

MEMORANDUM

DATE: November 10, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0033-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on November 9, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File
Office of Administrative Hearings

IN RE: **PETITION FOR SPECIAL HEARING** *
(258 Henrietta Avenue)
15th Election District *
7th Council District *

Henrietta LLC
Legal Owner
Petitioner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2016-0033-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Henrietta LLC, legal owner. The Special Hearing was filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") and seeks the following relief: (1) the alteration of the minimum lot size and setback requirements in accordance with §1A04.3.B.1.b; (2) a waiver pursuant to §500.6, Building Code Section 3112.0 and Baltimore County Code B.C.C Sections 32-4-107 (a)(2), 32-4-414, 32-8-207 and 32-8-301 to add, build, rebuild and/or repair a single family dwelling in a tidal floodplain; and (3) abandonment of the tavern approval in Case No. 85-284-SPH.

Professional Engineer Mark Vaseil appeared in support of the petition. Jason T. Vettori, Esq. represented the Petitioner. Kurt Huppert, a neighbor, attended the hearing to obtain additional information regarding the requests. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (BPR). The concerns identified by those agencies will be included as conditions in the Order below.

10-9-15
DER RECEIVED FOR FILING

The subject property is 1.27 acres and zoned RC 5. A tavern was for many years operated at the site, pursuant to a 1985 zoning case which declared it to be a lawful nonconforming use. Exhibit 2, Case No. 85-284-SPH. The tavern use was discontinued long ago, and the Order below will formally abandon this nonconforming use.

The first aspect of special hearing relief concerns lot size and setbacks. Specifically, Petitioner proposes to construct a new single family dwelling on a 1.27 acre lot in lieu of the minimum 1.5 acre lot required in the RC-5 zone. In addition, the proposed dwelling would be located 70 ft. from the centerline of the road in lieu of the required 75 ft. These are both reasonable requests and the relief sought is modest. The RC-5 regulations do not require a finding of uniqueness or hardship for these modifications, as would be the case in an ordinary variance petition. As such, this aspect of the petition will be granted.

The second aspect of special hearing relief concerns a waiver request which would permit construction in a tidal floodplain. Mr. Vaseil explained that only a very small portion of the site was located within the mapped floodplain area, and that the "building envelope" shown on the plan - - where the single family dwelling would be constructed - - is at an elevation of approximately 26 ft., well above the floodplain elevation. In addition, the Bureau of Development Plans Review (BDRP) did not oppose the request. As such, this aspect of the petition for special hearing will also be granted.

THEREFORE, IT IS ORDERED this 9th day of October, 2015 by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. to permit: (1) the alteration of the minimum lot size and setback requirements (as detailed above) in accordance with §1A04.3.B.1.b; (2) a waiver pursuant to §500.6, Building Code Section 3112.0 and Baltimore County Code B.C.C Sections 32-4-107 (a)(2), 32-4-414, 32-8-207 and 32-8-301 to add, build,

ORDER RECEIVED FOR FILING

2 Date 10-9-15
By Sen

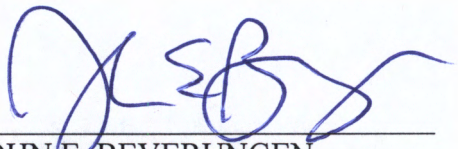
rebuild and/or repair a single family dwelling in a tidal floodplain; and (3) abandonment of the nonconforming use for the bar/tavern, established in Case No. 85-284-SPH, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with flood protection and Critical Area regulations, including but not limited to submission of the items set forth in B.C.C. § 32-8-207 (c) (2).
3. Prior to issuance of a building permit Petitioner must submit for approval by the DOP architectural elevation drawings, and must otherwise satisfy the performance standards set forth in B.C.Z.R. §1A04.4

Any appeal of this decision must be filed within thirty (30) days of the date of this Order.

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 10-9-15

By sln

John E. Beverungen

From: Jason Vettori <jvettori@sgs-law.com>
Sent: Wednesday, October 07, 2015 9:21 AM
To: John E. Beverungen
Subject: Case No. 2016-0033-SPH (258 Henrietta Ave)
Attachments: Attachment to Petition for Special Hearing.docx; resid_cklst.pdf

Judge Beverungen,

Attached hereto please find a clean copy of the final iteration of the relief requested (as I only had a marked up version at the hearing). Also, please find the checklist for requests for zoning relief for residential projects that the Zoning Review Bureau has posted online. As you can see on page 6, it lists how relief from 100-Year floodplains and waivers should be captioned. As you can see in a side by side comparison with the relief I requested, I added some sections that I thought were necessary and left in some sections that I thought were humorous (Section 3112 of the Building Code). Especially since the aforementioned sections provides that "[t]he following wording must be used"! As noted at the hearing, Part 124 of the Building Code is the proper section.

Jason T. Vettori
Smith, Gildea & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204
Phone: (410) 821-0070
Facsimile: (410) 821-0071
<http://sgs-law.com>

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this email in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

CASE NAME 2016-0033-SPH
CASE NUMBER 258 HENRIETTA AVE.
DATE 10/6/15

[illegible]

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER

DATE _____

2016-0033-SPH
10/6/15

CITIZEN'S SIGN - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8/20</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>no Obj w/c</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>9/1</u>	PLANNING (if not received, date e-mail sent _____)	<u>no Obj w/c</u>
<u>8/17</u>	STATE HIGHWAY ADMINISTRATION	<u>no Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>9/15/15</u>	
SIGN POSTING	Date: <u>9/13/15</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

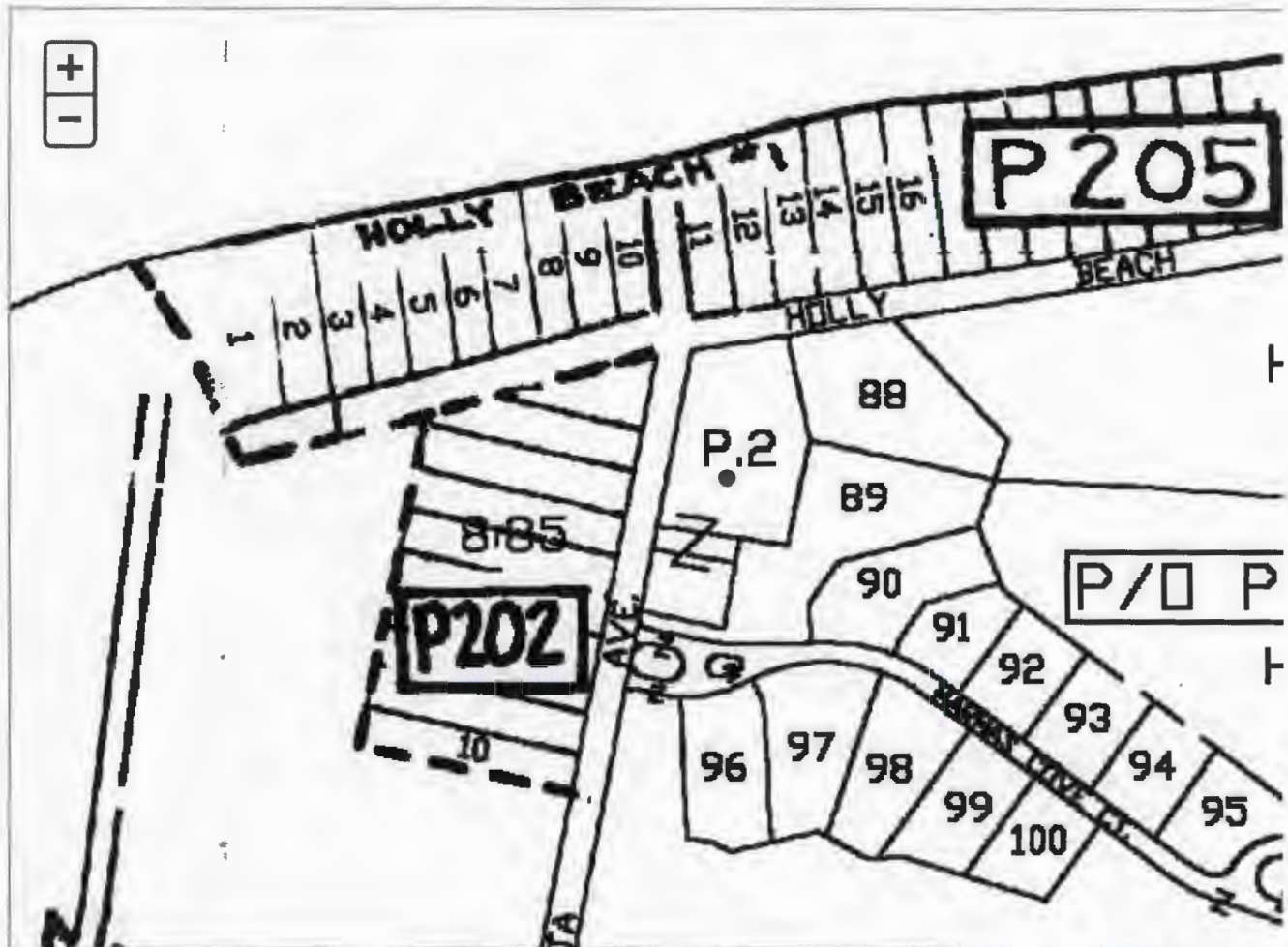
Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1512201921			
Owner Information					
Owner Name:	HENRIETTA LLC		Use:	RESIDENTIAL	
Mailing Address:	C/O LEONARD P BERGER MD 10100 COASTAL HWY OCEAN CITY MD 21840-2619		Principal Residence:	NO	
			Deed Reference:	/24959/ 00634	
Location & Structure Information					
Premises Address:		258 HENRIETTA AVE 0-0000		Legal Description:	1.27 AC 258 HENRIETTA AVE ES SE COR HOLLY BCH RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0098	0022	0002		0000	2015 Plat Ref:
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
			1.2700 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		86,000	86,000		
Improvements		0	0		
Total:		86,000	86,000	86,000	86,000
Preferential Land:		0			0
Transfer Information					
Seller: DANIELAK WAYNE T		Date: 12/21/2006		Price: \$250,000	
Type: ARMS LENGTH IMPROVED		Deed1: /24959/ 00634		Deed2:	
Seller: BERNHARDT SENA		Date: 02/03/2003		Price: \$80,000	
Type: ARMS LENGTH IMPROVED		Deed1: /17478/ 00678		Deed2:	
Seller: ROBINSON REGINALD		Date: 01/25/1989		Price: \$90,000	
Type: ARMS LENGTH IMPROVED		Deed1: /08086/ 00472		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1512201921**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



CBCA

PETITION FOR ZONING HEARING(S)

F1001

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address 258 Henrietta Avenue

which is presently zoned RC 5

Deed Reference 24959/00634

10 Digit Tax Account # 1 5 1 2 2 0 1 9 2 1

Property Owner(s) Printed Name(s) Henrietta, LLC

CASE NUMBER 2016-0033-SPH Filing Date 8/7/2015 Estimated Posting Date / / Reviewer *m*

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attached

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a **Variance** from Section(s)

Please see the attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address Date City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200, Towson, MD

Mailing Address City State

21204 (410) 821-0070 jvettori@sgs-law.com

Zip Code Telephone # Email Address

Legal Owners:

Leonard P. Berger, MD, Authorized Representative of Henrietta, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

10100 Coastal Highway, Ocean City, MD

Mailing Address City State

21840-2619, 410-524-4202 berger@clarionoc.com

Zip Code Telephone # Email Address

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name Type or Print

Signature

600 Washington Avenue, Suite 200, Towson, MD

Mailing Address City State

21204 (410) 821-0070 jvettori@sgs-law.com

Zip Code Telephone # Email Address

Attachment to
Petition for Special Hearing
(258 Henrietta Avenue)

+ 1A04.4

1. The alteration of the minimum lot size and setback requirements in accordance with BCZR § ~~1A04.3.B.1.b~~ (1); and + 500.7
2. A waiver pursuant to BCZR § 500.6, Building Code § 3112.0, and BCC §§ 32-4-107(a)(2), 32-4-414, 32-8-207 and 32-8-301 to add, build, rebuild and/or repair a single-family dwelling in a tidal floodplain; and
3. The abandonment of the tavern approval in Case No.: 85-284-SPH; and
4. Such other and further relief as the Administrative Law Judge may require.

Attachment to
Petition for Special Hearing
(258 Henrietta Avenue)

1. The alteration of the minimum lot size and setback requirements in accordance with BCZR § 1A04.3.B.1.b (1); and
2. A waiver pursuant to BCZR § 500.6, Building Code § 3112.0, and BCC §§ 32-4-107(a)(2), 32-4-414, 32-8-207 and 32-8-301 to add, build, rebuild and/or repair a single-family dwelling in a tidal floodplain; and
3. The abandonment of the tavern approval in Case No.: 85-284-SPH; and
4. Such other and further relief as the Administrative Law Judge may require.

2016-0033 SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **127378**

Date: **8/7/15**
11

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
8/07/2015 8/07/2015 09:32:41 1

RES W501 WALKIN LRS LJR
>> RECEIPT # 603087 8/07/2015 OFLW
DEPT 5 520 ZONING VERIFICATION
CR NO. 127378

Receipt Tot \$75.00
\$75.00 CK \$1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **Smith Gildea & Schmitt**

For: **258 Henrietta Ave - AKA 901 Henrietta Ave**

2015-0033 CP4

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2016-0033-SPH
Property Address: 258 HENRIETTA AVE. (K.N.A 901 HENRIETTA AVE.)
Property Description: _____
Legal Owners (Petitioners): HENRIETTA, LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JASON VETTORI
Company/Firm (if applicable): SMITH, GILDEA & SCHMIDT, LLC
Address: 600 WASHINGTON AVE.
SUITE 200
TOWSON, MD 21204
Telephone Number: (410) 821-0070

Revised 5/20/2014



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

September 30, 2015

Leonard P Berger MD
10100 Coastal Highway
Ocean City MD 21840

RE: Case Number: 2016-0033 SPH, Address: 258 Henrietta Avenue

Dear Dr. Berger:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 7, 2015. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jason T Vettori, Esquire, 600 Washington Avenue, Suite 200, Towson MD 21204

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 8/17/15

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No 2016-0033-SPH
Special Hearing
Leonard P. Berger MD
258 Henrietta Avenue.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2016-0033-SPH

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 24, 2015
Item No. 2016-0033

DATE: August 20, 2015

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

We have no objection to granting the requested waiver to build in the tidal flood plain. Prior to building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation so that the lowest floor elevation can be set.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0033-08242015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 1, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 258 Henrietta Avenue

INFORMATION:

Item Number: 16-033

Petitioner: Leonard P. Berger, MD

Zoning: RC 5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether the Administrative Law Judge should approve the alteration of the minimum lot size and setback requirements and a waiver to add, build, rebuild and/or repair a single family dwelling in a tidal floodplain.

The Department of Planning has no objection to the granting of the petitioned zoning relief. Be advised that the site is subject to the performance standards found in BCZR Section 1A04.4. Architectural elevation drawings must be submitted to the Department of Planning for review and approval at the time of building permit application.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Division Chief: Kathy Schelkshorn
AVA/KS

C: Krystle Patchak

RE: PETITION FOR SPECIAL HEARING
258 Henrietta Avenue; E/S Henrietta Ave.
SE corner of Holly Beach Road
15th Election & 7th Councilmanic Districts
Legal Owner(s): Leonard P. Berger, MD
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-033-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

AUG 17 2015

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3569180

Sold To:

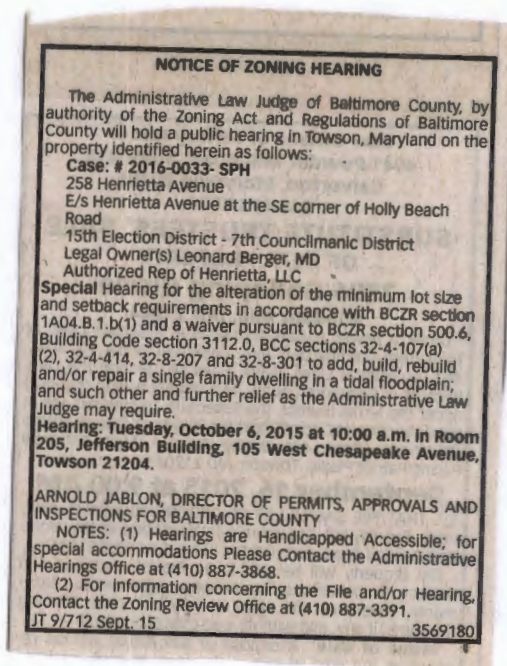
Smith Gildea & Schmidt LLC - CU00433777
600 Washington Ave Ste 200
Towson, MD 21204

Bill To:

Smith Gildea & Schmidt LLC - CU00433777
600 Washington Ave Ste 200
Towson, MD 21204

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Sep 15, 2015



The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/14/2015

Case Number: 2016-0033-SPH

Petitioner / Developer: JASON VETTORI, ESQ. ~ LEONARD BERGER

Date of Hearing (Closing): OCTOBER 6, 2015

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
258 HENRIETTA AVENUE

The sign(s) were posted on: SEPTEMBER 13, 2015



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 19, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0033-SPH

258 Henrietta Avenue

E/s Henrietta Avenue at the SE corner of Holly Beach Road

15th Election District – 7th Councilmanic District

Legal Owners: Leonard Berger, MD, Authorized Rep of Henrietta, LLC

Special Hearing for the alteration of the minimum lot size and setback requirements in accordance with BCZR section 1A04.3.B.1.b(1) and a waiver pursuant to BCZR section 500.6, Building Code section 3112.0, BCC sections 32-4-107(a)(2), 32-4-414, 32-8-207 and 32-8-301 to add, build, rebuild and/or repair a single family dwelling in a tidal floodplain; and such other and further relief as the Administrative Law Judge may require.

Hearing: Tuesday, October 6, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204
Leonard Berger, 10100 Coastal Highway, Ocean City 21840-2619

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 16, 2015**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 15, 2015 Issue - Jeffersonian

Please forward billing to:

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0033-SPH

258 Henrietta Avenue

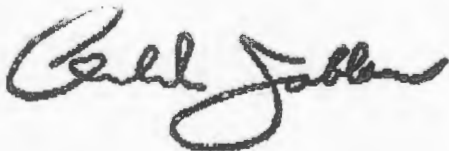
E/s Henrietta Avenue at the SE corner of Holly Beach Road

15th Election District – 7th Councilmanic District

Legal Owners: Leonard Berger, MD, Authorized Rep of Henrietta, LLC

Special Hearing for the alteration of the minimum lot size and setback requirements in accordance with BCZR section 1A04.3.B.1.b(1) and a waiver pursuant to BCZR section 500.6, Building Code section 3112.0, BCC sections 32-4-107(a)(2), 32-4-414, 32-8-207 and 32-8-301 to add, build, rebuild and/or repair a single family dwelling in a tidal floodplain; and such other and further relief as the Administrative Law Judge may require.

Hearing: Tuesday, October 6, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Case No.:

2016-0033 - SPH

slw

10-9-15

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Plan	
No. 2	Orderin # 85-284-SPH	
No. 3	Building Code	
No. 4	B.C.C. Sections re: flood protection	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

IN RE: PETITION SPECIAL HEARING
SE/corner of Henrietta and
Holly Beach Avenues
(258 Henrietta Avenue) -
15th Election District

Joseph E. Barranco, et ux,

Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-284-SPH

* * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a determination by the Zoning Commissioner as to whether a nonconforming use exists for a bar and restaurant, as described on Petitioners' Exhibit 1.

The Petitioners appeared and were represented by Counsel. Mr. and Mrs. Clarence A. Anstine, the Contract Purchasers, as well as John Weir and Jerome Zuby, long-time residents of the area, also appeared and testified. There were no Protestants.

Testimony indicated that the subject property, zoned R.C.5, is being utilized as the residence of the owner and as a bar with carry-out food and alcoholic beverages. The bar and residence, which are separate structures, are located on Henrietta Avenue, approximately 100 yards from Holly Beach Avenue. Evidence was clear and uncontradicted that this property has been used, continuously and without interruption, as a bar and light restaurant since at least 1934. See Petitioners' Exhibits 2A through 2E and 4. Records of the Liquor Board of Baltimore County show that a license was issued in 1934 and that it has remained in full force and effect continuously since that date. Personal knowledge of those present at the hearing and of those submitting affidavits lead to the inescapable conclusion that the property enjoys a nonconforming use.

The Petitioners seek relief pursuant to Sections 104.1 and 500.7, Baltimore County Zoning Regulations (BCZR).

ORDER RECEIVED FOR FILING

DATE April 10, 1988
April 10, 1988

BY

~~PROTESTANT'S~~
Petitioner
EXHIBIT NO. 2

The uncontroverted testimony, which was amply supported, conclusively indicated that the property has been used continuously and without interruption as a restaurant and bar since 1934. This constitutes a legal nonconforming use. After due consideration of the testimony and evidence presented, it is clear that a nonconforming use does exist.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of April, 1985, that a nonconforming use for a restaurant and bar be approved and, as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.


Zoning Commissioner of
Baltimore County

AJ/srl

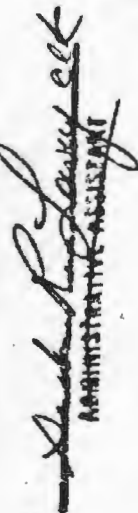
cc: S. Eric DiNenna, Esquire

William R. Bacon, Jr., Esquire

People's Counsel

ORDER RECEIVED FOR FILING

DATE April 10, 1985

BY 
ADMINISTRATIVE ASSISTANT

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 9

Bill No. 40-15

Mrs. Cathy Bevins, Chair
By Request of County Executive

By the County Council, May 4, 2015

A BILL
ENTITLED

AN ACT concerning

The Building Code of Baltimore County

FOR the purpose of adopting with certain amendments, deletions and additions, the ICC International Building Code, 2015 Edition; the ICC International Residential Code, 2015 Edition; the ICC International Mechanical Code, 2015 Edition, and the ICC International Energy Conservation Code, 2015 Edition, all as the "Building Code of Baltimore County, Maryland".

BY repealing

The Building Code of Baltimore County, Maryland as adopted by Bill No. 40-12

BY adopting, with amendments

The ICC International Building Code, 2015 Edition, including Appendices C, G, and F
The ICC International Residential Code, 2015 Edition, including Appendices B, C, F, G and K
The International Mechanical Code, 2015 Edition, and
The ICC International Energy Conservation Code, 2015 Edition.

1 **SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY,**
2 **MARYLAND,** that the Building Code of Baltimore County adopted by Bill No. 40-12 be and the same is
3 hereby repealed.

4 **SECTION 2. AND BE IT FURTHER ENACTED** that the ICC International Building Code, 2015
5 Edition, including Appendices C, G, and F, the ICC International Residential Code, 2015 Edition, including
6 Appendices B, C, F, G and K, the International Mechanical Code, 2015 Edition, and the ICC International
7 Energy Conservation Code, 2015 Edition, be and they are hereby adopted subject to the additions,
8 amendments, or deletions set forth herein.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

~~Strike out~~ indicates matter stricken from bill.

Underlining indicates amendments to bill.

~~PROTESTANT'S~~
Petitioner
EXHIBIT NO. 3

1 **SECTION 3. AND BE IT FURTHER ENACTED** that the Bill No. 40-15 may be referred to as
2 “The Building Code of Baltimore County”.

3 **SECTION 4. AND BE IT FURTHER ENACTED** that the additions, amendments and deletions set
4 forth in the following Parts 100, 200, 300 and 400 are hereby adopted as “The Building Code of Baltimore
5 County”.

6 **PART 100 COMMON PROVISIONS.**

7 **PART 101 INTRODUCTION.** TITLE PARTS AND SUBPARTS SET FORTH IN PART 100 APPLY
8 TO ALL THE CODES ADOPTED AND ALL THE CODES REFERENCED IN THE ADOPTED CODES
9 UNLESS AMENDED IN THIS CODE, THE BUILDING CODE OF BALTIMORE COUNTY.

10 **PART 102 ADOPTED CODES.** THE FOLLOWING CODES ARE HEREBY ADOPTED ALONG
11 WITH AMENDMENTS OF THOSE SECTIONS AS SET FORTH IN THIS CODE:

12 1. THE INTERNATIONAL BUILDING CODE, 2015 EDITION, PUBLISHED BY THE
13 INTERNATIONAL CODE COUNCIL, INC.

14 2. THE INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, PUBLISHED BY THE
15 INTERNATIONAL CODE COUNCIL, INC.

16 3. THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION, PUBLISHED BY THE
17 INTERNATIONAL CODE COUNCIL, INC.

18 4. THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, PUBLISHED BY
19 THE INTERNATIONAL CODE COUNCIL, INC.

20 **PART 103 APPLICABLE COUNTY CODES.** LOCALLY ADOPTED COUNTY CODES SHALL
21 REPLACE CERTAIN PROVISIONS OF THE ABOVE ADOPTED CODES AS FOLLOWS:

22 1. THE “BALTIMORE COUNTY ELECTRICAL CODE” ADOPTED PURSUANT TO ARTICLE
23 21, TITLE 7, SUBTITLE 3 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED, SHALL
24 GOVERN THE INSTALLATION, MAINTENANCE AND REPAIR OF ELECTRICAL SYSTEMS,
25 EQUIPMENT AND COMPONENTS IN THE PLACE OF SECTION 2701.1 OF THE INTERNATIONAL
26 BUILDING CODE, 2015 EDITION TITLED “ELECTRICAL” AND PART VIII OF THE
27 INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION TITLED “ELECTRICAL.”

28 2. THE “BALTIMORE PLUMBING AND GASFITTING CODE” ADOPTED PURSUANT TO
29 ARTICLE 21, TITLE 15, SUBTITLE 1 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED,
30 SHALL GOVERN THE INSTALLATION, MAINTENANCE AND REPAIR OF PLUMBING
31 SYSTEMS IN THE PLACE OF SECTION 2901.1, TITLED “PLUMBING SYSTEMS” OF THE
32 INTERNATIONAL BUILDING CODE, 2015 EDITION; PART VII OF THE INTERNATIONAL
33 RESIDENTIAL CODE, 2015 EDITION, TITLED “PLUMBING;” AND THE INSTALLATION,

1 MAINTENANCE AND REPAIR OF MECHANICAL APPLIANCES, AND EQUIPMENT AND
2 SYSTEMS IN CONFORMANCE WITH THE INTERNATIONAL FUEL GAS CODE, 2015 EDITION.

