CITY OF BALTIMORE
ORDINANCE 20-361
Council Bill 20-0505

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: March 9, 2020
Assigned to: Judiciary Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 27, 2020

AN ORDINANCE CONCERNING

Building, Fire, and Related Codes – 2020 Edition

FOR the purpose of adopting a revised Building, Fire, and Related Codes Article, comprising the Maryland Building Performance Standards (effective March 25, 2019), the International Building Code (2018 Edition), the National Electrical Code (2017 Edition), the International Fuel Gas Code (2018 Edition), the International Mechanical Code (2018 Edition), the International Plumbing Code (2018 Edition), the International Property Maintenance Code (2018 Edition), the International Fire Code (2018 Edition), the International Energy Conservation Code (2018 Edition), the International Residential Code for One- and Two-Family Dwellings (2018 Edition), the International Green Conservation Code (2012 Edition), and the International Swimming Pool and Spa Code (2018 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.

BY repealing and reordaining, with amendments
Article - Building, Fire, and Related Codes
In its entirety
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article - Health
Section 6-603.1(b)(1)(BFR Codes)
Baltimore City Revised Code
(Edition 2000)

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.

BY repealing and reordaining, with amendments
Article 1- Mayor, City Council, and Municipal Agencies
Sections 40-14(e)(5c) and (6), and 41-14(5)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 9 - Fire Suppression and Prevention
Subtitle 8 (Editor's Note)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 10 - Harbors, Docks, and Wharves
Subtitle 7 (Editor's Note)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 13 - Housing and Urban Renewal
Section 11-2(d)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 15 - Licensing and Regulation
Sections 246 and 255(a)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 19 - Police Ordinances
Section 71-2(i)(1)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 26 - Surveys, Streets, and Highways
Section 6-7(1)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 32 - Zoning
Section 16-409
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

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] MARYLAND Department of [Housing and Community Development] LABOR under State Public Safety Article, Title 12, Subtitle 5.

(b) *Contents.*

As amended effective [January 1, 2015,] MARCH 25, 2019, these Standards consist of:

(1) the International Building Code ([2015] 2018 Edition), with certain State modifications {[COMAR 05.02.07.04A and B] COMAR 09.12.51.04A AND B};

(2) the International Residential Code for One- and Two-Family Dwellings ([2015] 2018 Edition), with certain State modifications {[COMAR 05.02.07.04A and C] COMAR 09.12.51.04A AND C}; and

(3) the International Energy Conservation Code (2015 Edition), with certain State modifications {[COMAR 05.02.07.04A and D] COMAR 09.12.51.04A AND D}.

§ 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 ([2015] 2018 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;

(2) in the International Residential Code for One- and Two-Family Dwellings ([2015] 2018 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; and

(3) in the International Energy Conservation Code ([2015] 2018 Edition):

(i) incorporate the State modifications indicated in the appropriate chapter, section, or other provision of Parts IX-A and XI-B below; and

(ii) add the Baltimore City modifications indicated in the appropriate chapter, section, or other provision of Parts IX-A and XI-B below.

PART II. INTERNATIONAL BUILDING CODE

§ 2-101. City adoption.

(a) *In general.*

The International Building Code ([2015] 2018 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
Scope and 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 regulations contained in this Code constitute and are known as the "Baltimore City Building Code". The Baltimore City Building Code, together with the standards and codes listed in § 101.4 {"Referenced codes"} of this Chapter, 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 this Part II, all references to "this Code" refer to the Building, Fire, and Related Codes of Baltimore City.

101.2 Scope. *{As in IBC}*

Exception 1: {Per MBPS Modification} Detached 1- and 2-family dwellings and multiple single-family dwellings (townhouses) not more than 3 stories above grade plane in height with a separate means of egress and their accessory structures must comply with the International Residential Code.

Exception 2: {Per MBPS Modification} Existing buildings undergoing repair, alterations, or additions, and change of occupancy must comply with the Maryland Building Rehabilitation Code, set forth in COMAR [05.16] 09.12.58. {**NOTE:** THE MARYLAND BUILDING REHABILITATION CODE COMPRISES THE 2015 INTERNATIONAL EXISTING BUILDING CODE, WITH STATE MODIFICATIONS).

EXCEPTION 3: {PER MBPS MODIFICATION} MAINTENANCE OF RESIDENTIAL STRUCTURES AND PREMISES MUST COMPLY WITH THE MINIMUM LIVABILITY CODE, AS SET FORTH IN COMAR 09.12.54.

101.2.1 Appendices. The appendices to the International Building Code apply as follows:

101.2.1.1 Appendices adopted. The [provisions of the] following appendices are adopted, WITH OR WITHOUT LOCAL MODIFICATIONS, as part of this Code:

1. Appendix C: "Group U – Agricultural Buildings".
2. Appendix D: "Downtown Fire District".
3. Appendix F: "Rodent Proofing".
4. Appendix H: "Signs".
5 Appendix I: "Patio Covers".
6. Appendix J: "Grading".

101.2.1.2 Appendices not adopted. The following appendices are not adopted as part of this Code:

1. Appendix A: "Employee Qualifications".
2. Appendix B: "Board of Appeals".
3. Appendix E: "Supplementary Accessibility Requirements".
4. Appendix G: "Flood Resistant Construction".
5. Appendix K: "Administrative Provisions".
6. Appendix L: "Earthquake Recording Instrumentation".

7. Appendix M: "Tsunami-Generated Flood Hazard".

8. APPENDIX N: "REPLICABLE BUILDINGS".

101.3 Intent. *{As in IBC}*

101.4 Referenced codes. The standards and codes listed in this § 101.4, as modified by these provisions and as referred to elsewhere in this Code, are part of the requirements of this Code to the extent prescribed by the reference.

101.4.1 Electrical. The National Electrical Code ([2014] 2017 Edition), as modified in Part III of this Code, applies to the installation of electrical systems, including their alteration, repair, replacement, equipment, appliances, fixtures, fittings, and appurtenances.

101.4.2 Gas. The International Fuel Gas Code ([2015] 2018 Edition), as modified in Part IV of this Code, applies to the installation of gas piping from the point of delivery, to gas appliances, and to related accessories as covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances, and related accessories.

101.4.3 Mechanical. The International Mechanical Code ([2015] 2018 Edition), as modified in Part V of this Code, applies to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings, and appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.4 Plumbing. The International Plumbing Code ([2015] 2018 Edition), as modified in Part VI of this Code, applies to the installation, alteration, repair, and replacement, use, or maintenance of or addition to plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances.

101.4.5 Property maintenance. The International Property Maintenance Code ([2015] 2018 Edition), as modified in Part VII of this Code, applies to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life, and fire safety hazards; responsibilities of owners, operators, and occupants; and occupancy of existing premises and structures.

101.4.6 Fire prevention. The International Fire Code ([2015] 2018 Edition), as modified in Part VIII of this Code, applies to matters affecting or relating to prevention of structures, processes, and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials, or devices; from conditions hazardous to life, property, or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy. The International Energy Conservation Code ([2015] 2018 Edition), as modified in Parts IX-A and IX-B of this Code, applies to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Residential. The International Residential Code for One- and Two-Family Dwellings ([2015] 2018 Edition), as modified in Part X of this Code, applies to detached 1- and 2-family dwellings and multiple single-family dwellings (townhouses), not more than 3 stories above grade plane in height, and their accessory structures.

101.4.9 Green Construction. The International Green Construction Code Construction (2012 Edition), as modified in Part XI of this Code, applies to construction requirements intended to reduce the negative impacts and increase the positive impacts of the built environment on the natural environment and building occupants.

101.4.10 Swimming Pool and Spa. The International Swimming Pool and Spa Code ([2015] 2018 Edition), as modified in Part XII of this Code, applies to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas.

101.5 References to former Codes. All references in a violation, condemnation, or other notice, in a citation, or in the Baltimore City Code to any former version of the Building Code or to any provision of that Code are considered to refer to the comparable or otherwise applicable provisions of this Code.

Section 102 Applicability

102.1 to 102.5 ***{As in IBC}***

102.6 Existing conditions. The legal occupancy of any structure existing on the date of adoption of this Code is permitted to continue without change, except as otherwise specifically provided in this Code, the International Property Maintenance Code, or the International Fire Code.

102.6.1 to 106.1.2 ***{As in IBC}***

102.7 Structures owned by City. This Code does not apply to any structure (other than a building) that is owned by the City, to the extent that the structure:

1. is located on, over, or under a street, alley, or other public way or land, and

2. is designed, constructed, controlled, and maintained by and under the authority and supervision of the Director of Public Works, the Director of General Services, or the Director of Transportation, whichever has jurisdiction, or an authorized representative of the applicable Director.

102.8 Public service structures on streets. This Code does not apply to any pole, conduit, tunnel, pipe line, manhole, or other similar surface or subsurface structure, including its equipment, that is owned and controlled by a public service corporation, to the extent that:

1. the structure is located on, over, or under a street, alley, or other public way or land,

2. its construction is authorized by the City, and

3. its installation is regulated and supervised by the Director of Public Works, the Director of General Services, or the Director of Transportation, whichever has jurisdiction, or an authorized representative of the applicable Director.

102.9 Property owned or leased by United States or Maryland. Except as specified in § 102.9.1, land owned by the United States or by the State of Maryland, including any structure owned by either and located on the land, is exempt from this Code.

102.9.1 Exceptions. The following are not exempt from this Code:

1. land or structures leased by the United States or the State of Maryland from a private owner,

2. land or structures leased by a private owner from the United States or the State of Maryland, and

3. land or structures held by the United States or the State of Maryland pursuant to the foreclosure of a residential mortgage.

102.10 Waterways. Other than work done by the United States or the State of Maryland, all construction done along the shoreline and waterways within the City must:

1. comply with this Code, and

2. be approved by:

   a. the Department of Public Works,

   b. the Department of General Services,

   c. the Department of Transportation,

   d. the Department of Planning,

   e. the Fire Department,

   f. the Maryland Department of the Environment, and

   g. the U.S. Army Corps of Engineers.

102.11 Railroad facilities. Railroad facilities within a railroad right-of-way are exempt from the provisions of this Code, except for those provisions that relate to sanitary maintenance. However, privately owned structures within a right-of-way are not exempt unless they are ancillary to the railroad.

102.12 Moved structures. Structures that are moved into or within Baltimore City:

1. must comply with the provisions of this Code for new structures, and

2. may not be used or occupied, in whole or in part, until the Building Official approves an occupancy permit for the structure.

102.13 to 102.14 ***{Reserved}***

102.15 Compliance with Code required. No structure, premises, land, or equipment may be constructed, altered, added to, repaired, rehabilitated, demolished, moved, located, used, occupied, or maintained in violation of this Code.

102.15.1 Construction of structure. When constructed, every structure must be located so that it does not create a violation of this Code.

102.15.2 Relocation, etc., of lot lines, etc. No lot or property line may be moved or relocated and no lot or parcel of land may be subdivided in any way that creates a violation of this Code for any structure.

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 Baltimore City Sustainability Plan,
4. the Zoning Code of Baltimore City,
5. City Code Article 6 {"Historical and Architectural Preservation"},
6. any applicable Urban Renewal Plan,
7. the Department of Public Works' rules and regulations governing:
    a. stormwater management,
    b. soil erosion and sediment control, and
    c. discharges to the storm drain system,
8. the Department of Transportation's rules and regulations governing:
    a. encroachments into the public right-of-way,
    b. developer's agreements, and
    c. blasting,
9. the Federal Americans with Disabilities Act,
10. the Maryland Accessibility Code,
11. the Floodplain Management Code, and

12. all other applicable laws, rules, and regulations of the United States, the State of Maryland, and the City of Baltimore.

Section 103 Department of Building Safety

103.1 Enforcement agency. This Code is administered and enforced by the Baltimore City Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

1. "Department of Building Safety" or "Department" means the Baltimore City Department of Housing and Community Development, and

2. "Building Official", means the Commissioner of Housing and Community Development or an authorized representative of the Commissioner.

103.2 Appointment. ***{Not Adopted}***

103.3 Deputies. ***{Not Adopted}***

103.4 Employee restrictions. An officer or employee of the Department may not:

1. engage in or directly or indirectly be connected with the furnishing of labor, materials, or appliances or the preparation of plans or specifications for the construction, alteration, addition, repair, rehabilitation, demolition, moving, or maintenance of a structure, unless the officer or employee is the owner of the structure, or

2. engage in any work that conflicts with his or her official duties or with the interests of the Department.

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 Applications and permits. *{As in IBC}*

104.2.1 Determination of substantially improved or substantially damaged existing structures in flood hazard areas. ~~For applications for reconstruction, rehabilitation, repair, alteration, addition, or other improvement of existing structures located in flood hazard areas, the Building Official shall determine if the proposed work constitutes "substantial improvement" or repair of "substantial damage", as defined in the Floodplain Management Code. If the Building Official determines that the proposed work does constitute "substantial improvement" or repair of "substantial damage", the Building Official shall require the structure to meet the requirements of the Floodplain Management Code.~~ FOR APPLICATIONS FOR RECONSTRUCTION, REHABILITATION, ADDITION, OR OTHER IMPROVEMENT OF AN EXISTING STRUCTURE IN A FLOOD HAZARD AREA, THE BUILDING OFFICIAL MUST EXAMINE THE CONSTRUCTION DOCUMENTS AND PREPARE FINDINGS WITH REGARD TO WHETHER THE STRUCTURE HAS SUSTAINED "SUBSTANTIAL DAMAGE" AND WHETHER THE PROPOSED IMPROVEMENT IS A "SUBSTANTIAL IMPROVEMENT", AS THESE TERMS ARE DEFINED IN AND CALCULATED UNDER THE FLOODPLAIN MANAGEMENT CODE. THE BUILDING OFFICIAL MUST SUBMIT THESE FINDINGS TO THE FLOODPLAIN MANAGER FOR A DETERMINATION OF "SUBSTANTIAL IMPROVEMENT". APPLICATIONS DETERMINED BY THE FLOODPLAIN MANAGER TO CONSTITUTE A "SUBSTANTIAL IMPROVEMENT" REQUIRE FULL COMPLIANCE WITH THE REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT CODE.

104.3 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 that causes the Building Official to believe that immediate entry is necessary for investigative purposes or to protect property or public health or safety.

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,

    c. an Urban Renewal Plan,

    d. City Code Article 6 {"Historical and Architectural Preservation"}, or

    e. any other related statute, ordinance, rule, or regulation for the protection of the health and safety of the residents of Baltimore City.

104.6.3 Warrant after prior notice. Before the Building Official may apply for a warrant to make a routine inspection or spot check to determine if a violation exists, the Building Official must give prior notice of his or her intent to the occupant or other person with apparent right of possession or, in the case of an unoccupied structure or premises, to the owner, the owner's agent, or other person in apparent control of the structure or premises.

104.6.3.1 Contents of notice. The notice must:

1. state the date and time at which the Building Official will be present to make the inspection or spot check, and

2. inform the person notified that he or she may reschedule the inspection or spot check to a reasonable date and time by contacting the Building Official before the stated date.

104.6.3.2 Service of notice – Occupied property. If the structure or premises is occupied, the notice must be either:

1. mailed or delivered to the occupant or person with apparent right of possession, or

2. posted conspicuously at or near the entrance to the structure or premises.

104.6.3.3 Service of notice – Unoccupied property. If the structure or premises is unoccupied, the notice must be mailed or delivered to the last-known address of the owner, agent, or other person in apparent control.

104.6.3.4 Obtaining warrant. After notice has been given, if the person notified fails to arrange for, denies, or unduly delays the entry, the Building Official may apply to a court of competent jurisdiction for a search warrant to authorize entry for the inspection or spot check.

104.6.3.5 Probable cause. Probable cause for a search warrant under this § 104.6.3 exists if:

1. the notice required by this § 104.6.3 has been given, and

2. the inspection is:

   a. a spot check made at random or restricted to a few sample structures or premises in a designated area to determine if a building-by-building survey is necessary,

   b. a routine inspection based on a general administrative plan for the enforcement of this Code or any related law, or

   c. a routine inspection to determine compliance with a notice or order issued under § 123 {"Notices"} of this Code.

104.6.4 Warrant without prior notice. The Building Official may apply for a search warrant to enter a structure or premises without giving the prior notice otherwise required by § 104.6.3, if there is probable cause to believe that a violation of this Code or a related law exists in the structure or on the premises.

104.6.4.1 Probable cause. Probable cause for a search warrant under this § 104.6.4 includes, among other appropriate circumstances, the following:

1. the inspection is to identify lead-based hazards in a dwelling unit that is the last-reported address of a child who, by notice from a health care provider or the State Department of the Environment to the Building Official or the Health Commissioner, is reported to have been diagnosed with a venous blood-lead level of [15] 5 micrograms per deciliter or more, or

2. untreated lead-based paint hazards have been found in a unit of a multiple-family dwelling in which a child who has been diagnosed with a venous blood-lead level of [15] 5 micrograms per deciliter or more resides and entry is needed to other units of the dwelling to determine compliance with law.

104.6.5 Application for warrant. The application for a search warrant must be:

1. signed and sworn to by the Building Official, and

2. accompanied by an affidavit containing facts within the personal knowledge of the affiant:

   a. that probable cause for issuance of a search warrant exists, and

   b. in cases where prior notice is required, that notice has been given and entry has not been arranged for or has been denied or unduly delayed by the person notified.

104.6.6 Contents of warrant. The search warrant must name or describe, with reasonable particularity:

1. the place to be inspected,

2. the reason for the inspection, and

3. the name of the applicant on whose written application the warrant was issued.

104.6.7 Execution of warrant. An inspection under the search warrant must be made within 15 days of the date the warrant was issued. At the end of that 15-day period, the warrant is void.

104.6.8 Dwelling units. Except as provided in § 104.6.8.1, no inspector who gains entrance to a dwelling for the purpose of enforcing this Code or any related law may obtain or furnish evidence of, or testify to, any offense other than violations of this Code or of any related law.

104.6.8.1 Exception. The limitations of § 104.6.8 do not apply to:

1. a felony, or

2. a misdemeanor involving an act of violence and committed in the inspector's presence.

104.7 Department records. ***{As in IBC}***

104.8 Liability. ***{Not Adopted.*** **See** ***State Courts Article § 5-302.}***

104.9 Approved materials and equipment. ***{As in IBC}***

104.10 Modifications. ***{As in IBC}***

104.10.1 Flood hazard areas. ***{Not Adopted}***

{**Editor's Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

104.11 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Building Official finds in writing that, for the purpose intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

104.11.1 Research reports. *{As in IBC}*

104.11.2 Tests. *{As in IBC}*

Section 105 Permits

105.1 Required. A permit issued by the Building Official is required before any person may do any of the following work:

1. construct, alter, add to, repair, rehabilitate, demolish, or move any structure,
2. change the use of any structure or land,
3. install or alter any equipment subject to this Code,
4. move a lot line that affects any structure,
5. perform any grading or excavating, [or]
6. undertake, cause, or allow any addition, alteration or other action described in either of the following provisions of City Code Article 6 {"Historical and Architectural Preservation"}:
    a. § 8-2(a) {"Building permit required: Exterior structures"}, describing actions for or with respect to any structure:
        i. within an Historical and Architectural Preservation District,
        ii. on the Landmark List: Exteriors, or
        iii. on the potential-Landmark List: Exteriors, or
    b. § 8-2(b) {"Building permit required: Public interiors"}, describing actions for or with respect to any structure:
        i. on the Landmark List: Public Interiors; or
        ii. on the potential-Landmark List: Public Interiors[.]; OR
7. ON TRANSFER OF OWNERSHIP OR OPERATION OF PROPERTY, CONTINUE ANY OF THE FOLLOWING USES, AS DEFINED IN CITY CODE ARTICLE 32 {"ZONING"}:
    A. BANQUET HALL,
    B. BODY ART ESTABLISHMENT,
    C. CARRY-OUT FOOD SHOP;
    D. DAY-CARE CENTER: ADULT OR CHILD,
    E. DRIVE-THROUGH FACILITY;

F. ENTERTAINMENT: LIVE OR INDOOR,

G. GAS STATION,

H HEALTH-CARE CLINIC,

I. LODGE OR SOCIAL CLUB,

J. LOUNGE,

K. PAWN SHOP,

L. PERSONAL SERVICES ESTABLISHMENT,

M. RESTAURANT,

N. RETAIL GOODS ESTABLISHMENT – WITH OUR WITHOUT ALCOHOLIC BEVERAGE SALES, OR

O. TAVERN.

105.1.1 Annual permit. ***{As in IBC}***

105.1.2 Annual permit records. ***{As in IBC}***

105.1.3 By whom application to be made. Except as otherwise specified in Chapter 27 {"Electrical"}, Chapter 28 {"Mechanical Systems"}, and Chapter 29 {"Plumbing Systems"}, the application for a permit must be made as follows:

1. for a demolition or moving permit, by the owner of the property to be demolished or moved,

2. for a permit to remove formstone, paint, or other material from exterior surfaces, by the licensed contractor employed to do the proposed work,

3. for a permit to do work involving underpinning or a retaining foundation wall, by the licensed contractor employed to do the proposed work, and

4. for all other permits, by:

    a. the owner or lessee of the structure,

    b. the agent of the owner or lessee, or

    c. the licensed engineer or architect employed in connection with the proposed work.

105.1.4 Work done without permit. A person who does any work without a permit, or outside or beyond the scope of a permit, or in a manner inconsistent with plans or drawings approved as part of a permit application, or after a permit is revoked for any

reason, must obtain a permit for that work, even if already completed, and pay the appropriate permit fee and penalty surcharge.

105.1.5 Special professional services. In addition to and without limiting any other requirements of or authority granted by this Code, the Building Official may require, as a term or condition of a permit, that a registered design professional or other licensed specialist or expert perform specific work or sign and seal specific plans, computations, specifications, or statements.

105.2 Work exempt from permit. An exemption from the permit requirements of this Code does not authorize any work to be done in a manner that violates a provision of this Code or of any other law. Permits are not required for the following:

Building:

1. to 4. ***{Not Adopted}***

5. ***{As in IBC}***

6. ***{Not Adopted}***

7. Interior painting, papering, tiling, carpeting, cabinets, counter tops, and similar interior finish work.

8. ***{Not Adopted}***

9. ***{As in IBC}***

10. Shade cloth or plastic film structures, commonly known as "hoophouses", constructed for nursery or agricultural purposes. not including service systems. The covering of the structure must be a material that conforms to NFPA 701 standards.

11. ***{As in IBC}***

12. ***{Not Adopted}***

13. ***{As in IBC}***

14. Removal of debris, except in cases of interior or exterior demolition.

15. Boarding exterior openings with plywood.

16. Minor repair or patching of drywall or plaster.

17. Replacing roof shingles.

18. Replacing roof tarring.

19. Installing a temporary door on a structure subject to a vacant building notice.

Electrical:

Repairs and maintenance: ***{As in IBC}***

Radio and television transmitting stations: ***{Not Adopted}***

Temporary Testing Systems: ***{As in IBC}***

Gas: ***{Not Adopted}***

Mechanical: ***{Not Adopted}***

Plumbing: ***{As in IBC}***

105.2.1 Emergency repairs. ***{As in IBC}***

105.2.2 [105.2.3] Public service agencies. ***{As in IBC}***

105.3 Application for permit. To obtain a permit, the applicant must first file an application on the form provided by the Building Official for that purpose. The application must:

1. identify and describe the work to be covered under the permit,

2. describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work,

3. indicate the use and occupancy for which the proposed work is intended,

4. specify the gross floor area, as defined in Baltimore City Zoning Code § 1-306(j) {"Floor Area: Gross (GFA)"}, involved in the proposed work,

5. specify the number of dwelling units, if any, involved in the proposed work,

6. be accompanied by the construction documents and other information required by § 107 {"Submittal Documents"} of this Code, and

7. if the property is located within an Historical and Architectural Preservation District or included on the City's Landmark List or Potential-Landmark List, be forwarded to the Commission for Historical and Architectural Preservation, for review and action under City Code Article 6 {"Historical and Architectural Preservation"}, Subtitle 8 {"Alterations, etc., to or Affecting Properties"},

8. state the valuation of the proposed work,

9. if the proposed work will replace any existing structure, be accompanied by photographs that depict the existing conditions and existing structures on the site,

10. identify the parties by providing:

a. the full names, phone numbers, addresses, and (if available) email addresses of the owner, lessee, and applicant,

b. the full name, phone number, address, and (if available) email address of a person who can be contacted at all times in case of an emergency, and

c. if the owner, lessee, or applicant is a corporation, partnership, limited liability company, or other entity, full names, phone numbers, addresses, and (if available) email addresses of its officers, partners, or members, as the case may be,

11. provide any other data and information that the Building Official requires,

12. be signed by the applicant, or the applicant's authorized agent, and

13. if signed by an agent, be accompanied by:

a. proof of agency, and

b. proof of the agent's identity, by copy or presentation of a valid Maryland driver's license or other Maryland identification.

105.3.1 Action on application.

105.3.1.1 General. The Building Official must examine all applications for permits within a reasonable time after filing. If the application or the proposed work does not conform to the requirements of this Code or any other applicable law, the Building Official must reject the application in writing, stating the reasons for the rejection. If the Building Official is satisfied that the application and the proposed work conform to the requirements of this Code and all other applicable laws, the Building Official must issue the permit as soon as practicable.

105.3.1.2 Referral to assess need for traffic mitigation. Within 15 business days of receiving a completed application, the Building Official must refer the application and all accompanying documents to the Director of Transportation, for review and action under Chapter 38 {"Traffic Impact and Mitigation"} of this Code, if:

1. traffic mitigation requirements for the proposed work have not already been complied with in accordance with this Code or the Baltimore City Zoning Code; and

2. the proposed work:

a. is in a Traffic-Mitigation Zone designated under Chapter 38 {"Traffic Impact and Mitigation"} of this Code and involves 10 or more dwelling units,

b. involves 15,000 sq. ft. or more of gross floor area (as defined in Baltimore City Zoning Code § 1-306(j)), or

c. involves 50 or more dwelling units.

105.3.2 Time limitation of application. *{As in IBC}*

105.3.3 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 $10,000.

105.4 Validity of permit. *{As in IBC}*

105.5 Expiration; extension; reinstatement for final inspection. 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 {"Notices"} of this Code or to comply with a demolition order issued under § 116 {"Unsafe Structures"} 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.

105.5.3 ***{Reserved}***

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 is limited to a period of not more than 180 days, unless otherwise authorized by the Building Official.

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 Reinstatement for final inspection. An expired permit may be reinstated by the Building Official for a final inspection if:

1. the application for reinstatement is made within 3 years of the permit's expiration;

2. all rough-in inspections were completed and approved by the Building Official; and

3. all of the work is complete.

105.5.7 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.

105.6 Suspension or revocation. The Building Official may suspend or revoke a permit issued under this Code if:

1. the work is being done in violation of the permit, of this Code, or of any other applicable law or regulation, [or]

2. the permit was issued:

   a. in error or on the basis of incorrect, inaccurate, or incomplete information, or

   b. in violation of this Code or of any other law or regulation[.]; OR

3. ANY FEDERAL, STATE, OR CITY AGENCY SUSPENDS OR REVOKES ANY LICENSE OR TAKES ANY OTHER ACTION THAT DIMINISHES THE ABILITY TO USE ANY PORTION OF THE PROPERTY IN ANY WAY FOR WHICH THE PERMIT WAS GRANTED UNDER THIS CODE.

105.7 Placement of permit. ***{As in IBC}***

105.8 Separate structures. Whenever work is being done on two or more independent structures on the same property, a separate permit is required for each independent structure.

105.9 Special requirements for demolition or moving.

105.9.1 Pre-permit requirements. A permit may not be granted for demolishing or moving a structure unless the applicant complies with the following.

105.9.1.1 Inspector consultation. The applicant must have attended an on-site, pre-demolition or pre-moving inspector consultation to discuss and confirm:

1. appropriate hosing/wetting requirements and procedures,

2. notification requirements, and

3. any other matters the Building Official requires.

105.9.1.2 Written notice to adjoining owners, etc. The applicant must have given written notice to:

1. the owners of all properties that [immediately adjoin the property] ARE PHYSICALLY ATTACHED TO THE STRUCTURE subject to demolition or moving, and

2. the owners of any wired or other facilities that might have to be temporarily removed because of the proposed work.

105.9.1.2.1 Contents of notice. The written notice must:

1. indicate the intent to demolish or move the structure,

2. specify when the work is expected to begin,

3. identify the contractor scheduled to perform the demolition or moving, and

4. provide the full name, phone number, address, and (if available) email address of an agent of the contractor who can be reached at all times in case of an emergency.

105.9.2 Pre-demolition, moving requirements. Before beginning any demolition or moving operations, the permit holder must comply with the following.

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 – General. The sign must be:

1. at least 4 feet wide and 3 feet high,

2. written in black lettering, at least 2 inches high, on a yellow background,

3. conspicuously posted, clearly visible and legible to the public, and with the bottom of the sign not less than 5 feet nor more than 10 feet above ground level, and

4. maintained in good condition until the time of the demolition or moving.

105.9.2.1.2 Sign requisites – Multiple structures. If the demolition or moving involves 2 or more structures on the same or adjoining properties:

1. 1 sign meeting the specifications of § 105.9.2.1.1 must be conspicuously posted, clearly visible and legible to the public, and with the bottom of the sign not less than 5 feet nor more than 10 feet above ground level, and

2. each individual structure must be posted with a sign that is:

    a. at least 17 inches wide and 11 inches high,

b. written in black lettering on a yellow background,

c. conspicuously posted, clearly visible and legible to the public, and with the bottom of the sign not less than 5 feet nor more than 10 feet above ground level, and

d. maintained in good condition until the time of the demolition or moving.

105.9.2.1.3 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 operation, the contractor must contact the Building Official to schedule the presence of an inspector at the beginning of the demolition or moving operation.

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, opera house, pool parlor, skating rink, sports arena, stadium, or theater, or

2. any roof tank or roof sign.

Section 106 Floor and Roof Design Loads ***{As in IBC}***

Section 107 Submittal Documents.

107.1 General. ***{As in IBC}***

Exception 1: ***{As in IBC Exception}***

Exception 2: Construction documents may be submitted electronically through the City's ePlans Review System if the submission complies with the guidelines established in the ePlans Applicant User Guide.

107.2 Site plan. The construction documents submitted with the application for permit must be accompanied by a site plan.

107.2.1 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,

2. show, as applicable, Regulated Flood Hazard Areas, Floodways, and design flood elevations,

3. be drawn in accordance with an accurate boundary line survey, and

4. comport with all other requirements of this section.

107.2.2 Demolition. In the case of demolition, the site plan must show construction to be demolished and the location and size of existing structures and construction that are to remain on the site.

107.2.3 Specifications, photographs, additional information. The site plan must:

1. be drawn in accordance with the specifications required by rules or regulations adopted by the Building Official in consultation with the Director ofTransportation, and

2. contain any additional information required by those rules or regulations.

107.2.4 Waiver or modification. The Building Official may waive or modify the requirement for a site plan if the application is for alteration or repair or if otherwise warranted.

107.2.5 EXTERIOR BALCONIES AND ELEVATED WALKING SURFACES. ***{AS IN IBC}***

107.2.6 [107.2.5] Site plan. ***{Not Adopted}***

107.2.7 [107.2.6] Structural information. [***{As in IBC}***] ***{NOT ADOPTED}***

107.2.8 RELOCATABLE BUILDINGS. ***{AS IN IBC}***

107.3 Examination of documents. ***{As in IBC}***

107.4 Amended construction documents. ***{As in IBC}***

107.5 Retention of construction documents. ***{As in IBC}***

Section 108 Temporary Structures and Uses

108.1 In general. ***{As in IBC}***

108.2 Conformance. ***{As in IBC}***

108.3 Temporary power. The Building Official may give permission to temporarily supply power to a structure that is not yet complete, as long as all work complies with the requirements of this Code.

108.4 Termination of approval. *{As in IBC}*

Section 109 Fees

109.1 Permit fees. A permit for construction, alteration, demolition, moving, or other building operation is not valid unless the fees prescribed in this Code have been paid, nor is any amendment or extension to a permit valid unless the prescribed additional fee has been paid. Payment must be made before issuance of the permit, amendment, or extension.

109.2 Other fees. The payment of the fee for all work done concurrently or in connection with the work contemplated by a permit does not relieve the applicant or permit holder from the payment of other fees prescribed by law for water taps, sewer connections, electrical permits, signs and display structures, marquees, or other appurtenant structures, or fees for inspections, occupancy permits, or other privileges or requirements, whether within or without the jurisdiction of the Department.

109.3 Minimum fees and service charges. Fees or service charges for the various permits, certificates, inspections, tests, or other services provided under this Code are as specified in this § 109. Unless otherwise specified, the minimum fee or service charge is $25. All fees are to be rounded to the nearest dollar.

109.4 Refunds; credits.

109.4.1 General. No fee or other service charge paid for any application, permit, certificate, inspection, test, or other service may be refunded, in whole or in part, except as provided in this § 109.4.

109.4.2 Limitations. Except as provided in § 109.4.3:

1. if no work has been done nor any privilege enjoyed under a permit, certificate, inspection, test, or other service, a refund may be granted of not more than 50% of the fee or service charge paid; and

2. in no event may any refund be granted on any fee or charge of less than $1,000.

109.4.3 Administrative error. If the Building Official revokes a permit because of an administrative error that, through no fault of the applicant, was made in issuing the permit, the applicant is entitled to:

1. apply for and receive a full refund of the fee paid for the revoked permit, or

2. request that the fee paid for the revoked permit be applied and credited to the fee due for a new permit to replace the one revoked.

109.5 Service charges.

109.5.1 Duplicate or additional documents. The charges for copies or duplicates of permits, certificates, and other documents are:

1. for photocopies of documents other than approved plans, $1 for the 1st page and 50¢ for each additional page,

2. for duplicates of permits other than approved plans, $10 for each duplicate issued, and

3. for copies or duplicates of approved plans, $10 per sheet plus any charge involved in reproducing them.

Exception: The fee for photocopies of violation notices, condemnation notices, and records related to either, will be waived if the notices are:

1. for a residential property, and

2. the copies and the fee waiver are requested by:

a. the current owner of the property, as evidenced by a recorded deed, or

b. a current occupant of the property, as evidenced by an executed lease or other record satisfactory to the Building Official.

109.5.1.1 Deposit for copies. The Building Official may require a deposit in the amount of $100 for any copy or duplicate request that:

1. is for photocopies of documents, other than approved plans or permits, estimated to be in excess of 200 pages; or

2. is for photocopies or duplicates of more than 10 approved plans or permits.

109.5.2 Partial permits. For a partial permit issued under this Code:

1. the charge is at the rate of:

a. $10 for each $1,000 worth of work up to $1,000,000 worth of work, plus

b. $5 for each $1,000 worth of work in excess of $1,000,000, and

2. the minimum charge is:

a. $100 for 1- and 2-family dwellings, and

b. $250 for all other structures.

109.5.3 Permit extensions. For a permit extension issued under this Code, the charge is as follows:

1. If the application for extension is made within 30 days after the permit expires, the fee for the extension is $25.

2. If the application for extension is made between 30 - 60 days after the permit expires, the fee for the extension is 50% of the original permit fee. Alternatively, the applicant may apply for a new permit for the work remaining to be completed, with the fee for that permit to be based on the scope of that remaining work.

109.5.4 Permit amendments. For an amendment to a permit, the charge is as follows:

1. For each amendment that involves a work area not originally applied for, the charge is the appropriate fee for the work contemplated, with a minimum fee as follows:

   a. 1- and 2-family dwellings $50

   b. All others $75

2. For each amendment within the work area originally applied for, the charge is the appropriate fee for the work contemplated, with a minimum fee as follows:

   a. 1- and 2-family dwellings $25

   b. All others

0 to 500 sq. ft.	$75
Over 500 sq. ft. to 1,000 sq. ft.	$150
Over 1,000 sq. ft. to 5,000 sq. ft.	$250
Over 5,000 sq. ft.	$500

3. TO ADD OR CHANGE A CONTRACTOR, THE CHARGE IS $25 PER APPLICATION.

109.5.5 Preliminary Project Review. For a "Preliminary Review" of a proposed project, the charge is $50 for each half hour.

109.5.6 Revised drawings. For revised drawings, the charge is $10 for each sheet submitted, with a minimum charge of $25.

109.5.7 Application fee. Before an application for any permit or certificate is processed, the applicant must pay a nonrefundable application fee as follows:

1. For applications that do not require the submission of construction documents for plan review:

   a. 1- and 2-family dwellings $25

   b. All others $50

2. For applications that require the submission of construction documents for plan review:

   a. 1- and 2-family dwellings $125

   b. All others $150

109.5.8 Inspection fees.

109.5.8.1 Overtime fee. For each inspection or reinspection that, at the request of the owner or owner's agent, is made outside normal working hours, a charge is imposed at the rate of $50 an hour for each inspector, with a minimum charge, payable in advance, of $200 for each inspector.

109.5.8.2 Reinspection fee. If the owner or owner's agent schedules an inspection and, for any reason, a reinspection of the same work is required, the charge, payable in advance, is as follows:

1. [$35] $50 for a 1st reinspection,
2. [$50] $100 for a 2nd reinspection, and
3. [$100] $125] for a 3rd and every subsequent reinspection.

109.5.9 Penalty surcharge. A surcharge is imposed on any permit that is issued for work begun or completed:

1. without a permit,
2. beyond the scope of a permit or in a manner inconsistent with plans or drawings approved as part of a permit application, or
3. during the suspension or after the revocation of a permit for that work.

109.5.9.1 Amount – In general. Except as otherwise specified in this § 109.5.9, the amount of the surcharge is the greater of $1,000 or 50% of the permit fee.

109.5.9.2 Amount – Demolition work. For demolition work done without the proper permit or in violation of the terms of a permit, the surcharge is 50¢ for each cubic foot of the structure before the demolition.

109.5.9.3 Reductions. The Building Official may reduce the amount of a surcharge imposed by this § 109.5.9:

1. on written application and justifiable cause demonstrated, and
2. in accordance with applicable standards and criteria contained in the rules and regulations adopted under this Code.

109.5.9.4 Surcharge in addition to other fines, etc. A surcharge imposed by this § 109.5.9 is in addition to any other fine or penalty imposed under this Code or any other law or regulation.

109.5.9.5 UNPAID SURCHARGE. AN UNPAID SURCHARGE SHALL BE COLLECTED AND A LIEN PLACED IN THE MANNER SET FORTH IN § 118 OF THIS CODE.

109.5.10 Violation reports. The charge for a violation report, whether obtained from the Department or from the Bureau of Liens, is $30, in addition to the charge for a lien certificate.

109. 5.11 PAYMENT DENIED FOR NSF. THE CHARGE FOR A PAYMENT DENIED FOR INSUFFICIENT FUNDS IS $50.

109.6 Fee schedules.

109.6.1 Permit fees for construction work.

a. New buildings and additions.

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	$150
Additions	$75

1. 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 adjusted gross volume, including all basements and cellars. For this calculation, the gross volume of the building is adjusted to exclude, for each story of the building, the volume attributable to any area of that story that is more than 20 feet (6.10 m) above the floor.

Minimums –

New building	$250
Additions	$150

b. Structures accessory to a principal occupancy.

Each structure of 100 square feet (9.29 sq. m.) or less of gross floor area	$25
Each structure over 100 square feet (9.29 sq. m.) of gross floor area	$50

c. Alterations and repairs.

1. 1- and 2-family dwellings

$0.30 per square foot or fraction of a square foot of affected gross floor area

Minimum	$50

Exception: For the following, the fee is $10 for each $1,000 or fraction of $1,000 estimated cost, subject to a minimum fee of $50 –

Alterations limited to the exterior.

Alterations limited to the installation of interior doors when no other work is contemplated on the permit.

2. All others

$0.35 per square foot or fraction of a square foot of affected gross floor area

Minimum $150

Exception: For the following types of work, the fee is $12 for each $1,000 or fraction of $1,000 estimated cost, with a minimum fee of $150 –

Alterations limited to the exterior.

Alterations limited to the installation of interior doors when no other work is contemplated on the permit.

Alterations limited to construction of new-tenant demising wall.

Alterations limited to creation of new-tenant shell space.

d. Interior only demolition.

$0.02 per square foot or fraction of a square foot of affected gross floor area

Minimums –

1- and 2-family dwellings	$25
All others	$100

e. Chimneys, stacks, towers.

0 to 50 feet (15.24 m) high	$35
Over 50 feet (15.24 m) to 100 feet (30.48 m) high	$50
Over 100 feet (30.48 m) high	$75

f. 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.

g. Fences.

$10 for each 100 linear feet (30.38 m) or fraction of 100 linear feet (30.38 m).

h. 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

i. 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

j. 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

k. Installing on-premises advertising signs.

For erecting, placing, hanging, or reconstructing any consolidated area of signage, as described in Baltimore City Zoning Code Title 17, Subtitle 3 {"Sign Dimension Measurement Methodology"}, the fee is $1 a square foot, with a minimum of $13 for each consolidated area of signage.

The rates in items j and k 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.

l. Demolition (other than interior only).

1- and 2-family dwellings	$0.03 per cubic foot volume of structure
Minimum	$300
All others	$0.075 per cubic foot volume of structure
Minimum	$600
Accessory structures	$50 each
Maximum	$5,000 per permit

m. Temporary structures.

For each temporary structure, the fee is $20 a year for each 500 square feet or fraction of 500 square feet of gross floor area.

Minimum	$35
Maximum	$800

n. Moving buildings.

$50 each

o. Swimming pools.

1- and 2-family dwellings	$50
All others	$250

p. Occupancy permit (including any accompanying use permit issued under Zoning Code).

For each use in each building or part of a building	$45

q. Sediment and erosion control.

Sediment and erosion control permit and review fees will be assessed by the Department of Public Works in accordance with the fee schedule established from time to time by the Board of Estimates.

r. DPW and DoT review charges.

A fee of $100 will be charged for each review of a permit application by the Department of Public Works or by the Department of Transportation. Additional fees for consultation meetings with the applicant will be charged at the rate of $50 for each half hour.

109.6.2 Permit fees for electrical work.

a. Electrical service wiring and equipment to be installed, replaced, or relocated, including provision for connection of meter.

1. Rating in Amperes

0 to 100	$25
Over 100 to 200	$30
Over 200 to 400	$40
Over 400 to 800	$60
Over 800 to 1,000	$100
Over 1,000 to 2,000	$150
Over 2,000	$200

For services over 600 volts, add $100.

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 25 photovoltaic panels	$25
For each additional 10 or fraction of 10 panels	$5

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.

If the net proceeds from any of these events are to be used exclusively for the benefit of a nonprofit, tax-exempt charitable or religious organization, then, on the organization's submission with the permit application of evidence documenting its qualifications, the permit fee is waived.

2. For carnivals and circuses.

$25 for each 5 kilowatts or fraction of 5 kilowatts of feeder capacity supplying the wiring.

If the net proceeds from any of these events are to be used exclusively for the benefit of a nonprofit, tax-exempt charitable or religious organization, then, on the organization's submission with the permit application of evidence documenting its qualifications, the permit fee is waived.

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
For each additional 10 or fraction of 10 devices	$5

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

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

109.6.3 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 = 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
New installation of radiators or convectors	$5 each
Minimum	$30
Geothermal system	$50
Replacement of unit same as new	
d. Distribution systems.	
New installation	
1- and 2-family dwellings	$25 per system
All other work	$5 per 1000 CFM
Minimum	$30
Maximum	$300
Reconstruction of existing distribution systems	
1 to 25 diffusers	$35
Over 25 diffusers	$50 per 100 or fraction of 100
VAV or mixing boxes	$5 each
e. Exhaust systems.	
$5 for each 1,000 cubic feet (28.31 cu. m.) of air per minute	
Minimum	$30
Maximum	$300
f. Unfired pressure vessels.	
$50 each	

g. Tanks for all liquids, including propane gas cylinders.	
LP gas cylinders in the aggregate of 1,000 gallons (3,780 L) or fraction of 1,000 gallons (3,780 L) are considered 1 tank.	
0 to 1,000 gallons (3,780 L)	$20 each
Over 1,000 gallons (3,780 L) to 10,000 gallons (37,800 L)	$30 each
Over 10,000 gallons (37,800 L)	$30 plus $10 per 5,000 gallons (18,900 L) or fraction over 10,000 gallons (37,800 L); maximum $400
Removal of tanks	$35 per tank
h. Pumps and dispensers.	
For each hose outlet	$10
Minimum	$30
i. Fire extinguishing systems.	
Sprinkler systems	
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

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

109.6.4 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.

1. $5 each when issued as part of original permit.

2. $10 each when issued separately.

109.6.5 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 the benefit of a nonprofit, tax-exempt charitable or religious organization, then, on the organization's submission with the permit application of evidence documenting its qualifications, the permit fee is waived.

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 feet (929.03 sq. m.):

Purpose	*1 Day*	*1 Week*
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, other than amusement devices, are to be used exclusively for the benefit of a nonprofit, tax-exempt charitable or religious organization, then, on the organization's submission with the permit application of evidence documenting its qualifications, the permit fee is waived.

c. Roof tanks and roof signs.

For roof tanks and roof signs, the annual fee is:

Roof tanks	$50 each
Roof signs	
100 sq. ft. (9.29 sq. m.) to 500 sq. ft. (46.45 sq. m.)	$50
Over 500 sq. ft. (46.45 sq. m.) to 1,000 sq. ft. (92.90 sq. m.)	$75
Over 1,000 sq. ft. (92.90 sq. m.)	$100

109.6.6 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.

109.7 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 110 Inspections

110.1 to 110.2 ***{As in IBC}***

110.3 Required inspections. ***{As in IBC}***

110.3.1 to 110.3.2 ***{As in IBC}***

110.3.3 Lowest floor elevation. In a flood hazard area, on placement of the lowest floor, including the basement, and before undertaking any further vertical construction, the elevation certificate required by the Floodplain Management Code must be submitted to the Building Official.

110.3.4 to [110.3.9] 110.3.10 ***{As in IBC}***

110.3.11 [110.3.10] Final inspection. The final inspection must be made after all work required by the building permit is completed.

110.3.11.1 [110.3.10.1] Flood hazard documentation. For structures in a flood hazard area, documentation of the elevation of the lowest floor, as required by the Floodplain Management Code, must be submitted to the Building Official before the final inspection.

110.4 to 110.6 ***{As in IBC}***

Section 111 Occupancy Permit; Certificate of Completion

111.1 to 111.4 ***{As in IBC. But Note:*** *The "certificate of occupancy" to which the IBC refers is known in Baltimore City as an "occupancy permit".}*

111.5 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.

Section 112 Service Utilities ***{As in IBC}***

Section 113 Board of Appeals ***{Not Adopted}***

Section 114 Violations

114.1 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 contrary to or in conflict with or in violation of:

    a. any provision of this Code,

    b. any provision of City Code Article 6 {"Historical and Architectural Preservation"}, or

    c. any provision of any rule, regulation, decision, permit, notice. or order issued under this Code or under City Code Article 6 by the Building Official, by the Commission for Architectural and Historical Preservation, or by any other person, board, department, bureau, commission, or agency with jurisdiction,

2. otherwise fail to comply with any provision of this Code, of City Code Article 6, or of any rule, regulation, decision, permit, notice, or order issued under this Code or City Code Article 6, or

3. cause any of these acts or omissions to be done.

114.2 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.

114.2.1 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.

114.3 Enforcement generally. If a violation is not promptly discontinued or abated, or if the violation notice or order is not complied with promptly, the Building Official may institute or cause to be instituted any appropriate legal proceedings.

114.3.1 Types of proceedings. Enforcement proceedings may include:

1. injunctive or other equity proceedings, including:

   a. an action initiated by a code-enforcement-injunction citation under City Code Article 19, § 71-3 {"Code enforcement injunction"}, or

   b. an action for appointment of a receiver under § 121 {"Vacant Building Receiver"} of this Code,

2. criminal prosecution, including a prosecution initiated by a prepayable criminal citation under City Code Article 19, § 71-2 {"Prepayable criminal citations"}, and

3. administrative proceedings, including one initiated by an environmental citation under City Code Article 1, § 40-14 {"Violations to which subtitle applies"}.

114.3.2 Remedies not exclusive. In pursuing a violation, the Building Official may use any 1 or more available remedies or enforcement actions. The initiation of any 1 remedy or enforcement action does not preclude pursuing any other remedy or enforcement action authorized by law. Neither damages, irreparable injury, nor the lack of an adequate remedy at law is a prerequisite to enforcement in equity.

114.3.3 When prior notice not required. A violation notice or order is not a prerequisite to enforcement action in the following situations:

1. when seeking a temporary restraining order or injunction in an emergency,
2. when seeking equitable relief for a pattern or practice of noncompliance,
3. for work being done without a permit or in violation of a stop-work order,
4. for a violation that remains unabated after a prior prosecution for that violation,
5. for a prepayable criminal citation that is issued under City Code Article 19, Subtitle 71 {"Special Enforcement Officers"} and for which prior notice is waived under Article 19, § 71-2 {"Prepayable criminal citations"},
6. for an environmental citation that is issued under City Code Article 1, Subtitle 40 {"Environmental Control Board"},
7. for occupying or causing to be occupied a building that is subject to a violation notice issued under § 116 {"Unsafe Structures"} or § 120 {"Condemnation Proceedings"}, and
8. in any other case specifically authorized by this Code.

114.4 Violation a misdemeanor. A person is guilty of a misdemeanor and, on conviction, subject to the penalties specified in this § 114.4, if the person:

1. violates a provision of this Code,
2. fails to comply with any requirement of this Code or of a regulation, order, decision, permit, or notice issued under this Code, or
3. constructs, alters, adds to, repairs, rehabilitates, demolishes, moves, locates, uses, occupies, or maintains any structure, premises, land, or equipment in violation of an approved plan or directive of the Building Official or of a permit or certificate issued under this Code.

114.4.1 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 period within which to abate the violation.

114.4.2 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.

114.4.3 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 $500 or imprisonment for not more than 90 days or both fine and imprisonment, and

2. for all other violations, a fine of not more than $500.

114.5 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.

114.6 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.

114.7 to 114.10 ***{Reserved}***

114.11 Revoking or withholding violator's permits.

114.11.1 Scope. This § 114.11 applies whenever the Building Official finds that an owner, an owner's agent, a contractor, or an architect, engineer, or other design professional:

1. 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; OR

2. HAS FAILED TO PAY ANY OUTSTANDING CITATION ISSUED OR FEE IMPOSED UNDER THIS CODE.

114.11.2 Actions authorized. In any situation described in § 114.11.1, the Building Official may:

1. revoke, without prior notice, any existing permit that has been granted:

   a. to the owner, the owner's agent, the contractor, or the architect, engineer, or other design professional, or

b. for work in connection with which the design professional is employed, and

2. refuse to grant, for a period of up to 5 years, any further permits:

a. to the owner, the owner's agent, the contractor, or the architect, engineer, or other design professional,

b. for work in connection with which the design professional is employed, or

c. for work on the property with respect to which the violation occurred.

114.12 to 114.13 ***{Reserved}***

114.14 Work without permit. Any person who does work without a permit, outside or beyond the scope of a permit, or in a manner inconsistent with plans or drawings approved as part of a permit application:

1. is in violation of this Code and subject to enforcement action without notice,

2. must immediately stop any work in progress,

3. must obtain a permit, paying all associated fees and penalties, whether the work is in progress or completed, and

4. must restore the structure to its original condition, unless:

a. the work otherwise conforms to the relevant requirements of law, and

b. the Building Official, in his or her discretion, allows the work to remain or continue.

114.15 to 114.20 ***{Reserved}***

114.21 Responsibility of owners and operators. Except as otherwise specifically provided in § 114.21.1, the owner and the operator of any property subject to this Code are each:

1. responsible for compliance with all provisions of this Code in all matters pertaining directly or indirectly to that property, and

2. liable for all violations of this Code in connection with any land, structure, matter, or thing owned or controlled by them.

114.21.1 Exceptions. Only the owner is responsible for compliance with a provision requiring an owner's signature. Except as specified in § 114.21.2, an owner or operator is not responsible for compliance with a provision of this Code that is specifically designated as the responsibility of the occupant, unless that owner or operator is also an occupant.

