



## CITY OF LAUREL, MARYLAND

### ORDINANCE NO. 2025

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND REPEALING AND REENACTING WITH AMENDMENTS CHAPTER 18, "BUILDING AND BUILDING REGULATIONS," OF THE LAUREL CITY CODE, ARTICLE I THRU XIII, RENUMBERING SECTIONS AND PROVIDING AN EFFECTIVE DATE.**

*Sponsored by the President at the request of the Administration.*

**WHEREAS**, Maryland Local Government Code Annotated, §5-211 "Legislative authority - Building Regulations" authorizes the City of Laurel to adopt regulations regarding the erection of buildings and signs in the municipality, including a building code and requirements for building permits; and

**WHEREAS**, Maryland Local Government Code Annotated, §5-211 authorizes the City of Laurel to provide for the inspection of and require repairs to the following on private property; drainage and sewage systems; electric lines and wires; gas pipes; plumbing apparatus; and water pipes; and

**WHEREAS**, pursuant to this authority the Mayor and City Council of Laurel, Maryland have enacted Laurel City Code, Chapter 18 "Buildings and Building Regulations"; and

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the Mayor and City Council of Laurel, Maryland that Chapter 18 "Buildings and Building Regulations," of the Laurel City Code is hereby repealed in its entirety and Chapter 18 "Buildings and Building Regulations", of the Laurel City Code is reenacted with amendments to read as follows:

### **CHAPTER 18 BUILDINGS AND BUILDING REGULATIONS**

#### **ARTICLE I- ADMINISTRATION**

#### **DIVISION 1. - DEPARTMENT OF THE FIRE MARSHAL AND PERMIT SERVICES**

- 18-1 Department, Generally
- 18-2 Chief Building Official
- 18-3 Standards for Repair, ~~Vacation~~ Evacuation or Demolition
- 18-4 Approved construction details

### **Sec. 18-1. Department, generally.**

- (a) There presently exists a department of the ~~e~~City government known as the Department of the ~~f~~Fire ~~m~~Marshal and ~~p~~Permit ~~s~~Services (FMPS). The ~~d~~Department of the ~~f~~Fire ~~m~~Marshal and ~~p~~Permit ~~s~~Services is responsible for performing inspections, enforcing building codes, issuing permits, and taking corrective actions to enforce and comply with the various ~~e~~City adopted codes and standards. FMPS shall be under the direct supervision of the director, Department of the ~~f~~Fire ~~m~~Marshal and ~~p~~Permit ~~s~~Services.
- (b) The City of Laurel hereby adopts the International Building Code (IBC), ~~2018~~ 2021 Edition, with amendments.

### **Sec. 18-2. Chief building official.**

- (a) The City of Laurel's Chief Building Official (CBO) or designee will be selected and approved by the director, FMPS and be responsible for managing, organizing, and administering the dDivision of pPermits and eCode eEnforcement (DP&CE) within the FMPS.
- (b) The term "building official" whenever used in the Laurel City Code, chapter 18, shall refer to the chief building official, or by any other official designation by the director, FMPS.
- (c) The responsibilities of the chief building official (CBO) shall include, but not be limited to, the following:
  - (1) To serve as the lead expert, reviewer, and official representative on building permits, uses, code compliance and related issues within the City of Laurel (authority having jurisdiction).
  - (2) To monitor, inspect and regulate the city's adoptive building codes as related to, alteration, demolition, or rebuilding of structures within the city. Inspect or cause to be inspected all required public assembly, commercial or multi-family residential buildings, for the purpose of determining whether any condition exists which renders such places dangerous or hazardous to lives or other properties;
  - (3) Investigate, follow up and take the appropriate steps on all complaints filed by any person(s) relating to an existing violation of any of the city's adoptive building codes;
  - (4) Notify in writing the occupant(s), owner(s), and any other persons having legal interest in the property, (as shown by the property tax or assessment records of the city), for any building found by him/her to be a dangerous building that the owner must vacate, or repair, or demolish such building or have such work or act done provided, that any person notified under this subsection to repair, vacate or demolish any building shall be given such reasonable time, not exceeding sixty

(60) days, as may be necessary to do, or have done, the work or act required by the notice provided for herein;

(5) Set forth in the notice provided for in paragraph (4) a description of the building or structure deemed dangerous and/or unsafe, a statement of facts as to why the building or structure is dangerous or unsafe. An order requiring the same to be put in such condition as to comply with the terms of this article within such length of time, not exceeding sixty (60) days, as is reasonable;

~~(6) Report to the director, FMPS any noncompliance with the notice provided for in paragraphs (4), (5) and (7) of this section;~~

(7) Appear, testify and provide expert opinions, as required, for all legal and administrative hearings as to the facts surrounding the condition of dangerous and unsafe buildings, structures or conditions;

(8) To monitor, inspect and regulate the city's adoptive building codes as related to, multi-family residential rental housing units, hotels and motels structures within the city;

(9) To monitor, inspect and regulate the city's adoptive building codes as related to, the control and abatement of certain public nuisances, property standards and environmental concerns on private property;

(10) To enforce and administer the city's adoptive codes and regulations concerning building permits, construction, sediment and erosion control, and certain property maintenance standards;

(11) To issue municipal infraction citations in accordance with applicable laws, rules and regulations; and

(12) Place a NOTICE on all designated dangerous and/or unsafe buildings reading as follows:

"This building has been found to be a dangerous and/or unsafe by the City of Laurel's Chief Building Official. This notice is to remain on this building until it is repaired, vacated or demolished in accordance with the written order which has been given to the occupant, owner, and any other persons having legal interest in the said property (as shown by the property tax or assessment records of the City of Laurel). "It is unlawful to remove this NOTICE and or occupy without express permission of the City of Laurel's Chief Building Official or designee."

### **Sec. 18-3. Standards for repair, ~~vacation~~ evacuation or demolition.**

The following standards shall be followed in substance by the chief building official or their designee or authorized representative in ordering repair, ~~vacation~~ evacuation, or demolition:

- (1) If the dangerous or unsafe building can reasonably be repaired to mitigate the dangerous or unsafe conditions, it shall be ordered repaired;
- (2) If the dangerous or unsafe building is in such condition as to make it hazardous to the health, morals, safety or general welfare of its occupants, it shall be ordered vacated;
- (3) Where a dangerous and/or unsafe building is damaged, decayed or deteriorated, it shall be demolished or repaired and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this article, it shall be demolished;

### **Sec. 18-4. Approved construction details.**

- (a) Construction details approved by the chief building official shall be considered in full force and effect as part of the City of Laurel's adoptive building codes and enforceable as such.
- (b) In the event of an inconsistency between any construction detail and any provision of the Laurel City Code, the applicable requirements will be determined by the chief building official in which the most stringent of all codes shall apply.

### **Secs. 18-5—18-10. Reserved.**

## **DIVISION 2. IN GENERAL**

### **Sec. 18-11. Compliance with other applicable laws, ordinances, regulations.**

Nothing in the Laurel City Code, chapter 18 shall be so construed so as to excuse compliance with any other applicable law or regulation.

### **Sec. 18-12. Administration.**

The director, ~~dDepartment~~ of the ~~fFire~~ ~~mMarshal~~ and ~~pPermit~~ ~~sServices~~, may designate and delegate the chief building official or their designee to administer the provisions of City of Laurel Code, chapter 18. The person so authorized may delegate any or all of the powers and duties under City of Laurel City Code, chapter 18 to assistants, subordinates or other designated employees of the city.

### **Sec. 18-13. Entry powers.**

The delegated authority shall, after proper identification, have the right to enter any premises at any time during normal working hours and at any time in cases of emergency,

for the purpose of performing duties under chapter 18 in the interest of public safety and/or to enforce the provisions of the Laurel City Code, chapter 18.

**Sec. 18-14. Authority to require exposure after installation.**

Whenever any installation requiring a permit and/or inspection under any provision of chapter 18 is covered or concealed without having first been inspected, the delegated authority may require by written notice that such work shall be exposed for inspection. Any cost of such exposing and recovering shall be borne by the permittee or party responsible for the work requiring inspection.

**Sec. 18-15. Authority to stop work.**

- (a) When any construction or installation work is being performed in violation of chapter 18, issued permit, approved plans or specifications, a written notice shall be issued to the responsible party to immediately stop work on that portion of the work that is in violation. The written notice shall state the facts of the violation and no work shall be continued on that portion until the delegated authority determines that the violation has been corrected.
- (b) In addition to other provisions of the Laurel City Code, chapter 18 relating to service of written notice, a NOTICE to stop work shall be posted at the job site if practicable.

**Sec. 18-16. Service of orders and notices.**

- (a) Except as otherwise specifically provided by the Laurel City Code, chapter 18, any order or written notice issued pursuant to the Laurel City Code, chapter 18 shall be served upon the owner, agent or occupant of the structure to which the order or written notice relates or other person responsible for the violation.
- (b) Service shall be deemed properly served if a copy therefore is:
  - (1) Delivered to the owner, lessee, agent or occupant personally;
  - (2) Is posted on the front door;
  - (3) Is sent by certified or registered mail through the United States Postal Service (USPS). If sent certified or registered mail, a return receipt requested addressed to the owner, lessee, agent or occupant at the last known address or (as shown by the Maryland State Department of Assessments and Taxation (SDAT) property tax or assessment records). A copy of the order or written notice shall be posted on the front door or address side of the structure affected by such order or notice. Service of such notice in the foregoing manner shall constitute service on the date of such mailing or posting.

#### **Sec. 18-17. Administrative liability.**

- (a) No designated officer, agent, or employee of the city shall be personally liable for any damage that may accrue to persons or property as a result of any action required or permitted in the discharge of their duties under Laurel City Code, chapter 18.
- (b) The city shall not be liable under the Laurel City Code, chapter 18 for any damage to persons or property by reason of the inspection or re-inspection of buildings or structures authorized hereunder, or failure to inspect or re-inspect such buildings or structures, or by reason of any permit issued hereunder or the approval or disapproval of any equipment authorized herein.

#### **Sec. 18-18. Compliance required.**

All permits, licenses or certificates issued under the Laurel City Code, chapter 18 shall be presumed to contain the provision that the applicant, applicant's agents or applicant's employees shall carry out the proposed activity in compliance with all the requirements of the Laurel City Code, chapter 18 and any other applicable laws or regulations, whether specified or not, and in complete accord with any approved plans and specifications. Any permit, license or certificate which purports to sanction a violation of any provision of the Laurel City Code, chapter 18 or any applicable law or regulation shall be void, and any approval of plans and specifications in the issuance of such permits, licenses or certificates shall likewise be void.

#### **Sec. 18-19. License suspension or revocation.**

- (a) Licenses issued pursuant to of the Laurel City Code, chapter 18 may be suspended or revoked by the delegated authority for any of the following reasons:
  - (1) Work performed in violation of the applicable adoptive codes;
  - (2) Failure to comply with any notice or order issued pursuant to the Laurel City Code, chapter 18;
  - (3) Where a license has been obtained through nondisclosure, misstatement, or misrepresentation of a material fact.
- (b) Before any license is suspended or revoked, the licensee shall be given written notice of the proposed suspension or revocation enumerating the charges against the licensee. The suspension or revocation shall become effective on the date set forth in the notice unless the licensee contests the suspension or revocation. A licensee desiring to contest the suspension or revocation shall submit a written request to the director, department of the fire marshal and permit services for a review within ten (10) days from the date of the notice.
- (c) The review shall be informal and the licensee shall have a reasonable opportunity to present relevant testimony and evidence. The director, FMPS may initiate an investigation and/or fact-finding research to render a decision. The director, FMPS will render a final decision, in writing, within fifteen (15) working days following the

conclusion of the review. A copy of the decision and the reasons therefor shall be provided to the licensee.

- (d) The decision of the director, FMPS to suspend or revoke a license may be appealed to the City of Laurel's Board of Appeals and subsequently to the Circuit Court for Prince George's County; provided that the licensee first exhausts all FMPS administrative avenues contained in this section.

**Sec. 18-20. Appeals from the department of the fire marshal and permit service's decisions.**

- (a) *Grounds for appeals.* Any person aggrieved by and desirous of challenging a decision of FMPS's authority in connection with the interpretation, application, or modification of any provision of the Laurel City Code, chapter 18 may appeal such decision to the City of Laurel's Board of Appeals and subsequently to the Circuit Court for Prince George's County; provided that the licensee first exhausts all City of Laurel administrative avenues contained in this section.
  - (1) The true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted; or
  - (2) The provisions of the code do not fully apply; or
  - (3) An equally good or better form of construction can be used.
- (b) *Procedure for taking an appeal.* An appeal shall be filed with the City of Laurel's Board of Appeals within seven (7) calendar days from the date of the final FMPS's decision being appealed. The appeal shall be in writing and shall contain a detailed statement of the reasons in support of such appeal.
- (c) *Appeal from decision of board.* Any person aggrieved by a decision of the City Board of Appeals may appeal the decision to the Circuit Court for Prince George's County in accordance with the Maryland Rules as set forth in Title 7, Chapter 200.

**Sec. 18-21. Nuisance.**

- (a) A nuisance is any conduct or condition that is in violation of federal, state, county or city law or ordinance and which continues after notice to cease given to the owner or tenant of any property in the city. Conduct or a condition that continues or is constant for any period of time after notice may be deemed a nuisance hereunder. Notice can be any order issued by the director, FMPS, fire marshal, chief building official, code enforcement officer, or any recognized law enforcement officer from any level of government that pertains to unlawful activity in the premises or on the property. If the property is a rental property, the director, department of the fire marshal and permit services may revoke the rental license.
- (b) Any nuisance action hereunder may be appealed within five (5) days to the director, FMPS who shall grant or deny in whole or in part any appeal within ten (10) days. Further appeal may be made no later than seven (7) days to the city's board of appeals. The decision of the city's board of appeals may be appealed to the circuit

court of Prince George's County, Maryland. During any appeal, the license shall be considered revoked and the city may take any action necessary to enforce such revocation. If no license is involved, the conduct declared a nuisance shall cease until all appeals have been exhausted.

- (c) Nothing in this section prohibits the City from taking any emergency action for the summary closure of such property/business when it is necessary to avoid an immediate threat to public welfare and safety. The Director of FMPS, fire marshal, chief building official, or the Chief of Police may take summary action to close the property/business without complying with the notification provisions in paragraph b of this Code but shall provide such notice as is reasonable under the circumstances and shall immediately take all appropriate steps to obtain judicial ratification of the closure.

#### **Sec. 18-22. Fee schedule.**

- (a) The City of Laurel will develop and have available a standard fee schedule for all related actions, permits, violations, fees, as approved by the mayor.
- (b) Requirement of bond. Permits required by this subtitle shall not be issued until the applicant, as principle, has posted a performance bond in favor of the City of Laurel, Maryland to ensure the satisfactory performance and completion of all work covered by the permit.
- (c) The fee schedule for work performed in connection with the building code shall be as follows:
  - (1) *General.* No permit to begin work for new construction, alteration, removal, demolition, or other building operation or grading shall be issued until the fees prescribed by this section shall have been paid to the City of Laurel, Maryland, nor shall an amendment or revision to a permit necessitating an additional fee be approved until the additional fee shall have been paid.
  - (2) *Amount of bond.* Except as otherwise provided, the amount of bond required to be posted under this section for work within city rights-of-way for site work or grading shall be equal to, or greater than, one hundred fifty (150) percent of the estimated cost of the project.

#### **Sec. 18-23. Permit application.**

All applications for permits shall be submitted on such forms as may be prescribed by the FMPS and shall describe the work to be done and the location thereof. All applications for permits shall be accompanied by plans and specifications as specified in sections 18-24 and 18-25 and by the fee set forth in the approved fee schedule in section 18-22.

#### **Sec. 18-24. Approved plans.**

Approved plans have been reviewed by FMPS, or their designee, and have been found to be consistent with code requirements and accepted practices. Approved plans shall be stamped "approved". At least one (1) set of such approved plans shall be retained by FMPS and the other set shall be kept at the building site and shall be open to inspection by an FMPS authorized representative at all reasonable times.

#### **Sec. 18-25. Plans and specifications.**

An application for a permit shall be accompanied by the FMPS designated number and types of specifications and of plans which use symbols and notations commonly accepted by the industry to show the nature and character of the work to be performed. The CBO may waive the requirement for filing plans when it is determined that the work is of a minor nature.

#### **Sec. 18-26. Exceptions.**

When ~~temporary~~ emergency repairs are necessary ~~replacements or extensions~~ to an electrical installation in a residential or small industrial uses, such work may be commenced by a properly licensed master electrician without a permit; ~~provided~~ However that the person doing the same shall the master electrician first inform the department, if the department's office is open, giving name and address and the address where the work is to be done, the nature thereof, and the appropriate time of commencement of the work. In each case, such person shall file an application for a permit covering the work no later than the following business day.

#### **Sec. 18-27. Right of property owner to perform work on own premises.**

Except as restricted to the type of work as delineated below, nothing contained in article I, division 2 shall be construed to prohibit any property owner from performing minor repairs on his or her own premises relating to replacement in kind of such things as plugs, light switches and light fixtures.

#### **Sec. 18-28. Reserved.**

### **DIVISION 3. STREET ADDRESS NUMBERING OF BUILDINGS**

#### **Sec. 18-29. Building address numbers required; specifications.**

- (a) Every building located in the city shall have its officially assigned street number or numbers conspicuously displayed near its main entrance or other entrance to such building which is most conspicuous from the abutting street. All such numbers shall be clearly readable from the abutting street and shall not be screened, covered, blocked or obliterated in any way. All numbers shall be uniformly spaced and shall be securely mounted against a background of contrasting color. The building owner shall maintain all such numbers in good condition.

- (b) All numbers on all non-residential buildings and on all multifamily residential buildings shall be at least six (6) inches in height unless a greater height is required by a City of Laurel ordinance or regulation, including applicable fire and life safety codes.
- (c) All numbers on residential buildings, shall be at least four (4) inches in height.
- (d) In the event that the director, department of the fire marshal and permit services or their designee determines that the size of any numbering specified in division 3 for commercial and multifamily residential buildings is inadequate to be clearly readable from the abutting street, the numbering shall be of such size as the director, FMPS determines necessary to be readable from the abutting street.
- (e) If no entrance to the building is clearly visible from the abutting street, the street numbers shall be posted in such manner as directed by the director, fire marshal and permit services or their designee so as to be clearly visible from the street. In the event that there is no location on the property on which the street numbers can be posted in compliance with division 3, the director, department of the fire marshal and permit services or their designee may waive compliance with the provisions of division 3 as to such property. Any such waiver shall be in writing and shall be kept on file with the office of the fire marshal and permit services. A copy of the waiver shall be given to the legal owner of the property.
- (f) The building numbers required by article I, division 3 shall be in the form of Arabic numerals. The use of Roman numerals, words spelling out the building number, or any other non-Arabic numeral shall not satisfy the requirements of division 3; provided however, that numbers in such non-Arabic numeric form may be used on the building, but only in addition to and not in substitution for the numeric form required herein.

#### **Sec. 18-30. Incorrect building numbers.**

No incorrect building street number shall be ~~maintained or~~ posted on any building or on any portion of the property on which the building is located. Any such incorrect street number shall be removed within seven (7) days of notice of removal by the department of the fire marshal and permit services or their designee to the legal owner of the building or to the owner's agent.

#### **Sec. 18-31. Use and occupancy permit.**

No use and occupancy permit shall be issued for any newly constructed building within the city until all provisions of division 3 have been complied with.

#### **Sec. 18-32. Correction of violations.**

Any violation of any provision of division 3 shall be corrected by the owner within the time frame specified on the violation notice issued by the department of the fire marshal and permit services or their designee to the legal owner or to the legal owner's agent.

### **Sec. 18-33. Violations; municipal infractions; penalties.**

- (a) Any owner of a building who violates or fails to comply with any provision of division 3 shall be guilty of a municipal infraction and shall be subject to the penalties as provided herein. The violation of any provision of division 3 is hereby declared to be a municipal infraction and not a misdemeanor. The penalty for the violation of any provision of division 3 shall be a fine of one hundred dollars (\$100.00) for each initial offense, and a fine of two hundred dollars (\$200.00) for each repeat offense.
- (b) The director, department of the fire marshal and permit services or their designee shall be authorized to issue municipal infraction citations for the violation of any provision of division 3.

### **Secs. 18-34, 18-35. Reserved.**

## **DIVISION 4. DANGEROUS AND/OR UNSAFE BUILDINGS**

### **Sec. 18-36. Defined.**

All buildings or structures which may have any or all of the following defects shall be deemed dangerous and/or unsafe:

- (1) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base;
- (2) Those which, exclusive of the foundation, shows thirty-three (33) percent or more, of damage or deterioration of the supporting member or members, or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering;
- (3) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used;
- (4) Those which have been damaged by fire, wind, water or other causes so as to have become dangerous and/or unsafe to life, safety, morals, or the general health and welfare of the occupants or general public;
- (5) Those which have been classified as so dangerous, dilapidated, decayed, unsafe, unsanitary, unhealthy or which fails to provide the amenities essential for human habitation of those living therein or the general public;
- (6) Those having light, air and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of individuals living therein;
- (7) Those having inadequate paths and avenues of egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of escape;

- (8) Those which have building parts which are of high probability to become detached that they may fall and injure individuals on their property or the general public;
- (9) Those buildings existing in violation of any provision of the building code of the city, or any provision of the fire prevention code, or other ordinances of the city.

#### **Sec. 18-37. Nuisance declared.**

All dangerous and/or unsafe buildings that are hereby declared to be public nuisances shall be repaired, vacated or demolished within the time frame listed on the violation notice.

#### **Sec. 18-38. Historic buildings or structures.**

The owner of any property in a historic district zone must receive a certificate of approval from the City of Laurel's Historic District Commission before exterior alterations or demolition may occur. Demolition of any property may not occur without historic district commission approval in accordance with the City of Laurel's Unified Land Development Code (ULDC), section 20-71. Exterior alterations to any building/structure listed in the city's Historic Building Catalog may not be started without historic district commission approval if it is the subject of an application for nomination, historic evaluation, or demolition in accordance with the City of Laurel Unified Land Development Code, section 20-71.

Under all circumstances, exterior alterations to a property, building or structure within a historic district zone, including demolition, must be approved by the historic district commission before demolition or exterior alterations that are not considered in-kind repairs, may occur.

In addition, any building or structure that is not in a historic district zone but is identified in the historic building catalog, as revised, that is the subject of an application for nomination, historic evaluation or demolition permit may not be demolished during the historic designation review period. Exterior alterations may not occur during this period unless the property owner receives a certificate of approval from the historic district commission as required by the City of Laurel's Unified Land Development Code, section 20-71.

#### **Sec. 18-39. Violations.**

- (a) The owner of any dangerous and/or unsafe building must comply with any written notice or order to repair, vacate or demolish such building given by any person authorized by the department of the fire marshal and permit services. Failure to comply with the notice or order within the specified time frame may result in a municipal fine.
- (b) Any owner of a building who violates or fails to comply with any provision of division 4 shall be guilty of a municipal infraction and shall be subject to the penalties as

provided herein. The violation of any provision of division 4 is hereby declared to be a municipal infraction and not a misdemeanor. The penalty for the violation of any provision of division 4 shall be a fine of one hundred dollars (\$100.00) for each initial offense, and a fine of two hundred dollars (\$200.00) for each repeat offense.

- (c) The director, department of the fire marshal and permit services or their designee shall be authorized to issue municipal infraction citations for the violation of any provision of division 4.

#### **Sec. 18-40. Emergencies.**

In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless a dangerous and/or unsafe building is immediately repaired, vacated or demolished, the chief building official shall report such facts to the director, department of the fire marshal and permit services. The director, department of the fire marshal and permit services, upon notification from the chief building official, may immediately directed actions for the emergency repair, vacation or demolition of such dangerous and/or unsafe building as authorized in Laurel City Code, section 4-187.

#### **Sec. 18-41. Absence of owner from city.**

In cases, except emergency cases, where the owner, occupant, lessee or mortgagee is absent from the city, the written notice shall be delivered to the owner, lessee, agent or occupant personally; or posted on the front door or sent by certified mail. If sent by certified mail, a return receipt requested from the addressee is required at the last known address or (as shown by the property tax or assessment records of the State of Maryland Department of Assessments and Taxation (SDAT). A copy of the notice shall be posted on the front door or address side of the structure affected by such notice. Service of such notice in the foregoing manner shall constitute service on the date of such mailing or posting.

#### **Sec. 18-42. Portable heaters and construction equipment.**

- (a) Any and all temporary portable space heaters and/or construction equipment shall meet all applicable codes regarding the type used whether indoor or outdoor and shall be maintained and placed on any work site so as not to create a fire or other casualty hazard.
- (b) Any site utilizing any temporary portable space heater(s) and/or construction equipment fueled by propane, kerosene, natural or bottled gas or any other device fueled by a combustible substance shall prominently display hot work signs at locations directed by the fire marshal warning that portable space heaters and/or construction equipment of the type described herein are in use and the type of heater/construction device (i.e., propane, kerosene, etc.) and how the fuel is containerized. Hot work permit signs shall be no smaller than two (2) feet by two (2) feet.

- (c) Failure to display such signs shall be a municipal infraction and subject to a fine of two hundred and fifty dollars (\$250.00) each day such infraction exists.

**Secs. 18-43—18-45. Reserved.**

**ARTICLE II. BUILDING CODES**

**DIVISION 1. GENERAL PROVISIONS**

**Sec. 18-46. Codes adopted by reference.**

The following codes and standards are hereby adopted by reference, as amended, and made a part of this subtitle with the same force and effect as those set out in full herein as the official building code of the City of Laurel, Maryland, together with the changes, deletions, or modifications prescribed in this subtitle:

The International Building Code, ~~2018~~ 2021 Edition (hereinafter referred to as the "IBC"). (Ref: COMAR 05.02.07)

State of Maryland Fire Prevention Code, 2018 Edition.

The International Residential Code for One and Two-Family Dwellings, ~~2018~~ 2021 Edition (hereinafter referred to as the "IRC"). (Ref. COMAR 05.02.07)

The International Mechanical Code, ~~2018~~ 2021 Edition. (Ref: COMAR 05.02.07)

The International Existing Building Code, ~~2018~~ 2021 Edition (herein referred to as the "IEBC"). (Ref: COMAR 05.16)

The Maryland Accessibility Code (MAC). (Ref: COMAR 05.02.02)

The International Energy Conservation Code, ~~2018~~ 2021 Edition (hereinafter referred to as the "Energy Code"). (Ref. COMAR 05.02.07)

International Swimming Pool and Spa Code, ~~2018~~ 2021 Edition.

The National Electrical Code, ~~2017~~2020 Edition. (Ref: COMAR 05.02.07)

National Fire Protection Association, NFPA Codes, ~~2018~~ 2021 Edition.

