

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

BILL NO. 2024-04

Title of Bill: Amendment – Building Construction – Building Code

Synopsis: A Bill to amend certain provisions of the Cecil County Code, Chapter 157, Building Construction to add references to the Division of Water and Sewer Planning; to clarify administration of floodplain in municipalities; and to update to the editions of the International Building Code and International Residential Code to 2021.

Introduced by: Council President on behalf 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 Administrative 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 properly
3 and efficiently, and that employees of the executive branch faithfully perform their duties; and,

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

9 **WHEREAS**, pursuant to Chapter 157, of the Cecil County Code, there is Building Construction;
10 and,

11 **WHEREAS**, the Chief of Permits and Inspections Division, Cecil County Department of Land Use
12 and Development Services has recommended amendments, insertions, and deletions to Chapter 157 of
13 the Cecil County Code, as more fully set forth herein; and,

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

16 **NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**

17 **MARYLAND**, that Chapter 157, Building Construction, is amended as follows:

18 Chapter 157

19 Building Construction

20 General References

21 Electrical standards — See Ch. 191.

22 Energy conservation standards — See Ch. 195.

23 Housing standards — See Ch. 225.

24 HVAC standards — See Ch. 229.

25 Plumbing — See Ch. 270.

26 § 157-1. Adoption of standards by reference.

27 [Amended 2-15-2005 by Ord. No. 2005-01; 9-18-2007 by Ord. No. 2007-05]

28 A. A certain document, copies of which are on file in the Division of Permits and
29 Inspections, being marked and designated as the "~~2021 2018~~ International Building Code
30 (IBC)," is hereby adopted as the Building Code of Cecil County, Maryland, for the control

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31 of buildings and structures as herein provided; and each and all of the regulations,
32 provisions, penalties, conditions and terms of the ~~2021 2018~~ International Building Code
33 (IBC) are hereby referred to, adopted and made a part hereof, as if fully set out in this
34 chapter, with additions, insertions, deletions and changes, if any, prescribed in § 157-2
35 of this chapter. [Amended 6-15-2010 by Ord. No. 2010-04; 7-17-2012 by Ord. No. 2012-
36 03; 8-18-2015 by Bill No. 2015-13; 11-20-19 by Bill 2019-19]

37 B. Further, the document marked and designated as the "~~2021 2018~~ International
38 Residential Code" be and the same is hereby adopted as an addition to the Building
39 Code of Cecil County, Maryland, and each and all regulations and provisions and terms
40 of the ~~2021 2018~~ International Residential Code are hereby referred to, adopted and
41 made a part hereof, as if fully set out in this chapter, with the additions, insertions,
42 deletions and changes, if any, prescribed in § 157-2 of this chapter. [Amended 6-15-2010
43 by Ord. No. 2010-04; 7-17-2012 by Ord. No. 2012-03; 8-18-2015 by Bill No. 2015-13; 11-
44 20-19 by Bill 2019-19]

45 C. In addition to the codes listed in Subsections A and B above, local jurisdictions are
46 responsible for the implementation and enforcement of the Maryland Building
47 Performance Standards.

48 § 157-2. Amendments, additions and deletions.

49 [Amended 1-18-2011 by Ord. No. 2011-01; 5-3-2011 by Ord. No. 2011-05; 7-17-2012 by Ord. No. 2012-
50 03; 8-18-2015 by Bill No. 2015-13; 11-20-2019 by bill 2019-19]

51 A. The following sections of the ~~2021 2018~~ International Building Code (IBC) are hereby
52 revised and amended as follows:

53 (1) Section 101.1 Title. Insert: "Cecil County" (Name of Jurisdiction).

54 (2) Add: "In addition to the International Building Code (IBC), local jurisdictions are
55 responsible for implementation and enforcement of the Maryland Building
56 Performance Standards."

57 (3) Section 101.2 Scope. Delete exception in its entirety. Insert:

58 Exception #1: Detached one- and two-family dwellings and multiple single-family
59 dwellings (townhouses) not more than three stories above grade plane in height with
60 a separate means of egress and their accessory structures shall comply with the
61 International Residential Code (IRC).

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62 Exception #2: Existing buildings undergoing repair, alterations or additions, and
63 change of occupancy shall comply with the Maryland Building Rehabilitation Code
64 set forth in COMAR 05.16.