114.21.2 Liability for sanitary maintenance.

a. **Secondary liability.** If, after a notice, order, or citation, a tenant fails to correct a violation of Property Maintenance Code § 305 {"Exterior Sanitary Maintenance – General"} or § 306 {"Exterior Sanitary Maintenance – Trash, Garbage, and Debris"} for which occupants are responsible under Property Maintenance Code § 308 {"Occupants' Sanitary Responsibilities"}, the owner and operator of the property are secondarily liable.

b. **Liability – Failure to register property.** The owner of a property is responsible for exterior sanitary maintenance if:

1. the owner fails to register or license the property as required by City Code Article 13, Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings, etc."} or Subtitle 5 {"Licensing of Rental Dwellings"}, or

2. reasonable attempts at telephone contact, using information in a current registration statement, do not lead within 2 business days to current occupant information.

c. **Liability – Third environmental citation.** The owner of a property is responsible for exterior sanitary maintenance if:

1. within the previous 12 months, two or more environmental citations were issued under City Code Article 1, Subtitle 40 {"Environmental Control Board"}, for violations of this Code that were the responsibility of an occupant of the property under Property Maintenance Code § 308 {"Occupants Sanitary Responsibilities"}, and

2. notification of each citation has been sent to the owner by regular mail.

114.21.2.1 Notice to owner, operator. Before an owner or operator may be charged under § 114.21.2a {"Secondary liability"}, he or she must be served with a violation notice under § 123.4 {"Violation notices"}. A violation notice under § 123.4 is not necessary to charge an owner under §§ 114.21.2b {"Liability – Failure to Register Property"} or 114.21.2c {"Liability – Third environmental citation"}.

114.21.2.2 Recovery of expenses. If an owner or operator incurs expenses in correcting the violation, the owner or operator:

1. may bring legal action to recover those expenses from the tenant, and

2. has all the rights and remedies available under the law for nonpayment.

114.22 Responsibility of others. In addition to the owner or operator of the property involved, any other person who violates any provision of this Code is liable for the violation and, on conviction, is subject to all penalties provided in this Code for the violation.

114.23 Responsibility of transferee. This § 114.23 applies whenever any property is transferred by sale, assignment, ground rent lease, or otherwise, with or without consideration ("transfer"). Except as provided in § 114.25 {"Responsibility of mortgagee"}, this § 114.23 does not apply to a mortgagee or to the holder of a note secured by a deed of trust.

114.23.1 Duty before transfer. Before any transfer of property, the transferee must obtain a copy of a violation report for the property.

114.23.2 Primary liability of transferee. On transfer of the property, if any violation or condemnation notices lie against the property and are included in the violation report, the transferee:

1. becomes primarily liable for those notices the same as if the notices had been addressed to the transferee,

2. must abate the violation, and

3. is liable in accordance with § 117 {"Emergency and Corrective Measures"} of this Code for any expenses incurred by the City in abating the violation or condemnation notice, if the transferee failed to request a violation report as required by § 114.23.1.

114.23.3 Reliance on violation report. A transferee is not liable for abatement expenses incurred by the City if, before the transfer, the transferee requested a violation report and the report does not show the violation.

114.24 Responsibility of officers, directors, etc., of corporations, partnerships, etc. Whenever a corporation, joint stock company, partnership, association, limited liability company, or other entity violates any provision of this Code, every officer, director, trustee, partner, member, or agent of that entity who has authorized or done any of the acts constituting the violation, in whole or in part, or who has failed to act or acquiesced in any failure to act constituting the violation, in whole or in part, is individually guilty of a misdemeanor and, on conviction, is subject to the penalties provided in this § 114.

114.25 Responsibility of mortgagee. A person that acquires an interest in property by way of a mortgage or deed of trust ("lender") is liable to the same extent as an owner/transferee for a violation or condemnation notice pertaining to a vacant unsafe structure, if:

1. the person with primary responsibility fails to comply with the notice,

2. the lender has been notified by certified mail of the violation or condemnation notice, and

3. within 180 days after the receipt of the notice:

    a. ratification of a foreclosure sale of the property has not occurred, or

    b. the lender has not released its mortgage or deed of trust.

114.25.1 Bankruptcy toll. The 180-day period referred to in § 114.25(3) is tolled by any period during which the lender's right to foreclose is stayed by a pending proceeding under the federal Bankruptcy Code.

114.25.2 Defense. During any enforcement proceeding instituted against a lender under this section, it is a defense that the lender did not have the right to institute foreclosure proceedings.

114.25.3 During pendency of foreclosure. During the pendency of a foreclosure, the lender is responsible for maintaining the property free from high vegetation, free from accumulation of trash and debris, and otherwise in full compliance with the requirements of this Code.

114.26 Responsibility of buyer on foreclosure. On foreclosure or sale in lieu of foreclosure, the buyer:

1. acquires ownership responsibility when the sale is ratified, and

2. takes title subject to any outstanding notices.

Section 115 Stop-Work Order

115.1 Authority. ***{As in IBC}***

115.2 Issuance. The stop-work order must be in writing and state the reason for the order. It must be posted on the property. On posting, the cited work must immediately cease. Written notice of the stop-work order must be sent by first class and certified mail to the owner of the property involved.

115.3 Unlawful continuance. ***{As in IBC}***

115.4 Removal, etc., of posted notice. Until the Building Official so authorizes, no person may remove, deface, damage, or change any notice, poster, or sign placed under this section on any land, structure, or other object.

Section 116 Unsafe Structures

116.1 General. Any structure or part of a structure found to be unsafe or unfit for human habitation or other authorized use must be rehabilitated or, as permitted or required by the Building Official, demolished.

116.1.1 Scope. A structure may be unsafe or unfit for human habitation or other authorized use because of:

1. conditions constituting a fire hazard or conditions of damage, decay, dilapidation, obsolescence, abandonment, vacancy (as described in § 116.4), insanitation, or vermin or rodent infestation that constitute a hazard to the health, welfare, or safety of occupants or the public,

2. lack of sanitation, illumination, ventilation, heating, plumbing, exitways, fire protection, utilities, or other facilities adequate to protect the health, welfare, or safety of occupants or the public, or

3. conditions that are so unsafe, insanitary, overcrowded, improper in use or occupancy, or otherwise dangerous to life, health, welfare, or safety as to create a hazard to occupants or the public.

116.2 Occupied unsafe structures. Whenever the Building Official or the Commissioner of Health finds all or any part of an occupied structure to be unsafe or unfit for human habitation or other authorized use:

1. either the Building Official or Commissioner of Health may:

    a. post an order requiring the structure or affected part to be vacated, and

    b. take necessary steps to remove occupants who fail or refuse to vacate,

2. once vacated, the structure or affected part may not be reoccupied until:

    a. it is rehabilitated to comply with all applicable codes and ordinances, and

    b. the Building Official has issued an occupancy permit, and

3. pending rehabilitation, the structure must be kept secure against casual entry and the premises kept free of occupants, litter, high grass, and weeds.

116.3 Temporarily unoccupied structures. Any structure or part of a structure that has been left unoccupied without removing appliances or portable equipment or furniture and without disconnecting utility service must be safeguarded by closing and securely locking all windows, doors, and other openings.

116.4 Vacant structures. Every vacant structure, as defined in this § 116.4, is declared to be a fire hazard and a nuisance per se, and must be safeguarded and otherwise maintained as required in this § 116.4.

116.4.1 Definitions.

116.4.1.1 General. In this § 116.4, the following terms have the meanings indicated.

116.4.1.2 Vacant structure. "Vacant structure" means [an unoccupied] A structure OR DISTINGUISHABLE PART OF A STRUCTURE that is:

1. UNOCCUPIED, AND

2. EITHER:

    A. [1.] unsafe or unfit for human habitation or other authorized use, or

    B. [2.] a nuisance property.

116.4.1.3 Nuisance property. "Nuisance property" means:

1. an unoccupied structure for which 2 or more final, non-appealable Building Code, Fire Code, or Property Maintenance Code violations remained unabated for 10 days or more beyond the date by which the violation notice, citation, or order required the violation to be corrected; or

2. the exterior premises of an unoccupied structure for which, at any time within the preceding 12 months, on 6 or more separate occasions, final, no-longer appealable violation notices, citations, or orders were served to correct violations of Property Maintenance Code, § 305 {"Exterior Sanitary Maintenance – General"} or § 306 {"Exterior Sanitary Maintenance – Trash, Garbage, and Debris"}.

116.4.1.3.1 Registered interest holders.

116.4.1.3.1.1 Registration authorized. A holder of an interest in a structure by way of a mortgage or deed of trust may register that interest in the Housing Commissioner's Registry of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures (City Code Article 13, Subtitle 4).

116.4.1.3.1.2 Notice required to registrants. Before declaring an unoccupied structure to be a nuisance property, the Building Official must send a notice, by first-class mail or email, to any interest holder that is registered for that structure under City Code Article 13, Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures"}.

116.4.1.3.1.3 Tenor of notice. The notice shall provide the interest holder with the opportunity to avoid a declaration of public nuisance if, within 30 days of the mailing, the interest holder:

1. abates all outstanding violations; and

2. submits a reasonable plan to the Building Commissioner for regular maintenance of the property.

116.4.1.3.2 Official's corrective actions do not constitute abatement. Actions taken by the Building Official to clean, secure, or repair a property do not preclude the Building Official's determination that the property is a nuisance property.

116.4.2 Determination of vacancy, noncompliance. A determination of vacancy and a determination of noncompliance with a notice or order issued under this section may be based on observation that a structure:

1. contains, at any level, any open window or door, any opening caused by damage or decay, or any other opening that is unprotected from intruders,

2. has boarded windows or doors, or

3. lacks intact doors, windows, window sashes, walls, or roof surfaces to protect against the elements.

116.4.3 Required safeguarding. Every vacant structure must be cleaned, closed, and safeguarded as follows:

1. Before the structure is closed and secured, all litter, trash, and other debris must be removed from the premises.

2. All windows, doors, and other openings must be closed, securely locked, and, if readily accessible, boarded up with substantial material, including masonry, approved by the Building Official. The Building Official may require windows facing streets to be boarded with lexan, vinyl, or similar material, protected by security grills, or both.

3. As long as the structure remains unrehabilitated:

   a. it must be kept boarded,

   b. the premises must be conspicuously posted against trespass, and

   c. the premises must be kept free of occupants, litter, trash, debris, high grass, and weeds at all times.

4. Boarding, posting, and cleaning, however, do not relieve the owner of responsibility to demolish or to repair and maintain the property in conformity with this Code.

5. THE BUILDING OFFICIAL MAY POST A SIGN TO INFORM THE PUBLIC THAT THE STRUCTURE IS A VACANT STRUCTURE AND TO PROVIDE ADDITIONAL INFORMATION ABOUT THE STRUCTURE'S STATUS.

6. [5.] The structure may not be reoccupied until the Building Official has issued an occupancy permit.

116.4.4 Emergency condition. A vacant structure that is not kept boarded and free from accumulations of debris and high vegetation or that, in the opinion of the Building Official, is so dangerously unsound or so deteriorated that rehabilitation is not feasible, constitutes an emergency condition that imminently threatens the public health and safety and requires immediate resolution.

116.4.5 Rodenticide procedure. *See* § 3314 of this Code.

116.4.6 Notice to Public Works. Whenever the Building Official determines a structure to be vacant, the Building Official must promptly notify the Director of Public Works of that determination. On receipt of the notice, the Director of Public Works must proceed to cut off water service, as provided in City Code Article 24, § 2-3 {"Cut-off for nonpayment"}.

116.5 Rehabilitation, demolition, and stabilization. Except as otherwise authorized or required under this section, a structure found to be unsafe or unfit for human habitation or other authorized use must be rehabilitated and an occupancy permit obtained.

116.5.1 Permitted demolition. On timely appeal of an order to rehabilitate, the Building Official may permit an owner to demolish an unsafe structure instead of rehabilitating it if, in the Building Official's opinion, demolition is not detrimental to the immediate neighborhood.

116.5.2 Required demolition. The Building Official may order the immediate demolition of any unsafe structure that, in the Building Official's opinion, is either so dangerously unsound or so deteriorated that rehabilitation is not feasible.

116.5.2.1 Appeal. The recipient of an order to demolish an unsafe structure may request administrative review of the order under § 128 {"Administrative and Judicial Review"} of this Code.

116.5.2.2 Rescission of demolition order. The Building Official may rescind or modify a demolition order if the owner demonstrates the financial ability and requisite expertise to rehabilitate the structure within a reasonable time, as determined by the Building Official, and agrees to comply with a specified timetable. Failure to comply with an agreed timetable reinstates the demolition order.

116.5.3 Stabilization. The Building Official may permit or order an interim stabilization of an unsafe structure pending its rehabilitation.

116.5.4 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.

116.6 Vacant lot maintenance. When a structure has been demolished under this § 116, the premises must be made to conform to the provisions of this Code and of the regulations adopted under this Code.

116.7 Remedial action by Building Official. The Building Official may take action under this § 116.7 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, FENCE, or otherwise safeguard a vacant structure or LOT, or

3. to remove high grass and weeds or litter, trash, and debris from the premises of a vacant structure OR LOT.

116.7.1 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.

116.7.2 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.

116.7.3 When additional notice not required. Boarding, cleaning, FENCING, and otherwise safeguarding a vacant structure OR LOT that is subject to an expired violation notice is an emergency action that requires no additional prior notice.

116.7.4 Remedies nonexclusive. Remedial action under this § 116 does not preclude any other enforcement action authorized by this Code.

116.8 ***{Reserved}***

116.9 "Abandoned" property. If a property is cited as "vacant" or "unfit for human habitation" on a violation notice issued under this § 116, 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.

116.10 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 117 Emergency and Corrective Measures

117.1 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.

117.2 Photographs of dangerous conditions. In all emergencies, if it is practical and if enough time is available to do so, the Building Official must cause the dangerous or unsafe condition that created the emergency to be photographed before any demolition or other work or operation is begun to eliminate the dangerous or unsafe condition.

117.3 Closing streets. When necessary for the public safety, the Building Official may temporarily close adjacent structures and request the Director of Transportation 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 Transportation.

117.4 Labor and material for emergency work. In an emergency where life, health, safety, or property is in immediate danger and it is necessary to perform any work or operation to protect that life, health, safety, or property, the Building Official may employ the persons and buy the materials needed to perform the work or operation as expeditiously as possible.

117.5 Liability for costs of emergency work. Liability for expenses incurred in the course of performing emergency work and the procedure for collecting resultant debts and liens are as provided in § 118 {"Liability for Expenses..."} of this Code.

Section 118 Liability for Expenses and Collection of Debts and Liens

118.1 Scope. This § 118 applies to all cases where:

1. the Building Official enforces any provision of this Code, including but not limited to:

    a. the elimination of any safety, health, or fire hazard,

    b. the elimination of any nuisance, blight, or insanitary condition,

    c. the removal of any abandoned or illegally constructed structure or other object, or

    d. the taking of any corrective action in emergencies or otherwise, and

2. in connection with those efforts, the Building Official or any department, agency, unit, or body corporate and politic of this State, including the Maryland Stadium Authority:

    a. furnishes or causes to be furnished any labor, supervision, equipment, or materials, or

    b. performs or causes to be performed any inspection, work, or operation to eliminate the hazard or condition or to remove the structure or other object.

118.2 Liability and lien for expenses. In the cases described in § 118.1, the entire amount of the Building Official's expenditures and of the expenditures incurred by any department, agency, unit, or body corporate and politic of this State, including the Maryland Stadium Authority, together with all incidental costs and all accrued penalties:

1. are a personal debt owed to the City jointly and severally by every person made liable under this Code, and

2. are a lien in favor of the City on the land and improvements in respect to which the expenditures were made.

118.3 When debts and liens become effective. All debts become due and owing to the City immediately when the work is completed or the expenditure made. All liens become effective immediately after the Building Official notifies the Bureau of Liens that appropriate notice has been given or that a structure has been posted in accordance with this Code.

118.4 Collection of debts and liens. All debts due and liens incurred under this § 118:

1. are collectible from any assets of the persons made liable under this Code, including a former owner, and

2. may be collected and enforced in the same way that the City collects and enforces other debts due to it or liens in its favor.

118.5 Priority over other liens and encumbrances. All debts and liens incurred under this § 118 have priority over all other liens and encumbrances, except taxes or other government assessments.

Section 119 ***{Reserved}***

Section 120 Condemnation Proceedings

120.1 In general. If any land, structure, or equipment becomes unsafe or dangerous to public health or safety, the Building Official may condemn the land, structure, or equipment as provided in this § 120 and issue a condemnation notice as provided in § 123 {"Notices"} of this Code. The issuance of a violation notice is not a prerequisite for the condemnation of real property.

120.2 Posting notice. If the Building Official condemns any land, structure, or equipment, the Building Official must cause a notice to be conspicuously displayed on the condemned land, structure, or equipment.

120.2.1 Contents. The notice must:

1. be at least 24 inches wide 8 inches high,
2. be signed by the Building Official, and
3. advise the public that:
    a. the particular land, structure, or equipment has been condemned as being unsafe or dangerous for occupancy or use, and
    b. the public is warned to keep away.

120.2.2 Emergencies. In case of an emergency where life or property may be in immediate danger, the Building Official need not post the property and may proceed in accordance with § 117 {"Emergency and Corrective Measures"} of this Code.

120.3 Vacating condemned property. A notice posted under § 120.2 is deemed to be sufficient warning to all occupants of the condemned property to leave immediately. If any occupant fails to vacate the property immediately after the notice is posted, the Building Official may take whatever action is proper and expedient to remove that occupant.

120.4 Receiver of condemned property. After a property is condemned, the Building Official may:

1. take any action authorized under § 120.7, or
2. in accordance with § 121 {"Vacant Building Receiver"} of this Code, apply to court for the appointment of a receiver.

120.5 Status of condemned property. After property has been condemned and posted in accordance with this § 120, that property remains condemned and may not be occupied or used again until the Building Official declares the property safe for occupancy or use and has removed the condemnation.

120.6 Order to demolish. If, in the Building Official's opinion, a structure is so dangerously unsound or so deteriorated that rehabilitation is not feasible, the condemnation notice may order the owner to demolish the structure immediately.

120.7 Removal of unsafe conditions. Anytime after property has been posted in accordance with this § 120, the Building Official may demolish, move, alter, repair, rehabilitate, rebuild, reconstruct, or take any other appropriate action to eliminate or make safe and secure any dangerous or unsafe condition. Before doing so, however, the Building Official must provide the notice required by § 105.9 {"Special requirements for demolition or moving"} of this Code.

120.8 Condemnation of electrical work. If any electrical wiring or equipment that has been the subject of a condemnation notice is not made safe within the time required by the condemnation notice, the wiring or equipment must be put out of service by cutting off all electric current to it and by sealing all switches that operate in connection with the wiring or equipment.

120.8.1 Emergency action. In case of an emergency where life or property is in immediate danger, the Building Official may order all electric current serving the wiring or equipment to be cut off and all switches that control the wiring or equipment to be sealed. The Building Official's orders must be complied with immediately, regardless of any other provisions of this Code that might apply.

120.8.2 Permission needed to reactivate. Whenever electric current has been cut off or switches have been sealed under this § 120.8, the electric current may not be cut in and the seals may not be broken, except by an authorized agent of the Building Official, after all requirements of the Building Official have been complied with and the Building Official has issued a certificate of approval.

120.9 Condemnation of mechanical work. If any mechanical equipment that has been the subject of a condemnation notice is not made safe within the time required by the condemnation notice, the mechanical equipment must be put out of service and sealed.

120.9.1 Emergency action. In case of an emergency where life or property is in immediate danger, the Building Official may order the mechanical equipment to be put out of service and sealed. The orders of the Building Official must be complied with immediately, regardless of any other provisions of this Code that might apply.

120.9.2 Permission needed to reactivate. Whenever mechanical equipment has been put out of service and sealed under this § 120.9, the mechanical equipment may not be put back in service and the seals may not be broken, except by an authorized agent of the Building Official, after all requirements of the Building Official have been complied with and the Building Official has issued a certificate of approval.

Section 121 Vacant Building Receiver

121.1 Scope. This § 121 applies to a vacant structure, as defined in [§ 116.4 {"Unsafe vacant structures"}] § 116.4.1.2 {"DEFINITIONS: VACANT STRUCTURE"} 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. Except as otherwise provided in this § 121, the receiver may be any person.

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 lien holder of record, and

3. the plaintiff in any proceeding that was timely filed under State Tax-Property Article § 14-833 {"Foreclosing 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] BUILDING OFFICIAL.

121.6 Notice to judgment creditors and lien holders. After filing the petition and before a receiver is appointed, 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.

Exceptions:

1. This notice is not required for respondents named under § 121.4 {"Named respondents"} of this Code.

2. The Building Official is not required to send notices to any creditor or lien holder whose interest in the property is unrecorded.

121.6.1 Intervention. Within 30 days of the date on which the notice was mailed, a judgment creditor or lien holder with a recorded interest in the property may apply to intervene in the proceeding and to be appointed receiver. A creditor or lien holder whose interest is not recorded does not have standing to intervene in the proceeding and is not eligible to be appointed receiver.

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.

121.7 Appointment of owner, etc., instead of receiver. Instead of appointing a receiver to rehabilitate or sell a vacant building, the court may permit an owner, mortgagee, or other person with an interest in the property to rehabilitate or demolish it, if that person:

1. demonstrates ability to complete the rehabilitation or demolition within a reasonable time,

2. agrees to comply with a specified schedule for rehabilitation or demolition, and

3. posts bond, in an amount determined by the court, as security for performance of the required work in compliance with the specified schedule.

121.7.1 Application to dismiss owner. If it appears to the petitioner that the person appointed is not proceeding with due diligence or in compliance with the court-ordered schedule, the petitioner may apply to the court for immediate revocation of that person's appointment and for appointment of a receiver. The bond posted under this section must then be applied to the subsequently appointed receiver's expenses in rehabilitating, demolishing, or selling the vacant building.

121.8 Appointment of receiver. If no qualified person with an ownership interest requests appointment to rehabilitate or demolish the property, or if an appointee is dismissed, the court must then appoint a receiver of the property for the purpose of rehabilitating and managing the property, demolishing the property, or selling it to a qualified buyer.

121.8.1 Parties divested of authority. On appointment of a receiver to rehabilitate, demolish, or sell the property, all parties are divested of any authority to act in furtherance of those goals.

121.8.2 Penalties. Any party who takes any step to rehabilitate, demolish, or sell the property is subject to the penalties for contempt.

121.8.3 Receiver not responsible to maintain or protect the property. A receiver appointed to rehabilitate, demolish, or sell a vacant building has no duty to, and is not personally liable for failing to, maintain the property or protect the property from casualty or loss.

121.9 Powers of receiver appointed to rehabilitate or demolish. A receiver appointed to rehabilitate or demolish a vacant building, in addition to all necessary and customary powers, has the right of possession with authority to:

1. contract for necessary labor and supplies for rehabilitation or demolition,

2. borrow money for rehabilitation or demolition from an approved lending institution or through a government agency or program, using the receiver's lien against the property as security,

3. manage the property after rehabilitation, with all the powers of a landlord, for a period of up to 2 years and apply the rent received to current operating expenses and to repayment of outstanding rehabilitation expenses, and

4. foreclose on the receiver's lien or accept a deed in lieu of foreclosure.

121.10 Powers of receiver appointed to sell. A receiver appointed to sell a vacant building, in addition to all necessary and customary powers, may sell the property [to the high bidder] at public auction OR PRIVATE SALE, following the provisions that apply to a receiver appointed under Rule 3-722 {"Receivers"} and Title 14, Chapter 300 {"Judicial Sales"} of the Maryland Rules. [If the property fails to sell at public auction, the receiver may sell the property in a private sale.]

121.10.1 Notice of auction. In the notice of public auction, it is sufficient to describe the property by a street address and by reference to the liber and folio number of the title deed recorded in the land records of Baltimore City.

121.10.2 Buyer qualifications. Before any sale, the applicants to bid in a public sale or the proposed buyer in a private sale must demonstrate the ability and experience needed to rehabilitate the property within a reasonable time.

121.10.2.1 Application fee. The receiver may charge a reasonable fee to applicants in connection with the application to bid at a public sale or in connection with the solicitation of offers for a private sale.

121.10.3 Application of sale proceeds. After deducting the expenses of the sale, the amount of outstanding taxes and other government assessments, and the amount of the receiver's lien, the receiver must apply any remaining proceeds of the sale, first to the petitioner's costs and expenses, including reasonable attorney's fees, and then to the liens against the property in order of priority.

121.10.4 TAX SALE REDEMPTION. A RECEIVER MAY REDEEM A TAX SALE CERTIFICATE AT ANY TIME AFTER THE RECEIVER'S APPOINTMENT BY COURT.

121.11 Tenure of receiver appointed to rehabilitate. The tenure of a receiver appointed to rehabilitate a vacant building may extend no longer than 2 years after rehabilitation. Anytime after rehabilitation, any party to the receivership may file a motion to dismiss the receiver on payment of the receiver's outstanding costs, fees, and expenses.

121.12 Final accounting. At the end of the receiver's tenure, the receiver must file a final accounting with the court.

121.13 Receiver's lien for costs, etc. Any costs or fees incurred by the receiver are a lien against the property in accordance with § 118 {"Liability for Expenses ..."} of this Code. The receiver's lien has priority over all other liens and encumbrances, except taxes or other government assessments. The receiver must allow the petitioner's costs and expenses, including reasonable attorney's fees, to be paid to the extent that the proceeds of the sale permit.

121.13.1 Foreclosure of lien. A receiver may foreclose on the lien by a sale of the property at public auction, following 1 public notice and notice to interested parties in the manner of a mortgage foreclosure. After deducting the expenses of the sale, the receiver must apply the proceeds of the sale to the liens against the property, in order of priority. In lieu of foreclosure, and only if the receiver has rehabilitated the property, an owner may pay the receiver's costs, fees, including attorney's fees, and expenses or may transfer all ownership in the property to either the receiver or an agreed-on third party for an amount agreed to by all parties to the receivership as being the property's fair market value.

121.14 Transfer on sale. Following court ratification of a sale, the receiver must sign a deed conveying title to the buyer, free and clear of all liens, judgments, and other encumbrances. On court ratification of the sale, any secured interest of a lien holder or judgment creditor automatically attaches to the proceeds from the sale, to the extent those proceeds are available under § 121.10.3 {"Application of sale proceeds"}.

121.15 Dismissal. On sale of the property, the receiver must:

1. file with the court a final accounting, and

2. at the same time, file a motion with the court to dismiss the action.

Section 122 ***{Reserved}***

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 {"Failure to comply with notice or citation"} 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,

    b. the time within which the violation must be rectified, and

    c. the Building Official's authority under § 123.8 {"Failure to comply with notice or citation"} 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 {"Service of notice – Posting"}, 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

   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 enforce the violation notice or condemnation notice by issuance of an environmental citation as authorized by City Code Article 1, Subtitle 40 {"Environmental Control Board"},

2. 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

3. 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 § 116.7 {"Remedial action by Building Official"} 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:

1. the head of the bureau, department, commission, or other agency having jurisdiction over that land, structure, or other object, and

2. the Councilmember in whose district that land, structure, or other object lies.

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 must:

1. state whether any violation or condemnation notices are open for that property, and

2. if any are open, 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 received 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 time for other act expires, the Building Official must promptly schedule a hearing, to be conducted in accordance with § 128.5 {"Hearings"}.

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

2. in the office of the Building Official or at any other place the Building Official designates.

128.5.3.1 Postponements. The Building Official may postpone a hearing only for good cause shown.

128.5.4 Hearing officer or panel. A hearing officer or 3-person panel designated by the Building Official presides at all hearings. The individual who issued the notice, order, permit, penalty assessment, or other act being appealed may not serve as the hearing officer or as a member of the panel.

128.5.5 Rules for conducting hearings.

128.5.5.1 Building Official. The Building Official may adopt general rules and regulations for the proper conduct of hearings.

128.5.5.2 Hearing officer or panel. The hearing officer or panel may set requirements to ensure a fair and expeditious hearing. The requirements set:

1. may include the holding of a pre-hearing conference, the briefing of certain issues, deadlines for the filing of motions, and other scheduling matters, but

2. may not be inconsistent with the general rules and regulations adopted by the Building Official.

128.5.6 Decision. Within 30 days after a hearing is completed, the hearing officer or panel must render a decision.

128.5.6.1 Form and contents. The decision must:

1. be in writing, and

2. contain separate statements of:

    a. the findings of fact,

    b. the conclusions of law, applying the relevant provisions of law to the findings of fact, and

    c. the decision or order.

128.5.6.2 Distribution. A copy of the decision must be mailed or delivered to each party or that party's attorney of record.

128.5.6.3 Final administrative decision. A decision issued under this § 128 is a final administrative decision.

128.5.7 Records. The Department must keep a complete record of all papers filed in connection with any hearing, together with a copy of the written decision.

128.5.8 Transcript. The costs of preparing a hearing transcript must be paid by the party requesting the transcript.

128.6 Judicial review. A party aggrieved by the decision 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.

128.6.1 Proceedings not stayed. A judicial review or appeal does not stay any criminal or equitable proceedings or prevent the Building Official from pursuing any other action or enforcement procedure authorized by law.

Chapter 2
Definitions; Rules of Construction

Section 201 General

201.1 Scope. *{As in IBC}*

201.2 Interchangeability. *{As in IBC}*

201.3 Terms defined in other codes. If a term is not defined in this Chapter and is defined in one or another of the standards and codes listed in § 101.4 {"Referenced Codes"} of this Code, the term has the meaning given to it in that standard or code.

201.4 Terms not defined. *{As in IBC}*

201.5 Time computations. Except as otherwise expressly provided in this Code, periods of time prescribed by this Code are computed as follows.

201.5.1 Computation of time after an act, event, or default. In computing a period of time that begins to run after an act, event, or default:

1. the day of the act, event, or default after which the designated period of time begins to run is not included,

2. if the period of time allowed is more than 7 days, intermediate Saturdays, Sundays, and legal holidays are counted,

3. if the period of time allowed is 7 days or less, intermediate Saturdays, Sundays, and legal holidays are not counted, and

4. the last day of the period so computed is included unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day that is not a Saturday, Sunday, or legal holiday.

201.5.2 Computation of time before a day, act, or event. In determining the latest day for performing an act that is required by this Code to be performed a prescribed number of days before a certain day, act, or event:

1. all days preceding that day, act, or event, including intervening Saturdays, Sundays, and legal holidays, are counted in the number of days so prescribed, and

2. the latest day is included in the determination unless it is a Saturday, Sunday, or legal holiday, in which event the latest day is the first preceding day that is not a Saturday, Sunday, or legal holiday.

Section 202 Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Building Code [2015] 2018 Edition) have the meanings given in the International Building [2015] 2018 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Building Code, the following terms have the meanings given in this § 202.2.

202.2.1. Accessory structure. "Accessory structure" means a structure:

1. located on the same lot as the main structure, and
2. the use of which is incidental to that of the main structure.

202.2.2 Agent. "Agent" means, as the context indicates, any person who:

1. in any particular case involving any property:
   a. is responsible for the management, maintenance, operation, rental, leasing, or sale of the property,
   b. applies for or seeks a permit or certificate from a City authority on behalf of the owner of the property, or
   c. in any way represents the owner of the property,
2. represents the Building Official, or
3. in general, represents another.

202.2.3 Authorized use. "Authorized use" means a use of land or structure approved in accordance with the Baltimore City Zoning Code.

202.2.4 Base flood. "Base flood" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.5 Base-flood elevation. "Base-flood elevation" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.6 Basement (for flood loads) ***{Not Adopted}***

202.2.7 Blight. "Blight" includes exterior surfaces defaced by carvings, markings, or graffiti.

202.2.8 Building. "Building" has the meaning stated in IBC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.9 Building Official. "Building Official" has the meaning stated in § 103.1 {"Enforcement agency"}.

202.2.10 Building permit. "Building permit" means any permit issued under this Code.

202.2.11 Certificate of occupancy. "Certificate of occupancy" means an occupancy permit.

202.2.12 Change in occupancy. "Change in occupancy" means a change in the purpose or level of activity on land or within a structure.

202.2.13 Change of use. "Change of use" means change in occupancy.

202.2.14 City. "City" means the Mayor and City Council of Baltimore.

202.2.15 Code. "Code" means, unless otherwise specified, the Building, Fire, and Related Codes of Baltimore City, as further defined in § 101.1 {"Title"}.

202.2.16 Demolition. "Demolition":

1. means razing or demolition, and

2. includes removal of the debris resulting from any razing or demolition.

202.2.17 Department. "Department" means, unless the context clearly indicates otherwise, the Department of Building Safety, as further defined in § 103.1 {"Enforcement agency"}.

202.2.18 Department of Building Safety. "Department of Building Safety" has the meaning stated in § 103.1{"Enforcement agency"}.

202.2.19 Design flood. "Design flood" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.20 Design-flood elevation. "Design-flood elevation" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.21 Dry floodproofing. "Dry floodproofing" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.22 Dwelling. "Dwelling" includes, but is not limited to, any one or more of the following:

202.2.22.1 Boarding house. ***{As in IBC}***

202.2.22.2 Dormitory. "Dormitory" means a space in a building that provides group sleeping accommodations in 1 room or in a series of closely associated rooms for persons not members of the same family group.

202.2.22.3 Multiple-family dwelling. "Multiple-family dwelling" means a building or part of a building that contains more than 2 dwelling units.

202.2.22.4 1-family dwelling; single-family dwelling unit. "1-family dwelling" or "single-family dwelling unit" means a building that contains only 1 dwelling unit and is used only for that purpose.

202.2.22.5 2-family dwelling. "2-family dwelling" means a building that contains 2 dwelling units and is used only for that purpose.

202.2.23 Dwelling unit. "Dwelling unit" means a single unit that provides or that is designed or intended to provide complete, independent living facilities for 1 or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

202.2.24 Existing construction. ***{Not Adopted}***

202.2.25 Existing structure (in Regulated Flood Hazard Areas). "Existing structure" means any structure for which the building permit was issued before March 15, 1978, and the actual start of construction was within 180 days of the permit date, AS DEFINED IN THE FLOODPLAIN MANAGEMENT CODE.

202.2.25.1 "Actual start of construction". For purposes of this definition, "actual start of construction" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.26 Existing structure (for § 1612.2). ***{Not Adopted}***

202.2.27 Existing structure (for Chapter 34). ***{Not Adopted}***

202.2.28 Flood; Flooding. "Flood" or "flooding" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.29 Flood hazard area. "Flood Hazard Area" means a Regulated Flood Hazard Area established under and regulated by the Floodplain Management Code.

202.2.30 Flood Insurance Rate Map; FIRM. "Flood Insurance Rate Map" or "FIRM" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.31 Flood Insurance Study. "Flood Insurance Study" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.32 Floodplain Management Code. "Floodplain Management Code" means the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

202.2.33 Floodway. "Floodway" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}.

202.2.34 Foster care facility. "Foster care facility" means a facility that provides care to more than 8 children who are 2½ years of age or less.

202.2.35 *{Vacant}*

202.2.36 Historic structure. "Historic structure" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}.

202.2.37 International Codes.

202.2.37.1 Energy Conservation Code. "Energy Conservation Code", "Baltimore City Energy Conservation Code", "International Energy Conservation Code", or "IECC" means the International Energy Conservation Code ([2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.2 Fire Code. "Fire Code", "Baltimore City Fire Code", "International Fire Code", or "IFC" means the International Fire Code ([2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.3 Fuel Gas Code. "Fuel Gas Code", "Baltimore City Fuel Gas Code", "International Fuel Gas Code", or "IFGC" means the International Fuel Gas Code ([2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.4 Green Construction Code. "Green Construction Code", "Baltimore City Green Construction Code", "International Green Construction Code", or "IgCC" means the International Green Construction Code (2012 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.5 Mechanical Code. "Mechanical Code", "Baltimore City Mechanical Code", "International Mechanical Code", or "IMC" means the International Mechanical Code ([2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.6 Plumbing Code. "Plumbing Code", "Baltimore City Plumbing Code", "International Plumbing Code", or "IPC" means the International Plumbing Code ([(2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.7 Property Maintenance Code. "Property Maintenance Code", "Baltimore City Property Maintenance Code", "International Property Maintenance Code",or "IPMC" means the International Property Maintenance Code ([2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.8 Residential Code. "Residential Code", "Baltimore City Residential Code", "International Residential Code", or "IRC" means the International Residential Code for One- and Two-Family Dwellings ([(2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.37.9 Swimming Pool and Spa Code. "Swimming Pool and Spa Code", "Baltimore City Swimming Pool and Spa Code", "International Swimming Pool and Spa Code", or "ISPSC" means the International Swimming Pool and Spa Code ([(2015] 2018 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.38 Lowest floor. "Lowest floor" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}.

202.2.39 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.40 Mortgage. "Mortgage" includes a deed of trust or other deed in the nature of a mortgage.

202.2.41 Mortgagee. "Mortgagee" includes a beneficiary under a deed of trust or other deed in the nature of a mortgage.

202.2.42 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.43 National Codes.

202.2.43.1 Electrical Code. "Electrical Code", "Baltimore City Electrical Code", "National Electrical Code", or "NEC" means the National Electrical Code ([2014] 2017 Edition), as supplemented, amended, or otherwise modified by Baltimore City.

202.2.44 Occupancy. "Occupancy" means:

1. the state of occupying or using any land or structure, or
2. the act of taking, holding possession of, or using any land or structure, or
3. the purpose for which any land or structure is used or occupied.

202.2.45 Occupancy permit. "Occupancy permit" means a permit that:

1. signifies compliance with this Code and related laws, and
2. indicates the Building Official's approval to occupy a structure for the authorized use.

202.2.46 Occupant. "Occupant" means any person who uses or who has the right of possession of all or any part of a structure or premises.

202.2.47 Operator. "Operator" means any person who has charge, care, or control of all or any part of a structure or premises.

202.2.48 Person. "Person":

1. means any individual, sole proprietorship, corporation, limited liability company, 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,

    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, and

    c. in addition, the responsible officer, trustee, partner, or member designated on a registration statement filed under City Code Article 13, Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings, etc."}.

202.2.49 Premises. "Premises" means a lot or group of lots, together with all or any part of any buildings or structures on the lot or group of lots, considered as a unit devoted to a particular use, including accessory structures and open spaces required or used in connection with that particular use.

202.2.50 Rehabilitation. "Rehabilitation" means all repairs and other work, of any kind, needed to make a dwelling or other structure fit to be occupied for its authorized use in conformity with all applicable standards and requirements of this Code.

202.2.51 Related laws. "Related laws" has the meaning stated in § 104.6.2 {"Authority to seek warrant"}.

202.2.52 Structure. "Structure" has the meaning stated in IBC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.53 Stabilization. "Stabilization", with reference to a structure that has been declared unsafe or unfit for occupancy, means all work of any kind, not amounting to rehabilitation, that is needed, or that is performed or required by the Building Official, to make the structure safe and secure, to prevent its further deterioration, and to eliminate its blighting influence.

202.2.54 Transfer. "Transfer", when used with respect to property subject to this Code, has the meaning stated in § 114.23 {"Responsibility of transferee"}.

202.2.55 Substantial damage. "Substantial damage" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}.

202.2.56 Substantial improvement. "Substantial improvement" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}.

202.2.57 Use. "Use" means, unless the context indicates otherwise:

1. the purpose for which a building, structure, or land is used, occupied, or intended to be used or occupied, and

2. any activity, occupation, business, or operation carried out on land or in a building or structure.

202.2.58 Zoning Code. "Zoning Code" means the Baltimore City Zoning Code, including the accompanying Zoning District Maps.

Chapter 3
Use and Occupancy Classification

Sections 301 to 307 *{As in IBC}*

Section 308 Institutional Group I *{As in IBC}*

[308.1 to 308.5 *{As in IBC}*]

[308.6 Institutional Group I-4, day care facilities. This group includes buildings and structures occupied by persons of any age who receive custodial care on less than a 24-hour basis by individuals other than parents, guardians, or relatives by blood, marriage, or adoption, and in a place other than home of the person cared for. A facility like this with 8 or fewer persons is classified as a Group R-3 or must comply with the International Residential Code in accordance with § 101.2 {"Scope"} of this Code. Places of worship during religious functions are not included.]

[308.6.1 Adult day care facility. A facility that provides accommodation on less than a 24-hour basis for more than 8 unrelated adults and provides supervision and personal care services is classified as Group I-4.]

[Exception: A facility where occupants are capable of responding to an emergency situation without physical assistance from the staff is classified as Group R-3.]

[308.6.2 Child day care facility. A facility that provides supervision and personal care on less than a 24-hour basis for more than 8 children who are 2½ years of age or less is classified as Group I-4.]

[Exception: A facility that provides care for more than 8 but not more than 100 children who are 2½ years of age or less, where the rooms in which those children are cared for are located on a level of exit discharge serving those rooms 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

{**Note:** The Building Code's "Residential Group R",with its "R-1" through "R-4" classifications, are distinct from and should not be confused with the Zoning Code's designation of Residential Zoning Districts "R-1A" through "R-10".}

310.1 Residential Group R. *{As in IBC}*

[310.2 Definitions. *{As in IBC}*]

310.2 [310.3] Residential Group R-1. *{As in IBC}*

310.3 [310.4] Residential Group R-2. *{As in IBC}*

310.4 [310.5] Residential Group R-3. Residential occupancies [where] IN WHICH the occupants are primarily permanent in nature, [and] THAT ARE not classified as R-1, R-2, R-4, 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 THAT comply with the Baltimore City Zoning Code, INCLUDING:

1. BUILDINGS THAT DO NOT CONTAIN MORE THAN TWO DWELLING UNITS

2. CARE FACILITIES THAT PROVIDE ACCOMMODATIONS FOR FIVE 5 OR FEWER PERSONS RECEIVING CARE

3. CONGREGATE LIVING FACILITIES (NONTRANSIENT) WITH 5 OR FEWER OCCUPANTS, INCLUDING:

   BOARDING HOUSES (NONTRANSIENT)
   CONVENTS
   DORMITORIES
   FRATERNITIES AND SORORITIES
   MONASTERIES

4. CONGREGATE LIVING FACILITIES (TRANSIENT) WITH 5 OR FEWER OCCUPANTS INCLUDING:

   BOARDING HOUSES (TRANSIENT)

5. LODGING HOUSES (TRANSIENT) WITH 5 OR FEWER GUEST ROOMS AND 5 OR FEWER OCCUPANTS.

310.4.1 PERMITTED COMPLIANCE WITH RESIDENTIAL CODE. THE FOLLOWING FACILITIES MAY BE CONSTRUCTED IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE, AS LONG AS AN AUTOMATIC FIRE SPRINKLER SYSTEM IS INSTALLED IN ACCORDANCE WITH § 313 {"AUTOMATIC FIRE SPRINKLER SYSTEMS"} OF THAT CODE:

1. A CARE FACILITY FOR 5 OR FEWER PERSONS RECEIVING CARE WITHIN A DWELLING UNIT, AND

2. AN OWNER-OCCUPIED LODGING HOUSE WITH 5 OR FEWER GUESTROOMS AND 5 OR FEWER TOTAL OCCUPANTS.

310.5 [310.6] Residential Group R-4. ***{AS IN IBC}***

[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.]

[310.6.1 Requirements. Group R-4 occupancies must:]

[1. be protected by an automatic sprinkler system installed in accordance with § 903.2 {"Automatic Sprinkler Systems"} of this Code; and]

[2. either:]

[a. meet the construction requirements for Group R-3, except as otherwise provided in this Code, or]

[b. comply with the International Residential Code.]

Section 311 Storage Group S ***{As in IBC}***

Section 312 Utility, Miscellaneous Group U

312.1 General. ***{AS IN IBC}***

[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 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
Livestock shelters
Private garages
Retaining walls
Sheds
Solar panels
Stables
Tanks
Towers
Wind turbines]

312.1.1 GREENHOUSES. GREENHOUSES:

1. UNLESS OTHERWISE CLASSIFIED AS ANOTHER OCCUPANCY, ARE CLASSIFIED AS USE GROUP U; AND

2. MUST COMPLY WITH § 3112 {"GREENHOUSES"} OF THIS CODE.

Chapter 4
Special Detailed Requirements Based on Use and Occupancy

Sections 401 to 402 *{As in IBC}*

Section 403 High-Rise Buildings

403.1 to 403.4 *{As in IBC}*

403.5 Means of egress and evacuation.

403.5.1 Remoteness of interior exit stairways. *{As in IBC}*

403.5.2 Additional INTERIOR exit stairway. *{As in IBC}*

403.5.3 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.

403.5.3.1 Stairway communication system. *{As in IBC}*

403.5.4 Smokeproof enclosures. *{As in IBC}*

403.5.5 Luminous egress path markings. *{As in IBC}*

403.5.6 Emergency escape and rescue. *{As in IBC}*

403.6 Elevators. *{As in IBC}*

Sections 404 to 418 [426] *{As in IBC}*

SECTION 419 LIVE/WORK UNITS

419.1 GENERAL *{AS IN IBC}*

419.2 OCCUPANCIES *{AS IN IBC}*

EXCEPTIONS:

1. STORAGE IS PERMITTED IN A LIVE/WORK UNIT AS LONG AS THE AGGREGATE AREA OF STORAGE IN THE NONRESIDENTIAL PORTION OF THE LIVE/WORK UNIT IS LIMITED TO 10% OF THE SPACE DEDICATED TO NONRESIDENTIAL ACTIVITIES.

2. A LIVE/WORK UNIT LOCATED IN A TOWNHOUSE MAY BE CONSTRUCTED IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE, AS LONG AS THE UNIT:

A. IS PROTECTED BY AN AUTOMATIC FIRE SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH § 313 {"AUTOMATIC FIRE SPRINKLER SYSTEMS"} OF THAT CODE; AND

B. COMPLIES WITH THE REQUIREMENTS OF THIS § 419.

419.3 TO 419.9 ***{AS IN IBC}***

SECTIONS 420 TO 428 ***{AS IN IBC}***

SECTIONS 429 TO 431 ***{RESERVED}***

Section 432 [428] Circuses and Carnivals

432.1 [428.1] Definition. "Circus" or "carnival" means any use of public or private land, streets, lanes, or alleys for fetes, bazaars, circuses, street carnivals, carnivals, feats of horseback-riding ability, acrobatic stunts, trained animal acts, clowning, and other similar performances, mechanical rides, or other amusement devices to which the public is admitted, and includes any temporary stands or facilities for selling or dispensing products for human consumption in connection with these uses.

432.2 [428.2] Scope. This section covers regulations for circuses and carnivals that are not provided for in other sections of this Code.

432.3 [428.3] Permit required. Before any person may begin to set up any structure, appliance, or equipment for a circus or carnival, the person must obtain the appropriate permit from the Building Official.

432.3.1 [428.3.1] Application for permit. The application for the permit must be:

1. filed at least 45 days before the opening date of the circus or carnival, and

2. signed by a responsible person or official acting for the applicant.

432.3.2 [428.3.2] Referral of application. The Building Official must immediately refer each application to the following officials (or their respective designees), for their report and recommendations:

1. the Police Commissioner,

2. the Director of Public Works,

3. the Director of Transportation,

4. the Chief of the Fire Department, and

5. the Commissioner of Health.

432.3.3 [428.3.3] Reports, etc., prerequisite to permit. The Building Official may not act on the application until each of these officials (or their respective designees):

1. submits his or her report and recommendations; or

2. fails to do so within 21 days of the referral.

432.3.4 [428.3.4] Action by Building Official. In acting on the application, the Building Official:

1. may issue the permit, subject to any recommendation timely received from these officials (or their respective designees); and

2. if the permit is issued, must immediately send a copy of the permit to each of the officials (or their respective designees).

432.4 [428.4] Insurance for mechanical rides, etc. Every application for a circus or carnival permit must specify whether or not mechanical rides or devices will be used in connection with the circus or carnival. If mechanical rides or devices will be used, the person supplying these rides or devices must, before the permit may be issued, furnish satisfactory evidence of insurance, in an amount that the City's Office of Risk Management considers sufficient, to:

1. insure the applicant, and name the City as an additional insured, against liability for damage or injury to property or person, including death, due to faulty equipment or negligence, and

2. indemnify the City against any suit, loss, claim, damages, or expense to which the City is subjected because of any damage or injury to property or person, including death, or injury to any public highway or other public property done by or in connection with the transportation, erection, operation, maintenance, or supervision of a mechanical ride or device.

432.5 [428.5] Financial responsibility. Before a permit may be issued, the applicant must furnish proof of financial responsibility, in the form of a certificate of insurance from an insurer authorized to do business in this State. The certificate of insurance must state that the circus or carnival is insured against any legal liability (other than that covered by [§ 428.4] § 432.4), caused by accidents or otherwise and resulting in damage or injury to property or person, including death, as a consequence of the ownership, operation, or maintenance of the circus or carnival or otherwise in any way connected with the circus or carnival. The insurance must be for at least the amount that the City's Office of Risk Management considers sufficient to protect the public, and must name the City as an additional insured. Additionally, the insurance must be in an amount that the City's Office of Risk Management considers sufficient to:

1. insure the applicant against liability for damage or injury to property or person, including death, due to faulty equipment or negligence, and

2. indemnify the City against any suit, loss, claim, damages, or expense to which the City is subjected because of any damage or injury to property or person, including

death, or injury to any public highway or other public property done by or in connection with the applicant's business.

432.5.1 [428.5.1] Nonresident applicants. If the applicant is not a resident of the City, the applicant and the insurer must execute a power of attorney that authorizes the Building Official to accept on their behalf service of notices, processes, and any actions arising out of the ownership, operation, or maintenance of the circus or carnival or otherwise in any way connected with the circus or carnival. If the applicant is a nonresident corporation, the corporation, in addition to complying with all other requirements of this Code, must submit with its application a certificate from the Maryland Department of Assessments and Taxation certifying that it is a corporation authorized to do business in this State.

432.5.2 [428.5.2] Nonprofit entities excepted. This [§ 428.5] § 432.5 does not apply to any applicant that is a church, school, charitable organization, veterans' organization, or other nonprofit organization.

432.6 [428.6] Zoning requirements. The provisions of the Baltimore City Zoning Code that prohibit carnivals in residential areas do not apply to a carnival that:

1. is operated under a permit issued to a church, school, charitable organization, veterans' organization, or other nonprofit organization, and

2. operates for no more than 15 days in any 1 calendar year.

432.7 [428.7] Layout. Every circus and carnival must be laid out as provided in this [§ 428.7] § 432.7.

432.7.1 [428.7.1] Main aisle. A main aisle or concourse must:

1. extend entirely through the circus or carnival,

2. open at both ends on a street or other public way that leads to a street at least 30 feet (9.14 m) wide, and

3. be at least 10 feet (3.05 m) wide for a length of up to 100 feet (30.48 m), plus an additional 2½ feet (0.76 m) in width for each additional 100 feet (30.38 m) or fraction of 100 feet (30.38 m) in length.

432.7.2 [428.7.2] Side or branch aisles. Side or branch aisles that are open at both ends must be at least 6 feet (1.83 m) wide for a length of up to 50 feet (15.24 m), plus an additional 1 foot in width for each additional 50 feet (15.24 m) or fraction of 50 feet (15.24 m) in length. Side or branch aisles that are open at only 1 end must be at least twice the width for side or branch aisles that are open at both ends.

432.8 [428.8] Circus and carnival structures. Circus and carnival structures, in addition to complying with all other applicable provisions of this Code, must comply with the requirements of this [§ 428.8] § 432.8.

432.8.1 [428.8.1] Tents. All tents must conform to the requirements for temporary structures in § 3103 {"Temporary Structures"} of this Code.

432.8.2 [428.8.2] Exits and lighting. Every tent and other structure must be provided with adequate exits. The means of egress and the width and number of exits are based on and must comply with the general requirements of Chapter 10 {"Means of Egress"} of this Code for exits and means of egress in assembly structures, which apply in addition to the requirements of this section for general layout. All exits and aisles must be well lighted whenever the tent or structure is occupied.

432.8.3 [428.8.3] Mechanical rides and devices. No merry-go-round, Ferris wheel, whip, or other mechanical ride or device may be operated without a permit from the Building Official. All mechanical rides and devices must be designed, constructed, and erected in accordance with applicable State regulations.

432.8.4 [428.8.4] Concession stands. Concession stands must be of either:

1. standard prefabricated construction, or

2. special construction approved by the Building Official for the particular purpose.

432.9 [428.9] Electrical and mechanical requirements. All electrical work must conform to the requirements of Chapter 27 {"Electrical"} of this Code. All mechanical work must conform to the requirements of this Code.

432.10 [428.10] Maintenance and operation. Every circus or carnival must be maintained and operated so as not to cause a hazard or injury to life or property. The applicant is responsible for:

1. maintaining the site in a sanitary and clean condition at all times, and

2. when the circus or carnival leaves, cleaning all debris and rubbish from the site and from all streets and alleys described in the permit.

Section 433 [429] Chesapeake Bay Critical Area Development

433.1 [429.1] General. The Baltimore City Critical Area Management Program, as adopted by the Department of Planning to guide and restrict development within the Baltimore City Critical Area, must be complied with. The requirements of that Program are in addition to all other City, state, and federal laws and regulations governing construction and development within the Baltimore City Critical Area. In case of any conflict, the more restrictive requirement prevails within the Critical Area.

