



100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201
WWW.WASHCO-MD.NET

BOARD OF COUNTY COMMISSIONERS

February 13, 2024

OPEN SESSION AGENDA

- 9:00 AM INVOCATION AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President John F. Barr*
APPROVAL OF MINUTES: *February 6, 2024*
- 9:05 AM COMMISSIONERS' REPORTS AND COMMENTS
- 9:15 AM STAFF COMMENTS
- 9:20 AM CITIZEN PARTICIPATION
- 9:30 AM PUBLIC HEARING – APPLICATION FOR ZONING MAP AMENDMENT RZ-23-008
Travis Allen, Senior Planner, Planning and Zoning
- 9:45 AM WASHINGTON COUNTY COMMISSION ON AGING FY2025 BUDGET PRESENTATION
Amy Olack, CEO; Ed Lough, President; Tim Delbrugge, Vice President, Washington County Commission on Aging
- 10:05 AM PRESENTATION OF THE 2025-2034 CAPITAL BUDGET – DRAFT 1
Kelcee Mace, Chief Financial Officer; Zane Garrett, Deputy Director, Budget and Finance
- 10:25 AM PROCLAMATION FOR BLACK HISTORY MONTH
Board of County Commissioners to Taj Smith, President, and Pastor Les McIntosh, Vice President, Washington County NAACP
- 10:35 AM CONTRACT AWARD (PUR-1652) STRATEGIC BUSINESS AND ECONOMIC DEVELOPMENT PLAN STUDY
Rick Curry, Director, Purchasing; Jonothan Horowitz, Director, Business and Economic Development
- 10:40 AM CONTRACT AWARD (PUR-1481 TASK ORDER 20) – MARTIN LUTHER KING BUILDING COMMUNITY RECREATION CENTER RENOVATION
Andrew Eshleman, Director, Public Works

- 10:45 AM FY25 MARYLAND’S OFFICE OF OVERDOSE RESPONSE COMPETITIVE GRANT PROGRAM - APPROVAL TO SUBMIT APPLICATION AND ACCEPT FUNDING AWARDED
Meaghan Willis, Program Director, Day Reporting Center; Nicole Phillips, Senior Grant Manager, Grant Management
- 10:50 AM FY25 SCHOOL BASED HEALTH CENTER GRANT – APPROVAL TO SUBMIT APPLICATION AND ACCEPT AWARDED FUNDING
Richard Lesh, Grant Manager, Grant Management
- 10:55 AM PROPOSED 2021 CODE ADOPTION
Greg Cartrette, Director/Code Official, Permits and Inspections; Frank Quillen, Deputy Code Official, Permits and Inspections
- 11:30 AM ENFORCEMENT OF THE CURRENT ADOPTED BUILDING CODE IN RELATION TO RESIDENTIAL CONSTRUCTION DOCUMENTS
Greg Cartrette, Director/Code Official, Permits and Inspections
- 11:35 AM APPROVAL OF ZONING MAP AMENDMENT RZ-23-006
Rosalinda Pascual, Assistant County Attorney
- 11:40 AM REQUEST FOR CONCURRENCE/ APPROVAL OF AIRPORT’S RECOMMENDED CHANGES TO AIRPORT FIRE DEPARTMENT LOGO/ BRANDING
Neil Doran, Director, Hagerstown Regional Airport; Danny Shirley, Airport Rescue & Firefighting Manager, Hagerstown Regional Airport
- 11:45 AM CLOSED SESSION - *(To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; and To consult with counsel to obtain legal advice on a legal matter)*
- 1:35 PM RECONVENE IN OPEN SESSION
- 1:35 PM SECOND STAFF COMMENTS

ADJOURNMENT



Agenda Report Form

Open Session Item

SUBJECT: PUBLIC HEARING - Application for Zoning Map Amendment RZ-23-008

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Travis Allen, Senior Planner, Department of Planning and Zoning

RECOMMENDED MOTION: The purpose of this public hearing is to take public comment on the rezoning application. The Commissioners have the option to reach a consensus to either approve or deny the request after the public hearing closes or deliberate on the issue at a later date.

REPORT-IN-BRIEF: Application is being made to rezone two properties totaling .74 acres along South Artizan Street, just outside the Town of Williamsport and near the I-81 interchange, from the current Highway Interchange (HI) classification to Residential Transition (RT).

DISCUSSION: The applicant Williamsport Storage Bins, Inc. seeks a map amendment for two properties located at or adjacent to 429 South Artizan Street. The factors to be considered in a request for a map amendment are listed in Article 27.3 of the Washington County Zoning Ordinance. Primarily, the applicant must demonstrate that there has been a change in the character of the neighborhood since the time of the last comprehensive zoning plan, or that a mistake was made in the zoning designation placed on the property at that same time. For these two properties, the Comprehensive Rezoning of the Urban Growth Area in 2012 is the point from which “Change or Mistake” should be evaluated. The applicant is claiming a “Mistake” was made in 2012 in their justification statement.

This item was presented to the Washington County Planning Commission at a Public Information Meeting held during their regular meeting on January 8, 2024. The members unanimously recommended for approval of the proposed map amendment at this same meeting.

Thus far, no public comments have been received, either in favor or opposed to the proposed rezoning.

FISCAL IMPACT: N/A

CONCURRENCES: Washington County Planning Commission

ALTERNATIVES: N/A

ATTACHMENTS: Application, staff report, Planning Commission recommendation, approved Planning Commission minutes and written public comments

AUDIO/VISUAL NEEDS: none



Washington County

M A R Y L A N D

DEPARTMENT OF PLANNING & ZONING

PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

January 11, 2024

RZ-23-008

APPLICATION FOR MAP AMENDMENT PLANNING COMMISSION RECOMMENDATION

Property Owner(s)	:	Williamsport Storage Bins, Inc.
Applicant(s)	:	Williamsport Storage Bins, Inc.
Location	:	429 and 431 South Artizan Street, NW I-81/MD-63 Interchange
Election District :		#2 - Williamsport
Comprehensive Plan		
Designation	:	Low Density Residential
Zoning Map	:	56
Parcel(s)	:	P. 1052 and 352
Acreage	:	.74 acres
Existing Zoning	:	HI – Highway Interchange
Requested Zoning	:	RT – Residential Transition
Date of Meeting :		January 8, 2024

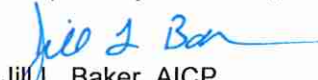
RECOMMENDATION

The Washington County Planning Commission held a rezoning public information meeting on January 8, 2024 for the purpose of considering a map amendment for .74 acres of land located at 429 and 431 South Artizan Street. The applicant is requesting a change in zoning from HI (Highway Interchange) to RT (Residential Transition).

The Planning Commission considered the application and supporting documents, oral testimony from the applicant's representatives, and the Staff Report and Analysis. The Planning Commission then took action to recommend to the Board of County Commissioners approval of the map amendment (RZ-23-008) based on the following: the request is logical and appropriate for the site and the Commission believes that a smaller, less intensive RT use would be the most appropriate for the site.

Copies of the application packet, Staff Report and Analysis, and the unapproved minutes of the January 8, 2024 public rezoning meeting are attached.

Respectfully submitted,


Jill L. Baker, AICP,
Director, Washington County Dept. of
Planning & Zoning

JLB/TMA/dse

Attachments

cc: Kirk Downey
Frederick, Seibert & Associates



Washington County MARYLAND

WASHINGTON COUNTY PLANNING COMMISSION ZONING ORDINANCE MAP AMENDMENT APPLICATION

FOR PLANNING COMMISSION USE ONLY

Rezoning No. RZ-23-008

Date Filed: 10-4-23

RECEIVED

OCT 4 2023

Williamsport Storage Bins Inc

Applicant

1825 Howell Road, Suite 4
Hagerstown, MD 21740

Address

Todd Snook

Primary Contact

1825 Howell Road
Hagerstown, MD 21740

Address

☒ Property Owner

☐ Attorney

☐ Other: _____

☐ Contract Purchaser

☐ Consultant

WASHINGTON COUNTY
DEPT. OF PLANNING & ZONING

301-667-2873

Phone Number

todd@valleystorage.com

E-mail Address

429 & 431 South Artizan St, Williamsport, MD 21795

Property Location: _____

56

14

1052/352

.74

Tax Map: _____

Grid: _____

Parcel No.: _____

Acreage: _____

02030114

HI- Highway Interchange

RT-Residential Transition

Current Zoning: _____

Requested Zoning: _____

Reason for the Request:

☐ Change in the character of the neighborhood

☒ Mistake in original zoning

PLEASE NOTE: A Justification Statement is required for either reason.

MICHAEL LEE FISHER
Notary Public - State of Maryland
Washington County
My Commission Expires Feb 19, 2027

[Signature]

Applicant's Signature

Subscribed and sworn before me this 2nd day of OCTOBER, 20 23.

My commission expires on 02/19/2027

[Signature]

Notary Public

FOR PLANNING COMMISSION USE ONLY

☒ Application Form

☒ Fee Worksheet

☒ Application Fee

☒ Ownership Verification

☒ Boundary Plat (Including Metes
& Bounds)

☒ Names and Addresses of all Adjoining
& Confronting Property Owners

☒ Vicinity Map

☒ Justification Statement

☒ 30 copies of complete Application
Package



WASHINGTON COUNTY DEPARTMENT OF
PLANNING & ZONING FEE WORKSHEET

FOR PLANNING COMMISSION USE ONLY

Rezoning No. _____

Date Filed: _____

RECEIVED

OCT - 4 2023

PLEASE COMPLETE ONLY THE
SECTION THAT APPLIES.

WASHINGTON COUNTY
DEPT. OF PLANNING & ZONING

Applicant's Name: Williamsport Storage Bins Inc

Date: September 29, 2023

Zoning Ordinance Map Amendment \$ 2,000.00

Number of Acres * .74 ac x \$20.00 [1 acre minimum]
per acre \$20.00

Engineering Review Fee \$ 150.00

Technology Fee \$ 15.00

TOTAL FEES DUE – MAP AMENDMENT \$2,185.00

*Minimum charge of \$20.00 [if less than one acre]

Text Amendment \$ 2,000.00

Choose One: ☐ Adequate Public Facilities Ordinance
☐ Forest Conservation Ordinance
☐ Solid Waste Plan
☐ Subdivision Ordinance
☐ Zoning Ordinance
☐ Other: _____

Technology Fee \$ 15.00

TOTAL FEES DUE – TEXT AMENDMENT \$ 2,015.00

Water and Sewer Plan Amendment \$ 2,000.00

Technology Fee \$ 15.00

TOTAL FEES DUE – WATER AND SEWER PLAN AMENDMENT \$ 2,015.00

Forest Conservation Exemption \$ 25.00

Technology Fee \$ 15.00

TOTAL FEES DUE – FOREST EXEMPTION \$ 40.00

Please make checks payable to "Washington County Treasurer".

OCT - 4 2023

WASHINGTON COUNTY
DEPT. OF PLANNING & ZONING

September 29, 2023

Washington County Department of Planning & Zoning
Jill Baker, Director
747 Northern Ave
Hagerstown, Maryland 21742

Re: Justification Statement for Piecemeal Rezoning of Tax Map 0056, Parcel 1052 (429 S. Artizan St.) and Tax Map 0056, Parcel 0352 (431 S. Artizan St.), Williamsport, Maryland 21795.

Dear Ms. Baker:

Frederick, Seibert and Associates represents *Williamsport Storage Bins Inc.* (referred to as the "Applicant"). On behalf of the Applicant please accept this letter as the required Justification Statement for the requested rezoning of the property described below from its current HI (Highway Interchange) classification to RT (Residential Transition) classification. All referenced exhibits are hereby incorporated as part of this letter.

Williamsport Storage Bins Inc. is the title owner 429 S. Artizan st. (Map 56, Parcel 1052) and 431 S. Artizan St. (Map 56, Parcel 352). For the purpose of this letter, the term "**Lot 1**" shall refer to 429 S. Artizan St (Map 56, Parcel 1052) and the term "**Parcel 2**" shall refer to 431 S. Artizan St. (Map 56, Parcel 352). The two parcels collectively shall be referred to as the "**Property**". The Property is depicted on the attached drawing, **Exhibit 1**.

Background

The Property is currently undeveloped and has frontage and access onto S. Artizan Street, a public road owned and maintained by Washington County. Lot 1 contains 0.47 acres and was created by subdivision in 1998 **Exhibit 2**. Parcel 2 contains 0.27 acres and is a parcel of record created by deed in 1954. Parcel 2 contained a single family dwelling constructed in the 1950s and was demolished in the early 1990's due to a fire and its deteriorating condition. Public water and sewerage service is available to the property via existing lines located in S. Artizan Street. Public water is provided by the Town of Williamsport. Public sewerage is provided by Washington County. The property is classified as W-1, S-1 (existing service) according to the adopted Washington County Water and Sewerage Plan.

Current zoning

A vicinity map showing the current HI Zoning of the Property as well as the zoning classification of the adjacent and surrounding properties is attached as **Exhibit 3**.

The Property's current HI zoning was established as part of the Comprehensive Rezoning of the Urban Growth Area in 2012; prior to that, the property was zoned HI-2.

Mistakes in 2012 Comprehensive Rezoning

The applicant contends that the HI zoning assigned to the Property in 2012 constituted a mistake. As per Maryland case law, to sufficiently demonstrate "mistake" the petitioning party must show that existing facts, or reasonable future projects or trends were not taken into consideration at the time of the zoning. See generally *Boyce v. Smebly* 334 A.2d 137,142-143 (Md. App. 1975); and *White v. Spring*, 109 Md. App. 692, 675 A.2d

1023 (1996). Moreover, with regard to the question of original mistake, “when the assumption upon which a particular use is predicated proves, with the passage of time, to be erroneous, this is sufficient to authorize a rezoning. Mayor and Council of Rockville v. Stone, 271 Md. 655, 662 (Md. 1974).

In this case, at the time of the 2012 Rezoning, the County did not take into account that,

1. The property consists of two small lots associated with existing residential development along S. Artizan street, established in the 1950s.
2. Access to the property is provided by and limited to a local street through existing residential development.
3. The configuration of the property severely limits its ability to be developed under the provisions of HI zoning.
4. The property remains vacant. The assumption that the property would be developed per the HI zoning has proved with the passage of time to be erroneous.

These mistakes are set forth in greater detail below.

Prior to the 2012 Comprehensive rezoning of the Urban Growth Area the property was zoned HI-2. The HI-2 designation permitted a combination of both residential and commercial use. At that time, HI-1 zoning was reserved for commercial and light industrial uses. Subsequently, the HI-1 and HI-2 zoning designations were eliminated and replaced with HI, (HI-1 repealed and deleted in its entirety 10/11/16, RZ-13-003/ORD 2016-18. HI-2 repealed and deleted in its entirety 7/1/12, RZ-10-005/ORD-2012-07).

The purpose of the HI district is stated below:

Section 19.1. Purpose The Highway Interchange District is established to provide suitable locations for commercial activities or light industrial land uses that serve highway travelers, provide goods and services to a regional population, or uses that have a need to be located near the interstate highway system to facilitate access by a large number of employees, or the receipt or shipment of goods by highway vehicles. In addition to providing accessible locations, the Highway Interchange District is intended to protect the safe and efficient operation of the interchange and to promote its visual attractiveness. Site design guidelines will balance the needs for visibility with moderation of visual clutter, signs, and excessive lighting. Section 19.2. Principal Permitted Uses (a) All Principal Permitted Uses allowed in the BL, BG, PB, and ORT District.

The HI zoning district provides for commercial and industrial development that has easy access and visibility to the interstate highway system. The subject property has neither. Furthermore, development in the HI district requires additional buffer yards when development is adjacent to existing residential development. The subject properties are surrounded by residential zoning (RT) and residential use on 2 sides. The required buffers are between 25 'and 75 'in distance to adjoining residential property lines. Lot 1 is approximately 100 'wide. Imposition of the required buffers on this lot would essentially render it unusable under its current HI zoning. Imposition of the required buffers on Parcel 2 would be even more onerous due to its width of approximately 80 ' at its widest point.

The Property has been vacant for over 20 years, the “reasonable possibility of fruition” of the property being developed under its existing HI zoning has proven over the passage of time to be erroneous.

Proposed Zoning to be Logical and Appropriate

Applicant is requesting that the Property be rezoned to RT-Residential Transition. The purpose of the RT district is provided below:

Section 7A.0 Purpose The purpose of the Residential, Transition District is to provide appropriate locations for single-family and two-family residential development in Urban and Town Growth Areas. The Residential, Transition District is usually located on the outer fringes of the Growth Areas, rather than the inner core, and is intended to be the least dense residential district in the Growth Areas at a density of between 2 and 4 dwelling units per acres.

Property along the west side of S. Artizan street from the Corporate boundary of the Town of Williamsport to the end of the street is currently Zoned RT. Property along the east side of S. Artizan St is also zoned RT from the Corporate boundary of Williamsport to the north property line of Lot 1. Property directly behind and to the south of the subject property is zoned HI and is associated with Green Lawn Cemetery (see Exhibit 3). Zoning of the subject property to RT would be a logical extension of the large expanse of existing RT zoning in the neighborhood. The size and configuration of Lot 1 and Parcel 2 is consistent with RT zoning.

Conclusion

The applicant respectfully submits that a piecemeal rezoning of the Property is justified due to a mistake, that the property is not a suitable location for commercial or light industrial development as called for in section 19.1 and the requested RT zoning is the most logical and appropriate designation.

Respectfully,

Frederick, Seibert & Associates



1:9,028

Residential, Transition

Preservation

Parcels

World Transportation

Municipal

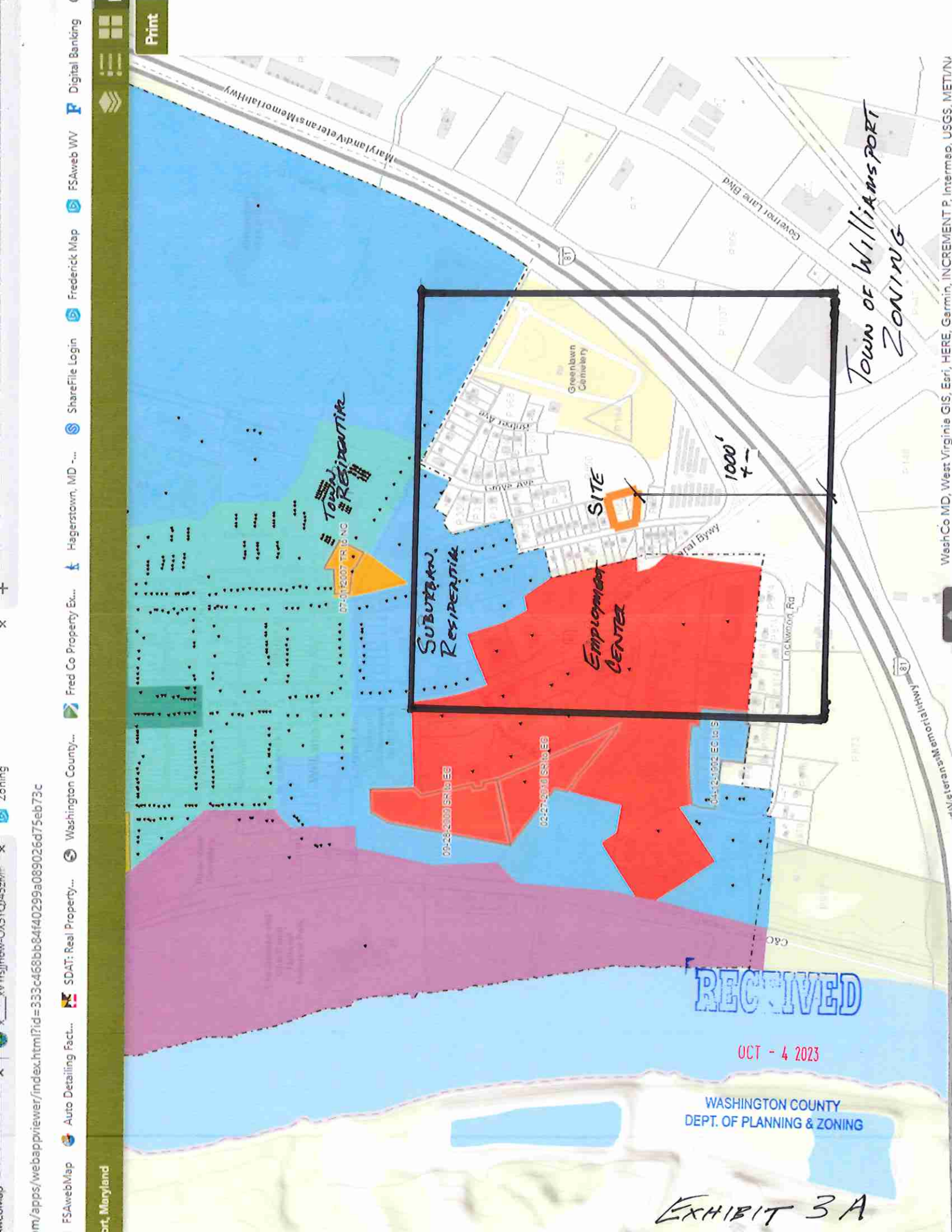
Planned Industrial

Zoning

MD_SixInchImagery

Esri Community Maps Contributors, WashCo MD, West Virginia GIS, ©
OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

Maxar | MD IMAP, DoIT | Hagerstown MD | Washington County Planning Department | Source: USDA NRCS, Esri | MD IMAP, USDA | Esri, HERE, IPC | Esri Community Maps Contributors, WashCo MD, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, HERE, Web AppBuilder for ArcGIS



TOWN OF WILLIAMSPORT
ZONING

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OCT - 4 2023

WASHINGTON COUNTY
DEPT. OF PLANNING & ZONING

EXHIBIT 3A

m/apps/webappviewer/index.html?id=333c458bb84f40299a089026d75eb73c

- FSWebMap
- Auto Detailing Fact...
- SDAT: Real Property...
- Washington County...
- Fred Co Property Ex...
- Hagerstown, MD ...
- ShareFile Login
- Frederick Map
- FSAweb WV
- Digital Banking

Print

WashCo MD, West Virginia GIS, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METVNU



9/29/2023, 1:28:30 PM

World Transportation
MD_SixInchImagery
Parcels

1:2,257
0 0.01 0.03 0.04 0.05 mi
0 0.02 0.04 0.09 km

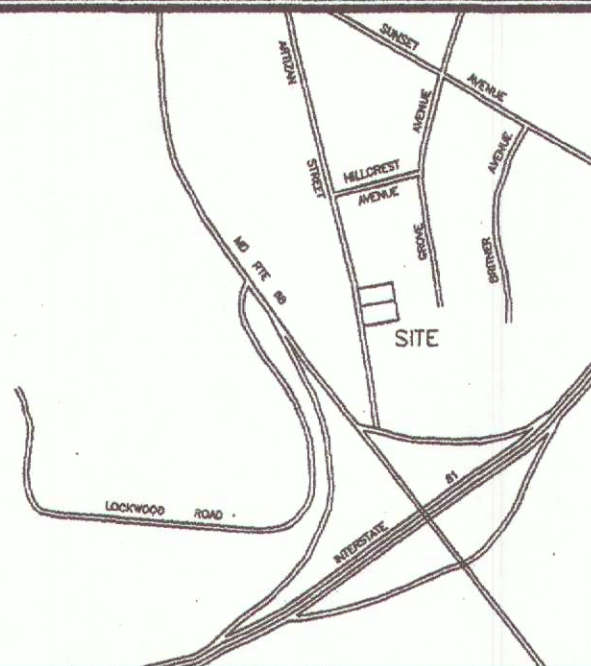
Adjacent Owners List, Williamsport Storage Bins, Inc.

[illegible]

RECEIVED

OCT - 4 2023

WASHINGTON COUNTY
DEPT. OF PLANNING & ZONING



Vicinity Map Scale: 1"=1000'

Certificate of Approval
FINAL APPROVAL GRANTED

DATE: 6-15-98

By: Robert C. Amb
Washington County Planning Commission

Dedication for Corporations

We, Todd Snook, Vice President, and Debra Pappas, Secretary, of Greenlawn Cemetery Co., Inc., a Maryland Corporation, do hereby certify that the corporation is a legal and true owner of the property shown and described on this plat and that the said corporation does adopt this Plan of Subdivision, establish the minimum building restriction lines, dedicate to public use all utility and drainage easement areas and all alley, street and road rights of way designated on this plat, agree to keep open all spaces and recreation areas shown, and agree that the dedications shall not impose any responsibility on the Board of County Commissioners of Washington County regarding the subjects of such dedications until legal acceptance thereof by said Board, and said corporation does hereby reserve the fee simple title to the land underlying said easements, rights of way, open spaces and recreation areas and, with regard to the said easements and rights of way, hereby agrees to convey the same to said Board, for the use of said Washington County, without consideration, upon the legal acceptance of said easements and/or rights of way by said Board.

This deed and agreement of dedication shall be binding upon the corporation's grantees, assigns, and successors.

I/We also certify that the community water and/or community sewerage system proposed for this subdivision will be available to all lots offered for sale. I/We also certify that plans for the community water supply and/or community sewerage system facilities, including any necessary point of discharge, have been approved by the Maryland Department of the Environment.

There are no suits, actions at law, leases, liens, mortgages, trusts, easements, or rights of way affecting the property included in this plan of subdivision except the following:

and all parties and interests thereto have heretofore affixed their signatures, indicating their assent to this plan of subdivision.

We hereby assent to this plan of subdivision

Date: 5/19/98

By: Todd M. Snook
Vice President

Attest: Debra Pappas
Secretary

Witness: Rick S. Kinsler

Certificate of Approval of Community Water and Sewerage

I hereby certify that the use of community water and sewerage for this subdivision is in conformance with the County Water and Sewerage Plan.

Date: June 18, 1998

Robert C. Amb, Jr.
County Health Officer

Land Surveyor's Certification

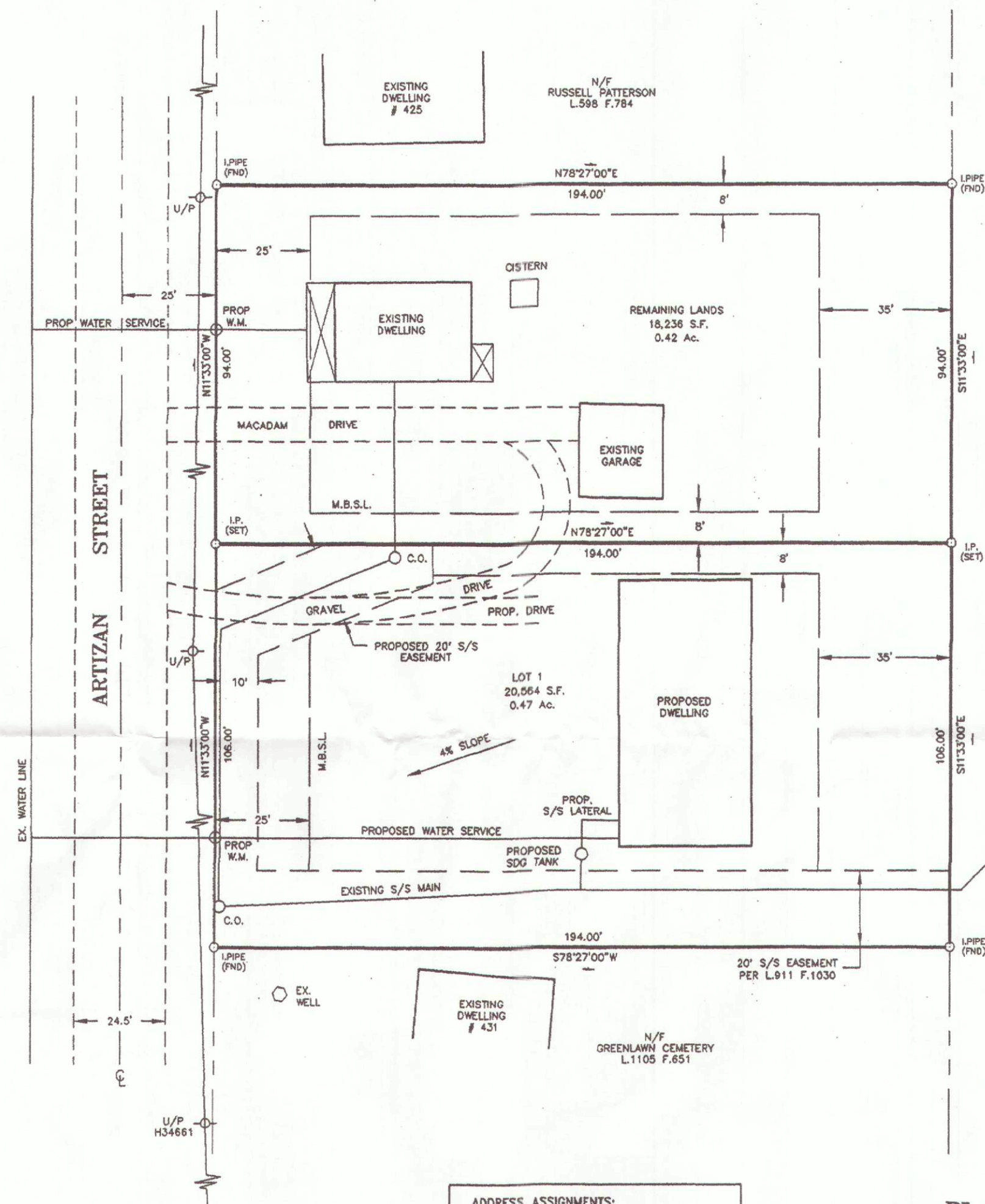
I hereby certify that the plan shown hereon is correct; that it is a subdivision of part of the lands conveyed by Robert B. Mitchell to Greenlawn Cemetery Company, Inc., a Maryland Corporation by deed dated May 5, 1998 and recorded in the Land Records of Washington County, Maryland in Liber No. 1408, folio 1 and that stones marked D and/or bars marked O have been placed as indicated.

Date: May 19, 1998

Frederick M. Seibert
Professional Land Surveyor

General Notes

1. This lot to be served by public water and public sewer.
2. There is a 10 ft. wide drainage and utilities easement along all front lot lines and an 8 ft. wide drainage and utilities easement along all side and rear lot lines hereby reserved unless otherwise shown hereon.
3. Bearings based on dead North.
4. Soil type is HgC2.
5. Minimum Building Setbacks: front yard-25'; side yard-8'; rear yard-35'. Minimum Building Setback Lines are based on the current Washington County Zoning Ordinance. Accessory Structures may be constructed in accordance with Section 4.10 and Section 23.5 (b). Zoned HI-2 - Highway Interchange.
6. Total upstream watershed affecting this subdivision: less than 400 Ac.
7. Parcel does not lie in the 100 year floodplain per FEMA Flood Insurance Rate Map No. 240070 0155 A, Flood Zone C.
8. There are no floodplains, steep slopes, streams and related buffers, or habitat of threatened or endangered species identified by the U.S. Fish and Wildlife Service per 50 CFR 17 as required to be shown by Sections 306 and 314 of the Washington County Subdivision Ordinance and Section 4.21 of the Washington County Zoning Ordinance.

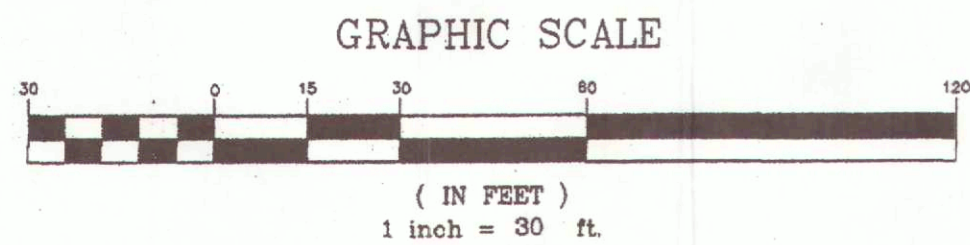


ADDRESS ASSIGNMENTS:

Lot 1 429 Artizan Street
Rem. Lands 427 Artizan Street

Note: Each address is based on the entrance as shown on this plat. If the driveway is constructed at a different location from that shown hereon, the address listed above may VOID and the owner/developer of the lot must reapply to the Planning Commission for a new address assignment.

PLAT NO. 5723
DATE JUL 15 1998
WASHINGTON COUNTY



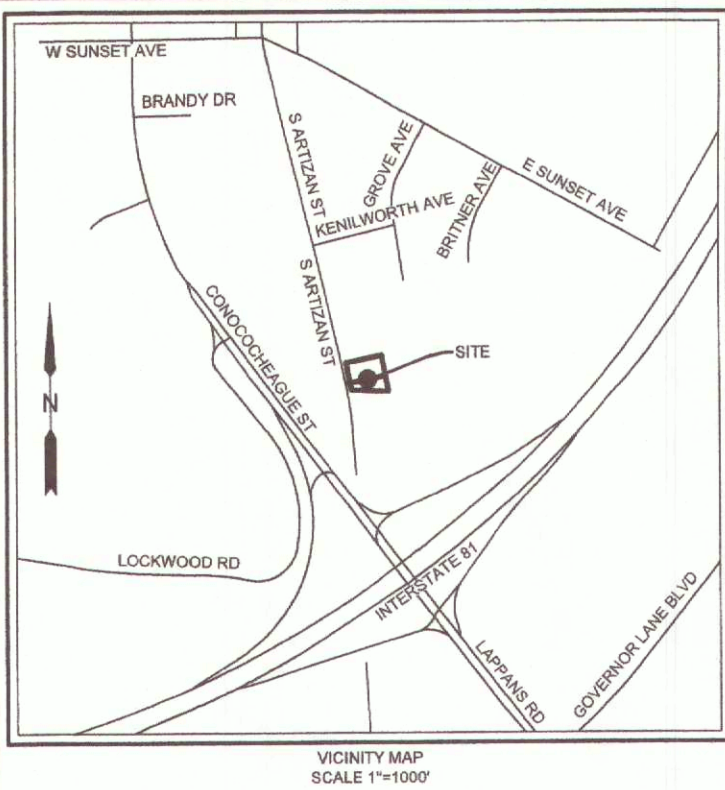
OWNER:
GREENLAWN CEMETERY CO. INC.
c/o TODD SNOOK
127 BRITNER AVENUE
WILLIAMSPORT, MD 21795

TAX MAP 56-14-79 DISTRICT 2	
DRAWING NUMBER 1 OF 1	
DRAWN BY: M. CESSNA	DATE: 6/5/98
CHECKED BY:	DATE:
SCALE: 1" = 30'	

FREDERICK SEIBERT & ASSOCIATES, INC. ©1998

CIVIL ENGINEERS SURVEYORS LANDSCAPE ARCHITECTS LAND PLANNERS
128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740
10 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
(301) 791-3850 (301) 416-7478 (717) 597-1007 FAX (301) 738-4858

Preliminary / Final Plat
of Subdivision
of
LOT 1
of
GREENLAWN CEMETERY CO., INC.
Situate along the east side
of Artizan Street
WASHINGTON COUNTY, MARYLAND



General Notes

1. Parcels are currently zoned HI - Highway Interchange
2. Proposed zoning is RT - Residential Transition
3. This Rezoning Exhibit was prepared without the benefit of a title report and therefore may not indicate all encumbrances on this property.

