

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND  
LEGISLATIVE SESSION 2024-04**

**BILL NO. 2024-06**

**Title of Bill:** Amendment — HVAC Standards

**Synopsis:** A Bill to amend certain provisions of the Cecil County Code, Chapter 229, HVAC Standards to update the edition of the International Mechanical Code to 2021.

**Introduced by:** Council President at the request of the County Executive

**Introduced and order posted on:** February 20, 2024

**Public Hearing Scheduled on:** March 19, 2024 at 7:00 pm

**Consideration scheduled on:** April 2, 2024

**By:** \_\_\_\_\_  
Council Manager

Notice of time and place of public hearing and title of Bill having been posted by February 20, 2024 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on March 6, 2024 and March 13, 2024, a public hearing was held on March 19, 2024 and concluded on March 19, 2024.

**By:** \_\_\_\_\_  
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.  
~~Strike through~~ indicate matter deleted from existing ordinance.  
Underlining indicates language added by amendment.  
~~Double Strike through~~ indicates language deleted by amendment.

1           **WHEREAS**, pursuant to Section 402 of the Cecil County Charter (the “Charter”), the County  
2 Executive (the “Executive”) shall see that the affairs of the executive branch are administered  
3 properly and efficiently, and that employees of the executive branch faithfully perform their duties;  
4 and

5           **WHEREAS**, pursuant to Section 402 of the Charter, the duties and responsibilities of the  
6 Executive include, but are not limited to: (a) Supervising and directing offices, agencies and  
7 divisions of the executive branch and ensuring that County employees as well as County boards  
8 and commissions faithfully perform their duties; and, (b) preparing and submitting to the Council  
9 the annual County Budget; and

10           **WHEREAS**, pursuant to Chapter 229, of the Cecil County Code, there is HVAC Standards;  
11 and

12           **WHEREAS**, the Chief, Permits and Inspections Division, Cecil County Department of Land  
13 Use and Development Services has recommended amendments, insertions, and deletions to  
14 Chapter 229 of the Cecil County Code, as more fully set forth herein; and

15           **WHEREAS**, the County Executive has submitted the amendments set forth herein to the  
16 County Council for consideration and approval.

17           **NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
18 **MARYLAND**, that the HVAC Standards Code adopted under Cecil County Code, Chapter 229, is  
19 amended as follows:

20 Chapter 229

21 HVAC Standards

22 GENERAL REFERENCES

23 § 229-1. Purpose.

24 The purpose of this chapter is to provide basic and uniform HVAC regulations in terms of performance objectives  
25 implemented by specific requirements, establishing reasonable safeguards for the installation and repair of  
26 HVAC systems.

27 § 229-2. Definitions.

28 As used in this Chapter, the following terms shall have the meanings indicated:

29 CODE OFFICIAL — The officer or other designated authority charged with the administration and enforcement of  
30 the applicable codes.

31 CONTRACTOR — A heating, ventilation, air-conditioning and/or refrigeration contractor.

- 32 COOLING SYSTEM — A system by which heat is removed from air, surrounding surfaces or both; includes an air-  
33 conditioning system.
- 34 HEATING SYSTEM — A system by which heat is transmitted by radiation, conduction, or convection, or a  
35 combination of any of these methods, to the air, surrounding surfaces or both. Does not include a fireplace or  
36 wood burning stove not incorporated into or used as a primary heating system.
- 37 HVAC CONTRACTOR — An individual who provides heating, ventilation, air conditioning or refrigeration services.
- 38 HVAC SERVICES — To install, maintain, alter, remodel or repair heating systems, cooling systems, refrigeration  
39 systems, ventilation systems or hydronic systems.
- 40 HYDRONIC SYSTEM — A heating and cooling system using liquids or steam to transmit or remove heat.
- 41 LICENSE — Unless the context requires otherwise, a license issued by the State of Maryland to provide or to  
42 assist in providing heating, ventilation, air-conditioning, or refrigeration services.
- 43 PERSON — A natural person, the heirs, executors, administrators, or assigns and includes a firm, partnership or  
44 corporation, its or their successors or assigns.
- 45 PREMISES — The building(s) and that part of the grounds of one parcel of property where an installation would  
46 affect the safety of those buildings or adjacent property.
- 47 REFRIGERATION SYSTEM — A combination of interconnected refrigerant containing parts constituting one  
48 closed circuit in which a refrigerant is circulated for the purpose of extracting heat.
- 49 VENTILATION SYSTEM — The natural or mechanical process of supplying conditioned or unconditioned air to or  
50 removing such air from any space.

