JOINTS THAT ARE EMBEDDED MUST BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

1. - 2. *{AS IN IRC}*

3. *{NOT ADOPTED}*

4. - 6. *{AS IN IRC}*

**2103.3 TESTING.** *{AS IN IRC}*

**SECTION 2104 LOW TEMPERATURE PIPING** *{AS IN IRC}*

**SECTION 2105 GROUND SOURCE HEAT PUMP SYSTEM LOOP PIPING** *{AS IN IRC}*

**CHAPTER 22. SPECIAL PIPING AND STORAGE SYSTEMS**

**SECTION 2201 OIL TANKS**

**2201.1 MATERIALS.** *{AS IN IRC}*

**2201.2 ABOVE-GROUND TANKS.** *{AS IN IRC}*

**2201.2.1 TANKS WITHIN BUILDINGS.** *{AS IN IRC}*

**2201.2.2 OUTSIDE ABOVE-GROUND TANKS.** *{AS IN IRC}*

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**EXCEPTION:** IF THE 5-FEET MINIMUM DISTANCE FROM AN ADJOINING PROPERTY LINE  
CANNOT BE MET, THE BUILDING OFFICIAL WILL DETERMINE THE LOCATION OF THE TANK.

**2201.3 TO 2201.7 {AS IN IRC}**

**SECTIONS 2202 TO 2204 {AS IN IRC}**

**CHAPTER 23. SOLAR SYSTEMS**

**SECTION 2301 SOLAR ENERGY SYSTEMS {SUBSTITUTE “NATIONAL STANDARD PLUMBING CODE” FOR  
“INTERNATIONAL PLUMBING CODE”. OTHERWISE, AS IN IFC.}**

**PART VI – FUEL GAS**

**CHAPTER 24. FUEL GAS**

**{NOT ADOPTED}**

**{SEE NATIONAL FUEL GAS CODE AS MODIFIED BY BFR ARTICLE PART IV}**

**PART VII – PLUMBING**

**{MBPS MODIFICATION – THE SUBJECT MATTER OF CHAPTERS 25 THROUGH 32 IS NOT WITHIN THE SCOPE  
OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.... }**

**CHAPTER 25. PLUMBING ADMINISTRATION**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

**CHAPTER 26. GENERAL PLUMBING REQUIREMENTS**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

**CHAPTER 27. PLUMBING FIXTURES**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

**CHAPTER 28. WATER HEATERS**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

**CHAPTER 29. WATER SUPPLY AND DISTRIBUTION**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

**CHAPTER 30. SANITARY DRAINAGE**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

**CHAPTER 31. VENTS**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

**CHAPTER 32. TRAPS**

**{NOT ADOPTED}**

**{SEE NATIONAL STANDARD PLUMBING CODE AS MODIFIED BY BFR ARTICLE PART VI}**

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**PART VIII – ELECTRICAL**

{**MBPS MODIFICATION** – THE SUBJECT MATTER OF CHAPTERS 33 THROUGH 42 IS NOT WITHIN THE SCOPE OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.... }

**CHAPTER 33. GENERAL REQUIREMENTS**  
*{AS IN IRC}*

**CHAPTER 34. ELECTRICAL DEFINITIONS**  
*{AS IN IRC}*

**CHAPTER 35. SERVICES**

**SECTIONS 3501 TO 3503** *{AS IN IRC}*

**SECTION 3504 OVERHEAD SERVICE-DROP AND SERVICE CONDUCTOR INSTALLATION**

**3504.1 CLEARANCES ON BUILDINGS.** *{AS IN IRC}*

**3504.2 VERTICAL CLEARANCES.** *{AS IN IRC}*

**3504.2.1 ABOVE ROOFS.** *{AS IN IRC}*

**3504.2.2 VERTICAL CLEARANCE FROM GRADE.** *{INTRODUCTORY PARAGRAPH AS IN IRC}*

1. - 3. *{AS IN IRC}*

4. **CLEARANCE ABOVE DECKS.** CONDUCTORS MUST HAVE A VERTICAL CLEARANCE OF AT LEAST 8 FEET AT THE LOWEST POINT ABOVE THE DECK SURFACE.

