

## Applicable Codes

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The following are our most frequently used codes and standards for construction projects in Prince George's County. (Other adopted codes and standards not listed here may be determined to be applicable based on the scope of work).

Prince George's County Legislative/Zoning Information System (LZIS):

- Building (Subtitle 4)
- Electrical (Subtitle 9)
- Fire (Subtitle 11)
- Mechanical (Subtitle 4)
- Energy (Subtitle 4)
- Accessibility (Maryland Accessibility Code)
- Grading (Subtitle 32)
- Stormwater management (Subtitle 32)
- Site (Subtitle 27 & Subtitle 32)
- Road (Subtitle 23)

Other applicable State and County codes (International Code Council Standards) for construction projects in the County. Adopted Codes:

- International Building Code
- International Residential Code
- International Energy Conservation Code
- International Mechanical Code
- International Existing Building Code
- Maryland Accessibility Code
- Currently, inspectors are enforcing the National Fire Protection Association 70 National Electrical Code



**DIVISION 1. - BUILDING CODE.****SUBDIVISION 1. - ADOPTION BY REFERENCE.****Sec. 4-101. - Code - Adopted by Reference.**

The following codes and standards are hereby adopted by reference 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 Prince George's County, together with the changes, deletions, or modifications prescribed in this Subtitle:

The International Building Code, 2018 Edition (hereinafter referred to as the 'IBC');

The International Mechanical Code, 2018 Edition (hereinafter referred to as the 'IMC');

The International Energy Conservation Code, 2018 Edition (hereinafter referred to as the 'IECC'); and

The International Residential Code for One- and Two-Family Dwellings, 2018 Edition (hereinafter referred to as the 'IRC').

The International Swimming Pool and Spa Code, 2018 Edition (hereinafter referred to as the 'ISPSC')

The International Existing Building Code 2018 Edition (hereinafter referred to as the 'IEBC').

Updated Standards. Where existing standards or requirements adopted herein have been updated or superseded by the promulgating authority, such revised standard or requirement shall be deemed as the current code adopted and as prima facie evidence of compliance with the intent of the Subtitle.

Conflict with the Washington Suburban Sanitary Commission Plumbing and Fuel Gas Code: If a conflict exists between the standards or requirements set forth in the adopted Codes and the standards and requirements for plumbing and gasfitting as set forth in the Washington Suburban Sanitary Commission Plumbing and Fuel Gas Code, the standards or requirements set forth in the latter shall govern.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002; CB-73-2005; CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020)

**Editor's note**— CR-17-1978 exempted all construction within the City of Laurel from the provisions of Subtitle 4 of the Code.

**Sec. 4-102. - Building, Mechanical, and Code Official.**

The terms Building Official, Mechanical Official, and Code Official as used in this Code, the IBC, IMC, IECC, IRC, and IEBC shall mean the Building Code Official whom the Director of the Department shall designate. The term Fire Code Official shall mean the person as referenced under Prince George's County Code,

Subtitle 4, Section 4-108. Where the name of the jurisdiction is to be indicated in any section of the IBC, IMC, IECC, IRC, and IEBC the name to be substituted therein shall be "Prince George's County, Maryland."

(CB-87-1979; CB-49-1984; CB-121-1985; CB-97-1989; CB-82-1998; CB-54-2002; CB-13-2009)

Sec. 4-103. - Public inspection.

A copy of the IBC, IMC, IECC, IRC, IEBC, and ISPSC adopted by the Subdivision shall be marked as a master copy and maintained by the Clerk of the Council.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-82-1998; CB-54-2002; CB-13-2009; CB-56-2020)

Sec. 4-104. - Application of Administrative Provisions.

The administrative provisions of the International Building Code, as amended, Sections 4-106 through 4-121 shall control all administrative matters related to construction of buildings. These provisions shall be applicable to the standards adopted in Section 4-101 and shall be construed to be in concert as if they were set out in the administrative provisions of those standards. Where a conflict arises, the provisions of the sections here-in amended by the County shall control.

(CB-90-2015)

SUBDIVISION 2. - AMENDMENTS TO THE INTERNATIONAL BUILDING CODE.

Sec. 4-105. - Amendments, additions, and deletions.

Any provision of the IBC, IMC, IECC, IRC, IEBC, and ISPSC adopted by this Subtitle shall be changed, modified, added, or omitted as set out in Subdivision 2, 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.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-54-2002; CB-73-2005; CB-13-2009; CB-56-2020)

Sec. 4-106. - Administration; Section 101, General.

- (a) Exception to 101.2 Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories above grade plane, in height with a separate means of egress, and their accessory structures not more than one-story above grade plane in height and less than three thousand (3,000) square feet in area, shall comply with the IRC.

(b)

Subsection 101.4.8, Electrical. The provisions of Subtitle 9 of this Code and the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacements, equipment, appliances, fixtures, fittings and appurtenances thereto.

- (c) Subsection 101.4.1, Gas. The provisions of the Washington Suburban Sanitary Commission ("WSSC") known as the WSSC Plumbing and Fuel Gas Code; the International Plumbing ("IPC"); and the International Fuel Gas Code ("IFGC") shall apply to the installation of gas piping from point of delivery, gas appliances, and related accessories as covered in the Code.
- (d) Subsection 101.4.3, Plumbing. The provisions of the Washington Suburban Sanitary Commission ("WSSC") known as the WSSC Plumbing and Fuel Gas Code shall apply to the installation, alterations, repair or replacement of plumbing systems including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
- (e) Subsection 101.4.5, Applicability. Whenever this Code makes reference to the International Fire Code, the requirements of the National Fire Protection Association (NFPA) 1 and Subtitle 11 of the Prince George's County Code shall apply except where referenced in Section 413, 2018 IBC Combustible Storage, 2018 Section 426, 2018 2015 IBC Combustible Dusts, Grain Processing and Storage, Section 427 Medical Gas Systems, and Section 428 Higher Education Laboratories.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-63-1995; CB-82-1998; CB-54-2002; CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-107. - Administration; Section 102, Applicability.

- (a) Section 102.1, 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.
- (b) Section 102.2.1, Other Requirements. The requirement of Chapter 11, "Accessibility," that buildings which use turnstiles, cart corrals, or other interior or exterior traffic control devices and which are required to have a clearly marked route which shall not be obstructed by locked gates during normal business hours, shall apply to all existing buildings.
- (c) Section 102.3.1, Suspension of Approval. Whenever it is determined, however, that there is documentary evidence that the use of a material or method approved herein would constitute a distinct threat to life or property, the Director or the Director's designee shall have the authority to administratively suspend approval granted herein of such material or method. The Director or the Director's designee shall, within five (5) working days, request, in writing, the County Council to confirm such administrative suspension by resolution of the Council. Such written request of

the Director or the Director's designee shall be submitted with 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.

- (d) Section 102.4.1, Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, provisions of this code shall apply. Nothing in this Subtitle shall be construed as rendering other Prince George's County Subtitles invalid. Where conflicts occur between adopted or referenced codes and standards, the more stringent adopted or referenced codes and standards code shall apply.
- (e) Section 102.4.3, Updated Standards. Where existing standards or requirements adopted herein have been updated or superseded by the promulgating authority, such revised standard or requirement shall be deemed as prima facie evidence of compliance with the intent of the Subtitle.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002; CB-90-2015; CB-56-2020)

Sec. 4-108. - Administration; Section 103, Department of Building Safety.

- (a) Section 103.1 is amended to read as follows: "Building Inspection." The Building Code Official shall be such person as the Director of the Department of Permitting, Inspections, and Enforcement shall designate. The Fire Code Official shall be such person as the Director of the Department of Permitting, Inspections, and Enforcement shall designate with the concurrence of the Fire Chief. References in this Code to the term "Building Official or Code Official" shall be meant to refer to the Building Code Official except in references to fire safety provisions in which case the term "Building Official or Code Official" shall be meant to refer to the Fire Code Official.

(CB-49-1984; CB-121-1985; CB-97-1989; CB-51-1995; CB-63-1995; CB-54-2002; CB-18-2013)

Sec. 4-109. - Administration; Section 104, Duties and Powers of Building Official.

- (a) Section 104.1.1 is added to read as follows: "Fire Safety Provisions." The Fire Code Official or the Fire Code Official's authorized representative shall enforce all fire safety provisions of this Code. Where references to fire safety provisions in this Code indicate the term "Building Official or Code Official," they shall be construed to refer to the Fire Code Official or the Fire Code Official's authorized representative. In any conflict of opinion concerning fire safety of structures, the decision of the Fire Code Official shall supersede. In all other matters relating to structures, the decision of the Building Code Official shall supersede. The Fire Code Official shall be responsible for the final technical interpretation of all fire safety provisions within this code.

- (b)

Section 104.7 is amended to read as follows: "Departmental Records." The Code Official shall keep official records of applications received, permits and certificates issued, fees collected, and reports of inspection hours. Construction Documents shall be retained in accordance with Section 107.5 of this Code.

- (c) Section 104.12 is added to read as follows: "Rulemaking Authority." The Code Official shall have authority as necessary in the interest of public health, safety, and general welfare, to adopt and promulgate rules and regulations, 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.

(CB-121-1985; CB-97-1989; CB-98-1991; CB-51-1995; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012)

#### Sec. 4-110. - Conflicts of Interest.

No official or employee of the Department shall directly or indirectly engage in any private work or business transaction or activity, which tends in any way to interfere with the performance of his or her duties, including:

- (a) **Furnishing of Services.** Being engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building under the jurisdiction of the County's Building Codes, or the preparation of plans or specifications of a building under the jurisdiction of the County's Building Code, unless the official or employee is the principal owner of the building.
- (b) **Conflict with Official Duties.** Engaging in any private work or business which conflicts with official duties or with the interest of the Department.

(CB-56-2020)

#### Sec. 4-111. - Administration; Section 105, Permits.

- (a) **Section 105.2, Work Exempt from Permit.** Notwithstanding the foregoing, except for property 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 (tool, storage shed, playhouse and similar uses) on one- and two-family dwelling properties with less than one hundred fifty (150) square feet of floor space not designed or intended for occupation or habitation and limited to one (1) accessory structure only per property; all forms of paving less than five hundred (500) square feet except for parking surfaces; a retaining wall not greater than two (2) feet in height unless supporting a structure;

fence not greater than four (4) feet in height; and satellite dishes not greater than two (2) feet in diameter and height. Permits shall not be required for commercial properties, installation of siding, roofing, or storm door/window installations, provided that no construction is involved.

- (b) Section 105.2.2.1, Historic Area Work Permit Requirement. Notwithstanding the provisions of Section 105.2.2, a Historic Area Work Permit must be issued by the Historic Preservation Commission prior to any work on the exterior features of a property that contains a historic site or unclassified historic resource identified on the master plan for historic preservation or that is located within a local historic district. At the time the Historic Area Work Permit is issued, the Historic Preservation Commission shall notify the Director, or the Director's designee by transmitting a copy of the Historic Area Work Permit to the Director. The Director, or the Director's designee shall maintain and enroll the Historic Area Work Permit into the registry of issued permits maintained by the Director. The Director shall not require the issuance of a County building permit for ordinary repairs as defined in Section 105.2.2, or for ordinary maintenance as defined in Section 29-107(d), in addition to any Historic Area Work Permit that is determined by the Historic Preservation Commission to be required.
- (c) Section 105.2.2.2, Inventory of Historic Sites, Properties within Local Historic Districts, and Unclassified Historic Resources. The Director, or the Director's designee shall maintain an electronic inventory of historic sites, properties within local historic districts, and unclassified historic resources in Prince George's County. The Historic Preservation Commission shall transmit the listing of historic sites, properties within local historic districts, and unclassified historic resources to the Director or the Director's designee on or about January 1 and July 1 of each year. The listing shall be utilized to notify the Director or his Designee and applicants for County building permits issued by the Director or his Designee that the Historic Area Work Permit requirement described in Sec. 105.2.2.1 applies to any property that contains a historic site or unclassified historic resource or is located within a local historic district. The Director and/or his Designee shall not issue any permits for a property that contains a historic site or unclassified historic resource or is located within a local historic district, unless the Historic Preservation Commission has first issued a Historic Area Work Permit as required under Sec. 105.2.2.1.
- (d) Section 105.2.3, Repairs. Application or notice to the Director or the Director's designee is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Ordinary repairs shall include the replacement in kind of the following: siding, roofing, gutters, leaders and downspouts, private sidewalks, driveways, patios, awnings and canopies, equipment, cabinets, slabs, handrails, window screens, storm doors, not more than 80 square feet (7.4 sq. meters) of gypsum board excluding installation of fire rated gypsum wall board or shaft liner, and recirculation range hoods.
- (e)



Section 105.2.3.1, Repairs to Residential Structures. Use Group R-1, Use Group R-2, Use Group R-3, and Use Group R-4 which, because of lack of maintenance or structural damage due to a fire, explosion, or natural causes, undergo repairs or renovations which, in the opinion of the Director or the Director's designee, exceed fifty percent (50%) of the building shall have an approved automatic fire sprinkler system installed throughout the building as part of the scope of repairs to be completed. Computation of the cost of repairs for purposes of this Section shall exclude carpeting replacement, electrical panel capacity upgrades, painting, wallpapering, re-grading and landscaping, lighting fixture replacements, appliance replacements, bathroom cabinetry and fixture replacements, and modifications necessary to comply with the Americans with Disabilities Act ("ADA") requirements. 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.

- (f) Section 105.3.1.1, Required Documents for Permits Application. The application shall include: (1) any and all documents showing the business partners of the owner or lessee involved in the operation and or ownership of the building structure or use for which the permit is being sought; (2) any and all organizational documentation of the entity that owns, uses or leases the building or structure; (3) any and all documents showing who will operate the business; and (4) any other data and information supported by documentation that is required by the Director or the Director's designee deemed necessary for furtherance of the intent of this Code.
- (g) Section 105.3.1.2, Review of Application. The application will be reviewed to ensure that it conforms with all the requirements of the pertinent laws, including but not limited to the requirements of this Code, State and local laws and ordinances. An application for a permit will be reviewed by the Director or the Director's designee, in consultation with the Police Department and the Fire/EMS Department. The Director or the Director's designee shall have the authority to deny any application under the provisions of this Division and shall also have the authority to deny an application upon a violation of this Division.
- (h) Section 105.3.1.3, Application Exemption. The Director or the Director's designee may refuse to accept an application for a permit from any applicant: (1) 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 County administrative action, or who has not fully complied with the application process; (2) for any other reason the Director or the Director's designee deems necessary in furtherance of the intent of this Code; or (3) for any reason that is necessary to maintain the health, safety and welfare of the public.
- (i) Section 105.3.1.4, By Whom an Application is Made. Application for a permit shall be made by the owner or lessee of the building or structure, or the agent of either, or by the licensed engineer or architect employed in connection with the proposed work. If the application is made by a person other than the owner in fee, the applicant shall attest on the permit application or by separate

written statement, that the proposed work is authorized by the owner in fee and that the applicant is authorized to make such application. The full names and addresses of the owner, lessee, applicant, and the responsible officer if the owner or lessee is a corporate body, shall be stated on the application. Subsequent permits will be issued in the name of the owner of record at time of permit issuance.

- (j) Section 105.3.2, Time Limitation of an Application. An application for a permit for any proposed work shall be deemed to have been abandoned six (6) months 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 or the Director's designee. The Director or the Director's designee may request any documentation or certification deemed necessary and assess an extension fee as appropriate.
- (k) Section 105.5, 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 Director or the Director's designee 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 Sectional Map Amendment (as provided for in the County Zoning Ordinance) that is rezoned to a less intense zone, shall expire on its own terms upon approval of the Sectional Map Amendment by the District Council if a completed building foundation for a use not permitted in the less intense zone has not been completed. The Director or the Director's designee shall notify the permit holder of the expiration of the permit.
- (l) Section 105.5.1, Expiration of Permit and Correction of Code Violations. Any permit issued for residential property to correct a building code or housing code violation issued pursuant to Subtitle 4 or Subtitle 13 of the County 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 Director or the Director's designee 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 Director or the Director's designee, 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. The Board of Administrative Appeals shall have no authority to grant an extension to the period of the permit.
- (m) Section 105.9, Building Location. No permit for building shall be issued for a structure that overlaps the County line. Location of the County line on the site plan shall be certified by a Professional Land Surveyor.

- (n) Section 105.10, Date and Hours of Operation Limits. All permits shall be issued with date and hours of operation limits listed as determined by the Director or the Director's designee. All permits shall be issued indicating that no work shall be performed during the hours of 9:00 p.m. to 7:00 a.m., unless work is performed pursuant to Section 4-120 of this Subtitle.
- (o) Section 105.1.3, After Hours Permit. Any request to work pursuant to a permit beyond permitted construction hours shall be made by application to the Code Official and shall be subject to noise regulations of Prince George's County Code. No after-hours permit shall be issued for work in an area zoned "residential" under the Zoning Regulations then in effect, or in an area within 500 feet (152 400 mm) of such residential zone, or within 500 feet (152 400 mm) of a building with sleeping quarters, unless the Code Official determines that not issuing such permit would pose a threat to public safety, health and welfare.

(CB-121-1985; CB-74-1987; CB-62-1989; CB-97-1989; CB-25-1991; CB-98-1991; CB-102-1992; CB-63-1995; CB-63-1997; CB-82-1998; CB-54-2002; CB-2-2005; CB-14-2005; CB-73-2005; CB-13-2009; CB-15-2011; CB-45-2012; CB-18-2013; CB-90-2015; CB-56-2020; CB-5-2021; CB-99-2021)

Sec. 4-112. - Administration; Section 105, Permits.