The International Property Maintenance Code (IPMC), ~~2018~~ 2021 Edition. (Ref: COMAR 05.02.01)

**Sec. 18-47. Building, mechanical, and chief building official.**

The terms "chief building official", "mechanical official", and "building official" as used in these adoptive codes, shall mean the FMPS chief building official whom shall be designated by the director, department of the fire marshal and permit services. Where the name of the jurisdiction is to be indicated in any adoptive code, the name to be substituted therein shall be "City of Laurel, Maryland."

#### **Sec. 18-48. Fire marshal—Inspections.**

The City of Laurel's Fire Marshal, or their designee, is hereby authorized and required to inspect all premises within the city as follows:

- (1) All commercial and industrial properties every two (2) years.
- (2) All day care operations, regardless of the land use zone, every year.
- (3) All places of public assembly including churches, schools and the like every year.

The fire marshal shall issue a life safety certificate for all inspections certifying compliance with applicable codes.

#### **Sec. 18-49. Fire lanes.**

- (a) *Authority.* Fire lanes are established by authority of the City of Laurel, chapter 18 and enforced through Ordinance No. 1679. This ordinance allows the department of the fire marshal and permit services to designate, establish and enforce fire lanes within the City of Laurel, Maryland.
- (b) *Fire lane signs.*
  - (1) *Dimensions.* Fire lane signs shall be twelve (12) inches wide and eighteen (18) inches in height.
  - (2) *Characteristics.* The signs are to be all-season durable with red engineer's grade reflective lettering on a white background (see Ordinance No. 1679 for samples).
  - (3) *Where signs are required.* Fire lane signs may be required in areas that meet the following criteria:
    - a. Fire department access roadways with clear and obstructed pavement width between twenty-eight (28) feet wide and thirty-six (36) feet wide - Signs shall be posted on one (1) side only and/or per direction of the fire marshal or their designee.
    - b. Fire department access roadways with clear and obstructed pavement width less than twenty-eight (28) feet wide - Signs shall be posted on both sides and/or per direction of the fire marshal or their designee.
    - c. The owner of any property or the agent may remove or cause to be removed all obstructions or vehicles which are:
      - i. Liable to interfere with the operations of the fire/EMS department or egress of occupants in the event of a fire, health, police, or other safety emergency.
      - ii. Any vehicle parked in a fire lane may be towed immediately during an emergency by law enforcement.

(c) *Installation.* Installation of the NO PARKING FIRE LANE signs shall meet all of the following requirements:

- (1) One (1) at the beginning of the restriction (one (1) arrow pointing towards the restriction zone(s)).
- (2) One (1) at the end of the restriction (one (1) arrow pointing back into the restriction zone(s)).
- (3) One (1) at least every seventy-five (75) feet within the restricted area (double arrow pointing in each direction, to indicate the continuing restriction).
- (4) Spaced so that at least one (1) readable sign is visible in front of a parked vehicle from any point along the restriction (for curved curbs/zones and areas that may present visual obstacles).
- (5) Set at an angle of no less than thirty (30) degrees and no more than forty-five (45) degrees with the lane of traffic flow visible to approaching traffic.
- (6) When placed on a pole, post or building, approved fire lane signs shall be placed at seven (7) feet to the bottom of the sign from finished curb height.
- (7) The approved sign shall comply with the department of public works standards with an inscription stating, "NO PARKING, FIRE LANE, BY THE ORDER OF CITY OF LAUREL FIRE MARSHAL."
- (8) The fine for a "NO PARKING, FIRE LANE" violation shall be one hundred (\$100.00) dollars.
- (9) No parking fire lane signs will be required on all commercial and residential developments where the fire marshal deems it necessary for protection of life and property.

Some areas may need additional no parking fire lane signs. These areas will be reviewed and approved by the fire marshal.

#### **Sec. 18-50. Public inspection.**

A copy of the codes adopted by this subdivision shall be marked as a master copy and maintained by the chief building official.

#### **Sec. 18-51. Amendments, additions and deletions to the International Building Code (IBC), ~~2018~~ 2021 Edition.**

Any provision of the codes adopted by this subtitle shall be changed, modified, added, or omitted as set out in, and such change, amendment, addition, or deletion shall be deemed to supersede the text of these codes in any case where the provisions of this subtitle are interpreted. The IRC, as amended herein, shall govern the requirements for Use Group R3 single-family industrialized buildings (modular homes), manufactured homes (as defined by IRC), detached one- and two-family dwellings and

multiple single-family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress and accessory structures.

- (a) In addition to any requirements contained in the codes noted above, all streets shall be in place (i.e. basecoat of asphalt) prior to the issuance of any residential building permits except for models.
- (b) In addition to any requirements contained in the codes noted above, prior to granting any use and occupancy permit, all lots must be covered with sod including both front and rear yards. Grass seeding alone is not acceptable unless a "winter letter" (a letter signed by both the developer/builder and the purchaser(s) indicating that grass sod will be installed when weather permits) is submitted prior to occupancy.
- (c) Elevated parking structures regardless of whether for commercial, residential or other use shall be inspected every three (3) years by a licensed structural engineer who shall certify the safety of such structures. All elevated parking structures that have a fire department standpipe system shall be inspected and certified annually.
- (d) For all new construction, a foundation/floor elevation certificate shall be submitted by the permit holder to the department. The certificate shall indicate the finished top-of-footing elevation; the setback from all property lines; the projected finished floor elevation (including height) of all building levels covered by the permit. The elevation datum to be used shall be identical to that of the approved plans. A registered professional engineer or architect, currently authorized to practice in Maryland, shall seal the certificate.
- (e) Upon the completion of commercial construction and prior to the final inspection the permit holder may be required to submit to the chief building official a complete set of as-builts.

For all new construction, the affidavit shall be accompanied by a certification that all property corners have been field established by installing iron pipe, one-half (½) inch inside diameter, or equivalent, in accordance with the principles and practices of surveying. A registered land or property line surveyor, currently authorized to practice in the State of Maryland, shall seal the property corner certification. The affidavit shall be submitted to the chief building official prior to scheduling the final inspection.

## **Sec. 18-52. Definitions.**

The definitions contained in this section applies throughout chapter 18 and is in addition to the definitions contained in the individual articles and any document referred to therein:

*Accessory structure* means a building subordinate to, and located on the same lot with a main building, the use of which is clearly incidental to that of the main building, or to the use of the land, and which is not attached by any part of a common wall or common roof to the main building.

*Accessory use* means a use of a building, lot or portion thereof, which is customarily incidental and subordinate to the principal use of the main building or lot.

*Administrative authority* means the director, department of the fire marshal and permit services or their designees and duly authorized agents.

*Alley* means a passage or way open to public travel generally affording a secondary means of vehicular access to abutting lots and not intended for general traffic circulation.

*Alteration*, when applied to a building or structure or its service equipment, means:

- (1) A change or rearrangement in the structural parts or in the exit facilities;
- (2) A vital change in the service equipment;
- (3) An enlargement whether by extending laterally or by increasing in height;
- (4) The moving from one (1) location or position to another; or
- (5) The change in occupancy from one (1) use group to another of different legal requirements.

*Building* means a structure having one (1) or more stories, four (4) walls and a roof, designed primarily for the shelter, support, or enclosure of persons, animals, or property of any kind.

*Building foundation* means the placement of footings that will adequately and safely support all superimposed live and special loads of the building or structure for which the building permit has been issued, and that complies with all requirements of chapter 18 of the IBC.

*Chesapeake Bay Critical Area* means all waters of and lands under the Chesapeake Bay and its tributaries to the head of tide as indicated on the state wetlands maps; and all state and private wetlands designated under the Annotated Code of Maryland, Natural Resources Article, Title 9; and all land and water areas within one thousand (1,000) feet beyond the landward boundaries of state or private wetlands and heads of tides designated under the Annotated Code of Maryland, Environmental Article, Title 16, as indicated on approved Chesapeake Bay Critical Area Overlay Zoning Map Amendments.

*Cool roof rating council* means an independent, nonprofit organization that maintains the third-party rating system for radiative properties of roof surfacing materials.

*Condominium* means the ownership of single units in a multiunit structure with common elements.

*Condominium project* means a real estate condominium project; a plan or project whereby five (5) or more apartments, rooms, office spaces, or other units in any existing or proposed building or buildings are offered or proposed to be offered for sale.

*Condominium unit* means an enclosed space consisting of one (1) or more rooms occupying all or part of one (1) or more floors in buildings of one (1) or more floors or stories regardless of whether they are designed for residence, for office, for the operation

of any industry or business, for any other type of independent use, and shall include such accessory facilities as may be related thereto, such as garage space, storage space, balcony, terrace or patio, provided said unit has a direct exit to a thoroughfare or to a given common element leading to a thoroughfare.

*Demolition* means the complete razing of a building or structure.

*Demolition by neglect of historic properties* means failure to maintain property, or any component thereof, located within a designated historic district zone so as to jeopardize the historic integrity of the property.

*Director* means the director, department of the fire marshal and permit services or their designee.

*Dwelling, single unit* means a building containing not more than one (1) dwelling unit. A one-family dwelling may include an accessory apartment approved by special exception.

*Dwelling, semi-detached* means a building containing not more than two (2) dwelling units arranged one above the other or side-by-side.

*Dwelling, multifamily/multi-unit, apartment house* means a building containing three (3) or more dwelling units (an apartment building).

*Dwelling, townhouse* means one (1) of a group of three (3) or more dwelling units separated from each other by a party wall without openings extending from the cellar floor to the highest point of the roof, along the dividing lot line, and having separate front and rear or front and side entrances from the outside.

*Dwelling unit* means a building or portion thereof arranged or designed for permanent occupancy by not more than one (1) family for living purposes and having cooking facilities.

*Energy star* means the joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy designed to identify and promote energy-efficient products and practices.

*Garage, group* means an accessory building or portion of a main building designed, arranged, or used for the housing of private motor vehicles, only one (1) of which may be a commercial vehicle. Not more than fifty (50) percent of the space in such a garage shall be used for housing vehicles other than those owned by occupants of the premises; except that all of the space in a garage of one (1) or two (2) car capacity may be so rented.

*Garage, service-repair* means a building, lot or both in or upon which the business of general motor vehicle repair and service is conducted but excluding junk and/or auto wrecking business.

*Garage, storage* means a lot or portion thereof, other than an automobile sales lot, held out or used for the storage or parking of six (6) or more motor vehicles for a consideration, where service or repair facilities are not permitted. Such parking lot shall

not be considered an accessory use, nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof or junk.

*Historic building catalog* means inventory of properties that may meet the city's historic district designation criteria and that must be reviewed and approved by the historic district commission before demolition may occur.

*Hot water supply heater* means a pressure vessel directly fired by oil, gas, or electricity and which does not exceed the following limitation: two hundred thousand (200,000) British thermal units per hour (Btu/hr) input, and two hundred (200) degrees Fahrenheit temperature, and nominal water capacity of one hundred twenty (120) gallons.

*Hotel* means a building in which lodging is provided to transient guests, offered to the public for compensation and with access to units primarily from interior lobbies, courts, or halls. Related ancillary uses may include but shall not be limited to conference and meeting rooms, restaurants, bars, and recreational facilities.

*Independent power source* means a power source (such as emergency diesel, gas, battery pack units, steam or gasoline driven generators) so arranged as to provide the required electrical energy, in the event of any failure of normal power in the circuits serving areas requiring emergency circuitry, due to any failure of public utility or other outside electric power supply, or any single manual act such as accidental opening of a switch controlling normal electrical power to facilities.

*Lot, corner* means a lot abutting on two (2) or more streets at their intersections, where the interior angle of the intersection does not exceed one hundred thirty-five (135) degrees.

*Lot, interior* means any lot other than a corner lot, not including a through lot.

*Lot line, front* means the street line running along the front of the lot and separating it from the street. In a through lot, both lines abutting the street shall be deemed to be the front lot lines.

*Lot line, rear* means the lot line generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten (10) feet long or the lot comes to a point at the rear, the rear lot line is assumed to be a line not less than ten (10) feet long, lying wholly within the lot, parallel to the front lot line or, in the case of a curved front lot line, parallel to the chord of the arc of the front lot line.

*Lot line, side* means any lot line connecting the front and rear lot lines.

*Lot, through* means an interior lot fronting on two (2) or more streets that do not intersect adjacent to the lot.

*Motel* means a building or group of buildings in which lodging is provided to transient guest, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

*Occupancy* means the ownership or tenancy of a building, structure, or land.

*Onsite renewable energy system* includes, but is not limited to, photovoltaic panels, solar thermal collectors and wind systems located on or directly adjacent to the building site.

*Record lot* means the land designated as a separate and distinct parcel of land on a legally recorded subdivision plat filed among the land records of the county, but does not include land identified on any such plat as an out lot or an ownership lot shown on an ownership plat.

*Residential unit* means a single unit, providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

*SDAT* means the Maryland State Department of Assessments and Taxation.

*Setback* means the minimum perpendicular distance required between a lot line and any building or structure constructed or which may be constructed thereon, consistent with the setback requirements of the zone in which such lot is located.

*Skylight* means any window, cover or enclosure, or any combination of them, placed in a roof opening for the admission of light and/or ventilation.

*Story* means that portion of a building included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, the space between such floor and the ceiling next above it. A basement shall be counted as a story, if it is used for business or dwelling purposes. A mezzanine floor shall be counted as a story if it covers over one-third ( $\frac{1}{3}$ ) of the area of the floor next below it or if the vertical distance between the floor next below it and the floor next above it is twenty (20) feet or more.

*Story, half* means a story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

*Street* means a public dedicated way which affords the principal means of access to abutting property, including street, avenue, place, drive, boulevard, highway, road, pike, cul-de-sac, court, and any other public way except an alley or driveway.

*Street lot line* means a line defining the edge of a street right-of-way and separating the street from the abutting property or lots. If, on a master plan of streets and highways duly adopted by the planning commission, a street is scheduled for future widening, the proposed right-of-way line shown on the master plan shall be the street line.

*Structure* means a combination of materials which requires permanent location on the ground or attachment to something having permanent location on the ground.

*Structure, part thereof* means a combination of materials forming a construction for occupancy or other purposes which requires permanent location on the ground or attached to something having permanent location on the ground.

*Vegetated roof* means a layer of vegetation growing in a medium on top of a drainage layer and a synthetic, waterproof membrane on the roof of a structure.

*Volume of building* means the actual cubical space occupied by the building, including exterior walls, basements, cellars and penthouses, but not open balconies, open porches or platforms.

*Written notice, when required under the provisions of this article*, means a written notice shall be considered to have been served, if delivered in person to the owner, agent or occupant of the structure to which the order or notice relates or other person responsible for the condition of violation. Service shall be made either by personal service; by delivering the same to the subject premises or the office or usual place of abode of the person being served and leaving it with some person of suitable age and responsibility who shall be informed of the contents thereof; by mailing a copy thereof to such person by certified mail to the last known address (as shown by the property tax or assessment records of the State of Maryland) or per SDAT with return receipt requested; or if the certified mail is returned without receipt or with receipt showing that it has not been delivered, a copy of the order or notice shall be posted on the front door or address side of the structure affected by such order or notice. If service cannot be made by any of the foregoing methods, service may be made by publishing the substance of the order, violation or notice in a newspaper of general circulation in the city.

*Yard* means the undeveloped space created by the setback requirements, lying between the lot lines and any structure or building, and not occupied nor obstructed from the ground upward, except as provided in chapter 18.

*Yard, front* means the open space extending across the full width of a lot between the front lot line of the proposed front street line and nearest line of the building or any enclosed portion thereof. The depth of such front yard shall be the shortest horizontal distance between front lot line or proposed front street line and the nearest point of the building or any enclosed portion thereof.

*Yard, rear* means the open space extending across the full width of a lot between the rear line of the lot and the nearest line of the building, porch or projection thereof. The depth of such rear yard is the shortest horizontal distance between the rear lot line and the nearest point of the building. When the rear lot line is less than ten (10) feet long or if the lot comes to a point at the rear, the depth of the rear yard is measured to an assumed rear lot line, as defined under "lot line, rear."

*Yard, side* means open space between side lot line, the side street line, or the proposed side street line, if such line falls within the lot, and the nearest line of the building, porch, or projection thereof, extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front lot line or rear lot line. The width of a side yard shall be the shortest distance between the side lot line and the nearest point of the building, porch or projection thereof.

**Secs. 18-53—18-55. Reserved.**

**DIVISION 2. ENFORCEMENT, ADMINISTRATION AND TECHNICAL STANDARDS**

## **Sec. 18-56. Enforcement; violations.**

- (a) Any person who shall violate any of the provisions of article II; or shall fail to comply herewith or shall permit or maintain such a violation; or shall violate or fail to comply with any order made hereunder; or shall build in violation of any details, statements, specifications or plans submitted or approved hereunder; or shall operate not in accordance with the provisions of any certificate, permit, or approval issued hereunder; or who shall fail to comply with such an order as affirmed or modified by the department of the fire marshal and permit services or board of appeals within the time fixed therein, shall be guilty of a municipal infraction. The imposition of penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. The director, FMPS or their designee shall reserve the right to suspend all work until conformance is met. Prosecution or lack thereof of the legal owner, occupant, or the person in charge shall not be deemed to relieve any of the others.
- (b) Any order or notice issued or served as provided in article II shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the order or notice pertains. Every order or notice shall set forth a time limit for compliance dependent upon the hazard and danger created by the violation. In cases of extreme danger to persons or property immediate compliance shall be required. If the building or other premises is owned by one (1) person and occupied by another, under lease or otherwise, and the order or notice requires additions or changes in the building or premises such as would immediately become real estate and be the property of the owner of the building or premises, such order or notice shall be complied with by the owner unless the owner and occupant have otherwise agreed between themselves, in which event the occupant shall comply.

## **Sec. 18-57. International Building Code (IBC) amendments.**

The International Code Council (ICC), International Building Code (IBC), 2018-2021 Edition is amended in the following respects.

### **Sec. 18-57.1. Scope and Administration, IBC Section 101, General.**

- (a) IBC Subsection 101.2.2 is added to read as follows: "Additional Regulations." In addition, the regulations as embodied in Articles III and V of Laurel City Code Chapter 18 shall control and establish minimum requirements for grading, drainage, surface structures, erosion control of land and storm water management within the City of Laurel, Maryland (see also, Chapter 18, Articles XIII and XV of this Ordinance), and shall establish procedures by which such requirements are to be administered and enforced. Accordingly, whenever the words "buildings" or "structures," or both, appear in the IBC and elsewhere, as may be applicable, the words "premises, site, and land" are to be considered as having been added to the text of such provisions.
- (b) IBC Subsection 101.4.3 is amended to read as follows: "Plumbing." the provisions of the Washington Suburban Sanitary Commission (WSSC) known as the "WSSC

Plumbing and Gas Fitting Code" shall apply to the installation, alterations, repair, or replacement of plumbing systems including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

**Sec. 18-57.2. Scope and Administration; IBC Section 102, Applicability.**

- (a) IBC Section 102.1 is amended to read as follows: "General." Where, in any specific case, different Sections of this Code specify different materials, methods of construction, or other requirements, the most restrictive standard shall apply. In addition, where there is conflict between a general requirement and a specific requirement, the specific requirement shall apply. Minimum requirements for grading, drainage, surface structures, erosion control of land and storm water management and shall establish procedures by which such requirements are to be administered and enforced. Accordingly, whenever the words "buildings" or "structures," or both, appear in the IBC and elsewhere, as may be applicable, the words "premises, site and land" are to be considered as having been added to the text of such provisions.

**Sec. 18-57.3. Scope and Administration; IBC Section 103, Department of Building Safety.**

- (a) IBC Section 103.1 is amended to read as follows: "Building Inspection." The Department of the Fire Marshal and Permit Services. The official in charge thereof shall be designated as the Chief Building Official. The Chief Building Official shall be such person designated by the Director, Department of the Fire Marshal and Permit Services. References in this Code to the term "Chief Building Official or Building Official" shall be meant to refer to the Chief Building Official.

**Sec. 18-57.4. Scope and Administration; IBC Section 104, Duties and Powers of Chief Building Official.**

- (a) IBC Section 104.12 is added to read as follows: "Rulemaking Authority." The Chief Building Official shall have authority as necessary in the interest of public health, safety, and general welfare, to recommend and promulgate rules and regulations, with Director, FMPS approval, to interpret and implement the provisions of this Code to secure the intent thereof, and to designate requirements applicable because of local climate or other conditions. Such rules shall not have the effect of waiving the structural or fire performance requirements specifically provided for in this Code, nor shall such rules violate accepted engineering practice involving public safety.

**Sec. 18-57.5. Scope and Administration; IBC Section 105, Permits.**

- (a) IBC Section 105.2 is amended to read as follows: "Work Exempt from Permit." Notwithstanding the foregoing, except for historic sites and property designated by the local authority, located within Chesapeake Bay Critical Area Overlay Zones, permits shall not be required for the following, provided that the construction does not result in any violation of this Subtitle: a one-story detached accessory structure on one- and two-family dwelling properties accessory structure only per property;

concrete and asphalt paving of less than five hundred (500) square feet except for parking surfaces; a retaining wall not greater than two (2') feet in height; and satellite dishes not greater than two (2') feet in diameter. Permits shall not be required for installation of siding, roofing, storm doors or windows, or retrofit insulations, provided that no construction is involved. A permit is required for Fire Retardant Treated (FRT) replacement townhomes, multifamily, duplexes and single-family homes. For work within the City of Laurel Historic District, Historic District Commission approval is necessary for work to include but not limited to siding, roofing, painting, storm doors or windows.

- (b) IBC Section 105.2.2 is amended to read as follows: "Repairs." Ordinary repairs (except properties located in historic districts) shall include the replacement in kind of the following: siding, roofing, gutters, leaders and downspouts, private sidewalks, driveways, patios, awning and canopies, equipment, cabinets, slabs, handrails, window screens, storm doors and windows, recirculation range hoods, and windows.
- (c) IBC Subsection 105.2.2.1 is added to read as follows: "Repairs to all Commercial and Residential Structures." Any buildings due to lack of maintenance or structural damage due to a fire, explosion or natural causes, or undergo repairs which exceed fifty (50%) percent of the assessed value, per the Maryland State Department of Assessments and Taxation, in the opinion of the Director, FMPS an approved automatic fire sprinkler system shall be installed throughout the building as part of the scope of repairs to be completed. Computation of the cost of repairs (except for commercial properties) for purposes of this Section shall include carpeting replacement, electrical panel capacity upgrades, painting, wallpapering, lighting fixture replacements, appliance replacements, bathroom cabinetry and fixture replacements, and modifications necessary to comply with the Americans with Disabilities Act ("ADA") requirements. All repairs for which a building permit is required that are conducted within a 365-day period shall be deemed a single cumulative repair cost for purposes of the application of this Section. Renovations or additions which exceed fifty (50%) percent of gross floor area shall be sprinklered.
- (d) IBC Section 105.3.1.1 is added to read as follows: "Application Exemption." The Director, FMPS may refuse to accept an application for a permit from any applicant, as principal, who is or was in default on a previously issued permit or who is the permittee listed on an expired permit which is not currently in the process of being extended by City administrative action.
- (e) IBC Section 105.3.1.2 is added to read as follows: "By Whom Application is Made." The owner or lessee of the building or structure shall make application for a permit, or the agent of or by the licensed engineer or architect employed in connection with the proposed work. If a person other than the owner in fee makes the application, the applicant shall attest on the permit application or by separate written statement, that the owner in fee authorizes the proposed work and that the applicant is authorized to make such application. The full names and addresses of the legal owner, lessee, applicant, and the responsible officer if the legal owner or lessee is a corporate body,

shall be stated on the application. Subsequent permits will be issued in the name of the legal owner of record at time of permit issuance.

- (f) IBC Section 105.3.2 is amended to read as follows: "Time Limitation of Application." An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty (180) days after the date of filing, unless such application has been diligently pursued in good faith or a permit has been issued. Extensions of time may be authorized by the Director, FMPS. The Director, FMPS may request any documentation or certification deemed necessary and assess an extension fee as appropriate.
- (g) IBC Section 105.4.1 is added to read as follows: "Chesapeake Bay Critical Area." All processes, procedures and provision of the Chesapeake Bay Critical Area that apply to the City of Laurel shall be enforced.
- (h) IBC Section 105.5 is amended to read as follows: "Expiration." Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after the issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced. The Chief Building Official, with approval of the Director, FMPS, is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty (180) days each. The extension shall be requested in writing and justifiable cause shall be demonstrated. Any permit issued for property within the area of a pending Comprehensive Rezoning (as provided for in the City of Laurel Unified Land Development Code) that is re-zoned to a less intense zone, shall expire on its own terms upon approval of the Comprehensive Rezoning by the Department of Economic and Community Development if a completed building foundation for a use not permitted in the less intense zone has not been completed.
- (i) IBC Section 105.5.1 is added to read as follow: "Expiration of Permit and Correction of Code Violations." Any permit issued for any residential or commercial property to correct a Building Code or Housing Code violation issued pursuant to Chapter 18, Article X of this Code shall be issued only for a period of time reasonably necessary to correct the violation, not to exceed ninety (90) days. The initial period of the permit shall be established by the Chief Building Official based upon the extent of the work required to correct the violation. The permit may be extended or renewed for an additional period of one hundred eighty (180) days if, in the opinion of the Chief Building Official, the applicant has demonstrated substantial progress to complete the work in accordance with the permit and has demonstrated substantial justification for failure to complete the work within the period of the permit.

**Sec. 18-57.6. Scope and Administration; IBC Section 105, Permits; IBC Section 105.6, Suspension or Revocation.**

- (a) IBC Section 105.6 is amended to read as follows: "Suspension or Revocation." The Chief Building Official is authorized to suspend or revoke a permit issued under the

provisions of this Code as follows, or whenever the permit is issued in error, incorrectly, inaccurately, in an incomplete manner, or in violation of any ordinance, regulation or any of the provisions of this Code. In addition, the failure to have utility lines located on site inspected through the Utility Service Protection Center ("Miss Utility") and any non-member utilities prior to starting any excavation will result in permit revocation. Property owner must verify location of utilities on their property prior to any work or excavation.

- (b) A permit under which no work is commenced within one hundred eighty (180) days after issuance shall expire and become null and void; provided, however, that the Chief Building Official may extend the time herein not to exceed an additional one hundred eighty (180) days upon sufficient justification shown.
- (c) A permit under which no work has been started and is later suspended or discontinued shall expire and become null and void six (6) months after the work has stopped. Work will be considered suspended or discontinued when the builder fails to proceed with the work so as to ensure the completion within a reasonable period of time considering the type of construction involved. The Chief Building Official may extend the time herein not to exceed an additional twelve (12) months upon sufficient justification shown.
- (d) A permit issued in error, or not in compliance with the Laurel City Code at the time of issuance, may be suspended by the Chief Building Official.

