

ORDINANCE NO. ORD-2019-

AN ORDINANCE TO REPEAL THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION, AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, WITH LOCAL AMENDMENTS, AND TO ENACT THE *INTERNATIONAL MECHANICAL CODE*, 2018 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*, 2018 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 _____, 2019, following due notice and advertisement of the text of the *International Mechanical Code*, 2018 Edition, with local amendments, including Appendix A.

Public comment was received, reviewed, and considered concerning the repeal of the 2015 International Mechanical Code, as promulgated by the International Code Council, with local amendments, and the adoption of the *International Mechanical Code*, 2018 Edition, as promulgated by the International Code Council, with local amendments, including Appendix A.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the 2015 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15, 2015, effective March 1, 2016, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed; and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*, 2018 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

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

**Section 101.1 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*, 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 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.

**101.1.3 ICC Electrical Code.** For the applicable electrical requirements, refer to the NFPA70:*National Electrical Code*, 2017 Edition, 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*, First Printing, with local amendments for Washington County, Maryland, adopted on December 18, 2007, effective March 1, 2008, and amended on \_\_\_\_\_, 2019 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*, 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 on \_\_\_\_\_, 20\_\_.

**101.1.6 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 \_\_\_\_\_, 2009, 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*, 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\_\_.

**101.1.8 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.

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

**SECTION 109, 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.

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| <b>APPENDICES</b> |
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**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 \_\_\_\_\_, 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

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