- (a) A new Subsection 105.5.1, Expiration of Permit. Any permit issued for property within the area of a pending Sectional Map Amendment, as provided for in Subtitle 27 of this Code, that is rezoned to a less intense zone, shall expire on its own terms upon approval of the Sectional Map Amendment by the District Council, if a completed building foundation for a use not permitted in the less intense zone has not been completed. The Director or the Director's designee shall notify the permit holder of the expiration of the permit.
- (b) A new Subsection 105.5.2, Expiration of Permit; Correction of Code Violations. Any permit issued for residential property to correct a building code or housing code violation, issued pursuant to Subtitle 4 or Subtitle 13 of this Code, shall be issued only for a period of time reasonably necessary to correct the violation, not to exceed 90 days. The initial period of the permit shall be established by the Director or the Director's designee based upon the extent of the work required to correct the violation. The permit may be extended or renewed for an additional period of 180 days if, in the opinion of the Director or the Director's designee, 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. The Board of Appeals shall have no authority to grant an extension to the period of the permit.
- (c) Section 105.6, Suspension or Revocation and Reissuance of Permits. The Director or the Director's designee is authorized to suspend or revoke a permit issued under the provisions of this Code as follows: (1) whenever the permit is issued in error, (2) incorrectly, (3) inaccurately, (4) in an incomplete manner, (5) for any reason that is necessary to maintain the health, safety and welfare of the public, (6) in violation of any ordinance, regulation or any of the provisions of this

Code, and (7) the Director or the Director's designee, in consultation with the Police Department and the Fire/EMS Department, shall have the authority to deny, suspend, or revoke any application or permit under the provisions of this Division and upon a violation of this Division. In addition, the failure to have utility lines located on site through the Utility Service Protection Center ("Miss Utility") and any nonmember utilities prior to starting any excavation deeper than twelve (12) inches will result in permit revocation."

- (1) 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 Director or the Director's designee may extend the time herein not to exceed an additional one hundred eighty (180) days upon sufficient justification shown.
- (2) A permit under which work has been started and 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 prosecute the work so as to ensure completion within a reasonable period of time considering the type of construction involved. The Director or the Director's designee may extend the time herein not to exceed an additional twelve (12) months upon sufficient justification shown.
- (3) A permit issued in error or not in compliance with County Code at time of issuance may be suspended by the Director or the Director's designee.
- (4) When a permit has expired for failure to commence work, it may be renewed within a period of thirty (30) days from the date of expiration if the conditions under which the permit was originally issued have remained unchanged and there has been no change in law or ordinance that would adversely affect the permit. A fee shall be collected for each renewal; however, no permit may be renewed more than two (2) times.
- (5) Whenever the Director or the Director's designee determines by inspection that work started on any building or structure for which a permit has been issued has been suspended for a period of six (6) months, the owner of the property upon which the structure is located, or other person or agent in control of said property, shall, within thirty (30) days from the receipt of written notice from the Department, obtain a new or renewal permit to complete the required work and diligently pursue the work to completion, or shall remove work not completed or demolish the incomplete structures or buildings within sixty (60) days from the date of the printed notice.
- (6) Permits suspended for failure to comply with the County Code or ordinances may be reinstated by the Director or the Director's designee upon compliance or approved validation.
- (7) A permit issued for property within the area of a pending Sectional Map Amendment, as provided for in Subtitle 27 of this Code, that is rezoned to a less intense zone, shall expire if a completed building foundation for a use not permitted in the less intense zone has not been constructed pursuant to a validly issued permit prior to District Council approval of the

Sectional Map Amendment. The determination of the Director or the Director's designee made in accordance with Subsection 105.5.1 of this Subtitle shall not be appealable to the Board of Appeals.

- (8) The Director or the Director's designee may reissue a permit subject to all applicable laws or regulations in effect at the time the permit was originally issued, for a period not to exceed one (1) year after expiration provided that:
  - (A) The County Executive, by Executive Order, has made a finding of severe economic factors adversely affecting real estate development and construction in the County during a specified period and the County Council has been notified by the County Executive of such finding at least seven (7) days prior to issuance of the Executive Order;
  - (B) There is a reasonable showing that these economic factors contributed to the expiration of the permit;
  - (C) There has been no change in the zoning of the property which would affect the issuance of the permit; and
  - (D) A processing fee has been paid in an amount equal to the amount that would be required if the permit was renewed.
- (d) Subsection 105.6.1, Revocation of Permits. In addition, the failure to locate utility lines on site, prior to starting any excavation deeper than twelve (12) inches, by not contacting in due time the Utility Service Protection Center, "Miss Utility," and nonmember utilities, as known; and having such utilities locate lines on site, shall be cause - irrespective of whether or not a utility line is ruptured - for revocation of the permit. In order to continue work for which a permit has been revoked, a new application shall be required as specified in Section 105, Permits of IBC/IRC.
- (e) Post Construction Permit. Any owner cited for unpermitted construction shall be required to obtain a "Post Construction Permit" to complete and certify that the unpermitted construction is in compliance with the Code or to remove the unpermitted work. The Post Construction Permit fee must be paid in addition to any other fees required to obtain permits.
  - (1) Post construction plans submitted for approval must be certified by a Maryland Registered Professional Engineer (PE) or a Maryland Licensed Architect.

(CB-40-1984; CB-121-1985; CB-97-1989; CB-50-1990; CB-25-1991; CB-63-1995; CB-55-1998; CB-82-1998; CB-54-2002; CB-13-2009; CB-45-2012; CB-18-2013; CB-90-2015; CB-56-2020)

Sec. 4-113. - Administration; Section 107, Submittal Documents.

- (a) Section 107.9., Location of Underground Utility Lines Prior to Commencement of Work. For all work that requires excavation deeper than twelve (12) inches, the permit holder (permittee) accepting the permit agrees to contact the Utility Service Protection Center, "Miss Utility," and nonmember 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. 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 Director or the Director's designee may revoke the building or grading permit, or both. In such event, all fees paid to the County shall be forfeited and, in order to continue work, a new application with requisite fee for a permit shall be filed. Drawings shall be reexamined 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 Director or the Director's designee under all of the circumstances, then, in such event, the foregoing revocation provisions shall not apply.

- (b) Section 107.2.10., Acknowledgement of Final Grade. Builders and developers shall place on record with each utility company a written acknowledgment that final grade has been achieved to within six (6) inches. Utility lines shall not be installed until such acknowledgment has been received by the utilities.
- (c) Section 107.11., Fire Protection Engineering Design Evaluation (FPEDE). All plans and specifications for which a building permit is required for buildings of the Use Groups listed in this Section shall be evaluated in accordance with the requirements of this Section for design compliance with adopted fire related code requirements concerning:
  - (1) Documentation of the title and edition of all applicable State and local Building and Fire codes and standards, and amendments thereto, on which the design is based;
  - (2) Designated Use Group Classification(s) of all spaces;
  - (3) Type of construction requirements identified, with supportive calculations;
  - (4) Documentation of fire endurance ratings of structural elements and related components (walls, floors, roofs, parapets, opening protectives);
  - (5) Height and area calculations and limitation compliance and required property line setback criteria;
  - (6) Occupant load calculations and egress capacity and travel distance analysis;
  - (7) Interior finishes analysis;
  - (8) Fire protection systems required (suppression, fire alarm, smoke detection, heat detection, smoke control, other required fire protection systems);
  - (9) Fire hydrant locations, fire department connection locations, and emergency fire and medical vehicle access;
  - (10) Emergency lighting and emergency power systems;
  - (11) Applicable provisions of Chapter 4 of the IBC, "Special Detailed Requirements Based on Use and Occupancy"; and

- (12) Compliance with applicable NFPA Codes and Standards for specific processes, materials, or hazards which are referenced within the IBC or the NFPA 101, Life Safety Code. A written Fire Protection Engineering Design Evaluation (FPEDE) concerning these items shall be submitted with the plans accompanying the application for a building permit. It shall be in the format established by the Director or the Director's designee and shall be signed and sealed by the preparer. If, in the course of performing the FPEDE, the evaluating fire protection engineer determines that there are fire related code deficiencies in the drawing or specifications, all such deficiencies shall be remedied prior to the submittal of the FPEDE and the building permit application and drawings. A tracking of the deficiencies and their resolution must be included in the submittal. The FPEDE must include a signed and sealed statement by both the evaluating fire protection engineer and the engineer or architect of record attesting: "These drawings and specifications are in full compliance with the fire safety provisions of all adopted State and local Building Code, Fire Codes, Mechanical Codes, local amendments and referenced codes and standards to the best of their knowledge and belief."
- (d) Section 107.3.11.1, Use Groups and Fire Protection Systems Requiring a Fire Protection Engineering Design Evaluation (FPEDE). A FPEDE is required for the following buildings or fire protection systems for which a building permit application is made:
- (1) Use Group "A", Assembly, with an occupant load of one thousand (1,000) persons or more for a new building, an addition to an existing Assembly building or occupancy change of a building to an Assembly occupant type;
  - (2) Use Group "H", High Hazard;
  - (3) Use Groups "I-2" and "I-3", Institutional;
  - (4) Use Group "M", all covered malls and open malls exceeding thirty thousand (30,000) square feet in gross area;
  - (5) Use Groups R-1 and R-2 with an estimated construction cost of Ten Million Dollars (\$10,000,000.00) or more;
  - (6) Any Use Group when deemed necessary by the Director or the Director's designee due to complexity or scope of the design;
  - (7) Any automatic fire suppression, fire detection, fire alarm or smoke management system shop drawings when deemed necessary by the Director or the Director's designee due to complexity or scope of the design;
  - (8) Any building design for a Use Group when deemed necessary by the Director or the Director's designee due to submission of drawings containing extensive or repeated code deficiencies, which create an undue burden upon the review process.
  - (9)

The completed FPEDE must be submitted with the initial plan submission for the plan review to take place. The FPEDE must include any Fire Protection Engineer comments given during the review and how they were remedied as part of the report submitted for review.

- (e) Section 107.3.11.2, Qualifications of Fire Protection Engineering Design Evaluation (FPEDE) Preparer. The FPEDE must be prepared by a Fire Protection Engineer who is a registered professional engineer in the State of Maryland. The preparer must also possess:
  - (1) A Bachelor of Science degree in Fire Protection Engineering from an Accreditation Board for Engineering and Technology (ABET) accredited University; or
  - (2) At least five (5) years of documented experience as a professional engineer in the review and evaluation of buildings and fire protection systems for code compliance; and
  - (3) Verification of qualifications must be provided with each FPEDE submission if requested by the Director or the Director's designee. Failure to submit the required documentation may result in denial of the FPEDE submission.
- (f) Section 107.3.3.1, Approval of Partial Plans. The Code Official is authorized to issue a partial permit for the construction of foundations or any other part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the County Building Code. Issuance of a partial permit by the code official does not constitute assurance that a permit for the entire structure will be granted. The holder of such partial permit for the foundations or other part of a building or structure will proceed with the building operation at the holder's own risk and without assurance that a permit for the entire structure will be granted.
- (g) Transitory Provisions
  - (1) Applicable Codes. The laws and regulations in force on the date that a new edition of the Construction Codes are adopted pursuant to Section 122, shall remain in effect for the purposes specified in Sections 123.1.1 through 123.1.4.
  - (2) Existing Valid Permit. Work authorized by a permit issued before the effective date of the new edition of the Construction Codes shall be allowed to be carried to completion, subject to the conditions of Sections 105.5 and 105.6.
  - (3) Existing Filed Application. Applications for permits for which the application filing deposit has been paid before the effective date of the new edition of the Construction Codes, pursuant to Section 108.2.1.1, shall be allowed to be processed to issuance of the permit, and any work authorized thereby shall be allowed to be carried to completion, under the edition of the Construction Codes in effect on the date said applications were filed, subject to the following conditions:
    - (a)



Each such application shall have been filed accompanied by plans and other information conforming to Sections 106.1 and 106.1.1, sufficiently complete to allow processing of the permit without substantial change or deviation;

- (b) Each such permit shall be paid in full and taken out by the applicant within one year after the effective date of the new edition of the Construction Codes;
  - (c) All work authorized by such permit shall be carried to completion under the terms of the permit; and
  - (d) Permits granted under Section 123.1.2 shall not be extended if permitted to expire, pursuant to Section 105.5, or if revoked pursuant to Sections 105.6 and 105.6.1.
- (4) Existing Design Contracts. Buildings and other structures under contract for design on the effective date of the new edition of the Construction Codes, for which no permit applications have been filed, shall be allowed to be filed, processed to issuance of permit, and any work authorized thereby shall be allowed to be carried to completion, under the previous edition of the Construction Codes, subject to the following conditions:
- (a) The applicant shall file the permit application, accompanied by plans and other information conforming to Sections 106.1 and 106.1.1 of the new edition of the Construction Codes, sufficiently complete to allow processing of the permit without substantial change or deviation, within one year after the effective date of the new edition of the Construction Codes;
  - (b) The applicant shall submit a copy of the design contract, with a notarized affidavit stating that the submitted copy is a true and accurate copy of the contract for the design of the building or other structure, that the contract was in effect on or before the effective date of the Construction Codes, and that the design submitted with the permit application was made under such contract;
  - (c) The permit shall be obtained, and the permit fee paid in full by the applicant within one year after the filing date;
  - (d) All work authorized by such permit shall be carried to completion under the terms of the permit; and
  - (e) Permits granted under Section 123.1.3 shall not be extended if permitted to expire pursuant to Section 105.5, or if revoked pursuant to Sections 105.6 and 105.6.1.
- (5) Tenant Layout Permits. The work necessary to finish the interior layout of every tenant space of a building permitted under previous editions of the Construction Codes for first occupancy of each such tenant space, shall be considered part of the completion of said building, and the permits for such tenant work shall be allowed to be processed under the same edition of the Construction Codes as the base building permit, regardless of when the tenant layout project began.

- (6) Violations or Infractions. The laws and regulations in force on the date that a new edition of the Construction Codes is adopted pursuant to Section 122 shall apply with respect to violations or infractions committed prior to said date, whether the prosecutions or adjudications of those violations or infractions are begun before or after said date.

(CB-121-1985; CB-129-1987; CB-97-1989; CB-63-1995; CB-54-2002; CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-114. through Sec. 4-115. - Reserved.

Sec. 4-116. - Administration; Section 114, Violations.

- (a) Section 114.2 of the IBC is amended to read as follows:

"Notice of Violation"

#### 114.2.1 Issuance of Notice of Violation

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

#### 114.2.2 Administrative Lien

Upon issuance of a notice of violation, the Building Official may place an administrative lien on the property that shall serve as notice to prospective purchasers, lessees, or other transferees. The Building Official may release the administrative lien upon abatement or correction of the underlying violation(s) giving rise to the notice of violation or upon verification that the prospective purchaser, lessee, or other transferee has been notified of the existence of the Stop Work Order.

- (b) Section 114.4 of the IBC is amended to read as follows: "Violation Penalties"

114.4.1 Civil Penalties: Any person, firm, association, partnership, corporation, or combination thereof who shall violate a provision of the International Building Code (IBC) or of this Subtitle, or fail to comply with any of the requirements thereof, violates a lawful order issued thereunder, or any person who shall erect, construct, alter, or repair a building or structure or mechanical or electrical system without all required permits or in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of this Subtitle or the IBC may be liable for a civil fine in accordance with the provisions of this section. A civil fine imposed under this subsection is in addition to any other sanction provided by law.

A civil fine may be assessed in conjunction with a written notice of violation or through the issuance of a civil citation or an administrative citation in accordance with the provisions of this Subtitle.

114.4.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is imposed through a notice of violation, the notice of violation shall state the amount of the civil fine and a description of the circumstances giving rise to the assessment. A civil fine imposed through a notice of violation shall be one thousand dollars (\$1,000) per violation. Each day that a violation continues shall be deemed a separate offense. A civil fine assessed through a notice of violation shall be due and payable within 30 days after the Building Official issues the written notice.

114.4.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written notice of violation assessing a civil fine under this section shall be a final decision of the Director or the Director's designee.

114.4.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a notice of violation has not been paid within 30 days after the written notice of violation, the Director may cause the written notice of violation to be recorded with the Director of Finance for Prince George's County. Recordation of the notice of violation shall constitute a lien on the subject property and shall be collected in the same manner as other County real estate taxes. The filing of an appeal of a civil fine shall not affect the recordation of a tax lien under this subsection.

Upon receiving notice that a duly adjudicated appeal has resulted in a decision in favor of an appellant regarding a civil fine imposed under this subsection, the Director of Finance shall release the tax lien.

#### 114.4.1.2 Civil Fine Imposed Through Civil Citation

114.4.1.2.1 In the event that a responsible party does not comply with a notice of violation within the time period provided, including any period allowed by appeal, and upon verification by the Director or the Director's designee that the violation still exists, the Director or the Director's designee may issue upon the responsible parties a civil citation pursuant to Subtitle 28, Division 3, of this Code.

114.4.1.2.2 Separate Violation: Each day the violation continues is deemed a separate offense and is subject to an additional citation and fine in the same dollar amount as the repeat citation(s).

114.4.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed under this subsection is in addition to any other sanction provided by law.

#### 114.4.1.3 Administrative Citation

114.4.1.3.1 In lieu of issuing a civil citation pursuant to Section 114.4.1.2 above, upon verification of a violation of this Section, the Director or Director's designee may issue upon the responsible parties an administrative citation as that term is defined in Section 13-1121 of this Code.

114.4.1.3.2 In addition to any other matters that the Director prescribes, the issuance of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125 of this Code.

114.4.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-1130, 13-1131, and 13-1132 of this Code.

114.4.1.3.4 A civil fine imposed through an administrative citation under this section shall be One Thousand dollars (\$1,000.00) per violation and shall be due and payable within 30 days after the citation is issued. Each day that a violation continues shall be deemed a separate offense.

(c) Section 114.5 of the IBC is added and shall read as follows:

#### 114.5 Disclosure Requirements:

114.5.1 Disclosure to Prospective Purchaser or Lessee: When the owner of a dwelling unit or structure has received a notice of violation issued under this Subtitle, the owner shall provide a copy of the notice of violation to a prospective purchaser or lessee.