**Sec. 18-57.7. Scope and Administration; IBC Section 107, Construction Documents.**

- (a) IBC Subsection 107.2.1.1 is added to read as follows: "Location of Underground Utility Lines prior to Commencement of Work." For all work that requires excavation, the permit holder (permittee) accepting the permit agrees to contact the Utility Service Protection Center, "Miss Utility," and non-member utility companies, as known, in due time and prior to beginning any excavation work for the purpose of having each utility company locate its lines on site. Property owner must verify location of utilities on their property prior to excavation. In the event that the permittee fails to obtain the services of the utilities, then in such event, and irrespective of whether or not a utility line is ruptured, the Chief Building Official may revoke the building or grading permit, or both. In such event, all fees paid to the City shall be forfeited and, in order to continue work, a new application with requisite fee for a permit shall be filed. Drawings shall be re-examined to determine that all utilities have been located and verified by the utility companies having knowledge of the location of such underground utilities. However, in the event any or all of the respective utility companies fail to furnish the requisite information to the permittee within a reasonable period of time as determined by the Chief Building Official under all of the circumstances, then, in such event, the foregoing revocation provisions shall not apply.

**Sec. 18-57.8. Scope and Administration; IBC Section 111, Certificate of Occupancy.**

- (a) Nothing herein shall be construed to relieve a builder or seller of a dwelling unit from any responsibility for correction of Building Code violations which were caused, created, or constructed by the builder or seller, and the transfer of title to the property to a subsequent owner shall not relieve the builder or seller of the responsibility for making such corrections.
- (b) IBC Subsection 111.1.2. is added to read as follows "Issuance of Certificates of Use and Occupancy." No certificate of use and occupancy for any building or structure, erected, altered, repaired, changed to a different use group, or transferred to a new owner or occupant shall be issued unless such building or structure was erected, altered, or repaired and is otherwise in compliance with the provisions of this Division and other provisions of State or local laws, ordinances, and regulations.
- (c) IBC Subsection 111.2.1 is added to read as follows: "Change of Use Group, Owner or Tenant." No change in use group, owner, or tenant of a building, structure, or land shall be permitted, wholly or in part, until a new use and occupancy permit has been issued by the Chief Building Official certifying compliance with applicable parts of this Code and other applicable State, County, City or local laws, ordinances, and regulations. This provision shall not apply to a change of owner or tenant for R-3.
- (d) IBC Subsection 111.2.2 is added to read as follows: "Uninhabitable Buildings." When the Director, FMPS has determined that a building is unfit for human habitation pursuant to Chapter 18 Article X of the City Code and the building has remained unoccupied for a subsequent period of ninety (90) days, the Director, FMPS shall revoke the Certificate of Use and Occupancy, or if no certificate had been issued, the Director shall revoke authorization for the building to be occupied and require that a Certificate of Use and Occupancy be obtained prior to any occupancy of the dwelling. The notice of revocation shall specify the violations of Subtitle IV and the corrective action required for each violation. Within ninety (90) days after the date of the revocation of the Certificate of Use and Occupancy, the legal owner of the building shall apply for a Building Permit to correct the violations. The application for a Building Permit shall include a rehabilitation plan, which identifies all of the work required to be performed and a schedule for performing the work. The permit shall be issued for a period of ninety (90) days and may be renewed once for another ninety (90) day period if, in the opinion of the Director, FMPS, the applicant has demonstrated substantial progress in accordance with the rehabilitation plan and has demonstrated substantial justification for failure to complete the work in accordance with the rehabilitation plan. If the owner of the building does not submit a rehabilitation plan within ninety (90) days after the date that the Certificate of Use and Occupancy was revoked, or if the owner of the building fails to complete the work required to be performed by the rehabilitation plan prior to the expiration of the Building Permit, including any renewal period, the dwelling [building] shall be considered abandoned

and the Director, FMPS shall cause the building to be demolished in accordance with the provisions of Chapter 18 Article X of this Code.

**Sec. 18-57.9. Scope and Administration; IBC Section 114; Violations.**

- (a) IBC Section 114.4 is amended to read as follows: "Violation Penalties." Any person, firm, association, partnership, or corporation, or combination thereof, who shall violate a provision of the IBC, or of this Code, or fails to comply with any of the requirements thereof including, but not limited to work without the required permit, violates a lawful order issued there under, or any person who shall erect, construct, alter, or repair a building or structure in violation of an approved plan or directive of the Chief Building Official, or of a permit or certificate issued under the provisions of the IBC, shall be guilty of a misdemeanor punishable by a fine of not less than five hundred dollars (\$500.00) but not more than one thousand dollars (\$1,000.00) if the violation persists or by imprisonment for six (6) months, or both.

**Sec. 18-57.10. Scope and Administration; IBC Section 115, Stop Work Order.**

- (a) IBC Section 115.3 ~~4~~ is amended to read as follows: "Unlawful Continuance." Any person, firm, association, partnership, or corporation, or combination thereof, who shall continue work in violation of the provisions of a "Stop Work Order," or shall remove or cause to be removed a "Stop Work Order" sign still in effect and operation, shall be guilty of a misdemeanor, punishable by a fine of not less than five hundred dollars (\$500.00) but not more than one thousand dollars (\$1,000.00) if the unlawful work continues, or imprisonment for six (6) months, or both.

**Sec. 18-57.11. Scope and Administration; IBC Section 116, Unsafe Structures and Equipment.**

- (a) IBC Section 116.3 is amended to read as follows: If an unsafe condition is found in a building or structure, the Chief Building Official shall serve on the owner, agent, or person in control of the building or structure a written notice describing the building or structure deemed unsafe and specifying the required repairs or improvements to be made to render the building or structure safe and secure, or requiring the unsafe building or structure, or portion thereof, to be demolished within a stipulated time. Required permits must be applied for within 30-days of written notice and repaired, secured or demolished within sixty (60) days from issuance of permits. Such notice shall require the person thus notified to immediately declare to the Chief Building Official his acceptance or rejection of the terms of the order. Once a building or structure is deemed unsafe, the building or structure shall be posted with an unsafe placard which can only be removed by the Chief Building Official or his or her designee. In the event a building is deemed unsafe, the Director, FMPS and the Department of Public Works shall be notified immediately.
- (b) IBC Subsection 116.3.1 is added to read as follows: "Notice Involving Historic Buildings". If a building or structure found to be unsafe by the Chief Building Official

is within a Historic District, a copy of the notice shall also be sent to the Historic District Commission and demolition shall not be authorized without approval of the Historical District Commission, except when an emergency situation exists where there is actual and immediate danger of collapse or failure of the building or structure, or any part thereof, which would endanger human life.

- (c) IBC Section 116.6 is added to read as follows: "Disregard of Unsafe Notice." On the failure of a person served with an unsafe notice to comply with the requirements of the notice, the Chief Building Official may refer the case to the Director, FMPS for appropriate action to correct the violation, including repair or demolition at the expense of the owner and the cost of such actions shall constitute a lien on the land and improvements. The lien may be enforced by sale of the property in the same manner as City real property taxes and shall have the same priority rights and bear the same interest and penalties as City real property taxes."

**Sec. 18-57.12. Scope and Administration; IBC Section 117, Emergency Measures.**

- (a) IBC Subsection 117.1 is added to read as follows: "Imminent Danger." When, in the opinion of the Chief Building Official, there is imminent danger of failure or collapse of a building or structure or any part thereof which endangers life or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the Chief Building Official is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The Chief Building Official shall cause to be posted at each entrance to such structure, a NOTICE reading as follows: "This structure is unsafe and its occupancy has been prohibited by the Chief Building Official." It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or of demolishing the same. City of Laurel permits shall be required prior to work commencing.
- (b) IBC Section 117.2 is added to read as follows: "Abatement of Uncompleted Structures." In the event the responsible party fails to complete construction of a structure at the time of expiration, abandonment, or revocation of the Building Permit, the Chief Building Official shall take the appropriate emergency steps to abate the unsafe conditions by appropriate means, including demolition and removal of dangerous structures, using such public or private resources as needed.
- (c) IBC Section 117.3 is added to read as follows: "Temporary Safeguards." When, the Chief Building Official, determines that an imminent danger condition exists (Section 117.1) they can require that emergency actions be taken to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted. All necessary emergency abatement work will be completed in a workmanlike manner as instructed by the Chief Building Official. After the temporary emergency abated work has been inspected and approved by the Chief Building Official, the legal owner will be notified that the temporary safeguard measures have been completed and that the legal owner is required to restore the structure to a safe

condition within thirty (30) days. If the structure is not returned to a safe condition within thirty (30) days, the owner shall be fined one thousand dollars (\$1,000.00) for each month or portion thereof that the structure is not restored and that the violation continues. For damage to the building as a result of a storm or fire, the Chief Building Official may exercise discretion to extend the initial thirty (30) day period without assessing a fine where the owner and insurer are promptly and actively undertaking repairs to the building.

- (d) IBC Section 117.4 is added to read as follows: "Emergency Repairs." For the purpose of this Section, the legal owner or agent is responsible for completing the necessary labor and materials needed to perform the required work as expeditiously as possible.
- (e) IBC Section 117.5 is added to read as follows: "Costs of Emergency Work." The legal owner or agent is responsible for all costs incurred in the performance of emergency work. If the City performs any emergency work to mitigate any dangerous and/or unsafe condition, all costs associated with this action shall be borne by the legal owner or agent. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe condition was located for recovery of such costs, including, but not limited to, certification for a tax lien as provided by Section 117.9, "Creation of a Tax Lien."
- (f) IBC Section 117.6 is added to read as follows: "Unsafe Equipment." Equipment deemed unsafe by the Chief Building Official, their designee or local utility company shall not be operated after the date stated in the NOTICE unless the required repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the Chief Building Official in writing.
- (g) IBC Section 117.7 is added to read as follows: "Authority to Seal Equipment." In the case of an emergency, the Chief Building Official or their designee shall have the authority to seal out of service immediately any unsafe device or equipment regulated by this Code.
- (h) IBC Section 117.8 is added to read as follows: "Unlawful to Remove Seal." Any device or equipment sealed out of service by the Chief Building Official or their designee shall be plainly identified in an approved manner. The identification shall not be tampered with, defaced or removed except by the Chief Building Official or their designee and shall indicate the reason for such sealing.
- (i) IBC Section 117.9 is added to read as follows: "Creation of a Tax Lien." The City has the authority to create a tax lien on real property for monies expended by the City for the making safe of buildings or structures and/or abatement of other unsafe nuisances or conditions constituting a danger to the public health and safety. Upon certification from the City Solicitor that a tax lien has been created, the amount of such lien shall be collected by the Director of Budget and Personnel Services in the same manner as other City real estate taxes.

**Sec. 18-57.13. Scope and Administration; IBC Section 118, Means of Appeals.**

- (a) IBC Section 113.1 is added to read as follows: "Application for Appeal." The owner or occupant of a building or structure or any directly aggrieved person may appeal to the Director, Department of the Fire Marshal and Permit Services from a final decision of the Chief Building Official. Application for appeal may be made when it is claimed that the true intent of the IBC or of this Subtitle has been incorrectly interpreted or applied. Notice of such appeal shall be in writing and filed within seven (7) days after the decision is rendered by the Chief Building Official. The Chief Building Official may limit the time for such appeal to a shorter period in the case of a structure or dwelling unit which is unsafe or dangerous, or where inadequate sediment control measures exist and sediment is leaving a site, and in any other situation where immediate corrective action is necessary. All appeals shall be in accordance with City policies (Refer to Chapter 18, Article I, Division 2, Section 18-20).

**Sec. 18-57.14. Use and Occupancy Classification; IBC Section 302, Classification.**

- (a) IBC Section 302.1 is amended to read as follows: "General." Structures, or portions of structures, shall be classified with respect to occupancy in one or more of the groups listed below. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied. Structures with multiple uses shall be classified according to IBC Section 508, "Mixed Use and Occupancy." Where a structure is proposed for a purpose, which is not specifically provided for in this Code, such structure shall be classified in the group, which the occupancy most nearly resembles according to the fire safety and relative hazard involved.
- (1) Assembly (see IBC Section 303): Groups A-1, A-2, A-3, A-4 and A-5;
  - (2) Business (see IBC Section 304): Group B;
  - (3) Educational (see IBC Section 305): Group E;
  - (4) Factory and Industrial (see IBC Section 306): Groups F-1 and F-2;
  - (5) High Hazard (see IBC Section 307): Groups H-1, H-2, H-3, H-4, and H-5;
  - (6) Institutional (see IBC Section 308): Groups I-1, I-2, I-3, and I-4;
  - (7) Mercantile (see IBC Section 309): Group M;
  - (8) Residential (see IBC Section 310): Groups R-1, R-2, R-4 as applicable in Section 101.2, and R-3;
  - (9) Storage (see IBC Section 311): Groups S-1 and S-2;
  - (10) Utility and Miscellaneous (see IBC Section 312): Group U;

- (b) IBC Section 302.2 is added to read as follows: "Other Provisions." Where a type of occupancy, system or use is not specifically governed by this Code, the Chief Building Official or Director, Department of the Fire Marshal and Permit Services may use a recognized standard, which addresses the occupancy, system or use adequately.

**Sec. 18-57.15. Special Detailed Requirements Based on Use and Occupancy; IBC Section 403.2-1, High-Rise Buildings.**

- (a) Public way means a paved thoroughfare at least twenty (20') feet in width which is located on privately owned, privately maintained property but is designated for public use or which is publicly owned and maintained and which must be kept accessible at all times to the local Fire Department. This public way shall not be farther from the building than will allow the Fire Department aerial equipment to reach seventy-five (75') feet in height.
- (b) IBC Section 403.4.5 is amended to read as follows: "Emergency Responder Radio Coverage."
- (1) General. The provisions of this Section shall apply to; (i) all newly constructed below ground floors of a building; (ii) all floors in buildings greater than 25,000 sq. ft. per floor, and (iii) all floors of Type I and II constructed buildings greater than three (3) stories in height.
- (2) Exception: The requirements of this Section shall not apply to areas within a single family residential dwelling unit.
- (3) Where Required. Every floor area in a building or structure which cannot achieve the required level of radio coverage using the latest standards, as established and amended from time to time by the City of Laurel's Department of Information Technology shall be provided with in-building signal amplification system.

**Sec. 18-57.16. Reserved.**

**Sec. 18-57.17. Fire Protection Systems; IBC Section 901, General.**

- (a) IBC Section 901.2.1 is added to read as follows: "Fire Protection System Shop Drawings." Construction documents or shop drawings, or both, for the installation of all fire protection systems shall be submitted to indicate conformance with this Code and shall be reviewed by the Fire Marshal or their designee prior to the issuance of a Building Permit. Exception: Plans are not required for automatic sprinkler system modifications or installations in commercial buildings involving ten (10) sprinkler heads or less, and not involving the shifting of any cross mains or risers. A permit shall still be required.
- (b) IBC Section 901.2.2 is added to read as follows: "Review Assumptions." The operational assumption during the review and inspection of all fire suppression systems shall be as follows:

- (1) Total area protection: All areas shall be protected, including, but not limited to attics, bathrooms, closets, combustible concealed spaces, loading docks, and open areas beneath the projection of the structure footprint, planned for storage or vehicle traffic; unless specifically noted, and supported by a Section of this Code on the shop drawings submitted for review.
- (2) Conditioned space: All areas through which any portion of a fire suppression system passes shall be provided with an ambient temperature of no less than forty (40°) degrees Fahrenheit unless specifically noted on the plans submitted for review.

**Sec. 18-57.18. Fire Protection Systems; IBC Section 903, Automatic Sprinkler Systems.**

- (a) IBC Section 903.1 is amended to read as follows: "General." Approved automatic sprinkler systems in new buildings and structures shall be provided.
- (b) IBC Section 903.2.1 is amended to read as follows: "Group A." An automatic sprinkler system shall be provided throughout buildings and portions thereof.
- (c) IBC Section 903.2.8 is amended to read as follows: "Group R." An automatic sprinkler system shall be provided throughout buildings with a Group R fire area. The following reductions in construction requirements are permitted when a building of use Group R is fully sprinklered and is not over four (4) stories above grade on any side of the building:
  - (1) Attic sprinklers may be omitted provided that the ceiling of the top level is of five-eighths (5/8") inches Fire Code type gypsum board and the attic is draft stopped at each two (2) units maximum and all ceiling ductwork penetrations are provided with Underwriters Laboratory (U.L.) listed ceiling dampers;
  - (2) Balconies of apartments may be of combustible construction, provided the balconies are sprinklered;
  - (3) Balcony soffit vents in unsprinklered attics are permitted.
  - ~~(4) Escape windows from sleeping rooms/bedrooms shall be required. Such windows shall meet the requirements of International Residential Code (IRC) Section 310.1 herein.~~
  - (4) Trusses are not required to be provided with a fire resistive ceiling membrane but must contain steel gusset plates.
  - (5) Fire rated separations may be reduced from two (2) hours to one (1) hour rating and may be constructed with combustible framing. The one (1) hour rated fire separation wall does not have to withstand collapse of construction on either side under fire conditions.

- (6) Basement/cellars must contain a door or escape window meeting requirements of IRC Section 310.1.
- (d) IBC Section 903.2.9 is amended to read as follows: "Group S-1." An automatic sprinkler system shall be provided throughout buildings.
- (e) IBC Section 903.6 is added to read as follows: "Thermal Protection." Heat tracing tape shall not be an acceptable means of thermal protection for any portion of a fire suppression system.
- (f) IBC Section 903.7.2 is added to read as follows: "Mechanical Protection." All piping comprising any portion of a fire protection system shall be protected against reasonable mechanical vehicular damage. Such protection shall also be installed for gas meters, electrical meters and disconnects, propane cylinder storage and other areas as designated by the Fire Marshal or Chief Building Official.

**Sec. 18-57.19. Fire Protection Systems; IBC Section 912, Fire Department Connections.**

- (a) IBC Section 912.0 is added to read as follows: "Fire Department Connections." The Fire Department connection must be located on the front, address side of the building and be visible from a fire hydrant or as approved by the Fire Marshal or Chief Building Official. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a residual pressure of twenty (20) psi.
- (b) IBC Section 912.2.3 is added to read as follows: "Fire Hydrant Protection Systems." When a fire hydrant is considered to be vulnerable to vehicular traffic by the Fire Marshal or Chief Building Official, a protective system shall be installed to prevent any damage. The system can be composed of bollards or another accepted physical barriers capable of impact without causing damage to the fire hydrant.

**Sec. 18-57.20. Fire Protection Systems; IBC Section 1014, Handrails.**

- (a) IBC Section 1014.7 is amended to read as follows: "Clearance." Clear space between a handrail and a wall or other surface shall not be less than 2-1/4" inches (38 mm). A handrail and a wall or other surface adjacent to the handrail shall be free of any sharp or abrasive elements.

**Sec. 18-57.21. Accessibility; IBC Chapter 11, Accessibility.**

- (a) IBC Chapter 11 relating to accessibility is hereby replaced with the Maryland Accessibility Code set forth in the Annotated Code of Maryland, Public Safety Article, Section 12.50.
- (b) The following provisions shall supplement the Maryland Accessibility Code. Swimming pool access: All public swimming pools shall have an approved lift with a

capacity of not less than three hundred (300) pounds for ingress to and egress from the pool or a suitable system of ramps which would readily and safely accomplish the same purpose. Exit-way ramps shall have a width of not less than five (5') feet. Exception: When exit-way ramps are constructed for R-3 and one and two-family dwellings, they shall comply with IRC R311.8.

**Sec. 18-57.22. Roof Assemblies and Rooftop Structures; IBC Section 1503, Weather Protection.**

- (a) IBC Section 1503.4.3 is amended to read as follows: "Gutters and Downspouts." Unless constructed with parapet walls and coping, all exterior walls shall be provided with gutters and downspouts or leaders to dispose of roof drainage. Gravity fed downspouts cannot shed water onto adjacent property or public rights-of-way. Downspout water from either commercial or residential properties must drain on to the owner's property and shall not be day lighted or allowed to drain within three (3') feet of the public right-of-way.

**Sec. 18-57.23. Snow Load Design; IBC Section 1608, Snow Loads.**

- (a) IBC Section 1608.2 is amended to read as follows: "Ground Snow Loads." Design ground snow loads shall not be less than ~~30~~35 pounds per square foot.

**Sec. 18-57.24. Window Well Drains; IBC Section 1805, Dampproofing and Waterproofing.**

- (a) IBC Section 1805.4.3.1 is added to read as follows: Window well areaways shall have drains. Window well areaways ten (10) square feet or less may discharge to the subsoil drain through a four (4") inch minimum diameter pipe."

**Sec. 18-57.25. Soil and Foundations; IBC Section 1809, Shallow Foundations.**

- (a) IBC Section 1809.5 is amended to read as follows: "Frost Protection." Except when erected upon solid rock or otherwise protected from frost, foundation walls, piers, and other permanent supports of all buildings and structures shall extend thirty (30") inches below finished grade. Spread footings of adequate size shall be provided when necessary to properly distribute the load within the allowable bearing value of the soil, or such structures shall be supported on piles when solid earth to rock is not available. Footings shall not be founded on frozen soils unless such frozen condition is of a permanent character.
- (b) IBC Section 1809.9.3 is added to read as follows: "Foundation Drainage." Where required, foundation drains shall be constructed to provide an outlet for the surface discharge to a storm drainage facility, surface outlet or other approved outfall; such outfall shall be approved by the City and/or Prince George's County and may not be directed at adjoining property or rights-of-way. In no case shall such discharge pipe be connected to a public sanitary sewer or septic system.

**Sec. 18-57.26. Electrical; IBC Section 2701, General.**

- (a) IBC Section 2701.1 is amended to read as follows: "Scope." IBC Chapter 27 governs the electrical components, equipment and systems used in buildings and structures covered by this Code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the National Electrical Code (NEC), as adopted and amended by this Chapter 18.

**Secs. 18-57.27—18-57.30. Reserved.**

**Sec. 18-57.31. Plumbing Systems; IBC Section 2901, General.**

- (a) IBC Section 2901.1 is amended to read as follows: "Scope." The provisions of the Laurel City Code, Chapter 18 and the plumbing and gas fitting regulations adopted by the Washington Suburban Sanitary Commission known as the WSSC Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems.

**Sec. 18-57.32. Elevators and Conveying Systems; IBC Section 3001, General.**

- (a) IBC Section 3001.3 is amended to read as follows: "Referenced Standards." Except as otherwise provided for in this Code, the design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall conform to the State of Maryland Elevator Code, ANSI A17.1, Safety Code for Elevators and Escalators, Public Safety Article, Annotated Code of Maryland Title 12, Subtitle 8.

**Sec. 18-57.33. Special Construction; IBC Section 3103, Temporary Structures.**

- (a) Section 3103.5 is added to read as follows "Inspection" An inspection shall be conducted by the Fire Marshal or their designee and an inspection sticker retained on the premises on which the tent or air-supported structure is located: All tents shall be labeled fire resistant as per National Fire Protection Association (NFPA) Standard 701.

**Sec. 18-57.34. Safeguards During Construction; IBC Section 3303, Demolition.**

- (a) IBC Section 3303.8 is hereby added to read as follows: "Restoration of Lot." Restoration shall meet the minimum requirements of grading, drainage, sediment and erosion control and stormwater management as specified in the City Codes and/or Prince George's County Codes.

**Sec. 18-57.35. Safeguards During Construction; IBC Section 3304, Site Work.**

- (a) IBC Section 3304.1.5 is added to read as follows: "Fences." Whenever an excavation is made to a depth of three (3') feet or more, the owner of the premises or the one causing such excavation when it is determined that such excavation would be a

hazard, shall erect a fence or other barricade as required by the Chief Building Official.

- (b) IBC Section 3304.1.6 is added to read as follows: "Minimum Requirements." Whenever the requirements of this Section for any category of site work conflict with the minimum requirements of the grading, drainage, sediment, and erosion control and storm water management as specified in the City Code and/or Prince George's County Codes the more restrictive requirement shall apply.

**Sec. 18-57.36. Safeguards During Construction; IBC Section 3307, Protection of Adjoining Property.**

- (a) IBC Section 3307.3 is added to read as follows: "Restoration of Lot." Where a structure has been demolished or removed and a building permit has not been approved, the vacant lot shall be filled, graded, and maintained in conformity to the established elevation of the street grade at curb level nearest to the point of demolition or excavation. Provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property. Such restoration shall meet the minimum requirements of the grading, drainage, sediment and erosion control, and storm water management as specified in the City Codes and/or Prince George's County Codes.

**Sec. 18-57.37. Temporary Use of Streets, Alleys, and Public Property; IBC Section 3308.**

- (a) IBC Section 3308.3 is added to read as follows: "Accessibility for Emergency Vehicles During Construction Operations." At the beginning of construction operations and during construction, the contractor shall provide and maintain at all times a minimum twenty (20') foot wide vehicular access roadway that will allow unimpeded access by fire and emergency rescue vehicles from the improved street to within two hundred (200') feet of the most remote building under construction on the site. The vehicular access roadway surface shall be of a compacted material of stone, blacktop or other suitable material to support a twenty (20) ton vehicle under all weather conditions.

**Sec. 18-57.38. Safeguards During Construction; IBC Section 3315, Subsurface Inspections.**

- (a) IBC Section 3315 is added to read as follows: "Subsurface Inspections." Prior to the issuance of any building permit for any commercial/industrial property and for any residential property where there have been problems locating utilities in the past, the applicant shall submit a subsurface inspection report including field tests which accurately locate all utilities on the site including the depth of such utilities and a plan to protect such utilities during development or redevelopment. Such report must be acceptable to the Chief Building Official.

**Secs. 18-58—18-60. Reserved.**

### **ARTICLE III. FIRE AND LIFE SAFETY**

#### **Sec. 18-61. Fire and Life Safety Code—Adoption by reference.**

The State of Maryland Fire Prevention Code, ~~2018~~ 2021 Edition is hereby adopted and incorporated herein as the Fire and Life Safety Code of the City of Laurel, except as otherwise hereinafter provided in City Code [chapter 18], article III. In the event of conflict between the state laws and City of Laurel Code (City Code), the more restrictive law shall be applied.

#### **Sec. 18-62. Amendments and supplementation.**

- (a) The words as used in this section shall be deemed to mean the fire marshal for the City of Laurel, or such person(s) designated by the mayor to act in the place of the fire marshal. Any reference in any applicable building code, property maintenance code, housing or similar code adopted by or applying within the city, which refers to the "fire marshal" or "fire official" shall mean the fire marshal for the City of Laurel or their designee.
- (b) The words "board of appeals" as they are used in the city fire and life safety code shall be deemed to mean the City of Laurel Board of Appeals or the State of Maryland Fire Prevention Commission.
- (c) Whenever the City Code imposes a penalty for the violation of the provisions of article III, the maximum penalty shall be as provided below:
  - (1) *Criminal violations.* A fine not exceeding five hundred (\$500.00) dollars or imprisonment for up to ninety (90) days, or both fine and imprisonment.
  - (2) *Municipal infraction.* A penalty not exceeding one thousand (\$1,000.00) dollars for each infraction, as provided in the City Code.
- (d) Each day that a violation continues shall constitute a separate and independent violation and offense, if determined by the fire marshal or director, department of the fire marshal and permit services.