65 (4) Section 101.2.1 Appendices. Delete entire section. Insert:

66 101.2.1 Appendices.

67 Provisions in Appendix C, Group U — Agricultural Buildings; Appendix F, Rodent
68 Proofing; Appendix G, Flood Resistant Construction; Appendix H, Signs; and Appendix
69 I, Patio Covers, are adopted as part of the IBC. Provisions in other appendices within
70 the code do not apply unless specifically adopted by the authorities having
71 jurisdiction.

72 (5) Section 104.10.1 Flood hazard areas. Delete entire section.

73 (6) Section 105.2 Work exempt from permit.

74 (a) Delete 1: "One story detached accessory structures used as tool and storage sheds,
75 playhouses and similar uses, provided the floor area does not exceed 120 square feet
76 (11 m²)."

77 (b) Add (14): "Replacement or repair of roofing shingles, membranes and flashings is
78 exempt only where the work does not include any alteration or replacement of
79 structural members or components."

80 (c) Add (15): "Replacement or repair of windows and doors is exempt only where the
81 new windows or doors have the same dimensions as the original windows or doors
82 and the work does not include any alteration or replacement of structural members.
83 In the case where other more restrictive codes have been adopted by state or
84 federal agencies, permits may be required."

85 (7) Section 105.5 Expiration. Add:

86 105.5.1

87 Any permit issued shall be valid for a period of one year from date of issue, provided
88 work is ongoing. An applicant may apply for two six-month extensions as described
89 above as long as the work is progressing. At the expiration of the second six-month
90 extension, the owner/applicant shall apply for a renewal permit.

91 (8) Section 110.3.3 Lowest floor elevation.

92 (a) Delete "building official."

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- 93 (b) Insert "Zoning Administrator or applicable approving agency."
- 94 (9) Section 111.3 Temporary occupancy. Delete entire section. Insert: "The Division of
- 95 Permits and Inspections is authorized to issue a temporary certificate of use and
- 96 occupancy before the completion of the entire work covered by the permit, provided
- 97 that such portion or portions shall be occupied safely. The temporary certificate of
- 98 occupancy will only be issued upon receipt of conditional approval of the
- 99 Department of Public Works, approval of the Division of Development Plans Review
- 100 approval of the Electrical Department/Inspector, the Fire Marshal, if necessary, and
- 101 approval of the **DIVISION OF WATER AND SEWER PLANNING** ~~Health Department~~.
- 102 Town approval is also required if the property is located within any of the town limits
- 103 of any incorporated town within the County in which the Cecil County Division of
- 104 Permits and Inspections issues permits. The certificate shall have a specific time limit
- 105 and will not be valid for more than 180 days maximum unless extended by the Chief
- 106 of Permits and Inspections in writing. Fees may be established and assessed by the
- 107 Division for the issuance of the temporary certificate."
- 108 (10) Chapter 2 - Definitions, Section 202.
- 109 (a) Delete "agricultural building." Insert: AGRICULTURAL BUILDING. A structure designed
- 110 and constructed to house farm implements, hay, grain, poultry, livestock, or other
- 111 horticultural products. This structure shall not be a place of human habitation.
- 112 (b) Add: AGRITOURISM. Tourism of agricultural farms and buildings by members of the
- 113 general public for recreational, entertainment or educational purposes for which
- 114 tourists may or may not pay fees. Agritourism includes the following activities when
- 115 performed by a tourist:
- 116 [1] Viewing rural activities, farming, ranching and wine making;
- 117 [2] Viewing natural, historical, and cultural resources; and
- 118 [3] Harvesting agricultural products.
- 119 (c) Add: CODES ADMINISTRATION. The Maryland Codes Administration.
- 120 (d) Add: DEPARTMENT. The Department of Labor of Maryland.
- 121 (e) Add: MBPS. The Maryland Building Performance Standards.
- 122 (f) Add: SLEEPING (BEDROOM) ROOM. Any room 70 square feet (6.5 m2) or larger with
- 123 direct access to a closet other than a kitchen, bathroom, hallway, foyer or utility

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124 room. Every sleeping room/bedroom occupied by more than one person shall
 125 contain a minimum of 50 square feet (4.6 m2) of floor area for each occupant
 126 thereof.

127 (g) Add: HIGH PERFORMANCE HOME. Has the meaning stated in Public Safety Article §
 128 12-509(a), Annotated Code of Maryland.