**3504.3 TO 3504.6** *{AS IN IRC}*

**SECTIONS 3505 TO 3508** *{AS IN IRC}*

**SECTION 3509 BONDING**

**3509.1 TO 3509.6** *{AS IN IRC}*

**3509.7 BONDING OTHER METAL PIPING.** WHERE INSTALLED IN OR ATTACHED TO A BUILDING OR STRUCTURE, METAL PIPING SYSTEMS CAPABLE OF BECOMING ENERGIZED MUST BE BONDED TO THE SERVICE EQUIPMENT ENCLOSURE, THE GROUNDED CONDUCTOR AT THE SERVICE, THE GROUNDING ELECTRODE CONDUCTOR WHERE OF SUFFICIENT SIZE, OR TO THE ONE OR MORE GROUNDING ELECTRODES USED. THE BONDING JUMPER MUST BE SIZED IN ACCORDANCE WITH TABLE E3808.12 USING THE RATING OF THE CIRCUIT CAPABLE OF ENERGIZING THE PIPING. THE EQUIPMENT GROUNDING CONDUCTOR FOR THE CIRCUIT THAT IS CAPABLE OF ENERGIZING THE PIPING MUST BE PERMITTED TO SERVE AS THE BONDING MEANS. THE POINTS OF ATTACHMENT OF THE BONDING JUMPERS MUST BE ACCESSIBLE.

**3509.7.1 EXCEPTION.** THIS § 3509.7 DOES NOT APPLY TO GAS PIPING.

**SECTION 3510 GROUNDING ELECTRODE CONDUCTORS** *{AS IN IRC}*

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**SECTION 3511 GROUNDING ELECTRODE CONDUCTOR CONNECTION TO THE GROUNDING ELECTRODES**

**3511.1 METHODS OF GROUNDING. {As IN IRC}**

**3511.2 ACCESSIBILITY.** THE CONNECTION OF A GROUNDING ELECTRODE CONDUCTOR OR BONDING JUMPER CONDUCTOR TO A GROUNDING ELECTRODE THAT IS NOT BURIED OR CONCRETE ENCASED MUST BE:

1. AHEAD OF ALL TURNOFF VALVES AND UNIONS, AND
2. ACCESSIBLE.

**3511.3 TO 3511.5 {As IN IRC}**

**CHAPTER 36. BRANCH CIRCUIT AND FEEDER REQUIREMENTS**

**SECTION 3601 GENERAL {As IN IRC}**

**SECTION 3602 BRANCH CIRCUIT RATINGS**

**3602.1 TO 3602.11 {As IN IRC}**

**3602.12 BRANCH CIRCUITS SERVING ROOM AIR CONDITIONERS. {INTRODUCTORY PARAGRAPH AS IN IRC}**

1. - 4. {As IN IRC}
5. THE CIRCUIT CONTAINS A DEDICATED RECEPTACLE FOR THE AIR CONDITIONER .

**3602.12.1 WHERE NO OTHER LOADS ARE SUPPLIED. {As IN IRC}**

**3602.12.2 WHERE LIGHTING UNITS OR OTHER APPLIANCES ARE SUPPLIED. {As IN IRC}**

**3602.13 BRANCH-CIRCUIT REQUIREMENT – SUMMARY. {As IN IRC}**

**3602.13.1 CIRCUITS FOR FUEL-BURNING EQUIPMENT.** IN FUEL-BURNING EQUIPMENT SUCH AS OIL AND GAS BURNERS AND STOVES, INCLUDING AUXILIARIES SUCH AS FANS, BLOWERS, AND PUMPS, AN INDIVIDUAL BRANCH CIRCUIT WITH A DISCONNECTING MEANS ON THE LINE SIDE OF ALL EQUIPMENT AND DEVICES, OTHER THAN THE BRANCH-CIRCUIT FUSES, MUST BE PROVIDED. IF 2 OR MORE BRANCH CIRCUITS ARE PROVIDED FOR A FUEL-BURNING SYSTEM, THEY MUST BE SUPPLIED THROUGH A COMMON FEEDER WITH A DISCONNECTING MEANS THAT WILL DISCONNECT ALL COMPONENTS OF THE SYSTEM.