Land Surveyor's Certification

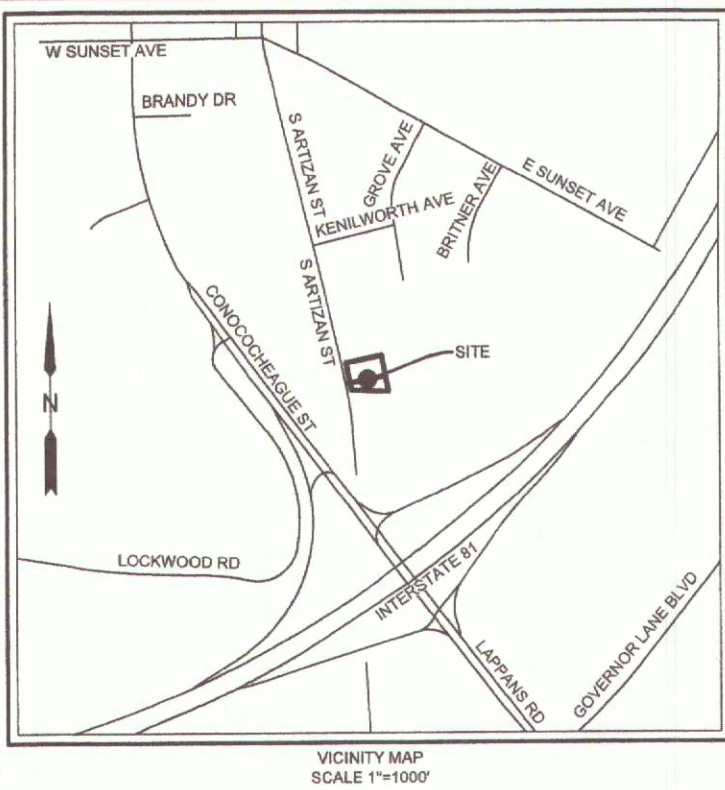
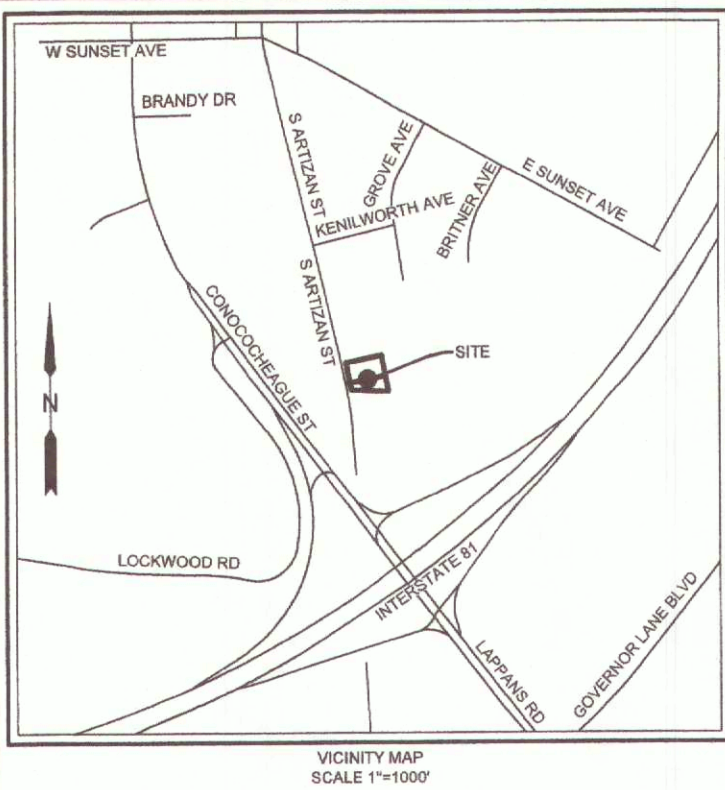
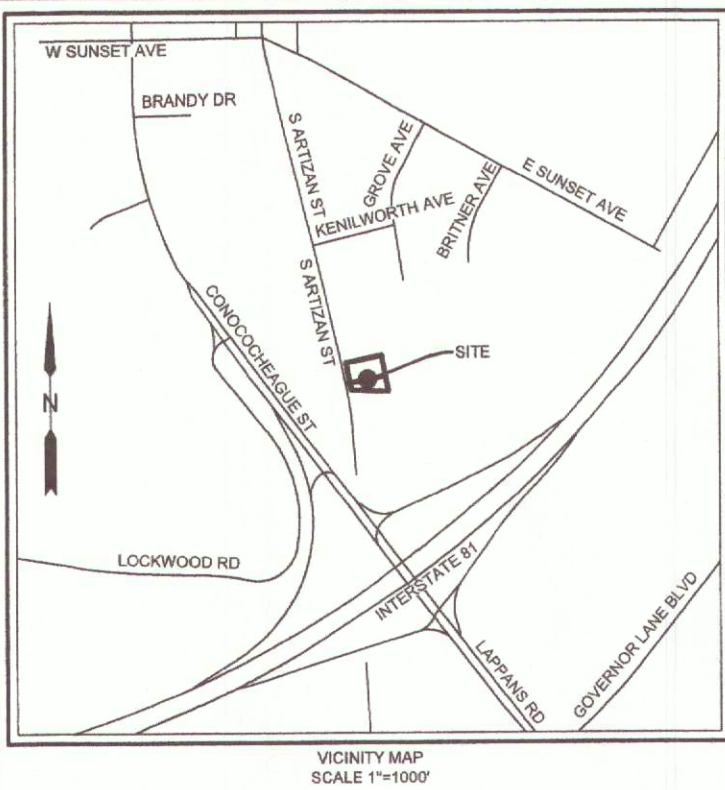
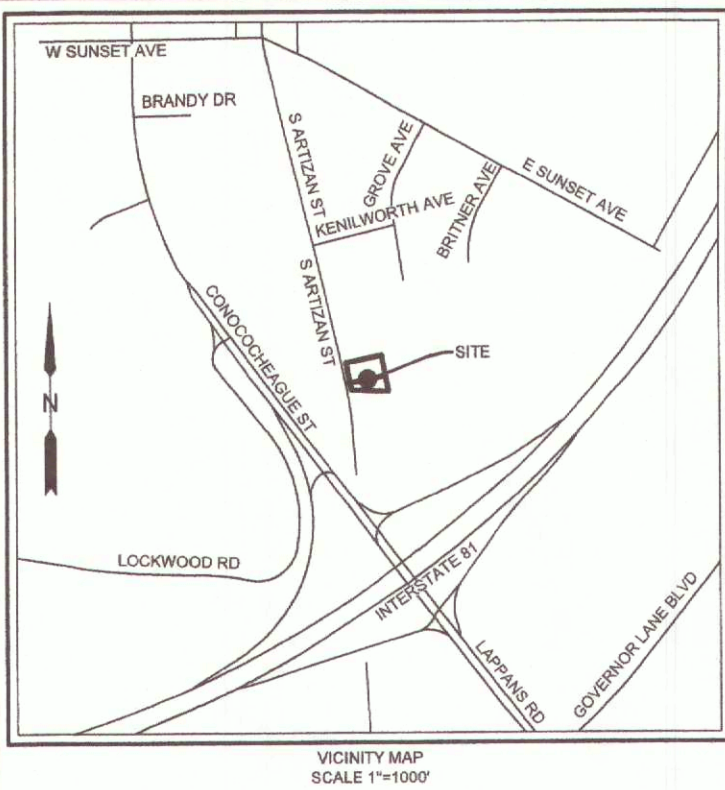
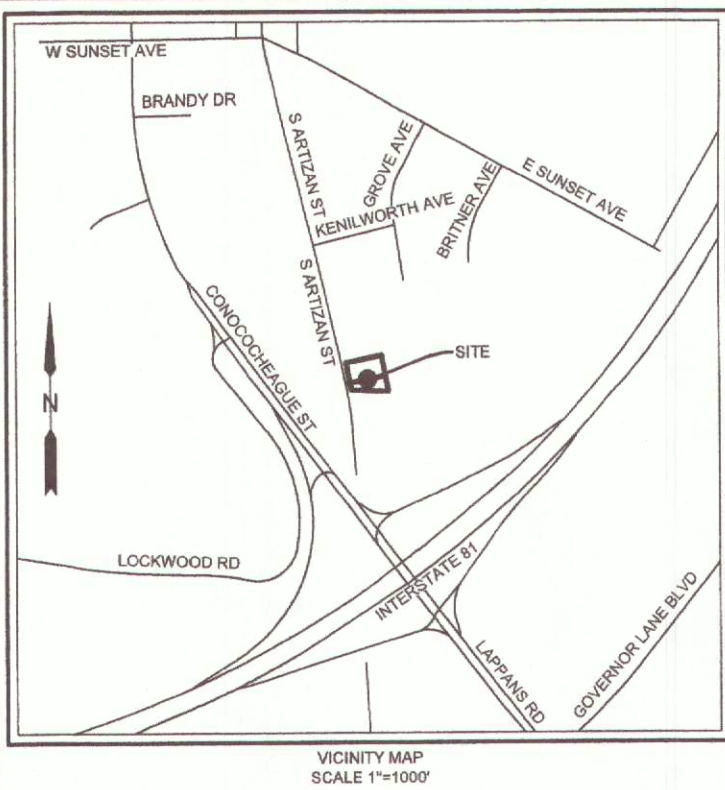
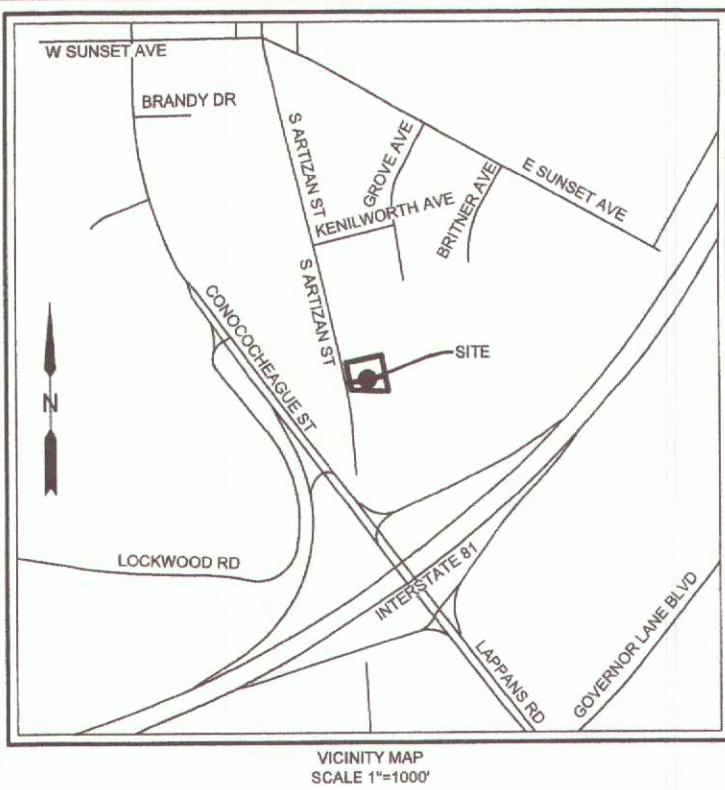
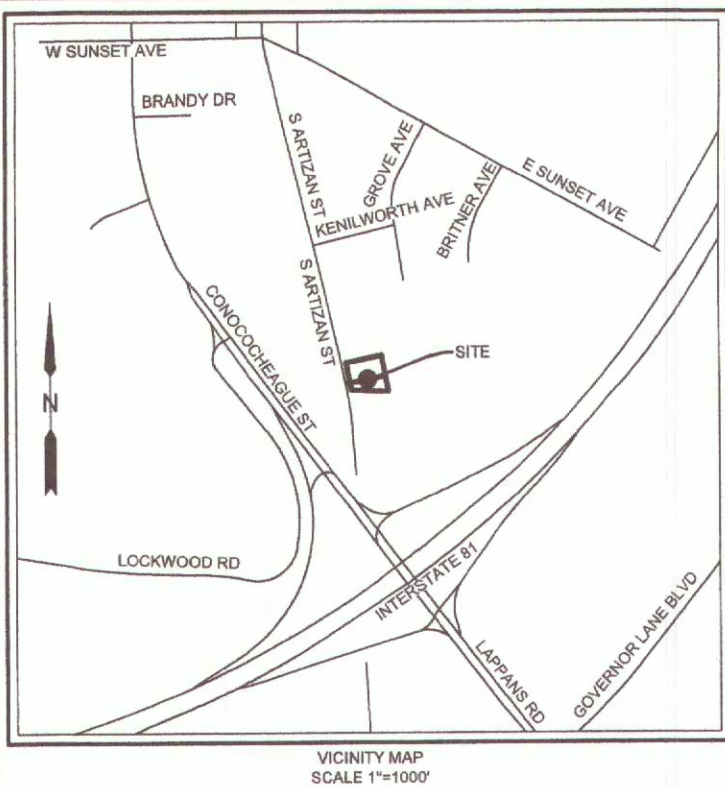
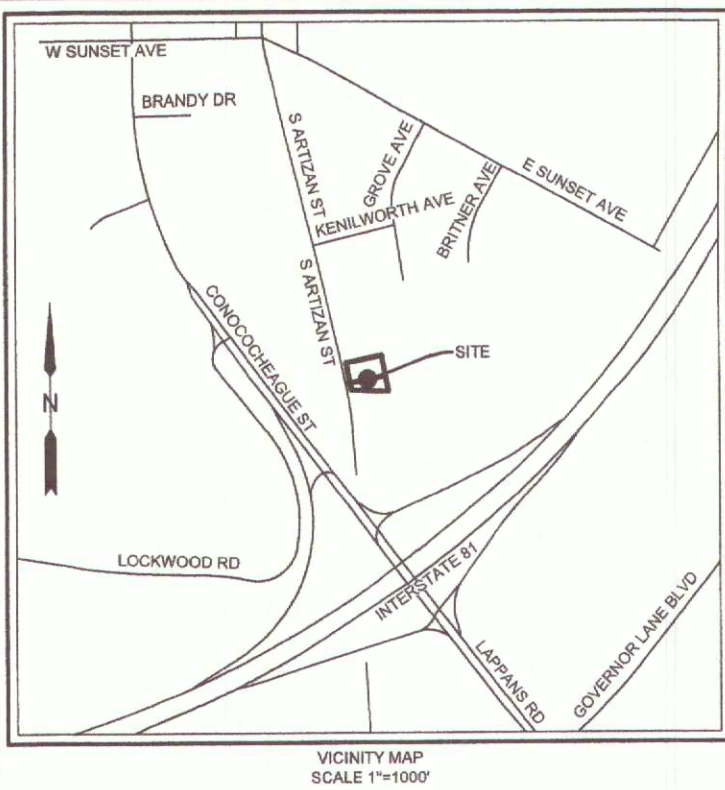
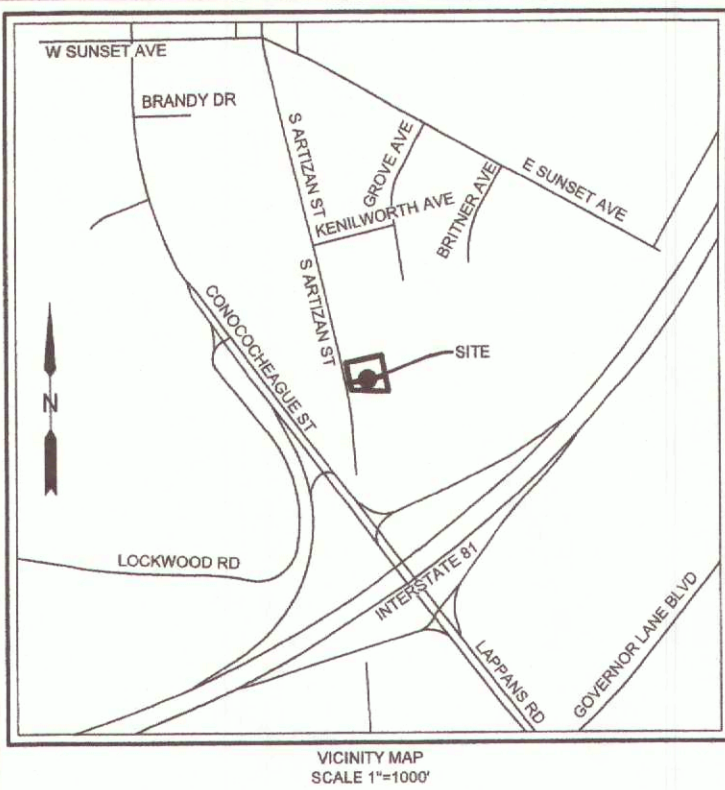
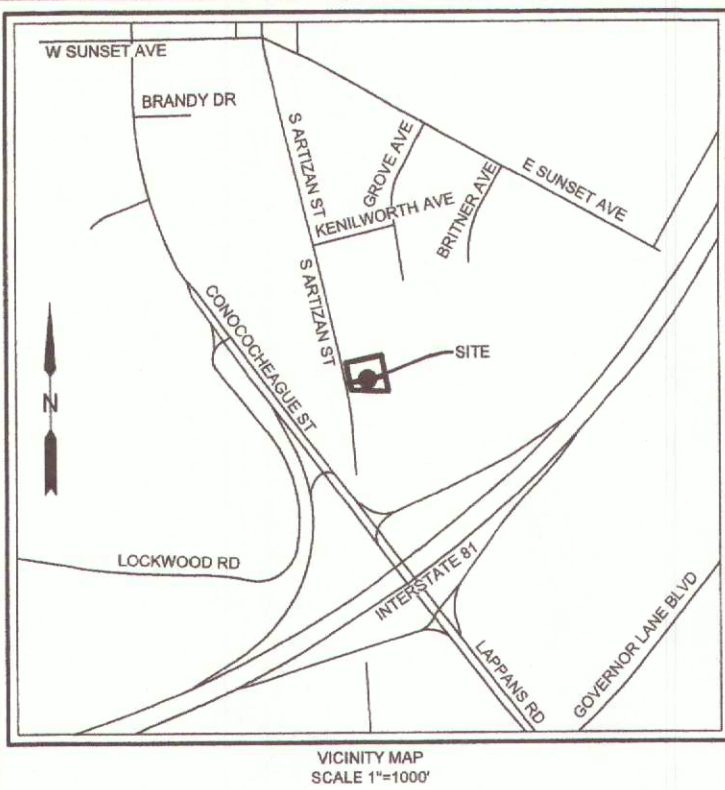
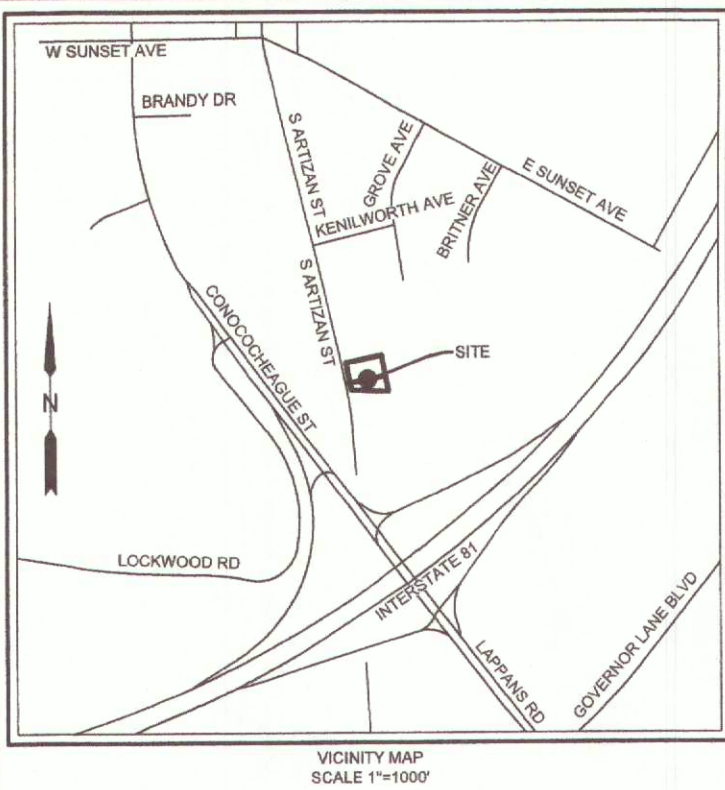
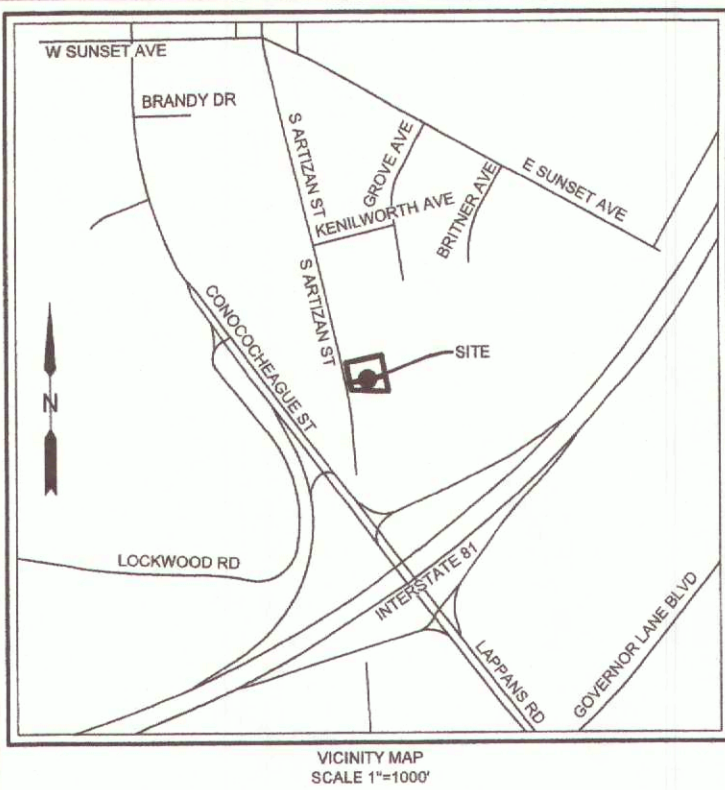
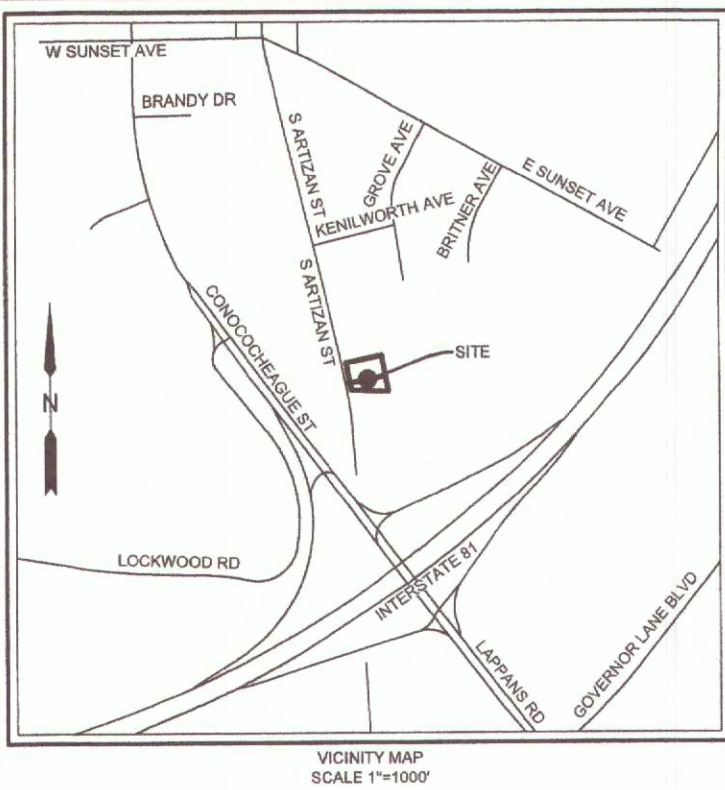
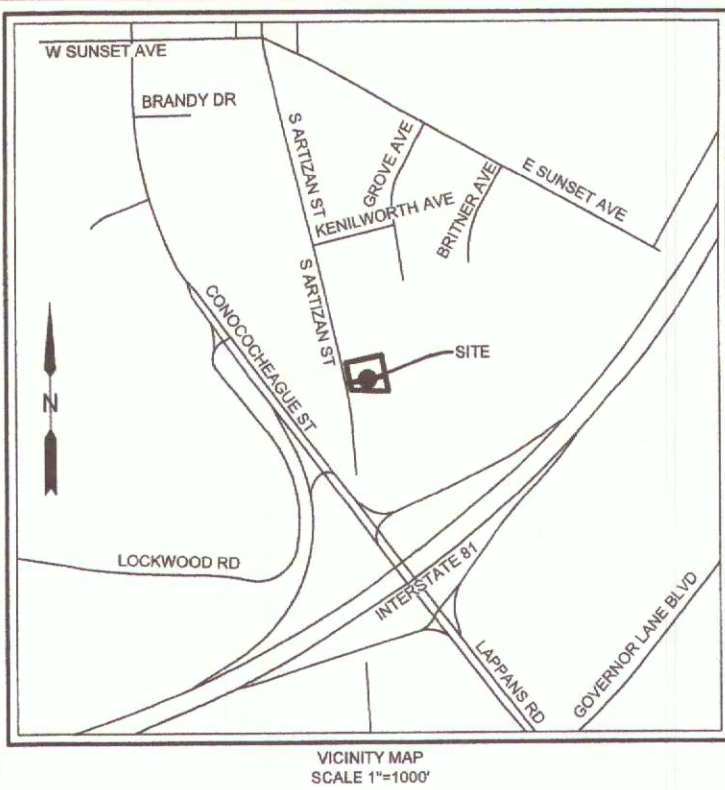
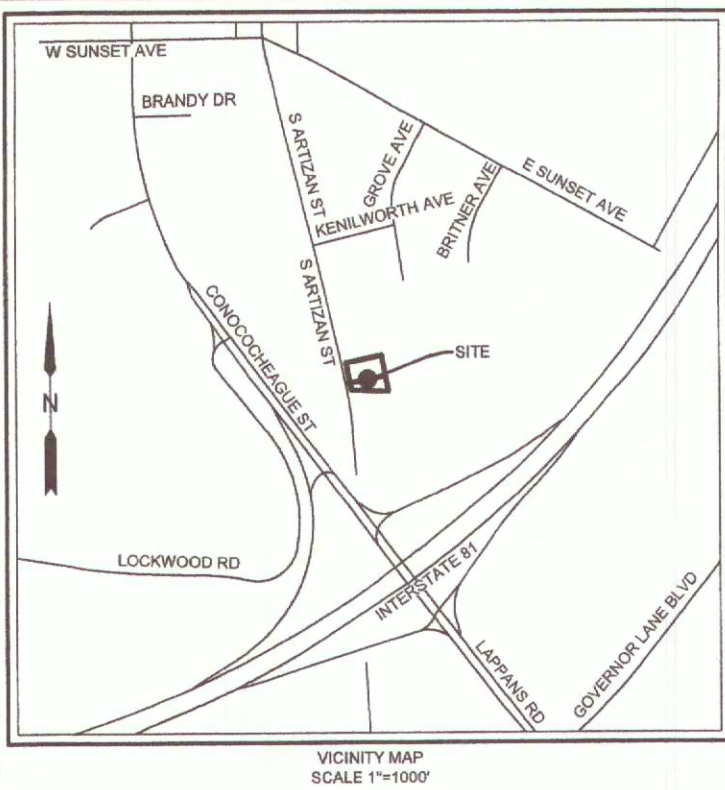
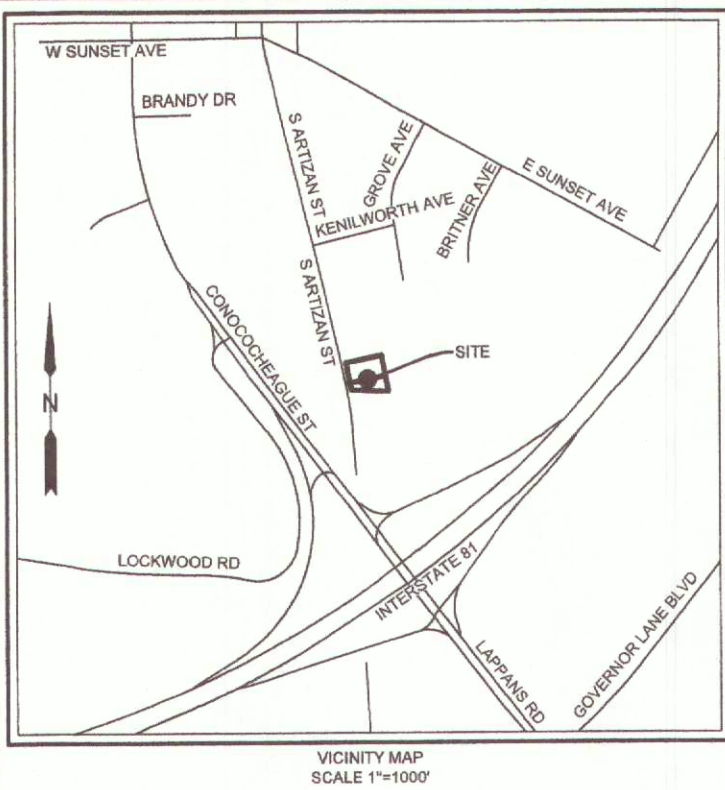
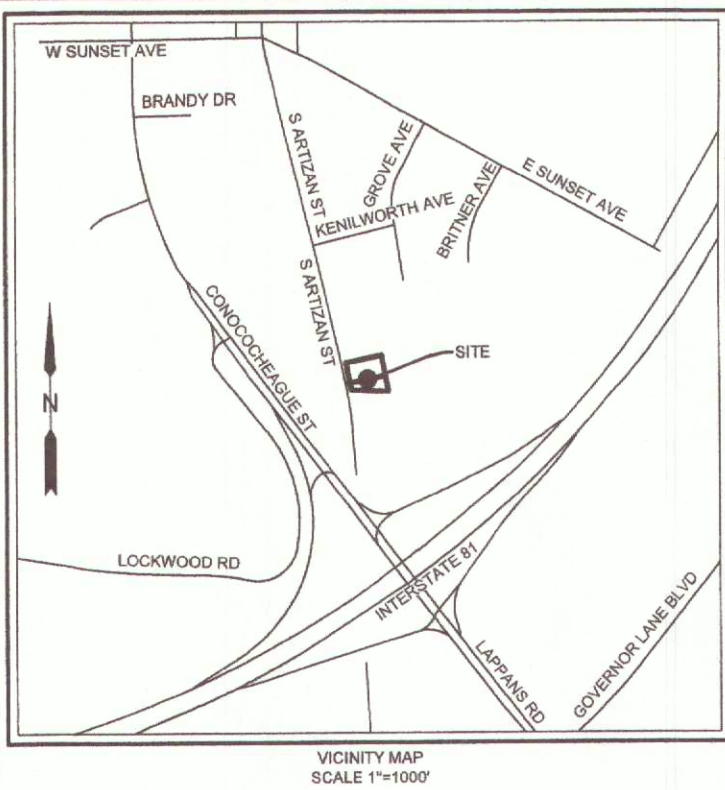
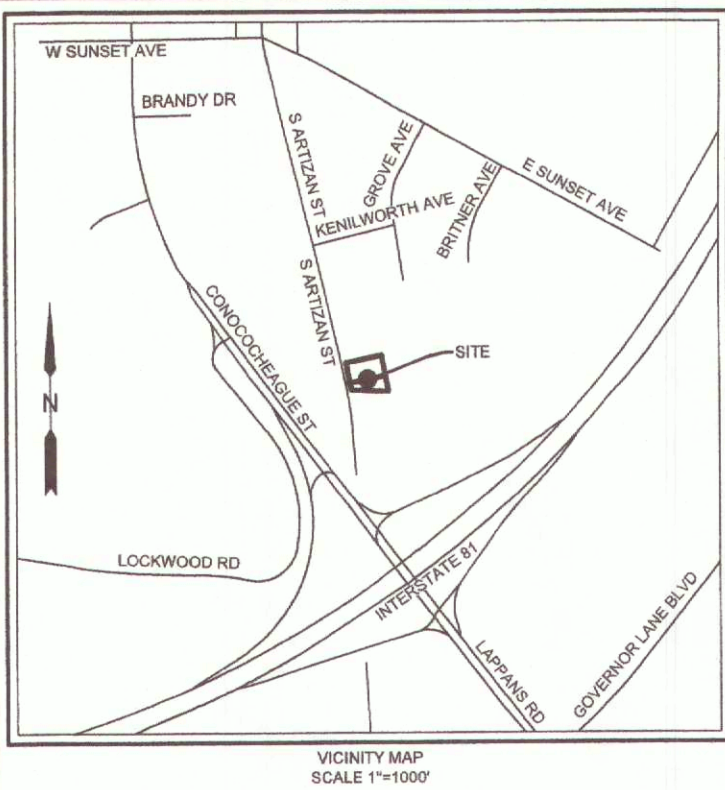
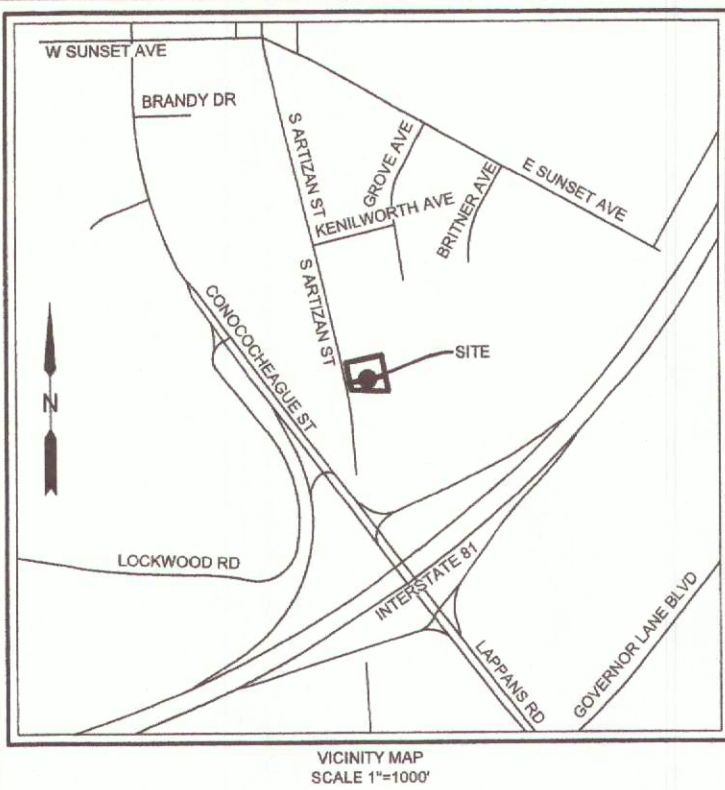
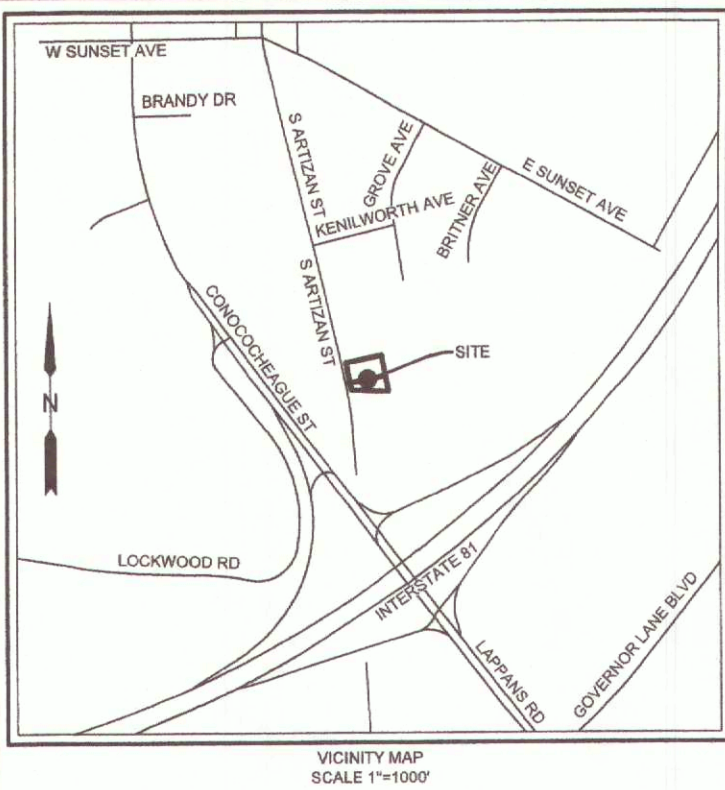
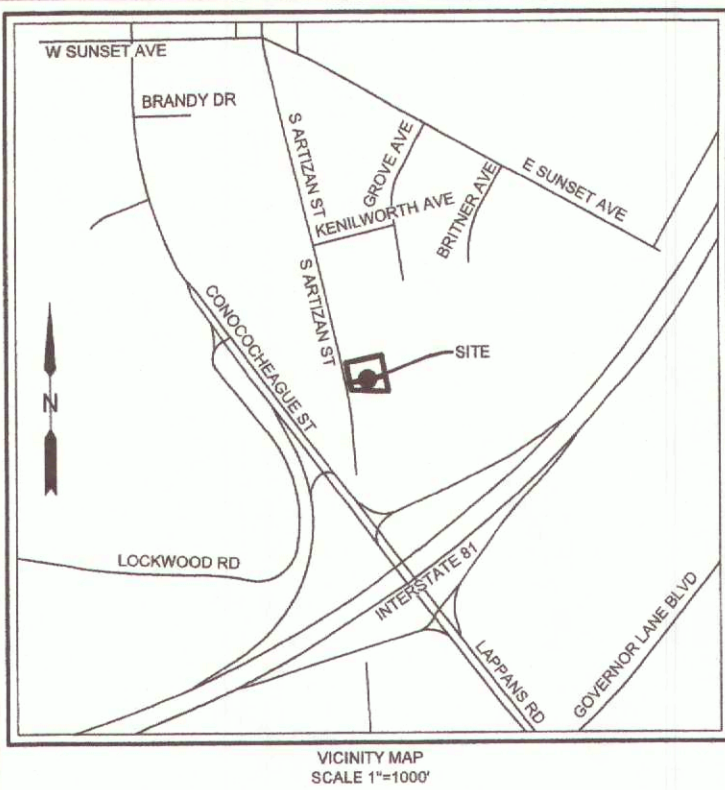
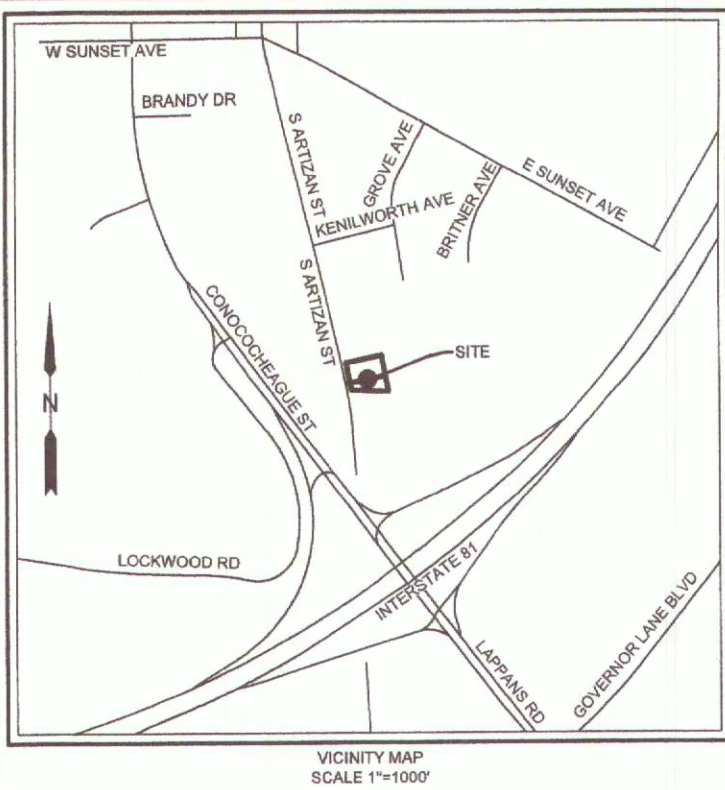
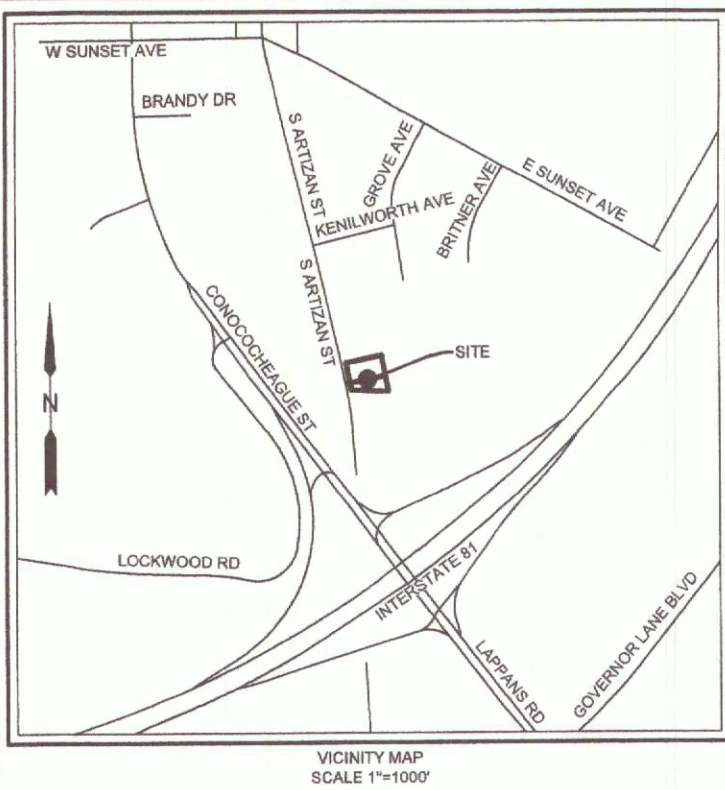
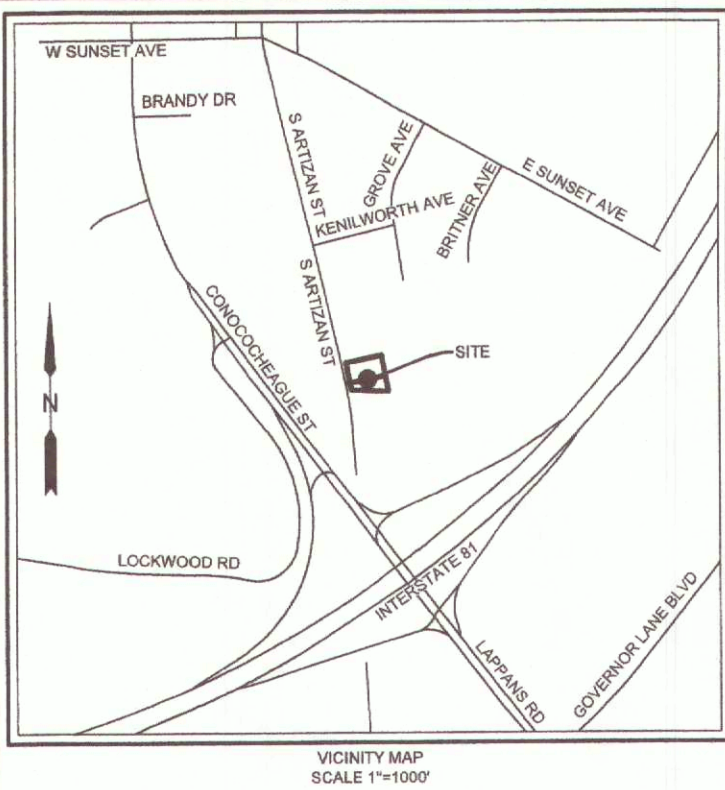
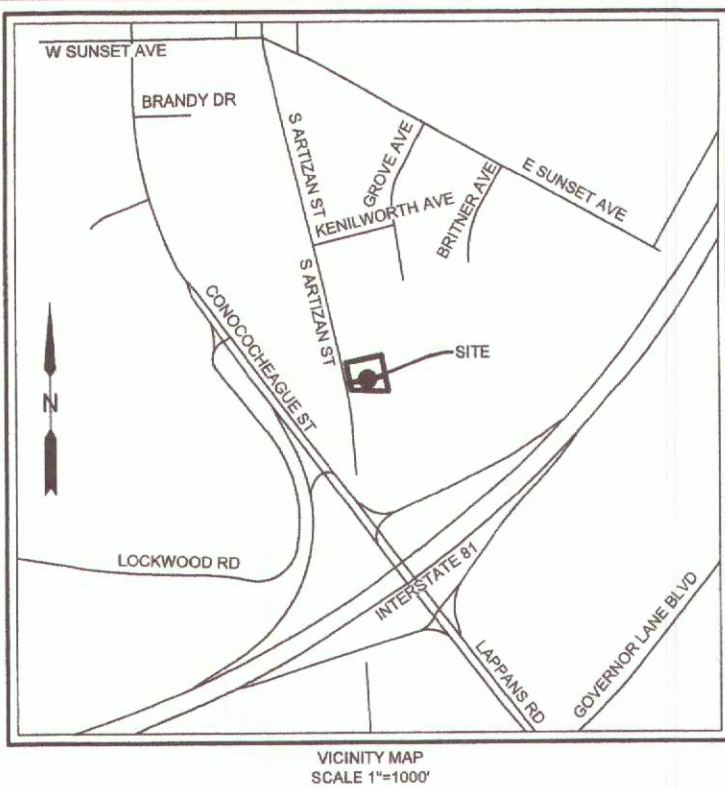
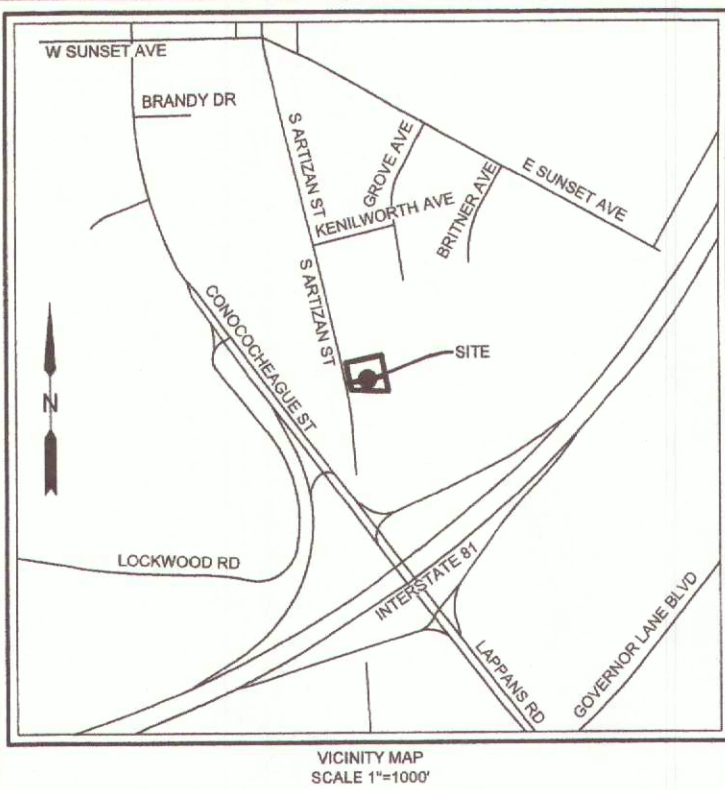
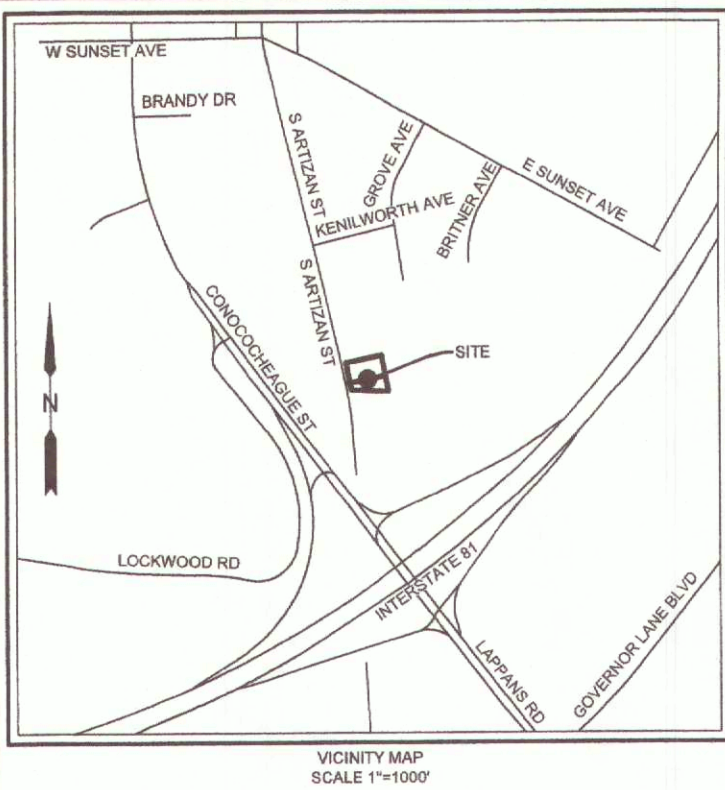
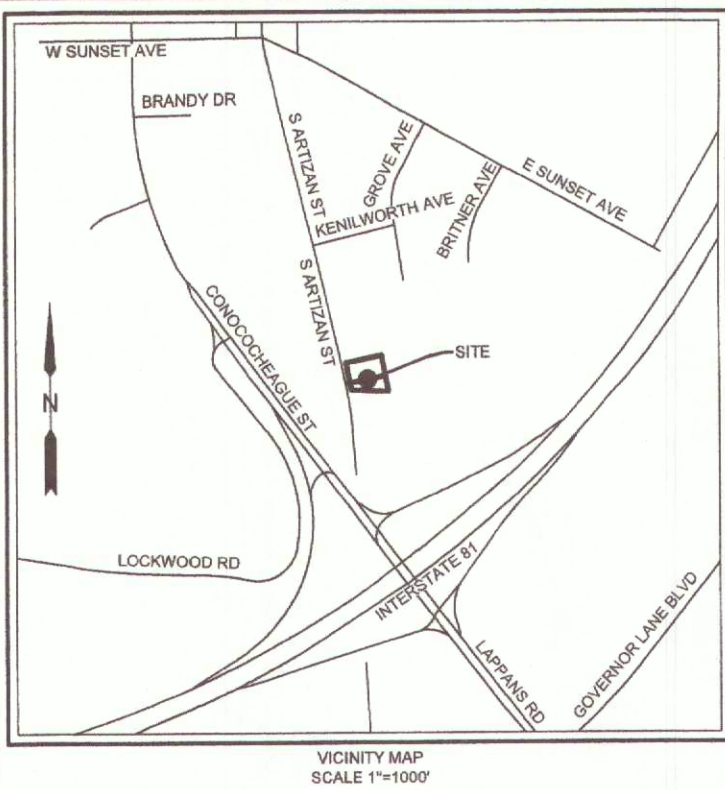
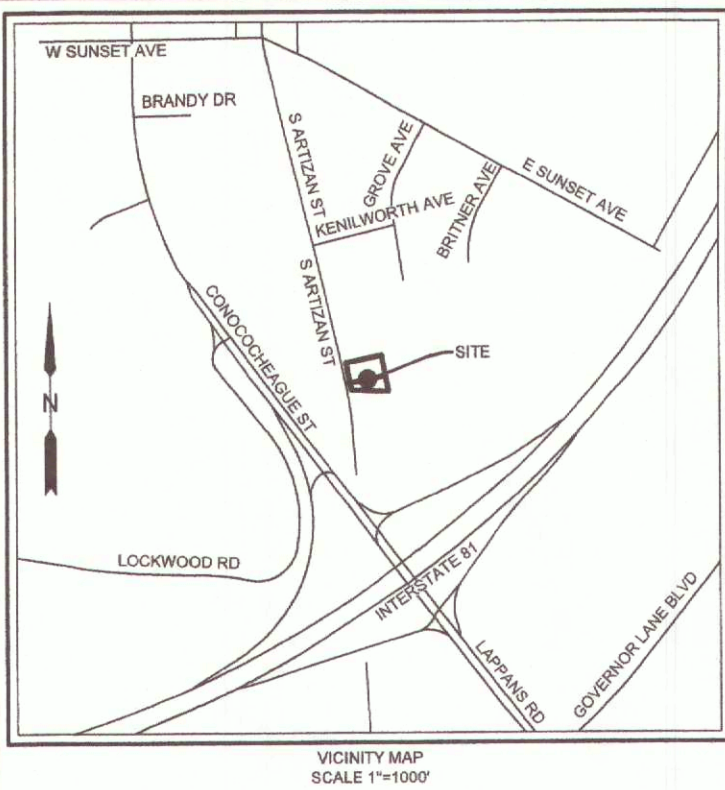
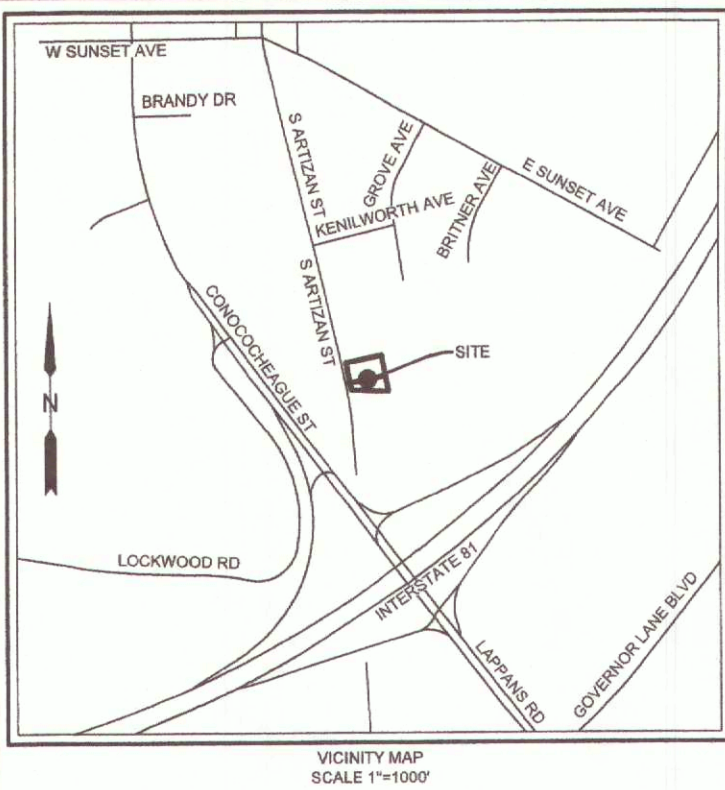
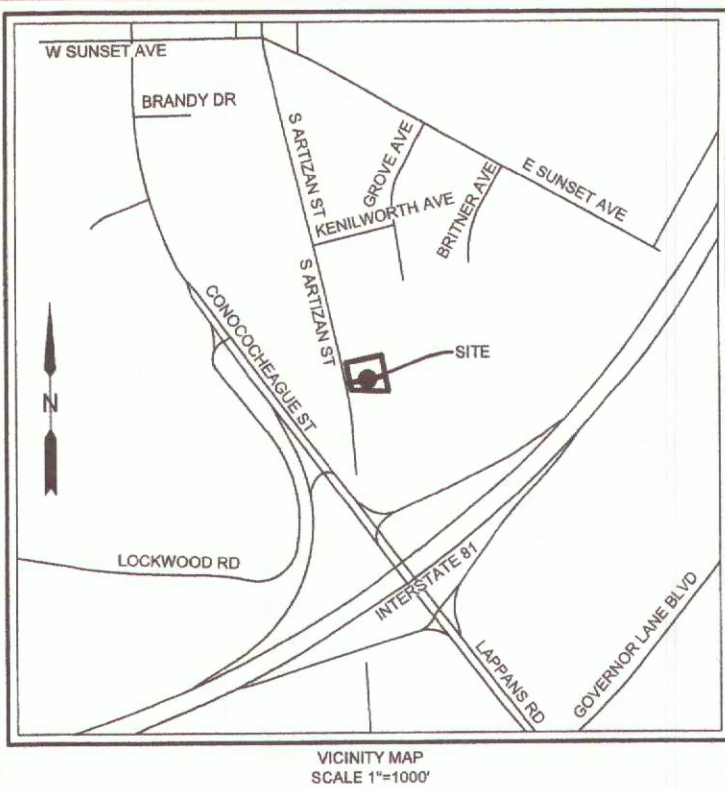
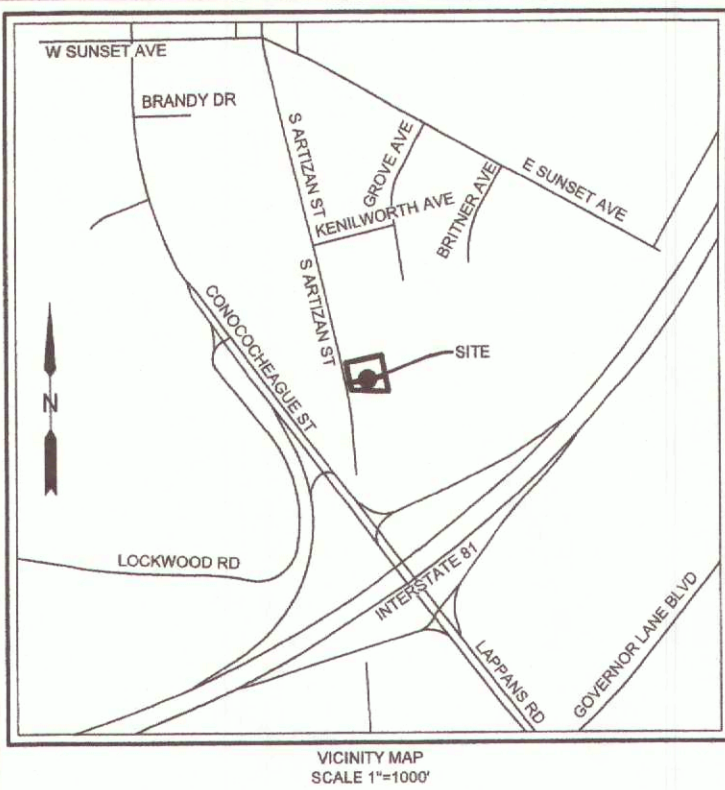
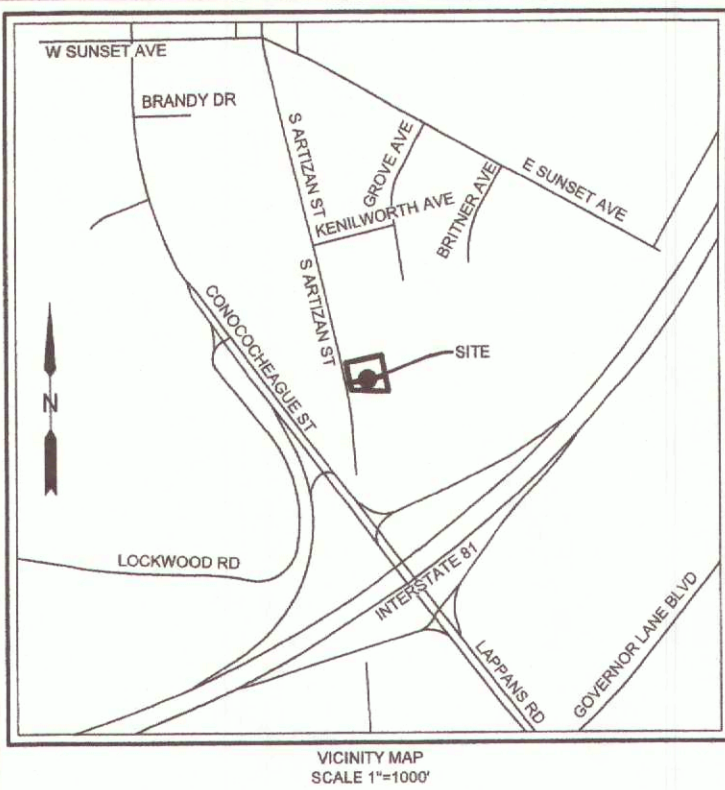
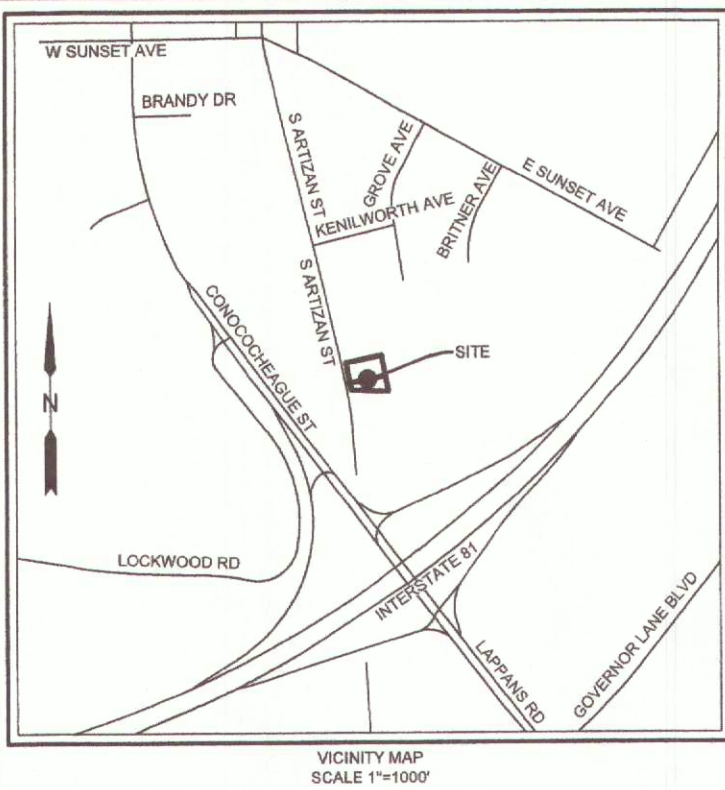
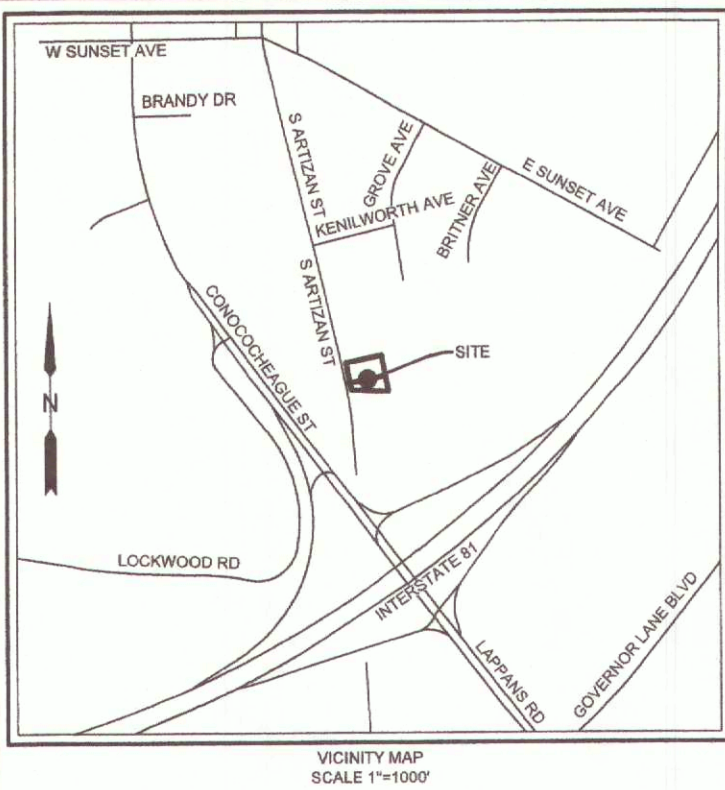
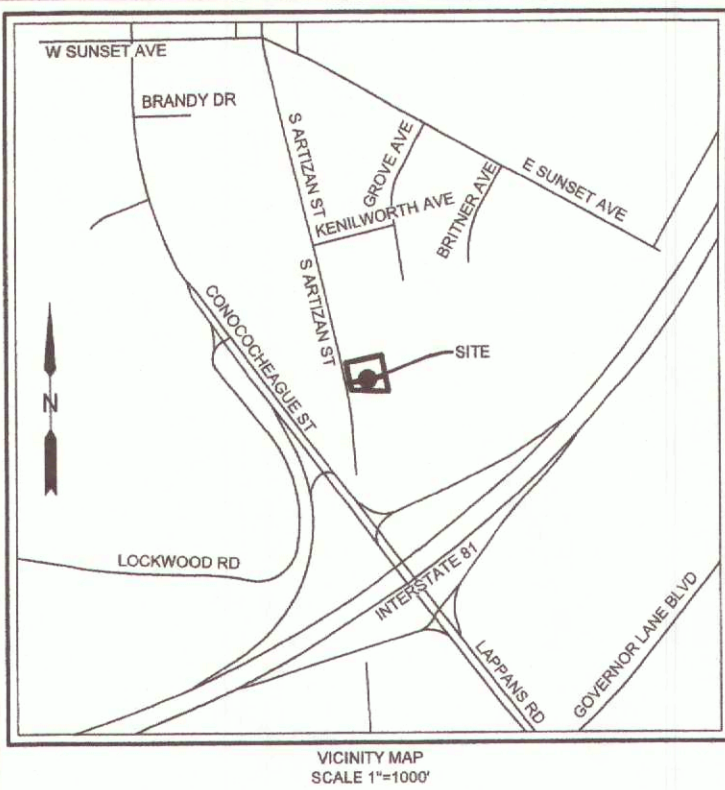
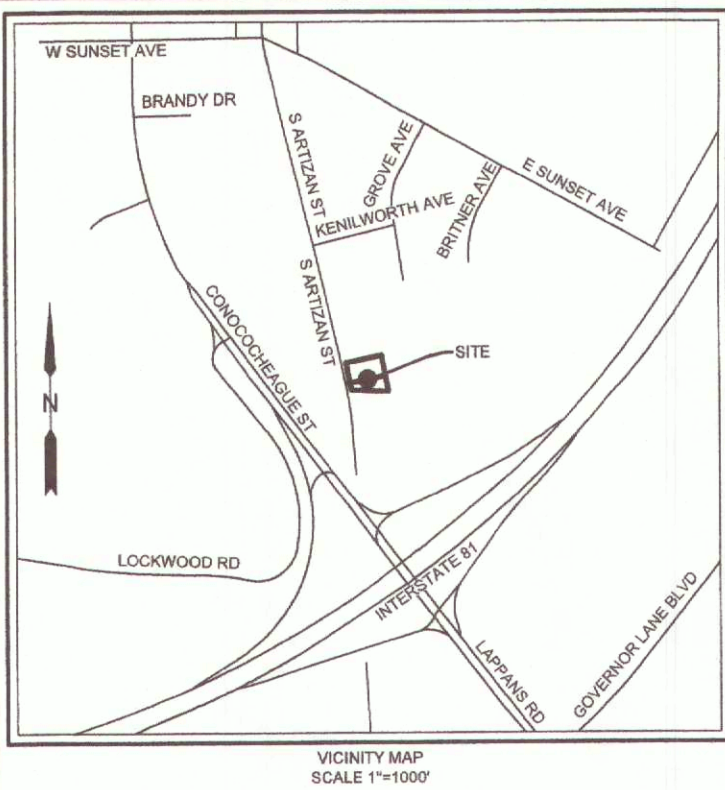
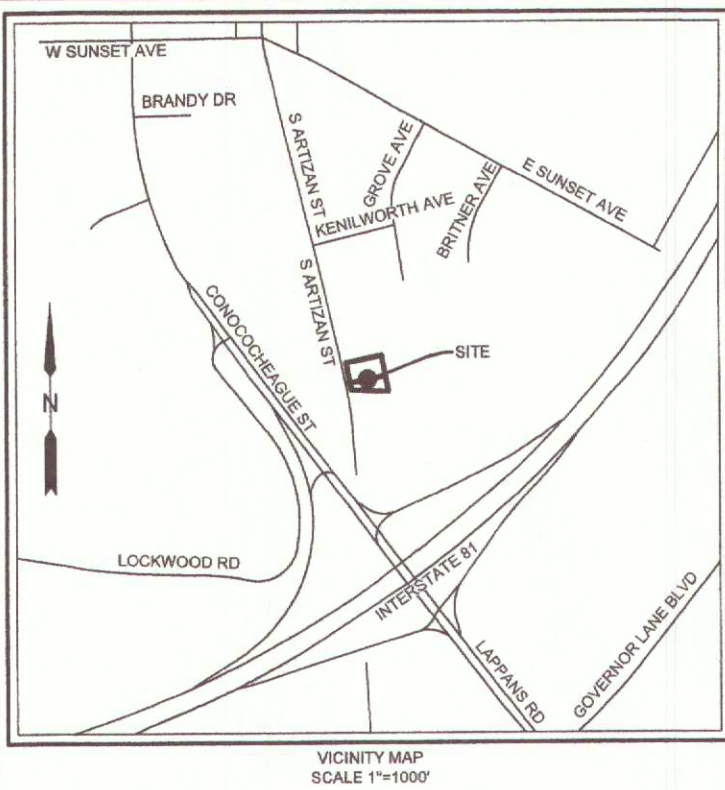
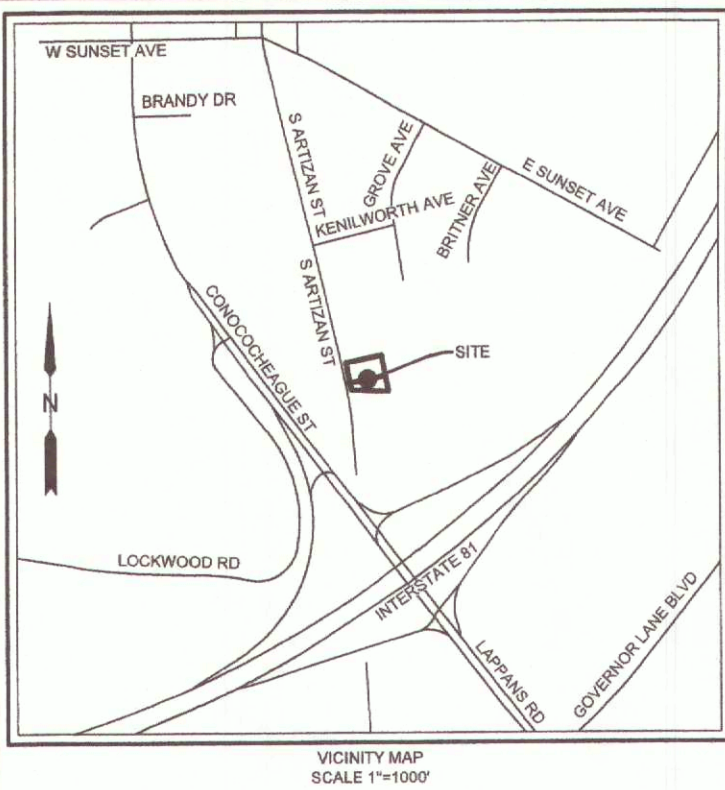
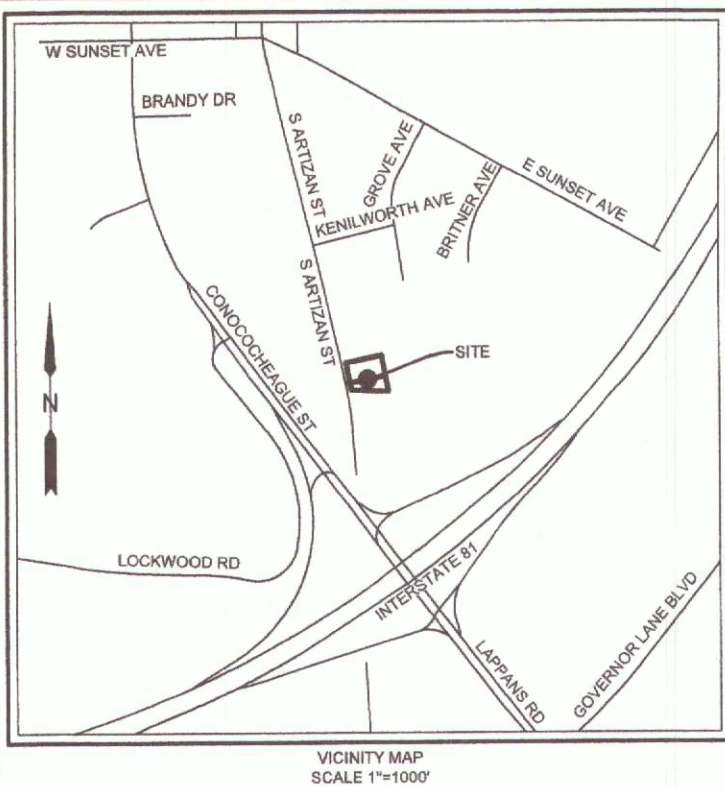
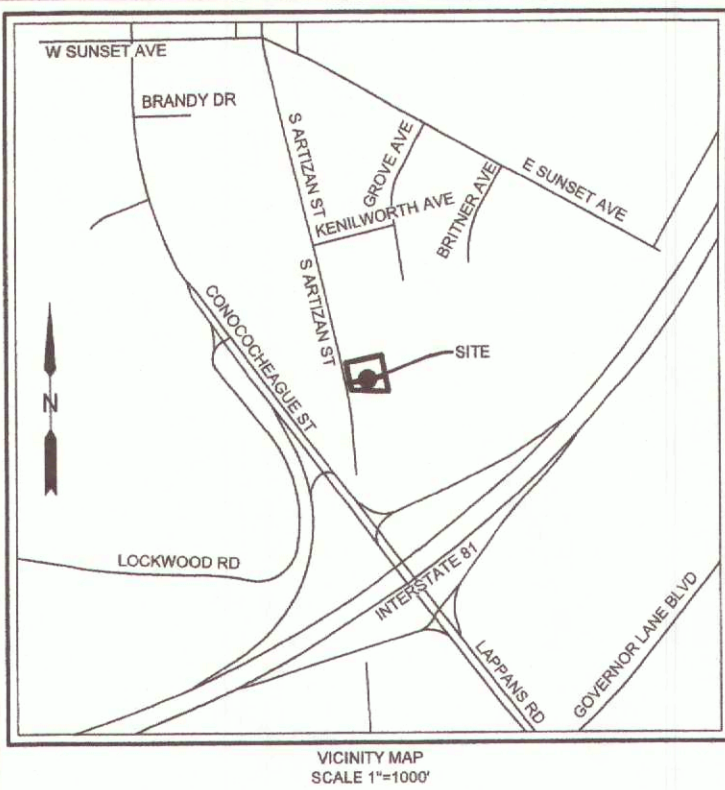
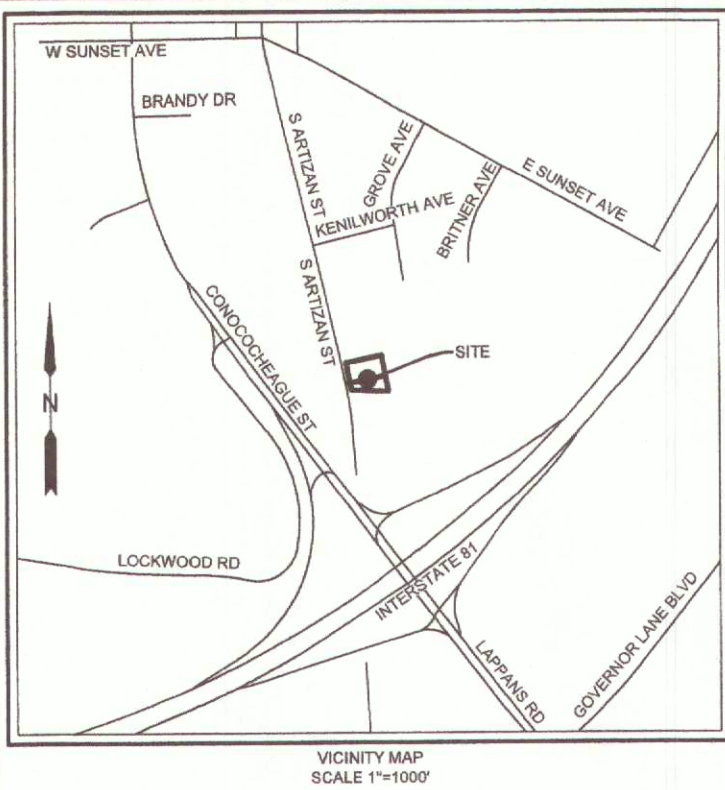
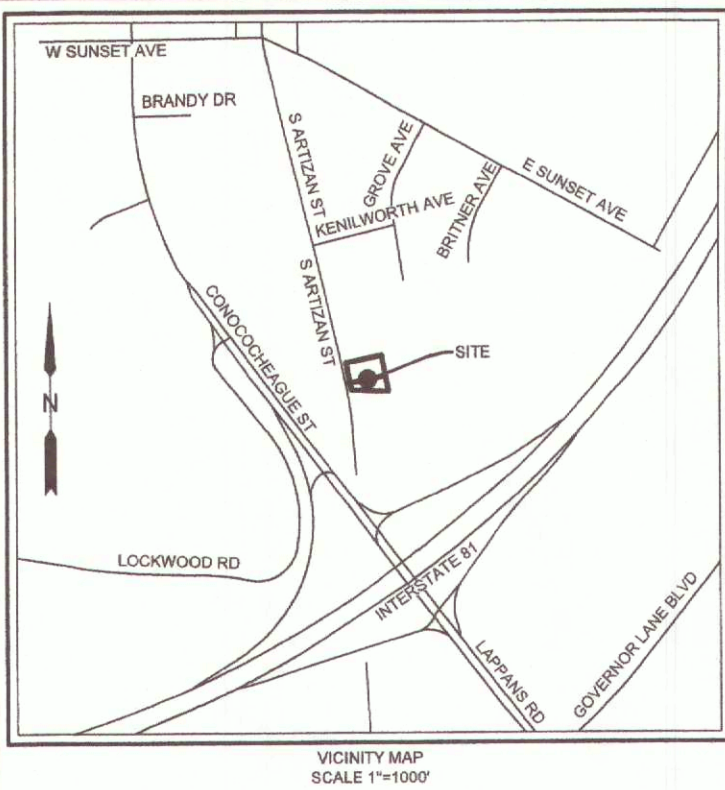
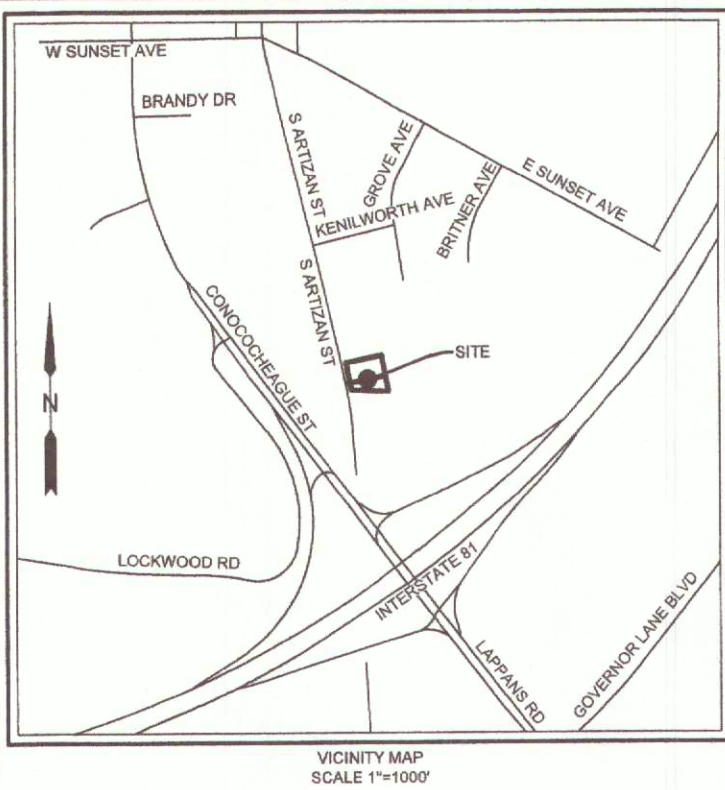
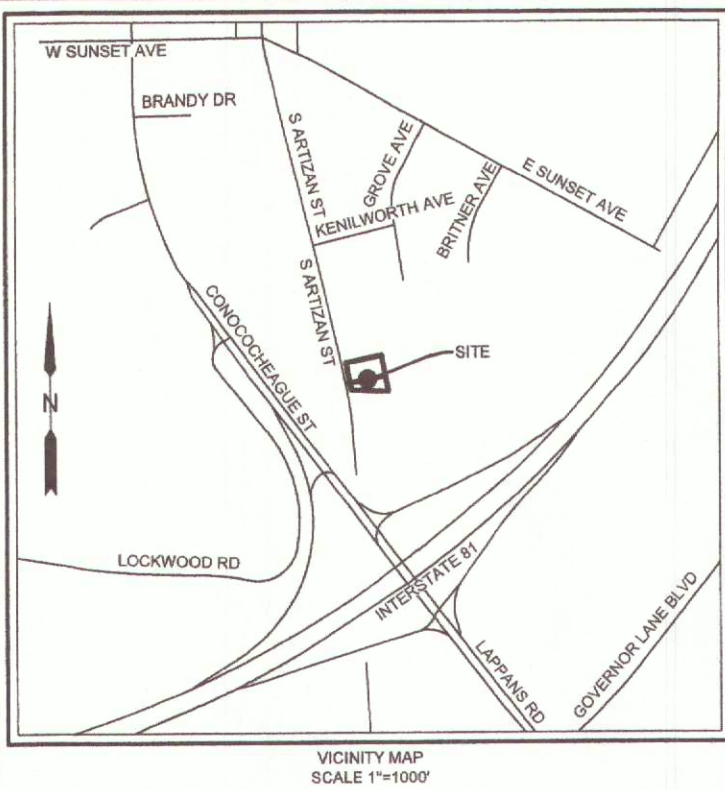
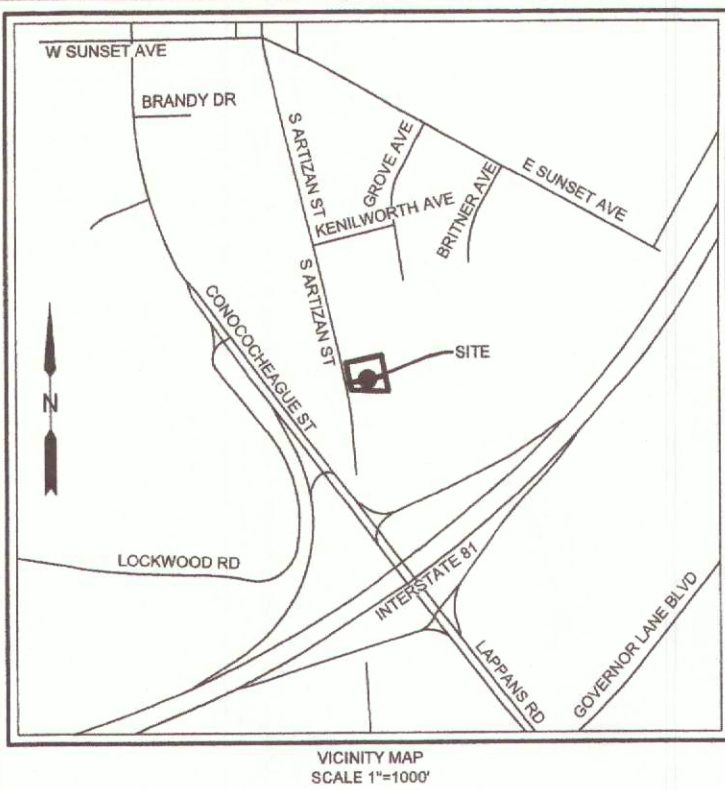
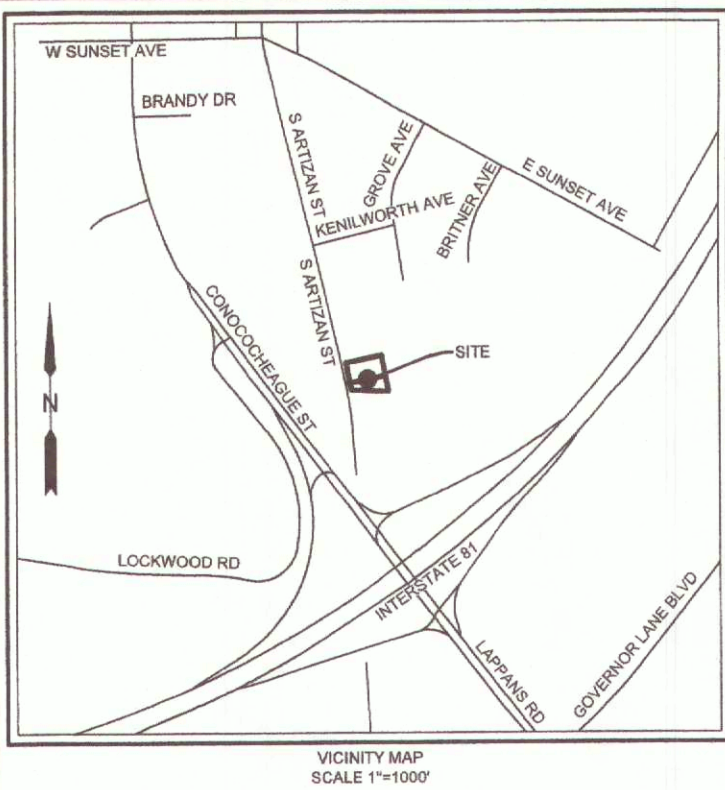
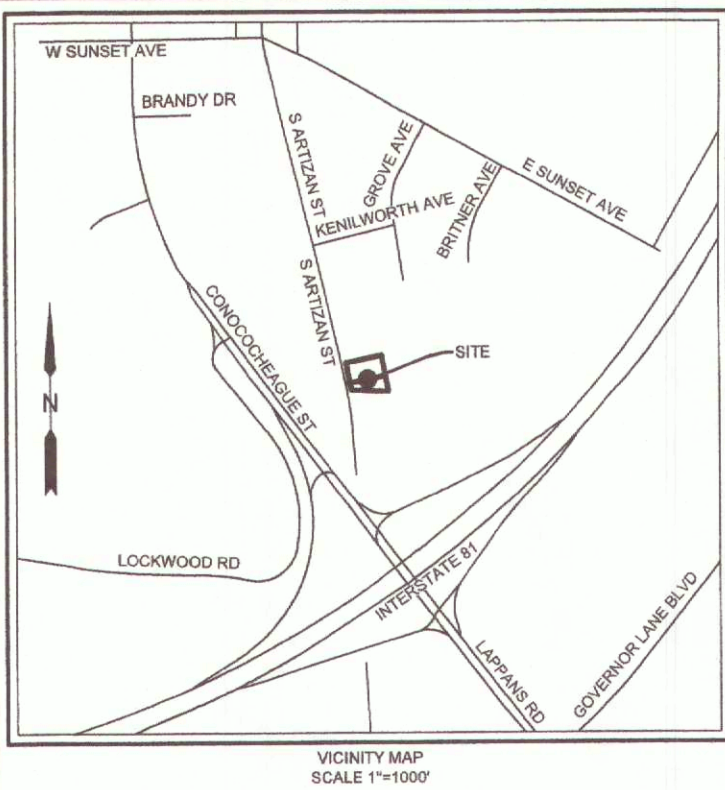
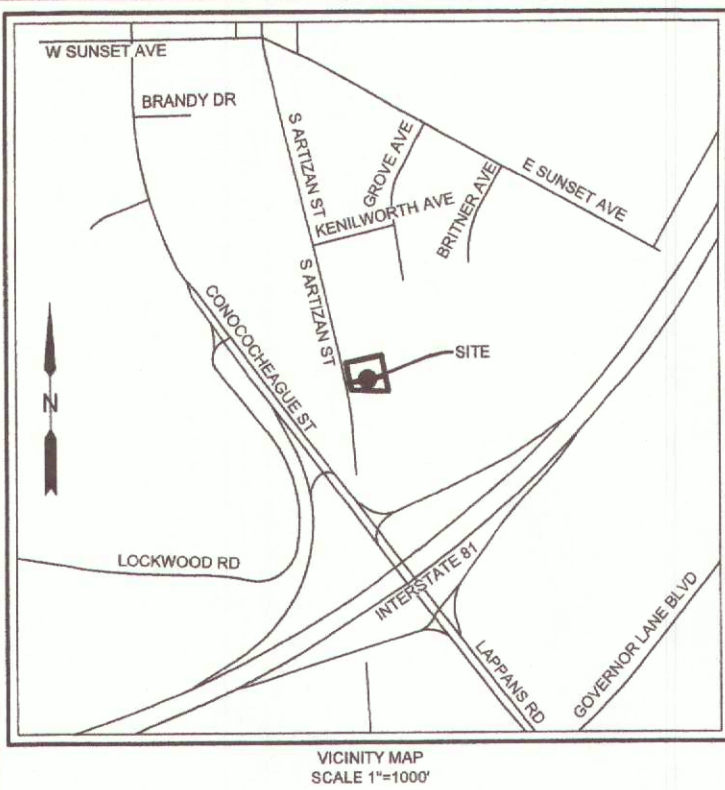
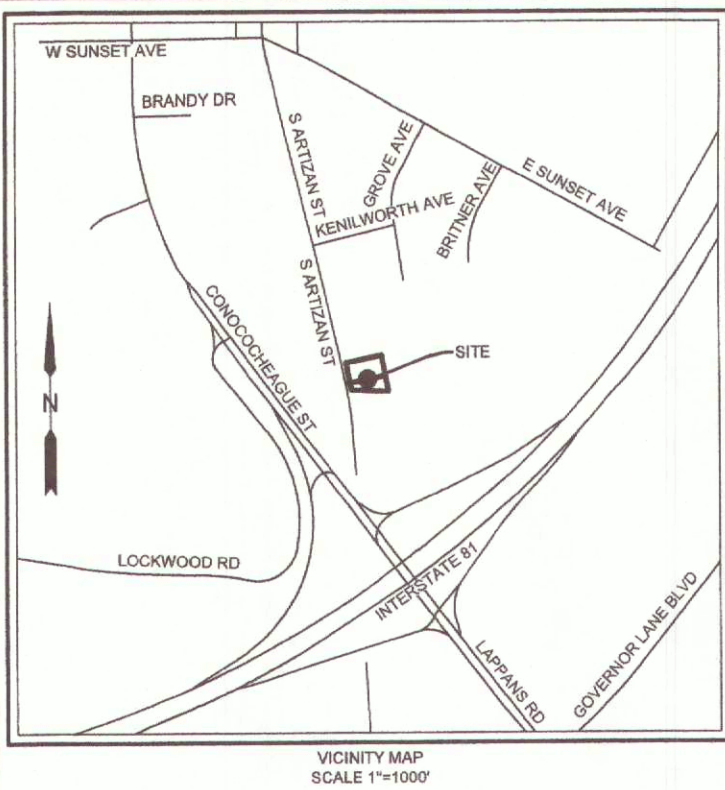
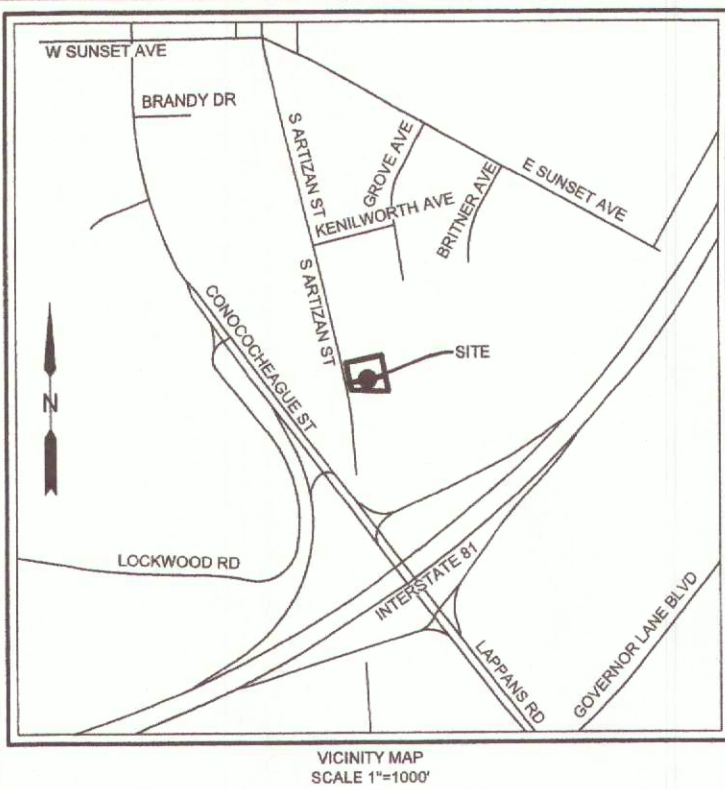
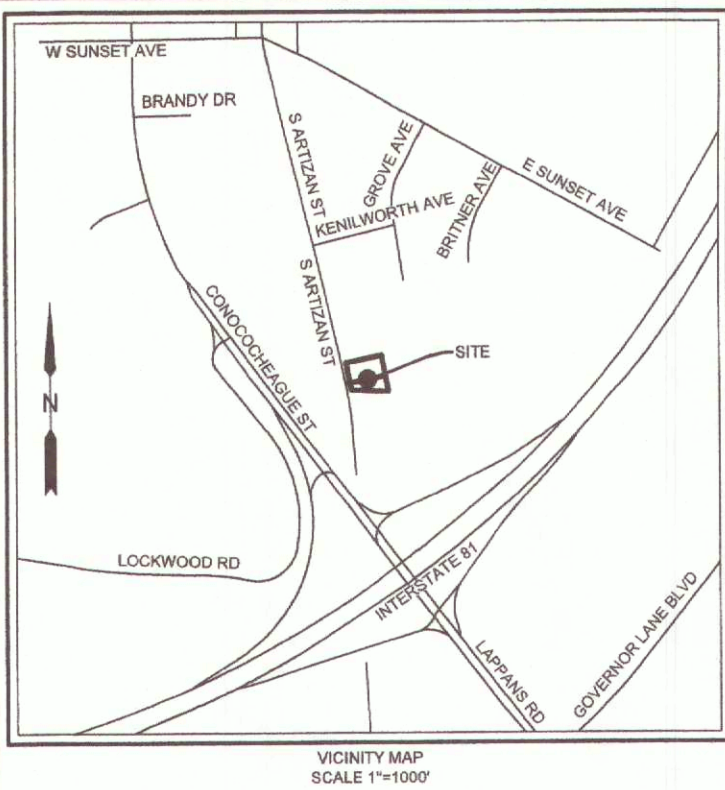
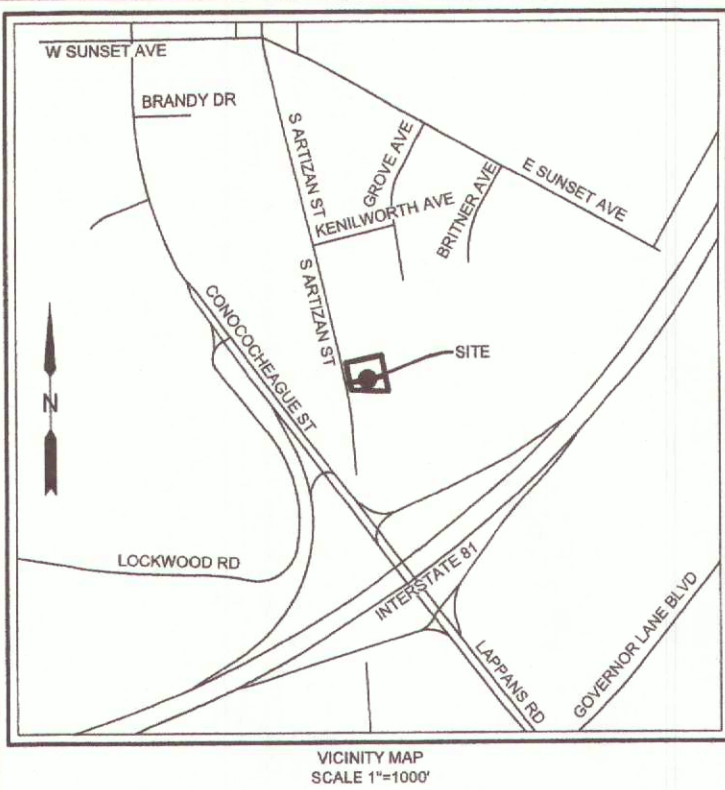
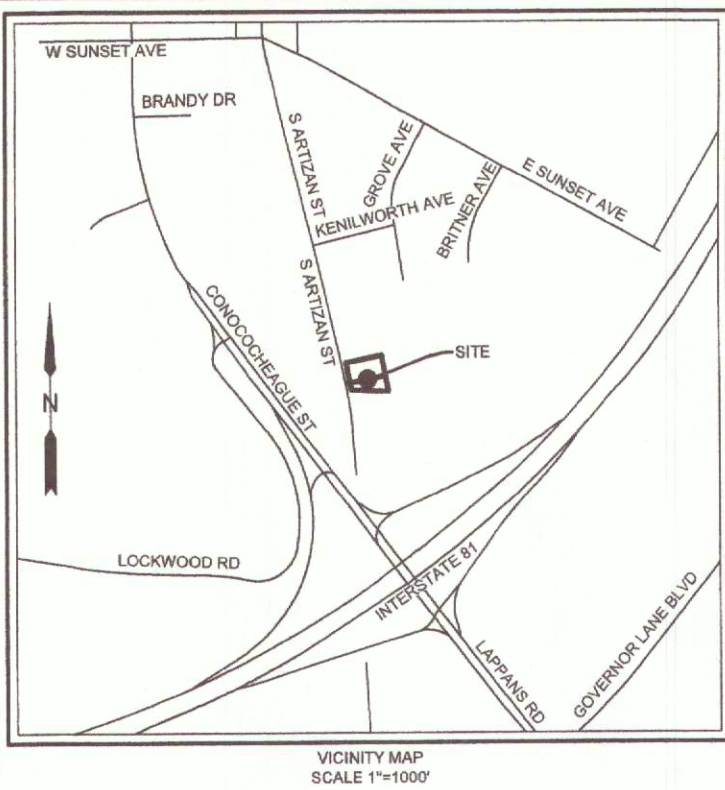
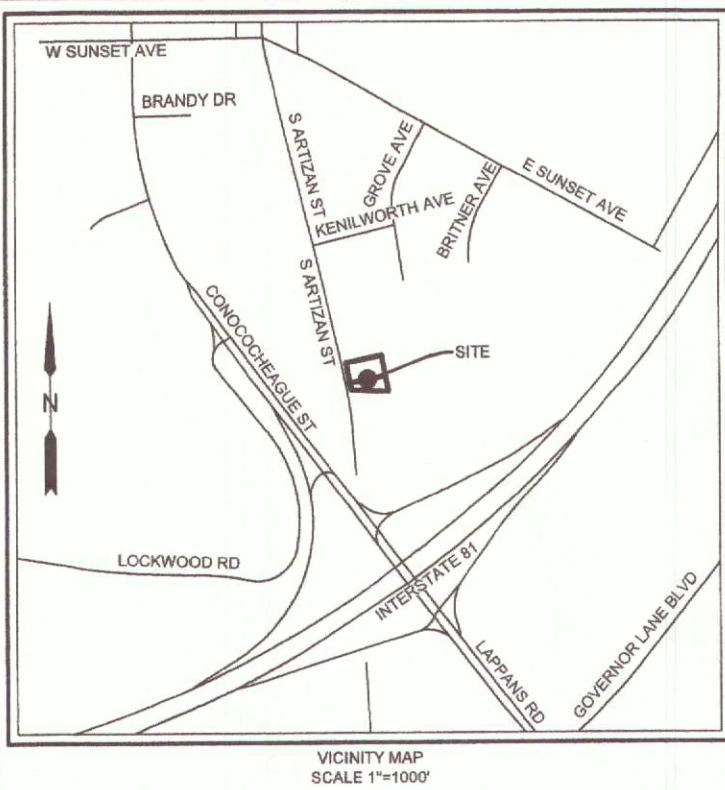
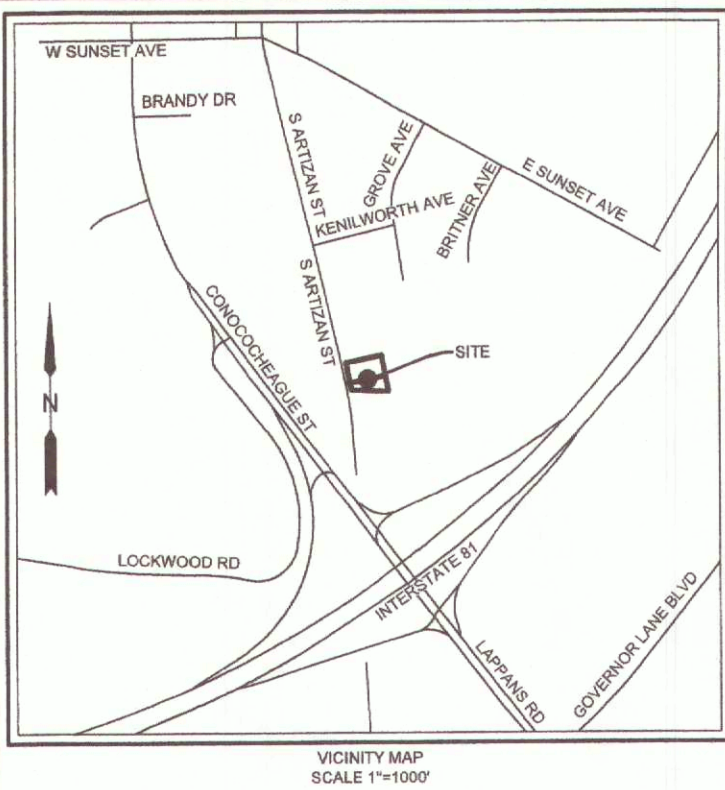
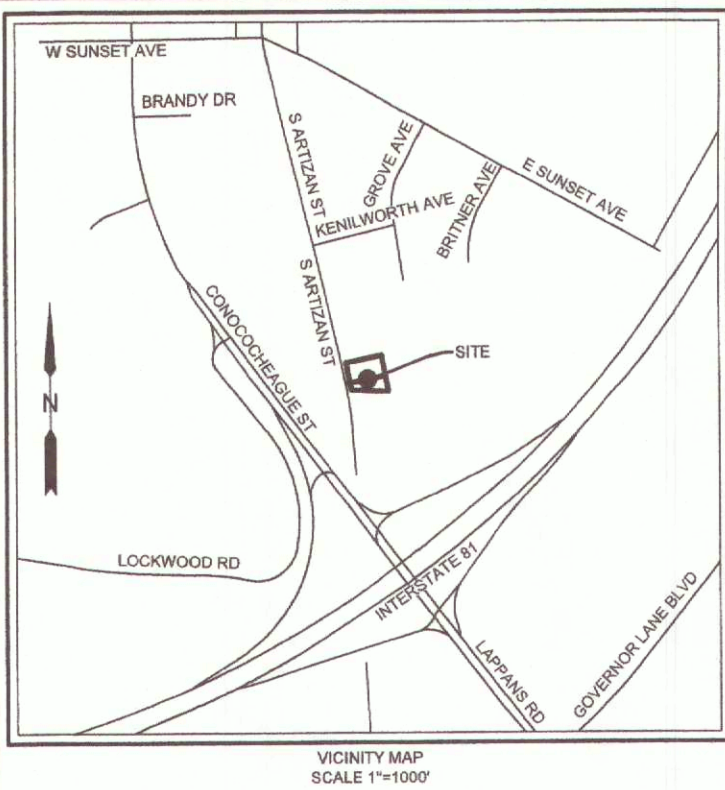
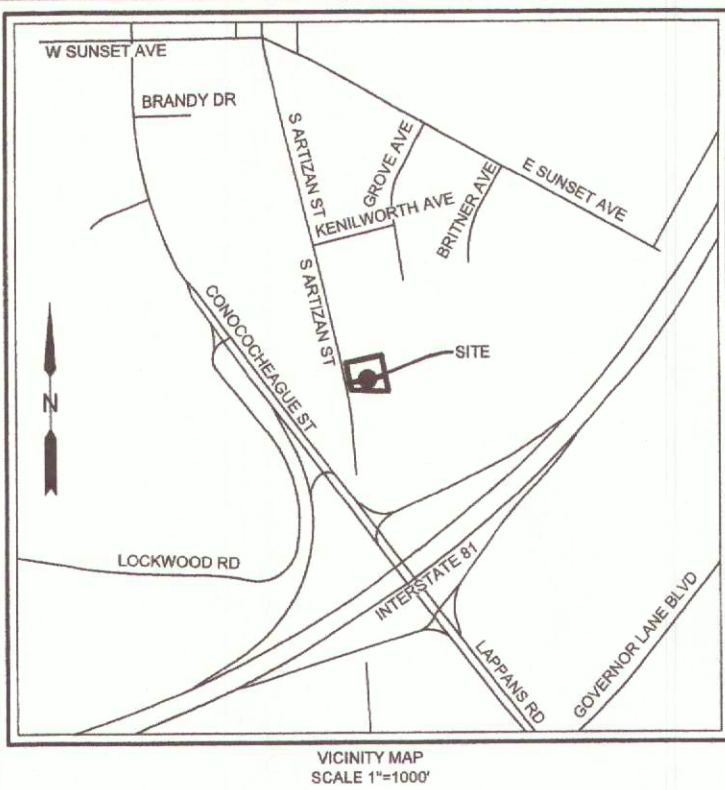
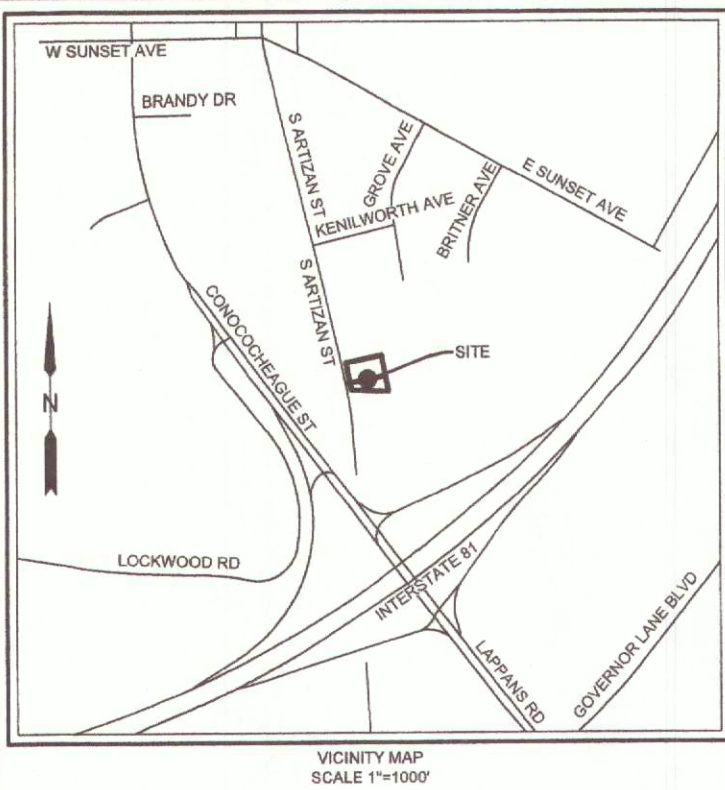
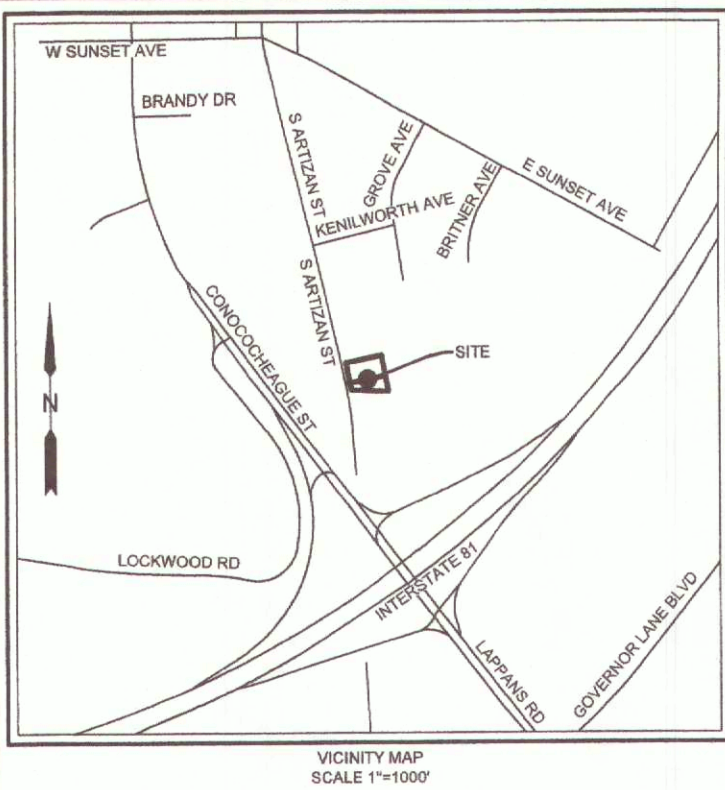
