CITY OF BALTIMORE ORDINANCE _____ Council Bill 21-0160

Introduced by: Councilmembers Conway, Dorsey, Porter, Bullock, Middleton, Burnett, Cohen,

Stokes, Ramos, Glover

Introduced and read first time: October 4, 2021

<u>Assigned to: Rules and Legislative Oversight</u>

Committee Report: Favorable, with amendments

Council action: Adopted

Read second time: May 15, 2023

AN ORDINANCE CONCERNING

1	Building Code – Cool Roofs
2 3 4	FOR the purpose of requiring newly constructed buildings and additions to existing buildings partly financed using City funds to adhere to specified roofing requirements; authorizing certain exceptions; and generally relating to the installation of Cool Roofs.
5 6 7 8 9	By repealing and reordaining, with amendments Article - Building, Fire, and Related Codes Section(s) 2-103 (IBC § 1503 through 1509) Baltimore City Revised Code (2020 Edition)
10 11 12 13 14	By adding Article - Building, Fire, and Related Codes Section(s) 2-103 (IBC §§ 202.2.15A and 1504.9) Baltimore City Revised Code (2020 Edition)
15 16 17 18 19	By repealing and reordaining, with amendments Article - Building, Fire, and Related Codes Section(s) 9A-102 (IECC-C § 402.1 through 402.4) Baltimore City Revised Code (2020 Edition)
20 21 22 23 24	By repealing and reordaining, with amendments Article - Building, Fire, and Related Codes Section(s) 11-102 (IGCC § 501.3.5.3.2) Baltimore City Revised Code (2020 Edition)

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

Underlining indicates matter added to the bill by amendment.

Strike out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

1 2 3 4 5	By repealing and reordaining, with amendments Article - Building, Fire, and Related Codes Section(s) 10-102 (IRC § 901 through 908) Baltimore City Revised Code (2020 Edition)
6 7 8 9	By adding Article - Building, Fire, and Related Codes Section(s) 10-102 (IRC §§ 202.2.1A and 905.18) Baltimore City Revised Code (2020 Edition)
11 12 13 14 15	By repealing and reordaining, with amendments Article 1 - Mayor, City Council, and Municipal Agencies Section 40-14(e)(5c) Baltimore City Code (Edition 2000)
16 17 18 19 20	Article 1 - Mayor, City Council, and Municipal Agencies Section 40-14(e)(6b) Baltimore City Code (Edition 2000)
21 22	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE , That the Laws of Baltimore City read as follows:
23	Baltimore City Revised Code
24	Article – Building, Fire, and Related Codes
25	Part II. International Building Code
26	§ 2-103 City modifications.
27 28	The additions, deletions, amendments, and other modifications adopted by the City are as follows:
29	Chapter 2. Definitions; Rules of Construction
30	Section 202 Definitions
31	<u></u>
32 33	202.2 Supplemental definitions. Notwithstanding any different definition in the International Building Code, the following terms have the meanings given in this § 202.2.
34	<u></u>