129 (h) Add: HOTEL. Means an establishment that offers sleeping accommodations for
 130 compensation. "Hotel" does not include a bed-and-breakfast establishment.

131 (11) Chapter 9 - Fire Protection Systems. 901.1 Scope. Add: "Fire protection system
 132 requirements of Chapter 9 may be concurrently covered in the State Fire Prevention
 133 Code, Public Safety Article, §§ 6-101 through 6-602, Annotated Code of Maryland,
 134 and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire
 135 Marshal or authorized fire official."

136 (12) Chapter 10 - Means of Egress, 1001.1 General. Add: "Means of egress requirements
 137 of Chapter 10 may be concurrently covered in the State Fire Prevention Code, Public
 138 Safety Article, §§ 6-101 through 6-602, Annotated Code of Maryland, and COMAR
 139 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or
 140 authorized fire official."

141 (13) Chapter 11 - Accessibility. Delete entire chapter. Insert: Maryland Accessibility Code
 142 as set forth in COMAR 05.02.02.

143 (14) Section 1612.1 General. Delete "Within flood hazard as established in Section
 144 1612.3." Insert: "Within flood hazard areas as established by Article XI, Part III,
 145 Floodplain District, of the Cecil County Zoning Ordinance as amended and adopted
 146 by the County Council of Cecil County May 4, 2015, or any construction occurring
 147 within the incorporated boundaries of the eight municipalities within Cecil County
 148 shall comply with the Floodplain Regulations as adopted by the County or
 149 **FLOODPLAIN REGULATION AS ADOPTED BY** such municipalities."

150 (15) Section 1612.3 Establishment of flood hazard areas.

151 (a) Insert: Cecil County.

152 (b) Insert: May 4, 2015.

153 (16) Section 1612.3.1 Design flood elevations.

154 (a) Delete: "building official."

155 (b) Insert: "Zoning Administrator or **MUNICIPALITY'S ZONING AUTHORITY, AS** applicable
156 ~~approving agency.~~"

157 (17) Section 1612.5 Flood hazard documentation.

158 (a) Delete: "building official."

159 (b) Insert: "Zoning Administrator or **MUNICIPALITY'S ZONING AUTHORITY, AS** applicable
160 ~~approving agency.~~"

161 (18) Chapter 24 - Glass and Glazing. Add: "The requirements for safety glazing set forth
162 in Public Safety Article, Title 12, Subtitle 4, Annotated Code of Maryland, are in
163 addition to Chapter 24, Section 2406, of the IBC related to safety glazing. In the
164 event of a conflict between Chapter 24 of the IBC and the Annotated Code of
165 Maryland, the requirements of the Annotated Code of Maryland shall prevail."

166 (19) Chapter 27 - Electrical, Section 2701.1 Scope. Add: "The subject matter of this
167 chapter is not within the scope of the Maryland Building Performance Standards.
168 For the applicable electrical requirements, refer to the local electrical code and the
169 National Electrical Code as adopted and enforced by the State Fire Marshal,
170 authorized fire officials, or building officials pursuant to the provisions of Public
171 Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland."

172 (20) Chapter 28 - Mechanical Systems, Section 2801.1 Scope. Add: "The subject matter
173 of this chapter is not within the scope of the Maryland Building Performance
174 Standards. For the applicable requirements concerning mechanical systems, refer to
175 the local mechanical code and the mechanical code adopted pursuant to the
176 provisions of Business Regulation Article, § 9A-205, Annotated Code of Maryland."

177 (21) Chapter 29 - Plumbing Systems, Section 2901.1 Scope. Add: "The subject matter of
178 this chapter is not within the scope of the Maryland Building Performance
179 Standards. For the applicable requirements concerning plumbing systems, refer to
180 the local plumbing code and the plumbing code adopted pursuant to the provisions
181 of Business Occupations and Professions Article, Title 12, Annotated Code of
182 Maryland."

183 (22) Chapter 30 - Elevators and Conveying Systems, Section 3001.1 Scope. Add: "The
184 provisions of Chapter 30 of the IBC relate to elevators and conveying systems and
185 are in addition to and not instead of the requirements set forth in Public Safety

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186 Article, Title 12, Subtitle 8, Annotated Code of Maryland. In the event of a conflict
187 between the IBC and the Annotated Code of Maryland, the provisions of the
188 (23) Chapter 31 - Special Construction.