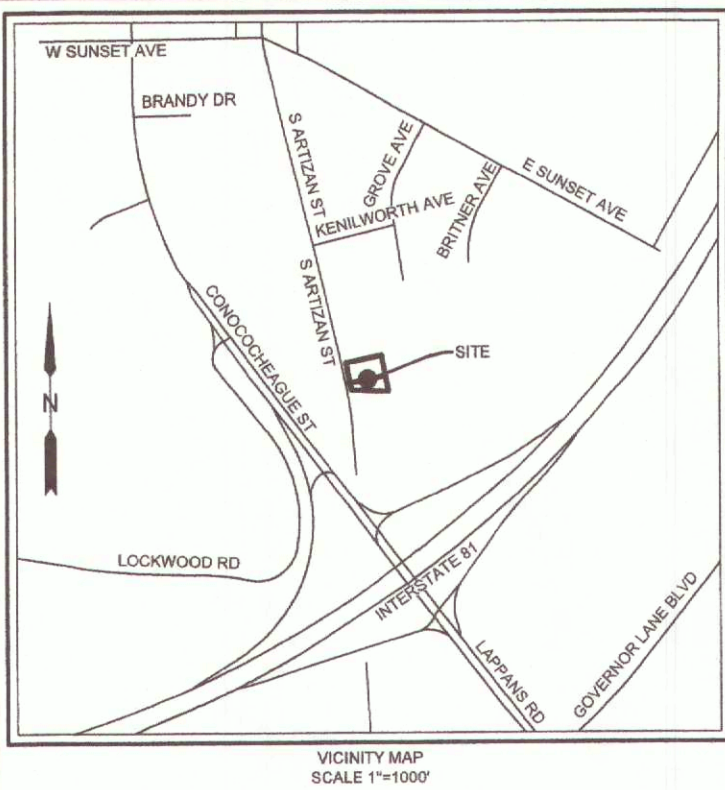
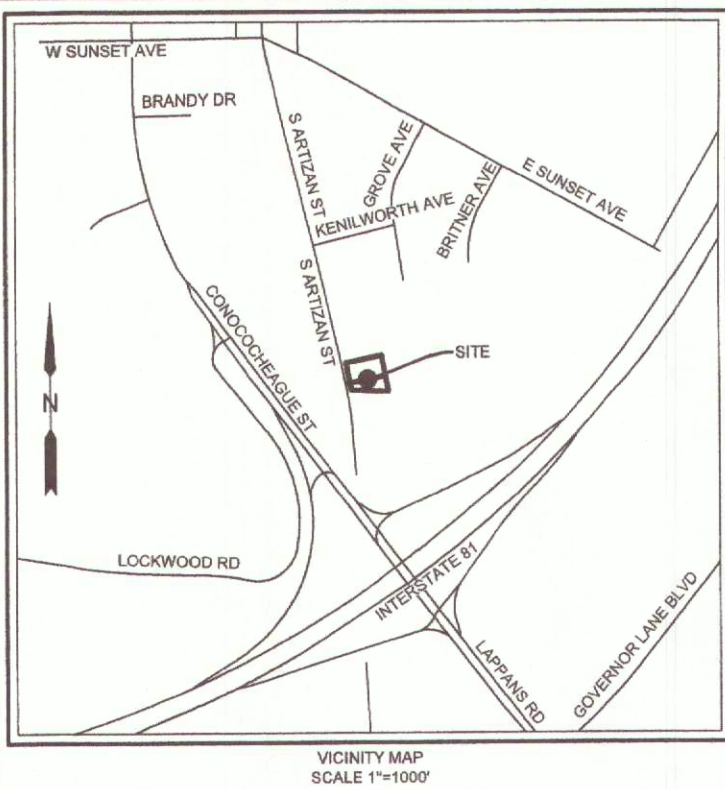
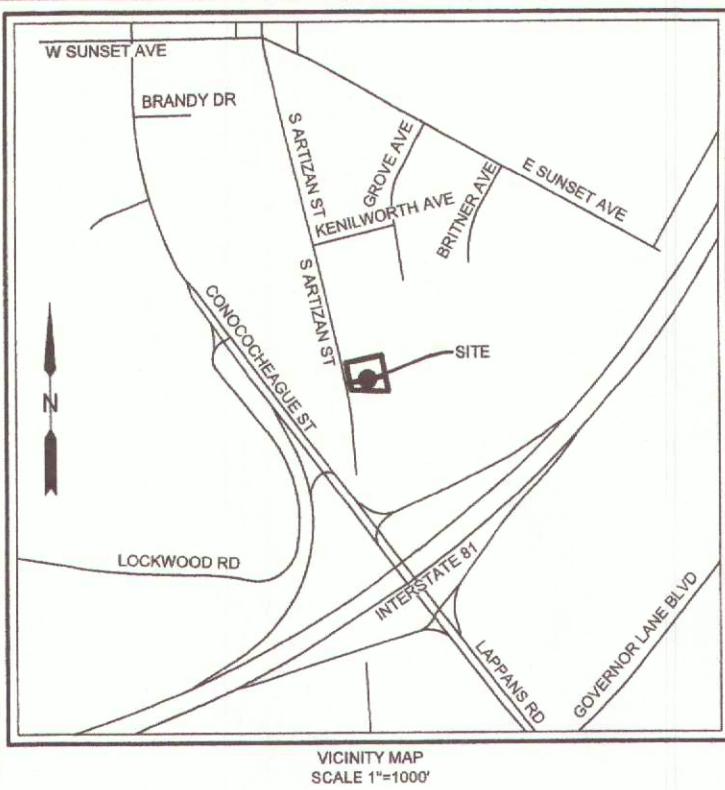
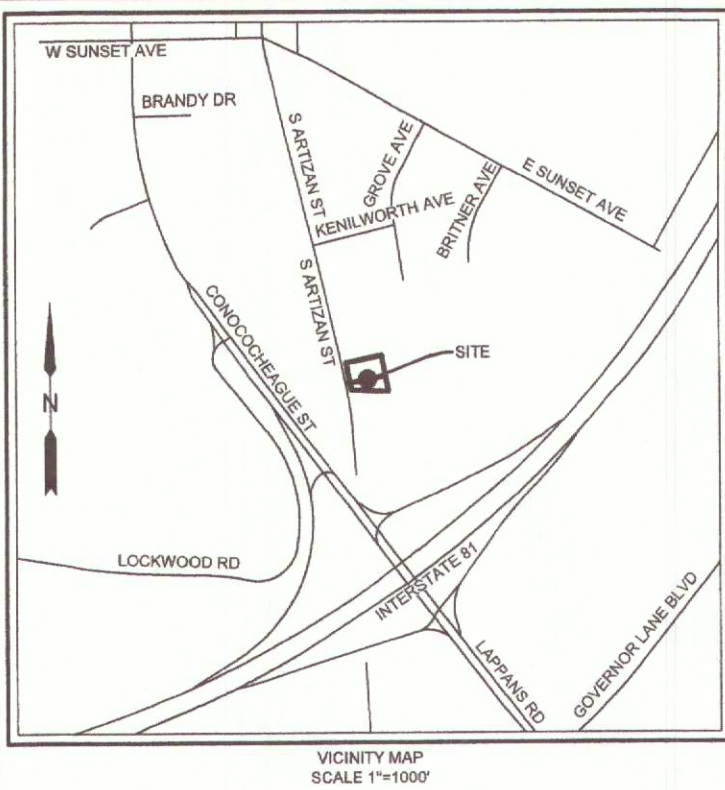
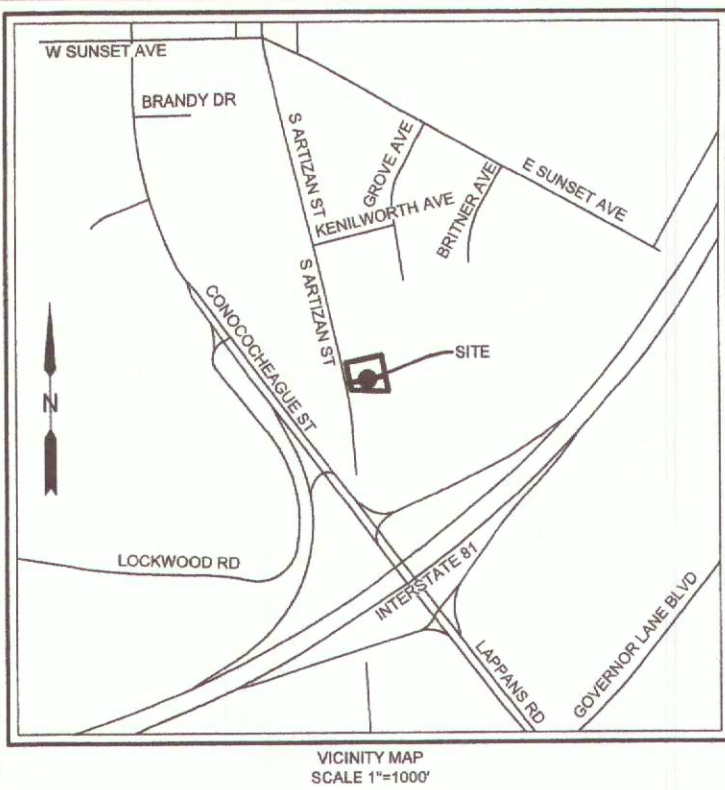
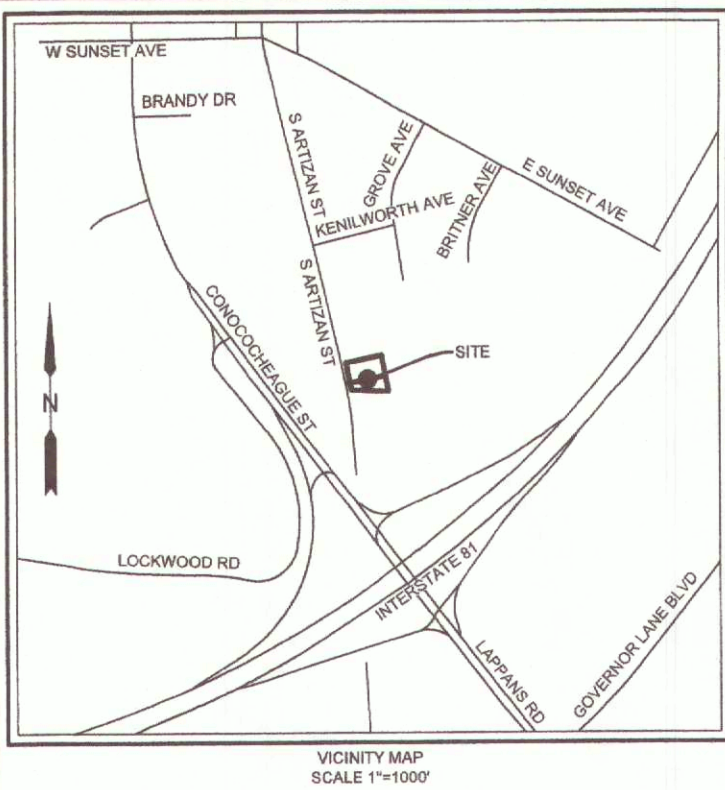
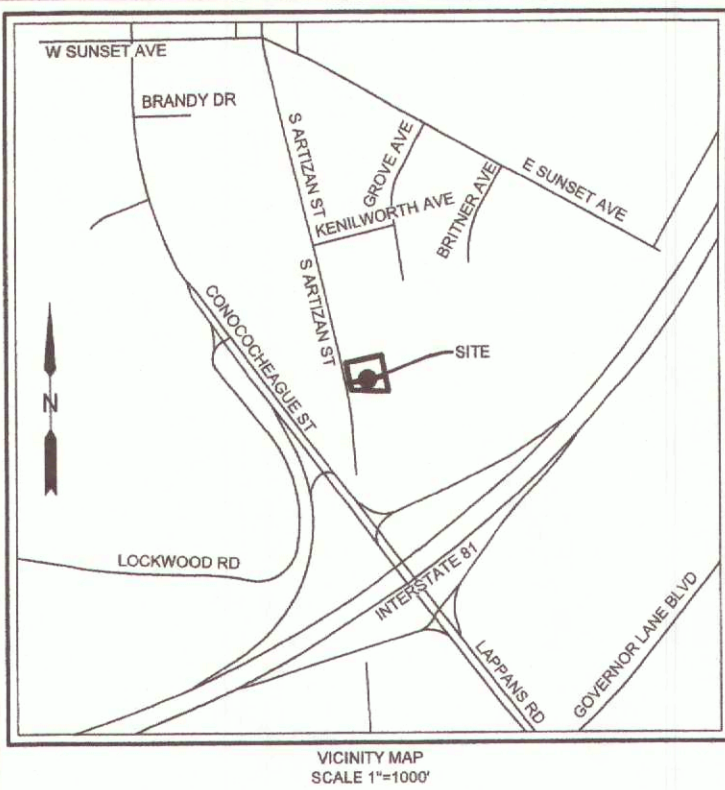
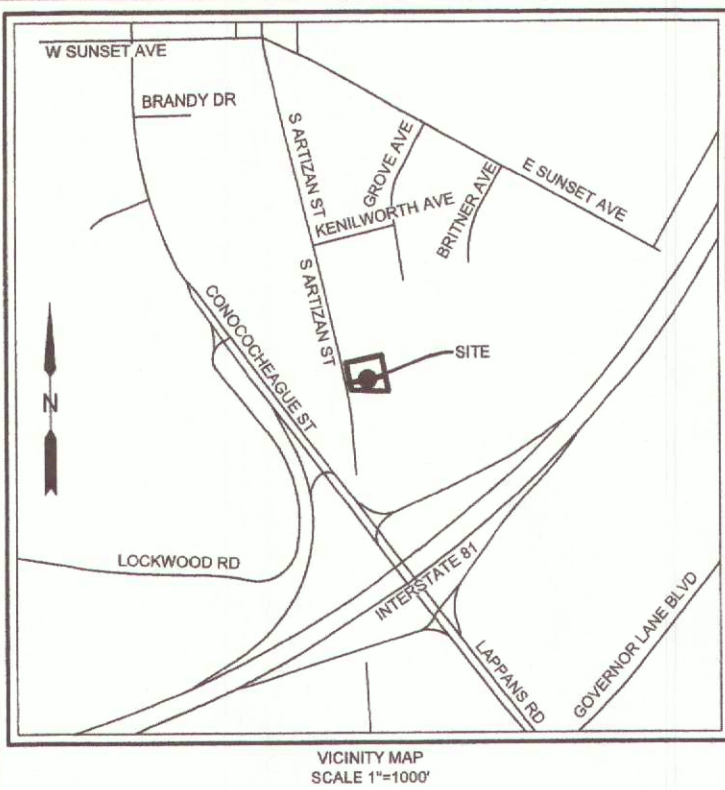
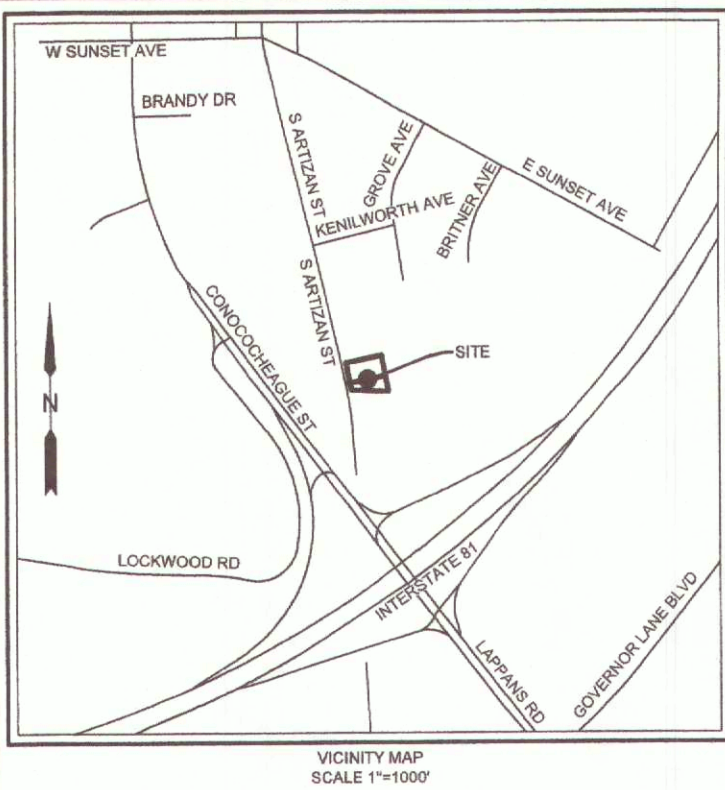
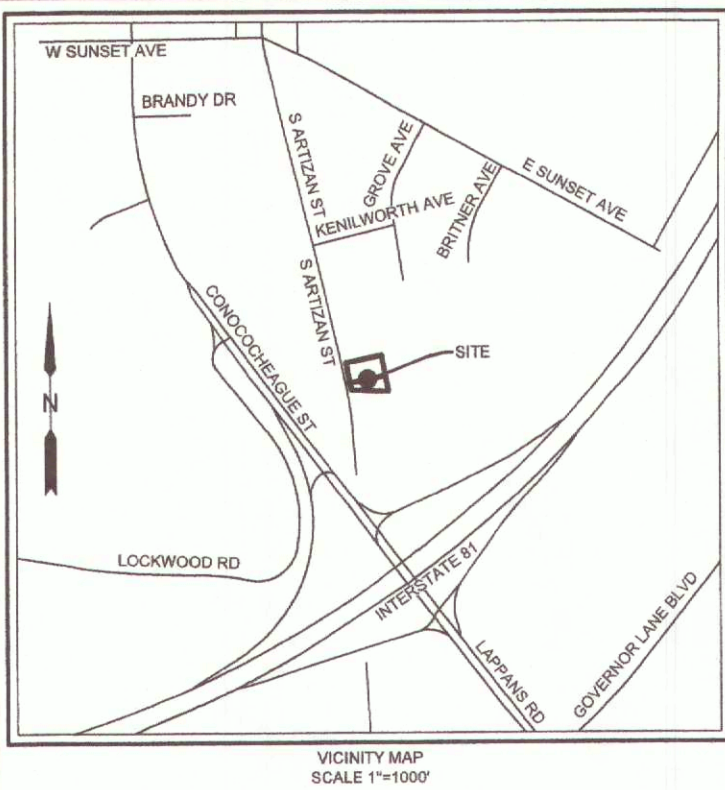
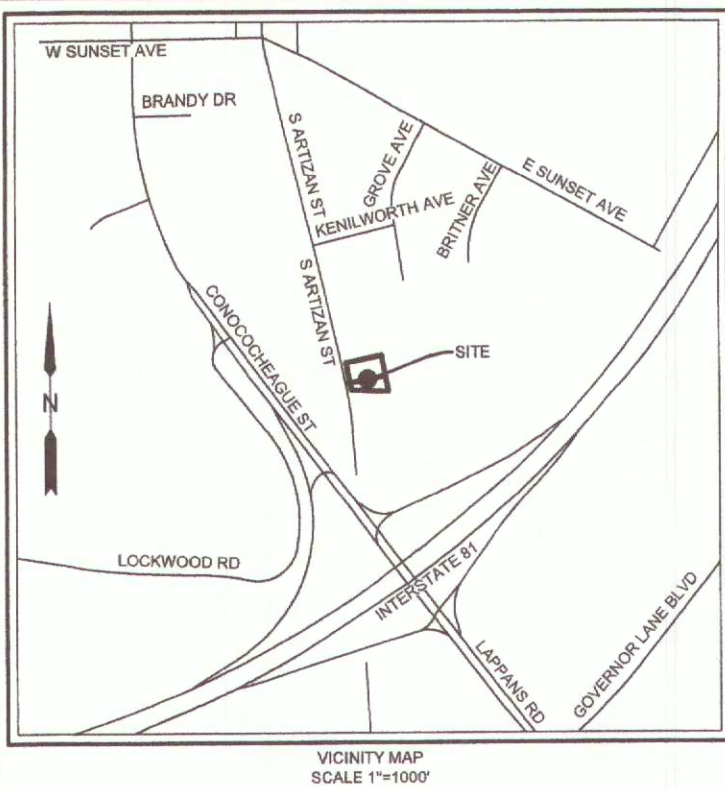
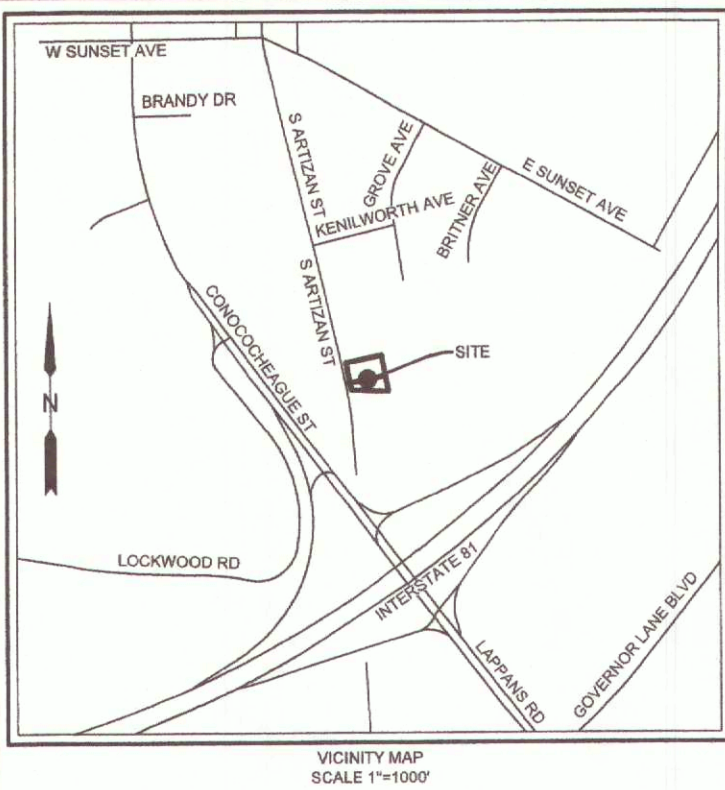
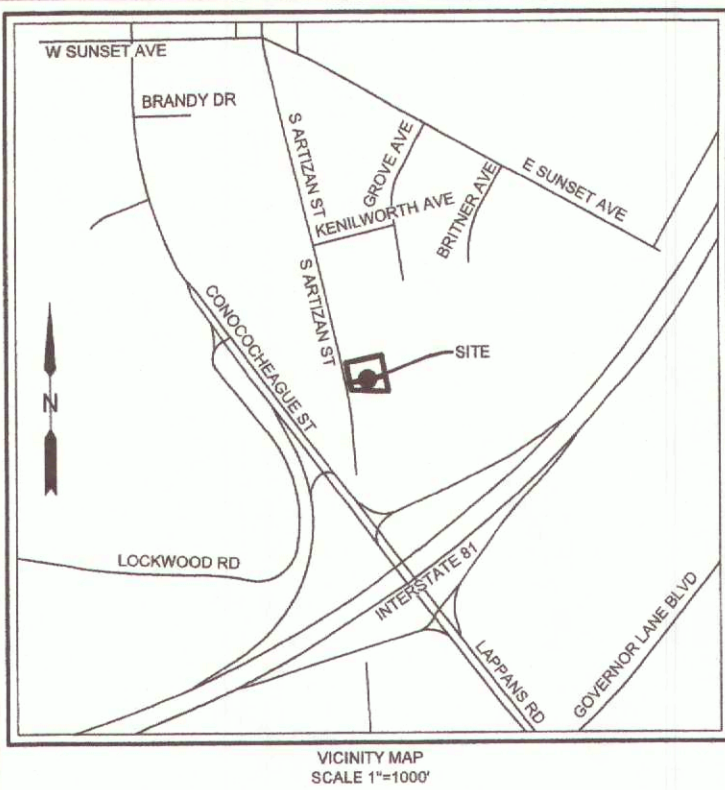
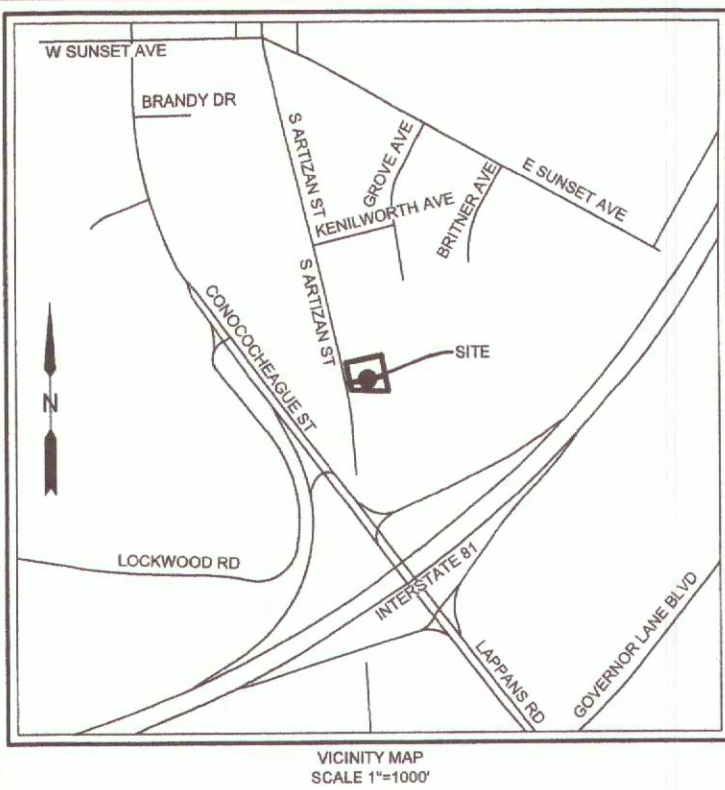
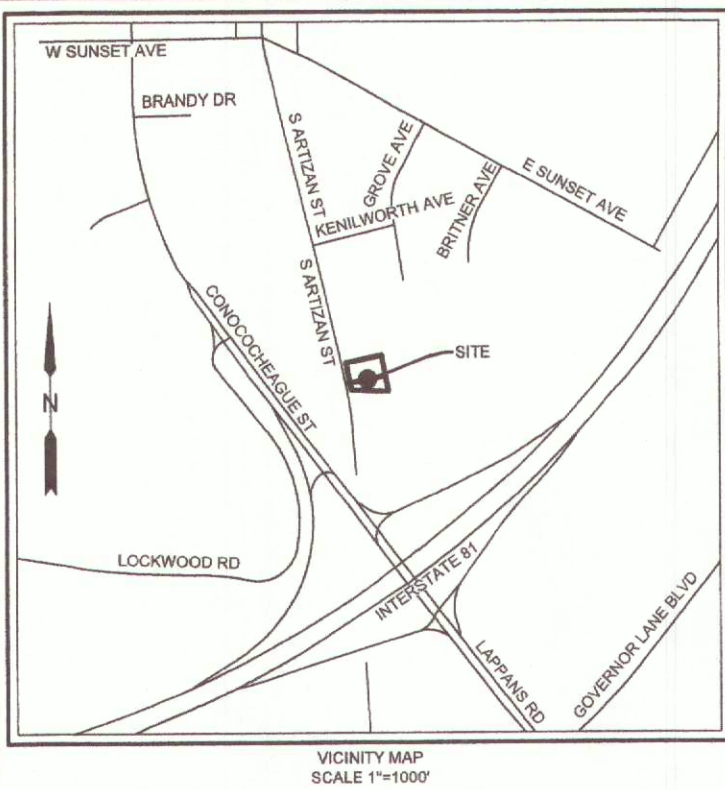
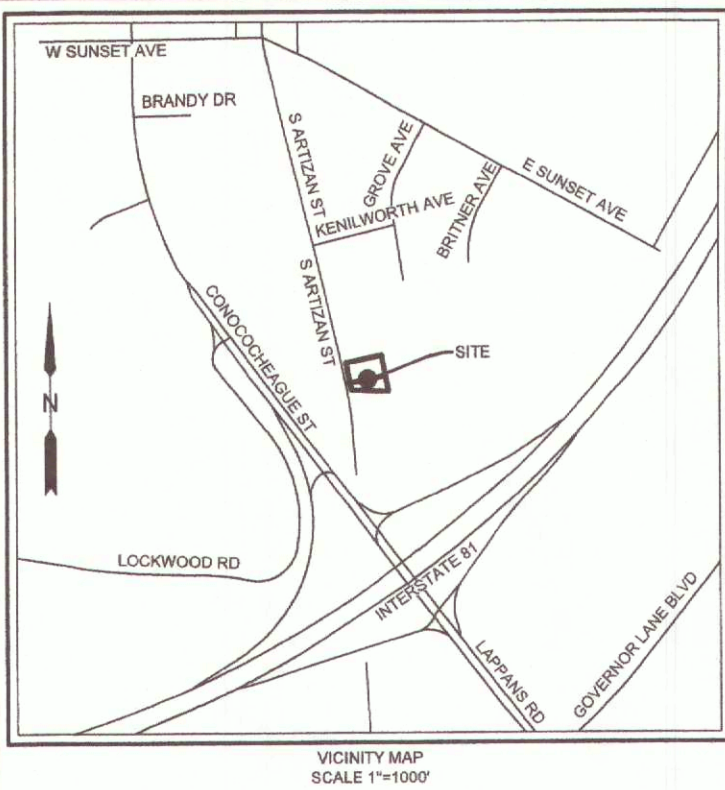
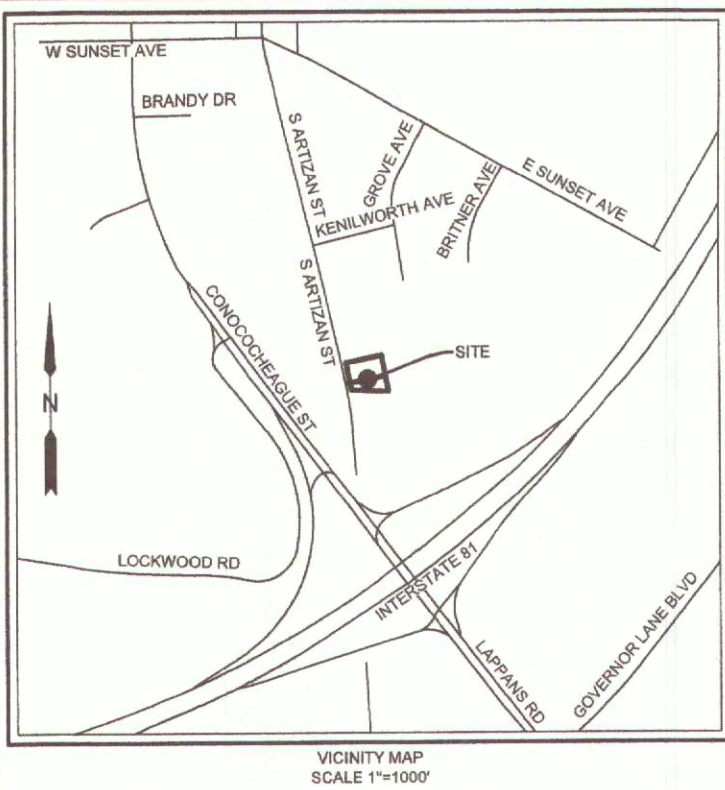
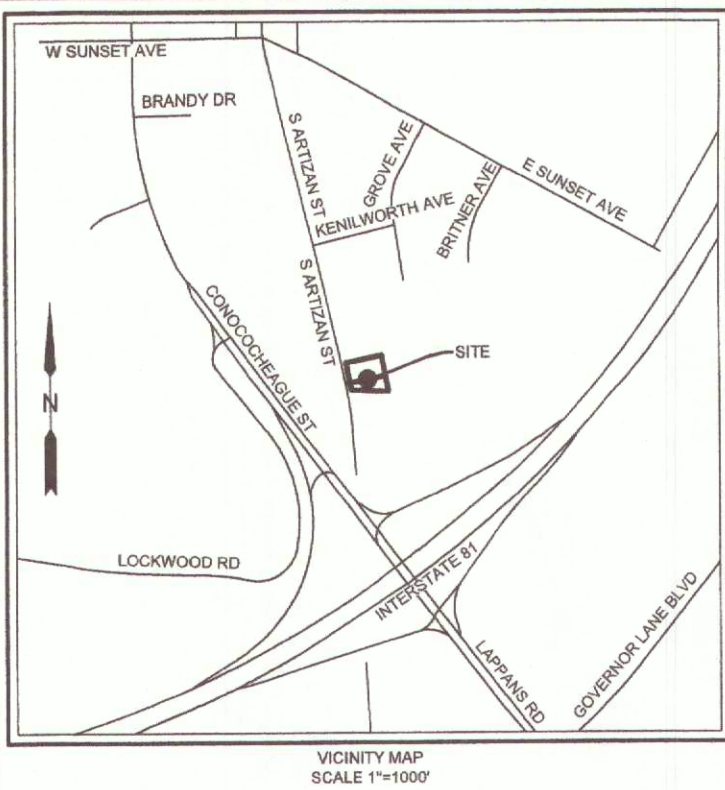
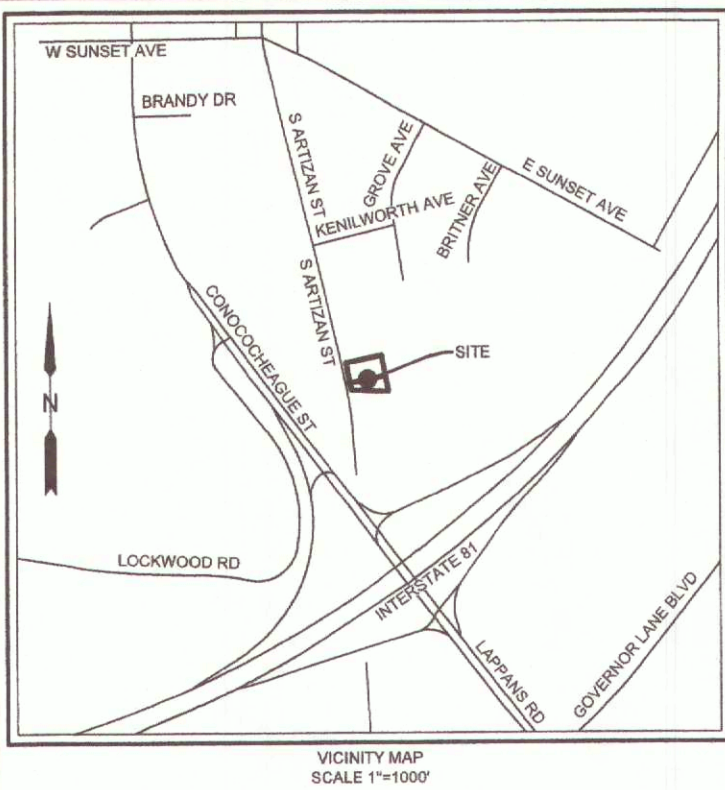
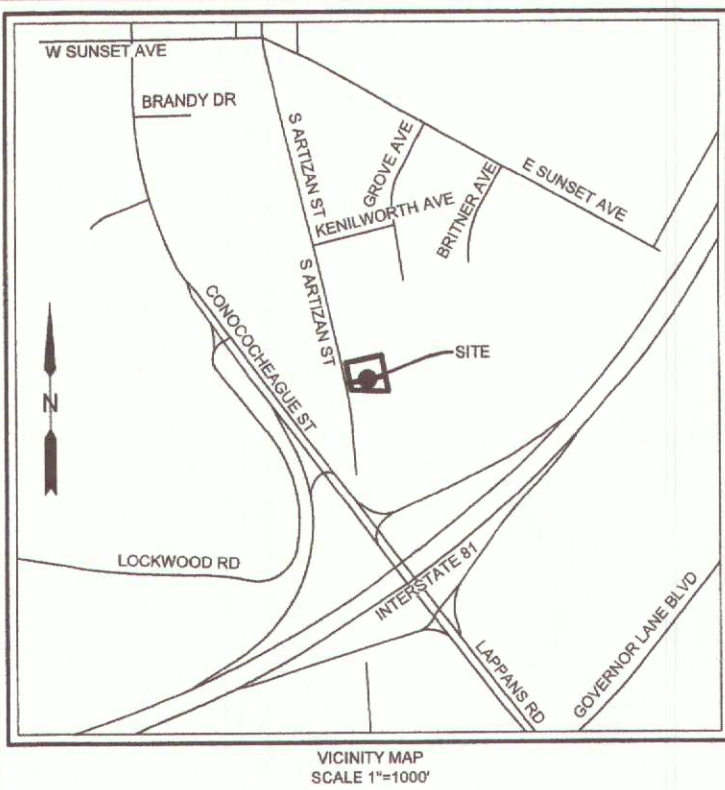
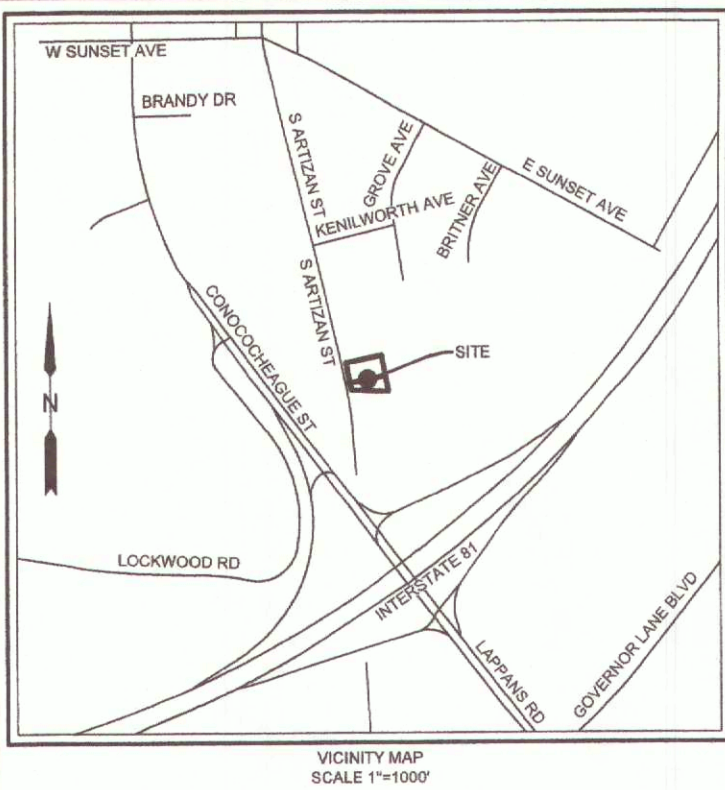
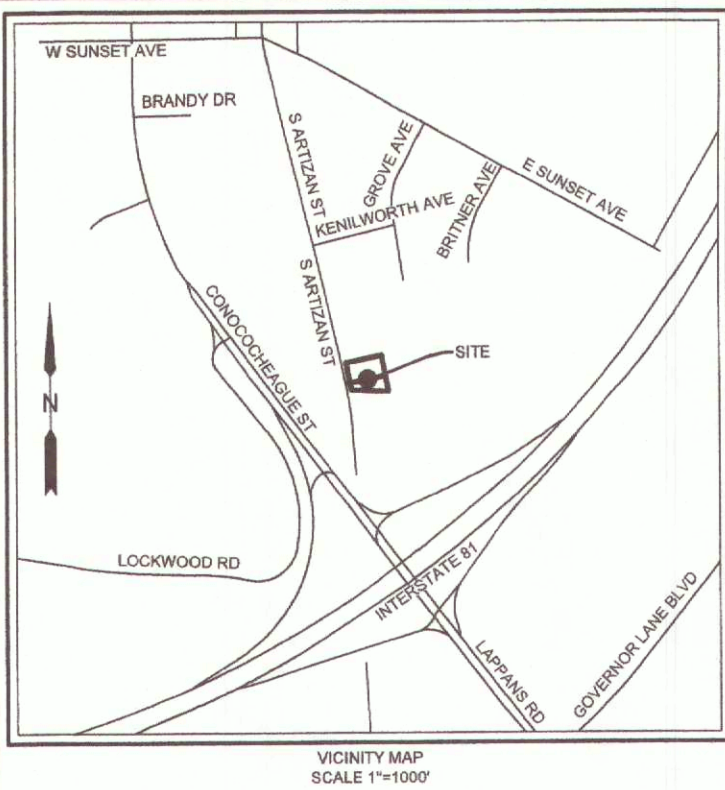
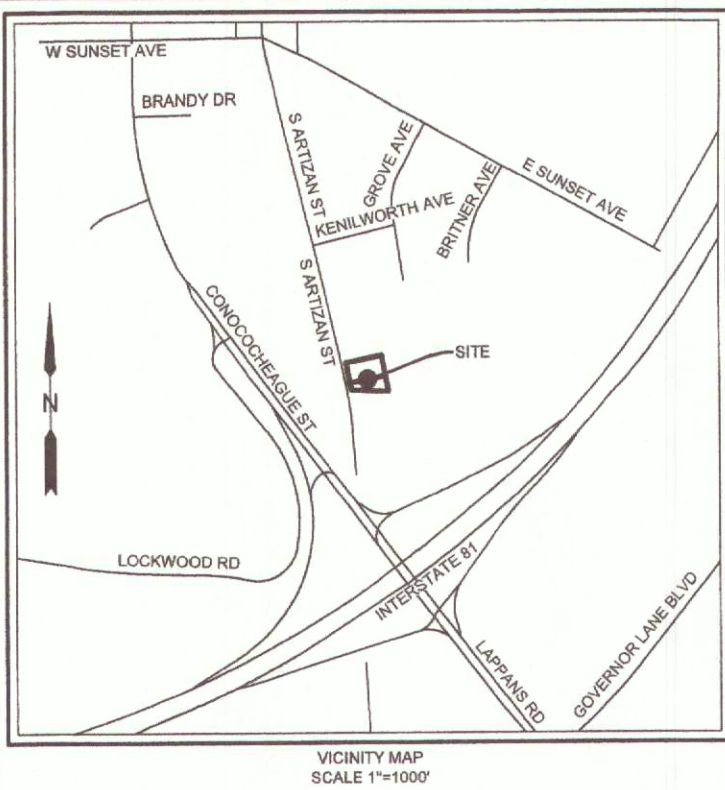
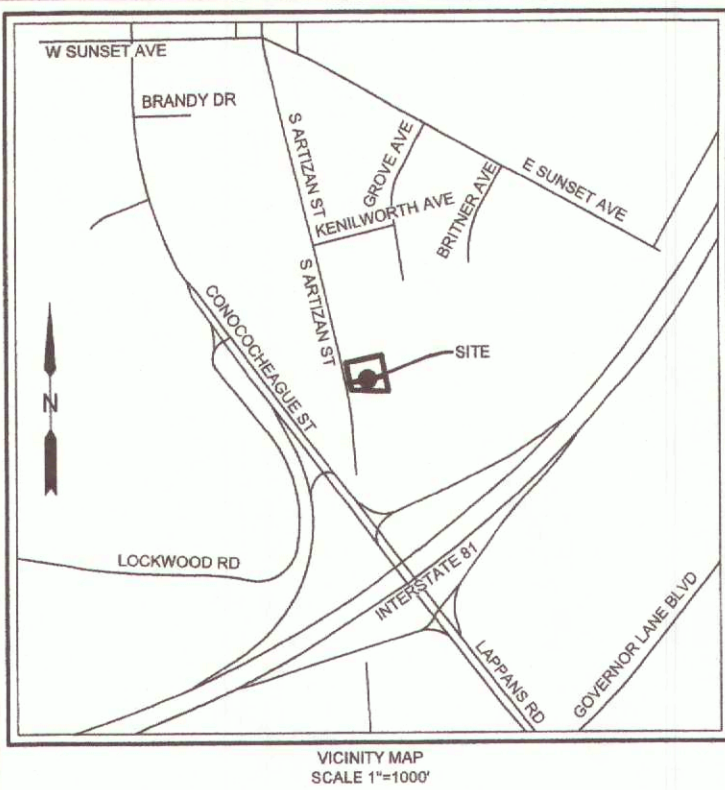
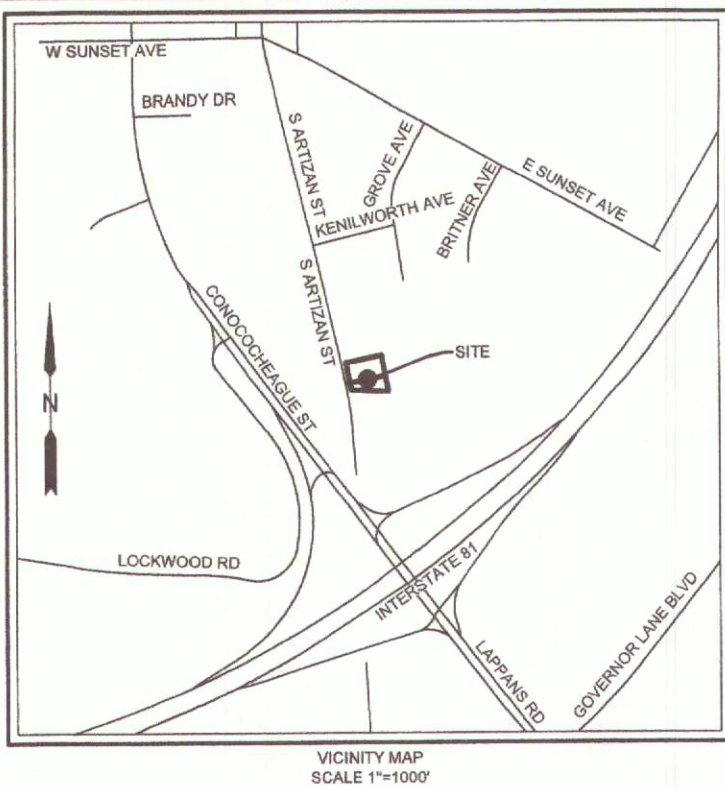
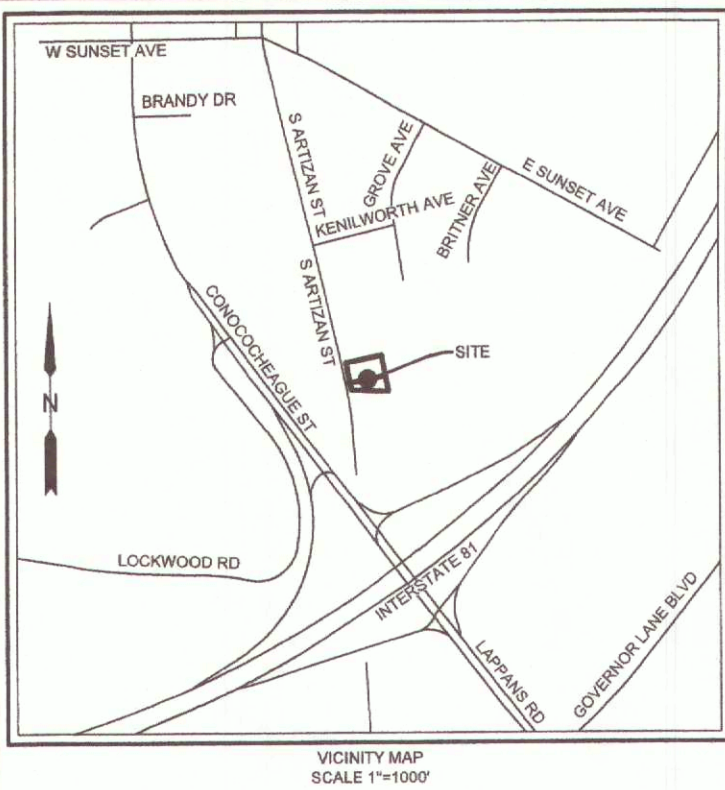
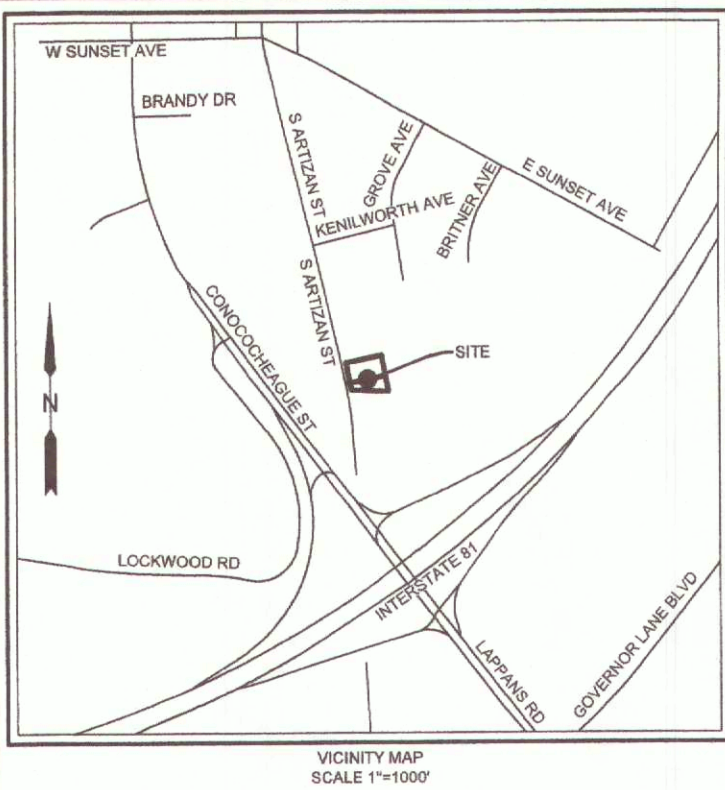
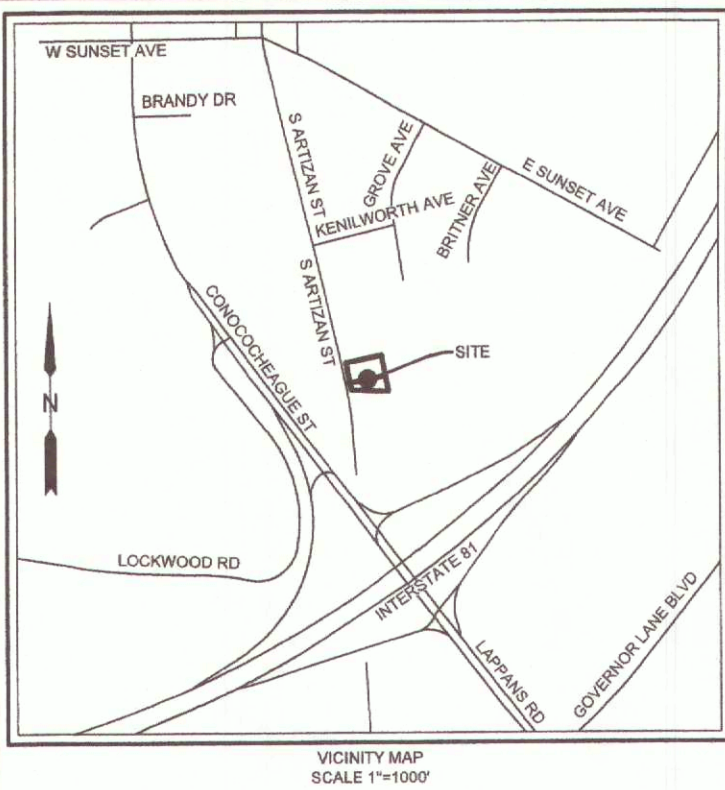
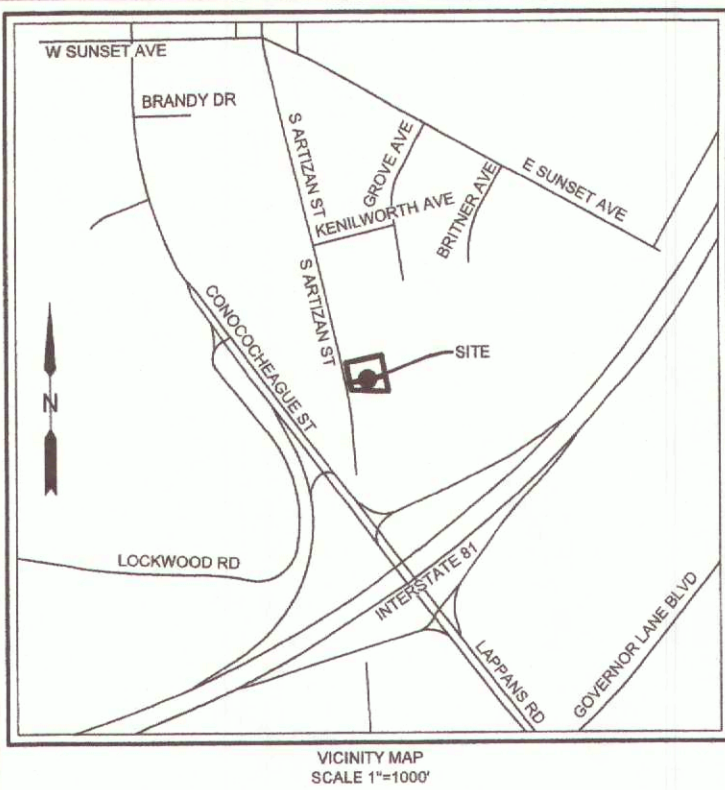
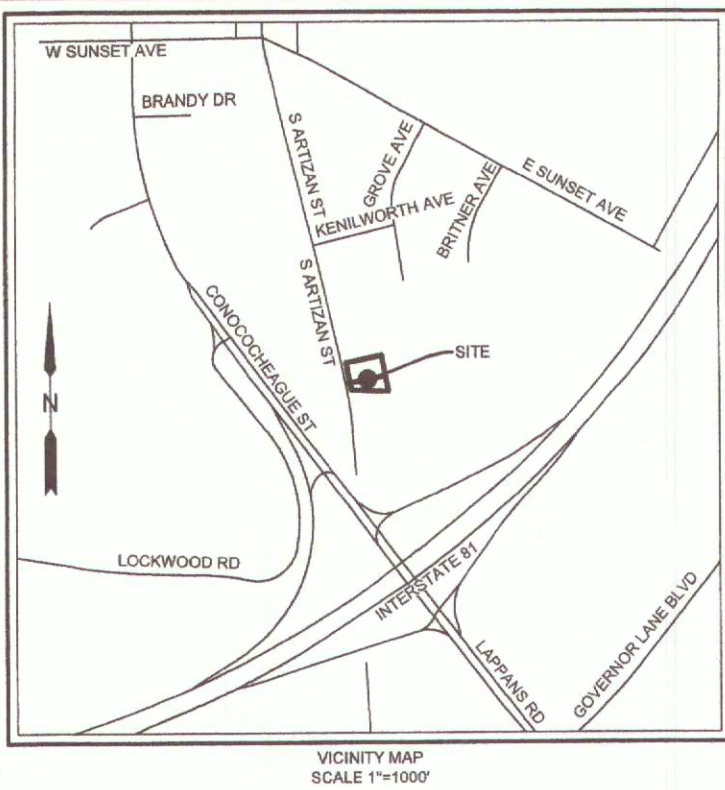
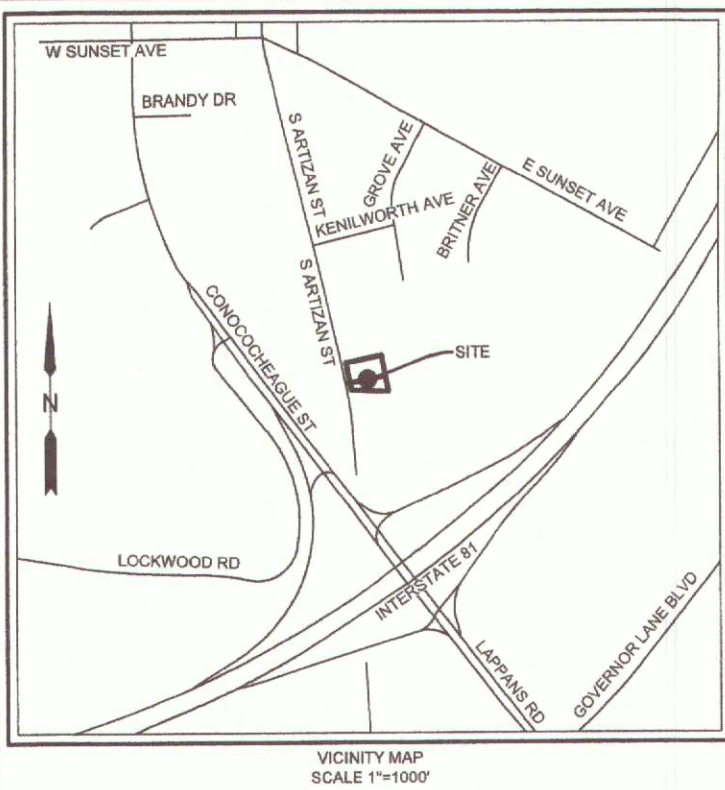
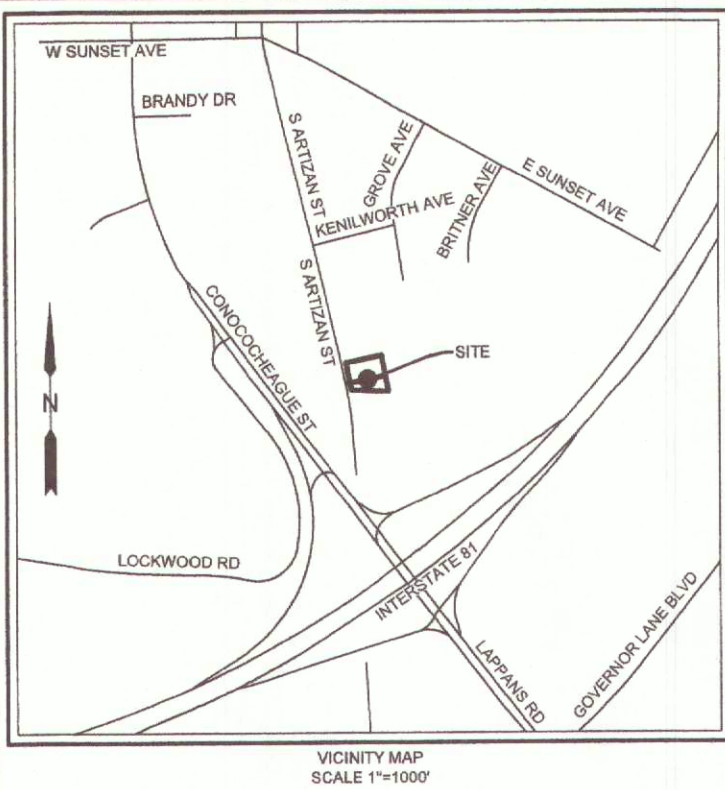
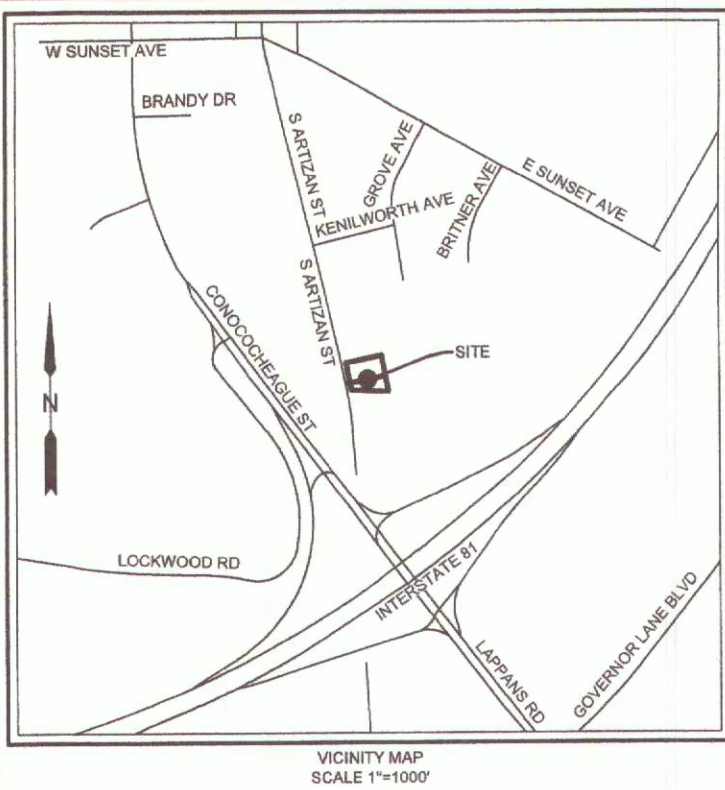
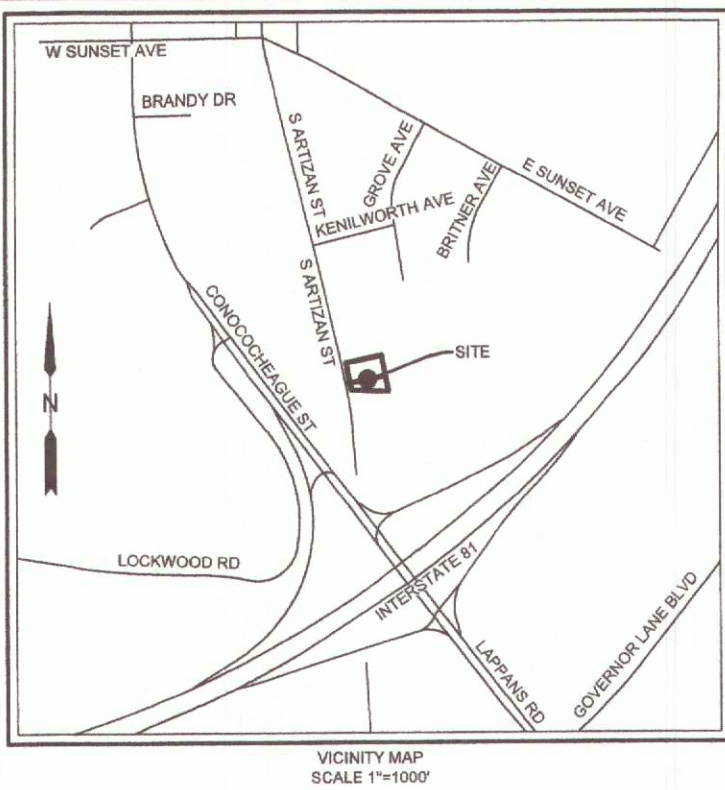
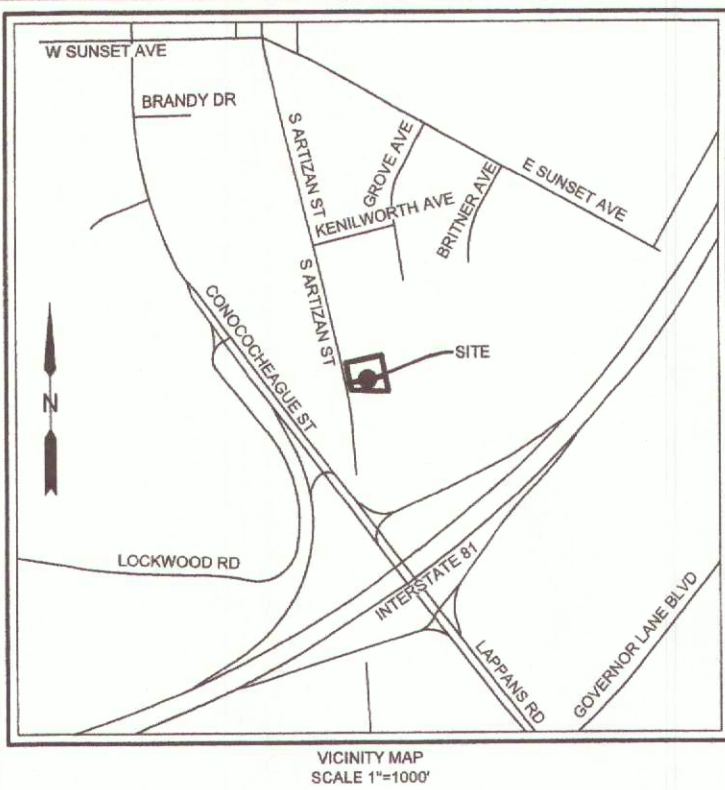
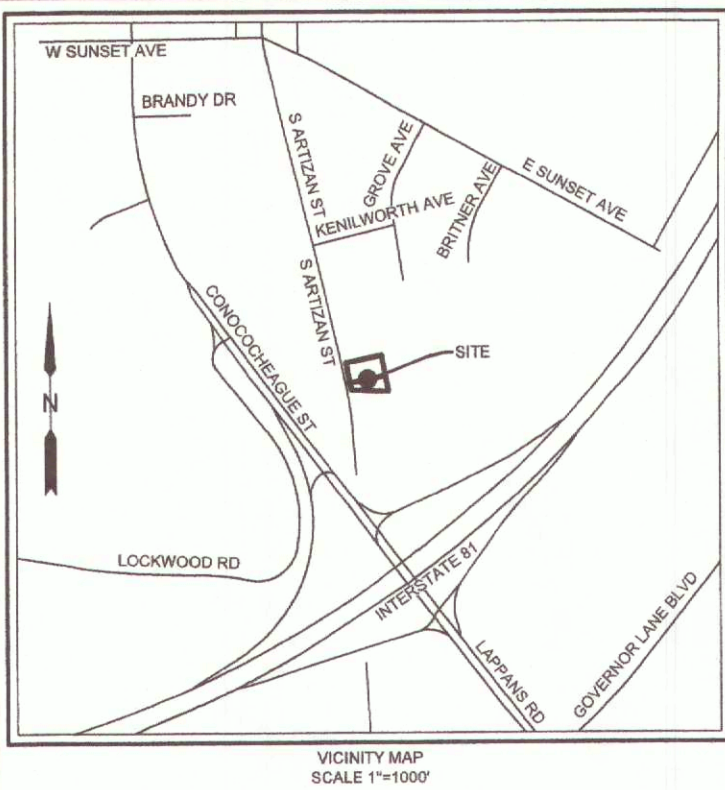
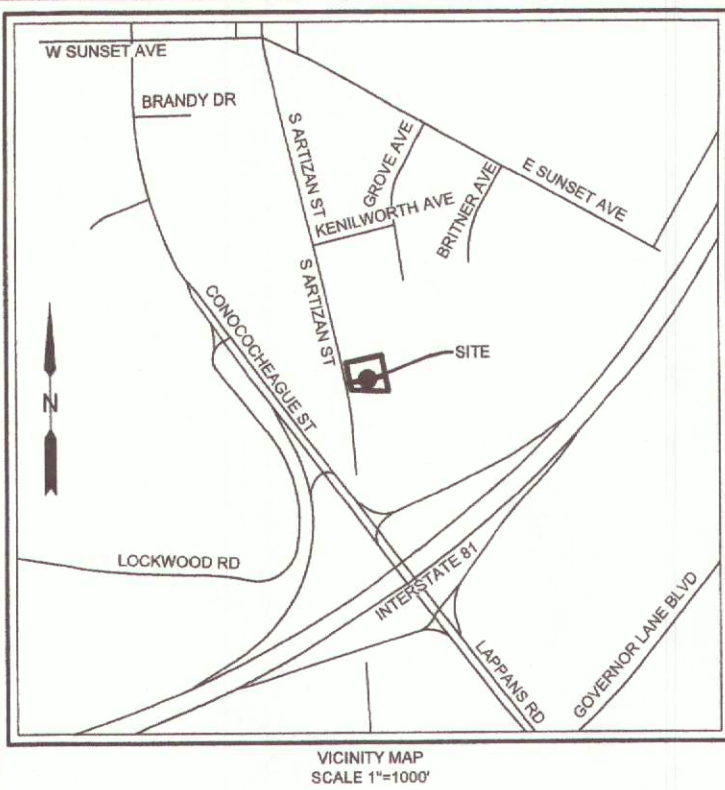
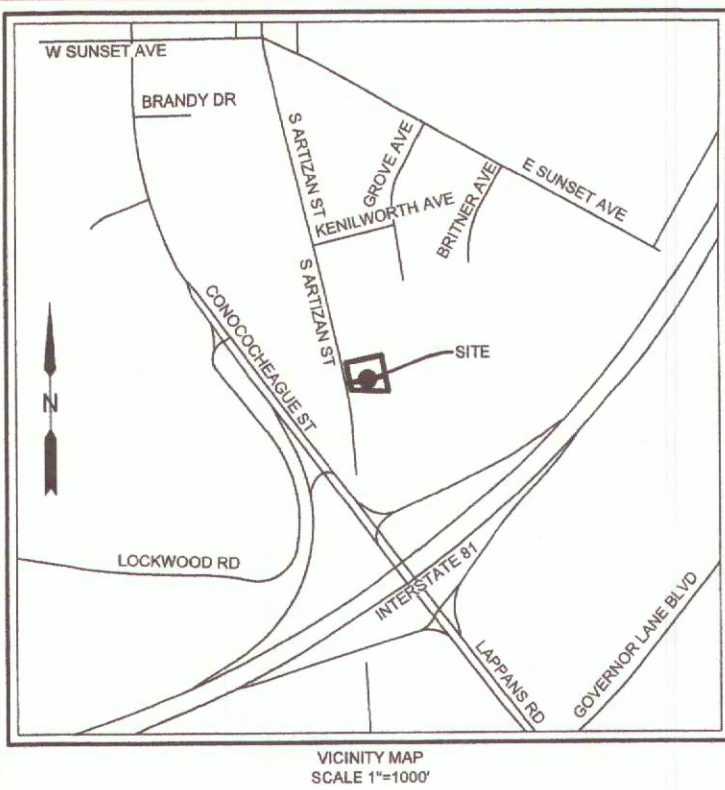
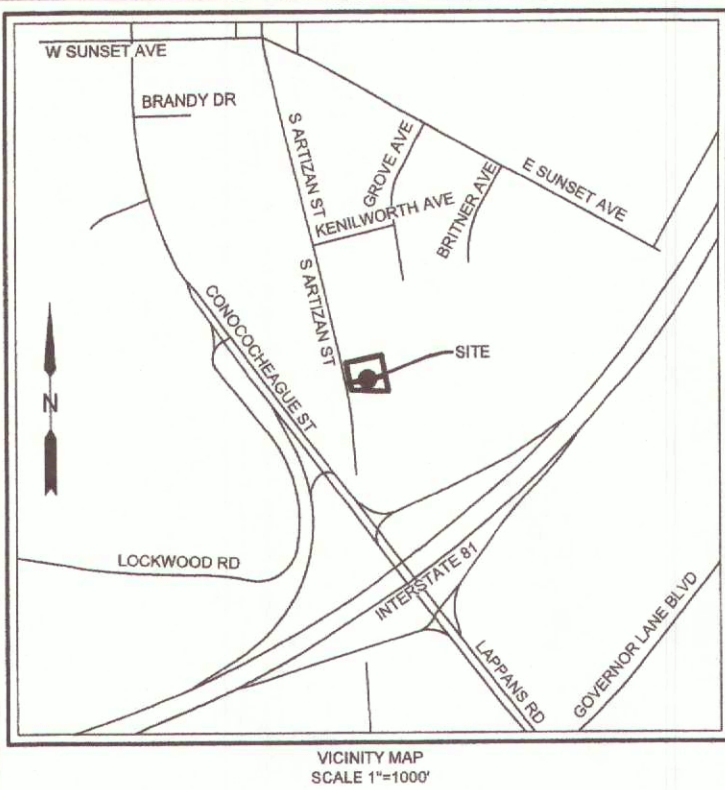
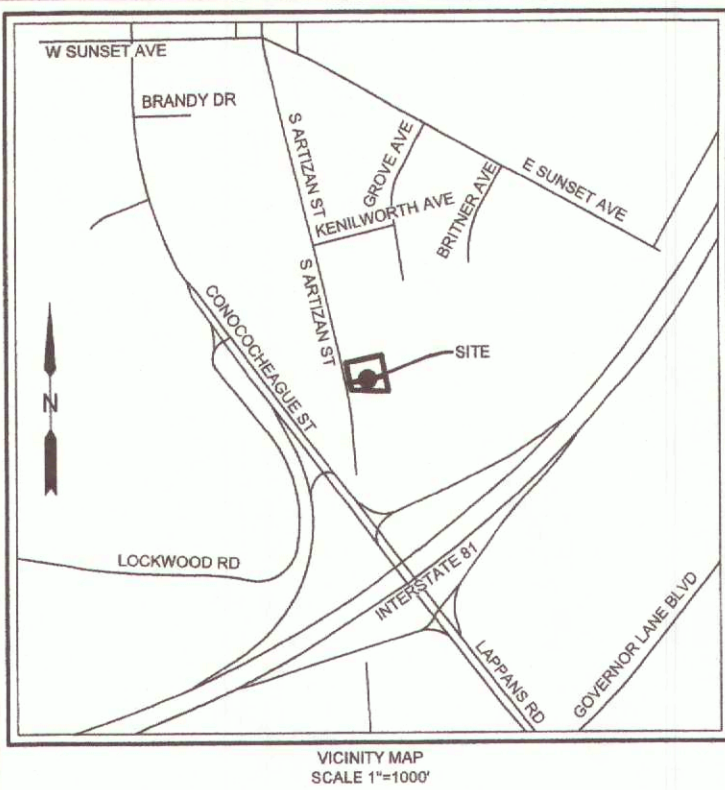
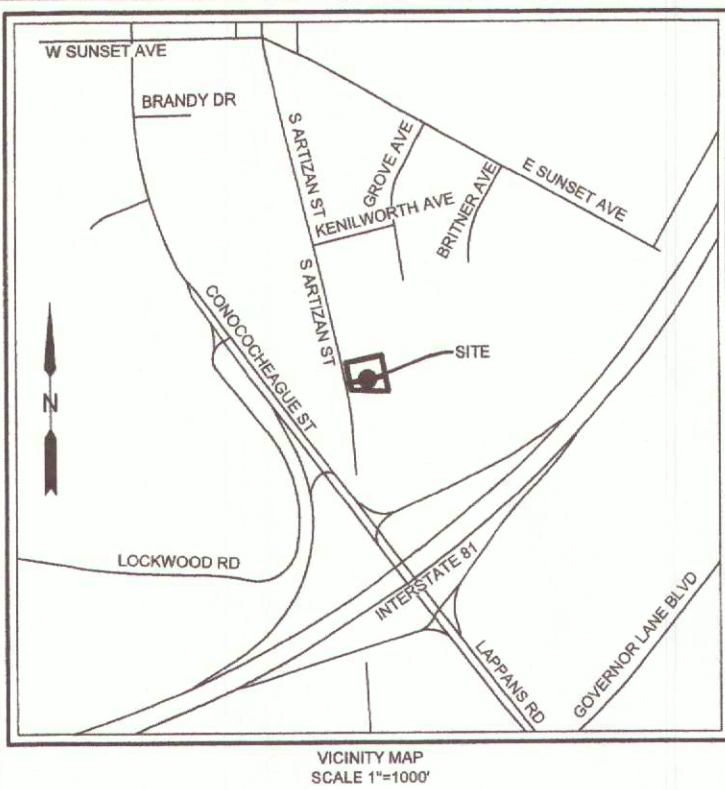
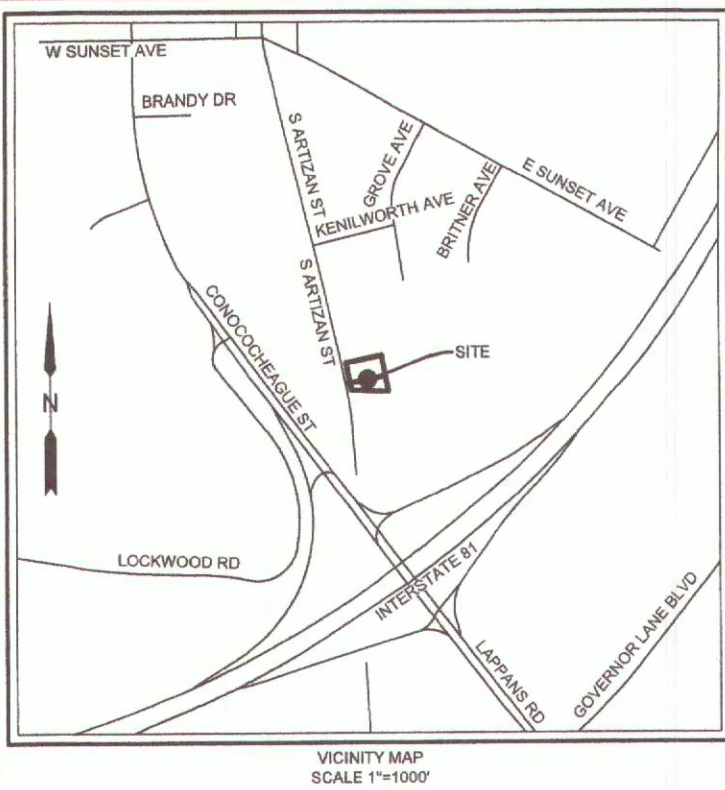
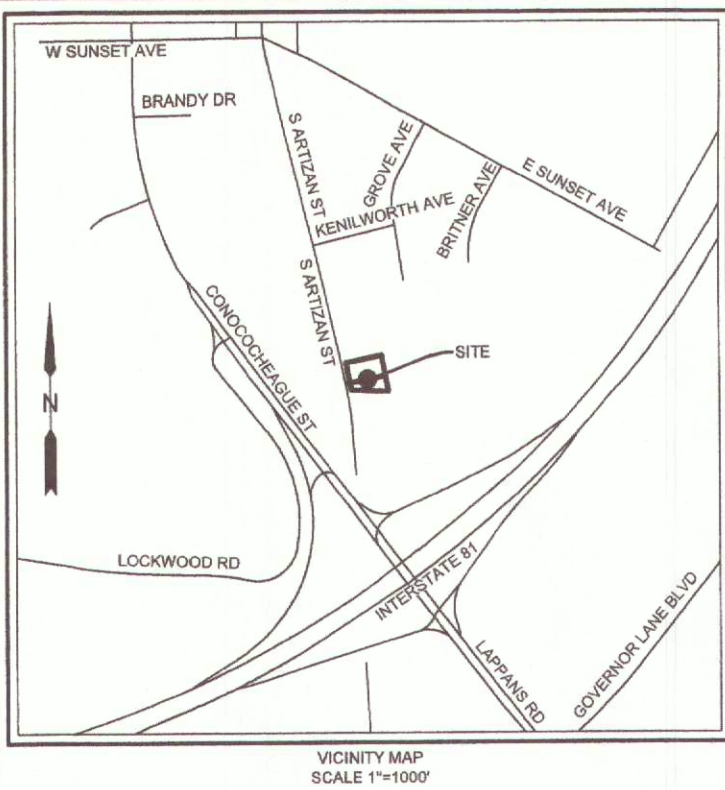
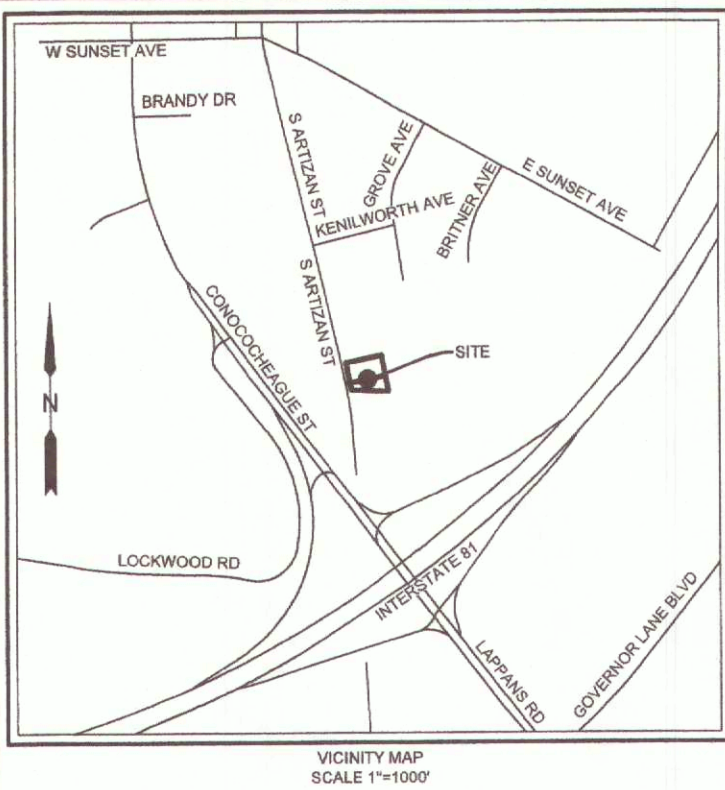
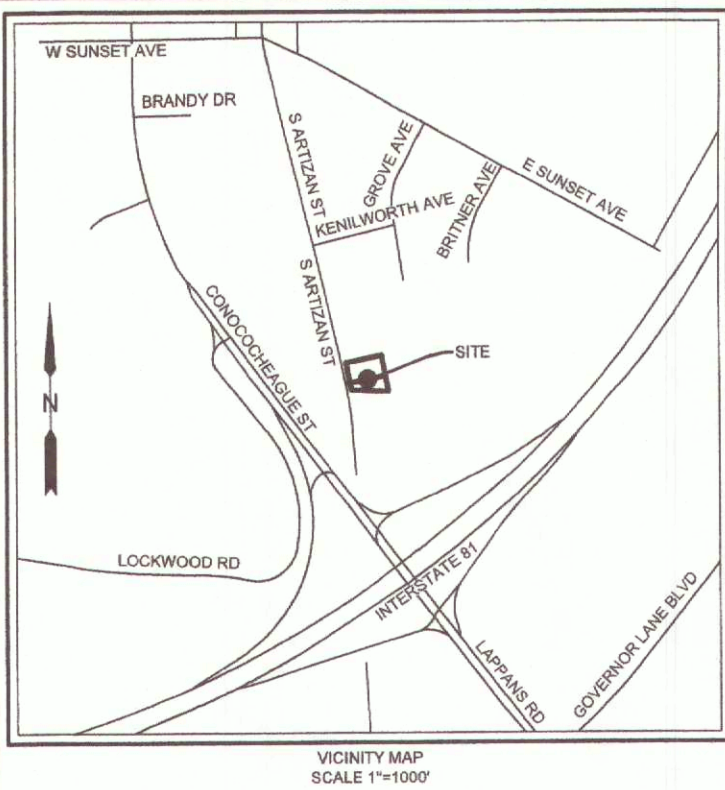
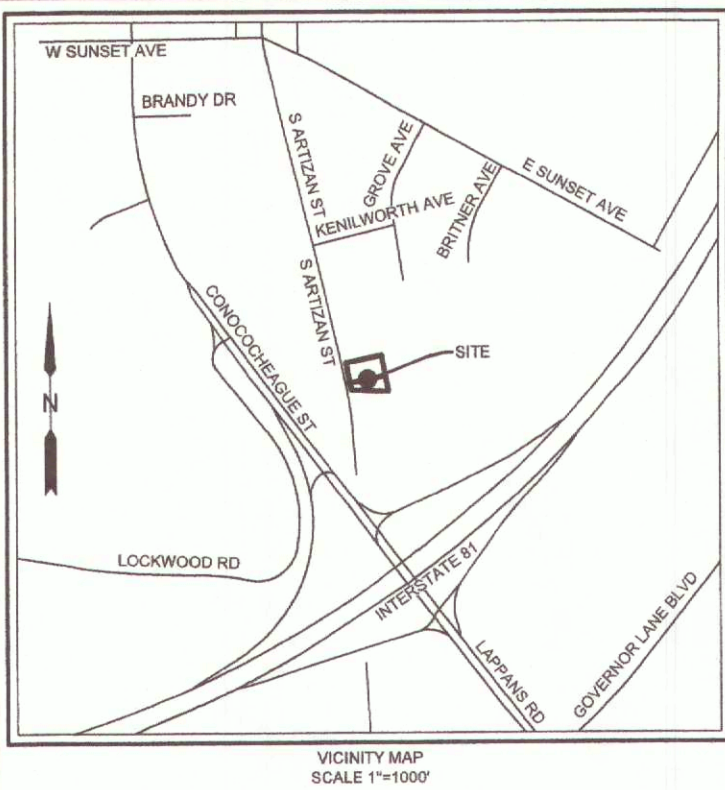
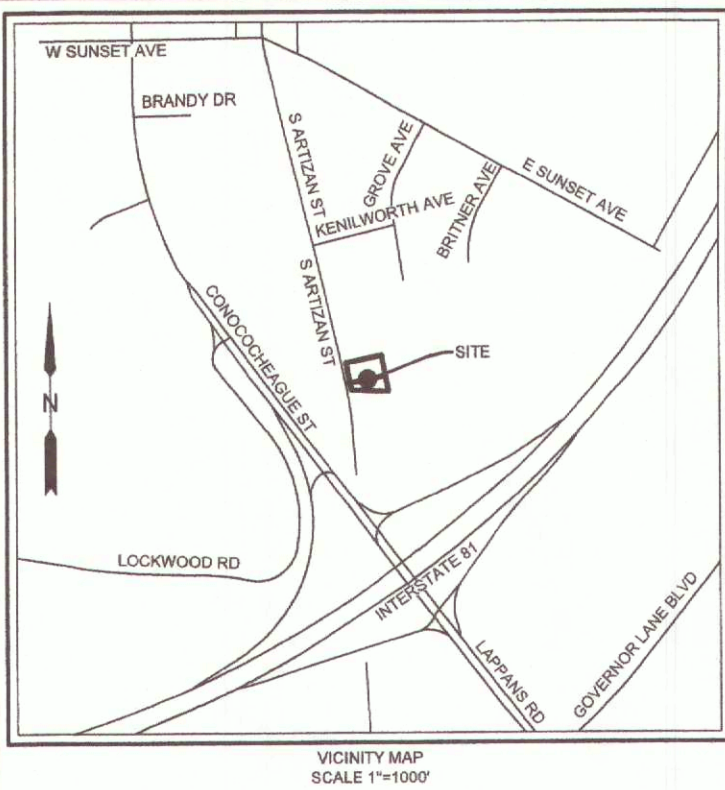
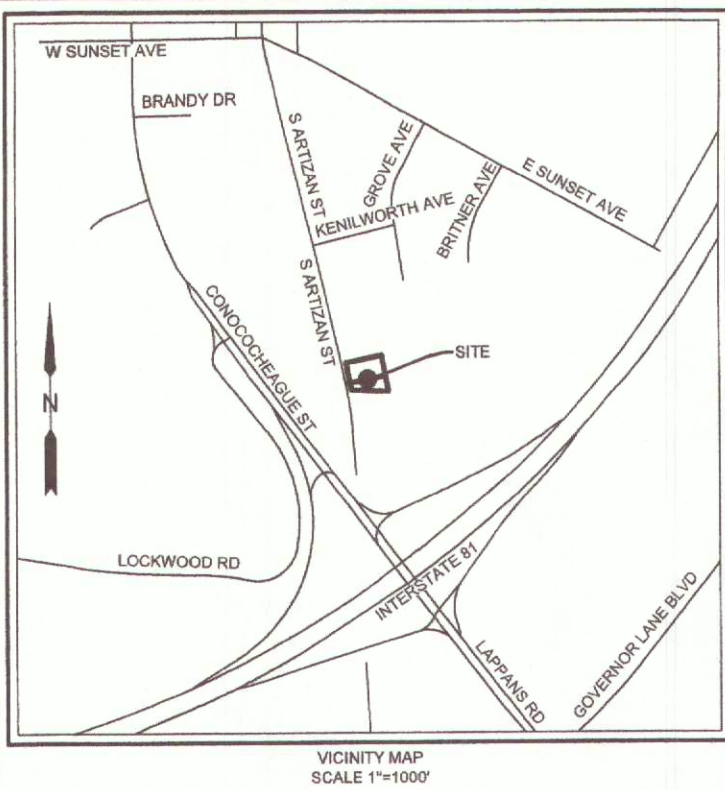
I hereby certify to the best of my professional knowledge and belief that the plan shown hereon is correct; that it is all of the lands as conveyed by Valley Pet, Inc., to Williamsport Storage Bins, Inc. by deed dated December 28, 2017, recorded among the Land Records of Washington County, Maryland in Liber 5664, folio 471; that this document was prepared by myself and that the survey work reflected hereon is in compliance with the requirements set forth in COMAR 09.13.06.12 in effect at the time this survey was performed.