51 § 229-3. Licenses. [Amended 11-13-2012 by Ord. No. 2012-12]

52 Any HVAC mechanical work commenced within Cecil County shall be conducted by a corporation, firm or person  
53 licensed by the State Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors, as outlined in  
54 the Business Regulation Article of the Annotated Code of Maryland, Title 9A, Heating, Ventilation, Air-  
55 Conditioning and Refrigeration Contractors.

56 § 229-4. Permits.

- 57 A. An owner, authorized agent or contractor who desires to erect, install, enlarge, alter, repair,  
58 remove, convert or replace a mechanical system or to cause such work to be done shall first make  
59 application to the Division of Permits and Inspections and obtain the required permit for the work.  
60 Exception: Where equipment and appliance replacement or repairs must be performed in an  
61 emergency situation, the permit application shall be submitted within the next working business day  
62 of the Division of Permits and Inspections.
- 63 B. The County will grant permits to companies, corporations, individuals, and/or organizations that  
64 provide, and place on file with the Office of Permits and Inspections, the following;
- 65 (1) Certification of liability insurance, for mechanical contracting only;

- 66                   (2) Identification (documentation of a person(s) authorized to bind the Company in legal  
67                   matters;  
68                   (3) A copy of a Maryland mechanical/HVAC license.
- 69           C. No work shall commence in the County until a permit to do such work has been issued by the  
70           Division of Permits and Inspections to a licensed contractor.
- 71           D. Application for such a permit shall be made on forms prepared and provided by the Division of  
72           Permits and Inspections.
- 73           E. Permits not required. Permits shall not be required for the following:
- 74                   (1) Portable heating appliances.  
75                   (2) Portable ventilating appliances and equipment.  
76                   (3) Portable cooling units.  
77                   (4) Steam, hot water or chilled water piping within any heating or cooling equipment  
78                   regulated by this code.  
79                   (5) The replacement of any minor part that does not alter the approval of equipment or  
80                   an appliance or made such equipment or appliance unsafe.  
81                   (6) Portable evaporative coolers.  
82                   (7) Self-contained refrigeration systems that contain 10 pounds (4.5 kg) or less of  
83                   refrigerant, or that are activated by motors of one horsepower (0.75 kw) or less.  
84                   (8) Portable fuel cell appliances that are not connected to a fixed piping system and are  
85                   not interconnected to a power grid.
- 86   § 229-5. Denial, rescission or suspension of permits.
- 87           A. At any time that the Division of Permits and Inspections or any designated Code Enforcement Officer  
88           or inspector of the County determines that any person, firm, or corporation erects, constructs,  
89           alters, repairs, removes, demolishes or utilizes a mechanical system, or causes same to be done in  
90           violation of this code or the Mechanical Code as adopted by the Cecil County Council, notice shall be  
91           sent to said person, firm or corporation advising of said violation and corrections necessary. Said  
92           notice shall be presumed received upon being mailed to the address of said person, firm or  
93           corporation provided on any permits issued or other information obtainable for such person, firm or  
94           corporation three days after mailing. Until such violation(s) has been corrected, the Division of  
95           Permits and Inspections and/or any appropriate Code Official of the County shall have the power to  
96           suspend any permit issued to said person, firm or corporation, withdraw any permits issued to said  
97           person, firm or corporation and/or deny any further permits requested by said person, firm or  
98           corporation.

