

ORDINANCE NO. ORD-2010-11

AN ORDINANCE TO REPEAL THE 2006 *INTERNATIONAL FUEL GAS CODE*, SECOND PRINTING, WITH LOCAL AMENDMENTS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND ON DECEMBER 17, 2007 AND TO ENACT THE *INTERNATIONAL FUEL GAS CODE*, 2009 EDITION, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND

RECITALS

The Board of County Commissioners of Washington County, Maryland (the "Board"), being concerned with providing protection for the consumer, general public, and owners and occupants of building and structures in Washington County, Maryland, adopted the 2006 *International Fuel Gas Code*, Second Printing, with local amendments, on December 18, 2007.

It has been recommended to the Board that it adopt the *International Fuel Gas Code*, 2009 Edition, which is more up-to-date and which provides greater safeguards for the consumer, general public, and owners and occupants of buildings and structures in Washington County, Maryland, if implemented, and provides for minimum regulations governing the design, installation of fuel piping systems, fuel utilization equipment, gaseous hydrogen systems and related accessories.

A public hearing was held on July 6, 2010, following due notice and advertisement of the text of the *International Fuel Gas Code*, 2009 Edition, with local amendments for Washington County.

Public comment was received, reviewed and considered concerning the adoption of the *International Fuel Gas Code*, 2009 Edition, with local amendments for Washington County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2006 *International Fuel Gas Code*, Second Printing, with local amendments, adopted by the Board of County Commissioners of Washington County, Maryland on December 18, 2007, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed;

NOW, THEREFORE, BE IT ORDINANCED AND ENACTED that the *International Fuel Gas Code*, 2009 Edition, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments and additions:

Section 101.1	amended	Section 106.6.2	amended
Section 101.1.1	added	Section 106.6.3	deleted
Section 101.1.2	added	Section 108.4	amended
Section 101.1.3	added	Section 108.4.1	added
Section 101.1.4	added	Section 108.5	amended
Section 101.1.5	added	Section 109.1	amended
Section 101.1.6	added	Section 109.2	deleted
Section 101.1.7	added	Section 406.4.1	amended
Section 101.1.8	added	Appendices A-D	deleted
Section 101.1.9	added		
Section 103.1	amended		

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| <b>CHAPTER 1 – ADMINISTRATION</b> , is amended as follows: |
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**SECTION 101, GENERAL**, is amended as follows:

**Section 101.1 Title is amended to read as follows:**

**101.1** These regulations shall be known as the *Fuel Gas Code of Washington County, Maryland*, hereinafter referred to as "this code."

**Sections 101.1.1 through 101.1.9 are added to read as follows:**

**101.1.1 International Residential Code.** Any reference to the *International Residential Code* shall mean the *International Residential Code*, 2009 Edition, as promulgated by the International Code Council, with local amendments for Washington County, Maryland, as adopted on August 10, 2010, effective September 1, 2010, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards, as may be amended or restated from time to time.

**101.1.2 International Existing Building Code.** Any reference to the *International Existing Building Code*, shall mean the *Maryland Building Rehabilitation Code* (COMAR Title 5, Subtitle 16), as may be amended or restated from time to time.

**101.1.3 ICC Electrical Code.** For the applicable electrical requirements, refer to the NFPA70:*National Electrical Code*, 2008 Edition, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on August 10, 2010, effective September 1, 2010, as may be amended or restated from time to time, and the 2006 *ICC Electrical Code - Administrative Provisions*, First Printing, with local amendments for Washington County, Maryland, adopted on December 17, 2007, effective March 1, 2008.

**101.1.4 International Fire Code.** Any reference to the *International Fire Code* shall mean the *Maryland State Fire Prevention Code* (COMAR 29.06.01), as may be amended or restated from time to time.

**101.1.5 International Plumbing Code.** Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code*, 2009 Edition, as promulgated by the International Code Council, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on August 10, 2010, effective September 1, 2010, as may be amended or restated from time to time.