3 3. THE "INTERNATIONAL PROPERTY MANAGEMENT CODE, 2015 EDITION" SHALL
4 MEAN THE BALTIMORE COUNTY LIVABILITY CODE ADOPTED PURSUANT TO ARTICLE 35,
5 TITLE 5, OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED.

6 4. THE "INTERNATIONAL FIRE CODE" SHALL MEAN THE BALTIMORE COUNTY FIRE
7 PREVENTION CODE ADOPTED PURSUANT TO ARTICLE 14, TITLE 2, SUBTITLE 1, OF THE
8 BALTIMORE COUNTY CODE, 2003, AS AMENDED.

9 **PART 104 GOVERNMENT BUILDINGS.** THIS CODE SHALL APPLY TO COUNTY BUILDINGS;
10 HOWEVER, THIS CODE SHALL NOT APPLY TO BUILDINGS OR PORTIONS OF BUILDINGS
11 USED EXCLUSIVELY BY FEDERAL AND STATE GOVERNMENT AGENCIES UNTIL SUCH USE
12 CEASES, AFTER WHICH THE BUILDINGS SHALL COMPLY WITH THIS CODE.

13 **PART 105 BUILDING OFFICIAL.** THE TERM "BUILDING OFFICIAL" SHALL MEAN THE
14 BUILDING ENGINEER OF BALTIMORE COUNTY OR HIS DESIGNEE. THE BUILDING
15 ENGINEER'S DUTIES ARE DESCRIBED IN SECTION 3-2-1104 OF THE BALTIMORE COUNTY
16 CODE, 2003, AS AMENDED. THE BUILDING ENGINEER SHALL HAVE THOSE POWERS AS THE
17 BUILDING OFFICIAL DEEMS NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY
18 AND THE GENERAL WELFARE TO INTERPRET AND IMPLEMENT THE PROVISIONS OF THIS
19 CODE SO AS TO SECURE COMPLIANCE, INCLUDING ANY ADDITIONAL REQUIREMENTS
20 BECAUSE OF LOCAL CLIMATIC OR OTHER CONDITIONS. SUCH INTERPRETATIONS AND
21 REQUIREMENTS SHALL NOT WAIVE WORKING STRESSES, FIRE RESISTANT
22 REQUIREMENTS SET FORTH IN THIS CODE, OR ACCEPTED STANDARDS OF ENGINEERING
23 PRACTICE INVOLVING PUBLIC SAFETY.

24 **PART 106 EXISTING BUILDINGS AND STRUCTURES.** THE LEGAL USE AND OCCUPANCY
25 OF ANY BUILDING OR STRUCTURE EXISTING PRIOR TO THE EFFECTIVE DATE OF THIS
26 CODE MAY BE CONTINUED WITHOUT CHANGE EXCEPT AS MAY BE SPECIFICALLY
27 COVERED BY THIS CODE OR AS MAY BE DEEMED NECESSARY BY THE BUILDING OFFICIAL
28 FOR THE GENERAL SAFETY AND WELFARE OF THE OCCUPANTS AND THE PUBLIC.
29 ALTERATIONS, ADDITIONS AND REPAIRS OF EXISTING BUILDINGS AND STRUCTURES
30 SHALL CONFORM TO APPLICABLE LAWS AND REGULATIONS COVERING SUCH WORK AND
31 SHALL NOT CAUSE AN EXISTING BUILDING OR STRUCTURE TO BECOME UNSAFE OR TO
32 ADVERSELY AFFECT THE PERFORMANCE OF THE BUILDING.

33 **PART 106.1 PROOF OF LEGAL CHANGE OF USE AND OCCUPANCY OF EXISTING**
34 **BUILDINGS.** THE BUILDING OFFICIAL SHALL HAVE THE AUTHORITY TO REQUIRE

1 SATISFACTORY EVIDENCE THAT A LEGAL CHANGE OF USE OR OCCUPANCY IN
2 COMPLIANCE WITH APPLICABLE FIRE AND BUILDING CODES WAS GRANTED BY
3 BALTIMORE COUNTY.

4 **PART 107 DEPARTMENT OF PUBLIC SAFETY OR DEPARTMENT.** "THE DEPARTMENT OF
5 PUBLIC SAFETY" OR "DEPARTMENT" SHALL MEAN THE DEPARTMENT OF PERMITS,
6 APPROVALS AND INSPECTIONS.

7 **PART 108 TERMS "BUILDING CODE" AND "CODE."** THE ICC INTERNATIONAL BUILDING
8 CODE, 2015 EDITION; THE ICC INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, THE
9 INTERNATIONAL MECHANICAL CODE, 2015 EDITION, AND THE ICC INTERNATIONAL
10 ENERGY CONSERVATION CODE, 2015 EDITION, ADOPTED WITH CERTAIN AMENDMENTS,
11 DELETIONS, AND ADDITIONS, BY BALTIMORE COUNTY COUNCIL BILL NO. 40-15, SHALL
12 BE KNOWN COLLECTIVELY AS THE BUILDING CODE OF BALTIMORE COUNTY,
13 MARYLAND, (HEREINAFTER REFERRED TO AS "CODE"). WHENEVER THE TERM "CODE" IS
14 USED IN EITHER THE ICC INTERNATIONAL BUILDING CODE, THE ICC INTERNATIONAL
15 RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, OR THE ICC
16 INTERNATIONAL ENERGY CONSERVATION CODE, IT SHALL MEAN THE BUILDING CODE
17 OF BALTIMORE COUNTY AS ADOPTED BY BILL NO. 40-15.

18 **PART 109 APPLICATION OF BUILDING CODE.** THIS CODE SHALL APPLY TO THE
19 CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL, DEMOLITION,
20 ENLARGEMENT, REPLACEMENT, RELOCATION, EQUIPMENT, USE OR OCCUPANCY,
21 LOCATION, AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES OR ANY
22 APPURTENANTS CONNECTED OR ATTACHED TO SUCH BUILDINGS AND STRUCTURES,
23 AND THEIR SERVICE EQUIPMENT AS HEREIN DEFINED, EXCEPT AS SUCH MATTERS ARE
24 OTHERWISE PROVIDED FOR IN OTHER ORDINANCES OR STATUTES, OR IN THE RULES AND
25 REGULATIONS AUTHORIZED FOR PROMULGATION UNDER THE PROVISIONS OF THIS
26 CODE.

27 **PART 110 REFERENCED CODES.** THE CODES LISTED IN PART 103 AND THE 2015 EDITIONS
28 OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE,
29 INTERNATIONAL MECHANICAL CODE AND INTERNATIONAL ENERGY CONSERVATION
30 CODE SHALL BE CONSIDERED PART OF THE REQUIREMENTS OF THIS CODE TO THE
31 PRESCRIBED EXTENT OF EACH SUCH REFERENCE.

32 **PART 110.1 GAS.** WHENEVER THE TERM "INTERNATIONAL FUEL GAS CODE" IS USED, IT
33 SHALL MEAN THE BALTIMORE COUNTY PLUMBING AND GASFITTING CODE ADOPTED

1 PURSUANT TO ARTICLE 21, TITLE 15, SUBTITLE 1, OF THE BALTIMORE COUNTY CODE, 2003,
2 AS AMENDED.

3 **PART 110.2 PLUMBING.** WHENEVER THE TERM "INTERNATIONAL PLUMBING CODE" IS
4 USED, IT SHALL MEAN THE BALTIMORE COUNTY PLUMBING AND GASFITTING CODE
5 ADOPTED PURSUANT TO ARTICLE 21, TITLE 15, SUBTITLE 1 OF THE BALTIMORE COUNTY
6 CODE, 2003, AS AMENDED.

7 **PART 110.3 PROPERTY MAINTENANCE.** WHENEVER THE TERM "INTERNATIONAL
8 PROPERTY MAINTENANCE CODE" IS USED, IT SHALL MEAN THE BALTIMORE COUNTY
9 LIVABILITY CODE ADOPTED PURSUANT TO ARTICLE 35, TITLE 5 OF THE BALTIMORE
10 COUNTY CODE, 2003, AS AMENDED.

11 **PART 110.4 FIRE PREVENTION.** WHENEVER THE TERM "INTERNATIONAL FIRE CODE" IS
12 USED, IT SHALL MEAN THE BALTIMORE COUNTY FIRE PREVENTION CODE ADOPTED
13 PURSUANT TO ARTICLE 14, TITLE 2, SUBTITLE 1 OF THE BALTIMORE COUNTY CODE, 2003,
14 AS AMENDED.

15 **PART 110.5 ELECTRICAL.** ALL ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS
16 SHALL COMPLY WITH THE STANDARDS FOR ELECTRICAL INSTALLATIONS PURSUANT TO
17 ARTICLE 21, TITLE 7, SUBTITLE 3 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED.

18 **PART 111 ENFORCEMENT ASSISTANCE.** THE BALTIMORE COUNTY POLICE
19 DEPARTMENT, THE BALTIMORE COUNTY FIRE DEPARTMENT AND DEPARTMENT OF
20 PUBLIC WORKS SHALL HAVE THE AUTHORITY TO RENDER ASSISTANCE IN THE
21 ENFORCEMENT OF THIS CODE.

22 **PART 112 PERMITS.**

23 **PART 112.1 WORK EXEMPT FROM PERMIT.** THE FOLLOWING WORK DOES NOT REQUIRE
24 A PERMIT WHERE NOT LOCATED IN THE 100 YEAR FLOOD PLAIN.

25 1. USE GROUP R-3 ONE-STORY ACCESSORY STRUCTURES USED AS TOOL AND
26 STORAGE SHEDS, PLAYHOUSES, DECKS NOT GREATER THEN 16 INCHES ABOVE THE
27 LOWEST GRADE AND SIMILAR USES, PROVIDED THE FLOOR AREA DOES NOT EXCEED 120
28 SQUARE FEET AND ARE NOT LOCATED IN A DESIGNATED "CHESAPEAKE BAY CRITICAL
29 AREA", A PROPOSED OR DESIGNATED "BALTIMORE COUNTY HISTORIC DISTRICT" OR
30 PART OF A STRUCTURE ON A PRELIMINARY OR FINAL BALTIMORE COUNTY LANDMARKS
31 LIST.

32 2. FENCES NOT OVER 42 INCHES HIGH AND NOT LOCATED IN A PROPOSED OR
33 DESIGNATED BALTIMORE COUNTY HISTORIC DISTRICT OR A STRUCTURE ON A
34 PRELIMINARY OR FINAL BALTIMORE COUNTY LANDMARKS LIST.

1 3. OIL DERRICKS.

2 4. RETAINING WALLS LESS THAN 3 FEET IN HEIGHT MEASURED FROM THE LOWEST
3 POINT OF FINISHED GRADE.

4 5. WATER TANKS SUPPORTED DIRECTLY ON GRADE IF THE CAPACITY DOES NOT
5 EXCEED 5,000 GALLONS (18,925 LITERS) AND THE RATIO OF HEIGHT TO DIAMETER OR
6 WIDTH DOES NOT EXCEED 2:1.

7 6. SIDEWALKS AND DRIVEWAYS NOT MORE THAN 30 INCHES (762 MM) ABOVE
8 ADJACENT GRADE, AND NOT OVER ANY BASEMENT OR STORY BELOW AND ARE NOT
9 PART OF AN ACCESSIBLE ROUTE.

10 7. PAINTING, PAPERING, TILING, CARPETING, CABINETS, COUNTER TOPS AND
11 SIMILAR FINISH WORK.

12 8. TEMPORARY MOTION PICTURE, TELEVISION AND THEATER STAGE SETS AND
13 SCENERY.

14 9. PREFABRICATED SWIMMING POOLS LESS THAN 24 INCHES DEEP AND LESS THAN
15 250 SQUARE FEET OF SURFACE AREA (18 FT DIAMETER).

16 10. SHADE CLOTH STRUCTURES CONSTRUCTED FOR NURSERY OR AGRICULTURAL
17 PURPOSES, NOT INCLUDING SERVICE SYSTEMS.

18 11. SWINGS AND OTHER PLAYGROUND EQUIPMENT ACCESSORY TO DETACHED ONE-
19 AND TWO-FAMILY DWELLINGS.

20 12. WINDOW AWNINGS SUPPORTED BY AN EXTERIOR WALL THAT DO NOT PROJECT
21 MORE THAN 54 INCHES (1372 MM) FROM THE EXTERIOR WALL AND DO NOT REQUIRE
22 ADDITIONAL SUPPORT OF GROUPS R-3 AND U OCCUPANCIES.

23 13. NONFIXED AND MOVABLE FIXTURES, CASES, RACKS, COUNTERS AND PARTITIONS
24 NOT OVER 5 FEET, 9 INCHES (1753 MM) IN HEIGHT.

25 14. NONSTRUCTURAL ALTERATIONS NOT INVOLVING KITCHENS OR SLEEPING AREAS
26 IN BASEMENT OF ONE-AND TWO-FAMILY DWELLINGS.

27 15. REPLACEMENT OF EXISTING DECKING AND/OR NAILER FOR EXISTING STRINGERS
28 ON PIERS FOR ONE AND TWO FAMILY DWELLINGS, PROVIDED THERE IS NO INCREASE IN
29 LENGTH, WIDTH OR HEIGHT.

30 16. BOAT LIFTS FOR A ONE AND TWO FAMILY DWELLING PROVIDED THE LIFT DOES
31 NOT REQUIRE THE INSTALLATION OF PILING(S).

32 **PART 112.1.1 AGRICULTURAL BUILDINGS.** THE PROVISIONS OF THIS CODE SHALL NOT
33 APPLY TO THE CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL,
34 DEMOLITION, USE, LOCATION, OR MAINTENANCE OF AGRICULTURAL BUILDINGS. THIS

1 PROVISION DOES NOT EXEMPT THE OWNER OF AN AGRICULTURAL BUILDING FROM
2 OBTAINING REQUIRED ELECTRICAL OR PLUMBING AND GASFITTING PERMITS, OR FROM
3 COMPLYING WITH ALL OTHER APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS,
4 LAWS, AND ORDINANCES.

5 **PART 112.1.2 ELECTRICAL PERMIT REQUIRED FOR REPAIRS TO ALUMINUM**
6 **CONDUCTORS.**

7 **PART 112.1.3 ROOF REPAIRS.** A BUILDING PERMIT IS REQUIRED TO UNDERTAKE ROOF
8 REPAIRS IF 50% OR MORE OF THE SHEATHING OR DECK IS BEING REPLACED.

9 **PART 112.2 PUBLIC NOTICE FOR PIER OR MOORING PILE CONSTRUCTION.** A PERMIT
10 TO BUILD, ALTER, MODIFY, REPLACE OR EXTEND A PIER BEYOND MEAN LOW TIDE OR
11 MOORING PILE MAY BE GRANTED ONLY IF PUBLIC NOTICE HAS BEEN GIVEN BY THE
12 APPLICANT AS SPECIFIED BY THE CODE OFFICIAL, DEFINED IN SECTION 3-6-101 OF THE
13 BALTIMORE COUNTY CODE AS THE DIRECTOR OF PERMITS, APPROVALS AND
14 INSPECTIONS OR THE DIRECTOR'S DESIGNEE, AND A PUBLIC HEARING HELD BEFORE THE
15 CODE OFFICIAL OR DESIGNEE IF REQUESTED. SUCH PUBLIC NOTICE SHALL CONSIST OF
16 POSTING THE PROPERTY FOR A PERIOD OF 15 DAYS. ANY OWNER OF ADJACENT
17 PROPERTY OR PROPERTY DIRECTLY IMPACTED BY THE PROPOSED PERMITTED WORK
18 MAY REQUEST A PUBLIC HEARING OR MAY SUBMIT WRITTEN COMMENTS FOR
19 CONSIDERATION. IF NO PUBLIC HEARING IS REQUESTED, THE CODE OFFICIAL OR
20 DESIGNEE MAY ISSUE THE PERMIT CONTAINING ANY APPROPRIATE CONDITIONS OR
21 LIMITATIONS. THE HEARING OFFICER SHALL HAVE THE RIGHT TO SPECIFY THE LIMITS
22 OF CONSTRUCTION WHICH SHALL CONFORM AS CLOSELY AS POSSIBLE TO THE RULES
23 SET FORTH IN SECTION 417 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

24 **PART 112.3 TIME LIMITATION ON PERMITS.** ALL PERMITS SHALL BE ISSUED TO EXPIRE
25 ONE YEAR AFTER THE DATE SUCH PERMIT IS ISSUED, UNLESS THE TIME OF COMPLETION
26 STATED IN THE APPLICATION CALLS FOR A LONGER OR SHORTER REASONABLE TIME
27 PERIOD, IN WHICH EVENT THE TIME OF EXPIRATION ON THE PERMIT SHALL BE FIXED SO
28 AS TO ALLOW A REASONABLE TIME TO COMPLETE THE WORK. ALL PERMITS FOR A
29 SUBSTATION ISSUED TO A PUBLIC SERVICE COMPANY, AS DEFINED IN TITLE 1 OF THE
30 PUBLIC UTILITY COMPANIES ARTICLE OF THE ANNOTATED CODE OF MARYLAND, SHALL
31 BE ISSUED TO EXPIRE FIVE YEARS AFTER THE DATE SUCH PERMIT IS ISSUED, PROVIDED
32 THAT WITHIN ONE YEAR AFTER THE ISSUANCE OF THE PERMIT THE SITE IS FENCED AND
33 LANDSCAPED AND A SIGN POSTED STATING THE PROPOSED USE OF THE COMPLETED
34 PROJECT. HOWEVER, AS TO ANY PERMIT, THE BUILDING OFFICIAL IS HEREBY

1 AUTHORIZED TO GRANT AN EXTENSION OF TIME NOT IN EXCESS OF ONE YEAR IN WHICH
2 TO COMPLETE THE WORK. IF THE WORK UNDER A PERMIT IS NOT COMPLETE BEFORE
3 THE EXPIRATION DATE ON THE PERMIT, OR ANY EXTENSION THEREOF, THAT PERMIT
4 AUTOMATICALLY BECOMES A NULLITY. IN LIEU OF A ONE-YEAR PERMIT WITH AN
5 OPTION FOR A ONE-YEAR EXTENSION, A PERMIT MAY BE GRANTED FOR TWO YEARS
6 WITH NO EXTENSION POSSIBLE.

7 **PART 112.4 SUSPENSION OF PERMITS.** EXCEPT FOR A PERMIT FOR A SUBSTATION ISSUED
8 TO A PUBLIC SERVICE COMPANY AS DEFINED IN TITLE 1 OF THE PUBLIC UTILITY
9 COMPANIES ARTICLE OF THE ANNOTATED CODE OF MARYLAND, ANY PERMIT ISSUED
10 SHALL BECOME INVALID IF THE AUTHORIZED WORK IS NOT COMMENCED WITHIN SIX
11 MONTHS AFTER ISSUANCE OF THE PERMIT, OR IF THE AUTHORIZED WORK IS SUSPENDED
12 OR ABANDONED FOR A PERIOD OF SIX MONTHS AFTER THE TIME OF COMMENCING THE
13 WORK.

14 **PART 112.5 REMOVAL OF DANGER DUE TO LACK OF ACTIVE WORK.** IF AT ANY TIME
15 THE BUILDING OFFICIAL DETERMINES THAT THE PUBLIC HEALTH OR SAFETY IS
16 ENDANGERED BY THE LACK OF ACTIVE CONSTRUCTION ON THE WORK AUTHORIZED BY
17 THE PERMIT FOR THE CONSTRUCTION OR REHABILITATION OF A STRUCTURE OR
18 DWELLING ON A SINGLE LOT OF RECORD, THE BUILDING OFFICIAL MAY ENFORCE
19 COMPLIANCE UNDER THE PROVISIONS OF ARTICLE 3, TITLE 6 OF THE BALTIMORE
20 COUNTY CODE, 2003. AS USED IN THIS PARAGRAPH, "ACTIVE CONSTRUCTION" MEANS
21 THE USE OF REASONABLE EFFORTS TO COMPLETE THE AUTHORIZED WORK IN A TIMELY
22 MANNER CONSISTENT WITH USUAL AND CUSTOMARY LOCAL CONSTRUCTION INDUSTRY
23 STANDARDS.

24 **PART 112.6 REVOCATION OF PERMITS.** THE BUILDING OFFICIAL MAY REVOKE A PERMIT
25 OR APPROVAL ISSUED UNDER THE PROVISIONS OF THIS CODE IN THE CASE OF ANY FALSE
26 STATEMENT OR MISREPRESENTATION OF FACT IN THE APPLICATION OR ON THE PLANS
27 ON WHICH THE PERMIT OR APPROVAL WAS BASED. IF ANY PERMIT IS ISSUED IN
28 VIOLATION OF THE PROVISIONS OF THIS CODE OR OTHER LAWS, RESOLUTIONS AND
29 REGULATIONS OF BALTIMORE COUNTY, OR LAWS OF THE STATE OF MARYLAND, OR
30 WITHOUT PROPER AUTHORITY, IT MAY BE VOIDED AS IF IT HAD NEVER BEEN ISSUED.

31 **PART 112.7 WITHHOLDING OF PERMITS.** WHENEVER THE BUILDING OFFICIAL FINDS
32 THAT ANY CONTRACTOR OR OWNER IS IN VIOLATION OF THE PROVISIONS OF THIS CODE
33 OR OF THE RULES AND REGULATIONS OF ANY OTHER DEPARTMENT OR AGENCY OF
34 BALTIMORE COUNTY IN CONNECTION WITH THE ERECTION, ALTERATION OR

1 DEMOLITION OF BUILDINGS, STRUCTURES, LANDS, OR EQUIPMENT THEREON OR
2 THEREIN, THE BUILDING OFFICIAL MAY REFUSE TO GRANT ANY ADDITIONAL PERMITS
3 TO THE CONTRACTOR OR OWNER UNTIL ALL SUCH VIOLATIONS HAVE BEEN CORRECTED.

4 **PART 112.8 CONSTRUCTION STANDARDS.**

5 **PART 112.8.1 WORKMANSHIP.** ALL WORK PERFORMED UNDER THIS CODE SHALL BE
6 UNDERTAKEN IN A WORKMANLIKE MANNER, THAT IS DONE BY A WORKER OF AVERAGE
7 SKILL AND INTELLIGENCE IN COMPLIANCE WITH ALL APPLICABLE CODES AND
8 ACCEPTED INDUSTRY PRACTICES. (SEE SECTION 110.12 OF THE NATIONAL ELECTRIC
9 CODE/NFPA 70 REGARDING EXECUTION OF ELECTRICAL WORK.)

10 **PART 112.8.2 SUPERVISION BY LICENSEES AND BUILDING CONTRACTORS.** PERSONS
11 PERFORMING WORK REQUIRING AN ELECTRICIAN'S LICENSE, PLUMBER'S AND/OR
12 GASFITTER'S LICENSE, A LICENSE ISSUED BY THE MARYLAND BOARD OF HEATING,
13 VENTILATION, AIR CONDITIONING AND REFRIGERATION CONTRACTORS AND BUILDING
14 CONTRACTORS, INCLUDING HOME IMPROVEMENT CONTRACTORS, SHALL PROVIDE
15 ADEQUATE SUPERVISION OF ALL WORKERS ENGAGED IN COMPLETING PERMITTED
16 WORK, INCLUDING SUBCONTRACTORS. ADEQUATE SUPERVISION OF SUBCONTRACTORS
17 PERFORMING ELECTRICAL, HVAC, PLUMBING AND GASFITTING WORK INCLUDES
18 ENSURING THAT SUPERVISORY EMPLOYEES ARE PROPERLY LICENSED UNDER COUNTY
19 OR STATE LAWS AND REGULATIONS.

20 **PART 112.8.3 PRE-PERMIT KNOWLEDGE.** BEFORE FILING AN APPLICATION FOR A PERMIT
21 ISSUED UNDER THIS CODE TO ALTER, REPAIR OR MODIFY AN EXISTING STRUCTURE OR
22 BUILDING, THE CONTRACTOR SHALL HAVE REASONABLE KNOWLEDGE OF CONDITIONS
23 OF THE WORK SITE THAT IS THE SUBJECT OF THE PERMIT.

24 **PART 113 SUBMITTAL DOCUMENTS.**

25 **PART 113.1 CONSTRUCTION DOCUMENTS.** CONSTRUCTION DOCUMENTS SHALL BE
26 PREPARED BY A REGISTERED PROFESSIONAL ARCHITECT OR ENGINEER LICENSED BY
27 THE STATE. ALL PLANS, COMPUTATIONS AND SPECIFICATIONS SUBMITTED WITH A
28 BUILDING PERMIT APPLICATION SHALL BE PREPARED BY OR UNDER THE DIRECT
29 SUPERVISION OF A REGISTERED ARCHITECT OR ENGINEER AND BEAR THAT ARCHITECT'S
30 OR ENGINEER'S ORIGINAL SIGNATURE AND SEAL IN ACCORDANCE WITH THE STATE'S
31 LAWS AND REGULATIONS GOVERNING THE PROFESSIONAL REGISTRATION AND
32 CERTIFICATION OF ARCHITECTS AND ENGINEERS. THE SUBMISSION OF SEALED
33 DOCUMENTS MAY BE WAIVED IN WHOLE OR IN PART AT THE DISCRETION OF THE
34 BUILDING OFFICIAL WHEN THE NATURE AND SCOPE OF THE WORK IS SUCH THAT REVIEW

1 OF CERTAIN CONSTRUCTION DOCUMENTS IS NOT NECESSARY TO OBTAIN COMPLIANCE
2 WITH THIS CODE.

3 **PART 113.2 CHANGE IN SITE PLAN.** A LOT SHALL NOT BE CHANGED, INCREASED OR
4 DIMINISHED IN AREA FROM THAT SHOWN ON THE OFFICIAL PLAT SITE PLAN, UNLESS A
5 REVISED SITE PLAN DEMONSTRATING COMPLIANCE WITH ALL APPLICABLE COUNTY
6 REGULATIONS AS A RESULT OF SUCH CHANGES IS SUBMITTED TO AND APPROVED BY
7 THE CODE OFFICIAL.

8 **PART 113.3 SITE PLAN REQUIRED TO BUILD, ALTER, MODIFY, REPLACE OR EXTEND A**
9 **PIER OR MOORING PILES.** AN APPLICANT FOR A PERMIT TO BUILD, ALTER, MODIFY,
10 REPLACE OR EXTEND A PIER OR MOORING PILES SHALL SUBMIT A SITE PLAN COMPLYING
11 WITH THE REQUIREMENTS FOR A PLOT DIAGRAM AS SET FORTH IN SECTION 417 OF THE
12 BALTIMORE COUNTY ZONING REGULATIONS, INCLUDING SPECIFIED RULES FOR
13 DIVISIONAL LINES. THE CODE OFFICIAL IS AUTHORIZED TO WAIVE OR MODIFY THE
14 REQUIREMENT FOR A SITE PLAN WHEN THE APPLICATION FOR PERMIT IS FOR
15 ALTERATION OR REPAIR OR WHEN OTHERWISE WARRANTED.

