

ORDINANCE NO. ORD-2019-

AN ORDINANCE TO ADOPT AND ENACT THE 2018 *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 2018 *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 _____, 2019, following due notice and advertisement of the text of the 2018 *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 2018 *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 2015 *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effective March 1, 2016 (ORD-2015-28), and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and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 2018 *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*, 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, 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*, 2017 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__, 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 _____, 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 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__, effective _____, 20__.

101.1.5 International Building Code. Any reference to the *International Building Code* shall mean the *International 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, 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*, 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, adopted by the Board of County Commissioners of Washington County, Maryland on _____, 2019, effective _____, 20__.

101.1.7 International Energy Conservation Code. Any reference to the *International Energy Conservation Code* shall mean the *International Energy Conservation 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 adopted on _____, 2019, 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*, 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 _____, 2019, 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 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.

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