#### **Sec. 18-63. Fees.**

The director, ~~d~~Department of the ~~f~~Fire ~~m~~Marshal and ~~p~~Permit ~~s~~Services, with the mayor's approval, shall administratively set all fees for inspections, review of plans for new construction, and the like.

#### **Sec. 18-64. Certificate of fire inspections.**

All buildings and structures or portions of buildings and structures occupied by different uses, except single/multifamily private residential units, shall be required to obtain and display a certificate of fire inspection. Such certificate shall be issued only after satisfactory inspections by the fire marshal or designee. The director ~~d~~Department of the

~~f~~Fire ~~m~~Marshal and ~~p~~Permit ~~s~~Services, with the mayor's approval, shall administratively set fees for inspections and the certificate. Certificates shall be renewed in accordance with a schedule to be created by the fire marshal or their designee.

**Sec. 18-65. City fire marshal; creation, powers and duties.**

- (a) *Creation.* There is hereby created within the City of Laurel, Maryland, ~~d~~Department of the ~~f~~Fire ~~m~~Marshal and ~~p~~Permit ~~s~~Services (FMPS), the position of fire marshal. The director, FMPS, shall appoint the fire marshal. Additionally, the director, ~~d~~Department of the ~~f~~Fire ~~m~~Marshal and ~~p~~Permit ~~s~~Services may also hold the dual position as fire marshal. The fire marshal may be an unclassified employee who shall meet or exceed the qualifications as listed for the position within the city's ~~d~~Department of ~~b~~Budget and ~~p~~Personnel ~~s~~Services approved job description.
- (b) *Duties.* The fire marshal shall be responsible for the enforcement and administration of the provisions of the city fire and life safety code (City of Laurel Code, chapter 18, article III), except that investigation of fires, explosions or incidents involving the combustion or activity of hazardous chemicals or materials shall be carried out by the Prince George's County Fire/EMS Department.
- (c) *Powers.* The fire marshal is empowered to administer the provisions of the city fire and life safety code (Laurel City Code, chapter 18, article III) and perform such other duties as may be set forth in other sections of the city Code, and as may be conferred and imposed from time to time by law, regulation or directive of the director, FMPS and/or city officials. The fire marshal shall also be empowered to exercise the following duties within the jurisdiction of the city:
  - (1) Those duties set forth in the State of Maryland Fire Prevention Code; and
  - (2) The review and approval of plans for buildings, structures and the storage of hazardous or combustible chemicals, petroleum products or other such materials for conformance with the city fire and life safety code; and
  - (3) Issue permits authorized or required under the city fire and life safety code; and
  - (4) Inspect all buildings and structures, except lawful single-family private residential dwelling units, and all storage sites and facilities containing substantial quantities of hazardous or combustible materials for the purpose of ascertaining and causing to be corrected any condition reasonably believed to cause fire or explosion, contribute to the spread of fire, interfere with firefighting operations, endanger life or property, or violate the provisions of the city fire and life safety code or any other law, ordinance or regulation involving fire safety or fire prevention; and inspections shall be made pursuant to a schedule to be provided by the fire marshal and certificates of fire inspection shall be issued to properties that pass the inspection. All properties shall have a certificate of fire inspection, which shall be prominently displayed on premises.
  - (5) Issue warnings, orders, decisions and directives relating to the enforcement of the provisions of the city fire and life safety code; issuance or revocation of any

permit issued under the city fire and life safety code; evacuations as hereinafter provided; and, the unlawful continuance of any unsafe condition or activity in violation of the city fire and life safety code; and,

- (6) Issue municipal infraction citations pursuant to the city Code or such misdemeanor violations pursuant to the city Code. In addition, the fire marshal may seek additional legal and equitable remedies.
- (7) Inspect all nonresidential properties and issue a certificate of fire inspection to each property that passes such inspection and a notice of violation with corrective order to those who do not.
- (8) Notwithstanding the above, the director, FMPS may contract out with a fire protection expert for reviewing plans, conducting inspections, and recommending fire code changes.

#### **Sec. 18-66. Revocation of permits.**

The fire marshal, upon reasonable notice to a permittee, is hereby authorized to suspend or revoke any permit issued under the city fire and life safety code whenever in his/her judgment any violation of the conditions of the permit or violation of the provisions of the city fire and life safety code exists, or a hazardous or unsafe condition arises beyond the scope of the permit, or affecting a permit condition. Any person may appeal an action of the fire marshal to the director, FMPS and then to the city board of appeals or the State of Maryland Fire Prevention Commission, however, the permit holder shall comply with the suspension or revocation order, while awaiting the appeal process to be completed. The city board of appeals may refer appeals to the State of Maryland Fire Prevention Commission if the board finds that the issues involved in the appeal are more appropriate for the commission.

#### **Sec. 18-67. Evacuation.**

When, in the opinion of the fire marshal or their designee, there is actual and/or potential danger to the occupants or those in the proximity of any building, structure or premises because of any violation of the city fire and life safety code constituting a dangerous or hazardous condition, the fire marshal or their designee may order the immediate evacuation of said building, structure or premises. All of the occupants so notified shall immediately leave the building, structure or premises, and persons shall not enter or re-enter until authorized to do so by the fire marshal or designee. The fire marshal or their designee shall order such dangerous conditions and materials removed or remedied. Buildings or premises deemed dangerous or unsafe by the fire marshal or their designee for fire and life safety code violations or the presence of dangerous or hazardous conditions may be reopened for use by the fire marshal or their designee after inspection of the said building and a determination as to the safety and habitability of the building or premises.

### **Sec. 18-68. Unlawful continuance.**

Any person who shall refuse to leave, interfere with the evacuation of other occupants, or continue any operation after having been given an evacuation order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a municipal infraction, and shall be subject to a fine as provided in subsection 18-62(c).

### **Sec. 18-69. Smoke—Carbon monoxide detector.**

- (a) A combination smoke/carbon monoxide detector is required in all new dwellings constructed within the city for which a building permit is issued if the residence has any fossil fuel appliances or an attached garage.
- (b) A combination smoke/carbon monoxide detector is required in all existing residential dwelling units if the residence has any fossil fuel appliances or an attached garage.
- (c) A smoke alarm shall be placed in a central location on each level and in each sleeping room/bedroom within the dwelling unit for new and existing buildings.
- (d) All new or replaced smoke alarms shall be sealed, tamper resistant units incorporating a silence/hush button and using long-life sealed ten-year batteries.

### **Secs. 18-70—18-75. Reserved.**

## **ARTICLE IV. FIRE ALARMS**

### **Sec. 18-76. Fire alarms.**

- (a) *Definitions.* For the purposes of this section, the following words, terms and phrases shall have the meaning given herein:
  - (1) Alarm user means the person who has primary control over any nonresidential premises in which a burglar, holdup or fire alarm is installed, or the person who contracts for such alarm service.
  - (2) Automatic dialing device means any device, which is interconnected to a telephone line and is programmed to select a predetermined telephone number, and then transmit a prerecorded voice or code message signaling the existence of entry or activity at the protected premises.
  - (3) Fire alarm means an assembly of equipment and devices (or a single device such as a solid state unit which plugs directly into a 110-volt AC line) arranged to signal the response of a hazard requiring urgent attention and to which police or fire units are normally expected to respond. Fire alarms include "automatic fire alarm systems," "fire alarm systems," and "manual fire alarm systems."
  - (4) Central station means a commercial company whose primary business is monitoring alarm signals and performing contracted services for alarm users.

- (5) Connecting wiring means conductors in a fire alarm system used to interconnect protective units with each other and the control unit.
- (6) Direct connection (hard-wired) means an alarm system, either silent or audible, that transmits an alarm signal via interconnecting wires to a remote location dedicated to that purpose.
- (7) False alarm means any request for immediate fire department assistance, which is not in response to an actual fire. False alarms include, but are not limited to the following: negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning, or improperly installed or maintained equipment; or signals which are purposely activated to summon fire fighters/emergency responders in nonemergency situations. False alarms shall not include signals for which the actual cause cannot be determined, such as those activated by unusually severe weather conditions or other causes, which are beyond the control of the alarm or alarm business. If there is any doubt as to the cause of the alarm signal, such doubt shall be resolved in favor of the alarm user. For purposes of this subsection, false alarms shall only apply to those alarm systems for which a license is required pursuant to this section.
- (8) Foil means an alarm system that sounds audibly at the protected premises.
- (9) Knox Box means a small, wall-mounted safe that holds building keys for fire departments, emergency medical services, and sometimes police to retrieve in emergency situations. The Knox Box shall be mounted on the address side of the building no higher than five (5) feet from the ground.
- (10) Local means an alarm system that sounds audibly at the protected premises.
- (11) Open wiring means insulated conductors without mechanical protection, i.e., not protected through use of rigid or flexible conduit, electrical metallic tubing, cable, sheathing, etc.
- (12) Fire department connection means an inlet which pressurizes a sprinkler system or provides water to higher floors in a multi-floor building. Fire department connection (FDC) signage shall be at least eighteen (18) inches by twelve (12) inches in size. All signs shall be mounted five (5) feet above the fire department connection.

(b) *Installation and maintenance.*

- (1) All nonresidential fire alarm systems shall be installed and serviced only by persons licensed as fire alarm contractors. The contractor shall have a master electrician's license or a master electrician's license limited for fire alarms or the electrical work shall be done by someone having such licenses.
- (2) Prior to requesting final inspection approval of a nonresidential alarm system, the fire alarm contractor shall certify that each new fire alarm system has been installed in accordance with the requirements of the City Code relating to the

installation of such alarm systems; that it has been inspected and found to be operating properly; and that the alarm user has been instructed with regard to the system's operations.

- (3) The alarm user shall obtain an inspection by a licensed contractor upon request of the fire marshal after a false fire alarm has occurred if there is no explainable reason for the false alarm. Such inspection shall be at the cost of the alarm user.
- (4) Where a fire alarm system is malfunctioning, the user shall either silence the system or have it repaired promptly by a licensed contractor. The user must provide twenty-four-hour fire watch while the fire alarm system is out of service.

(c) *Alarm user permits.*

- (1) *Required.* Every nonresidential alarm user shall obtain an alarm user permit for each alarm system operated by such user within this city from the ~~office~~ Department of the ~~fFire m~~Fire ~~M~~Marshal and ~~p~~Permit s~~S~~Services. This subsection does not require that an alarm business obtain a permit under this section when such business leases or provides services to alarm system users. If an alarm business does, however, use an alarm system to protect its own premises, it shall obtain a permit for such system as required in this section. No permit will be issued for any system utilizing an automatic dialing device which is programmed to transmit a pre-recorded message or code signal directly to a telephone number assigned to the police department.

(2) *Application.*

- (A) The alarm user applying for the permit required in subsection (c)(1) of this section shall state the following on a permit application form promulgated by the ~~d~~Department of the ~~fFire m~~Fire ~~M~~Marshal and ~~p~~Permit s~~S~~Services; ~~his or her~~ their name, the address of the business or businesses or other location in or upon which the alarm system has been or will be installed, ~~his or her~~ their telephone number, the type of alarm system (local audible, direct connect, central station, etc.), the alarm business or businesses selling, installing, monitoring, inspecting, responding to and/or maintaining the alarm system, and the name and telephone number of at least one (1) other person (in the case of a corporate alarm user applicant, at least two (2) persons) who can be reached at any time, day or night, and who is authorized to respond to an alarm signal and who can open the premises in which the system is installed.
- (B) The application shall further specify whether the audible local alarm signal will automatically stop ringing within one-half ( $\frac{1}{2}$ ) hour or whether it must be silenced by one (1) of the authorized persons.
- (C) The information in the application shall be maintained current at all times. Failure to do so shall be grounds for suspension of the permit. Changes shall be forwarded to the FMPS.

- (D) The alarm user shall make provision for silencing the local audible alarm within one (1) hour from the time the signal is received by the fire department, either automatically or by one (1) of the authorized persons.
  - (E) It shall be the responsibility of the holder of the alarm user permit to insure that the system is properly operated, maintained, inspected and repaired as required herein.
- (3) *Annual inspection.* All alarm users shall, prior to obtaining the annual permit renewal, obtain an annual inspection of all such fire alarm systems. Such inspection shall be by a person licensed as a fire alarm contractor, who shall have a master electrician's license or a master electrician's license limited for fire alarms. Such contractor shall certify in writing that each fire alarm system has been installed in accordance with the requirements of this section, that it has been inspected, the date of inspection, and that it has been found to be operating normally and is in good working condition.
- (d) *False alarms.*
- (1) More than four (4) false alarms in any one (1) calendar year from any alarm system for which an alarm user permit has been obtained may constitute grounds for suspension or revocation of such permit, subject to the provisions of this section.
  - (2) An alarm user shall reimburse the city the cost of responding to each false alarm over four (4), in any one (1) calendar year. Failure to make such reimbursement as provided herein shall be grounds for revocation of such permit. The rate of reimbursement shall be seventy-five dollars (\$75.00) per alarm and shall be paid within thirty (30) days of receipt of the bill from the city.
  - (3) After the fire department has responded to four (4) "false alarms" within a calendar year from any alarm user permit holder, or has failed to receive the reimbursement for costs of false alarms as provided herein, it shall notify the permit holder in writing of such fact, setting forth the dates of each reported false alarm and shall require that the permit holder submit a report to the office of the fire marshal and permit services within fifteen (15) days after receipt of such notice, describing efforts to discover and eliminate the cause or causes of the false alarms or the reason for failure to reimburse. If, however, the alarm user, by reason of absence from the city or on any other reasonable basis requests an extension of time to file the report, the fire marshal may, for good cause, extend the fifteen-day period for a reasonable period. If the permit holder fails to submit such a report within fifteen (15) days or within any such extended period, the fire marshal may revoke the user's permit and under such circumstances the user shall not be entitled to a hearing or appeal under this section.

**Secs. 18-77—18-80. Reserved.**

## **ARTICLE V. RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS**

45

Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

\* \* \* Asterisks indicate intervening language and section unchanged.

**Sec. 18-81. Adoption of the International Residential Code (IRC), ~~2018~~ 2021 Edition, for One- and Two-Family Dwellings.**

- (a) *Adoption.* The International Residential Code (IRC) for One- and Two-Family Dwellings Code, ~~2018~~ 2021 Edition, hereinafter referred to as "IRC-~~1821~~," as published by the International Code Council, is hereby adopted by the City of Laurel for the purpose of protecting the public health, safety and welfare by establishing certain minimum standards for the maintenance of properties within the City. Each and all of the regulations, provisions, penalties, conditions and terms of the IRC are hereby referred to, adopted and made a part hereof, as if fully set out herein, subject to the amendments and supplementation set forth in city Code, chapter 18, article II, section 18-57.2, IBC Section 102, "Applicability". The term "department" where used in this article shall refer to the City of Laurel Office of the fire marshal and permit services.

**Sec. 18-82. Amendments and Additions to the International Residential Code (IRC), ~~2018~~ 2021 Edition, for One- and Two-Family Dwellings.**

**Sec. 18-82.1. International Residential Code for One- and Two-Family Dwellings, Chapter 11 and Chapters 25 thru 32.**

- (a) IRC- ~~1821~~ Chapters 25 thru 32 - Plumbing Administration; General Plumbing Requirements; Water Heaters; Water Supply and Distribution, Sanitary Drainage; Vents, and Traps are hereby deleted and replaced with the plumbing and gas fitting regulations adopted by the Washington Suburban Sanitary Commission (WSSC), (WSSC Plumbing Code); Washington Gas Company; and Baltimore Gas & Electric.
- (b) IRC- ~~1821~~ Chapter 11 [RE], Energy Efficiency is hereby deleted and replaced with "The International Energy Conservation Code (IEC)."

**Sec. 18-82.2. IRC-~~1821~~, Part 2, Chapter 3, Section R105, Permits, R105.2 - Work Exempt From Permit.**

- (a) IRC-~~1821~~ Section R105.2 is amended to read as follows: "Work Exempt From Permit". Permits shall not be required for the following; however properties in Historic District Zones require "Certificates of Approval (permits)" for exterior alterations. 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) Retaining walls that support a surcharge of less than two (2') feet in height, as measured from the lower grade level to the grade level on the high side of the wall.

- (2) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 Liters) and the ratio of height to diameter or width does not exceed 2:1.
- (3) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (4) Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
- (5) Swings and other playground equipment accessory to a one- or two- family dwelling.
- (6) Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
- (7) Re-roofing or residing an existing home without removing any structural components.

**Sec. 18-82.3. IRC-~~4821~~, Part 2, Chapter 3, Section R105, Permits, R105.5 - Expiration.**

- (a) IRC-~~4821~~ Section R105.5 is amended to read as follows: "Expiration". Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit does not continue to progress or is abandoned for a period of six (6) months after the last approved/valid inspection. Before such work recommences, a new permit shall be first obtained and the appropriate fees shall be paid.
- (b) The fees shall be one-half ( $\frac{1}{2}$ ) the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work.

**Sec. 18-82.4. IRC-~~4821~~, Part 2, Chapter 3, Section R105, Permits, R105.5.1 - Expiration.**

IRC- ~~4821~~Section R105.5.1 is amended to read as follows: "Expiration". The Chief Building Official can extend the time for action by the permittee if there is reasonable cause. A permittee holding an unexpired permit shall have the right to apply for an extension, in writing, for time to complete such work. The extension shall be requested for a justifiable cause. A permit shall not be extended more than once.

**Sec. 18-82.5. IRC- ~~4821~~, Part 2, Chapter 3, Section R107, Temporary Structures and Uses, R107.1 - General.**

IRC-~~4821~~ Section R107.1 is amended to read as follows: "General". The Chief Building Official or their designee is authorized to issue a permit for temporary structures. Temporary structures are those used for only limited duration events or outdoor recreational purposes, and not as carports, garages, or storage rooms. Temporary

structures may be erected for a period not to exceed a total of ninety (90) days in any twelve (12) month period. The size and location of temporary structures must meet the requirements of City Code Chapter 20 (Land Development and Subdivision). Temporary structures of less than one hundred forty-four (144) square feet in area are exempt from permit, however it must meet all other requirements of this Section and of City Code, Chapter 20 (Land Development and Subdivision).

**Sec. 18-82.6. IRC-~~4821~~, Part 2, Chapter 3, Section R109, Inspections, R109.1.4 - Frame and Masonry Inspections.**

IRC- ~~4821~~ Section R109.1.4 is amended to read as follows: "Frame and Masonry Inspection". Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, fire stopping, draft stopping, sprinkler hydro and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved. Floor framing located thirty-six (36") inches or closer to the ground must be inspected prior to installing any flooring materials. An inspection is required for masonry fireplaces after the fireplace and first flue section are completed.

**Sec. 18-82.7. IRC-~~4821~~, Part 2, Chapter 3, Section R109, Inspections, R109.1.5 - Other Inspections.**

IRC- ~~4821~~ Section R109.1.5 is amended to read as follows: "Other Inspections". In addition to the inspections listed in R109.4 above, the Chief Building Official or their designee may make or require any other inspections to ascertain compliance with this code and other Codes, laws and regulations enforced by the FMPS.

**Sec. 18-82.8. IRC-~~4821~~, Part 2, Chapter 3, Section R109, Inspections, R109.1.5.2 - Other Inspections.**

IRC-~~4821~~ Section R109.1.5.2 is added to read as follows: "Insulation". Inspections of all required insulation installations must be conducted prior to concealment.

**Sec. 18-82.9. IRC-~~4821~~, Part 2, Chapter 3, Section R109, Other Inspections, R109.4 - Approval Required.**

IRC-~~4821~~ Section R109.4 is amended to read as follows: "Approval Required." Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Chief Building Official and or their designee. The Chief Building Official or their designee upon notification shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this Code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Chief Building Official. Any required inspections disapproved twice for the same violation will be subject to re-inspection fees. Re-inspection fees must be paid before any further inspections can be performed at the building site. Any work done without proper inspections will be subject to special inspection fees as required by the FMPS approved fee schedule.

**Sec. 18-82.10. IRC-~~4821~~, Part 2, Chapter 3, Section R110, Certificate of Occupancy, R110.1 - Use and Occupancy.**

IRC-~~4821~~ Section R110.1.4 is amended to read as follows: "Use and Occupancy." No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Chief Building Official or their designee has issued a certificate of occupancy. Issuance of a certificate of occupancy shall not occur until the building has been inspected and found to be in compliance with the provisions of this code and all other applicable laws and ordinances. Temporary certificates of occupancy will not be issued for one- and two-family dwellings.

Exceptions:

- (1) Certificates of occupancy are not required for work exempt from permits under IRC-~~4821~~, Section R105.2.

**Sec. 18-82.11. IRC-~~4821~~, Part 2, Chapter 3, Section R112, Board of Appeals, R112.1 - General.**

- (a) IRC-~~4821~~ Section R112.1 is amended to read as follows: "General". Any person aggrieved by and desirous of challenging a decision of the FMPS authority in connection with the interpretation, application, or modification of any provision of this IRC-~~4821~~ relating to the manner of construction or materials used in connection with the erection, alteration, or repair of a building or structure or system installed therein, shall appeal such decision to the City's Board of Appeals. (Refer to City Code, Chapter 18 Sec. 18-20. "Appeals From the Department of the Fire Marshal and Permit Services Decisions"). An appeal may be taken when it is claimed that:

- (1) The true intent of the Code or the rules legally adopted there under have been incorrectly interpreted; or
- (2) The provisions of the Code do not fully apply.

- (a) IRC-~~4821~~ Section R112.2 is amended to read as follows: "Limitations on Authority". Refer to City Code, Chapter 18Sec. 18-20. "Appeals From the Department of the Fire Marshal and Permit Services Decisions".

- (b) IRC-~~4821~~ Section R112.3 is amended to read as follows: "Limitations on Authority". Refer to City Code, Chapter 18Sec. 18-20. "Appeals From the Department of the Fire Marshal and Permit Services Decisions".

**Sec. 18-82.12. IRC-~~4821~~, Part 2, Chapter 3, Section R114, Stop Work Order, R114.1  
- Notice to Owner or the Owner's Authorized Agent.**

IRC-~~4821~~ Section R114.1 is amended to read as follows: "Notice to Owner or the Owner's Authorized Agent". Upon notice from the Chief Building Official that work on any building, structure, electrical, gas, mechanical or plumbing system is being done contrary to the provisions of this Code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the legal owner of the property, or to his agent, or to the person doing the work. The Order shall be posted on the front of the structure and shall be visible from the public right-of-way. The Order shall state the specific violations and the conditions under which the work will be permitted to resume.

**Sec. 18-82.13. IRC-~~4821~~, Part 2, Chapter 3, Section R202, Definitions.**

(a) IRC-~~4821~~ Section R202 is added and/or amended to read as follows: "Definitions".

- (1) *Accessory Building*: A building subordinate to, and located on the same lot with a main building, the use of which is clearly incidental to that of the main building or to the use of the land, and which is not attached by any part of a common wall or common roof to the main building.
- (2) *Accessory Structure*: A structure, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot. Coated fabric type materials, woven or non-woven cloth, or fabric/textile materials cannot be used in the construction, installation and/or assembly of any permanent accessory structure for which a permit is required. This includes, but is not limited in scope to, the following materials: Polyvinyl (PVC) coated, polyester coated, rubber or neoprene coated, nylon coated, polyurethane coated, vinyl coated/laminated material.
- (3) *Alteration*: Any construction or renovation to an existing structure other than repair or addition that requires a permit. Also, a change in a mechanical system that involves an extension, addition or change to the arrangement, type or purpose of the original installation that requires a permit. Properties in Historic District Zones require "Certificates of Approval" from the Historic District Commission for all exterior alterations.
- (4) *Bedroom/Sleeping Room*: A room or enclosed floor space with adequate light, heat and ventilation, closet space, intended for sleeping, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, living rooms, kitchens, dining rooms, closets and storage spaces, recreational rooms, workshops or porches, enclosed or otherwise.
- (5) *Cool Roof Rating Council*: The independent, non-profit organization that maintains a third-party rating system for radiative properties of roof surfacing materials.

- (6) *Energy Star*: The joint program of the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Energy designed to identify and promote energy-efficient products and practices.
- (7) *Family*: An individual maintaining a household in a "dwelling unit"; of two (2) or more individuals related by blood, adoption, or marriage (including a "a foster home" relationship other than a "group home, adult") who maintain a common household in a "dwelling unit"; or Not more than three (3) individuals (excluding servants), all or a part of whom are unrelated to one another by blood, adoption, or marriage, and who maintain a common household in a "dwelling unit."
- (8) *New Construction*: New construction and any change to an existing building which exceeds the definition of an Alteration or Addition as defined herein. Construction meeting the definition of 'New Construction' will require a Single-Family Dwelling (SFD) permit.
- (9) *Onsite Renewable Energy System*: Includes, but is not limited to, photovoltaic panels, solar thermal collectors and wind systems located on or directly adjacent to the building site.
- (10) *Townhouse Loft*: An additional story in one-family townhouses contained between the roof eaves and ridge, which may contain habitable rooms and does not exceed sixty (60%) percent of the floor area below.
- (11) *Vegetated Roof*: A layer of vegetation growing in a medium on top of a drainage layer and a synthetic, waterproof membrane on the roof of a structure.

**Sec. 18-82.14. IRC-~~1821~~, Part 2, Chapter 3, Section R301, Design Criteria, R301.2 - Climatic and Geographic Design Criteria.**

IRC-~~1821~~ Section R301.2(1) is added to read as follows: "Snow Loads." Design ground snow loads for the City of Laurel shall be not less than ~~30~~35 pounds per square foot.

**Sec. 18-82.15. IRC-~~1821~~, Part 2, Chapter 3, Section R309, Garage and Carports, R309.1 - Floor Surface.**

IRC-~~1821~~ Section R309.1 is amended to read as follows: "Floor Surfaces". Garage floor surfaces shall be of approved noncombustible material. The garage floor must be at least four inches below combustible materials and adjacent dwelling floor. The floor must be sloped to facilitate the movement of liquids toward the main vehicle entry doorway.

**Sec. 18-82.16. IRC-~~1821~~, Part 2, Chapter 3, Section R309, Garage and Carports, R309.2 - Carports.**

IRC-~~1821~~ Section R309.2 is amended to read as follows: "Carports". Carport floor surfaces shall be of approved noncombustible material. The carport floor must be at least four inches below combustible materials and adjacent dwelling floor. The carport floor

must be sloped to facilitate the movement of liquids toward the main vehicle entry doorway.