13 ROOFS (ROOF SLOPE < 2:12) ON NEWLY CONSTRUCTED BUILDINGS AND ADDITIONS TO EXISTING BUILDINGS SHALL BE ENERGY STAR RATED AS HIGHLY REFLECTIVE HAVE. MINIMUM 3-YEAR-AGED SOLAR REFLECTIVE INDEX OF 78, AS DETERMINED BY THE CONTROL ROOF RATING COUNCIL. 17 EXCEPTIONS: 1	1	202.2.15 Code. "Code" means, unless otherwise specified in the Building, Fire, and
"CRRC" MEANS THE COOL ROOF RATING COUNCIL, INC., AN AMERICAN NATIO STANDARDS INSTITUTE-ACCREDITED STANDARDS DEVELOPER ORGANIZATION, CREATED, MAINTAINS, AND UPDATES THE AMERICAN NATIONAL STANDARD: ANSI/CRRC \$100 - "STANDARD TEST METHODS FOR DETERMINING RADIATIVE PROPERTIES OF MATERIALS". Chapter 15 . Roof Assemblies and Rooftop Structures SECTION 1503 (AS IN IBC) [SECTIONS 1503 TO 1509 (As in IBC)] SECTION 1504 PERFORMANCE REQUIREMENTS 1504.9 REFLECTANCE, ROOF COVERINGS OVER CONDITIONED SPACES ON LOW-SIA ROOFS (ROOF \$LOPE < 2:12) ON NEWLY CONSTRUCTED BUILDINGS AND ADDITIONS TO EXISTING BUILDINGS SHALL BE-ENERGY STAR RATED AS HIGHLY REFLECTIVE HAVE, MINIMUM 3-YEAR-AGED SOLAR REFLECTIVE INDEX OF 78, AS DETERMINED BY THE CROOF RATING COUNCIL. EXCEPTIONS: 1. AN ADDITION TO A ROOF THAT SUPPORTS LIVING VEGETATION AND INCL SYNTHETIC, HIGH QUALITY WATERPROOF MEMBRANE, DRAINAGE LAYER LAYER, AND LIGHTWEIGHT MEDIUM PLANTS. 2. ROOF AREAS USED AS OUTDOOR RECREATION SPACE BY THE OCCUPANTS THE BUILDING. 3. AN AREA INCLUDING AND ADJACENT TO ROOFTOP PHOTOVOLTAIC AND STANDARD THE BUILDING. 4. LIMITED ROOF AREAS AS DETERMINED BY REGULATIONS PROMULGATED THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT. 4. LIMITED ROOF AREAS AS DETERMINED BY REGULATIONS PROMULGATED THE BUILDING. 5. A ROOF, THE AREA OF WHICH IS LESS THAN 3% OF THE GROSS FLOOR ARE THE BUILDING. 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THE AND CITY CODE ARTICLE 6 ("HISTORICAL AND ARCHITECTURAL PRESERVATION") PREVAILS.	2	Related Codes of Baltimore City, as further defined in § 101.1 {"Title"}.
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 AN AREA INCLUDING AND ADJACENT TO ROOFTOP PHOTOVOLTAIC AND S THERMAL EQUIPMENT, TOTALING NOT MORE THAN 3 TIMES THE AREA TH COVERED WITH PHOTOVOLTAIC AND SOLAR THERMAL EQUIPMENT. LIMITED ROOF AREAS AS DETERMINED BY REGULATIONS PROMULGATED THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT. A ROOF, THE AREA OF WHICH IS LESS THAN 3% OF THE GROSS FLOOR ARE THE BUILDING. CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} PREVAILS. 	21	2. ROOF AREAS USED AS OUTDOOR RECREATION SPACE BY THE OCCUPANTS OF
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25 COVERED WITH PHOTOVOLTAIC AND SOLAR THERMAL EQUIPMENT. 26 4. LIMITED ROOF AREAS AS DETERMINED BY REGULATIONS PROMULGATED THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT. 28 5. A ROOF, THE AREA OF WHICH IS LESS THAN 3% OF THE GROSS FLOOR ARE THE BUILDING. 30 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 32 CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 33 PREVAILS.	23	3. AN AREA INCLUDING AND ADJACENT TO ROOFTOP PHOTOVOLTAIC AND SOLAR
 4. LIMITED ROOF AREAS AS DETERMINED BY REGULATIONS PROMULGATED THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT. 5. A ROOF, THE AREA OF WHICH IS LESS THAN 3% OF THE GROSS FLOOR ARE THE BUILDING. 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} PREVAILS. 	24	THERMAL EQUIPMENT, TOTALING NOT MORE THAN 3 TIMES THE AREA THAT IS
THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT. 5. A ROOF, THE AREA OF WHICH IS LESS THAN 3% OF THE GROSS FLOOR ARE THE BUILDING. 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1505.0 CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1506.0 CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 1506.0 CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"}	25	COVERED WITH PHOTOVOLTAIC AND SOLAR THERMAL EQUIPMENT.
 5. A ROOF, THE AREA OF WHICH IS LESS THAN 3% OF THE GROSS FLOOR ARE THE BUILDING. 1504.9.1 Conflicts. In the event of a conflict between § 1504.9 of this AND CITY CODE ARTICLE 6 {"Historical and Architectural Preservation"} CITY CODE ARTICLE 6 {"Historical and Architectural Preservation"} PREVAILS. 	26	4. LIMITED ROOF AREAS AS DETERMINED BY REGULATIONS PROMULGATED BY
THE BUILDING. 1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} PREVAILS.	27	THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT.
30 31 31 32 32 33 33 36 37 38 39 39 30 30 30 30 30 31 31 31 31 32 32 32 33 33 38 38 39 30 30 30 31 31 32 32 33 33 30 30 30 31 31 32 32 33 33 30 30 30 30 30 30 30 30 30 30 30	28	5. A ROOF, THE AREA OF WHICH IS LESS THAN 3% OF THE GROSS FLOOR AREA OF
31 AND CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 32 CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"} 33 PREVAILS.	29	THE BUILDING.
32 <u>CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"}</u> 33 <u>PREVAILS.</u>	30	1504.9.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 1504.9 OF THIS CODE
32 <u>CITY CODE ARTICLE 6 {"HISTORICAL AND ARCHITECTURAL PRESERVATION"}</u> 33 <u>PREVAILS.</u>	31	AND CITY CODE ARTICLE 6 ("HISTORICAL AND ARCHITECTURAL PRESERVATION"),
	32	
34 SECTIONS 1505 TO 1509 {AS IN IRC}	33	PREVAILS.
of Sections 1909 to 1907 Mishi IDC	34	SECTIONS 1505 TO 1509 {AS IN IBC}