433.2 [429.2] Compliance required. Any development activity within the Baltimore City Critical Area or the Buffer, including the construction, reconstruction, rehabilitation, demolition, alteration, or expansion of structures, or the filling, dredging, mining, storing materials, excavation, clearing, grading, paving, or improvement of land, must comply with the applicable development requirements of the Critical Area Program Document (the "CAMP Document"), as amended from time to time.

433.3 [429.3] Enforcement. Any violation of the CAMP Document is a violation of this Code, subject to enforcement under § 114 {"Violations"} of this Code.

Chapter 5
General Building Heights and Areas

Section 501 General

501.1 Scope. *{As in IBC}*

501.2 Address identification. Address identification must be provided and maintained for all buildings in accordance with:

1. [ICC International Building Code § 501.2 {"Address identification"}] § 502 {"BUILDING ADDRESS"} OF THIS CHAPTER; and

2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

[Sections] SECTION 502 [to 510] BUILDING ADDRESS *{As in IBC}*

SECTIONS 503 TO 510 *{AS IN IBC}*

Chapter 6
Types of Construction
{As in IBC}

Chapter 7
Fire and Smoke Protection Features

Sections 701 to 705 *{As in IBC}*

Section 706 Fire Walls

706.1 to 706.8 *{As in IBC}*

706.9 Penetrations. Penetrations through fire walls must comply with § 714 {"Penetrations"} of this Code. Penetrations through party walls are not allowed.

706.10 to 706.11 *{As in IBC}*

Sections 707 to 722 *{As in IBC}*

Chapter 8
Interior Finishes

Section 801 [General] SCOPE *{AS IN IBC}*

SECTION 802 GENERAL

802.1 TO 802.3 [801.1 to 801.4] *{As in IBC}*

802.4 [801.5] Applicability. For structures in a flood hazard area, interior finishes, trim, and decorative materials below the FLOOD elevation ~~required by~~ SHOULD COMPLY WITH THE REQUIREMENTS OF the Floodplain Management Code~~. must consist of flood-damage-resistant materials.~~

802.5 TO 802.7 [801.6 to 801.8] *{As in IBC}*

Sections [802] 803 to 808 *{As in IBC}*

Chapter 9
Fire Protection AND LIFE SAFETY Systems

Section 901 General

901.1 Scope. *{As in IBC}*

{**MBPS Modification – Note to § 901.1:** The fire protection system requirements of Chapter 9 may be concurrently covered by the State Fire Prevention Code, adopted under

State Public Safety Article § 6-206 and contained in COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshall or authorized fire official.}

901.2 to [901.8] 901.7 ***{As in IBC}***

Section 902 [Definitions] FIRE PUMP AND RISER ROOM SIZE ***{As in IBC}***

Section 903 Automatic Sprinkler Systems

903.1 General. ***{As in IBC}***

903.2 Where Required. Approved automatic sprinkler systems must be installed in the locations indicated in this § 903.2 and as required by State law.

Exception: ***{As in IBC}***

903.2.1 to 903.2.12 ***{As in IBC}***

903.3 to 903.5 ***{As in IBC}***

Sections 904 to 914 ***{As in IBC.}***

Section 915 Carbon Monoxide Detection ***{As in IBC}***

SECTIONS 916 TO 918 ***{AS IN IBC}***

Chapter 10
Means of Egress

Section 1001 Administration

1001.1 General. *{As in IBC}*

{**MBPS Modifications – Note to § 1001.1:** The means of egress requirements of Chapter 10 may be concurrently covered by the State Fire Prevention Code, adopted under State Public Safety Article § 6-206 and contained in COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshall or authorized fire official.}

1001.2 [to 1001.4] *{As in IBC}*

Sections 1002 to 1010 *{As in IBC}*

Section 1011 Stairways

1011.1 to 1011.4 *{As in IBC}*

1011.5 Stair treads and risers. *{As in IBC}*

1011.5.1 Dimension reference surfaces. *{As in IBC}*

1011.5.2 Riser height and tread depth. *{AS in IBC}*

Exceptions:

1-2. *{As in IBC}*

3. In Group R-3 occupancies, in dwelling units in Group R-2 occupancies, and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies:

    a. the maximum riser height is 8¼ inches (210 mm),

    b. the minimum tread depth is 9 inches (229 mm),

    c. the minimum winder tread depth at the walk line is 9 inches (229 mm),

    d. the minimum winder tread depth is 6 inches (152 mm), and

    e. a nosing not less than ¾ inch (19 mm) but not more than 1¼ inches (32 mm) must be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

4. For the replacement of existing stairways, see the Maryland Building Rehabilitation Code, set forth in COMAR [05.16] 09.12.58.

5. *{As in IBC}*

1011.5.3 to 1011.5.5 ***{As in IBC}***

1011.6 to 1011.16 ***{As in IBC}***

Sections 1012 to 1014 ***{As in IBC}***

Section 1015 Guards

1015.1 to 1015.3 ***{As in IBC}***

1015.4 Opening limitations. ***{As in IBC}***

Exceptions: ***{As in IBC}***

1015.4.1 Residential occupancies. For occupancies in Use Group R, required guards may not be constructed with horizontal rails or any ornamental pattern that results in a ladder effect.

Sections 1016 to 1030 ***{As in IBC}***

Chapter 11
Accessibility
{Not Adopted}

{**MBPS Modification:** Chapter 11 of the IBC, relating to accessibility requirements, is replaced with the Maryland Accessibility Code, [codified] SET FORTH in COMAR [05.02.02] 09.12.53.}

Chapter 12
Interior Environment

[Sections 1201 to 1202 ***{As in IBC}*****]**

SECTION 1201 GENERAL ***{AS IN IBC}***

SECTION [1203] 1202 VENTILATION

1202.1 TO 1202.3 [1203.1 to 1203.3] ***{As in IBC}***

1202.4 [1203.4] Under-floor ventilation. ***{As in IBC}***

1202.4.1 [1203.4.1] [Openings for under-floor ventilation] VENTILATION OPENINGS. ***{As in IBC}***

[1203.4.2] 1202.4.2 TO 1202.4.3 ***{AS IN IBC}***

[Exceptions. The following are exceptions to §§ 1203.4 and 1203.4.1:
1 - 4. *{As in IBC}***]**

1202.4.4 FLOOD HAZARD AREAS. [5]. For structures in a flood hazard area, the openings for under-floor ventilation ~~are deemed to meet the flood opening requirements of ASCE 24, if the ventilation openings are~~ SHOULD BE designed and installed in accordance with ~~ASCE 24~~ THE FLOODPLAIN MANAGEMENT CODE.

1202.5 TO 1202.6 [1203.5 to 1203.6] ***{As in IBC}***

SECTIONS 1203 TO 1208 [1204 TO 1209] ***{As in IBC}***

SECTION 1209 [1210] TOILET AND BATHROOM REQUIREMENTS

1209.1 TO 1209.3 [1210.1 to 1210.3] ***{As in IBC}***

1209.4 [1210.4.] Diaper-changing amenities.

1209.4.1 [1210.4.1.] In general.

Every new or renovated Assembly Group A, Business Group B, and Mercantile Group M occupancy, as those terms are defined in the International Building Code § 303, § 304, and § 309 with at least one public bathroom, and every City-owned or -occupied building with at least one public bathroom, must include a diaper-changing amenity in its public bathrooms, whether designated for men or women or both, or in another appropriate, sanitary space that both men and women can access.

1209.4.2 [1210.4.2.] Exceptions.

This § 1209.4 [§ 1210.4] does not apply to the following Assembly Group A, Business Group-B, and Mercantile Group M occupancies and City-owned or -occupied buildings:

1. Assembly Group A, Business Group B, and Mercantile Group M occupancies and City-owned or -occupied buildings undergoing renovations if the renovations do not require a building permit;

2. Assembly Group A, Business Group B, and Mercantile Group M occupancies and City-owned or -occupied buildings that prohibit entrance to minors; and

3. Assembly Group A, Business Group B, and Mercantile Group M occupancies for which the Building Official determines that the installation of a diaper-changing amenity is not feasible or would result in a failure to comply with applicable building standards governing the right of access for persons with disabilities are exempt from the requirements of this provision. City-owned or -occupied buildings [will not be exempt from the requirements of this provision] ARE NOT INCLUDED IN THIS EXEMPTION.

1209.4.3 [1210.4.3.] Compliance with other laws.

All diaper-changing amenities must comply with the requirements of this Baltimore City Building, Fire, and Related Codes Article and with any State and Federal laws, including the Americans with Disability Act, that deal with the installation of diaper-changing amenities.

Chapter 13
Energy Efficiency
{As in IBC}

Chapter 14
Exterior Walls

[Sections 1401 to 1402 *{As in IBC}*]

SECTION 1401 GENERAL *{AS IN IBC}*

Section 1402 [1403] Performance Requirements

1402.1 TO 1402.5 [1403.1 to 1403.5] ***{As in IBC}***

1402.6 [1403.6] Flood resistance. For structures in a flood hazard area, exterior walls extending below the FLOOD elevation ~~required by~~ SHOULD COMPLY WITH THE REQUIREMENTS OF the Floodplain Management Code ~~must be constructed with flood-damage-resistant materials.~~.

~~**1402.7 [1403.7] Flood resistance for coastal high-hazard areas and coastal A zones.** For structures in a coastal high-hazard area or coastal A zone, electrical, plumbing, and mechanical system components may not be mounted on or penetrate through exterior walls that are designed to break away under flood loads.~~

Sections 1403 TO 1409 [1404 to 1410] ***{As in IBC}***

Chapter 15
Roof Assemblies and Rooftop Structures

[Sections 1501 TO 1502 *{As in IBC}*]

SECTION 1501 GENERAL *{AS IN IBC}*

SECTION 1502 ROOF DRAINAGE

1502.1 TO 1502.4 [1503.1 to 1503.3] *{As in IBC}*

[1503.4 Roof drainage. *{As in IBC}*]

[1503.4.1 to 1503.4.3 *{As in IBC}*]

1502.5 [1503.4.4] General discharge requirements. Gutters, downspouts, and leaders must be provided on all buildings to properly collect, conduct, and discharge the water from their roofs into a storm drain or into the driveway of an alley, street, or other public way. No water from any building may be discharged so as to run or flow over any sidewalk, footway, or any adjoining property, except from window sills, copings, or cornices that project no more than 1 foot (305 mm).

1502.5.1 [1503.4.5] Exceptions. [Section 1503.4.4] THIS § 1502.5 does not apply to:

1. roofs, cornices, copings, or other similar projections that are less than 5 feet (1.52 m), measured horizontally in the line of flow, as long as the water from them is not discharged on any sidewalk, footway, or adjoining property, or

2. awnings or marquees that discharge off the outer edge.

1502.5.2 [1503.4.6] Methods. Drainage must be conveyed in 1 of the following methods.

1502.5.2.1 [1503.4.6.1] 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 the plumbing regulations of Chapter 29 {"Plumbing Systems"} of this Code. Any continuous discharge of drainage water into the public right-of-way of such a volume and frequency as to cause ponding or icing is prohibited and must be conveyed to the nearest public storm water drain or inlet through underground piping.

1502.5.2.2 [1503.4.6.2] 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 such a manner as not to allow drainage to cross adjacent property lines or sidewalks.

1502.5.3 [1503.4.7] 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.

1502.5.4 [1503.4.8] Relief scuppers. Roofs with interior roof drains and enclosed by parapet walls that will impound water must be provided with relief scuppers placed in the parapet wall not more than 6 inches (152 mm) above the roof level. The openings of these relief scuppers must be at least 6 inches (152 mm) in diameter. Each 6-inch (152-mm) diameter relief scupper opening may only serve a roof area of not more than 1,000 square feet (92.9 square meters).

1502.5.4.1 [1503.4.8.1] Internal relief drains. Internal relief drains may be used instead of relief scuppers. Internal relief drains must be independent of the required roof drains.

Section 1503 Weather Protection ***{AS IN IBC}***

[1503.5 to 1503.6 ***{As in IBC}*****]**

Sections 1504 TO 1509 ***{As in IBC}***

Section 1510 Rooftop Structures

1510.1 to 1510.9 ***{As in IBC}***

1510.10 Rooftop decks. Rooftop decks must comply with this § 1510.10 and with Chapter 16 {"Structural Design"} of this Code.

1510.10.1 Materials. Rooftop decks must be constructed with approved materials in accordance with Chapters 19 through 26 of this Code.

1510.10.2 Notice to adjoining owners. If a rooftop deck is to be supported by party walls:

1. the owners of the adjoining properties must be notified in writing, and
2. evidence of this notice must be submitted with the construction documents.

1510.10.3 Construction documents. Construction documents for all rooftop decks must:

1. include dimensional setbacks, and
2. be signed and sealed by a professional architect or engineer licensed in Maryland.

1510.10.4 Clearances. All rooftop decks must maintain all clearances otherwise required by this Code, including Chapter 8 {"Chimneys and Vents"} of the International Mechanical Code and § 230.24 {"Clearances"} of the National Electrical Code.

1510.10.5 Height. No rooftop deck may be raised more than 2 feet (0.61 m) above the plane that is midway between the lowest and the highest points of the roof surface supporting the rooftop deck.

1510.10.6 Setbacks. A rooftop deck must comply with:

1. the minimum setbacks specified in § 1510.10.6.1, and

2. any greater or additional setback requirements established by or under the Baltimore City Zoning Code and any applicable Urban Renewal Plan.

1510.10.6.1 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

Sections 1511 to 1512 ***{As in IBC}***

Chapter 16
Structural Design

Sections 1601 to 1602 *{As in IBC}*

Section 1603 Construction Documents

1603.1 General. *{As in IBC}*

Exception: Construction documents for buildings constructed in accordance with the conventional light-frame construction provisions of § 2308 must indicate the following structural design information:

1 - 4. *{As in IBC}*

5. Flood design data, if located in a flood hazard area.

6. *{As in IBC}*

1603.1.1 to 1603.1.6 *{As in IBC}*

1603.1.7 Flood design data. For structures located in whole or in part in a flood hazard area, the documentation pertaining to design, if required by the Floodplain Management Code, must be included, and the following information, referenced to the datum on the City's Flood Insurance Rate Map (FIRM), must be shown, regardless of whether flood loads govern the design of the structure:

1. In flood hazard areas not subject to high-velocity wave action, the elevation of the proposed lowest floor, including the basement.

2. In flood hazard areas not subject to high-velocity wave action, the elevation to which any nonresidential building will be dry floodproofed.

3. In flood hazard areas subject to high-velocity wave action, the proposed elevation of the bottom of the lowest horizontal structural member of the lowest floor, including the basement.

4. ANY OTHER DOCUMENTATION REQUIRED BY THE FLOOD MANAGEMENT CODE.

1603.1.8 to 1603.1.9 *{As in IBC}*

Sections 1604 to 1606 *{As in IBC}*

Section 1607 Live Loads

1607.1 to [1607.11] 1607.12 *{As in IBC}*

1607.13 [1607.12] Roof Loads. *{As in IBC}*

1607.13.1 [1607.12.1] Distribution of roof loads. *{As in IBC}*

1607.13.2 [1607.12.2] Reduction in roof live loads. *{As in IBC}*

1607.13.2.1 [1607.12.2.1] Ordinary roofs, awnings, and canopies. Ordinary flat, pitched, and curved roofs, and awnings and canopies other than opf fabric construction supported by a skeleton structure, must be designed for the following minimum live loads:

	Roof Slope	Live Load (pounds/square foot of horizontal projection)
Flat:	Flat or rise less than 4"	30
Pitched:	Rise 4" (102 mm) per foot to less than 12" (305 mm) per foot	20
	Rise 12" (305 mm) per foot and greater	12
Curved:	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

1607.13.3 TO 1707.13.5 [1607.12.3 to 1607.12.5] *{As in IBC}*

1607.14 TO 1607.15 [1607.13 to 1607.14] *{As in IBC}*

Sections 1608 TO 1611 *{As in IBC}*

Section 1612 Flood Loads *{Not Adopted}*

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

Sections 1613 to [1615] 1616 *{As in IBC}*

Chapter 17
Special Inspections and Tests
{As in IBC}

Chapter 18
Soils and Foundations

Sections 1801 to 1803 ***{As in IBC}***

Section 1804 Excavation, Grading, and Fill

1804.1 Excavation near foundations. ***{As in IBC}***

1804.2 Underpinning foundation walls.

1804.2.1 General. Any permit application for underpinning foundation walls must include the following:

1. structural drawings that:

   a. indicate the exact sequence of operation, and

   b. are signed and sealed by an architect or engineer licensed to practice in this State,

2. a statement of responsibility from the architect or engineer of record that the architect or engineer agrees:

   A. TO SCHEDULE AND ATTEND, BEFORE AN UNDERPINNING PERMIT CAN BE ISSUED, AN IN-OFFICE MEETING WITH THE BUILDING OFFICIAL'S PLANS EXAMINING OFFICE, AT WHICH MEETING THE ARCHITECT OR ENGINEER AND THE CONTRACTOR MUST BE PRESENT AND REVIEW REQUIREMENTS WITH STAFF,

   B. TO COMPLETE, SIGN, AND RETURN TO THE PLANS EXAMINING OFFICE THE OFFICE'S INSPECTIONS AND SAFEGUARDS CHECKLIST,

   C. TO COORDINATE AND SCHEDULE A PRE-INSPECTION ON-SITE MEETING BEFORE ANY UNDERPINNING WORK STARTS,

   D. [a.] to ensure that the work will conform to the structural drawings and all applicable codes,

   E. [b.] to periodically inspect the work, [and]

   F. TO IMMEDIATELY REPORT TO THE BUILDING OFFICIAL ANY CONSTRUCTION PROBLEMS OR IRREGULARITIES,

   G. TO PROVIDE INSPECTION REPORTS WITH WORK ACTIVITY PHOTOGRAPHS TO THE CITY INSPECTOR, AND

   H. [c.] within 10 days after the work is completed, to submit a certification of completion, and

3. if the underpinning is to be done on a party wall, evidence that the notice required by § 1804.2.2 was given.

1804.2.2 Party walls. If the underpinning is to be done on a party wall, the applicant must give written notice of the proposed underpinning to the owners of all adjoining properties, with a copy to the Building Official. This notice must be given at least 10 days before an application for the underpinning permit is filed.

1804.2.2.1 Contents of notice. The written notice must:

1 indicate the intent to underpin the structure,

2. specify:

a. the earliest date (to be at least 10 days after the notice is served) when the underpinning permit is expected to be filed, and

b. the earliest date when the work is expected to begin,

3. identify the contractor scheduled to perform the underpinning and the contractor's emergency contact information, including cell phone number and email address,

4. identify the architect or engineer who signed and sealed the plans and will certify the underpinning,

5. include a copy of all documents that are relevant to the adjoining property and are to be filed for the permit, and

6. include the following statement:

"The Baltimore City Building, Fire, and Related Codes provides that any person aggrieved by a permit issued by the Building Official may apply for a review of that decision. If you would like to challenge the issuance of this underpinning permit, your request must:

(1) be in writing;

(2) be made before or within 10 days after issuance of the permit;

(3) set forth in full the reasons for review; and

(4) either be:

(i) mailed by certified or registered mail, return receipt requested, to the Deputy Commissioner of Permits and Code Enforcement at 417 E. Fayette Street, 3rd Floor, Baltimore, Maryland, 21202; or

(ii) delivered to that Deputy Commissioner's office and stamped received by the office."

1804.2.2.2 Service of notice. The notice must be:

1. personally served on the owner of the adjoining property, or

2. sent both by certified or registered mail, return receipt requested, and by first class mail to the owner at:

   a. the adjoining property's mailing address, and

   b. if different, the owner's mailing address recorded in the property's tax records.

1804.3 to 1804.4 ***{As in IBC}***

1804.5 Grading and fill in flood hazard areas. In flood hazard areas, grading or fill may not be approved~~:~~

~~1.~~ unless ~~the fill is placed, compacted, and sloped to minimize shifting, slumping, and erosion during the rise and fall of floodwaters and, as applicable, wave action;~~

~~2. in floodways, unless it has been demonstrated through hydrologic and hydraulic analyses, prepared by a licensed professional engineer in accordance with the requirements of the Federal Emergency Management Agency and the Maryland Department of the Environment, that the proposed grading or fill will not result in any increase in flood levels during the occurrence of the design flood;~~

~~3. in flood hazard areas subject to high-velocity wave action, unless the fill is conducted or placed to avoid diversion of water and waves toward any structure; or~~

~~4. where design- flood elevations are specified but floodways have not been designated, unless it has been demonstrated that the cumulative effect of the proposed encroachment, when combined with all other existing and anticipated encroachments, will not increase the design-flood elevation at any point~~ IT MEETS THE REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT CODE.

1804.6 to 1804.7 ***{As in IBC}***

Section 1805 Dampproofing and Waterproofing

1805.1 General. ***{As in IBC}***

1805.1.1 Story above grade plane. ***{As in IBC}***

1805.1.2 Upper floor space. ***{As in IBC}***

1805.1.2.1 Flood hazard areas. For structures in a flood hazard area, the finished ground level of an under-floor space, such as a crawl space, must ~~be equal to or~~

~~higher than the outside finished ground level on at least 1 side~~ MEET THE REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT CODE.

~~**Exception:** Under-floor spaces of Group R-3 buildings that meet the requirements of the City's Floodplain Management Code and ASCE 24.~~

1805.1.3 Ground-water control. ***{As in IBC}***

1805.2 to 1805.4 ***{As in IBC}***

Sections 1806 to 1808 ***{As in IBC}***

Section 1809 Shallow Foundations

1809.1 to 1809.4 ***{As in IBC}***

1809.5 Frost protection. Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures must be protected by one or more of the following methods:

1. extending 30" below grade,
2. constructing in accordance with ASCE 32, or
3. erecting on solid rock.

Exceptions: ***{As in IBC}***

1809.6 to 1809.13 ***{As in IBC}***

Section 1810 Deep Foundations ***{As in IBC}***

Chapter 19
Concrete
{As in IBC}

Chapter 20
Aluminum
{As in IBC}

Chapter 21
Masonry
{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, Gypsum Panel Products, and Plaster
{As in IBC}

Chapter 26
Plastic

Sections 2601 to 2608 ***{As in IBC}***

Section 2609 Light-Transmitting Plastic Roof Panels

2609.1 to 2609.2 ***{As in IBC}***

2609.3 Location. Where § 705 {"Exterior Walls"} 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 § 705 {"Exterior Walls"} 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.

2610.8 Combinations of roof panels and skylights. ***{As in IBC}***

Sections 2611 to 2614 ***{As in IBC}***

Chapter 27
Electrical

{**MBPS Modification** – The subject matter of this Chapter is not within the scope of the Maryland Building Performance Standards. *See* the Baltimore City Electrical Code in Part III {"Electrical"} of this Article, and the National Electrical Code as adopted and enforced by the State Fire Marshall under State Public Safety Article, Title 12, Subtitle 6.}

Section 2701 General

2701.1 Scope. This Chapter governs the electrical components, equipment, and systems used in structures covered by this Code. Electrical components, equipment, and systems must be designed and constructed in accordance with the National Electrical Code ("NEC").

2701.2 Electric equipment standards. Only electrical materials, appliances, or equipment approved by the Building Official may be installed. The Building Official must approve all materials, appliances, and equipment that are listed and labeled by the Underwriters' Laboratories, Incorporated, or by any other independent testing organization that the Building Official approves, except for any materials, appliances, or equipment that other provisions of this Code preclude from being installed. In investigating new materials, appliances, and equipment, the Building Official must consider the factors listed in NEC § 110.3 {"Examination, Identification, Installation, and Use of Equipment"}.

Section 2702 Emergency and Standby Power Systems *{As in IBC}*

Section 2703 Permit and Certificate of Inspection

2703.1 Applications. The application for an electrical permit must bear the name and address of the insured, licensed electrician responsible for all work to be done under the permit.

2703.2 Permits for maintenance work. Any person who employs 1 or more licensed maintenance electricians or licensed master electricians for maintenance of approved installations in or on a structure or premises owned or operated by the person must:

1. obtain individual permits for the maintenance work, or

2. apply for and obtain a semiannual permit for all maintenance work to be performed by these licensed electricians.

2703.3 Semiannual records. The person to whom a semiannual permit is issued must keep a detailed record of all maintenance work done under the permit. These records must be:

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.

Section 2706 Permits

2706.1 Permit required. Unless specifically excepted by this Building, Fire, and Related Codes Article, no electrical work may be undertaken before the Building Official has issued a permit for that work.

2706.2 To whom issued. A permit may be issued only:

1. to a master electrician licensed to do business in the City,
2. to a master restricted electrician licensed to do business in the City,
3. to a restricted electrician licensed to do business in the City, or
4. to a maintenance electrician licensed to do business in the City.

Section 2707 Licensing Requirements

2707.1 Licenses and supervision required. No person may provide electrical services or otherwise engage in any electrical work unless the person:

1. is licensed to do so in accordance with State law, and
2. is insured or working under the direct supervision of an insured, licensed electrician.

Chapter 28
Mechanical Systems

{**MBPS Modification** – The subject matter of this Chapter is not within the scope of the Maryland Building Performance Standards. *See* the Fuel Gas Code and Mechanical Code in Parts IV and V of this Article, and the mechanical code adopted under State Business Regulation Article § 9A-205.}

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 ([2015] 2018 Edition), as modified by Part V of this Code, and

2. the International Fuel Gas Code ([2015] 2018 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 {"Masonry"} of this Code, and

2. the International Mechanical Code ([2015] 2018 Edition), as modified by Part V of this Code.

Section 2802 Permits

2802.1 Permit required. Unless specifically excepted by this Building, Fire, and Related Codes Article, no heating, ventilation, air-conditioning, or refrigeration ("HVACR") work may be undertaken before the Building Official has issued a permit for that work.

2802.2 Applications. The application for an HVACR work permit must bear the name and address of the insured, licensed HVACR contractor responsible for all work to be done under the permit.

2802.3 To whom issued. A permit may be issued only:

1. to a master HVACR contractor licensed to do business in the City,

2. to a master restricted HVACR contractor licensed to do business in the City,

3. to a limited HVACR contractor licensed to do business in the City,

4. to a journeyman HVACR contractor licensed to do business in the City, or

5. to a journeyman restricted HVACR contractor licensed to do business in the City.

Section 2803 Licensing Requirements

2803.1 Licenses and supervision required. No person may provide HVACR services or otherwise engage in any HVACR work unless the person:

1. is licensed to do so in accordance with State law, and

2. is insured or working under the direct supervision of an insured, licensed HVACR contractor.

Chapter 29
Plumbing Systems

{**MBPS Modification** – The subject matter of this Chapter is not within the scope of the Maryland Building Performance Standards. *See* the Plumbing Code in Part VI of this Article, and the plumbing code adopted under State Business and Occupation Article, Title 12.}

Section 2901 General

2901.1 Scope. The erection, installation, alteration, repairs, relocation, replacement, use, or maintenance of or addition to plumbing equipment and systems are governed by:

1. this Chapter,
2. the International Plumbing Code ([2015] 2018 Edition) (the "IPC"), as modified by Part VI of this Code; and
3. for private sewage disposal systems, COMAR 26.04.02 {"Sewage Disposal and Certain Water Systems..."}.

2901.2 [2901.1.1] "Plumbing regulations". Together, this Chapter 29 and the IPC are referred to in this Code as "plumbing regulations".

Section 2902 Minimum Plumbing Facilities

2902.1 Minimum number of fixtures. ***{As in IBC}***

2902.1.1 Fixture calculations. ***{As in IBC}***

2902.1.2 SINGLE-USER TOILET FACILITY AND BATHING ROOM FIXTURE. ***{AS IN IBC}***

2902.1.3 LAVATORY DISTRIBUTION. ***{AS IN IBC}***

2902 1.4 [2902.1.2] Family or assisted-use toilet and bath fixtures. Fixtures located within accessible family or assisted-use toilet and bathing rooms required by the Maryland Accessibility Code (COMAR [05.02.02] 09.12.53) are permitted to be included in the number of required fixtures for either the male or female occupants in assembly and mercantile occupancies.

2902.2 to 2902.3 ***{As in IBC}***

2902.4 Signage. Required public facilities must be provided with signs that designate the sex, as required by § 2902.2. Signs must be readily visible and located near the entrance to each toilet facility. Signs for accessible toilet facilities must comply with the Maryland Accessibility Code (COMAR [05.02.02] 09.12.53).

{Editor's Note: *But see* City Code Article 15, Subtitle 43 {"Public Restrooms"}, which requires the use of "gender-inclusive signage" to identify any "public single-use restroom" in a commercial or industrial establishment, a place of public accommodation, or a City-owned or -occupied building.}

2902.5 TO 2902.6 *{AS IN IBC}*

Section 2903 Permits

2903.1 Permit required. Unless specifically excepted by these plumbing regulations, no plumbing work may be undertaken before the Building Official has issued a permit for that work.

2903.2 Applications. The application for a plumbing work permit must bear the name and address of the insured, licensed master plumber responsible for all work to be done under the permit.

2903.3 To whom issued. A permit may be issued only:

1. to a master plumber licensed to do business in the City,
2. to a master gas fitter licensed to do business in the City, or
3. for on-site utility facilities, to an on-site utility contractor licensed to do business in the City.

2903.4 Insurance. The Building Official may not issue a permit to any master plumber unless the master plumber has provided the Building Official with certification of insurance, as required by State law.

2903.5 Emergency work. When emergency work needs to be done to rectify a possible health hazard or other hazardous condition, the work may be undertaken, even before a permit is issued, by:

1. a master plumber, or
2. within the scope of his or her license:
    a. an on-site utility contractor, or
    b. a gas fitter.

2903.5.1 Notice and subsequent permit. A master plumber, contractor, or gas fitter who performs emergency work under this section must:

1. promptly notify the proper City authorities of the emergency, and
2. within a reasonable time, obtain a permit for the work.

Section 2904 *{Reserved}*

Section 2905 Licensing Requirements

2905.1 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.

2905.1.1 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.

2905.1.2 Gas-fitting work. A licensed gas fitter may perform any gas-fitting work that falls within the scope of his or her license.

2905.2 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.

2905.2.1 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.

2905.2.2 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.

2905.2.3 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

{**MBPS Modification** – Note to Chapter 30: The provisions of this Chapter 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.}

Section 3001 General

3001.1 Scope. *{As in IBC}*

3001.2 EMERGENCY ELEVATOR COMMUNICATION SYSTEMS FOR THE DEAF, HARD OF HEARING, AND SPEECH IMPAIRED. AN EMERGENCY TWO-WAY COMMUNICATION SYSTEM SHALL BE PROVIDED THAT:

1. IS A VISUAL, TEXT-BASED, AND VIDEO-BASED 24/7 LIVE INTERACTIVE SYSTEM,
2. IS FULLY ACCESSIBLE BY THE DEAF, HARD OF HEARING, AND SPEECH IMPAIRED, AND INCLUDES VOICE-ONLY OPTIONS FOR HEARING INDIVIDUALS,
3. HAS THE ABILITY TO COMMUNICATE WITH EMERGENCY PERSONNEL UTILIZING EXISTING VIDEO CONFERENCING TECHNOLOGY, CHAT/TEXT SOFTWARE OR OTHER APPROVED TECHNOLOGY, AND
4. COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE MARYLAND ACCESSIBILITY CODE (COMAR 09.12.53).

3001.3 [3001.2] Referenced standards. Except as otherwise provided for in this Code, the design, construction, installation, alteration, repair, and maintenance of elevators, conveying systems, and their components conform to ASME A17.1/CSA B44, ASME A17.7/CSA B44.7, ASME A90.1, ASME B20.1, ANSI MH29.1, ALI ALCTV, and, for construction in flood hazard areas, ASCE 24.

3001.4 TO 3001.5 [3001.3 to 3001.4] *{As in IBC}*

Sections 3002 to 3008 *{As in IBC}*

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,
2. other applicable sections of this [Code] ARTICLE, and
3. the laws and regulations governing minor privilege permits.

[3105.2 Definition. *{As in IBC}*]

3105.2 [3105.3] Design and construction. *{As in IBC}*

3105.3 [3105.4] [Canopy] AWNING AND CANOPY materials. *{As in IBC}*

Section 3106 Marquees *{As in IBC}*

Section 3107 Signs *{As in IBC}*

Section 3108 Telecommunication and Broadcast Towers

3108.1 General *{As in IBC}*

3108.2 Location and access. *{As in IBC}*

3108.3 Aircraft warning lights. Radio and television towers must be equipped with aircraft warning lights that comply with Federal Aviation Administration requirements.

Section 3109 [Swimming Pool Enclosures and Safety Devices] SWIMMING POOLS, SPAS, AND HOT TUBS

3109.1 General. Swimming pools, SPAS, AND HOT TUBS must comply with the requirements of:

1. [this section] THE INTERNATIONAL SWIMMING POOL AND SPA CODE,
2. other applicable sections of this article,
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 3109.5 *{As in IBC}*]

Section 3110 Automatic Vehicular Gates *{As in IBC}*

Section 3111 [Solar Photvoltaic Panels/Modules] SOLAR ENERGY SYSTEMS *{As in IBC}*

SECTION 3112 [472] GREENHOUSES

[3112.1 General. The provisions of this section shall apply to greenhouses that are designed and used for the cultivation, maintenance, or protection of plants.]

3112.1 [427.1] General. Structures with glazed surfaces that are used for [only] horticulture are classified as greenhouses. These structures must be independent and separated from other buildings on the same lot. All greenhouses must conform to the requirements of this Code for exits and for materials.

3112.1.1 [427.2] Commercial greenhouses. Commercial greenhouses are classified as Group S-2, Low Hazard Storage Buildings, and must comply with § 503 {"General Building Height and Area Limitations"} and [with] Tables 601 {"Fire-Resistant Rating Requirements for Building Elements"} and 602 {"Fire-Resistant Rating Requirements for Exterior Walls"} OF THIS CODE.

3112.1.2 [427.3] Residential greenhouses. Greenhouses that are located on a lot zoned for residential use are classified as Group U, Utility and Miscellaneous Structures.

3112.1.2.1 [427.3.1] Height. Residential greenhouses may not exceed 20 feet (6.10 m) above grade.

3112.1.2.2. [427.3.2] Size. The floor area of a residential greenhouse must conform to the requirements of the Baltimore City Zoning Code.

3112.1.2.3 [427.3.3] Location. Residential greenhouses must be located at least 36 inches (914 mm) from any property line or other structure.

3112.2 ACCESSIBILITY. GREENHOUSES MUST BE ACCESSIBLE IN ACCORDANCE WITH THE MARYLAND ACCESSIBILITY CODE, COMAR 09.12.53.

3112.3 STRUCTURAL DESIGN. GREENHOUSES MUST COMPLY WITH THE STRUCTURAL DESIGN REQUIREMENTS FOR GREENHOUSES IN CHAPTER 16 {"STRUCTURAL DESIGN"} OF THIS CODE.

3112.4 GLASS AND GLAZING. GLASS AND GLAZING USED IN GREENHOUSES MUST COMPLY WITH § 2405 {"SLOPED GLAZING AND SKYLIGHTS"} OF THIS CODE.

3112.5 LIGHT-TRANSMITTING PLASTICS. LIGHT-TRANSMITTING PLASTICS ARE PERMITTED IN LIEU OF PLAIN GLASS IN GREENHOUSES AND MUST COMPLY WITH § 2606 "LIGHT-TRANSMITTING PLASTICS"} OF THIS CODE.

3112.6 MEMBRANE STRUCTURES. GREENHOUSES THAT ARE MEMBRANE STRUCTURES MUST COMPLY WITH § 3102 {"MEMBRANE STRUCTURES"} OF THIS CODE.

3112.6.1 PLASTIC FILM. PLASTIC FILMS USED IN GREENHOUSES MUST COMPLY WITH § 3102.3 {"TYPE OF CONSTRUCTION"} OF THIS CODE.

SECTION 3113 RELOCATABLE BUILDINGS *{AS IN IBC}*

SECTIONS 3114 TO 3115 *{RESERVED}*

Section 3116 [3112] Parking Lots, Driveways, and Other Paved Surfaces

3116.1 [3112.1] Section inapplicable to special-event parking. This [§ 3112] § 3116 does not apply to special-event parking lots operating under and in compliance with City Code Article 15, Subtitle 13 {"Parking facilities – Special-Event Parking Lots"} as long as the lot complies with all other requirements applicable to the lot's principal occupancy, use, or structure.

3116.2 [3112.2] Driveway entrances. All driveway entrances located on a public right-of-way must be constructed in accordance with the rules, regulations, and permit requirements of the Department of Transportation.

3116.3 [3112.3] Surface paving. Parking lots, parking pads, driveways, and private roads must be paved with asphalt, brick, concrete, macadam, or stone block. Permeable paving systems may be utilized in accordance with the rules and regulations of the Department of Public Works. All paving must be able to support the design loads for the proposed vehicular traffic.

3116.4 [3112.4] Parking spaces. The size, layout, and arrangement of parking spaces must comply with:

1. the Baltimore City Zoning Code,
2. the Maryland State Accessability Code, and
3. the rules and regulations of the City Planning Commission.

3116.5 [3112.5] Curbs or bumpers. Curbs or bumpers must be installed for all parking spaces. Each curb or bumper must be:

1. made of concrete, wood, or an approved metal wheel stop,
2. at least 6 inches (152 mm) high and 8 inches (203 mm) wide,
3. securely fixed in place, and
4. located:
    a. at least 4 feet (1.22 m) from the parking lot perimeter, or
    b. for parking spaces that are parallel to the perimeter of the parking lot, at least 2 feet (0.61 m) from the perimeter.

3116.6 [3112.6] Surface drainage. Storm drainage off paved surface areas, such as parking lots, playgrounds, and plazas, must be properly conveyed to paved alleys, paved streets, or other approved water courses.

3116.6.1 [3112.6.1] Limitations. No drainage may be discharged:

1. so as to run or flow over any sidewalk or footway, except at a driveway with a depressed curb, or

2. across any adjoining property.

3116.6.2 [3112.6.2] Methods. Drainage must be piped to a storm drain, to the street or alley, to a paved swale, or to another approved water course. The installation of piping, connections to storm drains, etc., must be made in accordance with the plumbing regulations of Chapter 29 {"Plumbing Systems"} of this Code.

Section 3117 [3113] Piers and Marinas

3117.1 [3113.1] General. All piers, marinas, and related structures constructed or demolished along the shoreline of the City must comply with the requirements of this [§ 3113] § 3117, in addition to all other applicable provisions of this Code.

3117.2 [3113.2] Plans and specifications. All proposed work for piers and marinas requires plans and specifications that illustrate, describe, and specify the proposed work in sufficient detail and clarity.

3117.3 [3113.3] Approvals. Before a building permit may be issued for the construction or demolition of a pier, marina, or related structure, the work must be approved by:

1. the U.S. Army Corps of Engineers (Baltimore District),

2. the State of Maryland,

3. the Division of Construction and Buildings Inspection,

4. the Baltimore City Fire Department,

5. the Baltimore City Department of Transportation, and

6. the Baltimore City Department of Public Works.

3117.4 [3113.4] Design. All shoreline and offshore free-standing piers, with or without buildings, must be designed in accordance with:

1. the design manuals of the Federal Emergency Management Agency, and

2. the requirements of this Code.

3117.5 [3113.5] Structural design for piers. Minimum live load requirements are as follows:

1. for static or fixed piers or marinas for light duty uses, 60 pounds per square foot, and

2. for heavy duty live loads and for structures constructed on piers, as required by Chapter 16 {"Structural Design"} of this Code.

3117.6 [3113.6] Structures on piers. Every structure that is constructed on a pier, wharf, dock, bulkhead, breakwater, piles, or other similar structure must comply with this [§ 3113] § 3117 and all other applicable provisions of this Code and other law.

Section 3118 [3114] Fences

3118.1 [3114.1] Location. A fence may be built only on the property of the owner of the fence. However, if the owners of adjoining property agree to build a fence on the property line between them, they may do so if they both submit, with the application for the permit, a written statement of their agreement.

3118.2 [3114.2] Height. Except as otherwise specified in this [§ 3114.2] § 3118.2, the height of a fence may not exceed 42 inches (1067 mm), measured on the high side.

3118.2.1 [3114.2.1] Enclosing dwellings. Fences enclosing dwellings may be as high as, but may not exceed, 6 feet (1.83 m) if located in side or rear yards.

3118.2.2 [3114.2.2] Enclosing certain other buildings. Fences enclosing buildings used for public assembly, private assembly, institutions, offices, commercial storage, or industrial occupancies may be as high as, but may not exceed, 8 feet (2.44 m).

3118.2.3 [3114.2.3] Special purposes. For special purposes like protection around dangerous places, highly hazardous operations, IN CONJUNCTION WITH ELECTRIC SECURITY FENCES, or PROTECTION AROUND athletic fields, and in similar cases where a high fence is necessary for the safety of the public, fences may be higher than 8 feet (2.44 m) to the extent specially authorized by the Building Official.

3118.3 [3114.3] Construction. Fences may be built of any material or construction that is permitted in this Code for exposed structures. However, all fences must be designed and constructed, in accordance with the applicable structural provisions of this Code, to resist from any direction a horizontal force of 20 pounds per square foot, applied normal to and over either the gross area of the fence or the net area of the fence plus 50% of the gross area, whichever is less.

3118.3.1 [3114.3.1] Wood fences. The posts for wood fences must be:

1. locust, heart cedar, or any other wood that will resist decay underground,
2. any wood that has been treated in accordance with this Code, or
3. any good timber set in concrete.

3118.3.2 [3114.3.2] Wire fences. Wire fences must be constructed with wire mesh substantially fabricated and constructed so as to resist a nominal horizontal load of 500 pounds without deflecting more than 6 inches (152 mm). The posts for wire fences must be metal posts set in concrete, properly designed masonry posts, or wood posts of the type required for wood fences.

3118.3.3 [3114.3.3] Metal fences. Metal fences must be of a substantial design and construction approved by the Building Official. The posts for metal fences must be concrete, masonry, or metal set in concrete or masonry.

3118.3.4 [3114.3.4] Masonry fences. Masonry fences must be of reinforced concrete or other masonry and must be designed and constructed in accordance with the requirements governing reinforced concrete or freestanding masonry walls. All masonry fences must extend at least 2 feet (0.61 m) into the ground.

3118.3.5 [3114.3.5] Combination fences. Fences that consist of 2 or more kinds of materials may be built as long as all applicable requirements of this Code for those materials and construction are met. The total aggregate height of a combination fence must be used in determining the height limitations for that fence.

3118.4 [3114.4] Sharp points, projections, etc. No fence may have any projecting sharp points, jagged edges, or other projections that can injure persons or animals coming in contact with the fence.

3118.4.1 [3114.4.1] Fence tops. No fence less than 3 feet 6 inches (1.07 m) high may have any sharp pickets or vertical pointed objects at the top. Barbed wire or other approved retarding material or construction may be placed on the top of any fence that is more than 6 feet 9 inches (2.06 m) high, unless the barbed wire or other retarding material will create a highly hazardous condition.

3118.4.2 [3114.4.2] Razor wire. Razor wire may not be used anywhere in any fence.

3118.4.3 ELECTRIC SECURITY FENCES. AN ELECTRIC SECURITY FENCES IS PERMITTED:

1. ONLY IN A C-3, C-4, OR INDUSTRIAL ZONING DISTRICT, AS IDENTIFIED IN CITY CODE ARTICLE 32 {"ZONING"}; AND

2. ONLY AS LONG AS LONG AS THE FENCE:

   A. DOES NOT ABUT ANY RESIDENTIALLY ZONED PARCEL; AND

   B. IS INSTALLED IN CONJUNCTION WITH AN EXTERIOR, NON-ELECTRIC BARRIER FENCE.

3118.5 [3114.5] Maintenance. Every fence must be maintained in good repair by its owner. The Building Official may determine the sufficiency of any fence and the amount and character of repairs required to make it safe.

3118.6 [3114.6] Nonconforming fences. Any existing fence that was compliant when erected but does not comply with the requirements of this [§ 3114] § 3118 is permitted to continue to exist and be repaired at any time, unless the fence has deteriorated more than 50%. All nonconforming fences that have deteriorated more than 50% or beyond repair must be removed or reconstructed in accordance with the requirements of this Code.

Section 3119 [3115] Radio and Television Antennas

3119.1 [3115.1] Aircraft warning lights. Radio and television antennas located on a high rise building or on a high terrain feature must comply with Federal Aviation Administration requirements for aircraft warning lights.

Section 3120 [3116] Lightning Protection

3120.1 [3116.1] General. Lightning protection for buildings and structures must comply with NFPA 780.

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 Transportation.

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 any 1 or another of the following distances:

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 {"Permission needed..."}.

3202.5.1 Removal of unauthorized encroachments. On notice from the Building Official or the Director of Transportation, the owner of any unauthorized encroachment must immediately:

1. remove the encroachment, or

2. obtain appropriate permission for its continuation.

Chapter 33
Safeguards During Construction

Section 3301 General

3301.1 to 3301.2 *{As in IBC}*

3301.3 Prohibited hours. No site work, demolition work, pile driving work, or construction work is permitted between 7:00 p.m. and 7:00 a.m., if that work or any part of a premises in or on which the work is to be done is within 300 feet (91.44 m) of any dwelling.

3301.3.1 Exception. This § 3301.3 does not apply to an emergency operation that has been specifically approved by the Building Official.

Section 3302 Construction Safeguards

3302.1 Remodeling and additions. Required exits, existing structural elements, fire protection devices, and sanitary safeguards must be maintained at all times during remodeling, alterations, repairs, or additions to any building or structure.

Exceptions:

1. When these required elements or devices are themselves being remodeled, altered, or repaired, adequate substitute provisions must be made.

2. These requirements do not apply if the existing building is not occupied.

3302.2 Waste and debris. All sites for new construction or for remodeling, alterations, repairs, or additions, and all abutting sidewalks, gutters, and alleys, must be properly maintained and kept free of accumulated trash, garbage, waste, or debris, including construction waste or debris, and of any object or condition that constitutes a nuisance. Removal of all trash, garbage, waste, and debris must be done in a manner that prevents injury or damage to persons, adjoining properties, and public rights-of-way.

3302.3 Fire safety during construction. *{As in IBC}*

Section 3303 Demolition

3303.1 to 3303.3 *{As in IBC}*

3303.4 Filling required. Except as otherwise specified in this § 3303.4, where a structure has been demolished or removed, the vacant area must be filled WITH APPROVED MATERIAL and maintained to the existing grade or otherwise in accordance with City law and seeded.

3303.4.1 Cellar floors. All basement and cellar floors must be removed or completely broken up before any filling materials are used.

3303.4.2 Exception. The Building Official may waive the filling requirements of this § 3303.4 for up to 3 months if:

1. the Building Official receives satisfactory evidence that construction of a new building or structure will begin on the site within 3 months of the demolition or removal, and

2. the site is protected with barriers that comply with § 3306.5 {"Barriers"}of this Code.

3303.5 to 3303.7 ***{As in IBC}***

3303.8 Notice to adjoining owners and others. A permit to demolish a structure may not be issued unless:

1. all notices required by §§ 105.9 {"Special requirements for demolition or moving"} and 3307.1 {"Protection required"} of this Code have been given, and

2. copies of the notices are submitted with the permit application.

3303.9 Demolition contractor's license. Except as otherwise specified in this § 3303.9, no person may engage in the demolition of any structure without first obtaining a demolition contractor's license from the Building Official.

3303.9.1 Prerequisites. Every contractor applying for a new license or for the renewal of a license must:

1. provide the Building Official with the full name, phone number, address, and (if available) email address of the contractor's business, and

2. provide the Building Official with a copy of a liability insurance policy that complies with § 3303.10 of this Code.

3303.9.2 Term; fees. A demolition contractor's license expires on December 31 of each year. The license may be renewed annually, on or before December 31, on payment of the renewal fee. The license fees are as set by the Building Official with the approval of the Board of Estimates.

3303.9.3 Change of name or address. A licensee must immediately notify the Building Official of any change in the name, phone number, address, or email address of the licensee's business.

3303.9.4 Use of license by other. A licensee may not allow his or her name to be used by another person for the purpose of obtaining permits or for doing any demolition work under the licensee's license.

3303.9.5 Exception. The Building Official may waive the requirements of this § 3303.9 if the structure to be demolished is a miscellaneous structure as described in § 312 {"Utility, Miscellaneous Group U"} of this Code.

3303.9.6 Enforcement. A violation notice is not a prerequisite to the enforcement of this § 3303.9 by any appropriate legal proceeding. Penalties will be assessed in accordance with § 114 {"Violations"} of this Code.

3303.9.7 Debarment on conviction. Any person convicted of a violation of this § 3303.9 is, in addition to any other penalty that might be imposed:

1. prohibited from performing demolition work without first obtaining a new license, and

2. is ineligible to receive a new license for 1 year.

3303.10 Demolition insurance. The licensee must have an insurance policy that complies with the minimum requirements of this § 3303.10.

3303.10.1 Coverage. The policy must provide coverage for all operations for which a permit might be sought. The minimum coverage requirements are:

1. $500,000 for damages (including damages for care and loss of services) because of bodily injury (including death at any time resulting from bodily injury), per person, per incident,

2. $1,000,000 for damages (including damages for care and loss of services) because of bodily injury (including death at any time resulting from bodily injury) sustained by more than 1 person per incident, and

3. $250,000 for injury to or destruction of property of others per incident.

3303.10.2 Prohibited exclusions. The policy may not contain:

1. any "collapse hazard" exclusion,

2. any exclusion that would prohibit the contractor from performing the demolition operations in accordance with this Code and the normal procedures of the industry, or

3. any exclusion that would create an undue risk to the City or to the health, safety, and welfare of the general public.

3303.10.3 Cancellation. The terms of policy must provide either:

1. that the policy may not be canceled during the duration of the operations to be performed, or

2. that the Building Official will be notified in writing, at least 15 days before the policy is canceled.

3303.11 to 3303.12 ***{Reserved}***

3303.13 Demolition permits. Each application for a demolition permit must:

1. comply with § 105 {"Permits"} of this Code,

2. except as provided in § 3303.13.1, be accompanied by a certificate of insurance that evidences compliance with § 3303.10, and

3. be accompanied by an affidavit to the Building Official that all contracts and other arrangements complying with this Code have been made.

3303.13.1 Alternative certificate of continuing insurance. Instead of providing a separate certificate for each permit, a contractor may provide one general certificate of continuing insurance, as long as the certificate evidences:

1. the required coverage for all work to be performed by the contractor, and

2. the insurer's obligation to notify the Building Official, in writing, at least 15 days before the policy is canceled.

3303.14 to 3303.15 ***{Reserved}***

3303.16 Methods of demolition. The following methods must be used for the demolition of a structure:

1. The demolition must be performed in approximately the reverse order in which the structure was erected. Where unusual conditions exist, the Building Official may authorize a different method.

2. Structural elements must be carefully dissembled to avoid collapse.

3. Heavy pieces of stone or other heavy and bulky materials or equipment must be carefully handled in accordance with this Code.

4. DEMOTION MUST BE HALTED WHEN WINDS EXCEED 20 MPH.

5. WETTING IS PROHIBITED DURING PERIODS OF PROLONGED FREEZING TEMPERATURES.

3303.17 Use of explosives. The use of explosives is generally prohibited. Explosives for demolition by implosion may be used by special permit from the Building Official.

3303.18 Partial Demolition. Building elements that become exposed as result of a partial demolition must be properly finished, braced, or otherwise made safe.

3303.19 to 3303.20 ***{Reserved}***

3303.21 Removal of debris. The requirements of this section are in addition to those of § 3302.2 {"Waste and debris"}.

3303.21.1 General requirements. Debris on upper floors must be lowered to ground level:

1. in receptacles, by elevators or hoists, or

2. in tight and completely enclosed chutes.

3303.21.2 Chute requirements. No chute used for this purpose may extend in an unbroken line that is more than 25 feet (7.62 m) without suitable barriers to prevent debris from falling too fast. Each chute must be equipped with a proper gate or stop at the bottom to control the flow of materials from the chute.

3303.22 ***{Reserved}***

3303.23 Disposition of recyclable debris. Whenever recyclable debris to be cleared from a site exceeds 5 tons, at least 30% of that recyclable debris must be immediately transported to a licensed recycling facility.

3303.23.1 "Recyclable debris" defined. In this section, "recyclable debris" means materials that:

1. if not recycled, would become solid waste for disposal in a solid waste acceptance facility, and

2. may be collected, separated, or processed and returned to the marketplace in the form of raw materials or products.

3303.24 to 3303.25 ***{Reserved}***

3303.26 Correction of injurious conditions. This section applies to any demolition contractor who:

1. performs any demolition work that creates a condition that violates this Code or a condition that might be injurious to the general public or adjourning to adjoining properties, and

2. refuses or fails to correct the condition in the manner and time required by this Code.