16 **PART 113.4 CHANGE OF OCCUPANCY, PLANS REQUIRED.** SIGNED AND SEALED PLANS
17 AND DATA SHEETS PREPARED BY A REGISTERED DESIGN PROFESSIONAL SHALL BE
18 SUBMITTED AT TIME OF CHANGE OF OCCUPANCY PERMIT REQUEST SHOWING
19 COMPLIANCE WITH ALL APPLICABLE CODES PERTAINING TO THE NEW PURPOSED USE.

20 **PART 114 FEES.**

21 **PART 114.1 SCHEDULE OF PERMIT FEES.** ALL FEES FOR PERMITS REQUIRED BY THIS
22 CODE SHALL BE THOSE ESTABLISHED PURSUANT TO SECTION 35-2-302 OF THE
23 BALTIMORE COUNTY CODE, 2003, AS AMENDED.

24 **PART 114.2 ACCOUNTING.** AN ACCURATE ACCOUNT SHALL BE KEPT OF ALL FEES
25 COLLECTED FOR BUILDING PERMITS.

26 **PART 114.3 REFUNDS.** IN THE CASE OF A REVOCATION OF A PERMIT OR ABANDONMENT
27 OR DISCONTINUANCE OF A BUILDING PROJECT OR THE DENIAL OF A PERMIT
28 APPLICATION, NO REFUNDS OF PERMIT FEES WILL BE MADE.

29 **PART 115 INSPECTIONS.**

30 **PART 115.1 REQUIRED INSPECTIONS.** AFTER ISSUING A BUILDING PERMIT, THE CODE
31 OFFICIAL SHALL CONDUCT INSPECTIONS FROM TIME TO TIME DURING AND UPON
32 COMPLETION OF THE WORK FOR WHICH A PERMIT HAS BEEN ISSUED. AN INSPECTION
33 MAY INCLUDE, AT THE DISCRETION OF THE CODE OFFICIAL, ANY OR ALL OF THE
34 INSPECTIONS SET FORTH IN SECTION 110 OF THE INTERNATIONAL BUILDING CODE,

1 SECTION R109 OF THE INTERNATIONAL RESIDENTIAL CODE AND SECTIONS C104 AND R104
2 OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

3 **PART 115.2 CHANGE OR DAMAGE TO INSPECTED WORK.** IF AN EVENT OCCURS PRIOR
4 TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY CAUSING CHANGE OR DAMAGE TO
5 WORK PREVIOUSLY INSPECTED, THE BUILDER SHALL NOTIFY THE BUILDING OFFICIAL,
6 AND A REINSPECTION SHALL BE REQUIRED. A RECORD OF ALL SUCH EXAMINATIONS
7 AND INSPECTIONS AND OF ALL VIOLATIONS OF THIS CODE SHALL BE MAINTAINED BY
8 THE BUILDING OFFICIAL.

9 **PART 115.3 OTHER INSPECTIONS.** THE OWNER SHALL PROVIDE FOR OTHER INSPECTIONS
10 AS REQUIRED BY THIS CODE OR AS REQUESTED BY THE BUILDING OFFICIAL.

11 **PART 116 APPROVALS BY OTHER AUTHORITIES.** THE BUILDING OFFICIAL SHALL HAVE
12 THE AUTHORITY TO REQUIRE SATISFACTORY EVIDENCE SHOWING THAT OTHER
13 REGULATORY AGENCIES HAVING JURISDICTION OVER THE DESIGN, CONSTRUCTION,
14 ALTERATION, REPAIR, EQUIPMENT, MAINTENANCE, PROCESS, AND RELOCATION OF A
15 STRUCTURE HAVE ISSUED APPROPRIATE APPROVALS, INCLUDING CERTIFICATES OF
16 OCCUPANCY.

17 **PART 117 APPEAL.** AN APPEAL OF THE ACTION OF THE BUILDING OFFICIAL SHALL BE
18 PURSUANT AND SUBJECT TO SECTION 35-2-302 OF THE BALTIMORE COUNTY CODE, 2003,
19 AS AMENDED.

20 **PART 118 PROSECUTION OF VIOLATION.** THE BUILDING OFFICIAL SHALL INSTITUTE OR
21 CAUSE TO BE INSTITUTED ANY APPROPRIATE ACTION FOR ANY VIOLATION OF THIS CODE
22 IN ACCORDANCE WITH ARTICLE 3, TITLE 6 OF THE BALTIMORE COUNTY CODE, 2003, AS
23 AMENDED, OR A PROCEEDING AT LAW OR IN EQUITY WHICH MAY BE NECESSARY AND
24 PROPER, TO RESTRAIN, CORRECT OR ABATE SUCH VIOLATION OR TO REQUIRE THE
25 REMOVAL OR TERMINATION OF THE UNLAWFUL USE OF THE BUILDING OR STRUCTURE
26 IN VIOLATION OF THE PROVISIONS OF THIS CODE OR OF THE ORDER OR DIRECTION MADE
27 PURSUANT THERETO.

28 **PART 119 FALSE STATEMENT.** ANY PERSON WHO KNOWINGLY MAKES A FALSE
29 STATEMENT, REPRESENTATION OR CERTIFICATION IN ANY APPLICATION, RECORD,
30 REPORT, SITE PLAN, OR OTHER DOCUMENT SUBMITTED TO THE DEPARTMENT OF
31 PERMITS, APPROVALS AND INSPECTION IS, IN ADDITION TO ANY OTHER PENALTIES,
32 SHALL BE SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$1,000.

33 **PART 120 STOP WORK ORDER.**

1 **PART 120.1 AUTHORITY TO ISSUE STOP WORK ORDER.** WHENEVER THE BUILDING
2 OFFICIAL FINDS OR HAS REASON TO BELIEVE WORK REGULATED BY THIS CODE (1) IS
3 DANGEROUS OR UNSAFE, OR (2) IS BEING UNDERTAKEN CONTRARY TO A DULY
4 AUTHORIZED ORDER OR PERMIT, THE BUILDING OFFICIAL IS AUTHORIZED TO ISSUE A
5 STOP WORK ORDER.

6 **PART 120.2 ISSUANCE.** THE STOP WORK ORDER SHALL BE IN WRITING AND SHALL BE
7 SERVED UPON EITHER THE OWNER, OWNER'S AGENT OR PERSON RESPONSIBLE FOR THE
8 CONDITION OR VIOLATION, BY MAIL TO THE OWNER'S ADDRESS SHOWN ON THE TAX
9 ROLL MAINTAINED BY THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION
10 AND BY PERSONAL SERVICE; BY DELIVERING THE SAME TO AND LEAVING A COPY WITH
11 AN ADULT PERSON OF SUITABLE AGE AND DISCRETION AT THE WORK SITE, OR POSTING
12 A COPY IN A CONSPICUOUS PLACE AT THE WORK SITE, UPON ISSUANCE OF A STOP WORK
13 ORDER THE CITED WORK SHALL IMMEDIATELY CEASE.

14 **PART 120.3 UNLAWFUL CONTINUANCE AFTER STOP WORK ORDER.** ANY PERSON WHO
15 CONTINUES ANY WORK ON OR ABOUT THE STRUCTURE AFTER HAVING BEEN SERVED
16 WITH A STOP WORK ORDER, EXCEPT WORK THE PERSON HAS BEEN DIRECTED TO
17 PERFORM TO REMOVE A VIOLATION OR UNSAFE CONDITIONS, SHALL BE SUBJECT TO A
18 CIVIL PENALTY OF \$1,000 FOR EACH DAY WORK SUBJECT TO THE STOP WORK ORDER
19 CONTINUES.

20 **PART 121 UNSAFE STRUCTURES AND EQUIPMENT.**

21 **PART 121.1 NOTICE OF UNSAFE STRUCTURES.** IF AN UNSAFE CONDITION IS FOUND IN A
22 BUILDING OR STRUCTURE, THE BUILDING OFFICIAL SHALL SERVE ON THE OWNER,
23 AGENT OR PERSON IN CONTROL OF THE BUILDING OR STRUCTURE A WRITTEN NOTICE
24 DESCRIBING THE BUILDING OR STRUCTURE DEEMED UNSAFE AND SPECIFYING THE
25 REQUIRED REPAIRS OR IMPROVEMENTS TO BE MADE TO RENDER THE BUILDING OR
26 STRUCTURE SAFE AND SECURE, OR REQUIRING THE UNSAFE BUILDING OR STRUCTURE
27 OR A PORTION THEREOF TO BE DEMOLISHED WITHIN A STIPULATED TIME.

28 **PART 121.2 REPAIR ORDER ISSUED BY THE BUILDING OFFICIAL.** THE BUILDING
29 OFFICIAL SHALL ISSUE AN ORDER SPECIFYING THE REPAIRS, IF ANY, THE OWNER MUST
30 MAKE, AND A TIME WITHIN WHICH THE OWNER SHALL COMPLY. THE ORDER SHALL BE
31 MAILED TO THE OWNER OF RECORD, OR ON AN AGENT, WHENEVER AN AGENT IS IN
32 CHARGE OF THE BUILDING, AT THE ADDRESS TO WHICH BALTIMORE COUNTY'S
33 DIRECTOR OF BUDGET AND FINANCE MAELS TAX BILLS IN ACCORDANCE WITH SECTION
34 11-2-302 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED.

1 **PART 121.3 FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BUILDING**
2 **OFFICIAL.** WHENEVER THE OWNER, AGENT OR PERSON IN CONTROL OF THE BUILDING
3 OR STRUCTURE FAILS TO COMPLY WITH AN ORDER ISSUED BY THE BUILDING OFFICIAL
4 UNDER THE AUTHORITY CONTAINED IN THIS CODE TO REPAIR OR RAZE AN UNSAFE
5 STRUCTURE, THE BUILDING OFFICIAL SHALL INSTITUTE OR CAUSE TO BE INSTITUTED
6 APPROPRIATE REMEDIAL ACTION INCLUDING THE RAZING OF THE BUILDING OR
7 STRUCTURE. THE COST OF RAZING AND REMOVAL OR REPAIRING SHALL BE CHARGED
8 AGAINST THE REAL ESTATE UPON WHICH THE STRUCTURE IS LOCATED AND SHALL BE A
9 LIEN UPON THE REAL ESTATE.

10 **PART 121.4 UNREASONABLE REPAIR COSTS.** WHENEVER THE BUILDING OFFICIAL
11 DETERMINES THAT THE COST OF REQUIRED REPAIRS WOULD EXCEED 100 PERCENT OF
12 THE THEN CURRENT VALUE OF THE STRUCTURE REPORTED ON THE ASSESSMENT ROLLS
13 MAINTAINED BY THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION, THE
14 REPAIRS SHALL BE PRESUMED UNREASONABLE, AND IT SHALL BE PRESUMED, FOR THE
15 PURPOSE OF THIS SECTION, THAT THE STRUCTURE IS A NUISANCE AND MAY BE ORDERED
16 RAZED WITHOUT THE OWNER HAVING THE OPTION TO REPAIR IT.

17 **PART 121.5 TEMPORARY SAFEGUARDS.** IF AN UNSAFE CONDITION EXISTS WHICH
18 REQUIRES IMMEDIATE CORRECTION, THE CODE OFFICIAL MAY TAKE SUCH CORRECTIVE
19 ACTION AS IS DEEMED APPROPRIATE AND NECESSARY TO ABATE THE UNSAFE
20 CONDITION PRIOR TO COMPLYING WITH THE NOTICE REQUIREMENTS OF THIS SECTION.

21 **PART 121.6 TAMPERING WITH SIGNS OR OTHER SAFETY MEASURES ORDERED BY THE**
22 **CODE OFFICIAL.** NO PERSON, EXCEPT A PERSON AUTHORIZED BY THE CODE OFFICIAL,
23 SHALL REMOVE, UNLOCK, DESTROY, OR TAMPER WITH IN ANY MANNER ANY LOCKED
24 GATE, DOOR, OR BARRICADE, CHAIN, ENCLOSURE, SIGN, PLACARD, TAG, OR SEAL PUT IN
25 PLACE BY THE CODE OFFICIAL PURSUANT TO THIS CODE.

26 **PART 122 FENCES.**

27 **PART 122.1 RESIDENTIAL PROPERTIES.** FENCES ON RESIDENTIAL PROPERTY SHALL
28 COMPLY WITH THE FOLLOWING HEIGHT REQUIREMENTS:

29 1. **FRONT YARDS.** THE MAXIMUM HEIGHT PERMITTED FOR ANY RESIDENTIAL
30 OCCUPANCY FENCE SHALL BE 42 INCHES ABOVE NORMAL GRADE IN A FRONT YARD.

31 2. **SIDE AND REAR YARDS.** THE MAXIMUM HEIGHT PERMITTED FOR ANY
32 RESIDENTIAL OCCUPANCY FENCE SHALL BE SIX FEET ABOVE NORMAL GRADE IN A SIDE
33 AND REAR YARD (AS DEFINED BY THE BALTIMORE COUNTY ZONING REGULATIONS). A
34 FENCE MAY BE ERECTED UP TO TEN FEET HIGH IN A SIDE OR REAR YARD WHEN THE

1 FENCE IS SET BACK FROM THE PROPERTY LINE A HORIZONTAL DISTANCE OF TWO FEET
2 FOR EVERY VERTICAL FOOT OF HEIGHT IN EXCESS OF SIX FEET.

3 **3. EXCEPTION.** IF THE REAR OR SIDE YARD ADJOINS THE FRONT YARD OF ANOTHER
4 RESIDENCE, OR IF THE SIDE YARD ADJOINS A PUBLIC ROAD IN A D.R. OR R.C. 5 ZONE, THE
5 BALTIMORE COUNTY ZONING REGULATIONS SHALL CONTROL.

6 **PART 122.2 COMMERCIAL PROPERTIES.** FENCES TO BE ERECTED FOR THE ENCLOSURE
7 OR PROTECTION OF ANY PREMISES OTHER THAN RESIDENTIAL PROPERTY MAY BE
8 CONSTRUCTED UP TO 12 FEET HIGH. HOWEVER, THE BUILDING OFFICIAL IS AUTHORIZED
9 AND EMPOWERED TO ORDER A FENCE TO BE BUILT HIGHER THAN 12 FEET IN ANY
10 LOCATION WHEN SUCH FENCE IS NECESSARY TO PROVIDE PROPER PROTECTION AROUND
11 A DANGEROUS PLACE, HIGHLY HAZARDOUS OPERATION, ATHLETIC FIELD OR ANY
12 OTHER LOCATION WHERE SUCH A HIGH FENCE IS NECESSARY FOR THE PROTECTION OR
13 SAFETY OF THE PUBLIC.

14 **PART 122.3 ALL PROPERTIES.** ALL FENCES SHALL COMPLY WITH THE FOLLOWING
15 REQUIREMENTS:

16 1. ELECTRIC FENCES SHALL BE PERMITTED ONLY ON FARMS FOR THE RETENTION OF
17 LIVESTOCK, AND ONLY IF THE ELECTRIC FENCES ARE NOT A SAFETY HAZARD TO PEOPLE.

18 2. NO FENCE SHALL HAVE ANY PROJECTING SHARP POINTS, JAGGED EDGES OR
19 OTHER PROJECTIONS WHICH MAY INJURE PERSONS OR ANIMALS COMING IN CONTACT
20 WITH SUCH FENCE, AND NO FENCE LESS THAN FOUR FEET HIGH SHALL HAVE SHARP
21 PICKETS OR VERTICAL POINTED OBJECTS ON TOP.

22 3. BARBED WIRE OR OTHER APPROVED RETARDING MATERIAL OR CONSTRUCTION
23 MAY BE PLACED ON TOP OF ANY FENCE WHICH IS MORE THAN SIX FEET, NINE INCHES
24 HIGH EXCEPT WHERE SUCH BARBED WIRE OR OTHER RETARDING MATERIAL WILL
25 CREATE A HIGHLY HAZARDOUS CONDITION. BARBED WIRE FENCES SHALL BE
26 PERMITTED ON FARMS FOR THE RETENTION OF LIVESTOCK ONLY IF THE FENCES ARE
27 NOT A SAFETY HAZARD TO PEOPLE.

28 **PART 122.4 WAIVERS.** ANY PERSON MAY APPLY FOR A WAIVER TO THE HEIGHT
29 LIMITATION REQUIREMENTS OF PARTS 122.1 AND 122.2. THE BUILDING OFFICIAL OR
30 DESIGNEE IS AUTHORIZED TO GRANT SUCH WAIVERS, PROVIDED PUBLIC NOTICE HAS
31 BEEN GIVEN AND A PUBLIC HEARING HAS BEEN HELD BEFORE THE BUILDING OFFICIAL
32 OR DESIGNEE IF REQUESTED. PUBLIC NOTICE SHALL CONSIST OF POSTING THE PROPERTY
33 FOR A PERIOD OF 15 DAYS. ANYONE LIVING WITHIN 1000 FEET OF THE SUBJECT PROPERTY
34 MAY REQUEST A PUBLIC HEARING, OR MAY SUBMIT WRITTEN COMMENTS FOR

1 CONSIDERATION. IF NO PUBLIC HEARING IS REQUESTED, THE BUILDING OFFICIAL OR
2 DESIGNEE MAY GRANT A WAIVER CONTAINING ANY APPROPRIATE CONDITIONS OR
3 LIMITATIONS. IF A PUBLIC HEARING IS REQUESTED, NOTICE SHALL BE FURTHER
4 PROVIDED BY POSTING THE PROPERTY FOR AN ADDITIONAL 15 DAYS. SUCH NOTICE
5 SHALL INCLUDE THE DATE, TIME, AND LOCATION OF THE HEARING. ANY PERSON
6 AGGRIEVED BY THE DECISION OF THE BUILDING OFFICIAL OR DESIGNEE MAY FILE A
7 NOTICE OF APPEAL WITH THE BOARD OF APPEALS AND THE DEPARTMENT OF PERMITS,
8 APPROVALS AND INSPECTIONS WITHIN 30 DAYS AFTER THE DATE OF THE FINAL
9 DECISION OF THE HEARING OFFICER. ANY ORDER BY THE BUILDING OFFICIAL GRANTING
10 A WAIVER SHALL CONTAIN A FINDING OF FACT SETTING FORTH AND SPECIFYING THE
11 REASON OR REASONS FOR ALLOWING SUCH A WAIVER.

12 **PART 123 CONSTRUCTION IN FLOOD HAZARD AREAS GENERALLY.** ALL PERMITTED
13 ACTIVITY IN A FLOOD HAZARD AREA SHALL BE SUBJECT TO THE LEGAL REQUIREMENTS
14 SET FORTH IN SECTION 32-4-414 OF ARTICLE 32, TITLE 4 OF THE BALTIMORE COUNTY
15 CODE, 2003, AS AMENDED, TITLED FLOODPLAIN AND WETLAND PROTECTION AND
16 ARTICLE 32, TITLE 8 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED, TITLED
17 FLOODPLAIN MANAGEMENT, AS WELL AS THE REQUIREMENTS OF THIS CODE.

18 **PART 123.1 SELECTED DEFINITIONS.**

19 **1. SUBSTANTIAL IMPROVEMENT** – ANY REPAIR. RECONSTRUCTION. ALTERATION,
20 OR IMPROVEMENT OF A STRUCTURE, THE COST OF WHICH EQUALS OR EXCEEDS 50% OF
21 THE MARKET VALUE OF THE STRUCTURE (LESS LAND VALUE) EITHER: (A) BEFORE THE
22 IMPROVEMENT OR REPAIR IS STARTED; OR (B) IF THE STRUCTURE INCURRED
23 SUBSTANTIAL DAMAGE AND HAS BEEN RESTORED, BEFORE THE DAMAGE OCCURRED,
24 SUBSTANTIAL IMPROVEMENT OCCURS WHEN THE FIRST ALTERATION OF ANY WALL,
25 CEILING, FLOOR, OR OTHER STRUCTURAL PART OF THE BUILDING COMMENCES. THE
26 MINIMUM REPAIRS NEEDED TO CORRECT PREVIOUSLY IDENTIFIED VIOLATIONS OF
27 LOCAL HEALTH, SAFETY, OR SANITARY CODES, AND ALTERATIONS TO HISTORIC
28 STRUCTURES WHICH DO NOT PRECLUDE THEIR CONTINUED DESIGNATION AS HISTORIC
29 STRUCTURES ARE NOT CONSIDERED SUBSTANTIAL IMPROVEMENTS. THESE BUILDINGS
30 OR ADDITIONS SHALL BE DESIGNED AND ADEQUATELY ANCHORED TO PREVENT
31 FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE WITH MATERIALS
32 RESISTANT TO FLOOD DAMAGE.

33 **2. REPETITIVE LOSS** - FLOOD RELATED DAMAGE SUSTAINED BY A STRUCTURE ON
34 TWO SEPARATE OCCASIONS DURING A 10-YEAR PERIOD FOR WHICH THE COST OF

1 REPAIRS AT THE TIME OF EACH SUCH FLOOD EVENT, ON THE AVERAGE, EQUALS OR
2 EXCEEDS 25% OF THE MARKET VALUE OF THE STRUCTURE BEFORE THE DAMAGE
3 OCCURRED.

4 **3. HISTORIC STRUCTURE:** ANY STRUCTURE THAT IS:

5 (A) INDIVIDUALLY LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES (A
6 LISTING MAINTAINED BY THE U.S. DEPARTMENT OF INTERIOR) OR PRELIMINARILY
7 DETERMINED BY THE SECRETARY OF THE INTERIOR AS MEETING THE
8 REQUIREMENTS FOR INDIVIDUAL LISTINGS ON THE NATIONAL REGISTER;

9 (B) CERTIFIED OR PRELIMINARILY DETERMINED BY THE SECRETARY OF THE
10 INTERIOR AS CONTRIBUTING TO THE HISTORICAL SIGNIFICANCE OF A REGISTERED
11 HISTORIC DISTRICT OR A DISTRICT PRELIMINARILY DETERMINED BY THE
12 SECRETARY TO QUALIFY AS A REGISTERED HISTORIC DISTRICT;

13 (C) INDIVIDUALLY LISTED ON THE MARYLAND REGISTER OF HISTORIC PLACES; OR

14 (D) INDIVIDUALLY LISTED ON THE INVENTORY OF HISTORIC PLACES MAINTAINED
15 BY BALTIMORE COUNTY WHOSE HISTORIC PRESERVATION PROGRAM HAS BEEN
16 CERTIFIED BY THE MARYLAND HISTORICAL TRUST OR THE SECRETARY OF THE
17 INTERIOR.

18 **PART 123.2 BUILDING APPLICATION REQUIREMENTS.** THE APPLICATION FOR A
19 BUILDING PERMIT SHALL CONTAIN ALL INFORMATION, MAPS, AND PLANS DEEMED
20 APPROPRIATE BY THE DEPARTMENT INCLUDING THE DELINEATION OF THE 100-YEAR
21 FLOOD ELEVATION AND BOUNDARY AND THE PROPOSED ELEVATION OF THE LOWEST
22 FLOOR AND METHOD OF ELEVATION, IF APPLICABLE.

23 **PART 123.3 ELEVATION CERTIFICATIONS.** ALL APPLICANTS SHALL AGREE IN WRITING
24 TO PROVIDE TWO ELEVATION CERTIFICATES COMPLETED BY A PROFESSIONAL LAND
25 SURVEYOR. THE FIRST ELEVATION CERTIFICATE SHALL BE PROVIDED AT THE
26 COMPLETION OF THE FIRST FLOOR DECK CERTIFYING THAT THE LOWEST OCCUPIED
27 FLOOR OF THE STRUCTURE IS AT OR ABOVE THE FLOOD PROTECTION ELEVATION. THE
28 SECOND ELEVATION CERTIFICATE SHALL BE PROVIDED AT THE FINAL INSPECTION AND
29 SHALL INCLUDE ALL APPLICABLE DATA REQUIRED BY THE FEDERAL EMERGENCY
30 MANAGEMENT AGENCY TO BE INCLUDED IN THE ELEVATION CERTIFICATE AT THE TIME
31 OF FINISHED CONSTRUCTION. ALL ELEVATIONS SHALL BE REFERENCED TO THE NORTH
32 AMERICAN VERTICAL DATUM OF 1988 ("NAVD 88").

33 **PART 123.4 OCCUPANCY LIMITATIONS.** FOR ENCLOSED AREAS BELOW THE FLOOD
34 PROTECTION ELEVATION A NON-CONVERSION AGREEMENT OR DECLARATION OF LAND

1 RESTRICTION MAY BE REQUIRED RESTRICTING THE USE OF ENCLOSED AREAS BELOW
2 THE FLOOD ELEVATION. IF AN IMPROVEMENT TO AN EXISTING STRUCTURE IS PROPOSED,
3 ADEQUATE INFORMATION ON THE COST OF THE IMPROVEMENT AND THE MARKET
4 VALUE OF THE STRUCTURE BEFORE THE IMPROVEMENT MUST BE SUPPLIED TO THE
5 DEPARTMENT TO ALLOW A DETERMINATION OF SUBSTANTIAL IMPROVEMENT. THE
6 DEPARTMENT MAY USE TAX ASSESSMENT RECORDS TO DETERMINE SUBSTANTIAL
7 IMPROVEMENT.

8 **PART 123.5 FLOOD RESISTANT DESIGN AND CONSTRUCTION.** IN ADDITION TO
9 REQUIREMENTS SET FORTH IN PART 123 OF THIS CODE, THE DESIGN AND CONSTRUCTION
10 OF BUILDINGS AND STRUCTURES, INCLUDING PLUMBING AND ELECTRICAL
11 INSTALLATIONS, LOCATED IN A FLOOD HAZARD AREA SHALL ALSO COMPLY WITH
12 ASCE/SEI 24-14.