114.5.2 Recordation: The Director may record a notice of violation issued under this Subtitle among the land records in the Circuit Court for Prince George's County.

(CB-121-1985; CB-97-1989; CB-63-1995; CB-54-2002; CB-73-2005; CB-13-2009; CB-45-2012; CB-47-2019; CB-35-2020; CB-61-2021; CB-081-2022)

Sec. 4-117. - Administration; Section 115, Stop Work Order.

(a) Section 115.2 of the IBC is amended to read as follows:

#### 115.2.1 Issuance

Upon notice from the Building Official that work on any building or structure is being executed 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 owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a Stop Work Order, the cited work shall immediately cease. The Stop Work Order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Stop Work Order will be in full force until all fees and penalties are paid and permits have been secured for all illegal and/or unpermitted construction.

#### 115.2.2 Administrative Lien

Upon issuance of a Stop Work Order, the Building Official may place an administrative lien on the property that shall serve as notice to prospective purchasers, lessees, or other transferees. The Building Official may release the administrative lien upon abatement or correction of the underlying violation(s) giving rise to the Stop Work Order or upon verification that the prospective purchaser, lessee, or other transferee has been notified of the existence of the Stop Work Order.

(b) Section 115.3 of the IBC is amended to read as follows: Unlawful Continuance:

115.3.1 Civil Penalties: 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, may be liable for a civil fine in accordance with the provisions of this section. A civil fine imposed under this subsection is in addition to any other sanction provided by law.

A civil fine may be assessed in conjunction with a written notice of violation or through the issuance of a civil citation or an administrative citation in accordance with the provisions of this Subtitle.

115.3.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is imposed through a notice of violation, the notice of violation shall state the amount of the civil fine and a description of the circumstances giving rise to the assessment. A civil fine imposed through a notice of violation shall be one thousand dollars (\$1,000) per violation. Each day that a violation continues shall be deemed a separate offense. A civil fine assessed through a notice of violation shall be due and payable within 30 days after the Building Official issues the written notice.

115.3.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written notice of violation assessing a civil fine under this section shall be a final decision of the Director or the Director's designee.

115.3.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a notice of violation has not been paid within 30 days after the written notice of violation, the Director may cause the written notice of violation to be recorded with the Director of Finance for Prince George's County. Recordation of the notice of violation shall constitute a lien on the subject property and shall be collected in the same manner as other County real estate taxes. The filing of an appeal of a civil fine shall not affect the recordation of a tax lien under this subsection.

Upon receiving notice that a duly adjudicated appeal has resulted in a decision in favor of an appellant regarding a civil fine imposed under this subsection, the Director of Finance shall release the tax lien.

#### 115.3.1.2 Civil Fine Imposed Through Civil Citation

115.3.1.2.1 In the event that a responsible party does not comply with a notice of violation within the time period provided, including any period allowed by appeal, and upon verification by the Director or the Director's designee that the violation still exists, the Director or the Director's designee may issue upon the responsible parties a civil citation pursuant to Subtitle 28, Division 3, of this Code.

115.3.1.2.2 Separate Violation: Each day the violation continues is deemed a separate offense and is subject to an additional citation and fine in the same dollar amount as the repeat citation(s).

115.3.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed under this subsection is in addition to any other sanction provided by law.

#### 115.3.1.3 Administrative Citation

115.3.1.3.1 In lieu of issuing a civil citation pursuant to Section 115.3.1.2 above, upon verification of a violation of this Section, the Director or Director's designee may issue upon the responsible parties an administrative citation as that term is defined in Section 13-1121 of this Code.

115.3.1.3.2 In addition to any other matters that the Director prescribes, the issuance of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125 of this Code.

115.3.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-1130, 13-1131, and 13-1132 of this Code.

115.3.1.3.4 A civil fine imposed through an administrative citation under this section shall be One Thousand dollars (\$1,000.00) per violation and shall be due and payable within 30 days after the citation is issued. Each day that a violation continues shall be deemed a separate offense.

115.3.2 Criminal Penalties: 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 more than One Thousand Dollars (\$1,000.00) per violation for as long as that the unlawful work continues, or imprisonment for six (6) months, or both.

(c) Section 115.4 is added and shall read as follows:

115.4 Disclosure Requirements:

115.4.1 Disclosure to Prospective Purchaser or Lessee: When a stop work order has been issued under this Subtitle and remains effective at the time of a prospective transfer or lease, the owner shall provide notice of the stop work order to a prospective purchaser or lessee.

115.4.2 Recordation: The Director may record evidence of a stop work order issued under this Subtitle among the land records in the Circuit Court for Prince George's County.

(CB-121-1985; CB-97-1989; CB-63-1995; CB-54-2002; CB-73-2005; CB-45-2012; CB-47-2019; CB-35-2020; CB-61-2021; CB-081-2022)

Sec. 4-118. - Administration; Section 111, Certificate of Use and Occupancy.

(a) Section 111.1.1, One-Family Dwelling Units. Prior to the consummation of the sale (settlement) of any new, one-family dwelling, including the sale of a new condominium unit which is offered for sale for the first time, there shall be an inspection of the unit and premises by the Director or the Director's designee and a Certificate of Occupancy issued or a list of the violations or deficiencies requiring correction prior to issuance of such certificate. At the time of consummation of such sale, the Certificate of Occupancy, or a list of the deficiencies or violations which remain to be corrected prior to issuance of such Certificate, shall be presented to the builder. Unless contractually relieved of such responsibility, the seller shall be responsible for correction of any violations or deficiencies necessary for the Certificate to be issued. When a Certificate of Occupancy has not been issued prior to consummation of the sale, there shall be required a separate, written contractual agreement indicating responsibility for correction of all deficiencies or violations cited by the Department of Permitting, Inspections, and Enforcement by a date certain. The provisions of this Section are not applicable when a new dwelling unit is purchased for resale as a new dwelling unit.

- (1) 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) Section 113.9, Transfer of Ownership. It shall be unlawful for the owner of any building or other structure upon whom a notice of violation or order has been served to see, transfer, mortgage, lease or otherwise dispose of such building or other structure to another person or entity until the provisions of the notice or order have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice or order issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice or order and fully accepting responsibility without condition for making the corrections or repairs required by such notice or order.
- (c) Section 111.1.2, Issuance of Certificates of Occupancy. No Certificate of 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.
  - (1) A Use and Occupancy Verification Letter shall be issued in compliance with the provisions of this Division and other provisions of State or local laws, ordinances, and regulations. Such Verification Letter shall certify to the owner of any building or structure that the current use of building is compliant with applicable parts of this Subtitle, and other applicable State or local laws, ordinances, and regulations.
  - (2) Exceptions: All buildings which undergo a change of owner or tenant only with no change of intended use group are not required to meet the fire safety requirements for a new building in order to obtain a Certificate of Occupancy. Such buildings are required to comply with the provisions of state and local laws, ordinances, and regulations with respect to fire safety for existing buildings.
- (d) Section 111.2.1, 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 Certificate of Occupancy has been issued by the Building Official certifying compliance with applicable parts of this Subtitle and other applicable State or local laws, ordinances, and regulations. This provision shall not apply to a change of tenant for R-2, change of owner or tenant for R-3, or change of tenant for R-4 structures.
- (e)



Section 111.5, Uninhabitable Dwellings. When the Director or the Director's designee has determined that a dwelling is unfit for human habitation pursuant to Subtitle 13 of the County Code and the dwelling has remained unoccupied for a subsequent period of one hundred eighty (180) days, the Director or the Director's designee shall revoke the Certificate of Occupancy, or if no Certificate of Occupancy has been issued, the Director or the Director's designee shall revoke authorization for the dwelling to be occupied and require that a Certificate of Occupancy be obtained prior to any occupancy of the dwelling. The notice of revocation shall specify the violations of Subtitle 13 and the corrective action required for each violation. Within one hundred eighty (180) days after the date of the revocation of the Certificate of Occupancy, the owner of the dwelling 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 one hundred eighty (180) days and may be renewed once for another one hundred eighty (180) day period if, in the opinion of the Director or the Director's designee, 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 dwelling does not submit a rehabilitation plan within one hundred eighty (180) days after the date that the Certificate of Occupancy was revoked, or if the owner of the dwelling 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 shall be considered abandoned and the Director or the Director's designee shall cause the dwelling to be demolished in accordance with the provisions of Subtitle 13.

(CB-121-1985; CB-90-1987; CB-97-1989; CB-98-1991; CB-63-1995; CB-56-1998; CB-82-1998; CB-54-2002; CB-13-2009; CB-45-2012; CB-18-2013; CB-90-2015; CB-56-2020; CB-63-2021)

Sec. 4-119. - Administration; Section 113, Board of Appeals.

- (a) Section 113.2 is hereby amended to read as follows: Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall not have authority to waive requirements of this code and shall not have jurisdiction over matters for which adjudication or appeal is expressly assigned to the procedures outlined in Section 13, Division 15 of this Code.
- (b) Section 113.4 of the IBC is hereby added as follows: Construction in the One Hundred (100) Year Floodplain.
  - (1) Variances for construction in the One Hundred (100) Year Floodplain shall be issued by the Board of Administrative Appeals upon:
    - (A) A showing of good and sufficient cause;
    - (B)

A determination that failure to grant the variance would result in exceptional hardship to the applicant;

- (C) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
  - (D) A determination that the variance is the minimum necessary to afford relief upon consideration of the flood hazard; and
  - (E) Upon meeting the performance standards of Section 401.2 or 401.3 of the "Flood Proofing Regulations," promulgated by the Office of the Chief of Engineers, U.S. Army, Washington, District of Columbia.
- (2) The Board of Administrative Appeals shall notify the aggrieved party, in writing, of its decision that:
- (A) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage; and
  - (B) Such construction below the base flood level increases the risks to life and property. Such notification shall be maintained with a record of all variance actions, as required in Section (4)(B).
- (3) Each decision of the Board of Administrative Appeals, with respect to the granting or denial of a variance, as described herein, shall be forwarded to the Department of Permitting, Inspections and Enforcement and to the Prince George's County Planning Board.
- (4) The Department of Permitting, Inspections and Enforcement shall:
- (A) Maintain a record of all variance actions, including justification for their issuance; and
  - (B) Report such variances issued in its annual report submitted to the Federal Insurance Administrator.

(CB-121-1985; CB-97-1989; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012; CB-90-2015; CB-47-2019; CB-36-2020)

Sec. 4-120. - Administration; Section 116, Unsafe Structures and Equipment.

- (a) Section 116.3, Notice. If an unsafe condition is found in a building or structure, the Director or the Director's designee 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. Such notice shall require the person thus notified to immediately declare to the Director or the Director's designee his acceptance or rejection of the terms of the order.

(b)

Section 116.3.1, Notice Involving Historic Resource. If a building or structure found to be unsafe by the Director or the Director's designee is an identified historic resource on the Adopted and Approved Historic Sites and District Plan of Prince George's County, Maryland, a copy of the notice shall also be sent to the Historic Preservation Commission and demolition shall not be authorized without approval of the Historic Preservation 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.

(CB-121-1985; CB-138-1986; CB-97-1989; CB-63-1995; CB-82-1998; CB-30-2000; CB-54-2002; CB-41-2003; CB-45-2012; CB-90-2015)

Sec. 4-121. - Administration; Section 117, Emergency Measures.

- (a) Section 117.1, Imminent Danger. When, in the opinion of the Director or the Director's designee, 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 Director or the Director's designee is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The Director or the Director's designee 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 Director or the Director's designee.' 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.
- (b) Subsection 117.1.1, Abatement of Uncompleted Structures. In the event that the responsible party fails to complete construction of a structure at the time of expiration, abandonment, or revocation of the building permit, and in the event that the responsible party fails to comply with the lawful order of the Director or the Director's designee to make safe by the completion of the construction or to demolish an unsafe and uncompleted structure, the Director or the Director's designee shall cause emergency work to be completed as required, to abate the unsafe conditions by appropriate means, including the demolition and removal of dangerous structures, using such public or private resources required and available.
- (c) Section 117.1.2, Abatement of Unsafe Conditions. When, in the opinion of the Director or the Director's designee, there is an imminent danger to human life or the public welfare due to an unsafe condition, the Director or the Director's designee shall cause the necessary work to be done to eliminate the condition including, but not limited to, the demolition of the structure or structures. The Director or the Director's designee shall cause to be published, for three (3) consecutive days, in a County newspaper of record, notice setting forth the address of the building; a description of the real estate sufficient for its identification; a statement that the property is unsafe and constitutes an immediate and continuing hazard to the community; and a statement that the County intends to demolish same if the owner fails to do so. The provisions of

Section 4-121(a) shall not apply. A person objecting to the proposed actions of the County may file an objection in an appropriate form in a court of competent jurisdiction. If the building is not demolished within thirty (30) days of mailing the notice to the owners of record, or within thirty (30) days of the last day of publication of the notice in a County newspaper of record, whichever is later, the Director or the Director's designee shall have the power to demolish the structure or structures.

- (d) Section 117.2, Temporary Safeguards. When, in the opinion of the Director or the Director's designee, there is imminent danger due to an unsafe condition, the Director or the Director's designee shall cause the necessary work to be done to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted. The Director or the Director's designee shall cause the necessary work to be completed in the following manner: to secure doors and windows the material shall be cut to fit either within the recess of the exterior finish wall if the door or window is recessed or to fit on the door or window trim if the trim is applied on top of the exterior wall. The preferred material for windows shall be a transparent material such as Lexan or Plexiglas. If solid materials are used to secure either windows or doors, the solid material shall be painted either white or to match the color of the trim. At the time the structure is secured, the Director or the Director's designee shall notify the owner that the temporary measures have been taken and that the owner is required to restore the structure within thirty (30) days and that the owner is subject to citation directing that the building be repaired to restore the building envelope. If the structure is not restored within thirty (30) days, the owner shall be fined one thousand dollars (\$1,000) for each month 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 Director or the Director's designee may exercise discretion to extend the initial 30-day period without assessing a fine where the owner and insurer are promptly and actively undertaking repairs to the building.
- (e) Section 117.3, Closing Streets. When necessary for the public safety, the Director or the Director's designee shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to the unsafe structure and prohibit the same from being used.
- (f) Section 117.4, Emergency Repairs. For the purpose of this Section, the Director or the Director's designee shall employ the necessary labor and materials to perform the required work as expeditiously as possible.
- (g) Section 117.5, Cost of Emergency Repairs. Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on certificate of the Building Official. 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 117.7.

- (h) Section 117.6, Unsafe Equipment. Equipment deemed unsafe by the Director or the Director's designee 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 Director or the Director's designee in writing.
- (i) Section 117.6.1, Authority to Seal Equipment. In the case of an emergency, the Director or the Director's designee shall have the authority to seal out of service immediately any unsafe device or equipment regulated by this Code.
- (j) Section 117.6.2, Unlawful to Remove Seal. Any device or equipment sealed out of service by the Director or the Director's designee shall be plainly identified in an approved manner. The identification shall not be tampered with, defaced or removed except by the Director or the Director's designee and shall indicate the reason for such sealing.
- (k) Section 117.7, Creation of a Tax Lien. There is created a tax lien on real property for monies expended by the County 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 County Attorney that a tax lien has been created, the amount of such lien shall be collected by the Director of Finance in the same manner as other County real estate taxes.

(CB-87-1979; CB-134-1981; CB-129-1983; CB-121-1985; CB-97-1989; CB-50-1990; CB-63-1995; CB-54-2002; CB-13-2009; CB-18-2013; CB-90-2015)

Sec. 4-122. - Reserved.

Sec. 4-123. - Definitions; Section 202, General Definitions.

The following definition shall apply to Section 105 as set forth in Section 4-111 of this Code:

**Building Foundation:** The placement of a shallow foundation, a deep foundation, or DPIE-approved ground-improvement methods placed or performed to 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 and Chapter 4 of the IRC.

The following amendments, additions, and/or deletions are made to Sections 202 of the IBC and the IRC:

**Condominium:** The ownership of single units in a multiunit structure with common elements.

**Condominium Project:** A real estate condominium project; a plan or project whereby five 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:** An enclosed space consisting of one or more rooms occupying all or part of one or more floors in buildings of one 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.

**Director:** The Director of the Prince George's County, Maryland, Department of Permitting, Inspections, and Enforcement or the Director's designee.

**Family Home Daycare:** A day care center for children within the daycare owner's home with a maximum of 12 children. Family Home Daycare of eight (8) or less are under the IRC and those from nine (9) to twelve (12) are under the IBC.

**Fire Area:** The Fire Area has a specific definition for use regarding automatic sprinkler protection under the Section 4-158 (a) modifying Section 903.1 of 2015 IBC Chapter 9.

**Hot Water Supply Heater:** 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.

**Local Fire Department:** Any full-time or volunteer fire department located within three (3) miles of the building.

**Occupancy:** The ownership or tenancy of a building, structure, or land.

**Private Work:** Directly or indirectly engaging with or accepting remuneration from any private person, firm, or corporation for the performance of any work as a designer, architect, engineer, consultant or inspector, which work is to be submitted to, passed upon, reviewed, or inspected by any officer under the direct supervision of the Building Official charged with the administration of any portion of the County Building Code.

**Public Way:** A paved thoroughfare at least twenty-one (21) 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.

**Story:** That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above as defined in the IBC Chapter 2. A story is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof

rafters. Occupied roof top spaces such as amenity and recreational areas shall be treated as a non-sprinklered story for the purpose of occupant load, common path of travel, travel distance, number of exits and means of egress components.

(CB-87-1979; CB-121-1985; CB-74-1987; CB-62-1989; CB-97-1989; CB-50-1990; CB-25-1991; CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002; CB-13-2009; CB-75-2010; CB-18-2013; CB-30-2014; CB-90-2015; CB-56-2020)

Sec. 4-124. - Reserved.