**3602.13.2 CONTROLS.** OIL BURNERS OTHER THAN OIL STORES WITH INTEGRAL TANKS MUST BE PROVIDED WITH A DEVICE TO MANUALLY STOP THE FLOW OF OIL TO THE BURNERS. THE DEVICE MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER WITH ELECTRICALLY DRIVEN EQUIPMENT. THIS MAY BE ACCOMPLISHED BY AN IDENTIFIED SWITCH IN THE BURNER SUPPLY CIRCUIT, PLACED NEAR THE ENTRANCE TO THE ROOM WHERE THE BURNER IS LOCATED.

**3602.13.3 EMERGENCY SWITCH FOR FUEL-BURNING EQUIPMENT.** FUEL-BURNING EQUIPMENT MUST HAVE A DEVICE TO MANUALLY STOP THE FLOW OF FUEL AT THE FUEL TRAIN TO THE BURNER. THE DEVICE MUST BE PLACED IN A CONVENIENT LOCATION AT A SAFE DISTANCE FROM THE BURNER AND MUST BE IDENTIFIED AS A EMERGENCY DISCONNECT.





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1       **4001.6 TO 4001.7 {AS IN IRC}**

2                               **CHAPTER 41. SWIMMING POOLS**  
3                                       *{AS IN IRC}*

4               **CHAPTER 42. CLASS 2 REMOTE-CONTROL, SIGNALING, AND POWER-LIMITED CIRCUITS**  
5                               *{AS IN IRC}*

6   *PART IX – REFERENCED STANDARDS*

7                               **CHAPTER 43. REFERENCED STANDARDS**

8       **SECTION 4301 GENERAL**

9       **4301.1 SCOPE.** THIS CHAPTER 43 LISTS THE STANDARDS THAT ARE REFERRED TO IN VARIOUS  
10       SECTIONS OF THIS CODE. THE STANDARDS ARE LISTED BY THE PROMULGATING ENTITY, THE  
11       STANDARD IDENTIFICATION, THE EFFECTIVE DATE AND TITLE, AND THE SECTION(S) OF THIS CODE  
12       THAT REFER TO THE STANDARD. THE APPLICATION OF THESE STANDARDS IS AS SPECIFIED IN § 102.4  
13       OF THIS CODE.

14       **4301.2 CITY MODIFICATIONS.** THE FOLLOWING SUBSTITUTIONS SHOULD BE MADE IN THE  
15       STANDARDS LISTED:

- 16           1. FOR ICC ELECTRICAL CODE,  
17                SUBSTITUTE **NATIONAL ELECTRICAL CODE (2005 EDITION)**.
- 18           2. FOR INTERNATIONAL FUEL GAS CODE,  
19                SUBSTITUTE **NATIONAL FUEL GAS CODE (2006 EDITION)**.
- 20           3. FOR INTERNATIONAL PLUMBING CODE,  
21                SUBSTITUTE **NATIONAL STANDARD PLUMBING CODE (2006 EDITION, 2007**  
22                **SUPPLEMENT)**.

23   *APPENDICES*

24                               **APPENDIX A. SIZING AND CAPACITIES OF GAS PIPING**  
25                                       *{INFORMATIONAL. NOT ADOPTED}*

26   **APPENDIX B. SIZING OF VENTING SYSTEMS ...**  
27                                       *{INFORMATIONAL. NOT ADOPTED}*

28   **APPENDIX C. EXIT TERMINALS ...**  
29                                       *{INFORMATIONAL. NOT ADOPTED}*

30   **APPENDIX D. RECOMMENDED PROCEDURE FOR SAFETY INSPECTION ...**  
31                                       *{INFORMATIONAL. NOT ADOPTED}*

32   **APPENDIX E. MANUFACTURED HOUSING USED AS DWELLINGS**  
33                                       *{AS IN IRC}*

34   **APPENDIX F. RADON CONTROL METHODS**  
35                                       *{AS IN IRC}*

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**APPENDIX G. SWIMMING POOLS, SPAS, AND HOT TUBS**

**SECTION 101 GENERAL**

**101.1 GENERAL. {AS IN IRC}**

**101.2 HEALTH AND ZONING.** IN ADDITION, SWIMMING POOLS, SPAS, AND HOT TUBS MUST COMPLY WITH:

1. ALL REGULATIONS OF THE BALTIMORE CITY HEALTH DEPARTMENT, AND
2. ALL LOCATION AND OTHER APPLICABLE PROVISIONS OF THE BALTIMORE CITY ZONING CODE.

