

HARFORD COUNTY BILL NO. 24-005 AA

Brief Title (Building Code)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

Acting

Council Administrator

Council President

Date March 19, 2024

Date 3/19/24

BY THE COUNCIL

Read the third time.

Passed: LSD 24-010

Failed of Passage: _____

By Order

Acting

Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 20th Day of March 2024, at 3:00 p.m.

Council Administrator



BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date 3/21/24

BY THE COUNCIL

This Bill No. 24-005 As Amended having been approved by the Executive and returned to the Council, becomes law on March 21, 2024.

EFFECTIVE DATE: May 20, 2024

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 24-005

Introduced by Council President Vincenti at the request of the County Executive

Legislative Day No. 24-010 Date March 19, 2024

AN ACT to repeal and reenact, with amendments, Chapter 82, Building Construction, of the Harford County Code, as amended; to provide that Harford County shall adopt as its standard for building regulations the 2021 International Building Code, the 2021 International Residential Code, the 2021 International Mechanical Code, the 2021 International Energy Conservation Code, and the 2021 International Swimming Pool and Spa Code with certain amendments thereto; to further provide penalties for the violation of the building standards; and generally relating to buildings and construction in Harford County, Maryland.

By the Council, February 13, 2024

Introduced, read first time, ordered posted and public hearing scheduled

on: March 12, 2024

at: 6:30 PM

By Order: *Mylia A. Dixon*, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 12, 2024, and concluded on March 12, 2024.

Mylia A. Dixon, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that Chapter 82,
2 Building Construction, of the Harford County Code, as amended, be, and it is hereby, repealed and
3 reenacted, with amendments, all to read as follows:

4 **Chapter 82. Building Construction**

5 **Article I. [2018] 2021 International Building Code**

6 **§ 82-1. Adoption of [2018] 2021 International Building Code by reference.**

- 7 A. The [2018] 2021 International Building Code (hereinafter referred to as the Building Code, or
8 code) published by the International Code Council, Inc., is hereby adopted and by reference
9 thereto is made a part of this chapter with the same force and effect as though set out in full
10 herein, save and except such changes, amendments, revisions, deletions, subsections and/or
11 additions as are specified in this chapter. If conflicts with this code, or with changes,
12 amendments, revisions, deletions, subsections, and/or additions to that code are found
13 elsewhere in the County Code, the most restrictive provisions shall govern.
- 14 B. At least one copy of this code and supplements thereto shall be on file and open for public use,
15 examination and inspection in the office of the Director of Administration and in the office of
16 the Council Administrator.

17 **§ 82-2. Modifications.**

18 A. Definitions.

- 19 (1) As used in this code, the term “building official” means the Director of the Department
20 of Inspections, Licenses and Permits or his/her designee.
- 21 (2) As used in this code, the term “Department of Building Safety” means the Department
22 of Inspections, Licenses and Permits.
- 23 (3) As used in this code, the term “Harford County Hazardous Materials Team” means the
24 Harford County Hazardous Materials Team as created by the Harford County
25 Department Of Emergency Services.
- 26 (4) As used in this code, the termS “ICC Electrical Code” AND “NFPA-70” mean[s] the

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1 Harford County Electrical Code, Chapter 105 (Article I, Section 105-3, *et seq.*) of the
2 Harford County Code.

3 (5) As used in this code, the term “International Fuel Gas Code” means the Harford
4 County Plumbing Code, Chapter 202 (Section 202-1, *et seq.*) of the Harford County
5 Code.

6 (6) As used in this code, the term “International Plumbing Code” means the Harford
7 County Plumbing Code, Chapter 202 (Section 202-1, *et seq.*) of the Harford County
8 Code.

9 B. The following sections are changes or additions to certain sections of the [2018] 2021
10 International Building Code.

11 (1) Subsection 101.1 is hereby amended by substituting “Harford County, Maryland” for
12 “name of jurisdiction” in the second line.

13 (2) Subsection 101.2.1 is deleted and the following is inserted in lieu thereof:
14 “**101.2.1 Appendices.** Provisions in Appendix B, Board of Appeals; Appendix C,
15 Group U - Agricultural Buildings; Appendix F, Rodent Proofing; and Appendix I,
16 Patio Covers, are adopted as part of the Harford County Building Code.”

17 (3) Subsection 101.4.1 is amended by adding “reference Chapter 202 of the Harford
18 County Code.” At the end of this subsection.

19 (4) Subsection 101.4.3 is amended by adding “reference Chapter 202 of the Harford
20 County Code.” At the end of this subsection.

21 (5) Subsection 101.4.4 is deleted and the following is inserted in lieu thereof:
22 “**101.4.4 Electrical.** The provisions of the National Electrical Code NFPA [72] 70
23 shall apply to the installation, alteration, repair and replacement of electrical systems.
24 Reference chapter 105 of the Harford County Code.”

25 (6) Subsection 101.4.7 is amended by adding “or the Maryland Rehabilitation Code
26 (MBRC) set forth in COMAR 09.12.58” between the words “code” and “shall” in the

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1 second line and by adding “The provisions of the International Existing Building Code
2 shall be applicable to all structures where construction commenced prior to March 1,
3 1968 and legally existing structures permitted on or after March 1, 1968” at the end of
4 this section.

5 (7) Subsection 102.6 is amended by deleting “the International Property Maintenance
6 Code” starting in the fifth line.

7 (8) Subsection 102.6.2 is amended by deleting “or International Property Maintenance
8 Code” starting in the fifth line.

9 [(9) Subsection 103.2 is amended by adding “and the deputy building official” between the
10 words “official” and “shall” in the first line.

11 (10) subsection 103.1 is deleted in its entirety.]

12 (9) SUBSECTION 103.1 IS DELETED IN ITS ENTIRETY.

13 (10) SUBSECTION 103.2 IS AMENDED BY ADDING “AND THE DEPUTY
14 BUILDING OFFICIAL” BETWEEN THE WORDS “OFFICIAL” AND “SHALL” IN THE
15 FIRST LINE.

16 (11) Subsection 103.3 is deleted and the following is inserted in lieu thereof:

17 “**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction
18 and with the concurrence of the appointing authority, the Department of Building
19 Safety shall have the authority to employ the related technical officers, inspectors, plan
20 examiners and other employees. Such employees shall have powers as delegated by
21 the building official.”

22 (12) Subsection 104.6 is amended by adding a new sentence at the end of the section:
23 “Nothing in this section shall be deemed to restrict or otherwise limit the provisions of
24 Section 1-18 of the Harford County Code.”

25 (13) SUBSECTION 105.1 IS AMENDED BY ADDING “AND THE INTERNATIONAL
26 FIRE CODE” BETWEEN THE WORDS “CODE” AND “OR” IN THE SIXTH

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- 1 LINE.
- 2 [(13)](14) Subsection 105.1.1 is deleted.
- 3 [(14)](15) Subsection 105.1.2 is deleted.
- 4 [(15)](16) Subsection 105.2 is amended by deleting subheadings “Electrical”, “Gas”,
5 “Mechanical” and “Plumbing” and by amending subheading “building” by adding and
6 modifying the following sub-items:
- 7 “1. The provisions of this code shall not apply to residential accessory structures
8 not more than one story in height and are 200 square feet or less in area and are
9 not classified as use Group H, High Hazard.
- 10 9. PREFABRICATED AND ONGROUND STORABLE RESIDENTIAL
11 SWIMMING POOLS ACCESSORY TO A GROUP R-3 OR ONE AND
12 TWO FAMILY DWELLING THAT ARE LESS THAN 24 INCHES
13 (610MM) DEEP, ARE NOT GREATER THAN 5,000 GALLONS (18 925 L) AND
14 ARE INSTALLED ENTIRELY ABOVE GROUND.
- 15 14. The provisions of this code shall not apply to the construction, alteration or
16 modification of an agricultural building, as defined in Section 202 and as
17 identified in Appendix C, Subsection C101.1. A legally existing agricultural
18 building shall not be considered as a ‘change of occupancy’ that requires a
19 building permit if the subordinate use is in accordance with the limitations set
20 forth in Sections 302.2, 302.2.1 and any code sections referenced therein of the
21 2003 International Building Code. The provisions of this code shall also not
22 apply to an agricultural use area located within an agricultural building on the
23 level of exit discharge, not greater than 3,000 square feet in area, and the
24 agricultural use area does not exceed the tabular values in Table 503 for the
25 allowable height or area of such use.
- 26 15. One story detached accessory structures to use Group R-3, provided the floor

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- 1 area does not exceed 200 square feet.
- 2 16. The provisions of this code respecting agricultural building permit
- 3 requirements shall be as set forth in the attached table entitled ‘Agricultural
- 4 Buildings Permitting Requirements.’
- 5 17. Construction trailers as defined in Chapter 2 of the International Building Code
- 6 as adopted.
- 7 18. An agricultural building whose public assembly area is less than 1,500 square
- 8 feet, without a commercial kitchen, and where public assembly is on a level of
- 9 exit discharge and complies with the Maryland State Fire Prevention Code.”
- 10 19. REPLASTERING OR RESURFACING OF AN EXISTING POOL OR SPA.
- 11 ~~[(16)]~~(17) Subsection 105.2.2 is deleted and the following is inserted in lieu thereof:
- 12 **“105.2.2 Repairs.** Application or notice to the building official is not required for
- 13 ordinary repairs to structures. Such repairs shall not include the cutting away of any
- 14 wall, partition or portion thereof, the removal or cutting of any structural beam or load-
- 15 bearing support, or the removal or change of any required means of egress, or
- 16 rearrangement of parts of a structure affecting the egress requirements, or other work
- 17 affecting public health or general safety.”
- 18 ~~[(17)]~~(18) New subsection 105.2.3 is added as follows:
- 19 **“105.2.3 Public Service Agencies.** A permit shall not be required for the installation,
- 20 alteration or repair of generation, transmission, distribution or metering or other related
- 21 equipment that is under the ownership and control of public service agencies by
- 22 established right.”
- 23 ~~[(18)]~~(19) Subsection 105.3 is amended by adding “or electronically” after the word
- 24 “writing” in the second line.
- 25 ~~[(19)]~~(20) Subsection 105.5 is amended by deleting “180 days” in the third line and
- 26 inserting “12 months” in lieu thereof.

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1 [(20)](21) New Subsection 105.6.1 is added as follows:

2 **“105.6.1 Withholding permits.** The building official may withhold the issuance of any
3 permit and/or place a hold on inspections if the applicant, the owner or any individual
4 listed on the application as a responsible officer (if the applicant is a business entity)
5 has failed to remedy or correct any existing/alleged violation of the Harford County
6 Code on any construction project in Harford County for which the applicant has been
7 cited by any County agency.”

8 [(21)](22) New Subsection 105.8 is added as follows:

9 **“105.8 Transfer of permits.** When a change of ownership occurs for a property for
10 which a building permit application has been made or a permit has been issued, the
11 application or permit may be transferred to the new property owner after submission to
12 the County of evidence of the transfer of ownership.”

13 [(22)](23) Subsection 106.1 is deleted and the following is inserted in lieu thereof:

14 **“106.1 Live Loads Posted.** In commercial or industrial buildings, for each floor or
15 portion thereof designed for live loads exceeding 50 psf (2.40kn/m²) the building
16 official shall have the authority to require such design live loads to be conspicuously
17 posted by the owner or the owner’s authorized agent in that part of each story in
18 which they apply, using durable signs. It shall be unlawful to remove or deface such
19 notices.”

20 [(23)](24) Subsection 107.3.2 is amended by deleting the phrase “within 180 days after
21 the effective date of this code and has not been abandoned.” Beginning in the sixth
22 line and inserting the following in lieu thereof: “and the permit has not expired in
23 accordance with section 105.5.”

24 [(24)](25) Subsection 109.2 is deleted and the following is inserted in lieu thereof:

25 **“109.2 Schedule of permit fees.** On buildings, structures, mechanical systems or
26 alterations requiring a permit, a fee for each permit shall be paid as required, in

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1 accordance with Chapter 157 of the Harford County Code.”