Sec. 4-125. - Use and Occupancy Classification; Section 302; Classification.

- (a) Section 302.1, General. Structures, or portions of structures, shall be classified with respect to occupancy in one or more of the groups listed in this section. 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 occupancies or uses shall be classified according to Section 508. Where a structure is proposed for a purpose that is not specifically provided for in this Code, such structure shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved.
  - (1) Assembly (see Section 303): Groups A-1, A-2, A-3, A-4 and A-5
    - (a) Assembly Group A-3: "Occupied roof top spaces such as amenity and recreational areas"
  - (2) Business (see Section 304): Group B
  - (3) Educational (see Section 305): Group E
  - (4) Factory and Industrial (see Section 306): Groups F-1 and F-2
  - (5) High Hazard (see Section 307): Groups H-1, H-2, H-3, H-4, and H-5
  - (6) Institutional (see Section 308): Groups I-1, I-2, I-3, and I-4
  - (7) Mercantile (see Section 309): Group M
  - (8) Residential (see Section 310): Groups R-1, R-2, R-3 and R-4 as applicable in Section 101.2
    - (a) A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the IRC provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.
    - (b) Lodging houses. Owner-occupied lodging houses with five or fewer guest rooms shall be permitted to be constructed in accordance with the IRC provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3.
  - (9) Storage (see Section 311): Groups S-1 and S-2
  - (10) Utility and Miscellaneous (see Section 312): Group U

- (11) Use Group U-PU- public utility facilities (see Section 313.0).
- (12) Master Use and Occupancy Permit: No entity or person shall operate a special food service facility in a Food Hall without first having obtained authorization to operate under the Master Use and Occupancy Permit.
- (a) Each Food Hall shall operate pursuant to the Master Use and Occupancy Food Hall Permit; and
- (b) Each Food Hall vendor is entitled to operate under the Master Food Hall Use and Occupancy Permit during occupancy at the Food Hall; and
- (c) The Food Hall Operator shall obtain a Master Use and Occupancy Permit from the Department of Permitting, Inspections and Enforcement before authorizing any vendor to conduct business in the Food Hall; and
- (d) The Department of Permitting, Inspections and Enforcement shall be responsible for the review and approval of a Master Use and Occupancy permit.
- (b) Section 302.1.1, Other Provisions. Where a type of occupancy, system, or use is not specifically governed by this Code, the Director or the Director's designee may utilize a recognized standard which addresses the occupancy, system, or use adequately.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-63-1995; CB-54-2002; CB-13-2009; CB-90-2015; CB-56-2020; CB-17-2021)

Sec. 4-126. - Reserved.

Sec. 4-127. - Use and Occupancy Classification; Section 313, Use Group U-PU, Public Utility Facilities.

- (a) Section 313.1, General. This use group is specifically intended to apply to installations constructed by public utilities or similar public service agencies to house equipment and/or mechanical facilities within or on buildings or premises used exclusively by the owning utility or agency which are designed and constructed in accordance with the recognized practices and requirements of the specific utility industry. To qualify for inclusion in use group U-PU, the building or structure, designated portion of a mixed use occupancy shall:
- (1) Be exclusively for the use of housing equipment or facilities of the public utility or public service agency which operates the installation;
- (2) Not permit entrance or access to the general public;
- (3) Provide that access for employees or designated contractors be controlled and limited to certain designated persons and not accessible to all employees;
- (4) Provide that there be no other designated use within the limits of the special purpose use group area;
- (5)



Specify that design and construction be done in accordance with recognized industry practices or codes, and shall be so noted on original drawings, to clearly indicate deviations from this IBC; and

- (6) Not degrade the applicable requirements of this IBC where such other code is used.
- (b) Section 313.2, Exceptions. By the special purpose nature of structures and/or buildings, in use group U-PU, and the limited or controlled access thereto, and denial of access to the public, the structures shall not be subject to the provisions of the International Energy Conservation Code (IECC).
- (c) Section 313.3, Maintenance and Repairs. Within this controlled access area of any use group U-PU building, the owner/operator of the equipment shall be responsible for the safe and sanitary maintenance of the building or structure and the equipment and/or facilities at all times. Ordinary repairs of such buildings or structures shall be deemed to include structural and mechanical changes exclusively within the controlled area necessary to maintain proper performance for the intended function. Specifically engineered structural and mechanical components designed for removal and replacement in kind during such maintenance shall be considered as ordinary repairs for purposes of this use group only.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-54-2002; CB-73-2005; CB-90-2015)

Sec. 4-128. through Sec. 4-129. - Reserved.

Sec. 4-130. - Reserved.

Sec. 4-131. - Special Detailed Requirements Based on Use and Occupancy; Section 403, High-Rise Buildings.

- (a) Section 403.1.1, Applicability under Sloping Site Conditions. The provisions of this Section shall also apply to buildings of Use Groups B, R-1, and R-2 when such buildings have floors used for human occupancy located more than ninety (90) feet above the grade level on any side of the building.
- (b) Section 403.1.2, Applicability under Rescue Conditions. The automatic sprinkler provisions of this Section shall also apply to any building intended for human occupancy which is four (4) or more stories above grade level or over forty-five (45) feet in height unless such a building complies with all of the following:
  - (1) Accessibility is provided on two (2) sides of the perimeter of such a building by virtue of a public way;
  - (2) Height above grade shall be determined by using the lowest evaluation of the public way as a reference datum; and
  - (3)

The local fire department must have at least one (1) approved first line piece of aerial equipment capable of reaching the roof of the building. Structures or buildings used exclusively for open-air parking, wherever located, and buildings used exclusively for agricultural purposes shall not be classified as a high-rise building for the purposes of this Subtitle.

(c) Section 403.2.1.2 is deleted.

(d) Section 403.4.6.1, Fire Command Center Construction Features. The central control room shall be located with convenient access to, and in close proximity to, the grade level entrance lobby, unless an alternate location is approved. The room shall be used for no other purpose than a central control station or guard location. The room shall be equipped with a U.L. listed battery operated emergency lighting unit. The type, arrangement, and functions of the fire command station and emergency fire alarm must comply with Section 911, "Fire Command Center" and shall be subject to approval by the Fire Code Official or the Fire Code Official's authorized representative.

(CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-54-2002; CB-73-2005; CB-45-2012; CB-90-2015)

Sec. 4-132. through Sec. 4-134. - Reserved.

Sec. 4-135. - Special Detailed Requirements Based on Use and Occupancy; Section 406, Motor-Vehicle-Related Occupancies.

(a) Section 406.4.4 is added to read as follows: "Separation." Every opening located between a public garage and another occupancy shall be designed to prevent the transmission of liquids and vapors from entering adjacent occupancies.

(b) Sec. 406.6.2 A mechanical ventilation system and exhaust system shall be provided in accordance with Chapters 4 and 5 of the International Mechanical Code. Minimum ventilation Automatic operation of the system shall not reduce the ventilation airflow rate below 0.05 cfm per square foot (0.00025 m<sup>3</sup>/s × m<sup>2</sup>) of the floor area and the system shall be capable of producing a ventilation airflow rate of 1.00 cfm per square foot (0.0005 m<sup>3</sup>/s × m<sup>2</sup>) of floor area.

(CB-98-1991; CB-63-1995; CB-54-2002; CB-45-2012; CB-56-2020)

Sec. 4-136. - Reserved.

Sec. 4-137. - Special Detailed Requirements Based on Use and Occupancy; Section 410; Stages, Platforms and Technical Production Areas.

(a) Section 410.4.1 is amended to read as follows: "Temporary Platforms." Platforms installed for a period of not more than thirty (30) days shall be considered temporary platforms. Temporary platforms that exceed four hundred (400) square feet in area in places of assembly use shall be of

fire-retardant treated lumber. Temporary platforms in other uses may be constructed of any materials permitted by this Code. The space between the floor and the platform above shall only be used for plumbing and electrical wiring to platform equipment.

**Table 410**  
**Temporary Platforms**

TYPE OF BUILDING CONSTRUCTION	REQUIRED TYPE OF PLATFORM CONSTRUCTION
Type 1	Type 2 Note (1)
Type 2	Type 2 Note (1)
Type 3	5B
Type 4	5B
Type 5	5B

Note (1): When the platform is not larger than 20% of the room and not more than 200 square feet, fire-retardant treated wood may be used.

(CB-98-1991; CB-63-1995; CB-54-2002; CB-45-2012)

Sec. 4-138. - Special Detailed Requirements Based on Use and Occupancy; Section 415, Use Groups H-1, H-2, H-3, H-4 and H-5.

- (a) Section, 415.9.1.2.1, Underground Storage. All underground storage tanks for flammable or combustible liquids shall be separated from adjacent property lines and buildings by not less than five (5) feet.

(CB-121-1985; CB-97-1989; CB-63-1995; CB-54-2002; CB-45-2012; CB-90-2015)

Sec. 4-139. through Sec. 4-140. - Reserved.

Sec. 4-141. - General Building Heights and Areas; Section 506 Building Area Modifications.

- (a) Section 506.3.4 Minimum Accessible Perimeter. All buildings and structures must have at least twenty-five (25) percent of the building perimeter fronting on a street or other unoccupied space not less than thirty (30) feet in width which is accessible from a road or a posted fire lane not less than twenty (22) feet in width. The access road or fire lane and the unoccupied space must be capable of providing fire apparatus access under all weather conditions to within one hundred (100) feet of the building or structure.

Exceptions: (1) Buildings which are fully sprinklered in accordance with Section 903, and (2) Structures and buildings in Use Group U and U-PU.

- (b) Section 506.3.5m Arrangement of Access. Access shall be in accordance with the 2012 NFPA 1141, Standard for Fire Protection Infrastructure for Land Development in Wildland, Rural and Suburban Area, except as otherwise provided for in this Subtitle.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-54-2002; CB-13-2009; CB-45-2012; CB-90-2015)

Sec. 4-142. - General Building Heights and Areas; Section 507, Unlimited Area Buildings.

- (a) The following deletions are made to Section 507.1 of the IBC: Section 507.1 General. The area of buildings of the occupancies and configurations specified in Sections 507.1 through 507.12 shall not be limited. Basements shall not be permitted.
- (b) Section 507.4 Sprinklered one-story buildings. The area of a Group A-4 building no more than one story above grade plane of other than Type V construction, or the area of a Group B, F, M or S building no more than one story above grade plane of any construction type, shall not be limited when the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1 and is surrounded and adjoined by public ways or yards not less than sixty (60) feet in width.

Exceptions: Buildings and structures of Types I and II construction for rack storage facilities which do not have access by the public shall not be limited in height provided that such buildings conform to the requirements of Section 507.3 and NFPA 13 and Chapter 32 of the International Fire Code. In addition, the automatic sprinkler system shall not be required directly over the sports floor areas or swimming areas of buildings occupied for indoor participant sports, such as tennis, skating, swimming and equestrian activities in occupancies in Group A-4, provided that (1) exit doors directly to the outside are provided for occupants of the participant sports area; and (2) the building is equipped with a fire alarm system with manual fire alarm boxes installed in accordance with Section 907; and (3) the building owner furnishes to the Director or the Director's designee a notarized statement acknowledging that future use of the unprotected sporting floor areas of the facility will be limited to sporting activities of a low hazard nature with minimal occupant loadings and no combustibility of contents and furnishings other than necessary to the sporting events.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-54-2002; CB-13-2009; CB-45-2012; CB-90-2015)

Sec. 4-143. - General Building Heights and Areas; Section 509, Incidental Uses.

The following additions are made to Table 509 of the IBC:

Room or Area	Separation and/or Protection
Storage areas <sup>1</sup> over 1,000 square feet not in an S or F	1 hour or Automatic Sprinkler Protection
Storage areas <sup>1</sup> over 2,500 square feet not in an S or F	1 hour and Automatic Sprinkler Protection

<sup>1</sup> Storage areas include walk-in freezers and refrigerators.

(CB-90-2015; CB-56-2020)

Sec. 4-144. - Fire and Smoke Protection Features; Section 704, Fire-Resistance Rating of Structural Members.

(a) Section 704.14 is added to read as follows: "Protection of Truss Framing Members." All combustible truss framing members which comprise a portion of a nonrated floor assembly shall be protected by the installation of a ceiling. The ceiling material shall not be less than one-half (1/2) inch gypsum board or an approved equivalent alternative material. The ceiling must be adequately supported by direct mechanical fastening to the structural framing or be suspended by not less than No. 12 MSG galvanized steel wire or by an equivalent method. Where combustible truss joist framing is used as a portion of a required rated floor-ceiling assembly, the structural members shall be protected in accordance with an appropriate tested and listed design.

Exceptions:

1. Buildings protected throughout, excluding crawlspaces less than forty-two (42) inches in depth by an automatic sprinkler system; and
2. Crawl spaces of not more than forty-two (42) inches in depth, measured from the top of the floor surface above to the surface of the crawl space floor.

(CB-56-2020)

**Sec. 4-145. - Exterior Walls; Section 705, Combustible Materials on the Exterior Side of Exterior Walls.**

- (a) Section 705.2.3.1 is amended to read as follows: "Balconies and Similar Projections." Balconies and similar projections of combustible construction other than fire-retardant treated wood shall be fire resistance rated where required by Table 601 for floor construction or shall be of heavy timber construction in accordance with Section 2304.11. The aggregate length of the projections shall not exceed 50 percent of the building's perimeter on each floor. Existing balconies which are subject to repair or replacement due to deterioration or damage shall comply with this Section.
- (b) Section 705.2.5 is added to read as follows: "Soffits of Roof Projections." Exterior walls in R-1 and R-2 occupancies meeting the requirements of Section 705 shall be provided soffits comprised of noncombustible material one-half (1/2) inch in thickness. No soffit screens or openings are permitted within the soffits.

Exception: Building equipped with an automatic sprinkler system in habitable areas are permitted to have unlimited soffit vents.

(CB-56-2020)

**Sec. 4-146. through Sec. 4-148. - Reserved.****Sec. 4-149. - Fire and Smoke Protection Features; Section 705, Exterior Walls.**

- (a) Section 705.11, Parapets. Parapets shall be provided on exterior walls of buildings. However, a parapet is not required on an exterior wall where any of the following conditions (1) through (6) exist:
- (1) The wall is not required to be fire-resistance rated in accordance with Table 602 because of fire separation distance;
  - (2) The building has an area of not more than one thousand (1,000) square feet on any floor;
  - (3) The walls terminate at roofs of not less than two (2) hour fire-resistance-rated construction or at a roof, including the deck and supporting construction, constructed entirely of noncombustible materials;
  - (4) The exterior walls are one (1) hour fire-resistance-rated that terminate at the underside of the roof sheathing, deck or slab, provided that conditions A through D below are met:
    - (A) Where the roof or ceiling framing elements are parallel to the walls, such framing and elements supporting such framing shall not be of less than one (1) hour fire-resistance-rating construction for a width of four (4) feet, measured from the interior side of the wall for Groups R and U and ten (10) feet for other occupancies;

- (B) Where roof or ceiling framing elements are not parallel to the walls, the entire span of such framing and elements supporting such framing shall not be of less than one (1) hour fire-resistance-rated construction;
  - (C) Openings in the roof are not located within five (5) feet of the one (1) hour fire-resistance-rated exterior wall for Groups R and U and ten (10) feet for other occupancies; and
  - (D) The entire building is provided with not less than a Class B roof covering.
- (5) In occupancies of Use Groups R-2 and R-3 as applicable in Section 101.2, both provided with a Class C roof covering, the exterior wall shall be permitted to terminate at the roof sheathing or deck in Types III, IV and V construction provided that:
- (A) The roof sheathing or deck is constructed of approved noncombustible materials or of fire-retardant-treated wood for the distance of four (4) feet, or
  - (B) The roof is protected with 0.625 inch Type X gypsum board directly beneath the underside of the roof sheathing or deck, supported by a minimum of nominal two (2) inch ledgers attached to the sides of the roof framing members for a minimum distance of four (4) feet. Exception: Occupancies of Use Groups R-2 and R-3 are exempt from the requirements of Subsections (5)(A) and (5)(B) of this Section when equipped with residential sprinkler systems installed in accordance with Section 903 of this Code, and the roof is covered with a minimum of a Class C roof covering.
- (6) Where the wall is permitted to have at least twenty-five (25%) percent of the exterior wall areas containing unprotected openings based on the location from a lot line as determined in accordance with Section 705.8.1 of this Code.

(CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-150. - Reserved.

Sec. 4-151. - Fire and Smoke Protection Features; Section 708, Fire Partitions.

- (a) Section 708.1(6) is added to read as follows: "Tenant Separations." Walls separating tenant spaces in all occupancies shall be in accordance with Section 708.3. and 708.4.
1. Exception: Ancillary tenant spaces of use group M that do not exceed three thousand (3,000) square feet located within a main mercantile occupancy do not have to be separated. Examples of such spaces are, but not limited to, optical services, banking services, prescription services, beauty shops and similar tenant spaces located within mercantile occupancies.
  2. Kiosks do not require separation in use group M.

Exception: Tenant and guest room separation walls may terminate at the underside of a noncombustible ceiling in Use Group B, buildings having a complete supervised automatic sprinkler system.

- (1) The wall need not be extended into the crawlspace below where the floor above the crawlspace has a minimum one (1) hour fire-resistance-rating;
- (2) Where the room-side fire-resistance-rated membrane of the corridor is carried through to the underside of a fire-resistance-rated floor or roof above, the ceiling or the corridor shall be permitted to be protected by the use of ceiling materials as required for a one (1) hour fire-resistance-rated floor or roof system;
- (3) Where the corridor ceiling is constructed as required for the corridor walls, the walls shall be permitted to terminate at the upper membrane of such ceiling assembly;
- (4) Fireblocking or draftstopping is not required at the partition line in Group R-2 buildings that do not exceed four (4) stories in height, provided that the attic space is subdivided by draftstopping in to areas not exceeding three thousand (3,000) square feet or above every two dwelling units, whichever is smaller;
- (5) Fireblocking or draftstopping is not required at the partition line in Use Group B, F, and S buildings equipped with an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1 or 903.3.1.2 of this Code, and provided that automatic sprinklers are installed in combustible floor/ceiling and roof/ceiling spaces.

(CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002; CB-13-2009; CB-45-2012; CB-56-2020)

Sec. 4-152. - Floor and Roof Assemblies; Section 711, Dwelling Units and Sleeping Units.

The following deletions are made to Sections 711.2.4.3 of the IBC: Delete the Exception.

(CB-90-2015)

Sec. 4-153. - Reserved.

Sec. 4-152. through Sec. 4-155. - Reserved.

Sec. 4-156. - Reserved.

Sec. 4-157. - Fire Protection Systems; Section 901, General.

- (a) Section 901.2.1, Fire Protection System Shop. Construction documents or shop drawings, or both, for the installation of all fire protection and suppression systems (i.e., fire sprinkler and alarm systems etc.) shall be required to be reviewed and certified for compliance to this Code by a DPIE-approved Third-Party Peer Reviewer for submission to the Director or the Director's designee as provided for in the joint Memorandum of Understanding between the Fire/EMS Department and the Department of Permitting, Inspections and Enforcement prior to the issuance of a building permit.



Exception 1: Plans are not required for automatic sprinkler system modifications in commercial buildings involving ten (10) sprinkler heads or less that do not involve the shifting of any cross mains or risers or create a more hydraulically demanding remote area. Inspection and testing shall still be required after completion of the work.

Exception 2: Plans are not required for automatic sprinkler system modifications in single family dwelling for adding or relocating sprinkler heads on the basement level or grade level involving six (6) or less heads that does not involve the shifting of any cross mains or risers or create a more hydraulically demanding remote area. Inspection and testing shall still be required after completion of the work.

(b) Section 901.2.1.2, 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.
- (3) Code compliance: A note shall be placed on all plans submitted for review indicating that the installation shall comply with required standards.

(CB-97-1989; CB-98-1991; CB-63-1995; CB-54-2002; CB-90-2015; CB-56-2020)

Sec. 4-158. - Fire Protection Systems; Section 903, Automatic Sprinkler Systems.

- (a) General. Sprinklers systems designed in accordance with NFPA 13D shall be supplied and back flowed in accordance with the WSSC Plumbing Code.
- (b) Section 903.2.1, General. Approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in this Section. For the purposes of this Section, the fire area is defined as the aggregate floor area enclosed and bounded by firewalls and exterior walls of a building.
- (c) Section 903.2.1.1, Group A-1. An automatic sprinkler system shall be provided throughout stories and a fire area containing a Group A-1 occupancy to and including intervening floors and the level of exit discharge serving that occupancy where one of the following conditions exists:
  - (1) The fire area exceeds six thousand (6,000) square feet;
  - (2) The fire area has an occupant load of three hundred (300) or more;
  - (3)

The fire area is located on a floor other than the level of exit discharge serving such occupancies; or

- (4) The fire area contains a multi-theatre complex.
- (d) Section 903.2.1.3, Group A-3. An automatic sprinkler system shall be provided throughout stories and fire area containing a Group A-3 occupancy to and including intervening floors and the level of exit discharge serving that occupancy where one of the following conditions exists:
  - (1) The fire area exceeds six thousand (6,000) square feet;
  - (2) The fire area has an occupant load of three hundred (300) or more; or
  - (3) The fire area is located on a floor other than the level of exit discharge.
- (e) Section 903.2.1.4, Group A-4. An automatic sprinkler system shall be provided throughout stories and a fire area containing a Group A-4 occupancy to and including intervening floors and the level of exit discharge serving that occupancy where one of the following conditions exists:
  - (1) The fire area exceeds six thousand (6,000) square feet;
  - (2) The fire area has an occupant load of three hundred (300) or more; or
  - (3) The fire area is located on a floor other than the level of exit discharge.

Exception: Sprinklers shall not be required directly over participant floor areas or swimming areas of buildings occupied exclusively for indoor participant sports such as indoor firearm ranges without tactical floor exercises, tennis, skating, swimming and equestrian activities, provided that the main floor area is located at the same level as the level of exit discharge of the main entrance and exit, and the building owner furnishes to the Director or the Director's designee a notarized statement acknowledging that the future use of the unprotected sporting floor areas of the facility will be limited to sporting activities of a low hazard nature with minimal occupant loadings and no combustibility of the contents and furnishings other than necessary to the sporting events.

- (f) Under 903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exception: Family Home Daycare exceeding eight (8) and up to twelve (12) shall provide automatic sprinkler as per 903.3.1.3 throughout the entire building.

- (g) Section 903.2.7, Group M. An automatic sprinkler system shall be provided throughout buildings where the fire area containing a Group M occupancy where one of the following conditions exists:
  - (1) A Group M fire area exceeds six thousand (6,000) square feet,
  - (2) A Group M fire area is located more than two (2) stories above grade plane
  - (3) The combined fire area on all floors, including any mezzanines, exceeds twelve thousand (12,000) square feet.
  - (4) A Group M occupancy used for the sales or display of upholstered furniture or mattresses over five thousand (5,000) square feet.

- (h) Section 903.2.7.1, High-Piled Storage. An automatic sprinkler system shall be provided in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays. High-piled storage shall be considered storage in excess of twelve (12) feet above the floor for purposes of this Section.
- (i) Section 903.2.8, Group R-2. An automatic sprinkler system shall be provided throughout buildings with a Group R-2 fire area. The following reductions in construction requirements are permitted when a building of use Group R-2 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) inch fire code type gypsum board and the attic is draftstopped at each two (2) units maximum and all ceiling ductwork penetrations are provided with UL listed ceiling dampers;
  - (2) Section 11-258 of the County Code (County Fire Safety Law) requiring heat detectors in apartments is not applicable;
  - (3) Balconies of apartments may be of combustible construction, provided the balconies are sprinklered;
  - (4) Sprinklers may be omitted from open-air exterior stair enclosures provided that a Class A finish is used in the stairs; and
  - (5) Balcony soffit vents in unsprinklered attics are permitted.
- (j) Section 903.2.9, Group S-1. An automatic sprinkler system shall be provided throughout buildings where the fire area containing a Group S-1 where one of the following conditions exists:
  - (1) Occupancy exceeds six thousand (6,000) square feet.
  - (2) Where a Group S-1 fire area used for the storage of commercial motor vehicles where fire area exceeds five thousand (5,000) square feet.
  - (3) Where a Group S-1 occupancy used for storage of upholstered furniture or mattresses exceeds two thousand five hundred (2,500) square feet.
  - (4) Where fire area is located more than two (2) stories above grade plane.
  - (5) Combined are on all floors, including mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).
- (k) Section 903.3.9, Riser and Water Supply Requirements. Every building which is required to be fully sprinklered shall be provided with a complete and separate sprinkler system riser. The riser shall include an alarm check valve or indicating device and check valve, a drain and connection for a fire department pumping connection and a control valve. The arrangement and location shall be subject to the approval of the authority having jurisdiction. A separate main supply source shall be required for each system riser. The system supply shall be based upon the low hydraulic grade shown on the Hydraulic Information Sheet, as determined by the Washington Suburban Sanitary

Commission or lowest hydraulic point per the water authority in areas not served by WSSC. The demand for the automatic sprinkler system must be below the available water supply curve, as follows:

- (1) Automatic sprinkler demand plus, 10% or 10 psi, whichever is greater for commercial systems under NFPA 13 and NFPA13R.
- (2) Automatic sprinkler demand plus 5% or 5 psi, whichever is greater for residential systems for under NFPA 13D.
- (l) Section 903.6, Zones. Automatic fire suppression system zones shall coincide with the fire alarm zones required in Section 907.6.4 of this Code unless specifically exempted by the Director or the Director's designee.
- (m) Section 903.7, Thermal Protection. Heat tracing tape shall not be an acceptable means of thermal protection for any portion of a fire suppression system.

Exception: Wet pipe suppression systems with heat trace tape specifically listed for intended application and installed in accordance with the listing as acceptable as approved by the Director or the Director's designee.

- (n) Section 903.3.7.1, Mechanical Protection. All piping comprising any portion of a fire protection system shall be protected against reasonable mechanical vehicular damage.

(CB-121-1985; CB-145-1987; CB-97-1989; CB-98-1991; CB-63-1995; CB-54-2002; CB-73-2005; CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-159. through Sec. 4-162. - Reserved.

Sec. 4-163. - Fire Protection Systems; Section 903, Automatic Sprinkler Systems.

- (a) Section 903.3.7.1, Number of Inlets. The number of inlets shall comply with Table 903.3.

**TABLE 903.3**

The number of 2½-inch fire department connection inlets shall be based on the following schedule:

HIGHEST SYSTEM WATER DEMAND	NUMBER OF 2 1/2 INCH FIRE DEPARTMENT CONNECTIONS
0 gpm to 500 gpm	1
500+ gpm to 1,000 gpm	2
1,000+ gpm to 1,500 gpm	3

1,500+ gpm to 2,000 gpm	4
For systems exceeding 2,000 gpm of fire sprinkler flow demand, the number and arrangement of the fire department connection inlets shall be as directed by the Director or the Director's designee.	

(CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-164. - Reserved.

Sec. 4-165. - Fire Protection Systems; Section 907, Fire Alarm and Detection Systems.

- (a) Section 907.2.1.1, System initiation in Group A occupancies with an occupant load of 300 or more. Activation of the fire alarm in Group A occupancies with an occupant load of 300 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with NFPA 72. Section 907.5.2.2.

Exception: Where approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an approved, constantly attended location.

- (b) Section 907.6.4, Zones. Each floor shall be zoned separately and a zone shall not exceed twenty-two thousand five hundred (22,500) square feet. The length of any zone shall not exceed three hundred (300) feet in any direction. Annunciation shall be provided in all buildings that contain more than one zone. A floor shall be subdivided into zones when the maximum area for a sprinkler, smoke control or alarm system is exceeded. The zones' coverage areas shall be arranged to coincide.

Exception: Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13. Fire alarm zones may exceed twenty-two thousand five hundred (22,500) square feet where necessary to match sprinkler zones.

- (c) Section 907.6.4.1, Graphic Zoning Indicator Panel. A zoning indicator panel with a graphic display and the associated controls shall be provided at the main entrance(s) of the building or structure. If the building is not constantly attended, the display shall be visible and discernible from the exterior. The visual zone indication shall lock in until the system is reset and shall not be canceled by the operation of an audible alarm-silencing switch. The Graphic Zoning Panel shall provide the following information:
1. Full name and address of building
  2. Location of Sprinkler Room and/or Fire Pump Room

3. Location of fire hydrant(s)
4. Fire Command Center, if applicable
5. Location of Fire Alarm Control Panel
6. Location of all Fire Alarm Control Unit(s), if applicable
7. Location of main electrical disconnect for Building and Photovoltaic Systems
8. Location of main gas shutoff, if applicable
9. North Arrow
10. Location of all generator(s), if applicable

(d) Fire alarm system within a building must not have conflicting:

1. Audio devices
2. Visual devices

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002) CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-166. - Fire Protection Systems; Section 909, Smoke Control Systems.

Section 909.2.1, Smoke Control Systems Design Report. All active mechanical smoke control systems shall be reviewed, signed and stamped by a professional engineer who is licensed in the State of Maryland and who meets the requirements of Section 107.3.4 prior to submission for review. The professional engineer shall submit a Design Report with supportive calculations to the Director or the Director's designee attesting to the design's compliance with Sections 909.8 and 909.9 of this Code, as well as applicable adopted NFPA Codes for smoke control systems.

(CB-56-2020)

Sec. 4-167. - Fire Protection Systems; Section 912, Fire Department Connections.

- (a) Section 912.2.3 is added to read as follows: "Location and Performance of Fire Hydrants." Every building of more than one thousand (1,000) square feet in area shall be provided with sufficient fire hydrants located such that no exterior portion of the building is located more than five hundred (500) feet from a fire hydrant. The distance shall be measured as a hose line would be laid along paved streets, through parking lot entrances, and around obstructions, in accordance with the determination of the authority having jurisdiction. A fire hydrant is required within two hundred (200) feet of any required fire department connection, as hose is laid. 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 Code Official. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a residual pressure of twenty (20) psi.

Exception: An approved alternate water supply source may be acceptable in areas not served by a public water supply. In addition, a fire hydrant is not required to be situated within two hundred (200) feet of any required fire department connection that is intended to supply an automatic fire sprinkler system that has been retrofitted into an existing building of any use group, provided that the area of the building has not been increased in size or the use group classification has not been changed to require an automatic fire suppression system under any other provision of this Division.

(CB-56-2020)

Sec. 4-168. through Sec. 4-170. - Reserved.

Sec. 4-171. - Reserved.

Sec. 4-172. - Means of Egress; Section 1015, Guards.

- (a) Section 1015.2.2, All retaining walls thirty (30) inches or higher shall be provided with guard rails in accordance with this Section.
- (b) Section 1015.4.1, Ladder Effect. Guards shall not have an ornamental pattern that would provide a ladder effect for any of the following uses: Assembly (A), Education (E), Mercantile (M) Residential (R) or any other uses open to the public.
- (c) Exceptions: Section (b) above shall not apply where A, E, M, and R are accessory uses only.

(CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020; CB-95-2021)

Sec. 4-173. - Means of Egress; Section 1027, Exterior Exit Stairways and Ramps.

Section 1027.6.1, Types of Protection. In other than Use Group R-3 (one- and two-family dwellings) treads, platforms and landings or other walking surfaces that are part of a required exterior stairway, or egress system, located more than thirty (30) inches above grade, or below grade and are in climates subject to snow or ice shall be protected by either:

1. Roof overhang, canopy or awning consistent with the type of construction.
2. Heated slab.
3. Reliable snow maintenance program approved by the Director or the Director's designee.
  - a. Not for use with new buildings or new occupancy types without specific approval by the Director or Director's designee.
  - b. Owner/owner's representative shall complete the Snow Removal Agreement form which must be notarized.
    1. The form shall contain the following information:
      - (A) Shall identify the Owner, Tenant's and Contractor's contact information.

- (B) The period of the time the Agreement covers.
- (C) Case Number.
- (D) Project Name.
- (E) Location and/or Street Address.
- (F) The Agreement must be notarized.
- (G) The Agreement shall contain the following language: This document will serve as an agreement to establish and maintain a snow and ice removal maintenance program at (address) that is acceptable to the Department of Permitting, Inspections, and Enforcement of Prince George's County Government. If the weather forecast predicts at least 2" of accumulation, the owner/contractor will remove snow and ice accumulation from all exterior ramps, stairways, landings, and walkways in accordance with Prince George's County Subtitle 4-173.

(CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-174. through Sec. 4-179. - Reserved.

Sec. 4-180. - Chapter 11 - Accessibility.

- (a) Chapter 11 of the IBC relating to Accessibility is hereby replaced with the Maryland Accessibility Code set forth in the Code of Maryland Regulations (COMAR) Section 05.02.02.
- (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.
- (c) Ramps serving as the main means of egress or ingress for a building shall have a width of not less than five (5) feet measured between the handrails.

(CB-87-1979; CB-52-1980; CB-62-1983; CB-121-1985; CB-97-1989; CB-98-1991; CB-94-1993; CB-95-1993; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012; CB-90-2015)

Sec. 4-181. - Interior Environment; Section 1203, Ventilation.

- (a) Section 1203.4.1.3 (IBC) is added to read as follows:
  - (1) "Locations." Every door or window which opens directly from any dwelling unit of a multifamily dwelling to the outdoors; fifty percent (50%) of the nominal area of every double-hung and horizontal sliding window, and that portion of every other type window normally used for ventilation; and all other openings, unless specifically exempt or modified by the Building Official in accordance with the hardship or modification provisions of this Subtitle and the IBC, shall be screened with not less than sixteen (16) mesh per inch material. In



addition, every hinged screen door shall have a self-closing device in good working condition; except that no screens shall be required for a dwelling unit on a floor above the fifth floor. Screen doors shall not be required on the main entrance door.

- (2) "Governing Code." Screens required by this Section shall be installed or be available to be installed on all dwelling units. The actual times that screens must be provided and installed for use on all dwellings will be governed by the Prince George's County Housing Code. These provisions shall be applicable to all dwelling structures irrespective of the date of construction.

(CB-45-2012)

Sec. 4-182. through Sec. 4-184. - Reserved.

Sec. 4-185. - Reserved.

Sec. 4-186. - Roof Assemblies and Rooftop Structures; Section 1503, Weather Protection.

Section 1503.4.4 is added 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 to comply with the WSSC Plumbing Code.

(CB-54-2002; CB-45-2012)

Sec. 4-187. - Structural Design; Section 1608, Snow Loads.

- (a) Section 1608.1, General. Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607 of this Code. However, in no case shall a roof be designed for less than thirty (30) per square foot (psf) snow load plus the drift.
- (b) Section 1608.2, Ground Snow Loads. The minimum ground snow loads to be used in determining the design snow loads for roofs, including snow drift shall be thirty-five (35) pounds per square foot (psf).

(CB-54-2002; CB-90-2015; CB-56-2020)

Sec. 4-188. - Soils and Foundations; Section 1805, Dampproofing and Waterproofing.