**SECTIONS 102 TO 108 {AS IN IRC}**

**APPENDIX H. PATIO COVERS  
{AS IN IRC}**

**APPENDIX I. PRIVATE SEWAGE DISPOSAL  
{NOT ADOPTED}**

**APPENDIX J. EXISTING BUILDINGS AND STRUCTURES  
{NOT ADOPTED}**

**APPENDIX K. SOUND TRANSMISSION  
{AS IN IRC}**

**APPENDIX L. PERMIT FEES  
{NOT ADOPTED}**

**APPENDIX M. HOME DAY CARE – R-3 OCCUPANCY  
{AS IN IRC}**

**APPENDIX N. VENTING METHODS  
{INFORMATIONAL. NOT ADOPTED}**

**APPENDIX O. GRAY WATER RECYCLING SYSTEMS  
{AS IN IRC}**

**APPENDIX P. SPRINKLING**

**SECTION 101 FIRE SPRINKLERS**

**101.1 GENERAL.** AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM MUST BE INSTALLED IN TOWNHOUSES, AS REQUIRED BY STATE LAW.

**APPENDIX Q. IRC/NEC CROSS-REFERENCE  
{INFORMATIONAL. NOT ADOPTED}**



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- (2) order the [Director] COMMISSIONER of Housing and Community Development to withhold or suspend, UNTIL THE VIOLATION HAS BEEN CORRECTED, any permit issued under the Building, FIRE, OR RELATED [Code] CODES of Baltimore City for that premises or property [until the violation has been corrected].

**Article 13. Housing and Urban Renewal**

**§ 13-5 Investigation of applicant.**

The Commissioner must investigate each applicant for a new or renewal license to determine that:

- (1) the applicant did not knowingly make a material misstatement in the application; and
- (2) the establishment and its operation will comply with THE REQUIREMENTS OF:
  - (i) the [building, fire, electrical, health, plumbing, and zoning requirements] BUILDING, FIRE, AND RELATED CODES of [the] BALTIMORE City[.];
  - (II) THE HEALTH CODE OF BALTIMORE CITY;
  - (III) THE ZONING CODE OF BALTIMORE CITY; and
  - (IV) [(ii)] all other applicable laws.

**§ 13-8. Revocation or suspension of license.**

(a) *In general.*

The Commissioner may suspend or revoke any license issued under this subtitle if, after the licensee has been given the opportunity for a hearing, the Commissioner finds that:

- (1) the licensee knowingly made a material misstatement on the application for the issuance or renewal of the license; or
- (2) the establishment or its operation is in violation of A REQUIREMENT OF:
  - (i) [any building, fire, electrical, health, plumbing, or zoning requirement] THE BUILDING, FIRE, AND RELATED CODES of [the] BALTIMORE City;
  - (II) THE HEALTH CODE OF BALTIMORE CITY;
  - (III) THE ZONING CODE OF BALTIMORE CITY; or
  - (IV) [(ii)] any other applicable law.

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**Article 15. Licensing and Regulation**

**§ 1-28. Denial, suspension, or revocation.**

(a) *In general.*

The Board may deny, suspend, or revoke an adult-entertainment business license or renewal license for any of the following causes:

- (1) failing to pay the applicable license fee on or before the due date;
- (2) making any material false statement in any application for an initial or renewal license;
- (3) lack of accessibility for fire and police protection;
- (4) failing to comply with any provision of the BUILDING, Fire, [Health, Building, or Zoning] AND RELATED Codes of Baltimore City, THE HEALTH CODE OF BALTIMORE CITY, OR THE ZONING CODE OF BALTIMORE CITY;
- (5) failing to comply with any provision of this subtitle or of any rule or regulation adopted under this subtitle; or
- (6) failing to comply with any provision of any other local, state, or federal law that affects or relates to the operation of the adult-entertainment business.