1	Baltimore City Revised Code
2	Article – Building, Fire, and Related Codes
3	Part IX-A. International Energy Conservation Code – Commercial Provisions
4	§ 9A-102. City Modifications.
5 6	The additions, deletions, amendments, and other modifications adopted by the City are as follows:
7	Chapter 4 Commercial Energy Efficiency
8	Section 402 Building Envelope Requirements
9	402.1 TO [402.4] 402.2 {As in IECC-C}
10 11 12	402.3 ROOF SOLAR REFLECTANCE AND THERMAL EMITTANCE. LOW-SLOPED ROOFS DIRECTLY ABOVE COOLED CONDITIONED SPACES IN <i>CLIMATE ZONES</i> 1, 2 AND 3 SHALL HAVE A MINIMUM 3-YEAR-AGED SOLAR REFLECTIVE INDEX OF 78, AS DETERMINED BY THE COOL ROOF RATING COUNCIL.
14 15	EXCEPTIONS: THE FOLLOWING ROOFS AND PORTIONS OF ROOFS ARE EXEMPT FROM THE REQUIREMENTS OF THIS SUBSECTION:
16	1. PORTIONS OF THE ROOF THAT INCLUDE OR ARE COVERED BY THE FOLLOWING:
17	1.1. PHOTOVOLTAIC SYSTEMS OR COMPONENTS.
18	1.2. SOLAR AIR OR WATER-HEATING SYSTEMS OR COMPONENTS.
19	1.3. ROOF GARDENS OR LANDSCAPED ROOFS.
20	1.4. ABOVE-ROOF DECKS OR WALKWAYS.
21	1.5. SKYLIGHTS.
22 23	1.6. HVAC SYSTEMS AND COMPONENTS, AND OTHER OPAQUE OBJECTS MOUNTED ABOVE THE ROOF.
24 25 26	2. PORTIONS OF THE ROOF SHADED DURING THE PEAK SUN ANGLE ON THE SUMMER SOLSTICE BY PERMANENT FEATURES OF THE BUILDING OR BY PERMANENT FEATURES OF ADJACENT BUILDINGS.
27 28	3. PORTIONS OF ROOFS THAT ARE BALLASTED WITH A MINIMUM STONE BALLAST OF 17 PSF (74 KG/M2) OR 23 PSF (117 KG/M2) PAVERS.
29 30	4. ROOFS WHERE NOT LESS THAN 75 PERCENT OF THE ROOF AREA COMPLIES WITH ONE OR MORE OF THE EXCEPTIONS TO THIS SECTION.

1	402.3.1 AGED ROOF SOLAR REFLECTANCE. WHERE AN AGED SOL	AR REFLECTANCE
2	REQUIRED BY SECTION 402.3 IS NOT AVAILABLE, IT SHALL BE DETE	RMINED IN
3	ACCORDANCE WITH EQUATION 4-3.	
4	$\underline{R_{AGED}} = [0.2 + 0.7(R_{INITIAL} - 0.2)] $ (E	QUATION 4-3)
5	WHERE:	
6	\underline{R}_{AGED} = THE AGED SOLAR REFLECTANCE.	
7 8 9	$R_{INITIAL}$ = The initial solar reflectance determined in accordance CRRC-S100.	ORDANCE WITH
10	402.4 {AS IN IECC-C}	
11	Part XI. International Green Construction Code	
12	§ 11-102. City Modifications.	
13	The additions, deletions, amendments, and other modifications adopte	d by the City are as
14	follows:	-
15	Chapter 5 Site Sustainability	
16	Section 501.3 Mandatory Provisions	
17	501.3.5 Mitigation of Heat Island Effect.	
18	501.3.5.3 Roofs.	
19	<u></u>	
20	501.3.5.3.2 Required Coverage. A minimum of 75% of the re	oof surface must be
21	covered with products that:	
		
22	<u>a.</u> have a minimum [three] 3-year-aged SRI of [64] 78 in a	accordance with
23	§ 501.3.5.4 for roofs with a slope of less than or equal to	o 2:12; AND
	1 1 2 1 CDI COS 1	-:41. 9 501 2 5 4 9
24 25	<u>b.</u> have a minimum 3-year-aged SRI of 25 in accordance yroofs with a slope of more than 2:12.	vitn § 501.3.5.4 for
23	roots with a stope of more than 2.12.	