- (a) Section 1805.4.3.1 is added to read as follows: "Foundation Drainage." In no case shall a discharge pipe of foundation drainage be connected to a public sanitary sewer or a septic system.
- (b) Section 1805.4.3.4, Sump Pumps and Pits. Where subsoil drains do not discharge by gravity, the drains shall discharge to an accessible sump pit with an automatic electric pump. A battery back-up or water-powered back-up sump pump will also be provided. Sump pit shall be a minimum of

twenty-four (24) inches in diameter, or eighteen (18) inches square and twenty-four (24) inches in depth and be provided with a fitted cover. The sump pump shall have adequate capacity to discharge all water coming into the sump as it accumulates, but in no case shall the capacity of the pump be less than fifteen (15) gallons per minute. The discharge from the pump shall be a minimum of one and one-fourth (1¼) inches and shall have a union in the discharge piping to make the pump accessible for servicing. Subsoil drains and sump pump discharge may discharge to a properly graded open area provided the point of discharge is ten (10) feet from any property line or Building Restriction Line (BRL). Where a continuously flowing spring or high groundwater table is encountered during the design stage, basement floors shall be designed at least two and one-half (2.5) feet above the groundwater's highest detected level. Alternatively, pre-approved methods of permanent dewatering shall be provided, and groundwater level shall be verified again before construction. If such condition is encountered after construction, and subsoil drains are pre-approved by the County, these drains must be piped to a storm drain or approved outfall where they shall be fitted with an accessible backwater valve. Residential sump pumps are not to be relied on for lowering high groundwater table.

- (c) Section 1805.4.3.5, Areaway Drains. All open subsurface space adjacent to a building serving as an exit or entrance shall be provided with a drain or drains. Such areaway drains shall be of approved material in accordance with the International Plumbing Code (IPC) and not less than two (2) inches in diameter and shall discharge by gravity or mechanical means. Areaway drains for areas exceeding 100 square feet shall be sized in accordance with Section 1114 of the 2015 IPC and be a pre-approved design.
- (d) Section 1805.4.3.6, Window Well Drains. Window well areaways shall have drains. Window well areaways ten (10) square feet or less may discharge to the subsoil drain through a two-inch minimum diameter pipe.
- (e) Section 1805.4.3.7, Foundation Weep Holes. Where subsoil drains are required by Section 1805.4.2, foundations of hollow core masonry shall have foundation weep holes. Weep holes shall be placed a maximum of 4-foot o/c intervals and shall discharge into the aggregate of interior subsoil drainage system.
- (f) Section 1805.4.3.8, Site Grading. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in twelve (12) units horizontal (1:12) for a minimum distance of 5 feet (914 mm) measured perpendicular to the face of the wall or an approved alternate method of diverting water away from the foundation shall be used. Consideration shall be given to the possible additional settlement of the backfill when establishing the final ground level adjacent to the foundation.

(CB-56-2020)

Sec. 4-189. - Soils and Foundations; Section 1809, Shallow Foundation.

- (a) Section 1808.7, Footings on or Adjacent to Slopes. The placement of buildings and structures on or adjacent to slopes steeper than one (1) unit vertical in three (3) units horizontal (or a 33.3% slope) shall conform to Section 1808.7.1 through 1808.7.5 of this Code. However, if there is a conflict between the requirements of this Section and Subtitle 32 of the County Code, the more restrictive requirements shall apply.
- (b) Section 1809.5, 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 and placed on undisturbed ground or compacted fill material, certified by a geotechnical engineer licensed to practice in the State of Maryland, and 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, piers or pre-approved methods of ground improvement 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.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-54-2002; CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-189.01. - Soils and Foundations; Section 1809.01, Ground Improvement Foundation.

Section 1809.01 Aggregate Pier or similar Ground Improvement Foundation System is added.

- (a) Construction tolerance of the pier installed location shall not be more than 6 inches.
- (b) For the 3-pier footing, the centroid of the installed piers, the centroid of the footing and the centerlines of the supported column shall be coincided.
- (c) The capacity of the single-pier-, and 2-pier footings used in supporting column/wall loads shall be reduced due to the eccentricity (allowed construction tolerance) of the pier location.

(CB-54-2002; CB-45-2012; CB-56-2020)

Sec. 4-190. - Special Inspections and Tests; Section 1705, Required Soils.

Section 1705.6, Soils. The special inspections for existing site soil conditions, fill placement and load bearing requirements shall follow Division 2 of Subtitle 32 of the County Code entitled, "Grading, Drainage and Erosion and Sediment Control.

Section 1706.19, Fire Inspections. A third party inspection is required for fire protection system work under the Third-Party Inspections Program (TPIP).

This includes all new buildings other than single family dwellings. In all cases, the determination for inspection responsibility is made in writing prior to the issuance of a building permit for the structure or alteration. Owners of projects that are subject to the Third-Party Inspections Program (TPIP) must submit, as part of the permit application, a Statement of Third-Party Inspections (STPI). The STPI shall identify the names of all design professionals of record, Third-Party Inspectors of Record (TPIR), and the Inspection and Testing Agency retained by the Owner to provide inspections and/or testing services. An individual's signature on the STPI certifies that they have read and understand their role under the TPIP.

Small tenant work is not normally included in the TPIP program and is generally inspected by County inspection personnel. The owner may elect, or the County inspector may require, a third party Certification on small systems at their discretion based on system size or complexity. The format of these third party inspections shall be the same as utilized for TPIP compliance.

1. It is the responsibility of the owner to engage and pay for the third party fire protection system inspection. Please notice that no contractor may utilize a person of their own employment to inspect the construction work of their own firm.
2. All work on fire protection systems is subject to inspection regardless of the number of heads or devices involved. All suppression systems and alarm systems (suppression monitoring, fire and voice alarm) require a valid fire protection system permit.
3. All pressurized fire protection systems shall undergo hydrostatic testing after any work on the pressurized part of the system is completed. County inspection personnel may waive the hydrostatic testing of altered fire sprinkler systems of less than 50 added or relocated heads where the workmanship is without question, the existing piping appears to be in good condition, and no pipe larger than two and one-half (2 1/2) inches in diameter is altered.
4. A third party inspector shall submit the fire protection system Certification form in accordance with TPIP. On small projects outside the scope of the TPIP, the third party inspector shall personally present the Certification form to the County inspector. In all cases the Certification form shall be accompanied by inspection documentation as outlined in the appropriate National Fire Protection Association Standard (i.e. Contractor's Material and Test Certification - NFPA 13, Inspection and Testing Form - NFPA 72, etc.) or similar.

Where a specific format does not exist for a fire protection system, a submission shall be made to the Fire Code Official for approval. The submission shall document compliance with the important aspects and testing of the proposed system.

(CB-54-2002; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-191. through Sec. 4-192. - Reserved.

Sec. 4-193. - Masonry; Section 2109, Empirical Design of Masonry.

- (a) Section 2109.2.3 is added to read as follows: "Masonry Wall Reinforcement." All masonry walls and cavity walls, except those systems which encompass engineered systems in accordance with standards of Chapter 35, of this Code shall be bonded by joint reinforcement (truss type) at vertical intervals not to exceed sixteen (16) inches.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-98-1991; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012; CB-56-2020)

Sec. 4-194. - Steel; Section 2204, Connections.

- (a) Section 2204.4 is added to read as follows: For construction of steel moment frames, direct welding connection between steel column and steel beam/girder without the use of connecting elements (i.e. plates, angles, etc.) is prohibited.

(CB-56-2020)

Sec. 4-195. - Electrical; Section 2701, General.

Section 2701.1 is amended to read as follows: "Scope." This Chapter 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, as adopted and amended by Subtitle 9 of the County Code.

(CB-73-2005; CB-45-2012; CB-56-2020)

Sec. 4-196. - Electrical; Section 2702, Emergency and Standby Power Systems.

- (a) Section 2702.2, Emergency and Standby Power Systems. Where required, emergency and standby power systems shall be installed in accordance with the National Electrical Code, NFPA 110 and NFPA 111, and shall be provided where required by Section 2702.2 of this Code and Subtitle 9.
- (b) Section 2702.2.2 (a) is added to read as follows: "Standby Power." Elevator cars required by Section 3002.4 of this Code to accommodate ambulance stretchers shall be furnished with standby power, meeting the requirements of Section 3003.1 of this Code.

(CB-73-2005; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-197. - Electrical; Section 2704, Parking Lots and Exterior Passageways.

- (a) Section 2704.1 is added to read as follows: "Scope." This Section applies to all new construction as well as existing multiunit dwellings, except for use group R-3.

(b)

Section 2704.2 is added to read as follows: "Exterior Passageways." All exterior walkways serving all use groups other than R-3 and R-4 between buildings, between parking lots, and between buildings and parking lots shall be illuminated with no less than a one foot-candle.

- (c) Section 2704.3 is added to read as follows: "Parking Lots." Parking facilities serving all use groups other than R-3 shall be illuminated with no less than a one foot-candle in the darkest portion of the parking facility.

(CB-73-2005; CB-45-2012)

Sec. 4-198. through Sec. 4-199. - Reserved.

Sec. 4-200. - Reserved.

Sec. 4-201. - Mechanical Systems; Section 2803, Minimum Heating Standards.

- (a) Section 2801 is added to read as follows: "Scope." To provide minimum protection of health, every dwelling unit shall be provided with a heating system or heat supply in compliance with the IBC and IMC that will maintain a temperature of sixty-eight (68) degrees Fahrenheit in all habitable spaces, bathrooms, and toilet compartments when the outdoor ambient temperature is, at design condition of fourteen (14) degrees Fahrenheit.
- (b) Section 2801 is added to read as follows: "Design Standards." Heating system design shall be based on accepted engineering practice standards and/or methods established by accredited authoritative agencies listed in the ASHRAE Standard. Certification of calculations and design by a registered professional engineer may be accepted by the Building Official as to compliance with this Section of the IBC.
- (c) Section 2801 is added to read as follows: "Plans." The actual design conditions used shall be stated on plans submitted for permit. The minimum design condition required by this Section shall be met.

(CB-54-2002; CB-45-2012; CB-56-2020)

Sec. 4-202. - Plumbing Systems; Section 2901, General.

Section 2901.1 is amended to read as follows: "Scope." The provisions of this Chapter and the Plumbing and Fuel Gas Code adopted by the Washington Suburban Sanitary Commission known as the WSSC International Plumbing Code and International Fuel Gas (natural and liquefied petroleum) Code and WSSC addendums shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-63-1995; CB-82-1998; CB-54-2002; CB-13-2009; CB-45-2012)

Sec. 4-203. - Elevators and Conveying Systems; Section 3001, General.

Section 3001.3 is amended to read as follows: "Reference 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, ASME A17.1, Safety Code for Elevators and Escalators, as adopted by the Maryland Department of Labor, Licensing and Regulation.

(CB-13-2009; CB-45-2012; CB-56-2020)

Sec. 4-204. - Special Construction; Section 3103, Temporary Structures.

(a) Section 3103.5 is added to read as follows: "Certification." An affidavit or affirmation shall be submitted to the Director or Director's designee and a copy retained on the premises on which the tent or air-supported structure is located. The affidavit shall attest to the following information relative to the flame-resistance of the fabric:

- (1) Names and addresses of the owners of the tent or air-supported structure;
- (2) Date the fabric was last treated with flame resistant solution;
- (3) Trade name or kind of chemical used in treatment;
- (4) Name of person or firm treating the material; and
- (5) Name of testing agency and test standard by which the fabric was tested.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012; CB-56-2020)

Sec. 4-205. - Special Construction; Section 3104, Pedestrian Walkways and Tunnels.

Section 3104.3 is amended to read as follows: "Construction." The pedestrian walkway shall be of noncombustible construction.

(CB-87-1979; CB-121-1985; CB-97-1989; CB-63-1995; CB-82-1998; CB-54-2002; CB-45-2012)

Sec. 4-206. through Sec. 4-207. - Reserved.

Sec. 4-208. - Special Construction; Section 3108, Telecommunications and Broadcast Towers.

(a) Section 3108.3 is added to read as follows: "Antennae." No satellite dish antennae greater than twenty-four (24) inches in diameter or twenty-five (25) inches in length, fifteen (15) inches in width and ten (10) inches in height may be installed or erected without obtaining a building permit, except as provided in this Section. An application for a permit shall be accompanied by detailed drawings of the antenna structure and methods of anchorage. All connections to a roof shall be properly flashed to maintain water tightness. All antennae must meet manufacturers'

specifications, be of noncombustible and non-corrosive materials, and be erected in a secure, wind-resistant manner. An electrical permit shall be required for all installations in accordance with the requirements of Subtitle 9 of the County Code. A satellite dish antenna which is designed to be installed on a flat roof may be installed or erected without obtaining a building permit under the following conditions:

- (1) The antenna requires no mechanical penetration of the roof structure;
  - (2) The permissible loading of the roof is not exceeded; and
  - (3) The maximum diameter is twenty-four (24) inches or the maximum dimensions are twenty-five (25) inches in length, fifteen (15) inches in width and ten (10) inches in height.
- (b) Section 3108.4 is added to read as follows: "Grounding." Towers shall be permanently and effectively grounded according to Subtitle 9 of the County Code entitled "Electricity."

(CB-54-2002; CB-13-2009; CB-45-2012)

Sec. 4-209. - Special Construction; Swimming Pools, Spas and Hot Tubs (ISPSC).

- (a) Section 305.2 (ISPSC) is amended to read as follows: Outdoor swimming pools and spas shall include all Public and Residential pools and spas that shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7 (ISPSC).
- (b) Section 305.2.1 (ISPSC) is amended to read as follows: "Barrier Height and Clearances." Barrier heights and clearances shall be in accordance with all of the following:
  1. The top of the barrier shall be at least six (6) feet (1829 mm) above finished ground level measured on the side of the barrier which faces away from the swimming pool or spa.
  2. The maximum vertical clearance between finished ground level and the barrier shall be two (2) inches for grade surfaces that are not solid, such as grass or gravel, measured on the side of the barrier which faces away from the swimming pool or spa.
  3. The maximum vertical clearance between the surface, such as concrete, and the bottom of the required barrier shall not exceed four (4) inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
  4. Where the top of the pool structure is above finished grade level such as an above-ground pool, the barrier shall be at finished ground level, such as the pool structure or shall be mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four (4) inches. A natural barrier, hedge, pool cover or other protection device approved by the Building Official may be used so long as the degree of protection afforded by the substituted device or structure is not less than the protection afforded by the enclosure, gate and latch described herein.

(c)



Section 305.2.4 (4) (ISPSC) is amended to read as follows: An attachment device shall attach each barrier section at a height not lower than seventy-two (72) inches (1829 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye type latch incorporating a spring- actuated retaining lever such as a safety gate hook.

- (d) Section 305.2.5 (ISPSC) is amended to read as follows: Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than seventy-two (72) inches (1829 mm), the horizontal member shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1  $\frac{3}{4}$  inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cut outs shall not exceed 1  $\frac{3}{4}$  inches (44 mm) in width.
- (e) Section 305.2.6 (ISPSC) is amended to read as follows: Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is seventy-two (72) inches (1829 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cut outs shall not exceed 1  $\frac{3}{4}$  inches (44 mm) in width.
- (f) Section 305.6 (ISPSC) is amended to read as follows: Natural barriers. A natural barrier, hedge, pool cover or other protection device approved by the Building Official may be used so long as the degree of protection afforded by the substituted device or structure is not less than the protection afforded by the enclosure, gate and latch described herein.
- (g) Section 305.8 (ISPSC) is added to read as follows: "Other Bodies of Water." When a fish pond or other body of water such as a stormwater management wet, dry, or extended detention pond deeper than twenty-four (24) inches is located within a densely populated area, or in the proximity of an elementary school, playground, or other area where small children may congregate without adult supervision, the Building Official may require a protective enclosure of such body of water as described in Section 305.2 (ISPSC) as amended by this Code, except where allowed under the County approved stormwater management pond plans, standards, and specifications.

(CB-13-2009; CB-45-2012; CB-56-2020)

#### Sec. 4-210. - Section 3111 Photovoltaic Panels And Modules.

- (a) 3111.1 General. Photovoltaic panels and modules shall comply with the requirements of this code and the 2018 National Fire Protection (NFPA) 1 Fire Code.
- (b) 3111.1.1.3 Rooftop-mounted photovoltaic panels and modules. Photovoltaic panels and modules installed on a roof or as an integral part of a roof assembly shall comply with the requirements of this Code, Chapter 12 of the International Fire Code and 2018 National Fire Protection (NFPA) 1 Fire Code.

## (c) Section 3111.3.5.2 Ground-Mounted Photovoltaic Panels and Modules

3111.5.2.1 Non-combustible Surface. A is ten (10) foot wide noncombustible surface fully enclosing all of the solar array panels is required.

- (1) Dirt with minor growth is not considered a noncombustible surface.
  - (2) The entire width of the ten (10) foot noncombustible surface must be between the solar array panels and the Security Barrier.
    - a. Access roads which are between the solar panel fields and are within the Security Barrier maybe used and are at least ten (10) foot wide noncombustible surfaces may be part of the noncombustible surface for the enclosure.
      - i. Please note that Fire Access roads must meet all other code requirements.
    - b. If a loose material is provided for a non-combustible surface then it must have a minimum depth of three (3) inches.
  - (3) The entire width of the of the ten (10) foot wide noncombustible surface must be on the same finished grade with a maximum cross slope of 2%.
  - (4) The ten (10) wide noncombustible surface minimum layer of three (3) inches if loose material and must meet all other codes for grading and storm water management.
- (d) 3111.5.2.2 Vegetation Maintenance Plan.
- (1) If vegetation maintenance plans are submitted for review, they must be two (2) original copies of the vegetation maintenance plan and be notarized with the owner's signature. The two original vegetation maintenance plans must include the owner's printed name, full address, telephone number and email address.
  - (2) The vegetation maintenance plans are required to be accepted and / or approved by the AHJ.
- (e) 3111.3 Security Barriers. Security barriers are required around the entire enclosure of all the solar array panels.

(CB-56-2020)

Sec. 4-211. - Safeguards During Construction; Section 3314.2, Accessibility for Emergency Vehicles.