**§ 3-8. Denial or suspension of permit.**

(b) *Grounds.*

The Zoning Board may take action under subsection (a) of this section for any of the following causes:

- (1) failing or refusing to comply with any provision of this subtitle or of any rule or regulation adopted under this subtitle;
- (2) making any material false statement in any application for an initial or renewal permit;
- (3) violating any provision of the [fire, health, building, or zoning codes] BUILDING, FIRE, AND RELATED CODES of Baltimore City, THE HEALTH CODE OF BALTIMORE CITY, OR THE ZONING CODE OF BALTIMORE CITY, or of any other ordinance, rule, or regulation of the City;
- (4) conviction of an owner, operator, or employee of the establishment of any violation of City Code Article 19, § 34-6 {"Daytime and Nighttime Curfews: Prohibited conduct of establishments"};
- (5) conviction of an owner, operator, or employee of the establishment of any violation of City Code Article 19, Subtitle 25 {"Loitering – General"};
- (6) permitting the installation, maintenance, or operation of amusement devices in any way that impairs the safety, health, or general welfare of patrons or of the public in the immediate vicinity of the premises;

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1 (7) lack of accessibility for fire and police protection; or

2 (8) lack of accessibility of light and air.

3 **Article 28. Taxes**

4 **§ 10-6. Home improvements.**

5 (d) *Qualifications — compliance with Codes.*

6 (1) To continue eligibility for a tax credit under this section, a dwelling must remain in  
7 compliance with the City Property Maintenance Code.

8 (2) If a dwelling owned by a person who has received a tax credit under this section is found to  
9 be in violation of the Property Maintenance Code, the property owner is not eligible for any  
10 further tax credit under this section until the dwelling is determined again to be in  
11 compliance with that Code.

12 (3) A dwelling that is again brought into compliance is eligible for a tax credit at the rate it  
13 would have been eligible before the violation of the Property Maintenance Code.

14 (4) In addition to compliance with the Property Maintenance Code, the homeowner shall  
15 comply with ALL OTHER PARTS OF the [City Building Code] BUILDING, FIRE, AND RELATED  
16 CODES OF BALTIMORE CITY, including [its] THEIR permit [requirement] REQUIREMENTS for  
17 improvements.

18 **§ 10-8. Historic restorations and rehabilitations.**

19 (f) *Continuing eligibility.*

20 The property owner shall:

21 (1) maintain the major historic features of the property; and

22 (2) ensure that the property for which the credit was granted is in full compliance with the  
23 [City Building Code and Property Maintenance Code] BUILDING, FIRE, AND RELATED  
24 CODES OF BALTIMORE CITY.

25 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this  
26 Ordinance are not law and may not be considered to have been enacted as a part of this or any  
27 prior Ordinance.

28 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance and the Building, Fire,  
29 and Related Codes adopted by it applies to all building operations for which a permit  
30 application is filed on or after the effective date of this Ordinance.

31 **SECTION 6. AND BE IT FURTHER ORDAINED,** That, except as expressly provided to the  
32 contrary in this Ordinance, any transaction, case, proceeding, investigation, or other matter  
33 validly begun before the effective date of this Ordinance and affected by or flowing from any  
34 law amended or repealed by this Ordinance, and any right, duty, or interest flowing from any

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1 ordinance amended or repealed by this Ordinance, remains valid after the effective date of this  
2 Ordinance and may be terminated, completed, enforced, or prosecuted as required or permitted  
3 by the prior law as though the amendment or repeal has not occurred. If any change in  
4 nomenclature involves a change in name or designation of any City agency or official, the  
5 successor agency or official has all the powers and obligations granted the predecessor agency  
6 or official.

7 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 60<sup>th</sup>  
8 day after the date it is enacted.