13 **PART 123.6 100-YEAR FLOOD PLAIN SITE PLAN REQUIRED.** A MARYLAND LICENSED
14 ENGINEER OR MARYLAND REGISTERED PROFESSIONAL LAND SURVEYOR SHALL
15 PROVIDE A SIGNED AND SEALED SITE PLAN FOR ALL CONSTRUCTION LOCATED IN A 100-
16 YEAR FLOOD PLAIN. INFORMATION ON THE SITE PLAN SHALL SHOW OR CONTAIN:

- 17 1. SIZE AND LOCATION OF NEW CONSTRUCTION AND EXISTING STRUCTURES ON THE
18 SITE AND DISTANCES FROM LOT LINES;
- 19 2. DELINEATION OF ALL FLOOD HAZARD AREAS, FLOODWAY BOUNDARIES AND
20 FLOOD ZONES, AND THE DESIGN FLOOD ELEVATION, AS APPROPRIATE;
- 21 3. BASE FLOOD ELEVATION;
- 22 4. REQUIRED FLOOD PROTECTION ELEVATION;
- 23 5. ELEVATION CONTOUR LINES;
- 24 6. ELEVATION OF THE PROPOSED LOWEST FLOOR;
- 25 7. STRUCTURE LOCATION AND ORIENTATION ON LOT SO AS TO MINIMIZE FLOOD
26 DAMAGE;
- 27 8. DRAINAGE PLAN SO AS TO REDUCE EXPOSURE TO FLOOD HAZARDS;
- 28 9. A SITE PLAN DRAWN TO SCALE, NO SMALLER THAN 1" = 30';
- 29 10. A SITE PLAN SIGNED AND SEALED (ORIGINAL SEAL AND SIGNATURE) BY A STATE
30 OF MARYLAND REGISTERED CIVIL ENGINEER OR SURVEYOR;
- 31 11. A MINIMUM OF 3 ORIGINAL SITE PLANS PROVIDED AT TIME OF PERMIT
32 APPLICATION. THESE SHALL BE SEPARATE FROM ANY SITE PLANS REQUIRED BY
33 PERMIT PROCESSING; AND

1 12. IN ADDITION TO BEING SHOWN AS PART OF THE SITE PLAN, THE BASE FLOOD,
2 DESIGN FLOOD AND FLOOD PROTECTION ELEVATIONS SHALL ALSO BE CLEARLY
3 NOTED SEPARATELY.

4 **PART 124 AREAS SUBJECT TO TIDAL FLOODING.**

5 **PART 124.1 LOWEST FLOOR ELEVATION FOR NEW BUILDINGS.** WHENEVER A NEW
6 BUILDING IS CONSTRUCTED IN AREAS SUBJECT TO TIDAL FLOODING AS ESTABLISHED
7 BY THE MOST RECENT FLOOD INSURANCE STUDY ("FIS") AND FLOOD INSURANCE RATE
8 MAP ("FIRM") OF BALTIMORE COUNTY OR MORE RESTRICTIVE CRITERIA AS
9 ESTABLISHED BY THE COUNTY, THE BUILDING'S LOWEST FLOOR SHALL NOT BE LOWER
10 THAN THE ONE FOOT ABOVE THE FLOOD PROTECTION ELEVATION. THIS SECTION SHALL
11 ALSO APPLY TO BUILDINGS THAT ARE REMOVED FROM THE 100 YEAR FLOODPLAIN BY
12 THE USE OF FILL IN ACCORDANCE WITH SECTION 1804.4 OF THE INTERNATIONAL
13 BUILDING CODE.

14 **PART 124.2 LOWEST FLOOR ELEVATIONS FOR SUBSTANTIAL IMPROVEMENTS.**
15 WHENEVER SUBSTANTIAL IMPROVEMENTS TO EXISTING BUILDINGS, INCLUDING
16 ADDITIONS, ARE CONSTRUCTED, OR BUILDINGS EXPERIENCING REPETITIVE LOSS ARE
17 LOCATED IN AREAS SUBJECT TO TIDAL FLOODING AS ESTABLISHED BY THE MOST
18 RECENT FIS AND FIRM OF BALTIMORE COUNTY OR MORE RESTRICTIVE CRITERIA AS
19 ESTABLISHED BY THE COUNTY, THE BUILDING'S LOWEST FLOOR SHALL BE NOT LOWER
20 THAN THE FLOOD PROTECTION ELEVATION ("FPE").

21 **PART 124.3 BASEMENTS NOT PERMITTED.** BASEMENTS (FLOORS BELOW GRADE ON ALL
22 FOUR SIDES) ARE NOT PERMITTED FOR NEW BUILDINGS, FOR SUBSTANTIAL
23 IMPROVEMENTS TO EXISTING BUILDINGS, BUILDINGS EXPERIENCING REPETITIVE LOSS
24 OR FOR ADDITIONS. NEW BASEMENTS ARE NOT PERMITTED BELOW EXISTING
25 BUILDINGS. AN AREA BENEATH A BUILDING WILL NOT BE CONSIDERED A BASEMENT OR
26 THE LOWEST FLOOR IF IT MEETS THE FOLLOWING CRITERIA:

27 1. THE AREA CONTAINS NO MACHINERY OR EQUIPMENT. FULLY ENCLOSED AREAS
28 BELOW THE FPE SHALL BE USED SOLELY FOR PARKING VEHICLES, ACCESS TO THE
29 BUILDING, OR STORAGE, BUT ONLY IF SUCH AREAS ARE ENCLOSED, AND A
30 DECLARATION OF LAND RESTRICTION IS RECORDED.

31 2. THE AREA IS CONSTRUCTED WITH OPENINGS (EXCLUDING DOORS) TO ALLOW
32 THE AUTOMATIC PASSAGE OF FLOOD WATERS AND EQUALIZATION OF WATER
33 PRESSURES AND WHICH SATISFY THE FOLLOWING REQUIREMENTS:

1 A. A MINIMUM OF TWO OPENINGS ON SEPARATE SIDES OF THE STRUCTURE
2 HAVING A TOTAL NET AREA OF NOT LESS THAN ONE SQUARE INCH FOR EVERY SQUARE
3 FOOT OF ENCLOSED AREA SUBJECT TO FLOODING SHALL BE PROVIDED.

4 B. THE BOTTOM OF ALL OPENINGS SHALL BE NO HIGHER THAN ONE FOOT
5 ABOVE GRADE.

6 C. OPENINGS MAY BE EQUIPPED WITH SCREENS, LOUVERS, VALVES, OR
7 OTHER DEVICES, PROVIDED THAT THEY PERMIT AUTOMATIC ENTRY AND EXIT OF
8 FLOODWATER.

9 D. OTHER DESIGNS FOR MEETING THESE CRITERIA MUST BE CERTIFIED BY
10 A LICENSED PROFESSIONAL ENGINEER.

11 3. THE AREA IS CONSTRUCTED OF FLOOD-RESISTANT MATERIALS BELOW THE FPE
12 AND A DECLARATION OF LAND RESTRICTION IS RECORDED.

13 4. THE FLOOR LEVEL IS AT OR ABOVE EXISTING GRADE ON AT LEAST ONE SIDE.
14 IN ADDITION, A NON-CONVERSION AGREEMENT OR DECLARATION OF LAND
15 RESTRICTION WILL BE REQUIRED FOR CRAWL SPACES MORE THAN 4 FEET IN HEIGHT.

16 **PART 124.4 ACCESSORY STRUCTURES AND GARAGES GREATER THAN 300 SQUARE**
17 **FEET.** WHERE FEASIBLE, ACCESSORY STRUCTURES AND GARAGES GREATER THAN 300
18 SQUARE FEET SHOULD BE LOCATED OUT OF THE FLOODPLAIN OR ELEVATED TO OR
19 ABOVE THE FPE. WHEN THESE MEASURES ARE NOT FEASIBLE, THE FOLLOWING APPLY:

20 1. THE FLOOR OF THE STRUCTURE MUST BE AT OR ABOVE GRADE;

21 2. THE STRUCTURE MUST BE LOCATED, ORIENTED, AND CONSTRUCTED SO AS TO
22 MINIMIZE FLOOD DAMAGE; AND

23 3. THE STRUCTURE MUST BE FIRMLY ANCHORED TO PREVENT FLOTATION.

24 IN ADDITION, A NON-CONVERSION OR DECLARATION OF LAND RESTRICTION WILL BE
25 REQUIRED FOR ACCESSORY STRUCTURES AND GARAGES GREATER THAN 300 SQUARE
26 FEET.

27 **PART 124.5 ATTACHED AND DETACHED GARAGES AND ACCESSORY STRUCTURES**
28 **MEETING PART 124.3 REQUIREMENTS.** ACCESSORY STRUCTURES OR GARAGES USED
29 SOLELY FOR PARKING VEHICLES AND LIMITED STORAGE AND MEETING THE COUNTY'S
30 VENTING REQUIREMENTS AND THE REQUIREMENTS OF PART 124.3 ABOVE, HAVING ALL
31 INTERIOR WALLS, CEILINGS, AND FLOOR ELEMENTS BELOW THE FPE UNFINISHED, AND
32 CONTAINING NO MACHINERY, ELECTRIC DEVICES, OR APPLIANCES LOCATED BELOW
33 THE FPE, SHALL BE SUBJECT TO THE FOLLOWING CONTINGENCIES OR RESTRICTIONS:

1 1. STRUCTURES OR GARAGES WHICH ARE 300 SQUARE FEET OR LESS IN AREA
2 SHALL BE PERMITTED WITH A NON-CONVERSION AGREEMENT;

3 2. STRUCTURES OR GARAGES WHICH ARE GREATER THAN 300 SQUARE FEET BUT
4 LESS THAN OR EQUAL TO 900 SQUARE FEET IN AREA SHALL ONLY BE PERMITTED WITH A
5 NON-CONVERSION AGREEMENT OR RECORDED DECLARATION OF LAND RESTRICTION;
6 AND

7 3. STRUCTURES OR GARAGES WHICH EXCEED 900 SQUARE FEET IN AREA SHALL
8 NOT BE PERMITTED.

9 **PART 124.6 MANUFACTURED HOMES, MANUFACTURED BUILDINGS, AND ADDITIONS**
10 **THERE TO.** MANUFACTURED HOMES, MANUFACTURED BUILDINGS, AND ADDITIONS
11 THERE TO MUST SATISFY THE FOLLOWING REQUIREMENTS, IF AVAILABLE:

12 1. MANUFACTURED HOMES, OR MANUFACTURED BUILDINGS, OR ADDITIONS
13 THERE TO ON SITES WITHIN A FLOOD ZONE (I) OUTSIDE OF A MANUFACTURED HOME
14 PARK OR SUBDIVISION OR (II) IN AN EXISTING MANUFACTURED HOME PARK SHALL BE
15 ELEVATED TO ESTABLISH A LOWEST FLOOR ABOVE THE FPE.

16 2. WHERE A MANUFACTURED HOME, OR MANUFACTURED BUILDING, OR
17 ADDITION THERE TO IS TO BE ELEVATED TO ESTABLISH A LOWEST FLOOR ABOVE THE
18 FPE, IT MUST BE ELEVATED ON A PERMANENT FOUNDATION AND MUST BE SECURELY
19 ANCHORED TO AN ADEQUATELY ANCHORED FOUNDATION SYSTEM TO RESIST
20 FLOTATION, COLLAPSE, AND LATERAL MOVEMENT. METHODS OF ANCHORING MAY
21 INCLUDE, BUT ARE NOT LIMITED TO, USE OF OVER-THE-TOP OR FRAME TIES TO GROUND
22 ANCHORS.

23 3. IN THE FLOODPLAIN AREA, THE MINIMUM WIND FORCE APPLICABLE TO THE
24 DESIGN OF ANCHORAGE AND TIE-DOWN FACILITIES FOR MANUFACTURED HOMES, OR
25 MANUFACTURED BUILDINGS OR ADDITIONS THERE TO SHALL BE NINETY (90) MILES PER
26 HOUR.

27 4. FOR EACH SITE WITHIN A FLOODPLAIN ON WHICH AN EXISTING
28 MANUFACTURED HOME, OR MANUFACTURED BUILDING, OR ADDITION THERE TO,
29 INCURS "SUBSTANTIAL DAMAGE" AS A RESULT OF A FLOOD, THE UNIT MUST, UPON
30 REPLACEMENT OR REPAIR, BE ELEVATED ON A PERMANENT FOUNDATION SO THAT THE
31 LOWEST FLOOR OF EACH MANUFACTURED UNIT OR ADDITION WILL BE AT OR ABOVE
32 THE FPE IN FULL COMPLIANCE WITH SUBSECTIONS 1. AND 2. ABOVE.

33 **PART 124.7 RECREATIONAL VEHICLES.** A RECREATIONAL VEHICLE WHICH REMAINS ON
34 A SITE FOR MORE THAN 180 CONSECUTIVE DAYS SHALL BE CONSIDERED A

1 MANUFACTURED HOME OR MANUFACTURED BUILDING AND SHALL COMPLY WITH ALL
2 LAWS AND REGULATIONS.

3 **PART 124.8 NEW AND REPLACEMENT UTILITY SYSTEMS.** NEW OR REPLACEMENT
4 UTILITY SYSTEMS, INCLUDING BUT NOT LIMITED TO WATER SUPPLY, SANITARY
5 SEWAGE, ELECTRIC, GAS, AND OIL, MUST BE DESIGNED TO MINIMIZE OR ELIMINATE
6 INFILTRATION OF FLOOD WATERS INTO THE SYSTEMS AND DISCHARGES FROM THE
7 SYSTEMS INTO FLOOD WATERS, AND ONSITE WASTE DISPOSAL SYSTEMS MUST BE
8 LOCATED SO AS TO AVOID IMPAIRMENT OR CONTAMINATION DURING FLOODING AND
9 SHALL SATISFY THE FOLLOWING REQUIREMENTS, AS APPLICABLE:

10 1. SEPTIC TANKS MUST BE ADEQUATELY ANCHORED TO PREVENT FLOTATION.

11 2. IN ALL FLOOD-RESISTANT CONSTRUCTION OR WHERE AN EXISTING BUILDING
12 IS UNDERGOING SUBSTANTIAL IMPROVEMENT, THE FOLLOWING REQUIREMENTS SHALL
13 APPLY:

14 A. ELECTRIC WATER HEATERS, ELECTRIC FURNACES, GENERATORS, HEAT
15 PUMPS, AIR CONDITIONERS, AND OTHER PERMANENT ELECTRICAL INSTALLATIONS,
16 VENTILATION AND OTHER SERVICE FACILITIES SHALL BE PERMITTED ONLY AT OR
17 ABOVE THE FPE.

18 B. NO ELECTRICAL DISTRIBUTION PANELS SHALL BE PERMITTED AT AN
19 ELEVATION LESS THAN TWO (2) FEET ABOVE THE FPE.

20 C. ALL FURNACES, WATER HEATERS, AND OTHER PERMANENT
21 MECHANICAL INSTALLATIONS SHALL BE PERMITTED ONLY AT OR ABOVE THE FPE.

22 **PART 124.9 NEW AND SUBSTANTIALLY IMPROVED NON-RESIDENTIAL STRUCTURES.**
23 NEW OR SUBSTANTIALLY IMPROVED NON-RESIDENTIAL STRUCTURES LOCATED IN THE
24 TIDAL FLOODPLAIN MAY BE FLOODPROOFED TO THE FPE. UNDER THIS OPTION, THE
25 OWNER MUST HAVE A PROFESSIONAL ENGINEER OR ARCHITECT SUBMIT A FULLY
26 EXECUTED FLOODPROOFING CERTIFICATE TO THE COUNTY PRIOR TO THE APPROVAL OF
27 THE CONSTRUCTION BY ANY BUILDING OFFICIAL OF BALTIMORE COUNTY.

28 **PART 124.10 NEW AND EXISTING OIL, GAS AND PROPANE TANKS.** ALL NEW AND
29 EXISTING OIL, GAS AND PROPANE TANKS SHALL BE ANCHORED TO PREVENT FLOTATION,
30 COLLAPSE, AND LATERAL MOVEMENT UNDER FLOOD CONDITIONS BY MEANS OF AN
31 APPROVED ENGINEERED ANCHORAGE SYSTEM OR SHALL BE INSTALLED AT/OR ABOVE
32 THE FPE AND SHALL BE SET UPON A FIRM FOUNDATION AND SUPPORTS TO PREVENT
33 FLOTATION, COLLAPSE AND LATERAL MOVEMENT UNDER FLOOD CONDITIONS. IT SHALL

1 BE UNLAWFUL TO FILL OR REFILL ANY SUCH TANK THAT IS NOT SO ANCHORED OR
2 ELEVATED.

3 **PART 124.11 NEW OR REPLACED OIL TANKS.** ALL NEW OR REPLACED OIL TANKS SHALL
4 HAVE THEIR VENT PIPE AND NON-LIQUID TIGHT FILL CONNECTION TERMINATION POINT
5 AT LEAST TWO FEET ABOVE THE FPE. THIS PROVISION SHALL ALSO APPLY TO
6 SUBSTANTIAL IMPROVEMENT BUILDINGS AND BUILDINGS EXPERIENCING A REPETITIVE
7 LOSS. VENT AND FILL PIPE SUPPORT SHALL BE IN ACCORDANCE WITH SECTION 305 OF
8 THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION.

9 **PART 124.12 FUEL OIL SYSTEMS.** FUEL OIL SYSTEM INSTALLATION SHALL COMPLY WITH
10 SECTION 1305 OF THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION, UNLESS
11 OTHERWISE MODIFIED BY THIS CODE.

12 **PART 125 AREAS SUBJECT TO INUNDATION BY RIVERINE SURFACE WATERS WITHIN**
13 **THE 100-YEAR FLOODPLAIN.**

14 **PART 125.1 NO NEW BUILDINGS OR ADDITIONS.** NO NEW BUILDINGS OR ADDITIONS
15 SHALL BE CONSTRUCTED IN ANY RIVERINE FLOODPLAIN. THE 100-YEAR FLOODPLAIN
16 SHALL BE BASED UPON THE FEDERAL FLOOD INSURANCE STUDY OR AS ESTABLISHED BY
17 THE DIRECTOR OF PUBLIC WORKS, WHICHEVER IS THE MORE RESTRICTIVE. THIS
18 DETERMINATION SHALL INCLUDE PLANNED FUTURE DEVELOPMENT OF THE
19 WATERSHED AREA.

20 **PART 125.2 RECONSTRUCTION OR REPAIR OF EXISTING BUILDINGS.**

21 RECONSTRUCTION OR REPAIR OF EXISTING BUILDINGS SHALL BE GOVERNED BY PART
22 121 "UNSAFE STRUCTURES AND EQUIPMENT". ALL SUBSTANTIAL IMPROVEMENTS TO
23 EXISTING BUILDINGS SHALL BE PERMITTED ONLY ON THE BASIS OF AN APPROVED
24 WAIVER IN ACCORDANCE WITH ARTICLE 32, TITLE 8, SUBTITLE 3 OF THE BALTIMORE
25 COUNTY CODE, 2003, AS AMENDED, "WAIVERS", AND SHALL BE SUBJECT TO ALL
26 APPLICABLE CONDITIONS OF SECTION 32-8-207 OF THE BALTIMORE COUNTY CODE, 2003,
27 AS AMENDED, AND THE REQUIREMENTS OF THIS CODE WHERE REPLACEMENT
28 STRUCTURES CANNOT BE RELOCATED OUT OF THE FLOODPLAIN, THEY SHALL BE
29 LIMITED TO THE FOOTPRINT OF THE PREVIOUS STRUCTURE. ALL SUBSTANTIALLY
30 IMPROVED STRUCTURES, INCLUDING MANUFACTURED HOMES, SHALL HAVE THE
31 LOWEST FLOOR ELEVATED TO OR ABOVE THE FPE. THE LOWEST FLOOR ELEVATION FOR
32 HOUSES OR BUILDINGS ADJACENT TO A RIVERINE FLOODPLAIN SHALL BE TWO FEET
33 ABOVE THE BASE FLOOD ELEVATION.

34 **PART 126 ROOF DRAINAGE AND PROTECTION OF EXTERIOR OPENINGS.**

1 **PART 126.1 GENERAL REQUIREMENTS FOR ROOF DRAINAGE.**

2 1. GUTTERS, DOWNSPOUTS AND LEADERS SHALL BE PROVIDED ON ALL BUILDINGS
3 TO PROPERLY COLLECT, CONDUCT AND DISCHARGE THE WATER FROM THE ROOFS OF
4 SUCH BUILDINGS AND SHALL BE DISCHARGED IN A STORM DRAIN, OR, WHEN
5 PERMITTED, INTO THE DRIVEWAY OF AN ALLEY, STREET OR OTHER PUBLIC WAY. IN THE
6 ABSENCE OF ANY STORM DRAIN, ALLEY, STREET OR PUBLIC WAY, THE WATER MAY BE
7 DISCHARGED ONTO SPLASH BLOCKS OR INTO THE GROUND, AND DIVERTED FROM THE
8 BUILDING.

9 2. ROOFS, CORNICES, COPINGS OR OTHER SUCH PROJECTIONS, WHICH ARE LESS
10 THAN FIVE FEET, MEASURED HORIZONTALLY IN THE LINE OF FLOW AND DISCHARGING
11 OFF THE OUTER EDGE, SHALL NOT BE REQUIRED TO HAVE GUTTERS OR DOWNSPOUTS,
12 PROVIDED THE WATER THEREFROM IS NOT DISCHARGED UPON A SIDEWALK, FOOTWAY
13 OR ANY ADJOINING PROPERTY.

14 3. WHEN, BECAUSE OF THE LOCATION OF A WALL OR WALLS, RAIN STRIKING A
15 WALL SURFACE WILL DRAIN ON THE ROOF, DUE ALLOWANCE SHALL BE MADE FOR THE
16 WALL SURFACE IN DETERMINING THE SIZE OF THE GUTTERS AND CONDUCTORS.

17 4. DOWNSPOUTS SHALL DISCHARGE FREELY AT A DISTANCE OF NOT LESS THAN
18 EIGHT FEET FROM ANY PROPERTY LINE MEASURED ALONG THE PATH OF FLOW.

19 5. ALL GUTTERS AND CONDUCTORS SHALL BE RIGIDLY SUPPORTED.

20 6. THE GUTTERS OF ADJACENT BUILDINGS ON ADJOINING PROPERTIES SHALL NOT
21 BE CONNECTED WITH COMMON DOWNSPOUTS OR LEADERS, BUT EACH BUILDING SHALL
22 HAVE INDIVIDUAL DOWNSPOUTS OR LEADER ON THE PROPERTY ON WHICH IT IS
23 LOCATED.

24 **PART 126.2 EXTERIOR OPENINGS.**

25 **PART 126.2.1 SILLS.** ALL SILLS WHICH REST ON CONCRETE OR MASONRY EXTERIOR
26 WALLS SHALL BE A MINIMUM OF SIX INCHES ABOVE THE FINISHED PROPERTY GRADE.

27 **PART 126.2.2 WINDOW WELLS.** THE SILLS OF ALL WINDOW OPENINGS BELOW GRADE
28 SHALL BE AT LEAST SIX INCHES ABOVE THE ELEVATION OF THE BOTTOM OF THE
29 WINDOW WELL AND CERTIFIED BY AN ENGINEER.

30 **PART 127 BALTIMORE COUNTY MAINTAINED GRINDER PUMPS.** ALL GRINDER PUMP
31 STATIONS MAINTAINED BY BALTIMORE COUNTY SHALL BE POWERED BY A DEDICATED
32 30 AMP RATED LOCKABLE BREAKER TYPE SERVICE ENTRANCE DISCONNECT SWITCH
33 CONNECTED TO A UTILITY ELECTRICAL METER. SUCH BREAKER SHALL BE INSTALLED
34 ADJACENT TO AND WITHIN SIGHT OF THE PUBLIC UTILITY ELECTRICAL METER. A 30 AMP

1 RATED FEEDER SHALL BE INSTALLED TO FEED A 30 AMP RATED CONTROLLER. A 30 AMP
2 RATED BRANCH CIRCUIT SHALL BE INSTALLED TO FEED THE GRINDER PUMP. ALL
3 EQUIPMENT, WIRING AND THE ELECTRICAL METERS SHALL BE INSTALLED AND REMAIN
4 COMPLETELY OUTSIDE THE BUILDING. ALL EQUIPMENT TYPE AND WIRING METHODS
5 SHALL BE APPROVED BY THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS,
6 PRIOR TO THE INSTALLATION.

7 **PART 128 ELECTRICAL**

8 **PART 128.1 GENERAL.** THE DESIGN AND CONSTRUCTION OF ALL NEW INSTALLATIONS OF
9 ELECTRICAL CONDUCTORS, FITTINGS, DEVICES AND FIXTURES FOR LIGHT, HEAT AND
10 POWER SERVICE EQUIPMENT USED FOR POWER SUPPLY TO RADIO AND TELEVISION
11 RECEIVING SYSTEMS AND AMATEUR RADIO TRANSMISSION SYSTEMS IN BUILDINGS AND
12 STRUCTURES, AND ALL ALTERATIONS OR EXTENSIONS TO EXISTING WIRING SYSTEMS
13 THEREIN TO INSURE SAFETY, SHALL CONFORM TO ARTICLE 21, TITLE 7, SUBTITLE 3 OF
14 THE BALTIMORE COUNTY CODE, 2003 AS AMENDED, INCLUDING THE REQUIREMENTS FOR
15 PERMITS AND INSPECTIONS WITH RESPECT THERETO, AND TO THE NATIONAL
16 ELECTRICAL CODE, AS AMENDED.

17 **PART 128.1.1 OUT OF STATE LICENSED CONTRACTORS.** ALL WORK BEING PERFORMED
18 ON A PERMIT ISSUED TO A LICENSED ELECTRICAL CONTRACTOR WHOSE BUSINESS
19 ADDRESS IS OUTSIDE THE STATE OF MARYLAND MUST BE DIRECTLY SUPERVISED BY A
20 BALTIMORE COUNTY LICENSED ELECTRICIAN.

21 **PART 128.1.2 REPAIRS TO ALUMINUM CONDUCTORS.** ALL REPAIRS, CHANGES, OR
22 MODIFICATIONS INVOLVING THE USE OF ALUMINUM CONDUCTORS SHALL BE MADE
23 SOLELY BY LICENSED ELECTRICAL CONTRACTORS. ALL REPAIRS SHALL REQUIRE
24 PERMITS AND INSPECTIONS PURSUANT TO SECTION 21-7-302 OF THE BALTIMORE COUNTY
25 CODE, 2003, AS AMENDED.

26 **PART 128.1.3 SIGNS, LABELS, MARKINGS.** ALL REQUIRED SIGNS, LABELS, MARKINGS,
27 ETC. SHALL BE PERMANENTLY AFFIXED AND SHALL BE SUITABLE FOR THE
28 ENVIRONMENT ENCOUNTERED.

