

Bill No. 15-03

Concerning: 2015 Building Code Updates

Revised: _____ Draft No. _____

Introduced: May 5, 2015

Expires: _____

Enacted: _____

Executive: _____

Effective: _____

Frederick County Code, Chapter 1-6, Section(s) 16, 18A, and 18B

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Otis on behalf of the County Executive

AN ACT to:

Update the Frederick County Building Code by adopting the 2015 Editions of the International Building Code and International Residential Code, including the amendments adopted by the state of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07), and subject to the local amendments described § 1-6-18A and § 1-6-18B.

By amending:

Frederick County Code, Chapter 1-6, Section(s) 16, 18A, and 18B
Other:

Boldface

Heading or defined term.

Underlining

Added to existing law by original bill.

[Single boldface brackets]

Deleted from existing law by original bill.

Double underlining

Added by amendment.

[[Double boldface brackets]]

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

Bill No. _____

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend the Frederick County Code to adopt the 2015 Editions of the International Building Code and International Residential Code, including the amendments adopted by the state of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07), and subject to the local amendments described § 1-6-18A and § 1-6-18B.

NOW, THEREFORE, BE IT IN ENACTED, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

Harold F. (Bud) Otis, President
County Council of Frederick County,
Maryland

CHAPTER 1-6: BUILDINGS

* * *

ARTICLE II: BUILDING CODE

§ 1-6-16. ADOPTED.

The County hereby adopts the International Building Code, [2012] 2015 Edition and the International Residential Code, [2012] 2015 Edition, including the amendments adopted by the State of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07), and subject to the local amendments described below in § 1-6-18A and § 1-6-18B.

* * *

§ 1-6-18A. LOCAL AMENDMENTS TO INTERNATIONAL BUILDING CODE.

The International Building Code, [2012] 2015 Edition as adopted by the State of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07) is hereby amended as described and shown below:

Subsection 101.2 is hereby amended by adding the following exception:

Exception 2: Agricultural Buildings. The provisions of this code shall not apply to the construction, alteration, addition, repair, removal, demolition, use, location or maintenance of agricultural buildings. This provision does not exempt the owner from obtaining required electrical or plumbing permits, nor from complying with all other applicable local, state and federal regulations, laws, and ordinances. An “agricultural building” for purposes of this subsection means a building or structure utilized for agricultural activity as defined in the International Building Code:

"Agricultural Building. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public."

Subsection 101.2.1, Appendices, is hereby amended with the addition of the following language:

Provisions in the appendices shall not apply unless specifically adopted. The following appendices are adopted in their entirety:

Appendix C, Group U, Agricultural Buildings

Appendix F, Rodent Proofing

Appendix G, Flood Resistant Construction

Appendix H, Signs

Appendix I, Patio Covers

Subsection 101.4.3 is hereby amended to read as follows:

101.4.3 Plumbing. The provisions of the Frederick County Plumbing Code shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, and where connected to a water or sewage system and as aspects of a medical gas system. The provisions of the Frederick County Plumbing Code shall apply to private sewage disposal systems.

Subsection 101.4.[7]8 is hereby added to read as follows:

101.4.[7]8 Electrical. The provisions of the Frederick County Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Subsection 105.2 is hereby modified to read as follows:

105.2 Work exempt from permit.

Building:

1. One-story detached accessory structures with eave heights less than 10 feet, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 150 square feet.
2. Fences - delete "not over 7 feet high".

{Items 3 – 13 unchanged}

Subsection 105.3.1 is hereby amended to read as follows:

105.3.1 Action on application. The administrative authority shall examine or cause to be examined applications for permits and revisions thereto within a reasonable time after filing by routing the application to appropriate agencies and departments for their review. If the application or the construction documents do not conform to the requirements of pertinent laws, the administrative authority shall reject such application in writing, stating the reasons therefore. If the building official and the reviewing agencies and departments are satisfied that the proposed work conforms to the requirements of this code, laws and ordinances applicable thereto, the administrative authority shall issue a permit therefore as soon as practicable.