2 [(25)](26) Subsection 109.3 is amended by deleting the last two sentences: “if, in the
3 opinion of the building official, the valuation is underestimated on the application, the
4 permit shall be denied, unless the applicant can show detailed estimates to meet the
5 approval of the building official. Final building permit valuation shall be set by the
6 building official.”

7 [(26)](27) Subsection 109.4 is deleted and the following is inserted in lieu thereof:

8 **“109.4 Work Commencing Before Permit Issuance.** Any person who commences
9 any work on a building or structure before obtaining the necessary permits shall be
10 subject to a fee established by the building official that shall be in addition to the
11 required permit fees unless waived by the building official pursuant to established
12 policy.”

13 [(27)](28) Subsection 109.6 is deleted and the following is inserted in lieu thereof:

14 **“109.6 Refunds.** Refunds shall be administered in accordance with chapter 157 of the
15 Harford County Code.”

16 [(28)](29) New Subsection 110.1.1 is added as follows:

17 **“110.1.1 Purpose of inspections.** All inspections conducted by the Department of
18 Inspections, Licenses and Permits are performed for the protection and promotion of
19 public safety, health and welfare. The inspections are made solely for the public
20 benefit and are not to be construed as providing any warranty of construction to
21 individual members of the public.”

22 [(29)](30) New Subsection 110.3.[12]13 is added as follows:

23 **“110.3.[12]13 Hazardous materials inspections.** As deemed necessary by the
24 building official, approval from the Harford County Hazardous Materials Team may
25 be required prior to a certificate of occupancy being issued.”

26 [(30)](31) New Subsection 110.7 is added as follows:

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1 **“110.7 Standards.** All buildings, structures and appurtenances thereto shall be
2 constructed strictly in compliance with accepted engineering practice. All members
3 and components of the structure shall be installed, fitted or fastened, moved or stored
4 in such a manner that the full structural capabilities of the members are obtained.
5 Improper alignment (level and square), fitting, fastening or methods of construction
6 shall be considered a violation of this code.”

7 [(31)](32) Subsection 111.2 is amended by deleting the phrase “or other laws that are
8 enforced by the department of building safety,” in the third line and inserting the
9 following in lieu thereof: “and is satisfied that the work conforms to the requirements
10 of all other applicable laws,”.

11 [(32)](33) Subsection 111.3 is amended by adding the following at the end of the
12 Subsection: “Any person, firm or corporation engaged in the process of selling
13 property in which a temporary certificate of occupancy is issued shall at the time of
14 settlement present to the buyer a copy of the temporary certificate of occupancy which
15 must include a list of deficiencies that remain to be corrected.”

16 [(33)](34) Subsection 112.1 is amended by deleting the phrase “this code” in the third line
17 and inserting the following in lieu thereof: “the Department of Building Safety”.

18 [(34)](35) Subsection 112.3 is amended by deleting the phrase “this code” in the fourth
19 line and inserting the following in lieu thereof: “The Department of Building Safety”.

20 [(35)](36) Subsection 113.2 is amended by adding the following between the words
21 “apply” and “or” in the fifth line: “, the Department of Building Safety has made an
22 incorrect determination that a structure or equipment within a structure is unsafe, THE
23 STRUCTURE IS UNFIT FOR HUMAN OCCUPANCY OR THE STRUCTURE
24 HAS BEEN DECLARED AS DANGEROUS in accordance with Section 116 of this
25 code”.

26 [(36)](37) Subsection 114.4 is amended by deleting the phrase “shall be subject to

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1 penalties as prescribed by law” in the last line and inserting the following in lieu
2 thereof: “shall be guilty of a misdemeanor, punishable by a fine of not more than
3 \$1,000 or by imprisonment not exceeding 90 days, or both such fine and
4 imprisonment. Each day that a violation continues shall be deemed a separate
5 offense.”

6 (38) NEW SUBSECTION 116.1.1 IS ADDED AS FOLLOWS:

7 **116.1.1 STRUCTURE UNFIT FOR HUMAN OCCUPANCY.**

8 A STRUCTURE IS UNFIT FOR HUMAN OCCUPANCY WHENEVER THE
9 CODE OFFICIAL FINDS THAT SUCH STRUCTURE IS UNSAFE, UNLAWFUL
10 OR, BECAUSE OF THE DEGREE TO WHICH THE STRUCTURE IS IN
11 DISREPAIR OR LACKS MAINTENANCE, IS INSANITARY, VERMIN OR RAT
12 INFESTED, CONTAINS FILTH AND CONTAMINATION, OR LACKS
13 VENTILATION, ILLUMINATION, SANITARY OR HEATING FACILITIES OR
14 OTHER ESSENTIAL EQUIPMENT REQUIRED BY CHAPTERS 82, 105 AND 202
15 OF THE COUNTY CODE.

16 (39) NEW SUBSECTION 116.1.2 IS ADDED AS FOLLOWS:

17 **116.1.2 DANGEROUS STRUCTURE.**

18 FOR THE PURPOSE OF THIS CODE, ANY STRUCTURE THAT HAS ANY OR
19 ALL OF THE CONDITIONS OR DEFECTS DESCRIBED AS FOLLOWS SHALL
20 BE CONSIDERED TO BE DANGEROUS:

21 1. ANY DOOR, AISLE, PASSAGEWAY, STAIRWAY, EXIT OR OTHER MEANS
22 OF EGRESS THAT DOES NOT CONFORM TO THE APPROVED BUILDING OR
23 FIRE CODE OF THE JURISDICTION AS RELATED TO THE REQUIREMENTS
24 FOR EXISTING BUILDINGS.

25 2. THE WALKING SURFACE OF ANY AISLE, PASSAGEWAY, STAIRWAY,
26 EXIT OR OTHER MEANS OF EGRESS IS SO WARPED, WORN LOOSE, TORN

1 OR OTHERWISE UNSAFE AS TO NOT PROVIDE SAFE AND ADEQUATE
2 MEANS OF EGRESS.

3 3. ANY PORTION OF A BUILDING, STRUCTURE OR APPURTENANCE THAT
4 HAS BEEN DAMAGED BY FIRE, EARTHQUAKE, WIND, FLOOD,
5 DETERIORATION, NEGLECT, ABANDONMENT, VANDALISM OR BY ANY
6 OTHER CAUSE TO SUCH AN EXTENT THAT IT IS LIKELY TO PARTIALLY
7 OR COMPLETELY COLLAPSE, OR TO BECOME DETACHED OR
8 DISLODGED.

9 4. ANY PORTION OF A BUILDING, OR ANY MEMBER, APPURTENANCE OR
10 ORNAMENTATION ON THE EXTERIOR THEREOF THAT IS NOT OF
11 SUFFICIENT STRENGTH OR STABILITY, OR IS NOT SO ANCHORED,
12 ATTACHED OR FASTENED IN PLACE SO AS TO BE CAPABLE OF
13 RESISTING NATURAL OR ARTIFICIAL LOADS OF ONE AND ONE-HALF
14 THE ORIGINAL DESIGNED VALUE.

15 5. THE BUILDING OR STRUCTURE, OR PART OF THE BUILDING OR
16 STRUCTURE, BECAUSE OF DILAPIDATION, DETERIORATION, DECAY,
17 FAULTY CONSTRUCTION, THE REMOVAL OR MOVEMENT OF SOME
18 PORTION OF THE GROUND NECESSARY FOR THE SUPPORT, OR FOR ANY
19 OTHER REASON, IS LIKELY TO PARTIALLY OR COMPLETELY COLLAPSE,
20 OR SOME PORTION OF THE FOUNDATION OR UNDERPINNING OF THE
21 BUILDING OR STRUCTURE IS LIKELY TO FAIL OR GIVE WAY.

22 6. THE BUILDING OR STRUCTURE, OR ANY PORTION THEREOF, IS
23 UNSAFE FOR ITS USE AND OCCUPANCY.

24 7. THE BUILDING OR STRUCTURE IS NEGLECTED, DAMAGED,
25 DILAPIDATED, UNSECURED OR ABANDONED SO AS TO BECOME AN
26 ATTRACTIVE NUISANCE TO CHILDREN WHO MIGHT PLAY IN THE

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1 BUILDING OR STRUCTURE TO THEIR DANGER, BECOMES A HARBOR FOR
2 VAGRANTS OR CRIMINALS, OR ENABLES PERSONS TO RESORT TO THE
3 BUILDING OR STRUCTURE FOR COMMITTING A NUISANCE OR AN
4 UNLAWFUL ACT.

5 8. ANY BUILDING OR STRUCTURE HAS BEEN CONSTRUCTED, EXISTS, OR
6 IS MAINTAINED IN VIOLATION OF ANY SPECIFIC REQUIREMENT OR
7 PROHIBITION APPLICABLE TO SUCH BUILDING OR STRUCTURE
8 PROVIDED BY THE APPROVED BUILDING OR FIRE CODE OF THE
9 JURISDICTION, OR OF ANY LAW OR ORDINANCE TO SUCH AN EXTENT AS
10 TO PRESENT EITHER A SUBSTANTIAL RISK OF FIRE, BUILDING
11 COLLAPSE OR ANY OTHER THREAT TO LIFE AND SAFETY.

12 9. A BUILDING OR STRUCTURE, USED OR INTENDED TO BE USED FOR
13 DWELLING PURPOSES, BECAUSE OF INADEQUATE MAINTENANCE,
14 DILAPIDATION, DECAY, DAMAGE, FAULTY CONSTRUCTION OR
15 ARRANGEMENT, INADEQUATE LIGHT, VENTILATION, MECHANICAL OR
16 PLUMBING SYSTEM, OR OTHERWISE, IS DETERMINED BY THE CODE
17 OFFICIAL TO BE UNSANITARY, UNFIT FOR HUMAN HABITATION OR IN
18 SUCH A CONDITION THAT IS LIKELY TO CAUSE SICKNESS OR DISEASE.

19 10. ANY BUILDING OR STRUCTURE, BECAUSE OF A LACK OF SUFFICIENT
20 OR PROPER FIRE-RESISTANCE-RATED CONSTRUCTION, FIRE
21 PROTECTION SYSTEMS, ELECTRICAL SYSTEM, FUEL CONNECTIONS,
22 MECHANICAL SYSTEM, PLUMBING SYSTEM OR OTHER CAUSE, IS
23 DETERMINED BY THE CODE OFFICIAL TO BE A THREAT TO LIFE OR
24 HEALTH.

25 11. ANY PORTION OF A BUILDING REMAINS ON A SITE AFTER THE
26 DEMOLITION OR DESTRUCTION OF THE BUILDING OR STRUCTURE OR

1 WHENEVER ANY BUILDING OR STRUCTURE IS ABANDONED SO AS TO
2 CONSTITUTE SUCH BUILDING OR PORTION THEREOF AS AN
3 ATTRACTIVE NUISANCE OR HAZARD TO THE PUBLIC.

4 (40) NEW SUBSECTION 116.1.3 IS ADDED AS FOLLOWS:

5 **116.1.3 CLOSING OF VACANT STRUCTURES.**

6 IF THE STRUCTURE IS VACANT AND UNFIT FOR HUMAN HABITATION
7 AND OCCUPANCY, AND IS NOT IN DANGER OF STRUCTURAL COLLAPSE,
8 THE CODE OFFICIAL IS AUTHORIZED TO POST A PLACARD OF
9 CONDEMNATION ON THE PREMISES AND ORDER THE STRUCTURE TO BE
10 SECURED AND SEALED SO AS NOT TO BE AN ATTRACTIVE NUISANCE.
11 UPON FAILURE OF THE OWNER OR OWNER'S AUTHORIZED AGENT TO
12 SECURE AND SEAL THE PREMISES WITHIN THE TIME SPECIFIED IN THE
13 ORDER, THE CODE OFFICIAL SHALL CAUSE THE PREMISES TO BE
14 SEALED AND SECURED THROUGH ANY AVAILABLE PUBLIC AGENCY OR
15 BY CONTRACT OR ARRANGEMENT BY PRIVATE PERSONS AND THE COST
16 THEREOF SHALL BE CHARGED AGAINST THE REAL ESTATE UPON
17 WHICH THE STRUCTURE IS LOCATED AND SHALL BE A LIEN UPON SUCH
18 REAL ESTATE AND SHALL BE COLLECTIBLE IN THE SAME MANNER AS
19 REAL PROPERTY TAXES WITH THE SAME PRIORITY, INTEREST AND
20 PENALTIES.