3303.26.1 Correction by Building Official. If the contractor refuses or fails to correct the condition or if an emergency occurs as a result of the condition, the Building Official may correct the condition or perform any other operations necessary to bring the demolition operations into compliance with this Code. All work the Building Official performs under this section is at the expense of the contractor.

3303.26.2 Contractor not relieved of responsibility. The Building Official's performance of any work under this section does not relieve the contractor from responsibility for all work performed by the contractor. Any remedies or penalties provided in this section are in addition to any other remedies or penalties provided by law.

3303.27 Limits of liability. The liability of any contractor for materials furnished or work done under this Code and the liability of the contractor's surety does not extend to defects in materials or workmanship discovered more than 12 months after the completion of the work. The contractor and surety are responsible to the City to correct all defects discovered during this 12-month period and about which they were notified in writing.

3303.28 Owner's responsibility. Notwithstanding the limited liabilities of the contractor and the surety, the owner of the property is responsible at all times to the City to correct any defects in the operations performed on his or her property.

3303.29 Penalty for violation. On a contractor's refusal or failure to correct any violation, the contractor's license and all outstanding work permits are automatically suspended. The suspension continues until the violation is corrected.

Section 3304 Site Work ***{As in IBC}***

Section 3305 Sanitary ***{As in IBC}***

Section 3306 Protection of Pedestrians ***{As in IBC}***

Section 3307 Protection of Adjoining Property

3307.1 Protection required. ***{As in IBC}***

3307.2 Shared elements – General. Repairs to elements shared by a demolished or moved structure and an adjoining structure must comply with all applicable provisions of this Code.

3307.3 Shared elements – Walls. Party walls must be repaired and finished by the owner of the demolished or moved structure. The repairs must include:

1. restoration or replacement of any flashing on adjoining property that has been broken or damaged during the operations,

2. removal of all plaster from the exposed side of the wall, and

3. cleaning and finishing the wall with approved waterproof material.

Sections 3308 to 3313 ***{As in IBC}***

SECTION 3314 FIRE WATCH DURING CONSTRUCTION ***{AS IN IBC}***

SECTIONS 3315 TO 3317 ***{RESERVED}***

Section 3318 [3314] Rodenticide Procedure

3318.1 [3314.1] Certification required. Before any structure may be demolished, moved to another site, or substantially rehabilitated, the applicant for a permit must provide certification from a pesticide applicator licensed by the State of Maryland that all areas of the structure and its lot are free from rodent infestation. A certification of treatment and abatement of all infestation must accompany the permit application.

3318.2 [3314.2] Treatment required. Structures or lots found to be infested must be treated by a licensed pesticide applicator before demolition, moving, or rehabilitation

Section 3319 [3315] Unsafe Walls

3319.1 [3315.1] Presumption. For purposes of this [§ 3315] § 3319, any load-bearing wall that is cracked or bowed and any 4-inch load-bearing wall is considered a structurally unsafe wall unless certified to be safe by a professional structural engineer licensed in Maryland.

3319.2 [3315.2] Removal or correction required. Any structurally unsafe wall that remains after the demolition or moving of a structure must be:

1. removed and replaced as required by all applicable sections of this Code, or

2. in the case of a party wall, corrected as provided in [§ 3315.3] § 3319.3.

3319.3 [3315.3] Party walls. If the structurally unsafe wall that remains is a party wall, the owner of the structure being demolished or removed must:

1. remove all or any part of the wall that the Building Official considers dangerous, and

2. reconstruct and do all other necessary work to properly enclose the adjoining structure.

Section 3320 [3316] Operations Not to Cause Nuisance

3320.1 [3316.1] Scope. This section applies to all operations that involve:

1. moving or demolishing any structure, or

2. removing any machinery or equipment from any structure to be moved or demolished.

3320.2 [3316.2] Work to avoid nuisance. All operations of the sort described in [§ 3316.1] § 3320.1 must be conducted so that:

1. no material, object, or thing is allowed to fall in or on any structure or premises or any alley or other public way,

2. all materials, objects, and things are well wetted down or otherwise treated as needed to prevent dust or other airborne debris, and

3. no nuisance is otherwise created in the vicinity of the operations.

3320.3 [3316.3] Stop-work order. If any operation violates these requirements, the Building Official must issue a stop-work order. Work may resume only after the violation has been corrected and measures taken to prevent a recurrence.

Chapter 34
Existing Structures
{Not Adopted}

{**MBPS Modification:** Rehabilitation work in an existing building, AS DEFINED IN COMAR 09.12.58, must comply with the applicable requirements of the Maryland Building Rehabilitation Code, COMAR [05.16] 09.12.58.}

Chapter 35
Referenced Standards
{As in IBC}

Chapter 36
"Visitability" Requirements for Publicly Assisted Dwellings

Section 3601 Scope

3601.1 General. This Chapter applies to every single-family dwelling, whether detached, semi-detached, or attached, and to all ground-floor dwelling units of any 2-family dwelling or of any multiple-family dwelling that contains 4 or fewer dwelling units, that:

1. is newly constructed on a vacant lot, and

2. receives funding or other assistance from the City or any City agency (including the Housing Authority of Baltimore City) by any one of the following methods:

    a. a building contract or similar agreement that involves any Federal, State, or City funds,

    b. acquisition, by gift, purchase, lease, or otherwise, of any real property for less than its appraised value, as determined by a certified appraiser,

    c. preferential tax treatment, such as payments in lieu of taxes, tax increment financing, or similar benefit,

    d. bond proceeds or issuance assistance, a loan, or similar financial benefit,

    e. receipt under City authority of Federal or State construction funds, including Community Development Block Grant funds, and

    f. except as otherwise specified in this section, receipt of any other form of funding or financial benefit from the City or a City agency.

3601.2 Exclusions. This Chapter does not apply to:

1 additions to or remodelings of existing buildings, or

2. new construction for which City funding or assistance is limited to either or both:

    a. a property tax credit under City Code Article 28, § 10-5 {"Newly constructed buildings"}, and

    b. waiver of a City lien on property where the lien exceeds the value of the property.

Section 3602 Accessible Entry

3602.1 Requirements. Every dwelling that is subject to this Chapter must provide at least 1 entrance that:

1. is accessible to, and usable by, a person with a mobility disability,

2. does not include steps,

3. has a level change (including any level change at threshold) that does not exceed ½ inch and, if the level change exceeds ¼ inch, is beveled, and

4. is located on a continuous unobstructed path that, through the use as necessary or appropriate of curb ramps, parking access aisles, walks, ramps, elevators, lifts, and the like:

   a. connects the lot entrance to the dwelling entrance, and

   b. can be negotiated by a person with a disability who uses a wheelchair, by a person with a disability who does not require use of a wheelchair, and by a person without a disability.

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 {"Requirements"}.

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 that 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:

1. the cost of grading the terrain to meet the requirement is disproportionately expensive in relation to the value of the dwelling,

2. the width of the lot is less than 16 feet, or

3. compliance with the requirement is precluded or limited because of the lot's location in a Federal, State, or City historic district.

3604.1.1 "Disproportionately expensive" defined. For purposes of this section, "disproportionately expensive" means that the cost of grading the terrain to meet the requirement exceeds 5% of the fair market value of the unimproved property.

Section 3605 Relationship to Other Laws

3605.1 Federal and state laws. Federal and state laws also govern multiple-family dwellings and public accommodations. Newly constructed multiple-family dwellings may also be subject to the federal Americans with Disabilities Act and the federal Fair Housing Act and their respective guidelines.

3605.2 City law. This Chapter applies to some dwellings that are not covered by federal or state law, such as newly-constructed single-family dwellings.

3605.3 More restrictive law controls. To the extent that the provisions of this Chapter are not identical to federal or state laws, the more restrictive law controls.

Chapter 37
{Vacant}

Chapter 38
Traffic Impact and Mitigation

Section 3801 Definitions

3801.1 General. In this Chapter, the following terms have the meanings indicated.

3801.1.1 Director. "Director" means the Director of the Department of Transportation or the Director's designee.

3801.1.2 Gross floor area. "Gross floor area" means the area specified in Baltimore City Zoning Code § 1-306(j) {"Floor area: Gross (GFA)"}.

3801.1.3 Change in occupancy. "Change in occupancy" has the meaning stated in Baltimore City Building Code § 202.2.9.

3801.1.4 Traffic-Mitigation Zone. "Traffic-Mitigation Zone" or "Zone" means a geographic area designated by this Chapter for heightened review of the potential impact of development on the area's transportation network.

Section 3802 Scope of Chapter

3802.1 ***{Reserved}***

3802.2 Outside a Traffic-Mitigation Zone. A traffic-impact study is required for any proposed work outside of a Traffic-Mitigation Zone if the proposed work involves any 1 of the following:

1. an impact area that includes an intersection performing at Level of Service D or worse,

2. 50 or more dwelling units, or

3. a gross floor area that equals or exceeds:

    a. for a warehouse use, 100,000 sq. ft., or

    b. for any other use or combination of uses, 50,000 sq. ft.

3802.2.1. Determination of impact area. For purposes of this § 3802.2, an impact area must include the entire area located ½ mile or less from any point on the development's property line, unless the Director, in accordance with the rules and regulations adopted under this Chapter, determines that extraordinary circumstances exist that require that a larger impact area of up to 1 mile from the development's property line be considered.

3802.3 Within a Traffic-Mitigation Zone. A Traffic-Mitigation Fee is required for any proposed new construction or change in occupancy within a Traffic-Mitigation Zone if the proposed work involves any 1 of the following:

1. 10 or more dwelling units, or

2. a gross floor area that equals or exceeds:

    a. for a warehouse use, 100,000 sq. ft., or

    b. for any other use or combination of uses, 50,000 sq. ft.

3802.4 DoT initial determination. Within 20 business days after an application has been referred to the Director of Transportation under § 105.3.1.2 {"Referral to assess need for traffic-mitigation"} of this Code, the Director must review the application and notify the referring official and the applicant:

1. whether and, if so, what additional information is needed to evaluate the application, or

2. if no additional information is needed:

    a. whether the proposed project is in a Traffic-Mitigation Zone, and if so, whether the developer of a project must pay a Traffic-Mitigation Fee under § 3806 {"Traffic-Mitigation Fee"} of this Chapter,

    b. whether, under the criteria set forth in this § 3802, a traffic-impact study will be required, and

    c. if a traffic-impact study will be required, the estimated expenses for undertaking or contracting for the study.

Section 3803 DoT Rules and Regulations

3803.1 In general. The Department of Transportation must adopt rules and regulations to carry out this Chapter.

3803.2 Contents. These rules and regulations:

1. must include:

    a. procedures for determining the number of trips to be attributable to projects in a particular Traffic-Mitigation Zone or Subzone,

    b. procedures for determining what constitute extraordinary circumstances requiring that an impact area of up to a 1 mile radius be considered for purposes of § 3802.2 {"Outside Traffic-Mitigation Zone"},

    c. a schedule of the fees that an applicant may be charged under § 3804.3 {"Expenses"}, and,

    d. an accounting method, adopted in accordance with § 3807.5.3 {"Accounting method to be published"}, to identify what specific projects individual fees are obligated to for purposes of a review under § 3807.5.1 {"Review of fee use"},

2. may establish:

   a. usage categories for determining the number of trips generated by differing uses within Traffic-Mitigation Zones, and

   b. procedures for designating, within Traffic-Mitigation Zones, Subzones with differing trip-generation formulas, and

3. may include any other procedures, standards, or requirements consistent with this Chapter.

3803.3 Public review. All proposed rules and regulations under this Chapter must be published for public comment on the Department of Transportation's website by the Director for at least 45 days. During the 45-day public comment period the Director must hold 1 or more public hearings on the proposed rules and regulations, at least 1 of which must begin between 6 pm and 8 pm. After this publication and hearing, the Director may modify and adopt rules and regulations by filing a copy of the final rules and regulations with the Director of Legislative Reference.

3803.4 Filing. A copy of all rules and regulations adopted under this Chapter must be filed with:

1. the Building Official,

2. the Zoning Administrator,

3. the Board of Municipal and Zoning Appeals,

4. the Director of Legislative Reference, and

5. the Director of Planning.

Section 3804 Traffic-Impact Study

3804.1 Scope of section. This § 3804 is applicable to all proposed projects located outside of a Traffic-Mitigation Zone.

3804.2 How conducted.

3804.2.1 By DoT or consultant. The Department of Transportation may itself undertake the study or contract with independent consultants for the study, as the Director considers necessary or appropriate.

3804.2.1.1 Consultant conflicts. For a consultant to be eligible to undertake a Traffic-Impact Study, the consultant must certify to the Director, in the manner prescribed by the Director, that the consultant is free of any conflicts of interest.

3804.2.1.2 Conflict defined. For purposes of this § 3804.2, a "conflict of interest" is defined as any consultant having materially participated in the development of the application or having worked for the applicant on any application within the prior 24 months.

3804.2.2 Scope of study. The area and scope of each study is to be determined by the Department of Transportation, in accordance with the rules and regulations adopted under § 3803 {"DoT rules and regulations"}.

3804.2.2.1 Minimum area of study. The area of a study required under this § 3804 must not be smaller than the impact area of the project, as determined using the method described in § 3802.2.1 {"Determination of impact area"}.

3804.3 Expenses. All reasonable expenses incurred in undertaking or contracting for the study must be paid by the applicant, and will be imposed and collected as provided in § 118 {"Liability for Expenses..."} of this Code for fees and service charges.

3804.3.1 Initial payment. Before the study begins, the applicant must pay the expenses estimated under § 3802.4 {"DoT initial determination"}.

3804.3.2 Balance. After the study is completed, but before any permit may be issued, the applicant must pay any difference between the initial amount paid under § 3804.3.1 and the actual expenses incurred for the study.

3804.3.2.1 Refund. After the study is completed, subject to appropriation by the Board of Estimates, the applicant is entitled to a refund of any payments made under § 3804.3.1 that exceed the actual expenses incurred for the study plus a reasonable service charge.

3804.4 Applicant's option on delay. If the Traffic-Impact Study is not completed within 60 business days after the initial payment is made under § 3804.3.1:

1. the applicant may proceed to contract for the Traffic-Impact Study with a consultant selected from a list of consultants prequalified by the Department of Public Works' Office of Boards and Commissions; and

2. subject to appropriation by the Board of Estimates, the applicant is entitled to a full refund of all fees paid to the City for the uncompleted Traffic-Impact Study.

3804.5 Mitigation. The applicant and the Department of Transportation must negotiate in good faith 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.

Section 3805 Traffic-Mitigation Zones

3805.1 Purpose of Zones. Areas designated as Traffic-Mitigation Zones are areas that have overburdened and interrelated transportation networks and that are anticipated to experience significant development. Heightened review of development that might impact the transportation networks in these areas is therefore necessary.

3805.2 Traffic-Management Plans for Zones. The Planning Commission may adopt a 10-year traffic-management plan for each Traffic-Mitigation Zone and review and update each plan every 5 years.

3805.2.1 Required plan inclusions. Each plan must, among other things:

1. project the number of trips that reasonably might be expected to be generated in the Zone, based on new development (including redevelopment of vacant and underutilized parcels),

2. identify multimodal transportation solutions to mitigate the likely growth in traffic congestion, and

3. based on the Director's recommendations, indicate what projects may be funded, in whole or in part, by Traffic-Mitigation Fees from the Zone.

3805.2.2 Plan exclusions. The plan may not include Traffic-Mitigation Fee funding for system preservation projects such as street resurfacing, reconstruction, or other projects not required to mitigate the growth in traffic congestion unless the system preservation projects are reasonably necessary to improve safety or capacity.

3805.3 Designated Zones. There are 5 Traffic-Mitigation Zones in the City of Baltimore.

3805.3.1 Downtown/Midtown Zone. The area within the following boundaries is the "Downtown/Midtown Traffic-Mitigation Zone":

BEGINNING for the same at the point formed by the intersection of the centerline of East North Avenue (varying in width), and the centerline of North Calvert Street, 60 feet wide; thence running with the centerline of said North Calvert Street with meridian reference to the Baltimore City Survey Control System, the following courses:

(1) Southerly to the point formed by the geometric intersection of the centerline of said North Calvert Street, and the centerline of Interstate Route 83 Right-of-Way (roadway below); thence running with the centerline of said Interstate Route 83 Right-of-Way

(2) Southerly to a point formed by the geometric intersection of the centerline of said Interstate Route 83 Right-of-Way and the centerline of The Fallsway, varying in width(roadway above); thence running with the centerline of said The Fallsway

(3) Southeasterly to a point formed by the intersection of the centerline of said The Fallsway and the centerline of East Fayette Street; thence running with the centerline of said East Fayette Street

(4) Westerly to a point formed by the intersection of the centerline of said East Fayette Street and the centerline of North President Street Corridor, varying in width; thence running with the centerline of said North President Street Corridor

(5) Southeasterly, passing over East Baltimore Street at which point said North President Street Corridor becomes South President Street Corridor, varying in width; to a point formed by the intersection of said South President Street Corridor and the centerline of Fleet Street, varying in width; thence departing lastly mentioned point and running with the centerline of Felicia Street Corridor

(6) Southeasterly to the center of Albemarle Street Round-About; thence departing lastly mentioned point and running with Albemarle Street

(7) Southeasterly to a point formed by the intersection of said Albemarle Street and the centerline of Lancaster Street; thence departing last point of intersection and running

(8) Due South to a point on the South 52° 18' 41" East, 1018.66 foot line as shown on a plat entitled "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 2 of 6, File 13

Map 849 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District; thence running with said South 52° 18' 41" East, 1018.66 foot line reversely and

(9) Northwesterly to the beginning thereof and a point labeled VII, as shown on said plat; thence departing said point VII and running with the South 10° 17' 58" East 424.29 foot line, reversely and

(10) Northerly to the beginning thereof, and a point labeled VI, as shown on said plat; thence departing said point VI and crossing the Northwest Branch of the Patapsco River

(11) In a Westerly direction to a point labeled LIV, as shown on said plat; said point LIV also being labeled 16 on a plat entitled "Harborview Subdivision Plan" and recorded among the Land Records of Baltimore City, Maryland, in Plat Book S.E.B., Page 3187; thence departing said point 16 (aka LIV) and running with the South 74° 47' 38" East, 30.90 foot line, reversely and

(12) In a Northwesterly direction to the beginning thereof and a Point labeled 15, as shown on lastly mentioned plat; thence running with the North 02° 06' 20" West, 340.82 foot line reversely and

(13) In a Southerly direction as shown on the lastly mentioned plat, and binding on, in part, the east side of the former bed of Covington Street, if projected, to a point formed by the intersection of the east side of said Covington Street and Key Highway; thence running with the centerline of said Key Highway

(14) Westerly to a point formed by the intersection of the centerline of said Key Highway and the centerline of Light Street,82.5 feet wide; thence running with the centerline of said Light Street

(15) Southerly to a point formed by the intersection of the centerline of said Light Street and the centerline of East Montgomery Street, 82 feet wide; thence running with the centerline of said East Montgomery Street

(16) Westerly to a point formed by the intersection of the centerline of said East Montgomery Street and the centerline of South Charles Street, 66 feet wide; thence running with the centerline of said South Charles Street

(17) Southerly to a point formed by the intersection of the centerline of said South Charles Street and the centerline of West Churchill Street, 20 feet wide; thence running with the centerline of said West Churchill Street

(18) Westerly to a point formed by the intersection of the centerline of said West Churchill Street and the centerline of South Hanover Street, 66 feet wide; thence running with the centerline of said South Hanover Street

(19) Northerly to a point formed by the intersection of the centerline of said South Hanover Street and the centerline of West Montgomery Street, 35 feet wide; thence running with the centerline of said West Montgomery Street

(20) Northwesterly to a point formed by the intersection of the centerline of said West Montgomery Street and the centerline of South Sharp Street, 66 feet wide; thence running with the centerline of said South Sharp Street

(21) Southwesterly to a point on the south side of West Henrietta Street, 66 feet wide; thence binding on and running with the south side of said West Henrietta Street

(22) Northwesterly to a point on the west side of said South Sharp Street and the beginning of the second line of a parcel of land described in a conveyance from Congress Hall Square Limited Partnership, unto CHS Swim Club, Inc. by deed dated May 26, 1987 and recorded among aforesaid Land Records in Liber S.E.B. No. 1319, Folio 231; thence running with the second or North 70° 05' 00" West, 99.74 foot line,

(23) In a Northwesterly direction, as described in said deed, passing over the end thereof and crossing Interstate Route 395 to intersect the centerline of South Martin Luther King Jr. Boulevard; thence running with the centerline of said South Martin Luther King Jr. Boulevard,

(24) Northerly, passing over West Baltimore Street at which point South Martin Luther King Jr. Boulevard becomes North Martin Luther King Jr. Boulevard, to a point formed by the intersection of the centerline of said North Martin Luther King Jr. Boulevard and the centerline of Madison Avenue, 66 feet wide; thence running with the centerline of said Madison Avenue,

(25) Northwesterly to a point formed by the intersection of said Madison Avenue and the centerline of Dolphin Street, 100 feet wide; thence running with the centerline of said Dolphin Street,

(26) Northeasterly to a point formed by the intersection of said Dolphin Street and the centerline of North Eutaw Street, 110 feet wide; thence running with the centerline of said North Eutaw Street,

(27) Southeasterly to a point formed by the intersection of said North Eutaw Street and the centerline of 29th Division Street, 66 feet wide (formerly West Hoffman Street); thence running with the centerline of said 29th Division Street,

(28) Northeasterly to a point formed by the intersection of said 29th Division Street and the centerline of Bolton Street, varying in width; thence running with the centerline of said Bolton Street,

(29) Northwesterly to a point formed by the intersection of said Bolton Street and the centerline of said Dolphin Street; thence running with the centerline of said Dolphin Street,

(30) Northeasterly to a point formed by the intersection of the centerline of said Dolphin Street and the centerline of North Howard Street, 80 feet wide; thence running with the centerline of said North Howard Street,

(31) Northerly to a point formed by the intersection of said North Howard Street and the centerline of West North Avenue; thence running with the centerline of said West North Avenue,

(32) Easterly, passing over North Charles Street at which point said West North Avenue becomes East North Avenue, to the place of beginning.

3805.3.2 Southeast Zone. The area within the following boundaries is the "Southeast Traffic-Mitigation Zone":

BEGINNING at a point formed by the intersection of the centerline of Orleans Street (U.S. Route 40), varying in width, and the centerline of North Patterson Park Avenue, 70 feet wide; thence departing said point so fixed and running with the centerline of said Orleans Street, with meridian reference to the Baltimore City Survey Control System the following courses:

(1) Easterly to a point formed by the intersection of said centerline of Orleans Street (U.S. Route 40) and the centerline of Pulaski Highway (U.S. Route 40), varying in width, formerly being Philadelphia Avenue as listed in Ordinance #81, Dated April 24, 1944; thence running with the centerline of said Pulaski Highway (U.S. Route 40)

(2) Easterly and Northeasterly to a point formed by the intersection of the centerline of said Pulaski Highway (U.S. Route 40) and the centerline of Erdman Avenue (Maryland Route 151), varying in width; thence running with centerline of said Erdman Avenue (Maryland Route 151)

(3) South Easterly to a point formed by the intersection of with the centerline of said Erdman Avenue (Maryland Route 151) and the centerline of Baltimore Harbor Tunnel (Interstate

Route 895) Right-of-Way; thence running with centerline of said Baltimore Harbor Tunnel Right-of-Way

(4) Southerly to a point formed by the intersection of the centerline of said Baltimore Harbor Tunnel (Interstate Route 895) Right-of-Way and the centerline of East Lombard Street, 80 feet wide, (formerly known as Bayview Avenue as listed in Ordinance #302, Dated March 30, 1977); thence running with centerline of said East Lombard Street

(5) Northerly and Easterly to a point formed by the intersection of the centerline of said East Lombard Street and the centerline of Kane Street, varying in width; thence running with the centerline of said Kane Street

(6) North Easterly to a point formed by the geometric intersection of the centerline of said Kane Street (roadway below), and the centerline of Interstate Route 95, John F. Kennedy Memorial Highway, Right-of-Way (varying in width, roadway above); thence running with the centerline of said Interstate Route 95 (John F. Kennedy Memorial Highway)

(7) Southerly and Westerly to a point formed by the geometric intersection of the centerline of said Interstate Route 95 - John F. Kennedy Memorial Highway,(roadway above), and the centerline of Gusryan Street (roadway below), 60 feet wide; thence running with the centerline of said Gusryan Street

(8) Southerly to a point formed by the intersection of the centerline of said Gusryan Street and the centerline of O'Donnell Street, 60 feet wide; thence running with the centerline of said O'Donnell Street

(9) Westerly to a point formed by the intersection of the centerline of said O'Donnell Street and the centerline of Broening Highway, varying in width; thence running with the centerline of said Broening Highway

(10) Southerly to a point formed by the intersection of the centerline of said Broening Highway and the centerline of Keith Avenue, varying in width; thence running with the centerline of said Keith Avenue

(11) Westerly running with the centerline of said Keith Avenue to a point formed by the intersection of said Keith Avenue and Interstate Route 95 (Fort McHenry Tunnel), as shown on Baltimore City Block Plat-Ward 1, Section 10, Block 1903-D, dated August 1963, varying in width; thence running with the centerline of said Interstate Route 95 (Fort McHenry Tunnel)

(12) Southwesterly to a point formed by the intersection of the centerline of said Interstate Route 95 (Fort McHenry Tunnel) and the centerline of Northwest Branch; thence departing lastly mentioned point of intersection and running with the centerline of the Northwest Branch

(13) Northerly and Westerly to a point formed by the intersection of the centerline of said Northwest Branch and a line crossing the Northwest Branch of the Patapsco River, if drawn between a point labeled VI and a point labeled LIV, both being shown on a plat entitled "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 2 of 6, File 13 Map 849 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District; thence departing lastly mentioned point of intersection and running

(14) In a Easterly direction to a point labeled VI, as shown on lastly mentioned plat; thence departing said point VI, binding on and running in a

(15) Southerly direction with the South 10° 17' 58" East 424.29 foot line as shown on lastly mentioned plat to end thereof and a point labeled VII; thence departing said point VII, binding on and running

(16) In a Southerly direction with the South 52° 18' 41" East, 1018.66 foot line as shown on lastly mentioned plat, to point formed by the intersection of said South 52° 18' 41" East, 1018.66 foot line and a line drawn due south from a point formed by the intersection of the centerline

of the former bed of Albemarle street, varying in width, and the centerline of Lancaster Street, 52 feet wide; thence departing last point of intersection and running

(17) Due North to a point formed by the intersection of said former bed of Albemarle Street and the centerline of said Lancaster Street; thence departing last point of intersection and running with the centerline of former bed of said Albemarle Street

(18) Northwesterly to the center of Albemarle Street Round-bout; thence departing lastly mentioned point and running with the centerline of Felicia Street Corridor

(19) Northwesterly to a point formed by the intersection of thecenterline of said Felicia Street Corridor / South President Street Corridor and the centerline of Fleet Street, varying in width; thence running with the centerline of South President Street Corridor, varying in width

(20) Northwesterly, passing over East Baltimore Street at which point said South President Street Corridor becomes North President Street Corridor, varying in width, to a point formed by the intersection of said North President Street Corridor and the centerline of East Fayette Street, varying in width; thence running with the centerline of said East Fayette Street

(21) Northeasterly to a point formed by the intersection of the centerline of said East Fayette Street and the centerline of The Fallsway, varying in width; thence running with the centerline of said The Fallsway

(22) Northerly to a point formed by the intersection of the centerline of said The Fallsway and the centerline of Hillen Street, 66 feet wide; thence running with the centerline of said Hillen Street

(23) Northeasterly to a point formed by the intersection of said Hillen Street and the centerline of North Exeter Street, varying in width; thence running with the centerline of said North Exeter Street

(24) Southwesterly to a point formed by the intersection of said North Exeter Street and the centerline of Orleans Street (U.S. Route 40), 66 feet wide; thence running with the centerline of said Orleans Street (U.S. Route 40)

(25) Westerly to the place of beginning.

3805.3.3 South Baltimore/Middle Branch Zone. The area within the following boundaries is the "South Baltimore/Middle Branch Traffic-Mitigation Zone":

BEGINNING for the same at a point formed by the geometric intersection of the centerline of South Martin Luther King, Jr. Boulevard, varying in width, and the centerline of Russell Street (Baltimore-Washington Parkway MD 295/129), varying in width; thence running with centerline of said Russell Street with meridian reference to the Baltimore City Survey Control System, the following courses:

(1) Southwesterly to a point formed by the geometric intersection of said centerline of said Russell Street (Baltimore-Washington Parkway MD 295/129) and the centerline of Interstate Route 95 (John F. Kennedy Memorial Highway), varying in width; thence running with the centerline of said Interstate Route 95

(2) Westerly to a point formed by the intersection of the centerline of said Interstate Route 95 and the centerline of the ramp from south bound South Monroe Street to said Baltimore-Washington Parkway (MD 295/129); thence running with the centerline of said ramp

(3) Southerly to a point formed by centerline of said ramp and centerline of Southbound MD 295 (Baltimore-Washington Parkway); thence running with said Southbound MD 295 (Baltimore-Washington Parkway)

(4) Southerly to a point formed by the intersection of said Southbound MD 295 (Baltimore-Washington Parkway) and the centerline of Waterview Avenue (MD Route 648), varying in width; thence running with the centerline of said Waterview Avenue

(5) Westerly to a point formed by the intersection of centerline of said Waterview Avenue and the centerline of Annapolis Road (also MD Route 648), varying in width; thence running with centerline of said Annapolis Road

(6) Southerly to a point formed by the centerline of said Annapolis Road and centerline of a Railroad Right-of-Way owned by the CSX Transportation, Inc.; thence running with the centerline of said CSX Right-of-Way

(7) South Easterly to a point formed by the centerline of said CSX Right-of-Way and the centerline of Reedbird Avenue, 60 feet wide, as shown on Block Plat 7612-L; thence running with centerline of said Reedbird Avenue

(8) North Easterly to a point formed by the intersection of centerline said Reedbird Avenue and the centerline of Potee Street (MD Route 2), 66 feet wide; thence running with the centerline of said Potee Street

(9) South Easterly to a point formed by the intersection of the centerline of said Potee Street and the centerline of Frankfurst Avenue, 80 feet wide; thence running with the centerline of said Frankfurst Avenue

(10) Easterly to a point formed by the intersection of said Frankfurst Avenue and the centerline of of Interstate Route 895 (Harbor Tunnel Throughway), varying in width; thence departing lastly mentioned point of intersection and running

(11) Due North to the centerline of the Patapsco River Channel as shown on a plat entitled "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 3 of 6, File 13 Map 849 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District; thence running with centerline of said Patapsco River Channel

(12) Easterly to a point formed by the intersection of centerline of said Patapsco River Channel and the centerline of Northwest Branch; thence departing lastly mentioned point of intersection and running with the centerline of the Northwest Branch

(13) Northerly and Westerly to a point formed by the intersection of the centerline of said Northwest Branch and a line crossing the Northwest Branch of the Patapsco River, if drawn between a point labeled VI and a point labeled LIV, both being shown on a plat entitled "Pierhead and Bulkhead Lines, Baltimore Harbor, Maryland" Sheet 2 of 6, File 13 Map 849 dated July 13, 1950 and prepared by the Corps of Engineers, Baltimore District; thence departing lastly mentioned point of intersection and running

(14) In a Westerly direction to a point labeled LIV, as shown on lastly mentioned plat; said point LIV also being labeled 16 on a plat entitled "Harborview Subdivision Plan" and recorded among the Land Records of Baltimore City, Maryland, in Plat Book S.E.B., Page 3187; thence departing said point 16 (aka LIV) and running with the South 74° 47' 38" East, 30.90 foot line, reversely and

(15) In a Northwesterly direction to the beginning thereof and a Point labeled 15, as shown on lastly mentioned plat; thence running with the North 02° 06' 20" West, 340.82 foot line reversely and

(16) In a Southerly direction as shown on the lastly mentioned plat, and binding on, in part, the east side of the former bed of Covington Street, if projected, to a point formed by the intersection of the east side of said Covington Street and Key Highway; thence running with the centerline of said Key Highway

(17) Westerly to a point formed by the intersection of the centerline of said Key Highway and the centerline of Light Street, 82.5 feet wide; thence running with the centerline of said Light Street

(18) Southerly to a point formed by the intersection of the centerline of said Light Street and the centerline of East Montgomery Street, 82 feet wide; thence running with the centerline of said East Montgomery Street

(19) Westerly to a point formed by the intersection of the centerline of said East Montgomery Street and the centerline of South Charles Street, 66 feet wide; thence running with the centerline of said South Charles Street

(20) Southerly to a point formed by the intersection of the centerline of said South Charles Street and the centerline of West Churchill Street, 20 feet wide; thence running with the centerline of said West Churchill Street

(21) Westerly to a point formed by the intersection of the centerline of said West Churchill Street and the centerline of South Hanover Street, 66 feet wide; thence running with the centerline of said South Hanover Street

(22) Northerly to a point formed by the intersection of the centerline of said South Hanover Street and the centerline of West Montgomery Street, 35 feet wide; thence running with the centerline of said West Montgomery Street

(23) Northwesterly to a point formed by the intersection of the centerline of said West Montgomery Street and the centerline of South Sharp Street, 66 feet wide; thence running with the centerline of said South Sharp Street

(24) Southwesterly to a point on the south side of West Henrietta Street, 66 feet wide; thence binding on and running with the south side of said West Henrietta Street

(25) Northwesterly to a point on the west side of said South Sharp Street and the beginning of the second line of a parcel of land described in a conveyance from Congress Hall Square Limited Partnership, unto CHS Swim Club, Inc. by deed dated May 26, 1987 and recorded among aforesaid Land Records in Liber S.E.B. No. 1319, Folio 231; thence running with the second or North 70° 05' 00" West, 99.74 foot line,

(26) In a Northwesterly direction, as described in said deed, passing over the end thereof and crossing Interstate Route 395 to intersect the centerline of South Martin Luther King Jr. Boulevard; thence running with the centerline of said South Martin Luther King Jr. Boulevard

(27) Northwesterly to the point of beginning.

3805.3.4 East Zone. The area within the following boundaries is the "East Traffic-Mitigation Zone":

BEGINNING for the same at the point formed by the intersection of the centerline of North Calvert Street, 60 feet wide, and the centerline of East North Avenue, varying in width; thence departing said point so fixed and running with the centerline of said East North Avenue, with meridian reference to the Baltimore City Survey Control System the following courses:

(1) Easterly to a point formed by the intersection of the centerline of said East North Avenue and the centerline of North Broadway, 130 feet wide; thence running with the centerline of said North Broadway

(2) Southerly to a point formed by the intersection of the centerline of said North Broadway and a point formed by the centerline of a Railroad Right of Way; thence running with the centerline of said Railroad Right of Way

(3) Southeasterly to a point formed by the intersection of said Railroad Right of Way and the centerline of North Patterson Park Avenue, 70 feet wide; thence running with the centerline of said North Patterson Park Avenue

(4) Southerly direction to a point formed by the intersection of said North Patterson Park Avenue and the centerline of Orleans Street (U.S. Route 40), 66 feet wide; thence running with the centerline of said Orleans Street (U.S. Route 40)

(5) Westerly to a point formed by the intersection of said Orleans Street (U.S. Route 40) and North Exeter Street (varying in width); thence running with the centerline of said North Exeter Street

(6) Northwesterly to a point formed by the intersection of the centerline of said North Exeter Street and the centerline of Hillen Street (66' wide); thence running with the centerline of said Hillen Street

(7) Southwesterly to a point formed by the intersection of the centerline of said Hillen Street and the centerline of The Fallsway (varying in width); thence running with the centerline of said The Fallsway

(8) Northerly to a point formed by the geometric intersection of the centerline of said The Fallsway and the centerline of Interstate Route 83 Right of Way below; thence running with the centerline of said Interstate Route 83

(9) Northwesterly direction to the point formed by the geometric intersection of the centerline of said Interstate Route 83 Right of Way and the centerline of said North Calvert Street above; thence running with the centerline of said North Calvert Street to the place of beginning.

3805.3.5 Southwest Zone. The area within the following boundaries is the "Southwest Traffic-Mitigation Zone":

BEGINNING for the same at the point formed by the intersection of the centerline of West Mulberry (aka US Route 40) and the centerline of North Martin Luther King, Jr. Boulevard, varying in width; thence running with the centerline of said North Martin Luther King, Jr. Boulevard, with meridian reference to the Baltimore City Survey Control System, the following courses:

(1) Southerly and Southeasterly, passing over West Baltimore Street whereas said North Martin Luther King, Jr. Boulevard becomes South Martin Luther King, Jr. Boulevard, varying in width, to a point formed by the intersection of the centerline of said South Martin Luther King, Jr. Boulevard and the centerline of Russell Street (Baltimore-Washington Parkway, MD I-295), 160 feet wide; thence running with the centerline of said Russell Street

(2) Southwesterly and Westerly to a point formed by the intersection of the centerline of said Russell Street and the centerline of Interstate Route 95 (John F. Kennedy Memorial Highway), varying in width; thence running with the centerline of said Interstate Route 95

(3) Westerly to a point formed by the intersection of the centerline of said Interstate Route 95 and the centerline of Washington Boulevard, 49.5 feet wide; thence running with the centerline of said Washington Boulevard

(4) Northeasterly to a point formed by the intersection of the centerline of said Washington Boulevard and the North 44° 31' 29" West 1,544.00 foot line, as shown on a plat entitled "Subdivision Of The Lands Of 998 Monroe Corporation" dated May 26, 1994 and recorded among the Land Records of Baltimore City in Plat Book S.E.B. 3479, if projected Southeasterly; thence binding on and running with said projected line, reversely

(5) North 44° 31' 29" West 1,544.00 feet to a point designated as "508" as shown on said plat; thence binding on and running with the north-west boundary line of Lot 1 as shown on said plat

(6) North 45° 24' 52" East 1,109.33 feet line to a point designated as "509" as shown on said plat and located along the south side of the former bed of Putnam Street, also known as the former bed of The Baltimore and Ohio Railroad Right-of-Way, and currently the south side of CSX Transportation, Inc. property; thence binding on and running with the north-east boundary line of Lot 1 as shown on said plat

(7) South 44° 31' 29" East to intersect the last line of the second parcel of land conveyed by Carroll Park, LLC, to Washington-Monroe, LLC, by deed dated September 7, 2001 and recorded among said the Land Records in Liber F.M.C. 1719, Folio 30, if projected in a

Southerly direction; thence binding on and running with said last line of second parcel so projected

(8) North 44° 42' 07" East, passing over the north side of said CSX Transportation, Inc. property and the south west side of South Monroe Street, 66 feet wide, to the centerline of said South Monroe Street; thence running with the centerline of said South Monroe Street

(9) Northwesterly and Northerly to a point formed by the intersection of the centerline of said South Monroe Street and the "southern property line" of the B&O Railroad Museum, Incorporated property as described in a deed dated August 14th, 1991, by and between CSX Transportation, Inc. et al to B&O Railroad Museum, Incorporated as recorded among said Land Records in Liber S.E.B. 3638, Folio 208; thence binding and running with the said "southern property line" of the B&O Railroad Museum, Incorporated property

(10) Northeasterly to a point formed by the intersection of said "southern property line" of the B&O Railroad Museum, Incorporated property and the centerline of South Carey Street, 80 feet wide; thence binding on the centerline of said South Carey Street

(11) Northerly, passing over West Baltimore Street whereas said South Carey Street becomes North Carey Street, 80 feet wide, to a point formed by the intersection of said North Carey Street and aforesaid West Mulberry Street; thence running with the centerline of said West Mulberry Street

(12) Easterly, to the point of beginning.

Section 3806 Traffic-Mitigation Fee

3806.1 Scope of section. This § 3806 is applicable to all proposed projects located inside of a Traffic-Mitigation Zone.

3806.2 General. A Traffic-Mitigation Fee is a payment that, by authority of Charter Article II, §§ (40) and (47), must be paid for projects that meet the criteria established in § 3802.3 {"Within Traffic-Mitigation Zone"}.

3806.2.1 Application and processing fee. An application to begin the required Traffic-Mitigation Fee process must be:

1. made in the form and within the time frame set forth in the rules and regulations adopted under this Chapter; and

2. accompanied by a processing fee in the amount set by these rules and regulations.

3806.3 Assessment of fee.

3806.3.1 Trip formula. The rules and regulations adopted under this Chapter must establish:

1. procedures for determining the number of trips attributable to various types of projects in a particular Traffic-Mitigation Zone or Subzone; and

2. adjustment factors for calculating the number of non-single-occupant-vehicle trips attributable to various types of projects.

3806.3.2 Fee Rates. The fee rate per trip is as set by the Board of Estimates, in consultation with the Director, for each Zone.

3806.3.2.1 Temporary limitation on Fee Rate increases. For the period beginning when a fee rate is initially set for a Zone, and ending on December 31, 2016, the Board of Estimates may not increase the fee rate for that Zone more often than once every 5 years.

3806.3.3 Fee formula. The amount of the Traffic-Mitigation Fee assessed on a specific project is determined by multiplying:

1. the applicable rate per trip, as of the date that the permit is applied for, for the Zone where the project is located, by

2. the number of trips that the Department of Transportation attributes to the project using the procedure established under § 3806.3.1.

3806.4 Trip-Generation Credits.

3806.4.1 General. The Director must issue trip-generation credits to any proposed project that meets the requirements of this § 3806.4. Each credit issued reduces by 1 the number of trips used to calculate the amount of the Traffic-Mitigation Fee under § 3806.3.

3806.4.2 Authorized credits. Trip-generation credits are authorized as follows.

3806.4.2.1 Negotiated agreement. The Director may agree to issue trip-generation credits for a proposed project if:

1. the Mayor and City Council enter into a binding, written mitigation agreement with the developer of the project that requires the performance of specific actions that the Director determines will reduce the number of trips actually generated by the project,

2. the mitigation agreement requires the developer to require all subsequent purchasers or occupants of the property to abide by the ongoing requirements of the mitigation agreement,

3. the mitigation agreement includes a mechanism making it binding on all future successors and assigns who may acquire any interest in the property in the future,

4. the mitigation agreement requires the Director to issue a number of credits equivalent to the number of trips that the director calculates will be avoided through the actions agreed to by the developer, and

5. the mitigation agreement, together with any adjustment factors calculated using the procedure established under § 3806.3.1(2), does not reduce the total number of trips that would otherwise be used to calculate the Traffic-Mitigation Fee by more than 50%.

3806.4.2.2 Change in occupancy within 1 year. For the change in occupancy of a structure that has been vacant for less than 1 year before the date of application for a permit, the Director must issue trip-generation credits equivalent to the number of trips attributable to the previous use, as calculated using the procedure established under § 3806.3.1 {"Trip formula"}.

3806.4.3 Buy-out of credits. An owner or occupier of property that has benefitted from the issuance of trip-generation credits may not change the use of the property in any way that would no longer qualify the property for 1 or more trip-generation credits previously issued unless the owner or occupier first cancels the previously issued credits.

3806.4.3.1 Formula. To cancel those credits, the owner or occupier must pay to the Director of Finance an amount equal to the greater of:

1. the number of trip-generation credits being canceled, multiplied by the Traffic-Mitigation Fee rate that was in force for the Zone when the credits were issued, or

2. the number of trip-generation credits being canceled, multiplied by the Traffic-Mitigation Fee rate that is in force in the Zone when the credits are cancelled.

3806.4.4 Obligation created by acceptance of credits. The acceptance of trip-generation credits under this § 3806.4 creates a binding obligation on the persons accepting the credits to fulfill the representations and agreements that allowed the credits to be issued. In addition to any other remedy or enforcement action, the Director may enforce these obligations by seeking both legal and equitable remedies.

3806.5 Right-of-way dedication set-off. If an applicant controls property that the Director determines to be necessary for the construction of a traffic-mitigation project, the Director may accept the dedication of the needed property to the City's use and issue a set-off credit toward the Traffic-Mitigation Fee assessed on a project in exchange. The total amount of the Traffic-Mitigation Fee to be paid would then be reduced by the appraised value of the property dedicated to City use.

3806.6 Payment of Fees.

3806.6.1 $50,000 or less. If the Traffic-Mitigation Fee assessed for a proposed project is $50,000 or less, the Fee must be paid to the Director of Finance in full before any permits for the work are issued.

3806.6.2 More than $50,000. If the Traffic-Mitigation Fee assessed for a proposed project is more than $50,000, the Director of Transportation may negotiate installment payments to be made over a period of up to 5 years from the issuance of a building permit for all amounts in excess of $50,000. The initial payment of at least $50,000 must be paid to the Director of Finance in full before any permits for the work are issued. Any installment plan under this § 3806.6.2 requires the approval of the Board of Estimates to become effective.

3806.6.2.1 Interest to be charged on installment payments. If a Traffic-Mitigation Fee is to be paid in installments under an agreement authorized by § 3806.6.2, installment payments must include an additional interest charge at the current City borrowing rate as determined by the Director of Finance.

Section 3807 Use of Fees

3807.1 Separate revenue accounts. Traffic-Mitigation Fees collected under this Chapter are to be deposited to the General Fund and accounted for in separate revenue accounts designated to indicate precisely how much revenue is derived from each Traffic-Mitigation Zone.

3807.2 Fees to benefit Zone of origin. Subject to appropriation, revenue derived from Traffic- Mitigation Fees in each Traffic-Mitigation Zone must be used only for the purposes described in § 3807.3 or for:

1. designing and constructing projects to benefit the transportation infrastructure of the Zone from which the fees derive, as approved by the Planning Commission in the Traffic-Management Plan adopted under § 3805.2 {"Traffic-Management Plans"}.

2. designing and constructing projects to benefit the transportation infrastructure of the Zone from which the fees derive, as certified by the Director, if the Planning Commission has not adopted a Traffic-Management Plan under § 3805.2, or

3. defraying the planning and administrative costs, of no more than 10% of all revenue collected, of implementing this Chapter.

3807.3 Fees may defray cost of site access improvements.

3807.3.1 Site access improvements. Subject to the approval of the Board of Estimates, the Director may permit up to 33% of the Traffic Mitigation Fee, after deduction of credits, paid by an applicant to be used for minor site access improvements, including turning lanes, acceleration/deceleration lanes, traffic signals, or similar improvements.

3807.3.2 Use of Fees. Fees appropriated under this § 3807.3 may be either:

1. rebated to the applicant pursuant to an agreement requiring the applicant to construct these improvements; or

2. retained by the City for the purpose of constructing these improvements.

3807.3.2.1 No rebates until remainder of fees paid. A developer may not receive a rebate of any fees under this § 3807.3.2 until the remaining Traffic-Mitigation Fees have been paid to the City.

3807.4 Annual accounting. With the assistance of the Department of Finance, the Director must annually produce and provide to the Board of Estimates an accounting that shows:

1. the cumulative revenue derived from Traffic-Mitigation Fees in each Traffic-Mitigation Zone; and

2. the cumulative expenditures or appropriations for projects that benefit the transportation infrastructure of each Zone.

3807.5 Return of unobligated fees.

3807.5.1 Review of fee use. If an applicant who has paid a Traffic-Mitigation Fee for a project believes that the fee has not been obligated to a specific project within 6 years of final payment, the applicant may request a review of the fee's use by the Director. The Director must then determine if the fee in question, or any portion of it, has, within 6 years of payment, been obligated to a specific project.

3807.5.2 Refund of unobligated fees. If the Director's review under § 3807.5.1 determines that a fee has not been entirely obligated to a specific project within 6 years of payment, any unobligated portion of the fee must be refunded to the applicant upon the Board of Estimate's appropriation of the necessary funds.

3807.5.3 Accounting method to be published. The Director, in consultation with the Department of Finance, must establish a standardized method for determining how specific fees are allocated to particular projects for purposes of a review under § 3807.5.1. This accounting method must be included in the rules and regulations adopted under this Chapter.

Section 3808 Enforcement

3808.1 General. A violation of any provision of this Chapter, of a rule or regulation adopted under this Chapter, or of an agreement entered into under this Chapter constitutes a violation of this Code, subject to the enforcement, penalty, and other provisions of § 114 {"Violations"} and related sections of this Code.

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Appendix A
Employee Qualifications
{Not Adopted}

Appendix B
Board of Appeals
{Not Adopted}

Appendix C
Group U – Agricultural Buildings

Section C101. General

101.1 Scope. ***{As in IBC}***

Exceptions: Shade cloth or plastic film structures, commonly known as "hoophouses", constructed for nursery or agricultural purposes. not including service systems. The covering of the structure must be a material that conforms to NFPA 701 standards.

Sections C102 to C104 ***{As in IBC}***

Appendix D
Downtown Fire District

Section D101 Fire District

The Downtown Fire District comprises all of the following area (boundary lines to be in the center of the specified streets):

Beginning at the intersection of Fallsway and Madison Street, thence in a general southerly and southeasterly direction along Fallsway to Baltimore Street, thence westerly along Baltimore Street to West Falls Avenue, thence southerly along West Falls Avenue to Pratt Street, thence easterly along Pratt Street to East Falls Avenue, thence southerly along East Falls Avenue to Aliceanna Street, thence westerly along an imaginary line connecting the intersection of East Falls Avenue and Aliceanna Street to the intersection of Light Street and Lee Street, thence westerly along Lee Street to Russell Street, thence northerly along Russell Street to Greene Street, thence northerly along Greene Street to Pennsylvania Avenue, thence northwesterly along Pennsylvania Avenue to St. Mary Street, thence northeasterly along St. Mary Street to Eutaw Street, thence southerly along Eutaw Street to Madison Street, thence easterly along Madison Street to its intersection with Fallsway, the point of beginning.

Section 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 § 503 {"General Building Height and Area Limitations"} of this Code, and

2. of 1 of the following types of construction, as defined in Chapter 6 {"Types of Construction"} and regulated in Tables 601 {"Fire-Resistant Rating Requirements for Building Elements"} and 602 {"Fire-Resistant Rating Requirements for Exterior Walls"} 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).

Section 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 {"Types of Construction"} of this Code.

Sections D104 to D106 *{Not Adopted}*

Appendix E
Supplementary Accessibility Requirements
{Not Adopted}

Appendix F
Rodentproofing
{As in IBC}

Appendix G
Flood-Resistant Construction
{Not Adopted}

Appendix H
Signs

Sections H101 to H102 *{As in IBC}*

Section H103 Location

H103.1 Location restrictions – General. *{As in IBC}*

H103.2 Location restrictions – Charles Street corridor. On either side of Charles Street from Baltimore Street to Mount Royal Avenue, no sign may extend or project more than 8 inches (203.2 mm) beyond the building wall proper.

Sections H104 to H111 *{As in IBC}*

Section H112 Projecting Signs

H112.1 to H112.5 *{As in IBC}*

H112.6 Clearance. A vertical clearance of 10 feet (3.05m) must be maintained below each projecting sign.

Sections H113 to H115 *{As in IBC}*

Appendix I
Patio Covers
{As in IBC}

Appendix J
Grading

Section J101 General

J101.1 Scope. *{As in IBC}*

J101.2 Flood hazard areas. Unless the applicant has submitted an engineering analysis, prepared in accordance with standard engineering practice by a registered design professional, that demonstrates the proposed work will not result in any increase in the level of the base flood, grading, excavation, and earthwork construction, including fills and embankments, is not permitted in floodways that are in flood hazard areas or in flood hazard areas where design flood elevations are specified but floodways have not been designated.

Sections J102 to J111 *{As in IBC}*

Appendix K
Administrative Provisions
{Not Adopted}

Appendix L
Earthquake Recording Instrumentation
{Not Adopted}

Appendix M
Tsunami-Generated Flood Hazard
{Not Adopted}

APPENDIX N
REPLICABLE BUILDINGS
{NOT ADOPTED}

PART III. NATIONAL ELECTRICAL CODE

§ 3-101. City adoption.

(a) *In general.*

The National Electrical Code ([2014] 2017 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}***

(D) INFORMATIVE ANNEXES. ***{AS IN NEC}***

Sections 90.6 to 90.9 ***{As in NEC}***

Chapter 1
General

Article 100 Definitions

SCOPE: ***{AS IN NEC}***

Section 100.1 In general.

Except as provided in § 100.2 of this Code, terms that are used in these regulations and defined in the National Electrical Code ([2014] 2017 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 Baltimore City Building Code.

Article 110 Requirements for Electrical Installations

Sections 110.1 to 110.25 ***{As in NEC}***

Section 110.26 Spaces About Electrical Equipment. ***{Introductory paragraph as in NEC}***

(A) - (D) ***{As in NEC}***

(E) 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) of this Code, 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}*

(2) Outdoor. *{As in NEC}*

(F) Locked Electrical Equipment Rooms or Enclosures. *{As in NEC}*

Sections 110.27 to 110.33 *{As in NEC}*

Section 110.34 Work Space and Guarding

(A) - (E) *{As in NEC}*

(F) Protection of Service Equipment. Pipes or ducts foreign to the electrical installation may not be located in the spaces dedicated to the electrical equipment as described in § 110.26(E)(1)(a) and § 110.34(A) of this Code. Piping and other facilities are not considered foreign if they are provided for fire protection of the electrical installation.