I also certify that I am a duly licensed Professional Land surveyor under the laws of the State of MD. License No. 10731, Expiration on January 16, 2024.

6-15-2023

Date

Professional Land Surveyor



**Application for Map Amendment
Staff Report and Analysis**

Property Owner(s)	:	Williamsport Storage Bins, Inc.
Applicant(s)	:	Williamsport Storage Bins, Inc.
Location	:	429 & 431 South Artizan St., NW I-81/MD-63 Interchange
Election District	:	#2 – Williamsport
Comprehensive Plan		
Designation	:	Low Density Residential
Zoning Map	:	56
Parcel(s)	:	P. 1052, 352
Acreage	:	.74 acres
Existing Zoning	:	HI – Highway Interchange
Requested Zoning	:	RT- Residential Transition
Date of Meeting	:	January 8, 2024

I. Background and Findings Analysis:

1. Site Description



The proposed rezoning site encompasses two undeveloped parcels, totaling .74 acres, which are located at 429 and 431 South Artizan Street just outside the Town of Williamsport. South Artizan Street dead ends roughly 500 feet south of these properties, in the immediate vicinity of the I-81/MD-63 interchange (Exit 1). Both properties are located within the Urban Growth Area (UGA) that surrounds the City of Hagerstown and the Towns of Williamsport and Funkstown.

According to updated mapping, both parcels contain floodplain areas that drain into the Potomac River, roughly ½ mile west of the subject site. The majority of Parcel 352, the southern of the two parcels, falls within the floodplain.

2. Population Analysis

To evaluate the change in population, information was compiled from the US Census Bureau over a thirty-year time frame. A thirty-year horizon was chosen to show long term population trends both in the election district of the proposed rezoning, and the County as a whole.

The properties subject to this rezoning are located within the Williamsport Election District (#2). As shown in the table below, the population in this district has grown more slowly than the County has over the thirty-year time frame between 1990 and 2020. District 10 has grown 17.2% over the thirty-year period (or .5% per year) while the County as a whole has increased in population by 27.4% (.91% per year) during the same period.

More recently however, the rate of population growth in the Williamsport Election District has outpaced the County overall. Between 2010 and 2020, the District grew at a rate of 16.7% over that ten-year period (or 1.7% per year) while the County grew by only 4.9% (.49% per year).

Table 1: Williamsport Election District Population Trends

Population Trends 1990 - 2020			
Year	Area	Population	% change from previous decade
1990	District	4,345	
	County	121,393	
2000	District	4,275	-1.6%
	County	131,932	8.7%
2010	District	4,362	2.0%
	County	147,430	11.7%
2020	District	5,091	16.7%
	County	154,705	4.9%

Source: US Census Bureau

3. Availability of Public Facilities

A. Water and Sewerage

The adopted Water and Sewerage Plan for the County establishes the policies and recommendations for public water and sewer infrastructure to help guide development in a manner that helps promote healthy and adequate service to citizens. By its own decree, the purpose of the Washington County Water and Sewerage Plan is "...to provide for the continued health and well-being of Washington Countians and our downstream neighbors..."¹ This is achieved through implementing recommendations within the County Comprehensive Plan and the Water and Sewerage Plan to provide for services in a timely and efficient manner and by establishing an inventory of existing and programmed services.

Water:

W-1-Existing Service (Town of Williamsport)

Public water is currently available at the site. The site is given the W-1 designation in the County's 2009 Water and Sewerage Plan, denoting the service. Water service is provided by the Town of Williamsport. Williamsport is one of three municipalities in Washington County (along with Funkstown and Smithsburg) who own and maintain drinking their own water distribution systems, but purchase water from the City of Hagerstown. These Towns pay a wholesale rate based upon permitted allocation agreements.

¹ Washington County, Maryland Water and Sewerage Plan 2009 Update, Page I-2

A copy of the application was routed to the Town of Williamsport. No comments were received.

Wastewater:

S-1- Existing Service (County)

Public sewer service is also available to the site of this rezoning. The S-1 Existing Service designation is applied to these parcels in the Water and Sewer Plan. The area is served by the Conococheague Wastewater Treatment Plant.

The Washington County Department of Water Quality stated that “*there shall be no building, cut, fill or pavement within the county sewer easement*” when routed a copy of the application for review.

B. Emergency Services

Fire and Emergency Services:

Williamsport Volunteer Fire Company (2 Brandy Drive) – .5 miles away

The proposed rezoning site is located within the service area of the Williamsport Volunteer Fire Company. This same entity also provides the nearest emergency medical services. Their station is located approximately ½ mile away from the subject properties.

A copy of this application was sent to the Washington County Division of Emergency Services. No comments were received.

C. Schools

Elementary - Lincolnshire, Middle – Springfield, High School - Williamsport

School capacity is regulated by the County’s Adequate Public Facilities Ordinance (APFO). The subject site is within the school districts of Lincolnshire Elementary, Springfield Middle and Williamsport High. The requested zoning classification, Residential Transition (RT), does permit residential development.

The APFO however, does not apply to lots subdivided prior to the effective date of the Ordinance (2004). Lot 1 (429 South Artizan St.) was created in 1998 on Washington County Plat 5723. 427 South Artizan Street is shown as remaining lands on this same plat. Minor subdivisions are also exempt from mitigation requirements. Therefore, there would be **no school capacity mitigation requirements** for pupil generation under the APFO.

4. Present and Future Transportation Patterns

Highways – Access and Traffic Volume

The proposed rezoning site is located on South Artizan Street which would provide access to the sites. The Functional Road Classification for South Artizan Street is a Local Road in the Transportation Element of the 2002 Comprehensive Plan. This classification accounts for mobility and access characteristics of the roadway in its categorization. **Local Roads** are designed to carry less than 2,000 Average Daily Traffic in rural areas, and greater than 2,000 vehicles daily in urban areas. The County’s road classification system is based upon the Federal Highway Functional Classification System, but modified to reflect local road conditions.

In addition to evaluating access points of subject properties for rezoning purposes, it is also important to evaluate traffic generation from proposed development in the context of existing traffic volumes. This is commonly accomplished through the analysis of prior traffic counts and any existing traffic impact studies.

As the proposed rezoning site is located on a local road, the only relevant data on traffic in the vicinity comes from a recent count taken on East Sunset Avenue near the intersection of Grove Avenue approximately 1/3 mile from the subject properties. The County's Division of Engineering collected single day traffic counts at this location in 2022. 1,700 vehicles were counted at this location over a 24-hour period. Since these were first time collections at this location, trends cannot be discerned. This count does however give us an idea of traffic volume occurring in the "neighborhood."

Washington County Engineering Plan Review had no comment after receiving a copy of the rezoning application.

Public Transportation

Route 441 (Williamsport) of the County Commuter stops at the intersection of Potomac and Conococheague Streets in the center of Williamsport roughly ¾ mile northwest of the site.

5. Compatibility with Existing and Proposed Development in the Area:

A. Zoning

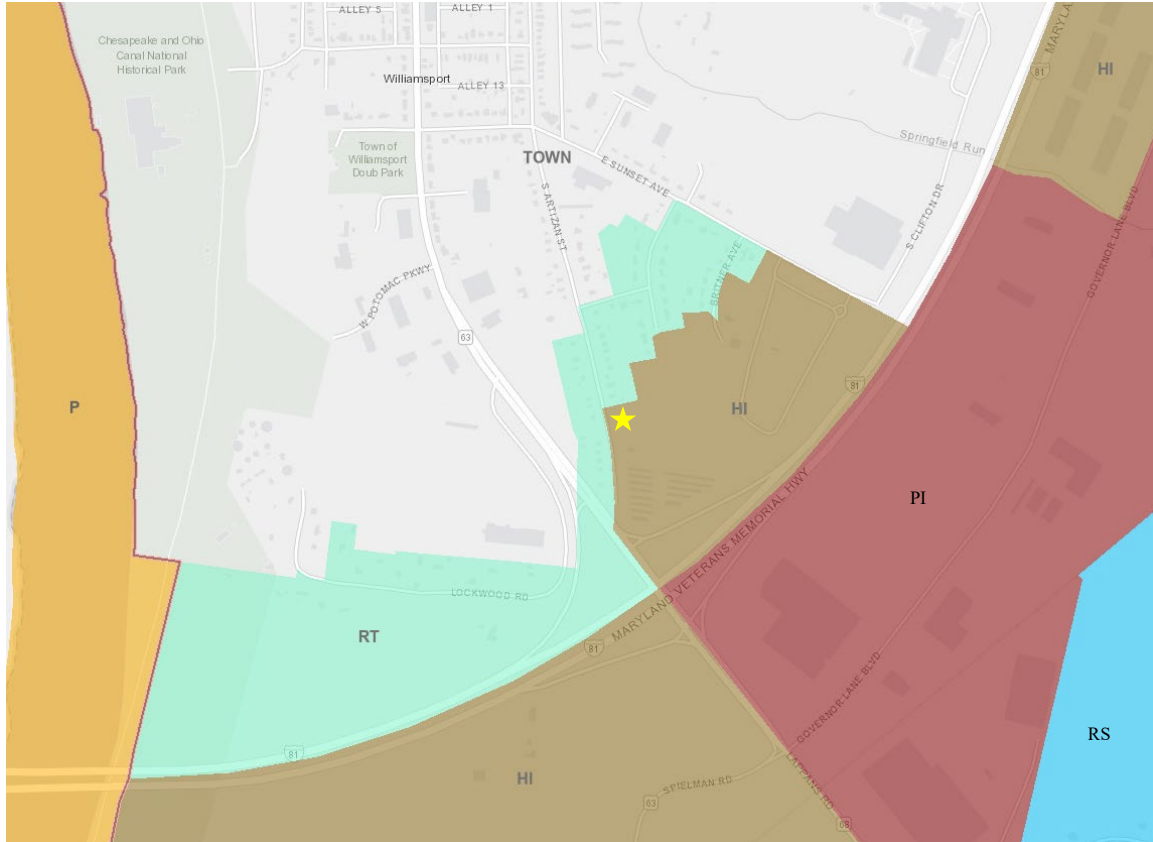
The subject parcels are currently zoned Highway Interchange (HI) and are requesting to rezone to Residential Transition (RT). The purpose of the RT zoning district is to:

*"...provide appropriate locations for single-family and two-family residential development in Urban and Town Growth Areas. The Residential, Transition District is usually located on the outer fringes of the Growth Areas, rather than the inner core, and is intended to be the least dense residential district in the Growth Areas at a density of between 2 and 4 dwelling units per acre."*²

RT is primarily a residential zoning designation that allows for single-family, two-family, and semi-detached dwellings. Aside from residential land uses, other principal permitted uses are primarily of an institutional nature (i.e. – churches, community centers, etc). Special exception uses are mostly service-industry oriented (i.e.- barbershops, small B&Bs, etc.).

² Washington County Zoning Ordinance, Article 7A

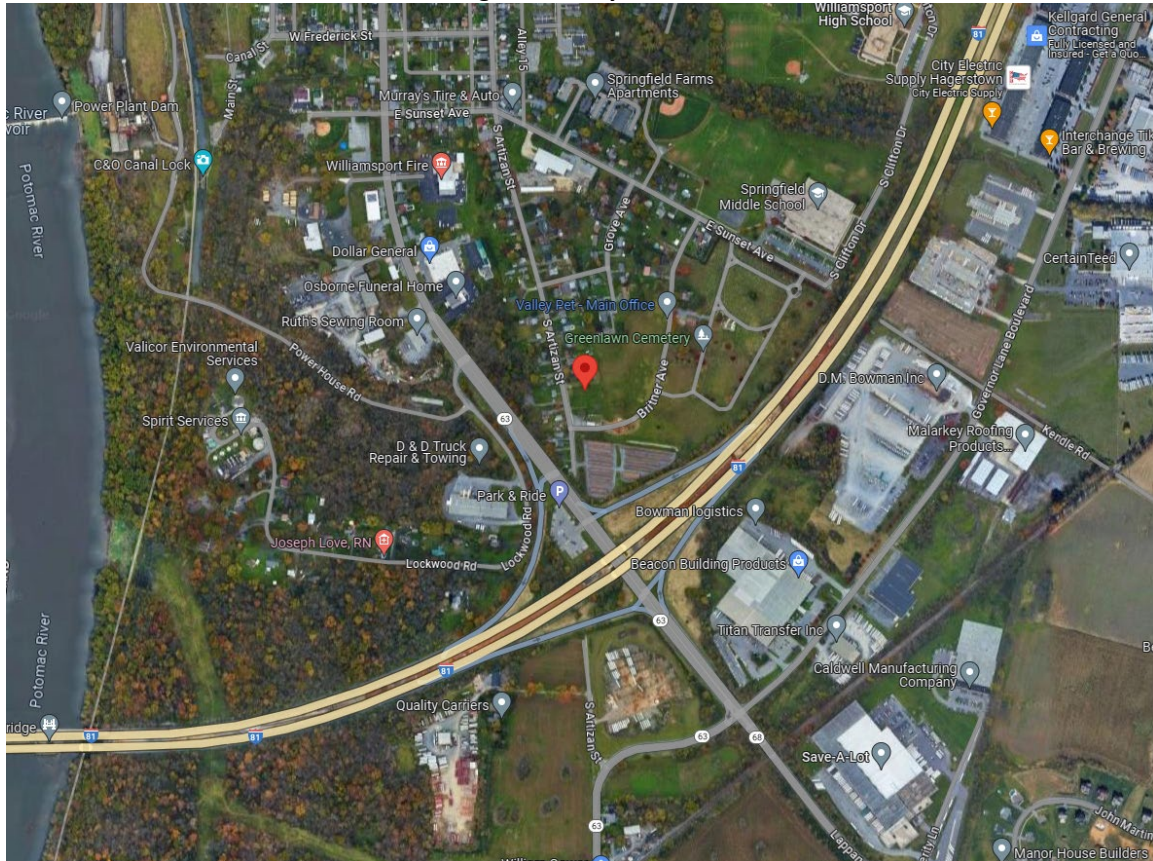
Map 1: Surrounding Zoning Classifications



Zoning in the area of these subject properties is defined to a significant degree by proximity to the I-81/MD-63 interchange (Exit 1). County lands on the Williamsport side of the interchange are primarily zoned RT (adjacent to the Town boundary) or Preservation ("P" - along the C&O Canal National Historic Park). These properties do fall within the outer limits of a small block of HI properties that abut the interchange. East of the interchange, zoning allows for greater land use intensity, as most lands are either HI or Planned Industrial (PI).

B. Land Use

Image 1: Vicinity Land Use



Source: Google Maps

In terms of land use, the I-81 interchange again segments property usage in the immediate vicinity into varying types and intensities. The two subject properties are found on County lands just outside of what is the southernmost extent of residential development in the Town of Williamsport. A self-contained neighborhood of sorts, which includes these properties, is bounded by South Artizan Street and East Sunset Avenue. This triangular wedge of properties is predominantly residential in nature, excepting Greenlawn Cemetery and a building supply store at the intersection of the two roads noted above.

On the other side of East Sunset Avenue is the Williamsport public school complex. Along MD-63 to the west are a mix of commercial or industrial uses such as Dollar General, D&D Truck Repair & Towing, Valicor Environmental Services and the park-and-ride lot.

Much of the land to the west of the I-81 interchange includes the range of planned industrial uses along Governor Lane Boulevard. A number of Bowman properties, used for trailer storage, are southwest of the interchange.

C. Historic Sites

Another important component of compatibility is the location of historic resources on, or in the vicinity of, the parcels being proposed for rezoning. As noted previously, the subject site is located immediately outside the Town of Williamsport. Williamsport's Historic District was listed on the National Historic Register in 2001. It includes 337 contributing historic resources.

Accordingly, there are numerous historic sites located within ½ mile or less from the location of this rezoning. For example, nearly every house on South Artizan Street above its intersection with East Sunset Avenue was included in the Maryland Inventory of Historic Properties and most are included as contributing resources on the National Historic Register listing. As a result, the compatibility of the current and proposed zoning with the historic character of the surrounding area should be a primary consideration in deliberating on the merits of this proposal.

6. Relationship of the Proposed Change to the Adopted Plan for the County:

The purpose of a Comprehensive Plan is to evaluate the needs of the community and balance different types of growth and development to foster compatibility between different land uses. In general, this is accomplished through the evaluation of existing conditions, projections of future conditions, and creation of a generalized land use plan that provides a blueprint to achieving this compatibility while maintaining the health, safety, and welfare of the general public.

Numerous land use policy areas are defined in the text of Chapter 12 of the 2002 Comprehensive Plan, which includes the Land Use Plan Map. Both of the subject properties are located in the **Low Density Residential** sub-policy area. The Comprehensive Plan offers the following definition for this policy area:

“This policy area designation would be primarily associated with single-family and to a lesser degree two-family or duplex development. It is the largest policy area proposed for the Urban Growth Area and becomes the main transitional classification from the urban to rural areas.”³

7. “Change or Mistake” Rule

When rezonings are not part of a comprehensive rezoning by the governing body, individual map amendments (also known as piecemeal rezonings) are under an obligation to meet the test of the “Change or Mistake” Rule. The “Change or Mistake” Rule requires proof by the applicant that there has been either: a substantial change in the character in of the neighborhood since the last comprehensive zoning plan (2012), or a mistake in designating the existing zoning classification.

As part of the evaluation to determine whether the applicant has proven whether there has been either a change or mistake in the zoning of a parcel, the Maryland Annotated Code Land Use Article and the Washington County Zoning Ordinance state that the local legislative body is required to make findings of fact on at least six different criteria in order to ensure that a consistent evaluation of each case is provided. Those criteria include:

1) population change; 2) the availability of public facilities; 3) present and future transportation patterns; 4) compatibility with existing and proposed development for the area; 5) the recommendation of the planning commission; and 6) the relationship of the proposed amendment to the local jurisdiction’s Comprehensive Plan.

Even when change or mistake has been sufficiently sustained, it merely allows the local governing body the authority to change the zoning; it **does not require** the change. When conditions are right for a change the new zone must be shown to be appropriate and logical for the location and consistent with the County’s Comprehensive Plan.

II. Staff Analysis:

³ 2002 Washington County, Maryland Comprehensive Plan, Page 243

The analysis of a rezoning request begins with a strong presumption that the current zoning is correct. It is assumed that the governing body performed sufficient analysis, exercised care, and gave adequate consideration to all known concerns when zoning was applied to a parcel of land. However, there are instances by which a case can be established to show that the governing body either erred in establishment of the proper zoning of a property or that the neighborhood surrounding the property has changed enough since the governing body's last assessment to require a new evaluation of the established zoning designation.

The applicant of this case has indicated in their justification statement that they believe that a **mistake** was made by the local legislative body to rezone the property in 2012. As noted in the prior section describing the "Change or Mistake" Rule, the Washington County's Zoning Ordinance requires data to be presented to the local legislative body on factors such as population change, present and future traffic patterns, the availability of public facilities, the relationship of the proposed change to the Comprehensive Plan and its compatibility with existing and proposed development in order to determine how the area subject to rezoning has evolved since the comprehensive rezoning.

1. Evidence for Mistake in the Current Zoning

In order to demonstrate that a mistake was made by the regulatory body in applying the existing zoning classification to the parcel, the applicant must establish that an error occurred as a result of factors such as:

1. A failure to take into account projects or trends probable of fruition;
2. Decisions based on erroneous information;
3. Facts that later prove to be incorrect;
4. Events that have occurred since the current zoning; or
5. Ignoring facts in evidence at the time of zoning application.

The last Comprehensive Rezoning in Washington County was completed in 2012, affecting the Urban Growth Area (UGA) that surrounds the City of Hagerstown and the towns of Williamsport and Funkstown. The Rezoning affected approximately 17,000 parcels and 38,000 acres of land.⁴ Information such as population projections, growth trends, transportation and infrastructure data, and the recommendations of the Comprehensive Plan were considered as a part of this effort. The input of property owners, local officials, County staff and the general public was also solicited and considered in the assignment of each parcel affected by the Comprehensive Rezoning. Landowners were also given the opportunity to appeal the rezoning of their property at that time if they felt aggrieved by the Board's decision.

The applicant contends that the Board of County Commissioner's (BOCC) erred in their decision during the 2012 UGA Comprehensive Rezoning to rezone the lots in question to HI. The applicant claims that factors such as following were not fully considered by the Board in their 2012 decision:

- The properties consist of two small lots associated with existing residential development along South Artizan Street;
- Access to the property is provided by and limited to a local street through existing residential development;
- The configuration of the property severely limits its ability to be developed under the provisions of HI zoning;
- The property remains vacant, proving the assumption that the property would be developed under the HI zoning incorrect with the passage of time.

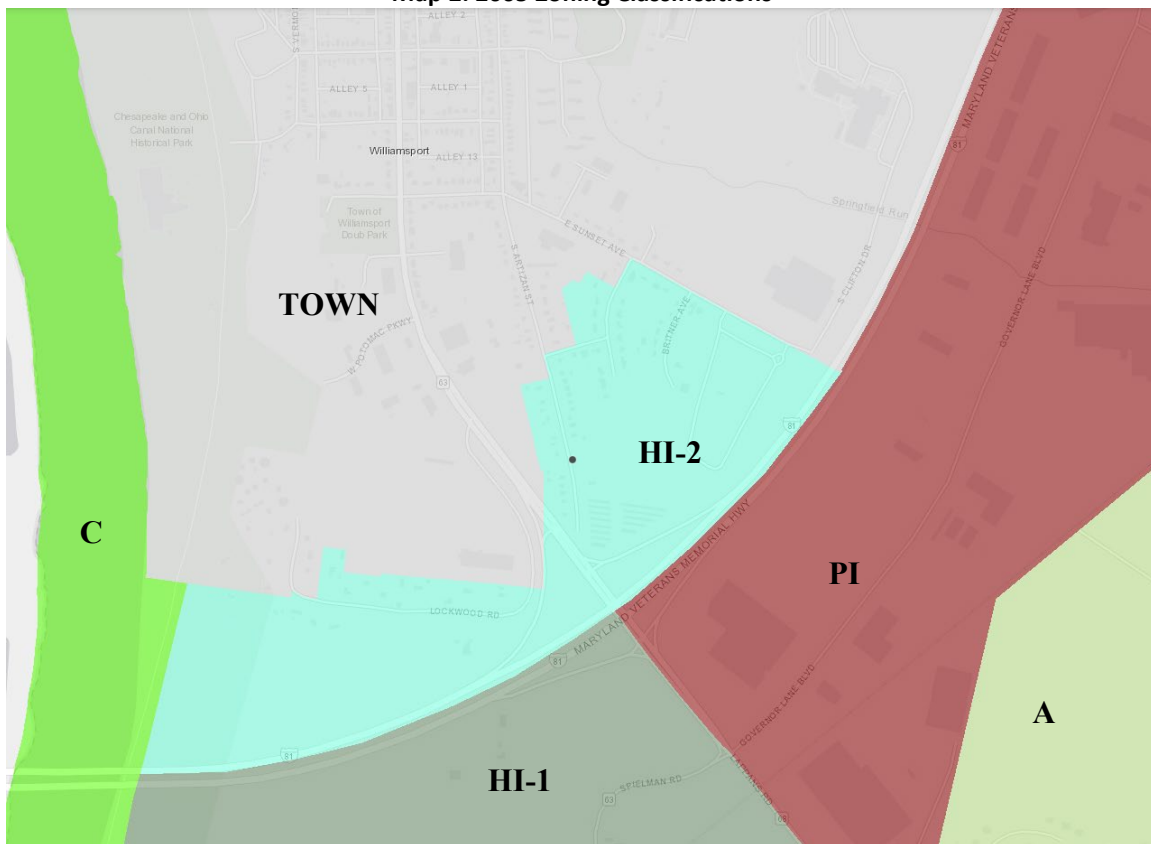
⁴ Washington County Ordinance No. ORD-2012-08

i. Recent Zoning History

- Prior to 2012, they were zoned Highway Interchange District **HI-2**.

The HI-2 zoning district was intended to serve as a transitional zone between HI-1 zones and nearby residential areas. Typically, HI-1 areas were designated on lands closest to interstate highway interchanges, with HI-2 zones then buffering adjacent lands in the vicinity of the interchanges. In this case, the HI-2 zoning was applied to a block of properties north of the I-81 interchange to serve as a transitional buffer between it and the Town of Williamsport. South of the interchange, properties were given either the HI-1 or PI zoning designation, anticipating a greater intensity of land uses beyond the limits of the Town and adjoining the interstate highway.

Map 2: 2005 Zoning Classifications



HI-2 allowed low intensity business and industrial uses as well as a residential development at varying densities. Permitted uses were pulled from the BT, RM, PUD, IT, RR, RS and RU Districts. It did not require connection to public water and sewer, but merely allowed higher density development if connection was possible. The HI-2 zoning district was eliminated during the 2012 UGA Rezoning.

- These properties were rezoned to the present **HI** designation in conjunction with the Comprehensive Rezoning of the Urban Growth Area in 2012 (RZ-10-005).

No specific comments were received on the subject properties at the time of the 2012 Comprehensive Rezoning, which would serve to illuminate the specific circumstances for applying

the HI zoning designation at that time. As described in greater detail above, however, with the elimination of the former HI-2 and HI-1 zoning districts, there became a choice as to how to reassign zoning to parcels formerly given these designations.

As shown in Map 1 on page 6, the logic in reassigning the parcels around the interchange may have followed a similar line of thinking as described above. Parcels south of the interchange retained the higher intensity zoning districts of HI and PI. Those properties located north of the interchange were given either the RT or HI zoning classifications. In attempting to distinguish why some properties were assigned RT v. HI in 2012, key differences in the area assigned HI which may have played a role include:

- The existence of Greenlawn Cemetery, which encompasses much of this area - Funeral establishments are a principal permitted use in an HI zoning district (pulling from the BL)
- The existence of Williamsport Storage Bins (built in 1988 according to tax assessment records) - another large parcel adjoining the interchange
- Smaller parcels surrounding the two above land uses assigned HI were vacant land at the time of the Comprehensive Rezoning

In contrast, the rest of the lands north of the interchange that were assigned RT were either already developed small residential parcels, or larger parcels which bordered these same residential communities or sensitive resource lands within or adjacent to the C&O Canal National Historic Park.

ii. Limitations on Developing Under HI

Although there was some logic in assigning the HI designation to the subject properties, following the line of reasoning described above, they have not been successfully developed under the current zoning classification. As asserted by the applicant in their justification statement, there are a number of limitations posed by the specific characteristics of these two small properties which make their development difficult under an HI classification. These are noted briefly below:

- **Zoning setbacks** – the small size of these properties (.74 total acres) makes meeting HI setback requirements difficult.
 - The buffer yard requirement is 75' for HI land uses that originate from the IR or ORT zoning districts, and 25' from uses originating from BL, BG, or PB districts. Any outside storage of equipment, materials, or goods must provide a buffer yard of 50'. These setbacks apply when the adjoining lot is not zoned HI and is either zoned for or contains dwellings, hospitals, nursing homes, schools, or other institutions for human care.
 - These setbacks, when coupled with other site planning requirements for a commercial or industrial use such as parking and stormwater management facilities, would leave little space available for development.
 - The notable amount of floodplain would further reduce the developable area on these parcels. Meeting the requirements of the County's Floodplain Management Ordinance may be more feasible for a residential land use versus a commercial or light industrial one given these constraints.
- **Road Access** – South Artizan Street is a relatively narrow local road without direct access to the interchange.
 - Commercial traffic originating from the subject site must travel roughly 1 mile away to encounter the north and southbound ramps for I-81 at Exit 1, including travel through residential neighborhoods. Depending on the time of day, school buses could be traveling portions of the same route.

- **Compatibility with the Neighborhood**– the character of this neighborhood has been detailed in multiple sections of this report. The area immediately around the subject site is almost entirely small residential lots or the open space of the cemetery. The only notable exception is the storage units located at the dead end of South Artizan Street.
 - Though occurring prior to the 2012 cutoff for evaluating a mistake in the zoning, it is also worth noting that these lots were originally subdivided as residential parcels on Washington County plat 5723 in 1998 and their historical use for residential purposes preceding that date.

iii. Consistency With the Comprehensive Plan

As noted previously in this report, both of the subject properties were given the Low-Density Residential classification in the 2002 Comprehensive Plan's Land Use Plan. The HI zoning classification applied in 2012 to these two parcels is therefore not consistent with the adopted Comprehensive Plan. The draft land use plan for the Comprehensive Plan update currently in progress, also currently proposes to retain the Low-Density Residential classification.

III. Conclusion:

The applicant has claimed that a mistake was made to rezone these properties from HI-2 to HI in 2012 because of their inadequate size to serve most commercial or industrial uses allowed under the current zoning, the existing context of the neighborhood and due to inadequacy of the road.

The burden of the applicant in a "Mistake" case is to provide evidence that the Board:

1. Failed to take into account projects or trends probable of fruition,
2. Made decisions based on erroneous information,
3. Used facts that later prove to be incorrect,
4. Couldn't have foreseen Events that have occurred since the current zoning
5. Ignored facts in evidence at the time of zoning application.

Based upon the available evidence, the characteristics of the property which make it difficult to develop under an HI zoning classification today, would also have been present in 2012 at the time of the Comprehensive Rezoning.

- The small size of the parcels makes meeting zoning requirements difficult, even before considering other site planning requirements that would have to be met for a commercial or light industrial land use to be successfully permitted.
- The roads in the immediate vicinity are not of a capacity to serve substantial traffic flows, and do not provide immediate access to the I-81 interchange.
- There was notable prior precedent for the usage of these properties in a residential context, which was more in keeping with the character of the surrounding neighborhood.

Accordingly, staff concludes there is evidence to suggest that a mistake may have been made in applying the HI zoning classification to these properties in 2012. Further, the requested RT zoning classification would be logical and appropriate for the area where these properties are found.

Respectfully Submitted,

Travis Allen
Senior Planner



Agenda Report Form

Open Session Item

SUBJECT: Washington County Commission on Aging FY2025 Budget Presentation

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Amy Olack, CEO; Ed Lough, President; Tim Delbrugge, Vice-President

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: The Washington County Commission on Aging, Inc. (WCCOA) is requesting an additional \$725,790 or a 68% increase of its current line-item allocation to meet the demand for support programs and services for seniors, caregivers, and those with disabilities regardless of age in Washington County. The current county funding for FY 24 is \$1,064,530. With the increase requested, which would fund WCCOA to \$1,790,320, the organization will still take a 9.3% overall decrease in its budget.

DISCUSSION: Per the Older Americans Act (Federal mandates), the WCCOA is designated by the State of Maryland as the Area Agency on Aging for Washington County. The WCCOA provides programs and services to seniors, caregivers, and those with disabilities regardless of age. For the WCCOA it is more than a mandate or a requirement, it is a pleasure to partner with the County Commissioners in this valuable effort to serve and provide for those that need it most.

During fiscal year 2024, your investment in the WCCOA resulted in a staggering 1.3 million dollars available to put back into the local economy from benefits and savings discovered for our seniors. Moreover, with the help of County funds, we were able to access and receive over 1 million dollars in additional funding from sources outside the county.

As you know, we are serving the fastest growing segment of our population, persons 60+ for necessary services. This demand is not forecasted to diminish for over a decade. We must work together to develop a plan to respond to the needs of our rapidly growing senior population and provide them with basic programs and services. Without your support, we will be making difficult decisions on where to decrease services and increase waitlists. Your continued support is essential for us to meet these demands and serve seniors, those with disabilities regardless of age, and caregivers.

FISCAL IMPACT: \$1,790,320

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: Video Presentation.

Washington County, Maryland
General Fund
Department 93230 - Commission on Aging
FY25 Expenses

	2025 Operating Budget Requested	Adjustment	2025 Operating Budget Requested	\$ Change	% Change	2024 Operating Budget Approved	2023 Actuals Final	2022 Actuals Final
502000 - Appropriations	1,790,320	0	1,790,320	725,790	68.18%	1,064,530	1,486,313	963,557
502400 - In-Kind Expense	433,600	0	433,600	433,600	100.00%	0	433,600	0
Operating Expenses	2,223,920	0	2,223,920	1,159,390	108.91%	1,064,530	1,919,913	963,557
Total	2,223,920	0	2,223,920	1,159,390	108.91%	1,064,530	1,919,913	963,557

Washington County, Maryland
General Fund
Department 93230 - Commission on Aging
FY25 Expenses

	2025 Operating Budget Requested	2025 Variance Comments Requested
502000 - Appropriations	1,790,320	County Funds increase is requested to support the following: 1.) Two new Maryland Access Point (interview intake positions) to offset the demand for this program. There are currently over 500 on the waitlist for a MAP appointment. 2.) To maintain 40 clients on the MOW program that were funded through the one time MOW county money. This includes maintaining the one of the two nutrition specialist positions and five part time drivers. NOTE: There are 159 seniors on the MOW waitlist as of 1/4/24. Funding this request will NOT offset that waitlist and those served currently will be reduced through attrition to get to the budgeted amount. The waitlist will continue to grow. 3.) Five cameras for the property due to safety issues over the past year which included a death on the property, property damages, theft, etc. 4.) 3% increase for staff to retain and reduce minimum wage compaction. 5.) Increase in contract costs and operational costs due to trends in the economy.
502400 - In-Kind Expense	433,600	
Total	2,223,920	



Washington County, Maryland
Outside Agency Funding Request
FY2025

The Office of Budget and Finance
100 West Washington Street, Room 3100
Hagerstown, Maryland 21740
Phone: 240-313-2300
Fax: 240-313-2301

General Information

Organization	<u>Washington County Commission on Aging, Inc.</u>	Contact Person:	<u>Amy Olack</u>
Address:	<u>535 East Franklin Street</u>	Telephone:	<u>301-790-0275</u>
City	<u>Hagerstown</u>	State	<u>MD</u> Zip Code <u>21740</u>
E-mail:	<u>aolack@wccoaging.org</u>	Fax:	<u>301-739-4957</u>

Summary of Funding Request

Program Name	Total Budget					County Funding Request			
	Prior	Current	Proposed	%		Prior	Current	Proposed	%
WC Commission on Aging, Inc.	\$ 3,938,409	\$ 5,478,977	\$ 4,968,372	-9.3%	Form 2	\$ 967,760	\$ 1,064,530	\$ 1,790,320	68.2%
	\$ -	\$ -	\$ -	0%	Form 3	\$ -	\$ -	\$ -	0%
	\$ -	\$ -	\$ -	0%	Form 4	\$ -	\$ -	\$ -	0%
	\$ -	\$ -	\$ -	0%	Form 5	\$ -	\$ -	\$ -	0%
	\$ -	\$ -	\$ -	0%	Form 6	\$ -	\$ -	\$ -	0%
	\$ -	\$ -	\$ -	0%	Form 7	\$ -	\$ -	\$ -	0%
Total	\$ 3,938,409	\$ 5,478,977	\$ 4,968,372	-9.3%		\$ 967,760	\$ 1,064,530	\$ 1,790,320	68.2%

Certification Statement and Other Documents

☒ Attach Year End Financial Statement (audited if available), if not already provided.

☒ Attach Form 990, the most recent year filed and completed, if applicable.

I certify that all information in this application as well as all supplied supporting data of this application are true and complete to the best of my knowledge and belief. I understand that material omission or false information contained in the application could constitute grounds for disqualification from funding. I further understand that by submitting an application, I am accepting the terms and conditions as approved by the County Commissioners of Washington County, MD for the programs specified. Expenditures are also subject to County audit.

I also represent and warrant that the organization does not discriminate on the basis of race, creed, sex, age, color, national origin, physical or mental disabilities for employment, or the achievement of the mission or goal of the organization.

I understand that any and all applications submitted may be considered public documents. As such, all applications may be viewable and obtained by the public under provisions of the Public Information Act, MD Code Ann., State Government Article 10-613.

Applicant's Signature _____ Date 1/5/2024

Washington County, Maryland
Outside Agency Funding Request

Program Budget

Organization Name:	Washington County Commission on Aging, Inc.	Funding Request: \$	1,790,320
Program Name:	Washington County Commission on Aging, Inc.	# Clients Served:	8000+
Program Description:	The Commission on Aging, Inc. serves Washington County residents aged 55 and older, those with disabilities regardless of age and caregivers to plan and coordinate services which help them to maintain their independence through a variety of programs and services. Programs support the Older Americans Act requirements which include but are not limited to the Senior Activities Center, Congregate Sites, Meals on Wheels, case management, etc.		

Expenditures	Total Program Cost			Budget Justification (Explain and justify each proposed budget line item for which an increase or decrease appears.)
	Prior Year Actual	Current Year Budget	Requested Year Budget (round nearest \$10)	
Personnel Costs:				
Wages				There are over 750 seniors on the waiting lists for services. Two new full time Maryland Access Point staff added to budget to help offset the wait time for appointments. Wait time is currently over 3 months. Five part time drivers are requested to remain in budget from the MOW County Funding to meet the growing demands in this program. 3% increase for all staff necessary for retention and to reduce the minimum wage compaction. Reduced the staffing budget by one FTE.
	1,421,050	2,136,283	2,054,189	
Fringe Benefits	453,018	761,467	716,125	Corresponds with above salaries.
Payroll Taxes	117,716	176,963	170,163	Corresponds with above salaries.
Total	\$ 1,991,784	\$ 3,074,713	\$ 2,940,477	
Operating Costs:				
Audit	31,257	39,360	37,313	In line with anticipated expenses.
Contract Services				Reduction in services due to decrease in ARP. \$58,000 of ARP funds carried into 1st quarter of FY25. Includes expenses for 40 Meals On Wheels (MOW) clients to continue to receive services that were picked up during the County's MOW funding in past fiscal year.
	739,492	965,507	617,024	
Equipment Maintenance	3,234	2,549	2,549	Congregate Site and Senior Center equipment repairs.
Equipment/Lease	17,487	17,200	9,970	Reduction due to ARP purchases end 9/30/24.
Insurance				Decrease from FY24 due to reduction in workers compensation insurance related to reclassification of staff.
	26,853	36,878	34,236	
Office Supplies				Slight decrease from budget due to changes in ARP funds.
	32,389	58,675	45,040	
Rent Expense	427,379	460,497	460,497	Includes SeniorFit space.
Utilities				Senior Fit now open and has resulted in an increase in utility costs.
	60,474	77,262	103,323	
Vehicle Maintenance	3,252	7,500	6,000	Minor vehicle repairs.
Other (detail below):				
1. Communications/Marketing	146,166	166,174	181,987	Donor software added to support fundraising efforts. Increase in copier and printing costs.
2. Volunteer Expenses	27,128	22,061	22,061	In line with actuals.
3. Other Operating Costs				Slight decrease from budget due to changes in ARP funds. Slight increase over FY23 as SeniorFit is now open.
	235,880	280,014	260,670	
4. Staff Travel				Increased mileage rate from 58 cents to 60 cents. Reduction from budget based on reduction of American Rescue Programs.
	13,284	30,664	14,491	
5. Housing Subsidies	182,350	204,570	204,570	State grant to support Seniors in Small Group Homes.
Total	\$ 1,946,625	\$ 2,368,911	\$ 1,999,731	
Capital				
				Lobby Furniture replacement and five new/replacement cameras for parking lot for safety due to the past years incidences (death, theft, damages, etc.)
Equipment Purchases	-	35,353	28,164	
Total	\$ -	\$ 35,353	\$ 28,164	
Grand Total	\$ 3,938,409	\$ 5,478,977	\$ 4,968,372	

Washington County, Maryland
Outside Agency Funding Request

Program Revenue

Organization Name: Washington County Commission on Aging, Inc. Funding Request: \$ 1,790,320

Program Name: Washington County Commission on Aging, Inc. # Clients Served: 8000+

Program Description: The Commission on Aging, Inc. serves Washington County residents aged 55 and older, those with disabilities regardless of age and caregivers to plan and coordinate services which help them to maintain their independence through a variety of programs and services. Programs support the Older Americans Act requirements which include but are not limited to the Senior Activities Center, Congregate Sites, Meals on Wheels, case management, etc.

Program Revenue	Total Program Revenue			Budget Justification (Explain and justify each proposed budget line item for which an increase or decrease appears.)
	Prior Year Actual	Current Year Budget	Requested Year Budget (round nearest \$10)	
Grants:				
				County Funds increase is requested to support the following: 1.) Two new Maryland Access Point intake positions to offset the demand for this program. 2.) To maintain 40 clients on the MOW program that were funded through the one time MOW county money. This includes maintaining the one of the two nutrition specialist positions and five part time drivers. NOTE: There are 159 seniors on the MOW waitlist as of 1/4/24. Funding this request will NOT offset that waitlist and those served currently will be reduced through attrition to get to the budgeted amount. The waitlist will continue to grow. 3.) Five cameras for the property due to safety issues over the past year which included a death on the property, property damages, theft, etc. 4.) 3% increase for staff to retain and reduce minimum wage compaction. 5.) Increase in contract costs and operational costs due to trends in the economy.
County - general operating	967,760	1,064,530	1,790,320	
County - Gaming	41,301	42,731	45,000	This is the minimum amount we intend to request.
County - Community Funding	14,610	29,000	40,000	This is the minimum amount we intend to request.
County - other (list):				
1. ARP Match OOA Funds			-	Remaining funds moved to Restricted below.
2. ARP Match Senior Fit	11,201	-	-	Funds spent
3. MOW Additional Funds	-	-		Remaining funds moved to Restricted below.
Federal	886,524	1,428,009	1,090,052	Reduction due to American Rescue Funds being spent by 9/30/24. FY 25 includes one quarter of ARP expenses. ARP is nonrecurring revenue.
State	776,271	969,178	797,348	One time funds in FY 24 not anticipated in FY25
Contributions and bequests	496,784	517,262	517,262	In Kind space and services based on real estate assessment and projected increase in contributions. FY 24 and 25 includes SeniorFit building.
Municipal - other (detail):				
1.				
Total	\$ 3,194,451	\$ 4,050,710	\$ 4,279,982	
Operating Income:				
Fundraising	88,850	85,690	85,690	We are budgeting this consistent with FY24 anticipated revenue.
Other:				
1. Grants - Other	495,219	407,891	380,000	Slight reduction anticipated in FY25 due to emergency declaration being lifted and some grants are no longer available.
2. Net Assets	76,100	361,037	-	FY 23 reduction of net assets is as a result of fundraising and are budgeted to be used in FY 24.
3. Restricted Funds	80,006	558,713	207,764	\$149,764 is projected to be carried into FY25 of the \$518,553 the County provided for Meals on Wheels. FY24 includes ARP funds that must be used by 9/30/24. \$58,000 of ARP funds projected to be spent in first quarter of FY25.
4.				
Total	\$ 740,175	\$ 1,413,331	\$ 673,454	
Other:				
Investment Income	3,783	14,936	14,936	Based on anticipated financial trends.
Loan Proceeds				
Total	\$ 3,783	\$ 14,936	\$ 14,936	
Grand Total	\$ 3,938,409	\$ 5,478,977	\$ 4,968,372	



Agenda Report Form

Open Session Item

SUBJECT: Presentation of the 2025-2034 Capital Budget – Draft 1

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Kelcee Mace, Chief Financial Officer; Zane Garrett, Deputy Director of Budget & Finance

RECOMMENDED MOTION: For informational purposes.

REPORT-IN-BRIEF: Discussion of Draft 1 of the FY2025-2034 Capital Budget.

DISCUSSION: A Ten-Year Capital Improvement Plan is developed each fiscal year and includes scheduling and financing of future community facilities such as public buildings, roads, bridges, parks, water and sewer projects, and educational facilities. The plan is flexible and covers ten years with the first year being the Capital Improvement Budget. Funds for each project are allocated from Federal, State, and local sources.

The primary purpose of the Capital Improvement Program is to provide a means for coordinating and consolidating all departmental and agency project requests into one document. It is the CIP Committee's responsibility to review all requests that County departments and agencies submit. All projects are ranked based on established criteria for priority ranking. Considering current and future needs, as developed in the ten-year plan, available funding sources, and the results of the priority ranking process, the CIP Committee determines which capital projects best meet established criteria for the current fiscal year Capital Improvement Budget and the nine-year forecast. Not all projects can be funded due to limited resources.

FISCAL IMPACT: FY2025 Capital Budget of \$73,743,000

CONCURRENCES: CIP Committee

ALTERNATIVES: N/A

ATTACHMENTS: PowerPoint Presentation; CIP Ten Year Detail Report, Budget Adjustment Form

AUDIO/VISUAL NEEDS: PowerPoint

FY2025-2034 CAPITAL BUDGET DRAFT 1 PRESENTATION



Washington County

M A R Y L A N D

CIP OVERVIEW

Purpose

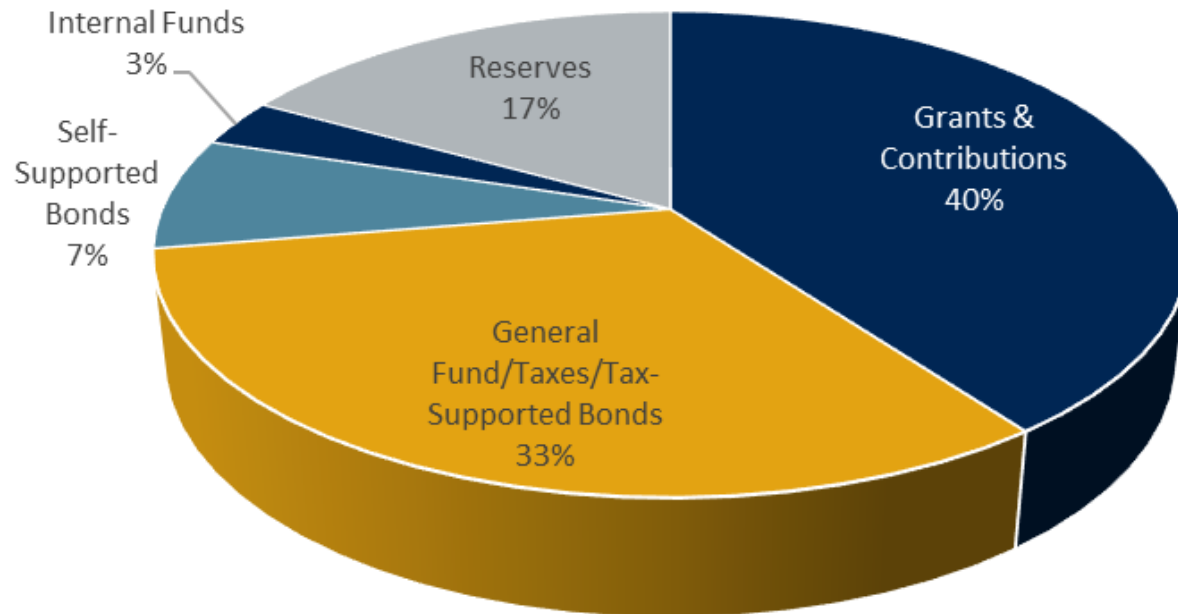
- A ten-year Capital Improvement Plan.
- Scheduling and financing of future community facilities.
- The plan is flexible.
- The first year is the Capital Improvement Budget.
- Coordinates and consolidates departmental and agency project requests into one document.

Process

- Capital requests submitted in December 2023.
- Reviewed and ranked by the CIP Committee.
- Capital projects that best meet established criteria.
- Consideration of current and future needs, and available funding sources.
- The CIP Committee Members.