Subsection 105.3.2. is hereby amended to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the administrative authority is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Subsection 105.5 is hereby amended to read as follows:

Expiration. Every permit issued shall expire one year from the date of issuance unless the final building inspection has been approved, or an extension has been granted. The building official is authorized to grant, in writing, a one (1) year extension prior to the expiration date of the permit, provided that work on the site authorized by such permit is commenced within (one) 1 year of permit issuance. Commencement of work is evidenced by the administrative authority approval of the first required building inspection. The extensions shall be requested in writing and justifiable cause demonstrated.

Subsection 108.1 is hereby amended to read as follows:

108.1 General. The administrative authority is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 1 year.

Subsection 111.2 is hereby deleted in its entirety and replaced with the following:

111.2 Certificate issued. When a structure is entitled thereto, the administrative authority shall issue a certificate of occupancy upon completion of the final inspections in accordance with Section 110.3.10, correction of the violations and discrepancies, and approval for occupancy is given from the departments and agencies that gave approvals for the issuance of the zoning certificate/building permit.

Subsection 112.4 is hereby added to read as follows:

112.4 Service connections. Before a structure is demolished or removed, the owner or agent shall notify all utilities having service connections to the structure such as water, electric, gas, sewer and other connections.

Subsection 112.5 is hereby added to read as follows:

112.5 Notice to adjoining owners. Written notice shall be given by the applicant to the owners of adjoining lots and to the owners of wired or other facilities, of which the temporary removal is necessitated by the proposed work, prior to the removal of a building or structure.

Subsection 113.4 is hereby created to read as following:

113.4 Appeals. Any party aggrieved by a decision of the Board of Appeals shall have the right to appeal an adverse decision to the County Executive.

Subsection 308.6.1, Child care facility - The [exception]section is hereby deleted in its entirety and replaced with the following:

Subsection 308.6.1 [Exception]: A child day care facility that provides for more than five but no more than 49 children 2½ years or less of age, when the rooms where such children are cared for are located on the level of the exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E.

Delete Section 501.2 Address Identification in its entirety.

Subsection 507.[3]4, Sprinklered, one story, is hereby amended to read as follows:

The area of a one or two-story, Group B, F, M, or S building, of Type I or II construction, shall not be limited when the building is provided with automatic sprinkler systems throughout in accordance with Section 903.1.1 and is surrounded and adjoined by public ways or yards not less than 60 feet in width. (Note: Exceptions for Section 507.[3]4 are unchanged from the IBC).

Subsection 708.1, General, is hereby amended to read as follows:

6. Walls and floor/ceiling assemblies separating [other] tenant spaces shall be constructed at a minimum as fire partitions in accordance with Section 708 or Section 711. Exception: In fully sprinklered buildings, openings in corridor walls are not required to be protected.

Subsection 903.2.9, Group S-1, is hereby amended by adding a new subparagraph 6 as follows:

6. Throughout all mini storage buildings with fire areas greater than 2500 square feet in area.

Subsection 903.4.3, Floor control valves, is hereby amended to read as follows:

Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in multi- story buildings. Each floor of a building shall be zoned separately with maximum zone sizes in accordance with the provisions of NFPA #13. Fire alarm zones shall coincide with sprinkler system zones.

Subsection 905.2, Installation standards, is hereby amended to add two exceptions as follows:

Exceptions:

(1) The residual pressure requirements from an automatic water supply are not required in buildings equipped throughout with an approved automatic sprinkler system and where the highest floor level is not more than 75 feet above the lowest level of the Fire Department access. Pipe sizes shall be hydraulically calculated based on maintaining a residual pressure of 100 psi flowing 500 gpm at the hydraulically most remote hose outlet based on a pressure of 150 psi available at the Fire Department connection. An additional 250 gpm shall be added at the point of connection for each additional riser up to a maximum of 1250 gpm. The minimum riser pipe size shall be 4" nominal diameter.