21 **116.1.3.1 AUTHORITY TO DISCONNECT SERVICE UTILITIES.**

22 THE CODE OFFICIAL SHALL HAVE THE AUTHORITY TO AUTHORIZE
23 DISCONNECTION OF UTILITY SERVICE TO THE BUILDING, STRUCTURE
24 OR SYSTEM REGULATED BY CHAPTERS 82,105 AND 202 OF THE HARFORD
25 COUNTY CODE IN CASE OF EMERGENCY WHERE NECESSARY TO
26 ELIMINATE AN IMMEDIATE HAZARD TO LIFE OR PROPERTY OR WHERE

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1 SUCH UTILITY CONNECTION HAS BEEN MADE WITHOUT APPROVAL.
2 THE CODE OFFICIAL SHALL NOTIFY THE SERVING UTILITY AND,
3 WHENEVER POSSIBLE, THE OWNER OR OWNER'S AUTHORIZED AGENT
4 AND OCCUPANT OF THE BUILDING, STRUCTURE OR SERVICE SYSTEM OF
5 THE DECISION TO DISCONNECT PRIOR TO TAKING SUCH ACTION. IF NOT
6 NOTIFIED PRIOR TO DISCONNECTION THE OWNER, OWNER'S
7 AUTHORIZED AGENT OR OCCUPANT OF THE BUILDING STRUCTURE OR
8 SERVICE SYSTEM SHALL BE NOTIFIED IN WRITING AS SOON AS
9 PRACTICAL THEREAFTER.

10 [(37)](41) Subsection 116.3 is deleted and the following is inserted in lieu thereof:

11 **"116.3 Notice.** If an unsafe condition, A STRUCTURE UNFIT FOR HUMAN
12 OCCUPANCY, AND/OR A DANGEROUS STRUCTURE IS FOUND, the building
13 official shall serve on the owner, agent or person in control of the structure, a written
14 notice of violation that describes the condition deemed unsafe, UNFIT FOR HUMAN
15 OCCUPANCY AND/OR DANGEROUS and [specifies]SPECIFY the required repairs
16 or improvements to be made to abate the [unsafe]CITED condition or to demolish the
17 unsafe structure within a (specified period of) stipulated time.

18 Unless the person served with an order makes a timely request for a hearing pursuant
19 to Section 116.7, the order becomes a final order on the eleventh day after service.

20 If a person who has been issued an order under this section makes a timely request for
21 a hearing, i.e., requests a hearing within 10 days from service in accordance with
22 Section 116.7, and the Board of Appeals affirms the order following the hearing, the
23 order shall become a final corrective order."

24 [(38)](42) Subsection 116.4 is amended by inserting the phrase ", first class" in the [third]
25 FIRST line OF ITEM 2 after the word "certified".

26 [(39)](43) Subsection 116.5 is amended by adding the following between the words "of"

1 and “the” in the last line: “section 105.2.2 and”.

2 [(40)](44) New Subsection 116.6 is added as follows:

3 “**116.6 Abatement.** If a person who has been issued an order under this section fails,
4 within the time limit specified in a notice of violation or order, to abate the unsafe
5 condition as directed, the Department of Building Safety may take whatever abatement
6 action that may be necessary by use of County employees and equipment and/or by
7 contract with private contractors. The cost and expense of abating the unsafe condition
8 shall be certified by the Department of Building Safety to the County Treasurer
9 together with the name of the owner of the property on which the violation occurred as
10 determined from the property tax assessment records. These charges shall constitute a
11 lien upon the real property and shall be collectible in the same manner as real property
12 taxes with the same priority, interest and penalties. Initiation of abatement action shall
13 not preclude the commencement of any other action or legal proceedings authorized or
14 permitted under this code, the laws of the State of Maryland and the common law.”

15 [(41)](45) New Subsection 116.6.1 is added as follows:

16 “**116.6.1 Notice of abatement action.** The Department of Building Safety, before or
17 within 10 days after commencement of any abatement action under Section 116, shall
18 issue a notice of abatement action to the owner of the property on which the abatement
19 action has been or will be commenced. The notice shall describe the abatement action
20 to be undertaken, shall specify that the costs for the action shall constitute a lien on the
21 real property of the owner and shall inform the owner of the right to a hearing under
22 Section 116.7.

23 A notice of abatement action issued by the Department of Building Safety shall be
24 served as provided for by Subsection 116.4 of this code.”

25 [(42)](46) New Subsection 116.7 is added as follows:

26 “**116.7 Hearing.**

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1 **116.7.1 Hearing for notice of violation.** The property owner, agent or person in
2 control receiving a notice of violation issued under Subsection 116.3 may request a
3 hearing before the Board of Appeals within 10 days from the receipt or posting of such
4 notice issued by the Department of Building Safety. The request must be in writing
5 and served personally on the Director of the Department of Building Safety or by
6 certified mail, return receipt requested, bearing a postmark from the United States
7 Postal Service.”

8 ~~[(43)]~~(47) New Subsection 116.7.2 is added as follows:

9 **“116.7.2 Hearing for notice of abatement.** The property owner, agent or person in
10 control receiving a notice of abatement issued under Subsection 116.6.1 may request a
11 hearing within 10 days from the receipt or posting of such notice. The request must be
12 in writing and served personally upon the Director of Administration or by certified
13 mail, return receipt requested, bearing a postmark from the United States Postal
14 Service.”

15 ~~[(44)]~~(48) New Subsection 116.8 is added as follows:

16 **“116.8 Finality of lien.** Unless a person served with a notice of abatement makes a
17 timely request for a hearing pursuant to Subsection 116.7, the lien shall become final
18 on the property upon completion of the work. If a person makes a timely request for a
19 hearing, any lien on the property shall become final after completion of all the work
20 the Director of Administration determines was properly conducted by way of
21 abatement action.”

22 ~~[(45)]~~(49) New Subsection 116.9 is added as follows:

23 **“116.9 Unauthorized tampering.** Signs, placards, notices or other postings affixed
24 by the building official under Section 116 shall not be mutilated, destroyed or
25 tampered with, or removed without authorization from the building official.”

26 ~~[(46)]~~(50) New Section 117 is added as follows:

“SECTION 117.

EMERGENCY MEASURES

1
2
3 **117.1 Imminent danger.** When, in the opinion of the building official, there is
4 imminent danger of failure or collapse of a building or structure or any part thereof
5 which endangers life, or when any structure or part of a structure has fallen and life is
6 endangered by the occupation of the building or structure, the building official is
7 hereby authorized and empowered to order and require the occupants to vacate the
8 same forthwith. The building official shall post at each entrance of such structure a
9 notice reading as follows: ‘This structure is unsafe and its occupancy has been
10 prohibited by the building official. It shall be unlawful for any person to enter such
11 structure except for the purpose of making the required repairs or of demolishing the
12 same.’

13 **117.2 Temporary safeguards.** When, in the opinion of the building official, there is
14 imminent danger due to an unsafe condition, the building official may cause the
15 necessary work to be done to render such structure temporarily safe, whether or not the
16 legal procedure herein described has been instituted.

17 **117.3 Closing streets.** When necessary for public safety, the building official shall
18 temporarily close structures and close, or order the authority having jurisdiction to
19 close, sidewalks, streets, public ways and places adjacent to unsafe structures and
20 prohibit the same from being used.

21 **117.4 Emergency repairs.** For the purposes of this section, the building official shall
22 employ the necessary labor and materials to perform the required work as
23 expeditiously as possible.

24 **117.5 Costs of emergency repairs.** Costs incurred in the performance of emergency
25 work shall be paid from the treasury of the jurisdiction on approval of the building
26 official, and notice of the amount shall be mailed by certified, registered or first class

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1 mail to the property owner, agent or person in control of the property or, if mail
2 delivery is unsuccessful, shall be posted in a conspicuous place on the property. The
3 person to whom the notice is directed shall have 10 days from receipt or posting of the
4 notice to request a hearing by submitting the request, in writing, either personally upon
5 the Director of Administration or by certified mail, return receipt requested, bearing a
6 postmark from the United States Postal Service. The cost of emergency repairs shall
7 be a lien upon the real property and shall be collectible in the same manner as real
8 property taxes with the same priority, interest and penalties. If a person makes a timely
9 request for a hearing, any lien on the property shall become final after the Director of
10 Administration determines that the emergency work was properly conducted.

11 **117.6 Unsafe equipment.** Equipment deemed unsafe by the building official shall not
12 be operated after the date stated in the written notice unless the required repairs or
13 changes have been made and the equipment has been approved, or unless an extension
14 of time has been secured from the building official in writing.

15 **117.6.1 Authority to seal equipment.** In the case of an emergency, the building
16 official shall have the authority to immediately seal out of service any unsafe device or
17 equipment regulated by this code.

18 **117.6.2 Unlawful to remove seal.** Any device or equipment sealed out of service by
19 the building official shall be plainly identified in an approved manner. The
20 identification shall not be tampered with, defaced or removed except by the building
21 official and shall indicate the reason for such sealing.”

22 [(47)](51) Section 202 is amended by deleting the definition of “agricultural, building”
23 and inserting the following in lieu thereof:

24 “**AGRICULTURAL, BUILDING.** A structure located on land zoned agricultural
25 which is designed and constructed to house farm implements, hay, grain, poultry,
26 livestock or other horticultural products. This structure shall not be a place of human

1 residence.”

2 [(48)](52) Section 202 is amended by adding the following definition between the terms

3 “construction documents” and “construction types”:

4 **“CONSTRUCTION TRAILER.** A single unit industrialized building that meets all
5 of the following criteria:

- 6 1. Has a body width of no more than 12 feet and has a body length not to exceed
7 60 feet;
- 8 2. The unit must be placed on an active construction site and removed within 30
9 days of the completion of the construction;
- 10 3. The unit shall not be open to the public and shall be for the exclusive use of the
11 on-site contractors to conduct necessary business or to store construction
12 materials related to the construction project; and
- 13 4. All applicable electrical and plumbing installations have approved temporary
14 permits and have received appropriate inspections and occupancy approvals.”

15 [(49) Section 202 is amended by adding the following definition between the terms “potable
16 water” and “precast concrete”:

17 **“POWER SAFETY COVER.** A pool cover that is placed over the water area and is
18 opened and closed with a motorized mechanism activated by a control switch.”

19 (50) Section 202 is amended by adding the following definition between the terms “public
20 sewer” and “public water main”:

21 **“PUBLIC SWIMMING POOL.** A pool other than a residential pool that is intended
22 to be used for swimming or bathing and is operated by an owner, lessee, operator,
23 licensee or concessionaire, regardless of whether a fee is charged for use.”

24 (51) Section 202 is amended by adding the following definitions between the terms
25 “reroofing” and “return air”:

26 **“RESIDENTIAL.** As used in section 3109 of this code, residential applies to

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1 detached one- and two-family dwellings and townhomes not more than 3 stories in
2 height.

3 **RESIDENTIAL SWIMMING POOL (RESIDENTIAL POOL).** A pool intended
4 for use which is accessory to a residential setting and available only to the household
5 and its guests. All other pools shall be considered public pools for the purposes of this
6 code.”

7 (52) Section 202 is amended by adding the following definition between the terms “running
8 board” and “sanitary sewer”:

9 **“SAFETY COVER.** A structure, fabric or assembly, along with attendant
10 appurtenances and anchoring mechanisms, that is temporarily placed or installed over
11 an entire pool, spa or hot tub and secured in place after all bathers are absent from the
12 water.”