Total Funding \$73.8M

- Local Funding \$44.4M or 60%
- Grants & Contributions \$29.4M or 40%

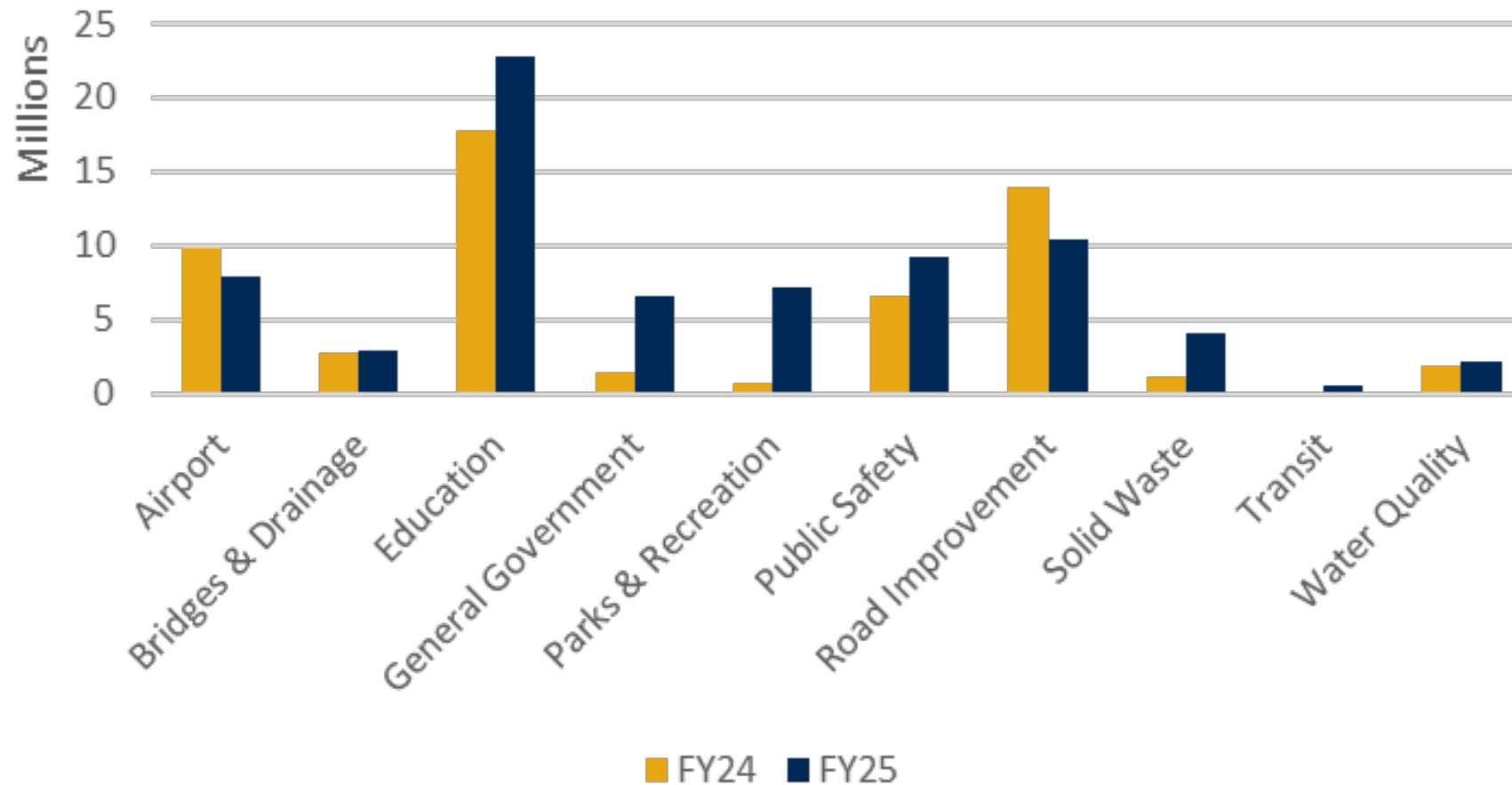


Project Costs

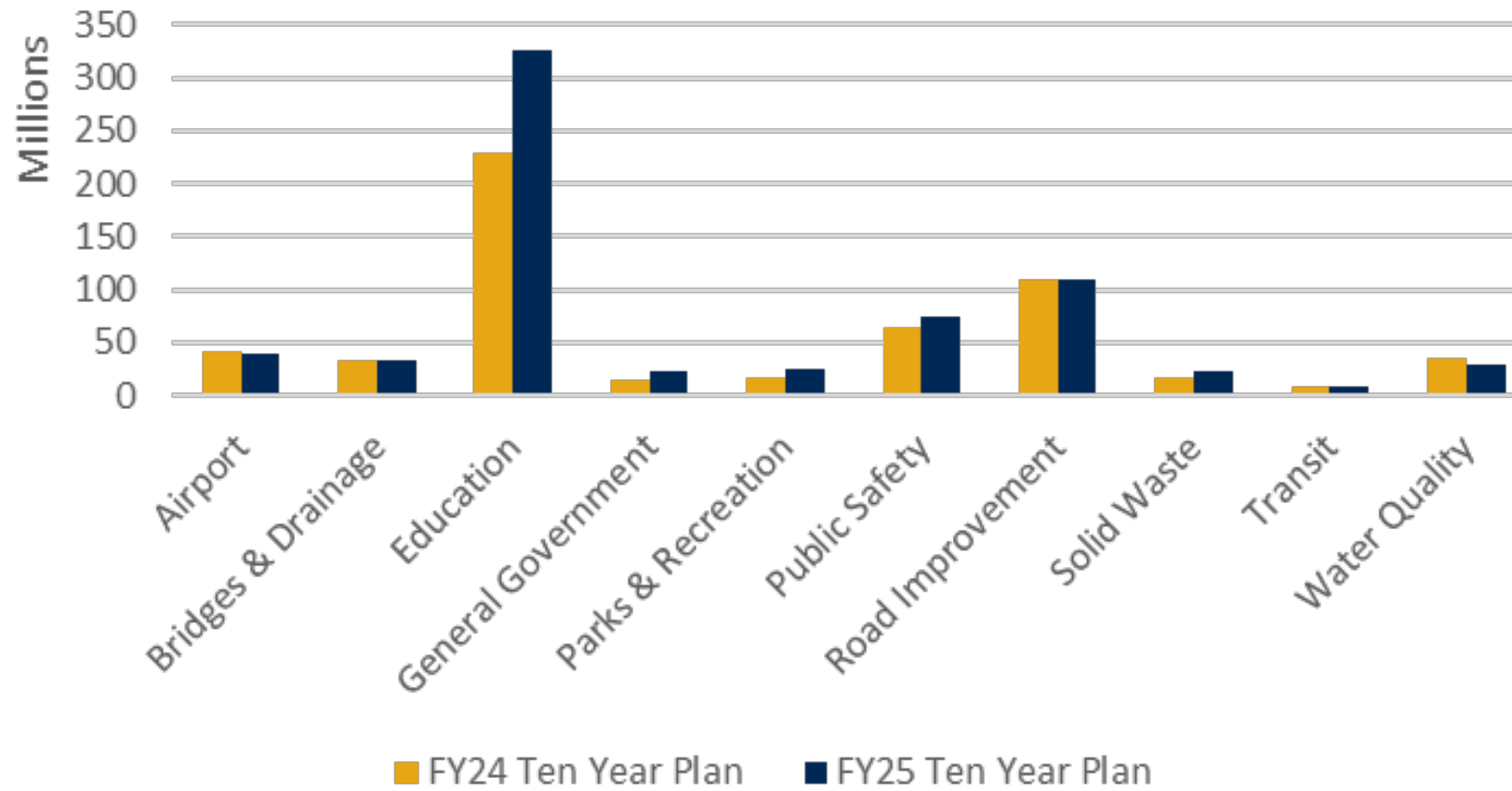
Airport Fund	\$7.9M
Bridges & Drainage	\$2.9M
Education	\$22.8M
General Government	\$6.6M
Parks & Recreation	\$7.2M
Public Safety	\$9.3M
Road Improvements	\$10.4M
Solid Waste Fund	\$4.1M
Transit Fund	\$0.5M
Water Quality Fund	\$2.1M

Total Cost \$73.8M

Budget Year 2024 vs 2025 - Cost

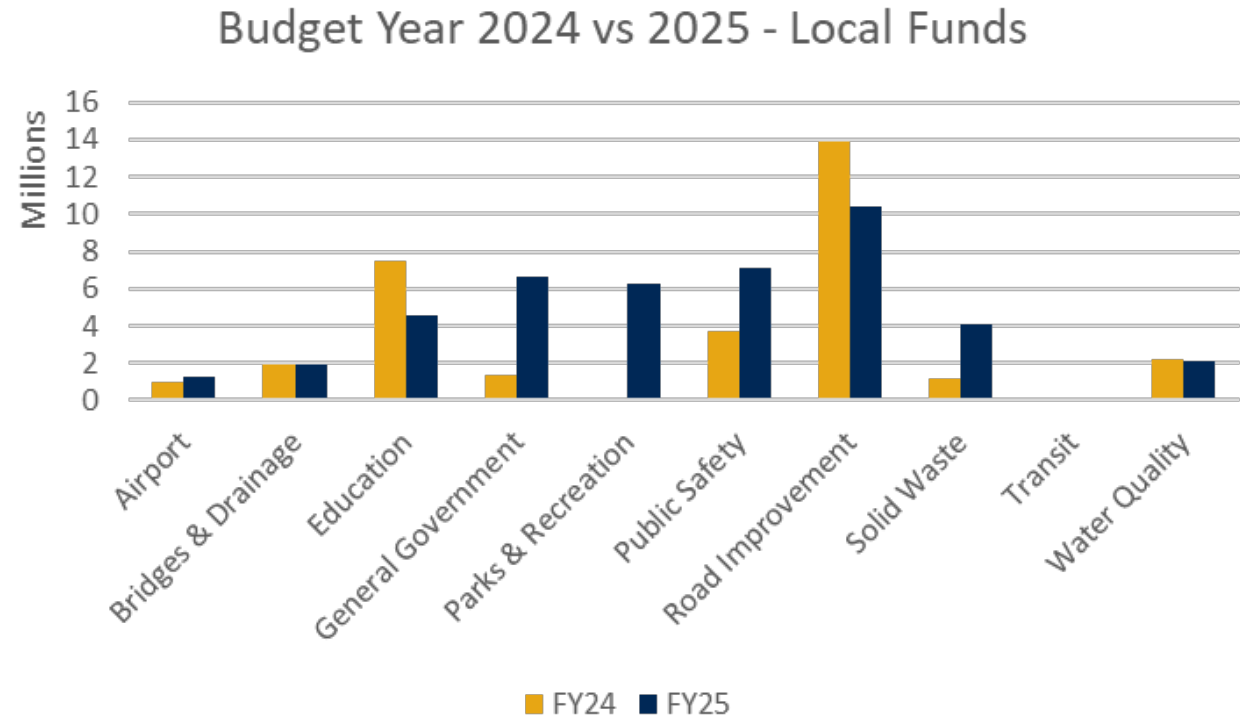
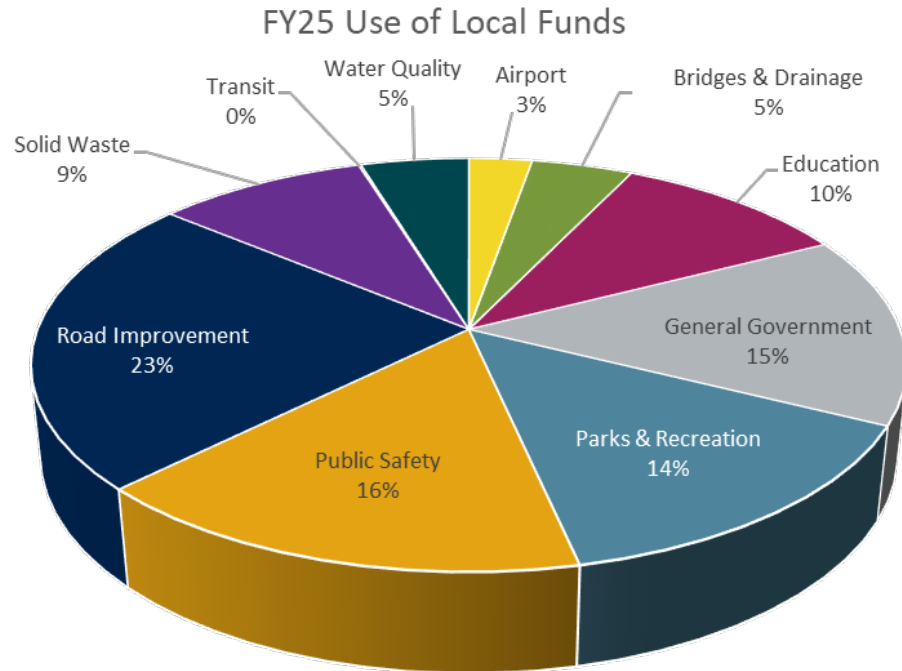


Ten Year Plan 2024 vs 2025 - Cost

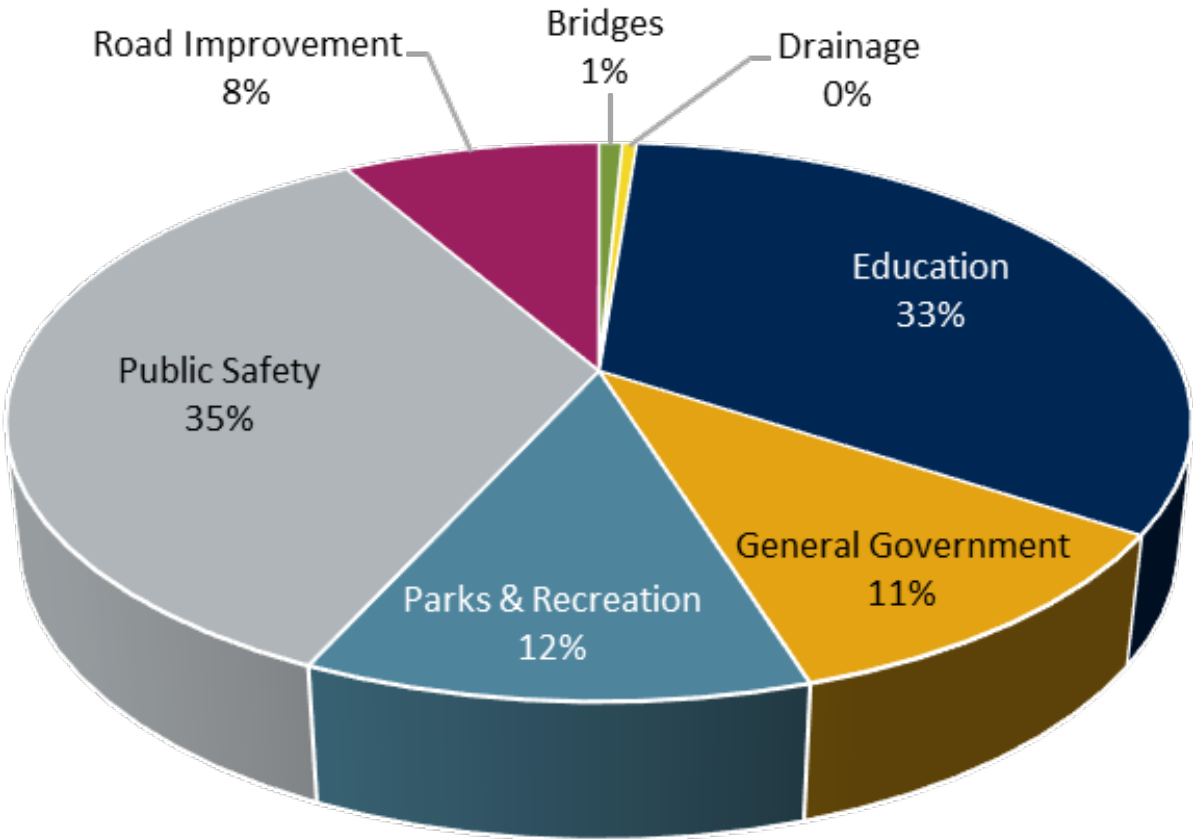


Local Funding Assumptions – FY25

Funding Source	\$ million	Assumptions
General Fund	\$7.5	Assumes base of \$7.5M per year with gradual increases
Speed Camera	0.2	\$250k in level funding to support Public Safety related projects
Tax-Supported Bonds	13.0	Assumes increases in future years
Self-Supported Bonds	5.5	These bonds are issued for enterprise funds and fluctuate based on need
Taxes and Fees	3.2	Assumes \$2M each year thereafter
CIP Reserves	12.5	Use of CIP reserves built up from prior years surplus
Other Internal Funds	2.4	Represents support from funds other than General Fund and fluctuate based on need
Total	\$44.3	



2025-2034 Use of Reserves

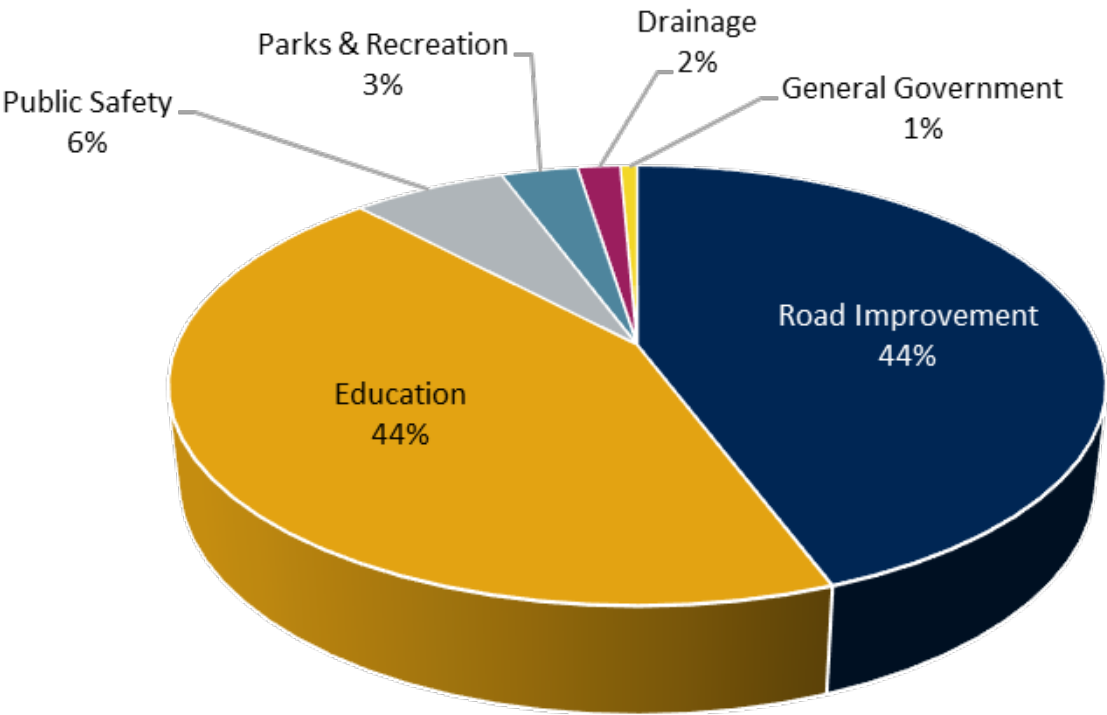


Planned Use

Circuit Courthouse	\$2.0M*
Patrol Services/Detention Center	\$10.5M*
Downsville Pike Elementary	\$11.4M
Williamsport Library Replacement	\$4.5M
PSTC Tactical Village	\$4.6M
P25 Radio Communications System	\$1.5M
Ag Center Multipurpose Building	\$4.4M
IT Infrastructure Replacement	\$1.8M
Software	\$1.0M
Other Public Infrastructure	\$6.4M
TOTAL	\$48.1M

*\$8.5M of FY23 Surplus Earmarked

2025-2034 Use of Tax-Supported Bonds



Planned Use	
Pavement Maintenance	\$39.7M
Eastern Blvd – Multiple Phases	\$10.1M
Other Road Projects	\$7.4M
BOE Capital Maintenance	\$15.4M
Downsville Pike Elementary	\$1.9M
Future School Construction	\$29.7M
HCC Facilities	\$9.4M
Ag Center Multipurpose Building	\$4.1M
Patrol Services/Detention Center	\$1.7M
PSTC Tactical Village	\$6.5M
Stormwater Office Building	\$0.9M
Bridge and Drainage Projects	\$12.2M
TOTAL	\$139.0M

Debt Capacity and Affordability

- Evaluate County's Debt Position
- Tests for Stress and Affordability
- Compares County to Other Jurisdictions
- Assesses Potential Impact of Bond Issuance

Worst

\$14M

- Interest Rate 3.50%
- Revenue Growth 0.67%
- FMV Increase 0.42%
- Population Increase 0.43%
- Change Per Capita Income -\$198

Base

\$16M

- Interest Rate 3.50%
- Revenue Growth 2.00%
- FMV Increase 1.00%
- Population Increase 0.25%
- Change Per Capita Income +\$800

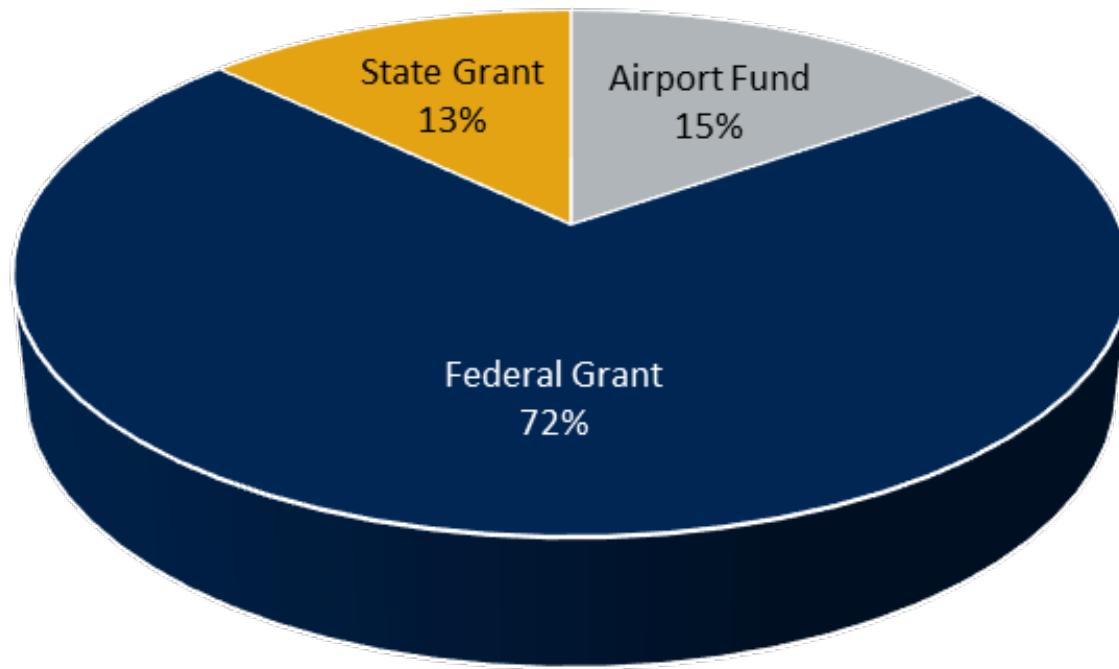
Best

\$18M

- Interest Rate 5.00%
- Revenue Growth 4.15%
- FMV Increase 3.65%
- Population Increase 0.73%
- Change Per Capita Income +\$1,269

FY25 – \$7.9M

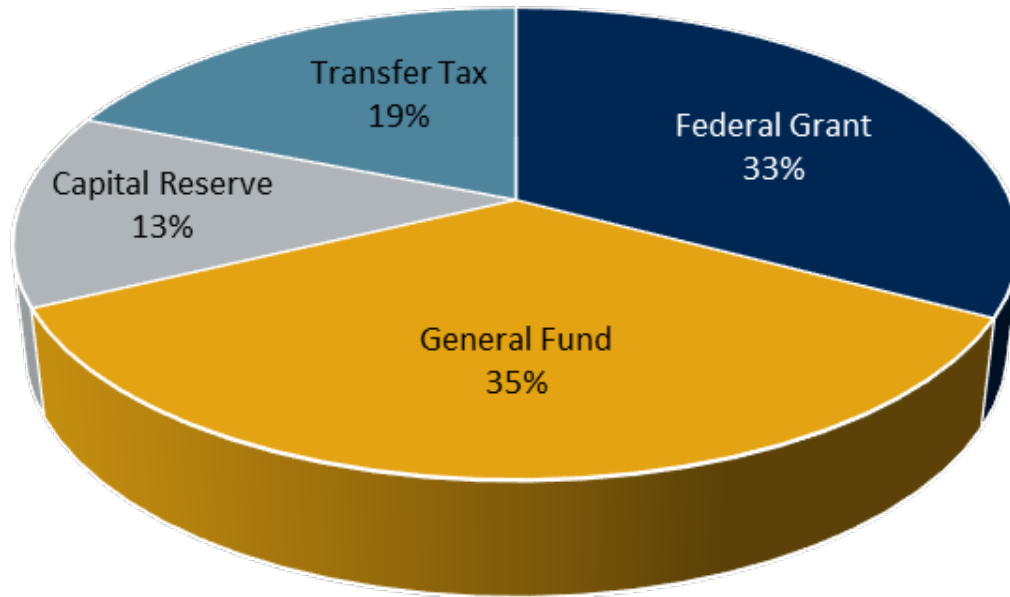
Ten Year Total - \$38.7M



- FY25 increased \$2.2M or 37%
- Ten Year total increased \$6.7M or 16%
- Airport is heavily grant funded and self-supporting
- Projects are grant dependent

FY25 – \$2.9M

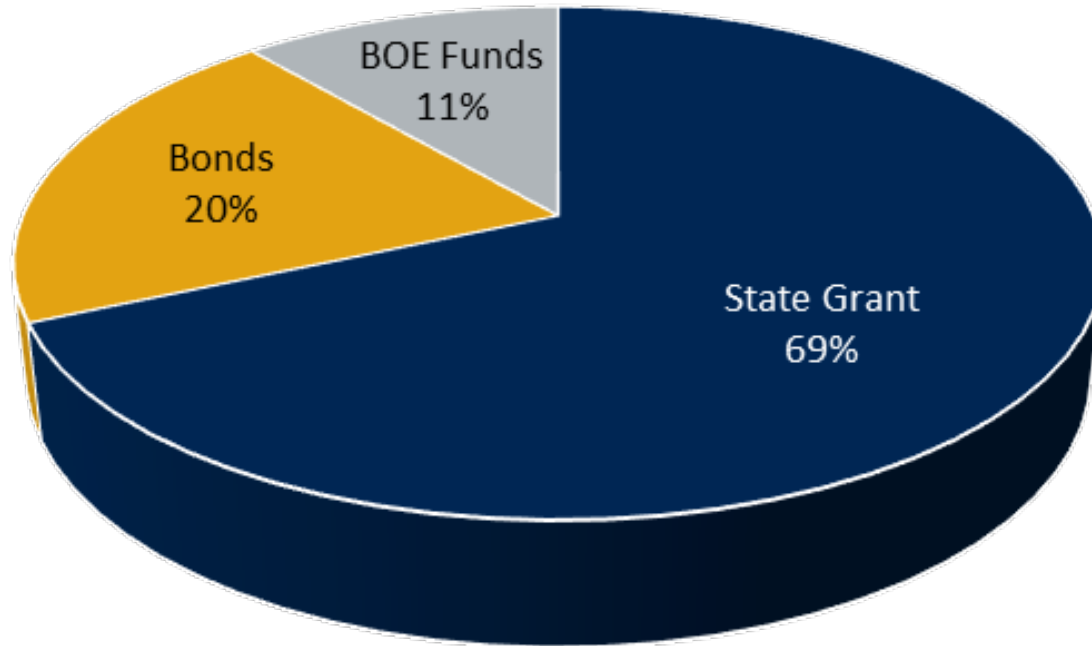
Ten Year Total - \$32.5M



- FY25 increased \$256K or 10%
- Ten Year Total increased \$556K or 1%

FY25 – \$22.2M

Ten Year Total - \$273.3M

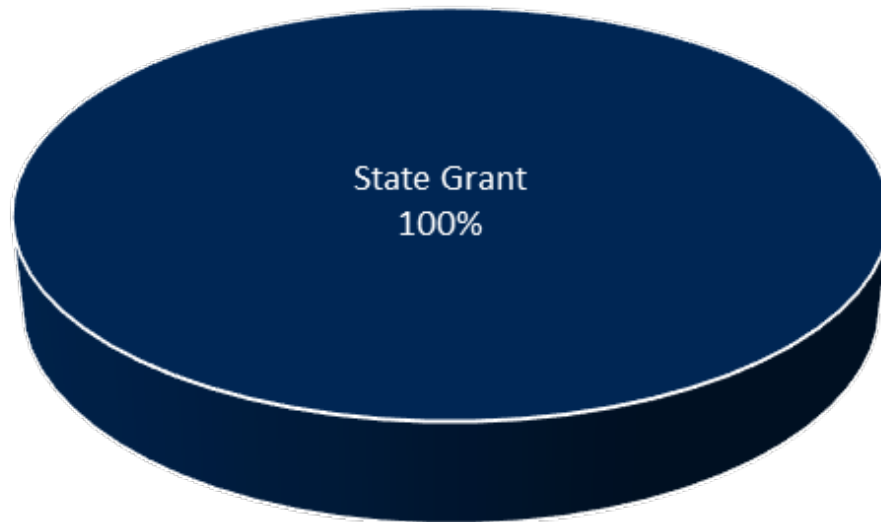


- FY25 increased \$7.1M or 47%
- Ten Year total increased \$113.6M or 63%
- \$4.5M in County funds per year base
- Current plan assumes BOE funding the gap

CIP Draft 1 – Hagerstown Community College

FY25 – \$500K

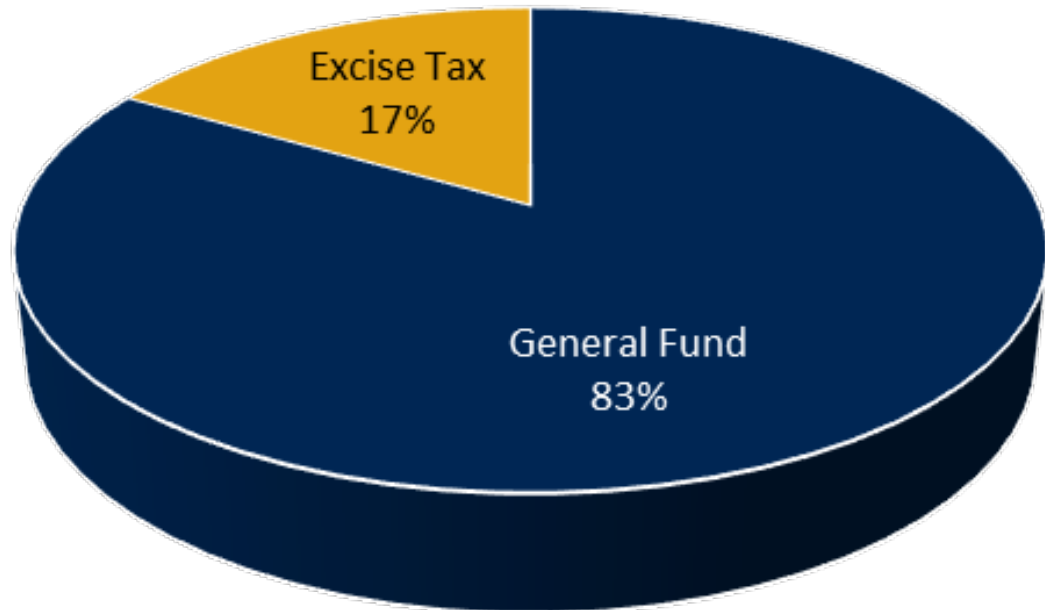
Ten Year Total - \$36.2M



- FY25 decreased \$9.1M or 95%
- Ten Year total increased \$406K or 1%
- FY26-FY29 assumes \$1.2M County contribution per year
- FY30 and beyond assumes \$900K County contribution per year
- Current plan assumes HCC funding the gap

FY25 – \$60K

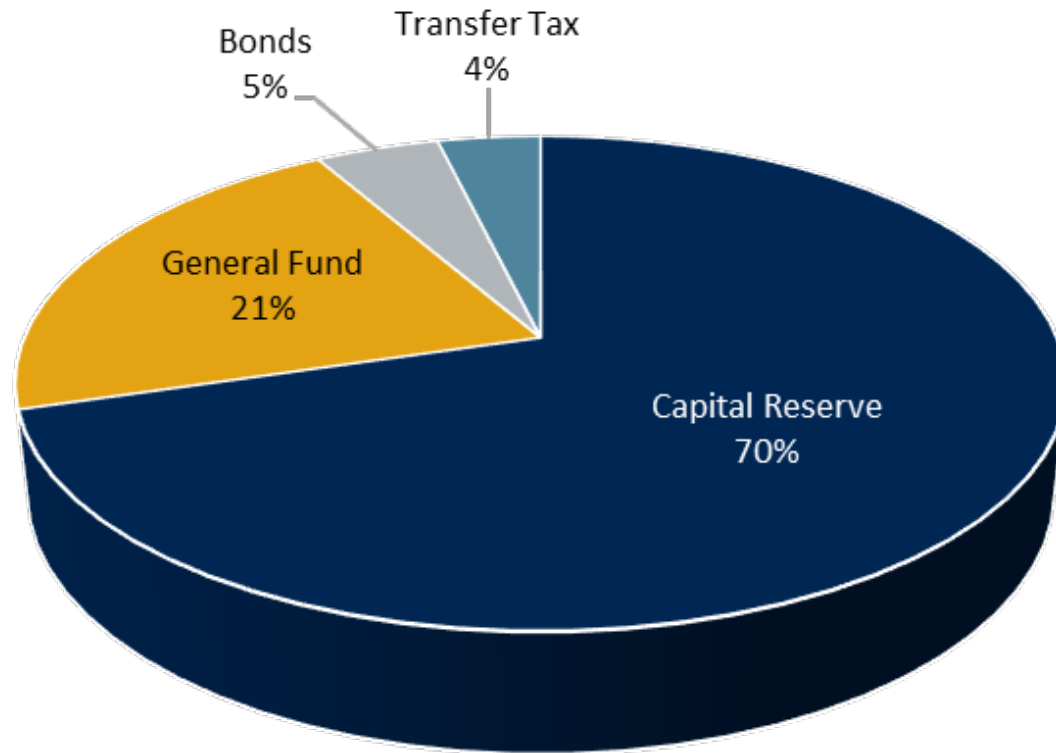
Ten Year Total - \$16.1M



- FY25 decreased \$599K or 91%
- Ten Year total increased \$195K or 1%
 - Williamsport Library Replacement

FY25 – \$6.6M

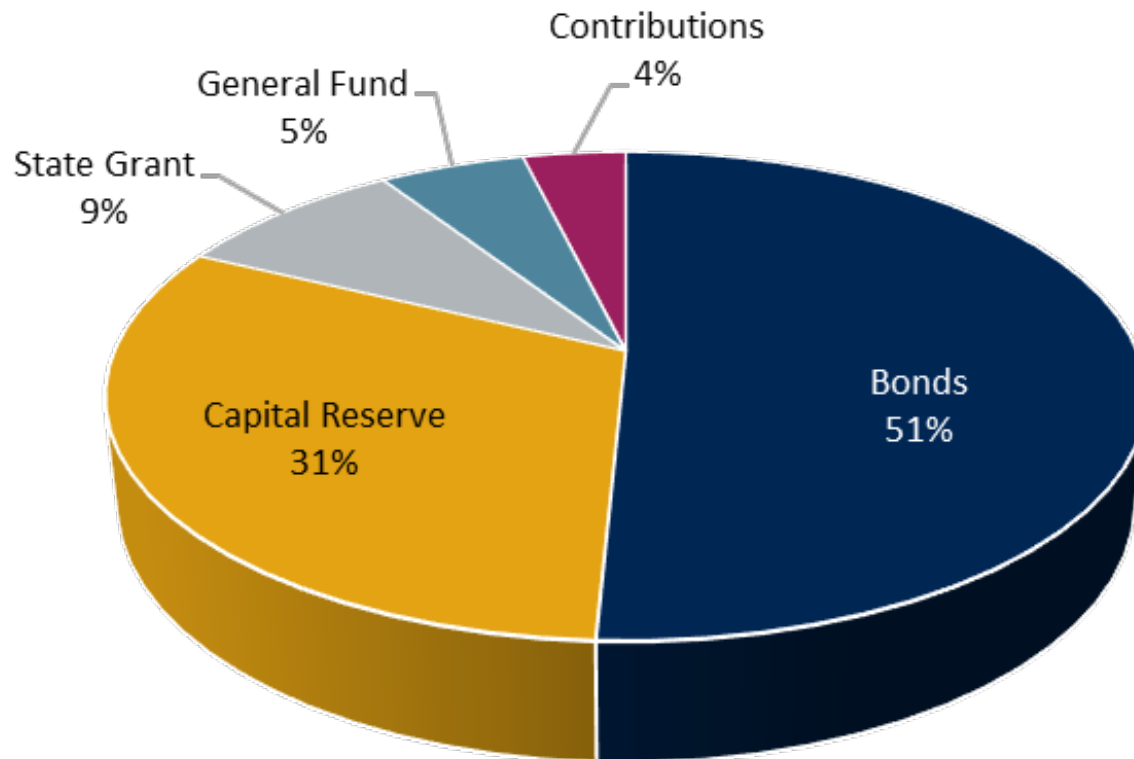
Ten Year Total - \$22.9M



- FY25 increased \$3.9M or 147%
- Ten Year total increased \$10.2M or 64%
- Increases for IT Infrastructure
- Accela Software Upgrade
- HRIS Software
- Circuit Courthouse
- Out year increases for systemic improvements

FY25 – \$7.2M

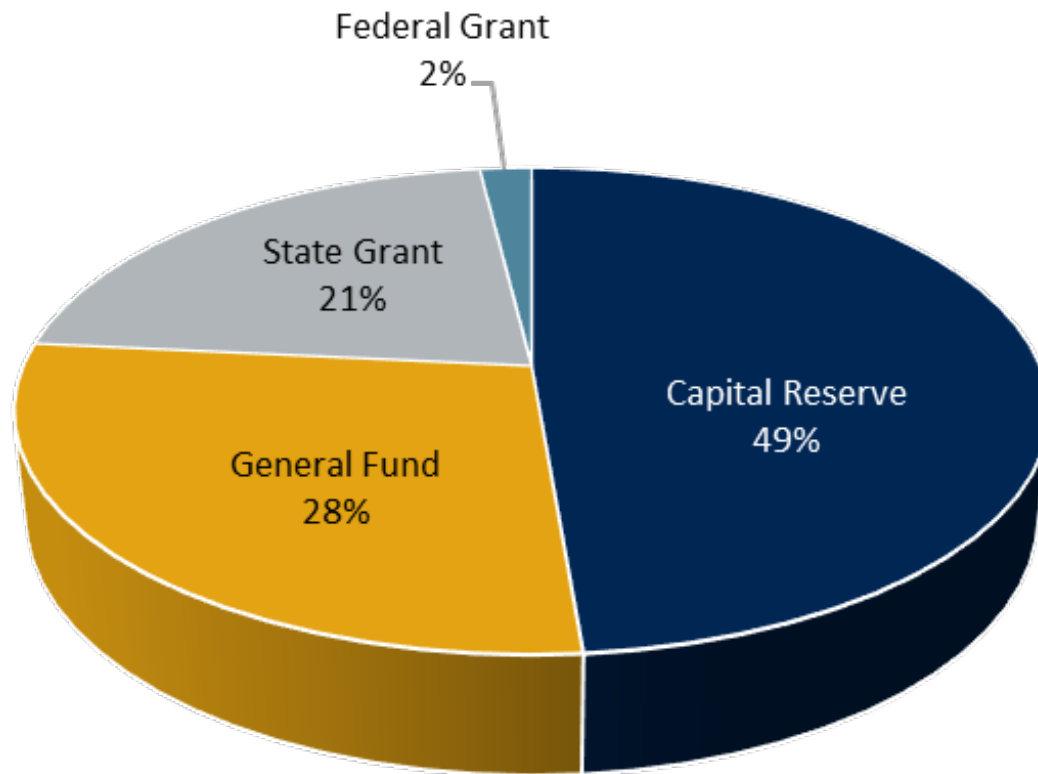
Ten Year Total - \$24.4M



- FY25 increased \$4.4M or 156%
- Ten Year total increased \$7.3M or 30%
- Program Open Space funds 90% of eligible projects
 - Ag Center Multipurpose Building
 - MLK Gymnasium Upgrade
 - Black Rock Learning Center

FY25 – \$9.3M

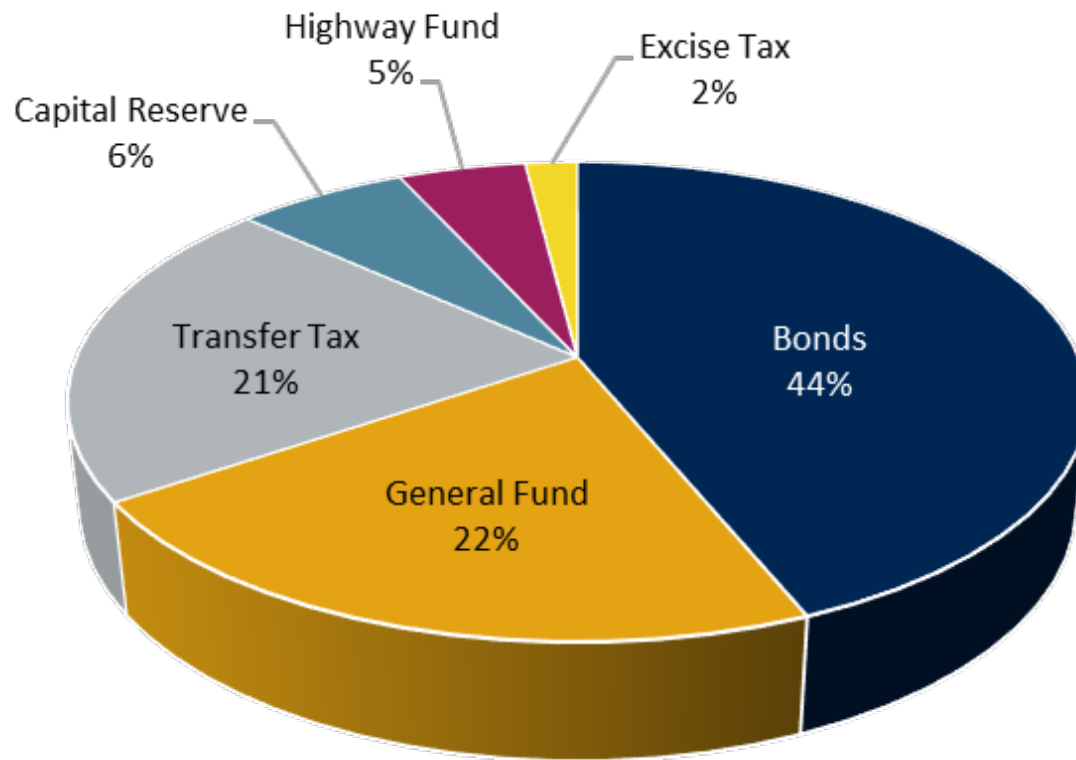
Ten Year Total - \$74.0M



- FY25 increased \$585K or 7%
- Ten Year total increased \$12.5M or 14%
- Patrol Services Relocation
- PSTC Defensive Driving Track
- Public Safety Vehicle and Equipment Replacements

FY25 – \$10.4M

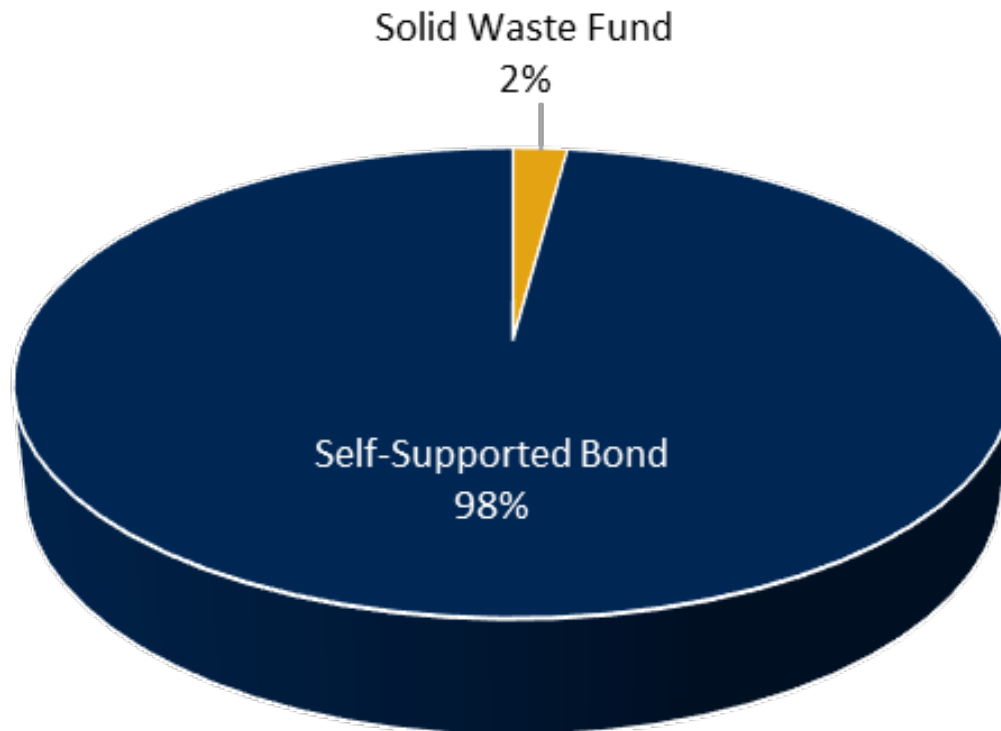
Ten Year Total - \$107.7M



- FY25 increased \$488K or 5%
- Ten Year total increased \$5.4M or 4%
- Pavement Maintenance
- Eastern Boulevard
 - Extension
 - Widening
- Halfway Boulevard Extended

FY25 – \$4.1M

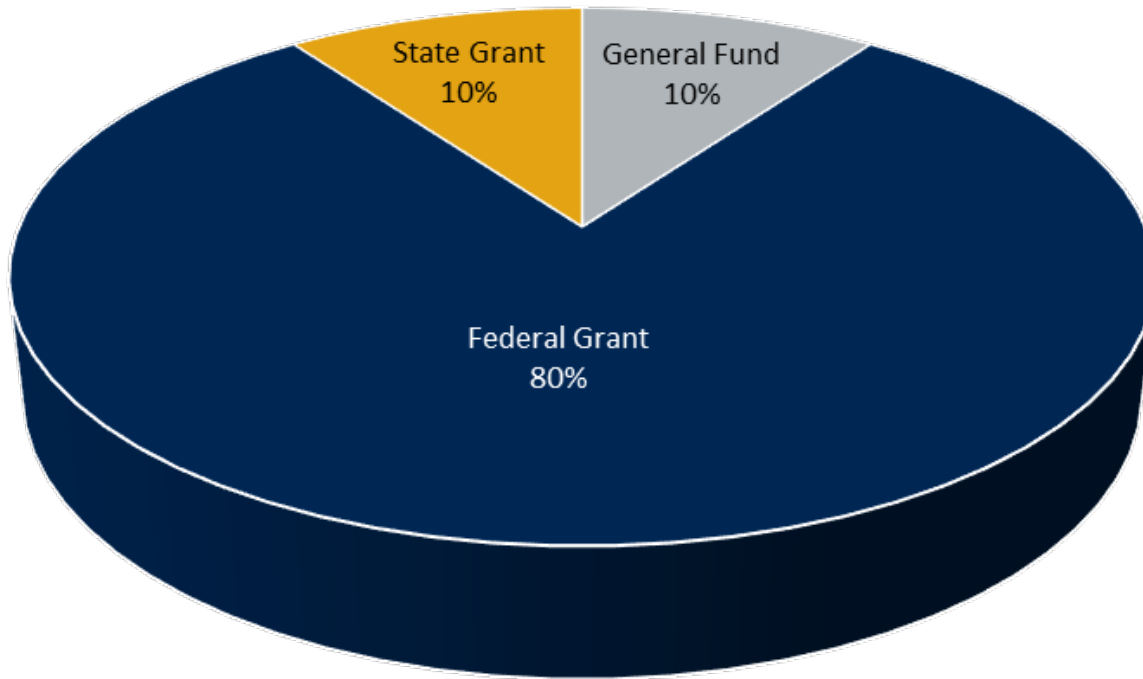
Ten Year Total - \$21.9M



- FY25 decreased \$4.6M or 53%
- Ten Year total increased \$7.3M or 46%
- 40 West Landfill Pretreatment Facility
- 40 West Landfill Cell 8 Construction

FY25 – \$479K

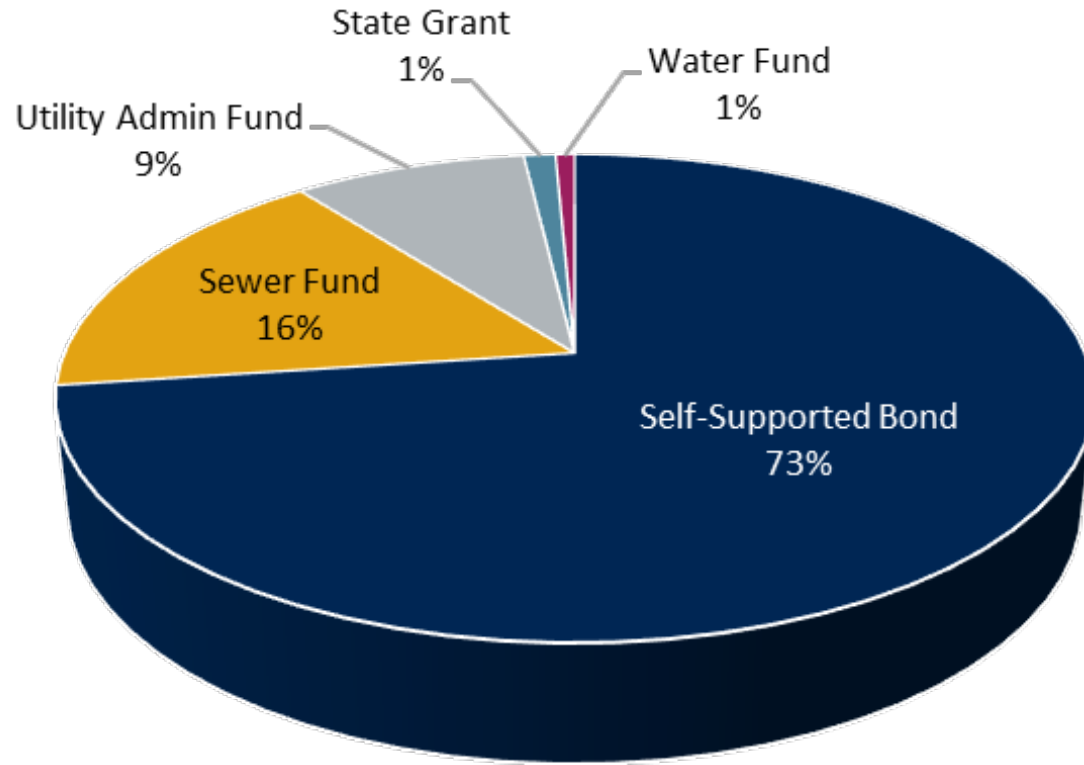
Ten Year Total - \$8.2M



- FY25 increased \$479K or 100%
- Ten Year total increased \$854K or 9%
- Facility Maintenance
- Equipment Replacements

FY25 – \$2.1M

Ten Year Total - \$29.7M



- FY25 decreased \$125K or 6%
- Ten Year total decreased \$2.9M or 6%
- Current phases of Capacity Management and Smithsburg WwTP Upgrade are funded
- FY25 funding for general on-going improvements and various equipment replacements

Requests/Feedback



- **Commissioner Requests**
- **Feedback**



Washington County

M A R Y L A N D

Thank you

CIP Committee

Michelle Gordon, County Administrator

Kelcee Mace, Chief Financial Officer

Scott Hobbs, Director – Engineering

Andrew Eshleman, Director – Public Works

Jill Baker, Director – Planning & Zoning

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Washington County, Maryland
Capital Improvement 10yr Detail
Fiscal Year 2025 - 2034
Draft 1

	Total	Prior Appr.	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
<u>Airport</u>												
Air Traffic Control Tower	7,778,000	700,000	78,000	0	7,000,000	0	0	0	0	0	0	0
T-Hangar 1, 2, & 3 Replacement	562,000	207,000	35,000	35,000	36,000	37,000	37,000	38,000	38,000	39,000	30,000	30,000
Airport Systemic Improvement Projects	2,804,227	514,227	1,390,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Terminal Building - East Expansion	7,222,000	600,000	122,000	0	6,500,000	0	0	0	0	0	0	0
Capital Equipment - Airport	6,363,203	1,013,203	115,000	54,000	2,083,000	1,668,000	55,000	55,000	300,000	145,000	75,000	800,000
Taxiway F Rehabilitation	7,431,000	6,300,000	1,131,000	0	0	0	0	0	0	0	0	0
Runway 2/20 Rehabilitation and Lighting	3,847,000	323,000	3,524,000	0	0	0	0	0	0	0	0	0
T-Hangar Taxi Lanes Rehabilitation	1,512,000	150,000	1,362,000	0	0	0	0	0	0	0	0	0
Taxiway A Rehabilitation	4,351,000	335,000	0	335,000	3,681,000	0	0	0	0	0	0	0
Airport Fire Station Bay #3 Modification	80,000	0	80,000	0	0	0	0	0	0	0	0	0
Salt and Material Storage Facility	224,000	0	0	224,000	0	0	0	0	0	0	0	0
Snow Removal Equipment Storage Building Expansion	3,514,000	0	0	0	0	300,000	0	3,214,000	0	0	0	0
Taxiway G Rehabilitation	1,920,000	0	0	0	0	0	0	192,000	0	1,728,000	0	0
Taxiway H Rehabilitation	1,317,000	0	108,000	1,209,000	0	0	0	0	0	0	0	0
Airport	48,925,430	10,142,430	7,945,000	1,957,000	19,400,000	2,105,000	192,000	3,599,000	438,000	2,012,000	205,000	930,000
<u>Bridges</u>												
Bridge Inspection and Inventory	776,730	222,730	50,000	24,000	0	200,000	0	25,000	0	225,000	0	30,000
Keedysville Road Bridge W5651	3,014,600	2,964,600	50,000	0	0	0	0	0	0	0	0	0
Cleaning & Painting of Steel Bridges	318,881	168,881	0	0	0	0	0	150,000	0	0	0	0
Halfway Boulevard Bridges W0912	5,934,000	4,489,000	1,195,000	250,000	0	0	0	0	0	0	0	0
Gardenhour Road Bridge W2431	2,695,000	775,000	0	1,920,000	0	0	0	0	0	0	0	0
Greenspring Furnace Road Culvert 15/15	130,000	40,000	90,000	0	0	0	0	0	0	0	0	0
Kretsinger Road Culvert 14/01	643,000	443,000	200,000	0	0	0	0	0	0	0	0	0
Lanes Road Culvert 15/12	107,000	32,000	75,000	0	0	0	0	0	0	0	0	0
Prices Mill Bridge	150,000	0	0	0	0	0	0	0	0	0	0	150,000
Appletown Road Bridge W2184	979,000	0	0	0	0	0	407,000	572,000	0	0	0	0
Ashton Road Culvert 04/06	559,000	0	0	0	0	0	0	42,000	517,000	0	0	0
Bowie Road Culvert	405,000	0	0	0	0	0	405,000	0	0	0	0	0
Burnside Bridge Road Culvert 01/03	771,000	0	0	340,000	431,000	0	0	0	0	0	0	0
Draper Road Culvert 04/07	589,000	0	0	0	0	0	37,000	552,000	0	0	0	0
Draper Road Culvert 04/08	530,000	0	0	0	0	0	0	0	50,000	480,000	0	0
Greenbrier Road Culvert 16/14	268,000	0	0	0	0	0	0	0	268,000	0	0	0
Gruber Road Bridge 04/10	396,000	0	0	0	0	0	0	10,000	386,000	0	0	0
Harpers Ferry Road Culvert 11/02	977,000	0	0	115,000	642,000	220,000	0	0	0	0	0	0
Henline Road Culvert 05/05	429,000	0	0	0	15,000	414,000	0	0	0	0	0	0
Hoffman's Inn Road Culvert 05/06	313,000	0	0	0	0	0	313,000	0	0	0	0	0
Long Hollow Road Culvert 05/07	583,000	0	0	101,000	482,000	0	0	0	0	0	0	0
Mercersburg Road Culvert 04/16	484,000	0	0	0	0	0	0	0	16,000	468,000	0	0
Mooresville Road Culvert 15/21	446,000	0	0	0	0	0	446,000	0	0	0	0	0
Poplar Grove Road Bridge W2432	1,955,000	0	0	0	0	0	0	0	100,000	1,855,000	0	0
Remsburg Road Culvert	268,000	0	0	268,000	0	0	0	0	0	0	0	0
Rinehart Road Culvert 14/03	465,000	0	0	465,000	0	0	0	0	0	0	0	0
Stone Masonry Bridge Repairs	100,000	0	50,000	0	0	50,000	0	0	0	0	0	0
Taylors Landing Road Bridge W7101	1,379,000	0	0	0	0	0	0	0	35,000	510,000	834,000	0
Willow Road Culvert 05/10	323,000	0	0	0	0	0	151,000	172,000	0	0	0	0
Yarrowsburg Road Bridge W6191	2,102,000	0	0	0	0	0	620,000	1,482,000	0	0	0	0
Bridges Total	28,090,211	9,135,211	1,710,000	3,483,000	1,570,000	884,000	2,379,000	3,005,000	1,372,000	3,538,000	834,000	180,000

	Fiscal Year 2025 - 2034											
	Draft 1											
	Total	Prior Appr.	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
<u>Drainage</u>												
Stream Restoration at Various Locations	1,914,301	664,301	250,000	0	250,000	0	0	0	350,000	0	400,000	0
Stormwater Retrofits	15,180,027	6,030,027	800,000	900,000	900,000	900,000	900,000	900,000	900,000	950,000	1,000,000	1,000,000
Drainage Improvements at Various Locations	909,507	334,507	50,000	50,000	50,000	50,000	50,000	50,000	50,000	75,000	75,000	75,000
Broadfording Church Road Culvert	231,000	0	0	57,000	174,000	0	0	0	0	0	0	0
Draper Road Drainage Improvements	609,000	0	0	0	0	0	259,000	350,000	0	0	0	0
Fort Ritchie Dam Repairs	250,000	0	100,000	150,000	0	0	0	0	0	0	0	0
Harpers Ferry Road Drainage, 3600 Block	525,000	0	0	75,000	450,000	0	0	0	0	0	0	0
Shank Road Drainage	214,000	0	0	0	214,000	0	0	0	0	0	0	0
Trego Mountain Road Drainage	415,000	0	0	0	0	0	0	0	0	0	415,000	0
University Road Culvert	285,000	0	0	0	0	285,000	0	0	0	0	0	0
Drainage Total	20,532,835	7,028,835	1,200,000	1,232,000	2,038,000	1,235,000	1,209,000	1,300,000	1,300,000	1,025,000	1,890,000	1,075,000
<u>Education</u>												
Board of Education												
Capital Maintenance - BOE	80,262,509	19,795,509	22,207,000	11,968,000	9,296,000	3,360,000	1,612,000	3,468,000	2,016,000	2,240,000	1,800,000	2,500,000
Downsville Pike Elementary School	50,214,000	1,500,000	0	22,706,000	22,706,000	3,302,000	0	0	0	0	0	0
Replacement Elementary School 2	50,214,000	0	0	0	0	2,978,000	20,935,000	22,563,000	3,738,000	0	0	0
Replacement Middle/High School 1	113,942,000	0	0	0	0	0	0	0	9,725,000	32,965,000	33,965,000	37,287,000
Board of Education	294,632,509	21,295,509	22,207,000	34,674,000	32,002,000	9,640,000	22,547,000	26,031,000	15,479,000	35,205,000	35,765,000	39,787,000
Hagerstown Community College												
ASA Renovation	15,188,000	0	0	0	0	0	0	0	312,000	13,076,000	900,000	900,000
ATC Renovation	14,479,000	562,000	0	10,187,000	1,200,000	1,200,000	1,330,000	0	0	0	0	0
Campus Road & Parking Lot Overlays	1,000,000	0	0	0	0	0	500,000	0	500,000	0	0	0
Career Programs Roof Replacement	4,800,000	0	0	0	0	0	0	4,112,000	688,000	0	0	0
Multi-Roof Project	1,250,000	0	500,000	0	500,000	0	0	0	0	0	250,000	0
Hagerstown Community College	36,717,000	562,000	500,000	10,187,000	1,700,000	1,200,000	1,830,000	4,112,000	1,500,000	13,076,000	1,150,000	900,000
Public Libraries												
Systemic Projects - Library	668,495	148,495	60,000	60,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Williamsport Library Replacement	15,578,060	7,060	0	634,000	1,756,000	9,717,000	3,464,000	0	0	0	0	0
Public Libraries	16,246,555	155,555	60,000	694,000	1,806,000	9,767,000	3,514,000	50,000	50,000	50,000	50,000	50,000
Education Total	347,596,064	22,013,064	22,767,000	45,555,000	35,508,000	20,607,000	27,891,000	30,193,000	17,029,000	48,331,000	36,965,000	40,737,000
<u>General Government</u>												
Cost of Bond Issuance	988,000	88,000	90,000	90,000	90,000	90,000	90,000	90,000	90,000	90,000	90,000	90,000
Systemic Improvements - Building	11,646,307	1,646,307	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Facilities Roof Repairs	1,699,716	499,716	200,000	200,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Equipment and Vehicle Wash Facility	325,000	75,000	250,000	0	0	0	0	0	0	0	0	0
Stormwater Management and Watershed Services Office Building	1,720,000	200,000	300,000	1,220,000	0	0	0	0	0	0	0	0
Information Systems Replacement Program	2,601,993	151,993	600,000	250,000	250,000	250,000	250,000	150,000	150,000	175,000	175,000	200,000
Financial System Management & Upgrades	697,402	117,402	445,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
County Wireless Infrastructure	2,582,000	17,000	1,218,000	266,000	266,000	441,000	374,000	0	0	0	0	0
General - Equipment and Vehicle Replacement Program	1,653,715	653,715	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Accela Software Upgrade	400,000	0	400,000	0	0	0	0	0	0	0	0	0
Circuit Courthouse	2,000,000	0	2,000,000	0	0	0	0	0	0	0	0	0
General Government Total	26,314,133	3,449,133	6,603,000	3,141,000	1,821,000	1,996,000	1,929,000	1,455,000	1,455,000	1,480,000	1,480,000	1,505,000

Fiscal Year 2025 - 2034												
Draft 1												
	Total	Prior Appr.	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
<u>Parks and Recreation</u>												
Black Rock Capital Equipment Program	397,797	57,797	100,000	25,000	25,000	25,000	25,000	25,000	25,000	30,000	30,000	30,000
Agriculture Education Center Indoor Multipurpose Building	14,460,000	4,600,000	5,350,000	4,510,000	0	0	0	0	0	0	0	0
Hardcourt Playing Surfaces	704,963	204,963	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Ag Center Land Development	2,198,000	198,000	1,000,000	1,000,000	0	0	0	0	0	0	0	0
Park Equipment/Surfacing Replacement, Various Locations	1,296,156	421,156	0	175,000	0	175,000	0	175,000	0	175,000	0	175,000
Parking Lot Repair/Overlay, Various Locations	618,289	68,289	0	50,000	200,000	0	100,000	0	100,000	0	100,000	0
MLK Gymnasium Upgrade	1,950,000	1,700,000	250,000	0	0	0	0	0	0	0	0	0
Antietam Creek Water Trail	357,000	257,000	50,000	0	50,000	0	0	0	0	0	0	0
Black Rock Bunker Rehabilitation	250,000	0	0	250,000	0	0	0	0	0	0	0	0
Black Rock Learning Center	275,000	0	275,000	0	0	0	0	0	0	0	0	0
Clear Spring Park Walking Trail	375,000	0	0	0	0	0	0	0	0	375,000	0	0
Conococheague Creek Water Trail	310,000	0	0	0	10,000	180,000	120,000	0	0	0	0	0
Doubs Woods Disc Golf	50,000	0	0	0	0	0	0	0	50,000	0	0	0
Kemps Mill Park Trails	100,000	0	0	0	0	100,000	0	0	0	0	0	0
Marty Snook Park Multimodal Trail and Parking	700,000	0	0	0	100,000	300,000	300,000	0	0	0	0	0
Marty Snook Park Pool Renovation and Accessible Entrance	1,000,000	0	125,000	375,000	500,000	0	0	0	0	0	0	0
Mt. Briar Wetland Preserve Trails and Conservation Area	100,000	0	0	0	100,000	0	0	0	0	0	0	0
North Central County Park	6,200,000	0	0	100,000	500,000	800,000	800,000	800,000	800,000	800,000	800,000	800,000
Park Entrances and Security Upgrades	200,000	0	0	100,000	100,000	0	0	0	0	0	0	0
Pen Mar-Fort Ritchie-Cascade Trail Connection	290,000	0	0	50,000	120,000	0	120,000	0	0	0	0	0
Regional Park Dog Park	80,000	0	0	80,000	0	0	0	0	0	0	0	0
Parks and Recreation	31,912,205	7,507,205	7,200,000	6,765,000	1,755,000	1,630,000	1,515,000	1,050,000	1,025,000	1,430,000	980,000	1,055,000
<u>Public Safety</u>												
Detention Center - Systemic Projects	6,204,140	1,034,140	450,000	1,100,000	1,200,000	500,000	500,000	500,000	550,000	60,000	250,000	60,000
Patrol Services Relocation Renovation	26,100,000	1,600,000	3,000,000	3,500,000	4,500,000	4,000,000	5,000,000	2,500,000	2,000,000	0	0	0
Communication Tower(s) Various	576,806	356,806	110,000	0	110,000	0	0	0	0	0	0	0
P25 UHF Public Safety Radio Communications System Upgrade	12,604,000	11,079,000	1,525,000	0	0	0	0	0	0	0	0	0
Portable Radio Replacement Program - Sheriff	1,254,944	162,944	116,000	118,000	120,000	120,000	122,000	122,000	124,000	124,000	126,000	0
Portable Radio Replacement Program - Emergency Services	4,835,000	2,635,000	600,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	0
PSTC Apparatus Operator / Defensive Driving Track	2,250,000	250,000	2,000,000	0	0	0	0	0	0	0	0	0
PSTC Tactical Village / Simulation Training Area	16,750,000	2,250,000	0	0	0	0	0	1,960,000	4,043,000	4,143,000	4,354,000	0
Law Enforcement - Vehicle & Equipment Replacement Program	14,841,421	2,211,421	1,100,000	1,130,000	1,160,000	1,200,000	1,240,000	1,280,000	1,320,000	1,360,000	1,400,000	1,440,000
Emergency Services Equipment & Vehicle Program	9,053,880	5,548,880	330,000	335,000	340,000	345,000	350,000	355,000	360,000	365,000	375,000	350,000
Canteen/Rehab Unit Replacement	618,000	138,000	48,000	48,000	48,000	48,000	48,000	48,000	48,000	48,000	48,000	48,000
Incident Safety Officer Vehicle Replacement Program	192,000	32,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000	16,000
Police Indoor Firing Range	4,250,000	0	0	0	0	0	0	0	250,000	250,000	250,000	3,500,000
911 Center Building Expansion	1,800,000	0	0	0	0	0	0	0	528,000	1,272,000	0	0
Public Safety	101,330,191	27,298,191	9,295,000	6,447,000	7,694,000	6,429,000	7,476,000	6,981,000	9,439,000	7,838,000	7,019,000	5,414,000
<u>Railroad</u>												
Railroad Crossing Improvements	2,082,450	936,450	0	0	200,000	0	250,000	0	300,000	0	396,000	0
Railroad	2,082,450	936,450	0	0	200,000	0	250,000	0	300,000	0	396,000	0

Fiscal Year 2025 - 2034												
Draft 1												
	Total	Prior Appr.	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Road Improvement												
Intersection & Signal Improvements	2,812,319	462,319	850,000	0	0	750,000	0	0	750,000	0	0	0
Transportation ADA	1,785,023	385,023	500,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Pavement Maintenance and Rehab Program	68,335,817	9,425,817	5,000,000	5,660,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	6,250,000
Longmeadow Road	2,105,000	0	0	310,000	432,000	518,000	845,000	0	0	0	0	0
Eastern Boulevard Extended	10,603,000	0	0	300,000	1,000,000	1,200,000	1,324,000	2,500,000	2,220,000	2,059,000	0	0
Eastern Blvd Widening Phase I	10,667,100	10,467,100	200,000	0	0	0	0	0	0	0	0	0
Eastern Boulevard Widening Phase II	7,672,300	3,076,300	174,000	775,000	647,000	1,000,000	2,000,000	0	0	0	0	0
Eastern Blvd at Antietam Drive Improvements	5,506,000	4,006,000	500,000	1,000,000	0	0	0	0	0	0	0	0
Halfway Boulevard Extended	11,423,000	9,473,000	1,950,000	0	0	0	0	0	0	0	0	0
Wright Road	4,768,000	2,798,000	0	500,000	799,000	671,000	0	0	0	0	0	0
Burnside Bridge Road Spot Improvements	544,000	0	0	0	0	544,000	0	0	0	0	0	0
E. Oak Ridge Drive/South Pointe Signal	461,000	0	0	0	0	461,000	0	0	0	0	0	0
Mt Aetna Road Spot Improvements	2,422,000	0	0	0	0	0	0	935,000	1,487,000	0	0	0
Robinwood Drive Sidewalk Extension	750,000	0	0	0	250,000	500,000	0	0	0	0	0	0
Rockdale Road and Independence Road Spot Improvements	1,025,000	0	0	0	0	0	0	0	450,000	575,000	0	0
Sandstone Drive Spot Improvements	500,000	0	0	0	0	0	0	500,000	0	0	0	0
Highway - Vehicle & Equipment Replacement Program	18,636,823	2,243,823	1,201,000	1,350,000	1,424,000	1,502,000	1,585,000	1,672,000	1,764,000	1,861,000	1,963,000	2,071,000
Road Improvement	150,016,382	42,337,382	10,375,000	9,995,000	10,652,000	13,246,000	11,854,000	11,707,000	12,771,000	10,595,000	8,063,000	8,421,000
Solid Waste												
Contingency - Solid Waste	671,042	94,042	35,000	35,000	60,000	60,000	62,000	63,000	64,000	65,000	66,000	67,000
40 West Landfill - Cell 5 Construction	4,083,000	440,000	3,472,000	171,000	0	0	0	0	0	0	0	0
40 West Landfill Pretreatment Facility	11,100,000	500,000	500,000	5,100,000	5,000,000	0	0	0	0	0	0	0
SW Equipment & Vehicle Replacement	836,471	266,471	50,000	52,000	54,000	56,000	58,000	60,000	60,000	60,000	60,000	60,000
40 West Landfill - Cell 8 Construction	6,554,000	0	0	0	0	0	0	424,000	6,130,000	0	0	0
Solid Waste	23,244,513	1,300,513	4,057,000	5,358,000	5,114,000	116,000	120,000	547,000	6,254,000	125,000	126,000	127,000
Transit												
Vehicle Preventive Maintenance	3,870,307	495,307	0	375,000	375,000	375,000	375,000	375,000	375,000	375,000	375,000	375,000
Fixed Route Bus Replacement Program	5,018,111	1,418,111	0	0	900,000	0	0	0	0	0	2,700,000	0
ADA Bus Replacement	632,305	2,305	0	105,000	0	210,000	0	0	105,000	0	210,000	0
Transportation Development Plan	225,000	125,000	0	0	0	0	100,000	0	0	0	0	0
Facility Maintenance	117,000	0	117,000	0	0	0	0	0	0	0	0	0
Transit Equipment Replacement	300,000	0	300,000	0	0	0	0	0	0	0	0	0
Maintenance Truck Replacement	62,000	0	62,000	0	0	0	0	0	0	0	0	0
Transit	10,224,723	2,040,723	479,000	480,000	1,275,000	585,000	475,000	375,000	480,000	375,000	3,285,000	375,000
Water Quality												
Utility Administration												
Contingency - Utility Admin	191,400	29,400	0	0	0	0	0	31,000	32,000	32,000	33,000	34,000
General Building Improvements	564,000	70,000	494,000	0	0	0	0	0	0	0	0	0
Lab Equipment Replacement	406,197	160,197	23,000	24,000	24,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
WQ Equip/Vehicle Replacement Program	1,481,312	216,312	125,000	100,000	125,000	125,000	130,000	130,000	130,000	130,000	135,000	135,000
Security Update	90,000	0	35,000	35,000	20,000	0	0	0	0	0	0	0
Utility Administration	2,732,909	475,909	677,000	159,000	169,000	150,000	155,000	186,000	187,000	187,000	193,000	194,000

	Fiscal Year 2025 - 2034											
	Draft 1											
	Total	Prior Appr.	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
<u>Sewer</u>												
Contingency - Sewer	411,939	11,939	0	0	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Replace Grinder Pumps	1,187,519	152,519	125,000	125,000	125,000	90,000	95,000	95,000	95,000	95,000	95,000	95,000
Pump Station Upgrades - Various Stations	4,479,688	294,688	300,000	885,000	0	750,000	0	750,000	0	750,000	0	750,000
Collection System Rehabilitation Project	3,576,121	156,121	270,000	0	900,000	0	750,000	0	750,000	0	750,000	0
Sandy Hook Collection System Upgrades	127,535	102,535	25,000	0	0	0	0	0	0	0	0	0
Smithsburg WWTP ENR Upgrade	22,571,087	12,071,087	0	0	0	0	0	0	0	0	5,500,000	5,000,000
General WwTP Improvements	1,100,000	250,000	300,000	250,000	300,000	0	0	0	0	0	0	0
Heavy Sewer EQP and VEH Replacement	1,820,948	400,948	200,000	200,000	750,000	35,000	35,000	40,000	40,000	40,000	40,000	40,000
Potomac Edison Pump Station & Force Main	1,700,000	0	0	0	0	0	0	0	0	1,700,000	0	0
Sewer Fund	36,974,837	13,439,837	1,220,000	1,460,000	2,125,000	925,000	930,000	935,000	935,000	2,635,000	6,435,000	5,935,000
<u>Water</u>												
Water Meter Replacement	303,509	153,509	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
WQ Main Replacement	2,366,000	666,000	100,000	0	0	100,000	0	500,000	500,000	500,000	0	0
Sharpsburg Water Treatment Plant	645,336	55,336	0	590,000	0	0	0	0	0	0	0	0
General WTP Improvements	1,344,342	254,342	100,000	0	290,000	0	0	250,000	250,000	0	100,000	100,000
Highfield/Sharpsburg Water Storage Tank	336,000	0	0	0	0	0	0	336,000	0	0	0	0
Water Fund	4,995,187	1,129,187	215,000	605,000	305,000	115,000	15,000	1,101,000	765,000	515,000	115,000	115,000
Water Quality	44,702,933	15,044,933	2,112,000	2,224,000	2,599,000	1,190,000	1,100,000	2,222,000	1,887,000	3,337,000	6,743,000	6,244,000
TOTAL	834,972,070	148,234,070	73,743,000	86,637,000	89,626,000	50,023,000	56,390,000	62,434,000	53,750,000	80,086,000	67,986,000	66,063,000
Funding Sources												
General Fund	168,949,826	42,699,826	7,750,000	9,000,000	10,250,000	11,250,000	12,250,000	13,250,000	14,250,000	15,250,000	16,250,000	16,750,000
Highway Fund	5,500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Cascade Fund	12,342	12,342	0	0	0	0	0	0	0	0	0	0
Solid Waste Fund	1,474,216	327,216	85,000	87,000	114,000	116,000	120,000	123,000	124,000	125,000	126,000	127,000
Utility Admin Fund	2,154,509	391,509	183,000	159,000	169,000	150,000	155,000	186,000	187,000	187,000	193,000	194,000
Water Fund	303,509	153,509	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Sewer Fund	4,707,916	1,827,916	350,000	325,000	925,000	175,000	180,000	185,000	185,000	185,000	185,000	185,000
Airport Fund	5,473,055	1,299,055	1,222,000	513,000	845,000	320,000	192,000	321,000	153,000	233,000	205,000	170,000
Tax-Supported Bond	164,291,328	25,291,328	13,000,000	14,000,000	14,000,000	14,000,000	14,000,000	14,000,000	14,000,000	14,000,000	14,000,000	14,000,000
Self-Supported Bond	49,860,087	6,523,087	5,511,000	6,996,000	6,175,000	825,000	490,000	2,260,000	7,630,000	1,250,000	6,350,000	5,850,000
State Loan	3,972,170	3,972,170	0	0	0	0	0	0	0	0	0	0
Transfer Tax	28,348,319	7,348,319	3,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Excise Tax - Schools	4,032,031	567,031	0	385,000	385,000	385,000	385,000	385,000	385,000	385,000	385,000	385,000
Excise Tax - Roads	1,747,620	487,620	126,000	126,000	126,000	126,000	126,000	126,000	126,000	126,000	126,000	126,000
Excise Tax - Other	319,000	29,000	29,000	29,000	29,000	29,000	29,000	29,000	29,000	29,000	29,000	29,000
Excise Tax - Library	110,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Excise Tax - Non-Residential	928,285	428,285	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
APFO Fees - Roads	405,644	405,644	0	0	0	0	0	0	0	0	0	0
Capital Reserve - General	40,291,000	4,100,000	10,054,000	10,502,000	3,151,000	4,944,000	2,821,000	0	2,777,000	1,942,000	0	0
Capital Reserve - Transfer Tax	3,295,000	0	915,000	1,380,000	1,000,000	0	0	0	0	0	0	0
Capital Reserve - Excise Tax - Schools	1,770,000	0	0	770,000	1,000,000	0	0	0	0	0	0	0
Capital Reserve - Excise Tax - Roads	300,000	0	0	0	300,000	0	0	0	0	0	0	0
Capital Reserve - Excise Tax - Non-Residential	5,525,000	0	1,525,000	1,000,000	3,000,000	0	0	0	0	0	0	0
Capital Reserve - APFO Fees - Schools	1,000,000	0	0	0	1,000,000	0	0	0	0	0	0	0
Federal Grant	79,999,348	32,904,348	7,219,000	3,674,000	19,259,000	2,434,000	1,512,000	4,730,000	834,000	3,605,000	2,808,000	1,020,000
State Grant	239,238,027	18,787,027	19,411,000	33,003,000	24,125,000	12,694,000	18,443,000	20,707,000	5,892,000	37,168,000	24,356,000	24,652,000
Contributions	20,963,838	168,838	2,788,000	2,113,000	1,198,000	0	3,112,000	3,557,000	4,603,000	3,026,000	398,000	0
TOTAL	834,972,070	148,234,070	73,743,000	86,637,000	89,626,000	50,023,000	56,390,000	62,434,000	53,750,000	80,086,000	67,986,000	66,063,000




Washington County, Maryland

Budget Adjustment Form

(?) ☒ Budget Amendment
☐ Budget Transfer

BOCC Approval Date (if known)

2/13/2024 

Preparer, if applicable

Sign

Department Head Authorization

Sign

Division Director / Elected Official Authorization

Sign

Expenditure / Account Number *	Fund Number *	Department Number *	Project Number	Grant Number	Activity Code	Department and Amount Description *	Increase (Decrease) +/- *
498021	31	21010	TRP027		0000 ▾	Bond Fund - 2024	-500,000.00
599999	31	21010	TRP027		CNST ▾	40 West Landfill Pretreatment Facility	-500,000.00

[Add another row](#)

**Explain Budget
Adjustment**

Progress on this project has not reached the point where bonds need to be issued in the current fiscal year. Request is to reduce the bond issue for FY24. The \$500K will be replaced in the FY25 CIP plan.

Attach Additional Items

Upload

Submit

Save as Draft



Agenda Report Form

Open Session Item

SUBJECT: Proclamation for Black History Month

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Board of County Commissioners of Washington County to Taj Smith, President, and Pastor Les McIntosh, Vice President, Washington County NAACP

RECOMMENDED MOTION: N/A

REPORT-IN-BRIEF: Proclamation Presentation

WHEREAS, since President Gerald Ford established Black History Month in 1976, he stated that it was to celebrate the often-neglected accomplishments of African- Americans throughout the country's history, and;

WHEREAS, February was specifically chosen for various reasons, one being that Carter Godwin Woodson wanted to pay tribute to two great men - Abraham Lincoln and Frederick Douglass, both born in February, and;

WHEREAS, these men changed the fortune of blacks in America and brought about several reforms to give blacks equal status as their white counterparts, and;

WHEREAS, the story of the African-American experience in Maryland includes the life and accomplishments of Frederick Douglass, Harriet Tubman's Underground Railroad Byway, and Thurgood Marshall, one of this century's foremost leaders in the struggle for equal rights.

NOW THEREFORE, we the Board of County Commissioners of Washington County, Maryland, hereby recognize the month of February as Black History Month. With this recognition, we celebrate the many achievements and contributions made by African- Americans to our economic, cultural, spiritual and political development.



Agenda Report Form

Open Session Item

SUBJECT: Contract Award (PUR-1652) Strategic Business and Economic Development Plan Study

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Rick F. Curry, CPPO, Director of Purchasing; Jonathan Horowitz, Director, Washington County Department of Business Development (WCDBD)

RECOMMENDED MOTION: Move to award the contract for the Strategic Business and Economic Development Study be awarded to the responsive, responsible proposer.

REPORT-IN-BRIEF: Proposals were seeking to have a professional Contractor Team to prepare an Economic Development Strategic Plan (EDSP) that not only builds on the economic development work already completed or underway; but one that furthers the efforts of our community and introduces new strategies of proven success. The Contractor Team will work with the community to understand economic development concerns and interests and to help guide the discussion about what is feasible in Washington County, MD with respect to economic development and the resources available. The EDSP will provide a framework to increase the tax base and job creation numbers of Washington County, Maryland, by enhancing the business climate and creating higher paying jobs. The goal is to sustain and expand the economic base to provide a high quality of life for all residents. It is hoped that the plan will present a key set of strategies, with action items, that build upon the current asset base of Washington County, MD.