(2) All Class I standpipes shall have a minimum size hose connection of 2½" and shall be equipped with a 1½" reducing adapter.

Subsection 905.4, Location of Class I standpipe hose – connection, is hereby amended and modified to read as follows:

1. In every required stairway, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at the level of stair entry.

Subsection 907.6.3 is hereby amended to read as follows:

907.6.[3]4 Zones. Each floor shall be zoned separately. Where the building is not protected throughout by an automatic sprinkler system in accordance with Section 903, a zone shall not exceed 22,500 square feet (2090 m²) and the length of any zone shall not exceed 300 feet (91440 mm) in any direction. Where the building is protected by an automatic sprinkler system in

accordance with Section 903, the area of the fire alarm zone shall coincide with the area of the sprinkler system.

Delete exception.

Subsection 1010.1.9.3[1008.1.9.3], Locks and latches - subparagraph 2 is hereby amended as follows:

2. In buildings in Occupancy Group A having an occupant load of 99 or less, Groups B, F, M and S, and in places of religious worship, the main exterior door or doors are permitted to be equipped with locks from the egress side provided:

2.1. The locks, if provided, shall not require the use of a key, a tool, special knowledge, or effort for operation from the egress side.

2.2 (deleted)

2.3. (deleted)

Subsection 102[7]8.4.2, Constructions and openings, is hereby deleted and replaced with the following:

Where an egress court serving a building or portion thereof is less than 10 feet (3048 mm) in width, all egress court enclosure walls shall have not less than 1-hour fire-resistance-rated construction for a distance of 10 feet (3048 mm) above the floor of the court. Openings within such walls shall be protected by opening protectives having a fire protection rating of not less than $\frac{3}{4}$ hour.

(Exceptions 1. and 2. remain unchanged.)

Subsection 102[8]9.2, Assembly main exit is hereby deleted and replaced with the following:

Group A occupancies consisting of bars with live entertainment, dance halls, discotheques, nightclubs, and assembly occupancies with festival seating, that have an occupancy load of greater than 50 shall be provided with a main exit. The main exit shall be of sufficient width to accommodate not less than two thirds (2/3) of the occupant load, but such width shall not be less than the total required width of all means of egress leading to the exit. In assembly occupancies, other than those listed above, the main entrance/exit shall be a width that accommodates one-half of the total occupant load. Where the building is classified as a Group A occupancy, the main exit shall front on at least one street or an unoccupied space of not less than 10 feet (3048 mm) in width that adjoins a street or public way. [(The exception remains unchanged)]

Chapter 11. Accessibility. The provisions of IBC Chapter 11 shall apply to all matters affecting the design and construction of facilities for accessibility to physically disabled persons except where the provisions of COMAR Section 05.02.02, the Maryland Accessibility Code, are more stringent in which case they shall apply.

Subsection 1608.2 is hereby amended by adding the following:

1608.2 ... The design roof load of any roof shall be thirty (30) PSF or greater for ground snow load except as required by Figure 1608.2

Subsection 1809.5, Frost protection - Exception 2, is hereby amended as follows:

2. Area of 400 square feet or less; and

Chapters 27, 29 and 30 of the International Building Code, [2012] 2015 Edition are hereby deleted in their entireties.

Electrical components, equipment and systems used in buildings and structures shall be designed and constructed in accordance with the Frederick County Electrical Code (Chapter 1-7, Article III of the Frederick County Code).

The provisions of the International Plumbing Code, as adopted by Frederick County (Chapter 1-14, Article IV of the Frederick County Code), shall govern the erection, installation, alteration, repairs, relocation, replacement addition to, use or maintenance of plumbing equipment and systems.

Subsection 3107.[0]1 is hereby adopted to read as follows:

3107.[0]1 Signs. All signs shall comply with the requirements of the Frederick County Zoning Ordinance.