29 **PART 128.1.4 ACCESSIBILITY OF BUILDING SERVICE DISCONNECT.** THE SERVICE
30 DISCONNECT FOR ANY BUILDING OR STRUCTURE SHALL BE ACCESSIBLE, THAT IS,
31 CAPABLE OF BEING REACHED QUICKLY FOR OPERATION.

32 **PART 128.1.5 SECURING AND SUPPORTING ELECTRICAL FIXTURES, DEVICES AND**
33 **EQUIPMENT IN SUSPENDED CEILINGS.** IN ADDITION TO THE REQUIREMENTS OF THE
34 NATIONAL ELECTRICAL CODE, ALL ELECTRICAL FIXTURES, DEVICES, AND EQUIPMENT

1 MUST BE SECURED INDEPENDENTLY OF THE CEILING GRID STRUCTURE UTILIZING A
2 MINIMUM 12 SWG WIRE. LAY-IN FIXTURES SHALL BE SECURED AT DIAGONAL ENDS
3 USING TWO (2) INDIVIDUAL WIRES FROM FIXTURE TO STRUCTURE. RECESSED TYPE
4 FIXTURES SHALL BE SECURED TO THE GRID TO ACCOMMODATE INSTALLATION OF THE
5 FIXTURE TRIM.

6 **PART 128.1.6 CONDUCTOR IDENTIFICATION.** CONDUCTORS SHALL BE COLOR
7 IDENTIFIED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

8 1. ELECTRICAL CONDUCTORS:

- 9 A. 120V/240V 1Ø BLACK, RED, (WHITE GROUNDED LEG)
- 10 B. 120V/208V 3Ø BLACK, RED, BLUE, (WHITE GROUNDED LEG)
- 11 C. 277V/480V 3Ø BROWN, ORANGE, YELLOW, (GRAY GROUNDED LEG)
- 12 D. 240V 3Ø CENTER LEG GROUND BLACK, BLUE, (WHITE GROUNDED LEG
13 STRIPED RED)
- 14 E. 480V 3Ø CENTER LEG GROUND BROWN, YELLOW, (GRAY GROUNDED LEG
15 STRIPED ORANGE).

16 2. RACEWAY PULL IN SYSTEMS. PHASE AND GROUNDED CONDUCTORS:

- 17 A. CONDUCTORS 8 GAUGE WIRE (AWG) OR SMALLER; THE ENTIRE
18 CONDUCTOR SHALL BE THE REQUIRED COLOR THE ENTIRE LENGTH.
- 19 B. CONDUCTORS LARGER THAN 8 GAUGE WIRE (AWG); SHALL BE THE
20 REQUIRED COLOR OR RE-IDENTIFIED AT ALL PANELBOARDS, CONTROL
21 CENTERS, TERMINATIONS AND JUNCTION POINTS.

22 3. CABLE SYSTEMS: CABLE CONDUCTORS SHALL BE PERMITTED TO BE RE-
23 IDENTIFIED THE REQUIRED COLOR AT ALL PANELBOARDS, CONTROL CENTERS,
24 EQUIPMENT, AND JUNCTION POINTS, EXCEPT THAT ALL 277/480 VOLT FEEDER AND
25 BRANCH CIRCUIT CABLES OF 8 GAUGE WIRE (AWG) OR SMALLER, SHALL BE THE
26 REQUIRED COLOR THE ENTIRE LENGTH OF THE CIRCUIT.

27 4. STRIPING AND RE-IDENTIFICATION. STRIPING AND RE-IDENTIFICATION WHEN
28 PERMITTED SHALL BE ACCOMPLISHED BY:

29 A. PERMANENT COLORING OR TAPING OF 2 INCH RINGS AT 5 INCH
30 INTERVALS; OR

31 B. A PERMANENT COLORED STRIPE THE LENGTH OF THE WIRE.

32 **PART 128.2 ALUMINUM CONDUCTORS PROHIBITED 8AWG AND SMALLER.**

33 ALUMINUM CONDUCTORS OF SIZES 8 (AWG) AND SMALLER AMERICAN WIRE GAUGE ARE
34 STRICTLY PROHIBITED FROM USE.

1 **PART 128.3 ALUMINUM CONDUCTORS PROHIBITED IN AIR CONDITIONERS, HEAT**
2 **PUMPS AND ELECTRICAL HEAT.** ALUMINUM CONDUCTORS OF ANY GAUGE AMERICAN
3 WIRE GAUGE (AWG) ARE STRICTLY PROHIBITED FROM USE IN THE INTERIOR OF AIR
4 CONDITIONERS, HEAT PUMPS OR ELECTRICAL HEAT UNITS OF ANY TYPE IN BALTIMORE
5 COUNTY.

6 **PART 128.4 FOOTING GROUND REQUIRED.** THE GROUNDING ELECTRODE FOR ALL NEW
7 BUILDINGS SHALL BE CONCRETE ENCASED IN ACCORDANCE WITH THE NATIONAL
8 ELECTRICAL CODE, AS AMENDED.

9 **PART 128.5 INSULATED SPLICING DEVICES.** INSULATED SPLICING DEVICES DESIGNED
10 TO BE USED WITHOUT A BOX SHALL BE ACCESSIBLE.

11 **PART 128.6 ELECTRICAL SIGNS.** ELECTRICAL SIGNS MOUNTED ON THE OUTSIDE OF ALL
12 BUILDINGS AND TENANT SPACES SHALL HAVE A DISCONNECT SWITCH TO DISCONNECT
13 THE SIGN CIRCUIT BEFORE ENTERING THE SIGN. THIS SWITCH SHALL BE LOCATED
14 ADJACENT TO AND WITHIN SIGHT OF THE SIGN SERVED.

15 **PART 128.7 MULTI OCCUPANCY ELECTRIC SERVICE.** IN MULTI-OCCUPANCY
16 BUILDINGS, SEPARATE SPACES SUPPLIED BY SEPARATE ELECTRIC SERVICE LATERALS
17 OR DROPS MUST BE SEPARATED BY TWO-HOUR RATED FIRE PARTITIONS THAT EXTEND
18 TO THE UNDERSIDE OF THE FLOOR OR ROOF SHEATHING ABOVE OR TO THE BOTTOM OF
19 A FIRE-RATED ASSEMBLY.

20 THE FIRE PARTITION MAY BE OF ONE-HOUR RATED CONSTRUCTION IF ALL THE
21 FOLLOWING CONDITIONS ARE MET:

- 22 1. ADJACENT SERVICES ARE SUPPLIED BY THE SAME TRANSFORMER;
- 23 2. THE SPACES ARE SPRINKLERED;
- 24 3. THE BUILDING IS OWNED BY ONE LEGAL ENTITY;
- 25 4. IDENTIFYING SIGNS ARE INSTALLED AT EACH SERVICE LOCATION; AND
- 26 5. ALL PUBLIC SERVICES FEEDS SHALL PASS THROUGH PUBLIC OR
27 COMMON AREA SPACE.

28 **PART 128.8 SUPERVISION OF SOLAR PHOTOVOLTAIC INSTALLATIONS.** ALL PHASES OF
29 SOLAR PHOTOVOLTAIC INSTALLATIONS, REPAIRS AND/OR MODIFICATIONS SHALL BE
30 PERFORMED UNDER THE SUPERVISION OF A LICENSED ELECTRICIAN QUALIFIED TO
31 INSTALL SUCH SOLAR PHOTOVOLTAIC INSTALLATIONS.

32 **PART 128.8.1 INSTALLATION OF SOLAR PHOTOVOLTAIC SYSTEMS.** NEW
33 PHOTOVOLTAIC SYSTEMS, OR EXTENSIONS OF EXISTING SYSTEMS SHALL ALSO COMPLY
34 WITH SECTION 11.12 PHOTOVOLTAIC SYSTEMS OF NFPA 1, FIRE CODE, 2015 EDITION.

EXCEPTION: DETACHED, NONHABITABLE GROUP U STRUCTURES INCLUDING, BUT NOT LIMITED TO, PARKING SHADE STRUCTURES, CARPORTS, SOLAR TRELLISES AND SIMILAR STRUCTURES SHALL NOT BE SUBJECT TO THE REQUIREMENTS OF THIS PART.

PART 128.9 SOLAR PHOTOVOLTAIC SUPPLY SIDE CONNECTION TO UTILITY. WHERE SOLAR PHOTOVOLTAIC SYSTEMS ARE CONNECTED TO THE UTILITY ON THE SUPPLY SIDE OF THE SERVICE DISCONNECT, THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE, ARTICLE 230 SHALL APPLY TO THE INSTALLATION. GROUNDING AND BONDING REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE, ARTICLE 250 FOR SERVICES SHALL APPLY. THE UNFUSED PHOTOVOLTAIC SUPPLY SIDE CONDUCTORS SHALL BE KEPT AS SHORT AS PRACTICABLE AND MUST BE IN A RACEWAY.

PART 128.10 INTENTIONALLY LEFT BLANK.

PART 128.11 SOLAR PHOTOVOLTAIC WIRING. NO PART OF THE PHOTOVOLTAIC WIRING OR GROUNDING SYSTEM IS PERMITTED TO OBSTRUCT THE NORMAL FLOW OF WATER OFF THE ROOF. THE FINAL WIRING FROM THE LAST MODULAR OF THE ARRAY TO THE COMBINER OR JUNCTION BOX MUST BE IN A RACEWAY OR TRACK.

PART 128.12 GENERATORS. ALL GENERATORS SHALL COMPLY WITH THIS CODE AS WELL AS THE LATEST EDITIONS OF NFPA 37 STANDARD FOR THE INSTALLATION AND USE OF STATIONARY COMBUSTION ENGINES AND GAS TURBINES, AND NFPA 110 STANDARD FOR EMERGENCY AND STANDBY POWER SYSTEMS. INSTALLATION AND USE SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

PART 128.12.1 PROPERTY LINE SETBACK. ALL GENERATORS SHALL BE SO POSITIONED AS TO BE A MINIMUM OF 5 FEET FROM A PROPERTY LINE.

PART 128.12.2 GENERATOR EXHAUST. ALL GENERATORS SHALL BE POSITIONED SO THAT THE EXHAUST POINT OF DISCHARGE IS AS FOLLOWS:

1. AT LEAST 5 FT IN ANY DIRECTION AWAY FROM ANY OPENINGS OR AIR INTAKES.
2. AT LEAST 5 FT AWAY FROM A BUILDING.
3. AT LEAST 5 FT AWAY FROM A PROPERTY LINE.

PART 128.13 PORTABLE GENERATORS. THE FOLLOWING REQUIREMENTS GOVERN THE USE OF PORTABLE GENERATORS:

1. PORTABLE GENERATORS SHALL NOT BE OPERATED OR REFUELED WITHIN BUILDINGS, PORCHES, BALCONIES, OR ON ROOFS.

2. FUELING FROM A CONTAINER SHALL ONLY BE PERMITTED WHEN THE ENGINE IS SHUT DOWN AND ENGINE SURFACE TEMPERATURE IS BELOW THE AUTOIGNITION TEMPERATURE OF THE FUEL.
3. A PORTABLE GENERATOR SHALL BE ALLOWED TO BE UTILIZED AS A SOURCE OF POWER FOR A MAXIMUM OF 30 DAYS IN ANY CONSECUTIVE 12-MONTH PERIOD.
4. TEMPORARY WIRING METHODS MAY BE ACCEPTABLE ONLY IF APPROVED BASED ON THE CONDITIONS OF USE. EXCEPT AS MAY BE SPECIFICALLY MODIFIED IN THE LATEST EDITION OF NFPA 70, ALL OTHER REQUIREMENTS OF NFPA 70 FOR PERMANENT WIRING SHALL APPLY TO TEMPORARY WIRING INSTALLATIONS.
5. EXTENSION CORDS AND FLEXIBLE CORDS SHALL NOT BE AFFIXED TO STRUCTURES, EXTEND THROUGH WALLS, CEILINGS, OR FLOORS, OR UNDER DOORS OR FLOOR COVERINGS, OR BE SUBJECT TO ENVIRONMENTAL OR PHYSICAL DAMAGE AND, UNLESS SPECIFICALLY PERMITTED IN ARTICLE 400.7 OF NFPA 70, FLEXIBLE CORDS AND CABLES SHALL NOT BE USED AS A SUBSTITUTE FOR THE FIXED WIRING OF A STRUCTURE.
6. DEVIATIONS FROM REQUIREMENTS 1 AND 4 ABOVE DURING PERIODS OF CONSTRUCTION, REMODELING, REPAIR OR DEMOLITION UNDER A VALID BUILDING PERMIT SHALL BE SUBJECT TO THE APPROVAL OF THE CODE OFFICIAL.

PART 128.14 AUTHORITY TO ORDER DISCONNECTION OF ENERGY SOURCES. THE CODE OFFICIAL SHALL HAVE THE AUTHORITY TO ORDER THE DISCONNECTION OF ENERGY SOURCES SERVING A BUILDING, STRUCTURE OR MECHANICAL SYSTEM WHEN IT IS DETERMINED THAT ANY PORTION OF THE SYSTEM, EQUIPMENT, OR INSTALLATION IS HAZARDOUS OR UNSAFE.

PART 128.15 ELECTRICAL RECEPTACLE REQUIRED FOR NEW OR REPLACEMENT DECK, BALCONY OR PORCH. WHEN THE CONSTRUCTION OF A DECK, BALCONY OR PORCH IN ANY EXISTING RESIDENTIAL OCCUPANCY REQUIRES ELECTRICAL MODIFICATIONS, ALTERATIONS, REPAIRS, OR INSTALLATION, AN OUTDOOR RECEPTACLE SHALL BE INSTALLED TO SERVE THE DECK, BALCONY OR PORCH IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, 2014 EDITION.

PART 128.16 GROUNDED CONDUCTORS AT WALL SWITCH OUTLET LOCATIONS:

DELETE ARTICLE 404.2(C) FROM THE NATIONAL ELECTRICAL CODE, 2014 EDITION, ADD THE FOLLOWING: A GROUNDED BRANCH CIRCUIT CONDUCTOR SHALL BE INSTALLED AT EACH WALL SWITCH OUTLET LOCATION.

PART 128.17 POOL PERIMETER AREA BONDING REQUIREMENTS:

1 DELETE ARTICLE 680.26(B)(2)(b) FROM THE NATIONAL ELECTRICAL CODE ("NEC"), 2014
2 EDITION, ADD THE FOLLOWING:

3 WHERE STRUCTURAL REINFORCING STEEL IS NOT AVAILABLE OR IS ENCAPSULATED IN
4 A NONCONDUCTIVE COMPOUND, PERIMETER SURFACE BONDING SHALL BE
5 ACCOMPLISHED BY ONE OR MORE OF THE FOLLOWING METHODS:

- 6 1. A COPPER CONDUCTOR GRID CONSTRUCTED OF MINIMUM 8 AWG BARE SOLID
7 COPPER CONDUCTORS BONDED TO EACH OTHER AT ALL POINTS OF CROSSING.
8 THE COPPER CONDUCTOR GRID SHALL BE CONSTRUCTED IN ACCORDANCE WITH
9 THE REQUIREMENTS OF NEC ARTICLE 680.26(B)(1)(b)(3).
- 10 2. WELDED CONCRETE REINFORCING WIRE BONDED TOGETHER TO FORM A SINGLE
11 GRID ENCOMPASSING THE SURFACE AREA DEFINED IN NEC ARTICLE 680.26(B)(2).
- 12 3. UN-ENCAPSULATED STRUCTURAL REINFORCING STEEL BONDED TOGETHER BY
13 STEEL TIE WIRES OR THE EQUIVALENT. THE STEEL GRID SHALL BE CONSTRUCTED
14 IN ACCORDANCE WITH THE REQUIREMENTS OF NEC ARTICLE 680.26(B)(1)(b)(3).

15 WHERE THE PERIMETER SURFACE DEFINED IN NEC ARTICLE 680.26(B)(2) IS:

- 16 1. POURED CONCRETE.

17 A. ONE OR MORE OF THE METHODS DESCRIBED IN THIS SECTION SHALL BE
18 ENCASED IN THE POURED CONCRETE.

- 19 2. NATURAL GRADE.

20 A. A COPPER CONDUCTOR GRID AS DESCRIBED IN THIS SECTION SHALL BE
21 INSTALLED BENEATH THE FINAL GRADE.

- 22 3. PAVERS.

23 A. ON NATURAL GRADE (WITH OR WITHOUT A SUBSURFACE).

- 24 I. A COPPER CONDUCTOR GRID AS DESCRIBED IN THIS SECTION SHALL
25 BE INSTALLED BENEATH THE FINAL GRADE.

26 B. ON POURED CONCRETE.

- 27 I. WHERE PAVERS ARE INSTALLED ON TOP OF POURED CONCRETE THE
28 FINISHED SURFACE SHALL BE CONSIDERED TO BE A POURED
29 CONCRETE SURFACE. ONE OR MORE OF THE METHODS DESCRIBED IN
30 THIS SECTION SHALL BE ENCASED IN THE POURED CONCRETE.

31 **PART 129 PLUMBING SYSTEMS.**

32 **PART 129.1 MINIMUM NUMBER OF FIXTURES.** PLUMBING FIXTURES PROVIDED IN
33 ACCORDANCE WITH CHAPTER 29 OF THE INTERNATIONAL BUILDING CODE, 2015 EDITION

1 SHALL BE DEEMED COMPLIANT WITH THE REQUIREMENTS OF THE BALTIMORE COUNTY
2 PLUMBING AND GASFITTING CODE FOR FIXTURE COUNT.

3 **PART 200. INTERNATIONAL BUILDING CODE.** THIS PART SETS FORTH ADDITIONS TO,
4 AMENDMENTS TO, AND DELETIONS FROM, THE INTERNATIONAL BUILDING CODE, 2015
5 EDITION, IN ACCORDANCE WITH BILL 40-15, THE BUILDING CODE OF BALTIMORE
6 COUNTY.

7 **PART 201.** THE FOLLOWING CHAPTERS AND SECTIONS ARE DELETED FROM THE
8 INTERNATIONAL BUILDING CODE, 2015 EDITION: 101.1; 101.2; 101.4; 101.4.1; 101.4.2; 101.4.3;
9 101.4.4; 101.4.5; 101.4.6; 102.6; 103.1; 103.2; 105.2; 105.6; 107.1 109.2; 109.3; 109.6; 110.3; 113.1; 113.3;
10 114.3; 115.3; 116.3; 201.3; SECTION 202 DEFINITIONS HIGH-RISE BUILDING AND FOSTER CARE
11 FACILITIES; 305.2; 308.6.1; 402.4.2; 402.4.2.1; 402.4.2.2.1; 402.4.3; 402.4.3.1; 402.8.1.1; 403.1;
12 403.2.1.2; 403.4.5; 403.6.1; 704.3; 718.3.1; 903.2.11.3; 903.3.1.1.2; 903.3.2; 905.3.1; 905.3.2; 905.3.3;
13 907.1.2; 907.2.13.2; 913.4; EXCEPTION TO 1005.3.1; EXCEPTION TO 1005.3.2; CHAPTER 11
14 ACCESSIBILITY; 1607.12.2; 1607.12.3; 1607.12.3.1; TABLE 1807.1.6.3(1); NOTE C; 1807.2, 1809.5
15 EXCEPTION 2; APPENDIX C-C102.2.

16 **PART 202.** THE FOLLOWING ARE ADDED TO THE INTERNATIONAL BUILDING CODE, 2015
17 EDITION: FLOATING PIER; FIXED PIER; FOSTER CARE FACILITIES; HIGH-RISE BUILDING;
18 PIER; SECTION 402.5 AUTOMATIC SPRINKLER SYSTEM: ADDITIONAL REQUIREMENTS 6, 7
19 AND 8; SECTION 402.6.2 KIOSKS ADDITIONAL REQUIREMENT 5; SECTION 403.3.2 WATER
20 SUPPLY TO REQUIRED FIRE PUMPS SECOND EXCEPTION; SECTION 706.6 VERTICAL
21 CONTINUITY EXCEPTION 4.4.4; TABLE 1807.1.6.3(1) NOTE C.

22 **PART 203.** THE FOLLOWING CHAPTERS AND SECTIONS, COLLECTIVELY REFERRED TO AS
23 THE LOCAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, 2015 EDITION ARE
24 ADDED.

25 **CHAPTER 2 – DEFINITIONS**

26 **SECTION 201 GENERAL.**

27 **SECTION 201.3 TERMS DEFINED IN OTHER CODES.** WHERE TERMS ARE NOT DEFINED IN
28 THIS CODE AND ARE DEFINED IN THE INTERNATIONAL BUILDING CODE, 2015 EDITION,
29 INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, BALTIMORE COUNTY FIRE
30 PREVENTION CODE INCLUDING NFPA 101 LIFE SAFETY CODE, 2015 EDITION, AND NFPA 1
31 FIRE CODE, 2015 EDITION, INTERNATIONAL MECHANICAL CODE, 2015 EDITION, THE
32 BALTIMORE COUNTY PLUMBING AND GASFITTING CODE, BALTIMORE COUNTY
33 LIVABILITY CODE, INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION, NATIONAL
34 ELECTRICAL CODE, 2014 EDITION, OR INTERNATIONAL ENERGY CONSERVATION CODE,

2015 EDITION, SUCH TERMS SHALL HAVE THE MEANINGS ASCRIBED TO THEM AS IN
THOSE CODES.

SECTION 202 DEFINITIONS

Add – FLOATING PIER: PIER DESIGNED WITH INHERENT FLOTATION CAPABILITY THAT
ALLOWS THE STRUCTURE TO FLOAT ON THE WATER SURFACE AND RISE AND FALL WITH
WATER LEVEL CHANGES.

Add – FIXED PIER: PIER CONSTRUCTED ON A PERMANENT, FIXED FOUNDATION,
SUCH AS ON PILES, THAT PERMANENTLY ESTABLISHES THE ELEVATION OF THE
STRUCTURE DECK WITH RESPECT TO LAND.

Add – FOSTER CARE FACILITIES: FACILITIES THAT PROVIDE CARE TO MORE THAN FIVE
CHILDREN, LESS THAN 24 MONTHS OF AGE.

Add – HIGH-RISE BUILDING. SEE SECTION 403.1

Add – PIER: A STRUCTURE EXTENDING OVER THE WATER AND SUPPORTED ON A FIXED
FOUNDATION (FIXED PIER), OR ON FLOTATION (FLOATING PIER), THAT PROVIDES ACCESS
TO THE WATER.

CHAPTER - 3 USE AND OCCUPANCY CLASSIFICATION

SECTION 305 EDUCATIONAL GROUP E

SECTION 305.2 GROUP E, DAY CARE FACILITIES: THIS GROUP INCLUDES BUILDINGS
AND STRUCTURES OR PORTIONS THEREOF OCCUPIED BY MORE THAN FIVE CHILDREN
MONTHS OF AGE OR OLDER WHO RECEIVE EDUCATIONAL, SUPERVISION OR PERSONAL
CARE SERVICES FOR FEWER THAN 24 HOURS PER DAY.

SECTION 308 INSTITUTIONAL GROUP I

SECTION 308.6.1 CLASSIFICATION AS GROUP E. A CHILD DAY CARE FACILITY THAT
PROVIDES CARE FOR MORE THAN FIVE BUT NO MORE THAN 100 CHILDREN LESS THAN 24
MONTHS OF AGE, WHERE THE ROOMS IN WHICH THE CHILDREN ARE CARED FOR ARE
LOCATED ON A LEVEL OF EXIT DISCHARGE SERVING SUCH ROOMS, AND EACH OF THESE
CHILD CARE ROOMS HAS AN EXIT DOOR NO MORE THAN 21 INCHES ABOVE OR BELOW
OUTSIDE GRADE DIRECTLY TO THE EXTERIOR, SHALL BE CLASSIFIED AS USE GROUP E.

SECTION 310 RESIDENTIAL GROUP R

SECTION 310.5.3 DAY-CARE HOME: CHILD CARE FACILITIES WHEN LOCATED IN
RESIDENTIAL OCCUPANCIES, THAT PROVIDE ACCOMMODATIONS FOR SIX CLIENTS AND
NO MORE THAN 12 CLIENTS, WITH NOT MORE THAN FIVE CHILDREN UNDER THE AGE OF
24 MONTHS, FOR LESS THAN 24 HOURS SHALL COMPLY WITH THE REQUIREMENTS OF THIS

1 CODE FOR R-3 USES AS WELL AS NFPA 101 "LIFE SAFETY CODE", 2015 EDITION, SECTION
2 16.6.

3 **SECTION 310.6.1 RESIDENTIAL GROUP R-4:** R-4 RESIDENTIAL OCCUPANCIES SHALL ALSO
4 COMPLY WITH NFPA 101 "LIFE SAFETY CODE", 2015 EDITION, SECTIONS 32-1 AND 32-2.

5 **CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY**

6 **SECTION 402 COVERED MALLS AND OPEN MALL BUILDINGS**

7 **SECTION 402.4.2 FIRE-RESISTANCE-RATED SEPARATION:** FIRE-RESISTANCE-RATED
8 SEPARATION IS NOT REQUIRED BETWEEN TENANT SPACES AND THE MALL FIRE-
9 RESISTANCE-RATED SEPARATION IS NOT REQUIRED BETWEEN A FOOD COURT AND
10 ADJACENT TENANT SPACES OR THE MALL. EXCEPT AS REQUIRED BY SECTION 402.4.2.1.1.

11 **SECTION 402.4.2.1 TENANT SEPARATIONS:** EACH TENANT SPACE SHALL BE SEPARATED
12 FROM OTHER TENANT SPACES BY A FIRE PARTITION HAVING A ONE HOUR FIRE
13 RESISTIVE PARTITION THAT EXTENDS FROM THE FLOOR TO THE UNDERSIDE OF THE
14 ROOF DECK, FLOOR DECK ABOVE, OR CEILING WHERE THE CEILING IS CONSTRUCTED TO
15 LIMIT THE TRANSFER OF SMOKE, AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH
16 SECTION 708. A TENANT SEPARATION WALL IS NOT REQUIRED BETWEEN ANY TENANT
17 SPACE AND THE MALL EXCEPT AS REQUIRED BY SECTION 402.4.2.1.1.

18 **SECTION 402.4.2.1.1 FIRE-RESISTANCE RATED STORE FRONT SEPARATION COVERED**
19 **MALLS.** A TENANT SEPARATION WALL IS NOT REQUIRED BETWEEN ANY TENANT SPACE
20 AND THE MALL EXCEPT FOR A ONE-HOUR RATED BULKHEAD WALL LOCATED ABOVE
21 THE CEILING OF A TENANT SPACE, SEPARATING IT FROM THE COVERED MALL. SUCH
22 BULKHEAD WALL MAY BE SUPPORTED BY A NON-FIRE RESISTIVE ASSEMBLY WHEN
23 CONSTRUCTED OF NONCOMBUSTIBLE MATERIAL.