189 (a) Delete Section 3103.1.1 Permit required.

190 (b) Insert:

191 3103.1.1 Permit required.

192 Temporary structures that cover an area in excess of 360 square feet, including
193 connecting areas or spaces with a common means of egress or entrance which are used
194 or intended to be used for the gathering of 50 or more persons, shall not be erected,
195 operated or maintained for any purpose without obtaining a permit from the Code
196 Official.

197 (24) Chapter 34 - Existing Structures, Section 3401.1 Scope. Add: "Exception: Any
198 rehabilitation work undertaken in an existing building as defined in COMAR 05.16
199 shall comply with the requirements of the Maryland Building Rehabilitation Code as
200 set forth in COMAR 05.16."

201 B. The following sections of the ~~2021 2018~~ International Residential Code (IRC) are
202 hereby revised as follows:

203 (1) Section R101.1 Title. Insert: Cecil County (Name of Jurisdiction); add: "In addition to
204 the International Residential Code (IRC), local jurisdictions are responsible for
205 implementation and enforcement of the Maryland Building Performance Standards."

206 (2) Section R102.5 Appendices. Delete entire section. Insert:

207 R102.5 Appendices.

208 Provisions in Appendix A, Sizing and Capacities of Gas Piping; Appendix B, Sizing of
209 Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances
210 Listed for Use with Type B Vents; Appendix C, Exit Terminals of Mechanical Draft and
211 Direct-Vent Venting Systems; Appendix D, Recommended Procedure for Safety
212 Inspection of an Existing Appliance Installation; Appendix G, Piping Standards for Various
213 Applications; Appendix H, Patio Covers; Appendix K, Sound Transmission; Appendix M,
214 Home Day Care R-3 Occupancy; Appendix N, Venting Methods; Appendix O, Automatic
215 Vehicular Gates; Appendix P, Sizing of Water Piping Systems; Appendix R, Light Straw-
216 Clay Construction; Appendix 5, Straw Bale Construction; and Appendix T,

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217 Recommended Procedure for Worst Case Testing of Atmospheric Venting Systems under
218 N1102.4 and N1105 conditions, are adopted as part of the IRC.

219 (3) Section R102.7 Existing structures. Add:

220 R102.7.2.

221 Any rehabilitation work undertaken in an existing building shall comply with the
222 requirements of the Maryland Building Rehabilitation Code as set forth in COMAR 05.16.

223 (4) Section R104.10.1 Flood hazard areas. Delete entire section.

224 (5) Section R105.2 Work exempt from permit. Under "Building":

225 (a) Delete 1: "One story detached accessory structures used as tool and storage sheds,
226 playhouses and similar uses, provided the floor area does not exceed 200 square feet
227 (18.58 m2)."

228 (b) Delete 10: "Decks not exceeding 200 square feet (18.58 m2) in area, that are not
229 more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling
230 and do not serve the exit door required by Section."

231 R311.4.

232 (c) Add 12: "Replacement or repair of roofing shingles, membranes and flashings is
233 exempt only where the work does not include any alteration or replacement of
234 structural members or components."

235 (d) Add 13: "Replacement or repair of windows and doors is exempt only where the new
236 windows or doors have the same dimensions as the original windows or doors and the
237 work does not include any alteration or replacement of structural members. In the case
238 where more restrictive codes have been adopted by state or federal agencies, permits
239 may be required."

240 (6) Section R105.3.1.1 Determination of substantially improved or substantially damaged
241 existing buildings in flood hazard areas. Delete entire section. Insert: "For applications
242 for reconstruction, rehabilitation, addition or other improvements of existing buildings
243 or structures located within the flood hazard areas as established by Article XI, Part III,
244 Floodplain District, of the Cecil County Zoning Ordinance or within flood hazard areas as
245 established by the adoption of floodplain regulations by the eight municipalities within
246 Cecil County, any such reconstruction, rehabilitation, addition or other improvements
247 shall be subject to such regulations."