Sections 110.36 to 110.79 *{As in NEC}*

Chapter 2
Wiring and Protection

Article 200 Use and Identification of Grounded Conductors *{As in NEC}*

Article 210 Branch Circuits

Sections 210.1 to 210.4 *{As in NEC}*

Section 210.5 Identification for Branch Circuits.

(A) - (B) *{As in NEC}*

(C) Identification of Ungrounded Conductors.

(1) - (2) *{As in NEC}*

(3) Branch Circuits. Conductors #10 and smaller must carry the appropriate identification color their entire length.

Sections 210.6 to 210.10 *{As in NEC}*

Section 210.11 Branch Circuits Required. *{Introductory paragraph as in NEC}*

(A) - (B) *{As in NEC}*

(C) Dwelling Units.

(1) - [(3)] (4) *{As in NEC}*

Exception: *{As in NEC}*

[(4)] (5) Window Air Conditioner Branch Circuits. A circuit for a cord-connected window air conditioner must contain a dedicated receptacle.

Sections 210.12 to 210.22 *{As in NEC}*

Section 210.23 Permissible Loads, Multiple-Outlet Branch Circuits. *{Introductory paragraph as in NEC}*

(A) - (D) *{As in NEC}*

(E) Circuits for Fuel-Burning Equipment. For fuel-burning equipment such as oil and gas burners and stokers, 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.

(F) Controls. Oil burners, other than oil stoves 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.

(G) Disconnects For Fuel-Burning Equipment. Fuel-burning equipment must be supplied with 2 emergency disconnect switches. One switch must be installed on the equipment and the other in a convenient location that is near the entrance to the area where the equipment is located. These switches must be able to manually stop the flow of fuel to the burner and must be identified as emergency disconnects.

Sections 210.24 to [210.70] 210.71 *{As in NEC}*

Articles 215 to 220 *{As in NEC}*

Article 225 Outside Branch Circuits and Feeders

Sections 225.1 to 225.27 *{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.

(7) ***{AS IN NEC}***

(B) - (C) ***{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}***

Article 230 Services

Section 230.1 Scope. ***{As in NEC}***

Section 230.2 Number of Services. ***{Introductory paragraph as in NEC}***

(A) Special Conditions. Additional services are permitted to supply the following:

(1) ***{As in NEC}***

(2) ***{Not Adopted}***

(3) - (5) ***{As in NEC}***

(6) Systems designed for connection to multiple sources of supply for purposes of enhanced reliability, if supplied from different utility transformers and connected by the tie breaker.

(B) - (C) ***{As in NEC}***

(D) Different Characteristics. By special permission, additional services may be used for different voltages (where compatible), frequencies, or phases, or for different uses, such as for different rate schedules.

(E) Identification. ***{As in NEC}***

Sections 230.3 to 230.23 *{As in NEC}*

Section 230.24 Clearances. *{Introductory paragraph as in NEC}*

(A) - (E) *{As in NEC}*

(F) Clearance Above Decks. Conductors must have a vertical clearance of at least 8' at the lowest point above the deck surface.

Sections 230.26 to 230.33 *{As in NEC}*

Section 230.40 Number of Service-Entrance Conductor Sets. Each service drop or lateral may supply only 1 set of service-entrance conductors.

Exceptions:

1. {As in NEC, but by Special Permission Only}

2. - 5. {As in NEC}

Sections 230.41 to 230.212 *{As in NEC}*

Article 240 Overcurrent Protection *{As in NEC}*

Article 250 Grounding and Bonding

Sections 250.1 to 250.50 *{As in NEC}*

Section 250.52 Grounding Electrodes.

(A) Electrodes Permitted for Grounding. *{As in NEC}*

(B) Not Permitted for Use as Grounding Electrodes. The following may not be used as grounding electrodes:

(1) Gas piping or any other metallic piping or tank that contains flammable liquids

(2) *{As in NEC}*

(3) *{AS IN NEC}*

Sections 250.53 to 250.66 *{As in NEC}*

Section 250.68 Grounding Electrode Conductor and Bonding Jumper Connection to Grounding Electrodes. *{Introductory Paragraph as in NEC}*

(A) Accessibility. The connection of a grounding electrode conductor or bonding jumper conductor to a grounding electrode must be:

(1) ahead of all turnoff valves and unions, and

(2) accessible.

Exceptions*: *{As in NEC}

(B) Effective Grounding Path. ***{As in NEC}***

(C) Grounding Electrode Connections. ***{As in NEC}***

Sections 250.70 to 250.194 ***{As in NEC}***

Articles 280 to 285 ***{As in NEC}***

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 334.24 ***{As in NEC}***

Section 334.30 Securing and Supporting. Nonmetallic-sheathed cable must be supported and secured by insulated (or, in a single-family dwelling, even by non-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}***

Sections 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 386.120 ***{As in NEC}***

Articles 388 to 399 ***{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}*

Section 422.47 Water Heater Controls. *{Introductory paragraph as in NEC}*

(1) - (2) *{As in NEC}*

(3) Disconnecting Means. Circuits that supply water heaters must have a disconnecting means other than the overcurrent device. This disconnecting means must be installed close to the water heater.

Exceptions: *{As in NEC}*

Sections 422.48 to 422.62 *{As in NEC}*

Articles 424 to 490 *{As in NEC}*

Chapter 5
Special Occupancies

Articles 500 to 522 *{As in NEC}*

Article 525 Carnivals, Circuses, Fairs, and Similar Events.

Sections 525.1 to 525.20 *{As in NEC}*

Section 525.21 Rides, Tents, and Concessions.

(A) - (B) *{As in NEC}*

(C) Electrical Lamps. Electrical fixtures must be so installed that lamps are kept at least 8 inches (203 mm) away from tent canvas or other combustible materials.

Section 525.22 Portable Distribution or Termination Boxes. Portable distribution or termination boxes must comply with all of the requirements of this § 525.22.

(A) - (D) *{As in NEC}*

(E) Junction Boxes. Taps and connections within 8 feet (2.44 m) of the ground must be made in junction boxes that are kept locked at all times when the public is on the grounds. Metal junction boxes must be grounded.

Sections 525.23 to 525.32 *{As in NEC}*

Articles 530 to 590 *{As in NEC}*

Chapter 6
Special Equipment

Article 600 Electric Signs and Outline Lighting

Sections 600.1 to 600.5 *{As in NEC}*

Section 600.6 Disconnects. *{Introductory paragraph as in NEC}*

Exceptions: *{As in NEC}*

(A) Location. *{Introductory paragraph as in NEC}*

(1) At Point of Entry to a Sign Enclosure. The disconnect shall be located at the point the feeder circuit or branch circuit(s) supplying a sign or outline lighting system enters a sign enclosure in accordance with § 600.5(C)(3) and shall disconnect all wiring where it enters the enclosure of the sign.

[*Exception*] *EXCEPTIONS:*

1. *{Not Adopted}*

2. *{AS IN NEC}*

(2) - (3) *{As in NEC}*

(B) Control Switch Rating. *{As in NEC}*

Sections 600.7 to 600.42 *{As in NEC}*

Articles 604 to 694 *{As in NEC}*

Article 695 Fire Pumps

Sections 695.1 to 695.2 *{As in NEC}*

Section 695.3 Power Source(s) for Electric Motor-Driven Fire Pumps. *{Introductory paragraph as in NEC}*

(A) - (C) *{As in NEC}*

(D) On-Site Standby Generator as Alternate Source. *{Introductory paragraph as in NEC}*

(1) Capacity. *{As in NEC}*

(2) Connection. A tap ahead of the generator disconnecting means is required.

(3) Adjacent Disconnects. The requirements of § 430.113 of this Code apply.

(E) - [(G)] (I) ***{As in NEC}***

Sections 695.4 to 695.5 ***{As in NEC}***

Section 695.6 Power Wiring. ***{Introductory paragraph as in NEC}***

(A) Supply Conductors. ***{As in NEC}***

(1) - (2) ***{As in NEC}***

Exception **to (A)(2)(d):** ***{Not Adopted}***

(B) - (J) ***{As in NEC}***

Sections 695.7 to 695.10 ***{As in NEC}***

Section 695.12 Equipment Location.

(A) - (F) ***{As in NEC}***

(G) Fire Pump Location. Fire pump and associated equipment must be located in a separate room that is enclosed with 2-hour fire-resistance-rated fire-separation assemblies.

Section 695.14 Control Wiring. ***{As in NEC}***

SECTION 695.15 SURGE PROTECTION. ***{AS IN NEC}***

Chapter 7
Special Conditions

Article 700 Emergency Systems

Sections 700.1 to 700.10 ***{As in NEC}***

Section 700.12 General Requirements. ***{Introductory Paragraphs as in NEC}***

(A) - (C) ***{As in NEC}***

(D) Separate Service. ***{Not Adopted}***

(E) - (F) ***{As in NEC}***

Sections 700.15 to [700.28] 700.32 ***{As in NEC}***

Article 701 Legally Required Standby Systems

Sections 701.1 to 701.10 ***{As in NEC}***

Section 701.12 General Requirements. ***{Introductory paragraphs as in NEC}***

(A) - (C) ***{As in NEC}***

(D) - (E) ***{Not Adopted}***

(F) - (G) ***{As in NEC}***

Sections 701.25 to 701.27 ***{As in NEC}***

Article 702 Optional Standby Systems

Sections 702.1 to 702.12 ***{As in NEC}***

Section 702.13 Portable Gasoline-Powered Generators. Where public utility service is available, a portable gasoline-powered generator may not be used in place of normal power source.

***Exception*:** Where power is interrupted due to emergency conditions.

Articles 705 to 770 ***{As in NEC}***

Chapter 8
Communications Systems
{As in NEC}

Chapter 9
Tables
{As in NEC}

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Annexes A to J
{Informational. Not Adopted.}

PART IV. INTERNATIONAL FUEL GAS CODE

§ 4-101. City adoption.

(a) *In general.*

The International Fuel Gas Code ([2015] 2018 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 International Fuel Gas Code.

§ 4-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1
Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Fuel Gas Code".

101.1.1 References to "this Code". Throughout this Part IV, all references to "this Code" refer to the Baltimore City Fuel Gas Code.

101.2 to 101.5 ***{As in IFGC}***

Section 102 Applicability. ***{As in IFGC}***

Section 103 Department of 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 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 Baltimore City Building Code.

103.2 to 103.3 ***{Not Adopted}***

103.4 Liability. ***{Not Adopted.*** **See** ***State Courts Article § 5-302}***

Section 104 Duties and Powers of Code Official

104.1 to 104.2 ***{As in IFGC}***

104.3 Inspections. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

104.4 Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as provided by law, including § 104 {"... Powers of Building Official"} of the Baltimore City Building Code.

104.5 Identification. ***{As in IFGC}***

104.6 Notices and orders. The Code Official may issue all notices or orders necessary to ensure compliance with this Code.

104.7 Department records. The Code Official must keep records of all of the Department's business and activities under this Code.

Section 105 Approval

105.1 Modifications. ***{As in IFGC}***

105.2 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Code Official finds in writing that, for the purpose intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

105.2.1 Research reports. ***{As in IFGC}***

105.3 to 105.5 ***{As in IFGC}***

Section 106 Permits

106.1 to 106.2 ***{As in IFGC}***

106.3 Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

106.3.1 to 106.3.2 *{Not Adopted}*

106.4 Preliminary inspection. *{As in IFGC}*

106.5 Permit issuance. *{As in IFGC}*

106.5.1 to 106.5.2 *{As in IFGC}*

106.5.3 Expiration. Unless extended, a permit expires as set forth in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.5.4 Extension. A permit may be extended as provided in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.5.5 Suspension or revocation. The Building Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

106.5.6 to 106.5.8 *{As in IFGC}*

106.6 Fees. *{As in IFGC}*

106.6.1 Work commencing before permit issuance *{Not Adopted}*

106.6.2 Fee schedule. The fees for work are as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

106.6.3 Fee refunds *{Not Adopted}*

Section 107 Inspections and Testing *{As in IFGC}*

Section 108 Violations

108.1 to 108.3 *{As in IFGC}*

108.4 Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

108.5 Stop-work orders. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

108.6 to 108.7 *{As in IFGC}*

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}*

Section 110 Temporary Equipment, Systems, and Uses ***{As in IFGC}***

Chapter 2
Definitions

Section 201 General

201.1 to 201.2 ***{As in IFGC}***

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 {"Referenced Codes"} 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 IFGC}***

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Fuel Gas Code ([2015] 2018 Edition) have the meanings given in the International Fuel Gas Code ([2015] 2018 Edition).

202.2 Supplemental definitions Notwithstanding any different definition in the International Fuel Gas Code, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code Official. "Code Official" has the meaning stated in § 103.1 of this Code.

202.2.3 Design-flood elevation. ***{Not Adopted}***.

202.2.4 Flood Hazard Area. "Flood Hazard Area" means a Regulated Flood Hazard Area established under and regulated by the Floodplain Management Code.

202.2.5 Floodplain Management Code. "Floodplain Management Code" means the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

202.2.6 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.7 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.8 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.9 Premises. "Premises" has the meaning stated in § 202.2 of the Baltimore City Building Code.

Chapter 3
General Regulations

Sections 301 General

301.1 to 301.10 ***{As in IFGC}***

301.11 Flood hazard areas. In a flood hazard area, the appliance, equipment, and system installations regulated by this code must be located at or above the elevation required by the Floodplain Management Code for electric, plumbing, and mechanical systems and their attendant components and equipment.

Exception: ***{Not Adopted}***

301.12 to 301.15 ***{As in IFGC}***

Sections 302 to 306 ***{As in IFGC}***

Section 307 Condensate Disposal

307.1 Evaporators and cooling coils. ***{As in IFGC}***

307.2 Fuel-burning appliances. ***{As in IFGC}***

307.2.1 Discharge. Condensate may not discharge into a street, alley, or other area so as to cause a nuisance. Clear water discharge must be conveyed to the storm drain where feasible unless otherwise approved by the Code Official.

307.3 Drain pipe material and sizes. ***{As in IFGC}***

307.4 Traps. ***{Not Adopted}***

307.5 Auxiliary drain pan. ***{As in IFGC}***

307.6 Condensate pumps. ***{As in IFGC}***

Sections 308 to 310 ***{As in IFGC}***

Chapter 4
Gas Piping Installations

Sections 401 to 404 ***{As in IFGC}***

Section 405 Piping Bends and Changes in Direction

405.1 General. Changes in direction of gas pipe may be made by the use of fittings. Factory bends or field bends are only permitted underground, in a location outside of any building.

405.2 to 405.4 ***{As in IFGC}***

Sections 406 to 416 ***{As in IFGC}***

Chapter 5
Chimneys and Vents
{As in IFGC}

Chapter 6
Specific Appliances

Sections 601 to 620 ***{As in IFGC}***

Section 621 Unvented Room Heaters

621.1 Prohibited. Unvented room heaters are prohibited.

621.2 to 621.7 ***{Not Adopted}***

Sections 622 to 636 ***{As in IFGC}***

Chapter 7
Gaseous Hydrogen Systems
{As in IFGC}

Chapter 8
Referenced Standards
{As in IFGC}

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Appendices A to D
{Informational. Not Adopted}

PART V. INTERNATIONAL MECHANICAL CODE

§ 5-101. City adoption.

(a) *In general.*

The International Mechanical Code ([2015] 2018 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 in this 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
Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Mechanical Code".

101.1.1 References to "this Code". Throughout this Part V, all references to "this Code" refer to the Baltimore City Mechanical Code.

101.2 to 101.4 ***{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 Baltimore City Building Code.

103.2 to 103.3 ***{Not adopted}***

103.4 Liability. ***{Not Adopted.*** **See** ***State Courts Article § 5-302}***

Section 104 Duties and Powers of Code Official

104.1 to 104.2 ***{As in IMC}***

104.3 Inspections. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

104.4 Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as provided by law, including § 104 {"...Powers of Building Official"} of the Baltimore City Building Code.

104.5 Identification. ***{As in IMC}***

104.6 Notices and orders. The Code Official may issue all notices or orders necessary to ensure compliance with this Code.

104.7 Department records. The Code Official must keep records of all of the Department's business and activities under this Code.

Section 105 Approval

105.1 Modifications. ***{As in IMC}***

105.2 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Code Official finds in writing that, for the purposes intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

105.2.1 Research reports. ***{As in IMC}***

105.3 to 105.5 ***{As in IMC}***

Section 106 Permits

106.1 to 106.2 ***{As in IMC}***

106.3 Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

106.3.1 to 106.3.3 *{Not Adopted}*

106.4 Permit issuance. *{As in IMC}*

106.4.1 to 106.4.2 *{As in IMC}*

106.4.3 Expiration. Unless extended, a permit expires as set forth in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.4.4 Extension. An expired permit may be extended as provided in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.4.5 Suspension or revocation. The Building Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

106.4.6 to 106.4.8 *{As in IMC}*

106.5 Fees. *{As in IMC}*

106.5.1 Work commencing before permit issuance. *{Not Adopted}*

106.5.2 Fee schedule. The fees for mechanical work are as provided in § 109 {"Fees"} of the Baltimore City Building Code.

106.5.3 Fee refunds. *{Not Adopted}*

Section 107 Inspections and Testing *{As in IMC}*

Section 108 Violations

108.1 to 108.3 *{As in IMC}*

108.4 Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

108.5 Stop-work orders. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

108.6 to 108.7 *{As in IMC}*

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}*

Section 110 Temporary Equipment, Systems, and Uses *{As in IMC}*

Chapter 2
Definitions

Section 201 General

201.1 to 201.2 ***{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 {"Referenced Codes"} 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 of this Code, terms that are used in this Code and defined in the International Mechanical Code ([2015] 2018 Edition) have the meanings given in the International Mechanical Code ([2015] 2018 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 Building. "Building" has the meaning stated in IMC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.2 Code Official. "Code Official" has the meaning stated in § 103.1 of this Code.

202.2.3 Design-flood elevation. "Design-flood elevation" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.4 Flood; Flooding. "Flood" or "flooding" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.5 Flood Hazard Area. "Flood Hazard Area" means a Regulated Flood Hazard Area established under and regulated by the Floodplain Management Code

202.2.6 Floodplain Management Code. "Floodplain Management Code" means the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

202.2.7 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.8 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.9 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.10 Premises. "Premises" has the meaning stated in § 202.2 of the Baltimore City Building Code.

Chapter 3
General Regulations

Section 301 General

301.1 to 301.5 ***{As in IMC}***

301.6 Fuel gas appliances and equipment. The approval and installation of fuel gas distribution piping and equipment, fuel gas-fired appliances, and fuel gas-fired appliance venting systems must be in accordance with the International Fuel Gas Code.

301.7 to 301.10 ***{As in IMC}***

301.11 Plumbing connections. Potable water supply and building drainage system connections to equipment and appliances regulated by this code must be accordance with the International Plumbing Code.

301.12 to 301.15 ***{As in IMC}***

301.16 Flood hazard areas. For structures in a flood hazard, mechanical systems, equipment, and appliances must be located at or above the elevation required by the Floodplain Management Code for electric, plumbing, and mechanical systems and their attendant components and equipment.

Exception ***{Not Adopted}***

301.16.1 High-velocity wave action. In a flood hazard area subject to high-velocity wave action, mechanical systems and equipment ~~may not be mounted on or penetrate walls intended to break away under flood loads~~ MUST MEET THE REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT CODE.

301.17 Rodentproofing. ***{As in IMC}***

301.18 Seismic resistance. ***{As in IMC}***

Section 302 Protection of Structure *{As in IMC}*

Section 303 Equipment and Appliance Location

303.1 to 303.2 ***{As in IMC}***

303.3 Prohibited locations. Fuel-fired appliances may not be located in, or obtain combustion air from, any of the following rooms or spaces:

1. sleeping rooms,
2. bathrooms,
3. toilet rooms,
4. storage closets,
5. surgical rooms, or
6. residential kitchens (except cooking appliances).

Exception: *{As in IMC}*

303.4 to [303.8] 303.9 *{As in IMC}*

Section 304 Installation

304.1 to 304.12 *{As in IMC}*

304.13 Disconnects for fuel-burning equipment. Fuel-burning equipment must be supplied with 2 emergency disconnect switches. One switch must be installed on the equipment and the other in a convenient, labeled location that is near the entrance to the area where the equipment is located. These switches must be able to manually stop the flow of fuel to the burner and must be identified as emergency disconnects.

Sections 305 to 306 *{As in IMC}*

Section 307 Condensate Disposal

307.1 Fuel-burning appliances. *{As in IMC}*

307.2 Evaporators and cooling coils. *{As in IMC}*

307.2.1 Condensate disposal. Condensate from all cooling coils or evaporators must be conveyed from the drain pan outlet to an approved place of disposal. The piping must maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1% slope). Condensate may not discharge into a street, alley, or other area so as to cause a nuisance. Clear water discharge must be conveyed to the storm drain where feasible unless otherwise approved by the Code Official.

307.2.2 Drain pipe material and sizes. *{As in IMC}*

307.2.3 Auxiliary and secondary drain systems. *{As in IMC}*

307.2.4 Traps. *{Not adopted}*

307.2.5 Drain line maintenance. *{As in IMC}*

307.3 Condensate pumps. *{As in IMC}*

Sections 308 to 312 *{As in IMC}*

Chapter 4
Ventilation
{As in IMC}

Chapter 5
Exhaust Systems

Section 501 General

501.1 to 501.2 *{As in IMC}*

501.3 Exhaust discharge. *{As in IMC}*

Exceptions:

1. *{As in IMC}*

2. *{Not adopted}*

3. *{As in IMC}*

501.3.1 Location of exhaust outlets. The termination point of exhaust outlets and ducts discharging to the outdoors shall be located with the following minimum distances:

1. to 3. *{As in IMC}*

4. Exhaust outlets serving structures in a flood hazard area must be installed at or above the elevation required by the Floodplain Management Code for electric, plumbing, and mechanical systems and their attendant components and equipment.

5. *{As in IMC}*

501.3.2 Exhaust opening protection. *{As in IMC}*

501.4 to 501.5 *{As in IMC}*

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. mechanical ventilation must be provided in accordance with § 403 of this Code,

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.

502.14.1 System requirements. The source capture system provided for stationary motor vehicles must be engineered by a registered design professional or must be factory-built equipment designed and sized for the purpose.

Exceptions: *{As in IMC}*

502.15 to 502.20 *{As in IMC}*

Sections 503 to 514 *{As in IMC}*

Chapter 6
Duct Systems

Section 601 General *{As in IMC}*

Section 602 Plenums

602.1 to 602.2 *{As in IMC}*

602.3 Stud cavity and joist space plenums. *{As in IMC}*

1 - 6. *{As in IMC}*

7. Stud wall cavities and spaces between solid floor joists abutting garage walls may not be utilized as air plenums.

602.4 Flood hazard areas. For structures in a flood hazard area, plenum spaces must be located above the elevation required by the Floodplain Management Code for electric, plumbing, and mechanical systems and their attendant components and equipment or designed and constructed to prevent water from entering or accumulating within the plenum spaces during floods up to that elevation, IF ALLOWED BY THE REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT CODE.

Sections 603 Duct Construction and Installation

603.1 to 603.12 *{As in IMC}*

603.13 Flood hazard areas. For structures in a flood hazard area, ducts must be located above the elevation required by the Floodplain Management Code for electric, plumbing, and mechanical systems and their attendant components and equipment or designed and constructed to prevent water from entering or accumulating within the ducts during floods up to that elevation, IF ALLOWED BY THE REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT CODE.

603.14 to 603.18 *{As in IMC}*

Sections 604 to 607 *{As in IMC}*

Chapter 7
Combustion Air
{As in IMC}

Chapter 8
Chimneys and Vents

Section 801 General

801.1 to 801.17 *{As in IMC}*

801.18 Existing chimneys and vents. *{As in IMC}*

801.18.1 to 801.18.4 *{As in IMC}*

801.18.5 Prohibited use. Masonry chimneys may not be used simultaneously as air duct chases and flue gas chases.

801.19 Multistory prohibited. *{As in IMC}*

801.20 Plastic vent joints. *{As in IMC}*

Sections 802 to 806 *{As in IMC}*

Chapter 9
Specific Appliances, Fireplaces, and Solid Fuel-Burning Equipment
{As in IMC}

Chapter 10
Boilers, Water Heaters, and Pressure Vessels

Sections 1001 to 1005 *{As in IMC}*

Section 1006 Safety and Pressure Relief Valves and Controls

1006.1 to 1006.5 *{As in IMC}*

1006.6 Safety and relief valve discharge. Safety and relief valve discharge pipes must be of rigid pipe that is approved for the temperature of the system. The discharge pipe must be the same diameter as the safety or relief valve outlet. Safety and relief valves may not discharge so as to be a hazard, a potential cause of damage, or otherwise a nuisance. High-

pressure-steam safety valves must be vented to the outside of the structure. Where a low-pressure safety valve or where a relief valve discharges the drainage system, the installation must conform to the International Plumbing Code. All discharges to floor drains must be from within 2 to 6 inches (50.8 mm to 152.4 mm) from the drain.

1006.7 to 1006.8 *{As in IMC}*

Sections 1007 to 1011 *{As in IMC}*

Chapter 11
Refrigeration
{As in IMC}

Chapter 12
Hydronic Piping

Sections 1201 to 1205 *{As in IMC}*

Section 1206 Piping Installation

1206.1 to 1206.8 *{As in IMC}*

1206.9 Strains and stresses *{As in IMC}*

1206.9.1 Flood hazard areas. Piping located in a flood hazard area must be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, ~~during the occurrence of flooding to the design flood elevation~~ AS REQUIRED BY THE FLOODPLAIN MANAGEMENT CODE.

Sections 1207 to 1210 *{As in IMC}*

Chapter 13
Fuel Oil Piping and Storage

Sections 1301 to 1304 *{As in IMC}*

Section 1305 Fuel Oil System Installation

1305.1 Size. *{As in IMC}*

1305.2 Protection of pipe, equipment, and appliances. *{As in IMC}*

1305.2.1 Flood hazard areas. All fuel oil pipe, equipment, and appliances located in a flood hazard area must be located above the elevation required by the Floodplain Management Code for electric, plumbing, and mechanical systems and their attendant components and equipment or capable of resisting hydrostatic and hydrodynamic loads

and stresses, including the effects of buoyancy, ~~during the occurrence of flooding up to that elevation~~ AND MEET ALL OTHER REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT CODE.

1305.3 to 1305.7. ***{As in IMC}***

Sections 1306 to 1308 ***{As in IMC}***

Chapter 14
Solar THERMAL Systems
{As in IMC}

Chapter 15
Referenced Standards
{As in IMC}

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Appendices A and B
{Informational. Not Adopted}

PART VI. INTERNATIONAL PLUMBING CODE

§ 6-101. City adoption.

(a) *In general.*

The International Plumbing Code ([2015] 2018 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 VI.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part VI refer to the chapter and section numbers of the International Plumbing Code.

§ 6-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1
Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Plumbing Code".

101.1.1 References to "this Code". Throughout this Part VI, all references to "this Code" refer to the Baltimore City Plumbing Code.

101.2 to 101.4 ***{AS IN IPC}***

Section 102 Applicability ***{As in IPC}***

Section 103 Department of Plumbing 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 Plumbing 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 Baltimore City Building Code.

103.2 to 103.3 ***{Not Adopted}***

103.4 Liability ***{Not Adopted.*** **See** ***State Courts Article § 5-302}***

Section 104 Duties and Powers of Code Official

104.1 to 104.2 ***{As in IPC}***

104.3 Inspections. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

104.4 Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as provided by law, including § 104 {"... Powers of Building Official"} of the Baltimore City Building Code.

104.5 Identification. ***{As in IPC}***

104.6 Notices and orders. The Code Official may issue all notices or orders necessary to ensure compliance with this Code.

104.7 Department records. The Code Official must keep records of all of the Department's business and activities under this Code.

Section 105 Approval

105.1 Modifications. ***{As in IPC}***

105.2 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Code Official finds in writing that, for the purposes intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

105.2.1 Research reports. ***{As in IPC}***

105.3 to 105.4 ***{As in IPC}***

Section 106 Permits

106.1 to 106.2 ***{As in IPC}***

106.3 Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

106.3.1 to 106.3.3 ***{Not Adopted}***

106.4 By whom application made. *{As in IPC}*

106.5 Permit issuance. *{As in IPC}*

106.5.1 to 106.5.2 *{As in IPC}*

106.5.3 Expiration. A permit expires at the times and under the circumstances set forth in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.5.4 Extensions. A permit may be extended as provided in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

106.5.5 Suspension or revocation. The Building Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

106.5.6 to 106.5.8 *{As in IPC}*

106.6 Fees. *{As in IPC}*

106.6.1 Work commencing before permit issuance *{Not Adopted}*

106.6.2 Fee schedule. The fees for plumbing work are as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

106.6.3 Fee refunds *{Not Adopted}*

Section 107 Inspections and Testing *{As in IPC}*

Section 108 Violations

108.1 to 108.3 *{As in IPC}*

108.4 Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

108.5 Stop-work orders. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

108.6 to 108.7 *{As in IPC}*

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}*

Section 110 Temporary Equipment, Systems, and Uses *{As in IPC}*

Chapter 2
Definitions

Section 201 General

201.1 to 201.2 *{As in IPC}*

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 {"Referenced Codes"} 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 IPC}*

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Plumbing Code ([2015] 2018 Edition) have the meanings given in the International Plumbing Code ([2015] 2018 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Plumbing Code, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code Official. "Code Official" has the meaning stated in § 103.1 of this Code.

202.2.3 Design-flood elevation. *{Not Adopted}*.

202.2.4 Flood Hazard Area. "Flood Hazard Area" means a Regulated Flood Hazard Area established under and regulated by the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}

202.2.5 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.6 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.7 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

Chapter 3
General Regulations

Sections 301 to 304 *{As in IPC}*

Section 305 Protection of Pipes and Plumbing System Components

305.1 to 305.3 ***{As in IPC}***

305.4 Freezing or overheating. The plumbing system must be protected from freezing or overheating.

305.4.1 Specific requirements. The following conditions must be met:

1. Water service piping must be installed below recorded frost lines. Earth cover above the top of the pipe must be at least 36 inches (914 mm).

2 Earth cover above the top of building sewers that connect to public sewage systems or to individual sewage disposal systems must be at least 30 inches (762 mm).

3. In systems that are used seasonally, water piping must have provisions for draining.

4. Piping must be installed so that the contents will not be heated due to close proximity to any heat source or from direct solar radiation.

5. All drain piping and water piping installed in exterior walls, attics, and other areas exposed to outdoor temperatures must be protected from freezing. In heated spaces, the piping must be installed on the heated side of the building insulation.

305.5 to 305.7 ***{As in IPC}***

Sections 306 to 308 ***{As in IPC}***

Section 309 Flood Hazard Resistance

309.1 General. In a flood hazard area, plumbing systems must be constructed, located, and installed in accordance with the requirements of the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

309.2 Scope. The requirements of this § 309 apply to all plumbing systems, their attendant components and equipment, including the following:

1. all water service pipes,

2. pump seals in individual water supply systems,

3. Covers on potable water wells,

4. all sanitary drainage piping,

5. all storm drainage piping,

6. manhole covers,

7. all other plumbing fixtures, faucets, fixture fittings, piping systems, and equipment,

8. water heaters, and

9. vents and vent systems.

Exception: *{Not adopted}*

309.3 Coastal high-hazard area and coastal A zones. *{Not Adopted}*

Sections 310 to 313 *{As in IPC}*

Section 314 Condensate Disposal

314.1 Fuel burning appliances. *{As in IPC}*

314.2 Evaporators and cooling coils. *{As in IPC}*

314.2.1 Condensate disposal. Condensate from all cooling coils or evaporators must be conveyed from the drain pan outlet to an approved place of disposal. The piping must maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1% slope). Condensate may not discharge into a street, alley, or other area so as to cause a nuisance. Clear water discharge must be conveyed to the storm drain where feasible unless otherwise approved by the Code Official.

314.2.2 to [314.2.4] 314.2.5 *{As in IPC}*

Section 315 Penetrations *{As in IPC}*

Section 316 Alternative Engineered Design *{As in IPC}*

Section 317 Connection to Water and Sewer Systems

317.1 Availability of public water and sewer. The water distribution and sewer system of any building in which plumbing fixtures are installed must be connected to a public water supply system and to a public sewer system unless otherwise authorized by a National Pollutant Discharge Elimination System permit issued under Title 9 of the State Environment Article. Private septic tank systems may only be installed with the written permission of the Code Official.

317.2 Private systems. Private systems must comply with COMAR 26.04.02 {"Sewage Disposal and Certain Water Systems..."}.

Chapter 4
Fixtures, Faucets, and Fixture Fittings

Sections 401 to 405 ***{As in IPC}***

Section 406 Automatic Clothes Washers

406.1 to 406.2 ***{As in IPC}***

406.3 Drip pan. If a clothes washer is to be installed in a location where leakage can cause structural damage to the building, the washer must be installed over a drip pan in accordance with the manufacturer's instructions. THE PAN DRAIN MUST EXTEND FULL SIZE AND TERMINATE OVER A SUITABLY LOCATED INDIRECT WASTE RECEPTOR OR FLOOR DRAIN.

Sections 407 to [427] 426 ***{As in IPC}***

Chapter 5
Water Heaters
{As in IPC}

Chapter 6
Water Supply and Distribution

Sections 601 to 604 *{As in IPC}*

Section 605 Materials, Joints, and Connections

605.1 to [605.13] 605.12 *{As in IPC}*

[605.14] 605.13 Copper tubing. *{As in IPC}*

[605.14.1 to 605.14.6] 605.13.1 TO 605.13.7 *{As in IPC}*

[605.14.7] 605.13.8 Underground service. Copper water tubing, seamless, Type M, is not approved for underground water service.

[605.15 to 605.25] 605.14 TO 605.24 *{As in IPC}*

Section 606 Installation of Building Water Distribution System *{As in IPC}*

Section 607 Hot Water Supply System

607.1 to 607.2 *{As in IPC}*

607.3 Thermal expansion control.

607.3.1 Backflow prevention valve or check valve.

607.3.1.1 Hot water return piping. When hot water return piping is needed, it must be taken from the supply side of the backflow prevention device.

607.3.1.2 High-hazard buildings. In addition to the backflow device on the water supply main, at each floor where hazardous uses of water are found, a backflow prevention device must be installed on the water service line that supplies that floor.

607.3.1.3 Testing and inspection certificate. All testing and inspections must be documented on a certificate attached to the backflow prevention device.

607.4 to 607.5 *{As in IPC}*

Section 608 Protection of Potable Water Supply

608.1 General. *{As in IPC}*

608.1.1 License required to connect to City supply. A person may not connect backflow prevention devices to the potable water supply in the City unless that person is licensed by the State as a master or journeyman plumber.

608.2 to [608.15] 608.16 *{As in IPC}*

[608.16] 608.17 Connections to the potable water system.

[608.16.1 to 608.16.3] 608.17.1 TO 608.17.3 ***{As in IPC}***

[608.16.4] 608.17.4 Connections to automatic fire sprinkler systems and standpipe systems. ***{As in IPC}***

[608.16.4.1] 608.17.4.1 Additives or nonpotable source. ***{As in IPC}***

[608.16.4.2] 608.17.4.2 Individual valves on sprinkler systems. Domestic water service lines used to supply water to both the sprinkler and the domestic water piping inside a building must have an individual valve on both branch lines when served by a single water service pipe. A building valve may not be used to serve both systems. A flow alarm must be provided on the sprinkler system.

Exception: Single-family dwellings.

[608.16.5 to 608.16.10] 608.17.5 TO 608.17.10 ***{As in IPC}***

[608.17] 608.18 Protection of individual water supplies. ***{As in IPC}***

Sections 609 to 613 ***{As in IPC}***

Chapter 7
Sanitary Drainage

Sections 701 to 707 ***{As in IPC}***

Section 708 Cleanouts

708.1 Cleanouts required. ***{As in IPC}***

708.1.1 to 708.1.6 ***{As in IPC}***

708.1.7 Manholes. ***{As in IPC}***

708.1.7.1 DPW guidelines and standards. Manhole construction must comply with the Department of Public Work's guidelines and standards.

708.1.8 to 708.1.11 ***{As in IPC}***

708.1.12 Ceiling spaces. Cleanouts are not permitted in ceiling spaces.

Sections 709 to [717] 716 ***{As in IPC}***

Chapter 8
Indirect/Special Waste

Section 801 General ***{As in IPC}***

Section 802 Indirect Wastes

802.1 Where required. *{As in IPC}*

[802.1.1 to 802.1.6] 802.1.1 to 802.1.5 *{As in IPC}*

[802.1.7] 802.1.6 Commercial dishwashing machines. *{As in IPC}*

[802.1.7.1] 802.1.6.1 No discharge through grease interceptor. Commercial dishwashers are not permitted to discharge through a grease interceptor.

[802.1.8] 802.1.7 Food utensils, dishes, pots, and pans sink. *{As in IPC}*

802.2 to [802.3] 802.4 *{As in IPC}*

802.5 Wading and toddler pools. All wading pools and toddler pools must be equipped with 2 drains from a single drain line so as not to create a vacuum if either of the drains is covered. The drainage must discharge indirectly through an air gap to a trapped and vented receptor.

Section 803 Special Wastes *{As in IPC}*

[Section 804 Materials, Joints, and Connections *{As in IPC}***]**

Chapter 9
Vents

Sections 901 to 912 *{As in IPC}*

Section 913 Waste Stack Vent

913.1 to 913.4 *{As in IPC}*

913.5 Permitted fixtures. Lavatories, bathtubs, showers, water closets, urinals, kitchen sinks with or without food waste grinders, dishwashers, laundry sinks, clothes washer standpipes, drinking fountains, floor drains, and similar fixtures may be vented by a waste stack that is sized and installed in accordance with the requirements of this section.

Sections 914 to 920 *{As in IPC}*

Chapter 10
Traps, Interceptors, and Separators

Sections 1001 to 1002 *{As in IPC}*

Section 1003 Interceptors and Separators

1003.1 to 1003.2 *{As in IPC}*

1003.3 Grease interceptors. Grease interceptors must comply with the requirements of this § 1003.3 and with any additional requirements of the Code Official

1003.3.1 to [1003.3.7] 1003.3.8 *{As in IPC}*

1003.4 Oil separators required. *{As in IPC}*

1003.4.1 Separation of liquids. *{As in IPC}*

1003.4.2 Oil separator design. *{As in IPC}*

1003.4.2.1 to 1003.4.2.2 *{As in IPC}*

1003.4.2.3 Waste-oil tank design. The oil draw-off or overflow from oil separators must be connected to an approved waste-oil tank that meets the environmental requirements of the Maryland Department of the Environment. The waste oil from the separator must flow by gravity or may be pumped to a higher elevation by an automatic pump. Pumps must be adequately sized, explosion proof, and accessible. Waste-oil tanks must have a 2" minimum pump-out connection and a 1½" minimum vent to the atmosphere.

1003.4.2.4 Waste-oil tank requirements. Where oil separators include a waste holding tank, the tank may not be used to store or contain any other waste oil (e.g., motor oil) or hazardous fluid. The installation of waste-oil storage tanks must comply with COMAR 26.10 {"Oil Pollution and Tank Management"}.

1003.5 to 1003.10 *{As in IPC}*

Section 1004 Material, Joints, and Connections *{As in IPC}*

Chapter 11
Storm Drainage

Sections 1101 to 1104 *{As in IPC}*

Section 1105 Roof Drains

1105.1 to 1105.2 *{As in IPC}*

1105.3 Primary roof drainage.

1105.3.1 General. Roof area of buildings must be drained into a storm drain by roof drains, unless gutters and downspouts or other non-plumbing drainage is provided. The location and sizing of roof drains and gutters must be coordinated with the structural design and slope of the roof.

1105.3.2 Sizing. Unless otherwise required by the Code Official, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage must be sized based on a storm of 60 minutes duration and 100-year return period. [(*See* Appendix A.)]

1105.3.3 Discharge. No water from any building may be discharged so as to flow over any sidewalk, footway, or adjoining property, except from window sills, copings, or cornices that project no more than 1 foot (305 mm).

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.

2. Awnings or marquees that discharge off the outer edge.

1105.4 Methods of roof drainage.

1105.4.1 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.

1105.4.2 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.

1105.5 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.

Sections 1106 to 1113 ***{As in IPC}***

Chapter 12
Special Piping and Storage Systems
{As in IPC}

Chapter 13
Nonpotable Water Systems
{As in IPC}

Chapter 14
Subsurface Landscape Irrigation Systems
{As in IPC}

Chapter 15
Referenced Standards
{As in IPC}

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Appendix A
Permit Fee Schedule
{Not Adopted}

Appendix B
Rates of Rainfall
{Informational. Not Adopted}

Appendix C
Structural Safety
{As in IPC}

Appendix D
Degree Day and Design Temperatures
{Informational. Not Adopted}

Appendix E
Sizing of Water Piping System
{As in IPC}

PART VII. INTERNATIONAL PROPERTY MAINTENANCE CODE

§ 7-101. City adoption.

(a) *In general.*

The International Property Maintenance Code ([2015] 2018 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
Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Property Maintenance Code".

101.1.1 References to "this Code". Throughout this Part VII, all references to "this Code" refer to the Baltimore City Property Maintenance Code.

101.2 to101.4 ***{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.

102.2.3 Owner and operator responsible. Except as otherwise specified, each owner and each operator of a structure or premises is responsible for the maintenance of that structure or premises.

102.3 Application of other codes. All repairs, additions, or alterations to a structure and all changes of occupancy must be done in accordance with this Code and with the following codes and standards, as modified by Baltimore City:

1. the International Building Code ([2015] 2018 Edition),
2. the National Electrical Code ([2014] 2017 Edition),
3. the International Fuel Gas Code ([2015] 2018 Edition),
4. the International Mechanical Code ([2015] 2018 Edition),
5. the International Plumbing Code [2015] 2018 Edition),
6. the International Fire Code ([2015] 2018 Edition),
7. the International Energy Conservation Code ([2015] 2018 Edition),
8. the International Residential Code for One- and Two-Family Dwellings ([2015] 2018 Edition),
9. the International Green Construction Code (2012 Edition),
10. the International Swimming Pool and Spa Code ([2015] 2018 Edition), and
11. the Zoning Code of Baltimore City.

102.4 Existing remedies. The provisions of this Code may not be construed to abolish or impair existing remedies of the City or its officers or agencies relating to:

1. enforcement of repair and maintenance standards, or
2. the removal or demolition of any structure that is dangerous, unsafe, and insanitary.

102.5 Workmanship. All repairs, maintenance work, alterations, or installations must be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. ***{Not Adopted}***

102.7 to 102.10 ***{As in IPMC}***

Section 103 Department of Property Maintenance 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 Property Maintenance 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 Baltimore City Building Code.

103.2 Appointment. ***{Not Adopted}***

103.3 Deputies. ***{Not Adopted}***

103.4 Liability. ***{Not Adopted.*** **See** ***State Courts Article § 5-302}***

103.5 Fees. The fees for work or repairs that require a building permit are as provided in § 109 {"Fees"} of the Baltimore City Building Code.

Section 104 Duties and Powers of Code Official

104.1 General. ***{As in IPMC}***

104.2 Inspections. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

104.3 Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as provided by law, including § 104 {"... Powers of Building Official"} of the Baltimore City Building Code.

104.4 Identification. ***{As in IPMC}***

104.5 Notices and orders. The Code Official may issue all notices or orders necessary to ensure compliance with this Code.

104.6 Department records. The Code Official must keep records of all of the Department's business and activities specified in this Code.

104.7 Notice of abatement. When the recipient of a violation notice has abated the violation, the Code Official must issue a notice of abatement.

Section 105 Approval

105.1 Modifications. ***{As in IPMC}***

105.2 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Code Official finds in writing that, for the purposes intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

[**105.2.1 Research reports.** *{As in IPMC}*]

105.3 Required testing. *{As in IPMC}*

105.4 Used material and equipment. *{As in IPMC}*

105.5 Approved materials and equipment. *{As in IPMC}*

105.6 Research reports. *{As in IPMC}*

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, notice, or order 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 {"Notices and Orders"} of this Chapter 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 in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that 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 § 114.3 {"Enforcement generally"} and § 114.5 {"Civil penalties and costs"} 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 {"Notices"} of the Baltimore City Building Code.

107.3 Service of notice. Violation and condemnation notices must be served as provided by § 123 {"Notices"} of the Baltimore City Building Code.

107.4 Unauthorized tampering. ***{Not Adopted}***

107.5 Penalties. ***{Not Adopted.*** **See *IPMC § 106.4 }***

107.6 Transfer of ownership. ***{As provided in IBC § 114.23 {"Responsibility of transferee"}}***

107.7 Responsibilities of owners, operators, and others. The responsibilities of owners, operators, and others are as follows:

1. Owners and operators: as provided in § 114.21 of the Baltimore City Building Code.

2. Officers, directors, trustees, partners, members, and agents of entities: as provided in § 114.24 of the Baltimore City Building Code.

Section 108 Unsafe Structures and Equipment

108.1 General. Procedures for enforcement or other actions involving unsafe structures and equipment are as provided in the Baltimore City Building Code.

108.2 to 108.7 ***{Not Adopted}***

Section 109 Emergency Measures

109.1 General. Whenever necessary or appropriate, the Code Official may take emergency measures as provided in the Baltimore City Building Code.

109.2 to 109.6 ***{Not Adopted}***

Section 110 Demolition

110.1 General. The Code Official may order the rehabilitation, stabilization, or demolition of structures found to be unsafe or unfit for human habitation or other authorized use as provided in the Baltimore City Building Code.

110.2 to 110.4 ***{Not Adopted}***

Section 111 Administrative and Judicial Review

111.1 General. A decision of the Code Official is subject to administrative and judicial review as provided in the Baltimore City Building Code.

111.2 to 111.8 ***{Not Adopted}***

Section 112 Stop-Work Order

112.1 General. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

112.2 to 112.4 ***{Not Adopted}***

Chapter 2
Definitions

Section 201 General

201.1 Scope. *{As in IPMC}*

201.2 Interchangeability. *{As in IPMC}*

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in one or another of the standards and codes listed in § 102.3 {"Application of other codes"} of this Code, the term has the meaning given to it in that standard or code.

201.4 Terms not defined. *{As in IPMC}*

201.5 Parts. *{As in IPMC}*

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Property Maintenance Code ([2015] 2018 Edition) have the meanings given in the International Property Maintenance Code ([2015] 2018 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Property Maintenance Code, the following terms have the meanings given in this § 202.2.

202.2.1 Code Official. "Code Official" has the meaning stated in § 103.1 of this Code.

202.2.2 Condemn. "Condemn" means:

1. to adjudge equipment or facilities as being unsafe for use, or

2. to adjudge a structure as being unsafe or unfit for occupancy.

202.2.3 Dwelling unit. "Dwelling unit" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.4 Habitable space. "Habitable space" means space in a structure for living, sleeping, or eating. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces. Kitchens with less than 56 sq. ft. (5.2 sq. m.) of floor area are not considered habitable spaces.

202.2.5 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.6 Multiple-family dwelling. "Multiple-family dwelling" means a building or a group of buildings on the same lot that contains or is designed or intended to contain:

1. more than 2 dwelling units,

2. 2 dwelling units and any other residential or commercial occupancy, or

3. any combination of 3 or more rooming units and dwelling units.

202.2.7 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.8 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.9 Occupant. "Occupant" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.10 Operator. "Operator" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.11 Owner. "Owner" means any person that:

1. has a legal or equitable interest in the property,

2. is recorded in the land records as holding title to the property, or

3. otherwise has control of the property, with or without accompanying possession of the property, including:

    a. a guardian of the person or estate of an owner,

    b. a trustee, including a trustee in bankruptcy, of an owner, or

    c. the personal representative of the estate of an owner.

202.2.12 Person. "Person" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.13 Premises. "Premises" means a lot or group of lots, together with all or any part of any structures on the lot or group of lots, considered as a unit devoted to a particular use, including accessory structures and open spaces required or used in connection with that particular use.

202.2.14 Rooming house. "Rooming house" means a building that:

1. is not a multiple-family dwelling, and

2. contains more than 2 rooming units occupied or designed or intended to be occupied by individuals who, even though they might share common areas and facilities, do not form a single housekeeping unit and do not provide compensation under a single lease for occupancy of the rooming house.

202.2.14.1 Inclusions. "Rooming house" includes a hotel, motel, bed and breakfast (as defined in Zoning Code § 1-203(f)), or boarding house.

202.2.15 Rooming unit. "Rooming unit" means any room or group of rooms that form a single habitable unit occupied or designed or intended to be occupied for sleeping or living, but not for cooking purposes.

202.2.16 Strict liability offense. "Strict liability offense" means an offense in which the prosecution in a legal proceeding is not required to prove knowledge or intent as a part of its case. It is enough to prove that the defendant either did an act that was prohibited or failed to do an act that the defendant was legally required to do.

202.2.17 Structure. "Structure" has the meaning stated in IPMC § 202 and, unless the context indicates otherwise, includes premises and lands.

202.2.18 Trash. "Trash" means rubbish, as defined in IPMC § 202.

202.2.19 Workmanlike. "Workmanlike" means executed in a skilled manner in accordance with the standards of the trade – e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

Chapter 3
General Requirements

Section 301 General

301.1 Scope. This Chapter governs the minimum requirements and the responsibilities of persons for repair and maintenance of structures, equipment, and premises.

301.2 Responsibility.

301.2.1 Owners and operators. Except as otherwise specifically provided, the owner and the operator of any premises are responsible for maintaining all structures and exterior property areas in compliance with all requirements of this Chapter.

301.2.2 Occupants – In general. The occupant of any premises:

1. must give the owner and the owner's agents access to the premises, at all reasonable times, for the purpose of inspecting and making repairs or alterations as necessary to effect compliance with this Code or with any lawful rule or regulation adopted or order issued under this Code,

2. may not obstruct any required means of egress,

3. may not store flammable liquids or gas or unsafe quantities of combustible materials,

4. if in control of the heating facilities, must maintain a sufficiently high temperature in all parts of the unit to prevent damage to the plumbing system, and

5. is responsible for:

    a. keeping in a clean and sanitary condition the occupant's unit and any other part of the premises that the occupant occupies or controls, and

    b. otherwise complying with the requirements specified in § 308 {"Occupants' Sanitary Responsibility"} of this Chapter.

301.2.3 Occupants – Vandalism. The occupant of a non-owner occupied dwelling may not destroy, deface, damage, impair, or carry away, nor permit any other person on the premises to destroy, deface, damage, impair, or carry away any of the facilities, equipment, appurtenances, or any part of the structure of the dwelling.

301.3 Vacant structures and land. All vacant structures and their premises and all vacant land must be maintained in a clean, sanitary, and safe condition, as provided in this Code.

301.4 Lead-based paint. Lead-paint hazards must be abated in accordance with:

1. the rules and regulations of:

    a. the Maryland Department of the Environment; and

b. the Baltimore City Health Department; and

2. the Department of Public Works' requirements governing discharges into the storm water system.

301.4.1 Unoccupied dwelling unit – Scope. These provisions apply to any dwelling unit that:

1. is the subject of a notice or order for the treatment of lead paint, and

2. becomes unoccupied either:

a. before the notice or order is served, or

b. while the notice or order is still outstanding.

301.4.2 Unoccupied dwelling unit – Posting property. If a dwelling unit is or becomes unoccupied, the Health Commissioner immediately must post 1 or more public notices in, on, or around the dwelling unit stating that the dwelling unit may not be reoccupied until the lead paint notice or order has been abated.

301.4.3 Unoccupied dwelling unit – Reoccupancy prohibited. If a dwelling unit is or becomes unoccupied, the dwelling unit may not be reoccupied until:

1. the lead paint notice or order has been abated, and

2. the Health Commissioner has given written approval of reoccupancy.

301.4.4 Unoccupied dwelling unit – Removing notice, etc., prohibited. Until the Health Commissioner has give written approval of reoccupancy, no person may remove, deface, or otherwise tamper with any notice that has been posted under this section.

301.4.5 Unoccupied dwelling unit – Unauthorized reoccupancy. If a dwelling unit is reoccupied in violation of this section:

1. each day that an unauthorized occupancy continues is a separate offense, and

2. the owner, operator, and unauthorized occupant of the unit are subject to the following penalties:

a. in a criminal prosecution, a criminal fine of up to $500 for each offense, and

b. in an action seeking equitable relief, a civil fine of up to $500 for each offense.