SECTION 3314.2

ACCESSIBILITY FOR EMERGENCY VEHICLES

Section 3314.2 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 twelve (12) 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.

(CB-13-2009; CB-45-2012; CB-56-2020)

Sec. 4-212. - Reserved.

Sec. 4-213. through Sec. 4-215. - Reserved.

Sec. 4-216. - Reserved.

Sec. 4-217. - Reserved.

Sec. 4-218. - Reserved.

Sec. 4-219. - Reserved.

Sec. 4-220. through Sec. 4-221. - Reserved.

Sec. 4-222. - Reserved.

Sec. 4-223. - Reserved.

Sec. 4-224. - Reserved.

Sec. 4-225. through Sec. 4-229. - Reserved.

**SUBDIVISION 3. - AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE.**

Sec. 4-230. - Amendments, Additions, and Deletions to International Mechanical Code.

The following amendments, additions, and deletions are hereby made to the International Mechanical Code (IMC) 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.

(CB-82-1998; CB-54-2002)

Sec. 4-231. - Mechanical Ventilation; Section 403.

- (a) Section 403.3.1.1.2.3.2 is amended to read as follows, The system ventilation efficiency (E) shall be determined using table 403.3.1.1.2.3.2.

(CB-121-1985; CB-82-1998; CB-54-2002; CB-56-2020)

Sec. 4-232. through Sec. 4-239. - Reserved.

**SUBDIVISION 4. - AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS.**

Sec. 4-240. - Amendments to the International Residential Code for One- and Two-Family Dwellings.

- (a) The following deletions and amendments are made to the International Residential Code for One- and Two-Family Dwellings:
- (1) Chapters 25-33 of Part VII - Plumbing are hereby deleted and replaced with the Plumbing and Gasfitting Regulations adopted by the Washington Suburban Sanitary Commission (WSSC), known as the WSSC Plumbing Code.
  - (2) Chapters 34 through 43 of Part VIII - Electrical are hereby deleted and replaced with Subtitle 9 of the County Code.
  - (3) Section R112.2 is hereby amended to read as follows: Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall not have authority to waive requirements of this code and shall not have jurisdiction over matters for which adjudication or appeal is expressly assigned to the procedures outlined in Section 13, Division 15 of this Code.

(CB-82-1998; CB-54-2002; CB-73-2005; CB-45-2012; CB-36-2020)

Sec. 4-240.01. - Building Planning; Section R-302, Fire Resistant Construction.

- (a) Section R-302.2.2, Parapets. Parapets constructed in accordance with Section R-302.2.3 shall be provided for townhouses as an extension of common exteriors or walls in accordance with the following:
- (1) Where roof surfaces adjacent to the wall or walls are at the same elevation, the parapet shall extend not less than thirty (30) inches above the roof surfaces; and
  - (2)

Where roof structures adjacent to the wall or walls are at different elevations and the higher roof is not more than thirty (30) inches above the lower roof, the parapet shall extend not less than thirty (30) inches above the lower roof surface.

Exception: A parapet is not required in Subsections (1) and (2) of this Section when townhouses are provided with residential sprinkler systems installed in accordance with Section 903 of the IBC, or when the roof is covered with a minimum Class C roof covering and the roof decking or sheathing is of noncombustible materials or approved fire-retardant treated wood for a distance of four (4) feet on each side of the wall or walls, or one layer of five-eighths (5/8) inch, or Type X gypsum board is installed directly beneath the roof decking or sheathing for a distance of four (4) feet on each side of the wall or walls.

- (3) A parapet is not required where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is more than thirty (30) inches above the lower roof. The common wall construction from the lower roof to the underside of the higher roof deck shall not have less than a one (1) hour fire-resistive rating. The wall shall be rated for exposure from both sides.

(CB-90-2015)

Sec. 4-241. - Building Planning; Section R-303, Light, Ventilation, and Heating.

- (a) Section R-303.3.1 is added to read as follows: "Illumination of Toilet Rooms and Bathrooms." Illumination of toilet rooms and bathrooms is to be the equivalent of at least three (3) foot candles.
- (b) Section R-303.4.1 (IRC) is added to read as follows:
- (1) "Locations." Every door which opens directly from any one or two-family dwelling to the outdoors; fifty percent (50%) of the nominal area of every double-hung and horizontal sliding window, and that portion of every other type window normally used for ventilation; and all other openings, unless specifically exempt or modified by the Building Official in accordance with the hardship or modification provisions of this Subtitle and the IRC, shall be screened with not less than sixteen (16) mesh per inch material. In addition, every hinged screen door shall have a self-closing device in good working condition. Screen doors shall not be required on the main entrance door.
- (2) "Governing Code." Screens required by this Section shall be installed or be available to be installed on all dwelling units. The actual times that screens must be provided and installed for use on all dwellings will be governed by the Prince George's County Housing Code. These provisions shall be applicable to all dwelling structures irrespective of the date of construction.

(c)

Section R-303.7.2 is added to read as follows: "Minimum Illumination of Stairwells." Minimum illumination of stairwells is to be the equivalent of at least three (3) foot candles. In all one- and two-family dwellings, at least one (1) light illuminating a stair shall be controlled by wall switches at each end of the stair. All exterior steps shall be provided with a light controlled by a switch on the interior.

(CB-54-2002; CB-45-2012; CB-56-2020)

Sec. 4-241.01. - Range Hoods; Section M1503.4, Make Up Air Required.

(a) The following revision is made to Section M1503.4 Make Up Air Required of the International Residential Code:

(1) M1503.4. Makeup air required. Exhaust hood systems capable of exhausting more than 400 cubic feet per minute (0.19m<sup>3</sup>/s) shall be mechanically or naturally provided with makeup air at a rate approximately equal to the exhaust air rate in excess of 400 cubic feet per minute. Such makeup air systems shall be equipped with not less than one damper. Each damper shall be a gravity damper or an electrically operated damper that automatically opens when the exhaust system operates. Dampers shall be accessible for inspection, service, repair and replacement without removing permanent construction or any other ducts not connected to the damper being inspected, serviced, repaired or replaced.

(CB-90-2015)

Sec. 4-242. - Building Planning; Section R-309, Garages and Carports.

Section R-309.6 is added to read as follows: "Interconnecting Doors." All doors between garages and living spaces of the one- and two-family dwellings shall be provided with a self-closing device. The self-closer may be non-listed but must be sufficient to close and latch the door from an open position of twelve (12) inches. Door frames may be of metal or wood construction. Adjacent drywall must butt solidly with the door frame.

(CB-54-2002)

Sec. 4-243. - Building Planning; Section R-311, Means of Egress.

(a) Section R-311.4, Minimum Number of Exits in Existing One- and Two-Family Dwellings. One- and two-family dwellings that undergo basement improvements for which a building permit is required and the work performed will render the area as "Habitable" shall have a minimum of two (2) exits. All basements must have an exit door or an emergency escape and rescue opening leading directly to the outside grade in addition to an interior stair leading to the primary means of egress of the dwelling unit.

(b)

Section R-311.7.5, Stair Treads and Risers. The maximum riser height shall be eight and one-fourth (8¼) inches, and the minimum tread depth shall be nine (9) inches. The riser height shall be measured vertically between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The walking face of treads and landings of a stairway shall be sloped no steeper than one (1) unit vertical in forty-eight (48) units horizontal two percent (2%) slope. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighths (3/8) inch. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than three-eighths (3/8) inch.

(c) Section R-312.1.3, Ladder Effect. Guards where required shall not be constructed so as to have an ornamental pattern that would provide a ladder effect.

(CB-90-2015; CB-56-2020; CB-95-2021)

Sec. 4-244. - Reserved.

Sec. 4-245. - Building Planning; Section R-313, Automatic Fire Sprinkler System.

Section R-313 is deleted.

(CB-54-2002; CB-73-2005; CB-13-2009; CB-45-2012; CB-90-2015)

Sec. 4-246. - Building Planning; Section R-302, Fire Resistant Construction.

(a) Section R-302.2.5 is amended to read as follows: "Parapets." Parapets constructed in accordance with Section R-302.2.4 shall be provided for townhouses as an extension of common exterior or walls in accordance with the following:

- (1) Where roof surfaces adjacent to the wall or walls are at the same elevation, the parapet shall extend not less than thirty (30) inches above the roof surfaces; and
- (2) Where roof structures adjacent to the wall or walls are at different elevations and the higher roof is not more than thirty (30) inches above the lower roof, the parapet shall extend not less than Thirty (30) inches above the lower roof surface.

Exception: A parapet is not required in Subsections (1) and (2) of this Section when townhouses are provided with residential sprinkler systems installed in accordance with Section 903 of the IBC, or when the roof is covered with a minimum Class C roof covering and the roof decking or sheathing is of noncombustible materials or approved fire-retardant treated wood for a distance of four (4) feet on each side of the wall or walls, or one layer of five-eighths (5/8) inch, or Type X gypsum board is installed directly beneath the roof decking or sheathing for a distance of four (4) feet on each side of the wall or walls.

- (3) A parapet is not required where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is more than thirty (30) inches above the lower roof. The common wall construction from the lower roof to the underside of the higher roof deck shall

not have less than a one (1) hour fire-resistive rating. The wall shall be rated for exposure from both sides.

(CB-54-2002; CB-45-2012; CB-56-2020)

Sec. 4-246.01. - Building Planning; Section R324.6 "Roof access and Pathways."

This section is deleted in its entirety.

(CB-56-2020)

Sec. 4-247. - Swimming Pools, Spas and Hot Tubs: Section R-327, Barrier Requirements.

Section R-327.1, Outdoor Swimming Pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following: The top of the barrier shall be at least six (6) feet above grade measured on the side of the barrier which faces away from the swimming pool.

(CB-54-2002; CB-90-2015)

Sec. 4-248. - Building Planning; Section R-328, Fire Protection Systems.

- (a) Section R-328.1, Automatic Sprinkler System Requirement for New One- and Two-Family Dwellings and Industrialized Buildings (Modular and Manufactured Homes to be utilized as a new One- and Two-Family Dwelling). This Section, R-328, supersedes Section R-313 of the IRC. An automatic sprinkler system shall be provided throughout new one- and two-family dwellings, including industrialized (modular) and manufactured homes, installed as manufactured homes after December 31, 2010. The following reductions in construction requirements are permitted when a one or two family dwelling is fully sprinklered:
- (1) A basement exit to grade is not required;
  - (2) A second exit from the dwelling is not required;
  - (3) Trusses are not required to be provided with a fire-resistive ceiling membrane; and
  - (4) Fire 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 need not be able to withstand collapse of construction on either side under fire conditions.
- (b) Section R-328.2, Connection from Sprinkler Systems. Sprinklers systems designed in accordance with NFPA 13D shall be supplied and back flowed protected in accordance with the WSSC Plumbing Code. Repairs to detached one- and two-family dwellings and townhomes not more than four stories above grade plane which, because of lack of maintenance or structural damage due to fire, explosion, or natural causes, which, in the opinion of the Director of the Director's designee, exceed fifty percent (50%) of the building shall have an approved automatic fire sprinkler system installed throughout the building as part of the scope of repairs completed.



Additions to existing structures which exceed one hundred percent (100%) of the total floor (square footage) of the existing structures will cause the altered structure (addition plus existing structure) to be fully sprinklered.

- (c) Section R-328.4, Sprinklers for Additions. All enclosed or habitable additions to an existing sprinklered one- or two-family dwelling, including industrialized (modular and manufactured) homes must also be fully sprinklered.
- (d) Section R-328.5, Location and Performance of Fire Hydrants. Every building of more than one thousand (1,000) square feet in an area shall be provided with sufficient fire hydrants located such that no exterior portion of the building is located more than five hundred (500) feet from a fire hydrant. The distance shall be measured as a hose line would be laid along paved streets, through parking lot entrances, and around obstructions, in accordance with the determination of the authority having jurisdiction. For multiple single-family dwellings (townhouses), provide a fire hydrant within five hundred (500) feet of all exterior portions of the building, as hose is laid. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a residual pressure of twenty (20) psi.

Exception: An approved alternate water supply source may be acceptable in areas not served by a public water supply. In addition, a fire hydrant is not required to be situated within two hundred (200) feet of any required fire department connection that is intended to supply an automatic fire sprinkler system that has been retrofitted into an existing building of any use group, provided that the area of the building has not been increased in size or the use group classification has not been changed to require an automatic fire suppression system under any other provision of this Division.

- (e) Section R-328.6, Booster Pump for Automatic Sprinklers. Where a booster pump is required for the water supply to the automatic sprinklers, the pump driver shall follow the requirements of this Section.
- (f) Section R-328.6.1, Water Pressure and Volume Boost with Standard Drip Proof Pump Drive. Water pressure and volume boost with standard drip proof pump drive shall be installed as follows:
  - (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote location to the pump.
  - (2) Passive electrical supervision to the pump will be accomplished through the following wiring diagram of either the main or subpanel. See figure R-328.6.1.
- (g) Section R-328.6.2, Water Pressure and Volume Boost with Totally Enclosed, Fan Cooled Pump Driver. Water pressure and volume boost with totally enclosed, fan cooled pump driver shall be installed as follows:
  - (1)

Circuit breaker switch must be within the visual line-of-sight of the pump. A sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote location to the pump.

- (2) Passive electrical supervision to the pump will be accomplished through the following wiring diagram of either the main or subpanel. See figure R-328.6.1.
- (h) Section R-328.6.3, Any Pump with a Stored Water Supply. Any pump with a stored water supply shall be installed as follows:
- (1) Circuit breaker switch must be within the visual line-of-sight of the pump. A sub-panel may be provided within the line-of-sight of the pump, if the main panel is in a remote location to the pump.
  - (2) Passive electrical supervision to the pump will be accomplished through the following wiring diagram of either the main or subpanel. See Figure R-328.6.1

**Figure R-328.6.1**

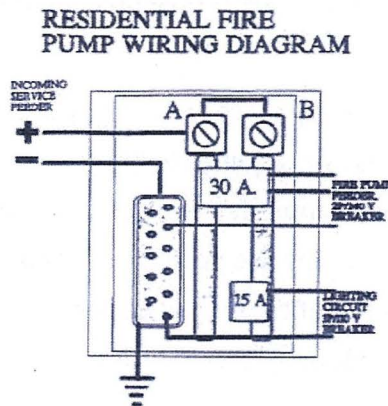


Figure R-328.6.1

- (i) Section R-328.6.4, Combination Use Standard Wiring Method. Any pump on a single circuit shall be installed to be within visual sight of the pump.
- (j) Section R-328.6.5, Mounting Considerations for Any Pump Serving a Residential Sprinkler System. Any pump serving a residential sprinkler system shall be installed as follows:
  - (1) Wall or floor mounted;
  - (2) Accessible for inspection or service;
  - (3) Ensure not located in hazardous area;
  - (4) Install as per manufacturer's requirements.

(CB-90-2015; CB-56-2020)

Sec. 4-249. - Foundations; Section R-403, Footings.

- (a) The following amendments, additions, and/or deletions are to Section R-403 of the IRC:
  - (1)

Unless noted otherwise by engineering design, all footings supporting reinforced concrete or masonry basement walls shall be provided with footing dowels at the minimum amount of one-half (½) of the vertical wall reinforcement. The lap length at the top of the footing shall be adequate to develop the full tension capacity of the reinforcement.

- (2) Continuous wall footings shall not be less than sixteen (16) inches wide and eight (8) inches thick.
- (3) Section R-403.1.4, 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 finished grade.
- (4) Section R-403.1.6, "the maximum spacing of one-half (½) inch diameter anchor bolts is amended to be four (4) feet."
- (5) Section R-403.2, titled "Footings for wood foundations" is deleted.

(CB-13-2009; CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-250. - Foundations; Section R-404, Foundations and Retaining Walls.

- (a) The following amendments, additions, and/or deletions are made to Section R-404 of the International Residential Code:
  - (1) Section R-404.1.1, Design Loads. In addition to other applicable loads, the basement walls shall be designed for the at-rest pressure (lateral soil load) as described in Table 1610.1 of the 2018 International Building Code.
  - (2) Section R-404.1.2, Design of Concrete Masonry. Design of concrete masonry unit (CMU) walls shall conform to the Building Code Requirements for Masonry Structures (ACI 530/TMS 402) Chapters 1, 2 and 3. Minimum horizontal joint reinforcement consisting of not less than two continuous wires each with a minimum cross-sectional area of 0.017 square inch (9 gage) shall be provided in horizontal bed joints spaced not more than every second course vertically. For basement walls subjected to lateral earth pressure, minimum vertical reinforcement shall consist of one No. 5 rebar (ASTM A615 grade 60) spaced not more than sixteen (16) inches (for nominal 8", 10" or 12" walls). Cells having vertical reinforcement shall be filled with concrete or masonry grout meeting the requirement of ASTM C476. Vertical steel reinforcement shall be placed not more than 2 inches from the inside face of the walls.
  - (3) Section R-404.1.3, Design of Concrete Walls. Design of concrete walls subjected to lateral earth pressure shall conform to the Building Code Requirements for Reinforced Concrete (ACI 318-14) Chapter 10. Minimum reinforcement in each direction shall not be less than that required by Chapter 7 (i.e. for ASTM A615 grade 60, No. 4@14" for 8-inch thick, No. 4@12" for 10-inch thick, and No. 4@10" for 12-inch thick wall). For design of concrete walls subjected to lightly loaded lateral earth pressure (4 feet or less of unbalanced backfill) or concrete walls

with insignificant stress components (for example, stresses reduced by mean of wall stiffeners) the ACI 318-14 Chapter 22 may be used to determine the amount of reinforcement required.

(CB-45-2012; CB-90-2015; CB-56-2020)

Sec. 4-250.01. - Foundations; Section R-404.2, titled "Wood Foundation Walls."

This Section is deleted in its entirety.

(CB-56-2020)

Sec. 4-251. - Foundations; Section R-405, Foundation Drainage.