- 99 B. Any person shall have the right to appeal any decision of the Code Official. An application for appeal  
100 shall be filed in writing to the Division of Permits and Inspections within 10 days of receipt of any  
101 notice. All appeals shall be heard by the Mechanical Board appointed by the County Executive in  
102 accordance with the Charter. [Amended 11-13-2012 by Ord. No. 2012-12]

103 § 229-6. Transfer of permits.

- 104 A. In the case where a contractor signs an application for a permit and does not desire to do the work  
105 covered by it, either in part or in its entirety, he shall notify the County Division of Permits and  
106 Inspections in writing, requesting that he be released from responsibility for that part of the work  
107 which he does not desire to do. He will, however, be held responsible for any work he has  
108 completed and an inspection shall be performed to verify his responsibility. The Division of Permits  
109 and Inspections' records will indicate the extent of such completed work and such responsibility, and  
110 the permit will be revised accordingly and held in abeyance.
- 111 B. In the event that the contractor who signed the application for a permit dies and the owner calls in a  
112 new contractor, the original permit will remain active upon request, in writing, from the  
113 homeowner. An inspection will be required prior to a new contractor being designated, and the new  
114 contractor will be responsible for all of the uncompleted work.
- 115 C. In the case where the contractor who originally signed the application (and to whom the permit was  
116 issued) is removed from the work by the owner and is replaced by another contractor, the owner  
117 shall notify the Division of Permits and Inspections, in writing, of the proposed change. The first  
118 contractor will be notified by the Division of the proposed change and no transfer of the permit will  
119 be made without his consent in fewer than seven days. The transfer will be made by the Division  
120 once an inspection is performed and completed. The new contractor will be held responsible for the  
121 entire work performed under the scope of the permit.

122 § 229-7. Inspections.

123 Inspection of all HVAC work required before and during any construction must be requested by the contractor  
124 who holds the HVAC permit prior to covering any work performed. The County Inspector shall be notified by the  
125 contractor, at least 24 hours in advance, to perform an inspection before covering any rough work. The  
126 Inspector shall be requested to perform a final inspection at such time when all work is completed.

127 § 229-8. Exemptions.

128 This chapter does not apply to the following:

- 129 A. An employee of a public utility service company regulated by the Public Service Commission when  
130 engaged in the development, construction, maintenance, or repair of electric or gas appliances in  
131 the service area of the public utility.

- 132 B. An employee of the United States, the State of Maryland, or the local government, or an  
133 independent agency while that employee is practicing heating, ventilation, air-conditioning or  
134 refrigeration services on or within buildings or structures owned or solely occupied by those entities.
- 135 C. An individual possessing a master electrician's license issued by the state or the County, when  
136 engaged in the installation, alteration, service, repair or replacement of individually controlled  
137 electric resistant heat.
- 138 D. An individual who assists in providing services as an employee or subordinate of a licensee if the  
139 individual assists in providing heating, ventilation, air-conditioning or refrigeration services while  
140 under control of the licensee. The licensee is responsible for the heating, ventilation, air-  
141 conditioning or refrigeration services that the individual provides.
- 142 E. An individual who installs, alters, remodels, maintains or repairs oil burners exclusively.

143 § 229-9. Display of licenses.

144 All licensed HVAC contractors shall display the company name and license number on all work vehicles.

145 § 229-10. Fees.

146 Fees shall be established by resolution by the Cecil County Council as provided for by law. Copies of the fee  
147 schedule will be available in the offices of the Cecil County Council and the Division of Permits and Inspections.

148 §229-11. Applicable standards.

149 The ~~2021~~ 2018 edition of the International Mechanical Code shall be the code in effect and will be  
150 enforced within Cecil County. Any provisions of the Maryland Building Performance Standards that deal  
151 directly with mechanical installations as adopted by the State of Maryland shall also be complied with.

152 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,**

153 that this Act shall take effect in 60 calendar days from the date it becomes law.

#### CERTIFICATION

I HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time, and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and a copy was made available on the Cecil County website.

---

BY: Council Manager