**101.1.6 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 2009 Edition, as promulgated by the International Code Council, with local amendments for Washington County, Maryland adopted on August 10, 2010, effective September 1, 2010, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards, as may be amended or restated from time to time.

**101.1.7 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 2009 Edition, as promulgated by the International Code Council, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on August 10, 2010, effective September 1, 2010, as may be amended or restated from time to time.

**101.1.8 International Energy Conservation Code.** Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 2009 Edition, as promulgated by the International Code Council, with local amendments for Washington County, Maryland adopted on August 10, 2010, effective September 1, 2010, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards, as may be amended or restated from time to time.

**101.1.9 International Mechanical Code.** Any reference to *International Mechanical Code* in this code shall mean the *International Mechanical Code*, 2009 Edition, as promulgated by the International Code Council, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland on August 10, 2010, effective September 1, 2010, as may be amended or restated from time to time.

**SECTION 103, DEPARTMENT OF MECHANICAL INSPECTIONS,** is amended as follows:

**Section 103.1 is amended to read as follows:**

**103.1 General.** The Director of the Washington County Department of Permits and Inspections shall be known as the Building Official and is hereby authorized and directed to administer and enforce all provisions of this code.

**SECTION 106 (IFGC), PERMITS,** is amended as follows:

**Section 106.6.2 is amended and shall read as follows:**

**106.6.2 Fee schedule.** The fees for work performed under this code shall be paid in accordance with the schedule as established by the Board of County Commissioners of Washington County, Maryland, as may be amended from time to time.

**Section 106.6.3 is deleted in its entirety.**

**SECTION 108 (IFGC), VIOLATIONS,** is amended as follows:

**Section 108.4 Violation penalties, is amended and shall read as follows:**

**108.4 Criminal Penalties.** Any person, firm, corporation, or entity who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00) or more than One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding one (1) year, or both fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 108.4.1 is added and shall read as follows:**

**108.4.1 Civil Penalties.** Any person, firm, corporation or entity who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense which shall be prosecuted in accordance with Article 23A, § 3(b) of the Annotated Code of Maryland. The penalty for a civil offense shall be established by resolution by the Board of County Commissioners of Washington County, Maryland. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 108.5 is amended to read as follows:**

**108.5 Stop work orders.** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than Two Hundred Fifty Dollars (\$250.00) or more than One Thousand Dollars (\$1,000.00).

**SECTION 109 (IFGC), MEANS OF APPEALS,** is amended as follows:

**Section 109.1 is amended and shall read as follows:**

**109.1 Application for appeal.** Any person shall have the right to appeal a decision of the Building Official to the Washington County Plumbing/Mechanical Board (the "Plumbing/Mechanical Board"). An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the

provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the Building Official within twenty (20) days after the notice was served. All appeals shall be heard in accordance with the rules, regulations and procedures adopted by the Plumbing/Mechanical Board.

**Section 109.2 is deleted in its entirety.**

**CHAPTER 4 – GAS PIPINGS AND INSTALLATIONS, is amended as follows:**

**SECTION 406 (IFGC), INSPECTION, TESTING AND PURGING is amended as follows:**

**Section 406.4.1 is amended and shall read as follows:**

**406.4.1 Test pressure.** The test pressure to be used shall be no less than 30 psi. on a 30 lb. gauge.

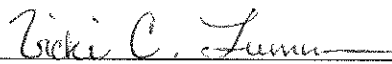
**APPENDICES**


**APPENDICES A-D ARE DELETED IN THEIR ENTIRETY.**

Adopted this 6th day of August, 2010.  
Effective the 1st day of September, 2010.


ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

  
Vicki C. Lumm, Clerk

  
John F. Barr, President

Approved as to form and  
Legal sufficiency:

  
Kirk C. Downey  
Assistant County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Room 202  
Hagerstown, MD 21740