City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 17-0017, **Version:** 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* Warning: This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore
Council Bill

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)

A Bill Entitled

An Ordinance concerning
Building, Fire, and Related Codes - International Residential Code - Corrections
For the purpose of expressly continuing the regulation of solar photovoltaic power systems for all 1- and 2-family dwellings; and expressly reinstating the application of certain regulations governing driveways and other paved surfaces for all 1- and 2-family dwellings.

By repealing and reordaining, with amendments
Article - Building, Fire, and Related Codes
Section 8-102 (FC § 605.11.1.2)
Baltimore City Revised Code
(2015 Edition)

By adding
Article - Building, Fire, and Related Codes
Section 10-102 (RC § 327)
Baltimore City Revised Code
(2015 Edition)

    Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article - Building, Fire, and Related Codes

Part VIII. *International Fire Code*

§ 8-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 6. Building Services and Systems

[Sections 605 to 608 {As in IFC}]

Section 605   Electrical Equipment, Wiring and Hazards

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 [Sections] §§ 605.11.1.2.1 through 605.11.1.2.5.

> Exception: [These requirements shall not apply to structures designed and constructed in accordance with the International Residential Code.]
> *{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 606 to 608 *{As in IFC}*

Comment: For several years, IRC § 324.7 parroted requirements also covered by IFC § 605.11 {"Solar photovoltaic power systems"}. Both of these sections have been incorporated by reference, without modification, into the City's BFR Codes, including the current 2015 Edition. Recently, however, the ICC posted an "Errata" that, among other things, "deleted" IRC § 324.7, in its entirety, from the ICC's 2015 Edition of the IRC. Presumably, it did this in reliance on - and to avoid undue redundancy with -- the like requirements already imposed by IFC § 605.11. Unfortunately, the persons responsible for this "Errata" seem to have overlooked the Exception to IFC § 605.11.1.2, which (as shown above) provides that the section's requirements governing solar photovoltaic systems for Group R-3 buildings "shall not apply to structures designed and constructed in accordance with the International Residential Code". This correction repeals that exception, thereby continuing the requirements - and their consequent protections - for *all* Group R-3 buildings,

including those structures governed by the IRC.

Part X. International Residential Code

§ 10-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 3. Building Planning

Section 327   Driveways and Other Paved Surfaces

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.

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.

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.

327.4 Surface drainage.   Storm drainage off paved surface areas must be properly conveyed to paved alleys, paved streets, or other approved water courses.

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.

Comment: The City first adopted the IRC in its 2007 Edition of the City's BFR Codes. Until then, the IBC generally applied to all structures, including 1- and 2-family dwellings. In 2007, contemporaneous with the adoption of the IRC, the IBC was amended to exclude from *its* scope those 1- and 2-family dwellings newly governed by the IRC. *See* BC § 101.2 (Exception 1). Instead, various uniquely local BC provisions not otherwise addressed by the IRC, but long applicable to 1- and 2-family dwellings, were amended into the local RC by reference. *Cf., e.g.,* RC § 404.6 {"Underpinning"}; RC § 910.1 {"Rooftop ... Structures"}. More recently, it was discovered that one set of local BC provisions (BC § 3112{"Parking Lots, Driveways, and Other Paved Surfaces"}, relevant portions of which have also been long applicable to 1- and 2-family dwellings, was inadvertently overlooked. This section corrects that oversight by expressly incorporating those relevant portions into the RC

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 takes effect on the 30th day after the date it is enacted.