

LIBER 0005 FOLIO 0460

COUNTY COUNCIL  
OF  
DORCHESTER COUNTY, MARYLAND

2006 Legislative Session,  
Legislative Day No. May 9, 2006

Introduced By: Dorchester County Council

BILL NO. 2006 - 1

An Act of the County Council of Dorchester County, Maryland, acting pursuant to Article 25A, Section 5(T) of the Annotated Code of Maryland and Title 12, Subtitle 5, Sections 12-501 through 12-507 of the Public Safety Article of the Annotated Code of Maryland to repeal and reenact Chapter 65 entitled "Building Code" of the Dorchester County Code, to provide for the adoption of the International Building Code and the International Residential Code, regulating and providing for minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of certain buildings and structures; regulating the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one- and two- family dwellings, their appurtenances and accessory structures; and providing for the issuance or permits, receipt of construction drawings, making of inspections, issuance of certificates of use and occupancy as required, and the collection of fees; providing penalties for violation thereof.

Introduced, read first time, ordered posted on official bulletin board of County, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Ordered publication for once a week for two successive weeks, and public hearing scheduled on May 9, 2006, Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland at 6:20 PM.

By order: Jane Baynard  
Jane Baynard, County Manager

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06 MAY 15 AM 9:15

COUNTY COUNCIL OF  
DORCHESTER COUNTY, MARYLAND

BILL NO. 2006-1 \_\_\_\_\_

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND, ACTING PURSUANT TO ARTICLE 25A, SECTION 5(T) OF THE ANNOTATED CODE OF MARYLAND AND TITLE 12, SUBTITLE 5, SECTIONS 12-501 THROUGH 12-507 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO REPEAL AND REENACT CHAPTER 65 ENTITLED "BUILDING CODE" OF THE DORCHESTER COUNTY CODE, TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL BUILDING CODE AND THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND PROVIDING FOR MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF CERTAIN BUILDINGS AND STRUCTURES; REGULATING THE FABRICATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, LOCATION AND USE OF DETACHED ONE- AND TWO- FAMILY DWELLINGS, THEIR APPURTENANCES AND ACCESSORY STRUCTURES; AND PROVIDING FOR THE ISSUANCE OR PERMITS, RECEIPT OF CONSTRUCTION DRAWINGS, MAKING OF INSPECTIONS, ISSUANCE OF CERTIFICATES OF USE AND OCCUPANCY AS REQUIRED, AND THE COLLECTION OF FEES; PROVIDING PENALTIES FOR VIOLATION THEREOF.

SECTION ONE: acting under Article 25A, Section 5(T) of the Annotated Code of Maryland and Title 12, Subtitle 5, Sections 12-501 through 12-507 of the Public Safety Article of the Annotated Code of Maryland (the "Acts"), be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 65, entitled "Building Code" be repealed and reenacted to read as follows:

CHAPTER 65

BUILDING CODE

ARTICLE I

AUTHORITY

This chapter is enacted pursuant to Article 25A, Section 5(T) of the Annotated Code of Maryland and Title 12, Subtitle 5, Sections 12-501 though 12-507 of the Public Safety Article of the Annotated Code of Maryland.

ARTICLE II  
DEFINITIONS

**§ 65-2. Definitions.**

As used in this Chapter, the following words have the meanings indicated:

ICC – The organization known as the International Code Council

INTERNATIONAL BUILDING CODE (IBC)

- A. The 2003 Edition or current edition.
- B. Includes interim amendments or subsequent printings of the current edition of the International Building Code issued by ICC.

INTERNATIONAL RESIDENTIAL CODE (IRC)

- A. The 2003 Edition, or current edition of the International Residential Code issued by ICC.
- B. Includes interim and amendments or subsequent printings of the 2003 Edition, or current edition of the International Residential Code issued by ICC.