1	Baltimore City Revised Code	
2	Article – Building, Fire, and Related Codes	
3	Part X. International Residential Code	
4	§ 10-102 City modifications.	
5 6	The additions, deletions, amendments, and other modifications adopted by the City are as follows:	
7	Part II - Definitions	
8	Chapter 2. Definitions	
9	Section 202 Definitions	
10 11 12	202.2 Supplemental definitions. Notwithstanding any different definition in the International Residential Code, the following terms have the meanings given in this § 202.2.	
13	<u></u>	
14 15 16 17 18 19	202.2.1A COOL ROOF RATING COUNCIL. "COOL ROOF RATING COUNCIL" OR "CRRC" MEANS THE COOL ROOF RATING COUNCIL, INC., AN AMERICAN NATIONAL STANDARDS INSTITUTE-ACCREDITED STANDARDS DEVELOPER ORGANIZATION, THAT CREATED, MAINTAINS, AND UPDATES THE AMERICAN NATIONAL STANDARD: ANSI/CRRC S100 - "STANDARD TEST METHODS FOR DETERMINING RADIATIVE PROPERTIES OF MATERIALS".	
20	Part III - Building Planning and Construction	
21	Chapter 9. Roof Assemblies	
22	SECTIONS 901 TO 904 {AS IN IBC} [SECTIONS 901 TO 908 {AS in IRC}]	
23	SECTION 905 REQUIREMENTS FOR ROOF COVERINGS	
24	905.1 TO 905.17 {AS IN IRC}	
25 26 27 28 29	905.18 REFLECTANCE. ROOF COVERINGS OVER CONDITIONED SPACES ON LOW-SLOPE ROOFS (ROOF SLOPE < 2:12) ON NEWLY CONSTRUCTED BUILDINGS AND ADDITIONS TO EXISTING BUILDINGS SHALL BE ENERGY STAR RATED AS HIGHLY REFLECTIVE HAVE A MINIMUM 3-YEAR-AGED SOLAR REFLECTIVE INDEX OF 78, AS DETERMINED BY THE COOL ROOF RATING COUNCIL.	

1	EXCEPTIONS:
2 3 4	1. AN ADDITION TO A ROOF THAT SUPPORTS LIVING VEGETATION AND INCLUDES A SYNTHETIC, HIGH QUALITY WATERPROOF MEMBRANE, DRAINAGE LAYER, SOIL LAYER, AND LIGHTWEIGHT MEDIUM PLANTS.
5 6	2. ROOF AREAS USED AS OUTDOOR RECREATION SPACE BY THE OCCUPANTS OF THE BUILDING.
7 8 9	3. AN AREA INCLUDING AND ADJACENT TO ROOFTOP PHOTOVOLTAIC AND SOLAR THERMAL EQUIPMENT, TOTALING NOT MORE THAN 3 TIMES THE AREA THAT IS COVERED WITH PHOTOVOLTAIC AND SOLAR THERMAL EQUIPMENT.
10 11	4. LIMITED ROOF AREAS AS DETERMINED BY REGULATIONS PROMULGATED BY THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT.
12 13	5. A roof, the area of which is less than 3% of the gross floor area of the building.
14 15 16	905.18.1 CONFLICTS. IN THE EVENT OF A CONFLICT BETWEEN § 905.18 OF THIS CODE AND CITY CODE ARTICLE 6 ("HISTORICAL AND ARCHITECTURAL PRESERVATION"), CITY CODE ARTICLE 6 ("HISTORICAL AND ARCHITECTURAL PRESERVATION")
17	PREVAILS.
18	SECTIONS 906 TO 908 {AS IN IRC}
19	Baltimore City Code
20	Article 1. Mayor, City Council, and Municipal Agencies
21	Subtitle 40. Environmental Control Board
22	§ 40-14. Violations to which this subtitle applies.
23	<u></u>
24	(e) Provisions and penalties enumerated.
25	···
26	(5c) Building, Fire and Related Codes Article – Building Code
27	<u></u>
28	§ 1209.4 Diaper-Changing Amenities \$500
29	§ 1504.9 PERFORMANCE REQUIREMENTS \$1,000
30	<u></u>

1 2	(6B) BUILDING, FIRE AND RELATED CODES ARTIC INTERNATIONAL RESIDENTIAL CODE	<u>CLE – </u>
3	§ 905.18 REFLECTANCE	<u>\$1,000</u>
4 5	SECTION 2. AND BE IT FURTHER ORDAINED , That this after the date it is enacted.	is Ordinance takes effect on the 30 th day

Certified as duly passed this 12 day of June	, 20 <u>23</u>
	Jun -
	President, Baltimore City Council
Certified as duly delivered to His Honor, the Mayor,	
this <u>12</u> day of <u>June</u> , 20 <u>23</u>	
	Browns Activ
	Chief Clerk
Approved this day of, 20	
	Mayor, Baltimore City