24 **SECTION 402.4.2.2.1 OPENINGS BETWEEN ANCHOR BUILDING AND COVERED MALL.**
25 EXCEPT FOR THE SEPARATION BETWEEN GROUP R-1 SLEEPING UNITS AND THE MALL,
26 OPENINGS BETWEEN ANCHOR BUILDINGS OF TYPE 1A, 1B, 11A AND 11B CONSTRUCTION
27 AND THE MALL NEED NOT BE PROTECTED, EXCEPT AS REQUIRED BY SECTION 402.5.

28 **SECTION 402.4.3 OPEN MALL CONSTRUCTION.** FLOOR ASSEMBLIES IN, AND ROOF
29 ASSEMBLIES OVER, THE OPEN MALL OF AN OPEN MALL BUILDING SHALL BE OPEN TO
30 THE ATMOSPHERE FOR NOT LESS THAN 30 FEET, MEASURED PERPENDICULAR FROM THE
31 FACE OF THE TENANT SPACES ON THE LOWEST LEVEL, FROM EDGE OF BALCONY TO EDGE
32 OF BALCONY ON UPPER FLOORS AND FROM EDGE OF ROOF LINE TO EDGE OF ROOF LINE.
33 THE OPENINGS WITHIN, OR THE UNROOFED AREA OF, AN OPEN MALL SHALL EXTEND
34 FROM THE LOWEST/GRADE LEVEL OF THE OPEN MALL THROUGH THE ENTIRE ROOF

1 ASSEMBLY. BALCONIES ON UPPER LEVELS OF THE MALL SHALL NOT PROJECT INTO THE
2 REQUIRED WIDTH OF THE OPENING.

3 **SECTION 402.4.3.1 PEDESTRIAN WALKWAYS.** PEDESTRIAN WALKWAYS CONNECTING
4 BALCONIES IN AN OPEN MALL SHALL BE LOCATED NOT LESS THAN 30 FEET FROM ANY
5 OTHER PEDESTRIAN WALKWAY.

6 **SECTION 402.5 AUTOMATIC SPRINKLER SYSTEM:** ADD ADDITIONAL REQUIREMENTS 6,
7 7 AND 8 AS FOLLOWS:

8 6. UNPROTECTED OPENINGS IN FIRE-RESISTIVE RATED WALL ASSEMBLIES
9 SEPARATING COVERED MALL FROM AN ANCHOR STORE SHALL BE PROTECTED BY
10 CLOSED HEAD SPRINKLER PROTECTION SPACED SIX (6) FOOT ON CENTER AT EACH
11 OPENING, AND SHALL BE SUPPLIED BY THE COVERED MALL SPRINKLER SYSTEM AS
12 REQUIRED BY THE BUILDING OFFICIAL.

13 7. AUTOMATIC SPRINKLER PROTECTION WATER FLOW ALARMS SHALL BE ZONED AS
14 REQUIRED BY THE BALTIMORE COUNTY FIRE PREVENTION CODE.

15 8. IF APPROVED BY THE CODE OFFICIAL, AN INDEPENDENTLY CONTROLLED TENANT
16 SPACE MAY INCLUDE A CONNECTION WITH A DRAIN TO ALLOW FOR A PAN HANDLE
17 BLANK TO BE INSTALLED TO ISOLATE THE TENANT SPACE FROM THE REMAINDER OF THE
18 SPRINKLER SYSTEM DURING TIMES OF SPRINKLER SYSTEM ALTERATION.

19 **SECTION 402.6.2 KIOSKS.** ADD ADDITIONAL REQUIREMENT 5 AS FOLLOWS:

20 5. NO SPACE SHALL BE USED FOR A KIOSK OR OTHER USE WITHIN 10 FEET OF ANY
21 COVERED MALL STORE FRONT, OR WITHIN 50 FEET OF AN OPENING FROM AN ANCHOR
22 STORE INTO A COVERED MALL.

23 **SECTION 402.6.5 TEMPORARY USE AREAS.** TEMPORARY USE AREAS, EXCLUDING PLACES
24 OF ASSEMBLY, SHALL COMPLY WITH REQUIREMENTS OF SECTION 402.6.2.

25 **SECTION 402.6.6 HAZARDOUS MATERIALS.** NO COMBUSTIBLE OR FLAMMABLE LIQUIDS
26 OR GASES, OR BOTH, SHALL BE PERMITTED IN THE COVERED MALL.

27 **SECTION 402.6.7 MOTOR VEHICLES AND RECREATIONAL VEHICLES.** NO MOTOR
28 VEHICLES USED FOR TRANSPORTATION OR RECREATIONAL VEHICLES, SUCH AS AN
29 AIRPLANE, BOAT, TRAILER, CAMPER, ETC., SHALL BE DISPLAYED OR STORED IN THE
30 COVERED MALL AREA UNLESS BY PERMISSION OF THE BALTIMORE COUNTY FIRE
31 DEPARTMENT.

32 **SECTION 402.6.8 ASSEMBLY USES WITHIN COVERED MALL.** ASSEMBLY USES WITHIN
33 THE COVERED MALL SHALL COMPLY WITH THE FOLLOWING:

1 1. NO AREAS WITHIN A COVERED MALL SHALL BE USED FOR ASSEMBLY TYPE
2 ACTIVITIES UNLESS THE EXITS FOR THAT AREA OF THE COVERED MALL HAVE BEEN
3 CALCULATED TO SATISFY THE BALTIMORE COUNTY BUILDING CODE AND THE FIRE
4 CODE FOR THE PROPOSED USE BY A LICENSED PROFESSIONAL ARCHITECT OR ENGINEER
5 REGISTERED IN THE STATE OF MARYLAND, AND PROVISIONS ARE MADE TO CONTROL
6 THE OCCUPANT LOAD SO THAT THE DESIGN LOAD IS NOT EXCEEDED.

7 THE BUILDING OFFICIAL AND/OR THE FIRE OFFICIAL MAY REQUIRE ANY ADDITIONAL
8 SAFEGUARDS AS NECESSARY TO INSURE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

9 **SECTION 402.7.1.1 STANDPIPE SYSTEM ANCHOR STORES.** ANCHOR STORES SHALL BE
10 PROVIDED WITH A STANDPIPE SYSTEM IN ACCORDANCE WITH SECTION 905.3.3.

11 **SECTION 402.8.1.1 MINIMUM WIDTH.** THE MINIMUM WIDTH OF EITHER A COVERED MALL
12 OR OPEN MALL SHALL BE 30 FEET. THE AGGREGATE CLEAR EGRESS WIDTH OF THE MALL
13 IN EITHER A COVERED OR OPEN MALL BUILDING SHALL BE NOT LESS THAN 20 FEET (6096
14 MM). THE MALL WIDTH SHALL BE SUFFICIENT TO ACCOMMODATE THE OCCUPANT LOAD
15 SERVED. NO PORTION OF THE MINIMUM REQUIRED AGGREGATE EGRESS WIDTH SHALL
16 BE LESS THAN 10 FEET (3048 MM) BETWEEN ANY PROJECTION OF A TENANT SPACE
17 BORDERING THE MALL AND THE NEAREST KIOSK, VENDING MACHINE, BENCH, DISPLAY
18 OPENING, FOOD COURT OR OTHER OBSTRUCTION TO MEANS OF EGRESS TRAVEL.

19 **SECTION 403 HIGH-RISE BUILDINGS.**

20 **SECTION 403.1 APPLICABILITY.** THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL
21 BUILDINGS USED FOR HUMAN OCCUPANCY WHEN THE BUILDINGS ARE 75'-0" (22860 MM)
22 OR MORE IN HEIGHT, AS MEASURED FROM THE LOWEST ELEVATION OF A PUBLIC OR
23 PRIVATE PUBLIC WAY OVER 21 FEET WIDE USED AS A REFERENCE DATUM AT A POINT 6'-
24 0" FROM THE BUILDING UPWARD TO THE EAVE OF A PITCHED ROOF OR THE TOP OF A
25 PARAPET OR THE POINT OF FIRE DEPARTMENT ACCESS ON A NON-PITCH ROOF. THIS
26 PUBLIC WAY SHALL NOT BE FURTHER FROM THE BUILDING THAN WILL ALLOW A 100
27 FOOT AERIAL LADDER TO REACH A HEIGHT OF 75 FEET (22860 MM) AT THE BUILDING AND
28 SHALL BE AVAILABLE ON AT LEAST TWO SIDES.

29 **EXCEPTION:** THE PROVISIONS OF SECTIONS 403.2 THROUGH 403.6 SHALL NOT APPLY TO
30 THE FOLLOWING BUILDINGS AND STRUCTURES:

- 31 1. AIRPORT TRAFFIC CONTROL TOWERS IN ACCORDANCE WITH SECTION 412.3
- 32 2. OPEN PARKING GARAGES IN ACCORDANCE WITH SECTION 406.5.
- 33 3. BUILDINGS WITH AN OCCUPANCY IN GROUP A-5 IN ACCORDANCE WITH SECTION
34 303.6.

1 4. SPECIAL INDUSTRIAL OCCUPANCIES IN ACCORDANCE WITH SECTION 503.1.1.

2 5. BUILDINGS WITH AN OCCUPANCY IN GROUP H-1, H-2 OR H-3 IN ACCORDANCE WITH
3 SECTION 415.

4 **SECTION 403.2.1.2 SHAFT ENCLOSURES.** FOR BUILDINGS NOT GREATER THAN 420 FEET
5 IN HEIGHT, THE REQUIRED FIRE RESISTANCE RATING OF THE FIRE BARRIER ASSEMBLIES
6 ENCLOSING VERTICAL SHAFTS, OTHER THAN STAIRWAY ENCLOSURES AND ELEVATOR
7 HOISTWAY ENCLOSURES, MAY BE REDUCED TO 1 HOUR WHEN AUTOMATIC SPRINKLERS
8 ARE INSTALLED WITHIN THE SHAFTS AT THE TOP AND AT ALTERNATE FLOOR LEVELS,
9 AND ZONED SEPARATELY ON THE ANNUNCIATOR PANEL OF THE CENTRAL CONTROL
10 STATION. SPRINKLERS SHALL BE CONTROLLED BY A SEPARATE INDICATING VALVE
11 INSTALLED IN AN APPROVED LOCATION.

12 **SECTION 403.3.2 WATER SUPPLY TO REQUIRED FIRE PUMPS.**

13 ADD SECOND EXCEPTION: EXISTING HIGH-RISE BUILDINGS IF APPROVED BY THE
14 BALTIMORE COUNTY FIRE DEPARTMENT.

15 **SECTION 403.4.5 EMERGENCY RESPONDER RADIO COVERAGE.** EMERGENCY
16 RESPONDER RADIO COVERAGE SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 916.

17 **SECTION 403.4.7.1 WINDOW IDENTIFICATION AND GLAZING.** WINDOWS/PANELS SHALL
18 BE CLEARLY AND PERMANENTLY MARKED. IDENTIFICATION SHALL BE BY AN ETCHED
19 GLASS MALTESE CROSS OF MINIMUM 4 INCH BY 4 INCH IN ACCORDANCE WITH THE
20 BALTIMORE COUNTY FIRE DEPARTMENT'S REQUIREMENTS. NON-OPERABLE WINDOWS
21 SHALL BE OF TEMPERED GLASS.

22 **SECTION 403.4.8.5 EMERGENCY ELECTRIC POWER FEED.** PRIMARY AND EMERGENCY
23 ELECTRIC POWER FEED LINES FOR STANDBY AND EMERGENCY POWER SYSTEMS
24 REQUIRED BY SECTIONS 403.4.8 AND 403.4.9 SHALL NOT BE INSTALLED IN THE SAME
25 UTILITY SHAFT, AND SHALL BE SEPARATED BY SUFFICIENT DISTANCE OR PROTECTION
26 SO AS TO INSURE ANY SINGLE OCCURRENCE WOULD NOT RENDER BOTH PRIMARY AND
27 EMERGENCY/STANDBY POWER FEEDS INOPERATIVE.

28 **SECTION 403.6.1 FIRE SERVICE ACCESS ELEVATOR.** IN BUILDINGS WITH AN OCCUPIED
29 FLOOR MORE THAN 100 FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE
30 ACCESS, A MINIMUM OF ONE FIRE SERVICE ACCESS ELEVATOR SHALL BE PROVIDED IN
31 ACCORDANCE WITH SECTION 3007, AND IN BUILDINGS WITH AN OCCUPIED FLOOR MORE
32 THAN 120 FEET (36 576 MM) ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE
33 ACCESS, NO FEWER THAN TWO FIRE SERVICE ACCESS ELEVATORS, OR ALL ELEVATORS,
34 WHICHEVER IS LESS, SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 3007. EACH

FIRE SERVICE ACCESS ELEVATOR SHALL HAVE A CAPACITY OF NOT LESS THAN 3500 POUNDS (1588 KG).

SECTION 407 GROUP I-2.

SECTION 407.11 EMERGENCY RESPONDER RADIO COVERAGE.

EMERGENCY RESPONDER RADIO COVERAGE SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 916 IN NEWLY CONSTRUCTED HOSPITAL BUILDINGS AND ADDITIONS TO EXISTING HOSPITALS.

SECTION 415 GROUPS H-1, H-2, H-3, H-4 AND H-5

SECTION 415.1.2. FIRE FIGHTER SAFETY BUILDING MARKING SYSTEM REQUIRED.

BUILDINGS AND STRUCTURES CLASSIFIED AS USE GROUP H SHALL HAVE FIRE FIGHTER SAFETY BUILDING MARKING SYSTEM SIGNAGE IN COMPLIANCE WITH ANNEX F "FIRE FIGHTER SAFETY BUILDING MARKING SYSTEM" OF THE LATEST EDITION OF NFPA 1 FIRE CODE.

CHAPTER - 5 GENERAL BUILDING HEIGHTS AND AREAS.

SECTION 506 BUILDING AREA.

SECTION 506.3.1.1 OPEN SPACE LIMITS. SUCH OPEN SPACE SHALL BE EITHER ON THE SAME LOT OR DEDICATED FOR PUBLIC USE AND SHALL BE ACCESSED FROM A STREET OR APPROVED FIRE LANE IN ACCORDANCE WITH NFPA 1, FIRE CODE, 2015 EDITION, SECTION 18.2 AND SHALL BE LOCATED WITHIN 30 FEET OF THE BUILDING FOR ENTIRE LENGTH OF THE BUILDING RECEIVING FRONTAGE INCREASE PER SECTION 506.3. SECTION 18.2.3.2.2.1 OF NFPA 1 SHALL NOT APPLY.

SECTION 507 UNLIMITED AREA BUILDINGS.

SECTION 507.2.2 FIRE LANES REQUIRED. OPEN SPACE REQUIRED FOR UNLIMITED AREA BUILDINGS SHALL BE PROVIDED WITH A STREET OR AN APPROVED FIRE LANE IN ACCORDANCE WITH LATEST EDITION OF NFPA 1, FIRE CODE, SECTION 18.2, AND SHALL BE LOCATED WITHIN 30 FT OF THE ENTIRE LENGTH OF THE BUILDING. SECTION 18.2.3.2.2.1 OF NFPA 1 SHALL NOT APPLY.

SECTION 508.3.3.4 SEPARATION FULLY SPRINKLERED FIRE, RESCUE AND AMBULANCE STATIONS. A FIRE-RESISTIVE SEPARATION ASSEMBLY SHALL NOT BE REQUIRED FOR FULLY SPRINKLERED FIRE, RESCUE, AND AMBULANCE STATIONS OF A POLITICAL SUB-DIVISION, INCLUDING VOLUNTEER STATIONS, MEETING THE FOLLOWING:

1. A NON-FIRE RESISTIVE SEPARATION IS PROVIDED THAT CONFORMS TO SECTION 707.5 FOR CONTINUITY, WITH PENETRATIONS AND OPENINGS PROTECTED TO LIMIT THE TRANSFER OF SMOKE.

2. A FIRE-RESISTIVE ASSEMBLY CONFORMING TO TABLE 707.3.10 IS PROVIDED TO SEPARATE USE GROUP A, OTHER THAN TRAINING ROOMS WITH LESS THAN 100 OCCUPANTS, FROM ALL OTHER USE GROUPS.

3. PROVISIONS OF SECTIONS 420.2 AND 420.3 SHALL NOT APPLY.

CHAPTER 7 - FIRE RESISTANCE-RATED CONSTRUCTION.

SECTION 703 FIRE-RESISTANCE RATINGS AND FIRE TESTS.

SECTION 703.7.1 LABELING OF FIRE WALLS. ALL FIRE WALLS SHALL BE PLACARDED OR STENCILED ON BOTH SIDES WITH THE PHRASE "FIRE WALL". THE LETTERS SHALL BE RED IN COLOR, 6 INCHES HIGH AND A MINIMUM OF ¾ INCH WIDE. THE PHRASE SHALL BE WRITTEN ONCE FOR EACH 15 FEET OF HORIZONTAL WALL LENGTH. SIGNAGE MAY BE LOCATED IN THE CONCEALED SPACE ABOVE A CEILING.

SECTION 704 FIRE-RESISTANCE RATING OF STRUCTURAL MEMBERS.

SECTION 704.3 PROTECTION OF THE PRIMARY STRUCTURAL FRAME OTHER THAN COLUMNS. MEMBERS OF THE PRIMARY STRUCTURAL FRAME OTHER THAN COLUMNS THAT ARE REQUIRED TO HAVE A FIRE-RESISTANCE RATING AND SUPPORT TWO FLOORS OR MORE OR ONE FLOOR AND ROOF, OR SUPPORT A LOAD-BEARING WALL OR A NONLOAD-BEARING WALL TWO STORIES OR MORE HIGH, SHALL BE PROVIDED INDIVIDUAL ENCASEMENT PROTECTION BY PROTECTING THEM ON ALL SIDES FOR THEIR FULL LENGTH, INCLUDING CONNECTIONS TO OTHER STRUCTURAL MEMBERS, WITH MATERIALS HAVING THE REQUIRED FIRE-RESISTANCE RATING.

EXCEPTION: INDIVIDUAL ENCASEMENT PROTECTION ON ALL SIDES SHALL BE PERMITTED ON ALL EXPOSED SIDES PROVIDED THE EXTENT OF PROTECTION IS IN ACCORDANCE WITH THE REQUIRED FIRE-RESISTANCE RATING, AS DETERMINED IN SECTION 703.

SECTION 706.6 VERTICAL CONTINUITY.

ADD EXCEPTION 4.4.4: ANY GAP BETWEEN THE TOP OF THE WALL OR NAILING STRIP AND THE UNDERSIDE OF THE DECK SHALL BE FILLED WITH APPROVED FIREPROOF FLEXIBLE INSULATION INSTALLED IN ACCORDANCE WITH ITS LISTING.

SECTION 718.3.1 DRAFTSTOPPING MATERIALS. DRAFTSTOPPING MATERIAL SHALL NOT BE LESS THEN 0.5 INCH TYPE X GYPSUM BOARD, OR 2 LAYERS OF 0.5 INCH GYPSUM WALL BOARD WITH STAGGERED JOINTS, OR OTHER APPROVED MATERIAL HAVING A ASTM E-119 FIRE RESISTIVE RATING OF 25 MINUTES OR MORE INSTALLED PER ITS LISTING.

CHAPTER 9 - FIRE PROTECTION SYSTEMS.

SECTION 901 GENERAL.

1 **SECTION 901.2.1 NONREQUIRED SYSTEMS.** ANY FIRE PROTECTION SYSTEMS NOT
2 REQUIRED BY THIS CODE SHALL COMPLY WITH THE REQUIREMENTS OF THE
3 APPROPRIATE ADOPTED CODES AND STANDARDS.

4 **901.9 SIGNAGE LETTER SIZES.** WHERE FIRE PROTECTION EQUIPMENT OR CONTROLS ARE
5 LOCATED IN A SEPARATE ROOM OR BUILDING, A SIGN SHALL BE PROVIDED ON THE
6 ENTRANCE DOOR. SPRINKLER AND STANDPIPE SYSTEMS INCLUDING FIRE PUMPS. THE
7 MINIMUM HEIGHT OF LETTERS AND NUMBERS SHALL BE 2 INCHES UNLESS OTHERWISE
8 NOTED.

9 **SECTION 901.10 YARD HYDRANTS.**

10 **SECTION 901.10.1 SIZE.** THE MINIMUM SIZE OF ON-SITE MAINS SUPPLYING FIRE
11 HYDRANTS SHALL BE 8 INCHES IN DIAMETER.

12 **SECTION 901.10.2 LEADS.** HYDRANT LEADS FROM MAINS SHALL BE NOT LESS THAN 6
13 INCHES IN DIAMETER, NOR MORE THAN 20 FEET IN LENGTH. EXCEPTIONS TO THESE
14 CRITERIA MAY BE GRANTED AT THE DISCRETION OF THE BUILDING OFFICIAL OR THE
15 FIRE DEPARTMENT.

16 **SECTION 903 AUTOMATIC SPRINKLER SYSTEMS.**

17 **SECTION 903.1.2 INSTALLATION STANDARD EDITION.** EDITION YEAR OF AUTOMATIC
18 SPRINKLER SYSTEMS SHALL BE THE EDITION YEAR REQUIRED BY THE BALTIMORE
19 COUNTY FIRE PREVENTION CODE.

20 **SECTION 903.1.3 CONSTRUCTION DOCUMENTS AND DESIGN.** DESIGN OF PLANS AND
21 PREPARATION OF CALCULATIONS FOR AUTOMATIC SPRINKLER AND SPRAY FIRE
22 SUPPRESSION SYSTEMS, FIRE STANDPIPE SYSTEMS AND FIRE PUMPS SHALL BE PREPARED
23 UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER, COMPETENT IN
24 THE FIELD OF FIRE PROTECTION ENGINEERING AND AUTOMATIC SPRINKLER SYSTEM
25 DESIGN OR A CERTIFIED ENGINEERING TECHNICIAN POSSESSING A LEVEL III OR HIGHER
26 CERTIFICATION IN AUTOMATIC SPRINKLER SYSTEM LAYOUT FROM THE NATIONAL
27 INSTITUTE OF CERTIFICATION IN ENGINEERING TECHNOLOGIES ("NICET"). PLANS SHALL
28 BE SIGNED GIVING NICET LEVEL AND CERTIFICATION NUMBER, OR BY SEAL OF A
29 PROFESSIONAL ENGINEER COMPETENT IN THE FIELD OF FIRE PROTECTION ENGINEERING
30 WHO IS REGISTERED IN THE STATE OF MARYLAND.

31 **SECTION 903.1.4 CALCULATIONS.** THE VELOCITY PRESSURE METHOD OF HYDRAULIC
32 CALCULATION SHALL NOT BE UTILIZED IN CALCULATING SPRINKLER OR STANDPIPE
33 SYSTEM DEMANDS.

1 **SECTION 903.1.5 STRUCTURAL CERTIFICATE REQUIRED.** AN OFFICIAL BALTIMORE
2 COUNTY STRUCTURAL CERTIFICATE SHALL BE COMPLETED AND SEALED BY A STATE OF
3 MARYLAND STRUCTURAL ENGINEER INDICATING A STRUCTURE'S ABILITY TO
4 WITHSTAND THE ADDED LOAD OF WATER FILLED SPRINKLER PIPING. SUCH A
5 CERTIFICATE SHALL BE PROVIDED FOR ALL SPRINKLER SYSTEMS WHERE 2 ½ INCH OR
6 LARGER PIPE IS BEING INSTALLED.

7 **SECTION 903.1.6 EXPEDITED AUTOMATIC SPRINKLER SYSTEM PERMIT.** THE CODE
8 OFFICIAL SHALL HAVE THE AUTHORITY TO ESTABLISH AND AMEND PROCEDURES AND
9 REQUIREMENTS FOR EXPEDITED AUTOMATIC SPRINKLER PERMITS. THE CODE OFFICIAL
10 SHALL HAVE THE AUTHORITY TO DENY ANY REQUEST FOR AN EXPEDITED SPRINKLER
11 PERMIT.

12 **SECTION 903.2.8.5 ADDITIONS, RENOVATIONS AND FIRE DAMAGE REPAIR TO**
13 **EXISTING RESIDENTIAL BUILDINGS.**

14 1. IF AN ADDITION, RENOVATION OR FIRE DAMAGE REPAIR IS MADE TO AN
15 EXISTING RESIDENTIAL BUILDING AND EXCEEDS 50 PERCENT OF THE GROSS FLOOR
16 AREA, THEN THE ENTIRE BUILDING SHALL BE PROVIDED THROUGHOUT WITH APPROVED
17 AUTOMATIC SPRINKLER PROTECTION.

18 2. EXISTING RESIDENTIAL BUILDINGS FOUR OR MORE STORIES IN HEIGHT
19 EXPERIENCING FIRE DAMAGE REPAIR EXCEEDING 50 PERCENT OF THE GROSS FLOOR
20 AREA OF A FLOOR, THEN THAT FLOOR EXPERIENCING DAMAGE SHALL BE PROVIDED
21 WITH APPROVED AUTOMATIC SPRINKLER PROTECTION THROUGHOUT. THE PROVISIONS
22 OF SUBSECTION 1. OF THIS SECTION SHALL ALSO APPLY AS MAY BE APPLICABLE. FOR
23 THE PURPOSE OF THIS SECTION, FIRE DAMAGE SHALL INCLUDE FIRE, SMOKE, WATER
24 DAMAGE, AND DAMAGE CAUSED BY FIRE FIGHTING EFFORTS.

25 **SECTION 903.2.9.3 MINI-STORAGE BUILDING.** AN AUTOMATIC SPRINKLER SYSTEM
26 SHALL BE INSTALLED THROUGHOUT ALL MINI-STORAGE BUILDINGS GREATER THAN
27 2500 SQ. FT.

28 **SECTION 903.2.11.3 BUILDINGS THREE OR MORE STORIES IN HEIGHT.** AN AUTOMATIC
29 SPRINKLER SYSTEM SHALL BE INSTALLED THROUGHOUT BUILDINGS THREE OR MORE
30 STORIES IN HEIGHT ABOVE THE GRADE PLANE.

31 **EXCEPTIONS:**

- 32 1. AIRPORT CONTROL TOWERS.
33 2. FREE STANDING OPEN PARKING STRUCTURES.
34 3. OCCUPANCIES IN GROUP F-2.