13 (53) Section 202 is amended by adding the following definition between the terms “solid
14 masonry” and “spline”:

15 **“SPA.** A product intended for the immersion of persons in temperature-controlled
16 water circulated in a closed system, and not intended to be drained and filled with each
17 use. A spa usually includes a filter, an electric, solar or gas heater, a pump or pumps
18 and a control, and can also include other equipment such as lights, blowers and water-
19 sanitizing equipment.”]

20 (53) SUBSECTION 308.5.1 IS AMENDED BY ADDING THE FOLLOWING
21 EXCEPTION:

22 **EXCEPTION:** A CHILDCARE FACILITY MAY BE CLASSIFIED AS I-4 WHEN
23 THE FACILITY IS CLASSIFIED AS A DAY CARE OCCUPANCY UNDER THE
24 STATE FIRE PREVENTION CODE.”

25 (54) SUBSECTION 406.2.7 IS AMENDED BY DELETING “SECTION 1108” AND
26 REPLACING WITH “THE MARYLAND ACCESSIBILITY CODE COMAR

1 09.12.53

2 (55) SUBSECTION 411.4 IS AMENDED DELETING ITEM 3 AND REPLACING
3 WITH THE FOLLOWING:

4 3. ALL EXITS AND EXIT ACCESS DOORS FROM EACH PUZZLE ROOM
5 SHALL BE OPEN AND READILY AVAILABLE UPON ACTIVATION BY THE
6 AUTOMATIC FIRE ALARM SYSTEM, AUTOMATIC SPRINKLER SYSTEM, A
7 MANUAL CONTROL AT A CONSTANTLY ATTENDED LOCATION AND
8 SHALL HAVE A READILY ACCESSIBLE CONTROL LOCATED INSIDE EACH
9 PUZZLE ROOM.”

10 [(54)] (56) Subsection 502.1 is deleted and the following is inserted in lieu thereof:

11 “**502.1 Address Identification.** New and existing buildings UNDERGOING
12 RENOVATIONS THAT REQUIRE THE ISSUANCE OF A BUILDING PERMIT
13 shall be provided with approved address identification in accordance with chapter 84
14 of the Harford County Code.”

15 [(55)] (57) Subsection 508.2 is amended by adding the following exception:

16 “**Exception.** An accessory agricultural use area located within an agricultural building
17 shall be on the level of exit discharge, shall not be greater than 3,000 square feet in
18 area, and the accessory agricultural use area does not exceed the tabular values in
19 Table 503 for the allowable height or area for such use.”

20 (58) NEW SECTION 511 IS ADDED AS FOLLOWS:

21 SECTION 511

22 ELECTRICAL ENERGY STORAGE SYSTEMS

23 511.1 ELECTRICAL ENERGY STORAGE SYSTEMS. ELECTRICAL
24 ENERGY STORAGE SYSTEMS SHALL BE REGULATED BY THE
25 PROVISIONS CONTAINED IN THE *INTERNATIONAL FIRE CODE*.

26 [(56)] (59) Subsection 903.2.1.2 is amended by substituting “300” for “100” in item 2

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1 between the words “of” and “or”.

2 [(57)](60) Subsection 1020.1 is amended by adding the following exception:

3 “6. Corridors contained within a single tenant space.”

4 (61) SUBSECTION 907.2.1.1 IS AMENDED BY DELETING “1,000’ IN THE SECTION
5 HEADING BETWEEN THE WORDS “OF” AND “OR” AND ALSO IN LINE 2
6 BETWEEN THE WORDS “OF” AND “OR” AND REPLACING WITH 300.

7 (62) SUBSECTION 1004.8 IS AMENDED BY ADDING THE WORDS “NAIL
8 SALONS” BETWEEN THE WORDS “CENTERS” AND “TRADING” IN THE
9 THIRD LINE.

10 [(58)](63) Subsection 1102.1 is deleted and the following is inserted in lieu thereof:

11 “**1102.1 Design.** Buildings and facilities shall be designed and constructed to be
12 accessible in accordance with COMAR 09.12.53.

13 **Exception:** The design of covered multi-family dwellings as set forth in COMAR
14 09.12.53.05b(9) shall be in accordance with COMAR 09.12.53 or a “safe harbor” as
15 designated by HUD.”

16 [(59)](64) New Subsection 1106.[8]10 is added as follows:

17 “**1106.8 Identification.** Each accessible parking space provided shall be identified as
18 set forth in COMAR 09.12.53.07 D.”

19 1210.4 403.3.2 IPC Section

20 [(60)](65) Figure 1608.2 is amended by adding the following note:

21 “1. The ground snow load, p_g , for Harford County, Maryland shall be 30 psf.”

22 [(61)](66) Subsection 1612.3 is amended by deleting “insert name of jurisdiction” in the
23 seventh line and inserting in lieu thereof “Harford County, Maryland” and by deleting
24 “insert date of issuance” starting in the seventh line and inserting in lieu thereof
25 “January 7, 2000”.

26 [(62)](67) Subsection 1809.5 is amended by deleting Method 1 and inserting in lieu

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1 thereof “1. Extending below the frost line established as 30” below final grade.”

2 [(63)](68) New Subsection 3001.1.1 is added as follows:

3 **“3001.1.1 Maryland State Elevator Code.** The provisions of this code are in
4 addition to the requirements in the Maryland State Elevator Code. If a conflict
5 between this code and the state code exists, the requirements in the state code shall
6 apply.”

7 [(64)](69) Subsection 3103.1 is amended by adding “within any 365-consecutive-day
8 period or, with the approval of the building official, multiple periods equaling fewer
9 than 180 days within any 365-consecutive-day period” after the word “days” in the
10 third line.

11 [(65)](70) Subsection 3103.1.2 is amended by deleting “120 square feet (11.16 mm)” in
12 the second line and inserting in lieu thereof “[350]400 square feet (32.55 mm)” and by
13 deleting “10” in the fifth line and inserting in lieu thereof “50”.

14 [(66)] Subsection 3109.1 is deleted and the following is inserted in lieu thereof:

15 **“3109.1 General.** All swimming pools, spas and hot tubs shall be provided with
16 barrier protection in accordance with section 305 of the 2018 International Swimming
17 Pool and Spa code. No property owner or contractor shall fill a new swimming pool or
18 spa with water until a permanent or temporary barrier has been approved by the
19 department of building safety. A temporary barrier may remain in place for no more
20 than 30 days unless approved by the building official.”

21 (67) New subsection 3109.2 is added as follows:

22 **“3109.2 Suction Entrapment Avoidance.** All swimming pools, spas and hot tubs
23 shall be provided in accordance with section 310 of the 2018 International Swimming
24 Pool and Spa Code.”]

25 [(68)](71) New Subsection 3301.3 is added as follows:

26 **“3301.3 Housekeeping.** Rubbish and trash shall not be allowed to accumulate on

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1 construction sites and shall be removed as soon as conditions warrant. Combustible
2 rubbish shall be removed promptly and shall not be disposed of by burning on the
3 premises or in the immediate vicinity. The entire premises and area adjoining around
4 the operation shall be kept in a safe and sanitary condition.”

5 ~~[(69)]~~(72) Chapter 35 referenced standards under the NFPA 70-~~[17]~~20 is hereby deleted
6 and ~~[70-20]~~ HARFORD COUNTY CHAPTER 105 is inserted in lieu thereof.

7 (73) APPENDIX B SUBSECTION B101.3 IS AMENDED BY DELETING “FOR
8 ~~[INSERT NUMBER OF YEARS]~~” BETWEEN THE WORDS “APPOINTING”
9 AND “YEARS” IN THE FOURTH LINE AND INSERTING “CO-TERMINUS
10 WITH THE COUNTY EXECUTIVE”

11 (74) APPENDIX B SUBSECTION B101.3.1 DELETED AND THE FOLLOWING
12 INSERTED IN LIEU THEREOF:

13 **B101.3.1 QUALIFICATIONS.** THE BOARD OF APPEALS SHALL CONSIST OF
14 FIVE INDIVIDUALS, ONE FROM EACH OF THE FOLLOWING PROFESSIONS
15 OR DISCIPLINES:

16 1. REGISTERED DESIGN PROFESSIONAL WITH ARCHITECTURAL
17 EXPERIENCE OR A BUILDER OR SUPERINTENDENT OF BUILDING
18 CONSTRUCTION WITH NOT FEWER THAN 10 YEARS OF EXPERIENCE, 5 OF
19 WHICH SHALL HAVE BEEN IN RESPONSIBLE CHARGE OF WORK.

20 2. REGISTERED DESIGN PROFESSIONAL WITH STRUCTURAL
21 ENGINEERING EXPERIENCE.

22 3. REGISTERED DESIGN PROFESSIONAL WITH MECHANICAL AND
23 PLUMBING ENGINEERING EXPERIENCE OR A MECHANICAL
24 CONTRACTOR WITH NOT FEWER THAN 10 YEARS OF EXPERIENCE, 5 OF
25 WHICH SHALL HAVE BEEN IN RESPONSIBLE CHARGE OF WORK.

26 4. REGISTERED DESIGN PROFESSIONAL WITH ELECTRICAL

1 ENGINEERING EXPERIENCE OR AN ELECTRICAL CONTRACTOR WITH
2 NOT FEWER THAN 10 YEARS OF EXPERIENCE, 5 OF WHICH SHALL HAVE
3 BEEN IN RESPONSIBLE CHARGE OF WORK.

4 5. REGISTERED DESIGN PROFESSIONAL WITH FIRE PROTECTION
5 ENGINEERING EXPERIENCE OR A FIRE PROTECTION CONTRACTOR WITH
6 NOT FEWER THAN 10 YEARS OF EXPERIENCE, 5 OF WHICH SHALL HAVE
7 BEEN IN RESPONSIBLE CHARGE OF WORK.

8 (75) APPENDIX B SUBSECTION B101.3.7 IS HEREBY DELETED AND THE
9 FOLLOWING INSERTED IN LIEU THEREOF:

10 **B101.3.7 COMPENSATION.** THE BOARD SHALL RECEIVE SUCH
11 COMPENSATION FOR REASONABLE AND NECESSARY EXPENSES AS MAY
12 BE PROVIDED FOR IN THE BUDGET OF THE DEPARTMENT OF
13 INSPECTIONS, LICENSES AND PERMITS.

14 **Article II. [2018] 2021 International Residential Code**

15 **§ 82-3. Adoption of [2018] 2021 International Residential Code by reference.**

16 A. The [2018] 2021 International Residential Code published by the International Code Council,
17 Inc., is hereby adopted and by reference thereto is made a part of this chapter with the same
18 force and effect as though set out in full herein, save and except such changes, amendments,
19 revisions, deletions, subsections and/or additions as specified in this chapter. If conflicts with
20 this code, or with changes, amendments, revisions, deletions, subsections and/or additions to
21 that code are found elsewhere in the County Code, the most restrictive provisions shall govern.

22 B. At least one copy of this code and supplements thereto shall be on file and open for public use,
23 examination and inspection in the office of the Director of Administration and in the office of
24 the Council Administrator.

25 **§ 82-4. Modifications.**

26 The following sections are changes or additions to certain sections of the [2018] 2021 International

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1 Residential Code:

- 2 (1) Subsection R101.1 is amended by deleting “name of jurisdiction” and inserting in lieu
3 thereof “Harford County, Maryland”.
- 4 (2) New Subsection R101.4 is added as follows:
5 “**R101.4 Safeguards during construction.** The provisions of Chapter 33 of the
6 [2018] 2021 International Building Code as adopted by Article I of this chapter shall
7 be applicable to all construction sites possessing a valid building permit.”
- 8 (3) Subsection R102.5 is deleted and the following is inserted in lieu thereof:
9 “**R102.5 Appendices.** Provisions in Appendix A, Sizing and Capacities of Gas
10 Piping; Appendix B, Sizing of Venting Systems Serving Appliances Equipped with
11 Draft Hoods, Category I, Appliances, and Appliances listed for use and Type B vents;
12 Appendix C, Exit Terminals of Mechanical Draft and Direct-vent Venting Systems;
13 Appendix D, Recommended Procedure for Safety Inspection of an Existing Appliance
14 Installation; Appendix E, Manufactured Housing Used as Dwellings; Appendix H,
15 Patio Covers; Appendix J, Existing Buildings and Structures; and Appendix K, Sound
16 Transmission, shall be deemed as part of this code.”
- 17 (4) Sections R103 through R114 of the [2018] 2021 International Residential Code are
18 deleted and Sections 102 through 117 of § 82-2B of the Harford County Code shall be
19 applicable for the administration of the code.
- 20 (5) SECTION R202 IS AMENDING THE DEFINITION OF “BUILDING” BY
21 DELETING THE LAST SENTENCE IN ITS ENTIRETY.
- 22 [(5)](6)“**FIRE SEPARATION DISTANCE.** The distance measured from the building face
23 to one of the following:
24 1. To the closest interior lot line.
25 2. To the centerline of a street, an alley or public way.
26 3. To an imaginary line between 2 buildings on the lot.