ARTICLE II  
INTERNATIONAL BUILDING CODE

**§ 65-3. Adoption**

The International Building Code (“IBC”) is hereby adopted as the basic building code of Dorchester County, Maryland, and each and all of the regulations, provisions, conditions, penalties, and terms thereof are hereby referred to, adopted, incorporated herein by reference and made a part of this chapter as if fully set out in this chapter, with the additions, insertions and deletions and changes more fully set forth in this chapter.

**§ 65-4. Amendments and changes to the International Building Code**

The International Building Code is amended as follows:

- A. Section 101.1. Title. These regulations shall be known as the Dorchester County Building Code, hereinafter referred to as “This code.”
- B. Section 101.2. Scope. Add the following language to end of paragraph:
  - “These regulations shall not apply to:
    - .01 Building and structures located on lands located within an incorporated municipality in Dorchester County unless expressly authorized by the governing body of said municipality and the County **Council** of Dorchester County.
    - .02 Building and structures located on lands owned by or leased to federal, state or local governments.”

- C. Section 104.1. Code Official: Delete and insert the following:

“The code official shall be designated by the Dorchester County Council.”

- D. Section 105.5. Expiration of Permit: Delete and insert the following:

“Every permit issued by the building official under provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one year from the issuance date of the permit. A permittee holding an unexpired permit may have said permit extended for up to one additional year for good and satisfactory reasons.”

- E. Section 108 “Fees” is deleted and amended to read as follows:

Section 108.1 Fees. “The County Council shall establish a schedule of fees, charges and expenses and a collection procedure for building permits issued pursuant to this chapter. Such schedule shall be posted in the Office of Planning and Zoning and may be altered or amended, from time to time, without a public hearing, only by the County Council. Until all applicable fees, charges and expenses have been paid in full, no permit shall be issued.”

108.6 Costs of Emergency Repairs: The costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the Code Official. Such costs shall be first liens on any land of the owner, the same as County real estates taxes, and may be collected in the same manner as County real estate taxes are collected or collected by an action at law against the owner. Such cost shall be added to the County real estate tax bill for the specific property of the owner in which the costs were incurred.

- F. Section 112. Board of Appeal: For purposes of interpretation, the “Board of Appeals” shall mean the “Board of Building Appeals.”

- G. Section 112.3. Qualifications: Delete and insert the following:

“The Board of Building Appeals shall consist of five individuals, one of whom shall have experience as an electrical contractor, one of whom shall have experience as a plumbing contractor and three of whom shall have experience as a building contractor.”

- H. Section 112.4. Fees (new). New Section 112.4 Fees, is added to read as follows:

“Fees: The local jurisdiction shall cause the levy of an appeal fee set at a level necessary to recover the direct and incidental costs to the local jurisdiction of hearing said appeal.”

- I. Section 113.4. Violations Penalties: Section 116.4 is amended to read as follows:

“Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine or not more than \$1,000., or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

- J. Section 114.3. Unlawful Continuance: Section 114.3 is amended to read as follows:

Section 114.3. Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed to be in violation of this chapter.

- K. Chapter 29 "Plumbing Systems" is amended to add new Section 2902.6.4 to read as follows:

Section 2902.6.4. Catch Pans: On all auto-washing machines, a catch pan will be required on 2<sup>nd</sup> floor and subsequent floors;

- L. The following appendixes are hereby deleted from Chapter 35 "Referenced Standards":

APPENDIX D FIRE DISTRICTS . . . . .

Section

D101 General . . . . .

D102 Building Restrictions . . . . .

D103 Changes to Buildings . . . . .

D104 Buildings Located Partially in the Fire District . . . . .

D105 Exceptions to Restrictions in Fire District . . . . .

D106 Reference Standards . . . . .

APPENDIX F RODENT PROOFING . . . . .

Section

F101 General . . . . .

APPENDIX G FLOOD-RESISTANT CONSTRUCTION . . . . .

Section

G301 Subdivision . . . . .

G401 Site Improvement . . . . .