**Sec. 18-82.17. IRC-~~4821~~, Part 2, Chapter 3, Section R311, Means of Egress, R311.1.1 - Means of Egress.**

IRC-~~4821~~ Section R-311.1.1 is added to read as follows: "Means of Egress". One and Two-family dwellings that undergo basement improvements for which a building permit is required shall have a minimum of two (2) exits. All basements and cellars, when provided in one- and two-family dwellings, must have a basement or cellar exit door leading directly to the outside grade. All habitable attics shall have an emergency egress window.

**Sec. 18-82.18. IRC-~~4821~~, Part 2, Chapter 3, Section R313, Automatic Fire Sprinkler Systems, R313.1 - Townhouse Automatic Fire Sprinkler Systems.**

IRC-~~4821~~ Section R313.1 is amended to read as follows: "Townhouse Automatic Fire Sprinkler Systems". Complete automatic fire sprinkler systems shall be installed and maintained in full operating condition, in compliance with the applicable National Fire Protection Association (NFPA) Fire Code in all attached or detached townhouses.

**Sec. 18-82.19. IRC- ~~4821~~, Part 2, Chapter 3, Section R313, Automatic Fire Sprinkler Systems, R313.2 - One- and Two-family Dwellings Automatic Fire Sprinkler Systems.**

IRC-~~4821~~ Section R313.2 is amended to read as follows: "One- and Two-family Automatic Fire Sprinkler Systems". Complete automatic fire sprinkler systems shall be installed and maintained in full operating condition, in compliance with the applicable National Fire Protection Association (NFPA) Codes in all one- and two-family dwellings.

**Sec. 18-82.20. IRC-~~4821~~, Part 2, Chapter 3, Section R313, Automatic Fire Sprinkler Systems, R313.3 - Other Locations Required Automatic Fire Sprinkler Systems.**

- (a) IRC-~~4821~~ Section R313.3 is added to read as follows: "Other Locations Required Automatic Fire Sprinkler Systems". Other locations required. Complete fire suppression systems shall be installed and maintained in full operating condition, in compliance with the applicable NFPA Fire Code in the entire dwelling when an addition is added to the existing structure that is greater than fifty (50%) percent of the gross square footage of the existing home.
- (b) IRC- ~~4821~~ Section R313.3.1 is added to read as follows: "Other Locations Required Automatic Fire Sprinkler Systems". is added to read as follows: "Sprinklers for Additions." All enclosed or habitable additions to include sunrooms that are conditioned to an existing sprinklered single-family structure or manufactured home must also be sprinklered.

**Sec. 18-82.21. IRC-~~1821~~, Part 2, Chapter 3, Section R313, Automatic Fire Sprinkler Systems, R313.4 - Repairs to Residential Structures.**

IRC-~~1821~~ Section R313.4 is added to read as follows: "Repairs to Residential Structures". All one- and two-family dwellings which, because of lack of maintenance or structural damage due to a fire, explosion or natural causes, undergo repairs which exceed fifty (50%) percent of the state assessment value as shown on the most recent tax assessment for the State Department of Assessments and Taxation of the building or undergo reconstruction work shall have an approved automatic fire sprinkler system installed throughout the dwelling as part of the scope of repairs to be completed. Computation of the cost of repairs for purposes of this Section shall include carpeting replacement, electrical panel capacity upgrades, painting, wallpapering, lighting fixture replacements, appliance replacements, and bathroom cabinetry and fixture replacements. Each street address shall be considered a separate dwelling for application of this Section. All repairs for which a building permit is required that are conducted within a 365-day period shall be deemed a single cumulative repair cost for purposes of the application of this Section.

**Sec. 18-82.22. IRC-~~1821~~, Part 2, Chapter 3, Section R313, Automatic Fire Sprinkler Systems, R313.5 - Installation Value for Sprinkler Piping Protection.**

IRC-~~1821~~ Section R313.5 is added to read as follows: "Insulation Value for Sprinkler Piping Protection." Insulation installed on sprinkler piping, for the protection of freezing, shall have a minimum R-value of 38. Insulation shall not be blown-in or loose fill and shall be installed to prevent the compaction of the insulation.

**Sec. 18-82.23. IRC-~~1821~~, Part 2, Chapter 3, Section R403, Footings, R403.1.4 - Minimum Depth.**

IRC-~~1821~~ Section R403.1.4 is amended to read as follows: "Minimum Depth." All exterior footings and foundation systems shall extend below the frost line. All exterior footings shall be placed at thirty (30") inches below the undisturbed ground. Exception: Frost-protected footings constructed in accordance with Section R-403.3 and footings and foundations erected on solid rock shall not be required to extend below the frost line. In Seismic Design Categories D1 and D2, interior footings supporting bearing or bracing walls and cast monolithically with a slab on grade shall extend to a depth of not less than eighteen (18") inches below the top of the slab.

**Sec. 18-82.24. IRC-~~1821~~, Part 2, Chapter 3, Section ~~R502.2.2.1~~ R502.507, Wood Floor Framing, ~~R502.2.2.1~~ Design and Construction of Decks.**

IRC-~~1821~~ Section R-~~502.2.2.1~~ 507.1 is added-amended to read as follows: "Design and Construction of Decks." All decks must be freestanding unless attachment to primary building structure can be field verified by the Chief Building Official. Verification consists of visual inspection of positive connection to the primary building structure at rim board

with ½" galvanized carriage bolts, flat washers, and nuts. Lag screws are not permitted for attachment to the structure. The minimum uniformly distributed live load shall be sixty (60) psf. Four-inch by four-inch posts may be used for decks under forty-eight (48") inches in height. A minimum post size of six (6") inches by six (6") inches must be used for decks higher than forty-eight (48") inches above grade. Deck floor surfaces located more than thirty (30") inches above grade shall have guardrails meeting the requirements of Section R 312. Wood/plastic composite deck boards shall be installed in accordance with the manufacturer's instructions.

**Secs. 18-83—18-90. Reserved.**

**ARTICLE VI. MECHANICAL CODE**

**Sec. 18-91. Adoption of International Mechanical Code (IMC), ~~2018~~2021 Edition.**

- (a) *Adoption.* The International Mechanical Code (IMC), ~~2018~~2021 Edition, hereinafter referred to as "IMC," as published by the International Code Council (Ref. COMAR 05.02.07), is hereby adopted as the Mechanical Code of the City of Laurel for the control of mechanical installations and renovations as herein provided. Each and all of the regulations, provisions, penalties, conditions and terms of the IMC are hereby referred to, adopted and made a part hereof, as if fully set out herein. In the event of any inconsistency between the IMC and any other provisions of the Laurel City Code, the provisions of this article VI shall prevail. The term "Department" where used in article VI shall refer to the City of Laurel Office of the fire marshal and permit services.

**Sec. 18-92. Amendments, additions, and deletions to International Mechanical Code (IMC), ~~2018~~ 2021 Edition.**

The following amendments, additions, and deletions are hereby made to the International Mechanical Code (IMC), ~~2018~~2021 Edition adopted by this subtitle, and the provisions set out in this Subdivision shall be deemed to supersede the text of the IMC where the provisions of this subtitle are interpreted.

**Sec. 18-92.1. IMC, Chapter 1, Administration; Section 102, Applicability.**

- (a) IMC Chapter 1, Section 102 "Applicability". The following additions are hereby made to Section 102, 102.3 Maintenance:
- (1) IMC Section 102.3.1, titled "Certificate of Fitness," is added to read as follows:  
No boiler or unfired pressure vessel shall be placed into operation until a Certificate of Fitness has been issued. The Certificate of Fitness shall continue in force for a period of two (2) years unless revoked or suspended, and applications shall be made for renewal biannually.
  - (2) IMC Section 102.4, titled "Additions, Alterations or Repairs," is added to read as follows: Exception: The use of any type of sealant, glue, or welding for the repair of heat exchangers of hot air furnaces is prohibited.

**Sec. 18-92.2. IMC, Chapter 1, Administration; Section 105, Approval.**

IMC Section 105.6, is added to read as follows: "Balance Report". A balance report is due upon completion of the job prior to the issuance of the Use and Occupancy permit at the discretion of the Chief Building Official or their designee.

**~~Sec. 18-92.3. IMC, Chapter 6, Duct Systems; Section 603, Duct Construction and Installation.~~**

~~IMC Section 603.9 is added to read as follows: "Joints, Seams, and Connections". Flex ties are required on the exterior of all flex duct connections so that connections can be field verified.~~

**Sec. 18-92.4. IMC, Chapter 6, Section 606. Smoke Detection Systems Control, 606.2.1 Return Air Systems.**

IMC Section 606.2.1 is amended to read as follows: "Return Air Systems". Smoke detectors shall be installed in return air systems with a design capacity of equal to or greater than 2,000 CFM. Detectors shall be provided with labeled inspector test switches and located in proximity to thermostat locations.

**Secs. 18-93—18-95. Reserved.**

**ARTICLE VII. ELECTRICAL CODE**

**DIVISION 1. ADOPTION BY REFERENCE; GENERALLY**

**Sec. 18-96. Adoption of National Electrical Code (NEC), 2017 Edition.**

The National Fire Protection Association (NFPA) 70, National Electrical Code (NEC), ~~2017~~2020 Edition, is hereby adopted by reference and made a part of ~~article~~ Chapter 18 with the same force and effect as though set out in full herein as the Electrical Code of the City of Laurel, together with the changes, deletions, or modifications prescribed by this article. All electrical work performed or contracted to be performed in the City of Laurel shall adhere to this article.

**Sec. 18-97. Public inspection.**

One (1) copy of the National Electrical Code adopted by this article shall be marked as the "master copy" and maintained by the chief building official.

**Sec. 18-98. NEC Chapter 1, Article 100, Definitions.**

NEC Chapter 1, Article 100, Paragraph "Authority Having Jurisdiction (AHJ)". The term authority having jurisdiction as used in the NEC shall mean the Director, ~~Office~~ Department of the Fire Marshal and Permit Services, or their designee. The "City of Laurel" will be substituted for the name of the jurisdiction that's referenced within the NEC.

**DIVISION 2. AMENDMENTS TO NATIONAL ELECTRICAL CODE**

## **Sec. 18-99. Generally; amendments.**

Any provision of the National Electrical Code (NEC), ~~2017~~2020 Edition adopted by ~~article Chapter~~ 18 shall be changed, modified, added or omitted as set out in ~~a~~Article VII, and any such change, amendment, addition or deletion shall be deemed to supersede the text of the City of Laurel's Electrical Code in any case where the provision of this article are interpreted. The following amendments, modifications, additions and deletions are hereby made to the NEC.

### **Sec. 18-99.1 NEC Article 110.25 Lockable Disconnecting Means**

NEC Article 110.25 Lockable Disconnecting Means is added to read as follows: Any accessible electrical disconnect enclosures shall be made tamper-resistant by installing a lock or other tamper-resistant hardware as approved by the City of Laurel Electrical Inspector or Chief Building Official.

### **Sec. 18-99.42. - NEC Article 110, Requirements for Electrical Installations, Part II; Paragraph 110.26(D), Illumination.**

NEC Article 110.26 (D) entitled "Illumination" is amended to read as follows: Illumination shall be provided for all working spaces about service equipment, switchboards, switchgear, panel boards, or motor controls centers installed indoors. Additional lighting outlets shall not be required where the work space is illuminated by an adjacent light source or as permitted by Article 210.70(A)(1), Exception No. 1, for switched receptacles. In electrical equipment rooms, the illumination shall not be controlled by automatic means only. In addition, in commercial occupancies, emergency illumination shall be provided for all working spaces about service equipment, switchboards, panel boards, and motor control centers installed indoors.

### **18-99.3. Reserved.**

### **Sec. 18-99.4. NEC Article 210 Branch Circuits, Paragraph 210.70 "Lighting Outlets Required", 210.70(D) "Other Than Dwelling Units".**

- (a) NEC Paragraph 210.70 (D) "Other than Dwelling Units" is added to read as follows: An automatically controlled luminaire shall be required on the exterior of the building at every exterior exit door.
- (b) Emergency illumination shall be required for luminaires per Section 18-99.4. and in all restrooms.

**Sec. 18-99.5. NEC Article 250, Grounding and Bonding, Part III; Paragraph 250.52(A)(3), Concrete-Encased Electrode.**

NEC Paragraph 250.52(A)(3)(3) is added to read as amended as follows: "Concrete-Encased Electrode" All new structures, both residential and commercial, and when 20 feet linear or more new concrete foundation is installed for new additions to existing structures, require a concrete encased electrode to be used as the principal grounding element.

**Sec. 18-99.6. NEC Article 310, Conductors for General Wiring, Part III, Paragraph 310.10, Uses Permitted.**

- (a) NEC Paragraph 310.10 is added to read as follows: "Uses Permitted." Aluminum conductors shall be permitted for service and feeder use only and shall not be smaller than No. 2 AWG. Aluminum conductors shall not be used for branch circuits.
- (b) ~~NEC Paragraph 310.13 is added to read as follows: "Disconnecting Devices". Any accessible disconnecting means shall be made tamper-resistant by installing a lock or other tamper-resistant hardware as approved by the City of Laurel Electrical Inspector or Chief Building Official.~~

**Sec. 18-99.6.2. Reserved.**

**Sec. 18-99.6.3. NEC Article 358, Electrical Metallic Tubing: Type EMT, Part II, Paragraph 358.60 Grounding.**

NEC Paragraph 358.60 is amended to read as follows: "Grounding". Electrical Metal Tubing (EMT) shall not be permitted as an equipment grounding conductor. A grounding conductor shall be installed and sized in accordance with Article 250, Table 250.122.

**Sec. 18-99.7. NEC Article 408, Switchboards, Switchgear, and Panelboards, Part III, Paragraph 408.36, Overcurrent Protection.**

NEC Paragraph 408.36 is amended and added to read as follows: "Over Current Protection" Exception No. 2: add: However, when replacement of service-entrance conductors occurs, the split-bus panel board shall be replaced with a panel board containing main over current protection.

**Sec. 18-99.8. NEC Article 410, Luminaries (Lighting Fixtures), Lampholders and Lamps, Part II, Paragraph 410.10, Luminaire in Specific Locations.**

NEC Paragraph 410.10 (D) (2) is amended to read as follows: "Bathtub and Shower Areas". Luminaries located within the actual outside dimension of the bathtub or shower to a height of 2.5 meters (eight (8') foot) vertically from the top of the bathtub rim or shower

threshold shall be marked for damp locations, or for wet locations where subject to shower spray. Luminaires in this zone shall be Ground Fault Circuit Interrupter Protected.

**Sec. 18-99.9. NEC Article 410, Luminaries (Lighting Fixtures), Lampholders and Lamps, Part IV, Paragraph 410.36, Means of Support.**

NEC Paragraph 410.36 (B) is added to read as follows: "Suspended Ceilings". All "lay-in" luminaries will require independent suspension to insure that the luminary will not drop more than nominally two (2") or three (3") inches when the framing members no longer provide the support. Twelve (#12) AWG wires firmly secured to the building structure and the luminary is required for the purpose. Two (2) restraining wires, one (1) at each end of the luminary are required for luminaries smaller than 2x4 (e.g. 1x4 and 2x2 luminaries), and four (4) restraining wires (one (1) at each corner) are required on all luminaries 2x4 and larger. Other types of "lay-in" luminaries shall also have a secondary support to preclude the danger of falling when framing member's fail or are damaged (e.g. hi-hat luminaries).

**Sec. 18-99.10. NEC Article 430, Motors, Motor Circuits, and Controllers, Part II, Paragraph 430.22, Single Motor.**

NEC Paragraph 430.22.1(E)(1) is added to read as follows: "Sprinkler System Motors". All motors used with residential sprinkler systems must, as a minimum, be powered from a two hundred twenty (220) volt twenty (20) ampere circuit. When motors larger than 1/3 H.P. are installed, the branch circuit ampacity must be increased to a minimum of two hundred fifty (250%) percent of the running full load current obtained from Table 430.248 of the 2017 NEC. Instantaneous Trip Circuit Breakers are to be used for branch circuit short circuit protection. ~~Additionally, a visual indicator, acceptable to the authority having jurisdiction, is required to show that the branch circuit over current protection has not tripped.~~ An illuminated indicator, acceptable to AHJ is required to be installed at disconnecting means location to show branch circuit is energized. Additionally, disconnecting means and sprinkler pump test value shall be permanently identified.

**DIVISION 3. ADMINISTRATION**

**Sec. 18-100. Official records.**

An official record shall be kept of all business and activities related to the electrical code and enforcement thereof, including permits, fees, and inspection reports, and all such records shall be open to public inspection at all appropriate times.

**Sec. 18-101. Duties and powers of the City of Laurel Department of the Fire Marshal and Permit Services Chief Electrical Inspector (CEI).**

- (a) The CEI shall enforce all the provisions of this electrical code and shall prescribe the mode or manner or electrical work and the materials used in the installation, repair, or removal of electrical equipment.

- (b) The CEI shall have the following duties:
- (1) The CEI shall review electrical plans and issue permits for all electrical work, and shall inspect the work for which a permit was issued to insure compliance with the electrical code.
  - (2) The CEI shall issue all necessary notices or orders to remove or correct illegal or unsafe conditions and to insure compliance with all the code requirements for safety, health, and general welfare of the public. Upon notice from the director that work is being pursued contrary to the provision of the electrical code, or is unsafe and dangerous, such work shall be stopped immediately. A "stop-work" order shall be posted. The stop-work order shall be in writing and shall be given to the legal owner of the property involved and/or to the legal owner's agent and/or to the person doing the work, and shall state in writing the condition under which the work may be resumed. The stop-work order shall contain, or be accompanied by a written notice indicating that there is a right to appeal to the chief building official, then to the director, department of the fire marshal and permit services (FMPS), then to the board of appeals and finally to the Prince George's County Circuit Courts. Such request for a hearing may be filed in writing or in person at the office of the department of the fire marshal and permit services. The owner or permittee affected by such stop-work order shall be entitled to such hearing as quickly as feasible, but at least within twenty-four (24) hours of receipt of such request for hearing by FMPS. FMPS shall afford the legal owner or permittee a fair hearing with an opportunity to present evidence or testimony that is relevant to the stop-work order. In connection with such hearing, the FMPS official who is conducting the hearing, may consult with technical advisors who have expertise in electrical matters that are the subject of the stop-work order. Any information or opinions provided by such technical advisors shall be made available to the owner or permittee affected by the stop-work order, and the legal owner or permittee shall be afforded an opportunity to question such advisors and to comment on and rebut any information or opinions given by such technical advisors. The owner or permittee shall be afforded reasonable notice of the time and place of hearing at the time requested, if made in person or by telephone or other appropriate means if the request is forwarded in writing. Any person who shall continue any work in or about the premises after having been served with a stop-work order, except for corrective work as directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six (6) months in jail, or both.
  - (3) The CEI shall make all required inspections or may accept reports of inspection by authoritative and recognized testing agencies. All such inspection reports shall be in writing and certified by a responsible officer of such inspection agency or by the responsible individual.

- (4) The provisions of this article shall not prevent the use of any material or method of construction not prescribed by this article when the permittee can demonstrate to the satisfaction of the CEI, that the proposed method or material is, for the purpose intended at least the equivalent of the material or method otherwise prescribed in quality, strength, effectiveness, fire resistance, durability, and safety.
- (5) Whenever it is determined, however, that there is documentary evidence that the use of a material or method approved herein would constitute a distinct hardship to life or property, the CEI shall have the authority to disapprove the use of such material or method. The CEI shall advise the chief building official (CBO) as to their disapproval actions. If needed, the CBO will provide a written report regarding the sufficient technical data and record of national or local testing to substantiate that the use of an approved method or material would constitute a distinct hazard to life or property.
- (6) The CEI or designee shall have the authority to enter at any reasonable hour any building, structure, or premises for the duration of a permit which has been issued for the purposes of enforcing the electrical code, or where there is probable cause to believe that a violation of the electrical code exists. The chief building official may petition the appropriate court for a search warrant in those cases where the legal owner or occupant refuses to allow such entrance and inspection.
- (7) In any case of hazard to life or property, or in any case which comes to the knowledge of the CEI or CBO of defective or faulty wiring or apparatus, the CEI and/or CBO is authorized to order the legal property owner to correct the hazard and/or to order the company furnishing the electric power to discontinue service.
- (c) Any interpretation of the electrical code made by the CEI shall be conclusive and binding upon the parties involved: provided, that any aggrieved party may also appeal such decision to the Prince George's County Board of Registration for Master Electricians or Electrical Contractors within thirty (30) days after the final written notice of the decision by the Director, FMPS.

#### DIVISION 4. ENFORCEMENT

##### **Sec. 18-102. Electrical permits; required.**

No person shall perform electrical work until a permit has been obtained from FMPS and a copy has been posted at the job site or presented to the legal owner or occupant. The work must be done under the personal and technical supervision of a licensed master electrician or master electrician, limited, or a licensed refrigeration, air conditioning and/or heating contractor with a master electrical limited license. No permit shall be required for replacement of existing receptacles, switches or lighting fixtures not exceeding a total of five (5) devices per structure.

### **Sec. 18-103. Electrical permit application.**

- (a) All electrical applications for permits shall be in writing, on such forms as may be prescribed by the FMPS and shall describe the work to be done and the location thereof. All applications for permits shall be accompanied by plans and specifications as specified in division 4, sections 18-104 and 18-105 and by the fee set forth in the approved fee schedule.
- (b) Electrical permits shall only be issued to a duly licensed master electrician or master electrician, limited, or a duly licensed refrigeration, air conditioning and/or heating contractor, except as provided in division 4, section 18-107. In the event of a change by the legal owner of the contractor to whom the permit was issued or transferred, the permit may be transferred by FMPS at the owner's written request to a new contractor, such transfers to be pursuant to procedures established by FMPS.

### **Sec. 18-104. Approved plans.**

Approved electrical plans have been reviewed by FMPS or designee and have been found to be consistent with NEC requirements and accepted practices. Approved plans shall be stamped "approved". At least one (1) set of such approved plans shall be retained by FMPS and the other set shall be kept at the building site, and shall be open to inspection by an FMPS authorized representative at all reasonable times.

### **Sec. 18-105. Electrical plans and specifications.**

An application for an electrical permit shall be accompanied by the FMPS designated number and types of specifications and of plans which use symbols and notations commonly accepted by the electrical industry to show the nature and character of the work to be performed. The CEI and/or CBO may waive the requirement for filing plans when it is determined that the work is of a minor nature.

### **Sec. 18-106. Exceptions.**

When temporary emergency electrical repairs are necessary replacements or extensions to an electrical installation in residential or small industrial uses, such work may be commenced by a properly licensed master electrician without a permit; provided, that the person doing the same shall first inform the department, if the department's office is open, giving name and address and the address where the work is to be done, the nature thereof, and the appropriate time of commencement of the work. In each case, such person shall file an application for a permit covering the work no later than the following business day.

### **Sec. 18-107. Reserved.**

### **Sec. 18-108. Electrical permits; terms and conditions.**

- (a) Each electrical permit issued pursuant to this article VII shall describe the installation to be done thereunder. Except as provided by section 18-105, no person shall install

or repair any electrical equipment other than in accordance with the permit. Except as provided by section 18-107, all work done under such permit shall be performed under the technical supervision of a licensed master electrician or master electrician, limited, as identified on the permit. All permits shall expire and be void if the work authorized thereunder has not commenced within six (6) months from the date of issuance or if there are no inspections made in the six-month period after issuance of the permit. Additionally, the ratio of licensed apprentice electricians to licensed journeyman electricians shall be two to one (2:1). A maximum of two (2) apprentice electricians to one (1) journeyman electrician must be present on permitted projects when electrical work is being performed.

- (b) Any electrical permit issued with administrative errors which are the result of information provided by the applicant, such as incomplete listing of work accomplished, wrong address, or wrong owner, shall be revised prior to any other inspections. A fee shall be imposed for such a permit revision and may be credited to the increased scope of work.

**Sec. 18-109. Reserved.**

**Sec. 18-110. Revocation of permits.**

The director, FMPS shall revoke, without refund of the permit fee, an electrical permit, which is issued on an application or plans containing any false statement or misrepresentation of facts immediately upon discovery of such false statement or misrepresentation of facts therein.

**Sec. 18-111. Emergency response fees.**

In the event of an emergency response by the FMPS, resulting from the negligence or intentional act of an owner, tenant, and/or administrator of property, a fee will be charged to such negligent or responsible party. The amount of such fees shall be determined pursuant to city's approved fee schedule.

**Sec. 18-112. Refunds for unused permits and inspections.**

- (a) Where no work has been done under an electrical permit issued pursuant to article VII, the holder of the permit may return the permit to FMPS for cancellation and refunds. Requests for cancellation and/or refunds must be in writing and should be submitted promptly. Request for each refund(s) must be made prior to the expiration date of the permit. Refunds of fees shall-not include the base or administrative fees.
- (b) Whenever a change of electrical contractor occurs, the legal property owner, developer, or general contractor must inform the FMPS by letter of such change. The letter shall be addressed to the director, FMPS and shall include the following: Electrical permit number(s), address of the property, the last type of inspection, if any, the reason for changing contractor, and the new contractor, if selected.

- (c) Whenever any electrical work for which a permit is required has been started prior to obtaining a permit, a special investigation shall be made before an application may be filed to request the required permit. In addition to the filing fee and regular permit fee, an investigation fee in an amount established pursuant to city procedures, shall be paid at the time of filing the application for the required permit. Whenever work under a permit has been started, partially completed, or concealed without first obtaining the required inspection approval, the director shall cause a special investigation to be made. The fee for the special investigation shall be in an amount established pursuant to city procedures and shall be payable before further inspection will be provided.
- (d) Whenever an inspection is requested which cannot be rendered because the work has not been completed, a re-inspection fee will be assessed against the contractor. The amount of such fee shall be determined pursuant to the city's approved fee schedule.

#### **Sec. 18-113. Electrical inspections.**

A rough-wiring inspection is required before concealment. Upon completion of an electrical installation, a request for final inspection shall be made to the FMPS within three (3) working days of completion. The FMPS shall make reasonable efforts to complete any inspection within three (3) working days of such request.

#### **Sec. 18-114. Notice of violation.**

- (a) The CEI or authorized representative shall serve written notice of violations within three (3) working days of the electrical inspection to persons responsible for work which is found in violation of the electrical code or which is not in compliance with the approved plans. Such notices shall order the discontinuance of the illegal action or condition and shall order the correction of the violation.
- (b) If there is no response to the notice of violation within thirty (30) days, the CBO shall refer the violation to the ~~Prince George's County's Board of Registration for Master Electricians and Electrical Contractors~~. The board shall take such action as it deems appropriate.

#### **Sec. 18-115. Appeals.**

- (a) Refer to chapter 18, article I, section 18-20 for appeal process.
- (b) Additionally, any person(s) responsible for work, which is found in violation of the electrical code or any person(s) responsible for work, which is not in compliance with approved plans, may appeal to the ~~Prince George's County Board of Registration for Master Electricians and Electrical Contractors~~ from a final decision of the Director. Application for appeal may be made when it is claimed that the true intent of the National Electrical Code or of this article has been incorrectly interpreted or applied. The nature of such appeal shall be in writing and filed with the ~~Prince George's~~

~~County Board of Registration~~ within thirty (30) days after the decision is rendered by the director.