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1 4. To an exclusive use easement line.

2 The distance shall be measured at a right angle from the face of the wall.

3 [[6]](7)Section R202 is amended by deleting the definition of “manufactured home” and
4 inserting in lieu thereof:

5 **“MANUFACTURED HOME.** Manufactured home means a structure, transportable
6 in one or more sections, which in the traveling mode is 8 body feet or more in width or
7 40 body feet or more in length or, when erected on site, is 320 or more square feet, and
8 which is built on a permanent chassis and designed to be used as a dwelling with or
9 without a permanent foundation when connected to the required utilities, and includes
10 the plumbing, heating, air-conditioning and electrical systems contained therein.
11 Calculations used to determine the number of square feet in a structure will be based
12 on the structure’s exterior dimensions measured at the largest horizontal projections
13 when erected on site. These dimensions will include all expandable room, cabinets
14 and other projections containing interior spaces, but do not include bay windows. This
15 term includes all structures which meet the above requirements except the size
16 requirements and with respect to which the manufacturer voluntarily files a
17 certification pursuant to § 3282.13 and complies with the standards set forth in Part
18 3280.

19 Note: for mobile homes built prior to June 15, 1976, a label certifying compliance to
20 the standard for mobile home, NFPA 501, ANSI 119.1, in effect at the time of
21 manufacture is required. For the purpose of these provisions, a mobile home shall be
22 considered a manufactured home.”

23 [[7]](8)Table R301.2(1) is amended by adding the following design values: “Ground snow
24 load - 30 psf; Wind - 90 mph; Topographic effects – no; Special wind region – no;
25 Wind-born debris zone – no; Seismic design category - b; Weathering - severe; Frost
26 line depth - 30 inches (762 mm); Termite - moderate to heavy; [Winter design temp -

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1 13° F].; Ice barrier underlayment required - no; Flood hazards - July 16, 1981 and
2 January 7, 2000; Air freezing index - 554; Mean annual temp - 31°f; Latitude - 39° N;
3 Winter Heating - 99% 70°; Summer Cooling - 1% 95°; Altitude Correction Factor -
4 1.0; Interior Design Temperature - 10°; Design Temperature Cooling - 75°; Heating
5 Temperature Difference - 60°; Wind Velocity Heating - 7.0; Wind Velocity Cooling -
6 7.0; Coincident Wet Bulb - 77°; Daily Range - m; Winter Humidity - 30%; Summer
7 Humidity - 50%.”.

8 [(8)](9) Table R302.1(1) is amended by adding the following line at the bottom of the table:
9

All portions of attached decks and open roof covered decks. Open roof covered decks may have a maximum opaque wall surface area of 50%	Not allowed	N/A	< 2 feet
--	-------------	-----	----------

10
11 [(9)](10) Table R302.1(2) is amended by adding the following line at the bottom of the
12 table:

All portions of attached decks and open roof covered decks. Open roof covered decks may have a maximum opaque wall surface area of 50%	Not allowed	N/A	< 2 feet
--	-------------	-----	----------

13
14 (11) SUBSECTION R313.1 IS AMENDED BY ADDING A “1” IN THE BEGINNING
15 OF THE FIRST SENTENCE OF THE EXCEPTION AND ADDING THE
16 ADDITIONAL EXCEPTION:

17 “2. A PROPERTY FOR THE CONSTRUCTION OF A TOWNHOUSE THAT IS
18 NOT CONNECTED TO AN ELECTRIC UTILITY.”

19 (12) SUBSECTION R313.2 IS AMENDED BY ADDING A “1” IN THE BEGINNING
20 OF THE FIRST SENTENCE OF THE EXCEPTION AND ADDING THE

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1 ADDITIONAL EXCEPTION:

2 “2. A PROPERTY FOR THE CONSTRUCTION OF A ONE AND TWO FAMILY
3 DWELLING THAT IS NOT CONNECTED TO AN ELECTRIC UTILITY.”

4 [(10)](13) New Subsection R312.1.1.1 is added as follows:

5 “**R312.1.1.1 Areaway guards.** A guardrail or other approved barrier shall be
6 installed on areaway walls with a grade level elevation difference of greater than 48
7 inches (1219.2 mm). Guards shall be constructed in accordance with Section R312.”

8 [(11)](14) Subsection R319.1 is deleted and the following is inserted in lieu thereof:

9 “**R319.1 Address identification.** New and existing buildings UNDERGOING
10 RENOVATIONS THAT REQUIRE THE ISSUANCE OF A BUILDING PERMIT
11 shall be provided with approved address identification in accordance with Chapter 84 of
12 the Harford County Code.”

13 [(12)] Subsection R326.1 is hereby deleted and the following is inserted in lieu thereof:

14 “**R326.1 General.** All swimming pools, spas and hot tubs shall be provided with barrier
15 protection in accordance with section 305 of the 2018 International Swimming Pool and
16 Spa code. No property owner or contractor shall fill a new swimming pool or spa with
17 water until a permanent or temporary barrier has been approved by the department of
18 building safety. A temporary barrier may remain in place for no more than 30 days unless
19 approved by the building official.”

20 (13) New Subsection r326.2 is added as follows:

21 “**R326.2 Suction Entrapment Avoidance.** All swimming pools, spas and hot tubs shall
22 be provided in accordance with section 310 of the 2018 International Swimming Pool and
23 Spa code.”]

24 [(14)] (15) Subsection R405.1 is amended by deleting the exception at the end of the
25 subsection.

26 [(15)] (16) Subsection R506.2.2 is amended by deleting the exception at the end of the

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1 subsection.

2 [(16)] (17) New Subsection R703.9.3 is added as follows:

3 “**R703.9.3 Special inspections.** Special inspections shall be required for all EIFS
4 applications.

5 **Exceptions:**

- 6 1. Special inspections shall not be required for EIFS applications installed over a
7 water-resistive barrier with a means of draining moisture to the exterior.
8 2. Special inspections shall not be required for EIFS applications installed over
9 masonry or concrete walls.”

10 [(17)] (18) New Subsection R903.4.2 is added as follows:

11 “**R903.4.2 Gutters and leaders.** Gutters and leaders shall be installed in accordance
12 with the Harford County Plumbing Code. [All rain leaders or extensions shall not
13 discharge closer than 10 feet from any lot line so as not to be a nuisance to surrounding
14 properties.]”

15 [(18)] Subsection N1102.4.1.2 (R402.4.1.2) is amended by adding the following at the end of
16 the subsection:

17 “except as provided for in the:

- 18 (i) Simulated performance path listed in subsection N1105 (R405); and
19 (ii) Energy rating index compliance alternative in subsection N1106 (R406).”

20 (19) Table N1105.5.2(1) (R405.5.2(1)) is amended by adding “not to exceed 5 air changes
21 per hour with baseline of 3 air changes per hour in climate zones 4 and 5 maintained
22 for standard reference design” after “the measured air exchange rate” under the
23 “proposed design”.

24 (20) Subsection N1106.2 (R406.2) is amended by adding the following at the end of the
25 paragraph:

26 “**Exception:** The maximum of 5 air changes per hour tested in accordance with

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1 subsection R402.4.1.2 may be used to determine the energy rating index score with
2 baseline of 3 air changes per hour in climate zones 4 and 5 maintained for ERI
3 reference design.”]

4 (19) PART IV – ENERGY CONSERVATION IS DELETED AND THE
5 INTERNATIONAL ENERGY CONSERVATION CODE AS ADOPTED IN
6 ARTICLE IV IS INSERTED IN LIEU THEREOF.

7 [(21)](20) Part VII, Chapters 25, 26, 27, 28, 29, 30, 31, 32 and 33 are deleted and the
8 Harford County Plumbing Code is inserted in lieu thereof except for Subsection
9 P2904, Dwelling unit fire sprinkler systems, which shall remain as part of this code.

10 [(22)](21) Part VIII, Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43 are deleted and the
11 Harford County Electrical Code is inserted in lieu thereof.

12 [(23)](22) Subsection AE101.1 is amended by deleting the sentence “These provisions
13 shall be applicable only to a manufactured home used as a single dwelling unit
14 installed on privately owned (nonrental) lots and shall apply to the following:” and
15 inserting the following sentence in lieu thereof: “These provisions shall be applicable
16 only to a manufactured home used as a single dwelling unit installed on private and
17 rental lots and shall apply to the following:”.

18 [(24)](23) Subsection AE201.1 is amended by deleting the definition of “manufactured
19 home” and inserting the following in lieu thereof:

20 “**MANUFACTURED HOME.** Manufactured home means a structure, transportable
21 in one or more sections, which in the traveling mode is 8 body feet or more in width or
22 40 body feet or more in length or, when erected on site, is 320 or more square feet, and
23 which is built on a permanent chassis and designed to be used as a dwelling with or
24 without a permanent foundation when connected to the required utilities, and includes
25 the plumbing, heating, air-conditioning and electrical systems contained therein.
26 Calculations used to determine the number of square feet in a structure will be based

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1 on the structure's exterior dimensions measured at the largest horizontal projections
2 when erected on site. These dimensions will include all expandable room, cabinets
3 and other projections containing interior spaces, but do not include bay windows. This
4 term includes all structures which meet the above requirements except the size
5 requirements and with respect to which the manufacturer voluntarily files a
6 certification pursuant to § 3282.13 and complies with the standards set forth in Part
7 3280.

8 NOTE: For mobile homes built prior to June 15, 1976, a label certifying compliance
9 to the standard for mobile home, NFPA 501, ANSI 119.1, in effect at the time of
10 manufacture is required. For the purpose of these provisions, a mobile home shall be
11 considered a manufactured home.”

12 ~~[(25)]~~(24) Subsection AE201.1 is amended by deleting the definition of “privately owned
13 (nonrental) lot” and inserting the following in lieu thereof:

14 **“PRIVATELY OWNED (NONRENTAL) LOT.** A parcel of real estate outside of a
15 manufactured home rental community (park) where the land and the manufactured
16 home to be installed thereon are held in common ownership.”

17 ~~[(26)]~~(25) Subsection AE201.1 is amended by adding the following definition:

18 **“RENTAL LOT.** A lot or space that is rented in an approved manufactured home
19 community or park.”

20 ~~[(27)]~~(26) Subsection AE201.1 is amended by adding the following definition:

21 **“INDUSTRIALIZED BUILDING.** As defined by Section 12-301(d) of the Public
22 Safety Article, of the Annotated Code of Maryland, ‘industrialized building’ means a
23 building assembly or system of building subassemblies manufactured in its entirety, or
24 in substantial part, offsite and transported to the point of use for installation or erection,
25 with or without other specified components, as a finished building or as a part of a
26 finished building comprising two or more industrialized building units. An

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1 industrialized building need not have electrical, plumbing, heating, ventilating,
2 insulation or other service systems; but when such systems are installed at the offsite
3 manufacture or assembly point they shall be deemed a part of such building assembly
4 or system of building assemblies. Industrialized building does not include open frame
5 construction which can be completely inspected onsite. An ‘industrialized building’
6 does not include a mobile home.”

7 [(28)](27) Section AE301 is deleted in its entirety.

8 [(29)](28) Section AE302 is deleted in its entirety.

9 [(30)](29) Section AE303 is deleted in its entirety.