- 248 (7) Section R105.5 Expiration. Add:
249 R105.5.1
250 Any permit issued shall be valid for a period of one year from date of issue, provided
251 work is ongoing. An applicant may apply for two six-month extensions as described
252 above as long as the work is progressing. At the expiration of the second six-month
253 extension, the owner/applicant shall apply for a renewal permit.
- 254 (8) Section R106.1.4 Information for construction in flood hazard areas.
255 (a) In 4, delete "building official."
256 (b) In 4, insert "approving agency."
- 257 (9) Section R107.3 Temporary power. Delete entire section.
- 258 (10) Section R109.1.3 Floodplain inspections.
259 (a) Delete: "building official."
260 (b) Insert: "approving agency."
- 261 (11) Section R109.1.6.1 Elevation documentation.
262 (a) Delete: "building official."
263 (b) Insert: "approving agency."
- 264 (12) Section R110.2 Change in use. Add: "Any rehabilitation work undertaken in an
265 existing building as defined in COMAR 05.16 shall comply with the requirements of the
266 Maryland Building Rehabilitation Code as set forth in COMAR 05.16."
- 267 (13) Section R110.4 Temporary occupancy. Delete entire section. Insert: "The Division of
268 Permits and Inspections is authorized to issue a temporary certificate of use and
269 occupancy before the completion of the entire work covered by the permit, provided
270 that such portion or portions shall be occupied safely. The temporary certificate of
271 occupancy will only be issued upon receipt of conditional approval of the Department of
272 Public Works, approval from the Division of Development Plans Review approval of the
273 Electrical Department/Inspector, the Fire Marshal, if necessary, and approval from
274 **DIVISION OF WATER AND SEWER PLANNING** ~~Health Department~~. Town approval is also
275 required if the property is located within any of the town limits of any incorporated
276 town within the County in which the Cecil County Division of Permits and Inspections
277 issues permits. The certificate shall have a specific time limit and will not be valid for
278 more than 180 days maximum unless extended by the Chief of Permits and Inspections

279 in writing. Fees may be established and assessed by the Division for the issuance of the
280 temporary occupancy."

281 (14) (Reserved)

282 (15) (Reserved)

283 (16) Add:

284 SECTION R115 UNSAFE STRUCTURES OR EQUIPMENT

285 R115.1 General.

286 When a structure or equipment is found by the code official to be unsafe, or when a
287 structure is found unfit for human occupancy, or is found unlawful, such structure shall
288 be posted as "Unsafe" or "Condemned" pursuant to this code as the code official deems
289 necessary.

290 R115.2 Unsafe structure.

291 An unsafe structure is one that is found to be dangerous to the life, health, property or
292 safety of the public or the occupants of the structure by not providing minimum means
293 of egress facilities, sanitation, light, ventilation, fire protection, or which contains unsafe
294 equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty
295 construction or unstable foundation that partial or complete collapse is possible.

296 R115.3 Unsafe equipment.

297 Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway,
298 electrical wiring or device, flammable liquid containers or other equipment on the
299 premises or within the structure which is in such disrepair or condition that such
300 equipment is a hazard to life, health, property or safety to the public or occupant of the
301 premises or structure.

302 R115.4 Unlawful structure.

303 An unlawful structure is one found to be erected, altered or occupied contrary to the
304 provisions of this code or those adopted by the governing agency responsible for
305 enforcement of the code.

306 R115.5 Notice.

307 If it is determined that a property or equipment is unsafe or condemned, the code
308 official shall serve on the owner, agent or person in control of the structure, equipment
309 or premises a written notice that describes the condition deemed unsafe or condemned

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310 and specifies the required repairs, improvements or other action necessary to abate the
 311 unsafe condition or that requires the unsafe or condemned building to be demolished
 312 within a stipulated time. Such notice shall require the person thus notified to declare
 313 within seven days of receipt of the notice acceptance or rejection to the code official.

314 R115.6 Method of service.

315 Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the
 316 owner personally; (b) sent by certified or registered mail addressed to the owner at the
 317 last known address with return receipt requested; or (c) delivered in any other manner
 318 as prescribed by local law. If the certified or registered letter is returned showing that
 319 the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or
 320 about the structure affected by such notice. Service of such notice in the foregoing
 321 manner upon the owner's agent or upon the person responsible for the structure shall
 322 constitute service of notice upon the owner.

323 (17) Sections R202 Definitions.

324 (a) Add: AGRICULTURAL BUILDING. A structure designed and constructed to house farm
 325 implements, hay, grain, poultry, livestock, or other horticultural products. An agricultural
 326 building does not include a place of human residence.