**Sec. 18-116. Filing appeal; fee.**

- (a) Applications for an appeal to the ~~State~~bBoard of registration for master electricians and electrical contractors shall be filed with the ~~Prince George's County Clerk to the Board~~ accompanied by such filing fee or other fee as may be required by the ~~bBoard~~ of registration.
- (b) The ~~bBoard~~ may refund a filing fee where the board finds a clear violation by an administrative agent of the city.

**Sec. 18-117. Penalties.**

Any person who shall violate the provisions of this electrical code, as contained in this article VII, or who shall fail to comply with any of the requirements thereof, or who shall perform electrical work in violation of approved plans or directions of the FMPS director or their designee, or of a permit or certificate issued under the provisions of this electrical code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00), imprisonment not exceeding one (1) year, or both. Each day a violation continues shall be deemed a separate offense.

**Sec. 18-118. Special requirements for power companies.**

No electric light or power company shall energize any customer's electric lines, outlets or devices within the City of Laurel until a temporary power feed (TPF) or permanent meter cut-in certificate is issued by the department. This section does not apply to facilities of the Washington Suburban Sanitary Commission (WSSC) that are used to dispense their services to the public.

**DIVISION 5. LICENSES**

**Sec. 18-119. Definitions.**

- (a) The City of Laurel requires all electrical contractors to hold a valid ~~Prince George's County~~ license issued by the State of Maryland, pursuant to article VII, division 5. The ~~Prince George's County Maryland State Board of Registration Electricians for Master Electricians and Electrical Contractors~~ shall be the final authority for all licensing matters.
- (b) For the purposes of article VII, the following words, terms, and phrases shall have the meanings given herein:
  - (1) *Board* means the ~~Prince George's County Board of Registration for Master Electricians and Electrical Contractors (PGE Bd)~~ State Board of Electricians.
  - (2) *Department* means the City of Laurel Department of the Fire Marshal and Permit Services (FMPS).

- (3) *Director* means the director, FMPS.
- (4) *Electric light company* means any public service company, which (i) owns any electric plant and (ii) transmits, sells, or distributes electricity or generates electricity for distribution or sale, or (iii) solar power energy.
- (5) *Electric railway company* means every common carrier by rail, powered by electricity.
- (6) *Electrical contractor* means a person licensed under article VII, division 5 to engage in the business of contracting to perform electrical work.
- (7) *Electrical ~~contractor~~, limited*, means a person licensed under this division to engage in the business of contracting to perform electrical work of a limited type (such as, but not limited to, burglar and holdup alarms, communications, elevators, gas pumps, heating and air conditioning, remote control signaling, signs or x-rays), which may be a part of an occupation or business licensed or regulated by the Laurel City Code, Prince George's County Code or state law, or as an incidental part of a business or occupation for which the board has determined the licensee's knowledge.
- (8) *Electrical work* means the installation, erection, or repair of:
  - (i) Electrical wires or conductors to be used for the transmission of electric power for communications, electric light, heat, or other power-consuming purposes:
  - (ii) Moldings, ducts, raceways, or other conduits for the reception or protection of such wires or conductors: or
  - (iii) Any electrical machinery, fixed appliance, or other device, fixture, or associated hardware to be used for communications, light, heat, or other power-consuming purposes if directly connected to the power supply by a permanent connection.
- (9) *Master electrician* means an individual licensed under this division who is principally employed by and represents the electrical contractor, limited, and who personally supervises, directs, and assures the work meets minimum code requirements.
- (10) *Master electrician, limited*, means a person licensed under this article VII, division 5 who is principally employed by the electrical contractor, limited, he or she represents and who personally supervises, directs, and assures the work of a limited type (such as, but not limited to, burglar and holdup alarms, communications, elevator, gas pumps, heating and air conditioning, remote control signaling, signs, or x-rays), which meets minimum code requirements.
- (11) *Telecommunications company* means any public service company which owns or leases telephone lines or fiber optic lines for the reception, transmission, or

communication of messages by telegraph, or which lets, licenses, or sells telegraphic communications.

**Sec. 18-120. Licenses required; violations.**

- (a) It shall be unlawful for any person to engage in the business or act in the capacity of an electrical contractor or electrical contractor, limited, in the City of Laurel without obtaining and maintaining a valid license issued by ~~Prince George's County~~ the Board, and employing a master electrician or master electrician, limited, as appropriate.
- (b) It shall be unlawful for any person to engage in the business or act in the capacity of a master electrician or master electrician, limited, without obtaining and maintaining a valid license issued by ~~Prince George's County~~ the Board.
- (c) It shall be unlawful for any person licensed under this division as an electrical contractor, limited, to contract to perform electrical work of any type not included in their license.
- (d) It shall be unlawful for any person licensed as a master electrician, limited, to engage in the business of supervising, directing, or performing electrical work of any type not authorized by their license.
- (e) Any person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than one thousand dollars (\$1,000.00) or imprisonment of not more than six (6) months, or both.

**Sec. 18-121. Complaints.**

- (a) Any person may file a complaint regarding defects in electrical work with the director, department of the fire marshal and permit services.
- (b) The director, FMPS or their designee shall investigate any complaint filed. If the director, FMPS finds the complaint to be justified, he/she shall report the complaint to the licensee, who is the subject of the complaint, and order the licensee to correct the defect within a reasonable period of time, not to exceed one (1) month. Conditions endangering life or property shall be corrected immediately. The director, FMPS shall determine defects or irregularities based upon the provisions of the electrical code.
- (c) The director, FMPS shall report to the ~~PGEBD~~ the Board the failure of any licensee to correct defects as ordered by FMPS.

**Sec. 18-122. Revocation, suspension, or denial of license.**

- (a) The ~~PGEBD~~ Director shall have the power to revoke, suspend, or refuse to issue or renew the license of any person who shall be found to have committed any one (1) or more of the following:
  - (1) Fraud or deceit in obtaining or renewing a license;

- (2) Failure to correct a major defect or irregularity, as ordered by the director pursuant to this article;
  - (3) Conviction for any crime involving moral turpitude;
  - (4) Aiding, abetting or knowingly combining or conspiring with any person to evade the provisions of this article;
  - (5) Willful and deliberate violation of this electrical code or laws of the City of Laurel, ~~Prince George's County or State of Maryland~~ regarding electricity;
  - (6) Abandonment or willful failure to perform, without justification, any project or contract for electrical work;
  - (7) Failure to comply with the provisions of this article VII in any material respect, or to correct such failure promptly upon notice;
  - (8) Diversion of funds or property received for a specific purpose in any construction project or operation;
  - (9) Application or use for any other project or operation, obligation or purpose, funds or property received for a specific purpose in another construction project, with intent to defraud or deceive the parties to the contract or creditors;
  - (10) Permitting any person, firm or corporation not licensed by ~~Prince George's County~~ the Board to obtain a permit or perform electrical work under the authority of a licensee;
  - (11) Repeatedly performing or permitting the performance of defective or unsafe work;
  - (12) Failure of a licensed electrical contractor or electrical contractor, limited, to be financially responsible for the completion of contracted work; and
  - (13) Failure of a licensed electrical contractor, limited, or master electrician, limited, to maintain a license incidental to the limited license, through non-renewal or revocation or for a violation of the above subsections (1) through (12) in the incidental business or profession.
- ~~(b) Before revocation, suspension, or denial of any license, the PGEBd shall afford the licensee or applicant for license an opportunity for hearing to show cause why its license should not be revoked, suspended or denied. The PGEBd shall provide written notice to the licensee or applicant for license of the charges against him, not less than ten (10) days before the date of hearing, by personal service or certified mail to the last address on file with the board.~~
- ~~(c) The PGEBd shall notify any licensee or applicant for license of the revocation, suspension, or denial of his license by written notice delivered by personal service or certified mail to the last address on file with the board. Any person aggrieved by an action of the board may appeal to the circuit court not more than thirty (30) days after service of the notice by the board.~~

**Sec. 18-123. Reserved.**

**Sec. 18-124. Compliance with NFPA 70 - National Electrical Code (NEC).**

Nothing in article VII, divisions 1 through 5 shall be construed to exempt any electrical work in the city from compliance with the requirements of the NFPA 70 - National Electrical Code (NEC), except for work performed by public utility companies when such work is specifically exempt by provisions of Article 90, Introduction, Section 90.2(B)(5) of the National Electrical Code.

**Sec. 18-125. Permits.**

- (a) Electrical permits shall only be issued to a duly licensed master electrician or limited master electrician, with regard to refrigeration air conditioning and/or heating contractor, or to homeowners as provided by article VII, section 18-107. The application shall be signed by the licensed master electrician or master electrician, limited, responsible for technical supervision of the work, and shall identify the licensed electrical contractor or electrical contractor, limited, where applicable. The master electrician employed by the contractor shall sign any permit application for a duly licensed refrigeration, air conditioning or heating contractor.
- (b) The provisions of this section shall not apply to any electric light company, electric railway company, telegraph company, or to telephone companies where electrical work is an integral part of the plant or service used by such companies in rendering their duly authorized services to the public. When a premise wiring to any occupancy is not a part of the plant or service used by such companies in rendering their duly authorized service to the public, the licensing and inspection requirements shall apply.

**Secs. 18-126—18-130. Reserved.**

**ARTICLE VIII. INTERNATIONAL EXISTING BUILDING CODE (IEBC)**

**Sec. 18-131. Adoption of International Existing Building Code, 2018~~201~~21 Edition.**

- (a) *Adoption.* The International Existing Building Code, 2018~~201~~21 Edition, hereinafter referred to as "IEBC-~~18~~21," as published by the International Code Council, is hereby adopted by the City of Laurel for the purpose of protecting the public health, safety and welfare by establishing certain minimum standards for repairs and alternative approaches for alterations and additions to existing buildings within the city. Each and all of the regulations, provisions, penalties, conditions and terms of the International Existing Building Code are hereby referred to, adopted and made a part hereof, as if fully set out in this article.

**Secs. 18-132—18-145. Reserved.**

**ARTICLE IX. PROPERTY MAINTENANCE CODE**

**Sec. 18-146. Adoption of the International Property Maintenance Code, ~~2018~~ 2021 Edition.**

- (a) *Adoption.* The International Property Maintenance Code, (IPMC) ~~2018~~ 2021 Edition, hereinafter referred to as "IPMC-~~4821~~21," as published by the International Code Council, is hereby adopted by the City of Laurel for the purpose of protecting the public health, safety and welfare by establishing certain minimum standards for the maintenance of properties within the city. Each and all of the regulations, provisions, penalties, conditions and terms of the International Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set out herein, subject to the amendments and supplementation set forth in article IX, section 18-147. The term "department" where used in this article shall refer to the City of Laurel Office of the Fire Marshal and Permit Services.
- (b) *Other regulations.* The provisions of this article shall not be construed to prevent the enforcement of other ordinances or regulations, which prescribe standards other than those provided herein. In the event of conflict, the most restrictive provision shall apply.

**Sec. 18-147. Amendments and supplementation.**

- (a) IPMC-~~4821~~ Chapter 1, Section 101.1 is hereby amended to read as follows: "Title". These regulations shall be known as the International Property Maintenance Code of the City of Laurel and are hereinafter referred to as "this Code" or the "International Property Maintenance Code (IPMC)".
- (b) IPMC-~~4821~~ Chapter 1, Section 102.67 is hereby amended to read as follows: "Historic Buildings." The provisions of this Code shall be mandatory for existing buildings and structures, as well as new buildings and structures, which are located within a designated City Historic District, or otherwise designated by the Federal, State, County or City government as having historic significance. The provisions of this code may, however, be modified on a case-by-case basis in accordance with the provisions contained herein related to modification.
- (c) IPMC-~~4821~~ Chapter 1, Section 102.11 is hereby added to read as follows: "Licenses". This Section establishes the licensing requirements within the IPMC-~~4821~~ of the City of Laurel.
  - (1) IPMC-~~4821~~ Chapter 1, Section 102.11.1 is hereby amended and added to read as follows: "License Required". No person shall conduct or operate, or cause to be operated, either as owner, lessee, and agent or in any other capacity within the City of Laurel, any residential rental facility, as defined herein, without having first obtained a license as provided in Section 102. No license shall be issued until an inspection has been performed in a manner established by the Director, FMPS. The term "residential rental facility" shall mean any building, structure, or combination of related buildings, structures, and appurtenances, operated as a

single entity or a condominium, in which the landlord provides for a consideration one (1) or more rental dwelling units, (multi-family); and shall be construed to mean any transient facilities such as boarding houses, bed and breakfast facilities, tourist homes, inns, motels, hotels and any other facility operated for religious or eleemosynary purposes.

- (2) IPMC-~~4821~~ Chapter 1, Section 102.11.2 is hereby amended and added to read as follows: "License Application". Existing or New Premises. The legal owner of record of each residential rental facility shall make written application to the Director, FMPS or their designee, for a license for such use, on a form supplied by the FMPS and containing such information as necessary to administer and enforce the provisions of, and to ensure compliance with, the provisions of IPMC-~~4821~~. There shall be a continuing obligation on the part of the license holder to update the information on his or her application and to supply information not previously submitted. In addition, the legal owner of record of each new residential rental facility shall make written application to the FMPS for a license, as herein provided, prior to any initial occupancy.
- ~~(3) IPMC-18 Chapter 1, Section 102.11.3 is hereby amended and added to read as follows: "Exemptions from Licensing Requirements". Notwithstanding any other provision of IMPC-18, any property which is subdivided under the Horizontal Property Act, Annotated Code of Maryland, Title 11 of the Real Property Article, as amended, is hereby exempted from the licensing requirements of Section 102, provided that the council of unit owners of a condominium project certifies to the Department of the Fire Marshal and Permit Services that no less than fifty-one (51%) percent of all of the condominium units located on said property are owner occupied.~~
- (4)(3) IPMC-~~4821~~ Chapter 1, Section 102.11.4 is hereby amended and added to read as follows: "License Issuance or Denial".
- (i) "Issuance". When FMPS finds that the requirements of IPMC-~~4821~~ have been met, a license certifying such facts shall be issued.
- (ii) "Denial". If FMPS finds that the requirements of IPMC-~~4821~~ have not been met, a written denial specifying the defects shall be given and/or transmitted to the applicant.
- ~~(5)4~~ IPMC-~~4821~~ Chapter 1, Section 102.11.5 is hereby amended and added to read as follows: "License Renewal". Unless the license is revoked or suspended for cause(s) prior to its expiration, each license issued under this IPMC-~~4821~~ shall expire on August 1<sup>st</sup> of each year.
- ~~(6)5~~ IPMC-~~4821~~ Chapter 1, Section 102.11.6 is hereby amended and added to read as follows: "Transferability of License Fee". No license, duly issued, may be transferred.

~~(6)~~ IPMC-~~4821~~ Chapter 1, Section 102.11.7 is hereby amended and added to read as follows: "License Suspension or Revocation; Procedure; Revalidation and Reissuance.

- (i) A license, once issued or reissued, may be suspended or revoked upon a finding by FMPS that the requirements of Article 102 have been violated, where the violations constitute a serious threat to the health and safety of the occupants, or upon the failure of the licensee to comply with a notice of violation. However, no license shall be suspended or revoked hereunder without the Chief Building Official, or their designee, first holding a hearing to consider the action and giving the licensee at least five (5) working days written notice of the time, place, and date of the hearing. The notice shall set forth the grounds for suspension or revocation. Once a license has been suspended or revoked, FMPS may proceed with appropriate enforcement action as provided herein.
- (ii) A suspended license may be reissued upon meeting the requirements of IPMC-~~4821~~ and payment of fifty (50%) percent of the applicable license and inspection fees. Reissuance of a license that has been revoked, or denied upon application for renewal, shall be subject to payment of the full amount of the applicable license and inspection fees, except that, at the discretion of FMPS, the license may be re-issued on an annual basis. Such a decision by FMPS may be appealed to the City of Laurel Board of Appeals, if filed within thirty (30) calendar days from the date of such decision, pursuant to the appeal procedures as set forth in Chapter 18, Article 1, Division 2, Section 18-20 of this Code.
- (iii) When a license has been suspended or revoked, or an application for a license has been denied, it shall be unlawful for the applicant and/or former licensee or any person to occupy or use any dwelling unit that is vacant or becomes vacant until a license has been reissued.
- (iv) Upon suspension, revocation, denial or expiration of a license, a NOTICE, issued by FMPS, shall be posted and publicly displayed in the rental office or upon the property, as FMPS determines, which shall state as follows:

#### NOTICE

"OCCUPANCY OF ANY DWELLING UNIT IN THIS BUILDING/PROJECT NOW VACANT, OR BECOMING VACANT, IS UNLAWFUL UNTIL A LICENSE TO OPERATE HAS BEEN OBTAINED AND IS DISPLAYED."

- (v) It shall be unlawful for any person to remove such NOTICE until a valid license has been obtained from FMPS. Any issued license, which is suspended or revoked, shall be returned to FMPS.
- (vi) The NOTICE of suspension, revocation or denial of a license shall advise the person notified of their right of appeal of such NOTICE, pursuant to the

appeal procedures as set forth in Chapter 18, Article 1, Division 2, Section 18-20 of this Code.

- (8) IPMC-~~48~~21 Chapter 1, Section 102.11.8 is hereby amended and added to read as follows: "Display of License". Licenses issued pursuant to Chapter 18 of this Code shall be prominently and publicly displayed on the premises of the structure, whenever feasible, or produced on demand of a tenant or prospective tenant. Such licenses shall be available at reasonable times for inspection by an authorized Inspector of FMPS.
- (9) IPMC-~~48~~ 21 Chapter 1, Section 102.11.9 is hereby amended and added to read as follows: "License Fees, Refunds; Review of Fees".
  - (i) No refunds of license and inspection fees shall be made to those discontinuing operations or who sell, transfer, convey or otherwise dispose of a licensed building to another person. In the event FMPS denies a license application, due to legal restrictions that prohibit the issuance of the license, fifty (50%) percent of the applicant's tendered fees may be returned.
- (10) IPMC-~~48~~ 21 Chapter 1, Section 102.11.10 is hereby amended and added to read as follows: "Coordination with Other Departments". All FMPS personnel will coordinate with other City departments regarding completing inspections, issuing licenses and permits, and providing cooperation between all parties involved in these processes, to reduce multiplicity and unnecessary delays.
- (d) IPMC-~~48~~ 21 Chapter 1, Section 103 is hereby amended and replaced to read as follows: "Building Official and Fees".
  - (1) IPMC-~~48~~ 21 Chapter 1, Section 103.1 is hereby amended to read as follows: "Building Official". All references in IPMC- ~~48~~21 to Building Official refers to the City of Laurel Chief Building Official (CBO).
  - (2) IPMC-~~48~~ 21 Chapter 1, Section 103.2 thru 103.4 are deleted.
  - (3) IPMC-~~48~~ 21 Chapter 1, Section ~~103.5~~ 104.1 is hereby amended to read as follows: "Fees". All fees related to IPMC-~~48~~ 21 will refer to Article 1, Division 2, Section 18.23 "Fee Schedule" of this Code.
- (e) IPMC-~~48~~ 21 Chapter 1, Section 105.1 is hereby amended to read as follows: "Modifications". Whenever there are practical difficulties involved in carrying out the provisions of this code, the Director, FMPS shall have the authority to grant modifications for individual cases, provided the Chief Building Official shall first find that special individual circumstances makes the strict letter of this code impractical and that the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen health, life and fire safety requirements. In making such determination, the Director, FMPS shall give consideration to such recommendations as may be made by the Chief Building Official and such justifications as may be provided by the requesting party. The details of action granting a modification shall be recorded and entered in the FMPS's files.

- (f) IPMC-48 21 Chapter 1, Section ~~106.4~~ 109.4 is hereby amended to read as follows: "Violation Penalties". Unless otherwise specifically provided herein, every person, firm or corporation who violates any provision of IPMC-4821 shall be guilty of a municipal infraction and not a misdemeanor. The penalty for violation of any such provision shall be a fine of one hundred (\$100.00) dollars for each initial offense and two hundred (\$200.00) dollars for each repeat offense. Every day can be considered to be a separate violation. The CBO or their designee, shall be authorized to issue citations for such infractions.
- (g) IPMC-48 21Chapter 1, Sections110.1, Section 110.2, and Section 110.3 are hereby deleted in their entirety.
- (h) IPMC-48 21 Chapter 1, Section 444, 107 is hereby amended as follows: "Means of Appeals". Any person aggrieved by an FMPS decision may appeal that decision to the City of Laurel Board of Appeals pursuant to the appeal procedures as set forth in Chapter 18, Article 1, Division 2, Section 18-20 of this Code.
- ~~(i) IPMC-48 Chapter 1, Section 111.1 thru Section 111.8 are hereby deleted in their entirety.~~
- ~~(j)~~(i) IPMC-48 21 Chapter 2, Section 202, is hereby added to read as follows:  
"General Definitions".
- (1) Department refers to the City of Laurel Department of the Fire Marshal and Permit Services.
  - (2) Director refers to the Director, Department of the Fire Marshal and Permit Services.
- ~~(k)~~(j) IPMC-48 21 Chapter 3, Section 302.8, "Motor Vehicles." is deleted in its entirety.
- ~~(l)~~(k) IPMC-48 21 Chapter 3, Section 304.14 is amended to read as follows: "Insect Screens". During the period from May 1 to October 31, every door, window and other outside opening used or required for ventilation purposes serving any building containing habitable rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.
- ~~(m)~~(l) IPMC-48 21 Chapter 6, Section 602 is amended to read as follows: "Heating Facilities".
- (1) ~~IPMC-48~~ IPMC-48 21 Chapter 6, Section 602.2 is hereby amended to read as follows: "Residential Occupancies". Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of sixty-eight (68°) degrees F., (twenty (20°) degrees C), at a level of three (3') feet (914 mm) above the floor and a distance of three (3') feet (914 mm) from the exterior walls in all habitable rooms, bathrooms and toilet rooms based on the outside design

temperature required for the locality. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

- (2) ~~IMPC-48~~ IPMC-21 Chapter 6, Section 602.3 is hereby amended to read as follows: "Heat Supply". Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guest room on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 15<sup>th</sup> to April 15<sup>th</sup> to maintain a room temperature of not less than sixty-five eight (~~65~~<sup>8</sup>) degrees F. (20° degrees C.) in all habitable rooms, bathrooms, toilet rooms, ~~during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than sixty (60°) degrees F. (sixteen 16° degrees C.) during other hours.~~ The temperature shall be measured at a point three (3') feet (914 mm) above the floor and three (3') feet (914 mm) from the exterior walls. When the outdoor temperature is below the outdoor design temperature required for the locality. The owner or operator shall not be required to maintain the minimum room temperatures, provided the heating system is operating at full capacity, with supply valves and dampers in a full open position.
- (3) ~~IMPC-48~~ IPMC-21 Chapter 6, Section 602.4 is hereby amended to read as follows: "Non-residential structures. Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 15<sup>th</sup> to April 15<sup>th</sup> to maintain a temperature of not less than sixty-five (65°) degrees F. (eighteen (18°) degrees C.) during all working hours. The temperature shall be measured at a point three (3') feet (914 mm) above the floor and three (3') feet (914 mm) from the exterior walls.
- (n) ~~IPMC-48~~ IPMC-21 Chapter 7, Section 704.8 is added to read as follows: "Smoke Alarm Replacement". Any replacement of a battery-operated smoke alarm or newly installed battery-operated smoke alarm must be of the ten (10) year type with a sealed battery and a hush feature.
- (o) ~~IPMC-48~~ IPMC-21 Chapter 7, Section 704.9 is added to read as follows: "Tampering". Anyone tampering or interfering with the effectiveness of a smoke alarm or carbon monoxide detector shall be in violation of ~~IPMC-48~~IPMC-21. No tenant, owner, or other person, with the exception of authorized governmental personnel, shall disconnect or disable any smoke alarm required by ~~IMPC IPMC-48~~IPMC-21, and any such action shall constitute a violation of ~~IMPC IPMC-48~~IPMC-21. Violation of Section 704 shall result in a fine of one hundred (\$100) dollars per day.
- (p) ~~IPMC-48~~ IPMC-21 Chapter 7, Section 706 is added to read as follows: "Grills and other Equipment Prohibited on Balconies of Multi-family Units." In multi-family rental facilities, as that term is defined in Section 18-147(c)(1) hereof, no grill, hibachi, barbecue grill, or other cooking device and/or fuel fired equipment shall be used, placed or stored on any balcony, terrace, patio, or porch of any unit in such facility.

The use, placement, or storage of any such device as said shall constitute a violation of this Code.

## **Sec. 18-148. Rental properties.**

### **(a) Definitions.**

- (1) *Code enforcement officer* means a city employee within the department of the fire marshal and permit services who inspects, investigates and enforces the applicable city Codes.
- (2) *Dwelling* means any building which is used wholly or partly or intended to be used for living or sleeping by human occupants, provided that temporary housing, as hereinafter defined, shall not be regarded as a "dwelling."
- (3) *Dwelling unit* means any room or group of rooms located within a dwelling and forming a single habitable unit or having a separate address, with facilities which are used or intended to be used for living, sleeping, cooking and eating.
- (4) *Habitable room* means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces, recreation rooms, workshops and other rooms used only occasionally.
- (5) *Hotel (including motel)* means any building containing rooms or suites of rooms designed and intended for the temporary lodging of guests, and which are available to the general public for compensation.
- (6) *Operator* means any person who has charge, care or control of a building or part thereof in which dwelling units or rooming units are let.
- (7) *Owner* means any person who, alone or jointly or severally with others:
  - (i) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
  - (ii) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administrative, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provision of this article, and of the rules and regulations adopted pursuant thereto to the same extent as if he/she were the owner.
- (8) *Person* means and includes any individual, firm, corporation, association or partnership.
- (9) *Rental property* means any dwelling, dwelling unit, habitable room; rooming unit, bedroom and the like which is rented to a person or persons (other than immediate family members) under a written or oral agreement for payment of rent or for other consideration.

