




CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Alice Kennedy, Housing Commissioner 
DATE	March 27, 2024
SUBJECT	24-0502 Building, Fire, and Related Codes - 2021 Edition

The Honorable President and
Members of the City Council
City Hall, Room 400

3/27/24

Position: Favorable

Introduction

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 24-0502 Building, Fire, and Related Codes - 2021 Edition for the purpose of adopting a revised Building, Fire, and Related Codes Article, comprising the Maryland Building Performance Standards (effective May 29, 2023), the International Building Code (2021 Edition), the National Electrical Code (2020 Edition), the International Fuel Gas Code (2021 Edition), the International Mechanical Code (2021 Edition), the International Plumbing Code (2021 Edition), the International Property Maintenance Code (2021 Edition), the International Fire Code (2021 Edition), the International Energy Conservation Code (2021 Edition), the International Residential Code for One- and Two Family Dwellings (2021 Edition), the International Green Conservation Code (2021 Edition), and the International Swimming Pool and Spa Code (2021 Edition), all as supplemented, amended, or otherwise modified by this Ordinance; providing for the effect, construction, and effective date of these new standards and codes; conforming, correcting, and clarifying certain language; providing for a special effective date; and generally relating to the adoption of new building, fire, property maintenance, electrical, plumbing, mechanical, and related codes for Baltimore City.

If approved by the City Council, this ordinance would allow Baltimore City to adopt its own revised version of the 2021 International Code Council (ICC) family of Codes in accordance with State law.

DHCD Analysis

Every three years, Baltimore City is required to update its Building Fire and Related Codes pursuant to the directive of the General Assembly by and through the Department of Labor (DLR). DLR adopted the State's Maryland Building Performance Standards which incorporates the 2021 International Code Council (ICC) family of Codes with State amendments. The new State Building Codes went into effect on May 29, 2023. Local jurisdictions have one year from the effective date of the Maryland Building Performance Standards to adopt their own version of the ICC in conformance with State law, after which time the State codes are automatically adopted.

DHCD, incorporating the Maryland Building Performance Standards, edited the 2021 ICC codes for local adoption. The majority of the updates within the code are small corrections such as reference alignments, clarifying language, technical changes or updates intended to improve the application of the code and customer experience during the permitting process, including improved quality of plans submittal and reduced review time. Additional changes throughout the code are related to fire safety and promoting the health and welfare of our citizens by ensuring that we are building to the latest standards. A few notable changes are highlighted below.

Page 19, ll. 15-2 - Temporary event - deadline to apply.

DHCD presently offers temporary event permits for short term events held on **private** property. For example, a restaurant or other commercial property may want to host a one-night event outside of their Zoning Use, like an event with live entertainment, mechanical rides, temporary structures, or outside food or drink vendors. These differ from DOT's Special Event permits, which are events on **public** property that must be applied for 6 weeks out, like events in City parks and street closings for festivals.

Currently there is no application deadline for DHCD's Temporary event permits, this amendment would require the application for a permit for public assemblies to be:

- a. filed at least 45 days before the event date, and
- b. signed by a responsible person or official acting for the applicant.

Page 21, ll. 15-16 – Reinstatement for final inspection - Adds that only one reinstatement is permitted

This is a clarifying amendment to specify that only one reinstatement is allowed unless the reinstatement inspection fails. Permits are presently issued for 60 days, after the expiration of a permit applicants have up to 60 days to apply to reinstate their permit for up to 3 years for a **final** inspection. Some customers are taking advantage of the system by reinstating permits multiple times even though the work is not complete to avoid paying 50% of permit cost or reapplying for the permit. This is a violation of the code.

Page 29, ll. 31-32, – Notice of insufficient funds - NSF fees clarification

This is a clarifying amendment to specify that each unsuccessful attempt to collect a payment is a separate \$50 offense. This change provides clarity around the collection of

fees when payments are not cleared for reason of insufficient funds for trade licensing, for example plumbers, electricians or any trade required to be licensed with DHCD.

Page 346, ll. 16-28, - Toilet and bathroom facilities for splash pads

This is a clarifying amendment to specify that bathrooms for splash pads may not need be provided in certain circumstances if the splash pads are recirculating and have health and safety information posted or a written agreement in place between owners/operators of the splash pad and the adjoining local business or other organization that allows splash pad patrons access to bathroom facilities located in the adjoining local business or other organization. This clarification and cross reference alignment may expand bathroom access for patrons of splash pads and lower barriers to building these facilities by allowing siting of splash pads in locations where a bathroom was not previously available.

Conclusion

DHCD respectfully requests a **favorable** report on the passage of City Council Bill 24-0502.