327 (b) Add: AGRITOURISM. Tourism of agricultural farms and buildings by members of the
 328 general public for recreational, entertainment or educational purposes for which tourists
 329 may or may not pay fees. Agritourism includes the following activities when performed
 330 by a tourist:

331 [1] Viewing rural activities, farming, ranching and wine making;

332 [2] Viewing natural, historical, and cultural resources; and

333 [3] Harvesting agricultural products.

334 (c) Add: CODES ADMINISTRATION. The Maryland Codes Administration.

335 (d) Add: DEPARTMENT. The Department of Labor.

336 (e) Add: MBPS. The Maryland Building Performance Standards.

337 (f) Add: SLEEPING (BEDROOM) ROOM. Any room 70 square feet (6.5 m²) or larger with
 338 direct access to a closet other than a kitchen, bathroom, hallway, foyer or utility room.

339 Every sleeping room/bedroom occupied by more than one person shall contain a
 340 minimum of 50 square feet (4.6 m²) of floor area for each occupant thereof.

341 (18) Table R301.2(1) Climatic and Geographic Design Criteria. Insert:

342 Ground Snow Load – 30 pounds psf

343 Wind speed – 90 mph

344 Seismic design category — B

345 Weathering damage — Severe

346 Frost line depth — 32 inches

347 Termite damage — moderate to heavy

348 Winter design temperature — 13°

349 Ice barrier underlayment required — Yes

350 Flood hazards — Cecil County Planning and Zoning or **THE** local municipality, **AS**

351 **APPLICABLE.**

352 (19) Section 4 302.7 Add Exception. Unless under stair areas is served by an
353 operational sprinkle head.

354 (20) Section 310.1 Exception 2. Delete in its entirety.

355 (21) Section R312.1 Guards; 312.1.3 Opening limitations. Delete entire section. Insert:

356 "Required guards shall not have openings from the walking surface to the required guard
357 height which allow for the passage of a sphere four inches (102 mm) in diameter.

358 Required guards shall not be constructed with horizontal rails or other ornamental

359 patterns that result in a ladder effect. Alternative guards such as glass, cable, plastic,

360 vinyl, or other materials may be used, provided they are approved at the time of

361 application of the permit by the Code Official."

362 (22) Section R313.2 One- and two-family dwellings automatic fire systems. Delete entire
363 section. Insert:

364 R313.2 One- and two-family dwellings automatic fire sprinkler systems.

365 An automatic fire sprinkler system shall be installed in one- and two-family dwellings.

366 Exceptions: 1. An automatic residential fire sprinkler system shall not be required for
367 any additions or alterations to existing buildings that are not already provided with an
368 automatic fire sprinkler system.

369 R313.2.A (Reserved)

370 R313.2.B (Reserved)

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371 R313.2.C Mandatory automatic sprinkler systems may be required for all new single-
372 and two-family dwellings, additions or renovations constructed within the boundaries of
373 the incorporated municipalities (towns) of Cecil County. Should such municipality (town)
374 have regulations governing residential sprinkler systems, those regulations shall apply.

375 R313.2.D Dwelling units that are manufactured under Federal Housing Administration
376 (FHA) regulations (HUD Code) that are placed within the County outside of incorporated
377 municipalities (towns) regulated by the County may be exempt from this section unless
378 so required by the FHA and/or the HUD Code.

379 R313.2.E Any regulation imposed by a federal or state governing body or agency which
380 requires or exempts residential automatic sprinkler systems in manufactured housing
381 shall apply.

382 R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be
383 designed and installed in accordance with NFPA 13D.

384 R313.2.2 The requirements of this section (R313.2) shall not apply to the following:

- 385 1) A property not connected to an electrical utility.
386 2) Until January 1, 2016, standards governing issuance of a building permit for one- and
387 two-family dwellings constructed on:
388 a. A lot subject to a valid unexpired public works agreement that was executed before
389 March 1, 2011; or
390 b. A lot served by an existing water service line from a water main to the property line
391 that:
392 c. Is less than a nominal one-inch size;
393 d. Is approved and owned by the public or private water system that owns the mains;
394 e. Was installed before March 1, 2011; and
395 f. Is fully operational from the public or private main to a curb stop or meter pit located
396 at the property line.