10 [(31)](30) Section AE304 is deleted in its entirety.

11 [(32)](31) Subsection AE602.1 is amended by adding the phrase “or ANSI A225.1-1994”
12 in the last line of the last paragraph after the word “designer”.

13 **Article III. [2018] 2021 International Mechanical Code**

14 **§ 82-5. Adoption of [2018] 2021 International Mechanical Code by reference.**

15 A. The [2018] 2021 International Mechanical Code published by the International Code
16 Council, Inc., is hereby adopted and by reference thereto is made a part of this chapter with
17 the same force and effect as though set out in full herein, save and except such changes,
18 amendments, revisions, deletions, subsections and/or additions as specified in this chapter. If
19 conflicts with this code, or with changes, amendments, revisions, deletions, subsections
20 and/or additions to that code are found elsewhere in the County Code, the most restrictive
21 provisions shall govern.

22 B. At least one copy of this code and supplements thereto shall be on file and open for public
23 use, examination and inspection in the office of the Director of Administration and in the
24 office of the Council Administrator.

25 C. The requirements of this article shall not apply to the agricultural structures that do not
26 require a building permit as specified on the Agricultural Buildings Permitting Requirements

1 Table as shown in Attachment 1 in Chapter 82.

2 **§ 82-6. Registration.**

3 A. All persons that intend to install, maintain, alter, remodel or repair heating systems, cooling
4 systems, refrigeration systems, ventilation systems or hydronic systems in Harford County
5 shall be registered with the Division of Plumbing Services and shall have a current certificate
6 of registration.

7 B. To obtain a certificate of registration, the applicant shall have been qualified and approved by
8 the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration
9 Contractors.

10 C. Master, master restricted, limited heating, ventilation, air-conditioning and refrigeration
11 certificate of registration. Any applicant who applies for a master, master restricted or a
12 limited heating, ventilation, air-conditioning and refrigeration certificate to perform
13 mechanical services shall provide the following information:

14 (1) A current license number issued by the State of Maryland Board of Heating,
15 Ventilation, Air Conditioning and Refrigeration Contractors.

16 (2) A current business address with phone number.

17 (3) A current certificate of insurance equal to or greater than such amount as required by
18 the State of Maryland Board of Heating, Ventilation, Air Conditioning and
19 Refrigeration Contractors.

20 D. Journeyman, apprentice certificate of registration. Any applicant who applies for a
21 journeyman or apprentice certificate to assist in performing mechanical services shall provide a
22 current license number issued by the State of Maryland Board of Heating, Ventilation, Air
23 Conditioning and Refrigeration Contractors.

24 E. Fees for certificate of registration shall be as set forth in Chapter 157 of the Harford County
25 Code, as amended.

26 F. Master, master restricted and limited heating, ventilation, air-conditioning and refrigeration

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1 certificates issued pursuant to this section shall expire on April 30 of each even-numbered
2 year, and all such certificates shall be issued for a 2-year period. All journeyman and
3 apprentice certificates issued pursuant to this section shall expire on October 31 of each even-
4 numbered year.

5 G. The administrative authority may, in its discretion, suspend or revoke the certificate of
6 registration of any person who makes any false or misleading statement in an application; who
7 sells, lends or otherwise permits any improper use of a certificate, obtains permits for others to
8 install, maintain, alter, remodel or repair heating systems, cooling systems, refrigeration
9 systems, ventilation systems or hydronic systems, loses or has been suspended from his or her
10 State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration
11 Contractors' qualification or who commits any violation of the Harford County Mechanical
12 Code.

13 H. Upon receipt of written requests directed to the administrative authority, the administrative
14 authority, in its discretion, may suspend or revoke the certificate of any person who commits
15 any violation of the Harford County Mechanical Code or any other law or regulation governing
16 the conduct to provide heating, ventilation, air-conditioning or refrigeration services.

17 (1) No certificate shall be suspended or revoked except after a hearing before the
18 administrative authority of which the certificate holder shall receive at least 5 days'
19 notice, in writing, together with a statement of the charges. Upon such hearing, the
20 administrative authority may suspend any certificate for such a period of time as it may
21 find proper or may revoke same.

22 (2) In the event of a revocation, no application for the reinstatement of a revoked
23 certificate shall be entertained until the expiration of 6 months from the date of such
24 revocation. At the end of such 6-month period, the administrative authority may, in its
25 discretion, reinstate a revoked certificate.

26 I. Any certificate holder shall notify the administrative authority immediately of any changes in

1 location of business, employer, phone number, licensing status or insurance coverage.

- 2 J. Any certificate of insurance required to be submitted under this section shall provide that in the
3 event the insurance required under this chapter is cancelled, the insurer shall notify the Harford
4 County Division of Plumbing Services within 10 days after the date of cancellation.

5 **§ 82-7. Permit applicants.**

- 6 A. No work regulated by this code shall be commenced without a permit being issued by the
7 Department of Inspections, Licenses and Permits. Only to the extent that a registrant with the
8 Department of Inspections, Licenses and Permits is authorized to do work, shall a registered
9 master, master restricted, limited heating, ventilation, air-conditioning and refrigeration
10 contractor be eligible to apply for permits authorized by this code.

- 11 B. A mechanical permit issued in accordance with § 82-12 of this Code may be issued to the
12 owner of a single-family dwelling occupied exclusively by the owner upon the following
13 conditions:

- 14 (1) All work must be done in accordance with this code.
15 (2) The owner shall be tested and qualified by the Department of Inspections, Licenses and
16 Permits in accordance with requirements established by the Mechanical Board.
17 (3) The owner shall sign an affidavit agreeing to comply with all applicable provisions of
18 this chapter and attesting that the location in which the work will be performed is the
19 applicant's primary residence.

20 **§ 82-8. Change of registered contractors.**

- 21 A. Upon written notification by a master, master restricted, limited heating, ventilation, air-
22 conditioning and refrigeration contractor to the Department of Inspections, Licenses and
23 Permits, a permit may be canceled upon satisfactorily meeting the following requirements:

- 24 (1) A minimum 7 working day waiting period commencing the day that the Department of
25 Inspections, Licenses and Permits receives the cancellation request unless the parties
26 agree to waive the waiting period or the building official determines that extenuating

1 circumstances exist that warrant modification of the waiting period.

2 (2) The Department of Inspections, Licenses and Permits certifies that the work performed
3 to date is code compliant and that the work has been deemed not to pose a threat to the
4 health, safety or welfare of the public.

5 (3) In the case where another registered contractor will be performing the remainder of the
6 work, the new registered contractor shall submit to the Department of Inspections,
7 Licenses and Permits an assumption agreement on a form provided by the Department
8 prior to a new permit being issued.

9 B. The Department of Inspections, Licenses and Permits may cancel a permit at the written
10 request of the property owner or his/her agent upon satisfactory compliance with the following
11 requirements:

12 (1) The Department of Inspections, Licenses and Permits has forwarded a copy of the
13 written request to the permit holder.

14 (2) A permit may not be canceled for a minimum of 7 business days commencing after
15 notification to the permit holder unless the parties agree to waive the waiting period or
16 the building official determines that extenuating circumstances exist that warrant
17 modification of the waiting period.

18 (3) In cases where work has commenced and has not been completed, the Department
19 shall perform an onsite inspection and certify that the work performed to date has been
20 deemed to not pose a threat to the public health, safety and welfare.

21 (4) In cases where the work has not been completed, a permit shall be applied for by an
22 individual approved under § 82-7 of this code. The applicant shall also submit an
23 assumption agreement, if applicable, for the remainder of the work. Assumption
24 agreements shall be completed on a form provided by the Department.

25 **§ 82-9. Modifications.**

26 A. Definitions.

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- 1 (1) As used in this code, the term “Code Official” means the Director of the Department
2 of Inspections, Licenses and Permits or his/her designee.
- 3 (2) As used in this code, the term “Department of Mechanical Inspection” means the
4 Department of Inspections, Licenses and Permits.
- 5 (3) As used in this code, the term “International Fuel Gas Code” means the Harford
6 County Plumbing Code, Chapter 202 (§ 202-1, *et seq.*) of the Harford County Code,
7 as amended.
- 8 (4) As used in this code, the term “International Plumbing Code” means the Harford
9 County Plumbing Code, Chapter 202 (§ 202-1, *et seq.*) of the Harford County Code,
10 as amended.
- 11 B. The following sections are changes or additions to certain sections of the [2018] 2021
12 International Mechanical Code:
- 13 (1) Subsection 101.1 is amended by deleting “[name of jurisdiction]” and inserting in
14 lieu thereof “Harford County, Maryland”.
- 15 (2) Subsection 101.2.1 is deleted and the following is inserted in lieu thereof:
16 **“101.2.1 Appendices.** Provisions in Appendix A, Combustion Air Openings and
17 Chimney Connector Pass-Throughs, shall be deemed as part of this code.”
- 18 (3) Subsection 103.1 is deleted in its entirety.
- 19 (4) Subsection 103.2 is amended by inserting the following between the words “official”
20 and “shall” in the first line: “and the deputy code official”.
- 21 (5) Subsection 103.3 is amended by deleting “the code official shall have the authority to
22 appoint a deputy code official, other related” beginning in the third line and inserting
23 the following in lieu thereof: “the Department of Building Safety shall have the
24 authority to employ”.
- 25 (6) Subsection 106.2 is amended by adding the following:

1 “9. Repair, service and maintenance of existing equipment.”

2 (7) Subsection 106.3 is amended by adding “in writing or electronically” after the word
3 “furnished” in the third line and by adding “only an individual registered in
4 accordance with § 82-8 of this article shall be eligible to make application for permit
5 to do work in accordance with this code.”

6 (8) Subsection 106.3.1 is amended by deleting “by a registered design professional
7 where required by state law” in the sixth line and inserting “in accordance with § 82-
8 9” in lieu thereof and by deleting “by a registered design professional” in the ninth
9 line and inserting “in accordance with § 82-9” in lieu thereof.

10 (9) New subsection 106.3.1.1 is added as follows:

11 **“106.3.1.1 Plans and Specifications.**

12 A. Plans and specifications for the installation of all heating, ventilation, air-
13 conditioning or refrigeration systems shall:

14 (1) Be approved by a licensed Maryland HVACR master, HVACR
15 master restricted licensed for the system being installed, or a
16 Maryland licensed professional engineer or architect; and

17 (2) Have affixed to them the name and license number of the Maryland
18 HVACR master, HVACR master restricted licensed for the system
19 being installed, or Maryland licensed professional engineer or
20 architect.

21 B. For installations other than one-family and two-family dwellings, adequate
22 details of mechanical and electrical work, including computations, diagrams
23 and other essential technical data, shall be filed. All engineering plans and
24 computations shall bear the signature and license number of the licensed
25 engineer, architect or mechanical licensee responsible for the design. For
26 one-family and two-family dwellings, a residential heat gain and loss load

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1 calculation (for example, a manual j evaluation or equivalent supporting
2 documentation acceptable to the department) shall be filed for new
3 installations at the time of permit application. For replacement of a
4 condensing unit, air-handling unit, furnace or boiler in an existing HVACR
5 system in one-family and two-family dwellings the permit application shall
6 be accompanied with documentation reflecting calculations by which the
7 sizing of the equipment to be installed was determined. A signed and dated
8 copy of this document shall be retained by the contractor, and a copy shall be
9 left with the homeowner upon completion of the work. Plans shall indicate
10 how required structural and fire resistance rating integrity will be maintained
11 and where penetrations will be made for electrical, mechanical, plumbing and
12 communication conducts, pipes and systems.”

13 (10) New Subsection 106.3.4 is added as follows:

14 “**106.3.4 Applicants.** Only an individual registered in accordance with § 82-8 of
15 this article shall be eligible to make application for permit to do work in accordance
16 with this code.”

17 (11) Subsection 106.4.3 is amended by deleting “180 days” in the fourth line and inserting
18 “12 months” in lieu thereof.

19 (12) Subsection 106.4.4 is amended by deleting the last two sentences.