1 **SECTION 903.2.13 NEW STORAGE OCCUPANCIES GROUP A PLASTICS.** AN AUTOMATIC
2 SPRINKLER SYSTEM SHALL BE INSTALLED THROUGHOUT ALL OCCUPANCIES
3 CONTAINING STORAGE COMMODITIES CLASSIFIED AS GROUP A PLASTICS IN EXCESS OF
4 5 FT (1.5 M) IN HEIGHT OVER AN AREA EXCEEDING 2500 SQ. FT IN AREA.

5 **SECTION 903.2.14 HIGH-PILED STORAGE.** AN AUTOMATIC SPRINKLER SYSTEM SHALL BE
6 INSTALLED THROUGHOUT ALL OCCUPANCIES CONTAINING AREAS GREATER THAN 2500
7 SQ. FT FOR THE HIGH-PILED STORAGE OF COMBUSTIBLES.

8 **SECTION 903.3.1.1.3 MINIMUM BASE OF RISER DEMAND.** MINIMAL WATER SUPPLY
9 REQUIREMENTS SHALL BE AS FOLLOWS:

10	LIGHT HAZARD	150 gpm
11	ORDINARY GROUP 1 HAZARD	600 gpm
12	ORDINARY GROUP 2 HAZARD	750 gpm
13	OR A HIGHER HAZARD	750 gpm

14 **SECTION 903.3.1.1.4 SAFETY MARGIN.** A MINIMUM 5 PSI SAFETY MARGIN SHALL BE
15 PROVIDED IN THE HYDRAULIC CALCULATIONS FOR ALL WATER BASED FIRE
16 PROTECTION SYSTEMS WHEN THE SYSTEMS ARE FED FROM A MUNICIPAL WATER
17 SUPPLY.

18 **SECTION 903.3.2 QUICK-RESPONSE AND RESIDENTIAL SPRINKLERS.** WHERE
19 AUTOMATIC SPRINKLER SYSTEMS ARE REQUIRED BY THIS CODE OR THE BALTIMORE
20 COUNTY FIRE PREVENTION CODE, QUICK RESPONSE OR RESIDENTIAL AUTOMATIC
21 SPRINKLER SHALL BE INSTALLED IN THE FOLLOWING AREAS IN ACCORDANCE WITH
22 SECTIONS 903.1.2 AND 903.3.1 AND THEIR LISTINGS:

- 23 1. IN ALL HIGH-RISE, INSTITUTIONAL AND ASSEMBLY OCCUPANCIES.
- 24 2. ALL RESIDENTIAL OCCUPANCIES.
- 25 3. LIGHT-HAZARD OCCUPANCIES AS DEFINED IN NFPA 13.
- 26 4. IN ANCILLARY AREAS IN THE ABOVE OCCUPANCIES, UNLESS OTHERWISE
27 ALLOWED BY THE CODE OFFICIAL.
- 28 5. SMOKE COMPARTMENTS CONTAINING TREATMENT ROOMS IN AMBULATORY
29 CARE FACILITIES.

30 **SECTION 903.3.2.1 WET PIPE SPRINKLER SYSTEM REQUIRED.** SPRINKLER REQUIRED IN
31 SECTION 903.3.2 SHALL BE USED WITH A WET PIPE AUTOMATIC SPRINKLER SYSTEM
32 UNLESS APPROVED BY THE CODE OFFICIAL.

33 **SECTION 903.4 SPRINKLER SYSTEM MONITORING AND ALARMS**

1 **EXCEPTION 8: SPRINKLER ALARMS:** ALARMS AND ALARM ATTACHMENTS SHALL NOT
2 BE REQUIRED, EXCEPT WHERE A BUILDING IS PROVIDED WITH A FIRE ALARM SYSTEM,
3 IN WHICH CASE INTERCONNECTION TO PROVIDE A WATERFLOW ALARM SHALL BE
4 MADE.

5 **SECTION 903.4.1.2 AUTOMATIC SPRINKLER, STANDPIPE AND FIRE PUMP SYSTEMS.**
6 AUTOMATIC SPRINKLERS, STANDPIPES AND FIRE PUMPS IN NEW BUILDINGS AND
7 EXISTING BUILDINGS SHALL BE MAINTAINED BY LOCKING VALVES IN THE OPEN
8 POSITION, AS REQUIRED BY THE BALTIMORE COUNTY FIRE DEPARTMENT, AND ONE OF
9 THE FOLLOWING METHODS:

10 1. APPROVED CENTRAL STATION SYSTEM IN ACCORDANCE WITH THE LATEST
11 EDITION OF NFPA 72, NATIONAL FIRE ALARM AND SIGNALING CODE, LISTED IN CHAPTER
12 35.

13 2. APPROVED PROPRIETARY SYSTEM IN ACCORDANCE WITH THE LATEST EDITION
14 OF NFPA 72, NATIONAL FIRE ALARM AND SIGNALING CODE, LISTED IN CHAPTER 35.

15 3. APPROVED REMOTE STATION SYSTEM OF THE JURISDICTION IN ACCORDANCE
16 WITH THE LATEST EDITION OF NFPA 72, NATIONAL FIRE ALARM AND SIGNALING CODE,
17 LISTED IN CHAPTER 35.

18 4. APPROVED LOCAL ALARM SERVICE THAT WILL CAUSE THE SOUNDING OF AN
19 AUDIBLE SIGNAL AT A CONSTANTLY ATTENDED LOCATION IN ACCORDANCE WITH THE
20 LATEST EDITION OF NFPA 72, NATIONAL FIRE ALARM AND SIGNALING CODE.

21 **EXCEPTION:** AS PERMITTED BY EXCEPTIONS IN SECTIONS 903.4 AND 903.4.1.

22 **SECTION 903.6 INDEPENDENT SPRINKLER CONTROL VALVE(S) REQUIRED.** WHENEVER
23 AUTOMATIC SPRINKLER PROTECTION IS UTILIZED TO PROVIDE A FIRE-RESISTIVE
24 RATING, SUCH SPRINKLERS SHALL BE UNDER THE CONTROL OF AN INDEPENDENT
25 CONTROL VALVE. SUCH VALVE SHALL BE ARRANGED TO BE INDEPENDENT OF ANY
26 OTHER SPRINKLER SYSTEM CONTROL VALVES, OTHER THAN THOSE AT THE MAIN
27 SPRINKLER HEADER OR MAIN STANDPIPE RISER CONTROL VALVE.

28 **SECTION 903.7 LOCATION OF SPRINKLER CONTROL VALVES IN RESIDENTIAL**
29 **OCCUPANCIES.** SPRINKLER CONTROL VALVE(S) SHALL NOT BE LOCATED INSIDE OR
30 ACCESSED THROUGH A DWELLING UNIT, UNLESS SUCH VALVE CONTROLS ISOLATED
31 SPRINKLERS SERVING THAT DWELLING UNIT.

32 **SECTION 903.8 ATRIUM SPRINKLERS.** AUTOMATIC SPRINKLER PROTECTION SERVING
33 THE ATRIUM SHALL BE UNDER THE CONTROL OF A SEPARATE SECTIONAL CONTROL

1 VALVE LOCATED AND ARRANGED IN A MANNER APPROVED BY THE FIRE DEPARTMENT
2 OR CODE OFFICIAL.

3 **SECTION 905 STANDPIPE SYSTEMS**

4 **SECTION 905.2.1 NFPA 14 STANDARD EDITION.** EDITION YEAR OF NFPA 14, STANDARD
5 FOR THE INSTALLATION OF STANDPIPE AND HOSE SYSTEMS, SHALL BE THE EDITION
6 YEAR REQUIRED BY THE BALTIMORE COUNTY FIRE PREVENTION CODE.

7 **SECTION 905.2.2 DESIGN PRESSURE.** STANDPIPE SYSTEMS SHALL BE DESIGNED TO
8 PROVIDE THE REQUIRED WATER FLOW RATE AT A MINIMUM RESIDUAL PRESSURE OF 100
9 PSI AT THE MOST REMOTE HOSE CONNECTION OUTLET.

10 **EXCEPTION:** IN NON-HIGH-RISE BUILDINGS EQUIPPED WITH COMPLETE AUTOMATIC
11 SPRINKLER PROTECTION IN ACCORDANCE WITH THE LATEST EDITION OF NFPA 13, OR
12 BUILDINGS EQUIPPED WITH A NFPA 13R AUTOMATIC SPRINKLER SYSTEM WHERE HEIGHT
13 DOES NOT EXCEED 3 STORIES OF TYPE V CONSTRUCTION OR 4 STORIES OF TYPE I, II, III
14 OR IV CONSTRUCTION TYPE, STANDPIPE RISERS SHALL BE DESIGNED TO DELIVER THE
15 REQUIRED STANDPIPE FLOW ("GPM") AT A POSITIVE RESIDUAL PRESSURE AT THE
16 TOPMOST HOSE OUTLET PROVIDED THAT THE MINIMUM PIPE SIZE FOR STANDPIPES IS 4
17 INCHES AND IT IS SHOWN THAT THE STANDPIPE DEMAND AT 100 PSI DISCHARGE AT THE
18 TOPMOST OUTLET CAN BE SUPPLIED BY A 1250 GPM FIRE DEPARTMENT PUMPER AT 150
19 PSI DISCHARGE AT THE FIRE DEPARTMENT CONNECTION.

20 **SECTION 905.3.1 HEIGHT.** CLASS I AUTOMATIC-WET STANDPIPE SYSTEMS SHALL BE
21 INSTALLED THROUGHOUT BUILDINGS WHERE THE FLOOR LEVEL OF THE HIGHEST STORY
22 IS LOCATED MORE THAN 30 FEET (9144 MM) ABOVE THE LOWEST LEVEL OF FIRE
23 DEPARTMENT VEHICLE ACCESS, OR WHERE THE FLOOR LEVEL OF THE LOWEST STORY IS
24 LOCATED MORE THAN 30 FEET (9144 MM) BELOW THE HIGHEST LEVEL OF FIRE
25 DEPARTMENT VEHICLE ACCESS.

26 **EXCEPTIONS:**

27 1. CLASS I SEMIAUTOMATIC-DRY STANDPIPE SYSTEM MAY BE ALLOWED IN AREAS
28 SUBJECT TO FREEZING SUBJECT TO APPROVAL OF THE CODE OFFICIAL.

29 2. CLASS I MANUAL STANDPIPES ARE ALLOWED IN OPEN PARKING GARAGES WHERE
30 THE HIGHEST FLOOR IS LOCATED NOT MORE THAN 150 FEET (45720 MM) ABOVE THE
31 LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS.

32 3. CLASS I MANUAL DRY STANDPIPES ARE ALLOWED IN OPEN PARKING GARAGES
33 THAT ARE SUBJECT TO FREEZING TEMPERATURES, PROVIDED THAT THE HOSE

1 CONNECTIONS ARE LOCATED AS REQUIRED FOR CLASS II STANDPIPES IN ACCORDANCE
2 WITH SECTION 905.5.

3 4. IN DETERMINING THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS, IT
4 SHALL NOT BE REQUIRED TO CONSIDER:

5 4.1 RECESSED LOADING DOCKS FOR FOUR VEHICLES OR LESS; AND

6 4.2 CONDITIONS WHERE TOPOGRAPHY MAKES ACCESS FROM THE FIRE
7 DEPARTMENT VEHICLE TO THE BUILDING IMPRACTICAL OR IMPOSSIBLE.

8 **SECTION 905.3.2 GROUP A.** CLASS I AUTOMATIC WET STANDPIPES SHALL BE PROVIDED
9 IN NONSPRINKLERED GROUP A BUILDINGS HAVING AN OCCUPANT LOAD EXCEEDING
10 1,000 PERSONS.

11 **EXCEPTIONS:**

12 1. OPEN-AIR-SEATING SPACES WITHOUT ENCLOSED SPACES.

13 2. CLASS I AUTOMATIC DRY AND SEMIAUTOMATIC DRY STANDPIPES OR MANUAL
14 WET STANDPIPES ARE ALLOWED, SUBJECT TO APPROVAL OF THE CODE OFFICIAL IN
15 BUILDINGS WHERE THE HIGHEST FLOOR SURFACE USED FOR HUMAN OCCUPANCY IS 75
16 FEET (22 860 MM) OR LESS ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE
17 ACCESS.

18 **SECTION 905.3.3 COVERED MALL BUILDINGS AND ANCHOR STORES.** THERE SHALL BE
19 CLASS I STANDPIPE HOSE CONNECTIONS PROVIDED IN ALL THE FOLLOWING LOCATIONS:

20 1. THERE SHALL BE A FIRE DEPARTMENT STANDPIPE OUTLETS CONNECTED TO
21 THE MALL AREA AUTOMATIC SPRINKLER SYSTEM, OR THERE SHALL BE A SEPARATE
22 STANDPIPE SYSTEM, CAPABLE OF DELIVERING 250 GALLONS PER MINUTE AT 50 PSI AT
23 THE MOST REMOTE HOSE CONNECTION, WITH AN OUTLET LOCATED WITHIN EACH
24 ENTRANCE TO AN EXIT PASSAGEWAY, CORRIDOR OR ENCLOSED STAIRWAY, AT
25 EXTERIOR EXITS AND AT A MINIMUM OF 200 FOOT INTERVALS ALONG THE COVERED
26 MALL.

27 2. THERE SHALL BE A FIRE DEPARTMENT STANDPIPE SYSTEM PROVIDED IN ALL
28 ANCHOR STORES ATTACHED TO A MALL STRUCTURE. THE STANDPIPE SYSTEM SHALL
29 BE INDEPENDENT OF THE ANCHOR STORE AUTOMATIC SPRINKLER SYSTEM AND BE
30 CAPABLE OF DELIVERING 250 GALLONS PER MINUTE AT 50 PSI DISCHARGE PRESSURE AT
31 THE MOST REMOTE HOSE CONNECTION WITH AN OUTLET LOCATED WITHIN EACH
32 ENTRANCE TO AN EXIT PASSAGEWAY, CORRIDOR OR ENCLOSED STAIRWAY, AT
33 EXTERIOR EXITS, AND AT EACH ESCALATOR FLOOR OPENING.

1 **SECTION 905.3.7 MARINAS AND BOATYARDS.** MARINAS AND BOATYARDS SHALL BE
2 EQUIPPED THROUGHOUT WITH STANDPIPE SYSTEMS IN ACCORDANCE WITH THE
3 BALTIMORE COUNTY FIRE PREVENTION CODE.

4 **SECTION 905.11 LOCATION OF CONTROL VALVE.** THE INDICATING RISER CONTROL
5 VALVE(S) SHALL BE LOCATED IN THE FIRE RATED STAIRTOWER ENCLOSURE AND
6 ARRANGED IN A MANNER APPROVED BY THE BUILDING OFFICIAL OR THE FIRE
7 DEPARTMENT. FLOOR CONTROL VALVES SHALL BE LOCATED WITHIN THE FIRE RATED
8 STAIRTOWER ENCLOSURE AND ARRANGED IN A MANNER APPROVED BY THE BUILDING
9 OFFICIAL.

10 **SECTION 910 SMOKE AND HEAT VENTS.**

11 **SECTION 910.2.1.1 STORAGE FACILITIES.** S-1 STORAGE BUILDINGS TWO OR MORE
12 STORIES IN HEIGHT SHALL BE PROVIDED WITH TEMPERED GLASS WINDOWS/PANELS OR
13 OPERABLE WINDOWS SHALL BE PROVIDED WHEN REQUIRED BY THE BUILDING OFFICIAL
14 IN EXTERIOR WALLS AT THE RATE OF 20 SQUARE FEET PER 50 LINEAL FEET OF EXTERIOR
15 WALL IN EACH STORY AND SHALL BE DISTRIBUTED AT NOT MORE THAN 50-FOOT
16 INTERVALS AND SHALL HAVE DIRECT ACCESS TO CORRIDORS OR AISLES. WHERE
17 TEMPERED GLASS OR PANELS ARE USED, SUCH WINDOWS/PANELS SHALL BE CLEARLY
18 AND PERMANENTLY MARKED. IDENTIFICATION SHALL BE BY AN ETCHED GLASS
19 MALTESE CROSS OF MINIMUM 4 INCH BY 4 INCH IN ACCORDANCE WITH THE BALTIMORE
20 COUNTY FIRE DEPARTMENTS REQUIREMENTS.

21 **SECTION 913 FIRE PUMPS.**

22 **SECTION 913.1.1 NFPA 20 STANDARD EDITION.** EDITION YEAR OF NFPA 20, STANDARD
23 FOR THE INSTALLATION OF STATIONARY PUMPS FOR FIRE PROTECTION, SHALL BE THE
24 EDITION YEAR REQUIRED BY THE BALTIMORE COUNTY FIRE PREVENTION CODE.

25 **SECTION 913.4 VALVE SUPERVISION.** WHERE PROVIDED, THE FIRE PUMP SUCTION,
26 DISCHARGE AND BYPASS VALVES, AND ISOLATION VALVES ON THE BACKFLOW
27 PREVENTION DEVICE OR ASSEMBLY SHALL BE SUPERVISED IN ACCORDANCE WITH
28 SECTION 903.4.1.2.

29 **CHAPTER 10 - MEANS OF EGRESS.**

30 **SECTION 1003 GENERAL MEANS OF EGRESS.**

31 **SECTION 1003.1.1 LIFE SAFETY CODE CONFLICTS:** WHEN THIS CODE AND THE NFPA 101,
32 LIFE SAFETY CODE, HAVE CONFLICTING TECHNICAL PROVISIONS FOR MEANS OF EGRESS,
33 THE BUILDING OFFICIAL MAY ACCEPT ALTERNATIVE FEATURES OF THE LIFE SAFETY
34 CODE AS CONSTITUTING EQUIVALENT PROTECTION.

1 **SECTION 1013 EXIT SIGNS.**

2 **SECTION 1013.1.1 COLOR.** EXIT SIGNS SHALL HAVE GREEN LETTERS ON A WHITE
3 BACKGROUND OR IN ANOTHER APPROVED DISTINGUISHABLE BACKGROUND COLOR.

4 **SECTION 1015 GUARDS.**

5 **SECTION 1015.1.1 RETAINING WALLS.** GUARDS SHALL BE PROVIDED FOR ALL
6 RETAINING WALLS 4 FEET OR HIGHER.

7 EXCEPTION: RETAINING WALLS LESS THAN 8 FEET IN HEIGHT WITH NO WALKING
8 SURFACE WITHIN 5 FEET OF OPEN-SIDE AND NO DANGEROUS CONDITION IS EVIDENT.

9 **CHAPTER 11- ACCESSIBILITY.**

10 **SECTION 1101 GENERAL.**

11 **SECTION 1101.1 SCOPE.** THE PROVISIONS OF THIS CHAPTER SHALL CONTROL THE DESIGN
12 AND CONSTRUCTION OF FACILITIES FOR ACCESSIBILITY FOR INDIVIDUALS WITH
13 DISABILITIES.

14 **SECTION 1101.2 DESIGN.** BUILDINGS AND FACILITIES SHALL BE DESIGNED AND
15 CONSTRUCTED TO BE ACCESSIBLE IN ACCORDANCE WITH THE MARYLAND
16 ACCESSIBILITY CODE SET FORTH IN COMAR 05.02.02, AS AMENDED.

17 **CHAPTER 16 - STRUCTURAL DESIGN.**

18 **SECTION 1607 LIVE LOADS.**

19 **SECTION 1607.3.1 UNIFORM LIVE LOADS PIERS.**

20 1. UNIFORM LIVE LOADS FOR PIERS SERVING ONE AND TWO FAMILY DWELLINGS
21 SHALL BE 60 PSF WITH AN ADDITIONAL 10 PSF FOR ADDED DEAD LOAD.

22 2. UNIFORM LIVE LOADS FOR PIERS SERVING ALL OTHER OCCUPANCIES SHALL BE
23 A MINIMUM OF 100 PSF.

24 **SECTION 1607.7.2.1 MINIMUM DESIGN FOR FIRE TRUCK AND EMERGENCY VEHICLES.**
25 MINIMUM STRUCTURAL DESIGN SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY
26 DESIGN MANUAL FOR HS25 OR HS27 HIGHWAY BRIDGE DESIGNS.

27 **SECTION 1607.12.2 MINIMUM ROOF LIVE LOADS.** ORDINARY ROOFS, EITHER FLAT,
28 PITCHED, OR CURVED, SHALL BE DESIGNED FOR THE LIVE LOADS AS SPECIFIED IN TABLE
29 1607.12 OR THE SNOW LOAD COMPUTED BY THE METHODS OF SECTION 1608, WHICHEVER
30 RESULTS IN THE GREATER DESIGN LOAD WITH NO REDUCTIONS IN LIVE LOADS
31 PERMITTED.

32 **SECTION 1607.12.2.1 RISK CATEGORY OF BUILDINGS MINIMUM ROOF LOADS.** RISK
33 CATEGORIES PER TABLE 1604.5 SHALL HAVE MINIMUM ROOF LOADS BY APPLYING RISK

CATEGORY IMPORTANCE FACTORS TO TABLE 1607.12 AND SECTION 1608 SNOW LOADS
WHICH EVER IS THE GREATER RESULTANT ROOF LOAD.

**TABLE 1607.12
MINIMUM ROOF LOADS**

ROOF SLOPE	LIVE LOAD (PSF)
FLAT/FLAT OR RISE < 4/12	30
PITCHED RISE 4/12 to <12/12	30
RISE 12/12 OR GREATER	30
ARCH OR DOME WITH RISE <1/8 SPAN	30
CURVED ARCH OR DOME WITH 1/8 SPAN TO <3/8 SPAN	30
ARCH OR DOME WITH RISE 3/8 SPAN OR GREATER	30

SECTION 1607.12.3. OCCUPIABLE ROOFS. AREAS OF ROOFS THAT ARE OCCUPIABLE, SUCH AS ROOF GARDENS, OR FOR PUBLIC ASSEMBLY OR OTHER SIMILAR PURPOSES, AND MARQUEES SHALL BE DESIGNED FOR MINIMUM LIVE LOAD AS REQUIRED IN TABLE 1607.10, WITH NO REDUCTION IN ROOF LOADS.

SECTION 1607.12.3.1 LANDSCAPED ROOFS. WHERE ROOFS ARE TO BE LANDSCAPED, THE UNIFORM DESIGN LIVE LOAD IN THE LANDSCAPING AREA SHALL BE 30 PSF IN ADDITION TO DESIGN LIVE LOADS REQUIRED BY TABLE 1607.12. THE WEIGHT OF THE LANDSCAPING MATERIALS SHALL BE CONSIDERED AS DEAD LOAD AND SHALL BE COMPUTED ON THE BASIS OF SATURATION OF THE SOIL.

SECTION 1608 SNOW LOADS.

SECTION 1608.2.1 GROUND SNOW LOAD. GROUND SNOW LOADS SHALL BE A MINIMUM OF 30 POUNDS PER SQUARE FOOT.

SECTION 1609 WIND LOADS.

SECTION 1609.3.2 BASIC WIND SPEED. THE BASIC WIND SPEED IN BALTIMORE COUNTY FOR DESIGN PURPOSES SHALL BE AS REQUIRED BY SECTION 1609.3 OR 1609.3.3 WHICHEVER RESULTS IN THE GREATER DESIGN WIND LOAD.

SECTION 1609.3.3 MINIMUM DESIGN WIND LOADS. WIND LOADS FOR ALL RISK CATEGORIES SHALL BE AS FOLLOWS:

- a. RISK CATEGORIES I AND II, 90 MPH (3-SECOND GUST) NOMINAL
- b. RISK CATEGORIES III AND IV, 101 MPH (3-SECOND GUST) NOMINAL

SECTION 1613 EARTHQUAKE LOADS.

SECTION 1613.3.2.1 MINIMUM SITE CLASS. THE MINIMUM DESIGN SHALL BE SITE CLASS B.

CHAPTER 17 - SPECIAL INSPECTIONS AND TESTS.

SECTION 1705 REQUIRED VERIFICATION AND INSPECTIONS.

1 **SECTION 1705.1.2 PROFESSIONAL SERVICES DURING CONSTRUCTION.** WHEN
2 REQUIRED, PROFESSIONAL SERVICES DURING CONSTRUCTION SHALL BE PERFORMED IN
3 ACCORDANCE WITH THE BALTIMORE COUNTY DATA SHEET WITH INSPECTION RESULTS
4 PROVIDED TO THE BUILDING INSPECTOR PRIOR TO FINAL INSPECTION.

5 **CHAPTER 18 - SOILS AND FOUNDATIONS.**

6 **SECTION 1804 EXCAVATION, GRADING AND FILL.**

7 **SECTION 1804.4.1 USE OF COMPACTED FILL AND 100 YEAR FLOODPLAIN.** A FOOTING
8 SHALL NOT BEAR ON COMPACTED FILL WHEN USED IN A 100 YEAR FLOODPLAIN OR
9 WHEN USED TO ELEVATE (REMOVE) A STRUCTURE OUT OF A 100 YEAR FLOODPLAIN.

10 **SECTION 1805 DAMP PROOFING AND WATERPROOFING.**

11 **SECTION 1805.4.2.1 FOUNDATION DRAINS USE GROUP R3 LOCATED INSIDE OF**
12 **FOOTING ONLY.** WHEN FOUNDATION DRAINS ARE PROVIDED ONLY ON THE INSIDE OF
13 THE FOOTING, WEEPHOLES SHALL BE PROVIDED ABOVE THE TOP OF THE FOOTING AND
14 BELOW THE BOTTOM OF THE FLOOR SLAB UNLESS AN ALTERNATE DESIGN IS CERTIFIED
15 BY AN ENGINEER AND APPROVED IN WRITING. IN A HOLLOW MASONRY WALL, THE
16 WEEPHOLES MAY BE CREATED IN THE WALL BY CREATING ½ INCH OPENING INTO THE
17 CORE OF THE BLOCK 16 INCHES ON CENTER IMMEDIATELY ABOVE THE FOOTING, OR IN
18 A POURED CONCRETE WALL BY CREATING OPENINGS AT LEAST 1 INCH IN DIAMETER NO
19 MORE THAN 6 FEET ON CENTER WITH A MINIMUM OF 6 INCHES OF GRAVEL AND A FILTER
20 FABRIC PLACED OVER THE GRAVEL BED TO PROTECT THE BED FROM CLOGGING. THE
21 SYSTEM SHALL ALSO COMPLY WITH THE BALTIMORE COUNTY PLUMBING AND
22 GASFITTING CODE.

23 **SECTION 1806.2.1 PRESUMPTIVE LOAD-BEARING VALUE.** THE MAXIMUM PRESUMPTIVE
24 LOAD-BEARING CAPACITY SHALL BE 2000 (PSF).