Section 302 Exterior Property Areas ***{Not Adopted}***

Section 303 Swimming Pools, Spas, and Hot Tubs ***{Not Adopted}***

Section 304 Repair and Maintenance of Structures

304.1 General. The interior and exterior of a structure must be maintained in good repair and in a structurally sound and sanitary condition.

304.1.1 Unsafe conditions. ***{Not Adopted}***

304.2 Protective treatment. ***{As in IPMC}***

304.3 Premises identification. Premises identification must be provided and maintained for all buildings in accordance with:

1. [ICC International Building Code § 501.2 {"Address identification"}] BALTIMORE CITY BUILDING CODE § 502 {"BUILDING ADDRESS"}, and

2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

304.4 Structural members. All interior and exterior structural members must be:

1. maintained in a structurally sound condition and free from deterioration, and

2. capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. ***{As in IPMC}***

304.6 Exterior walls. ***{As in IPMC}***

304.7 Roofs and drainage. The roof and flashing must be sound, tight, and without defects that admit rain. Roof drainage must be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts must be provided and maintained in good repair and free from obstructions. Roof water must be discharged away from the foundation and may not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. ***{As in IPMC}***

304.9 Overhang extensions. ***{As in IPMC}***

304.10 Stairways, floors, decks, etc. Every interior and exterior stairway, floor, deck, porch, and balcony, and all their appurtenances must be:

1. structurally sound,

2. properly anchored and capable of supporting the imposed loads, and

3. maintained in good repair and safe condition.

304.11 Chimneys and towers. ***{As in IPMC}***

304.12 Handrails and guards. ***{As in IPMC}***

304.13 Window, skylight, and door frames. *{As in IPMC}*

304.14 Insect screens. *{Not Adopted}*

304.15 Doors.

304.15.1 General.

1. All doors, door assemblies, and hardware must be maintained in good condition.

2. Except as otherwise required for means of egress doors, locks and latching hardware must be provided at all entrances to dwelling units and rooming units and must tightly secure the doors at those entrances.

3. Doors must fit properly within their frames.

4. Except for a building where the entrances are staffed by security personnel or where unobstructed access is provided to the entrance of each unit, in a building that contains 2 or more dwelling units, an electric doorbell must be provided for each dwelling unit in that building.

304.15.2 Interior. Every interior door must be capable of being opened and closed by being securely attached and properly equipped with properly functioning attachment and latching hardware.

304.16 Basement hatchways. *{As in IPMC}*

304.17 Guards for basement windows. *{As in IPMC}*

304.18 Building security. *{As in IPMC}*

304.19 Gates. *{As in IPMC}*

304.20 Interior surfaces. All interior surfaces, including floors, walls, ceilings, windows, and doors, must be maintained in good, clean, and sanitary condition. Peeling, chipping, flaking, or abraded paint must be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions must be corrected. Floors in kitchens, bathrooms, lavatories, toilet rooms, and laundry rooms must be kept impervious to water.

304.21 Grading and drainage. All premises must be graded and maintained to:

1. drain away from the foundation of any structure and away from adjoining property,

2. prevent the erosion of soil, and

3. prevent the accumulation of stagnant water.

304.22 Sidewalks, driveways, etc. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas must be kept in good repair and free from hazardous conditions.

304.23 Exhaust vents. Pipes, ducts, conductors, fans, or blowers may not be allowed to discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly on any abutting or adjacent public or private property or on any property areas occupied by another in the same building.

304.24 Accessory structures. All accessory structures, including detached garages, fences, gates, walls, and swimming pools, must be maintained in a structurally sound condition and in good repair.

304.25 Defaced property. If an exterior surface of a structure has been defaced by carvings, markings, or graffiti, the surface must be restored to an approved state of maintenance and repair.

304.26 Nuisance or hazardous conditions. All premises must be kept free of any object, material, or condition that constitutes a nuisance or a fire, accident, or health hazard.

304.27 ***{Reserved}***

304.28 Ratproofing. All buildings must be ratproofed and maintained in a ratproof condition by the owner or his agent. Ratproofing methods include:

1. preventing entrance by blocking passages with rat-resistant material, and

2. paving basements and any other areas that are in contact with the soil.

304.29 Equipment. All equipment required by the Building, Fire, and Related Codes of Baltimore City must be maintained in good working condition.

304.30 Fire protection. All required fire protection, including separation between nonresidential and residential occupancies, must be maintained in good repair. All fire doors must be equipped and maintained as required by the Fire Code of Baltimore City.

Section 305 Exterior Sanitary Maintenance – General

305.1 General. All lots and exterior premises, including abutting sidewalks, gutters, and alleys, must be maintained in a clean, safe, and sanitary condition.

305.2 Grass and weeds.

305.2.1 "Weeds" defined. In this section, "weeds" includes all plants and vegetation other than:

1. trees or shrubs, or

2. cultivated flowers and gardens.

305.2.2 Maintenance requirements. All abutting sidewalks, gutters, and alleys must be maintained free of grass, weeds, or plant growth in excess of 4 inches (102 mm). All other premises and exterior property must be maintained free of grass, weeds, or plant growth in excess of 8 inches (203 mm). All noxious weeds are prohibited.

305.3 Trees and shrubbery. All trees and shrubbery that are dangerous to life and property or that create a fire or traffic hazard must be pruned or removed to eliminate the danger or hazard.

305.4 Pest control. All exterior property areas must be kept free from infestation by insects, rodents, and other pests, from rodent harborage, and from the conditions that attract pests. Where pests are found, they must be promptly exterminated by approved processes that will not be injurious to human health.

305.5 Motor vehicles and trailers. Except only as otherwise expressly authorized by law, the following rules apply to all motor vehicles and trailers.

1. No motor vehicle or trailer may be parked, kept, or stored, whether or not covered, on any exterior premises if:

    a. it is inoperative, unregistered, or fails to display current registration tags, or

    b. it is in a state of disassembly or disrepair or in the process of being stripped or dismantled.

2. A motor vehicle or trailer may be parked, kept, or stored only on a dustless all-weather surface constructed and maintained in accordance with the Baltimore City Building Code and Baltimore City Zoning Code.

3. Painting a motor vehicle or trailer is prohibited unless conducted inside an approved spray booth.

Exception: On premises with a proper use permit, a vehicle may undergo overhaul, including body work, if that work is performed inside a structure or similarly enclosed area designed and approved for that purpose.

305.5.1 Registered owner responsible. For a motor vehicle or trailer parked, kept, or stored in violation of § 305.5(1) or (2), the registered owner of the motor vehicle or trailer is responsible for the violation, jointly and severally with the property owner.

305.6 Swimming pools. Swimming pools must be maintained in a clean, safe, and sanitary condition.

305.7 Outdoor storage. Outdoor storage must be neat and orderly. All stored objects and materials must be elevated at least 1 foot off the ground to prevent rat harborage, unless elevation is determined unnecessary by the Commissioner.

305.7.1 Caveat. Nothing in this section authorizes any outdoor storage that is otherwise prohibited by law.

305.8 PLACEMENT OUTDOORS OF UPHOLSTERED FURNITURE. NO PERSON MAY PLACE, USE, KEEP, STORE, OR MAINTAIN ANY UPHOLSTERED FURNITURE NOT MANUFACTURED FOR OUTDOOR USE, INCLUDING, FOR EXAMPLE, ANY UPHOLSTERED CHAIR, SOFA, OR COUCH, OR ANY MATTRESS, IN ANY OUTSIDE AREA LOCATED:

1. IN ANY FRONT, SIDE, OR REAR YARD, OR

2. ON ANY COVERED OR UNCOVERED PORCH, PATIO, OR DECK LOCATED IN OR ADJOINING ANY FRONT, SIDE, OR REAR YARD.

305.9 [305.8] Snow and ice on sidewalks. After any snowfall that results in an accumulation of snow or ice on the ground, the snow and ice must be removed and cleared away from all sidewalks that abut the premises.

305.9.1 [305.8.1] Time for compliance. The snow and ice must be removed and cleared away:

1. within 6 hours after the snow has stopped falling; or

2. if the snow stopped falling between 3 p.m. and 6 a.m., before 11 a.m.

305.9.2 [305.8.2] Manner of compliance. The snow and ice must be removed and cleared away in a manner that:

1. leaves a clear path that is at least 2 feet wide; and

2. does not obstruct the passage of water in the gutters.

Section 306 Exterior Sanitary Maintenance – Trash, Garbage, and Debris

306.1 Accumulation prohibited. All premises, including abutting sidewalks, gutters, and alleys, as well as the interior of every structure, must be kept free of any accumulation of trash, garbage, and debris, including any animal waste, construction material, equipment, furniture, appliances, and similar objects and materials.

306.2 Bulk trash. If discarded or abandoned articles are too large to be disposed of in required receptacles, they must be conveyed to an appropriate landfill or other approved disposal site.

306.3 No deposit on sidewalks, etc. No trash, garbage, or debris may be deposited on any sidewalk, alley, or street or on any public or private lot, except as specified in §§ 306.4 through 306.7 of this Chapter.

306.4 Storage receptacles – Required. Trash, garbage, or debris may not be stored or placed out for collection except in approved storage receptacles. The owner or operator of every occupied premises must provide a sufficient number of these storage receptacles to receive and store trash, garbage, and debris from individual units between days of collection. The receptacles must be maintained in a location accessible to occupants.

306.5 Storage receptacles – Location. If, in the opinion of the Code Official, the exterior maintenance of storage receptacles is causing nuisance or blight, the Code Official may require that, between days of collection, the receptacles be stored:

1. inside the building they serve, or

2. in the discretion of the Code Official, within a contiguous structure.

306.6 Storage receptacles – Specifications and maintenance.

306.6.1 Specifications.

306.6.1.1 General. Each storage receptacle must:

1. be made of metal or some other durable material approved by the Code Official,
2. be watertight, with tight-fitting covers and handles, and
3. either:
   a. have a capacity of not more than 32 gallons, or
   b. be a City-owned trash receptacle assigned to the address for the curbside collection of mixed refuse.

306.6.1.2. Exceptions.

1. Receptacles used for recycling need not have covers.
2. Yard waste may be bagged or bundled.

306.6.2. Maintenance. Each storage receptacle must be:

1. maintained in good repair, and
2. kept tightly closed to prevent blight, nuisance, pest infestation, and dispersal of trash, garbage, or debris.

306.7 Placement for collection. Storage receptacles:

1. should be placed out for collection no later than 6 a.m. of the day of collection,
2. may not be placed out on any sidewalk or along an alley earlier than 6 p.m. of the evening before the day of collection, and
3. if placed on a sidewalk or along an alley, must be returned to the premises no later than 6 a.m. on the day after collection.

306.8 Owner transport. At any building for which the City does not provide collection services, the owner and operator must collect and transport the building's trash, garbage, and debris to an appropriate landfill or other approved disposal site.

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 {"Exterior ... maintenance – General"} and § 306 {"Exterior ... maintenance – Trash, garbage..."} of this Chapter. However, the owner and operator are responsible for any insanitary condition caused by a sewer back-up or a structural defect.

308.2.1 Exception – Residential property registration. The owner of a property is responsible for exterior sanitary maintenance under any of the circumstances described in Building Code § 114.21.2b {"Liability – Failure to register property"}.

308.2.2 Exception – Third environmental citation. The owner of a property is responsible for exterior sanitary maintenance under the circumstances described in Building Code § 114.21.2c {"Liability – Third environmental citation"}.

308.2.3 EXCEPTION – SECONDARY LIABILITY. THE OWNER AND OPERATOR OF A PROPERTY ARE RESPONSIBLE FOR EXTERIOR SANITARY MAINTENANCE UNDER ANY OF THE CIRCUMSTANCES DESCRIBED IN BUILDING CODE § 114.21.2A {"SECONDARY LIABILITY"}.

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 {"Interior ... maintenance"} 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 {"Exterior ... maintenance – Trash, garbage..."} 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.

Section 309 Pest Elimination ***{Not Adopted}***

Chapter 4
Light, Ventilation, and Occupancy Limitations

Section 401 General ***{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

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. Every bedroom must comply with the requirements of this § 404.4.

404.4.1 Area for sleeping purposes. Every bedroom occupied by 1 person must contain at least 70 sq. ft. (6.5 sq. m.) of floor area. Every bedroom occupied by more than one person must contain at least 50 sq. ft. (4.6 sq. m.) of floor area for each occupant of the bedroom.

404.4.2 to 404.4.5 ***{As in IPMC}***

404.5 Overcrowding. Dwelling units may not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 may not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas must comply with § 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces must comply with the requirements of Table 404.5 if:

1. the total area is equal to that required for separate rooms, and

2. the space is located so as to function as a combination living room/dining room.

Table 404.5
Minimum Area Requirements

Space	Minimum Area in Square Feet		
	1 to 2 Occupants	3 to 5 Occupants	6 or More Occupants
Living room [a,b]	No requirements	120	150
Dining room [a,b]	No requirements	80	100
Kitchen [b]	50	50	60
Bedrooms	Must comply with § 404.4		

For SI: 1 sq. ft. = 0.093 sq. m.

[a] For combined living room/dining room spaces, *see* § 404.5.2.
[b] For limitations on determining minimum occupancy area for sleeping purposes, *see* § 404.5.1.

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 *{As in IPMC}*

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.

503.2 Location. *{As in IPMC}*

503.3 Location of employee toilet facilities. *{As in IPMC}*

503.4 Floor surface. *{Not adopted}*

Section 504 Plumbing Systems and Fixtures

504.1 General. *{As in IPMC}*

504.2 Fixture clearances. *{As in IPMC}*

504.3 Plumbing system defects. Inadequate service, inadequate venting, cross-contamination, back-siphonage, improper installation, deterioration, damage, and similar defects in a plumbing system must be corrected.

Section 505 Water Systems

505.1 to 505.3 *{As in IPMC}*

505.4 Water heating facilities. Every dwelling unit must have water heating facilities that are:

1. properly installed and maintained,
2. properly connected to every required sink, lavatory basin, bathtub, shower, and laundry facility,
3. properly equipped with an approved combination temperature and pressure-relief valve and with a relief-valve discharge pipe,
4. capable of automatically heating water to a temperature of not less than 110° F (43° C), and
5. capable of meeting normal demands at every required outlet.

505.4.1 Venting gas-fired heater. A gas-fired water heater must be vented to the outside air.

505.5 NONPOTABLE WATER REUSE SYSTEMS ***{AS IN IPMC}***

Section 506 Sanitary Drainage System ***{As in IPMC}***

Section 507 Storm Drainage

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises may not be discharged in a manner that violates either:

1. the drainage requirements of the Baltimore City Building Code, or

2. the stormwater management requirements of the City Code.

Chapter 6
Mechanical and Electrical Requirements

Section 601 General *{As in IPMC}*

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 that 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.

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.

604.3.1 Abatement of hazards associated with water EXPOSURE. ***{Not Adopted}***

604.3.2 Abatement of hazards associated with fire EXPOSURE. ***{Not Adopted}***

Section 605 Electrical Equipment

605.1 Installation. *{As in IPMC}*

605.2 Receptacles. Every habitable space in a dwelling must contain at least 2 separate and remote duplex outlets. Every kitchen area must contain additional outlets, connected to an appropriate circuit, for a stove and for a refrigerator. Every laundry area must contain at least 1 grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom must contain at least 1 dual-receptacle. Any new bathroom receptacle outlet must have ground fault circuit interrupter protection.

605.3 Luminaires. *{As in IPMC}*

605.4 Wiring. *{As in IPMC}*

605.5 Halls and stairs. In a multiple-family dwelling, every common hallway and stairway must be adequately lighted at all times with at least 3 foot candles of light at the floor or stair tread level. Other dwellings must have facilities sufficient to provide this level of illumination and be equipped with conveniently located light switches to turn the facilities on and off as needed.

Section 606 Elevators, Escalators, and Dumbwaiters *{As in IPMC}*

Section 607 Duct Systems *{As in IPMC}*

Chapter 7
Fire Safety Requirements

Section 701 General

701.1 Scope. *{As in IPMC}*

701.2 Responsibility. Except as provided in § 704 {"Protection and Detection Systems"} of this Chapter, the owner and operator of the premises must provide and maintain fire safety facilities and equipment in compliance with these requirements.

Section 702 Means of Egress *{As in IPMC}*

Section 703 Fire-Resistance Ratings *{AS IN IPMC}*

[703.1 Fire-resistance-rated assemblies. The required fire-resistance rating must be maintained for all fire-resistance-rated walls, fire stops, occupancy separations, shaft enclosures, furnace room enclosures, stairwell enclosures, partitions, and floors.]

[703.2 Opening protectives. Required opening protectives must be maintained in an operative condition.]

[703.2.1 Fire and smokestop doors. All fire and smokestop doors:

1. must be maintained in an operative condition,

2. may not be blocked, obstructed, or otherwise made inoperable, and

3. must be equipped with approved self-closing devices.]

Section 704 FIRE Protection [and Detection] Systems ***{AS IN IPMC}***

[704.1 General. Fire alarm and detection systems must comply with the requirements of Fire Code § 907 {"Fire Alarm and Detection Systems"}.]

[704.1.1 Automatic sprinkler systems. ***{As in IPMC}***]

[704.1.2 Fire department connection. ***{As in IPMC}***]

[704.2 to 704.4 ***{As in IPMC}***]

[704.5 Carbon monoxide alarms. Carbon monoxide alarms must be installed and maintained in accordance with Baltimore City Building Code § 915 {"Carbon Monoxide Detection"}.]

SECTION 705 CARBON MONOXIDE ALARMS AND DETECTION ***{AS IN IPMC}***

Chapter 8
Referenced Standards
{As in IPMC}

* * * * * * * * *

APPENDIX A
BOARDING STANDARD
{AS IN IPMC}

PART VIII. INTERNATIONAL FIRE CODE

§ 8-101. City adoption.

(a) *In general.*

The International Fire Code ([2015] 2018 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
Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Fire Code".

101.1.1 References to "this Code". Throughout this Part VIII, all references to "this Code" refer to the Baltimore City Fire Code.

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 Buildings".
2. Appendix E: "Hazard Categories".
3. Appendix F: "Hazard Ranking".
4. Appendix G: "Cryogenic Fluids – Weight and Volume Equivalents".
5. Appendix H: "Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS)".
6. APPENDIX N. "INDOOR TRADE SHOWS AND EXHIBITIONS".

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".
3. Appendix D: "Fire Apparatus Access Roads"
4. Appendix I: "Fire Protection Systems – Noncompliant Conditions".
5. Appendix J: "Building Information Signs".
6. Appendix K: "Construction Requirements for Existing Ambulatory Care Facilities".
7. Appendix L: "Requirements for Fire Fighter Air Replenishment Systems".
8. Appendix M: "High-Rise Buildings – Retroactive Automatic Sprinkler Requirement".

101.3 to 101.5 ***{As in IFC}***

Section 102 Applicability

102.1 to 102.5 ***{As in IFC}***

102.6 Historic buildings. ***{Not Adopted}***

102.7 Referenced Codes and Standards. ***{As in IFC}***

102.7.1 Most recent standard. Where a newer version of a standard listed in Chapter 80 {"Referenced Standards"} exists, the Fire Code Official may use the newer version of that standard unless it creates an incompatibility with this Code or with the Baltimore City Building Code.

102.8 to 102.12 ***{As in IFC}***

Section 103 Department of Fire Prevention ***{Not Adopted }***

Section 104 General Authority and Responsibilities

104.1 General. ***{As in IFC}***

104.1.1 Legal enforcement. The Fire Code Official may institute or cause to be instituted, at any time, any and all legal, equitable, or criminal actions or proceedings necessary or appropriate to enforce this Code. Nothing in this Code prevents the Fire Code Official from instituting or causing to be instituted and fully prosecuting any and all legal or equitable proceedings of any kind necessary or appropriate to compel compliance with this Code, even if criminal proceedings are pending or have been completed.

104.2 to 104.8 ***{As in IFC}***

104.9 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Fire Code Official finds in writing that, for the purpose intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

104.10 Fire investigations. ***{As in IFC}***

104.10.1 Fire Investigation Bureau; Fire Marshal. The Fire Investigation Bureau is continued in the Fire Department. The Bureau consists of members assigned to it by the Chief of the Fire Department. The head of the Bureau is the Fire Marshal of Baltimore City, to be designated by the Chief. The Chief may also designate one or more officers or officials to serve in the absence of the Fire Marshal.

104.10.2 General duties. The Fire Investigation Bureau investigates fires and related incidents in Baltimore City. The Bureau must keep a complete record of these fires and related incidents, including their cause and origin, and a complete record of its investigations. The Assistant Chief or his or her designee is the custodian of all records of investigations. In addition to the duties specified in this section, the Bureau performs all other duties assigned to it by law or by the Chief of the Fire Department.

104.10.3 Charge of evidence. In investigating a fire or related incident, the Bureau must take charge immediately of the physical evidence and, to preserve that evidence, take measures to prevent access by any person to the structure or premises until the evidence has been properly processed.

104.10.3.1 Cooperation with other agencies. The Bureau must notify the persons designated by law to pursue investigations, cooperate with authorities in collecting evidence and in prosecuting offenders, and pursue the investigation to its conclusion.

104.10.3.2 Assistance from other agencies. Police and other enforcement agencies are authorized to render assistance in the investigation of fires when requested to do so.

104.10.4 Authority of Fire Marshal. The Fire Marshal has general supervision and control of all fire investigations in the City and of all inquiries to determine their cause and origin, both for the purpose of eliminating that cause and, if arson or incendiaries is suspected, to ascertain the persons responsible.

104.10.5 Penalty for obstructing investigation. Any person who prevents or obstructs or attempts to prevent or obstruct an investigation is guilty of a misdemeanor and, on conviction, is subject to the penalties specified in [§ 109] § 110 {"Violations"} of this Code.

104.10.6 Subpoena of witness and documents. In conducting an investigation, the Fire Marshal may subpoena and compel attendance of any person and the production of any documents that, in the judgment of the Fire Marshal, are connected with and necessary to the investigation, and have that person examined on oath or affirmation at the time and place specified in the subpoena. Officers of the Baltimore Police Department may serve the subpoena.

104.10.7 Enforcement of subpoena. If a person is served with a subpoena and fails to attend and testify, or fails on examination to answer any question, or otherwise fails to comply with the subpoena, the Fire Marshal may apply to a judge of the Circuit Court of Baltimore City to order compliance to the subpoena. If the judge orders compliance, the Fire Marshal must so notify the person named in the subpoena and fix the time and place for his or her further examination. If the person still fails to comply, the person may be arrested and charged with contempt.

104.10.8 Administration of oaths. The Fire Marshal may administer oaths or affirmations. Any false testimony given under oath or affirmation administered by the Fire Marshal, if material and made willfully, is punishable as perjury.

104.10.9 Submission to State's Attorney. If gross negligence, arson, or incendiaries is reasonably evident in a case, the Fire Marshal must submit all of the Bureau's records on the case to the State's Attorney of Baltimore City.

104.11 Authority at fires and other emergencies. ***{As in IFC}***

104.12 Fees for non-fire suppression services. The Director of Finance must establish and annually review a fee schedule for non-fire suppression services performed by the Fire Department. The Director of Finance must base these fees on the expense incurred by the Fire Department in performing non-fire suppression services.

Section 105 Permits

105.1 General. ***{As in IFC}***

105.1.1 Permits required. Permits must be obtained from the Fire Code Official as required by this Code or in the Fire Code Official's Fire Prevention Permit Schedule. Permit fees, if any, must be paid before the permit is issued. An issued permit must be kept on the premises designated in that permit at all times and must be readily available for inspection by the Fire Code Official.

105.1.2 Types of permits. ***{As in IFC}***

105.1.3 Multiple permits for the same location. ***{As in IFC}***

105.1.4 Emergency repairs. ***{Not Adopted}***

105.1.5 Repairs. ***{As in IFC}***

105.1.6 Annual permit. ***{Not Adopted}***

105.1.7 Setting fees. The Director of Finance must establish and annually review the fees charged for permits under this Code. The Director of Finance must base these fees on the expenses incurred by the Fire Prevention Bureau in processing permit applications and in conducting inspections.

105.2 Application. *{As in IFC}*

105.3 Conditions of a permit. *{As in IFC}*

105.3.1 to 105.3.8 *{As in IFC}*

105.3.9 Violation of permit. Failure to comply with any term or condition of any permit issued under this Code constitutes a violation of this Code and subjects the violator to the penalties prescribed in [§ 109] § 110 {"Violations"} of this Code.

105.4 Construction documents. *{As in IFC}*

105.5 Revocation. *{As in IFC}*

105.6 Required operational permits. *{As in IFC}*

105.6.1 to [105.6.15] 105.6.14 *{As in IFC}*

[105.6.16] 105.6.15 Fire hydrants and valves. *{Not Adopted}*

105.6.17 to [105.6.48] 105.6.50 *{As in IFC}*

105.7 Required construction permits. *{As in IFC}*

Section 106 [113] Fees

106.1 [113.1] Fees. *{As in IFC}*

106.2 [113.2] Schedule of permit fees. [The] PERMIT fees are as provided in the Baltimore City Building Code.

106.3 TO 106.5 [113.3 to 113.5] *{Not Adopted}*

Section 107 [106] Inspections

107.1 [106.1] Inspection authority. *{As in IFC}*

107.2 [106.2] Inspections. *{As in IFC}*

107.3 [106.3] Concealed work. *{As in IFC}*

107.4 [106.4] Approvals. *{As in IFC}*

107.5 [106.5] Right of entry. Whenever necessary to enforce this Code or whenever the Fire Code Official has reasonable cause to believe that, in any structure or on an premises, a condition exists that makes the structure or premises unsafe, the Fire Code official may enter

to inspect the structure or premises or to perform any duty imposed on the Fire Code Official by this Code.

107.5.1 [106.5.1] Occupied premises. If the structure or premises is occupied, the Fire Code Official must first present proper credentials and request entry. If entry is refused, the Fire Code Official has the same authority to secure a search warrant as that vested in the Building Official by § 104.6 {"Right of entry"} of the Baltimore City Building Code.

Section 108 [107] Maintenance ***{As in IFC}***

Section 109 [108] Appeals

109.1 [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.

109.2 [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.

109.3 [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.

109.4 [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.

109.5 [108.5] [Appeals from Board.] JUDICIAL AND APPELLATE REVIEW. A party aggrieved by a Board decision made under [§ 108.4] § 109.4 of this Code 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.

109.6 [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, except in the case of imminent danger, 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 110 [109] Violations

110.1 [109.1] Unlawful acts. *{As in IFC}*

110.2 [109.2] Owner/occupant responsibility. *{As in IFC}*

110.3 [109.3] Notice of violation. *{As in IFC}*

110.3.1 TO 110.3.4 [109.3.1 to 109.3.4] *{As in IFC}*

110.3.5 [109.3.5] 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.

110.4 [109.4] Penalty for violations. Any person who violates or fails to comply with any provision of this Code or of any notice, decision, permit, or regulation issued under this Code or who erects, installs, alters, repairs, or does work in violation of approved construction documents or of a directive of the Fire Code Official is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than $1,000 or imprisoned for not more than 10 days or both. Each day that a violation continues after service of notice is a separate offense.

110.4.1 [109.4.1] Abatement of violation. *{As in IFC}*

110.4.2 [109.4.2] Failure to correct violations. If a violation notice is not complied with within the time specified, the Fire Code Official may do any one or more of the following:

1. take action under [§ 109.6] § 110.6 {"Violation of notices, etc."} of this Code,

2. request the State's Attorney or the City Solicitor to institute appropriate legal proceedings:

    a. to restrain, correct, or abate the violation, or

    b. to require removal or termination of the unlawful use of the structure or premises in violation of this Code, or of any order or direction made under this Code, or

3. if the violation affects the immediate safety of the public, request the Baltimore Police Department to arrest those responsible for the violation.

110.5 [109.5] Violation of notices, etc. – Constitutes violation of Code. Every person must fully comply with all provisions of this Code and with all provisions of any notice, order, decision, permit, or regulation issued by the Fire Code Official. Any act contrary to and any failure to comply with any provision or requirement of any notice, order, decision, permit, or regulation of the Fire Code Official constitutes a violation of this Code.

110.6 [109.6] Violation of notices, etc. – Action by Fire Code Official. Whenever any person fails in any respect to fully comply with any provision of any notice, order, decision, permit, or regulation issued under this Code, the Fire Code Official may take any action necessary to eliminate or make safe any condition that violates this Code.

110.7 [109.7] Citations for certain offenses. In accordance with City Code Article 1, Subtitle 40 {"Environmental Control Board"}, City Code Article 1, Subtitle 41 {"Civil Citations"}, or City Code Article 19, Subtitle 71 {"Special Enforcement Officers"}, a prepayable citation may be issued to the owner, agent, or person responsible for the operation or in charge of any occupancy that fails to comply with the following provisions of this Code:

1. [§ 107.5] § 108.6 {"Maintenance: Overcrowding"}
2. [§ 110.1] § 111.1 {"Unsafe Buildings: General"}, or
3. § 1001.2 {"Means of Egress: Minimum Requirements"}.

110.7.1 [109.7.1] Each day a separate offense. Each day that a violation continues is a separate offense. A citation may be issued under this section any time that a violation is discovered, whether or not a prior citation has been issued for the same condition.

110.7.2 [109.7.2] Permit revocation for repeat violators. If 3 citations are issued to the same person or operation within a 1-year period, the Fire Code Official may revoke all permits issued by the Fire Code Official to or for that person or operation and notify all appropriate City agencies of the revocation.

110.7.3 [109.7.3] Procedure not exclusive. The issuance of a citation under this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

Section 111 [110] Unsafe Buildings

111.1 TO 111.4 [110.1 to 110.4] ***{As in IFC}***

111.5 [110.5] Fire hazards. Whenever the maintenance, operation, or use of all or part of any land, structure, material, or other object constitutes a fire hazard and the action to be taken to eliminate the hazard is not specifically provided for in this Code, the Fire Code Official may take any action necessary to eliminate the hazard.

Sections 112 TO 113 [111 to 112] ***{As in IFC}***

Section 114 Emergency Measures

114.1 General. In an emergency, where life or property is in immediate danger from any cause or thing covered or contemplated to be covered by this Code, the Fire Code Official may immediately take any action necessary to protect against the danger, without complying with [§ 109.3] § 110.3 {"Notice of violation"} of this Code.

Section 115 Costs

115.1 Owner's liability for cost of actions. Whenever the Fire Code Official takes action under this Code, all expenses incurred and fees imposed by the Fire Code Official in avoiding, correcting, or removing a dangerous condition or in performing non-fire suppression services becomes a debt, jointly and severally owed to the City by every owner of the property on or in which the condition existed or the services performed.

115.2 When due; collection; lien. This debt becomes immediately due to the City when the work or operation is finished and may be collected in the same manner as any other debt due the City. In addition, when the work or operation is finished, a lien in favor of the City attaches to the premises on or in which the work or operation was done and continues until the City is paid the full amount owed.

Chapter 2
Definitions

Section 201 General

201.1 Scope. *{As in IFC}*

201.2 Interchangeability. *{As in IFC}*

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 {"Referenced Codes"} 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 IFC}*

Section 202 General Definitions

202.1 General. Except as specified in § 202.2 of this Code, terms used in this Code and defined in the International Fire Code ([2015] 2018 Edition) have the meanings given in the International Fire Code ([2015] 2018 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 Requirements

Sections 301 to 306 ***{As in IFC}***

Section 307 Open Burning, Recreational Fires, and Portable Outdoor Fireplaces

307.1 to 307.3 ***{As in IFC}***

307.4 Location ***{As in IFC}***

307.4.1 to 307.4.2 ***{As in IFC}***

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces must be used in accordance with the manufacturer's instructions and may not be operated within 15 feet (3048 mm) of any structure, combustible material, or property line.

Exception: ***{Not Adopted}***

307.5 Attendance. ***{As in IFC}***

Section 308 Open Flames

308.1 General ***{As in IFC}***

308.1.1 to 308.1.3 ***{As in IFC}***

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices may not be operated on combustible balconies or within 10 feet (3048 mm) of any combustible construction or property line.

Exception: A one- or two-family dwelling whose property lines are less than 10 feet from the structure may use an open-flame cooking device as long as:

1. the device is at least 6 feet from any combustible construction; and

2. the following extinguishing agent is available:

   a. for an LPG burner, a portable fire extinguisher with at least a 2A-10BC rating; and

   b. for a charcoal or wood burner, either:

      i. a water fire extinguisher; or

      ii. a 5-gallon bucket of water.

308.1.5 to 308.1.8 ***{As in IFC}***

308.2 Permits required. ***{As in IFC}***

308.3 Group A Occupancies. ***{As in IFC}***

308.3.1 Open-flame decorative devices. ***{As in IFC}***

308.3.2 Theatrical performances. ***{As in IFC}***

308.3.3 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.

308.3.3.1 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:

1. No appliance has more than two 10-oz. (296 ml) gas containers, with a maximum water capacity of 1.08 lb. (0.049 kg) per container, connected directly to it at any time.

2. The containers are not manifold.

3. All containers are listed and comply with UL 147B, "Standard for Non-Refillable (Disposable) Type Metal Container Assemblies for Butane".

4. Each container is an integral part of the listed and approved commercial food service appliance and is connected to the appliance without the use of a rubber hose.

5. No more than 24 of these containers are stored in the building, with an additional 24 containers permitted to be stored in another storage area in the building if that other storage area is separated or contained by a minimum 2-hour fire wall.

6. THE USE OF LP GAS IN ASSEMBLY AREAS FOR THEATRICAL PERFORMANCES IS SUBJECT TO THE REVIEW, EVALUATION, AND APPROVAL OF THE FIRE CODE OFFICIAL FOR EACH INDIVIDUAL EVENT.

308.4 Group R occupancies *{As in IFC}*

Sections 309 to [318] 319 *{As in IFC}*

Chapter 4
Emergency Planning And Preparedness

Sections 401 to 403 *{As in IFC}*

Section 404 Fire Safety, Evacuation, and Lockdown Plans *{As in IFC}*

Section 405 Emergency Evacuation Drills

405.1 General. *{As in IFC}*

405.2 Frequency. *{As in IFC}*

405.2.1 Educational occupancies. Every educational occupancy for more than 50 persons must have at least 2 fire drills each year, to be arranged by and conducted under the supervision and direction of the Fire Code Official.

405.2.2 High-rise buildings. Every high-rise building must have a least 1 fire drill each year, to be arranged by the owner or person responsible for the building, in coordination with the Fire Code Official.

405.3 to 405.9 *{As in IFC}*

Sections 406 to 407 *{As in IFC}*

Chapter 5
Fire Service Features

Sections 501 to 502 *{As in IFC}*

Section 503 Fire Apparatus Access Roads

503.1 Where required. *{As in IFC}*

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Exceptions: Public streets shall be in accordance with the National Association of City Transportation Officials (NACTO) Urban Street Design Guide.

503.2.2 to 503.2.8 ***{As in IFC}***

503.3 to 503.6 ***{As in IFC}***

Section 504 ***{As in IFC}***

Section 505 Premises Identification

505.1 Address identification. Address identification must be provided and maintained for all buildings in accordance with:

1. [ICC] International Building Code [§ 501.2 {"Address identification"}] § 502 {"BUILDING ADDRESS"}; and

2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

505.2 Street or road signs. ***{As in IFC}***

Sections 506 to 510 ***{As in IFC}***

Section 511 Structures on piers

511.1 Definitions. In this section, "pier" means any pier, wharf, dock, bulkhead, breakwater, piles, or other similar structure.

511.2 General. Every structure that is constructed on a pier must comply with the requirements of this § 511 and all other applicable provisions of this Code and other law.

511.3 Chapter 28 of NFPA 1. The pier and structure must comply with Chapter 28 {"Marinas and Boatyards, Marine Terminals, Piers, and Wharves"} of NFPA 1, Fire Code ([2015] 2018 Edition), subject to the requirements of the Fire Code Official and the Building Official.

511.3.1 Chapter 6 of NFPA 25. Flow tests must be conducted under Table 6.1.1.2 and § 6.3.1.1 of NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems ([2014] 2017 Edition), annually (rather than, as otherwise there stated, every 5 years).

511.4 Pier material. The pier must be made of or encased by non-combustible materials. The structure on the pier must be of Type I, Type II, or Type III construction.

511.5 Sprinkler protection. The entire structure on the pier must be sprinkled.

511.6 Separation. The separation between structures on a pier must be at least 30 feet.

511.7 Standpipes and hydrants. Standpipes (Fire Department Connections) must be provided on the pier at least every 100 feet. Hydrants must be installed within 100 feet of a standpipe.

511. 8 Emergency vehicle access. All piers with structures must provide access for emergency vehicles on the promenade, a road, or other appropriate space. This access must be designed and configured to accommodate fire, ambulance, and other emergency vehicles. Access for emergency vehicles must be provided to within at least 300 feet of the farthest edge of the structure. The fire lane must be at least 20 feet wide.

511.9 Fire boat access. Access for fire boats must be provided to within at least 50 feet of the farthest edge of the structure. The water depth of that access must be at least 10 feet (mean low water mark).

511.10 Tie-ups. Marina slips are prohibited within 30 feet of any structure on a pier. Transient (i.e., hourly or daily) tie-ups along a bulkhead are only allowed adjacent to commercial structures and no closer than 15 feet from the structure.

Chapter 6
Building Services and Systems

Sections 601 to 602 ***{As in IFC}***

Section 603 Fuel-Fired Appliances

603.1 Installation. The installation of nonportable fuel gas appliances and systems must comply with the International 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 to 603.1.7 ***{As in IFC}***

603.2 Chimneys. ***{As in IFC}***

603.3 Fuel oil storage systems. ***{As in IFC}***

603.4 Portable unvented heaters. ***{As in IFC}***

603.5 Heating appliances. ***{As in IFC}***

603.5.1 Guard against contact. ***{As in IFC}***

603.5.2 Heating appliance installation and maintenance. Heating appliances must be installed and maintained 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}***

603.8 Incinerators. ***{As in IFC}***

603.9 Gas meters. *{As in IFC}*

[Section 604 Emergency and Standby Power Systems]

[604.1 Installation. Emergency and standby power systems must be installed in accordance with the National Electrical Code, NFPA 110, and NFPA 111. Existing installations must be maintained in accordance with the original approval.]

[604.1.1 to 604.1.8 *{As in IFC}*]

[604.2 to 604.7 *{As in IFC}*]

Section 604 [605] Electrical Equipment, Wiring, and Hazards *{AS IN IFC}*

[605.1 to 605.10 *{As in IFC}*]

[605.11 Solar photovoltaic power systems. *{As in IFC}*]

[605.11.1 Access and pathways. *{As in IFC}*]

[605.11.1.1 Roof access points. *{As in IFC}*]

[605.11.1.2 Solar photovoltaic systems for Group R-3 buildings. Solar photovoltaic systems for Group R-3 buildings shall comply with §§ 605.11.1.2.1 through 605.11.1.2.5.]

[Exception: *{Not Adopted}*]

[605.11.1.2.1 to 605.1.2.5 *{As in IFC}*]

[605.11.1.2 Ground-mounted photovoltaic arrays. *{As in IFC}*]

[605.12 Abandoned wiring in plenums. *{As in IFC}*]

Sections 605 TO 606 [606 to 608] *{As in IFC}*

Section 607 [609] Commercial Kitchen Hoods

607.1 [609.1] General *{As in IFC}*

607.2[609.2] Where required *{As in IFC}*

[Exception] EXCEPTIONS: *{Not Adopted}*

607.3 TO 607.4 [609.3 to 609.4] *{As in IFC}*

Sections 608 TO 609 [610 to 611] *{As in IFC}*

Chapter 7
Fire and Smoke Protection Features
{As in IFC}

Chapter 8
Interior Finish, Decorative Materials, and Furnishings
{As in IFC}

Chapter 9
Fire Protection Systems

Sections 901 to 902 *{As in IFC}*

Section 903 Automatic Sprinkler Systems

903.1 General. *{As in IFC}*

903.2 Where required. *{As in IFC}*

903.3 Installation requirements. *{As in IFC}*

903.3.1 Standards. *{As in IFC}*

903.3.1.1 to 903.3.1.3 *{As in IFC}*

903.3.1.4 NFPA 13D sprinkler systems (garages): A garage must be sprinkled when a living area is provided above it. The system design and density for the garage may be the same as that for the living area.

903.3.2 to 903.3.8 *{As in IFC}*

903.4 Sprinkler system supervision and alarms. *{As in IFC}*

903.4.1 Monitoring. *{As in IFC}*

903.4.2 Alarms. *{As in IFC}*

903.4.2.1 NFPA 13D alarm or notification. A water flow alarm device must be installed to provide notice to occupants when a sprinkler flow condition occurs. The device must provide an audible alarm that is at least 75 dBA in the master bedroom and that begins within 60 seconds of flow and continues until the flow has stopped.

903.4.3 Floor control valves. *{As in IFC}*

903.5 to 903.6 *{As in IFC}*

Sections 904 to 905 *{As in IFC}*

Section 906 Portable Fire Extinguishers

906.1 to 906.10 ***{As in IFC}***

906.11 Registration required. No person may represent him- or herself as a fire extinguisher repair person or engage in the business of recharging, testing, or installing fire extinguishers or fire extinguishing equipment unless that person is registered with the Fire Code Official to do so. Registration is for a year, renewable annually.

906.11.1 Testing competence. The Fire Code Official may require that all applicants for registration pass a test that demonstrates the applicant's competency with fire extinguishing equipment.

906.11.2 Fee for registration. The Fire Code Official may require a fee for the registration or renewal.

Section 907 Fire Alarm and Detection Systems

907.1 General. ***{As in IFC}***

907.2 Where required – New buildings and structures. ***{As in IFC}***

907.2.1 to 907.2.9 [907.2.10] ***{As in IFC}***

907.2.10 [907.2.11] Single- and multiple-station smoke alarms. ***{As in IFC}***

907.2.10.1 [907.2.11.1] Group R-1. ***{As in IFC}***

907.2.10.2 [907.2.11.2] Groups R-2, R-3, R-4, and I-1. ***{As in IFC}***

907.2.10.2.1 [907.2.11.2.1] Obligations of landlord and tenant. Except as otherwise provided in this [§ 907.2.11.2] § 907.2.10.2, 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.

907.2.10.2.2 [907.2.11.2.2] 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.

907.2.10.2.3 [907.2.11.2.3] 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 [§ 907.2.11.2] § 907.2.10.2, 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.

907.2.10.3 TO 907.2.10.7 [907.2.11.3 to 907.2.11.7] *{As in IFC}*

907.2.11 [907.2.12] to 907.2.23 *{As in IFC}*

907.3 to [907.9] 907.10 *{As in IFC}*

Sections 908 to 914 *{As in IFC}*

Section 915 Carbon Monoxide Detection *{As in IFC}*

Chapter 10
Means of Egress
{As in IFC}

Chapter 11
Construction Requirements for Existing Buildings
{As in IFC}

CHAPTER 12
ENERGY SYSTEMS

SECTION 1201 GENERAL *{AS IN IFC}*

SECTION 1202 DEFINITIONS *{AS IN IFC}*

SECTION 1203 EMERGENCY AND STANDBY POWER SYSTEMS

1203.1 GENERAL. *{AS IN IFC}*

1203.1.1 TO 1203.1.2 *{AS IN IFC}*

1203.1.3 INSTALLATION. EMERGENCY AND STANDBY POWER SYSTEMS MUST BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, NFPA 110, AND NFPA 111. EXISTING INSTALLATIONS MUST BE MAINTAINED IN ACCORDANCE WITH THE ORIGINAL APPROVAL.

1203.1.3 TO 1203.1.9 *{AS IN IFC}*

1203.2 TO 1203.6 *{AS IN IFC}*

SECTION 1204 SOLAR PHOTOVOLTAIC POWER SYSTEMS

1204.1 GENERAL *{AS IN IFC}*

1204.2 ACCESS AND PATHWAYS. *{AS IN IFC}*

1204.2.1 SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS. SOLAR PHOTOVOLTAIC SYSTEMS FOR GROUP R-3 BUILDINGS MUST COMPLY WITH §§ 1204.2.1.1 THROUGH 1204.2.1.3.

EXCEPTIONS: ***{NOT ADOPTED}***

1204.2.1.1 TO 1204.2.1.3 ***{AS IN IFC}***

1204.2.2 EMERGENCY ESCAPE AND RESCUE OPENINGS. ***{AS IN IFC}***

1204.3 TO 1204.5 ***{AS IN IFC}***

SECTION 1205 STATIONARY FUEL CELL POWER SYSTEMS ***{AS IN IFC}***

SECTION 1206 ELECTRICAL ENERGY STORAGE SYSTEMS ***{AS IN IFC}***

Chapters [12] 13 [through] TO 19
{Reserved}

Chapter 20
Aviation Facilities
{As in IFC}

Chapter 21
Dry Cleaning
{As in IFC}

Chapter 22
Combustible Dust-Producing Operations
{As in IFC}

Chapter 23
Motor Fuel-Dispensing Facilities and Repair Garages
{As in IFC}

Chapter 24
Flammable Finishes
{As in IFC}

Chapter 25
Fruit and Crop Ripening
{As in IFC}

Chapter 26
Fumigation and Thermal [Insecticidal] Fogging

Sections 2601 to 2602 *{As in IFC}*

Section 2603 Fire Safety Requirements

2603.1 to 2603.7 *{As in IFC}*

2603.8 Sulfur candles prohibited. Except as specifically approved by the Fire Code Official, the use of sulfur candles for fumigating private residences is prohibited.

Chapter 27
Semiconductor Fabrication Facilities
{As in IFC}

Chapter 28
Lumber Yards and Agro-Industrial, Solid Biomass, and Woodworking Facilities
{As in IFC}

Chapter 29
Manufacture of Organic Coatings
{As in IFC}

Chapter 30
Industrial Ovens
{As in IFC}

Chapter 31
Tents, TEMPORARY SPECIAL EVENT STRUCTURES, and Other Membrane Structures
{As in IFC}

Chapter 32
High-Piled Combustible Storage
{As in IFC}

Chapter 33
Fire Safety During Construction and Demolition

Sections 3301 to 3302 *{As in IFC}*

Section 3303 Temporary Heating Equipment

3303.1 Listed. *{As in IFC}*

3303.2 Oil-fired heaters. *{As in IFC}*

3303.3 LP-gas heaters. Fuel supplies for liquefied-petroleum gas-fired heaters must comply with NFPA 58 and the International Fuel Gas Code.

3303.4 to 3303.6 *{As in IFC}*

3303.7 Permit required. A permit from the Fire Code Official is required for commercial portable heaters, including salamanders, and for other similar appliances or equipment used for temporary heating in structures under construction or undergoing renovation. This equipment must be maintained and operated in accordance with all applicable NFPA standards.

Sections 3304 to 3317 *{As in IFC}*

Chapter 34
Tire Rebuilding and Tire Storage
{As in IFC}

Chapter 35
Welding and Other Hot Work
{As in IFC}

Chapter 36
Marinas
{As in IFC}

Chapter 37
Combustible Fibers
{As in IFC}

CHAPTER 38
EDUCATION LABORATORIES
{AS IN IFC}

CHAPTER 39
PROCESSING AND EXTRACTION FACILITIES
{AS IN IFC}

Chapters [38] 40 [through] TO 49
{Reserved}

Chapter 50
Hazardous Materials – General Provisions
{As in IFC}

Chapter 51
Aerosols
{As in IFC}

Chapter 52
{Reserved}

Chapter 53
Compressed Gases
{As in IFC}

Chapter 54
Corrosive Materials
{As in IFC}

Chapter 55
Cryogenic Fluids
{As in IFC}

Chapter 56
Explosives and Fireworks
{As in IFC}

Chapter 57
Flammable and Combustible Liquids
{As in IFC}

Chapter 58
Flammable Gases and Flammable Cryogenic Fluids
{As in IFC}

Chapter 59
Flammable Solids
{As in IFC}

Chapter 60
Highly Toxic and Toxic Materials
{As in IFC}

Chapter 61
Liquefied Petroleum Gases
{As in IFC}

Chapter 62
Organic Peroxides
{As in IFC}

Chapter 63
Oxidizers, Oxidizing Gases, and Oxidizing Cryogenic Fluids
{As in IFC}

Chapter 64
Pyrophoric Materials
{As in IFC}

Chapter 65
Pyroxylin (Cellulose Nitrate) Plastics
{As in IFC}

Chapter 66
Unstable (Reactive) Materials
{As in IFC}

Chapter 67
Water-Reactive Solids and Liquids
{As in IFC}

Chapters 68 [through] TO 79
{Reserved}

Chapter 80
Referenced Standards
{As in IFC}

* * * * * * * * * *

Appendix A
Board of Appeals
{Not Adopted}

Appendix B
Fire-Flow Requirements for Buildings
{As in IFC}

Appendix C
Fire Hydrant Locations and Distribution
{Not Adopted}

Appendix D
Fire Apparatus Access Roads
{Not Adopted}

Appendix E
Hazard Categories
{As in IFC}

Appendix F
Hazard Ranking
{As in IFC}

Appendix G
Cryogenic Fluids – Weight and Volume Equivalents
{As in IFC}

Appendix H
Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS)
{As in IFC}

Appendices I to M
{Not Adopted}

APPENDIX N
INDOOR TRADE SHOWS AND EXHIBITIONS
{AS IN IFC}

PART IX-A. INTERNATIONAL ENERGY CONSERVATION CODE – COMMERCIAL PROVISIONS

§ 9A-101. City adoption.

(a) *In general.*

The International Energy Conservation Code – Commercial Provisions ([2015] 2018 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-A.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part IX-A refer to the chapter and section numbers of the International Energy Conservation Code – Commercial Provisions.

§ 9A-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1
Scope and Administration

{**MBPS Modification** – Additional requirements concerning energy conservation for structures may be found in the Energy Conservation Building Standards, State Public Utility Companies Article, §§ 7-401 to 7-408.}

Section 101 Scope and General Requirements

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Energy Conservation Code – Commercial Provisions".

101.1.1 References to "this Code". Throughout this Part IX-A, all references to "this Code" refer to the Baltimore City Energy Conservation Code – Commercial Provisions.

101.2 to 101.5 ***{As in IECC-C}***

101.6 Administration. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

1. "Department" means the Department of Housing and Community Development, and

2. "Code Official" means the Building Official, as defined in § 202.2 of the Baltimore City Building Code.

Section 102 Alternative Materials, Methods, and Insulating Systems

102.1 General. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction or insulation system not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material, method, or insulation system may be approved if the Code Official finds in writing that, for the purpose intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is, FOR THE PURPOSE INTENDED, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

102.1.1 Above code programs. *{As in IECC-C}*

Section 103 Construction Documents *{As in IECC-C}*

Section 104 [107] Permits and fees

104.1 [107.1] Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

104.2 [107.2] Expiration of permit. Unless extended, a permit expires as set forth in § 105.5 {"Expiration; extension ..."} of the Baltimore City Building Code.

104.3 [107.3] Extension. A permit may be extended as provided in § 105.5 {"Expiration; extension ..."} of the Baltimore City Building Code.

104.4 [107.4] Suspension or revocation. The Building Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

104. 5 [107.5] Fee schedule. The fee for each permit is as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

Section 105 [104] Inspections

105.1 [104.1] General. *{As in IECC-C}*

105.1.1 [104.1.1] Code Official's powers and duties. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

105.1.2 [104.1.2] Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official

may pursue recourse as provided by law, including § 104 {"...Powers of Building Official"} of the Baltimore City Building Code.

105.2 [104.2] to 105.7 [104.7] *{As in IECC-C}*

[Sections 105 to 106 *{As in IECC-C}***]**

SECTION 106 [105] VALIDITY *{AS IN IECC-C}*

SECTION 107 [106] REFERENCED STANDARDS *{AS IN IECC-C}*

SECTION 108 STOP WORK ORDER *{NOT ADOPTED; BUT SEE § 112.2 OF THIS CHAPTER}*

SECTION 109 BOARD OF APPEALS *{NOT ADOPTED; SEE §113 OF THIS CHAPTER}*

SECTIONS 110 TO 111 *{RESERVED}*

Section 112 [108] Violations

112.1 [108.1] Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

112.2 [108.2] Stop-work orders. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

[108.3 Emergencies. *{As in IECC-C}***]**

[108.4 Failure to comply. *{Not Adopted}***]**

Section 113 [109] Administrative and Judicial Review

113.1 [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 109.3 *{Not Adopted}***]**

Chapter 2
Definitions

Section 201 General

201.1 Scope. *{As in IECC-C}*

201.2 Interchangeability. *{As in IECC-C}*

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 {"Referenced Codes"} 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-C}*

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Energy Conservation Code – Commercial Provisions ([2015] 2018 Edition) have the meanings given in the International Energy Conservation Code – Commercial Provisions ([2015] 2018 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Energy Conservation Code – Commercial Provisions, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code official. "Code official" has the meaning stated in § 101.6 of this Code.