20 (13) New Subsection 106.4.5.1 is added as follows:

21 “**106.4.5.1 Withholding permits.** The Code Official may withhold the issuance of
22 any permit and/or place a hold on inspections if the applicant, the owner or any
23 individual listed on the application as a responsible officer (if the applicant is a
24 business entity) has failed to remedy or correct any existing/alleged violation of the
25 Harford County Code on any construction projects in Harford County for which the
26 applicant has been cited by any County agency.”

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- 1 (14) Subsection 106.5.1 is amended by deleting “100 percent of the usual permit fee” IN
2 the fourth line and replacing with “a fee established by the building official that shall
3 be” and by adding “unless waived by the building official pursuant to established
4 policy” to the end of the sentence.
- 5 (15) Subsection 106.5.2 is amended by deleting “as indicated in the following schedule
6 (jurisdiction to insert appropriate schedule)” and replacing with “in accordance with
7 chapter 157 of the Harford County Code, as amended”.
- 8 (16) Subsection 106.5.3 is hereby deleted and the following is inserted in lieu thereof:
9 **“106.5.3 Fee Refunds.** The Code Official shall authorize the refunding of fees in
10 accordance with §157-16B and §157-16C of the Harford County Code, as amended.”
- 11 (17) Subsection 108.4 is amended by deleting “[specify offense]” in the seventh line,
12 “[amount] dollars” in the eighth line and “[number of days]” in the ninth line and
13 replacing with “misdemeanor”, “\$1,000” and “90 days” respectively.
- 14 (18) Subsection 108.5 is amended by deleting “Any person who shall continue any work
15 on the system after having been served with a stop work order, except such work as
16 that person is directed to perform to remove a violation or unsafe condition, shall be
17 liable for a fine of not less than [amount] dollars or more than [amount] dollars.”
18 Beginning in the tenth line and insert the following in lieu thereof: “any person who
19 shall continue any work on the system after having been served with a stop work
20 order, except such work as that person is directed to perform to remove a violation or
21 unsafe condition, shall be subject to the violation penalties prescribed in section
22 108.4.”.
- 23 (19) Subsection 109.1 is amended by adding “as established in Article I of this chapter”.
- 24 (20) Subsection 202, General definitions, is amended by adding the following definition
25 between the definitions of “registered design professional” and “return air”:
26 **“Repair.** To put back in good condition, fix, to renew parts, to make existing

1 systems function. Anything that can be made to work is repairable. The replacement
2 of a system or a condenser unit, air-handling unit, furnace or boiler which make up a
3 system shall constitute altering or remodeling, not repair.”
4 Subsection 301.11 is amended by adding “Temporary repairs may not be made to a
5 damaged heat exchanger.” at the end of this subsection.

ARTICLE IV. INTERNATIONAL ENERGY CONSERVATION CODE

§ 82-10. ADOPTION OF 2021 INTERNATIONAL ENERGY CONSERVATION CODE.

8 A. THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE PUBLISHED BY

9 THE INTERNATIONAL CODE COUNCIL, INC., IS HEREBY ADOPTED AND BY

10 REFERENCE THERETO IS MADE A PART OF THIS CHAPTER WITH THE SAME

11 FORCE AND EFFECT AS THOUGH SET OUT IN FULL HEREIN, SAVE AND EXCEPT

12 SUCH CHANGES, AMENDMENTS, REVISIONS, DELETIONS, SUBSECTIONS

13 AND/OR ADDITIONS AS SPECIFIED IN THIS CHAPTER. IF CONFLICTS WITH

14 THIS CODE, OR WITH CHANGES, AMENDMENTS, REVISIONS, DELETIONS,

15 SUBSECTIONS AND/OR ADDITIONS TO THAT CODE ARE FOUND ELSEWHERE

16 IN THE COUNTY CODE, THE MOST RESTRICTIVE PROVISIONS SHALL GOVERN.

17 B. AT LEAST ONE COPY OF THIS CODE AND SUPPLEMENTS THERETO SHALL BE

18 ON FILE AND OPEN FOR PUBLIC USE, EXAMINATION AND INSPECTION IN THE

19 OFFICE OF THE DIRECTOR OF ADMINISTRATION AND IN THE OFFICE OF THE

20 COUNCIL ADMINISTRATOR.

§ 82-11. MODIFICATIONS.

22 THE FOLLOWING SECTIONS ARE CHANGES OR ADDITIONS TO CERTAIN SECTIONS OF

23 THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE:

24 (1) SUBSECTION C101.1 IS AMENDED BY DELETING “NAME OF

25 JURISDICTION” AND INSERTING IN LIEU THEREOF “HARFORD COUNTY,

26 MARYLAND”.

1 (2) SECTIONS C103 THROUGH C110 OF THE 2021 INTERNATIONAL ENERGY

2 CONSERVATION CODE ARE DELETED AND SECTIONS 102 THROUGH 117

3 OF § 82-2B OF THE HARFORD COUNTY CODE SHALL BE INSERTED IN

4 LIEU THEREOF.

5 (3) SECTION C202 IS AMENDED BY ADDING THE FOLLOWING DEFINITION

6 BETWEEN THE WORDS "HISTORIC BUILDING" AND "IEC DESIGN

7 MOTOR";

8 HOTEL. MEANS AN ESTABLISHMENT THAT OFFERS SLEEPING

9 ACCOMMODATIONS FOR COMPENSATION WITH THE EXCEPTION OF A

10 BED AND BREAKFAST ESTABLISHMENT.

11 (4) SECTION C202 IS AMENDED BY ADDING THE FOLLOWING DEFINITION

12 BETWEEN THE WORDS "MANUAL" AND "NAMEPLATE HORSEPOWER";

13 MASTER CONTROL DEVICE. MEANS A CONTROL THAT IS ACTIVATED

14 WHEN A PERSON ENTERS THE ROOM THROUGH THE PRIMARY ROOM-

15 ACCESS METHOD; OR AN OCCUPANCY SENSOR CONTROL THAT IS

16 ACTIVATED BY A PERSON'S PRESENCE IN THE ROOM.

17 (5) NEW SUBSECTION C405.2.1.5 IS ADDED AS FOLLOWS:

18 **C405.2.1.5 HOTEL GUEST ROOMS.** EACH HOTEL GUEST ROOM SHALL BE

19 EQUIPPED WITH A MASTER CONTROL DEVICE THAT AUTOMATICALLY

20 TURNS OFF THE POWER TO ALL OF THE LIGHTING FIXTURES IN THE

21 GUEST ROOM NO MORE THAN 30 MINUTES AFTER THE ROOM HAS BEEN

22 VACATED.

23 (6) SUBSECTION R101.1 IS AMENDED BY DELETING "NAME OF

24 JURISDICTION" AND INSERTING IN LIEU THEREOF "HARFORD COUNTY,

25 MARYLAND";

26 (7) SUBSECTION R102.1.1 IS AMENDED BY ADDING THE FOLLOWING AT THE

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1 END OF THE SECTION. “COMPLIANCE WITH THE SILVER RATING OF THE
2 ICC 700 NGBS AS CODIFIED IN THE ANNOTATED CODE OF MARYLAND,
3 PUBLIC SAFETY ARTICLE §12-509(A).”

4 (8) SECTIONS R103 THROUGH R110 OF THE 2021 INTERNATIONAL ENERGY
5 CONSERVATION CODE ARE DELETED AND SECTIONS 102 THROUGH 117
6 OF § 82-2B OF THE HARFORD COUNTY CODE SHALL INSERTED IN LIEU
7 THEREOF.

8 (9) SUBSECTION R401.2.5 IS AMENDED BY ADDING THE FOLLOWING AFTER
9 ITEM NUMBER 3 “4. FOR BUILDINGS COMPLYING WITH SECTION
10 R402.1.3.1, THE STRUCTURE SHALL COMPLY WITH THE ADDITIONAL
11 ENERGY FEATURES OF SECTION R408.3.

12 (15) NEW SUBSECTION R402.1.3.1 IS ADDED AS FOLLOWS:

13 **R402.1.3.1 MARYLAND ALTERNATIVE R-VALUE.** ASSEMBLIES WITH AN
14 R-VALUE OF INSULATION MATERIALS EQUAL TO OR GREATER THAN
15 THAT SPECIFIED IN TABLE R402.1.3.1 SHALL BE AN ALTERNATIVE TO
16 THE U-FACTOR IN TABLE R402.1.2 WHEN COMBINED WITH SECTION
17 R408.3. THE PROVISION OF SECTION R408.2.1 SHALL BE APPLIED TO THE
18 BASE MODEL HOUSE TO ESTABLISH THE REFERENCE BASE DESIGN
19 ESTABLISHING ENERGY EFFICIENCY.

TABLE (R402.1.3.1)

MD ALTERNATIVE INSULATION MINIMUM R-VALUES AND FENESTRATION REQUIREMENTS BY COMPONENT^a

Climate Zone	Fenestration U-Factor ^{b,i}	Skylight ^b U-Factor	Glazed Fenestration SHGC ^{b,e}	Ceiling R-Value	Wood Frame Wall R-Value ^e	Mass Wall R-Value ^h	Floor R-Value	Basement ^{c,g} Wall R-Value	Slab ^d R-Value & Depth	Crawl Space ^{c,g} Wall R-Value
4 except Marine	0.30	0.55	0.40	49	20 or 15+3 ^e	8/13	19	10ci or 13	10ci, 4ft	11ci or 13
5	0.30 ⁱ	0.55	0.40	49	20 or 15+3 ^e	13/17	30	15ci or 19 or 13 + 5ci	10ci, 4ft	15ci or 19 Or 13 + 5ci

For SI: 1 foot = 304.8 mm.
NR = Not Required.
ci = continuous insulation.

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- a. R-values are minimums. U-factors and SHGC are maximums. Where insulation is installed in a cavity that is less than the label or design thickness of the insulation, the installed R-value of the insulation shall be not less than the R-value specified in the table.
- b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration. Exception: In Climate Zones 0 through 3, skylights shall be permitted to be excluded from glazed fenestration SHGC requirements provided that the SHGC for such skylights does not exceed 0.30.
- c. "5ci or 13" means R-5 continuous insulation (ci) on the interior or exterior surface of the wall or R-13 cavity insulation on the interior side of the wall. "10ci or 13" means R-10 continuous insulation (ci) on the interior or exterior surface of the wall or R-13 cavity insulation on the interior side of the wall. "15ci or 19 or 13 & 5ci" means R-15 continuous insulation (ci) on the interior or exterior surface of the wall; or R-19 cavity insulation on the interior side of the wall; or R-13 cavity insulation on the interior of the wall in addition to R-5 continuous insulation on the interior or exterior surface of the wall.
- d. R-5 insulation shall be provided under the full slab area of a heated slab in addition to the required slab edge insulation R-value for slabs, as indicated in the table. The slab-edge insulation for heated slabs shall not be required to extend below the slab.
- e. There are no SHGC requirements in the Marine Zone.
- f. Basement wall insulation is not required in Warm Humid locations as defined by Figure R301.1 and Table R301.1.
- g. The first value is cavity insulation; the second value is continuous insulation. Therefore, as an example, "13 & 5" means R-13 cavity insulation plus R-5 continuous insulation.
- h. Mass walls shall be in accordance with Section R402.2.5. The second R-value applies where more than half of the insulation is on the interior of the mass wall.
- i. A maximum U-factor of 0.32 shall apply in Climate Zones 3 through 8 to vertical fenestration products installed in buildings located either:
1. Above 4,000 feet in elevation, or
 2. In windborne debris regions where protection of openings is required by Section R301.2.1.2 of the International Residential Code.