- (10) *Rooming unit* means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.
- (11) *Sleeping room/bedroom* means a room or enclosed floor space with adequate light, heat and ventilation, closet space intended for sleeping, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, living rooms, kitchens, dining rooms, closets and storage spaces, recreational rooms, workshops or porches, enclosed or otherwise.
- (12) *Supplied* means paid for, furnished or provided by or under the control of the owner or operator.
- (b) *License required.* All rental properties within the City of Laurel shall be required to have a rental license issued by FMPS pursuant to article X. All licenses shall be renewed annually.
- (c) *[Application deadline.]* All owners of rental properties shall apply for their license on or before September 1 of each calendar year. FMPS shall inspect all such rental properties that have less than ten (10) units. All properties having ten (10) units or more, shall be eligible to participate in the FMPS's self-certification program. The fee for such inspection shall be as noted herein and paid at the same time as the application for license along with the first year's license fee. If the license fee is not received by the due date, a citation for one hundred dollars (\$100.00) will be written for each month until the rental license has been renewed.
- (d) *Inspection and fees.* All rental properties shall be subject to an inspection by the FMPS. Refer to the approved fee schedule under section 18-23.
- (1) All rental properties containing less than ten (10) individual units shall be subject to re-inspection every three (3) years or upon a complaint being made.
- ~~(2) All rental properties containing more than ten (10) individual units may participate in FMPS's self-certification program if properties have no outstanding violations and the owner submits an affidavit of self-certification. An owner can be removed from the program by the director, FMPS, if the information submitted is found to be incorrect or fraudulent.~~
- ~~(3-2)~~ Individual unit(s) may be re-inspected prior to the passage of the three-year cycle only upon the following:
- (i) Complaint (the name and address of a person making a complaint pursuant to this IPMC-~~48~~21 shall be confidential and shall not be released); or
  - (ii) Request of the property owner; or
  - (iii) Immediately after a significant event, including but not limited to fire, flood, severe storm, or the like; or

- (iv) Other obvious violation of any applicable law, ordinance or code after being cited by the FMPS for such violation.
- ~~(4)~~(3) Property owners shall have a maximum of thirty (30) days from the date of an inspection to correct any code violations (except for life safety violations for which the property owner shall have up to twenty-four (24) hours to correct). The code enforcement officer shall issue a municipal infraction in cases where the time for corrections has elapsed and the corrections have not been accomplished.
- (e) *Rental properties; applicable codes.* All rental properties shall comply with all applicable federal, state and local laws, codes and ordinances concerning building; electrical; structural; plumbing; property maintenance and the like including but not limited to the adopted International Property Maintenance Code (IPMC), 2018 21 Edition; and the National Electrical Code (NEC), 2017 20 Edition.
- (f) *Penalties.*
  - (1) No property owner shall be allowed to operate a rental unit without compliance with IPMC-~~48~~. 21
  - (2) Any provision violation of IPMC-~~48~~ 21 shall be a municipal infraction subject to the following fines:
    - (i) A two hundred and fifty dollar (\$250.00) fine for an initial violation.
    - (ii) A five hundred dollar (\$500.00) fine for a second violation.
    - (iii) A seven hundred and fifty dollar (\$750.00) fine for a third violation.
    - (iv) A one thousand dollar (\$1,000.00) fine for a fourth violation and for any consecutive violation after the fourth violation.
    - (v) The maximum penalty pursuant to IPMC-~~48~~ 21 this article shall be one thousand dollars (\$1,000.00) per violation.
    - (vi) Each day that a property owner is in violation of any provision of IPMC-~~48~~21 shall be deemed an additional violation.
- (g) *[Right to adopt policies.]* FMPS shall have the right to adopt the appropriate policy to fully implement the rental licensing program including, but not limited to, licensing forms, inspection policies, fees and the like.
- (h) ~~IMPC~~-IPMC ~~48~~ 21 Chapter 4, Section 403.6. The owner of each rental dwelling unit shall assure compliance with the following standards during human habitation:
  - a. Temperature control - air conditioning in rental housing.
    - i. For purposes of this subsection. rental housing has the meaning stated in Section 18-48. except that rental housing does not include:
      - 1) A dwelling unit located on a site listed in the National Register of Historic Places.

- ii. Except as provided in paragraph iii, between May 1st and September 30th:
    - 1) Each owner of rental housing where cooling is not under control of the tenant shall maintain a temperature of no more than seventy-three degrees Fahrenheit (73°F.) in each habitable space at a distance of 3' feet above the floor level; and
    - 2) Each owner of rental housing where the cooling is under the control of the tenant shall provide an air conditioning system capable of maintaining a temperature of no more than seventy-three degrees Fahrenheit (73° F.) in each habitable space at a distance of 3' feet above floor level.
  - iii. A tenant may elect to have no air conditioning service installed and provided if:
    - 1) The air conditioning, if installed, would be provided by one or more individual air conditioning units controlled by the tenant: and
    - 2) An addendum to the lease:
      - a) Specifies any additional amount of rent that would be required if air conditioning were provided:
      - b) Acknowledges that the tenant has been offered, but has elected not to have air conditioning.
  - iv. A landlord may apply for, and the Director, Department of the Fire Marshal and Permit Services (FMPS) may grant, an extension of up to six (6) months to comply with the requirements of this Section if the Director, FMPS finds that:
    - 1) The landlord shall make electrical upgrades to the rental housing or unit(s) to comply with the requirements: and
    - 2) Making the upgrades would cause financial hardship to the landlord.
  - v. This subsection shall not be construed to permit any violation of a fire safety requirement under Chapter 18, Article III.
- (i) *Obligations of Landlords.* Each landlord shall reasonably provide for the maintenance of the health, safety, and welfare of all tenants and all individuals properly on the premises of rental housing. As part of this general obligation. each landlord shall:
- a. Except when required for reasonable maintenance and repair, supply and maintain air conditioning service either through individual air conditioning units or a central air conditioning system in a safe and good working condition so that it provides an inside temperature no higher than seventy-three degrees Fahrenheit (73° F.) or less between May 1st and September 30th.
- (j) *Transition Period.* Any new rental unit development within the City of Laurel shall adhere to this requirement after the effective date of this article.

- (k) *Impairment of Leases*. This article shall not be construed to invalidate or impair a lease in effect on the effective date of this article.

**Sec. 18-149. Door to door solicitation—License required.**

- (a) Any person who intends to act in the capacity of a solicitor shall, prior to entering into or upon any residential dwelling within the City of Laurel, shall obtain a license from the fire marshal and permit services.
- (b) Any violation of the section 18-149 shall be punishable as a municipal infraction. A fine of one hundred dollars (\$100.00) shall be imposed for the first offense, and such fine shall escalate by one hundred dollars (\$100.00) for each additional violation to the limit allowed by applicable Maryland State Law.

**Secs. 18-150—18-155. Reserved.**

**ARTICLE X. RESIDENTIAL HOUSING STANDARDS**

**Sec. 18-156. Purpose.**

Article X is intended to protect the health, safety and welfare of the City of Laurel residents by reinforcing and authorizing the enforcement of maximum standards of occupancy for residential properties.

**Sec. 18-157. Definitions.**

- (a) In article X, the following words and phrases have the following meanings:
- (1) *Basement* means the portion of any dwelling located partly underground and/or having less than half its clear floor-to-ceiling height below the mean level of the adjacent ground.
- (2) *Boarding house* means a dwelling in which, for compensation, lodging, and meals are furnished to four (4) or more guests/persons, but not exceeding nine (9) guests/persons. Such dwelling shall contain no more than five (5) guest rooms. A boarding house shall not be deemed a home occupation. No services or personal care shall be offered. No dependency on personal or household assistance for the occupants shall be created or endorsed by the property owner or his/her agent.
- (3) *Cellar* means the portion of a dwelling that is located below the first-floor joists having half or more than half of its clear floor-to-ceiling height below the mean level of the adjacent ground.
- (4) *Dwelling* means any building or structure, except temporary housing or emergency shelter, which is wholly or partly used or intended to be used for living or sleeping by human occupants.

- (5) *Dwelling unit* means any room or group of rooms located within a dwelling, which forms a single habitable unit with facilities that are used or intended to be used for living sleeping, cooking and eating.
- (6) *Habitable room* means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, but which does not include any bathroom, water closet compartment, laundry, pantry, and foyer, communicating corridor, stairway, closet, recreation room, storage space or emergency shelter.
- (7) *Occupant* means any person (including the owner) living and sleeping in a dwelling unit.
- (8) *Owner* means any person who, alone or jointly with any other person, has legal or equitable title to any dwelling unit, with or without having actual possession of the unit, or has charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner.
- (9) *Dwelling, multifamily/multi-unit, apartment house* means a building containing three (3) or more dwelling units (an apartment house). Each dwelling unit shall be designed for completely independent living.
- (10) *Lodging house* means a residential building with three (3) or more sleeping rooms are rented for lodgers, and where in no dining facilities are maintained for the lodger, as distinguished from a boarding house, but not open to public or overnight guests.
- (11) *Rooming house* means a dwelling in which, for compensation, lodging is furnished to three (3) or more guests/persons, but not exceeding nine (9) guests/persons. A rooming house shall not be deemed a home occupation and shall not be considered as a childcare residence. Such dwelling shall contain not over five (5) guest rooms
- (12) *Temporary housing* means any tent, recreational vehicle, trailer, or similar structure used for human shelter for not more than thirty (30) consecutive days.

**Sec. 18-158. Space, use and location.**

- (a) No person shall occupy or permit another to occupy any dwelling or dwelling unit, which does not comply with the following minimum standards for space, use and location:
  - (1) *Habitable floor area*. Every dwelling unit must contain at least one hundred fifty (150) square feet of habitable floor area for the first occupant and at least one hundred (100) additional square feet of habitable floor area for every additional occupant.
  - (2) *Sleeping room/bedroom*. In every dwelling unit, every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping purposes by more than

one (1) occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each occupant under twelve (12) years of age.

- (3) *Infants*. For purposes of article XI, a person under one (1) year of age shall not be counted as an occupant.
- (4) *Cellar space*. Cellar space shall not be used for living purposes.
- (5) *Bathroom*. If an existing boarding, lodging or rooming house changes ownership and a new use and occupancy permit is required, or is remodeled and a building permit is required, each sleeping room/bedroom shall be provided with full bathroom to include a sink, toilet and bath/shower area.

#### **Sec. 18-159. Penalties.**

Any violation of the provisions hereinabove shall be punishable as a municipal infraction. a fine of one hundred dollars (\$100.00) shall be imposed for the first offense, and such fine shall escalate by one hundred dollars (\$100.00) for each additional violation to the limit allowed by applicable state law.

#### **Secs. 18-160—18-164. Reserved.**

### **ARTICLE XI. PROPERTY STANDARDS**

#### **DIVISION 1. STORAGE OF UNREGISTERED, INOPERABLE, DISMANTLED, PARTIALLY DISMANTLED AND WRECKED MOTOR VEHICLES AND TRAILERS; SNOW AND ICE REMOVAL**

#### **Sec. 18-165. Definitions.**

- (a) In article XI, the following words and phrases have the following meanings:
  - (1) *Antique motor vehicle* means any motor vehicle defined as a "historic motor vehicle" pursuant to the Ann. Code of Maryland, Transportation Article, § 13-936, as amended from time to time.
  - (2) *Inoperative motor vehicle* means any motor vehicle which is in a wrecked, dismantled, or partially dismantled condition, or from which the wheels, engine, transmission, or any substantial part thereof have been removed, or which for any reason is incapable of operation on its own power.
  - (3) *Motor vehicle* means any vehicle or device that is self-propelled or designed for self-propulsion along the group, including, but not limited to, automobiles, buses, trucks, truck tractors, tractors, and motorcycles.
  - (4) *Person* means any person, firm, corporation, association, organization, or other legal entity.

- (5) *Private property* means any property located within the City of Laurel, which is privately owned and is not publicly owned property by any federal, state, county or local government or any agency thereof.
- (6) *Trailer* means any boat trailer, camping trailer, pole trailer, semitrailer, trailer, or travel trailer, as those terms are defined by the Ann. Code of Maryland, Transportation Article, Subtitle 1 (1998 Replacement Volume), as amended.
- (7) *Unregistered motor vehicle* means a motor vehicle, which is not validly registered pursuant to the laws of the State of Maryland not displaying current license plates.

**Sec. 18-166. Prohibited parking, storage and maintenance.**

- (a) Except as otherwise provided herein, it shall be unlawful for any person to park, store, leave or permit the parking, storing or leaving of any unregistered, inoperative, dismantled, partially dismantled or wrecked motor vehicle or parts of any motor vehicle, or any trailer, on any private or public property. The presence of such vehicles or parts thereof, or trailers, on private or public property is hereby declared to be a public nuisance, which may be abated in accordance with the provisions of article XI, division 1.
- (b) The provisions of this section 18-166 shall not apply to a motor vehicle or trailer kept or stored within a fully enclosed garage out of public view. The storage of a motor vehicle or trailer under a tarpaulin, tent, or similar covering, or in or under any temporary structure or any structure not authorized by the building and zoning codes of the city shall not satisfy the requirements of section 18-166. In order to determine whether a vehicle is registered and has valid tags, FMPS personnel are authorized to enter upon private property.
- (c) The provisions of section 18-166 shall not apply to vehicles or trailers parked, stored or left on any private property in the following situations:
  - (1) Vehicles or trailers being parked, stored or left on any private property on which a business is located, provided that such business is authorized by applicable building and zoning codes, and provided further that the parking, storage or maintenance of such vehicle is authorized by applicable law and regulations in connection with the operation of such business.
  - (2) Vehicles or trailers being repaired provided that such repairs be accomplished within a reasonable period of time; however, such period of time shall not exceed ten (10) days.
  - (3) Antique vehicles, as described and validly registered as "historic motor vehicles" with the Maryland Motor Vehicle Administration. No more than two (2) such antique vehicles may be maintained on the property at any one (1) time. Any such antique vehicle, which is inoperable, wrecked or dismantled, may only

remain on the property in such condition for such time as may be reasonable for restoration of the vehicle.

- (4) Any situations in which the strict application of the provisions of section 18-166 would result in undue hardship because of unusual or extenuating circumstances.

#### **Sec. 18-166.1. Parking and storing of vehicles.**

Not more than three (3) motor vehicles, which may include only one (1) commercial vehicle not exceeding three-fourths ( $\frac{3}{4}$ ) ton in capacity and not more than one (1) unoccupied trailer may be parked or stored on one (1) property. Outdoor parking shall be limited to passenger vehicles, pickup trucks, and one (1) commercial vehicle of the light delivery type containing no advertising other than a firm name or similar designation in lettering not exceeding four (4) inches in height on any part of the vehicle. Any other type of commercial vehicle or one (1) containing advertising in excess of the foregoing limits shall be parked or stored in a garage.

#### **Sec. 18-166.2. Parking on grass.**

All vehicles, trailers, recreational vehicles, or all others shall not be stored, parked, or be located on a grassy/dirt surface. All vehicles must be parked on an approved driveway.

#### **Sec. 18-167. Reserved.**

#### **Sec. 18-168. Notice of violation.**

Whenever a violation of section 18-166 exists, any police officer, parking enforcement officer or FMPS code enforcement officer is authorized to issue a violation notice, requesting compliance, and removal of the motor vehicle or trailer within five (5) days after the issuance of the violation notice. The violation notice shall include a description of the vehicle or trailer and shall specify that failure to comply with the notice within the time specified may result in the removal of the vehicle or trailer from the property, by the city, at the expense of the owner of the vehicle or trailer, or the owner, lessee and/or occupant of the property. The notice shall also specify that a request for hearing may be made to the director, FMPS pursuant to article I, division 2, section 18-20. The violation notice shall be delivered to the owner or posted to the property, if the owner cannot be located, the violation notice will be sent by certified mail to the owner of record of the property. If sent by certified mail, a return receipt requested from the addressee is required at the last known address or (as shown by the property tax or assessment records of the City of Laurel). A copy of the notice shall also be delivered to the current occupant or occupants of the property is/are such person or persons can be readily located, otherwise it shall be mailed to the occupant or occupants of the property if such person or persons are known. A copy of the order or notice shall be posted on the front door or address side of the structure affected by such order or notice. A copy of the

notice shall also be posted on the vehicle or trailer provided that access to the vehicle or trailer is readily available. A copy of the notice shall also be delivered or mailed to the registered owner of the vehicle or trailer if the identity of the owner is readily determinable. Procedure shall constitute service on the date of such mailing and posting.

#### **Sec. 18-169. Hearing.**

- (a) Any person to whom a notice has been given pursuant to article XI, section 18-168 may within the time specified in the notice file a written request for a hearing before the director, FMPS to contest the notice. Such hearing request shall be in writing, shall make reference to the violation notice, shall include the full name, address and business and residence telephone number of the person requesting the hearing, and shall state all facts and reasons in support of the request for hearing.
- (b) Upon receipt of the request for hearing, the director, FMPS shall promptly schedule a hearing and shall notify the person requesting the hearing and any other persons to whom the original notice was given.
- (c) The hearing before the director, FMPS shall be informal and the strict rules of evidence shall not apply. The person requesting the hearing and any other interested parties shall have a right to testify and present evidence at the hearing. The hearing may be recorded if the director, FMPS so elects, but need not be recorded.
- (d) Upon conclusion of the hearing, the director, FMPS shall promptly prepare a written summary of the hearing, which shall include their findings of facts, and shall either affirm, modify or revoke the notice of violation. The time for any required corrective action shall be specified. A copy of this order shall be sent to all interested parties.
- (e) A request for a hearing pursuant to this subsection shall stay enforcement of the violation order except in situations, which pose an imminent threat to the health, safety or welfare of persons or property.

#### **Sec. 18-170. Removal of motor vehicles and trailers.**

Whenever any person fails to comply with the notice or order issued pursuant to article XI, within the time specified by notice or order, the director, FMPS, may direct the removal of the motor vehicle or trailer from public or private property. The cost of removal and storage, as well as any reasonable administrative and legal costs, shall be chargeable, jointly and severally, to the person or persons found to be in violation, and any such costs and expenses shall constitute a lien on the property from which the vehicle was removed in the same manner as a lien for real property taxes. The vehicle or trailer may subsequently be disposed of pursuant to the provisions of section 17-32, abandoned vehicles, of the Laurel City Code, as amended from time to time, regarding the disposition of abandoned vehicles.

### **Sec. 18-171. Interference with removal.**

No person shall interfere with, hinder or refuse to allow the removal of a motor vehicle or trailer on private property provided such removal is being conducted pursuant to the article XI.

### **Sec. 18-172. Penalties.**

- (a) Violation of the provisions of article XI shall be a municipal infraction and not a misdemeanor. The penalty for such violation shall be a fine of one hundred dollars (\$100.00) for each initial offense and two hundred dollars (\$200.00) for each repeat offense. Each day that any violation of article XI exists shall constitute a repeat offense. Any police officer or FMPS code enforcement officer is authorized to issue a violation notice, however, no municipal infraction citation shall be issued during the five-day notice period provided for in article XI, section 18-168.
- (b) Violation of the provisions of article XI, section 18-171 shall be a misdemeanor, the penalty for which shall be a fine not to exceed one thousand dollars (\$1,000.00) and/or imprisonment not to exceed six (6) months, or both.

### **Sec. 18-173. Appeals.**

Within thirty (30) days after issuance of the findings of fact and decision of the director, FMPS, pursuant to article XI, section 18-169(d), any person may appeal the director's, FMPS decision to the City of Laurel Board of Appeals pursuant to article I, division 2, section 18-20. Appellant shall be responsible for any filing fees, as may be established by the office of the fire marshal and permit services.

### **Secs. 18-174—18-180. Reserved.**

## **DIVISION 2. ACCUMULATIONS AND OBNOXIOUS CONDITIONS, ETC.**

### **Sec. 18-181. Height of weeds.**

It shall be the duty of every person as owner, occupant, lessee or agent in charge of land lying within the city to keep all weeds and grass cut to a height of not over eight (8) inches.

#### **Sec. 18-181.1. Trimming of hedges, shrubs and trees.**

All hedges composed of Hawthorne, Buckthorn, Osage orange, or other shrubs or trees planted along the line of any street in the city shall be trimmed, so that the branches thereof shall not extend to or over the inside portion of the sidewalk on any street.

#### **Sec. 18-181.2. Snow and ice removal.**

- (a) It shall be the responsibility of each owner, owner's agent, or any persons having charge of any residential or commercial properties, whether occupied or vacant, within the city situated on or along any paved street in the city, within twelve (12)

hours after the cessation of any snowfall, or in the case of formation of any ice, to remove or clear away such snow or ice from the pavement or sidewalk fronting the properties as to leave the sidewalk clean and free from snow and ice to allow for clear passage. If such snow falls or ice forms stops between the hours of 6:00 p.m. and 6:00 a.m., then the twelve-hour removal time frame will start at 6:00 a.m. Pursuant to the provisions of section 18-181.2 any pavement or sidewalk which abuts any nonresidential property, or which abuts any residential development or any portion thereof in which snow and ice is removed by the management of the development pursuant to covenants or any other such legal agreement.

- (b) Notwithstanding language to the contrary in subsection 18-181.2(a), it shall not be a violation for any person to remove or clear, or cause to be removed or cleared, ice or snow from only three-fourths ( $\frac{3}{4}$ ) of the width of the sidewalk, using the remaining one-fourth ( $\frac{1}{4}$ ) as a depository location for the cleared snow or ice, provided that there is no other convenient area available for depositing the cleared snow or ice upon the property owned or occupied by said person, and such action is reasonably necessary to prevent the depositing of cleared snow or ice in a cleared area of a street or portion thereof.
- (c) The term "sidewalk" shall have the same meaning for purposes of section 18-181.2 as that contained in the definition of the term "sidewalk" as set forth in the Ann. Code of Md., Transportation Article, § 21-101(5), as amended.
- (d) After the expiration of the time specified in subsection 18-181.2(a), the city, may without notice remove any snow or ice not removed per section 18-181.2 and the cost and expense so incurred may be assessed against the owner, agent, or responsible person. The penalty for the violation of subsection 18-181.2(a), and the city's cost and expense so incurred shall constitute a debt due and owing to the city, collectable as other such debts, and shall also constitute a lien upon the property until paid.
- (e) The violations of any provision of section 18-181.2 are hereby declared to be municipal infractions and not misdemeanors. The penalty for such violation shall be a fine of one hundred dollars (\$100.00) in connection with any property which abuts any nonresidential property or which abuts any residential development or any portion thereof in which snow and ice is removed by the management of the development pursuant to any covenants or other such legal agreement, and a fine of two hundred dollars (\$200.00) for each additional offense in relation to such property. The penalty for all other residential properties shall be twenty-five dollars (\$25.00) for each initial offense and fifty dollars (\$50.00) for each additional offense. Each day during which any violation exists shall constitute a separate offense. The director, department of the fire marshal and permit services or their designee shall be responsible for the enforcement of section 18-181.2 and the issuance of any municipal violation citations as provided for herein.

**Sec. 18-181.3. Prohibited disposal of refuse - on property of another without consent.**

It shall be unlawful for any person to dispose of refuse of any kind or quantity upon the land or property of another situate within the city without prior written consent from the owner of such land or property or unless the act is done under the personal direction of such owner.

**Sec. 18-182. Collection of foul liquids or refuse declared a nuisance.**

Any pool of foul or stagnant water or other liquid, or any pile or collection of refuse of any kind, or any pile or collection of manure, offal, stable straw or compost within the limits of the city, which has not been approved in writing by the FMPS, with a certificate of approval thereof delivered to the owner or occupier of the premises on which such matter is located, shall constitute and be a public nuisance.

**Sec. 18-183. Prohibited nuisance signs.**

- (a) All signs either self-supporting or attached to trees, utility poles, public benches, street lights, walls, fences, and the like, or on any public property or public right-of-way are prohibited, except for:
  - (1) Signs for residential yard sales, temporary real estate signs not exceeding three (3) square feet may be posted on private property and city rights-of-way, on approach routes, from 4:00 p.m. on Friday until 12:00 p.m. the following Monday. Yard sales are limited to two (2) events per premises per calendar year.
  - (2) Violation of this Code is a municipal infraction not a misdemeanor. Each sign violation shall be subject to a fifty (\$50.00) dollar fine and each sign will be deemed a separate offense. The city may remove an illegal sign and issue a violation citation to the owner or installer of the sign.
  - (3) All other signs located in the public rights-of-way are prohibited.

**Sec. 18-184. Littering.**

It shall be the duty of every person as owner, occupant, lessee or agent in charge of land lying within the city not to allow litter to be deposited or to accumulate, either temporarily or permanently, on such land. This section 18-184 shall not apply to those persons who store litter in private receptacles for collection or under controlled conditions for industrial processing, such as recycling.

**Sec. 18-185. Notice to remove.**

If the director, department of the fire marshal and permit services or their designee finds and determines that any of the provisions of article XI, division 2 have been violated, they shall notify, in writing, the owner, lessee, occupant, agent in charge, or the person responsible for the maintenance of the property to remove, properly dispose of, or eliminate the condition from the subject property. Such notice shall be by personal

delivery or posted to such person or by United States Postal Service (USPS) certified mail and addressed to such person at his or her last known address or the address shown on the real property tax records of the State Department of Assessments and Taxation (SDAT). In the event that such notice is returned by the postal authorities, and when reasonable attempts at personal delivery are unsuccessful, then a copy of such notice shall be posted in a conspicuous place on the address side of the premises; and such procedure shall constitute service on the date of such mailing and posting.

**Sec. 18-186. Storage of appliances.**

No bulk trash, appliances (white goods) or the like shall be stored on property for more than seventy-two (72) hours. Special allowance may be permitted by the director, FMPS for up to an additional seven (7) days.

**Sec. 18-187. Action upon non-compliance.**

Upon the failure, neglect or refusal of any owner, lessee, occupant, agent in charge or responsible person to remove, properly dispose of, or eliminate any condition identified in article XI, divisions 1 and 2 within three (3) calendar days after service of the notice by personal delivery, posted or sent by first class mail or certified mail, or within three (3) calendar days of the mailing and posting of the written notice provided for in section 18-185, the director, FMPS shall notify the department of public works to take the necessary and required corrective action by contract or by city personnel.

**Sec. 18-188. Charges included in tax bill.**

When the city has affected the removal, disposal or elimination of conditions prohibited in article XI, division 1 and 2, or has paid for its removal, the director, department of budget and personnel services (BAPS) shall send a bill to the legal owner of record of the property with copies of the bill to the tenant, lessee, occupant and/or agent in charge of the property, if applicable, for the actual cost thereof, and any administrative, enforcement, legal and court costs incurred by the city to effectuate said removal.

**Sec. 18-189. Recorded statement constitutes lien.**

Where the full amount due the city is not paid within thirty (30) days after the date of billing by the director, BAPS, the director, FMPS or their designee shall provide the department of BAPS a sworn statement showing the cost and expense incurred for the work, including any administrative, enforcement, legal and court costs, the date the work was done and the location of the property on which the work was done. Recordation of such statement shall constitute a lien on such property in the same manner as a lien for unpaid real estate taxes.

### **Sec. 18-190. Appeals.**

Within ten (10) calendar days from the service of the notice pursuant to in section 18-185 the owner, lessee, occupant, agent in charge, or person responsible for maintenance, may file an appeal in writing with the director, FMPS per article I, division 2, section 18-20.