202.2.3 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.4 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.5 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.6 Premises. "Premises" has the meaning stated in § 202.2 of the Baltimore City Building Code.

Chapter 3
General Requirements
{As in IECC-C}

Chapter 4
Commercial Energy Efficiency

[Sections 401 to 404 *{As in IECC-C}***]**

SECTION 401 GENERAL ***{AS IN IECC-C}***

401.1 SCOPE. ***{AS IN IECC-C}***

401.2 APPLICATION. A COMMERCIAL BUILDING COMPLIES WITH THIS CHAPTER IF THE BUILDING COMPLIES WITH ONE OF THE FOLLOWING CRITERIA:

1. THE BUILDING MEETS THE REQUIREMENTS OF ANSI/ASHRAE/IESNA 90.1, AND, IN ADDITION, THE BUILDING'S ENERGY USE IS EQUAL TO OR LESS THAN 85% OF THE STANDARD REFERENCE DESIGN BUILDING; OR

2. THE BUILDING MEETS THE REQUIREMENTS OF §§ 402 THROUGH 405 AND § 408 OF THIS CHAPTER, AND, IN ADDITION:

   A. THE COMMERCIAL BUILDING COMPLIES WITH § 406 OF THIS CHAPTER; AND

   B. TENANT SPACES COMPLY WITH § 406.1.1 OF THIS CHAPTER; OR

3. THE BUILDING MEETS THE REQUIREMENTS OF §§ 402.5, 403.2, 403.3 THROUGH 403.3.2, 403.4 THROUGH 403.4.2.3, 403.5.5, 403.7, 403.8.1 THROUGH 403.8.4, 403.10.1 THROUGH 403.10.3, 403.11, 403.12, 404, 405, 407, AND 408 OF THIS CHAPTER, AND, IN ADDITION, THE BUILDING'S ENERGY USE IS EQUAL TO OR LESS THAN 85% OF THE STANDARD REFERENCE DESIGN BUILDING.

401.2.1 APPLICATION TO REPLACEMENT FENESTRATION PRODUCTS. ***{AS IN IECC-C}***

SECTION 402 BUILDING ENVELOPE REQUIREMENTS

402.1 TO 402.4 ***{AS IN IECC-C}***

402.5 AIR LEAKAGE – THERMAL ENVELOPE. ***{AS IN IECC-C}***

402.5.1 AIR BARRIERS. ***{AS IN IECC-C}***

402.5.1.1 AIR BARRIER CONSTRUCTION. ***{AS IN IECC-C}***

402.5.1.2 BUILDING TEST.

402.5.1.2.1 GENERAL. THE COMPLETED BUILDING MUST BE TESTED AS FOLLOWS:

1. TESTS MUST BE ACCOMPLISHED USING EITHER (A) BOTH PRESSURIZATION AND DEPRESSURIZATION OR (B) PRESSURIZATION ALONE, BUT NOT DEPRESSURIZATION ALONE. THE TEST RESULTS MUST BE PLOTTED AGAINST THE CORRECTED P IN ACCORDANCE WITH § 9.4 OF ASTM E779.

2. THE TEST PRESSURE RANGE MUST BE FROM 25 PA TO 80 PA PER § 8.10 OF ASTM E779, BUT THE UPPER LIMIT MAY NOT BE LESS THAN 50 PA, AND THE DIFFERENCE BETWEEN THE UPPER AND LOWER LIMIT MAY NOT BE LESS THAN 25 PA.

3. IF THE PRESSURE EXPONENT IS LESS THAN 0.45 OR GREATER THAN 0.85 PER § 9.6.4 OF ASTM E779, THE TEST MUST BE RERUN WITH ADDITIONAL READINGS OVER A LONGER TIME INTERVAL.

402.5.1.2.2 AIR LEAKAGE RATE. THE AIR LEAKAGE RATE OF THE BUILDING ENVELOPE MAY NOT EXCEED 0.40 CFM/FT2 AT A PRESSURE DIFFERENTIAL OF 0.3 INCHES WATER GAUGE (2.0 L/S • M2 AT 75 PA) AT THE UPPER 95% CONFIDENCE INTERVAL IN ACCORDANCE WITH ASTM E779 OR AN EQUIVALENT METHOD APPROVED BY THE CODE OFFICIAL.

402.5.1.2.3 TESTING FAILURES.

A. **VISUAL INSPECTION TO SEAL LEAKS.** IF THE TESTED RATE EXCEEDS 0.25 CFM/FT2 BUT DOES NOT EXCEED 0.40 CFM/FT2 , A VISUAL INSPECTION OF THE AIR BARRIER MUST BE CONDUCTED, AND ANY LEAKS NOTED MUST BE SEALED TO THE EXTENT PRACTICABLE. ANY FURTHER REQUIREMENT TO MEET THE LEAKAGE AIR RATE IS WAIVED.

B. **CORRECTIVE ACTION AND RETESTING.** IF THE TESTED RATE EXCEEDS 0.40 CFM/FT2, CORRECTIVE ACTIONS MUST BE MADE, AND THE TEST COMPLETED AGAIN. A TEST ABOVE 0.40 CFM/FT2 WILL NOT BE ACCEPTED.

402.5.1.2.4 REPORTING.

A. **GENERAL.** A REPORT THAT INCLUDES THE TESTED SURFACE AREA, FLOOR AREA, AIR BY VOLUME, STORIES ABOVE GRADE, AND LEAKAGE RATES MUST BE SUBMITTED TO THE BUILDING OWNER AND THE CODE OFFICIAL.

B. **CORRECTIVE ACTIONS.** AN ADDITIONAL REPORT IDENTIFYING THE CORRECTIVE ACTIONS TAKEN TO SEAL AIR LEAKS MUST BE SUBMITTED TO THE BUILDING OWNER AND THE CODE OFFICIAL.

402.5.2 TO 402.5.8 ***{AS IN IECC-C}***

SECTIONS 403 TO 404 ***{AS IN IECC-C}***

Section 405 Electrical Power and Lighting Systems

405.1 General. ***{As in IECC-C}***

405.2 Lighting controls. *{As in IECC-C}*

405.2.1 to 405.2.3 *{As in IECC-C}*

405.2.4 Specific application controls. Specific application controls must be provided for the following:

[1. and 2. *{As in IECC-C}*]

[3. a. Hotel and motel sleeping units and guest suites must have a master control device at the main room entry that controls all permanently installed luminaries and switched receptacles. These controls must be configured so as to require use of the room key to activate the lighting in the unit or suite.]

[b. Hotel and motel sleeping units and guest suites must have at least 1 receptacle dedicated to the charging of electronic devices. These receptacles must be operable independently of the master control device installed under subparagraph a of this paragraph or otherwise.]

[4. to 6. *{As in IECC-C}*]

1. ***{AS IN IECC-C}***

2. ***{AS IN IECC-C;*** **BUT** ***SEE ALSO ITEM 5 BELOW}***

3. TO 4. ***{As in IECC-C}***

5. {PER MBPS MODIFICATION} FOR THE NEW CONSTRUCTION OF HOTELS OR MOTELS:

(A) EACH HOTEL OR MOTEL GUEST ROOM OR SUITE MUST BE EQUIPPED WITH A MASTER CONTROL DEVICE THAT AUTOMATICALLY TURNS OFF THE POWER TO ALL OF THE LIGHTING FIXTURES IN THE GUEST ROOM OR SUITE NO MORE THAN 30 MINUTES AFTER THE ROOM OR SUITE HAS BEEN VACATED; AND

(B) A MASTER CONTROL DEVICE MAY ALSO CONTROL THE HEATING, VENTILATION, OR AIR CONDITIONING DEFAULT SETTINGS IN A HOTEL OR MOTEL GUEST ROOM OR SUITE 30 MINUTES AFTER ROOM OR SUITE HAS BEEN VACATED BY:

(I) INCREASING THE SET TEMPERATURE BY AT LEAST 3 DEGREES FAHRENHEIT WHEN IN THE AIR CONDITIONING MODE; OR

(II) DECREASING THE SET TEMPERATURE BY AT LEAST 3 DEGREES FAHRENHEIT WHEN IN THE HEATING MODE.

405.2.5 MANUAL CONTROLS. ***{AS IN IECC-C}***

405.2.6 [405.2.5] Exterior lighting controls. *{As in IECC-C}*

405.3 TO 405.9 *{As in IECC-C}*

Sections 406 to 408 *{As in IECC-C}*

Chapter 5
Existing Buildings
{As in IECC-C}

Chapter 6
Referenced Standards
{As in IECC-C}

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APPENDIX A
SOLAR-READY ZONE
{AS IN IECC-C}

PART IX-B. INTERNATIONAL ENERGY CONSERVATION CODE – RESIDENTIAL PROVISIONS

§ 9B-101. City adoption.

(a) *In general.*

The International Energy Conservation Code – Residential Provisions ([2015] 2018 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.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part IX-B refer to the chapter and section numbers of the International Energy Conservation Code – Residential Provisions.

§ 9B-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1
Scope and Administration

{**MBPS Modification** – Additional requirements concerning energy conservation for structures may be found in the Energy Conservation Building Standards, State Public Utility Companies Article §§ 7-401 to 7408.}

Section 101 Scope and General Requirements

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Energy Conservation Code – Residential Provisions".

101.1.1 References to "this Code". Throughout this Part IX-B, all references to "this Code" refer to the Baltimore City Energy Conservation Code – Residential Provisions.

101.2 to 101.5 ***{As in IECC-R}***

101.6 Administration. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

1. "Department" means the Department of Housing and Community Development, and
2. "Code Official" means the Building Official, as defined in § 202.2 of the Baltimore City Building Code.

Section 102 Alternative Materials, [and] Methods, AND INSULATING SYSTEMS

102.1 General. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method may be approved if the Code Official finds in writing that, for the purpose intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is, FOR THE PURPOSE INTENDED, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

102.1.1 Above code programs. ***{As in IECC-R}***

Section 103 Construction Documents ***{As in IECC-R}***

Section 104 [107] Permits and fees

104.1 [107.1] Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

104.2 [107.2] Expiration of permit. Unless extended, a permit expires as set forth in § 105.5 {"Expiration; extension ..."} of the Baltimore City Building Code.

104.3 [107.3] Extension. A permit may be extended as provided in § 105.5 {"Expiration; extension ..."} of the Baltimore City Building Code.

104.4 [107.4] Suspension or revocation. The Building Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

104. 5 [107.5] Fee schedule. The fee for each permit is as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

Section 105 [104] Inspections

105.1 [104.1] General. ***{As in IECC-R}***

105.1.1 [104.1.1] Code Official's powers and duties. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

105.1.1 [104.1.2] Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official

may pursue recourse as provided by law, including § 104 {"...Powers of Building Official"} of the Baltimore City Building Code.

105.2 [104.2] to 105.7 [104.7] ***{As in IECC-R}***

[Sections 105 to 106 *{As in IECC-R}*]

SECTION 106 [105] VALIDITY ***{AS IN IECC-R}***

SECTION 107 [106] REFERENCED STANDARDS ***{AS IN IECC-R}***

SECTION 108 STOP WORK ORDER ***{NOT ADOPTED; BUT SEE § 112.2 OF THIS CHAPTER}***

SECTION 109 BOARD OF APPEALS ***{NOT ADOPTED; SEE §113 OF THIS CHAPTER}***

SECTIONS 110 TO 111 ***{RESERVED}***

Section 112 [108] Violations

112.1 [108.1] Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

112.2 [108.2] Stop-work orders. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

[108.3 Emergencies. *{As in IECC-R}*]

[**108.4 Failure to comply.** *{Not Adopted}*]

Section 113 [109] Administrative and Judicial Review

113.1 [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 109.3 *{Not Adopted}*]

Chapter 2
Definitions

Section 201 General

201.1 Scope. *{As in IECC-R}*

201.2 Interchangeability. *{As in IECC-R}*

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 {"Referenced Codes"} 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-R}*

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Energy Conservation Code – Commercial Provisions ([2015] 2018 Edition) have the meanings given in the International Energy Conservation Code – Commercial Provisions ([2015] 2018 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Energy Conservation Code – Commercial Provisions, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code official. "Code official" has the meaning stated in § 101.6 of this Code.

202.2.3 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.4 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.5 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.6 Premises. "Premises" has the meaning stated in § 202.2 of the Baltimore City Building Code.

Chapter 3
General Requirements
{As in IECC-R}

Chapter 4
Residential Energy Efficiency
[*{As in IECC-R}*]

SECTION 401 GENERAL *{AS IN IECC-R}*

SECTION 402 BUILDING THERMAL ENVELOPE *{AS IN IECC-R}*

402.1 TO 402.3 *{AS IN IECC-R}*

402.4 AIR LEAKAGE. *{AS IN IECC-R}*

402.4.1 BUILDING THERMAL ENVELOPE. *{AS IN IECC-R}*

402.4.1.1 INSTALLATION. *{AS IN IECC-R}*

402.4.1.2 TESTING. *{AS IN IECC-R}*

{PER MBPS MODIFICATION:}

EXCEPTIONS: AS PROVIDED FOR IN THE:

(I) SIMULATED PERFORMANCE PATH LISTED IN § 405 OF THIS CHAPTER; OR

(II) ENERGY RATING INDEX COMPLIANCE ALTERNATIVE IN § 406 OF THIS CHAPTER.

402.4.2 TO 402.4.5 *{AS IN IECC-R}*

402.5 MAXIMUM FENESTRATION U-FACTOR ... . *{AS IN IECC-R}*

SECTIONS 403 TO 404 *{AS IN IECC-R}*

SECTION 405 SIMULATED PERFORMANCE ALTERNATIVE *{AS IN IECC-R, SUBJECT TO THE FOLLOWING MBPS MODIFICATION:}*

{MBPS MODIFICATION TO TABLE R405.5.2.1(1) – IN TABLE R405.5.2(1) {"SPECIFICATIONS FOR THE STANDARD REFERENCE AND PROPOSED DESIGNS"}, FOR THE "AIR EXCHANGE RATE" ROW, UNDER THE COLUMN FOR "PROPOSED DESIGN", AFTER "THE MEASURED AIR EXCHANGE RATE", INSERT ", NOT TO EXCEED 5 AIR CHANGES PER HOUR WITH BASELINE OF 3 AIR CHANGE PER HOUR IN CLIMATE ZONES 4 AND 5 MAINTAINED FOR STANDARD REFERENCE DESIGN"}

SECTION 406 ENERGY RATING INDEX COMPLIANCE ALTERNATIVE

406.1 SCOPE *{AS IN IECC-R}*

406.2 MANDATORY REQUIREMENTS *{AS IN IECC-R}, SUBJECT TO THE FOLLOWING MBPS MODIFICATION:}*

{PER MBPS MODIFICATION:}

[Exception] EXCEPTION 1: Supply and return ducts not completely inside the building thermal envelope [shall] MUST be insulated to an R-value of not less than R-6.

EXCEPTION 2: THE MAXIMUM OF 5 AIR CHANGES PER HOUR TESTED IN ACCORDANCE WITH § 402.4.1.2 MAY BE USED TO DETERMINE THE ENERGY RATING INDEX SCORE WITH BASELINE OF 3 AIR CHANGES PER HOUR IN CLIMATE ZONES 4 AND 5 MAINTAINED FOR ERI REFERENCE DESIGN.

Chapter 5
Existing Buildings
{As in IECC-R}

Chapter 6
Referenced Standards
{As in IECC-R}

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[Appendix A
Recommended Procedure for Worst-Case Testing ...
{Informational. Not Adopted}]

Appendix [B] A
Solar-Ready Provisions ....
{Not Adopted}

PART X. INTERNATIONAL RESIDENTIAL CODE

§ 10-101. City adoption.

(a) *In general.*

The International Residential Code for One- and Two-Family Dwellings ([2015] 2018 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
Scope and Administration

Section 101 Title, Scope, and Purpose

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Residential Code for One- and Two-Family Dwellings".

101.1.1 References to "this Code". Throughout this Part X, all references to "this Code" refer to the Baltimore City Residential Code for One- and Two-Family Dwellings.

101.2 Scope. ***{As in IRC}***

EXCEPTION: THE FOLLOWING MAY BE CONSTRUCTED IN ACCORDANCE WITH THIS CODE IF PROVIDED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM THAT COMPLIES WITH § 313 {"AUTOMATIC FIRE SPRINKLER SYSTEMS"} OF THIS CODE:

1. LIVE/WORK UNITS LOCATED IN TOWNHOUSES AND COMPLYING WITH THE REQUIREMENTS OF § 419 {"LIVE/WORK UNITS"} OF THE BALTIMORE CITY BUILDING CODE.

2. OWNER-OCCUPIED LODGING HOUSES WITH 5 OR FEWER GUESTROOMS AND 5 OR FEWER TOTAL OCCUPANTS.}

3. A CARE FACILITY WITH 5 OR FEWER PERSONS RECEIVING CUSTODIAL, MEDICAL, OR OTHER CARE WITHIN A DWELLING UNIT.

101.3 Intent. ***{As in IRC}***

Section 102 Applicability

102.1 to 102.4 ***{As in IRC}***

102.5 APPENDICES. THE APPENDICES TO THE INTERNATIONAL RESIDENTIAL CODE APPLY AS FOLLOWS.

102.5.1 Appendices adopted. The [provisions of the] following appendices are adopted, WITH OR WITHOUT LOCAL MODIFICATIONS, as part of this Code:

1. Appendix E: "Manufactured Housing Used as Dwellings".
2. Appendix F: "Passive Radon Controls".
3. Appendix G: "Piping Standards for Various Applications".
4. Appendix H: "Patio Covers".
5. Appendix K: "Sound Transmission".
6. Appendix M: "Home Day Care – R-3 Occupancy".
7. Appendix O: "Automatic Vehicular Gates".
8. APPENDIX Q: "TINY HOUSES".

105.5.2 APPENDICES NOT ADOPTED. THE FOLLOWING APPENDICES ARE NOT ADOPTED AS PART OF THIS CODE:

1. APPENDICES A TO D.
2. APPENDIX I: "PRIVATE SEWAGE DISPOSAL".
3. APPENDIX J: "EXISTING BUILDINGS AND STRUCTURES".
4. APPENDIX L: "PERMIT FEES".
5. APPENDIX N: "VENTING METHODS".
6. APPENDIX P: "SIZING OF WATER PIPING SYSTEM".
7. APPENDICES R TO T.

102.6 to 102.7 ***{As in IRC}***

Section 103 Department of Building Safety

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 Building Safety" or "Department" means the Department of Housing and Community Development, and

2. "Building Official" means the Building Official as defined in § 202.2 of the Baltimore City Building Code.

103.2 Appointment. *{Not Adopted}*

103.3 Deputies. *{Not Adopted}*

Section 104 Duties and Powers of Building Official

104.1 General. In enforcing this Code, the Building Official may exercise all of the powers specified in § 104.1 of the Baltimore City Building Code.

104.2 Application and permits. *{As in IRC}*

104.3 Notices and orders. *{As in IRC}*

104.4 Inspections. The Building Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Building Official may engage any expert opinion that the Building Official considers necessary to report on unusual technical issues that arise.

104.5 Identification. *{As in IRC}*

104.6 Right of entry. The Building Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Building Official may pursue recourse as provided by law, including § 104 {"...Powers of Building Official"} of the Baltimore City Building Code.

104.7 Department records. *{As in IRC}*

104.8 Liability. *{Not Adopted.* **See** *State Courts Article § 5-302.}*

104.9 Approve materials and equipment. *{As in IRC}*

104.10 Modifications. *{As in IRC}*

104.10.1 Flood hazard areas. The Building Official may not grant modifications to any provision related to flood hazard areas without a variance having been granted under the Floodplain Management Code.

104.11 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Building Official finds in writing that, for the purpose intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

104.11.1 Tests. ***{As in IRC}***

Section 105 Permits

105.1 Required. ***{As in IRC}***

105.1.1 Additional requirements. In addition, a permit is required before any person may do any of the work described in § 105.1 of the Baltimore City Building Code.

105.1.2 By whom application may be made. The application for a permit may only be made by a person authorized under:

1. § 105.1.3 {"By whom application to be made"} of the BALTIMORE CITY Building Code,

2. § 2706.2 {"Electrical: To whom issued"} and § 2707 {"Licensing requirements"} of the BALTIMORE CITY Building Code,

3. § 2802.3 {"Mechanical Systems: To whom issued"} and § 2803 {"Licensing requirements"} of the BALTIMORE CITY Building Code, and

4. § 2903.3 {"Plumbing Systems: To whom issued"} and § 2904 {"Licensing requirements"} of the BALTIMORE CITY Building Code.

105.2 Work exempt from permit. ***{Introductory paragraph as [on] IN IRC}***

Building:

1. to 3. ***{Not Adopted}***

4. ***{As in IRC}***

5. ***{Not Adopted}***

6. to 8. ***{As in IRC}***

9. to 10. ***{Not Adopted}***

Electrical:

1. to 2. ***{As in IRC}***

3. ***{Not Adopted}***

4. to 5. ***{As in IRC}***

Gas: *{As in IRC}*

Mechanical: *{As in IRC}*

105.2.1 to 105.2.3 *{As in IRC}*

105.3 Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

105.3.1 Action on application. The required actions by the Building Official are as set forth in § 105.3.1.1 {"General"} and § 105.3.1.2 {"Referral to assess need for traffic mitigation"} of the Baltimore City Building Code.

105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. For applications for reconstruction, rehabilitation, addition, or other improvement of an existing structure in a flood hazard area, the Building Official must examine the construction documents and prepare findings with regard to whether the structure has sustained "substantial damage"and whether the proposed improvement is a "substantial improvement", as these terms are defined in and calculated under the Floodplain Management Code. The Building Official must submit these findings to the Floodplain Manager for a determination of "substantial improvement". Applications determined by the Floodplain Manager to constitute a "substantial improvement" require full compliance with the requirements of the Floodplain Management Code.

105.3.2 Time limitation of application. *{As in IRC}*

105.4 Validity of permit. *{As in IRC}*

105.5 Expiration; extension. Unless extended, a permit expires as set forth in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

105.6 Suspension or revocation. The Building Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

105.7 Placement of permit. *{As in IRC}*

105.8 Responsibility. *{As in IRC}*

105.9 Preliminary inspection. *{As in IRC}*

Section 106 Construction Documents

106.1 Submittal documents. *{As in IRC}*

106.1.1 to [106.1.2] 106.1.3 *{As in IRC}*

106.1.4 [106.1.3] Information for construction in flood hazard areas. *{Not Adopted}*

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, see the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

[106.1.4 to 106.1.5 ***{As in IRC}***]

106.2 TO 106.5 ***{AS IN IRC}***

Section 107 Temporary Structures and Uses ***{As in IRC}***

Section 108 Fees

108.1 General. Fees are as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

108.2 to 108.6. ***{Not Adopted}***

Section 109 Inspections

109.1 Type of inspection. ***{As in IRC}***

109.1.1 to 109.1.2 ***{As in IRC}***

109.1.3 Floodplain inspections. For construction in a flood hazard area, placement of the lowest floor, including the basement, and before undertaking any further vertical construction, the elevation certificate required by the Floodplain Management Code must be submitted to the Building Official.

109.1.4 to 109.1.5 ***{As in IRC}***

109.1.6 Final inspection. ***{As in IRC}***

109.1.6.1 Elevation documentation. For a structure in a flood hazard area, the documentation of the elevations required by the Floodplain Management Code must be submitted to the Building Official before the final inspection.

109.2 to 109.4 ***{As in IRC}***

Section 110 Occupancy Permit; Certificate of Completion

110.1 General. Occupancy Permits (referred to in the IRC as a "Certificate of Occupancy") and Certificates of Completion are governed by § 111 {"Occupancy Permit; Certificate of Completion"} of the Baltimore City Building Code.

110. 2 to 110.5. ***{Not Adopted}***

Section 111 Service Utilities ***{As in IRC}***

Section 112 Administrative and Judicial Review

112.1 General. A decision of the Building Official is subject to administrative and judicial review as provided in § 128 {"Administrative and Judicial Review"} of the Baltimore City Building Code.

112.2 to 112.4 ***{Not Adopted}***

Section 113 Violations

113.1 to 113.3 ***{As in IRC}***

113.4 Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

Section 114 Stop-Work Order

114.1 General. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

114.2 ***{Not Adopted}***

Part II – Definitions

Chapter 2
Definitions

Section 201 General

201.1 Scope. ***{As in IRC}***

201.2 Interchangeability. ***{As in IRC}***

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 {"Referenced Codes"} 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 IRC}***

Section 202 Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Residential Code ([2015] 2018 Edition) have the meanings given in the International Residential Code ([2015] 2018 Edition).

202.2 Supplemental definitions Notwithstanding any different definition in the International Residential Code, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Flood; Flooding. "Flood" or "flooding" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.3 Flood Hazard Area. "Flood Hazard Area" means a Regulated Flood Hazard Area established under and regulated by the Floodplain Management Code.

202.2.4 Floodplain Management Code. "Floodplain Management Code" means the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

202.2.5 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.6 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.7 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.8 Premises. "Premises" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.9 Structure. "Structure" has the meaning stated in § 202.2 of the Baltimore City Building Code.

Part III – Building Planning and Construction

Chapter 3
Building Planning

Section 301 Design Criteria

301.1 Application ***{As in IRC}***

301.2 Climatic and geographic design criteria ***{As in IRC}***

301.2.1 to 301.2.3 ***{As in IRC}***

301.2.4 Floodplain construction. ***{Not Adopted}***

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

Table 301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Speed	Wind Topographic Effects	Special Wind Region	Wind-Borne Debris Zone	Seismic Design Category
30 psf	90 mph	No	No	No	B

Weathering	Frost Line Depth	Termite
Severe	30" (762 mm)	Moderate to Heavy [Decay: Slight to Moderate]

Winter Design Temp	Ice Barrier Underlayment Required	Air Freezing Index	Mean Annual Temp
13° F	No	231	57° F

Flood Hazards
a. Entry into National Flood Insurance Program: 3/15/78. Updated Code: 4/2/14.
b. Flood Insurance Study: Revised 4/2/14.
c. Panel numbers and dates of currently effective FIRMs:

Panels	Effective Date
0001 E - 0005 E	2/2/12
0008 E - 0016 E	2/2/12
0018 F - 0019 F	4/2/14
0020 E - 0023 E	2/2/12
0024 F - 0036 F	4/2/14

301.3 to 301.8 ***{As in IRC}***

Sections 302 to 308 ***{As in IRC}***

Section 309 Garages[,] AND Carports[, and Automatic Vehicular Gates]

309.1 to 309.2 ***{As in IRC}***

309.3 Flood hazard areas. ***{Not Adopted}***

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

309.4 to 309.5 *{As in IRC}*

Section 310 Emergency Escape and Rescue Openings *{As in IRC}*

Section 311. Means of Egress

311.1 to 311.6 *{As in IRC}*

311.7 Stairways

311.7.1 to 311.7.4 *{As in IRC}*

311.7.5 Stair treads and risers. *{As in IRC}*

311.7.5.1 Risers. The maximum riser height is 8¼ 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 ⅜ inch (9.5 mm). Risers must be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted as long as the opening between treads does not permit the passage of a 4-inch-diameter (102 mm) sphere.

Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less.

311.7.5.2 Treads. 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 tread's leading edge. The greatest tread depth within any flight of stairsmay not exceed the smallest by more than ⅜ inch (9.5 mm).

311.7.5.2.1 Winder treads. Winder treads must have a minimum tread depth of 9 inches (229 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads must have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stair. Within any flight of stairs, the largest winder tread depth at the walkline may not exceed the smallest winder tread by more than ⅜ inch (9.5 mm). Consistently shaped winders at the walkline are allowed within the same flight of stairs as rectangular treads and do not have to be within ⅜ inch (9.5 mm) of the rectangular tread depth.

311.7.5.3 to 311.7.5.4 *{As in IRC}*

311.7.6 to 311.7.12 *{As in IRC}*

311.8 Ramps *{As in IRC}*

Section 312 Guards and Window Fall Protection

312.1 Guards *{As in IRC}*

312.1.1 to 312.1.2 ***{As in IRC}***

312.1.3 [Guard opening] OPENING limitations. Required guards on open sides of stairways, raised floor areas, balconies, and porches:

1. must have intermediate rails or ornamental closures that do not allow passage of a sphere 4 inches (102mm) or more in diameter, and

2. may not be constructed with horizontal rails or any ornamental pattern that results in a ladder effect.

Exceptions: ***{As in IRC}***

312.1.4 Exterior [woodplastic] PLASTIC composite guards. ***{As in IRC}***

312.2 Window fall protection. ***{As in IRC}***

Section 313 Automatic Fire Sprinkler Systems

313.1 Automatic fire sprinkler systems required. An approved automatic residential fire sprinkler system must be installed in any new:

1. townhouse, or

2. 1- or 2-family dwelling.

313.2 Design and installation. Automatic residential fire sprinkler systems for townhouses and 1-and 2-family dwellings must be designed and installed in accordance with Baltimore City Building Code § 903.3 {"Installation requirements"}.

313.3 DPW regulations. In accordance with its regulations, the Department of Public Works must require minimum service sizes for water lines and meters for buildings with sprinklers.

Section 314 Smoke Alarms ***{As in IRC}***

Section 315 Carbon Monoxide Alarms ***{As in IRC}***

Sections 316 to 318 ***{As in IRC}***

Section 319 Site Address

319.1 Address identification. Address identification must be provided and maintained for all buildings in accordance with:

1. [ICC] International Building Code [§ 501.2 {"Address identification"}] § 502 {"BUILDING ADDRESS"}; and

2. City Code Article 26, Subtitle 6 {"Building Address Numbers"}.

Section 320 Accessibility ***{Not Adopted}***

Section 321 Elevators and Platform Lifts ***{As in IRC}***

Section 322 Flood-Resistant Construction ***{Not Adopted}***

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

Section 323 Storm Shelters ***{As in IRC}***

Section 324 Solar Energy Systems ***{As in IRC}***

Section 325 Mezzanines ***{As in IRC}***

Section 326 Swimming Pools, Spas, and Hot Tubs ***{As in IRC}***

SECTION 327 STATIONARY STORAGE BATTERY SYSTEMS ***{AS IN IRC}***

SECTIONS 328 TO 330 ***{RESERVED}***

Section 331 [327] Driveways and Other Paved Surfaces

331.1 [327.1] Driveway entrances. All driveway entrances located on a public right-of-way must be constructed in accordance with the rules, regulations, and permit requirements of the Department of Transportation.

331.2 [327.2] Surface paving. Parking pads, driveways, and private roads must be paved with asphalt, brick, concrete, macadam, or stone block. Permeable paving systems may be utilized in accordance with the rules and regulations of the Department of Public Works. All paving must be able to support the design loads for the proposed vehicular traffic.

331.3 [327.3] Parking areas. The size, layout, and arrangement of parking areas must comply with:

1. the Baltimore City Zoning Code, and

2. the rules and regulations of the City Planning Commission.

331.4 [327.4] Surface drainage. Storm drainage off paved surface areas must be properly conveyed to paved alleys, paved streets, or other approved water courses.

331.4.1 [327.4.1] Limitations. No drainage may be discharged:

1. so as to run or flow over any sidewalk or footway, except at a driveway with a depressed curb, or

2. across any adjoining property.

Chapter 4
Foundations

[Sections] SECTION 401 General

401.1 Application. This chapter controls the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas must meet the provisions of the Floodplain Management Code. Wood foundations shall be designed and installed in accordance with AF&PA PWF.

Exception: ***{As in IRC}***

401.2 to 401.4 ***{As in IRC}***

Sections 402 to 403 ***{As in IRC}***

Section 404 Foundation and Retaining Walls

404.1 Concrete and masonry foundation walls. ***{As in IRC}***

404.1.1 to 404.1.8 ***{As in IRC}***

404.1.9 Isolated masonry piers. ***{As in IRC}***

404.1.9.1 to 404.1.9.4 ***{As in IRC}***

404.1.9.5 Masonry piers in flood hazard areas. ***{Not Adopted}***

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

404.2 to 404.5 ***{As in IRC}***

404.6 Underpinning. Underpinning foundation walls must be in accordance with Baltimore City Building Code § 1804.1.1 {"Underpinning foundation walls"}.

Sections 405 to 407 ***{As in IRC}***

Section 408 Under-Floor Space

408.1 to 408.6 ***{As in IRC}***

408.7 Flood resistance. ***{Not Adopted}***

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

Chapter 5
Floors
{As in IRC}

Chapter 6
Wall Construction
{As in IRC}

Chapter 7
Wall Covering
{As in IRC}

Chapter 8
Roof-Ceiling Construction

Section 801 General

801.1 to 801.2 *{As in IRC}*

801.3 Roof drainage. Roof drainage must be provided in accordance with Baltimore City Building Code § 1503.4 {"Roof drainage"}.

Sections 802 to 807 *{As in IRC}*

Chapter 9
Roof Assemblies

Sections 901 to [909] 908 *{As in IRC}*

SECTIONS 909 TO 910 *{RESERVED}*

Section 911 [910] Rooftop Decks and Other Structures

911.1 [910.1] General. All rooftop structures must comply with Baltimore City Building Code § 1510 {"Rooftop structures"}.

Chapter 10
Chimneys and Fireplaces
{As in IRC}

Part IV – Energy Conservation

Chapter 11
Energy Efficiency
{Not Adopted}

{**Editor's Note:** Chapter 11 is replaced with the International Energy Conservation Code, as modified by Parts IX-A and IX-B of this Article.}

Part V – Mechanical

{**MBPS Modification** – The subject matter of Chapters 12 through 24 is not within the scope of the Maryland Building Performance Standards. *See* the Fuel Gas Code and Mechanical Code in Parts IV and V of this Article, and the mechanical code adopted under State Business Regulation Article § 9A-205.}

Chapter 12
Mechanical Administration
{As in IRC}

Chapter 13
General Mechanical System Requirements

Section 1301 General

1301.1 Scope. ***{As in IRC}***

1301.1.1 Flood-resistant installation. In flood hazard areas, mechanical appliances, equipment and systems must be located and installed in accordance with the Floodplain Management Code.

1301.2 to 1301.5 ***{As in IRC}***

Sections 1302 to 1308 ***{As in IRC}***

Chapter 14
Heating and Cooling Equipment and Appliances

Sections 1401 General

1401.1 to 1401.4 ***{As in IRC}***

1401.5 Flood hazard. In flood hazard areas, heating and cooling equipment and appliances must be located and installed in accordance with the Floodplain Management Code.

Sections 1402 to 1410 ***{As in IRC}***

Section 1411 Heating and Cooling Equipment

1411.1 to 1411.2 ***{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 ¾- 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.

1411.3.3 Drain line maintenance. *{As in IRC}*

1411.3.4 Appliances, equipment, and insulation in pans. *{As in IRC}*

1411.4 to 1411.8 *{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 International Plumbing Code.

Sections 1414 to 1415 *{As in IRC}*

Chapter 15
Exhaust Systems
{As in IRC}

Chapter 16
Duct Systems

Section 1601 Duct Construction

1601.1 to 1601.3 *{As in IRC}*

1601.4 Installation *{As in IRC}*

1601.4.1 to 1601.4.9 *{As in IRC}*

1601.4.10 Flood hazard areas. In flood hazard areas, duct systems must be located and installed in accordance with the Floodplain Management Code.

1601.5 to 1601.6 *{As in IRC}*

Section 1602 Return Air *{As in IRC}*

Chapter 17
Combustion Air

Section 1701 General

1701.1 Scope. *{As in IRC}*

1701.2 Opening location. In flood hazard areas, combustion air openings must be located at or above the elevation required by the Floodplain Management Code.

Chapter 18
Chimneys and Vents

Section 1801 General *{As in IRC}*

Section 1802 Vent Components

1802.1 Draft hoods. Draft hoods must be located in the same room or space as the combustion air openings for the appliances.

Exception: Draft hoods of saunas may not be located in the same room as the sauna.

1802.2 Vent dampers. *{As in IRC}*

1802.3 Draft regulators. *{As in IRC}*

Sections 1803 to 1805 *{As in IRC}*

Chapter 19
Special Appliances, Equipment, and Systems
{As in IRC}

Chapter 20
Boilers and Water Heaters

Section 2001 Boilers

2001.1 to 2001.3 *{As in IRC}*

2001.4 Flood-resistant installation. In flood hazard areas, boilers, water heaters, and their control systems must be located and installed in accordance with the Floodplain Management Code.

Sections 2002 to 2006 *{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 gypsum 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 Thermal barrier required. *{As in IRC}*

2103.3 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. - 7. *{As in IRC}*

2103.4 Testing. *{As in IRC}*

Sections 2104 to 2105 *{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}*

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 2201.5 *{As in IRC}*

2201.6 Flood-resistant installation. In flood hazard areas, tanks must be installed at or above the elevation required by the Floodplain Management Code or ~~anchored to prevent flotation, collapse, or lateral movement under flooding conditions~~ AS OTHERWISE ALLOWED BY THE FLOODPLAIN MANAGEMENT CODE.

2210.7 Tanks abandoned or removed. *{As in IRC}*

Sections 2202 to 2204 *{As in IRC}*

Chapter 23
Solar Thermal Energy Systems
{As in IRC}

Part VI – Fuel Gas

Chapter 24
Fuel Gas
{Not Adopted}
{See International Fuel Gas Code as modified by Part IV of this Article}

Part VII – Plumbing

{**MBPS Modification** – The subject matter of Chapters 25 through 33 is not within the scope of the Maryland Building Performance Standards. *See* the Baltimore City Plumbing Code in Part VI of this Article, and the plumbing code adopted under State Business and Occupation Article, Title 12.}

Chapters 25 to 33
{Not Adopted}
{See International Plumbing Code, as modified by Part VI of this Article}

Part VIII – Electrical

{**MBPS Modification** – The subject matter of Chapters 34 through 43 is not within the scope of the Maryland Building Performance Standards. *See* the Baltimore City Electrical Code in Part III of this Article, and the National Electrical Code as adopted and enforced by the State Fire Marshall under State Public Safety Article, Title 12, Subtitle 6.}

Chapter 34
General Requirements
{As in IRC}

Chapter 35
Electrical Definitions
{As in IRC}

Chapter 36
Services

Sections 3601 to 3603 *{As in IRC}*

Section 3604 Overhead Service and Service-Entrance Conductor Installation

3604.1 Clearances on buildings. *{As in IRC}*

3604.2 Vertical clearances. *{As in IRC}*

3604.2.1 Above roofs. *{As in IRC}*

3604.2.2 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.

3604.3 to 3604.6 *{As in IRC}*

Sections 3605 to 3611 *{As in IRC}*

Chapter 37
Branch Circuit and Feeder Requirements

Section 3701 General *{As in IRC}*

Section 3702 Branch Circuit Ratings

3702.1 to 3702.11 *{As in IRC}*

3702.12 Branch circuits serving room air conditioners. *{Intro paragraph as in IRC}*

1. - 4. *{As in IRC}*

5. The circuit contains a dedicated receptacle for the air conditioner.

3702.12.1 to 3702.12.2 *{As in IRC}*

3702.13 Electric vehicle branch circuit. *{As in IRC}*

3702.14 Branch-circuit requirement – Summary. *{As in IRC}*

3702.14.1 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.

3702.14.2 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.

3702.14.3 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.

Sections 3703 to 3706 *{As in IRC}*

Chapter 38
Wiring Methods
{As in IRC}

Chapter 39
Power and Lighting Distribution

Section 3901 Receptacle Outlets

3901.1 to 3901.6 *{As in IRC}*

3901.7 Outdoor outlets [generally]. *{As in IRC}*

3901.7.1 Near public walkways. A receptacle installed less than 10 feet from a public walkway must be wall-switch controlled from within the dwelling unit.

3901.7.2 Decks. At least 1 GFCI receptacle must be installed on all decks of whatever level.

3901.8 to 3901.12 *{As in IRC}*

Sections 3902 to 3907 *{As in IRC}*

Section 3908 Grounding

3908.1 to 3908.7 *{As in IRC}*

3908.8 Types of equipment grounding conductors. *{Introductory paragraph as in IRC}*

1. - 8. *{As in IRC}*

9. Surface metal raceways that are listed for grounding and that contain equipment grounding conductors within the raceway.

3908.8.1 to 3908.8.3 *{As in IRC}*

3908.9 to 3908.20 *{As in IRC}*

Section 3909 Flexible Cords *{As in IRC}*

Chapter 40
Devices and Luminaires
{As in IRC}

Chapter 41
Appliance Installation

Section 4101 General

4101.1 to 4101.4 *{As in IRC}*

4101.5 Disconnecting means generally. *{As in IRC}*

4101.5.1 Water Heaters. Circuits that supply water heaters must have a disconnecting means other than the overcurrent device. This disconnecting means must be installed close to the water heater.

4101.6 to [4101.7] 4101.8 *{As in IRC}*

Chapter 42
Swimming Pools
{As in IRC}

Chapter 43
Class 2 Remote-Control, Signaling, and Power-Limited Circuits
{As in IRC}

Part IX – Referenced Standards

Chapter 44
Referenced Standards
{As in IRC}

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Appendices A to D
{Informational. Not Adopted}

Appendix E
Manufactured Housing Used as Dwellings

Section E101 Scope

101.1 General ***{As in IRC}***

Exception: In addition to these provisions, in flood hazard areas, new and replacement manufactured homes, as defined in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet floodproofing"}, must meet the applicable requirements of the Floodplain Management Code.

Sections E102 to E606 ***{As in IRC}***

Appendix F
[Passive Radon Gas Controls] RADON CONTROL METHODS
{As in IRC}

Appendix G
Piping Standards for Various Applications
{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
Automatic Vehicular Gates
{As in IRC}

Appendix P
Sizing of Water Piping System
{Not Adopted}

Appendix Q
[*{Reserved}*]
TINY HOUSES
{AS IN IRC}

Appendix R
Light Straw-Clay Construction
{Not Adopted}

Appendix S
Strawbale Construction
{Not Adopted}

[Appendix T]
[Recommended Procedure for Worst-Case Testing of Atmospheric Venting Systems under N1102.4 or N1105 Conditions $\leq$ 5ach$_{50}$]
[{Informational. Not Adopted}]

Appendix T [U]
Solar-Ready Provisions [....] – DETACHED ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES
{Not Adopted}

PART XI. INTERNATIONAL GREEN CONSTRUCTION CODE

§ 11-101. City adoption.

(a) *In general.*

The International Green Construction Code (2012 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 XI.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part XI refer to the chapter and section numbers of the International Green Construction Code.

§ 11-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1
Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore Green Construction Code".

101.1.1 References to "this Code". Throughout this Part XI, all references to "this Code" refer to the Baltimore City Green Construction Code.

101.2 Code as an overlay document. This Code is an overlay document to be used in conjunction with the other codes and standards adopted by the City. This Code is not intended to be used as a stand-alone construction regulation document, and permits are not to be issued under this Code. This Code is not intended to abridge or supersede any health, safety, or environmental requirements of any other applicable law, code, or standard.

101.3 Scope and Application. This Code applies to the design, construction, addition, alteration, change of occupancy, relocation, replacement, repair, equipment, building site, maintenance, removal, and demolition of every structure and any appurtenances connected or attached to a structure and to the site on which the structure is located. Occupancy classifications are determined in accordance with the Baltimore City Building Code.

Exceptions: This Code does not apply to:

1. A 1- or 2-family dwelling, including accessory structures, regulated by the International Residential Code for One- and Two-Family Dwellings ([2015] 2018 Edition).

2. A multiple-family dwelling that is no more than 3 stories above grade plane in height and contains no more than 5 dwelling units.

3. A structure that achieves, as certified by the Green Building Certification Institute, a silver-level or higher rating in the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) rating system.

4. Group R-2 and R-4 residential buildings 5 or more stories above grade plane in height, including their accessory structures and the site or lot on which these buildings are located, that, as certified by a third-party approved by the Code Official, comply with the requirements of the ICC 700 ("National Green Building Standard"), as follows:

   (i) for energy efficiency category requirements, at the Silver performance level or equivalent, and

   (ii) for all other ICC 700 categories and chapters, at the Bronze performance level or equivalent.

5. Group R-2 and R-4 portions of mixed use buildings that, as certified by a third-party approved by the Code Official, comply with the requirements of the ICC 700 ("National Green Building Standard"), as follows:

   (i) for energy efficiency category requirements, at the Silver performance level or equivalent, and

   (ii) for all other ICC 700 categories and chapters, at the Bronze performance level or equivalent.

   The remainder of the building and the site on which the building is located must comply with the provisions of this Code.

6. A structure that has been designed and, as verified by the Code Official or an entity approved by the Code Official, constructed in compliance with the Standard for the Design of High-performance Green Buildings, Except Low-rise Residential Buildings", adopted by American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. (ASHRAE 189.1).

7. A structure that, as certified by Enterprise Community Partners, Inc., complies with Enterprise Green Communities Criteria.

8. A temporary structure approved under Building Code § 3103 {"Temporary Structures"}.

9. Equipment or systems that are used primarily for industrial or manufacturing purposes.

101.3.1 Residential construction. ***{Not Adopted}***

101.4 Appendices. The appendices to the International Green Construction Code apply as follows:

101.4.1 Appendices adopted. The following appendix, as modified, is adopted as part of this Code:

1. Appendix A: "Project Electives".

101.4.2 Appendices not adopted. The following appendices are not adopted as part of this Code:

1. Appendix B: "Radon Mitigation".
2. Appendix C: "Optional Ordinance".
3. Appendix D: "Enforcement Procedures".

101.5 Intent. ***{As in IgCC}***

101.6 Administration. This Code is administered and enforced by the Department of Housing and Community Development and its Commissioner. Accordingly, in this Code:

1. "Department" means the Department of Housing and Community Development, and
2. "Code Official" means the Building Official, as defined in § 202.2 of the Baltimore City Building Code.

Section 102 Applicability

102.1 to 102.3 ***{As in IgCC}***

102.4 Referenced codes. The following codes, as modified by Baltimore City, are considered part of the requirements of this Code:

1. the International Building Code ([2015] 2018 Edition),
2. the National Electrical Code ([2014] 2017 Edition),
3. the International Fuel Gas Code ([2015] 2018 Edition),
4. the International Mechanical Code ([2015] 2018 Edition),
5. the International Plumbing Code ([2015] 2018 Edition),
6. the International Property Maintenance Code ([2015] 2018 Edition)
7. the International Fire Code ([2015] 2018 Edition),
8. the International Energy Conservation Code ([2015] 2018 Edition),
9. the International Residential Code ([2015] 2018 Edition),
10. the International Swimming Pool and Spa Code ([2015] 2018 Edition); and
11. the Zoning Code of Baltimore City.

102.4.1 Conflicting provisions. ***{As in IgCC}***

102.5 Partial invalidity. *{As in IgCC}*

102.6 Existing structures. The legal occupancy of any structure existing on this Code's effective date is permitted to continue without change, except:

1. as specifically covered in this Code, the International Building Code, the International Property Maintenance Code, or the International Fire Code, or

2. as deemed necessary by the Code Official for the general safety and welfare of the structure's occupants and the public.

102.7 Mixed occupancy buildings. *{As in IgCC}*

Section 103 Duties and Powers of Code Official

103.1 to 103.3 *{As in IgCC}*

103.4 Inspections. *{As in IgCC}*

103.4.1 Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as provided by law, including § 104 {"Duties and Powers of Building Official"} of the Baltimore City Building Code.

103.5 Exemptions. The Code Official may, in unusual circumstances and only on good cause shown, grant an exemption from any requirement of this Code based on:

1. substantial evidence of a practical infeasibility or hardship in meeting a required standard,

2. a determination that the public interest would not be served by requiring compliance with the requirement, or

3. other compelling circumstances, as determined by the Code Official.

103.5.1 Burden on applicant. The applicant has the burden to establish the requisite basis for an exemption under this section.

103.5.2 Consideration of other standards. Before the Code Official grants an exemption under this section, the Code Official must consider whether another standard is practicable and should be required in place of the exempted standard.

Sections 104 to 105 *{As in IgCC}*

Section 106 Permits

106.1 Required. *{As in IgCC}*

106.2 Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

106.3 Expiration of permit. Unless extended, a permit expires as set forth in § 105.5 {"Expiration; Extension ..."} of the Baltimore City Building Code.

106.4 Extension. A permit may be extended as provided in § 105.5 {"Expiration; Extension ..."} of the Baltimore City Building Code.

106.5 Suspension or revocation. The Code Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

Section 107 Fees

107.1 Fee schedule. Fees are as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

Section 108 Violations

108.1 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, notice, or order issued under this Code.

108.2 Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

108.3 Stop-work orders. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-Work Order"} of the Baltimore City Building Code.

108.4 Occupancy permit. Issuance of an occupancy permit does not constitute an approval of a violation of this Code or any other law. *{**NOTE:** The "certificate of occupancy" to which the IgCC refers is known in Baltimore City as an "occupancy permit".}*

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.

Chapter 2
Definitions

Section 201 General

201.1 Scope. *{As in IgCC}*

201.2 Interchangeability. *{As in IgCC}*

201.3 Terms defined in other codes. If a term is not defined in this Code and is defined in one or another of the codes listed in § 102.4 {"Referenced codes"} of this Code, the term has the meaning given to it in that code.

201.4 Terms not defined. *{As in IgCC}*

Section 202 Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Green Construction Code (2012 Edition) have the meanings given in the International Green Construction Code (2012 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Green Construction Code, the following terms have the meanings given in this § 202.2.

202.2.1 Code official. "Code official" has the meaning stated in § 101.6 of this Code.

202.2.2 Dwelling unit. "Dwelling unit" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.3 Flood hazard area. "Flood Hazard Area" means a Regulated Flood Hazard Area established under and regulated by the Floodplain Management Code.

202.2.4 Floodplain. "Floodplain" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain District"}.

202.2.5 Floodplain Management Code. "Floodplain Management Code" means the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

202.2.6 Habitable space. "Habitable space" means space in a structure for living, sleeping, or eating. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces. Kitchens with less than 56 sq. ft. (5.2 sq. m.) of floor area are not considered habitable spaces.

202.2.7 Historic building. "Historic building" means a building or other structure that is:

1. individually listed on the National Register of Historic Places,

2. individually listed on the City Landmark List,

3. located within a National Register Historic or Landmark District and certified by the Secretary of the Interior as contributing to the historic significance of that district, or

4. located within a City Historical and Architectural Preservation District and certified by the Commission for Historical and Architectural Preservation as contributing to the historic significance of that district.

202.2.8 Low emission, hybrid and electric vehicle ***{Not Adopted. See § 407.4.2}***

202.2.9 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.10 Multiple-family dwelling. "Multiple-family dwelling" means a building or a group of buildings on the same lot that contains or is designed or intended to contain:

1. more than 2 dwelling units,

2. 2 dwelling units and any other residential or commercial occupancy, or

3. any combination of 3 or more rooming units and dwelling units.

202.2.11 Must/shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.12 Occupancy. "Occupancy" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.13 Person. "Person" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.14 Premises. "Premises" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.15 Structure. "Structure" has the meaning stated in § 202.2 of the Baltimore City Building Code and, unless the context indicates otherwise, includes premises and lands.

Chapter 3
Jurisdictional Requirements and Life Cycle Assessment
{Not Adopted}

Chapter 4
Site Development and Land Use

Section 401 General

401.1 Scope and intent. This chapter provides requirements for the development and maintenance of building and building sites to minimize negative environmental impacts and to protect, restore, and enhance the natural features and environmental quality of the site.

401.2 Predesign site inventory and assessment. ***{As in IgCC}***

Section 402 Preservation of Natural Resources

402.1 Protection by area. If wetlands or conservation areas are located on or adjacent to a lot, the development of the lot as a building site must comply with §§ 402.4 and 402.5 of this chapter.

402.2 Flood hazard areas. ***(Not Adopted}***

{**Note:** For the establishment of Regulated Flood Hazard Areas and the special regulations and limitations governing development within those areas, *see* the Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.}

402.3 Surface water protection. ***{Not Adopted}***

402.4 Wetland protection. ***{As in IgCC}***

402.5 Conservation area. Site disturbance or development of land in or within 50 feet (15,240 mm) of any designated conservation area is not permitted.