G601 Recreation Vehicles . . . . .

TO BE DELETED

ARTICLE IV

INTERNATIONAL RESIDENTIAL CODE

**§ 65-5. Adoption**

The International Residential Code 2003 hereby adopted as the basic building code for Dorchester County, Maryland, for one- and two-family dwellings, and each and all of the regulations, provisions, conditions, penalties, and terms thereof are hereby referred to, adopted, incorporated herein by reference and made a part of this chapter as it fully set out in this chapter, with the additions, insertions and deletions and changes more fully set forth in this chapter.

**§ 65-6. Amendments and changes to the International Residential Code**

International Residential Code is amended as follows:

- A. Section R101.2. Scope: In the case of accessory structures, the Code shall only apply to such structures of 300 square feet or greater.
- B. Section R-102.2. Add the following:

Section R102.2. Barriers for Swimming Pools, Spas and Hot Tubs: The provisions for barriers for swimming pools, spas and hot tubs

contained in Appendix G, where required under the Dorchester County Zoning Ordinance, shall apply in Dorchester County.

- C. Section R102.5.1. Prefabricated Construction: Add in,  
"Appendix E is hereby expressly adopted."
- D. Section R105.1. Permit Required: Add following sentence to last paragraph:  
"Ordinary repairs do not include roof replacement or any interior or exterior structural changes."
- E. Section R105.5. Expiration: Delete and insert the following:  
"Every permit issued by the building official under provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one year from the issuance date of the permit. A permittee holding an unexpired permit may have said permit extended for up to one additional year for good and satisfactory reason."
- F. Section R106.2. Plans Required: A plot plan shall be submitted only if required by the building official.
- G. Section R-108 "Fees" if deleted and amended to read as follows:  
R108.1. Fees. "The County Council shall establish a schedule of fees, charges and expenses and a collection procedure for building permits issued pursuant to this chapter. Such schedule shall be posted in the Office of Planning and Zoning and may be altered or amended, from time to time, without a public hearing, only by the County Council. Until all applicable fees, charges and expenses have been paid in full, no permit shall be issued."  
R108.2. Costs of Emergency Repair. The costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the Code Official. Such costs shall be first liens on any land of the owner, the same as County real estates taxes, and may be collected in the same manner as County real estate taxes are collected or collected by an action at law against the owner. Such cost shall be added to the County real estate tax bill for the specific property of the owner in which the costs were incurred.
- H. New Section R109.5 is added to read:  
Section R109.5.1. Inspection. The inspector shall have the authority but not the responsibility to require correction of, or compliance with the Code, of any hazardous or life-threatening condition.
- I. Section R112.1. Right of Appeal: The Dorchester County Board of Building Appeals shall be the body appointed to hear appeals.
- J. Section R113. Violations: The term "city" shall mean "county."
- K. Section R113.4. Penalty: The following is added to the end of the section: "The fine shall not exceed \$1,000.00 and the term of imprisonment shall not exceed 30 days, or both. Each and every day such violation occurs shall be considered a separate offense."
- L. Section R114.1. Stop Work Orders: Delete the word "gas."
- M. Section R403.1.1. Footings: Delete beginning with "Minimum sizes" and insert "Minimum depth of footer shall be 24 inches below finished natural grade or engineered fill. Minimum width

of footings is 16 inches. Minimum thickness of footings shall be eight inches. All footings shall be continuous and shall contain a minimum of two pieces of continuous No. 4 (1/2") rebar, tied and racked, and shall be a minimum 2500 psi concrete."

N. Section R404.2 including Table No. R403.1, Figure R403.1(3) and Figure R403.1(2): Wood Foundation Walls: Deleted.

O. Section R408.5. Finished Grade: This section should be changed to read as follows: "The grade in the under-floor space shall be as high as the outside finished grade. There shall be a minimum distance of 24 inches from the top of the finished grade under floor to the bottom of the floor joists."