(a) The following amendments, additions, and/or deletions are made to Section R-405 of the International Residential Code:

- (1) Section R-405.1.2, Subsoil Drainage Systems. Subsoil drains shall be required for all buildings having basements, cellars, crawl spaces, or floors below grade. Subsoil drains shall be located inside and outside of the foundation and shall be installed at or below the area to be protected. Drains shall discharge by gravity or mechanical means into an approved drainage system.
- (2) Section R-405.1.3, Sump Pumps and Pits. Where subsoil drains do not discharge by gravity, the drains shall discharge to an accessible sump pit with an automatic electric pump. A battery back-up or water-powered back-up sump pump will also be provided. The sump pit shall be a minimum of twenty-four (24) inches in diameter or eighteen (18) inches square and twenty-four (24) inches in depth, and be provided with a fitted cover. The sump pump shall have adequate capacity to discharge all water coming into the sump as it accumulates but in no case shall the capacity of the pump be less than fifteen (15) gallons per minute. The discharge from the pump shall be a minimum of one and one-fourth (1¼) inches and shall have a union in the discharge piping to make the pump accessible for servicing. Subsoil drains and sump pump discharge may discharge to a properly graded open area provided the point of discharge is ten (10) feet from any property line or Building Restriction Line (BRL). Where a continuously flowing spring or high groundwater table is encountered during the design stage, basement floors shall be designed at least two and one-half (2.5) feet above the groundwater's highest detected level. Alternatively pre-approved methods of permanent dewatering shall be provided, and the groundwater level shall be verified again before construction. If such condition is encountered by the County and subsoil drains are pre-approved by the County; these drains must be piped to a storm drain or approved outfall where they shall be fitted. When piped to a storm drain all drainage lines shall include an accessible backwater valve. Residential sump pumps are not to be relied on for lowering high groundwater table.

- (3) Section R-405.1.4, Areaway Drains. All open subsurface space adjacent to a building serving as an exit or entrance shall be provided with a drain or drains. Such areaway drains shall be of approved material in accordance with Chapter 30 of this Code and not less than 2 inches in diameter and shall discharge by gravity or mechanical means in accordance with R-405.1.2. Areaway drains for areas exceeding 800 square feet shall be sized in accordance with Section 1113 of the 2006 International Plumbing Code.
- (4) Section R-405.1.5, Window Well Drains. Window well areaways shall have drains. Window well areaways 10 square feet or less may discharge to the subsoil drain through a 2-inch minimum diameter pipe. Drains for window well areaways greater than 10 square feet shall be installed in accordance with Section R-405.1.3.
- (5) Section R-405.1.6, Foundation Weep Holes. Where subsoil drains are required by Section R-405.1.1, foundations of hollow core masonry shall have foundation weep holes. Weep holes shall be placed a maximum of 4-foot o/c intervals and shall discharge into the aggregate of the interior subsoil drainage system.
- (6) Section R-405.1.7, Site Grading. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 12 units horizontal (1:12) for a minimum distance of 5 feet (914 mm) measured perpendicular to the face of the wall or an approved alternate method of diverting water away from the foundation shall be used. Consideration shall be given to the possible additional settlement of the backfill when establishing the final ground level adjacent to the foundation.
- (7) Section R-405.2, titled "Wood foundations" is deleted in its entirety.

(CB-13-2009; CB-45-2012; CB-90-2015)

Sec. 4-252. - Floors; Section R-502, Wood Floor Framing.

(a) The following addition is made to Section R-502 of the International Residential Code:

- (1) Section R-502.7.2. Floor joists adjacent and parallel to the exterior foundation wall shall be provided with full-depth solid blocking, not less than two (2) inches nominal in thickness, placed perpendicular to the joist at spacing not more than four (4) feet. The blocking shall be nailed to the floor sheathing, the joist and the exterior rim joist/board.

(CB-90-2015)

Sec. 4-253. - Engineered Floor Truss Systems; Section R-502.8.3, Protection of Structural Members.

- (a) Section R-502.8.3, Protection of Truss Framing Members. All combustible truss framing members which comprise a portion of a nonrated floor assembly shall be protected by the installation of a ceiling. The ceiling material shall not be less than one-half (1/2) inch gypsum board or an approved equivalent alternative material. The ceiling must be adequately supported by direct

mechanical fastening to the structural framing or be suspended by not less than No. 12 MSG galvanized steel wire or by an equivalent method. Where combustible truss joist framing is used as a portion of a required rated floor-ceiling assembly, the structural members shall be protected in accordance with an appropriate tested and listed design.

Exceptions:

- (1) Buildings protected throughout, excluding crawlspaces less than forty-two (42) inches in depth by an automatic sprinkler system; and
- (2) Crawl spaces of not more than forty-two (42) inches in depth, measured from the top of the floor surface above to the surface of the crawl space floor.

(CB-13-2009; CB-45-2012; CB-90-2015)

Sec. 4-254. - Wall Construction; Section R602.10 Wall Bracing.

Residential structures in the R-55 (One-Family Detached Residential) Zone shall not have more than five (5) bathrooms for that structure or a combination of the primary residential and any accessory use on the property. At least one bathroom within any structure on the property must be accessible from a common interior area, such as a hallway. Section R602.10.9.2 Braced wall panel supported by floor joists, beams or girders (see section R602.10.8). When the interior braced wall panel, not supported by continuous braced wall or foundation wall below, is used in conjunction/combo with the exterior braced walls, the design of this braced wall system (interior and exterior) including the design of the supporting joists, beams and girders, column and foundation shall be in accordance with accepted engineering practice.

(CB-124-2017; CB-56-2020)

Sec. 4-255. - Administration and Enforcement; Sec R113. Violations.

- (a) Section R113.2 of the IRC is amended to read as follows:

"Notice of Violation"

R113.2.1 Issuance of Notice of Violation

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R113.2.2 Administrative Lien

Upon issuance of a notice of violation, the Building Official may place an administrative lien on the property that shall serve as notice to prospective purchasers, lessees, or other transferees. The Building Official may release the administrative lien upon abatement or correction of the underlying violation(s) giving rise to the notice of violation or upon verification that the prospective purchaser, lessee, or other transferee has been notified of the existence of the Stop Work Order.

(b) Section R113.4 of the IRC is amended to read as follows: "Violation Penalties"

R113.4.1 Civil Penalties: Any person, firm, association, partnership, corporation, or combination thereof who shall violate a provision of the International Residential Code (IRC), or of this Subtitle, or fail to comply with any of the requirements thereof, violates a lawful order issued thereunder, or any person who shall erect, construct, alter, or repair a building or structure or mechanical or electrical system without all required permits or in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of this Subtitle or the IRC, may be liable for a civil fine in accordance with the provisions of this section. A civil fine imposed under this subsection is in addition to any other sanction provided by law.

A civil fine may be assessed in conjunction with a written notice of violation or through the issuance of a civil citation or an administrative citation in accordance with the provisions of this Subtitle.

R113.4.1.1 Civil Fine Imposed Through Notice of Violation: When a civil fine is imposed through a notice of violation, the notice of violation shall state the amount of the civil fine and a description of the circumstances giving rise to the assessment. A civil fine imposed through a notice of violation shall be one thousand dollars (\$1,000) per violation. Each day that a violation continues shall be deemed a separate offense. A civil fine assessed through a notice of violation shall be due and payable within 30 days after the Building Official issues the written notice.

R113.4.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation: A written notice of violation assessing a civil fine under this section shall be a final decision of the Director or the Director's designee.

R113.4.1.1.2 Recording of Civil Fine as tax lien: If a civil fine imposed through a notice of violation has not been paid within 30 days after the written notice of violation, the Director may cause the written notice of violation to be recorded with the Director of Finance for Prince George's County. Recordation of the notice of violation shall constitute a lien on the subject property and shall be collected in the same manner as other County real estate taxes. The filing of an appeal of a civil fine shall not affect the recordation of a

tax lien under this subsection. Upon receiving notice that a duly adjudicated appeal has resulted in a decision in favor of an appellant regarding a civil fine imposed under this subsection, the Director of Finance shall release the tax lien.

#### R113.4.1.2 Civil Fine Imposed Through Civil Citation

R113.4.1.2.1 In the event that a responsible party does not comply with a notice of violation within the time period provided, including any period allowed by appeal, and upon verification by the Director or the Director's designee that the violation still exists, the Director or the Director's designee may issue upon the responsible parties a civil citation pursuant to Subtitle 28, Division 3, of this Code.

R113.4.1.2.2 Separate Violation: Each day the violation continues is deemed a separate offense and is subject to an additional citation and fine in the same dollar amount as the repeat citation(s).

R113.4.1.2.3 Civil Citation in addition to other sanctions: A civil citation imposed under this subsection is in addition to any other sanction provided by law.

#### R113.4.1.3 Administrative Citation

R113.4.1.3.1 In lieu of issuing a civil citation pursuant to Section R113.4.1.2 above, upon verification of a violation of this Section, the Director or Director's designee may issue upon the responsible parties an administrative citation as that term is defined in Section 13-1121.

R113.4.1.3.2 In addition to any other matters that the Director prescribes, the issuance of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125 of this Code.

R113.4.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-1130, 13-1131, and 13-1132 of this Code.

R113.4.1.3.4 A civil fine imposed through an administrative citation under this section shall be five hundred dollars (\$500.00) per violation and shall be due and payable within 30 days after the citation is issued. Each day that a violation continues shall be deemed a separate offense.

(c) Section R.113.5 is added and shall read as follows:

113.5 Disclosure Requirements:



113.5.1 Disclosure to Prospective Transferee: When the owner of a dwelling unit or structure has received a notice of violation issued under this Subtitle, the owner shall provide a copy of the notice of violation to a prospective purchaser, lessee, or other transferee.

113.5.2 Recordation: The Director may record a notice of violation issued under this Subtitle among the land records in the Circuit Court for Prince George's County.

(CB-35-2020; CB-081-2022)

Sec. 4-255.01. - Administration and Enforcement; Sec R114. Stop Work Order.

(a) Section R114.1 of the IRC is amended to read as follows:

R114.1.1 Issuance of Stop Work Order

Upon notice from the Building Official that work on any building or structure is being executed 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 owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a Stop Work Order, the cited work shall immediately cease. The Stop Work Order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Stop Work Order will be in full force until all fees and penalties are paid and permits have been secured for all illegal and/or unpermitted construction.

R.114.1.2 Administrative Lien

Upon issuance of a Stop Work Order, the Building Official may place an administrative lien on the property that shall serve as notice to prospective purchasers, lessees, or other transferees. The Building Official shall release the administrative lien upon abatement or correction of the underlying violation(s) giving rise to the Stop Work Order or upon verification that the prospective purchaser, lessee, or other transferee has been notified of the existence of the Stop Work Order.

(b) Section R114.2 of the IRC is amended to read as follows: Unlawful Continuance

R114.2.1 Civil Penalties: 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, may be liable for a civil fine in accordance with the provisions of this section. A civil fine imposed under this subsection is in addition to any other sanction provided by law. A civil fine may be assessed in conjunction with a written notice of violation or through the issuance of a civil citation or an administrative citation in accordance with the provisions of this Subtitle.

**R114.2.1.1 Civil Fine Imposed Through Notice of Violation:** When a civil fine is imposed through a notice of violation, the notice of violation shall state the amount of the civil fine and a description of the circumstances giving rise to the assessment. A civil fine imposed through a notice of violation shall not exceed one thousand dollars (\$1,000) per violation. Each day that a violation continues shall be deemed a separate offense. A civil fine assessed through a notice of violation shall be due and payable within 30 days after the Building Official issues the written notice.

**R114.2.1.1.1 Appeal of Civil Fine Issued Through Notice of Violation:** A written notice of violation assessing a civil fine under this section shall be a final decision of the Director or the Director's designee as is contemplated.

**R114.2.1.1.2 Recording of Civil Fine as tax lien:** If a civil fine imposed through a notice of violation has not been paid within 30 days after the written notice of violation, the Director may cause the written notice of violation to be recorded with the Director of Finance for Prince George's County. Recordation of the notice of violation shall constitute a lien on the subject property and shall be collected in the same manner as other County real estate taxes. The filing of an appeal of a civil fine shall not affect the recordation of a tax lien under this subsection. Upon receiving notice that a duly adjudicated appeal has resulted in a decision in favor of an appellant regarding a civil fine imposed under this subsection, the Director of Finance shall release the tax lien.

#### **R114.2.1.2 Civil Fine Imposed Through Civil Citation**

**R114.2.1.2.1** In the event that a responsible party does not comply with a notice of violation within the time period provided, including any period allowed by appeal, and upon verification by the Director or the Director's designee that the violation still exists, the Director or the Director's designee may issue upon the responsible parties a civil citation pursuant to Subtitle 28, Division 3, of this Code.

**R114.2.1.2.2 Separate Violation:** Each day the violation continues is deemed a separate offense and is subject to an additional citation and fine in the same dollar amount as the repeat citation(s).

**R114.2.1.2.3 Civil Citation in addition to other sanctions:** A civil citation imposed under this subsection is in addition to any other sanction provided by law.

#### **R114.2.1.3 Administrative Citation**

R114.2.1.3.1 In lieu of issuing a civil citation pursuant to Section 114.2.1.2 above, upon verification of a violation of this Section, the Director or Director's designee may issue upon the responsible parties an administrative citation as that term is defined in Section 13-1121.

R114.2.1.3.2 In addition to any other matters that the Director prescribes, the issuance of an administrative citation shall comply in all respects with the requirements of Sec. 13-1125 of this Code.

R114.2.1.3.3 Administrative citations issued under this subtitle shall be adjudicated in accordance with the provisions outlined in Sections 13-1126, 13-1127, 13-1128, 13-1129, 13-1130, 13-1131, and 13-1132 of this Code.

R114.4.1.3.4 A civil fine imposed through an administrative citation under this section shall be five hundred dollars (\$500.00) per violation and shall be due and payable within 30 days after the citation is issued. Each day that a violation continues shall be deemed a separate offense.

(c) Section R.114.3 is added and shall read as follows:

114.3 Disclosure Requirements:

114.3.1 Disclosure to Prospective Purchaser or Lessee: When a stop work order has been issued under this Subtitle and remains effective at the time of a prospective transfer or lease, the owner shall provide notice of the stop work order to a prospective purchaser or lessee.

114.3.2 Recordation: The Director shall record evidence of a stop work order issued under this Subtitle among the land records in the Circuit Court for Prince George's County.

(CB-35-2020; CB-081-2022)

Sec. 4-255.02. - Roof Assemblies; Section R903 Weather Protection.

Section R903.4.2 is added 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 to comply with the International Plumbing Code.

(CB-56-2020)

SUBDIVISION 5. - INTERNATIONAL ENERGY CONSERVATION CODE.

Sec. 4-256. - Building Envelope Requirements; C402.2.1.1, Roof Solar Reflective and Thermal Emittance.

Section C402.2.1.1. is amended to read as follows: Low sloped roofs, with a slope less than 2 units vertical in 12 horizontal, directly above cooled conditioned spaces in Climate Zones 1, 2, 3 and 4 shall comply with one or more options in Table C402.2.1.1.

(CB-45-2012)

Sec. 4-257. - Building Envelope Requirements. Table C402.3. Fenestration.

Table C402.3 is amended to read as follows: SHGC is Climate Zone 4 is changed from .40 to .35.

(CB-45-2012)

Sec. 4-258. - Electrical Power and Lighting Systems (Mandatory); C405.2.1 Occupant Sensor Controls.

Section C405.2.1 Occupant sensor controls shall be installed in all classrooms, conference/meeting rooms, employee lunch and break rooms, private offices, restrooms, storage rooms, janitorial closets, enclosed stairways, and other spaces 300 square feet (28m<sup>2</sup>) or less enclosed by floor-to-ceiling height partitions. These automatically turn off lights within 30 minutes of all occupants leaving the space, and shall turn the lighting on to not more than 50 percent power.

(CB-45-2012; CB-90-2015)

Sec. 4-259. - Electrical Power and Lighting Systems (Mandatory); C405.2.4. Specific Application Controls.

Section C405.2.4 7. Lighting for parking areas shall have automatic controls so that after 15 minutes of non-activity, lighting power density can be reduced by 30 percent.

(CB-45-2012; CB-90-2015)

Sec. 4-260. - Electrical Power and Lighting Systems (Mandatory); C405.10. Solar Energy Systems.

Section C405.10. Provide adequate on-site access for solar energy systems and provide interconnection pathways to building distribution. Documentation must be provided through construction documents and the main electrical service panel.

(CB-45-2012; CB-90-2015)

Sec. 4-261. - Additional Efficiency Package Options; C406.5. On-site Renewable Energy.

Section C406.5. Total minimum ratings of on-site renewable energy systems shall comply with one of the following: 1. Provide not less than 1.75 Btu (1850 W), or not less than 0.50 watts per square foot (5.4 W/m<sup>2</sup>) or conditioned floor area. 2. Provide not less than 5 percent of the energy used within the building for

building mechanical and service water heating equipment and lighting regulated in this chapter.

(CB-45-2012; CB-90-2015)

Sec. 4-262. - Additional Efficiency Package Options; C406.5, District Energy Systems.

Section C406.5 is added to read as follows: A minimum of 40 percent of heating and cooling load as calculated in section C403.2.2 must be provided by a district energy system.

(CB-45-2012)

Sec. 4-263. - Additional Efficiency Package Options; C406.9, Water Heating Needs.

Section C406.9. Hotels, motels, hospitals, restaurants, buildings with residential occupancies, buildings with laundry facilities or other high process service water heating needs or buildings showing a service hot water load of 10 percent or more of total building energy shall provide at least forty percent (40%) of hot water through instantaneous or tankless fuel-fired water heating systems, waste heat recovery from equipment or Combined Heat and Power (CHP), solar water heating systems.

(CB-45-2012; CB-90-2015)