Exception: ***{As in IgCC}***

402.6 Park land. ***{As in IgCC}***

402.7 Agricultural land. ***{Not Adopted}***

402.8 Greenfield sites. ***{Not Adopted}***

Section 403 Stormwater Management ***{Not Adopted}***

{**Note:** For special regulations and limitations governing stormwater management, *see City* Code Article 7 {"Natural Resources"}, Division II {"Stormwater Management"}.}

Section 404 Landscape Irrigation and Outdoor Fountains

404.1 Landscape irrigation systems. ***{As in IgCC}***

404.1.1 Water for outdoor landscape irrigation. ***{As in IgCC}***

404.1.2 Irrigation system design and installation. Where in-ground irrigation systems are provided, the systems must comply with all of the following:

1. the design and installation must be under the supervision of an irrigation professional accredited or certified by an appropriate local or national body,

2. microirrigation zones must be equipped with pressure regulators that ensure zone pressure is not greater than 40 psi (275.8 kPa), filters, and flush end assemblies, and

3. sprinklers:

   3.1. must have nozzles with matched precipitation rates,

   3.2. are prohibited on landscape areas less than 4 feet (1230 mm) in any dimension,

   3.3. are prohibited on slopes greater than 1 unit vertical to 4 units horizontal (25% slope),

      Exception: Where the application rate of the sprinklers is less than or equal to 0.5 inches (12.7 mm) per hour.

   3.4. are permitted for use on turfgrass and crop areas only, excepting microsprays of a flow less than 45 gallons (170 liters) per hour,

   3.5. if of the pop-up configuration, must pop-up to a height of at least 4 inches (101 mm), and

   3.6. may only be installed in zones composed exclusively of sprinklers and must be designed to achieve a lower quarter distribution uniformity of at least 0.65.

404.2 Outdoor ornamental fountains and water features ***{As in IgCC}***

Section 405 Management of Vegetation, Soils, and Erosion Control

405.1 Soil and water quality protection. ***{Not Adopted}***

{**Note:** For special regulations and limitations governing soil erosion and sediment control, *see* City Code Article 7 {"Natural Resources"}, Division III {"Soil Erosion and Sediment Control"}.}

405.2 Vegetation and soil protection. ***{As in IgCC}***

405.3 Native plant landscaping. Where new landscaping is installed as part of a site plan or within the building site, at least 50% of the newly landscaped area must be planted with native plant species.

Section 406 Building Site Waste Management *{As in IgCC}*

Section 407 Transportation Impact

407.1 Walkways and bicycle paths. *{As in IgCC}*

407.2 Changing and shower facilities. Buildings with a total building floor area greater than 10,000 square feet (929 m^2) and that are required to be provided with long-term bicycle parking and storage in accordance with § 407.3 must be provided with onsite changing room and shower facilities.

407.3 Bicycle parking and storage. *{As in IgCC}*

407.3.1 Short-term bicycle parking. Short-term bicycle parking must comply with all of the following:

1 to 2. *{As in IgCC}*

3. It must have an area of at least 18 inches (457mm) by 72 inches (1,829mm) for each bicycle;.

4 to 5. *{As in IgCC}*

407.3.2. Long-term bicycle parking. Long-term bicycle parking shall comply with all of the following:

1 to 2. *{As in IgCC}*

3. It must have an area of at least 18 inches (457mm) by 72 inches (1,829mm) for each bicycle; and

4. *{As in IgCC}*

407.4 Preferred vehicle parking. Parking provided at a building site must comply with this section. Preferred parking spaces required by this section must be those in the parking facility that are located on the shortest route of travel from the parking facility to a building entrance, but may not take precedence over parking spaces that are required to be accessible in accordance with the International Building Code. If a buildings has multiple entrances with adjacent parking, parking spaces required by this section must be dispersed and located near those entrances. These parking spaces must be provided with approved signage that specifies the permitted usage.

407.4.1 High -Occupancy vehicle parking. *{As in IgCC}*

407.4.2 Low-emission, hybrid, and electric vehicle parking. *{As in IgCC}*

407.4.2.1 "Low-emission, hybrid, and electric vehicles" defined. In this section, "low-emission, hybrid, and electric vehicles" means vehicles that:

1. are classified as Zero Emission Vehicles by the California Air Resources Board; or

2. have achieved a minimum green score of 40 on the annual vehicle rating guide of the American Council for an Energy Efficient Economy.

Section 408 Heat Island Mitigation

408.1 General. ***{As in IgCC}***

408.2 Site hardscape. At least 40% of the site hardscape must be provided with 1 or any combination of the options described in §§ 408.2.1 through 408.2.5. For the purposes of this section, site hardscape does not include areas of the site covered by solar photovoltaic arrays or solar thermal collectors.

408.2.1 to 408.2.4 ***{As in IgCC}***

408.2.5 Porous Asphalt Pavement. Porous asphalt pavements include open-graded asphalt mixtures with air voids of at least 16%. Porous asphalt pavements are permitted only where the use of these hardscapes does not interfere with:

1. access or egress of fire and emergency apparatus, vehicles, or personnel,
2. utilities, or
3. telecommunications lines.

408.3 Roof surfaces. At least 75% of the roof surfaces of buildings and covered parking must be:

1. a roof complying with § 408.3.1;
2. covered with a vegetative roof complying with § 408.3.2; or
3. a combination of these requirements.

This section also applies to roofs of structures that provide shade to parking in accordance with § 408.2.2.

Exception: ***{As in IgCC}***

408.3.1 to 408.3.2 ***{As in IgCC}***

Section 409 Site Lighting

409.1 Light pollution control. Uplight, light trespass, and glare must be limited for all exterior lighting equipment as described in §§ 409.2 and 409.3.

Exception: ***{As in IgCC}***

409.1.1 Exterior lighting zones. ***{As in IgCC}***

409.2 Uplight. ***{As in IgCC}***

409.3 Light trespass and glare. *{As in IgCC}*

Section 410 Drinking Fountains

410.1 Public areas. Drinking fountains that serve a public area must be equipped with at least 1 water-bottle filler.

410.1.1 "Public area" defined. In this section, "public area" means any building area to which the general public has free access.

Chapter 5
Material Resource Conservation and Efficiency

Section 501 General *{As in IgCC}*

Section 502 Construction Material Management *{As in IgCC}*

Section 503 Construction Waste Management *{As in IgCC. **But Note:** The "certificate of occupancy" to which this section refers is known in Baltimore City as an "occupancy permit".}*

Section 504 Waste Management and Recycling *{As in IgCC. **But Note:** The "certificate of occupancy" to which this section refers is known in Baltimore City as an "occupancy permit".}*

Section 505 Material Selection

505.1 Material selection and properties. *{As in IgCC}*

505.2 Material selection. For any structure with a total building floor area greater than 25,000 sq. ft. (2323 m^2), at least 50% of the total building materials used in the project, based on mass, volume, or cost, must comply with § 505.2.1, 505.2.2, 505.2.3, 505.2.4, or 505.2.5. If a material complies with more than one section, the material value is to be multiplied by the number of sections that it complies with. The value of total building material mass, volume, or cost must remain constant, regardless of whether materials are tabulated in more than one section.

505.2.1 to 505.2.5 *{As in IgCC}*

Section 506 Lamps *{As in IgCC}*

Section 507 Building Envelope Moisture Control *{As in IgCC}*

Chapter 6
Energy Conservation, Efficiency, and CO_2e Emission Reduction

Section 601 General

601.1 to 601.2 ***{As in IgCC}***

601.3 Application. Buildings and their associated building sites must comply with § 601.3.2.

601.3.1 Performance-based compliance. ***{Not Adopted}***

601.3.2 Prescriptive-based compliance. ***{As in IgCC}***

601.4 to 601.5 ***{As in IgCC}***

Section 602 Modeled Performance Pathway Requirements ***{Not Adopted}***

Section 603 Energy Metering, Monitoring, and Reporting ***{As in IgCC}***

Section 604 Automated Demand-Response Infrastructure ***{Not Adopted}***

{Note: For a "Project Elective" patterned after this section, *see* Appendix A, § A106.7.}

Section 605 Building Envelope Systems

605.1 Prescriptive compliance. Building thermal envelope systems must comply with the provisions of § 402{"BUILDING ENVELOPE REQUIREMENTS"} of the International Energy Conservation Code – Commercial Provisions and the provisions of this § 605.

605.1.1 to 605.1.2 ***{As in IgCC}***

605.2 ***{As in IgCC}***

Section 606 Building Mechanical Systems

606.1 Prescriptive compliance. Building mechanical systems must comply with the provisions of the International Energy Conservation Code and the provisions of this § 606.

606.2 to 606.9 ***{As in IgCC}***

Section 607 Building Service Water Heating Systems

607.1 Prescriptive compliance. Service water heating systems must comply with the provisions of the International Energy Conservation Code and the provisions of this § 607.

607.2 to 607.7 ***{As in IgCC}***

Section 608 Building Electrical Power and Lighting Systems

608.1 General. Building electrical power and lighting systems must comply with the provisions of the International Energy Conservation Code and the provisions of this § 608.

608.1.1 to 608.1.3 ***{As in IgCC}***

608.2 to 608.3 ***{As in IgCC}***

608.4 Exterior lighting controls. ***{As in IgCC}***

608.4.1 Exterior light reduction. ***{As in IgCC}***

608.4.2 Exterior lighting and signage shutoff. ***{Not Adopted}***

608.5 Automatic daylight controls. ***{As in IgCC}***

608.6 Plug load controls. ***{As in IgCC}***

608.6.1 to 608.6.4 ***{As in IgCC}***

608.6.5 to 608.6.6 ***{Not Adopted}***

608.7 to 608.12 ***{As in IgCC}***

Section 609 Specific Appliances and Equipment

609.1 General. ***{As in IgCC}***

609.2 Permanent appliance and equipment. ***{As in IgCC}***

609.2.1 to 609.2.2 ***{Not Adopted}***

609.2.3 to 609.2.4 ***{As in IgCC}***

Section 610 Building Renewable Energy Systems

610.1 Renewable energy systems requirements. This section applies to each building that consumes energy. Each building (or its surrounding lot), or each building site on which multiple buildings are located, must be equipped with 1 or more renewable energy systems in accordance with this section. These renewable energy systems must:

1, comply with the following requirements:

a. for solar photovoltaic systems, § 610.2 {"Solar photovoltaic systems"},

b. for wind systems, § 610.3 {"Wind energy systems"},

c. for solar water heating systems, § 610.4 {"Solar water heating equipment"}, and

d. for ground source heat exchange systems, § 610.5 {"Ground source heat exchange energy systems"}, and

2. comply with § 610.6 for performance monitoring and metering of these systems as approved by the Code Official.

Exception: Renewable energy systems are not required for the following:

1. buildings, or building sites on which multiple buildings are located, that provide at least 1% of the total estimated annual energy use of the building, or collective buildings on the site, with onsite renewable energy using a combination of renewable energy generation systems that comply with the requirements of § 610.2, § 610.3, § 610.4, or § 610.5,

2. buildings or sites where at least 2% of the total annual building energy consumption from renewable generation takes the form of a 10-year commitment to renewable energy credit ownership, confirmed by the Code Official, or

3. buildings or sites where the combined application of onsite generated renewable energy and a commitment to renewable energy credit ownership as confirmed by the Code Official totals at least 1.5% of the total annual building energy consumption from renewable generation.

610.1.1 Building performance-based compliance. ***{Not Adopted}***

610.1.2 Building prescriptive compliance. Buildings (or their surrounding lots), or building sites on which multiple buildings are located, must be equipped with 1 or more renewable energy systems that have the capacity to provide at least 1% of the total estimated annual energy use of the building, or collective buildings on the site, with onsite renewable energy by calculation demonstrating that onsite renewable energy production has a rating of at least 1.75 Btu/h (0.5 W) per square foot of conditioned floor area, and using any 1 or combination of renewable energy generation systems that comply with the requirements of § 610.2, § 610.3, § 610.4, or § 610.5.

610.2 Solar photovoltaic systems. Solar photovoltaic systems must be sized to provide at least 1% of the total estimated annual electric energy consumption of the building, or collective buildings on the site, in accordance with § 610.1.2 {"Building prescriptive compliance"}.

610.2.1 Limitation. ***{As in IgCC}***

610.2.2 Requirements. ***{As in IgCC}***

610.3 Wind energy systems. Wind energy systems must be designed, constructed, and sized to provide at least 1% of the total estimated annual electric energy consumption of the building, or collective buildings on the site, in accordance with NFPA 70 and § 610.1.2 {"Building prescriptive compliance"}.

610.3.1 Installation, location, structural requirements. ***{As in IgCC}***

610.4 Solar water heating equipment. At least 10% of the building's annual estimated hot water energy usage must be supplied by onsite solar water heating equipment.

610.5 Ground source heat exchange energy systems. Ground source heat exchange energy systems must be designed, constructed, and sized to provide at least 1% of the total estimated annual electric energy consumption of the building, or collective buildings on the site, in accordance with § 610.1.2 {"Building prescriptive compliance"}.

610.6 Renewable energy system performance monitoring and metering. Renewable energy systems must be metered and monitored in accordance with §§ 610.6.1 and 610.6.2.

610.6.1 Metering. ***{As in IgCC § 610.5.1}***

610.6.2 Monitoring. ***{As in IgCC § 610.5.2}***

Section 611 Energy Systems Commissioning and Completion ***{As in IgCC}***

Chapter 7
Water Resource Conservation, Quality, and Efficiency

Section 701 General ***{As in IgCC}***

Section 702 Fixtures, Fittings, Equipment, and Appliances

702.1 to 702.6 ***{As in IgCC}***

702.7 Municipal reclaimed water. ***{Not Adopted}***

702.8 Efficient hot and tempered water distribution. ***{As in IgCC}***

702.9 to 702.20 ***{As in IgCC}***

Sections 703 to 705 ***{Not Adopted}***

Sections 706 to 709 ***{As in IgCC}***

Chapter 8
Indoor Environmental Quality and Comfort

Section 801 General *{As in IgCC}*

Section 802 Building and Construction Features, Operations, and Maintenance Facilitation *{As in IgCC}*

Section 803 HVAC Systems

803.1 General. *{As in IgCC}*

803.2 to 803.4 *{Not Adopted}*

803.5 Filters. *{As in IgCC}*

Section 804 Specific Indoor Air Quality & Pollutant Control Measures

804.1 Fireplaces and Appliances. *{As in IgCC}*

804.2 Post-construction, pre-occupancy baseline IAQ testing. After all interior finishes are installed, the building must be tested for indoor air quality and the testing results must indicate that the levels of VOCs meet the levels detailed in Table 804.2 using testing protocols in accordance with ASTM D 6196, ASTM D 5466, ASTM D 5197, ASTM D 6345, and ISO 7708. Test samples must be taken in at least 1 location in each 25,000 square feet (1860 m^2) of floor area or in each contiguous floor area.

Exceptions: *{As in IgCC}*

Section 805 Prohibited Materials *{As in IgCC}*

Section 806 Material Emissions and Pollutant Control

806.1 to 806.4 *{As in IgCC}*

806.5 to 806.6 *{Not Adopted}*

Section 807 Acoustics

807.1 Sound transmission and sound levels. Buildings and tenant spaces must comply with the minimum sound transmission class and maximum sound level requirements of §§ 807.2 through 807.4.

Exception: *{As in IgCC}*

807.2 to 807.4 *{As in IgCC}*

807.5 to 807.6 *{Not Adopted}*

Section 808 Day lighting *{As in IgCC}*

Chapter 9
Commissioning

Section 901 General

901.1 Scope. This chapter is intended to facilitate the commissioning of buildings constructed in accordance with this Code. Its requirements apply only to equipment and systems that are covered by this Code and are new or being wholly replaced.

Section 902 Approved Agency

902.1 General. The Code Official must determine the required qualifications of an approved agency for purposes of this chapter

902.1.1 Owner's duties. For commissioning required by this Code, the owner must identify the individual or firm who will be performing the commissioning and providing the requisite certifications and verifications.

902.1.2 Approved agency's duties. The approved agency must comply with the commissioning requirements set forth in this Code.

Section 903 Commissioning

903.1 General. Where application is made for construction as described in this section, the registered design professional in responsible charge or the approved agency must perform commissioning during construction as required by Table 903.1. The approved agency must be qualified and must demonstrate competence, to the satisfaction of the Code Official, for the commissioning of the particular type of construction or operation. The registered design professional in responsible charge and the engineer of record involved in the design of the project may act as the approved agency if those persons meet the required qualifications to the satisfaction of the Code Official.

903.1.1 to 903.1.2 ***{Not Adopted}***

903.2 Records and commissioning reports. The approved agency must:

1. keep records of the commissioning required by Table 903.1, and
2. furnish commissioning reports to:
    a. the owner,
    b. the registered design professional in responsible charge, and
    c. on request, the Code Official.

903.2.1 Scope of reports. These reports must indicate whether work was or was not completed in conformance to approved construction documents.

903.2.2 Discrepancies. Discrepancies must be brought to the immediate attention of the contractor for correction. If the discrepancies are not corrected, they must be brought to the attention of the owner, the Code Official, and the registered design professional in responsible charge before completion of that phase of the work.

903.3 Preliminary Commissioning Report. Before the final inspection, a Preliminary Commissioning Report must be provided to the owner and, on request, to the Code Official.

903.4 Final Commissioning Report. Within 180 days after issuance of an occupancy permit, a Final Commissioning Report must be provided to the owner and, on request, to the Code Official.

TABLE 903.1. COMMISSIONING PLAN

Construction or System Requiring Verification	Pre-occupancy	Method	Occurrence Preoccupancy	Section/ Standard
Chapter 4: Site Development and Land Use				
Landscape irrigation systems	X	Field inspection	Installation	404.1
Site lighting	X	Testing & report	Installation	409
Chapter 6: Energy				
Energy consumption, monitoring, targeting, and reporting:				
a. Monitoring	X	Inspection and verification	During construction & before occupancy	603
b. Calibration	X	Testing & review & evaluation of test reports	During commissioning	603
Mechanical systems completion:				
a. Air system balancing – provide means for system balancing	X	Inspection and verification	During construction & before occupancy	611.1.2.1 and, by reference, IECC 403
b. Hydronic system balancing – provide means for system balancing	X	Inspection and verification	During construction & before occupancy	611.1.2.2 and, by reference, IECC 403
c. Mechanical system manuals – construction documents to require O&M manual	X	Verification of construction documents	Plan review	611.1.5.2

Mechanical systems:				
a. Commissioning required and noted in plans and specifications	X	Verification of construction documents	Plan review	611.1
b. Documentation of required commissioning outcomes	X	Verification with building owner	After completing all commissioning activities	611.1
c. Preparation & availability of a commissioning plan	X	Verification with RDP or commissioning agent	Between plan review & commissioning initiation	611.1.1
d. Balance HVAC systems (both air and hydronic)	X	System installer/ contractor or commissioning agent	After installation of systems and before occupancy	611.1.2
e. Functional performance testing of HVAC equipment	X	System installer/ contractor or commissioning agent	After installation of systems and before occupancy	611.1.3
f. Functional performance testing of HVAC controls and control systems	X	System installer/ contractor or commissioning agent	After installation of systems and before occupancy	611.1.3.2
g. Preparation of preliminary commissioning report	None	System installer/ contractor or commissioning agent	None	611.1.4
h. Preparation & distribution of final HVAC system completion – Documentation (i) that construction documents require drawings, manuals, balancing reports, and commissioning report to be provided to owner and (ii) that they have been so provided	None	RDP, contractor, or commissioning authority	None	611.1.5
Chapter 6: Lighting				
Verification of lamp	X	Field inspection	Final inspection	608.10
Lighting Controls:				
a. Installation	X	Field inspection	Post-installation	608.11
b. Calibration	X	System installer/ contractor or commissioning agent	Post-installation	611.3.3

Chapter 7: Water Resource Conservation, Quality, Efficiency				
Cooling tower performance	----	----	----	703.7.7
Metering	X	----	----	705.1.1
Chapter 8: Indoor Environmental Quality and Comfort				
Air-handling system access	X	Field inspection and verification	During construction & before occupancy	802.2
Air-handling system filters	X	Field inspection and verification	During construction & before occupancy	802.3

Section 904 Building Operations and Maintenance ***{As in IgCC}***

Chapter 10
Existing Buildings

Sections 1001 to 1006 *{As in IgCC}*

Section 1007 Jurisdictional Requirements *{Not Adopted}*

Chapter 11
Existing Building Site Development
{As in IgCC}

Chapter 12
Referenced Standards
{As in IgCC}

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Appendix A
Project Electives

Section A 101 General *{As in IgCC}*

Section A102 Applicability and Conformance

A102.1 General. *{As in IgCC}*

A102.2 Required number of project electives. Each of Tables A104 through A108 indicate, in the line that references § A102.2, the minimum number of project electives required to be selected by the owner from that table. Every project constructed in the City is required to comply with the minimum number applicable to each table. Selected project electives shall be applied as mandatory requirements for the project.

A102.2.1 Selection of project electives. Selected project electives shall be submitted to the Code Official, with the construction documents, by:

1. copying each table and checking the appropriate lines, or
2. submitting a list of selected project electives.

Section A103 Definitions *{As in IgCC}*

Section A104 Site Project Electives

A104.1 Flood hazard area project elective. *{Not Adopted}*

A104.2 to A104.6 *{As in IgCC}*

A104.7 Changing and shower facilities project elective. Where a new building is less than 10,000 square feet (929 m^2) in total building floor area and is required to be provided with long-term bicycle parking and storage, the provision of changing and shower facilities in accordance with § 407.2 is recognized as a project elective.

A104.8 Long-term bicycle parking and storage project elective. *{As in IgCC}*

A104.9 Heat island. *{As in IgCC}*

A104.9.1 Site hardscape project elective 1. The development of a new building and associated site improvements for which a minimum of 50% of the site hardscape is in accordance with 1 or any combination of options in §§ 408.2.1 through 408.2.5, is recognized as a project elective.

A104.9.2 Site hardscape project elective 2. The development of a new building and associated site improvements for which a minimum of 75% of the site hardscape is in accordance with 1 or any combination of options in §§ 408.2.1 through 408.2.5, is recognized as a project elective.

A104.9.3 Site hardscape project elective 3. *{Not Adopted}*

A104.9.4 Roof covering project elective. *{As in IgCC}*

TABLE A104
SITE PROJECT ELECTIVES

Section	Description
A102.2	Minimum number of electives required to be from this table: 2
A104.2	Wildlife corridor
A104.3	Infill site
A104.4	Brownfield site
A104.5	Site restoration
A104.6	Mixed use development
A104.7	Changing and shower facilities
A104.8	Long-term bicycle parking and storage
A104.9: A104.9.1 A104.9.2 A104.9.4	Heat island: Site hardscape project elective 1 - 1 elective Site hardscape project elective 2 - 2 electives Roof covering project elective

Section A105 Material Resource Conservation and Efficiency

A105.1 Waste management project elective. Projects seeking a waste management project elective must comply with § 503.1, except that the nonhazardous construction waste materials required to be diverted from landfills must be increased by 20%.

A105.2 to A105.4 *{As in IgCC}*

A105.5 Design for deconstruction project elective. Projects seeking a design for deconstruction project elective must be designed for deconstruction of at least 90% of the total components, assemblies, or modules to allow essentially the entire building to be reused. Design for deconstruction shall be documented on the building's plans and construction documents.

A105.6 Existing building reuse project elective. *{As in IgCC}*

A105.7 Historic building reuse project elective. *{As in IgCC}*

TABLE A105
MATERIAL RESOURCE CONSERVATION AND EFFICIENCY

Section	Description
A102.2	Minimum number of electives required to be from this table: 2
A105.1	Waste management
A105.2	Construction waste landfill maximum
A105.3(1)	Reused, recycled content, recyclable, etc., materials (70%) - 1 elective
A105.3(2)	Reused, recycled content, recyclable, etc., materials (85%) - 2 electives
A105.4	Service life plan
A105.5	Design for deconstruction
A105.6	Existing building reuse
A105.6	Historic building reuse

Section A106 Energy Conservation, Efficiency, and Earth Atmospheric Quality

A106.1 zEPI reduction project electives. *{Not Adopted}*

A106.2 to A106.4 *{As in IgCC}*

A106.5 Passive design project elective. *{Not Adopted}*

A106.6 Renewable energy system project electives. Buildings seeking a renewable energy system project elective or electives must be equipped with 1 or more renewable energy systems. Capacity shall be demonstrated in accordance with § 610.1.2.

A106.7 Automated demand-response (Auto-DR) infrastructure. Buildings that contain heating, ventilating, or air-conditioning systems ("HVAC systems") or lighting systems and that seek an automated demand-response ("Auto-DR") project elective must comply with this Section A106.7. A building energy management and control system ("EMCS") must be provided and integrated with building HVAC systems controls and lighting systems controls to receive an open and interoperable Auto-DR relay or Internet signal. Building HVAC and lighting systems and specific building energy-using components must incorporate preprogrammed demand response strategies that are automated with a demand response automation Internet software client.

Exception: Auto-DR infrastructure is not required for the following:

1. Buildings located where the electric utility or Regional Independent System Operator ("RISO") or Regional Transmission Operator ("RTO") does not offer a demand response program to buildings regulated by this Code.

2. Buildings with peak electric demand is no greater than 0.75 times that of the standard reference design.

3. Buildings that have incorporated onsite renewable energy generation to provide 20% or more of the building's energy demand.

A106.7.2 Software clients. Demand response automation software clients shall be capable of communicating with a demand response automation server via the Internet or other communication relay.

A106.7.3 Heating, ventilating, and air-conditioning systems. The Auto-DR strategy for HVAC systems must be capable of reducing the building's peak cooling or heating HVAC demand by at least 10% when signaled from the electric utility, RISO, or RTO through any combination of the strategies and systemic adjustments, including the following:

1. space temperature setpoint reset,

2. increasing chilled water supply temperatures or decreasing hot water supply temperatures,

3. increasing or decreasing supply air temperatures for variable air volume ("VAV") systems,

4. limiting capacity of HVAC equipment that has variable or multiple-stage capacity control,

5. cycling HVAC equipment or turning off noncritical equipment,

6. disabling HVAC in unoccupied areas,

7. limiting the capacity of chilled water, hot water, and refrigerant control valves,

8. limiting the capacity of supply and exhaust fans, without reducing the outdoor air supply below the minimum required by Chapter 4 of the International Mechanical Code, or the minimum required by ASHRAE 62.1.

9. limiting the capacity of chilled water or hot water supply pumps, and

10. anticipatory control strategies to precool or preheat in anticipation of a peak event.

Exception: The Auto-DR strategy is not required for the following buildings and systems:

1. hospitals and critical emergency response facilities,

2. life safety ventilation for hazardous materials storage,

3. building smoke exhaust systems, and

4. manufacturing process systems.

A106.7.4 Rebound avoidance. The Auto-DR strategy must include logic to prevent a rebound peak. When the signal for Auto-DR is ended, a gradual return to normal HVAC equipment operations must be part of the Auto-DR strategy, through any combination of strategies and systemic adjustments, including the following:

1. when close to the unoccupied period, extension of the Auto-DR period by using a rebound avoidance, extended Auto-DR control strategy, until initiation of the unoccupied period.

2. rebound avoidance, slow recovery control strategies, gradually increasing or decreasing space temperature setpoints or a variance in the timing by cooling or heating zone,

3. rebound avoidance, slow recovery control strategies, gradually increasing or decreasing zone supply air temperatures,

4. rebound avoidance, slow recovery control strategies, gradually increasing or decreasing chilled water temperatures or decreasing hot water temperatures,

5. rebound avoidance, sequential equipment recovery strategies, gradually restoring demand limited equipment capacity,

6. rebound avoidance, sequential equipment recovery strategies, gradually restoring equipment that was turned off during the Auto- DR period,

7. rebound avoidance, slow recovery control strategies, gradually increasing capacity for air moving and pumping systems, and

8. rebound avoidance, sequential equipment recovery or rebound avoidance, slow recovery control where chilled water or hot water and other capacity control valves are sequentially or gradually allowed to return to normal operation, respectively.

A106.7.5 Lighting. In Group B office spaces, the Auto-DR system must be capable of reducing total connected power of lighting, as determined in accordance with [§ 405.5] § 405.3 {"INTERIOR LIGHTING POWER REQUIREMENTS"} of the International Energy Conservation Code - COMMERCIAL PROVISIONS, by at least 15%.

Exception: The following buildings and lighting systems need not be addressed by the Auto-DR system:

1. buildings or portions of buildings associated with lifeline services,
2. luminaires on emergency circuits,
3. luminaires located in emergency and life safety areas of a building,
4. lighting in buildings that are less than 5,000 square feet (465 m^2) in total building floor area,
5. luminaires within a daylight zone that are dimmable and connected to automatic daylight controls that comply with [§ 405.2.2.3.2] § 405.2.3 {"DAYLIGHT-RESPONSIVE CONTROLS"} of the International Energy Conservation Code – COMMERCIAL PROVISIONS, and
6. signage used for emergency, life safety, or traffic control purposes.

TABLE A106
ENERGY CONSERVATION, EFFICIENCY, AND EARTH ATMOSPHERIC QUALITY

Section	Description
A102.2	**Minimum number of electives required from this table: 2**
A106.2	**Mechanical systems**
A106.3	**Service water heating**
A106.4	**Lighting systems**
A106.5	**Passive design**
A106.6	**Renewable energy systems:** **5% – 1 elective** **10% – 2 electives** **20% – 3 electives**
A106.7	**Automated demand-response (Auto-DR) infrastructure.**

Section A107 Water Resource Conservation and Efficiency *{Not Adopted}*

Section A108 Indoor Environmental Quality and Comfort *{As in IgCC}*

TABLE A108
INDOOR ENVIRONMENTAL QUALITY AND COMFORT

Section	Description
A102.2	Minimum number of electives required from this table: 2
A108.2	VOC emissions – Flooring
A108.3	VOC emissions – Ceiling systems
A108.4	VOC emissions – Wall systems
A108.5	Total VOC limit
A108.6	Views to building exterior

Section A109 Referenced Standards *{As in IgCC}*

APPENDIX B
RADON MITIGATION
{NOT ADOPTED}

APPENDIX C
OPTIONAL ORDINANCE
{NOT ADOPTED}

APPENDIX D
ENFORCEMENT PROCEDURES
{NOT ADOPTED}

PART XII. INTERNATIONAL SWIMMING POOL AND SPA CODE

§ 12-101. City adoption.

(a) *In general.*

The International Swimming Pool and Spa Code ([2015] 2018 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 XII.

(b) *Codification.*

Unless otherwise specified, chapter and section numbers in this Part XII refer to the chapter and section numbers of the International Swimming Pool and Spa Code.

§ 12-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 1
Scope and Administration

Section 101 General

101.1 Title. The regulations contained in this Code constitute and are known as the "Baltimore City Swimming Pool and Spa Code".

101.1.1 References to "this Code". Throughout this Part XII, all references to "this Code" refer to the Baltimore City Swimming Pool and Spa Code.

101.2 to 101.4 ***{As in ISPSC}***

Section 102 Applicability ***{As in ISPSC}***

Section 103 Department of Building Safety

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 Building Safety" 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 Baltimore City Building Code.

103.2 to 103.3 ***{Not Adopted}***

103.4 Liability. ***{Not Adopted.*** **See** ***State Courts Article § 5-302}***

Section 104 Duties and Powers of Code Official

104.1 to 104.2 ***{As in ISPSC}***

104.3 Notices and orders. The Code Official may issue all notices or orders necessary to ensure compliance with this Code.

104.4 Inspections. The Code Official must make all of the required inspections or accept reports of inspection by approved agencies or individuals. All reports of these inspections must be in writing and signed by a responsible officer of the approved agency or by the responsible individual. The Code Official may engage any expert opinion that the Code Official considers necessary to report on unusual technical issues that arise.

104.5 Identification. ***{As in ISPSC}q***

104.6 Right of entry. The Code Official may enter any structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official may pursue recourse as provided by law, including § 104 {"... Powers of Building Official"} of the Baltimore City Building Code.

104.7 Department records. The Code Official must keep records of all of the Department's business and activities under this Code.

104.8 Modifications. ***{As in ISPSC}***

104.9 Alternative materials and methods. The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, as long as that alternative has been approved. An alternative material or method of construction may be approved if the Code Official finds in writing that, for the purpose intended:

1. the proposed alternative is satisfactory and complies with the intent of this Code, and

2. the material, method, or work offered is at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability, and safety.

104.10 Required testing. ***{As in ISPSC}***

104.11 Alternative engineered design. ***{As in ISPSC}***

104.12 Material and equipment reuse. ***{As in ISPSC}***

Section 105 Permits

105.1 When required. ***{As in ISPSC}***

105.2 Application for permit. The requirements for obtaining a permit are as set forth in § 105.3 {"Application for permit"} of the Baltimore City Building Code.

105.3 Construction documents. *{As in ISPSC}*

105.4 Time limitation of application. *{As in ISPSC}*

105.5 Permit issuance. *{As in ISPSC}*

105.5.1 Approved construction documents. *{As in ISPSC}*

105.5.2 Validity. *{As in ISPSC}*

105.5.3 Expiration. Unless extended, a permit expires as set forth in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

105.5.4 Extension. An expired permit may be extended as provided in § 105.5 {"Expiration; Extension"} of the Baltimore City Building Code.

105.5.5 Suspension or revocation. The Code Official may suspend or revoke a permit as provided in § 105.6 {"Suspension or revocation"} of the Baltimore City Building Code.

105.5.6 Retention of construction documents. *{As in ISPSC}*

105.6 Fees. *{As in ISPSC}*

105.6.1 Work commencing before permit issuance *{Not Adopted}*

105.6.2 Fee schedule. The fees for work are as set forth in § 109 {"Fees"} of the Baltimore City Building Code.

105.6.3 Fee refunds *{Not Adopted}*

Section 106 Inspections *{As in ISPSC}*

Section 107 Violations

107.1 to 107.3 *{As in ISPSC}*

107.4 Violation penalties. The penalties for a violation of this Code are as provided in § 114 {"Violations"} of the Baltimore City Building Code for a violation of that Code.

107.5 Stop-work orders. The issuance and enforcement of stop-work orders are as provided in § 115 {"Stop-work order"} of the Baltimore City Building Code.

107.6 to 107.7 *{As in ISPSC}*

Section 108 Administrative and Judicial Review

108.1 General. A decision of the Code Official is subject to administrative and judicial review as provided in the Baltimore City Building Code.

108.2 to 108.7 *{Not Adopted}*

Chapter 2
Definitions

Section 201 General

201.1 to 201.2 ***{As in ISPSC}***

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 {"Referenced Codes"} 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 ISPSC}***

Section 202 General Definitions

202.1 General. Except as provided in § 202.2 of this Code, terms that are used in this Code and defined in the International Swimming Pool and Spa Code ([2015] 2018 Edition) have the meanings given in the International Swimming Pool and Spa Code ([2015] 2018 Edition).

202.2 Supplemental definitions. Notwithstanding any different definition in the International Swimming Pool and Spa Code, the following terms have the meanings given in this § 202.2.

202.2.1 Building. "Building" has the meaning stated in § 202.2 of the Baltimore City Building Code.

202.2.2 Code Official. "Code Official" has the meaning stated in § 103.1 of this Code.

202.2.3 Design-flood elevation. "Design-flood elevation" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-2 {"Definitions – "Accessory structure" to "Floodplain district"}.

202.2.4 Flood hazard area. "Flood hazard area" means a Regulated Flood Hazard Area established under and regulated by the Floodplain Management Code.

202.2.5 Floodplain Management Code. "Floodplain Management Code" means the Baltimore City Floodplain Management Code, City Code Article 7 {"Natural Resources"}, Division I {"Floodplain Management"}.

202.2.6 Floodway. "Floodway" has the meaning stated in City Code Article 7 {"Natural Resources"}, § 1-3 {"Definitions – "Floodproofing" to "Wet Floodproofing"}.

202.2.7 May not, etc. "May not", "must not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

202.2.8 Must/Shall. "Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

202.2.9 Premises. "Premises" has the meaning stated in § 202.2 of the Baltimore City Building Code.

Chapter 3
General Compliance

Sections 301 to 303 *{As in ISPSC}*

Section 304 Flood Hazard Areas

304.1 General. *{As in ISPSC}*

304.2 Determination of impacts based on location. Pools and spas located in flood hazard areas must comply with:

1. the City Floodplain Management Code, and

2. § 304.2.1 or § 304.2.2 of this Code.

Exception: *{As in ISPSC}*

304.2.1 to 304.2.2 *{As in ISPSC}*

304.3 to 304.5 *{As in ISPSC}*

304.6 Other codes. In addition, swimming pools and spas must comply with:

1. all applicable provisions of the City Health Code,

2. all regulations of the City Health Department, and

3. all location and other applicable provisions of the City Zoning Code.

Sections 305 to 323 *{As in ISPSC}*

Chapter 4
Public Swimming Pools
{As in ISPSC}

Chapter 5
Public Spas and Public Exercise Spas
{As in ISPSC}

Chapter 6
Aquatic Recreation Facilities
[*{As in ISPSC}*]

SECTION 601 TO 611 *{AS IN ISPSC}*

SECTION 612 SPLASH PADS

612.1 DEFINITIONS. IN THIS CHAPTER, "SPLASH PAD" (ALSO KNOWN AS "SPRAY PAD", "WET DECK", OR "INTERACTIVE WATER PLAY FEATURE") MEANS ANY INDOOR OR OUTDOOR STRUCTURE DESIGNED TO ALLOW FOR PUBLIC RECREATIONAL ACTIVITIES WITH RECIRCULATED, FILTERED, AND TREATED WATER THAT:

1. INCLUDES SPRAYED, JETTED, OR OTHER WATER SOURCES CONTACTING BATHERS, BUT

2. DOES NOT INCORPORATE STANDING OR CAPTURED WATER AS PART OF THE BATHER ACTIVITY AREA.

612.2 GENERAL. CONSTRUCTION AND OPERATION OF ANY SPLASH PAD MUST COMPLY WITH §§ 612.3 THROUGH 612.8.

612.3 SAFETY HAZARDS. ALL PARTS OF THE SPLASH PAD THAT CAN BE ACCESSED BY SPLASH PAD USERS MUST BE DESIGNED AND CONSTRUCTED TO NOT PRESENT SAFETY HAZARDS TO THE USERS.

612.4 DECKING. A DECK OF NOT LESS THAN 4 FEET (1296 MM) IN WIDTH MUST BE PROVIDED AROUND THE PERIMETER OF THE SPLASH PAD. THE DECK MUST BE SLOPED AWAY FROM THE SPLASH PAD.

612.5 SPLASH PAN ZONE. THE SPLASH PAD ZONE MUST COMPLY WITH §§ 612.5.1 THROUGH 612.5.3.

612.5.1 SURFACE. SPLASH PAD ZONE SURFACES MUST HAVE A SLIP-RESISTANT AND CLEANABLE SURFACE. THE MANUFACTURER OF MANUFACTURED ZONE SURFACES MUST CERTIFY THAT THE SURFACING IS SUITABLE FOR AQUATIC AND CHLORINATED ENVIRONMENTS. DIRECT SUCTION OUTLETS FROM A SPLASH PAD ARE PROHIBITED.

612.5.2 SLOPE AND WATER COLLECTION. SPLASH PAD ZONE SURFACES MUST SLOPE TO ONE OR MORE DRAIN POINTS SO THAT ONLY WATER FROM THE SPLASH PAN ZONE FLOWS BACK TO A GRAVITY FED COLLECTION TANK. THE SLOPE MUST PREVENT THE ACCUMULATION OR POOLING OF WATER AND MAY NOT EXCEED ½ INCH (12.7 MM) PER FOOT. DRAIN OPENINGS IN THE SPLASH PAD ZONE SURFACES THAT CAN BE ACCESSED BY USERS MAY NOT ALLOW A ½ INCH (12.7 MM) DIAMETER DOWEL ROD TO BE INSERTED INTO THE OPENING. DRAIN COVERS IN SPLASH PAD ZONE SURFACES MUST BE FLAT AND FLUSH WITH THE ZONE SURFACE AND MUST REQUIRE TOOLS FOR REMOVAL. THE MANUFACTURER OF THE DRAIN COVER MUST CERTIFY THAT THE COVERS COMPLY WITH THE PHYSICAL TESTING AND FINGER-AND-LIMB ENTRAPMENT REQUIREMENTS OF SECTIONS 3 AND 6, RESPECTIVELY, OF APSP 16.

612.5.3 NOZZLES WITHIN SPLASH PAD ZONES.

612.5.3.1 GENERAL. NOZZLES THAT SPRAY WATER FROM THE SPLASH PAD ZONE MUST BE FLUSH WITH THE ZONE SURFACE. OPENINGS IN THE NOZZLES MAY NOT ALLOW A ½ INCH (12.7 MM) DIAMETER DOWEL ROD TO BE INSERTED INTO THE OPENING. THE WATER VELOCITY FROM THE ORIFICE OF ANY WATER NOZZLE MAY NOT EXCEED 20 FEET (6.1 M) PER SECOND.

612.5.3.2 NOZZLES NOT ON WALKING SURFACES. NOZZLES THAT ARE NOT ON WALKING SURFACES MUST BE DESIGNED TO BE CLEARLY VISIBLE.

612.6 WATER SANITATION. THE WATER SANITATION MUST CONSIST OF THE EQUIPMENT COVERED IN §§ 612.6.1 THROUGH 612.6.5.

612.6.1 WATER COLLECTION AND TREATMENT TANK. A SPLASH PAD MUST DRAIN TO A COLLECTION AND TREATMENT TANK. THE INSIDE OF THE TANK MUST BE ACCESSIBLE FOR CLEANING AND INSPECTION. THE ACCESS HATCH OR LID MUST BE LOCKED OR REQUIRE A TOOL TO OPEN. THE TANK CAPACITY MAY NOT BE LESS THAN 1,000 GALLONS OR 10 TIMES THE NUMBER OF GALLONS IN A MINUTE WHEN ALL NOZZLES ARE OPERATING SIMULTANEOUSLY, WHICHEVER IS GREATER. THE VOLUME WATER IN THE TANK, AT THE DESIGN WATER LEVEL, MAY NOT DECREASE MORE THAN 15% OF THAT VOLUME WHEN ALL PUMPS AND DISCHARGE PIPING FILL WITH WATER TO THE DISCHARGE POINTS OF ALL NOZZLES. THE TANKS MUST BE PROVIDED WITH A MEANS TO EMPTY ALL WATER IN THE TANK FOR THE PURPOSES OF SERVICING OR CLEANING.

612.6.2 FILTRATION PUMP. THE FILTRATION PUMP MUST BE SIZED TO TURNOVER THE SURGE BASIN CAPACITY IN 30 MINUTES OR LESS. THE INTAKE FOR THE PUMP MUST BE LOCATED TO DRAW WATER FROM THE LOWEST ELEVATION IN THE TREATMENT TANK.

612.6.3 SPRAY NOZZLE AND WATER FEATURE DISINFECTION. SPRAY NOZZLES AND WATER FEATURES MUST BE SUPPLIED BY WATER FROM THE WATER COLLECTION AND TREATMENT TANK THAT IS EQUIPPED WITH FILTRATION AND SANITIZING EQUIPMENT REQUIRED BY CHAPTER 3 AND THIS CHAPTER WHERE SEPARATE WATER FEATURE PUMPS ARE INSTALLED, CONTROLS MUST PREVENT THOSE PUMPS FROM OPERATING WHEN THE FILTRATION PUMP IS NOT OPERATING.

612.6.4 DISINFECTION SYSTEM. IN ADDITION TO ANY FILTRATION AND SANITIZING EQUIPMENT REQUIREMENTS OF CHAPTER 3 AND THIS CHAPTER, ALL WATER SUPPLIED TO SPRAY NOZZLES OR OTHER WATER THAT CAN BE ACCESSED BY A USER, MUST PASS THROUGH A SECONDARY DISINFECTION SYSTEM BEFORE DISCHARGE TO THE USER. THE SECONDARY DISINFECTION SYSTEM MUST BE LISTED AND LABELED TO NSF 50 AS HAVING A SINGLE-PASS, THREE-LOG REDUCTION OF CRYPTOSPORIDIUM SURROGATE.

612.6.5 MAKE-UP WATER SYSTEM. THE WATER COLLECTION AND TREATMENT TANK MUST BE PROVIDED WITH A MAKE-UP WATER SYSTEM THAT IS SUPPLIED WITH POTABLE WATER.

612.7 OPERATING INSTRUCTIONS. IN ADDITION TO THE DOCUMENTATION AND INSTRUCTION REQUIREMENTS OF CHAPTERS 1 AND 3, THE OPERATING INSTRUCTIONS FOR A SPLASH PAD MIST REQUIRE THAT THE CIRCULATION SYSTEM BE OPERATED CONTINUOUSLY FOR NOT LESS THAN 4 TURNOVERS PRIOR TO OPERATION OF THE PUMPS FOR THE SPRAY NOZZLES AND OTHER WATER FEATURES SYSTEMS.

612.8 LIGHTING. WHERE A SPLASH PAD WILL BE IN OPERATION AT NIGHT OR DURING PERIODS OF INADEQUATE NATURAL LIGHTING, ARTIFICIAL LIGHTING MUST BE PROVIDED IN ACCORDANCE WITH THE SAME REQUIREMENTS FOR POOL DECK AREA LIGHTING IN § 321.2.2.

Chapter 7
On-Ground Storable Residential Swimming Pools
{As in ISPSC}

Chapter 8
Permanent In-Ground Residential Swimming Pools
{As in ISPSC}

Chapter 9
Permanent Residential Spas and Permanent Residential Exercise Spas
{As in ISPSC}

Chapter 10
Portable Residential Spas and Portable Residential Exercise Spas
{As in ISPSC}

Chapter 11
Referenced Standards
{As in ISPSC}

ARTICLE – HEALTH CODE OF BALTIMORE CITY

Title 6. Food Service Facilities

Subtitle 6. Suspensions and Revocations

§ 6-603.1. Suspension or nonrenewal for multiple or unpaid citations.

(b) *Covered offenses.*

(1) For purposes of this section, citations issued for violations of the following provisions of the City Code are presumed to be issued for reasons related to public health or to the prevention of disease, epidemics, or nuisances affecting public health:

. . .

Building, Fire, and Related Codes Article – Building Code
§ 114.14. [§ 105.14.] Work without permit
§ 115.3. Stop-work order: Unlawful continuance
§ 116. Unsafe structures
§ 120. Condemnation proceedings
§ 123.8. Failure to comply with notice OR CITATION
§ 3302.2 Construction Safeguards: Waste and debris

Building, Fire, and Related Codes Article – Fire Code
§ 108.6. [§ 107.5.] Maintenance: Overcrowding
§ 111.1. [§ 110.1.] Unsafe buildings: General
§ 1001.2. Means of Egress: Minimum requirements

Building, Fire, and Related Codes Article – Property Maintenance Code
Chapter 3. General Requirements

. . . .

ARTICLE 1. MAYOR, CITY COUNCIL, AND MUNICIPAL AGENCIES

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(5c) ***Building, Fire, and Related Codes Article – Building Code***

§ 114.14. [§ 105.1.4.] Work without permit	$500
§ 115.3. Stop-work order: Unlawful continuance	$500
§ 123.8. Failure to comply with notice OR CITATION	
Unsafe structures {§ 116}	$900
Condemnation proceedings {§ 120}	$500
All other notices (excluding citations)	$250
§ 1209.4. [§ 1210.4] Diaper-Changing Amenities	$500
§ 3302.2. Construction Safeguards: Waste and debris	$250
§ 3808. Traffic-Mitigation Enforcement	$1,000

(6) ***Building, Fire, and Related Codes Article – Fire Code***

§ 108.6. [§ 107.5.] Maintenance: Overcrowding	
1-99 persons over capacity	$250
100-199 persons over capacity	$500
200 or more persons over capacity	$1,000
§ 111.1. [§ 110.1.] Unsafe buildings: General	$250
§ 1001.2. Means of Egress: Minimum requirements	$250

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies – Listing.

(5) ***Building, Fire, and Related Codes Article – Fire Code***

§ 108.6. [§ 107.5.] Maintenance: Overcrowding	
1-99 persons over capacity	$250
100-199 persons over capacity	$500

200 or more persons over capacity	$1,000
§ 1001.2. Means of Egress: Minimum requirements	$250

ARTICLE 9. FIRE SUPPRESSION AND PREVENTION

Subtitle 8. *{Reserved}*

EDITOR'S NOTE: Former Subtitle 8 {"Explosives"}, which dealt with the permitting and regulation of explosives, was repealed by Ord. 15-435. The provisions of that subtitle (virtually unchanged since their enactment in 1876) have been effectively superseded by the more extensive provisions of the International Fire Code [§ 105.6.15] § 105.6.14 {"[Permits] REQUIRED OPERATIONAL PERMITS: Explosives"} and Chapter 56 {"Explosives and Fireworks"}, as adopted by Part VIII of the City's Building, Fire, and Related Codes Article.

ARTICLE 10. HARBORS, DOCKS, AND WHARVES

Subtitle 7. Explosives

EDITOR'S NOTE: For general permitting and regulatory provisions governing the manufacture, storage, handling, sale or use of explosives, explosive materials, fireworks, and the like, *see* the International Fire Code [§ 105.6.15] § 105.6.14 {"[Permits] REQUIRED OPERATIONAL PERMITS: Explosives"} and Chapter 56 {"Explosives and Fireworks"}, as adopted by Part VIII of the City's Building, Fire, and Related Codes Article.

ARTICLE 13. HOUSING AND URBAN RENEWAL

Subtitle 11. Registration of Vacant Lots

§ 11-2. Registration required.

(d) *Exceptions.*

This section does not apply to a vacant lot that:

(1) adjoins a non-vacant lot that is titled to the same owner of record as the vacant lot and is the owner's primary residence;

(2) contains a parking pad that complies with the surface requirements of Baltimore City Building Code [§ 3112] § 3116 {"PARKING LOTS, DRIVEWAYS, AND OTHER PAVED SURFACES"} and is actively used by a person whose primary residence is within 100 feet of the pad; or

(3) extends beyond City limits.

ARTICLE 15. LICENSING AND REGULATION

Subtitle 2. Amusements

Part 7. Animated Riding Devices

§ 2-46. Building Code.

The provisions of [§ 428.9] § 432.9 of the Baltimore City Building Code, which relate to the electrical and mechanical requirements for certain circuses and carnivals, apply in all respects to the animated riding devices provided for in this Part 7. However, no other provisions of [§ 428] § 432 of the Building Code apply to animated riding devices.

Part 8. Mobile Riding Units

§ 2-55. Building Code; time limit on operation.

(a) *Building Code.*

Subject to a licencee's compliance with subsection (b) of this section, the provisions of [§ 428] § 432 {"Circuses and Carnivals"} of the Baltimore City Building Code, which regulates circuses and carnivals, do apply to applications and licenses to operate any type of ride or riding device mounted on mobile equipment.

ARTICLE 19. POLICE ORDINANCES

Subtitle 71. Special Police Officers

§ 71-2. Prepayable criminal citations.

(i) *Enumeration of code violations and penalties.*

The authority of a Special Enforcement Officer to issue prepayable criminal citations is limited to the following provisions of the City Code:

(1) ***Building, Fire, and Related Codes Article – Fire Code***

§ 108.6. [§ 107.5.] Maintenance: Overcrowding	
1-99 persons over capacity	$250
100-199 persons over capacity	$500
200 or more persons over capacity	$1,000
§ 111.1. [§ 110.1.] Unsafe Buildings: General	$250
§ 1001.2. Means of Egress: Minimum requirements	$250

ARTICLE 26. SURVEYS, STREETS, AND HIGHWAYS

Subtitle 6. Building Address Numbers

§ 6-7. Required display.

The correct number of every house or other building:

(1) shall be displayed as provided in [Baltimore City] INTERNATIONAL Building Code [§ 501.2 {"Address Identification"}] § 502 {"BUSINESS ADDRESS"}; and

. . . .

ARTICLE 32. ZONING

Title 16. Off-Street Parking and Loading

Subtitle 4. Design of Facilities

§ 16-409. Curbing and wheel stops.

Wheel stops or curbing must be provided to prevent vehicles from damaging or encroaching on an adjacent parking or loading space, sidewalk, landscaped area, or parking lot island, fence, wall, or building. Curbing must be at least 6 inches in height, in accordance with Building Code [§ 3112.5] § 3116.5 {"Curbs or bumpers"}.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance and the Building, Fire, and Related Codes adopted by it apply to all building operations for which a permit application is filed on or after the effective date of this Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That, except as expressly provided to the contrary in this Ordinance, any transaction, case, proceeding, investigation, or other matter validly begun before the effective date of this Ordinance and affected by or flowing from any law amended or repealed by this Ordinance, and any right, duty, or interest flowing from any ordinance amended or repealed by this Ordinance, remains valid after the effective date of this Ordinance and may be terminated, completed, enforced, or prosecuted as required or permitted by the prior law as though the amendment or repeal has not occurred. If any change in nomenclature involves a change in name or designation of any City agency or official, the successor agency or official has all the powers and obligations granted the predecessor agency or official.

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Council Bill 20-0505

Certified as duly passed this 27 day of April, 2020

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20___

Chief Clerk

Approved this 18th day of May, 2020

Mayor, Baltimore City

Approved for Form and Legal Suffficiency
this 28th day of April, 2020.

Elena R. DiPietro

Elena R. DiPietro