The Coordinating Committee was comprised of the County Administrator, WCDBD Director (Chairman Designee), two Business Development Specialist, and the County's Director of Purchasing. The Request for Proposals (RFP) was advertised on the State's "*eMaryland Marketplace Advantage*", on the County's web site, and in the local newspaper. Ninety-seven (97) persons/firms accessed the Request for Proposal from the County's web site. Ten (10) persons/firms were represented at the Pre-Proposal Conference/Teleconference. The deadline for proposal submittals was December 20, 2023; five (5) firms submitted proposals. The Qualifications & Experience/Technical Proposals of two (2) of the five firms were considered responsive by the Coordinating Committee. The Price Proposals of those firms were opened.

DISCUSSION: N/A

FISCAL IMPACT: Funding in the amount of \$250,000 is budgeted in GRT581 for the project.

CONCURRENCES: As recommended by the Coordinating Committee.

ALTERNATIVES: To not award a contract

ATTACHMENTS: Scope of Work

AUDIO/VISUAL NEEDS: N/A

SCOPE OF WORK

- A. Washington County looks to the Contractor Team to present a cost-effective fee proposal to complete the Scope of Work. The estimated schedule for completion of the report is six months. A completed report would include involvement of the community, an EDSP Steering Committee, and any associated EDSP Task Forces(s). This will allow time for scheduling, receiving, and incorporating input. The following Scope of Work is provided to guide and not limit the Contractor Team. The Scope of Work outlined below is the minimum required. It is intended to produce an Economic Development Strategic Plan that focuses on the economic growth in Washington County for the next ten (10) years. The goal is to develop economic development programs, initiatives and policies to support business, grow Washington County's real estate and sales tax base, retain businesses and jobs, grow the workforce, and strategically grow targeted business sectors. The Plan should contain a list of achievable and measurable goals, the employee roles identified to perform those activities, the steps necessary for implementing activities that have the greatest potential for creating and retaining jobs, as well as strengthening the local tax base in Washington County. The Scope of Work shall include the following tasks:

- B. Tasks:

Task #1 -Review the County and Municipal Documents; Attend Kick Off Meeting

Description: The purpose of Task #1 is to ensure the Contractor Team is familiar with all pertinent economic development policy documents and initiatives and, most importantly, based on its review and discussions with staff, prepares an approach to integrate planned development across all nine incorporated municipalities' future economic development growth strategies and market growth trend factors.

The major policy documents for review include:

1. Washington County Comprehensive Plan Feedback – New report being created January 2024 as well as previous plan 2002.
2. City of Hagerstown Comprehensive Plan
3. City of Hagerstown City Center Plan
4. Washington County Zoning Laws
5. Washington County Permit “rules”
6. Previous Washington County, MD Economic Development plans.
7. Review Housing Task Force Report created by Greater Hagerstown Committee and the Hagerstown/WashCo Chamber of Commerce

8. Recent Economic Development reports or newsletter from our regional counties

As part of Task #1, the Contractor Team shall attend and speak (if necessary) at the County Commissioners public meeting at which the Contractor contract is approved.

Immediately upon execution of the contract, the Contractor Team will review the listed documents. Upon completion of the review of the documents, the Contractor Team will participate in a kick-off meeting with the County Staff and a separate kick-off meeting with the EDSP Steering Committee.

- A. Discuss project goals, identify potential constraints or issues, and community involvement strategies; and
- B. Review the scope, schedule, and deliverables.

Following the meetings, the Contractor Team will provide:

- A. Memorandum detailing the approach for developing the background report for the ESDP; and
- B. Detailed project schedule, including planned dates for submittal of drafts and final versions of deliverables.

Deliverable:

- a) Memorandum on approach for developing the background report for the ESDP
- b) Detailed Project Schedule
- c) Attend Commissioners Public Meeting to introduce Contractor Team
- d) Kick-off meeting with County staff
- e) Kick-off meeting with EDSP Steering Committee

Task #2 – Countywide Demographic and Economic Analysis

Description: The Contractor Team will supplement the background materials identified in Task #1 with additional quantitative and qualitative analysis. Task #2 will provide the local and regional context for preparing a targeted approach and marketing plan to attract specific commercial and industry clusters to Washington County. This is essentially the analysis of “Where are we now”. The sub-tasks are described as follows:

1. **Review of Existing Data-** The Contractor Team will review current demographic and socioeconomic data (prefer post Pandemic), employment data and labor force characteristics, sales tax revenue and other pertinent economic and market data studies.
2. **Business Sector and Consumer Demand Analysis-** The Contractor Team will provide a more fine-grained understanding of Washington County’s

economy relative to the State of Maryland, the Region, the Nation and other comparable communities.

This sub-task should include preparation of a market segmentation of the County's retail, commercial, and industrial sectors. This should also include a local industry analysis with sectoral and cluster analysis. This may also include analysis such as Location Quotient and Shift-Share to get an accurate picture of the County's economic base. The Contractor Team will analyze:

- A. Washington County's business sector by employment size, wages, tax generation, educational attainment levels, and other relative metrics. This analysis will be placed in the context of regional trends. Review of existing local industries by their four-digit NAICS code to determine those that are: 1) Well positioned and expected to grow, 2) Emerging and a good match for the community, and 3) Currently not present but a good match. List comparative advantages and disadvantages to similar, competitive markets.
- B. Which commercial and industrial sectors would realistically be attracted to the county and would fit into the overall vision and goals?
 - 1. This analysis should take into account the cost of living for our community and focus on the attraction of employment opportunities that provide wage levels at or above this level, as to create jobs that pay enough for people to thrive in Washington County, MD.
- C. The competitiveness of Washington County's business parks, shopping centers and districts, in terms of lease rates, rent structures, supply and quality of product, tenant mix, and performance in the context of the region.
- D. Washington County's retail sectors by consumer behavior, spending volume, demographics, and where Washington County consumers live and work. This step is intended to: 1) help define Washington County's retail market leakages and surpluses (if any); 2) who shops here (e.g., where do they live and work); 3) shape future marketing and branding efforts, and; 4) distinguish Washington County's retail market from the surrounding and competing areas.
- E. Identify the strengths or weaknesses of the existing entrepreneurial ecosystem, basically the ability to grow our own employment base.

3: Stakeholder Focus Groups- The Contractor Team will conduct focus group meetings (identify the number in response) with below entities (list considered suggestive and not all-inclusive). Identify proposed number of included meetings as well as costs for unanticipated additional meetings deemed necessary through the creation of the EDSP:

- A. Important business sectors identified through the process (manufacturing, hospitality, health care, ect.).
- B. Major commercial and retail brokers, property owners, and developers; and
- C. Identified County and City Community Stakeholders
 - a) Hagerstown/Washington County Chamber of Commerce
 - b) CHIEF
 - c) Greater Hagerstown Committee (GHC)
 - d) Western Maryland Consortium
 - e) Tri-County Council of Western Maryland (TCC)
 - f) Horizon Goodwill Industries
 - g) Municipal Leadership or Economic Development Groups
 - h) Visit Hagerstown – Convention and Visitors Bureau
 - i) Hagerstown Community College (HCC)
 - j) University System of Maryland Hagerstown (USMH)
- D. County and City of Hagerstown Economic Development leaders
- E. Financial Service Providers
- F. Community as a whole or Citizens at large (Public Meeting)

4: SWOT Analysis- Using the results of the previous tasks, the Contractor Team will prepare a conclusive summary of Washington County’s primary strengths, weaknesses, opportunities, and threats (SWOT) that directly impact economic competitiveness. SWOT is open to the most current definition of the strategy and the Contractor team is requested to identify the leading best practice in the industry of Economic Development strategic planning. This historically included specific industries and user/ tenant profiles that might be interested in locating and/or expanding in Washington County, and a brief explanation for why they might be interested in Washington County.

5: Economic Development Background Report- The Contractor Team will prepare an Economic Development Background Report for public distribution that summarizes the key findings from Task 2. As public documents, the Background Report and the final EDSP are envisioned to be “user-friendly”, easy-to-understand documents, organized around graphics, tables, and charts. An Executive Summary section will describe the County’s economic context, highlight the most significant findings, and identify major topics to guide public discussion.

The County intends to use the Background Report to identify its comparative advantages and to positively distinguish itself at the local, regional and state levels. The Background Report will also provide the statistical and factual underpinning for the EDSP and allow for the formation of realistic Goals, Objectives, and Strategies.

The Contractor Team will work with County Staff to identify topics for public discussion and how to best use the Background Report to guide the community engagement process.

The Contractor Team will deliver an Administrative Draft to the County staff for review and present it to the EDSP Steering Committee.

Deliverable:

- a) Contractor to provide detailed list of dates and deliverables.

Task #3 - Community Engagement

Description: The Contractor Team will recommend a range of innovative options to engage the community in a meaningful public discussion. The points of engagement may include a combination of workshops, social media communication tools, and/or on-line public opinion instruments.

1. The Contractor Team will be responsible for developing content for the recommended public engagement tools and the facilitation of any public forms. These tools and the content shall be drafted while the Administrative Background Report is being developed. These tools should be shared with county staff and the EDSP team for their feedback prior to being used.
2. The Contractor Team will present the results of the public engagement process and discuss their implication with the EDSP Steering Committee.

3. **Deliverable:**

- a) Contractor to provide detailed list of dates and deliverables.

Task #4 – Draft Economic Development Strategic Plan and Implementation Plan

Description: Parts of Task 4 may run concurrently with Tasks 2 and 3. The Contractor Team will incorporate the results of the previous tasks to draft an initial document framework (strategic focus areas) for review by County Staff. Based on comments by County Staff, the Contractor Team will prepare an Administrative Draft of the Economic Development Strategic Plan. The Strategic Plan will describe:

1. Washington County's place in the market.
2. Identify primary opportunities and challenges.
3. Identify Targeted Industries – taking into account the prevailing living wage in the community to create realistic targets.
4. Identification of major industries for business attraction and retention efforts.
5. Primary goals and objectives that will guide the County's economic development efforts through the next five (5) (Short-term) and ten (10) years (long-term).
6. Provide a measure of growth in the employment base and wages in correlation with cost of living.
7. Detailed housing strategy appropriate for the job growth created since Covid Pandemic.
8. Recommendations on the current structure and staffing of our Department of Business and Economic Development to meet the needs required to implement the EDSP.

1: Realistic Goals, Objectives, and Strategies- Through the identification of needs informed by the community assessment, frame the key issues most affecting the community's economic development. Based on this framework, develop strategic goals and objectives. Identify feasible growth and development options, given the external environment and internal opportunities and constraints. Recruit and engage stakeholders-citizens from every sector of the community- to inform and review strategic goals, objectives, and options. These efforts culminate in the drafting of the strategic plan.

2: Identify, Evaluate, And Prioritize Projects- Identify potential projects to maximize or create opportunities, or minimize threats to achieve economic goals. Prioritize the projects based on the best approach and return on project. These projects should be in line with the strategies designed for reaching the goals. Determine the availability of resources to help in execution of projects. Develop benchmarks to measure future performance and define what is successful. Recruit and engage community stakeholders to inform and review the identification and prioritization of projects.

3: Developing Plans of Action- Set out the sequence of events and resources necessary to achieve the goals, including overhead, staff, information, and financial capital. This includes defining the physical steps to take to accomplish explicit goals and objectives. Action Plans should be associated with the strategies and related projects identified in earlier steps. Recruit

and engage community stakeholders to inform and review the plans of action.

4: Implementing Plans- The Implementation Plan will identify specific actions, a lead organization or department, supporting agencies and partners, funding sources, and time frames. The Contractor Team will present an Administrative Draft of the EDSP and Implementation Plan to EDSP Steering Committee for review and comment. Both documents are intended to be ‘user-friendly’ and easy-to-understand documents, organized around graphics, tables, charts, and matrices.

5: Monitoring and Evaluating Outcomes- The Contractor Team will develop measurement tools to assess, monitor, and improve the action strategies on an ongoing basis. This is to monitor and measure the effectiveness of the plan and related programs that will allow adjustment of the plan to meet changing conditions. Make sure goals and projects remain realistic and are worthwhile, and still fit into the changing economy.

After receiving comments from county staff and the EDSP Steering Committee, the Contractor Team will deliver a revised Draft EDSP to be presented to the community and the Washington County Board of County Commissioners.

Deliverable:

- a) As needed, attend meetings of the EDSP Steering Committee to present and/or review changes to the Administrative Draft of the EDSP.
- b) PowerPoint presentation of the Draft EDSP to the Washington County Commissioners at the public hearing.
- c) Target Industries Report
- d) Project Identification and Ranking Report
- e) Plans of Action Matrix
- f) Measurement Tools
- g) Administrative Draft of the EDSP and Implementation Plan
- h) Revised Draft EDSP and Implementation Plan

Task #5 – Steering Committee, County Commissioner Meetings, and Conference Calls/Virtual Meetings

Description:

1. Meetings with Staff and EDSP Steering Committee

The Contractor Team will participate in regularly scheduled in-person meetings and/or bi-weekly conference calls or virtual meetings with

relevant County staff, and on an as-needed basis. The Contractor Team will regularly contact County staff to provide project updates, coordinate the project schedule and deliverables, and gather information as needed.

2: County Commissioners Public Meetings

The Contractor Team may attend Public County Commissioners meetings as required. This is in addition to the meeting related to the contract. The timing of these meetings will be finalized with County Staff.

Deliverable:

- a) PowerPoint Presentations as required.
- b) Participate in conference calls or virtual meetings as needed.
- c) Attend regularly scheduled in-person meetings.
- d) Attend and present at County Commissioners meetings.
- e) Proposal to include Contractor price for minimum stated number of meetings and then a per meeting price if additional meetings are deemed necessary.

Task #6 –Final EDSP and Implementation Plan

Description: The Contractor Team will incorporate any input received from staff, steering committee, County Commissioners, community members, and deliver a final Economic Development Strategic Plan and Implementation Plan within 60-days of completion of research and engagement period.

Deliverable:

- a) PowerPoint presentation of Final EDSP and Implementation Plan to County Commissioners.
- b) Final EDSP and Implementation Plan provided both in digital and hard-copy format.



Agenda Report Form

Open Session Item

SUBJECT: Contract Award (PUR-1481 Task Order 20) – Martin Luther King Building Community Recreation Center Renovation

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Andrew Eshleman, P.E., Director, Division of Public Works

RECOMMENDED MOTION: Move to award the contract for the Martin Luther King Building Community Recreation Center Renovation to the lowest responsible, responsive bidder, L.S. Grim Consulting Engineers, LLC of Hagerstown, MD who submitted the total lump sum bid in the amount of \$239,981.53.

REPORT-IN-BRIEF: The work to be performed under this project includes but is not limited to professional design and construction administration services to renovate the existing gymnasium and supporting facilities at the Martin Luther King Building located at 131 West North Avenue, Hagerstown.

The request for design services was solicited to the five consultant teams under the County's Contract PUR-1481 Facility Design Services. Two (2) bids were submitted as indicated on the attached bid tabulation matrix.

DISCUSSION: The Martin Luther King Building was constructed in 1949 and the gymnasium and facilities are original to the building's construction. The facility is used by Head Start, the Robert Johnson Community Center and the public. Presently, there is limited ability to secure the gymnasium from the school while providing restroom facilities and accessible pathways for individuals with disabilities.

The project includes renovating the existing gymnasium, converting the old locker rooms into restrooms and storage, HVAC, providing secured exterior entry and access to the space and installation of an elevator for building ADA compliance. During school hours the facility will be used by Head Start and after hours the Robert Johnson Community Center and public.

The project design is to be completed within three hundred sixty (360) consecutive calendar days of the Notice to Proceed.

FISCAL IMPACT: \$239,981.53. \$1,700,000 in funds including \$1,500,000 in ARPA allocation is budgeted in the Division's Capital Improvement Project (CIP) account 30-11900-REC048.

CONCURRENCES: Purchasing

ALTERNATIVES: N/A

ATTACHMENTS: Bid Tabulation

AUDIO/VISUAL NEEDS: N/A

PUR-1481 MLK Community Recreation Center Renovation

Design Fee Proposals

Bids Due: January 22, 2024 @ 4:00 p.m.

Consultant/Bidder Name	Address	Price Proposal
1. L.S. Grim Consulting Engineers	19922 Jefferson Blvd. Hagerstown, MD 21742	\$239,981.53
2. Alban Engineering	303 International Circle, Suite 450 Hunt Valley, MD 21030	\$268,533.20



Agenda Report Form

Open Session Item

SUBJECT: FY25 Maryland's Office of Overdose Response Competitive Grant Program—Approval to Submit Application and Accept Funding Awarded

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Meaghan Willis, Program Director, Day Reporting Center and Nicole Phillips, Senior Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the submission of the FY25 Maryland's Office of Overdose Response Competitive Grant Program application in the amount of \$207,907 and accept funding as awarded.

REPORT-IN-BRIEF: The Washington County Sheriff's Office is submitting a grant application requesting \$207,907 from Maryland's Office of Overdose Response Competitive Grant Program. The funding will be utilized by the Washington County Day Reporting Center (DRC) to implement a re-entry workshop for the recently incarcerated.

DISCUSSION: The Washington County Sheriff's Office is requesting funds from Maryland's Office of Overdose Response Competitive Grant Program to implement a re-entry workshop at the DRC. The proposed re-entry workshop will assist those recently incarcerated and/or those with substance use disorders in obtaining items and/or services required to gain employment and continue in their recovery. The proposed re-entry workshop will provide immediate access to items needed for job interviews and employment, such as identification documentation, clothing, transportation, and job training. Funding will also be used to provide case management and staff for the workshop, as well as training, cell phone/laptop, and fringe benefits for the case manager.

The Office of Grant Management has reviewed the application and program guidelines. The funding period is for one year, starting July 1, 2024 and ending June 30, 2025. There is no match requirement associated with the agreement.

FISCAL IMPACT: Provides \$207,907 for the Washington County Sheriff's Office Day Reporting Center to support a re-entry workshop.

CONCURRENCES: Rachel Souders, Director, Office of Grant Management

ALTERNATIVES: Deny approval for submission of this request

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: FY25 School Based Health Center Grant – Approval to Submit Application and Accept Awarded Funding

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Richard Lesh, Grant Manager, Office of Grant Management

RECOMMENDED MOTION: Move to approve the submission of the grant application for the FY25 School Based Health Center Grant Program to the Maryland State Department of Health in the amount of \$271,150 and accept awarded funding.

REPORT-IN-BRIEF: The Washington County Office of Grant Management, on behalf of and at the direction of the Local Management Board is seeking approval to submit an application to the Maryland State Department of Health requesting funding for School Based Health Centers in Washington County.

DISCUSSION: There are two School Based Health Centers in Washington County which are located at South Hagerstown High School and Western Heights Middle School. The Centers provide exams, prescriptions, nutritional assessments, orders lab work and assists in the management of chronic conditions such as asthma and diabetes. Meritus Health is the clinical provider contracted to provide these services. Funding in the amount of \$12,524 is included in the award for County administrative support.

FISCAL IMPACT: Provides \$12,524 for County administrative expenses.

CONCURRENCES: The Local Management Board approves the submission of the proposal and recommends the acceptance of this award.

ALTERNATIVES: Deny approval for submission of this request

ATTACHMENTS: N/A

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Proposed 2021 code adoption

PRESENTATION DATE: February 13, 2024

PRESENTATION BY: Greg Cartrette Director/Code Official & Frank Quillen Deputy Code Official

RECOMMENDATION: Motion to move forward with a public hearing for the proposed adoption of the 2021 Maryland Building Performance Standards, the 2021 Existing Building Code, trade codes, local amendments thereto and related ordinance and resolution.

REPORT-IN-BRIEF: The 2021 code adoption, as required by the State of Maryland, includes, State Building Performance Standards and Washington County local amendments. Local amendments allow for some modification to the new codes for consistency and coordination with customers as well as external agencies.

As with prior cycles, a 2021 Building Code Review was performed by a committee approved by the Board July 12, 2022 consisting of various government, design and construction representatives. The committee met once a week during 2023 to review hundreds of pages of code. The purpose of the review was to consider safety, consistency, common sense and customer service across agencies in the proposed amendments.

DISCUSSION: The proposed amendments have been drafted for the Board's consideration, public notice and implementation. The amendments are like prior amendments. The fee schedule is proposed to remain unchanged at this time.

FISCAL IMPACT: N/A

CONCURRENCES: County Attorney

ALTERNATIVES: Not proceed and continue under the current adopted codes, which the State of Maryland requires us to adopt within one year after the state's adoption.

ATTACHMENTS:

- 2021 Building Code Review Committee
- An Ordinance to Adopt the 2021 Maryland Building Performance Standards as Adopted by the State of Maryland (COMAR 09.12.51) with modifications and subject to Local Amendments of Washington County, Maryland which includes the 2021 International Building Code, 2021 International Residential Code and the 2021 International Energy Conservation Code
- An Ordinance to Repeal the International Existing Building Code, 2018 Edition and Enact the International Existing Building Code, 2021 Edition

- An Ordinance to Repeal the International Plumbing Code, 2018 Edition and Enact the International Plumbing Code, 2021 Edition
- An Ordinance to Repeal the International Mechanical Code, 2018 Edition and Enact the International Mechanical Code, 2021 Edition
- An Ordinance to Repeal the International Fuel Gas Code, 2018 Edition and Enact the International Fuel Gas Code, 2021 Edition
- An Ordinance to Repeal the NFPA National Electrical Code, 2017 Edition and Enact the NFPA National Electrical Code, 2020 Edition
- An Ordinance to Adopt the 2021 International Swimming Pool and Spa Code

ORDINANCE NO. ORD-202419-

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO ADOPT FEE SCHEDULES PROVIDING FOR THE COLLECTION OF FEES FOR ALL BUILDING/TRADE WORK PERFORMED IN WASHINGTON COUNTY, MARYLAND" (ORD-2017-03) AND TO REENACT THE ORDINANCE WITH AMENDMENTS

On April 4, 2017, by Ordinance No. ORD-2017-03, the Board adopted an ordinance entitled "An Ordinance to Adopt Fee Schedules Providing for the Collection of Fees for All Building/Trade Work Performed in Washington County, Maryland," effective July 1, 2017, modifying certain fees.

On _____, 202419, the Board of County Commissioners of Washington County, Maryland (the "Board") adopted the following codes governing all building/trade work performed in Washington County, Maryland, said codes being effective _____, 20__:

the Maryland Building Performance Standards (i.e. the *International Building Code*, with local amendments, the *International Residential Code*, with local amendments, and the *International Energy Conservation Code*, with local amendments, 202118 Editions);
the *International Existing Building Code*, 202118 Edition, with local amendments;
the *International Plumbing Code*, 202118 Edition, with local amendments;
the *International Mechanical Code*, 202118 Edition, with local amendments;
the *International Fuel Gas Code*, 202118 Edition, with local amendments;
the 202017 *National Electrical Code*, with local amendments; and
an amendment to Ordinance No. ORD-07-08 adopting the 2006 *ICC Electrical Code Administrative Provisions*, First Printing, with local amendments, and repealing ORD-2015-33 adopted on December 15, 2015, effective March 1, 2016 (the "Codes").

The Codes provide that fees shall be paid in accordance with a fee schedule established by the applicable governing authority.

A public hearing was held on _____, 202419, following due notice and advertisement of the Board's intention to amend Ordinance No. ORD-2017-03 to reflect the adoption of the above-referenced codes.

Any public comment was reviewed and carefully considered.

The Board believes it to be in the best interests of the citizens and residents of Washington County, Maryland, that the Fee Schedules providing for the collection of fees for all building/trade work performed under the Codes adopted in ORD-2017-03, effective July 1, 2017, remain in effect.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the attached Fee Schedules (Building, Electrical, Mechanical, and Plumbing) be adopted for all building/trade work performed in Washington County, Maryland under the Maryland Building Performance Standards (i.e. the *International Building Code*, with local amendments, the *International Residential Code*, with local amendments, and the *International Energy Conservation Code*, with local amendments, 20~~21~~¹⁸ Editions); the *International Plumbing Code*, 20~~21~~¹⁸ Edition, with local amendments; the *International Mechanical Code*, 20~~21~~¹⁸ Edition, with local amendments; the *International Fuel Gas Code*, 20~~21~~¹⁸ Edition, with local amendments; the 20~~20~~¹⁷ *National Electrical Code*, with local amendments; and the 2006 *ICC Electrical Code - Administrative Provisions*, First Printing, with local amendments, as amended.

Adopted this ____ day of _____, 20~~24~~¹⁹.
Effective the ____ day of _____, 20____.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

~~Dawn L. Marcus~~

~~Krista L. Hart~~
County Clerk

~~John F. Barr~~ Jeffrey A. Cline, President

Approved as to form
and legal sufficiency:

~~B. Andrew Bright~~
Assistant County Attorney

After recording mail to:
Office of the County Attorney
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740

**WASHINGTON COUNTY DIVISION OF ~~ENGINEERING & CONSTRUCTION~~
MANAGEMENT PERMITS & INSPECTIONS PLAN REVIEW & PERMITTING**
MECHANICAL FEE SCHEDULE
(Effective July 1, 2017)

		NOTE: All fees are non-refundable
RESIDENTIAL PERMIT FEES \$65.00 Application Fee \$15.00 Technology Fee <i>*-Application Fee and Technology Fee Apply</i>		
Mobile Home/Mobile Home Replacement		*\$50 per unit
Single Family Dwelling/Modular Home		*\$40 per unit
2 Family/Semi-Detached (separate application required for each unit)		*\$40 per unit
Townhouse (Separate application required for each unit)		*\$40 per unit
Multi-Family/ Apartment(s) (separate application required for each unit)		*\$40 per unit
Addition		*\$40 per unit
Venting (Hood, Dryer, Bath fan)		*\$3 per appliance
New Installation of Manufactured Fireplace with Chimney		*\$60 per unit
New Installation of Manufactured Fireplace - Direct Vent/Ventless		*\$25 per unit
Gas Piping/LP Tank/Oil Tank		*\$40/each
Geothermal Installations		*\$40 per unit
RESIDENTIAL RETROFIT		
Mobile Home Furnace or Condenser		*\$25 per unit
Single/Modular Dwelling Furnace or Condenser		*\$35 per unit
2 Family/Semi-Detached Furnace or Condenser		*\$40 per unit
Townhouse Furnace or Condenser		*\$40 per unit
Multi-Family Furnace or Condenser		*\$40 per unit
RESIDENTIAL RETROFIT NO APPLICATION FEE REQUIRED FOR INDIVIDUAL INSTALLATIONS (Single appliance per application)		
Manufactured Fireplace/Gas Appliance (Existing Chimney - direct vent or ventless)		\$25 (plus Technology Fee)
Pellet/Freestanding Stove/Gas Appliance		\$35 (plus Technology Fee)
UL Chimney liner (no appliance)		\$25 (plus Technology Fee)
COMMERCIAL \$125.00 Application Fee \$15.00 Technology Fee <i>*-Application Fee and Technology Fee Apply</i>		
New/Addition/Remodeled		*\$80/ per unit
Kitchen Equipment		*\$10 per appliance
Gas Piping/LP Tank		*\$75/each
MISCELLANEOUS (No Application Fee or Technology Fee Required)		
Extra trip fees will be assessed for premature inspection requests, incomplete work, and work areas not accessible		1 st extra trip - \$50 2 nd extra trip - \$75 3 rd extra trip - \$100
Permit Extension		\$25 each
Investigation Fee (work started without permit)		\$200
Archive/Records Research		\$100 per address
File an appeal to the Plumbing/Mechanical Board		\$150

**WASHINGTON COUNTY DIVISION OF ~~ENGINEERING & CONSTRUCTION~~
MANAGEMENT PERMITS & INSPECTIONS**

PLAN REVIEW & PERMITTING

MECHANICAL FEE SCHEDULE

(Effective July 1, 2017)

Continued

MECHANICAL REGISTRATION FEES*

Master/Restricted/Limited License	
In-County Resident	\$50
Out-of-County Resident	\$100
Journeyman License	
In-County Resident	\$20
Out-of-County Resident	\$40

**Registration fee will be for a period of two years and must be renewed on or before the 31st day of May of the renewal year.*

**WASHINGTON COUNTY DIVISION OF ~~ENGINEERING & CONSTRUCTION~~
MANAGEMENT PERMITS & INSPECTIONS**
ELECTRICAL FEE SCHEDULE
(Effective July 1, 2017)

NOTE: All fees are Non-Refundable

RESIDENTIAL PERMIT FEE
\$65.00 Application Fee
\$15.00 Technology Fee
**- Application Fee and Technology Fee Apply*

Residential

1 or 2 Family Dwelling (includes service & low voltage)	*\$.10 per sq ft/finished area
Mobile Homes (includes service & low voltage)	*\$50
Modular Homes (includes service & low voltage)	*\$75
Multi-family dwelling (semi-detached/town house/apartments (includes service and low voltage)	*\$100 each unit

Residential Additions

Addition (includes service & low voltage)	*\$.10 per sq ft
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Special Permits and Fees

Temporary Service	*\$25
Residential Service upgrade/Repair/Reintroduction (Includes up to 5 outlets)	*\$50
Construction Trailer	*\$50
Swimming Pools - In Ground	*\$100
Swimming Pools - Above Ground	*\$25
Hot tub Single inspection When separate trip required for rough wire or trench inspection	*\$50/each *\$35
Low Voltage (only)	*\$20
Illuminated Signs	*\$50/each
Outlets - Change of equipment not involving changes to service and/or change; Detached Garage/Accessory Structures Includes outlets, fixtures, appliances, transformers, generators, motors, elevators and other equipment. All equipment is counted as outlets. 1 - 5 6 - 50 outlets Each additional 25 devices	*\$15 *\$50 *\$10
Wind Turbines (No more than 2 permitted on each property)	*\$100/Each Tower
Solar Panels 1-10 KW's Each Additional 20 KW's	*\$50 *\$75

**WASHINGTON COUNTY DIVISION OF ENGINEERING & CONSTRUCTION
MANAGEMENT PERMITS & INSPECTIONS PLAN REVIEW & PERMITTING**

ELECTRICAL FEE SCHEDULE

(Effective July 1, 2017)

(Continued)

COMMERCIAL PERMIT FEE

\$125.00 Application Fee

\$15.00 Technology Fee

**-Application Fee and Technology Fee apply*

Equipment List -

All electrical permit applications must be accompanied by a detailed list including outlet counts, switches, and detailed list of all equipment to be installed. Additional electrical plans are not required when they have been submitted as part of an approved building permit. All others must be accompanied by 2 sets of plans, prepared and sealed by a Maryland professional engineer, architect, or a licensed Master Electrician in accordance with the Washington County Electrical Code

New Construction or Major additions

Includes service, feeders, wiring, switches, outlets, appliances, transformers, generators, motors, elevators, and other equipment.

First 100 amps

*\$300

Each additional 100 amps

*\$100

New "Shell Only" Construction

Includes service, wiring for safety equipment and alarms, and any energized feeders.

First 100 amps

*\$100

Each additional 100 amps

*\$50

Interior Completions of Tenant Space

Includes service, feeders, heavy ups, wiring, switches, outlets, appliances, transformers, generators, motor, elevators, and other equipment.

Each 100 amps

*\$300

Each additional 100 amps

*\$50

Heavy UPS only (service upgrade/repair/reintroduction and including up to 5 outlets)

First 100 amps

*\$100

Each additional 100 amps

*\$50

Change of equipment not involving changes to service and/or feeder equipment

Includes outlets, fixtures, appliances, transformers, generators, motors, elevators, and other equipment. All equipment is counted as outlets.

1 - 5 outlets (no application fee required - single permit only)

* \$65

6 - 25 outlets

* \$50

26 - 50 outlets

*\$100

Each additional 25 devices

*\$10

Wind Turbines (No more than 2 permitted on each property)

*\$300/Each Tower

Solar Panels

1-25 KW's

*\$100

Each Additional 20K

*\$75

**WASHINGTON COUNTY DIVISION OF ENGINEERING & CONSTRUCTION
MANAGEMENT PERMITS & INSPECTIONS PLAN REVIEW & PERMITTING
ELECTRICAL FEE SCHEDULE**
(Effective July 1, 2017)

(Continued)

Commercial (continued)	
Illuminated Sign(s)	*\$50/each
Low Voltage Only	*\$20
Temporary Service	*\$75
Miscellaneous (No Application Fee or Technology Fee Required)	
Archive/Records Research	\$100 per address
Extra trip fees will be assessed for premature inspection requests, incomplete work, and work areas not accessible	1st extra trip- \$50 2nd extra trip- \$75 3rd extra trip- \$100
File an appeal to the Electrical Board	\$150
Investigation Fee (work started without permit)	\$200
Permit Extension	\$25
Licensing Fees (No Application Fee or Technology Fee Required)	
Examination Fee	\$50
Inactive License	\$50
Late Penalty for License Renewal	\$100
Master & Restricted Licenses (Renewable every three years)	\$150
Reactivation Fee	\$50 plus \$50 for each remaining year of the licensing period

**WASHINGTON COUNTY DIVISION OF ~~ENGINEERING & CONSTRUCTION~~
MANAGEMENT ~~PERMITS & INSPECTIONS~~ PLAN REVIEW & PERMITTING**

BUILDING FEE SCHEDULE

(Effective July 1, 2017)

Building permit fees shall be based on the square footage area of proposed structure(s) and shall include an application fee and technology fee unless otherwise noted.

\$250.00 Minimum Payment Due at Time of Submittal

Permit Fees Less Than \$250.00 to be Paid in Full

Note: All Fees are Non-Refundable

RESIDENTIAL

\$65.00 Application Fee

\$15.00 Technology Fee

**Application Fee and Technology Fee Apply*

Mobile Homes (Manufactured Housing)	\$65 plus \$.10/sf. (No Technology Fee Required)
New Dwelling Units - Single Family/Multi-Family/Apartment(s)	* \$.10 sf. for finished and unfinished area
Garages, carports, sheds, porches, decks, chimney and other accessory structures	* \$.10 sf.
Interior/exterior alterations, repairs and remodeling	* \$.10 sf.
Swimming Pools	* \$75 Above-Ground *\$125 In-Ground

RESIDENTIAL

NO APPLICATION OR TECHNOLOGY FEE REQUIRED

Demolition	\$50
Fences Higher than 7 ft.	\$50
All Retaining/Masonry Walls	\$50
Solar Panel/Wind Turbines	\$50
Chimney	\$50

COMMERCIAL

\$150.00 Application Fee

\$15 Technology Fee

**Application Fee and Technology Fee Apply*

All floor (new construction or additions)	* \$.15/sf.
Interior alterations	* \$.15/sf.
Tenant Fit-out	\$165 plus \$.15/sf. (no Technology Fee)

COMMERCIAL

NO APPLICATION OR TECHNOLOGY FEE REQUIRED

Demolition	\$50
Zoning Permits (No Structural Alterations) Animal Husbandry/Day Care/Change of Business Name/Home Occupation	\$65
All other zoning permits	\$165
Solar Panels/Wind Turbines	\$100
Footing and Foundation Permit	\$75
Pre-Permit Commercial Plan Review	\$200

**WASHINGTON COUNTY DIVISION OF ENGINEERING & CONSTRUCTION
MANAGEMENT PERMITS & INSPECTIONS PLAN REVIEW & PERMITTING**

BUILDING FEE SCHEDULE

(Effective July 1, 2017)

(Continued)

Temporary Occupancy	\$75
Zoning Verification Letter	\$100

Note: All measurements shall be computed using gross exterior building dimensions.

EXCISE TAX

In accordance with Section 2-701 of the Code of the Public Local Laws of Washington County, as amended from time to time, there is a building excise tax on building construction in Washington County. See the **Building Excise Tax Ordinance** for applicability.

MISCELLANEOUS

NO APPLICATION FEE OR TECHNOLOGY FEE REQUIRED

Signs - On the building	\$80 plus \$.10/sf.
Freestanding	\$165 plus \$.10/sf.
Portable	\$80
Archive/Records Research	\$100 per address
File an appeal to the Building Code Board of Appeals	\$250 Commercial \$150 Residential
Inspection Fees: Extra trip fees will be assessed for premature inspection requests, incomplete work, and work areas not accessible.	1 st extra trip - \$50 2 nd extra trip - \$75 3 rd extra trip - \$100
Investigation Fee (work started without permit)	\$200
Permit Extension	\$25 each
Expedited Certificate of Occupancy	\$75
Replacement Placard	\$25
Permit/Plan Revisions	Residential - \$100 Non-Residential - \$200
Grading Permit (Processing Only)	\$20 minimum or \$5/per acre
Driveway (Entrance) Permit	\$25
Utility Permit	\$25
Home Builder Guaranty Fund Fee (<i>pursuant to Chapter 481 of the 2008 Acts of the Maryland General Assembly</i>)	\$50/unit

BOARD OF ZONING APPEALS FEES

NO APPLICATION FEE OR TECHNOLOGY FEE REQUIRED

Variance: 1 or 2 family residential units & accessory uses	\$150
Other Variance	\$300
Appeal charging administrative error	\$150
Special Exception	\$500
Administrative Adjustment	\$75

**WASHINGTON COUNTY DIVISION OF ~~ENGINEERING & CONSTRUCTION~~
MANAGEMENT ~~PERMITS & INSPECTIONS~~ PLAN REVIEW & PERMITTING**
PLUMBING FEE SCHEDULE
(Effective July 1, 2017)

	NOTE: All fees are non-refundable
<i>Prior to the issuance of any permit, the applicant shall pay the following fees:</i>	
RESIDENTIAL \$65.00 Application Fee \$15.00 Technology Fee <i>*Application Fee and Technology Fee Apply</i>	
Single-Family Dwelling	*\$60
Mobile Home	*\$60
Modular Dwelling	*\$60
2 Family/Semi-Detached (Separate application required for each unit)	*\$50 per unit
Townhouse (Separate application required for each unit)	*\$50 per unit
Multi-Family/Apartments (Separate application required for each unit)	*\$50 per unit
Single fixture only	\$25 <i>plus technology fee</i>
Addition/Remodel (2-4 fixtures and/or appliances)	*\$25
Addition/Remodel (more than 5 fixtures and/or appliances)	*\$50
Connection to public/private water	*\$40
Connection to public sewer/private septic	*\$40
Gas Piping/LP gas tank	*\$40/unit
Hydronic Water Connection	*\$40
Boiler	*\$40/unit
COMMERCIAL/INDUSTRIAL \$125.00 Application Fee \$15.00 Technology Fee <i>*-Application Fee and Technology Fee Apply</i>	
Commercial/Industrial - New	
1 - 10 Fixtures/appliances	*\$75
11 or more	\$2 additional per fixture
Addition/Remodel	*\$5/ fixture
Single Fixture Only	\$50 <i>plus technology fee</i>
Connection to Water	*\$75
Connection to Sewer	*\$75
Storm Drain	*\$75
Gas Piping/LP gas tank	*\$75/ unit
Boiler	*\$40/ unit
Hydronic Water Connection	*\$40
MISCELLANEOUS No Application Fee and Technology Fee Required	
Extra trip fees will be assessed for premature inspection requests, incomplete work, and work areas not accessible.	1 st extra trip - \$50 2 nd extra trip - \$75 3 rd extra trip \$100
Permit Extension	\$25 each
Investigation Fee (work started without permit)	\$200
Archive/Records Research	\$100 per address
Permit Transfer To A New Contractor	\$75

**WASHINGTON COUNTY DIVISION OF ENGINEERING & CONSTRUCTION
MANAGEMENT PERMITS & INSPECTIONS PLAN REVIEW & PERMITTING**

PLUMBING FEE SCHEDULE

(Effective July 1, 2017)

(Continued)

LICENSING FEES (Biennial)		
Classification	Resident	Non-Resident
Master Plumber	\$50	\$100
Journeyman	\$20	\$40
Apprentice	\$15	\$30
On-Site Utility Contractor	\$50	\$100
Drain Cleaner	\$50	\$100
*Water Conditioner	N/C	N/C
*Pump Installer	N/C	N/C
Gas Fitter	\$50	\$100
Exam Fee for On-Site Utility Contractor	\$50	\$50
Late Penalty for License Renewal	\$100	\$100
<p>*The State requires these types of licenses to be exempt from all licensing fees.</p> <p>Upon initial application, applicant shall pay the registration and/or licensing fees. The Board of County Commissioners of Washington County, Maryland may, by resolution, change periodically the registration, licensing, and biennial fees.</p> <p>No additional renewal fee will be charged to applicants who renew after March.</p>		

ORDINANCE NO. ~~ORD-202419-~~

AN ORDINANCE TO REPEAL THE 20~~17~~¹⁴ NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND ON ~~DECEMBER 15, 20²⁴15~~, EFFECTIVE ~~MARCH 1, 20²⁴16~~, AND TO ENACT THE 20²⁰¹⁷ EDITION OF THE NATIONAL ELECTRICAL CODE, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY

RECITALS

The Board of County Commissioners of Washington County, Maryland, being concerned with safety and fire prevention in Washington County, adopted by Ordinance No. ORD-2015-32, the 20~~17~~¹⁴ Edition of the *National Electrical Code*, with local amendments for Washington County, on ~~December 15, 20²⁴15~~, effective ~~March 1, 20²⁴16~~.

It has been recommended to the Board of County Commissioners of Washington County, Maryland, that it adopt the 20²⁰¹⁷ Edition of the *National Electrical Code* which is more up-to-date and which provides greater electrical safeguards for residents of Washington County, Maryland, if implemented.

It has also been recommended to the Board that certain amendments be made to the text of the 20²⁰¹⁷ Edition of the *National Electrical Code*.

A public hearing was held on _____, 20~~24~~¹⁹ following due notice and advertisement of the text of the 20²⁰¹⁷ Edition of the *National Electrical Code*, with local amendments for Washington County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 20~~17~~¹⁴ Edition of the *National Electrical Code*, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland, by Ordinance No. ORD-2015-32, on ~~December 15, 20~~²⁴~~15~~, effective ~~March 1, 20~~²⁴~~16~~, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 20~~17~~¹⁷ Edition of the *National Electrical Code*, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments, and additions:

[Note: new language is in *italics*]
[Deletions are shown as ~~strike through~~]

ARTICLE 210 – Branch Circuits, 210.8 and 210.11 are added and 210.52 is amended as follows:

Section 210.8. Ground-Fault Circuit-Interrupter Protection for Personnel

(F) Outdoor Outlets. All outdoor outlets for dwellings, other than those Covered in 210.8 (A) (3), Exception to (3), that are supplied by single-Phase branch circuits rated 150 volts to ground or less, 50 amperes or less, shall have ground-fault circuit-interrupter protection for personnel.

Exception: Ground-fault circuit-interrupter protection shall not be Required on lighting outlets other than those covered in 210.8 (C) to include “and heating, air conditioning, and refrigeration equipment that Service the dwelling”.

Section 210.11 (C) (5)

All new single-family detached houses, semi-detached houses, duplexes, and townhouses that are subject to the provisions of the International Residential Code (not more than three stories above grade plane in height with a separate means of egress)

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that include a garage, driveway, or carport, must have one dedicated Electric Vehicle Supply Equipment-Installed Parking Space or one Electric Vehicle-Ready Parking Space. See Maryland Public Safety Code Annotated Section 12-205.

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Section 210.52. Dwelling Unit Receptacle Outlets, Subsection (E) Outdoor Outlets, and Subsection (G) Basements, Garages, and Accessory Buildings, are amended and shall read as follows:

- (E) **Outdoor Outlets.** Outdoor receptacle outlets shall be installed in accordance with 210.52(E)(1) through (E)(3).

- (3) **Balconies, Decks, and Porches.** Balconies, decks, and porches that are attached to the dwelling unit and accessible from inside the dwelling unit shall have at least one receptacle outlet accessible from the balcony, deck, or porch. The receptacle outlet shall not be located more than 2.0m (6½ ft) above the balcony, deck, or porch walking surface.

-
- (G) **Basements, Garages, and Accessory Buildings.** For a one- and two-family dwelling, at least one receptacle outlet shall be installed in the areas specified in 210.52(G)(1) through (3). These receptacles shall be in addition to receptacles required for specific equipment.

- (1) **Garages.** In each attached garage and in each detached garage with electric power, ~~The branch circuit supplying this receptacle(s) shall not supply outlets outside of the garage. At~~ at least one receptacle outlet shall be installed for each ~~car space vehicle bay and not more than 1.7 m (5 ½ ft.) above the floor.~~ *The receptacle outlets located in each attached and each detached garage with electric power shall be installed at a minimum height of 450 mm (18 in.) above the finished garage floor.*

- (2) **Accessory Buildings.** In each accessory building with electric power.

- (3) **Basements.** In each separate unfinished portion of a basement.

ARTICLE 250 – Grounding, is amended as follows:

Section 250.53. Grounding Electrode System Installation, Subsection (A) Rod, Pipe, and Plate Electrodes, is amended by adding Subsection ~~(4)~~(1) which shall read as follows:

~~(4)~~(1) *The use of two 2.5 m × 16 mm (8 ft. × 5/8 in.) galvanized ground rods spaced a minimum of 1.8 m (6 ft.) apart shall be required for all new and upgraded residential electrical services.*

ARTICLE 300 – Wiring Methods, is amended as follows:

Section 300.5 Underground Installations, Subsection (D), Protection from Damage, Subsection (3) Service Conductors, is amended and shall read as follows:

- (3) *All underground Conductors - Underground conductors that are not encased in concrete and that are buried 450 mm (18 in.) or more below grade shall have their location identified by a warning ribbon that is placed in the trench at least 300 mm (12 in.) above the underground installation.*

ARTICLE 334 – Nonmetallic- Sheathed Cable: Types NM, NMC, and NMS, is amended as follows:

Section 334.30, Securing and Supporting, is amended and shall read as follows:

334.30. Securing and Supporting. Nonmetallic-sheathed cable shall be supported and secured by *insulated* staples, cable ties listed and identified for securement and support; or straps, hangers, or similar fittings designed and installed so as not to damage the cable at intervals not exceeding 1.4 m (4½ ft.) and within 300 mm (12 in.) of every cable entry into enclosures such as outlet boxes, junction boxes, cabinets, ~~box~~, or fittings. Flat cables shall not be stapled on edge.

Sections of cable protected from physical damage by raceway shall not be required to be secured within the raceway.

ARTICLE 680 – Swimming Pools, Fountains, and Similar Installations, is amended as follows:

Section 680.26 Equipotential Bonding, Subsection (B) Bonded Parts Subsection (2) Perimeter Surfaces is amended as follows:

(2) Perimeter Surfaces. The perimeter surface **to be bonded** shall **be considered** **to** extend for 1 m (3 ft.) horizontally beyond the inside walls of the pool and shall include unpaved surfaces, as well as poured concrete surfaces and other types of paving. Perimeter surfaces less than 1 m (3 ft.) separated **from the pool** by a permanent wall or building 1.5 m (5 ft.) in height or more shall require equipotential bonding **only** on the pool side of the permanent wall or building. Bonding to perimeter surfaces shall be provided as specified in 680.26(B)(2)(a) or (2)(b) and shall be attached to the pool reinforcing steel or copper conductor grid at a minimum of four (4) points uniformly spaced around the perimeter of the pool. For nonconductive pool shells, bonding at four points shall not be required.

- (a) Structural Reinforcing Steel. Structural reinforcing steel shall be bonded in accordance with 680.26(B)(1)(a).
- (b) ~~Alternate Means. Where structural reinforcing steel is not available or is encapsulated in a nonconductive compound, a copper conductor(s) shall be utilized where the following requirements are met.~~
- ~~(1) At least one minimum 8 AWC bare solid copper conductor shall be provided.~~
- ~~(2) The conductors shall follow the contour of the perimeter surface.~~
- ~~(3) Only listed splices shall be permitted.~~
- ~~(4) The required conductor shall be 450 to 600 mm (18 in. to 24 in.) from the inside walls of the pool.~~
- ~~(5) The required conductor shall be secured within or under the perimeter surface 100mm to 150mm (4 in. to 6 in.) below the subgrade.~~

Adopted this ____ day of _____, 20**24**~~19~~.

Effective the ____ day of _____, 20__.

ATTEST: BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Dawn L. Marcus ~~Krista L. Hart~~, Clerk _____ John F. Barr ~~Jeffrey A. Cline~~, President

Approved as to form
and legal sufficiency:

~~B. Andrew Bright~~
Assistant County Attorney

Mail to:
Office of the County Attorney
100 W. Washington Street, Ste 1101
Hagerstown, MD 21740

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NATIONAL

ELECTRICAL

ORDINANCE NO. ORD-2024-19

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE TO ADOPT THE 2006 ICC ELECTRICAL CODE – ADMINISTRATIVE PROVISIONS, FIRST PRINTING, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND” AND TO REPEAL ORDINANCE NO. ORD-2015-33

RECITALS

The Board of County Commissioners of Washington County, Maryland (the "Board") adopted by Ordinance No. ORD-07-08 on December 18, 2007, effective March 1, 2008, the *2006 ICC Electrical Code – Administrative Provisions*, First Printing, with local amendments for Washington County, Maryland, and amended by Ordinance No. ORD-2015-33, adopted on December 15, 2015, effective March 1, 2016.

It has been recommended to the Board that certain amendments be made to the local amendments, some of which are necessary due to the recent organizational restructuring in Washington County Government.

A public hearing was held on _____, 2024~~19~~, following due notice and advertisement of the text of the proposed amendments.

Public comment was received, reviewed and considered.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that Ordinance No. ORD-2015-33, adopted by the Board of County Commissioners of Washington County, Maryland, on December 15, 2015, effective March 1, 2016, is hereby REPEALED.

NOW, THEREFORE, BE IT FURTHER ORDAINED AND ENACTED that Ordinance No. ORD-07-08 adopting the *2006 ICC Electrical Code – Administrative Provisions*, First Printing, the contents of which are incorporated herein by reference, is hereby amended with the following insertions, deletions, and amendments:

Sections 101.1.1 – 101.1.10	added	Section 404.2	amended
Section 202	amended	Section 1003.1	amended
Section 301.1	amended		

Section 1003.1.1	added	Appendices A-D	deleted
Section 1101.1	amended		
Chapter 12	deleted [Note added]		

(1) **CHAPTER 1 – SCOPE**, is amended as follows:

(a) **SECTION 101, GENERAL**, is amended as follows:

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 for One- and Two-Family Dwellings*, 20~~21~~¹⁸ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20____, as part of the Maryland Building Performance Standards.

101.1.2 ICC Electrical Code. Any reference to the *ICC Electrical Code* shall mean the 20~~20~~¹⁷ *National Electrical Code*, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20____, as may be amended or restated from time to time, and the 2006 ICC Electrical Code – Administrative Provisions, with local amendments for Washington County, as adopted by the Board of County Commissioners of Washington County, Maryland on December 18, 2007, effective March 1, 2008, and amended on _____, 20~~24~~¹⁹, effective _____, 20____.

101.1.3 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.

101.1.4 International Plumbing Code. Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code*, 20~~21~~¹⁸ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20____.

101.1.5 International Building Code. Any reference to the *International Building Code* shall mean the *International Building Code*, 20~~21~~¹⁸ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20____, as part of the Maryland Building Performance Standards.

101.1.6 International Existing Building Code. Any reference to the *International Existing Building Code*, shall mean the *International Existing Building Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on _____, 20~~24~~¹⁹, effective _____, 20____, by the Board of County Commissioners of Washington County, Maryland.

101.1.7 International Fuel Gas Code. Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 2021~~18~~ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on _____, 2024~~19~~, effective _____, 20____.

101.1.8 International Private Sewage Disposal Code. Any reference to the *International Private Sewage Disposal Code* shall mean the *International Plumbing Code*, 2021~~18~~ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 2024~~19~~, effective _____, 20____.

101.1.9 International Property Maintenance Code. Any reference to the *International Property Maintenance Code* shall mean the *Washington County Livability Code* adopted by the Board of County Commissioners of Washington County, Maryland on November 1, 1988, effective January 1, 1989, Revision 1 adopted and effective May 9, 2006, and as may be further amended or restated from time to time.

101.1.10 International Mechanical Code. Any reference to the *International Mechanical Code* shall mean the *International Mechanical Code*, 2021~~18~~ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on _____, 2024~~19~~, effective _____, 20____.

(2) **CHAPTER 2, DEFINITIONS, is amended as follows:**

(a) **SECTION 202, GENERAL DEFINITIONS, is amended as follows:**

The following definition is amended and shall read as follows:

CODE OFFICIAL. The Director of the Washington County ~~Division of Engineering and Construction Management (ECM)~~ **Division of Permits & Inspections** shall be known as the Code Official and the ~~Deputy Director of ECM, Permitting Department, and the Deputy Director of ECM, Construction Department;~~ **Chief Plans Examiner of the Division of Permits & Inspections** shall be known as the Deputy Code Officials and ~~are~~ **is** hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official~~s~~ shall be referred to singularly or collectively as the Code Official.

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(3) **CHAPTER 3, ORGANIZATION AND ENFORCEMENT, is amended as follows:**

(a) **SECTION 301, DEPARTMENT OF ELECTRICAL INSPECTION, is amended as follows:**

Section 301.1 is amended and shall read as follows:

301.1 Creation of enforcement agency. The Director of the Washington County ~~Division of Engineering and Construction Management (ECM)~~ **Division of Permits & Inspections** shall be known as the Code Official and the ~~Deputy Director of ECM, Permitting Department, and the Deputy Director of ECM, Construction Department;~~ **Chief Plans Examiner of the Division of Permits & Inspections** shall be known as the Deputy Code Officials and ~~are~~ **is** hereby authorized and directed to administer and enforce all provisions of this

code. The Code Official and Deputy Code Official~~s~~ shall be referred to singularly or collectively as the Code Official.

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

(4) **CHAPTER 4, PERMITS AND FEES,** is amended as follows:

(a) **SECTION 404, FEES,** is amended as follows:

Section 404.2 is amended and shall read as follows:

Section 404.2 Schedule of permit fees. The fees for all electrical work shall be paid as required in accordance with the schedule established by the Board of County Commissioners of Washington County, Maryland.

(5) **CHAPTER 10, VIOLATIONS,** is amended as follows:

(a) **SECTION 1003, PENALTIES,** is amended as follows:

Section 1003.1 is amended and shall read as follows:

1003.1 Criminal Penalties. Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code 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 1003.1.1 is added and shall read as follows:

1003.1.1 Civil Penalties. Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code 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 Md. Code, Local Government Article, § 6-102, et seq.. The fine 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.

(6) **CHAPTER 11, MEANS OF APPEAL,** is deleted in its entirety and the following shall be inserted in its place:

CHAPTER 11, MEANS OF APPEAL

SECTION 1101, GENERAL

1101.1 Appeals. Any appeal of orders, decisions, or determinations made by the Code Official relative to the application and interpretation of this code shall be made to the Board of

Examiners and Supervisors established by the Board of County Commissioners of Washington County, Maryland pursuant to Title 8 of the Code of the Public Local Laws of Washington County, Maryland, 2007 Edition, as may be amended or restated from time to time, and pursuant to any rules or regulations adopted by the Board of County Commissioners of Washington County, Maryland.

(7) **CHAPTER 12, ELECTRICAL PROVISIONS, is hereby deleted in its entirety.**

NOTE: The subject matter of this chapter is not within the scope of this code. For the applicable electrical provisions, refer to the ~~2020~~²⁰¹⁷ *National Electrical Code*, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on _____, ~~2024~~²⁰¹⁹, effective _____, 20____, as may be amended or restated from time to time.

(8) **APPENDICES A-D are deleted in their entirety.**

Adopted this _____ day of _____, ~~2024~~²⁰¹⁹.
Effective the _____ day of _____, 20____.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

~~Dawn L. Marcus~~ ~~Krista L. Hart~~, Clerk

~~John F. Barr~~ ~~Jeffrey A. Cline~~, President

Approved as to form and
legal sufficiency:

~~B. Andrew Bright~~
Assistant County Attorney

Mail to:
County Attorney's Office
100 W. Washington Street, Suite 1101
Hagerstown, Maryland 21740

\\washco-md.net\CountyAttorney\Documents\Permits\ICC Electrical Code - Admin. Proc. (2006)\ORD\2019 Ordinance to Amend 2007 Ordinance - draft (vlg).docx

ORDINANCE NO. ORD-202419

AN ORDINANCE TO REPEAL THE 20~~18~~¹⁵ INTERNATIONAL FUEL GAS CODE, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND AND TO ENACT THE INTERNATIONAL FUEL GAS CODE, 20~~21~~¹⁸ 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 consumers, the general public, and owners and occupants of building and structures in Washington County, Maryland, adopted by Ordinance No. ORD-2015-31, the 2015 *International Fuel Gas Code*, as promulgated by the International Code Council, with local amendments, on ~~December 15~~, 20~~24~~¹⁵, effective ~~March 1~~, 20~~24~~¹⁶.

It has been recommended that the Board adopt the *International Fuel Gas Code*, 20~~21~~¹⁸ Edition, which is more up-to-date and which provides greater safeguards for consumers, the 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 _____, 20~~24~~¹⁹, following due notice and advertisement of the text of the *International Fuel Gas Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, with local amendments for Washington County.

Public comment was received, reviewed, and considered concerning the adoption of the *International Fuel Gas Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, with local amendments for Washington County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 20~~18~~¹⁵ *International Fuel Gas Code*, as promulgated by the International Code Council, with local amendments, adopted

by the Board of County Commissioners of Washington County, Maryland, adopted by Ordinance No. ORD-2015-31 on ~~December 15, 2024~~¹⁵, effective ~~March 1, 2024~~¹⁶, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the *International Fuel Gas Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, with local amendments for Washington County, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments and additions:

Section 101.1	amended	Section 106.6.3	deleted
Section 101.1.1	added	Section 107.2.1	amended
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	Section 614.8.2	amended
Section 101.1.9	added	Appendices A-D	deleted
Section 103.1	amended		
Section 106.6.2	amended		

CHAPTER 1 – ADMINISTRATION, is amended as follows:

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*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on _____, 20~~24~~¹⁹, effective _____, 20____, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

101.1.2 International Existing Building Code. Any reference to the *International Existing Building Code*, shall mean the *International Existing Building Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time,

with local amendments for Washington County, Maryland, as adopted on _____, 20~~24~~¹⁹, effective _____, 20__, by the Board of County Commissioners of Washington County, Maryland.

101.1.3 ICC Electrical Code. For the applicable electrical requirements, refer to the NFPA70: *National Electrical Code*, 20~~20~~¹⁷ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20__, and the 2006 *ICC Electrical Code - Administrative Provisions*, First Printing, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective March 1, 2008, and amended on _____, 20~~24~~¹⁹, effective _____, 20__.

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*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20__.

101.1.6 International Building Code. Any reference to the *International Building Code* shall mean the *International Building Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on _____, 20~~24~~¹⁹, effective _____, 20__, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

101.1.7 International Fuel Gas Code. Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20__.

101.1.8 International Energy Conservation Code. Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted on _____, 20~~24~~¹⁹, effective _____, 20__, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

101.1.9 International Mechanical Code. Any reference to *International Mechanical Code* in this code shall mean the *International Mechanical Code*, 2021~~18~~¹⁹ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland, on _____, 2024~~19~~¹⁹, effective _____, 20____.

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 ~~Division of Engineering and Construction Management (ECM)~~ Division of ~~Permits & Inspections~~Construction shall be known as the Code Official and the ~~Deputy Director of ECM, Permitting Department, and the Deputy Director of ECM, Construction Department,~~ Chief Plans Examiner of the Division of ~~Permits & Inspections~~Construction shall be known as the Deputy Code Officials and ~~are~~^{is} hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Officials ~~is~~ shall be referred to singularly or collectively as the Code Official.

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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 107 (IFGC), INSPECTIONS AND TESTING, is amended as follows:

Section 107.2.1 is amended and shall read as follows:

107.2.1 New, altered, extended or repaired installations. New installations and part of existing installations, including but not limited to LP tank replacements, which have been altered, extended, renovated, or repaired, shall be tested as prescribed herein to disclose leaks and defects.

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 that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code 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 that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code 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 Md. Code, Local Government Article, § 6-102, et seq. 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 or designee 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 or designee 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 Code 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 Code 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.

CHAPTER 6 – SPECIFIC APPLIANCES, is amended as follows:

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SECTION 614 (IFGC), CLOTHES DRYER EXHAUST is amended as follows:

Section 614.8.2 is amended to read as follows:

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614.8.2 Duct installation. Exhaust ducts shall be supported at 4-foot (1219 mm) intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the directions of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct. Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation of the duct without deformation.

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APPENDICES

APPENDICES A-D ARE DELETED IN THEIR ENTIRETY.

Adopted this ____ day of _____, 2024~~19~~.
Effective the ____ day of _____, 20__.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

~~Dawn L. Marcus~~~~Krista L. Hart~~, Clerk

~~John F. Barr~~~~Jeffrey A. Cline~~, President

Approved as to form and
legal sufficiency:

~~B. Andrew Bright~~
Assistant County Attorney

Mail to:
Office of the County Attorney
100 W. Washington Street, Suite 1101
Hagerstown, MD 21740

\\washco-md.net\CountyAttorney\Documents\Permits\International Fuel Gas Code - Adoption of 2018 IFGC\ORD\Ordinance
adopting 2018 IFGC - draft (vlg).doc

ORDINANCE NO. ~~ORD-202419-~~

AN ORDINANCE TO REPEAL THE INTERNATIONAL MECHANICAL CODE, 20~~1815~~ EDITION, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS, AND TO ENACT THE *INTERNATIONAL MECHANICAL CODE*, 20~~2118~~ 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 buildings and structures in Washington County, adopted by Ordinance No. ORD-2015-30 on December 15, 2015, effective March 1, 2016, the 2015 International Mechanical Code, as promulgated by the International Code Council, with local amendments for Washington County, Maryland.

It has been recommended that the Board adopt the *International Mechanical Code*, 20~~2118~~ 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, and construction of mechanical systems.

A public hearing was held on _____, 20~~2419~~, following due notice and advertisement of the text of the *International Mechanical Code*, 20~~2118~~ Edition, with local amendments, including Appendix A.

Public comment was received, reviewed, and considered concerning the repeal of the 20~~1815~~ International Mechanical Code, as promulgated by the International Code Council, with local amendments, and the adoption of the *International Mechanical Code*, 20~~2118~~ Edition, as promulgated by the International Code Council, with local amendments, including Appendix A.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 20~~18~~¹⁵ International Mechanical Code, as promulgated by the International Code Council, with local amendments, adopted by Ordinance No. ORD-2015-30, the Board of County Commissioners of Washington County, Maryland on December 15, 2015, effective March 1, 2016, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the *International Mechanical Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, with local amendments, including Appendix A, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments and additions:

Section 101.1	Amended	Section 108.5	Amended
Sections 101.1.1-101.1.8	Added	Section 109.1	Amended
Section 103.1	Amended	Section 109.2	Deleted
Section 106.5.2	Amended	Section 306.3	Amended
Section 106.5.3	Deleted	Section 504.8.2	Amended
Section 108.4	Amended	Appendix A	Adopted
Section 108.4.1	Added	Appendix B	Deleted

CHAPTER 1 – ADMINISTRATION, is amended as follows:

SECTION 101, GENERAL, is amended as follows:

Section 101.1 is amended to read as follows:

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

Sections 101.1.1 through 101.1.7 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*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on _____, 20~~24~~¹⁹, effective _____, 20__, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

101.1.2 International Existing Building Code. Any reference to the *International Existing Building Code*, shall mean the *International Existing Building Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on _____, 20~~24~~¹⁹, effective _____, 20__, by the Board of County Commissioners of Washington County, Maryland.

101.1.3 ICC Electrical Code. For the applicable electrical requirements, refer to the NFPA70:*National Electrical Code*, 20~~20~~¹⁷ Edition, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective _____, 20__, 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 18, 2007, effective March 1, 2008, and amended on _____, 20~~24~~¹⁹ effective _____, 20__.

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*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 20~~24~~¹⁹, effective on _____, 20__.

101.1.6 International Building Code. Any reference to the *International Building Code* shall mean the *International Building Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted on _____, 20~~24~~⁰⁹, effective _____, 20__, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

101.1.7 International Fuel Gas Code. Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland, on _____, 20~~24~~¹⁹, effective _____, 20__.

101.1.8 International Energy Conservation Code. Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 20~~21~~¹⁸ Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted on _____, 20~~24~~¹⁹, effective _____, 20__, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

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 ~~Division of Engineering and Construction Management (ECM)~~ Division of Permits & Inspections~~Construction~~ shall be known as the Code Official and the ~~Deputy Director of ECM, Permitting Department, and the Deputy Director of ECM, Construction Department,~~ Chief Plans Examiner of the Division of Permits & Inspections~~Construction~~ shall be known as the Deputy Code Official~~s~~ and ~~are~~is hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official~~s~~ shall be referred to singularly or collectively as the Code Official.

SECTION 106, PERMITS, is amended as follows:

Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. The fees for all mechanical work shall be paid as required in accordance with the schedule as established by the Board of County Commissioners of Washington County, Maryland.

Section 106.5.3 is deleted in its entirety.

SECTION 108, VIOLATIONS, is amended as follows:

Section 108.4 is amended to read as follows:

108.4 Criminal penalties. Any person, firm, corporation, or entity that violates any of the provisions of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the Code 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 that violates any of the provisions of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the Code 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 Md. Code, Local Government Article, § 6-102, et seq. The fine 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 or designee 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 or designee 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, MEANS OF APPEAL, is amended as follows:

Section 109.1 is amended to read as follows:

109.1 Application for appeal. Any person shall have the right to appeal a decision of the Code 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 code 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 3, GENERAL REGULATIONS, is amended as follows:

SECTION 306, ACCESS AND SERVICE SPACE, is amended as follows:

Section 306.3 is amended to read as follows:

306.3 Appliances in attics. Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. Access shall be by a pull-down or fixed stairway.

CHAPTER 5, EXHAUST SYSTEMS, is amended as follows:

SECTION 504, CLOTHES DRYER EXHAUST, is amended as follows:

Section 504.8.2 is amended to read as follows:

504.8.2 Duct Installation. Exhaust ducts shall be supported at 4-foot (1219 mm) intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the directions of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct. Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation of the duct without deformation.

APPENDICES

THE FOLLOWING APPENDIX IS HEREBY ADOPTED:

APPENDIX A - CHIMNEY CONNECTOR PASS-THROUGHS

THE FOLLOWING APPENDIX IS HEREBY DELETED IN ITS ENTIRETY:

APPENDIX B - RECOMMENDED PERMIT FEE SCHEDULE

Adopted this ____ day of _____, 20~~24~~¹⁹.
Effective the ____ day of _____, 20__.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

~~Dawn L. Marcus~~Krista L. Hart, Clerk

~~John F. Barr~~Jeffrey A. Cline, President

Approved as to form and
legal sufficiency:

~~B. Andrew Bright~~
Assistant County Attorney

Mail to:
County Attorney's Office
100 W. Washington Street, Suite 1101
Hagerstown, Maryland 21740

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adopting 2018 IMC - draft (vlg).doc

ORDINANCE NO. ~~ORD-202419-~~

AN ORDINANCE TO ADOPT THE 202118 MARYLAND BUILDING PERFORMANCE STANDARDS AS ADOPTED BY THE STATE OF MARYLAND (COMAR 05.02.07), WITH MODIFICATIONS, AND SUBJECT TO LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND

RECITALS

The Board of County Commissioners of Washington County, Maryland (the "Board") by ~~Curative Ordinance No. ORD-2016-04 adopted on March 1, 2016, effective March 1, 2016, (correcting Ordinance No. ORD-2015-27 adopted on December 15, 2015, effective March 1, 2016)~~, adopted the *International Building Code*, 20185 Edition (IBC), the *International Residential Code*, 20185 Edition (IRC), and the *International Energy Conservation Code*, 20185 Edition (IECC), promulgated by the International Code Council as the Maryland Building Performance Standards (the "20185 Standards").

The State of Maryland has updated and adopted, with modifications, the *International Building Code*, 202118 Edition (IBC), the *International Residential Code*, 202118 Edition (IRC), and the *International Energy Conservation Code*, the 202118 Edition (IECC), promulgated by the International Code Council as the Maryland Building Performance Standards (the "202118 Standards").

Chapter 294 of the Acts of the 2009 Acts of the General Assembly of Maryland provides that local jurisdictions shall implement and enforce the most current version of the Standards and any local amendments to the Standards.

The Board now desires to adopt the 202118 Standards as adopted by the State of Maryland, with local amendments for Washington County, Maryland.

A public hearing was held on _____, 202419, following due notice and advertisement of the text of the 202118 Standards as adopted by the State of Maryland, subject to local amendments for Washington County, Maryland.

Public comment was received, reviewed, and considered concerning the adoption of the Standards.

NOW, THEREFORE, BE IT ORDAINED that ORD-2016-04 and ORD-2015-27 adopting the 2015 Standards be REPEALED.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners of Washington County, Maryland hereby **ADOPTS** the 20~~14~~¹⁸ Maryland Building Performance Standards as adopted by the State of Maryland, the contents of which are incorporated herein by reference and subject to the local amendments as set forth in ARTICLES I, II, and III, attached hereto.

ARTICLE I: Local Amendments to the *International Building Code*, 20~~14~~¹⁸ Edition
ARTICLE II: Local Amendments to the *International Residential Code*, 20~~14~~¹⁸ Edition
ARTICLE III: Local Amendments to the *International Energy Conservation Code*, 20~~14~~¹⁸ Edition

Adopted this ____ day of _____, 20~~24~~¹⁹.
Effective the ____ day of _____, 20~~24~~¹⁹.

ATTEST: BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

~~Dawn L. Marcus~~^{Krista L. Hart}, Clerk

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Approved as to form and
legal sufficiency:

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Hagerstown, MD 21740

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ARTICLE I

LOCAL AMENDMENTS TO THE *INTERNATIONAL BUILDING CODE*, 2018 EDITION

The *International Building Code*, 2021~~18~~ Edition, as adopted by the State of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07) is hereby amended with the following insertions, amendments and additions:

Section 101.1	Amended	Chapter 11 Note	Added
Sections 101.1.1 – 101.1.11	Added	Section 1507.16	Amended
Section 103.1	Amended	Sections 1507.16.2 - 1507.16.5	Added
Section 104.10	Amended	Section 1512.1	Amended
Section 105.2	Amended	Sections 1512.2 - 1512.5	Added
Section 105.8	Added	Section 1607.2	Amended
Section 106	Deleted	Table 1607.1	Amended
Section 107.2.6.1	Deleted	Section 1608.2	Amended
Section 109.4	Amended	Section 1809.5	Amended
Section 110.3.3	Deleted	Table 1809.7	Amended
Section 110.3.3 Note	Added	Table 2304.10.1	Amended
Section 114.4	Amended	Section 2308.3.1	Amended
Section 114.5	Added	Section 2406.1.5	Added
Section 202	Amended	Chapter 27 - Electrical	Deleted
Section 305.2.3	Amended	Chapter 27- Electrical Note	Added
Section 308.5.4	Amended	Section 3001.1	Amended
Section 311.1.1	Amended	Section 3109.1 – 3109.5	Amended
Section 501.2	Amended	Appendices B, C, N AND H	Adopted
Section 901.6	Amended	Appendices A, D, E, F, G,	
Section 903.2.1.2	Amended	I, J, K, L and M	Deleted
Chapter 11	Deleted		

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|                                                            |
|------------------------------------------------------------|
| <b>CHAPTER 1 – ADMINISTRATION</b> , is amended as follows: |
|------------------------------------------------------------|

**SECTION 101, GENERAL**, is amended as follows:

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

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

**Sections 101.1.1 through 101.1.11** are added and shall read as follows:

**101.1.1 International Residential Code.** Any reference to the *International Residential Code* shall mean the *International Residential Code*, 2021~~18~~ Edition, as amended or restated from time to time, as promulgated by the International Code Council, with local amendments for Washington County, Maryland, as adopted on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 2024—, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.2 International Existing Building Code.** Any reference to the *International Existing Building Code*, shall mean the *International Existing Building Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20~~24~~<sup>19</sup>, by the Board of County Commissioners of Washington County, Maryland.

**101.1.3 ICC Electrical Code.** For the applicable electrical requirements, refer to the NFPA70:*National Electrical Code*, 20~~20~~<sup>17</sup> Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20~~24~~<sup>19</sup>, and the 2006 *ICC Electrical Code - Administrative Provisions*, First Printing, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective March 1, 2008, and amended on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20~~24~~<sup>19</sup>.

**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*, 20~~21~~<sup>18</sup> Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective on \_\_\_\_\_, 20~~24~~<sup>19</sup>.

**101.1.6 International Property Maintenance Code.** Any reference to the *International Property Maintenance Code* shall mean the *Washington County Livability Code* adopted by the Board of County Commissioners of Washington County, Maryland on November 1, 1988, effective January 1, 1989, Revision 1 adopted and effective May 9, 2006, and as may be amended or restated from time to time.

**101.1.7 International Mechanical Code.** Any reference to the *International Mechanical Code* shall mean the *International Mechanical Code*, 20~~21~~<sup>18</sup> Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective on \_\_\_\_\_, 20~~24~~<sup>19</sup>.

**101.1.8 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 20~~21~~<sup>18</sup> Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20~~24~~<sup>19</sup>.

**101.1.9 International Energy Conservation Code.** Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 20~~21~~<sup>18</sup> Edition, as may be amended or restated from time to time, as promulgated by the International Code Council, adopted on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20~~24~~<sup>19</sup>, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**101.1.10 Flood-Resistant Construction.** All sections of this code relating to applicable requirements for flood hazard areas shall refer to the *Washington County Floodplain Management Ordinance* adopted by the Board of County Commissioners of Washington County, Maryland on May 16, 2017, effective August 15, 2017, as may be amended or restated from time to time.

**101.1.11 Supplementary Accessibility Requirements.** All sections of this code relating to applicable requirements for handicapped accessibility issues of references to Chapter 11 shall refer to the *Maryland Accessibility Code*, (COMAR 05.02.02), as may be amended or restated from time to time.

**SECTION 103, DEPARTMENT OF BUILDING SAFETY,** is amended as follows:

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

**103.1 Creation of enforcement agency.** The Director of the Washington County Division of ~~Permits & Inspections~~~~Construction~~ shall be known as the Building Official and the Chief Plans Examiner of the Division of ~~Permits & Inspections~~~~Construction~~ shall be known as Deputy Building Official and is hereby authorized and directed to administer and enforce all provisions of this code. The Building Official and Deputy Building Official shall be referred to singularly or collectively as the Building Official.

**SECTION 104, DUTIES AND POWERS OF BUILDING OFFICIAL**

**Section 104.10 is amended to read as follows:**

**104.10 Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner’s representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Division of ~~Permits & Inspections~~~~Plan Review and Permitting~~.

**SECTION 105, PERMITS,** is amended as follows:

**Section 105.2, Work exempt from permit, Building, 1, 4, 9 & 12 are amended to read as follows:**

**105.2 Work exempt from permit.**

.....  
\*\*\*  
**Building:**  
  
**1507.** \_\_\_\_\_ ~~1.~~ One-story detached accessory structures, of wood or metal construction, not used for human habitation, provided the floor area does not exceed 400 square feet.  
.....  
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4. Retaining walls that retain less than 36-inches of unbalanced backfill unless supporting a surcharge or impounding Class I, II, or IIIA liquids.

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9. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2 which are less than 24 inches (610 mm) deep.

\*\*\*

12. Noncombustible awnings or canopies shaped to positively shed snow and supported by an exterior wall that do not project more than 54 inches from the exterior wall and have a maximum height of four (4) feet and a maximum width of eight (8) feet. Awnings or canopies with proposed lighting as an integral part or that are intended to be used as a sign shall require a permit.

\*\*\*

**No. 14 is added and shall read as follows:**

14. Agricultural Building in accordance with Section 202. (A structure designed and constructed to house farm implements, hay, grain poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be used by the public.)

**Section 105.8 is added and shall read as follows:**

**105.8 Withholding of permits.** Wherever the Building Official shall find that any person, agent, firm or corporation, whether as owner, lessee or occupant, is in violation of the provisions of this code or of the rules and regulations of any other department or agency of Washington County in connection with the erection, maintenance, use or repair of buildings, structures, lands or equipment thereon or therein, he may refuse to grant any further permits or inspections until all violations have been corrected and approved.

**SECTION 106, FLOOR AND ROOF DESIGN LOADS,** is deleted in its entirety.

**SECTION 107, SUBMITTAL DOCUMENTS,** is amended as follows:

**Section 107.2.6.1, Design flood elevations, is deleted in its entirety.**

**Section 107.2.8, Relocatable buildings. Is amended to read as follows:**

**107.2.8 Relocatable buildings.** Construction documents for relocatable buildings shall comply with Section 3113.

**SECTION 109, FEES,** is amended as follows:

**Section 109.4 is amended to read as follows:**

**109.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the

necessary permits shall be subject to one hundred percent (100%) of the usual permit fee in addition to the required permit fees.

**SECTION 110, INSPECTIONS**, is amended as follows:

**Section 110.3.3 Lowest floor elevation, is deleted in its entirety.**

[Add] **NOTE:** For the applicable requirements concerning flood hazard areas, refer to the *Washington County Floodplain Management Ordinance* adopted by the Board of County Commissioners of Washington County, Maryland on May 16, 2017, effective August 15, 2017, as may be amended or restated from time to time.

**SECTION 114, VIOLATIONS**, is amended as follows:

**Section 114.4 is amended to read as follows:**

**114.4 Criminal penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs a building or structure 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 114.5 is added and shall read as follows:**

**114.5 Civil Penalties.** Any person, firm, corporation or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs a building or structure 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 Md. Code, Local Government Article, §6-102, et seq. 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.

|                                                        |
|--------------------------------------------------------|
| <b>CHAPTER 2, DEFINITIONS</b> , is amended as follows: |
|--------------------------------------------------------|

**SECTION 202, DEFINITIONS**, is amended as follows:

**The following definition is amended to read as follows:**

**TOWNHOUSE.** A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with open space on at least two sides and is separated by a property line.

**The following definitions are added and shall read as follows:**

**AGRICULTURE.** The raising of farm products for use or sale, including animal or poultry husbandry, animal husbandry facilities, aquaculture, and the growing of crops such as grain, vegetables, fruit, grass for pasture or sod, trees, shrubs, flowers and similar products of the soil.

**AGRICULTURAL OPERATION.** Any parcel of land that has an agricultural assessment as determined by the Maryland State Department of Assessments and Taxation.

**CHAPTER 3, USE AND OCCUPANCY CLASSIFICATION, is amended as follows:**

**SECTION 305, EDUCATIONAL GROUP E,** is amended as follows:

**Section 305.2.3 is amended to read as follows:**

**305.2.3 Eight or fewer children in a dwelling unit.** A facility such as the above within a dwelling unit and having eight or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

**SECTION 308, INSTITUTIONAL GROUP I**

**Section 308.5.4 is amended to read as follows:**

**308.5.4 Eight or fewer persons receiving care in a dwelling unit.** A facility such as the above within a dwelling unit and having eight or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

**SECTION 311, STORAGE GROUP S**

**Section 311.1.1 is amended to read as follows:**

**311.1.1 Accessory Storage Spaces.** A room or space used for storage purposes that is less than 100 square feet (9.3 m<sup>2</sup>) in area and accessory to another occupancy shall be classified as part of that occupancy. The aggregate area of such rooms or spaces shall not exceed the allowable area limits of Section 508.2.

**CHAPTER 5, GENERAL BUILDING HEIGHTS AND AREAS, is amended as follows:**

**SECTION 501, GENERAL** is amended as follows:

**Section 501.2 is amended to read as follows:**

**501.2 Address identification.** New and existing buildings shall be provided with approved address numbers or letters. Each character shall be not less than 6 inches in height and not less than 0.5 inch in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

**CHAPTER 9, FIRE PROTECTION SYSTEMS, is hereby deleted in its entirety.**

**SECTION 901 GENERAL**, is amended as follows:

**Section 901.6 is amended to read as follows:**

**901.6 Supervisory service.** Where required by the authority having jurisdiction, fire protection systems shall be monitored by an approved supervising station in accordance with NFPA 72.

**SECTION 903, AUTOMATIC SPRINKLER SYSTEMS**, is amended as follows:

**Sections 903.2.1.2 is amended to read as follows:**

**903.2.1.2 Group A-2.** An automatic sprinkler system shall be provided for fire areas containing Group A-2 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464.5m<sup>2</sup>);
2. The fire area has an occupant load of 100 or more or a night club with an occupant load of 50 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

**CHAPTER 11, ACCESSIBILITY, is hereby deleted in its entirety.**

**[Add] NOTE:** For the applicable requirements concerning accessibility requirements refer to the *Maryland Accessibility Code*, (COMAR 05.02.02), as may be amended or restated from time to time.

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**CHAPTER 15, ROOF ASSEMBLIES AND ROOFSTOP STRUCTURES**, is amended as follows:

**SECTION 1507, REQUIREMENTS FOR ROOF COVERINGS**, is amended as follows:

**Sections 1507.1516 is amended to read as follows:**

**1507.1516 Vegetative roofs, rooftop gardens and landscaped roofs.** *Vegetative roofs Rooftop gardens* and landscaped roofs shall ~~be installed and maintained in accordance~~ *comply* with ~~the requirements of~~ this chapter, ~~and Sections 1505, 1607.1413.2.23~~ and the ~~International~~ *State* Fire Prevention Code.

**Sections 1507.1516.2 through 1507.1516.5 are added and shall read as follows:**

**1507.1516.2 Vegetative roofsRooftop garden or landscaped roof size.** *Vegetative roofs Rooftop garden* or landscaped roof areas shall not exceed 15,625 square feet (1,450 m<sup>2</sup>) in size for any single area with a maximum dimension of 125 feet (39 m) in length or width. A minimum 6-foot-wide (1.8 m) clearance consisting of a Class A-rated roof system complying with ASTM E 108 or UL 790 shall be provided between adjacent rooftop gardens or landscaped roof areas.

**1507.1516.3 Rooftop structure and equipment clearance.** For all vegetated roofing systems abutting combustible vertical surfaces, a Class A-rated roof system complying with ASTM E 108 or UL 790 shall be achieved for a minimum 6-foot-wide (1.8 m) continuous border placed around rooftop structures and all rooftop equipment including, but not limited to, mechanical and machine rooms, penthouses, skylights, roof vents, solar panels, antenna supports, and building service equipment.

**1507.1516.4 Vegetation.** Vegetation shall be maintained in accordance with Sections 1507.1516.4.1 and 1507.1516.4.2.

**1507.1516.4.1 Irrigation.** Supplemental irrigation shall be provided to maintain levels of hydration necessary to keep green roof plants alive and to keep dry foliage to a minimum.

**1507.1516.4.2 Dead foliage.** Excess biomass, such as overgrown vegetation, leaves, and other dead and decaying material, shall be removed at regular intervals not less than two times per year.

**1507.1516.4.3 Maintenance plan.** The Building Official is authorized to require a maintenance plan for vegetation placed on roofs due to the size of a roof garden, materials used, or when a fire hazard exists to the building or exposures due to the lack of maintenance.

**1507.1516.5 Maintenance equipment.** Fueled equipment stored on roofs and used for the care and maintenance of vegetation on roofs shall be stored in accordance with the State Fire Prevention Code.

**SECTION 1507.1712, BUILDING-INTERGRATED SOLAR PHOTOVOLTAIC ROOF PANELS and MODULES,** is amended as follows:

**Sections 1507.1712.1 is added and shall amended to read as follows:**

**1507.1712.1 Building-intergrated Solar photovoltaic roof panels and modules.** Solar photovoltaic panels and modules installed upon a roof or as an integral part of a roof assembly shall comply with the requirements of this code and NFPA 70 and the State Fire Prevention Code.

**Exception:** Detached, non-habitable Group U structures including, but not limited to, parking shade structures, carports, solar trellises, and similar structures shall not be subject to the requirements of this section.

**Sections 1507.17.712.2 through 1507.2012.5 are added and shall read as follows:**

**1507.17.712.2 Marking.** Marking is required on interior and exterior direct-current (DC) conduit, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.

**1507.17.7.142.2.1 Materials.** The materials used for marking shall be reflective, weather resistant, and suitable for the environment. Marking as required in Section 1507.17.7.1412.2.2 through 1507.17.4.1512.2.4 shall have all letters capitalized with a minimum height of 3/8 inch (9.5 mm) white on red background.

**1507.17.7.2.12.2.2 Marking content.** The marking shall contain the words "WARNING: PHOTOVOLTAIC POWER SOURCE."

**1507.17.7.3 ~~12.2.3~~ Main service disconnect.** The marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the disconnect is operated.

**1507.17.7.4 ~~12.2.4~~ Location of marking.** Marking shall be placed on interior and exterior DC conduit, raceways, enclosures, and cable assemblies every 10 feet (3048 mm), within 1 foot (305 mm) of turns or bends and within 1 foot (305 mm) above and below penetrations of roof/ceiling assemblies, walls, or barriers.

**1507.18 ~~12.3~~ Locations of DC conductors.** Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge or hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit runs between sub arrays and to DC combiner boxes shall be installed in a manner that minimizes the total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are minimized in the pathways between arrays. DC wiring shall be installed in metallic conduit or raceways when located within enclosed spaces in a building. Conduit shall run along the bottom of load bearing members.

**1507.19 ~~12.4~~ Access and pathways.** Roof access, pathways, and spacing requirements shall be provided in accordance with Sections 1507.19.1 ~~12.4.1~~ through 1507.19.3.3 ~~12.4.3.3~~.

**Exceptions:**

1. Residential structures shall be designed so that each photovoltaic array is no greater than 150 feet (45720 mm) by 150 feet (45720 mm) in either axis.
2. Panels/modules shall be permitted to be located up to the roof ridge where an alternative ventilation method approved by the fire chief has determined vertical ventilation techniques will not be employed.

**1507.19.1 ~~12.4.1~~ Roof access points.** Roof access points shall be located in areas that do not require the placement of ground ladders over openings such as windows or doors and located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

**1507.19.2 ~~12.4.2~~ Residential systems for one- and two-family dwellings.** Access to residential systems for one- and two-family dwellings shall be provided in accordance with Section 1507.19.2.1 ~~1511.4.2.1~~ through 1507.19.2.4 ~~1511.4.2.4~~.

**1507.19.2.1 ~~12.4.2.1~~ Residential buildings with hip roof layouts.** Panels/modules installed on residential buildings with hip roof layouts shall be located in a manner that provides a 3-foot wide (914 mm) clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

**Exception:** These requirements shall not apply to roofs with slopes of two units vertical in 12 units horizontal (2:12) or less.

**1507.19.2.2 ~~12.4.2.2~~ Residential buildings with a single ridge.** Panels/modules installed on residential buildings with a single ridge shall be located in a manner that provides two, 3-foot-

wide (914 mm) access pathways from the eave to the ridge on each roof slope where panels/modules are located.

**Exception:** This requirement shall not apply to roofs with slopes of two units vertical in 12 units horizontal (2:12) or less.

**1507.19.2.3 ~~12.4.2.3~~ Residential buildings with roof hips and valleys.** Panels/modules installed on residential buildings with roof hips and valleys shall be located no closer than 18 inches (457 mm) to a hip or a valley where panels/modules are to be placed on both sides of a hip or valley. Where panels are to be located on only one side of a hip or valley that is of equal length, the panels shall be permitted to be placed directly adjacent to the hip or valley.

**Exception:** These requirements shall not apply to roofs with slopes of two units vertical in 12 units horizontal (2:12) or less.

**1507.19.2.4 ~~12.4.2.4~~ Residential building smoke ventilation.** Panels/modules installed on residential buildings shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

**1507.19.3 ~~12.4.3~~ Other than residential buildings.** Access to systems for occupancies other than one- and two-family dwellings shall be provided in accordance with Sections 1507.19.3.1 ~~12.4.3.1~~ through 1507.19.3.3 ~~12.4.3.3~~.

**Exception:** Where it is determined by the Building Official that the roof configuration is similar to that of a one- or two-family dwelling, the residential access and ventilation requirements in Sections 1507.19.2.1 ~~12.4.2.1~~ through 1507.19.2 ~~12.4.2.4~~ shall be permitted to be used.

**1507.19.3.1 ~~12.4.3.1~~ Access.** There shall be a minimum 6-foot-wide (1829 mm) clear perimeter around the edges of the roof.

**Exception:** Where either axis of the building is 250 feet (76200 mm) or less, there shall be a minimum 4-foot-wide (1219 mm) clear perimeter around the edges of the roof.

**1507.19.3.2 ~~12.4.3.2~~ Pathways.** The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements.

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.
2. The centerline axis pathways shall be provided in both axes of the roof. Centerline axis pathways shall run where the roof structure is capable of supporting the live load of fire fighters accessing the roof.
3. Shall be a straight line not less than 4 feet (1219 mm) clear to skylights or ventilation hatches.
4. Shall be a straight line not less than 4 feet (1219 mm) clear to roof standpipes.
5. Shall provide not less than 4 feet (1219 mm) clear around roof access hatch with at least one not less than 4 feet (1219 mm) clear pathway to parapet or roof edge.



**1507.19.3.3 12.4.3.3 Smoke ventilation.** The solar installation shall be designed to meet the following requirements:

- 1. Arrays shall be no greater than 150 feet (45720 mm) by 150 feet (45720 mm) in distance in either axis in order to create opportunities for fire department smoke ventilation operations.
- 2. Smoke ventilation options between array sections shall be one of the following:
  - 2.1. A pathway 8 feet (2438 mm) or greater in width
  - 2.2. A 4-foot (1219 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents.
  - 2.3. A 4-foot (1219 mm) or greater in width pathway and bordering 4-foot by 8-foot (1219 mm by 2438 mm) “venting cutouts” every 20 feet (6096 mm) on alternating sides of the pathway.

**1507.20 12.5 Ground-mounted photovoltaic arrays.** Ground-mounted photovoltaic arrays shall comply with Section 1507.17 12 through 1507.18 12.3 and this section. Setback requirements shall not apply to ground-mounted, free-standing photovoltaic arrays. A clear, brush-free area of 10-feet (3048 mm) shall be required for ground-mounted photovoltaic arrays.

**CHAPTER 16, STRUCTURAL DESIGN,** is amended as follows:

**SECTION 1607, LIVE LOADS,** is amended as follows:

**Section 1607.2 is amended by adding the following exception:**

**1607.2 Loads not specified.** Where not otherwise specified, a minimum roof live load of 30 psf shall be applied to roof structures; with no reductions permitted.

**TABLE 1607.1 Number 26. is amended as follows:**

\*\*\*  
TABLE 1607.1  
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS AND  
MINIMUM CONCENTRATED LIVE LOADS<sup>a</sup>  
\*\*\*

| OCCUPANCY OR USE                                                   | UNIFORM<br>(psf)     | CONCENT<br>RATED<br>(lbs.) |
|--------------------------------------------------------------------|----------------------|----------------------------|
| <b>27 26. Roofs</b>                                                |                      |                            |
| All roof surfaces subject to maintenance workers                   |                      | 300                        |
| Awnings and canopies:                                              |                      |                            |
| Fabric construction supported by a skeleton structure              | 5 <sup>m</sup><br>30 | <a href="#">footnote</a>   |
| All other construction, except one- and two-family dwellings       | 30 <sup>m</sup>      | <a href="#">footnote</a>   |
| Ordinary flat, pitched, and curved roofs (that are not occupiable) |                      |                            |

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|                                                                                                                                                                                                                                      |                  |                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------|
| Primary roof members exposed to a work floor<br>Single panel point of lower chord of roof trusses<br>or any point along primary structural members<br>supporting roofs over manufacturing, storage<br>warehouses, and repair garages |                  | 2,000             |
| All other primary roof members                                                                                                                                                                                                       | 100              | 300               |
| Occupiable roofs:                                                                                                                                                                                                                    | 100 <sup>m</sup> |                   |
| Roof gardens                                                                                                                                                                                                                         | Note 1           |                   |
| Assembly areas                                                                                                                                                                                                                       |                  |                   |
| All other similar areas                                                                                                                                                                                                              |                  | <del>Note 1</del> |

\*\*\*

Section 1607.14.1 Distribution of roof loads is amended to read as follows:

1607.14.1 Distribution of roof loads. Where uniform roof live loads are reduced to less than 10 psf (0.96 kN/m<sup>2</sup>) in accordance with Section 1607.14.2.1 and are applied to the design of structural members arranged so as to create continuity, the reduced roof live load shall be applied to adjacent spans or to alternate spans, whichever produces the most favorable load effect. See section 1607.14.2 for reductions in minimum roof live loads and Section 7.5 of ASCE 7 for partial snow loading.

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Section 1607.14.2 Reduction in uniform roof live loads. The minimum uniformly distributed live loads of roofs and marquees, Lo, in Table 1607.1 are 10 psf permitted to be reduced in accordance with Section 1607.14.2.1.

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**SECTION 1608, SNOW LOADS** is amended as follows:

**Section 1608.2 is amended to read as follows:**

**1608.2 Ground snow loads.** The ground snow load to be used in determining the design snow load for roofs shall be 40 psf.

**CHAPTER 18, SOILS AND FOUNDATIONS,** is amended as follows:

**SECTION 1809, SHALLOW FOUNDATIONS,** is amended as follows:

**Section 1809.5 is amended to read as follows:**

**1809.5 Frost protection.** Except where otherwise protected from frost, foundation and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality; or
2. Erecting on solid rock.

**Exception:** Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to Risk Category I, in accordance with Section 1604.5;
2. Area of 400 square feet or less; and
3. Eave height of 10 feet (3048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of a permanent character.

**TABLE 1809.7 is amended by adding Footnote h. and shall read as follows:**

\*\*\*

h. All structures requiring continuous footings shall be reinforced with a minimum two (2) #4 reinforcing bars or as specified by a design professional.

**CHAPTER 23, WOOD,** is amended as follows:

**TABLE 2304.10.2 1, Number 6, is amended to read as follows:**

TABLE 2304.10.2 1  
FASTENING SCHEDULE

\*\*\*

| DESCRIPTION OF BUILDING ELEMENTS                                                               | NUMBER AND TYPE OF FASTENER<br>A, B, C                                                                                                      | SPACING AND<br>LOCATION |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Roof                                                                                           |                                                                                                                                             |                         |
| ***                                                                                            | ***                                                                                                                                         | ***                     |
| 6. Rafter to plate (pre-engineered trusses and rafters) (see Section 2308.7.5, Table 2308.7.5) | Trusses and rafters shall be connected to the wall top plate with an approved hurricane tie as required to resist up-lift and lateral loads | -                       |
| ***                                                                                            | ***                                                                                                                                         | ***                     |

**SECTION 2308, CONVENTIONAL LIGHT-FRAME CONSTRUCTION,** is amended as follows:

**Section 2308.3.1 is amended to read as follows:**

**2308.3.1 Foundation plates or sills.** Foundation plates or sills resting on concrete or masonry foundations shall comply with Section 2304.3.1. Foundation plates or sills shall be bolted or anchored to the foundation with not less than ½-inch-diameter (12.7 mm) steel bolts or approved anchors spaced to provide equivalent anchorage as the steel bolts. Bolts shall be embedded not less than 7 inches (178 mm) into concrete or masonry. The bolts shall be located in the middle third of the width of the plate. Bolts shall be spaced not more than 4 feet (1219 mm) on center and there shall be not less than two bolts or anchor straps per piece with one bolt or anchor strap located not more than 12 inches (305 mm) or less than 4 inches (102 mm) from each end of each piece. Bolts in sill plates of braced wall lines in structures over two stories above grade shall be spaced not more than 4 feet (1219 mm) on center. A properly sized nut and washer shall be tightened on each bolt to the plate.

**CHAPTER 24, GLASS AND GLAZING,** is amended as follows:

**SECTION 2406, SAFETY GLAZING,** is amended as follows:

**Section 2406.1 is amended by adding section 2406.1.5 and shall read as follows:**

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## 2406.1 Human impact loads.

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**2406.1.5 Code Conflict.** The requirements for safety glazing set forth in Public Safety Article, Title 12, Subtitle 4, Annotated Code of Maryland, are in addition to Chapter 24, Section 2406 of the IBC related to safety glazing. In the event of conflict between this chapter and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland shall prevail.

**CHAPTER 27, ELECTRICAL,** is hereby deleted in its entirety.

**[add]NOTE:** For the applicable electrical requirements, refer to the NFPA70:*National Electrical Code*, 2020~~17~~ Edition, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 20~~24~~~~19~~, effective \_\_\_\_\_, 20\_\_\_\_, 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 18, 2007, effective March 1, 2008, and amended on \_\_\_\_\_, 20~~24~~~~19~~, effective \_\_\_\_\_, 20\_\_\_\_.

**CHAPTER 30, ELEVATORS AND CONVEYING SYSTEMS,** is amended as follows:

**SECTION 3001, GENERAL,** is amended as follows:

### **Section 3001.1 is amended to read as follows:**

**3001.1 Scope.** This chapter governs the design, construction, installation, alteration and repair of elevators and conveying systems and their components. The provisions of this chapter relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth in Md. Code, Public Safety Article, Title 12, Subtitle 8. In the event of a conflict between this code and Md. Code, Public Safety Article, Title 12, Subtitle 8, the provisions of Md. Code, Public Safety Article, Title 12, Subtitle 8, shall prevail.

**CHAPTER 31, SPECIAL CONSTRUCTION,** is ~~hereby deleted in its entirety~~amended as follows:

~~SECTION 3109, SWIMMING POOL ENCLOSURES AND SAFETY DEVICES,~~ is amended as follows:

### ~~Section 3109.1 is amended to read as follows:~~

~~**3109.1 General.** Swimming pools shall comply with the requirements of Sections 3109.02 through 3109.5 and other applicable sections of this code.~~

### ~~Section 3109.2 is amended to read as follows:~~

~~**3109.2 Definition.** The following term is defined in Chapter 2:~~

### ~~SWIMMING POOLS~~

### ~~Section 3109.3 is amended to read as follows:~~

~~3109.3 Public swimming pools.~~ Public swimming pools shall be completely enclosed by a fence not less than 6 feet in height or a screen enclosure. Openings in the fence shall not permit the passage of a 4-inch diameter sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

Section 3109.4 is amended to read as follows:

~~3109.4 Residential swimming pools.~~ Residential swimming pools shall be completely enclosed by a barrier complying with Sections 3111.4.1 through 3111.4.3.

**Exception:** A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F-1346 need not comply with this section.

~~3109.4.1 Barrier height and clearances.~~ The top of the barrier shall be not less than 48 inches (1219 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The vertical clearance between grade and the bottom of the barrier shall be not greater than 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the vertical clearance between the top of the pool structure and the bottom of the barrier shall be not greater than 4 inches (102 mm).

~~3109.4.1.1 Openings.~~ Openings in the barrier shall not allow passage of a 4-inch diameter (102 mm) sphere.

~~3109.4.1.2 Solid barrier surfaces.~~ Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

~~3109.4.1.3 Closely spaced horizontal members.~~ Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall be not greater than 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1¾ inches (44 mm) in width.

~~3109.4.1.4 Widely spaced horizontal members.~~ Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall be not greater than 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1¾ inches (44 mm) in width.

~~3109.4.1.5 Chain link dimensions.~~ Mesh size for chain link fences shall be not greater than a 2¼-inch square (57 mm square) unless the fence is provided with slats fastened at the top or the bottom that reduce the opening to not more than 1¾ inches (44 mm).

~~3109.4.1.6 Diagonal members.~~ Where the barrier is composed of diagonal members, the opening formed by the diagonal members shall be not greater than 1¾ inches (44 mm).

~~3109.4.1.7 Gates.~~ Access doors or gates shall comply with the requirements of Section 3109.4.1.1 through 3109.4.1.6 and shall be equipped to accommodate a locking device. Pedestrian access doors or gates shall open outward away from the pool and shall be self-closing and have a

self-latching device. Doors or gates other than pedestrian access doors or gates shall have a self-latching device. Release mechanisms shall be in accordance with Sections 1010.1.9 and 1109.13. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the door or gate, the release mechanism shall be located on the pool side of the door or gate 3 inches (76 mm) or more, below the top of the door or gate, and the door or gate and barrier shall be without openings greater than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

**3109.4.1.8 Dwelling wall as a barrier.** Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

1. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. In dwellings not required to be Accessible units, Type A, units or Type B units, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible units, Type A units or Type B units, the deactivation switch shall be located not higher than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the threshold of the door.
2. The pool shall be equipped with a power safety cover that complies with ASTM F 1346.
3. Other means of protection, such as self-closing doors with self-latching devices, which are approved, shall be accepted so long as the degree of protection afforded is not less than the protection afforded by Item 1 or 2 above.

**3109.4.1.9 Pool structure as barrier.** Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked, or removed to prevent access, or the ladder or steps shall be surrounded by a barrier that meets the requirements of Section 3109.4.1.1 through 3111.4.1.8. Where the ladder or steps are secured, locked, or removed, any opening created shall not allow the passage of a 4-inch diameter (102 mm) sphere.

**3109.4.2 Indoor swimming pools.** Walls surrounding indoor swimming pools shall not be required to comply with Section 3109.4.1.8.

**3109.4.3 Prohibited locations.** Barriers shall be located so as to prohibit permanent structures, equipment, or similar objects from being used to climb the barriers.

**Section 3109.5 is amended to read as follows:**

**3109.5 Entrapment avoidance.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

APPENDICES

THE FOLLOWING APPENDICES ARE ADOPTED IN THEIR ENTIRETY:

APPENDICES B, C, H AND N

THE FOLLOWING APPENDICES ARE DELETED IN THEIR ENTIRETY:

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APPENDICES A, D, E, F, G, I, J, K, L ~~and M~~ and O

[End of Local Amendments to *International Building Code*, 2021 ~~18~~ Edition]



## ARTICLE II

### LOCAL AMENDMENTS TO THE *INTERNATIONAL RESIDENTIAL CODE*, 2021~~18~~ EDITION

The *International Residential Code*, 2021~~18~~ Edition, as adopted by the State of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07) is hereby amended with the following insertions, amendments and additions:

|                             |         |                                                        |         |
|-----------------------------|---------|--------------------------------------------------------|---------|
| Section R101.1              | Amended | Section R403.3.2                                       | Deleted |
| Section R101.1.1 – R101.1.9 | Added   | Section R403.3.3                                       | Deleted |
| Section R103.1              | Amended | Section R403.3.4                                       | Deleted |
| Section R104.10.1           | Deleted | Section R404.3                                         | Amended |
| Section R105.2              | Amended | Section R404.4                                         | Amended |
| Section R105.3.1.1          | Deleted | Section R407.3                                         | Amended |
| Section R105.5              | Amended | Section R408.6                                         | Amended |
| Section R105.7              | Amended | Section R502.6                                         | Amended |
| Section R105.10             | Added   | Table R602.3(1)                                        | Amended |
| Section R108.6              | Amended | Figure R602.3(2)                                       | Amended |
| Section R113.4              | Amended | Section N1102.4.1.2                                    | Amended |
| Section R113.5              | Added   | Table N1105.5.2(1)                                     | Amended |
| Sections R115.1 - R115.4    | Added   | Section N1106.2                                        | Amended |
| Section 202                 | Amended | Section M1305.1.3                                      | Amended |
| Table R301.2(1)             | Amended | Section M1502.4.2                                      | Amended |
| Section R302.1.1            | Added   | Chapter 25                                             | Deleted |
| Section R313.2              | Amended | Chapter 26                                             | Deleted |
| Section R321.3              | Amended | Chapter 27                                             | Deleted |
| Section R324.6              | Amended | Chapter 28                                             | Deleted |
| Section R324.6.3            | Added   | Section P2901                                          | Deleted |
| Section R324.6.4            | Added   | Section P2902                                          | Deleted |
| Sections R326               | Deleted | Section P2903                                          | Deleted |
| Section R328                | Added   | Section P2904.2.3                                      | Amended |
| Section R329                | Added   | Section P2904.2.3.1                                    | Added   |
| Section R330                | Added   | Section P2905                                          | Deleted |
| Section R331                | Added   | Section P2906                                          | Deleted |
| Section R332                | Added   | Section P2907                                          | Deleted |
| Section R333                | Added   | Section P2908                                          | Deleted |
| Section R403.1              | Amended | Chapter 30                                             | Deleted |
| Section R403.1.4.1          | Amended | Chapter 31                                             | Deleted |
| Section 403.1.6             | Amended | Chapter 32                                             | Deleted |
| Section R403.3              | Deleted | Chapter 33                                             | Deleted |
| Section R403.3.1            | Deleted | Part VIII – Electrical                                 | Deleted |
| Section R403.3.1.1          | Deleted | Part VIII – Note                                       | Added   |
| Figure R403.3(1)            | Deleted | Appendices A, B, C, D, E, F, G,<br>H, N, O, Q, R and S | Adopted |
| Table R403.3(1)             | Deleted | Appendices I, J, K, L, M, P and<br>T                   | Deleted |
| Figure R403.3(2)            | Deleted | Appendix U                                             | Added   |
| Table R403.3(2)             | Deleted |                                                        |         |
| Figure R403.3(3)            | Deleted |                                                        |         |
| Section R403.3.1.2          | Deleted |                                                        |         |
| Figure R403.3(4)            | Deleted |                                                        |         |

**PART I – ADMINISTRATION, CHAPTER 1, ADMINISTRATION**, is amended as follows:

**SECTION R101, TITLE SCOPE AND PURPOSE**, is amended as follows:

**Section R101.1** is amended to read as follows:

**R101.1 Title.** These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of Washington County, Maryland, and shall be cited as such and will be referred to herein as "this code."

**Sections R101.1.1 through R101.1.10** are added and shall read as follows:

**R101.1.1 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.

**R101.1.2 ICC Electrical Code.** For the applicable electrical requirements, refer to the NFPA70: *National Electrical Code*, 2020 ~~17~~ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 2024~~—~~, and the 2006 *ICC Electrical Code - Administrative Provisions*, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective March 1, 2008, and amended on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 2024~~—~~.

**R101.1.3 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.

**R101.1.4 International Plumbing Code.** Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code*, 2021 ~~18~~ Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 2024~~19~~, effective on \_\_\_\_\_, 2024~~—~~.

**R101.1.5 International Property Maintenance Code.** Any reference to the *International Property Maintenance Code* shall mean the *Washington County Livability Code* adopted by the Board of County Commissioners of Washington County, Maryland on November 1, 1988, effective January 1, 1989, Revision 1 adopted and effective May 9, 2006, and as may be further amended or restated from time to time.

**R101.1.6 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 2021 ~~18~~ Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 2024~~19~~, effective on \_\_\_\_\_, 2024~~—~~.

**R101.1.7 International Mechanical Code.** Any reference to the *International Mechanical Code* shall mean the *International Mechanical Code*, 2021 ~~18~~ Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective on \_\_\_\_\_, 20~~24~~<sup>19</sup>.

**R101.1.8 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 20~~11~~<sup>18</sup> Edition, as may be amended or restated from time to time, as promulgated by the International Code Council, with local amendments for Washington County, Maryland adopted on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective on \_\_\_\_\_, 20~~24~~<sup>19</sup>, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**R101.1.9 International Energy Conservation Code.** Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 20~~11~~<sup>18</sup> Edition, as may be amended or restated from time to time, as promulgated by the International Code Council, adopted on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective on \_\_\_\_\_, 20~~24~~<sup>19</sup>, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**SECTION R103, DEPARTMENT OF BUILDING SAFETY**, is amended as follows:

**Section R103.1 is amended to read as follows:**

**R103.1 Creation of enforcement agency.** The Director of the Washington County Division of ~~Permits & Inspections~~**Construction** shall be known as the Building Official and the Chief Plans Examiner of the Division of ~~Permits & Inspections~~**Construction** shall be known as Deputy Building Official and are hereby authorized and directed to administer and enforce all provisions of this code. The Building Official and Deputy Building Official shall be referred to singularly or collectively as the Building Official.

**THE FOLLOWING SECTIONS RELATING TO FLOOD HAZARD AREAS ARE HEREBY DELETED IN THEIR ENTIRETY:**

**R104.10.1 Flood hazard areas.**

**R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.**

**[add]NOTE:** For the applicable requirements concerning flood hazard areas, refer to the *Washington County Floodplain Management Ordinance* adopted by the Board of County Commissioners of Washington County, Maryland on May 16, 2017, effective August 15, 2017, as may be amended or restated from time to time.

**SECTION R105, PERMITS**, is amended as follows:

**Section R105.2 is amended to read as follows:**

**R105.2 Work exempt from permit.** Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

**Building:**

1. ~~Other than storm shelters, One-story detached accessory structures, of wood or metal construction, not used for human habitation,~~ provided that the floor area does not exceed 400 square feet.

\*\*\*

3. Retaining walls that retain less than 36-inches of unbalanced backfill unless supporting a surcharge.

**Electrical:**

\*\*\*

4. Deleted in its entirety.

\*\*\*

**Section R105.5 is amended to read as follows:**

**R105.5 Expiration.** Every permit issued shall become invalid if the work authorized by such permit is not commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced, or if no inspections have been performed by the Building Official for a period of 180 days. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**Section R105.7 is amended to read as follows:**

**R105.7 Placement of permit.** The permit holder or his agent shall post the inspection record on the job site in an accessible and conspicuous place to allow the Building Official to make the required entries. The record shall be maintained by the permit holder until the final inspection has been made and approved.

**Section R105.10 is added and shall read as follows:**

**R105.10 Withholding of permits.** Whenever the Building Official shall find that any person, agent, firm or corporation, whether as owner, lessee or occupant, is in violation of the provisions of this code or of the rules and regulations of any other department or agency of Washington County in connection with the erection, maintenance, use or repair of buildings, structures, lands, or equipment thereon or therein, he may refuse to grant any further permits or inspections until all violations have been corrected and approved.

**SECTION R108 FEES,** is amended as follows:

**Section R108.6 is amended to read as follows:**

**R108.6 Work commencing before permit issuance.** Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before

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obtaining the necessary permits shall be subject to 100 percent (100%) of the usual permit fee in addition to the required permit fees.

**SECTION R113, VIOLATIONS**, is amended as follows:

**Section R113.4 is amended to read as follows:**

**R113.4 Criminal penalties.** Any person, firm, corporation or entity that violates any of the provisions of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs a building or structure 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 R113.5 is added and shall read as follows:**

**R113.5 Civil Penalties.** Any person, firm, corporation or entity that violates any of the provisions of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters or repairs a building or structure 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 Maryland Code, Local Government Article, § 6-102, et seq. The fine 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 R115, UNSAFE STRUCTURES AND EQUIPMENT**, is added and shall read as follows:

**R115.1 Conditions.** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**R115.2 Notice.** If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order. The Building Official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**R115.3 Method of service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other

manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

**R115.4 Restoration.** The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations, or additions are made, or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and the International Existing Building Code.

**PART II, DEFINITIONS,** is amended as follows:

**SECTION R202, DEFINITIONS,** is amended as follows:

- (i) The following definition is amended to read as follows:

**BASEMENT.** That portion of a building that is partly or completely below grade with a ceiling height greater than or equal to 6 feet 8 inches (see STORY ABOVE GRADE PLANE).

- (ii) The following definition is added and shall read as follows:

**SEMI-DETACHED DWELLING UNIT.** Two single-family dwelling units separated by a property line with open space on three (3) sides and shall be regulated the same as a townhouse.

- (iii) The following definition is amended to read as follows:

**TOWNHOUSE.** A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with open space on at least two (2) sides and is separated by a property line. Semi-detached dwelling unit is similar with two single-family units separated by a property line.

**PART III, BUILDING PLANNING AND CONSTRUCTION, CHAPTER 3, BUILDING PLANNING,** is amended as follows:

**SECTION R301, DESIGN CRITERIA** is amended as follows:

**Table R301.2(1) is amended and Footnote l. is added and shall read as follows:**

Table R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

| GROUND<br>SNOW<br>LOAD                | WIND DESIGN                 |                                     |                                        |                                  | SEISMIC<br>DESIGN<br>CATEGORY <sup>f</sup> | SUBJECT TO DAMAGE FROM  |                                     |                      | WINTER<br>DESIGN<br>TEMP      | ICE BARRIER<br>UNDERLAYMENT<br>REQUIRED <sup>g</sup> | FLOOD<br>HAZARDS <sup>g</sup> ,<br><sup>a</sup> | AIR<br>FREEZING<br>INDEX <sup>i</sup> | MEAN<br>ANNUAL<br>TEMP <sup>i</sup> |
|---------------------------------------|-----------------------------|-------------------------------------|----------------------------------------|----------------------------------|--------------------------------------------|-------------------------|-------------------------------------|----------------------|-------------------------------|------------------------------------------------------|-------------------------------------------------|---------------------------------------|-------------------------------------|
|                                       | SPEED <sup>d</sup><br>(mph) | Topographic<br>effects <sup>b</sup> | Special<br>wind<br>region <sup>l</sup> | Wind-<br>borne<br>debris<br>zone |                                            | Weathering <sup>a</sup> | Frost<br>Line<br>Depth <sup>b</sup> | Termite <sup>e</sup> |                               |                                                      |                                                 |                                       |                                     |
| 30psf                                 | 115                         | NO                                  | No                                     | No                               | A                                          | Severe                  | 30"                                 | Moderate<br>to Heavy | 12°F                          | Yes                                                  | 2017                                            | 722                                   | 53.5°F                              |
| MANUAL J DESIGN CRITERIA <sup>a</sup> |                             |                                     |                                        |                                  |                                            |                         |                                     |                      |                               |                                                      |                                                 |                                       |                                     |
| Elevation                             | Latitude                    |                                     | Winter<br>heating                      | Summer<br>cooling                | Altitude<br>correction factor              |                         | Indoor design<br>temperature        |                      | Design<br>temperature cooling |                                                      | Heating temperature<br>difference               |                                       |                                     |
| 704                                   | 39                          |                                     | 12                                     | 91                               | 0.985                                      |                         | 70                                  |                      | 75                            |                                                      | 58                                              |                                       |                                     |
| Cooling<br>temperature difference     | Wind<br>velocity heating    |                                     | Wind velocity<br>cooling               | Coincident<br>wet bulb           | Daily<br>range                             |                         | Winter<br>humidity                  |                      | Summer<br>humidity            |                                                      | —                                               |                                       |                                     |
| 16                                    | 15                          |                                     | 7.5                                    | 74                               | Medium                                     |                         | —                                   |                      | 50%                           |                                                      | —                                               |                                       |                                     |

g. Or most recent adopted FEMA flood hazard map.

**SECTION R302, FIRE-RESISTENT CONSTRUCTION** is added and shall read as follows:

**R302.1.1 Balconies and decks on townhouses and semi-detached dwellings.** All portions of balconies and decks on townhouses or semi-detached dwellings constructed with combustible materials or fire retardant treated wood shall not be closer than 24 inches (609.6 mm) from any property line.

**SECTION R313, AUTOMATIC FIRE SPRINKLER SYSTEMS,** is amended as follows:

**Section R313.2 is amended to read as follows:**

**R313.2 One- and two-family dwellings automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings. This shall include modular and manufactured homes manufactured after July 1, 2015.

**Exception:** An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

**SECTION R321, ELEVATORS AND PLATFORM LIFTS,** is amended as follows:

**Section 321.3 is amended to read as follows:**

**R321.3 Accessibility.** Elevators or platform lifts that are part of an accessible route shall comply with the Maryland Accessibility Code (COMAR 05.02.02).

**SECTION 324 SOLAR ENERGY SYSTEMS,** is amended as follows:

**Section 324.6is amended to read as follows:**



**R324.6 Roof Access and pathways.** Roof access, pathways, and spacing requirements shall be provided in accordance with Sections R324.6.1 through R324.6.4.5.

**Exceptions:**

1. Roof access, pathways, and spacing requirements need not be provided on detached accessory structures; including, but not limited to, sheds, garages, parking shade structures, carports, and solar trellises.
2. Roof access, pathways, and spacing requirements need not be provided on up to 50 percent of the dwelling roof area; including, but not limited to, one side of a single-ridge roof of equal sides.
3. No Panel or module may be located within one foot of a roof edge, ridge, hip, valley, or penetration.

**Section 324.6.1 is amended to read as follows:**

**R324.6.1 Roof access points.** Roof access points shall be located in areas that do not require the placement of ground ladders over openings such as windows or doors and located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

**Section 324.6.2 is amended to read as follows:**

**R324.6.2 Solar photovoltaic systems.** Solar photovoltaic systems shall comply with Sections R324.6.2.1 through R324.6.2.4.

**R324.6.2.1 Size of solar photovoltaic array.** Each photovoltaic array shall be limited to 150 feet by 150 feet (45720 by 45720 mm). Multiple arrays shall be separated by a clear access pathway not less than 3 feet (914 mm) in width.

**R324.6.2.2 Hip roof layouts.** Panels and modules installed on dwellings with hip roof layouts shall be located in a manner that provides a clear access pathway not less than 3 feet (914 mm) in width from the eave to the ridge on each roof slope where panels and modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

**Exception:** These requirements shall not apply to roofs with slopes of 2 units vertical in 12 units horizontal (16.6 percent) and less.

**R324.6.2.3 Single ridge roofs.** Panels and modules installed on dwellings with a single ridge shall be located in a manner that provides two, 3-foot-wide (914 mm) access pathways from the eave to the ridge on each roof slope where panels or modules are located.

**Exception:** This requirement shall not apply to roofs with slopes of 2 units vertical in 12 units horizontal (16.6 percent) and less.

**R324.6.2.4 Roofs with hips and valleys.** Panels and modules installed on dwellings with roof hips or valleys shall not be less than 18 inches (457 mm) from a hip or

valley where panels or modules are to be placed on both sides of a hip or valley. Where panels are to be located on one side only of a hip or valley that is of equal length, the 18-inch (457 mm) clearance does not apply.

**Exception:** These requirements shall not apply to roofs with slopes of 2 units vertical in 12 units horizontal (16.6 percent) and less.

**R324.6.2.5 Allowance for smoke ventilation operations.** Panels and modules installed on dwellings shall not be located less than one foot below the roof ridge to allow for fire department smoke ventilation operations.

**Section 324.6.2.2 is amended to read as follows:**

**R324.6.2.6 Emergency escape & rescue opening.** Panels and modules installed on dwellings shall not be placed on the portion of a roof that is below an emergency escape and rescue opening. A pathway not less than 36 inches (914 mm) wide shall be provided to the emergency escape and rescue opening.

**SECTION R326 SWIMMING POOLS, SPAS AND HOT TUBS,** is deleted as follows:

Section R326 is hereby deleted in its entirety.

**SECTION R33128 SITE SAFETY,** is added and shall read as follows:

**R33128.1 Scope** The provisions of this chapter shall govern safety during construction and the protection of adjacent public and private properties.

**R33128.1.1 Storage and placement.** Construction equipment and materials shall not be stored on roadways or in right-of-ways or placed so as to endanger the public, workers, or adjoining property for the duration of the construction project.

**SECTION R33229 CONSTRUCTION SAFEGUARDS,** is added and shall read as follows:

**R33229.1 Remodeling and additions.** Required exits, existing structural elements, fire protection devices, and sanitary safeguards shall be maintained at all times during remodeling, alterations, repairs, or additions to any building or structure.

**Exceptions:**

1. When such required elements or devices are being remodeled, altered, or repaired, adequate substitute provisions shall be made.
2. When the existing building is not occupied.

**R33229.2 Manner of removal.** Waste materials shall be removed in a manner which prevents injury or damage to persons, adjoining properties, and public rights-of-way.

**R33229.3 Abandon sites.** Excavated sites that have been abandoned shall be protected with a 48-inch high construction fence or the excavated area shall be filled and maintained to the existing grade.

**SECTION R3330 DEMOLITION** is added and shall read as follows:

**R33~~30~~.1 Construction documents.** Construction documents and a schedule for demolition must be submitted when required by the building official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved.

**R33~~30~~.2 Vacant lot.** Where a structure has been demolished or removed, the site shall be filled and maintained to the existing grade or in accordance with the ordinances of the jurisdiction having authority.

**R33~~30~~.3 Water accumulation.** Provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

**R33~~30~~.4 Utility connections.** Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the authority having jurisdiction.

**SECTION R33~~41~~ SITE WORK** is added and shall read as follows:

**R33~~41~~.1 Excavation and fill.** Excavation and fill for buildings and structures shall be constructed or protected so as not to endanger life or property. Stumps and roots shall be removed from the soil to a depth of at least 12 inches (305 mm) below the surface of the ground in the area to be occupied by the building. Wood forms which have been used in placing concrete, if within the ground or between foundation sills and the ground, shall be removed before a building is occupied or used for any purpose. Before completion, loose, or casual wood shall be removed from direct contact with the ground under the building.

**R33~~41~~.2 Roads, streets, alleys and entrances.** Roads, streets, alleys, and entrances shall be kept clean and free of all debris.

**R33~~41~~.3 Surcharge.** No fill or other surcharge loads shall be placed adjacent to any building or structure unless such building or structure is capable of withstanding the additional loads caused by the fill or surcharge. Existing footings or foundations which can be affected by any excavation shall be underpinned adequately or otherwise protected against settlement and shall be protected against later movement.

**R33~~41~~.4 Fill supporting foundations.** Fill to be used to support the foundations of any building or structure shall comply with Section R404.1.7.

**SECTION R33~~52~~ PROTECTION OF ADJOINING PROPERTY SITE SAFETY** is added and shall read as follows:

**R33~~52~~.1 Protection required.** Adjoining public and private property shall be protected from damage during construction, remodeling, and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights, and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities.

**SECTION R33~~63~~ TEMPORARY USE OF STREETS, ALLEYS AND PUBLIC PROPERTY,** is added and shall read as follows:

**R33~~63~~.1 Storage and handling of materials.** The temporary use of streets or public property for the storage or handling of materials or of equipment required for construction or

demolition, and the protection provided to the public, shall comply with the provisions of the authority having jurisdiction and this chapter.

**R3363.2 Obstructions.** Construction materials and equipment shall not be placed or stored so as to obstruct access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6096 mm) of a street intersection, or placed so as to obstruct normal observations of traffic signals or to hinder the use of public transit loading platforms.

**R3363.3 Utility fixtures.** Building materials, fences, sheds, or any obstruction of any kind shall not be placed so as to obstruct free approach to any fire hydrant, fire department connection, utility pole, manhole, fire alarm box, or catch basin, or so as to interfere with the passage of water in the gutter. Protection against damage shall be provided to such utility fixtures during the progress of the work, but sight of them shall not be obstructed.

**PART III, BUILDING PLANNING AND CONSTRUCTION, CHAPTER 4, FOUNDATIONS, is amended as follows:**

**SECTION R403, FOOTINGS,** is amended as follows:

**Section R403.1 General is amended to read as follows:**

**R403.1 General.** All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, crushed stone footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Concrete footing shall be designed and constructed in accordance with the provisions of Section R403 or in accordance with ACI 332. All structures requiring continuous footings shall be reinforced with a minimum of two (2) #4 reinforcing bars or as specified by a design professional.

**Exception:** Footings are not required to be stepped or continuous where changes of footing elevations exceed 4 feet. Such footings can be connected by masonry lintels with a minimum 18 inches of bearing on concrete footings with reinforcements.

**Section R403.1.4.1, Frost protection, is amended to read as follows:**

**R403.1.4.1 Frost Protection.** Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extended below the frost line specified in Table R301.2.(1); or
2. Erected on solid rock.

**Exception:**

1. Protection of freestanding accessory structures with an area of 400 square feet or less with an eave height of ten (10) feet or less shall not be required.

**Section R403.1.6 Foundation anchorage is amended to read as follows:**

**R403.1.6 Foundation anchorage.** Wood sill plates and wood walls supported directly on continuous foundations shall be anchored to the foundation in accordance with this section.

Cold-formed steel framing shall be anchored directly to the foundation or fastened to wood sill plates anchored to the foundation. Anchorage of cold-formed steel framing and sill plates supporting cold-formed steel framing shall be in accordance with this section and Section R505.3.1 or R603.3.1.

Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of braced wall panels at building interiors on monolithic slabs and all wood sill plates shall be anchored to the foundation with minimum ½-inch-diameter (12.7 mm) anchor bolts spaced a maximum of 4 feet on center or approved anchors or anchor straps spaced as required to provide equivalent anchorage to ½-inch-diameter (12.7 mm) anchor bolts. Bolts shall extend a minimum of 7 inches (178 mm) into concrete or grouted cells of concrete masonry units. The bolt shall be located in the middle third of the width of the plate. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not part of a braced wall panel shall be positively anchored with approved fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318.

**Exceptions:**

1. Walls 24 inches (610 mm) total length or shorter connecting offset braced wall panels shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3(1).

**The following sections, figures and tables are deleted in their entirety:**

Section R403.3 Frost protected shallow foundations.  
Section R403.3.1 Foundations adjoining frost-protected shallow foundations.  
Section R403.3.1.1 Attachment to unheated slab-on-ground structure.  
Section R403.3.1.2 Attachment to heated structure.  
Section R403.3.2 Protection of horizontal insulation below ground.  
Section R403.3.3 Drainage.  
Section R403.3.4 Termite protection.  
Figure R403.3(1)  
Table R403.3(1)  
Figure R403.3(2)  
Table R403.3(2)  
Figure R403.3(3)  
Figure R403.3(4)

**SECTION R404, FOUNDATION AND RETAINING WALLS,** is amended as follows:

**Section R404.3 Wood sill plates, is amended to read as follows:**

**R404.3 Wood sill plates.** Wood sill plates shall be a minimum of 2-inch by 6-inch nominal lumber for basement and crawl spaces with walls with unbalanced fill greater than 4 feet in height. Other sill plates shall be a minimum of 2-inch by 4-inch nominal lumber. Sill plate anchorage shall be in accordance with Sections R403.1.6 and R602.11.

**Section R404.4 Retaining walls, is amended to read as follows:**

**R404.4 Retaining walls.** Retaining walls that are not laterally supported at the top and that retain in excess of 36-inches of unbalanced fill shall be designed to ensure stability against overturning, sliding, excessive foundation pressure, and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding and overturning.

**SECTION 407, COLUMNS,** is amended as follows:

**R407.3 Structural requirements.** The columns shall be restrained to prevent lateral displacement at the bottom end. Wood columns shall not be less in nominal size than 4 inches by 4 inches (102mm by 102 mm). Steel columns shall not be less than 3-inch-diameter (76 mm) Schedule 40 pipe manufactured in accordance with ASTM A 53 Grade B or as required by design.

**Exception:** In Seismic Design Categories A, B, and C, columns no more than 48 inches (1219mm) in height on a pier or footing are exempt from the bottom end lateral displacement requirement within under-floor areas enclosed by a continuous foundation.

**SECTION R408, UNDER-FLOOR SPACE,** is amended as follows:

**Section R408.6 is amended to read as follows:**

**R408.6 Finished Grade.** The finished grade of under-floor surface shall not be any lower than the top of the footings; crawlspace piers must be dug in or backfilled to top. However, where there is evidence that the groundwater table can rise to within 6 inches (152 mm) of the finished floor at the building perimeter, or where there is evidence that the surface water does not readily drain from the building site, the grade in the under-floor space shall be as high as the outside finished grade, unless an approved drainage system is provided.

|                                                                                                       |
|-------------------------------------------------------------------------------------------------------|
| <p><b>PART III, BUILDING, PLANNING AND CONSTRUCTION, CHAPTER 5, FLOORS</b> is amended as follows:</p> |
|-------------------------------------------------------------------------------------------------------|

**SECTION R502, WOOD FLOOR FRAMING,** is amended as follows:

**Section R502.6 is amended to read as follows:**

**R502.6 Bearing.** The ends of each joist, beam, or girder shall have not less than 1 ½ inches (38 mm) of bearing on wood or metal and not less than 3 inches (76 mm) on masonry or concrete except where supported by approved joist hangers. Alternatively, the ends of joists shall be supported on a 1-inch by 4-inch (25 mm by 102 mm) ribbon strip and nailed to the adjacent stud. The bearing on masonry or concrete shall be direct, or a sill plate of 2-inch-minimum (51 mm) nominal thickness shall be provided under the joist, beam, or girder. The sill plate shall provide a minimum nominal bearing area of 48 square inches (30 865 mm²). When steel shims are used, the shim length and width shall provide full bearing area for the beam or girder and shall not exceed 1½ inches in height.

**PART III, BUILDING, PLANNING AND CONSTRUCTION, CHAPTER 6, WALL CONSTRUCTION**, is amended as follows:

**SECTION R602, WOOD WALL FRAMING**, is amended as follows:

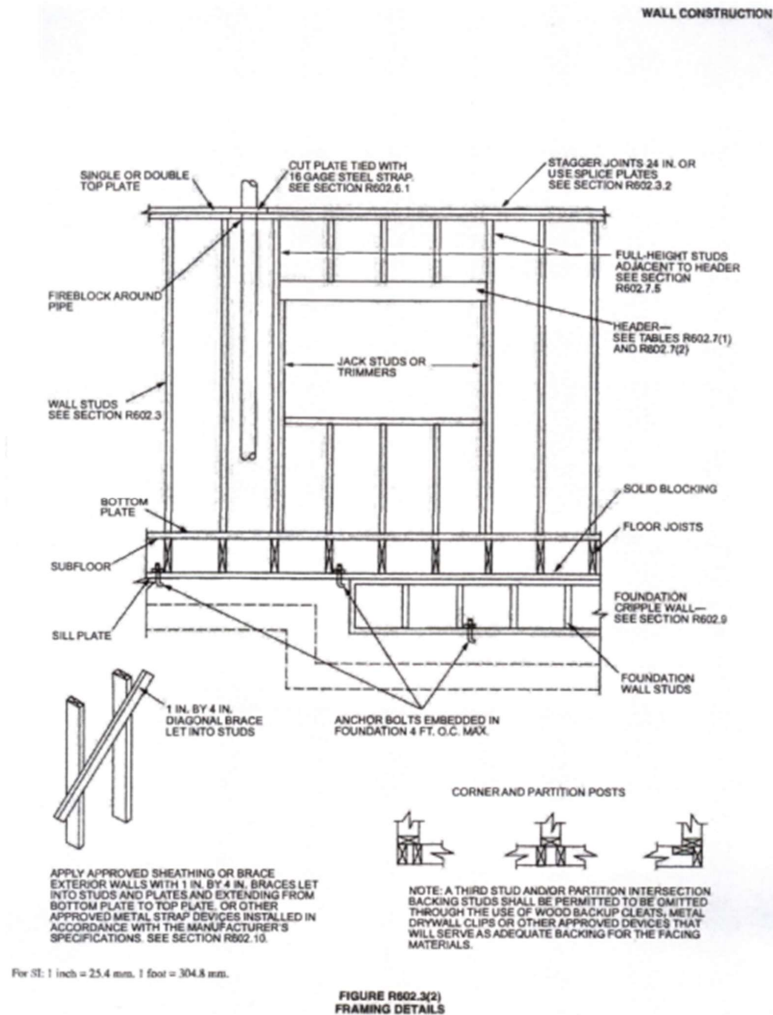
**Table 602.3(1) is amended to read as follows:**

**TABLE R602.3(1)  
FASTENER SCHEDULE FOR STRUCTURAL MEMBERS**

| ITEM        | DESCRIPTION OF BUILDING ELEMENTS                                                               | NUMBER AND TYPE OF FASTENER <sup>A, B, C</sup>                                                                                              | SPACING AND LOCATION |
|-------------|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Roof</b> |                                                                                                |                                                                                                                                             |                      |
| ***         | ***                                                                                            | ***                                                                                                                                         | ***                  |
| 6           | Rafter to plate (pre-engineered trusses and rafters)<br>(see Section 2308.7.5, Table 2308.7.5) | Trusses and rafters shall be connected to the wall top plate with an approved hurricane tie as required to resist up-lift and lateral loads | -                    |
| ***         | ***                                                                                            | ***                                                                                                                                         | ***                  |

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FIGURE R602.3(2) is amended to read as follows:



PART IV, ENERGY CONSERVATION is hereby ~~deleted in its entirety~~ amended as follows:

**SECTION N1102 (R402) BUILDING THERMAL ENVELOPE**, is amended as follows:

Section N1102.4.1.2 (R402.4.1.2) Testing is amended to read as follows:



**Testing.** The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding five air changes per hour Climate Zones 1 and 2, and three air changes per hour in Climate Zones 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the building official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope. Except as provided for in the:

- (i) Simulated Performance Path listed in Section N1105 (R405); and
- (ii) Energy Rating Index Compliance Alternative in Section N1106 (R406);

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**SECTION N1105 (R405) ~~SIMULATED~~TOTAL BUILDING PERFORMANCE ALTERNATIVE (PERFORMANCE)**, is amended as follows:

**Table N1105.5.2(1) [R405.45.2(1)] is amended to read as follows:**

| TABLE N1105.45.2(1) [R405.45.2(1)]<br>SPECIFICATIONS FOR THE STANDARD REFERENCE AND PROPOSED DESIGNS |                                  |                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BUILDING COMPONENT<br>***                                                                            | STANDARD REFERENCE DESIGN<br>*** | PROPOSED DESIGN<br>***                                                                                                                                                                                                                                                                                                         |
| Air exchange rate                                                                                    | ***                              | The measured air exchange rate <sup>a</sup> .<br><br>Not to exceed 5 air changes per hour with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for Standard Reference Design<br><br>The mechanical ventilation rate <sup>b</sup> shall be in addition to the air leakage rate and shall be as proposed. |
| ***                                                                                                  | ***                              | ***                                                                                                                                                                                                                                                                                                                            |

**SECTION N1106 (R406) ENERGY RATING INDEX COMPLIANCE ALTERNATIVE**, is amended as follows:

**Section N1106.2 (R406.2) Mandatory requirements. Exception is added and shall read as follows:**

**Exception:**

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- 2. The maximum of 5 air changes per hour tested in accordance with Section R402.4.1.2 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.

**PART V, MECHANICAL, MECHANICAL ADMINISTRATION** is hereby amended as follows:

**SECTION 1305 APPLIANCE ACCESS**, is amended as follows:

**Section 1305.1.2 is amended to read as follows:**

**M1305.1.2 Appliances in attics.** Attics containing appliances shall be provided with an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) long measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with Chapter 5 not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present along all sides of the appliance where access is required. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. Access shall be by a pull-down or fixed stairway.

**Exceptions:**

1. The passageway and level service space are not required where the appliance can be serviced and removed through the required opening.
2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not more than 50 feet (15250 mm) long.

**SECTION 1502 CLOTHES DRYER EXHAUST**, is amended as follows:

**Section 1502.4.2 is amended to read as follows:**

**M1502.4.2 Duct Installation.** Exhaust ducts shall be supported at intervals not to exceed 4-foot intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct. Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation of the duct without deformation.

**PART VII, PLUMBING, PLUMBING ADMINISTRATION** is hereby amended as follows:

- (a) Chapters 25 through 28 are hereby deleted in their entirety.
- (b) Chapter 29, Sections P2901 through P2903 and are hereby deleted in their entirety.
- (c) **SECTION P2904 DWELLING UNIT FIRE SPRINKLER SYSTEMS** is amended as follows:

**Section P2904.2.3 is amended to read as follows:**

**P2904.2.3. Freezing areas.** Piping shall be protected from freezing as required by Section P2904.2.3.1. Where sprinklers are required in areas that are subject to freezing, dry-

sidewall or dry-pendent sprinklers extending from a nonfreezing area into a freezing area shall be installed.

**Section P2904.2.3.1 is added and shall read as follows:**

**P2904.2.3.1. Freezing.** In localities having a winter design temperature of 32° F (0° C) or lower as shown in Table R301.2(1) of this code, a water (sprinkler pipe shall not be installed outside of a building, in exterior walls, in attics or crawl spaces, or in any other place subject to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both.

(c) Sections P2905 through P2908 are hereby deleted in their entirety.

(d) Chapters 30 through 33 are hereby deleted in their entirety

**[add]NOTE:** For the applicable requirements concerning plumbing systems, refer to the *International Plumbing Code*, 2021~~18~~ Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 2024\_\_\_\_.

**PART VIII, ELECTRICAL, CHAPTERS 34-43, GENERAL REQUIREMENTS** is hereby deleted in its entirety.

**[add]NOTE:** For the applicable electrical requirements, refer to the NFPA70 *National Electrical Code*, 2020~~17~~ Edition, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 2024\_\_\_\_, 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 18, 2007, effective March 1, 2008, and amended on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 2024\_\_\_\_.

**PART IX, REFERENCED STANDARDS**, is hereby amended as follows:

**THE FOLLOWING APPENDICES ARE ADOPTED IN THEIR ENTIRETY OR AS AMENDED:**

APPENDICES A, ~~AA, AB~~, B, C, D, E, F, G, H, N, O, Q, R and S.

**THE FOLLOWING APPENDICES ARE DELETED IN THEIR ENTIRETY:**

APPENDICES ~~AI, AJ, AK, AL, AM, AP, and AT~~, **AU, AW, AX, Board of Appeals**

**APPENDIX U SWIMMING POOLS, SPAS AND HOT TUBS, is added and shall read as follows:**

~~Section AU101~~ is added and shall read as follows:

~~AU101.1 General.~~ The provisions of this appendix shall control the design and construction of swimming pools, spas, and hot tubs installed in or on the lot of a one- or two-family dwelling.

~~Section AU102 Definitions~~ added and shall read as follows:

**AU102.1 General.** For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

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~~ABOVE GROUND/ON GROUND POOL.~~ See "Swimming pool."

**BARRIER.** A fence, wall, building wall, or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

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~~HOT TUB.~~ See "Swimming pool."

~~IN GROUND POOL.~~ See "Swimming pool."

**RESIDENTIAL.** That which is situated on the premises of a detached one- or two-family dwelling, or a one-family townhouse not more than three stories in height.

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~~SPA, NONPORTABLE.~~ See "Swimming pool."

**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water heating, and water circulating equipment are an integral part of the product.

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**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water more than 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs, and spas.

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**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

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~~SWIMMING POOL, OUTDOOR.~~ Any swimming pool which is not an indoor pool.

~~Section AU103 Swimming Pools~~ is added and shall read as follows:

~~AU103.1 In-ground pools.~~ In-ground pools shall be designed and constructed in compliance with ANSI/NSPI 5.

~~AU103.2 Above-ground and on-ground pools.~~ Above-ground and on-ground pools shall be designed and constructed in compliance with ANSI/NSPI 4.

~~Section AU104 Spas and Hot Tubs~~ is added and shall read as follows:

~~— **AU104.1 Permanently installed spas and hot tubs.** Permanently installed spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-3.~~

~~— **AU104.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-6.~~

~~— **Section AU105 Barrier Requirements** is added and shall read as follows:~~

~~— **AU105.1 Application.** The provisions of this appendix shall control the design of barriers for residential swimming pools, spas, and hot tubs. These design controls are intended to provide protection against potential drowning and near drowning by restricting access to swimming pools, spas, and hot tubs.~~

~~— **AU105.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above-ground, or on-ground pool, hot tub, or spa, shall be surrounded by a barrier which shall comply with the following:~~

- ~~1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).~~
- ~~2. Openings in the barrier shall not allow the passage of a 4-inch diameter (102 mm) sphere.~~
- ~~3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.~~
- ~~4. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ (44 mm) in width.~~
- ~~5. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ (44 mm) in width.~~
- ~~6. Maximum mesh size for chain link fences shall be a 2 ¼-inch (57 mm) square, unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1¾ inches (44 mm).~~

- ~~7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1¾ inches (44 mm).~~
- ~~8. Access gates shall comply with the requirements of Items 1 through 7 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates, other than pedestrian access gates, shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:~~
- ~~8.1 The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and~~
- ~~8.2 The gate and barrier shall have no opening larger than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.~~
- ~~9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:~~
- ~~9.1 The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346;~~
- ~~9.2 Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or~~
- ~~9.3 Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described herein.~~
- ~~10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is ladder or steps:~~
- ~~10.1 The ladder or steps shall be capable of being secured, locked, or removed to prevent access; or~~
- ~~10.2 The ladder or steps shall be surrounded by a barrier which meets the requirements of Items 1 through 9. When the ladder or steps are secured, locked, or removed, any openings created shall not allow the passage of a 4-inch diameter (102 mm) sphere.~~

~~**AU105.3 Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with Item 9 of Section AG105.2.~~

~~**AU105.4 Prohibited locations.** Barriers shall be located to prohibit permanent structures, equipment, or similar objects from being used to climb them.~~

~~**AU105.5 Barrier exceptions.** Spas or hot tubs with a safety cover which comply with ASTM F 1346 shall be exempt from the provisions of this appendix.~~

~~Section AU106 Entrapment Protection for Swimming Pool and Spa Suction Outlets is added and shall read as follows:~~

~~**AU106.1 General.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.~~

~~**[End of Local Amendments to *International Residential Code, 2018 Edition*]**~~

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**ARTICLE III**  
**LOCAL AMENDMENTS TO THE *INTERNATIONAL ENERGY CONSERVATION CODE*,**  
**2021+8 EDITION**

The *International Energy Conservation Code*, 2021+8 Edition, as adopted by the State of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07) is hereby amended with the following insertions, amendments and additions:

**IECC — COMMERCIAL PROVISIONS**

|                                    |         |
|------------------------------------|---------|
| Section C101.1                     | Amended |
| Sections C101.1.1-C101.1.7         | Added   |
| Section C108.4                     | Amended |
| Section C202 - General Definitions | Amended |
| Section C405.2.4                   | Amended |

**IECC — RESIDENTIAL PROVISIONS**

|                                    |         |
|------------------------------------|---------|
| Section R101.1                     | Amended |
| Sections R101.1.1-R101.1.7         | Added   |
| Section R108.4                     | Amended |
| Section R202 - General Definitions | Amended |
| Section R402.4.1.2                 | Amended |
| Table R405.5.2(1)                  | Amended |
| Section R406.2                     | Amended |

**IECC—COMMERCIAL PROVISIONS - CHAPTER 1[CE] – SCOPE AND ADMINISTRATION**, is amended as follows:

**Part 1-SCOPE AND APPLICATION, SECTION C101, SCOPE AND GENERAL REQUIREMENTS**, is amended as follows:

**Section C101.1 is amended to read as follows:**

**C101.1 Title.** This code shall be known as the *International Energy Conservation Code of Washington County, Maryland*, and shall be cited as such. It is referred to herein as "this code."

**Sections C101.1.1 through C101.1.7 are added and shall read as follows:**

**C101.1.1 International Residential Code.** Any reference to the *International Residential Code* shall mean the *International Residential Code*, 2021+8 Edition, as may be amended or restated from time to time, as promulgated by the International Code Council, with local amendments for Washington County, Maryland, as adopted on \_\_\_\_\_, 2024+9, effective \_\_\_\_\_, 2024+9, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**C101.1.2 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.



**C101.1.3 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.

**C101.1.4 International Plumbing Code.** Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code*, 2021+8 Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 2024+9, effective on \_\_\_\_\_, 2024+.

**C101.1.5 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 2021+8 Edition, as may be amended or restated from time to time, as promulgated by the International Code Council, with local amendments for Washington County, Maryland adopted on \_\_\_\_\_, 2024+9, effective \_\_\_\_\_, 2024+., by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**C101.1.6 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 2021+8 Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 2024+9, effective \_\_\_\_\_, 2024+.

**C101.1.7 International Mechanical Code.** Any reference to the *International Mechanical Code* shall mean the *International Mechanical Code*, 2021+8 Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 2024+9, effective on \_\_\_\_\_, 2024+.

**SECTION C1098, STOP WORK ORDER**, is amended as follows:

**Section C1098.4 is amended to read as follows:**

**C1098.4 Failure to comply.** Upon notice from the code official *or designee* that 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 *or designee* shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work 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 to a fine of not less than Two Hundred Fifty Dollars (\$250.00) or more than One Thousand Dollars (\$1,000.00).

**IECC—COMMERCIAL PROVISIONS - CHAPTER 2[CE] – DEFINITIONS**, is amended as follows:

**SECTION C202, GENERAL DEFINITIONS**, is amended as follows:

**The following definition is amended to read as follows:**

**CODE OFFICIAL.** The Director of the Washington County Division of ~~Permits & Inspections~~~~Construction~~ shall be known as the Code Official and the Chief Plans Examiner shall be known as Deputy Code Official and is hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official shall be referenced to singularly or collectively as the Code Official.

**IECC—COMMERCIAL PROVISIONS - CHAPTER 4[CE] – DEFINITIONS,** is amended as follows:

**SECTION C405 ELECTRICAL POWER AND LIGHTING SYSTEMS,** is ~~hereby deleted in its entirety.~~~~amended as follows:~~

- Section C405.2.4 Specific application controls is amended to read as follows:**
- \*\*\*
- ~~5. Each hotel guest room shall be equipped with a master control device that automatically turns off the power to all of the lighting fixtures in the guest room no more than 30 minutes after the room has been vacated.~~
- ~~5.1 A master control device may also control the heating, ventilation, or air conditioning default settings in hotel guest rooms 30 mins after a room has been vacated by:~~
- ~~5.1.1 Increasing the set temperature by at least 3 degrees Fahrenheit when in the air conditioning mode; or~~
- ~~5.1.2 Decreasing the set temperature by at least 3 degrees Fahrenheit when in the heating mode.~~

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**IECC—RESIDENTIAL PROVISIONS - CHAPTER 1[RE] – SCOPE AND ADMINISTRATION,** is amended as follows:

**Part 1-SCOPE AND APPLICATION, SECTION R101, SCOPE AND GENERAL REQUIREMENTS,** is amended as follows:

- Section R101.1 is amended to read as follows:**
- R101.1 Title.** This code shall be known as the *International Energy Conservation Code of Washington County, Maryland*, and shall be cited as such. It is referred to herein as "this code."
- Sections R101.1.1 through R101.1.7 are added and shall read as follows:**
- R101.1.1 International Residential Code.** Any reference to the *International Residential Code* shall mean the *International Residential Code*, 2021~~18~~ Edition, as may be amended or restated from time to time, as promulgated by the International Code Council, with local amendments for Washington County, Maryland, as adopted on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 2024~~—~~, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**R101.1.2 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.

**R101.1.3 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.

**R101.1.4 International Plumbing Code.** Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code*, 20~~21~~<sup>18</sup> Edition, as may be amended or restated from time to time 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 \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective on \_\_\_\_\_, 20~~24~~<sup>—</sup>.

**R101.1.5 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 20~~21~~<sup>18</sup> Edition, as may be amended or restated from time to time as promulgated by the International Code Council, with local amendments for Washington County, Maryland adopted on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20~~24~~<sup>—</sup>, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**R101.1.6 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 20~~21~~<sup>18</sup> 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 \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20~~24~~<sup>—</sup>, as may be amended or restated from time to time.

**R101.1.7 International Mechanical Code.** Any reference to the *International Mechanical Code* shall mean the *International Mechanical Code*, 20~~21~~<sup>18</sup> Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective on \_\_\_\_\_, 20~~24~~<sup>—</sup>.

**SECTION R10~~98~~, STOP WORK ORDER,** is amended as follows:

**Section R10~~98~~.4 is amended to read as follows:**

**R10~~98~~.4 Failure to comply.** Upon notice from the code official or designee that 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 or designee shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work 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 to a fine of not less than Two Hundred Fifty Dollars (\$250.00) or more than One Thousand Dollars (\$1,000.00).

**IECC—RESIDENTIAL PROVISIONS - CHAPTER 2[RE] – DEFINITIONS**, is amended as follows:

**SECTION R202, GENERAL DEFINITIONS**, is amended as follows:

The following definition is amended to read as follows:

**CODE OFFICIAL.** The Director of the Washington County Division of ~~Permits & Inspections~~~~Construction~~ shall be known as the Code Official and the Chief Plans Examiner shall be known as Deputy Code Official and is hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official shall be referenced to singularly or collectively as the Code Official.

**IECC—RESIDENTIAL PROVISIONS - CHAPTER 4[RE] – RESIDENTIAL ENERGY EFFICIENCY**, is amended as follows:

**SECTION R402, BUILDING THERMAL ENVELOPE**, is ~~hereby deleted in its entirety~~~~amended as follows~~:

~~Section R402.4.1.2 Testing is amended to read as follows:~~

~~Section R402.4.1.2 Testing.~~ The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding five air changes per hour Climate Zones 1 and 2, and three air changes per hour in Climate Zones 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the building official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope. Except as provided for in the:

- ~~(i) Simulated Performance Path listed in Section R405; and~~
- ~~(ii) Energy Rating Index Compliance Alternative in Section R406;~~

**SECTION R405 ~~TOTAL BUILDING PERFORMANCE~~ SIMULATED PERFORMANCE ALTERNATIVE (PERFORMANCE)**, is amended as follows:

**Table R405.45.2.1(1)** is amended to read as follows:

**TABLE R405.45.2.1(1)**  
**SPECIFICATIONS FOR THE STANDARD REFERENCE AND PROPOSED DESIGNS**

| BUILDING COMPONENT<br>*** | STANDARD REFERENCE DESIGN<br>*** | PROPOSED DESIGN<br>***                                                                                                                         |
|---------------------------|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Air exchange rate         | ***                              | The measured air exchange rate. <sup>a</sup>                                                                                                   |
|                           |                                  | Not to exceed 5 air changes per hour with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for Standard Reference Design |
|                           |                                  | The mechanical ventilation rate <sup>b</sup> shall be in addition to the air leakage rate and shall be as proposed.                            |

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**SECTION R406 ENERGY RATING INDEX COMPLIANCE ALTERNATIVE**, is amended as follows:

**Section R406.2 Mandatory requirements. Exception is added and shall read as follows:**

**Exception:**

\*\*\*

2. The maximum of 5 air changes per hour tested in accordance with Section R402.4.1.2 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.

**[End of Local Amendments to the *International Energy Conservation Code*, 2021~~18~~ Edition]**

**ORDINANCE NO. ~~ORD-2024-19-~~**

**AN ORDINANCE TO REPEAL THE 20~~18~~<sup>15</sup> INTERNATIONAL PLUMBING CODE, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND AS THE PLUMBING CODE OF WASHINGTON COUNTY, MARYLAND ON DECEMBER 15, 2015, EFFECTIVE MARCH 1, 2016, AND TO ENACT THE *INTERNATIONAL PLUMBING CODE*, 20~~21~~<sup>18</sup> 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, being concerned with securing the proper installation of systems for furnishing potable water for sanitary sewage disposal and storm drainage, and to ensure public safety, health, and welfare insofar as they are affected by regulating and controlling the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to use, or maintenance of plumbing systems, adopted by Ordinance No. ORD-2015-29, the 20~~18~~<sup>15</sup> International Plumbing Code with local amendments on ~~December 15, 2024~~<sup>15</sup>, effective ~~March 1, 2024~~<sup>16</sup>.

It has been recommended that the Board of County Commissioners adopt the *International Plumbing Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, which is more up-to-date and which provides greater safeguards for residents of Washington County, Maryland, if implemented.

A public hearing was held on \_\_\_\_\_, 20~~24~~<sup>19</sup> following due notice and advertisement of the text of the *International Plumbing Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, with certain requested insertions, deletions, and amendments.

Public comment was received, reviewed, and considered concerning the repeal of the 20~~18~~<sup>15</sup> International Plumbing Code, as promulgated with the International Code Council, with local amendments and the adoption of the *International Plumbing Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, including Chapters 1 through 15, Appendices B, C, D, and E, and local amendments.

NOW, THEREFORE, be it ordained and enacted that the 2018~~15~~ International Plumbing Code, as promulgated by the International Code Council, with local amendments, adopted as the Plumbing Code of Washington County, Maryland on ~~December 15~~, 2024~~15~~, effective ~~March 1~~, 2024~~16~~ (ORD-2015-29), and all other ordinances or parts of ordinances in conflict herewith are repealed; and

NOW, THEREFORE, be it ordained and enacted that the *International Plumbing Code*, 2021~~18~~ Edition, as promulgated by the International Code Council, the contents of which are incorporated herein by reference, is enacted with the following insertions, deletions, and amendments:

\*\*\*\*\*

The following sections, tables, and appendix are hereby deleted, amended, or added:

|                                  |                  |                                    |         |
|----------------------------------|------------------|------------------------------------|---------|
| Section 101.1                    | Amended          | Section 312.2                      | Amended |
| Section 101.1.1                  | Added            | Section 312.2.1                    | Added   |
| Section 101.1.2                  | Added            | Section 312.2.2                    | Added   |
| Section 101.1.3                  | Added            | Section 401.3.1                    | Added   |
| Section 101.1.4                  | Added            | Section 403.1                      | Amended |
| Section 101.1.5                  | Added            | Section 404.1                      | Amended |
| Section 101.1.6                  | Added            | <del>Section 418.4</del> 18.3      | Added   |
| Section 101.1.7                  | Added            | Section 603.1                      | Amended |
| Section 101.1.8                  | Added            | Table 605.3                        | Amended |
| <del>Section 101.1.9</del>       | <del>Added</del> | Table 605.4                        | Amended |
| Section 103.1                    | Amended          | Section 608.12                     | Added   |
| <del>Section 103.2</del> 103.1.1 | Added            | Section 608.14.10                  | Added   |
| Section 103.3                    | Amended          | <del>Section 608.14</del> 608.15   | Amended |
| Section 106.2                    | Amended          | <del>Section 608.17.9</del>        | Added   |
| Section 106.3                    | Amended          | <del>Section 608.18</del>          | Added   |
| Section 106.3.1.1                | Added            | Section 701.2                      | Amended |
| Section 106.6.2                  | Amended          | Table 702.1                        | Amended |
| Section 106.6.3                  | Deleted          | Table 702.2                        | Amended |
| Section 107.2.2.1                | Added            | Table 702.3                        | Amended |
| Section 107.2.3.1                | Added            | Table 702.4                        | Amended |
| Section 108.4                    | Amended          | <del>Section</del> Table 706.3     | Amended |
| Section 108.4.1                  | Added            | Section 708.1.10.3                 | Added   |
| Section 108.5                    | Amended          | <del>Section 802.3.1</del> 802.4.1 | Amended |
| Section 109.1                    | Amended          | Section 903.1                      | Amended |
| Section 109.2 - 109.6.2          | Deleted          | Section 904.1                      | Amended |
| Section 301.4.1                  | Added            | Section 905.1                      | Amended |
| Section 305.4                    | Amended          | Section 918.1                      | Amended |
| Section 305.4.1                  | Amended          | Sections 918.2 - 918.8             | Deleted |
| Section 306.3                    | Amended          | <del>Chapter 13A</del>             | Added   |
| Section 309.1                    | Amended          | Chapter 16                         | Added   |
| Section 309.2-309.3              | Deleted          | Appendix A                         | Deleted |
|                                  |                  | Appendices B, C, D, and E          | Adopted |

**CHAPTER 1 – ADMINISTRATION – is amended as follows:**

**SECTION 101 – GENERAL – is amended as follows:**

**Section 101.1 is amended and shall read as follows:**

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

**Section 101.1.1 is added and shall read as follows:**

**101.1.1 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 2021+8 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted on \_\_\_\_\_, 2024+9, effective \_\_\_\_\_, 20\_\_, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**Section 101.1.2 is added and shall read as follows:**

**101.1.2 International Residential Code.** Any reference to the *International Residential Code* shall mean the *International Residential Code*, 2021+8 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on \_\_\_\_\_, 2024+9, effective \_\_\_\_\_, 20\_\_, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**Section 101.1.3 is added and shall read as follows:**

**101.1.3 International Existing Building Code.** Any reference to the *International Existing Building Code*, shall mean the *International Existing Building Code*, 2021+8 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on \_\_\_\_\_, 2024+9, effective \_\_\_\_\_, 20\_\_, by the Board of County Commissioners of Washington County, Maryland.

**Section 101.1.4 is added and shall read as follows:**

**101.1.4 International Energy Conservation Code.** Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 2021+8 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on \_\_\_\_\_, 2024+8, effective \_\_\_\_\_, 20\_\_, by the Board of County Commissioners of Washington County, Maryland as part of the Maryland Building Performance Standards.

**Section 101.1.5 is added and shall read as follows:**

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



**Section 101.1.6 is added and shall read as follows:**

**101.1.6 ICC Electrical Code.** For the applicable electrical requirements, refer to the *NFPA 70: National Electrical Code*, 2020~~17~~ Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 20\_\_\_\_, and the 2006 *ICC Electrical Code - Administrative Provisions*, First Printing, as may amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective July 1, 2008, and amended on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 20\_\_\_\_.

**Section 101.1.7 is added and shall read as follows:**

**101.1.7 International Fuel Gas Code.** Any reference to *International Fuel Gas Code* in this code shall mean the *International Fuel Gas Code*, 2021~~18~~ Edition, as may be amended or restated from time to time, 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 \_\_\_\_\_, 2019, effective \_\_\_\_\_, 20\_\_\_\_.

**Section 101.1.8 is added and shall read as follows:**

**101.1.8 International Mechanical Code.** Any reference to *International Mechanical Code* in this code shall mean the *International Mechanical Code*, 2018 Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 2024~~19~~, effective \_\_\_\_\_, 20\_\_\_\_.

**SECTION 103 is amended to read: ~~PERMITTING-DEPARTMENT DIVISION OF Permits & Inspections~~CONSTRUCTION**

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

**103.1 General.** The Director of the Washington County ~~Division of Engineering & Construction Management (ECM)~~ Division of ~~Permits & Inspections~~Construction shall be known as the Code Official and ~~the Deputy Director of ECM, Permitting Department, and Deputy Director of ECM, Construction Department,~~ the Chief Plans Examiner of the Division of ~~Permits & Inspections~~Construction shall be known as Deputy Code Officials and ~~are~~is hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Officials shall be referred to singularly or collectively as the Code Official.

**Section ~~103.2.1~~103.1.1 is added and shall read as follows:**

**~~103.2.1~~103.1.1 Qualifications.** Plumbing Inspectors hired by the County or State government after October 1, 1988 shall meet the minimum standards established by the County and the State Plumbing Board.

A. Applicant(s) for Inspector(s) III shall hold a Master Plumber's license issued by the State of Maryland or the applicant shall be a licensed professional mechanical engineer with at least four (4) years' experience and shall pass a written examination administered by the State Board.

B. Plumbing Inspector(s) shall attend annually at least one refresher course to be conducted by the State Board, or a course which is consistent in content with the State Board.

C. Plumbing Inspector(s) shall not be engaged or financially interested in any plumbing business, directly or indirectly, during their term of employment.

**Section 103.3 is amended to read as follows:**

**103.3 Deputies.** Plumbing Inspector(s) shall be hired by the Board of County Commissioners of Washington County, upon recommendation by the ~~Deputy Director of ECM, Construction Department~~ Director of the Division of ~~Permits & Inspections~~Construction.

**SECTION 106-PERMITS –is amended as follows:**

**Section 106.2 is amended as follows:**

**106.2 Exempt work is amended by adding No. 3 which shall read as follows:**

\*\*\*

3. Replacement of a single fixture only to include garbage disposal, dish washer, lavatory, or sink. However, if any of these exceptions (fixtures) are included as part of remodeling or in conjunction with any other plumbing work, these fixtures shall be permitted and inspected.

\*\*\*

**Section 106.3 is amended to read as follows:**

**106.3 Application for permit; by whom application is made.** Each application for a permit, with the required fee, shall be filed with the Code Official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the Code Official. Application for a permit shall be made by a person, or an agent, to install all or part of any plumbing system. The applicant shall meet all qualifications established by rules promulgated with this code or by ordinance, resolution, or statute. The full names and addresses of the owner, lessee, applicant, and of the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application. The application must be signed by the Master Plumber holding a Washington County plumbing license and doing the work. The only exception would be when the homeowner successfully passes a written or oral exam issued by the Washington County Department of ~~Permits & Inspections~~Permitting. Upon successfully passing the exam, the property owner shall sign a release agreement stating his or her intention to do the plumbing in his or her existing place of residence according to the Washington County homeowner provision and releasing the County from any liability therefrom. Homeowner provisions do not apply to applications for public or private water and sewer systems and mobile homes or gas lines. Permits shall not be processed until it is completely filled out by the licensed contractor or homeowner.

**Section 106.3.1.1 is added and shall read as follows:**

**106.3.1.1 Emergency situation.** Where equipment replacement and repairs must be performed in an emergency situation, the permit application shall be submitted to the Code Official within the next working business day.

**Section 106.6.2 is amended to read as follows:**

**106.6.2 Fee schedule.** The fees for all plumbing work 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 ~~11207~~-INSPECTIONS AND TESTING-is amended as follows:**

**Section ~~112.1.1107.2.2.1~~ is added and shall read as follows:**

**~~112.1.1107.2.2.1~~ Responsibility.** The responsibility for requesting an inspection shall rest entirely with the licensed master plumber, master well driller, on-site utility contractor, or appliance, pump, and water conditioner installer who applied for the permit, or the homeowner who has successfully passed the homeowner's examination. No work shall be covered or concealed until the work has been inspected and approved. Improper workmanship shall be remedied, and unsatisfactory materials shall be replaced as ordered by the inspector, and the corrections shall be re-inspected. All requests for inspections shall be made 24 hours in advance of the date requested. All requests for final inspections shall be made within 48 hours after completion of all plumbing by the licensed contractor. Should the contractor fail to do so, the homeowner may call for the final inspection.

**Section ~~112107.2.3.1~~ is added and shall read as follows:**

**~~112107.2.3.1~~ Final Inspections.** All work must be inspected and receive final approval after all plumbing fixtures and appliances connected with the water or sewer systems are set, sewers and wells are covered, and domestic hot water must be supplied at the time of inspection. All commercial facilities shall mark different types of piping within the structure and tag all valves. A directory of the system in all commercial facilities shall be placed in the mechanical room.

**SECTION ~~115108~~ -VIOLATIONS – is amended as follows:**

**Section ~~115108.4.1~~ is amended to read as follows:**

**~~115108.4.1~~ Criminal penalties.** Any person, firm, corporation or entity that violates a provision of this code or shall fail to comply with any of the requirements thereof or that erects, installs, alters, or repairs plumbing work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under the provision of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section ~~115108.4.21~~ is added and shall read as follows:**

**~~115108.4.21~~ Civil penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the Code 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 Maryland Code, Local Government Article, § 6-102, et seq. 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 ~~116.1.1408.5~~ is amended to read as follows:**

**116.1.1408.5 Stop work orders.** Upon notice from the Code Official or designee, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner 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 or designee shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure 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 to a fine of not less than \$250.00 or more than \$1,000.00.

**SECTION ~~113.109~~ - MEANS OF APPEAL - is amended as follows:**

**Section ~~113.2.1409.1~~ is amended to read as follows:**

**113.2.1409.1 Application for appeal.** Any person shall have the right to appeal a decision of the Code Official to the Washington County 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 there under 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 Code 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.

**Sections 109.2 through 109.6.2 are deleted in their entirety.**

|                                                                 |
|-----------------------------------------------------------------|
| <b>CHAPTER 3 – GENERAL REGULATIONS – is amended as follows:</b> |
|-----------------------------------------------------------------|

**SECTION 301 – GENERAL – is amended as follows:**

**Section 301.4.1 is added and shall read as follows:**

**301.4.1 Public Systems Available.** A public water main or public sewer system shall be considered available to a building when the building is located within 350 feet of the public water main or sewer.

**SECTION 305 – PROTECTION OF PIPES AND PLUMBING SYSTEM COMPONENTS is amended to read as follows:**

**Section 305.4 is amended to read as follows:**

**305.4 Water line depth.** Water service and well line piping shall be installed below recorded frost penetration but not less than 3 feet (915 mm) below grade. In climates with freezing temperatures, plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be protected against freezing by insulation or heat or both. 10 AWG, blue in color, tracer wire needs to be installed with

all nonmetallic water mains (MD COMAR 09-20-01).

**Section 305.4.1 is amended to read as follows:**

**305.4.1 Sewer and Storm Sewer Depth.** Building sewer connections shall be a minimum of 12 inches below the finished grade. All nonmetallic sewer mains, forced mains, and storm pipe will need tracer wire in ditch 10 AWG, green in color (MD COMAR 09-20-01).

**SECTION 306 – TRENCHING, EXCAVATION AND BACKFILL – is amended as follows:**

**Section 306.3 is amended to read as follows:**

**306.3 Backfilling.** Backfill shall be free from discarded construction material and debris.

- (a) Backfill of water lines not in a sleeve shall be as follows:  
Stone dust or sand a minimum of 3 inches under, over, and along sides of pipe, then dirt free of rocks larger than 6 inches in diameter.
- (b) Backfill of water lines installed in a rigid conduit that meets the specification of Table 605.3 water service pipe shall be as follows:  
6 inches of dirt over, under, and along sides of pipe free of rocks larger than 2 inches in diameter, then dirt free of rocks larger than 6 inches in diameter.
- (c) Backfill of sewer lines shall be as follows:  
Gravel bedding a minimum of 4 inches over, under, and along sides of pipe that is free of rocks larger than 1½ inches in diameter, then dirt free of rocks larger than 6 inches in diameter.

**SECTION 309 – FLOOD HAZARD RESISTANCE – is amended as follows:**

**Section 309.1 is amended and shall read as follows:**

**309.1 General.** Plumbing systems and equipment in structures erected in areas prone to flooding shall be constructed in accordance with the requirements of this section and the Washington County Floodplain Management Ordinance adopted by the Board of County Commissioners of Washington County, Maryland on [May 21, 1992](#), [revised on October 19, 2004](#), [effective November 1, 2004](#) [May 16, 2017](#), [effective August 15, 2017](#), and in accordance with the American Society of Civil Engineers (ASCE-24-98).

**Sections 309.2 through 309.3 are deleted in their entirety.**

**SECTION 312 – TESTS AND INSPECTIONS –is amended as follows:**

**Section 312.2 is amended by adding the following Exception:**

**312.2 Drainage and vent water test.**

\*\*\*

**Exception:**

1. ~~Single Family dwellings are exempt. In the event the inspector determines evidence of material failure, drainage and vent water test will be required.~~  
Existing single-family dwelling renovations, additions, and/or pipe

replacement will not require a drainage and vent water test.

**Section 312.2.1 is added and shall read as follows:**

**312.2.1 Testing.** Testing shall terminate a minimum of two (2) feet below the roof line. Testing can be achieved by 10 foot water column or 5 PSI air test for 15 minutes.

**Section 312.2.2 is added and shall read as follows:**

**312.2.2 Trenchless installation.** Any trenchless installation of water and sewer lines shall be tested or certified.

|                                                                                    |
|------------------------------------------------------------------------------------|
| <b>CHAPTER 4 – FIXTURES, FAUCETS AND FIXTURE FITTINGS – is amended as follows:</b> |
|------------------------------------------------------------------------------------|

**SECTION 401 – GENERAL – is amended as follows:**

**Section 401.3.1 is added and shall read as follows:**

**401.3.1 Lavatory faucets.** Lavatory faucets shall be designed and manufactured according to ASME A112.18.1.

- (1) Public faucets, other than the metering type, shall be designed and manufactured according to ASME A112.18.1.
- (2) Self-closing or self-closing/metering faucets shall be installed on lavatories intended to serve the transient public, such as those in, but not limited to, service stations, train stations, airport terminals, restaurants, and convention halls. Metering faucets shall deliver not more than 0.25 gallons of water per use when tested in accordance with ASME A112.18.1. Self-closing faucets shall be designed and manufactured so that they will not exceed a water flow rate of 0.5 gallons per minute when tested in accordance with A112.18.1.

**SECTION 403 – MINIMUM PLUMBING FACILITIES – is amended as follows:**

**Section 403.1 is amended by adding the following Exception:**

**403.1 Minimum number of fixtures.**

\*\*\*

**Exception:**

1. Where approved by the Code Official, the actual number of occupants for whom each occupancy space, floor, or building is designed, although less than those determined by calculation, may be used in the determination of the minimum number of plumbing fixtures.

**SECTION 404 – ACCESSIBLE PLUMBING FACILITIES – is amended as follows:**

**Section 404.1 is amended and shall read as follows:**

**404.1 Where required.** Accessible plumbing fixtures shall conform to COMAR 05.02.02 Maryland Accessibility Code.

**SECTION 418 – LAUNDRY TRAYS – is amended as follows:**

**Section ~~418.4~~418.3 is added and shall read as follows:**

**418.418.3 Service Sinks and Mop Receptors.** Service sinks and mop receptors shall be installed with walls and floors that are water proof and have a smooth, readily cleanable surface at least one foot in front of the sink or receptor, at least one foot on each side, and up to a point one foot above the faucet height.

|                                                                           |
|---------------------------------------------------------------------------|
| <b>CHAPTER 6 – WATER SUPPLY AND DISTRIBUTION – is amended as follows:</b> |
|---------------------------------------------------------------------------|

**SECTION 603 – WATER SERVICE – is amended as follows:**

**Section 603.1 is amended to read as follows:**

**603.1 Size of Water Service Pipe.** All water service pipe, including new or replacement, shall be sized to supply water to the structure in the quantities and at the pressures required in this code. All water service pipe, including new or replacement, shall not be less than 1 inch in diameter.

**Section 603.2 is amended by adding the following Exception:**

**603.2 Separation of water service and building sewer.**

\*\*\*

**Exception:**

1. 2 inch and larger water mains are not required to be sleeved in common trench with building sewer only.

**SECTION 605 – MATERIALS, JOINTS, AND CONNECTIONS – is amended as follows:**

**Table 605.3 is amended by deleting L, WL, M or WM under "Copper or copper-alloy tubing:"**

An amended Table 605.3 is shown below:

**Table 605.3  
WATER SERVICE PIPE**

| MATERIAL                                                                       | STANDARD                                                  |
|--------------------------------------------------------------------------------|-----------------------------------------------------------|
| Acrylonitrile butadiene styrene (ABS) plastic pipe                             | ASTM D 1527; ASTM D 2282                                  |
| Asbestos-cement pipe                                                           | ASTM C 296                                                |
| Brass pipe                                                                     | ASTM B 43                                                 |
| Copper or copper-alloy pipe                                                    | ASTM B 42; ASTM B 302                                     |
| Copper or copper-alloy tubing (Type K, WK)                                     | ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447              |
| Chlorinated polyvinyl chloride (CPVC) plastic pipe                             | ASTM D 2846; ASTM F 441; ASTM F 442; CSA B137.6           |
| Ductile iron water pipe                                                        | AWWA C151; AWWA C115                                      |
| <del>Galvanized steel pipe</del>                                               | <del>ASTM A-53</del>                                      |
| Polybutylene (PB) plastic pipe and tubing                                      | ASTM D 2662; ASTM D 2666; ASTM D 3308; CSA B137.8         |
| Polybutylene (PE) plastic pipe                                                 | ASTM D 2239; CSA CAN/CSA-B137.1                           |
| Polyethylene (PE) plastic tubing                                               | ASTM D 2737; CSA B137.1                                   |
| Cross-linked polyethylene (PEX) plastic tubing                                 | ASTM 876; ASTM F 877; CSA CAN/CSA-B137.5                  |
| Cross-linked polyethylene/Aluminum/cross linked polyethylene (PEX-AL-PEX) pipe | ASTM F 1281; CSA CAN/CSA B137.10                          |
| Polyethylene/aluminum/polyethylene (PE-AL-PE) pipe                             | ASTM F 1282; CSA CAN/CSA B 137.9                          |
| Polyvinyl chloride (PVC) plastic pipe                                          | ASTM D 1785; ASTM D 2241; ASTM D 2672; CSA CAN/CSA B137.3 |



**Table 605.4 is amended by deleting WL, M, or WM, under "Copper or copper-alloy tubing:"**

An amended Table 605.4 is shown below:

**Table P-605.4  
WATER DISTRIBUTION PIPE**

| MATERIAL                                                                       | STANDARD                                        |
|--------------------------------------------------------------------------------|-------------------------------------------------|
| Brass Pipe                                                                     | ASTM B 43                                       |
| Chlorinated polyvinyl chloride (CPVC) plastic pipe and tubing                  | ASTM D 2846; ASTM F 441; ASTM F 442; CSA B137.6 |
| Copper or copper-alloy pipe                                                    | ASTM B 42; ASTM B 302                           |
| Copper or copper-alloy tubing (Type K, WK or L)                                | ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447    |
| Cross-linked polyethylene (PEX) plastic tubing                                 | ASTM F 887; CSA CAN/CSA-B137.5                  |
| Cross-linked polyethylene/aluminum/cross-linked polyethylene (PEX-AL-PEX) pipe | ASTM F 1281; CSA CAN/CSA-B137.10                |
| <del>Galvanized steel pipe</del>                                               | <del>ASTM A 53</del>                            |
| Polybutylene (PB) plastic pipe and tubing                                      | ASTM D 3309; CSA CAN3-B137.8                    |

**Section 608.12.1 is added and shall read as follows:**

**608.12.1 Potable water tanks.** Any pressure tank installed in a basement and/or crawl space shall be a minimum of 7½ inches (191 mm) above finished grade. All water pressure tanks and apparatus for mobile homes shall be installed in the confines of the living space. In every case, the only exception shall be those tanks installed a minimum of 18 inches (457 mm) from the top of the tank to finished grade in an approved manhole with a water-tight lid, a minimum of 6 inches (152 mm) above finished grade.

**Note: Water conditioning equipment.** Water conditioning equipment shall not be connected to a BAT type septic system. A sticker or a tag must be placed on the main valve, building drain, or pump tank by the installer as a warning that water discharged from water conditioning equipment can damage components of the BAT tank.

**Section 608.14.10 is added and shall read as follows:**

**608.14.10 Periodical testing.** Periodic tests and inspections shall be made by a certified backflow technician, licensed in the state of Maryland, for all backflow preventers to determine whether they are operable. Reduced pressure principle backflow preventers (ASSE 1013), double check valve assemblies (ASSE 1015), double detector check-valve breakers (ASSE 1040), and pressure type vacuum breakers (ASSE 1020) shall be inspected and tested after their initial installation. Tests shall be done annually, and an overhaul shall be done as needed.

**Section 608.14.10.1 is added and shall read as follows:**

**608.14.10.1 Backflow testing certification.** To test backflows, the tester must have a current Washington County Journeyman or Master Plumber's License, with a current Backflow Certification

from a Maryland state certified approved course.

**Section ~~608.14~~608.15 is amended to read as follows:**

**~~608.14~~608.15 Location of backflow preventers.** Backflow prevention devices shall be installed in accessible locations for ease of maintenance, replacement, and testing. Adequate headroom shall be provided and a minimum of 30 inches (762 mm) of non-obstructed space shall be provided in front of devices and a minimum of 18 inches (457 mm) shall be provided behind devices larger than 2 inches (51 mm). Maximum height above floor shall not exceed four (4) feet measured to the center line of the device.

Backflow devices shall be installed inside a building in an area capable of maintaining a temperature above freezing.

**CHAPTER 7 SANITARY DRAINAGE – is amended as follows:**

**SECTION 701 – GENERAL – is amended as follows:**

**Section 701.2 is amended to read as follows:**

**701.2 ~~Sewer Required~~Connection to sewer required.** Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system.

**SECTION 702 – MATERIALS – is amended as follows:**

**Table 702.1 is amended to read as follows:**

**Table 702.1  
ABOVE-GROUND DRAINAGE AND VENT PIPE**

| MATERIAL                                                             | STANDARD                                             |
|----------------------------------------------------------------------|------------------------------------------------------|
| Brass Pipe                                                           | ASTM B 43                                            |
| Cast iron Pipe                                                       | ASTM A 74; ASTM A 888; CISPI 301                     |
| Coextruded composite PVC<br>DWV schedule 40 IPS pipe (solid)         | ASTM F 1488                                          |
| Coextruded composite PVC<br>DWV schedule 40 IPS pipe (cellular core) | ASTM F 891; ASTM F 1488                              |
| Coextruded composite PVC<br>IPS-DR, PS140, PS200 DWV                 | ASTM F 1488                                          |
| Copper or copper alloy pipe                                          | ASTM B 42; ASTM B 302                                |
| Copper or cooper-alloy tubing<br>(type K, L, M or DWV)               | ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 306         |
| <del>Galvanized steel pipe</del>                                     | <del>ASTM A 53</del>                                 |
| Glass pipe                                                           | ASTM C 1053                                          |
| Polyolefin pipe                                                      | CSA BG181.3                                          |
| Polyvinyl chloride (PVC)<br>Plastic pipe (Type DWV)                  | ASTM D 2665; ASTM D 2949;<br>ASTM F 1488; CSA B181.2 |
| Stainless steel drainage systems Type 304 and 316L                   | ASME A112.3.1                                        |
| Polyvinylidene fluoride (PVDF) plastic pipe                          | ASTM F 1673; CAN/CSA B181.3                          |

**Table 702.2 is amended to read as follows:**

**Table 702.2  
UNDERGROUND BUILDING DRAINAGE AND VENT PIPE**

| MATERIAL                                                  | STANDARD                                |
|-----------------------------------------------------------|-----------------------------------------|
| Cast-iron pipe                                            | ASTM A 74; ASTM A 888; CICPI 301        |
| Coextruded composite PVC DWV schedule 40 IPS pipe (solid) | ASTM F 1488                             |
| Coextruded composite PVC ISP-DR PSI-40, PS-200, DWV       | ASTM F 1488                             |
| Polyolefin pipe                                           | AST F 1412; CSA B181.3                  |
| Polyvinyl chloride (PVC)<br>Plastic pipe (type DWV)       | ASTM D 2665; ASTM D 2949;<br>CSA B181.2 |
| Stainless steel drainage system, Type 3161                | ASME A112.3.1                           |
| Polyvinylidene fluoride (PVDF) plastic pipe               | ASTM F 1673; CAN/CSA B181.3             |

**Table 702.3 is amended to read as follows:**

**Table 702.3  
BUILDING SEWERPIPE**

| MATERIAL                                                  | STANDARD                                                      |
|-----------------------------------------------------------|---------------------------------------------------------------|
| Cast-iron pipe                                            | ASTM A 74; ASTM A 888; CISPI 301                              |
| Coextruded composite PVC DWV schedule 40 IPS pipe (solid) | ASTM F 1488                                                   |
| Polyvinyl chloride (PVC) plastic pipe (Type DWV SDR 26)   | ASTM D 2665; ASTM D 2949; ASTM D 3034; CSA B182.2; CSA B182.4 |
| Stainless steel drainage systems, Types 304 and 316L      | ASME A112.3.1                                                 |
| Polyvinylidene fluoride (PVDF) plastic pipe               | ASTM F 1673; CAN/CSA B181.3                                   |

**Table 702.4 is amended to read as follows:**

**Table 702.4  
PIPE FITTINGS**

| MATERIAL                                                | STANDARD                                                                                 |
|---------------------------------------------------------|------------------------------------------------------------------------------------------|
| Cast Iron                                               | ASTME B 16.4; ASTME B 16.12;<br>ASTM A 74; ASTM A 888; CISPI 301                         |
| Copper or copper alloy                                  | ASME B 16.15; ASME B 16.18;<br>ASME B 16.22; ASME B 16.23; ASME B 16.26;<br>ASME B 16.29 |
| Glass                                                   | ASTM C 1053                                                                              |
| Gray iron and ductile iron                              | AWWA C 110                                                                               |
| Polyolefin                                              | ASTM F 1412; CSA B181.3                                                                  |
| Polyvinyl chloride (PVC) plastic                        | ASTM D 2665; ASTM D 3311;<br>ASTM F 1866                                                 |
| Stainless steel drainage systems,<br>Types 304 and 316L | ASME A 112.3.1                                                                           |
| Polyvinylidene fluoride (PVDF) plastic pipe             | ASTM F 1673; CAN/CSA B181.3                                                              |

**SECTION 706 – CONNECTIONS BETWEEN DRAINAGE PIPING AND FITTINGS – is amended as follows:**

**Table 706.3 is amended to read as follows:**

**Table 706.3  
FITTINGS FOR CHANGE IN DIRECTION**

| TYPE OF FITTING<br>PATTERN         | CHANGE IN DIRECTION       |                           |                             |
|------------------------------------|---------------------------|---------------------------|-----------------------------|
|                                    | Horizontal to<br>Vertical | Vertical to<br>horizontal | Horizontal to<br>horizontal |
| Sixteenth bend                     | X                         | X                         | X                           |
| Eighth bend                        | X                         | X                         | X                           |
| Sixth bend                         | X                         | X                         | X                           |
| Quarter bend                       | X                         | X <sup>a</sup>            |                             |
| Short sweep                        | X                         | X <sup>a,b</sup>          |                             |
| Long sweep                         | X                         | X                         | X                           |
| Sanitary tee                       | X <sup>c</sup>            | X <sup>c</sup>            |                             |
| Wye                                | X                         | X                         | X                           |
| Combination wye<br>and eighth bend | X                         | X                         | X                           |

For **SI**: 1 inch = 25.4

a The fittings shall be permitted for a 2-inch or smaller fixture drain

b Three inches and larger

c For a limitation on double sanitary tees, see Section 706.3.

**SECTION 708 – CLEANOUTS – is amended as follows:**

**Section 708.1.11.10.3 is added and shall read as follows:**

**708.1.11.10.3 Base of stack.** A cleanout shall be provided at the base of each waste or soil stack. The center of the main stack cleanout shall be a maximum height of 24 inches above the finished floor.

**CHAPTER 8 – INDIRECT/SPECIAL WASTE – is amended as follows:**

**SECTION 802 –INDIRECT WASTES –is amended as follows:**

**Section ~~802.3.1~~802.4.1 is amended to read as follows:**

**~~802.3.1~~802.4.1 Size of Receptors.** Waste receptor shall be sized for the maximum discharge of all indirect waste pipes served by the receptor. Receptors shall be installed to prevent splashing. All waste receptor floor sinks shall be a minimum of 9 inches by 9 inches (229 mm by 229 mm) and installed with a minimum of ¼ inch raised lip above the finished floor.

**CHAPTER 9 – VENTS – is amended as follows:**

**SECTION 903 –VENT TERMINALS –is amended as follows:**

**Section 903.1is amended to read as follows:**

**903.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least 12 inches (305 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

**SECTION 904 – OUTDOOR VENT EXTENSION – is amended as follows:**

**Section 904.1 is amended to read as follows:**

**904.1 Main vent required.** Every sanitary drainage system receiving the discharge of a water closet shall have a main vent that is either a vent stack or a stack vent. Such vent shall not be less than 3 inches (76mm) in diameter and run undiminished in size and as directly as possible from the building drain through to the open air above the roof.

**SECTION 905 – VENT CONNECTIONS AND GRADES – is amended as follows:**

**Section 905.1is amended to read as follows:**

**905.1 Connection.** All individual, branch and circuit vents shall connect to a vent stack, stack vent, or extend to the open air.

**SECTION 918 – AIR ADMITTANCE VALVES – is amended as follows:**

**Section 918.1 is amended to read as follows:**

**918.1 General.** An air admittance valve shall be permissible on a single fixture application in a new or existing plumbing system where standard venting is impractical.

**Sections 918.2 through 918.8 are deleted in their entirety.**

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**CHAPTER 10 – TRAPS, INTERCEPTORS AND SEPERATORS – is amended as follows:**

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Section 1002.3 shall read as follows:

1002.3 Prohibited Traps.

Exception:

Note: 5 S-Traps

Modified S-Trap.

For island sink Horizontal 3" pipes to 2 vertical pipe up to no longer than 24" to 1 ½" "horizontal to trap arm not more than 12" to all together , no longer than 12' from 3" or 4" stack.

**CHAPTER ~~13A16~~ – ~~TRAILER PARKS PLUMBING STANDARDS~~ MOBILE HOME & TRAVEL TRAILER PARK PLUMBING REQUIREMENTS – is added as follows:**

**Sections ~~13A01~~1601 through ~~13A04~~1604 are added and shall read as follows:**

**SECTION ~~13A01~~**

**TRAILER PARKS PLUMBING STANDARDS**

**SECTION 1601 – TRAILER PARKS PLUMBING STANDARDS – is added and shall read as follows:**

**Section 1601.1 is added and shall read as follows:**

**~~13A01~~1601.1 Scope.** The primary objection of this chapter is to assure sanitary plumbing installations in trailer home parks.

**SECTION ~~13A02~~**  
**STANDARDS**

**SECTION 1602 – STANDARDS – is added and shall read as follows:**

**Section 1602.1 is added and shall read as follows:**

**~~13A02.1~~1602.1 General.** Plumbing systems hereafter installed in trailer home parks shall conform to the provisions set forth in the preceding sections of these Regulations, where applicable, and also to the provisions set forth in this Section. Trailer home park plumbing and drainage systems, in addition, shall conform to all other applicable Administrative Authority regulations.

**Section 1602.2 is added and shall read as follows:**

~~13A02.2~~**1602.2 Plans and specifications.** Before any plumbing or sewerage disposal facilities are installed or altered in any trailer park, duplicate plans and specifications shall be filed and proper permits obtained from the Administrative Authority. Plans shall show in detail:

**Sections 1602.2.1 through 1602.2.4 are added and shall read as follows:**

**1602.2.1 Plot plan.** Plot plan of the park, drawn to scale, indicating elevations, property lines, driveways, existing or proposed buildings, and the sizes of the trailer sites;

**1602.2.2 Plumbing Layout.** Complete specification and piping layout of the proposed plumbing system or alteration; and

**1602.2.3 Sewage disposal layout.** Complete specification and layout of the proposed sewage disposal system or alteration.

~~13A02.3~~**1602.2.4 Conformance.** Trailer park plumbing system shall be designed and installed according to the requirements of the plumbing code and shall, in addition, conform to all other pertinent local ordinances and State regulations.

**Section 1603.1 is added and shall read as follows:**

~~13A02.4~~**1603.1 Materials.** Materials shall conform to the approved standards set forth in other sections of the plumbing code.

~~SECTION 13A03  
MAINTENANCE~~

**Section 1604.1 is added and shall read as follows:**

~~13A04.1 Scope.~~**1604.1 Maintenance.** All required devices or safeguards shall be maintained in good working order. The owner, operator, or lessee of the trailer park or his designated agent shall be responsible for their maintenance. When wash rooms or toilet rooms are installed, they must conform with these regulations.

~~SECTION 13A04  
RESPONSIBILITY VIOLATIONS OPERATOR'S  
RESPONSIBILITY~~

**Section 1605.1 is added and shall read as follows:**

~~13A04.1 Scope.~~**1605.1 Operator's responsibility - Violations.** When it is evident that there exists, or may exist, a violation of any pertinent regulation, the owner, operator, lessee, person in charge of the park, or any other person causing a violation shall immediately disconnect the trailer water supply and sewer connection from the park systems and shall employ such other corrective measures as may be ordered by the Code Official.

|                   |
|-------------------|
| <b>APPENDICES</b> |
|-------------------|

**THE FOLLOWING APPENDIX IS DELETED IN ITS ENTIRETY:**

**APPENDIX A - PLUMBING PERMIT FEE SCHEDULE**

**THE FOLLOWING APPENDICES ARE ADOPTED IN THEIR ENTIRETY:**

**APPENDIX B - RATES OF RAINFALL FOR VARIOUS CITIES**

**APPENDIX C – STRUCTURAL SAFETY**

**APPENDIX D - DEGREE DAY AND DESIGN TEMPERATURES**

**APPENDIX E - SIZING OF WATER PIPING SYSTEM**

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20~~24~~<sup>19</sup>.

Effective the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

~~Dawn L. Marcus~~Krista L. Hart, Clerk

~~John F. Barr~~Jeffrey A. Cline, President

Approved as to form and  
legal sufficiency:

~~B. Andrew Bright~~  
Assistant County Attorney

Mail to:  
County Attorney's Office  
100 W. Washington Street, Suite 1101  
Hagerstown, Maryland 21740

\\washco-md.net\CountyAttorney\Documents\Permits\International Plumbing Code - Adoption of 2018 IPC\ORD\Ordinance adopting the 2018 IPC - draft (vlg).docx



**ORDINANCE NO. ORD-202419-**

**AN ORDINANCE TO ADOPT AND ENACT THE 202118 *INTERNATIONAL EXISTING BUILDING CODE*, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS FOR WASHINGTON COUNTY, MARYLAND**

**RECITALS**

It has been recommended that the Board of County Commissioners of Washington County, Maryland (the “Board”) adopt the 202118 *International Existing Building Code*, which provides and establishes the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition to, and relocation of existing buildings.

A public hearing was held on \_\_\_\_\_, 202419, following due notice and advertisement of the text of the 202118 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County.

Public comment was received, reviewed, and considered concerning the adoption of the 202118 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 201815 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments, adopted by the Board of County Commissioners of Washington County, Maryland, on December 15, 2015, effective March 1, 2016 (ORD-2015-28), and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 202118 *International Existing Building Code*, as promulgated by the International Code Council, with local amendments for Washington County, the contents of which are incorporated herein by reference, is enacted with the following insertions, amendments and additions:

|                 |         |                 |         |
|-----------------|---------|-----------------|---------|
| Section 101.1   | amended | Section 101.1.8 | added   |
| Section 101.1.1 | added   | Section 103.1   | amended |
| Section 101.1.2 | added   | Section 108.2   | amended |
| Section 101.1.3 | added   | Section 108.4.1 | added   |
| Section 101.1.4 | added   | Section 113.4   | amended |
| Section 101.1.5 | added   | Section 113.4.1 | added   |
| Section 101.1.6 | added   |                 |         |
| Section 101.1.7 | added   |                 |         |

**CHAPTER 1 – ADMINISTRATION, is amended as follows:**

**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 *Existing Building Code of Washington County, Maryland*, hereinafter referred to as "this code."

**Sections 101.1.1 through 101.1.8 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*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, as adopted on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20\_\_, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.2 ICC Electrical Code.** For the applicable electrical requirements, refer to the NFPA70: *National Electrical Code*, 20~~20~~<sup>17</sup> Edition, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 20~~24~~<sup>24</sup>, effective \_\_\_\_\_, 20\_\_, and the 2006 *ICC Electrical Code - Administrative Provisions*, First Printing, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on ~~December 18~~, 20~~24~~<sup>07</sup>, effective ~~March 1~~, 20~~24~~<sup>08</sup>, and amended on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20\_\_.

**101.1.3 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.

**101.1.4 International Plumbing Code.** Any reference to the *International Plumbing Code* shall mean the *International Plumbing Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 20~~24~~<sup>24</sup>, effective \_\_\_\_\_, 20\_\_.

**101.1.5 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International

Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted on \_\_\_\_\_, 20\_\_, effective \_\_\_\_\_, 20\_\_, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.6 International Fuel Gas Code.** Any reference to the *International Fuel Gas Code* shall mean the *International Fuel Gas Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20\_\_.

**101.1.7 International Energy Conservation Code.** Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, Maryland adopted on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20\_\_, by the Board of County Commissioners of Washington County, Maryland, as part of the Maryland Building Performance Standards.

**101.1.8 International Mechanical Code.** Any reference to *International Mechanical Code* in this code shall mean the *International Mechanical Code*, 20~~21~~<sup>18</sup> Edition, as promulgated by the International Code Council, as may be amended or restated from time to time, with local amendments for Washington County, adopted by the Board of County Commissioners of Washington County, Maryland, on \_\_\_\_\_, 20~~24~~<sup>19</sup>, effective \_\_\_\_\_, 20\_\_.

**SECTION 103, DEPARTMENT OF BUILDING SAFETY, is amended as follows:**

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

**103.1 Creation of enforcement agency.** The Director of the ~~Division of Engineering and Construction Management (ECM)~~ Division of ~~Permits & Inspections~~~~Construction~~ shall be known as the Code Official and ~~the Deputy Director of ECM, Permitting Department, and the Deputy Director of ECM, Construction~~ the Chief Plans Examiner of the Division of ~~Permits & Inspections~~~~Construction~~ shall be known as the Deputy Code Official~~s~~ and ~~are~~<sup>is</sup> hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official~~s~~ shall be referred to singularly or collectively as the Code Official.

**SECTION 108, FEES, is amended as follows:**

**Section 108.2 is amended and shall read as follows:**

**108.2 Schedule of permit fees.** 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 113, VIOLATIONS, is amended as follows:**

**Section 113.4 Violation penalties, is amended and shall read as follows:**

**113.4 Criminal Penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive

of the Code 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 113.4.1 is added and shall read as follows:**

**113.4.1 Civil Penalties.** Any person, firm, corporation, or entity that violates a provision of this code or fails to comply with any of the requirements thereof or that erects, constructs, alters, or repairs work in violation of the approved construction documents or directive of the Code 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 Md. Code, Local Government Article, § 6-102, et seq. 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.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024~~19~~.  
Effective the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

~~Dawn L. Marcus~~ Krista L. Hart, Clerk

~~John F. Barr~~ Jeffrey A. Cline, President

Approved as to form and  
legal sufficiency:

~~B. Andrew Bright~~  
Assistant County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Suite 1101  
Hagerstown, MD 21740

RESOLUTION NO. ~~RS-202419~~

(RESOLUTION ADOPTING FEE SCHEDULE FOR CIVIL CITATIONS AND REPEALING  
RESOLUTION NO. RS-2015-23

RECITALS

On \_\_\_\_\_, 202419, the Board of County Commissioners of Washington County, Maryland (the "County") adopted the following codes governing all building work performed in Washington County, Maryland, said codes being effective \_\_\_\_\_, 20\_\_:

the Maryland Building Performance Standards (i.e. the *International Building Code*, 202118 Edition, the *International Residential Code*, 202118 Edition, and the *International Energy Conservation Code*, 202118 Edition);

the *International Existing Building Code*, 202118 Edition;

the *International Plumbing Code*, 202118 Edition;

the *International Mechanical Code*, 202118 Edition;

the *International Fuel Gas Code*, 202118 Edition; and

the 202017 *National Electrical Code* (the "Codes").

Pursuant to the Code of the Public Local Laws of Washington County, Maryland, Section 1-112, the County may impose civil citations for violations of the Codes and the Codes provide for such civil citations. The Codes also provide that the fine for a civil offense shall be established by resolution of the Board of County Commissioners of Washington County, Maryland.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washington County, Maryland that the fine for a civil citation issued for a violation set forth below be established as follows:

1. Civil citations will only be issued for the following violations of the above-referenced Codes:

a. Work started without proper permit (IRC: R105.1 & R113.1; IBC: 105.1 & 114.1; IMC: 106.1 and 108.1; IPC: 106.1 and 108.1; ICCEC: 401.1; IEBC: 105.1 & 113.1);

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b. Stop work order (unlawful continuance) (IRC: R114.2; IBC: 115.3; IMC: 108.5; IPC:108.5; ICCEC: 1004.3; IEBC: 114.3);

c. Violation of unsafe structure posting (IRC: 115.1; IBC: 116.1; IMC: 108.7; IPC:108.7; ICCEC: 901.2; IEBC 115.1); or

d. Violation of a Certificate of Occupancy (IRC: R110.1; IBC: 111.1; IMC: Not Applicable; IPC: Not Applicable; ICCEC: 303; IEBC: 110.1).

2. Any violation of the above shall be punishable by a fine of One Hundred Dollars (\$100.00) per day. Each day the violation continues shall be deemed a separate offense.

3. In the event a second citation for a violation is issued regarding the same property within two-years from the date of the initial citation, the fine shall increase to Two Hundred Dollars (\$200.00) per day for each day the property is in violation.

BE IT FURTHER RESOLVED, that Resolution No. RS-2015-23 adopted by the Board of County Commissioners of Washington County, Maryland on December 15, 2015, effective March 1, 2016, is hereby REPEALED.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024~~19~~.  
Effective the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

Dawn L. Marcus ~~Krista L. Hart~~, Clerk

BY: John F. BarrJeffrey A. Cline, President

Approved as to form  
and legal sufficiency:

~~B. Andrew Bright~~  
Assistant County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Suite 1101  
Hagerstown, MD 21740



Board of County Commissioners of Washington County, Maryland  
Agenda Report Form

**Open Session Item**

**SUBJECT:** Enforcement of the Current Adopted Building Code in Relation to Residential Construction Documents.

**PRESENTATION DATE:** February 13, 2024

**PRESENTATION BY:** Greg Cartrette – Code Official/Director of Permits and Inspections

**RECOMMENDATION:** (Move to) Reach a consensus to enforce the current building code as it pertains to residential construction documents.

**REPORT-IN-BRIEF:** During my first month evaluation of the Division of Permits and Inspections, it was brought to my attention that the current practice is to be as flexible as possible with contractors and homeowners in allowing plans to be submitted for new construction, additions and alterations of residential construction that do not contain the proper information to do a thorough plan review. This practice requires the building plans examiners to become a design professional and decipher what the applicant is proposing which leads to longer plan review times. It also affects the inspectors as they are having to question what it is they are inspecting.

**DISCUSSION:** Putting a policy in place that keeps us in line with other counties but gives better quality of plans for the plans examiners.

**FISCAL IMPACT:** Additional costs to the contractor and/or homeowner

**CONCURRENCES:** Michelle Gordon, County Administrator

**ALTERNATIVES:** Continue the practice as is but establish minimum requirements that must be included on residential construction plans

**ATTACHMENTS:** Policy





DIVISION OF  
PERMITS AND INSPECTIONS

# MEMORANDUM

TO: Permitting Staff, Contractors, and General Public

FROM: Greg Cartrette, Director/Code Official

DATE: January 26, 2024

SUBJECT: Residential Permit Plan Requirements

In accordance with the IRC (International Residential Code), Section R106 – Construction Documents which states:

*Submittal documents consisting of construction documents, and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.*

Therefore, effective \_\_\_\_\_, the following will apply when submitting for a residential building permit for new dwellings, additions, and two-story garages:

- **New Single-Family dwellings/Additions** over 2,000 square feet and/or more than one story (excluding basements) will require signed and sealed building plans by a licensed professional.
  - **Exception** – Duplex, Semi-Detached, Townhomes and Modulares will require signed and sealed plans regardless of the square footage or number of stories.
- **New Single-Family dwellings/Additions** 2,000 square feet or less and no more than one story (including basements) will not require signed and sealed building plans by a licensed professional but must meet at least the minimum requirements for submitting building plans.
  - **Exception** – Duplex, Semi-Detached, Townhomes and Modulares will require signed and sealed plans regardless of the square footage or number of stories.



- **Replacement dwellings** and where the foundation is existing or partial walls remain, will require an engineer's certification and the same rules for a new dwelling will apply when submitting building plans.
- **Two story detached or attached garage** regardless of the size or proposed use will require signed and sealed plans by a licensed professional.

**Note:**

- **Building plans must meet at least the minimum requirements that include the following. Plans that do not include these requirements will be rejected:**
  - All plans (hand drawn or otherwise) must be drawn to scale.
  - Footing and foundation plan.
  - Floor plan for each level with all rooms labeled with the proposed use.
  - Cross Section (1/4 Scale)
  - Wall section (3/4 Scale)
  - Elevations (Front, Rear and Sides)
  - Square footage totals for finished and unfinished areas
- Dimensions are measured from exterior edge of the footprint of the proposed structure.
- Conditions will be placed on each permit and made part of the approved permit. Therefore, it is important that these conditions are read and understood to stay in compliance.
- Modular dwellings require State of Maryland approval prior to permit issuance.
- Sprinkler requirements will remain as is and in accordance with the building code and local amendments.
  - Sprinklers are required for all new residential dwellings.
  - Sprinklers are required for all mobile homes manufactured after July 1, 2015.
  - Sprinklers are required for additions if the existing house is sprinklered.
- Modifications to sealed drawings must be done by the licensed professional. Hand drawn changes are not acceptable.



## Agenda Report Form

### Open Session Item

**SUBJECT:** Approval of Zoning Map Amendment RZ-23-006

**PRESENTATION DATE:** February 13, 2024

**PRESENTATION BY:** Rosalinda Pascual, Assistant County Attorney, County Attorney's Office

**RECOMMENDED MOTION:** The purpose of this agenda item is to seek approval of the request to rezone the Applicants' property.

**REPORT-IN-BRIEF:** The Applicants have requested to amend the current zoning of the property located at 19815 Reidtown Road, Hagerstown, from Rural Village to Rural Village with a Rural Business Overlay.

**DISCUSSION:** The Planning Commission recommended in favor of the proposed map amendment on December 4, 2023 with the condition that the property not be subdivided. The public hearing for the proposed rezoning request was held on January 30, 2024. A consensus of approval was reached by the Board of County Commissioners on January 30, 2024. This matter is on the agenda for decision by the Board of County Commissioners in the form of proposed Findings of Fact and Conclusions of Law as prepared by the County Attorney's Office for review, approval and adoption by the Commissioners.

**FISCAL IMPACT:** N/A

**CONCURRENCES:** Washington county Planning Commission

**ATTACHMENTS:** Ordinance with attached Decision and Findings of Fact

**ORDINANCE NO. ORD-2024-**

**AN ORDINANCE TO AMEND THE ZONING MAP  
FOR WASHINGTON COUNTY, MARYLAND  
(RZ-23-006)**

Pursuant to the provisions of Section 18.5 of the Zoning Ordinance for Washington County, Maryland (*Zoning Ordinance*), Ralph and Leah Martin, the Applicants, have petitioned the Board of County Commissioners of Washington County, Maryland (*Board*), seeking to apply the Rural Business (RB) Overlay on a two-acre tract of land, more or less, located at 19815 Reidtown Road, Hagerstown, Maryland 21742, which is currently zoned Rural Village (RV).

The matter has been designated as Case No. RZ-23-006.

This application was reviewed by the Planning Commission, and the Planning Commission recommended that the application be approved.

The Board has considered all information presented at the public hearing conducted on January 30, 2024, and the recommendation of the Planning Commission. The Board has made factual findings and conclusions of law that are set forth in the attached Decision. The findings of fact and conclusions of law are incorporated herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of County Commissioners of Washington County, Maryland, that the property which is the subject of Case No. RZ-23-006 be, and hereby is, designated as Rural Village (RV) with a Rural Business (RB) Overlay.

IT IS FURTHER ENACTED AND ORDAINED that the official Zoning Map for Washington County be, and hereby is, amended accordingly. The Director of Planning and Zoning shall cause the Zoning Map to be amended pursuant to this Ordinance.

Adopted and effective this \_\_\_\_ day of February, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

\_\_\_\_\_  
Dawn L. Marcus, Clerk

BY: \_\_\_\_\_  
John F. Barr, President

Approved as to form and  
legal sufficiency:

\_\_\_\_\_  
Rosalinda Pascual  
Assistant County Attorney

Mail to:  
Office of the County Attorney  
100 W. Washington Street, Suite 1101  
Hagerstown, MD 21740

BEFORE THE  
BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

**DECISION**  
Rezoning Case RZ-23-006

|                          |                                                                                       |
|--------------------------|---------------------------------------------------------------------------------------|
| Property Owner:          | Ralph E. and Leah A. Martin                                                           |
| Applicants:              | Ralph E. and Leah A. Martin                                                           |
| Requested Zoning Change: | Rural Village (RV) to Rural Village (RV) with<br>Rural Business (RB) District Overlay |
| Property:                | 19815 Reidtown Road, Hagerstown, Maryland<br>(the "Property")                         |

Pursuant to Md. Code Ann., Land Use § 4-204 and Washington County Zoning Ordinance (the "Zoning Ordinance") § 27.3, the Board of County Commissioners of Washington County, acting upon the Applicants' Request, makes findings of fact with respect to the matters set forth in the Zoning Ordinance. We also consider the recommendation of the Planning Commission which was made in this case, the present and future transportation patterns, the relationship of the proposed reclassification to the Comprehensive Plan, and whether there has been convincing demonstration that the proposed rezoning would be appropriate and logical for the subject property. After considering the recommendation of the Planning Commission and hearing evidence presented by the Applicants at a Public Hearing on January 30, 2024, the Board will grant the requested zoning map amendment and makes the following Decision, which largely adopts the findings of the Staff Report and Planning Commission with additional conditions.

Location and Physical Features:

This parcel is located on the south side of Reidtown Road between the CSX railroad line and Marsh Pike approximately one mile east of Hagerstown Regional Airport in the Rural Village of Reid. The property subject to this rezoning encompasses two acres of land and is owned by the Applicant. The property was composed of two adjoining tracts that were conveyed to the Applicants through a deed recorded in Liber 5400, Folio 422 among the Land Records of Washington County, Maryland. One of the two approximately 1-acre

tracts was improved by an existing single-family dwelling, while the associated accessory structures, including the garage and driveway for the dwelling, are built on the secondary tract. As noted on the Planning Commission Recommendation dated January 2, 2024, the two tracts are considered one combined parcel in accordance with the Doctrine of Zoning Merger. Additionally, the property owners hold out the two adjoining tracts as one merged parcel in their Zoning Ordinance Map Amendment Application and most of its supporting exhibits. The parcel is shown on Tax Map 11, Grid 20, as Parcel 31 (2 acres).

The site lies outside of both the Airport (AP) and Airport Overlay Zoning Districts that strictly govern land uses in the vicinity of the Airport. The land does, however, fall within the Hazardous Wildlife Attractant Management Overlay District that protects airport operations from wildlife hazards. The proposed land use (auto body repair) does not pose any threat to airport operations, however.

The Rural Business Zoning District (RB) is established to permit the continuation and development of businesses that support the agricultural industry and farming community, serve the needs of the rural residential population, provide for recreation and tourism opportunities, and to establish locations for businesses and facilities not otherwise permitted in the rural areas of the County. It is established as a “floating zone” which may be located on any parcel in an Agricultural, Environmental Conservation, Preservation, or Rural Village Zoning District. A floating zone is a zoning district that delineates conditions which must be met before that zoning district can be approved for an existing piece of land.

Section 5E.4b of the Rural Business Zoning District describes the criteria that must be met for the establishment of a new Rural Business Zoning District. These criteria include:

1. The proposed RB District is not within any designated growth area identified in the Washington County Comprehensive Plan;
2. The proposed RB District has safe and usable road access on a road that meets the standards under the “Policy of Determining Adequacy of Existing Roads”. In addition, a traffic study may be required where

the proposed business, activity, or facility generates twenty-five (25) or more peak hour trips or where forty percent (40%) of the estimated vehicle trips are anticipated to be commercial truck traffic;

3. Onsite issues relating to sewage disposal, water supply, stormwater management, floodplains, etc. can be adequately addressed; and
4. The location of an RB District would not be incompatible with existing land uses, cultural or historic resources, or agricultural preservation efforts in the vicinity of the proposed district.

Section 5E.6c further expands upon the above noted criteria in describing the basis for which the Planning Commission should base its recommendation following the Public Information Meeting including:

1. The proposed district will accomplish the purpose of the RB District;
2. The proposed site development meets criteria identified in Section 5E.4 of this Article;
3. The roads providing access to the site are appropriate for serving the business-related traffic generated by the proposed RB land use;
4. Adequate sight distance along roads can be provided at proposed points of access;
5. The proposed landscaped areas can provide adequate buffering of the proposed RB land use from existing land uses in the vicinity;
6. The proposed land use is not of a scale, intensity, or character that would be incompatible with adjacent land uses or structures.

### **CRITERIA ANALYSIS**

#### **Relationship of the Proposed Change to the Adopted Plan for the County:**

The requested proposed change will accomplish the purpose of the Rural Business (RB) District. The proposed auto body service facility is not a permitted land use in the underlying Rural Village (RV) Zoning District. Services are presently limited in the immediate vicinity of this property, given its location in a rural area of the County. Therefore, it has the potential to *"serve the needs of the rural residential population"*.

The proposed site of this rezoning is located outside of the County's current Urban Growth Area boundary. This status is not proposed to change in the forthcoming Comprehensive Plan (the "Plan") update.

#### Road and Traffic Considerations

The Applicant estimates that traffic generation from the proposed land use is to be less than fifteen trips per day. This trip generation estimate falls below the requirements of the RB District which necessitate a traffic study when the proposed business, activity, or facility generates *"25 or more peak hour trips or where 40% of the estimated vehicle trips are anticipated to be commercial truck traffic"*.

The proposed business is located on Reidtown Road, which is classified as a local road in the Transportation Element of the County's 2002 Comprehensive Plan. Parking is planned on the east side of the building that would be constructed to conduct the auto body repair service. The Applicant anticipates a second entrance onto Reidtown Road from the proposed use, separate from the current driveway that leads to the house.

The application was routed to several agencies, including the Washington County Engineering Department, for review and comment. The Engineering Department provided the following conclusion: *"... Should the project move forward, the applicant shall be required to have a Road Condition Survey and road widening plans prepared by a licensed professional to accompany the Site Plan submission. Adequate intersection sight distance will be required for any access that serves the commercial use in accordance County Policy and AASHTO standards. The access will require a Washington County Entrance Permit and must be upgraded/installed to commercial standards."*

There were comments provided by some community members expressing concerns regarding the road conditions and the addition of commercial traffic. While a traffic study may be unnecessary, a road condition survey is needed. There are additional requirements for Reidtown Road that would need to be addressed by the Applicant per comments from the Washington County Engineering Department.

#### Site Plan Considerations



A. Water.

The proposed rezoning site is designated as W-7 in the 2009 Water and Sewer Plan with no planned connection to public water. An existing well connected to the residential use is depicted on Applicant's Exhibit C.

The Applicant has stated, *"The intended use will not create any sewage disposal, water supply, stormwater or other issues that are above and beyond impacts already accounted for by the current residential and agricultural use onsite."* The Applicant stated during the Planning Commission's Public Input meeting that he will use a spill collection system to contain any impacts to ground water resources.

B. Sewer.

The proposed rezoning site is designated as S-7 in the 2009 Water and Sewer Plan with no planned connection to public sewer. An approximate location of the existing septic system is depicted on Applicant's Exhibit C.

C. Stormwater Management.

A stormwater management pond is proposed in the northwest corner of the property on the preliminary site plan to capture stormwater from the storage facility.

D. Floodplain.

The proposed rezoning site does not contain floodplain.

E. Bulk Regulations.

The Applicant's Justification Statement does not specifically address bulk requirements such as setbacks or lot coverage aside from a generalized parking area east of the proposed building.

## Compatibility with Adjacent Land Uses

### A. Land Use in the Vicinity.

The parcel is part of a block of properties zoned Rural Village (RV), some of which fall within the Rural Village of Reid. There is one other existing Rural Business (RB) Zoning District in the vicinity, at the Lehman's Mill Historic District to the east. All the surrounding lands are zoned Agricultural Rural A(R).

Land use conforms to the zoning, with small residential lots found within the RV District and along Marsh Pike. These lots give way to larger agricultural parcels on all sides in the immediate vicinity.

Given the prohibition on most commercial uses in rural areas of the County outside of an established RB Zoning District, services are limited in the vicinity. There is one other auto body shop in the vicinity of the rezoning site, on Marsh Haven Lane along the Pennsylvania border, located approximately one mile from the subject property. It was noted during the public hearing that the other auto body shop is quite popular and subsequently has long timeframes for completed work due to its large customer base.

### B. Historic Resources.

There are six existing historic sites within ½ mile or less of this rezoning that have been considered in evaluating its compatibility. Two are located on immediately adjacent properties. Two other sites are found within the larger Lehman's Mill National Register Historic District. The others are within ¼ mile of the site, just west of the CSX railroad line. Three others are located approximately ½ mile south of the site across U.S. 40 near I-70 West. Four of the six sites were documented on the Maryland Historic Sites Inventory by the Maryland Historical Trust (MHT) but were not listed as National Historic Register Properties.

### C. Agricultural Land Preservation

The rezoning site is located outside of the County's designated Priority Preservation Area (PPA). The PPA boundary terminates just east of the Rural

Village (RV) District shown previously. There will be no impact on County agricultural land preservation efforts as a result of this rezoning.

#### Additional Considerations

##### A. Emergency Services.

The Hagerstown Regional Airport's Fire Department (Station 35) is the nearest emergency services provider to this site, located approximately three miles west of the Airport.

##### B. Comprehensive Plan Design.

The 2002 Comprehensive Plan designated this site as falling within the Rural Village Policy Area in its Land Use Plan.

##### C. Hours of Operation, Employees.

The anticipated hours of operation for the proposed auto body repair shop are Monday through Friday, 8 a.m. to 8 p.m., with two onsite employees. The preliminary Site Plan estimates that the business will receive two daily customers and the same number of deliveries by small truck or van daily.

##### D. Parking Lot, Outward Appearance.

There were comments submitted by some members of the Rural Village, which expressed concern regarding the business becoming an "eyesore," lighting becoming a nuisance, and the business becoming a "used car lot." As it pertains to the general appearance of the parcel, the Applicants would still need to adhere to the Zoning Ordinance requirements of Section 5D for the portion of the parcel not receiving the Rural Business overlay and Section 5E for the portion of the parcel receiving the overlay. Section 5E has requirements pertaining to signage, lightning, and buffering, which would address most concerns. As it pertains to the business appearing like a "used car lot," this approved Rural Business District overlay can only be used for a body repair shop as that was the use identified on the application and preliminary site plan, in accordance with

section 5E.6(e). The Applicants noted in their justification statement that they likely would be working on 2-3 cars at time. . At the public hearing, the Applicants were agreeable to a limit of no more than 5 vehicles could remain outside in the parking lot, not including the applicant's personal vehicles, as a condition of approval of their application for map amendment.

### Recommendations

The Washington County Planning Commission took action at its regular meeting held on December 4, 2023, to recommend approval of Map Amendment RZ-23-006 to the Board of County Commissioners. The Planning Commission considered the application, the supporting documentation submitted with the application, including the data required by 5E.6(a) of the Zoning Ordinance, and the Applicants' presentation during the public information meeting. The Planning Commission also considered the Staff Report and Analysis, comments of interested parties received by the Planning Commission, and the specific criteria for establishment of an RB Overlay District in Section 5E.

Based upon this information, the Planning Commission found that the application can meet criteria set forth in Section 5E of the County's Zoning Ordinance to place the RB Overlay District in this location; and, therefore, recommended approval of this application. The Board of County Commissioners has considered all of the foregoing, as well as information that was presented during the public hearing of this matter.

### **Conclusion**

Pursuant to Zoning Ordinance section 5E.6(e), the Board may impose conditions to be addressed at the time of final site plan approval, which in this case would include the requirements outlined by the Washington County Engineering Department as it pertains to Reidtown Road improvements and to the proposed driveway for the Applicant's business. Pursuant to Zoning Ordinance section 27.4, the Board may impose conditions to preserve or protect the general character and design of the surrounding zoning district. In this case, such conditions are that parcel cannot be subdivided and cannot have more than 5 cars present outside, excluding the Applicants' personal vehicles.

Based on the information provided by the Applicants in the initial application, further analysis by Staff, and the conditions agreed to by the Applicant, the Board of County Commissioners believes that there is sufficient evidence submitted to meet the criteria outlined in Article 5E of the Zoning Ordinance. to support the application of a Rural Village (RV) with Rural Business (RB) District floating zone to the subject area. Changes to the use, intensity, or area covered by an approved Rural Business District Overlay shall be reviewed by the Planning Commission and may require a new public hearing to approve changes.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY,  
MARYLAND

\_\_\_\_\_  
Dawn L. Marcus, Clerk

BY: \_\_\_\_\_  
John F. Barr, President

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Rosalinda Pascual  
Assistant County Attorney



## Agenda Report Form

### Open Session Item

**SUBJECT:** Request for Concurrence/Approval of Airport's Recommended Changes to Airport Fire Department Logo/Branding.

**PRESENTATION DATE:** February 13, 2024

**PRESENTATION BY:** Neil Doran, Airport Director, Danny Shirley, Airport Rescue & Firefighting Manager (Airport Fire Chief)

#### RECOMMENDED MOTION(S):

- Move to accept and approve the Airport's recommended Airport Fire Department Logo/Branding update.

**REPORT-IN-BRIEF:** Need for modern logo aligning with HGR's new color palette. Use of yellow was problematic when used on garments, floor mats/carpets as it easily showed dirt, stains, and scuffs. Have used the same logo for the last 28 years. Need for a modern, high definition, high-resolution logo files.

**DISCUSSION:** Collaborated with County Marketing and Public Relations department to develop this design. Thank you to Danielle Weaver, Katie Yoder, Jonathan Byrd, and Alexandra Emge.

#### FISCAL IMPACT:

- To Be Determined. Estimated to be modest expenses. One outdoor sign on the front face of fire station is the biggest single expense. Relatively inexpensive for fire trucks/pickup lettering, carpets/rugs, garment patches, door lettering, etc. For example: Available \$3,300 in General Operations Budget – "Promotional Expenses".

**CONCURRENCES:** Airport Advisory Commission

**ALTERNATIVES:** Continue to operate with no changes to airport fire department logo. Can be a challenge to not have a high quality/fidelity logo file for documents, signs, etc.

**ATTACHMENTS:** Images of Existing and Updated (new) Logo.

**AUDIO/VISUAL TO BE USED:**

# HAGERSTOWN REGIONAL AIRPORT – FIRE DEPARTMENT



Current Fire Dept. Patch



Proposed Fire Dept. Patch

# HAGERSTOWN REGIONAL AIRPORT – FIRE DEPARTMENT