Subsection 3401.1 is hereby deleted in its entirety.

The alteration, repair, addition and change of occupancy of existing structures in Frederick County shall be governed by the Maryland Building Rehabilitation Code (International Existing Building Code), adopted under the authority of the State of Maryland, Department of Housing and Community Development, Annotated Code of Maryland, Public Safety Article § 12-1004 (COMAR 05.16).

§ 1-6-18B. LOCAL AMENDMENTS TO INTERNATIONAL RESIDENTIAL CODE.

The County hereby adopts the International Residential Code, [2012] 2015 Edition including the amendments adopted by the State of Maryland in the Maryland Building Performance Standards (COMAR 05.02.07) with the amendments described and shown below.

Subsection R102.7.1 is hereby deleted in its entirety and replaced with the following:

The alteration, repair, addition and change of occupancy of existing structures in Frederick County shall be governed by the Maryland Building Rehabilitation Code (International Existing Building Code) adopted under the authority of the State of Maryland, Department of Housing and Community Development, Annotated Code of Maryland Local Government Article § 12-1004 (COMAR 05.16)

Subsection R105.2, Work exempt from permit - Building - Subparagraph 1 is hereby deleted and replaced with the following:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 150 square feet.

Subsection R105.2, Work exempt from a permit - Building Subparagraph 10 is amended as follows:

Replace 200 sq. ft. with 150 sq. ft.

Subsection R105.2 is hereby amended to add the following:

R105.2 (11) Agricultural Buildings. The provisions of this code shall not apply to the construction, alteration, addition, repair, removal, demolition, use, location or maintenance of agricultural buildings. This provision does not exempt the owner from obtaining required electrical or plumbing permits, nor from complying with all other applicable local, state and federal regulations, laws, and ordinances. An "agricultural building" for purposes of this subsection means a building or structure utilized for agricultural activity as defined in the International Building Code:

"Agricultural Building. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public."

Subsection R105.2 Electrical Subsection Exemption #4 is deleted in its entirety.

Subsection R105.3.1.1 is hereby deleted in its entirety.

Subsection R105.5 - Expiration, is hereby deleted and replaced with the following:

R105.5 Expiration. Every permit issued shall expire one year from the date of issuance unless the final building inspection has been approved, or an extension has been granted. The building official is authorized to grant, in writing, a one (1) year extension prior to the expiration date of the permit, provided that work on the site authorized by such permit is commenced within (one) 1 year of permit issuance. Commencement of work is evidenced by the building official's approval of the first required building inspection. The extension shall be requested in writing and justifiable cause demonstrated.

IRC Chapter 2. Definitions

The following new definition is hereby added:

Mobile home. A transportable structure built prior to June 15, 1976, otherwise meeting the same dimensional limits as used to describe a manufactured home.

The definition of manufactured home is hereby modified by adding the following language to the end of the definition:

All manufactured/mobile homes designed and built solely for residential purposes or human habitation must bear a HUD label certifying compliance with the federal standards. Non-labeled manufactured homes and mobile homes shall be prohibited from being relocated into Frederick County.

Table R301.2(1) is to be filled in as follows:

Ground Snow Load (pounds per square foot) = 30 psf except as required by Figure R301.2 (5)

Wind Speed [90]115 (MPH)

Topographic Effects = No

Special Wind Region = No

Wind-Borne Debris Zone = No

Seismic Design Category = B

Subject to damage from

Weathering = Severe

Frost Line Depth = 30 inches

Termite = Yes (moderate/heavy)

Winter Design Temp. = 12 deg. F

Table R301.2(1) is hereby modified by the addition of the following:

Ice shield underlayment requirement = Yes

Flood hazard = As determined by Community Development Division

Air freezing index = Greater than 1,500

Mean annual temperature = 52 degrees Fahrenheit

Section R313 is hereby deleted in its entirety and replaced with the following:

Section R313 Approved Automatic Sprinkler Systems in accordance with NFPA #13D shall be provided throughout all residential occupancies as required by the Frederick County Sprinkler Ordinance (No. 06-26-422).

