


<b>FROM</b>	NAME & TITLE	Theodore Atwood, Director	<b>CITY of</b> <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of General Services 800 Abel Wolman Municipal Building		
	SUBJECT	<b>CITY COUNCIL BILL 10-0593</b>		

DATE: January 12, 2011

**TO**  
 The Honorable President and Members  
 of the Baltimore City Council  
 c/o Karen Randle  
 Room 400 - City Hall

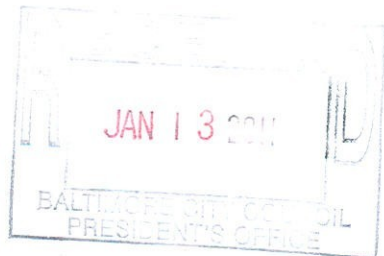
I am herein reporting on City Council Bill 10-0593 introduced by the Council President on behalf of the Administration (Department of Housing and Community Development).

The purpose of the Bill is to adopt a revised Building, Fire, and Related Codes Article, comprising the Maryland Building Performance Standards (effective January 1, 2010), the International Building Code (2009 Edition), the National Electrical Code (2008 Edition), the National Fuel Gas Code (2009 Edition), the International Mechanical Code (2009 Edition), the National Standard Plumbing Code (2009 Edition), the International Property Maintenance Code (2009 Edition), the International Fire Code (2009 Edition), the International Energy Conservation Code (2009 Edition), and the International Residential Code for One- and Two-Family Dwellings (2009 Edition), all as supplemented, amended, or otherwise modified by this Ordinance; provide for the effect, construction, and effective date of these new standards and codes; conform, correct, and clarify certain language; and generally relating to the adoption of new building, fire, property maintenance, electrical, plumbing, mechanical, and related codes for Baltimore City.

City Council Bill 10-0593, if approved, would update the City's building, property maintenance, mechanical, plumbing, and related codes. Revisions must be made from time to time to incorporate new standards, maintain current and viable standards for the protection of our citizens. Ordinance 07-552 was the last revision to these codes.

The responsibilities and services performed by General Services when it was a bureau of the Department of Public Works were transferred with its creation as a separate agency. As a result, amendments are required to correct certain references in this legislation from the Department of Public Works to the Department of General Services. The proposed amendments are provided in the attachment to this memorandum.

Based on these findings, the Department of General Services supports passage of City Council Bill 10-0593 as proposed to be amended.



*Theodore Atwood* F/A  
 Theodore Atwood  
 Director

TA/MMC:pat

ATTACHMENT  
CITY COUNCIL BILL 10-0593  
BUILDING, FIRE AND RELATED CODES – 2010 EDITION  
DEPARTMENT OF GENERAL SERVICES  
PROPOSED AMENDMENTS

Amendment No. 1

Page 7, lines 25-31, delete items C, E, and F and re-letter. Create a new item 7 listing the Department of General Services' rules and regulations governing encroachments, developer agreements, and blasting, and re-number.

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

1. THE CRITICAL AREA MANAGEMENT PROGRAM OF BALTIMORE CITY;
2. THE BALTIMORE CITY FOREST AND TREE CONSERVATION PROGRAM;
3. THE ZONING CODE OF BALTIMORE CITY;
4. CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHETECTURAL PRESERVATION"};
5. ANY APPLICABLE URBAN RENEWAL PLAN;
6. THE DEPARTMENT OF PUBLIC WORKS RULES AND REGULATIONS GOVERNING:
  - A. STORM WATER MANAGEMENT,
  - B. SOIL EROSION AND SEDIMENT CONTROL, AND
  - ~~C. ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY,~~
  - ~~D. C. DISCHARGES TO THE STORM DRAIN SYSTEM;~~
  - ~~E. DEVELOPER AGREEMENTS, AND~~
  - ~~F. BLASTING,~~
7. THE DEPARTMENT OF GENERAL SERVICES RULES AND REGULATIONS GOVERNING:
  - A. ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY,
  - B. DEVELOPER AGREEMENTS, AND
  - C. BLASTING;
- ~~7.~~ 8. THE FEDERAL AMERICANS WITH DISABILITIES ACT;
- ~~8.~~ ~~9.~~ THE MARYLAND ACCESSIBILTY CODE; AND
- ~~9.~~ ~~10.~~ ALL OTHER APPLICABLE LAWS OF THE UNITED STATES, THE STATE OF MARYLAND, AND THE CITY OF BALTIMORE.

### **Amendment No. 2**

Page 43, lines 34 and 43, delete the reference to the “Public Works” and insert “General Services”, so that it reads:

**117.3 CLOSING STREETS.** WHEN NECESSARY FOR THE PUBLIC SAFETY, THE BUILDING OFFICIAL MAY TEMPORARILY CLOSE ADJACENT STRUCTURES AND REQUEST THE DIRECTOR OF ~~PUBLIC WORKS~~ GENERAL SERVICES TO CLOSE ADJACENT SIDEWALKS, STREETS, AND OTHER PUBLIC WAYS AND PROHIBIT THEM FROM BEING USED. THE BUILDING OFFICIAL MAY TEMPORARILY CLOSE ADJACENT SIDEWALKS, STREETS, AND OTHER PUBLIC WAYS ONLY PURSUANT TO AN AGREEMENT WITH THE DEPARTMENT OF ~~PUBLIC WORKS~~ GENERAL SERVICES.

### **Amendment No. 3**

Page 63, after line 9 insert “5. The Department of General Services” so that it reads:

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

1. THE POLICE COMMISSIONER,
2. THE DIRECTOR OF PUBLIC WORKS,
3. THE CHIEF OF THE FIRE DEPARTMENT, ~~AND~~
4. THE COMMISSIONER OF HEALTH, ~~AND~~
5. THE DIRECTOR OF GENERAL SERVICES.

### **Amendment No. 4**

Page 63, line 18 insert “General Services Director” after “Public Works Director” so that it reads:

**425.3.4 APPROVAL OF POLICE COMMISSIONER.** IF THE POLICE COMMISSIONER APPROVES THE APPLICATION, THE BUILDING OFFICIAL:

1. MAY ISSUE THE PERMIT, SUBJECT TO ANY RECOMMENDATIONS OF THE POLICE COMMISSIONER, PUBLIC WORKS DIRECTOR, GENERAL SERVICES DIRECTOR, FIRE CHIEF, AND HEALTH COMMISSIONER, AND
2. IF THE PERMIT IS ISSUED, MUST IMMEDIATELY SEND A COPY OF THE PERMIT TO EACH OF THEM.