- 7 (16) SUBSECTION R402.2.1 IS AMENDED BY ADDING "OR SECTION R402.1.3.1"
- 8 BETWEEN "R402.1.3" AND "REQUIRES" IN THE SECOND AND SEVENTH
- 9 LINE.
- 10 (17) SUBSECTION R402.2.2 IS AMENDED BY ADDING "OR SECTION R402.1.3.1"
- 11 BETWEEN "R402.1.3" AND "REQUIRES" IN THE SECOND AND ELEVENTH
- 12 LINE.
- 13 (18) NEW SUBSECTION R408.3 AS FOLLOWS:
- 14 **R408.3 MARYLAND ALTERNATIVE ADDITIONAL ENERGY EFFICIENCY**
- 15 **PACKAGE OPTIONS. THE PROVISIONS OF THIS SECTION SHALL BE**
- 16 **APPLIED AS PART OF THE PRESCRIPTIVE COMPLIANCE PATH OF**
- 17 **SECTION R402.1.3.1. ADDITIONAL ENERGY EFFICIENCIES FROM TABLE**
- 18 **R408.3 MUST BE SELECTED TO MEET OR EXCEED A MINIMUM**
- 19 **PERCENTAGE INCREASE OF 6%.**

	Energy Feature	Percentage Increase for Climate Zone 4
1	≥ 2.5% reduction in total UA ⁵	1%
2	≥ 5% reduction in total UA ⁵	2%
3	> 7.5% reduction in total UA ⁵	2%
4	0.22 U-factor windows ⁵	3%
5	High performance cooling system (Greater than or equal to 18 SEER and 14 EER air conditioner) ²	3%
6	High performance cooling system (Greater than or equal to 16 SEER and 12 EER air conditioner) ²	3%
7	High performance gas furnace (Greater than or equal to 96 AFUE natural gas furnace) ²	5%
8	High performance gas furnace (Greater than or equal to 92 AFUE natural gas furnace) ²	4%
9	High performance heat pump system (Greater than or equal to 10 HSPF/18 SEER air source heat pump.) ²	6%
10	High performance heat pump system (Greater than or equal to 9 HSPF/16 SEER air source heat pump.) ²	5%

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11	Ground source heat pump (Greater than or equal to 3.5 COP ground source heat pump.) ²	6%
12	Fossil fuel service water heating system (Greater than or equal to 82 EF fossil fuel service water-heating system.)	3%
13	High performance heat pump water heating system option (Greater than or equal to 2.9 UEF electric service water-heating system.)	8%
14	High performance heat pump water heating system. (Greater than or equal to 3.2 UEF electric service water-heating system.)	8%
15	Solar hot water heating system (Greater than or equal to 0.4 solar fraction solar water-heating system.)	6%
16	More efficient HVAC distribution system. (100 percent of ductless thermal distribution system or hydronic thermal distribution system located completely inside the building thermal envelope.)	10%
17	100% of ducts in conditioned space. (100 percent of duct thermal distribution system located in conditioned space as defined by Section R403.3.2.)	12%
18	Reduced total duct leakage. (When ducts are located outside conditioned space, the total leakage of the ducts, measured in accordance with R403.3.5, shall be in accordance with one of the following: a. Where air handler is installed at the time of testing, 2.0 cubic feet per minute per 100 square feet of conditioned floor area. b. Where air handler is not installed at the time of testing, 1.75 cubic feet per minute per 100 square feet of conditioned floor area.)	1%
19	2 ACH50 air leakage rate with ERV or HRV installed. (Less than or equal to 2.0 ACH50, with either an Energy Recovery Ventilator (ERV) or Heat Recovery Ventilator (HRV) installed.) ³	10%
20	2 ACH50 air leakage rate with balanced ventilation. (Less than or equal to 2.0 ACH50, with balanced ventilation as defined in Section 202 of the 2021 International Mechanical Code.) ⁴	4%
21	1.5 ACH50 air leakage rate with ERV or HRV installed. (Less than or equal to 1.5 ACH50, with either an ERV or HRV installed.) ⁴	12%
22	1 ACH50 air leakage rate with ERV or HRV installed. (Less than equal to 1.0 ACH50, with either an ERV or HRV installed.) ⁴	14%
23	Energy Efficient Appliances (Minimum 3 appliances not to exceed 1 form each type with follow efficiencies. Refrigerator - Energy Star Program Requirements, Product Specification for Consumer Refrigeration Products, Version 5.1 (08/05/2021), Dishwasher - Energy Star Program Requirements for Residential Dishwashers, Version 6.0 (01/29/2016), Clothes Dryer - Energy Star Program Requirements, Product Specification for Clothes Dryers, Version 1.1 (05/05/2017) and Clothes Washer - Energy Star Program Requirements, Product Specification for Clothes Washers, Version 8.1 (02/05/2018)	7%
24	Renewable Energy Measure. ⁴	11%

1. Energy efficiency percentage increases as established by PNNL.
2. For multiple cooling systems, all systems shall meet or exceed the minimum efficiency requirements in this section and shall be sized to serve 100 percent of the cooling design load. For multiple heating systems, all systems shall meet or exceed the minimum efficiency requirements in this section and shall be sized to serve 100 percent of the heating design load. Increases to minimum efficiency requirements are limited to one selection.
3. Minimum HRV and ERV requirements, measured at the lowest tested net supply airflow, shall be greater than or equal to 75 percent Sensible Recovery Efficiency (SRE), less than or equal to 1.1 cubic feet per minute per watt (0.03 m³/min/watt) and shall not use recirculation as a defrost strategy. In addition, the ERV shall be greater than or equal to 50 percent Latent Recovery/ Moisture Transfer (LRMT).
4. Renewable energy resources shall be permanently installed that have the capacity to produce a minimum of 1.0 watt of on-site renewable energy per square foot of conditioned floor area. The installed capacity shall be in addition to any onsite renewable energy required by Section R404.4. To qualify for this option, one of the following forms of documentation shall be provided to the code official:
 - i. Substantiation that the RECs associated with the on-site renewable energy are owned by, or retired on behalf of, the homeowner.
 - ii. A contract that conveys to the homeowner the RECs associated with the on-site renewable energy, or conveys to the homeowner an equivalent quantity of RECs associated with other renewable energy.
5. Reduction in total UA from lines 1, 2 or 3 and higher performance windows from line 4 are limited to a single selection.

20 ARTICLE V INTERNATIONAL SWIMMING POOL AND SPA CODE

21 § 82-12. ADOPTION OF 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE.

22 A. THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE PUBLISHED BY
 23 THE INTERNATIONAL CODE COUNCIL, INC., IS HEREBY ADOPTED AND BY
 24 REFERENCE THERETO IS MADE A PART OF THIS CHAPTER WITH THE SAME
 25 FORCE AND EFFECT AS THOUGH SET OUT IN FULL HEREIN, SAVE AND EXCEPT
 26 SUCH CHANGES, AMENDMENTS, REVISIONS, DELETIONS, SUBSECTIONS
 27 AND/OR ADDITIONS AS SPECIFIED IN THIS CHAPTER. IF CONFLICTS WITH
 28 THIS CODE, OR WITH CHANGES, AMENDMENTS, REVISIONS, DELETIONS,

7 SUBSECTIONS AND/OR ADDITIONS TO THAT CODE ARE FOUND ELSEWHERE
8 IN THE COUNTY CODE, THE MOST RESTRICTIVE PROVISIONS SHALL GOVERN.

9 B. AT LEAST ONE COPY OF THIS CODE AND SUPPLEMENTS THERETO SHALL BE
10 ON FILE AND OPEN FOR PUBLIC USE, EXAMINATION AND INSPECTION IN THE
11 OFFICE OF THE DIRECTOR OF ADMINISTRATION AND IN THE OFFICE OF THE
12 COUNCIL ADMINISTRATOR.

13 **§ 82-13. MODIFICATIONS.**

14 A. Definitions.

15 (1) AS USED WITHIN THE INTERNATIONAL SWIMMING POOL AND SPA CODE,
16 THE TERM "INTERNATIONAL BUILDING CODE" MEANS THE INTERNATIONAL
17 BUILDING CODE AS ADOPTED IN ARTICLE I OF THIS CHAPTER.

18 (2) AS USED WITHIN THE INTERNATIONAL SWIMMING POOL AND SPA CODE,
19 THE TERM "INTERNATIONAL RESIDENTIAL CODE" MEANS THE
20 INTERNATIONAL RESIDENTIAL CODE AS ADOPTED IN ARTICLE II OF THIS
21 CHAPTER.

22 (3) AS USED IN THIS CODE, THE TERM "NFPA-70" MEANS THE HARFORD
23 COUNTY ELECTRICAL CODE, CHAPTER 105 (ARTICLE I, SECTION 105-3, ET SEQ.)
24 OF THE HARFORD COUNTY CODE.

25 (4) AS USED IN THIS CODE, THE TERM "INTERNATIONAL FUEL GAS CODE"
26 MEANS THE HARFORD COUNTY PLUMBING CODE, CHAPTER 202 (SECTION 202-
27 1, ET SEQ.) OF THE HARFORD COUNTY CODE.

28 (5) AS USED IN THIS CODE, THE TERM "INTERNATIONAL PLUMBING CODE"
29 MEANS THE HARFORD COUNTY PLUMBING CODE, CHAPTER 202 (SECTION 202-
30 1, ET SEQ.) OF THE HARFORD COUNTY CODE.

31 B. THE FOLLOWING SECTIONS ARE CHANGES OR ADDITIONS TO CERTAIN
32 SECTIONS OF THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE:

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- 7 (1) SUBSECTION 101.1 IS AMENDED BY DELETING “NAME OF JURISDICTION”
8 AND INSERTING IN LIEU THEREOF “HARFORD COUNTY, MARYLAND”.
- 9 (2) SECTIONS 103 THROUGH 114 OF THE 2021 INTERNATIONAL SWIMMING
10 POOL AND SPA CODE ARE DELETED AND SECTIONS 102 THROUGH 117 OF
11 § 82-2B OF THE HARFORD COUNTY CODE SHALL BE INSERTED IN LIEU
12 THEREOF.
- 13 (3) SUBSECTION 395.1 IS DELETED AND THE FOLLOWING IS INSERTED IN
14 LIEU THEREOF:
- 15 **[305.1] 395.1 GENERAL.** THE PROVISIONS OF THIS SECTION SHALL APPLY TO
16 THE DESIGN OF BARRIERS FOR RESTRICTING ENTRY INTO AREAS HAVING
17 POOLS AND SPAS. WHERE SPAS OR HOT TUBS AS EQUIPPED WITH A LOCKABLE
18 SAFETY COVER COMPLYING WITH ASTM F1346, THE AREAS WHERE THOSE
19 SPAS OR HOT TUBS ARE LOCATED SHALL NOT BE REQUIRED TO COMPLY WITH
20 SECTIONS 305.2 THROUGH 305.7.

21 **Article [IV]VI. Miscellaneous provisions**

22 **§ 82-1[0]4. Employee Restrictions.**

23 An official or employee connected with the department of inspections, licenses and permits, except
24 one whose only connection is that of a member of the board of appeals, established under the
25 provisions of Appendix B of Chapter 82 of the Harford county code, a member of the Harford
26 County Electrical Board, a member of the Harford County Plumbing Board or a member of the
27 Harford County Mechanical Board, shall not be compensated in any manner, directly or indirectly,
28 for the furnishing of labor, materials or appliances for the construction, alteration or maintenance of
29 a building, or for the preparation of construction documents thereof, nor shall such official or
30 employee engage in any work that conflicts with the interest of the department.

31 **§ 82-1[1]5. Saving clause.**

32 Nothing in this chapter hereby adopted shall be construed to affect any suit or proceedings pending

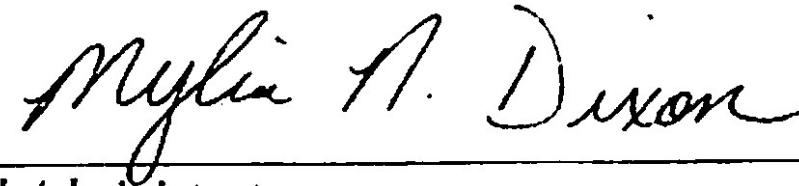
BILL NO. 24-005
As Amended

7 in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or
8 existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of
9 any character be lost, impaired or affected by this ordinance.

10 Section 2. And Be It Further Enacted that this Act shall take effect [60 calendar days from the date
11 it becomes law] MAY 29, 2024.

EFFECTIVE: May 20, 2024

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator