

**ORDINANCE NO. ORD-2019-**

**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 \_\_\_\_\_, 2019, 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Board of County Commissioners of Washington County, Maryland, on December 15, 2015, effective March 1, 2016, is hereby REPEALED.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*, 2018 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 \_\_\_\_\_, 2019, 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 *2017 National Electrical Code*, with local amendments for Washington County, Maryland, adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 2019, 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 \_\_\_\_\_, 2019, 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*, 2018 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 \_\_\_\_\_, 2019, effective \_\_\_\_\_, 20\_\_\_\_.

**101.1.5 International Building Code.** Any reference to the *International Building Code* shall mean the *International Building Code*, 2018 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 \_\_\_\_\_, 2019, 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*, 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, Maryland, as adopted on \_\_\_\_\_, 2019, 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*, 2018 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 \_\_\_\_\_, 2019, 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*, 2018 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 \_\_\_\_\_, 2019, 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*, 2018 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 \_\_\_\_\_, 2019, 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 Construction shall be known as the Code Official and the Chief Plans Examiner of the Division of Construction shall be known as the 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 referred to singularly or collectively as the Code Official.

(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 Construction shall be known as the Chief Plans Examiner of the Division of Construction shall be known as the Deputy Code Official and are hereby authorized and directed to administer and enforce all provisions of this code. The Code Official and Deputy Code Official shall be referred to singularly or collectively as the Code Official.

**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 *2017 National Electrical Code*, with local amendments for Washington County, Maryland adopted by the Board of County Commissioners of Washington County, Maryland on \_\_\_\_\_, 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 \_\_\_\_\_, 2019.  
Effective the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

\_\_\_\_\_  
Krista L Hart, Clerk

\_\_\_\_\_  
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