### **Sec. 18-191. Violations, penalties and enforcement**

- (a) The violation of any of the provisions of article XI is a municipal infraction and not a misdemeanor, the penalty for which shall be a fine of one hundred dollars (\$100.00) for each initial offense and two hundred dollars (\$200.00) for each repeat offense. Each day that any violation shall continue could constitute a repeat offense.
- (b) The director, FMPS or their designee is responsible for the enforcement of article XI and the issuance of citations as provided for in subsection (a) above.

### **Secs. 18-192—18-195. Reserved.**

## **ARTICLE XII. DEVELOPMENT CONSTRUCTION**

### **DIVISION 1. DEVELOPMENT CONSTRUCTION REQUIREMENTS; GENERALLY**

#### **Sec. 18-196. Adoption of sediment and erosion control standards and requirements.**

- (a) *Adoption.* There is hereby adopted the sediment and erosion control standards and requirements for grading permits within the city. In the event of an inconsistency between article XII, the applicable code provision will be determined by the chief building official.
- (b) *Purposes.* The purpose of these standards is to protect, maintain and enhance the public health, safety and general welfare by establishing minimum requirements and procedures to control the adverse impacts associated with accelerated soil erosion and resultant sedimentation. Minimizing soil erosion and off-site sedimentation will minimize damage to public and private property and assist in the attainment and maintenance of water quality standards.
- (c) *Authority.* Article XII, division 1 is adopted pursuant to Ann. Code of Md., Environment Article, Title 4, Subtitle 1, as amended, and is made part of the city building code and, shall apply to all grading permits occurring within the City of Laurel, Maryland. The application of article XII, division 2 and the provisions expressed herein shall be the minimum erosion and sediment control requirements, and shall not be deemed a limitation or repeal of any other powers granted by Maryland State Statutes.

### **Sec. 18-197. Definitions.**

For purposes article XII the following words and phrases shall have the meanings respectively ascribed below:

- (1) *Adverse impact* means any deleterious effect on waters or wetlands, including their quality, quantity, surface area, species composition, aesthetics or usefulness for human or natural uses. Such deleterious effect is or may potentially be harmful or injurious to human health, welfare, safety or property, to biological productivity, diversity or stability, or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation.
- (2) *Agricultural land management practices* means those methods and procedures used in the cultivation of land in order to further crop and livestock production and conservation of related soil and water resources. Logging and timber removal operations may not be considered a part of this definition.
- (3) *Applicant* means any person who executes the necessary forms to procure official approval of a project or a permit to carry out construction of a project.
- (4) *Chief building official* means the City of Laurel Chief Building Official.
- (5) *Clear* means any activity, which removes the vegetative ground cover.
- (6) *Department* means the City of Laurel Department of the Fire Marshal and Permit Services.
- (7) *Developer* means a person undertaking, or for whose benefit any or all the activities covered by this division are commenced or carried on. General contractors or subcontractors, or both, without a proprietary interest in a project, are not included within this definition.
- (8) *District* means Prince George's Soil Conservation District, the agency designated as the plan approval agency.
- (9) *Drainage area* means that area-contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridgeline.
- (10) *Erosion* means the process by which the land surface is worn away by the action of wind, water, ice or gravity.
- (11) *Erosion and sediment control* means a system of structural and vegetative measures that minimize soil erosion and off-site sedimentation.
- (12) *Erosion and sediment control plan* means an erosion and sediment control strategy or plan, to minimize erosion and prevent off-site sedimentation by containing sediment on-site or by passing sediment laden runoff through a sediment control measure, prepared and approved in accordance with the specific requirements of the district and this division, and designed in accordance with the Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- (13) *Exemption* means those land development activities that are not subject to the erosion and sediment control requirements contained in this division.

- (14) *Grade* means to cause disturbance of the earth. This shall include, but not be limited to, any excavating, filling, stockpiling of earth materials, grubbing, root mat or topsoil disturbance, or any combination of them.
- (15) *Inspection agency* means the City of Laurel FMPS as designated by the Maryland Department of the Environment.
- (16) *Inspector* means a City of Laurel FMPS Inspector or other employee designated by the chief building official whose duties include periodic inspections of sediment and erosion control facilities and enforcement of this division.
- (17) *Permit* means a formal authorization document by the City of Laurel, consisting of application, approved plans and subsequent modifications, surety and such conditions as necessary to meet the purpose of this division.
- (18) *Permittee* means any person to whom a building or grading permit has been issued.
- (19) *Person* includes the federal government, the state, any county, municipal corporation or other political subdivision of the state, or any of their units, or an individual, receiver, trustee, guardian, executor, administrator, fiduciary or private corporation, or any of their affiliates, or any other entity.
- (20) *Responsible personnel or party* means any foreman, superintendent or project engineer who is in charge of on-site clearing and grading operations or sediment control associated with earth changes or disturbances.
- (21) *Sediment* means soils or other surficial materials transported or deposited by the action of wind, water, ice, gravity or artificial means.
- (22) *Site* means any tract, lot or parcel of land or combination of tracts, lots or parcels of land, which are in one (1) ownership, or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision or project.
- (23) *Stabilization* means the prevention of soil movement by any of various vegetation and/or structural means.
- (24) *Standard sediment control plan* means an agreement entered into by the permit applicant or responsible party and the district for incidental grading associated with construction. Terms of the agreement shall be determined, as required, by the Prince George's Soil Conservation District.
- (25) *Standards and specifications* means the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, and any subsequent revisions.
- (26) *Variation* means modification of the criteria set forth in the standards and specifications.
- (27) *Watershed* means the total drainage area contributing runoff to a single point.

(28) *Wetlands* means any area that has saturated soils or periodic high groundwater levels and vegetation adapted to wet conditions and periodic flooding.

**Sec. 18-198. Applicability.**

- (a) *Scope.* No person shall clear or grade land without implementing soil erosion and sediment controls in accordance with the requirements article XII, division 1, except as provided within section 18-198.
- (b) *Exemptions.*
  - (1) Agricultural land management practices and construction of agricultural structures.
  - (2) Single-family residences or their accessory buildings, on lots of two (2) acres or more that disturb an area less than one-half ( $\frac{1}{2}$ ) acre.
  - (3) Clearing or grading activities that disturb less than five thousand (5,000) square feet of land area and disturb less than one hundred (100) cubic yards of earth.
  - (4) Clearing or grading activities that are subject exclusively to state approval and enforcement under state law and regulations.
- (c) *Variations.* The district may approve a written variation from the requirements of the standards and specifications if strict adherence to the specifications will result in unnecessary hardship and not fulfill the intent of article XII, division 1. The developer shall submit a written request for a variation to the district. The request shall state the specific variation sought and reasons for requesting the variation. The district shall not approve a variation unless and until the developer provides sufficient specific reasons justifying the variation.

**Sec. 18-199. Erosion and sediment control plan reviews.**

- (a) A person may not clear or grade land without first obtaining an erosion and sediment control plan approved by the district.
- (b) The applicant shall submit erosion and sediment control plan and any supporting computations to the district for review and approval. The erosion and sediment control plan shall contain sufficient information, drawings and notes to describe how soil erosion and off-site sedimentation will be minimized. The district shall review the plan to determine compliance with this division and the standards and specifications prior to approval. The plan shall serve as a basis for all subsequent grading and stabilization.
- (c) In approving the plan, the district may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this division, the State Sediment Control Regulations, COMAR 26.17.01, as amended from time to time, the standards and specifications or the preservation of public health and safety.

- (d) The erosion and sediment control plan shall not be considered approved without the inclusion of the signature and date of signature of the district on the plans.
- (e) A standard sediment control plan, between the lot owner and the district, may be entered into for the purpose of controlling sediment transport and erosion on a single site under construction. The agreement may contain such requirements and restrictions as agreed upon from time to time by the City of Laurel Chief Building Official and the Prince George's Soil Conservation District. The department, in conjunction with the district, shall establish a "standard sediment control plan," which shall be approved by the Maryland Department of Environment. This plan shall define standard erosion and sediment control and grading requirements for construction on individual sites between five thousand (5,000) and fifteen thousand (15,000) square feet of disturbed area. An engineered (or designed) erosion and sediment control plan may not be required where use of the "standard sediment control plan" is permitted.
- (f) Approved plans may remain valid for two (2)(3) years from the date of approval unless finalized by the inspector or renewed by the district.

**Sec. 18-200. Contents of the erosion and sediment control plan.**

The applicant is responsible for submitting an approved erosion and sediment control plan which meets the requirements of the district, article XII, division 1; the Maryland State Sediment Control Regulations, COMAR 26.17.01, and the standards and specifications. The plan shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed grading on water resources, and the effectiveness and acceptability of measures proposed to minimize soil erosion and off-site sedimentation. The applicant shall certify on the drawings that all clearing, grading, drainage, construction, and development shall be conducted in strict accordance with the plan.

**Sec. 18-201. Modification to erosion and sediment control plans.**

The district may revise approved plans as necessary. Modifications may be requested by a permittee or the department as deemed necessary.

**Sec. 18-202. Permits.**

- (a) *Permit requirements.* Before FMPS issues a grading permit of any lot or parcel, the district must review and approve an erosion and sediment control plan for the site.
- (b) *Permit declared null and void.* If no substantial work has been undertaken within six (6) months of permit issuance. The chief building official shall declare the permit "null and void."
- (c) *Permit expiration and renewal.* The grading permit shall expire ~~two~~ three ~~(2)-(3)~~ years from the date of issuance unless extended or renewed by FMPS. Application for

permit renewal shall be made at least two (2) months prior to the permit expiration date.

- (d) *Permit fee.* A permit fee schedule shall be established by FMPS and approved by the mayor for the administration and management of the erosion and sediment control program. Capital improvement projects refuse disposal areas, sanitary landfills and public works projects may be exempt from the permit fee, recommended by the chief building official subject to approval by the mayor.
- (e) *Permit fee refunds.* Permit fee refunds, up to fifty (50) percent of the fee received, may be made for permit cancellation during the permit review stage. After grading permit issuance no permit fee will be refunded.
- (f) *Permit suspension and revocation.* The chief building official may suspend or revoke any grading or building permits after providing written notification to the permittee based on any of the following reasons:
  - (1) Any violation(s) of the terms or conditions of the approved erosion and sediment control plan or permit; or
  - (2) Noncompliance with violation notice(s) or stop-work order(s) issued; or
  - (3) Changes in site characteristics upon which plan approval and permit issuance was based; or
  - (4) Any violation(s) of article XII, division 1 or any rules and regulations adopted pursuant to it.

#### **Sec. 18-203. Permit conditions.**

- (a) In issuing the grading permit, the chief building official may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this division or the preservation of the public health and safety.
- (b) It shall be a condition of every grading permit that all paved surfaces used by the applicant/permittee shall be kept clean and free from mud, dirt and associated debris at all times.

#### **Sec. 18-204. Security.**

- (a) Prior to permit issuance, the developer shall furnish security as required in the City of Laurel Unified Land Development Code (ULDC) section 20-43.5, bond required.
- (b) All such security shall remain in full force and effect until such time as the permanent stabilization has been accepted.

#### **Sec. 18-205. Inspection: frequency and reports.**

- (a) The permittee shall maintain a copy of the current approved erosion and sediment control plan on site.

- (b) On all sites with disturbed areas in excess of two (2) acres, the permittee shall request that the FMPS inspect work completed at the stages of construction specified below to ensure compliance with the approved erosion and sediment control plan, the grading or building permit and this division:
  - (1) Upon completion of installation of perimeter erosion and sediment controls, prior to proceeding with any other earth disturbance or grading. Other building or grading inspection approvals may not be authorized until initial approval by the FMPS is made; and
  - (2) Upon final stabilization before removal of sediment controls.
- (c) Every active site having a designed erosion and sediment plan should be inspected for compliance with the plan on the average once every two (2) weeks.
- (d) Inspectors shall prepare written reports after every inspection. The inspection report shall describe:
  - (1) The date and location of the site inspection;
  - (2) Whether or not the approved plan has been properly implemented and maintained;
  - (3) Any practice or erosion and sediment control plan deficiencies; and
  - (4) If a violation exists, the type of enforcement action taken.
- (e) When required, the FMPS shall provide the on-site personnel and the owner/developer with a correction order stating violations being observed, and describing:
  - (1) The nature of the violation;
  - (2) The required corrective action; and
  - (3) The time period in which to have the violation corrected.

**Sec. 18-206. Right of entry.**

It shall be a condition of every grading permit that the chief building official or their designee has the right to enter property to inspect for compliance with this section, at any time.

**Sec. 18-207. Modifications to erosion and sediment control plans.**

- (a) *Generally.* The erosion and sediment control regulations COMAR 26.17.01.09.D.(a) and (b) acknowledge that approved sediment control plans may require modification to reflect site conditions. When necessary, modifications shall be made in compliance with the current standards and specifications according to the following guidelines:
  - (1) Major modifications shall be submitted by the owner/developer to the district for appropriate processing.

- (2) Minor modifications may be made in the field if approved by the FMPS inspector and documented in a field inspection report.
- (b) *Minor plan changes.* These plan changes may be made in the field with the approval or direction of the FMPS inspector, and are not required to be approved by the district:
  - (1) Adjustment of sediment control features to meet actual field contours, but no change in storage capacity or minimum criteria shall be allowed.
  - (2) Adjustment to allow for positive drainage.
  - (3) Increase in size of sediment control feature from minimum design. But no change in pipe size is allowed.
  - (4) Addition of earth dikes, stone construction entrance, straw bales or silt fence where needed which does not replace another required practice or poor phasing.
  - (5) Addition of stabilized construction entrance where needed or devices to allow crossing of berms and swales.
  - (6) Addition to trapping devices greater than minimum requirements provided this does not involve riprap changes.
  - (7) Emergency measures needed to minimize/eliminate a problem needing immediate attention. Emergency measures of a major plan change nature shall be referred to the district and to the chief building official or their designee.
  - (8) Alternate method of stabilization of disturbed areas and/or sediment control practices allowed by the standards and specifications.
  - (9) Incidental disturbance beyond approved limits of disturbance that are immediately stabilized.
  - (10) Addition of stockpiles incidental to installation of sediment control practices.
- (c) *Major plan changes.* Plan changes of the following kinds require revised plans submitted to the district, through the department from the consultant:
  - (1) Recommending practices when the plan has not been followed.
  - (2) Phasing changes on the plan.
  - (3) Changing size of practices:
    - (A) Eliminating or decreasing storage area.
  - (4) Substituting for required practices.
  - (5) Allowing temporary seeding when permanent seeding is required.
  - (6) Decreasing minimum size of trap, berm, stone outlet, size and type of stone, pipes, etc.
  - (7) Allowing on-site grading changes which:

- (A) Alter drainage areas, i.e., retaining walls, benches, storm drains, etc.
  - (B) Steepen slopes; lengthen slopes.
  - (C) Concentrate flows other than as shown on plans; or
  - (D) Extend grading beyond disturbed limits.
- (8) Any sediment control practice not included in the standards and specifications for soil erosion and sediment control.

#### **Sec. 18-208. Complaints.**

The FMPS shall, upon receipt of complaints, initiate enforcement procedures when violations are confirmed. Any complaint received shall be acted upon, routinely within three (3) working days, and the complainant shall be notified of any action or proposed action routinely within seven (7) working days of receipt of the complaint.

#### **Sec. 18-209. Enforcement procedures.**

- (a) *Correction orders.* When the FMPS inspector determines that a violation of the approved erosion and sediment control plan has occurred, the FMPS inspector shall notify the on-site personnel or the permittee in writing of the violation, describing the required corrective action and the time period in which to have the violation corrected. A copy of the correction order shall be forwarded to the property owner and tenant.
- (b) *Stop-work orders.* If the violation persists after the date specified for corrective action in the notice of violation, the chief building official may stop-work on the site. The chief building official shall determine the extent to which work is stopped. This may include all work on the site except that work necessary to correct the violation. A copy of the stop-work order shall be forwarded to the property owner and tenant.
- (c) *Citation.* If reasonable efforts to correct the violation are not undertaken by the permittee, the chief building official or designee may issue citations or may refer the violation for legal action.
- (d) *Suspension of other permits.* The chief building official may withhold the issuance of additional permits to an applicant or suspend other permits of the applicant, when there is a determination that the applicant is not in compliance with the provisions of a building or grading permit, approved erosion and sediment control plan, or single lot grading agreement.
- (e) *Timing of enforcement.* Any step in the enforcement process may be taken at any time, depending upon the severity of the violation.
- (f) *Work without permit.* If a person is working without a permit, the chief building official or designee shall immediately stop work on the site except approved activity necessary to provide erosion and sediment control.

### **Sec. 18-210. Severability.**

If any portion, section, subsection, sentence, clause or phrase of article XII, division 1 is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion of article XII, division 1, it being the intent of the City of Laurel that article XII, division 1 shall stand, notwithstanding the invalidity of any portion, section, subsection, sentence, clause or phrase, hereof.

### **Sec. 18-211. Penalties.**

- (a) *Violation.* Any person who violates any provision of article XII, division 1 is guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction is subject to a fine not exceeding ten thousand dollars (\$10,000.00) or imprisonment not exceeding one (1) year, or both, for each violation, with costs imposed in the discretion of the court. Each day upon which the violation occurs shall constitute a separate offense.
- (b) *Injunction.* Any agency whose approval is required under article XII, division 1 or any interested person may seek an injunction against any person who violates or threatens to violate any provision of article XII, division 1.
- (c) *Damages.*
  - (1) In addition to any other sanction pursuant to article XII, division 1, a person who fails to install or to maintain erosion and sediment controls in accordance with an approved plan shall be liable to the City of Laurel or the state in a civil action, for damages in the amount equal to double the cost of installing or maintaining the controls.
  - (2) Any governing authority which recovers damages in accordance with subsection (c) shall deposit the proceeds in a special fund, to be used solely for:
    - a. Correcting, to the extent possible, the failure to implement or maintain erosion and sediment controls; and
    - b. Administration of the sediment control program.

### **Secs. 18-212—18-215. Reserved.**

## **DIVISION 2. SITEWORK CONSTRUCTION PERMIT REQUIREMENTS FOR SITE AND LANDSCAPING CONSTRUCTION**

### **Sec. 18-216. Adoption.**

There is hereby adopted the construction and permit requirements for site and landscaping construction within the City of Laurel, as established in the unified land development code (ULDC) by the director, department of economic and community development (hereinafter "the planning official") or by the chief building official. In case of

conflict with any other provision of the city Code, the director, department of economic and community development shall be the determining authority.

#### **Sec. 18-217. Purpose.**

The purpose of these requirements is to ensure that site and landscaping construction activities comply with applicable requirements of the city Code, as well as with all conditions approved by the City of Laurel's Planning Commission, Board of Appeals and all other appropriate agencies.

#### **Sec. 18-218. Permits.**

- (a) *When permit is required.* It shall be unlawful to perform site and landscaping construction of any kind (except maintenance and repairs) within the city without first filing a written application with the FMPS with approval by the director, department of economic and community development or their designee and obtaining the required permit therefore. Temporary maintenance, replacement or repair activity may be exempted from this provision provided prior approval of the planning official has been obtained.
- (b) *Applications.* Permit applications shall be submitted on such forms as provided by the FMPS and shall be accompanied by all required fees and security. Plans required for construction shall be considered an integral part of the permit application and shall be deemed to be incorporated by reference in the application. All proposed work shall be clearly described and shown on the plans as required by the planning official. A permit may not be issued until all required fees have been paid and all required security has been provided.
- (c) *Application amendments.* Amendments to applications, plans or records accompanying the permit shall be filed at any time prior to completion of the work for which the permit is sought or issued. Planning official approval of such amendments shall be consistent with the City of Laurel Unified Land Development Code.
- (d) *Partial approvals.* Both the chief building official and the planning official may jointly approve part of a pending permit application, provided that sufficient justification is submitted by the applicant, and provided that all fees have been paid, all required security has been provided, and no corrective actions are pending by any agency.
- (e) *Time limitation of permits.* An approved permit must be picked up within ninety (90) days of issuance. Substantial construction shall begin within six (6) months of the permit issue date and completed within two (2) years of the permit issue date, otherwise the permit shall be declared null and void by the chief building official, unless extensions of those times are approved by the director, department of the fire marshal and permit services and the planning official.
- (f) *Security.* The applicant/permittee shall provide such security as deemed necessary by the FMPS covering all work described and required by the permit. All required

security personnel/companies shall be approved by FMPS and shall remain in full force and effect throughout the term of the permit. The planning official may authorize one (1) reduction in security for each issued permit, provided that satisfactory completion of a minimum of fifty (50) percent of the work has been achieved and there are no outstanding corrective actions required by any agency.

- (g) *Approved plans.* One (1) set of approved plans, including all approved changes and amendments, shall be kept on the site of operations until such time as the work has been completed to the satisfaction of the planning official.
- (h) *Revocation of permit or suspension of work.* The planning official or the chief building official may revoke any duly issued permit or suspend a part or all of any work covered by such permit in the event of noncompliance with permit conditions.
- (i) *Notice of start.* At least twenty-four (24) hours' notice shall be provided to the chief building official prior to the start of work under a permit.
- (j) *Refunds.* In the event of a permit denial or a withdrawal by the applicant, the application fee may not be refunded. Once the permit is issued, up to fifty (50) percent of the total fee may be refunded provided there are no outstanding corrective actions required by any agency. Once construction has begun, no refunds will be made.
- (k) *Right of entry.* It shall be a condition of every permit that the chief building official or the planning official or their designees shall have right of entry to the work sites to make inspections, to enforce the provisions of the permit, to carry out the business of the city, or to make such repairs as deemed of an emergency nature by the planning official or the chief building official. The applicant prior to resumption of construction shall pay any additional costs to the city incurred during such activities in full.
- (l) *Permit conditions.* It shall be a condition of every permit issued that all paved surfaces and access used by the applicant/permittee shall be kept clean and free from mud, dirt or other debris at all times.

#### **Sec. 18-219. Inspections.**

- (a) After permit issuance, the planning official or their designees shall conduct inspections and require materials certifications from time to time, as necessary for the proper conduct of the work. Additional special or third-party inspections may be acceptable providing prior approval of all methods and procedures is obtained from the planning official.
- (b) Additional costs to the city, of weekend or holiday inspection, approved by the planning official, shall be paid by the permittee/applicant prior to their performance. Non-payment of required costs and fees may constitute justification for suspension of all work for any permit held by the applicant in the city.

### **Sec. 18-220. Maintenance security.**

Upon completion of the construction, the permittee/applicant shall provide all maintenance security, in a form approved by the FMPS, as required by the planning official. The security force(s) shall continue in full force and effect for a time period established by the planning official. Prior to security force(s) expiration the planning official shall examine the work. Any and all repairs/replacements must be completed by the applicant prior to release of security force(s) by the planning official.

### **Sec. 18-221. Enforcement; penalties.**

- (a) *Enforcement.* In the event of noncompliance with any provision of article XII, division 2, the chief building official (CBO) or planning official may take such action as deemed necessary to effect full compliance. Such action may include, but not be limited to, corrective orders, partial or full site stop-work orders for all permits held by the permittee within the city, corrective measures with city forces/contractors or issuance of municipal infractions.
- (b) *Penalties.* The violation of any provision of article XII, division 2, including the failure to comply with any order issued pursuant to article XII, division 2, shall be a municipal infraction and not a misdemeanor. The penalty for such violation shall be a fine of up to one thousand dollars (\$1,000.00) for each violation, but not exceeding twenty thousand dollars (\$20,000.00) total for any action. Each day that any such violation shall continue shall constitute a repeat offense. The planning official or the chief building official, or their respective designee, shall be authorized to issue municipal infraction citations for any such violation.

### **Sec. 18-222. Appeals.**

Any decision made by the CBO or planning official during the conduct or enforcement of the requirements of article XII, division 2 may be appealed by a party aggrieved by the decision. The appeal procedure shall be as set forth in chapter 18, article II, section 18-20.

### **Secs. 18-223—18-230. Reserved.**

## **ARTICLE XIII. IMPACT FEES**

### **Sec. 18-231. Purpose, generally.**

The city incurs substantial capital costs to build the infrastructure needed to support growth. The mayor and city council of Laurel has determined it is in the best interest of the public health, safety, and general welfare that infrastructure for growth and future growth should be funded, at least in part, by the imposition of impact fees on new development, including redevelopment and additions to existing development.

### **Sec. 18-232. New development.**

As used herein, new development means any new residential development, commercial or industrial development or combination thereof to be constructed after the passage hereof, except as herein provided. New development also includes replacement development and additions to any building or development.

### **Sec. 18-233. Impact fees.**

The mayor shall establish the amount of impact fees to be imposed on new construction, additions or replacement development by resolution.

- (1) *Residential impact fees.* Residential impact fees shall be comprised of public safety, public infrastructure including roads, sidewalks, lighting, traffic management and the like recreational facilities; and all other municipal infrastructure.
- (2) *Commercial/industrial impact fees.* Commercial/industrial impact fees shall be comprised of public safety and emergency management; public infrastructure including roads; sidewalks; lighting; traffic management; and the like as well as all other municipal infrastructure fee. For commercial/industrial impact fees, all other municipal infrastructure impact fees shall be expressed in terms of a cost per square foot applied to the number of square feet of new development, redevelopment or addition.

### **Sec. 18-234. Imposition of impact fees.**

From and after the passage of article XIV, there is hereby imposed impact fees on all new development as defined herein, said fee to be paid at the time of issuance of the building permit.

### **Secs. 18-235—18-240. Reserved.**

- (2) To monitor, inspect and regulate the city's adoptive building codes as related to, alteration, demolition, or rebuilding of structures within the city. Inspect or cause to be inspected all required public assembly, commercial or multi-family residential buildings, for the purpose of determining whether any condition exists which renders such places dangerous or hazardous to lives or other properties;

- (3) Investigate, follow up and take the appropriate steps on all complaints filed by any person(s) relating to an existing violation of any of the city's adoptive building codes;
- (4) Notify in writing the occupant(s), owner(s), and any other persons having legal interest in the property, (as shown by the property tax or assessment records of the city), for any building found by him/her to be a dangerous building that the owner must vacate, or repair, or demolish such building or have such work or act done provided, that any person notified under this subsection to repair, vacate or demolish any building shall be given such reasonable time, not exceeding sixty (60) days, as may be necessary to do, or have done, the work or act required by the notice provided for herein;
- (5) Set forth in the notice provided for in paragraph (4) a description of the building or structure deemed dangerous and/or unsafe, a statement of facts as to why the building or structure is dangerous or

**AND, BE IT FURTHER ENACTED AND ORDAINED**, that this Ordinance shall take effect on the date of its passage.

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

**ATTEST:**

\_\_\_\_\_  
**SARA A. GREEN, CPM, CMC**  
City Clerk

\_\_\_\_\_  
**JAMES KOLE**  
President of the City Council

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**KEITH R. SYDNOR**  
Mayor

\_\_\_\_ *Underlining indicates new language added.*

~~Strikethroughs~~ *indicate language deleted.*

\* \* \* *Asterisks indicate intervening language and section unchanged.*