397 (23) Section R322 Flood-Resistant Construction, R322.1 General. Delete entire section.
398 Insert: "Buildings and structures constructed in whole or in part in flood hazard areas as
399 established by Article XI, Part III, Floodplain District, of the Cecil County Zoning
400 Ordinance or as required by the statutes of the ~~MUNICIPALITY jurisdiction~~ in which the

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- 401 project is to be constructed or repaired shall comply with the regulations of this section
402 as well as all regulations or ordinances within the specific **MUNICIPALITY** jurisdiction."
- 403 (24) Section 322.1.4.1 Determination of design flood elevations.
- 404 (a) Delete: "building official."
- 405 (b) Insert: "Zoning Administrator or **MUNICIPALITY'S ZONING AUTHORITY, AS** applicable
406 ~~approving agency.~~"
- 407 (25) Section R322.3.1, Location and site preparation, Subsection 2.
- 408 (a) Delete: "building official."
- 409 (b) Insert: "approving authority."
- 410 (26) Section R403.1.4.1 Frost protection. Exception 1:
- 411 (a) Delete: 600 square feet (56m²).
- 412 (b) Insert: 400 square feet (37m²).
- 413 (27) Section R405.1 Concrete or masonry foundations. Delete entire section. Insert:
414 "Subsoil drains shall be required for all buildings having basements, cellars, crawl spaces
415 or floors below grade. Subsoil drains shall be located inside the foundation and shall be
416 installed at or below the area to be protected. Drains shall discharge by gravity or
417 mechanical means. Where drains do not discharge by gravity, the drains shall discharge
418 into an accessible sump pit with an automatic electrical pump. Drains shall be perforated
419 or open joint approved drain tile not less than four inches in diameter and be placed in
420 washed stone or gravel at least one sieve size larger than the tile joint opening or
421 perforations with a minimum of four inches surrounding the drain tile or pipe on all
422 sides. Where provided, exterior subsoil drains shall have an approved filter material
423 placed on top of the required washed stone or gravel."
- 424 (28) Section R506.2.3 Vapor retarder.
- 425 (a) Delete: Exception 1.
- 426 (b) Insert: Exception 1. From detached garages, utility buildings, and other unheated
427 accessory structures.
- 428 (29) Section R807.1 Attic access.
- 429 (a) Delete: "See Section M1305.1.3 for access requirements where mechanical
430 equipment is located in attics."

Amendment – Building Construction – Building Code

431 (b) Insert: "Attics containing appliances shall be provided with a permanent or pull-down
432 stairway in all new construction."

433 (30) Part V, Mechanical, Chapter 12, Mechanical Administration, (Part VI, Fuel Gas,
434 Chapter 24, Fuel Gas,) Section M1201.1 Scope. Add: "The subject matter of Chapters 12
435 through 24 is not within the scope of the Maryland Building Performance Standards. For
436 the applicable requirements concerning mechanical systems, refer to the local
437 mechanical code and the mechanical code adopted pursuant to the provisions of
438 Business Regulation Article, § 9A- 205, Annotated Code of Maryland."

439 (31) Part VII, Plumbing, Chapter 25, Plumbing Administration, Section P2501.1 Scope.
440 Add: "The subject matter of Chapters 25 through 33 is not within the scope of the
441 Maryland Building Performance Standards. For the applicable requirements concerning
442 plumbing systems, refer to the local plumbing code and the plumbing code adopted
443 pursuant to the provisions of Business Occupations and Professions Article, Title 12,
444 Annotated Code of Maryland."

445 (32) Part VIII, Electrical, Chapter 34, General Requirements, Section E3401.1
446 Applicability. Add: "The subject matter of Chapters 34 through 43 is not within the scope
447 of the Maryland Building Performance Standards. For the applicable electrical
448 requirements, refer to the local electrical code and the National Electrical Code as
449 adopted and enforced by the State Fire Marshal, authorized fire officials, or building
450 officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated
451 Code of Maryland."

452 (33) Section R326 Swimming pools, spas and hot tubs.

453 (a) Delete entire section.

454 (b) Insert: "Swimming pools, spas and hot tubs shall comply with the requirements of
455 ~~Section 3109 of the 2018 International Building Code.~~ **THE 2021 INTERNATIONAL**

456 **SWIMMING POOL AND SPA CODE (ISPSC)"**

457 **AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
458 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 copy was made available on the Cecil County website.

BY Council Manager