P. Section 504. Treated Wood Floors (on ground): Not permissible under this code.

Q. Section R605. Particleboard: Not permissible under this code.

R. Section R705.8.8. Sheet Metal: Delete paragraph beginning with "Open roof valleys shall be provided of not less than 0.013 thickness aluminum or 0.019 thickness copper and shall extend at least eight inches from the center line each way. Sections of flashing shall be jointed to provide an adequate water lock."

S. Section R802.3. Framing Details: Add new paragraph to read as follows: "All trusses and rafters shall be fastened with approved truss ties (hurricane ties) in all areas of the county. Where truss or rafter ties are used, conventional nailing is still required."

T. Add new Section R803.2.4 to read as follows:

Section R803.2.4. Roof Sheathing. Roof sheathing: rafters or trusses 24" on center or greater shall be minimum of 5/8" thick lumber or wood structural panels.

U. Add to Chapter 27, Section P2718.1 the following:

Section P2718.1. On all auto-washing machines, a catch pan will be required on 2<sup>nd</sup> floor and subsequent floors.

V. Add new Section AE101.1.4 to Appendix E to read as follows:

Section AE101.1.4. HUD Stickers. HUD sticker requirement; all manufactured homes placed in Dorchester County shall meet the requirements of HUD and have HUD sticker affixed. The sticker requirement applies to both non-rental and rental manufactured homes.

W. Add new Section AE101.1.5 to Appendix E to read as follows:

AE101.1.5. Footings. Footings for single- and double wide manufactured homes; footers, piers are to be dug 24" wide x 24" long x 24" deep or 24" augered hole 24" deep 2500 psi concrete min.; spacing of footers will be per the manufacturers specifications; footer inspection will be completed prior to pouring of concrete; foundation piers may be cast in place concrete 2500 psi or concrete masonry units (block) capped with 4" solid masonry units (block) and spaced per manufacturers specifications; ground anchors shall be to manufacturers specifications for size and spacing - ties may be chain, straps or cable; perimeter cosmetic foundation shall be required on double wides.

- X. The following Appendixes are hereby deleted from Chapter 43  
“the Referenced Standards”:

APPENDIX A SIZING AND CAPACITIES OF GAS PIPING . . . . .

APPENDIX I PRIVATE SEWAGE DISPOSAL . . . . .

Section  
AI101 General . . . . .

APPENDIX J EXISTING BUILDINGS AND STRUCTURES . . . . .

Section  
AJ101 Purpose and Intent . . . . .  
AJ102 Compliance . . . . .  
AJ103 Preliminary Meeting . . . . .  
AJ104 Evaluation of an Existing Building . . . . .  
AJ105 Permit . . . . .  
AJ201 Definitions . . . . .  
AJ301 Repairs . . . . .  
AJ401 Renovations . . . . .  
AJ501 Alterations . . . . .  
AJ601 Reconstruction . . . . .

APPENDIX K SOUND TRANSMISSION . . . . .

Section  
AK101 General . . . . .  
AK102 Airborne Sound . . . . .  
AK103 Structural-borne Sound . . . . .  
AK104 Referenced Standards . . . . .

TO BE DELETED

SECTION TWO: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND That General Code Publishers is directed to codify Chapter 65 in the Dorchester County Code accordingly.

SECTION THREE: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND that this bill shall be known as Bill No. 2006- 1 \_\_\_\_\_ of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 9th day of May, 2006

ATTEST:

COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND

BY: Jane Baynard  
Jane Baynard, County Manager

Glenn L. Bramble  
Glenn L. Bramble, President

APPROVED this 9th day of May, 2006

ATTEST:

COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND

BY: Jane Baynard  
Jane Baynard, County Manager

Glenn L. Bramble  
Glenn L. Bramble, President

Bramble - Aye  
Yockey - Aye  
Elzey - Aye  
Travers - Aye  
Nichols - Aye

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