Section R319 is hereby deleted in its entirety and replaced with the following:

Section R319 Site Address and Premises Identification shall be in accordance with the Frederick County Address Ordinance No. 05-01-362.

Subsection R403.1.4.1, Frost Protection - The exceptions are deleted and amended to read as follows:

1. Freestanding accessory storage structures with an area of at least 150 square feet but less than 401 square feet, and an eave height of not more than 10 feet (3048 mm) shall not be required to be protected, but structures that are less than 401 square feet must be provided with a minimum of 4 permanent tie-downs that are designed to withstand the applicable wind load requirements according to the adopted building code.
2. Decks exceeding 150 square feet in area and not supported by a dwelling will require footings according to the building code unless joist members are in direct contact with the earth.
3. Structures with an area 401 square feet or more will require permanent footings and/or foundations according to the applicable sections of the building code.

Subsection R405.1, Concrete or masonry foundation - The following language shall be added to the end of the exception:

Or as otherwise approved in accordance with the Catoctin and Frederick Soil Conservation District Maps (issued May 2001, as amended).

R807.1 Attic Access is hereby amended to add the following:

Where air-handling units, [or] water heaters, or similar equipment are installed in attics in residential structures, access to the attic opening shall be provided by a permanent or pull-down stairway in all new construction.

IRC Chapter 11 is hereby deleted in its entirety. The provisions of the International Energy Conservation Code [2012]2015, shall govern the design and construction of buildings in regard to energy efficiency.

IRC Chapters 12 – 23 are hereby deleted in their entirety. Regulation of the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions within the building shall be installed according to the International Mechanical Code [2012]2015 or the Mechanical Code adopted pursuant to the provisions of Md. Code Ann., Business Regulations Article, § 9A-205.

IRC Chapter 24 is hereby deleted in its entirety. The provisions of the International Fuel Gas Code [2012]2015, shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of fuel gas equipment and systems.

IRC Chapters 25 – 33 are hereby deleted in their entirety. The provisions of the International Plumbing Code, as adopted by Frederick County, shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems.

IRC Chapters 34 - 43 are hereby deleted in their entirety. Electrical components, equipment and systems used in buildings and structures shall be designed and constructed in accordance with the Frederick County Electrical Code.

IRC Chapter 44 - Standards listed in this chapter shall be considered part of the requirements of this code. Where differences occur between provisions of this code and the referenced standard, the provisions of this code shall apply.

IRC Appendix E -Manufactured housing used as dwelling, is hereby adopted with the following amendments:

The definition of manufactured home in Appendix E, AE201 is hereby deleted and replaced with definition of manufactured home in IRC Chapter 2.

Sections AE302, AE303, AE304 are hereby deleted in their entirety and Chapter 1, Administration, as adopted by Frederick County shall govern applications for permits, permit issuance, and fees.

IRC Appendix F, Radon control methods, is hereby adopted, with the following amendments:

Addition of the following exception:

Buildings in which an approved mechanical crawl space ventilation system or other equivalent system is installed, or that are passively ventilated in accordance with section R408.2 of this code.

Sections AF103.[5.3]3.2 and AF103.[6.1]4.3 are hereby amended to add the following text:

Vent pipe must extend vertically straight through the roof for passive sub-membrane depressurization systems.

Exception: No single offset shall exceed 45 degrees to jog the vent pipe around an obstacle.

[IRC Appendix G, Swimming pools, spas and hot tubs, is hereby adopted in its entirety.]

IRC Appendix H - Patio covers, is hereby adopted in its entirety.

IRC Appendix K - Sound transmission, is hereby adopted in its entirety.

IRC Appendix S – Strawbale construction, is hereby adopted in its entirety.

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