# CITY OF BALTIMORE ORDINANCE Council Bill 17-0017

Introduced by: The Council President

At the request of: The Administration (Department of Housing and Community Development)

Introduced and read first time: February 6, 2017

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable Council action: Adopted

Read second time: February 27, 2017

#### AN ORDINANCE CONCERNING

1	Building, Fire, and Related Codes – International Residential Code – Corrections			
2 3	FOR the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations			
4	governing driveways and other paved surfaces for all 1- and 2-family dwellings.			
5	By repealing and reordaining, with amendments			
6	Article - Building, Fire, and Related Codes			
7	Section 8-102 (FC § 605.11.1.2)			
8	Baltimore City Revised Code			
9	(2015 Edition)			
10	By adding			
11	Article - Building, Fire, and Related Codes			
12	Section 10-102 (RC § 327)			
13	Baltimore City Revised Code			
14	(2015 Edition)			
15	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the			
16	Laws of Baltimore City read as follows:			
17	<b>Baltimore City Revised Code</b>			
18	Article – Building, Fire, and Related Codes			
19	Part VIII. International Fire Code			
20	§ 8-102. City modifications.			
21	The additions, deletions, amendments, and other modifications adopted by the City are as			
22	follows:			

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.

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1	Chapter 6. Building Services and Systems
2	[Sections 605 to 608 {As in IFC}]
3	SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS
4	605.1 TO 605.10 {AS IN IFC}
5	605.11 SOLAR PHOTOVOLTAIC POWER SYSTEMS. {AS IN IFC}
6	605.11.1 ACCESS AND PATHWAYS. {AS IN IFC}
7	605.11.1.1 ROOF ACCESS POINTS. {AS IN IFC}
8 9 10	<b>605.11.1.2 SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS.</b> Solar photovoltaic systems for Group R-3 buildings shall comply with [Sections] §§ 605.11.1.2.1 through 605.11.1.2.5.
11 12 13	<b>EXCEPTION:</b> [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.] <i>{NOT ADOPTED}</i>
14	605.11.1.2.1 TO 605.1.2.5 {AS IN IFC}
15	605.11.1.2 GROUND-MOUNTED PHOTOVOLTAIC ARRAYS. {AS IN IFC}
16	605.12 ABANDONED WIRING IN PLENUMS. {AS IN IFC}
17	SECTIONS 606 TO 608 {AS IN IFC}
18 19 20 21 22 23 24 25 26 27 28 29	COMMENT: For several years, IRC § 324.7 parroted requirements also covered by IFC § 605.11 {"Solar photovoltaic power systems"}. Both of these sections have been incorporated by reference, without modification, into the City's BFR Codes, including the current 2015 Edition. Recently, however, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7, in its entirety, from the ICC's 2015 Edition of the IRC. Presumably, it did this in reliance on – and to avoid undue redundancy with the like requirements already imposed by IFC § 605.11. Unfortunately, the persons responsible for this "Errata" seem to have overlooked the Exception to IFC § 605.11.1.2, which (as shown above) provides that the section's requirements governing solar photovoltaic systems for Group R-3 buildings "shall not apply to structures designed and constructed in accordance with the International Residential Code". This correction repeals that exception, thereby continuing the requirements – and their consequent protections – for all Group R-3 buildings, including those structures governed by the IRC.
31	Part X. International Residential Code
32	§ 10-102. City modifications.
33 34 35	The additions, deletions, amendments, and other modifications adopted by the City are as follows:

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1	Chapter 3. Building Planning				
2	SECTION 327 DRIVEWAYS AND OTHER PAVED SURFACES				
3	327.1 DRIVEWAY ENTRANCES. ALL DRIVEWAY ENTRANCES LOCATED ON A PUBLIC RIGHT-				
4	OF-WAY MUST BE CONSTRUCTED IN ACCORDANCE WITH THE RULES, REGULATIONS, AND				
5	PERMIT REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION.				
6	327.2 SURFACE PAVING. PARKING PADS, DRIVEWAYS, AND PRIVATE ROADS MUST BE PAVED				
7	WITH ASPHALT, BRICK, CONCRETE, MACADAM, OR STONE BLOCK. PERMEABLE PAVING				
8	SYSTEMS MAY BE UTILIZED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE				
9	DEPARTMENT OF PUBLIC WORKS. ALL PAVING MUST BE ABLE TO SUPPORT THE DESIGN				
10	LOADS FOR THE PROPOSED VEHICULAR TRAFFIC.				
11	<b>327.3 PARKING AREAS.</b> THE SIZE, LAYOUT, AND ARRANGEMENT OF PARKING AREAS MUST COMPLY WITH:				
13	1. THE BALTIMORE CITY ZONING CODE, AND				
14	2. THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION.				
15	327.4 SURFACE DRAINAGE. STORM DRAINAGE OFF PAVED SURFACE AREAS MUST BE				
16	PROPERLY CONVEYED TO PAVED ALLEYS, PAVED STREETS, OR OTHER APPROVED WATER				
17	COURSES.				
18	<b>3112.6.1 LIMITATIONS.</b> NO DRAINAGE MAY BE DISCHARGED:				
19	1. SO AS TO RUN OR FLOW OVER ANY SIDEWALK OR FOOTWAY, EXCEPT AT A				
20	DRIVEWAY WITH A DEPRESSED CURB, OR				
21	2. ACROSS ANY ADJOINING PROPERTY.				
22	<b>COMMENT:</b> The City first adopted the IRC in its 2007 Edition of the City's BFR Codes.				
22 23 24 25	Until then, the IBC generally applied to all structures, including 1- and 2-family				
24	dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was				
25	amended to exclude from its scope those 1- and 2-family dwellings newly governed by				
26	the IRC. See BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions				
27	not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings,				
28	were amended into the local RC by reference. Cf., e.g., RC § 404.6 {"Underpinning"};				
29 20	RC § 910.1 ("Rooftop Structures"). More recently, it was discovered that one set of				
1 1	local BC provisions (BC § 3112 ("Parking Lots, Driveways, and Other Paved Surfaces"), relevant portions of which have also been long applicable to 1- and 2-family dwellings,				
32	was inadvertently overlooked. This section corrects that oversight by expressly				
27 28 29 30 31 32 33	incorporating those relevant portions into the RC				
34	SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance				
35	are not law and may not be considered to have been enacted as a part of this or any prior				
36	Ordinance.				
37	<b>SECTION 3. AND BE IT FURTHER ORDAINED</b> , That this Ordinance takes effect on the 30 <sup>th</sup> day				
38	after the date it is enacted.				

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## Council Bill 17-0017

Certified as duly passed this	day of	, 20
		President, Baltimore City Council
Certified as duly delivered to He	er Honor, the Mayor,	
this day of	, 20	
		Chief Clerk
Approved this day of	, 20	
		Mayor, Baltimore City