25 **SECTION 1807 FOUNDATION WALLS, RETAINING WALLS AND EMBEDDED POSTS AND**
26 **POLES.**

27 **SECTION 1807.1.6.2.2 BRICK LEDGE.** IF THE THICKNESS OF A FOUNDATION WALL IS
28 REDUCED TO ACCOMMODATE A BRICK LEDGE 2 FEET OR LESS FROM THE TOP OF THE
29 WALL, THE REDUCED WALL (CALLED A STEM WALL) SHALL NOT BE LESS THAN 3.5
30 INCHES THICK UNLESS VERIFIED BY A REGISTERED DESIGN PROFESSIONAL. WHERE THE
31 SECTION IS 4 INCHES THICK OR LESS, A MINIMUM OF ONE REINFORCING BAR AT TWO
32 FEET ON CENTER, THIRTY INCHES LONG SHALL BE PLACED AS CLOSE AS PRACTICAL TO
33 THE TENSION FACE AND EXTEND A MINIMUM OF TWELVE INCHES INTO BOTH SECTIONS
34 OF THE WALL. IF THE REDUCED WALL IS MORE THAN 2 FEET BELOW THE TOP OF THE

1 WALL, THE SECTION SHALL BE REINFORCED IN ACCORDANCE WITH A DESIGN PREPARED
2 BY A REGISTERED DESIGN PROFESSIONAL.

3 **SECTION 1807.1.6.2.3 JOIST LEDGE.** WHEN THE TOP OF AN UNREINFORCED FOUNDATION
4 WALL IS REDUCED IN THICKNESS TO PERMIT INSTALLATION OF FLOOR JOISTS, THE
5 REDUCED SECTION SHALL NOT BE MORE THAN 2 FEET HIGH AND NOT LESS THAN 3.5
6 INCHES THICK UNLESS VERIFIED BY A REGISTERED DESIGN PROFESSIONAL. WHEN THE
7 REDUCED SECTION IS 4 INCHES OR LESS IN THICKNESS, A MINIMUM OF ONE REINFORCING
8 BAR AT 2 FEET ON CENTER, THIRTY INCHES LONG SHALL BE PLACED AS CLOSE AS
9 PRACTICAL TO THE TENSION FACE AND EXTENDING TWELVE INCHES INTO BOTH
10 SECTIONS.

11 **TABLE 1807.1.6.3 (1) NOTE C. SOLID GROUTED HOLLOW UNITS OR SOLID MASONRY UNITS.**
12 FOR 7 FT. HEIGHT OF BACKFILL, HOLLOW 12 INCH BLOCK MAY BE USED PROVIDED THE
13 FOLLOWING CONDITIONS ARE MET:

14 1. THE FOUNDATION WALL DOES NOT EXCEED 8 FEET IN HEIGHT BETWEEN LATERAL
15 SUPPORTS;

16 2. THE TERRAIN SURROUNDING FOUNDATION WALLS IS GRADED SO AS TO DRAIN
17 SURFACE WATER AWAY FROM FOUNDATION WALLS;

18 3. BACKFILL IS DRAINED TO REMOVE GROUND WATER AWAY FROM FOUNDATION
19 WALLS;

20 4. LATERAL SUPPORT IS PROVIDED AT THE TOP OF THE FOUNDATION WALLS PRIOR
21 TO BACKFILLING;

22 5. THE LENGTH OF FOUNDATION WALL BETWEEN PERPENDICULAR MASONRY
23 WALLS OR PILASTERS DOES NOT EXCEED 24 FT;

24 6. THE BACKFILL IS GRANULAR AND SOIL CONDITIONS IN THE AREA ARE
25 NON-EXPANSIVE; AND

26 7. MASONRY IS LAID IN RUNNING BOND USING TYPE M OR S MORTAR.

27 **SECTION 1807.1.6.3.1.1 EXCAVATING BASEMENTS UNDER AN EXISTING STRUCTURE.**
28 THE DESIGN OF FOUNDATION AND RETAINING WALLS NECESSARY TO EXCAVATE A
29 BASEMENT UNDER AN EXISTING R-3 STRUCTURE SHALL BE DESIGNED AND SEALED BY
30 AN ENGINEER REGISTERED IN THE STATE OF MARYLAND.

31 **EXCEPTION:** UNDER LIGHT FRAME CONSTRUCTION, WITH A MAXIMUM OF TWO STORIES,
32 PROFESSIONAL SERVICES MAY BE WAIVED BY THE CODE OFFICIAL WHEN DESIGNED IN
33 FULL ACCORDANCE WITH APPENDIX **FIGURE 107** STANDARD DESIGN DIAGRAM FOR
34 "TYPICAL WALL SECTION FOR EXCAVATED BASEMENT."

1 **SECTION 1807.2 RETAINING WALLS.** RETAINING WALLS SHALL BE DESIGNED IN
2 ACCORDANCE WITH SECTIONS 1807.2.1 THROUGH 1807.2.4.

3 **SECTION 1807.2.4 REGISTERED DESIGN PROFESSIONAL REQUIRED.** RETAINING WALLS
4 4 FEET OR GREATER IN HEIGHT FROM THE LOWEST POINT OF THE FINISHED GRADE SHALL
5 BE CONSTRUCTED IN ACCORDANCE WITH A DESIGN PREPARED BY A REGISTERED
6 DESIGN PROFESSIONAL. SUCH DESIGN AS WELL AS RETAINING WALL LOCATION SHALL
7 SATISFY THE STRUCTURAL DESIGN STANDARDS FOR FOUNDATIONS AND RETAINING
8 WALLS SET FORTH IN THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS DESIGN
9 MANUAL IN ADDITION TO ANY OTHER APPLICABLE PROVISIONS OF THIS CODE.

10 **SECTION 1809 SHALLOW FOUNDATIONS.**

11 **SECTION 1809.5 EXCEPTION 2 FROST PROTECTION.** AREA OF 400 SQUARE FEET OR
12 LESS OF ANY TYPE CONSTRUCTION; AND

13 **SECTION 1809.5.1 FROST DEPTH.** THE FROST DEPTH FOR FOOTING DESIGN IN BALTIMORE
14 COUNTY IS 30 INCHES BELOW FINISHED GRADE.

15 **SECTION 1809.5.1.2 FOOTING DEPTH POLE BUILDINGS AND SIMILAR STRUCTURES.** THE
16 MINIMUM DEPTH OF FOOTINGS FOR POLE BUILDINGS AND SIMILAR STRUCTURES SHALL
17 BE 48 INCHES BELOW FINISHED GRADE.

18 **CHAPTER 21 - MASONRY.**

19 **SECTION 2111 MASONRY FIREPLACES.**

20 **SECTION 2111.3.2 RELATION TO ADJACENT FOOTINGS.** UNLESS DESIGNED BY A
21 REGISTERED ENGINEER OR ARCHITECT, FOOTINGS FOR MASONRY CHIMNEYS OR FIRE
22 PLACES SHALL BE PLACED AT THE SAME ELEVATION AS THE FOUNDATION WALL
23 FOOTINGS.

24 **CHAPTER 23 - WOOD.**

25 **SECTION 2308 CONVENTIONAL LIGHT FRAME CONSTRUCTION.**

26 **SECTION 2308.3.1.1 SILL PLATE ATTACHMENT TO CENTER BEAM.** WHEN A WOODEN
27 PLATE RESTS ON A STEEL BEAM, IT MAY BE SECURED BY BOLTS, OR "SHOT" PROVIDING
28 THE WOOD IS NOT CRUSHED OR SPLIT. GLUING MUST BE PRE-APPROVED AND CERTIFIED
29 BY AN ENGINEER. CLIPS ARE ACCEPTABLE IF DESIGNED FOR THAT PURPOSE.

30 **CHAPTER 30 - ELEVATORS AND CONVEYING SYSTEMS.**

31 **SECTION 3001 GENERAL.**

32 **SECTION 3001.5 CERTIFICATE OF OCCUPANCY.** THE ISSUANCE OF CERTIFICATES OF
33 COMPLIANCE SHALL BE AS REQUIRED BY PUBLIC SAFETY ARTICLE, TITLE 12, SUBTITLE
34 8, ANNOTATED CODE OF MARYLAND, AS AMENDED.

1 **SECTION 3001.6 TESTS AND INSPECTIONS.** ALL EQUIPMENT AND DEVICES COVERED BY
2 THE PROVISIONS OF THIS CODE SHALL BE SUBJECTED TO ACCEPTANCE AND
3 MAINTENANCE TESTS AND PERIODIC INSPECTIONS AS DIRECTED BY THE COMMISSIONER
4 OF LABOR AND INDUSTRY OF THE STATE OF MARYLAND IN ACCORDANCE WITH THE
5 PUBLIC SAFETY ARTICLE, TITLE 12, SUBTITLE 8, OF THE ANNOTATED CODE OF
6 MARYLAND, AS AMENDED.

7 **SECTION 3001.7 EXISTING ELEVATORS.** ANY EXISTING ELEVATOR THAT IS REQUIRED
8 TO ACCOMMODATE AN AMBULANCE STRETCHER, REQUIRED FOR FIRE FIGHTER PHASE II
9 EMERGENCY IN CAR OPERATION, OR SERVES AS PART OF AN ACCESSIBLE ROUTE FOR
10 PERSONS WITH DISABILITIES SHALL BE MAINTAINED IN GOOD WORKING OPERATION AT
11 ALL TIMES THAT THE BUILDING IS OCCUPIED.

12 **CHAPTER 31 - SPECIAL CONSTRUCTION.**

13 **SECTION 3101 GENERAL.**

14 **SECTION 3108 RADIO AND TELEVISION TOWERS.**

15 **SECTION 3108.1.1 PERMITS AND STRUCTURAL.** A PERMIT SHALL BE REQUIRED FOR ALL
16 ROOF MOUNTED SATELLITE DISH ANTENNAE THAT ARE MORE THAN THREE FEET IN
17 DIAMETER. ALL ROOF-MOUNTED SATELLITE DISH ANTENNAE SHALL BE MOUNTED SO
18 AS TO BE STRUCTURALLY STABLE AND NOT PRESENT A DANGER TO THE PUBLIC.
19 SATELLITE DISH ANTENNAE SHALL ONLY BE MOUNTED ON A ROOF CAPABLE OF
20 SUPPORTING ANY IMPOSED LOADS THE DISH GENERATES.

21 **SECTION 3112 CIRCUSES & CARNIVALS.**

22 **SECTION 3112.1 SCOPE.** THIS SECTION IS INTENDED TO REGULATE CIRCUSES AND
23 CARNIVALS. THE WORDS OR EXPRESSIONS "CIRCUSES" AND "CARNIVALS" OR ANY WORD
24 OR WORDS USED IN THEIR PLACE SHALL MEAN ANY AND ALL USES OF PUBLIC OR
25 PRIVATE LAND, STREETS, LANES, OR ALLEYS FOR FETES, BAZAARS, CIRCUSES, STREET
26 CARNIVALS, CARNIVAL, FETES OR HORSEMANSHIP, ACROBATIC STUNTS, TRAINED
27 ANIMAL ACT, CLOWNING AND OTHER SIMILAR PERFORMANCES, MECHANICAL RIDES OR
28 OTHER DEVICES TO WHICH THE PUBLIC IS INVITED, AND SHALL INCLUDE THE USE OF
29 TEMPORARY STANDS OR FACILITIES FOR SELLING OR DISPENSING PRODUCTS FOR
30 HUMAN CONSUMPTION IN CONNECTION WITH THE FOREGOING.

31 **SECTION 3112.2 GENERAL REQUIREMENTS.** ANY PERSON WISHING TO OPERATE A
32 CARNIVAL OR CIRCUS IN BALTIMORE COUNTY SHALL FILE WITH THE BUILDING OFFICIAL
33 A PERMIT APPLICATION AT LEAST THIRTY DAYS PRIOR TO THE INTENDED OPENING DATE
34 OF THE CIRCUS OR CARNIVAL. THE BUILDING OFFICIAL SHALL REQUIRE EACH

1 APPLICANT TO INCLUDE IN THE APPLICATION A STATEMENT WHETHER OR NOT
2 MECHANICAL RIDES OR DEVICES ARE TO BE USED IN CONNECTION WITH THE CIRCUS OR
3 CARNIVAL. IN THE EVENT THE APPLICANT INTENDS TO PROVIDE MECHANICAL RIDES OR
4 DEVICES AT THE CIRCUS OR CARNIVAL, THE PERSON SUPPLYING THESE MECHANICAL
5 RIDES OR DEVICES SHALL FURNISH, PRIOR TO THE ISSUANCE OF THE PERMIT,
6 SATISFACTORY EVIDENCE OF INSURANCE IN AN AMOUNT THE CODE OFFICIAL
7 DETERMINES SUFFICIENT TO INSURE THE APPLICANT AGAINST ANY LIABILITY FOR
8 DAMAGE, INCLUDING DEATH, OR INJURY TO PERSONS, AND DAMAGE TO PROPERTY DUE
9 TO FAULTY EQUIPMENT OR NEGLIGENCE. THE SUPPLIER OF THE RIDES OR MECHANICAL
10 DEVICES SHALL ALSO INDEMNIFY THE COUNTY AGAINST ANY SUIT OR SUITS, LOSS,
11 CLAIM, DAMAGES, OR EXPENSE TO WHICH THE COUNTY MAY BE SUBJECTED BY REASON
12 OF ANY DAMAGE TO PROPERTY OR PERSON, INCLUDING DEATH, INJURY TO THE PUBLIC
13 HIGHWAYS AND OTHER PUBLIC PROPERTY DONE IN CONNECTION WITH THE
14 TRANSPORTATION, ERECTION, OPERATION, MAINTENANCE AND SUPERVISION OF THE
15 MECHANICAL RIDES OR DEVICES.

16 IN ADDITION, THE BUILDING OFFICIAL SHALL REQUIRE THE APPLICANT TO FURNISH
17 PROOF OF FINANCIAL RESPONSIBILITY IN THE FORM OF A WRITTEN CERTIFICATE FROM
18 AN INSURANCE CARRIER AUTHORIZED TO TRANSACT BUSINESS IN THE STATE OF
19 MARYLAND, WHICH STATES THAT THE APPLYING CIRCUS OR CARNIVAL IS INSURED
20 AGAINST ANY LEGAL LIABILITY, OTHER THAN THAT COVERED BY THE IMMEDIATELY
21 PRECEDING PARAGRAPH, CAUSED BY ACCIDENTS OR OTHERWISE, AND RESULTING IN
22 INJURIES TO OR DEATH OF PERSONS, AND INJURIES TO OR DESTRUCTION OF PROPERTY,
23 PUBLIC OR OTHERWISE, AS A CONSEQUENCE OF THE OWNERSHIP, OPERATION,
24 MAINTENANCE, OR ANY OTHER FACET OF THE CIRCUS OR CARNIVAL.

25 THE PROOF OF FINANCIAL RESPONSIBILITY SHALL BE PROVIDED IN AN AMOUNT WHICH,
26 IN THE JUDGMENT OF THE BUILDING OFFICIAL, WILL ADEQUATELY PROTECT THE
27 PUBLIC.

28 IF THE APPLICANT IS A NON-RESIDENT OF BALTIMORE COUNTY, THE APPLICANT AND
29 THE APPLICANT'S INSURANCE CARRIER SHALL EXECUTE A POWER OF ATTORNEY
30 AUTHORIZING THE BUILDING OFFICIAL, ON THEIR BEHALF, TO ACCEPT SERVICE OF
31 NOTICES, PROCESSES AND ANY ACTION ARISING OUT OF THE OWNERSHIP, OPERATION,
32 MAINTENANCE OR ANY OTHER FACET OF THE CIRCUS OR CARNIVAL WHILE IT IS WITHIN
33 THE CONFINES OF BALTIMORE COUNTY. IF A NON-RESIDENT CORPORATION APPLIES FOR
34 A PERMIT, THE BUILDING OFFICIAL SHALL ISSUE A PERMIT SO LONG AS THE NON-

1 RESIDENT CORPORATION COMPLIES WITH ALL CONDITIONS HEREIN CONTAINED, AND
2 SUBMITS WITH ITS APPLICATION A CERTIFICATE FROM THE DEPARTMENT OF
3 ASSESSMENTS AND TAXATION, STATE OF MARYLAND, CERTIFYING THAT THE NON-
4 RESIDENT CORPORATION IS A DULY CONSTITUTED CORPORATION AUTHORIZED TO DO
5 BUSINESS IN THE STATE OF MARYLAND. EVERY APPLICATION TO HOLD A CIRCUS OR
6 CARNIVAL SHALL BE SIGNED BY A RESPONSIBLE PERSON OR OFFICIAL ACTING FOR THE
7 APPLICANT. SUCH APPLICATION SHALL BE FORTHWITH REFERRED TO THE BALTIMORE
8 COUNTY POLICE DEPARTMENT, HIGHWAYS ENGINEER, FIRE DEPARTMENT, COUNTY
9 HEALTH OFFICER, TRAFFIC ENGINEERING AND THE ZONING COMMISSIONER FOR THEIR
10 RECOMMENDATIONS. IN THE EVENT ANY REVIEWING AGENCY DISAPPROVES SUCH
11 APPLICATION, THE PERMIT SHALL NOT BE GRANTED, AND A COPY OF THE APPLICATION
12 DENIAL SHALL BE SENT TO THE CHIEF OF POLICE. THE BUILDING OFFICIAL MAY ISSUE A
13 PROPER PERMIT AFTER CONSIDERATION OF THE RECOMMENDATIONS OF THE ABOVE
14 NAMED AGENCIES. UPON THE ISSUANCE OF EVERY SUCH PERMIT, THE BUILDING
15 OFFICIAL SHALL IMMEDIATELY SEND A COPY OF ALL SUCH PERMITS TO THE AGENCIES
16 SET FORTH ABOVE. A PROPER PERMIT SHALL BE SECURED FROM THE BUILDING OFFICIAL
17 BEFORE STARTING TO SET UP ANY STRUCTURES, APPLIANCES OR EQUIPMENT FOR SUCH
18 PURPOSES. THE CHIEF OF POLICE SHALL KEEP A CLOSE WATCH UPON ANY SUCH CIRCUS
19 OR CARNIVAL IN OPERATION IN ORDER TO DETERMINE WHETHER ANY OF THE
20 REGULATIONS OF BALTIMORE COUNTY OR THE STATE OF MARYLAND ARE BEING
21 VIOLATED.

22 **SECTION 3112.3 LAYOUT.** EVERY CIRCUS OR CARNIVAL SHALL BE LAID OUT SO THAT:

23 1. MAIN AISLE OR CONCOURSE EXTENDS ENTIRELY THROUGH THE CIRCUS OR
24 CARNIVAL, OPEN AT BOTH ENDS ON A STREET OR OTHER PUBLIC WAY LEADING TO A
25 STREET NOT LESS THAN 30 FEET WIDE. THIS AISLEWAY SHALL BE NOT LESS THAN TEN
26 FEET WIDE FOR A LENGTH OF 100 FEET, AND INCREASED NOT LESS THAN 2 ½ FEET IN
27 WIDTH FOR EACH 100 FEET OR FRACTION THEREOF OF ADDITIONAL LENGTH.

28 2. SIDE OR BRANCH AISLEWAYS OPEN AT BOTH ENDS SHALL BE NOT LESS THAN SIX
29 FEET IN WIDTH FOR A DISTANCE OF 50 FEET, AND FOR EACH ADDITIONAL LENGTH OF 50
30 FEET, OR FRACTION OF THE BRANCH AISLEWAY, NOT LESS THAN ONE FOOT SHALL BE
31 ADDED TO ITS WIDTH.

32 **SECTION 3112.4 CIRCUS AND CARNIVAL STRUCTURES.**

33 **SECTION 3112.4.1 TENTS AND OTHER STRUCTURES.** ALL TENTS IN CONNECTION WITH
34 ANY CIRCUS OR CARNIVAL SHALL CONFORM TO ALL THE REQUIREMENTS FOR THE

1 TENTS IN SECTIONS 3102 AND 3103 OF THIS CODE. PERMANENT STRUCTURES SHALL
2 CONFORM TO ALL APPLICABLE PROVISIONS IN THIS CODE RELATING TO PERMANENT
3 STRUCTURES. EVERY TENT AND OTHER STRUCTURE IN CONNECTION WITH A CIRCUS OR
4 CARNIVAL SHALL BE PROVIDED WITH ADEQUATE EXITS. THE WIDTH AND NUMBER OF
5 THE EXITS AND MEANS OF EGRESS SHALL BE BASED UPON THE GENERAL REQUIREMENTS
6 FOR EXITS AND MEANS OF EGRESS IN ASSEMBLY STRUCTURES. ALL EXITS AND
7 AISLEWAYS OF EVERY CIRCUS AND CARNIVAL SHALL BE WELL LIGHTED AT ALL TIMES
8 WHEN SUCH PLACES ARE OCCUPIED.

9 **SECTION 3112.4.2 MECHANICAL RIDES AND DEVICES.** NO MERRY-GO-ROUND, FERRIS
10 WHEEL, WHIPS OR OTHER MECHANICAL DEVICE SHALL BE OPERATED WITHOUT A
11 PERMIT FROM THE BUILDING OFFICIAL. ALL MECHANICAL DEVICES SHALL BE DESIGNED,
12 CONSTRUCTED AND ERECTED IN ACCORDANCE WITH THIS CODE.

13 **SECTION 3112.4.3 CONCESSION STANDS.** THE CONCESSION STANDS SHALL BE OF
14 STANDARD PREFABRICATED CONSTRUCTION OR OF SPECIAL CONSTRUCTION APPROVED
15 BY THE BUILDING OFFICIAL FOR A PARTICULAR PURPOSE.

16 **SECTION 3112.5 ELECTRICAL AND MECHANICAL REQUIREMENTS.** ALL ELECTRICAL
17 AND MECHANICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF THIS CODE.

18 **SECTION 3112.6 MAINTENANCE AND OPERATION.** EVERY CIRCUS OR CARNIVAL SHALL
19 BE PROPERLY MAINTAINED AND OPERATED SO AS NOT TO CAUSE A HAZARD OR INJURY
20 TO LIFE OR PROPERTY.

21 **SECTION 3113 ADDITIONAL REQUIREMENTS FOR EXCAVATING AND EXCAVATIONS.**

22 **SECTION 3113.1 QUARRY HOLES AND ABANDONED EXCAVATIONS.**

23 1. ABANDONED EXCAVATIONS SHALL BE FILLED, FENCED, OR REHABILITATED IN
24 COMPLIANCE WITH A VALID BUILDING PERMIT.

25 2. QUARRY HOLES SHALL INCLUDE ANY AND ALL QUARRIES, WHETHER ACTIVE,
26 INACTIVE OR ABANDONED, AS WELL AS ANY OTHER SIMILAR EXCAVATED HOLE OR
27 DEPRESSIONS IN THE EARTH.

28 3. PROTECTION OF QUARRY HOLES: THE OWNER OF PROPERTY ON WHICH
29 QUARRY HOLES EXIST SHALL BE RESPONSIBLE TO COMPLETELY ENCLOSE THE HOLES
30 WITH FENCES HAVING NO OPENINGS THROUGH WHICH A FOUR (4) INCH DIAMETER BALL
31 CAN PASS. THE FENCE SHALL HAVE A MINIMUM HEIGHT OF 6 FEET AND 9 INCHES PLUS
32 THREE STRANDS OF BARBED WIRE. ALL FENCES SHALL BE PROVIDED WITH ONE GATE
33 OR MORE, AND ALL GATES SHALL BE KEPT CLOSED AND SECURELY LOCKED EXCEPT
34 WHEN AN AUTHORIZED PERSON IS ON THE PREMISES. THE BUILDING OFFICIAL,

1 HOWEVER, MAY PERMIT ANY WALLS OF A BUILDING OR OTHER STRUCTURE, INCLUDING
2 RETAINING WALLS, OR OTHER BARRIERS, TO SERVE AS A PART OF ALL OF THE REQUIRED
3 ENCLOSURE AROUND ANY QUARRY HOLE IF THE WALLS OR BARRIERS ADEQUATELY
4 PROTECT THE QUARRY HOLE TO THE SAME EXTENT AS A FENCE WOULD IN OTHER
5 CIRCUMSTANCES DESCRIBED IN THIS SECTION.

6 4. MAINTENANCE. THE OWNER OF EVERY QUARRY HOLE SHALL MAINTAIN AND
7 KEEP IN REPAIR ALL REQUIRED FENCES AND OTHER BARRIERS PROTECTING ANY
8 QUARRY HOLE SO THAT SUCH FENCES AND OTHER BARRIERS WILL ALWAYS BE IN A SAFE
9 AND SECURE CONDITION.

10 **SECTION 3113.2 BACKFILLING QUARRY HOLES AND ABANDONED EXCAVATIONS.**

11 IN ALL CASES, BACKFILLING SHALL BE DONE WITH MATERIAL FREE FROM WOOD,
12 RUBBISH, OR OTHER SIMILAR MATERIAL WHICH IS SUBJECT TO DECAY. THE BACKFILL
13 MATERIAL SHALL BE THOROUGHLY COMPACTED. CONCENTRATED LOADS OF ANY TYPE,
14 SUCH AS EQUIPMENT, SHALL NOT SURCHARGE ANY WALL IN THE IMMEDIATE AREAS OF
15 BACKFILLING. THESE LOADS SHALL BE REMOVED FROM THE WALL A DISTANCE EQUAL
16 TO THE WALL'S HEIGHT AS MEASURED FROM THE TOP OF THE BACKFILL.

17 **SECTION 3113.3 DISPOSAL OF EXCAVATED MATERIALS.** EARTH, ROCK OR OTHER
18 MATERIALS, IN GRADING, OR TAKEN FROM EXCAVATIONS OR TAKEN OR REMOVED
19 FROM ANY OTHER SIMILAR OPERATIONS, AND WHICH IS NOT NEEDED FOR FILLING OR
20 BACKFILLING ON THE PREMISES FROM WHICH THEY HAVE BEEN REMOVED, SHALL BE
21 HAULED AWAY AND BE DISPOSED OF AT SOME POINT WHERE THEIR DISPOSAL IS
22 ALLOWED AND WHERE A VALID PERMIT EXISTS TO ALLOW DUMPING AND GRADING.
23 EARTH, ROCK, RUBBISH OR OTHER MATERIAL REMOVED FROM ANY PREMISES SHALL
24 NOT BE STORED UPON ANY TRAVELED FOOTWAY, OR ROADWAY OR ANY STREET, ALLEY
25 OR OTHER PUBLIC WAY.

26 **APPENDIX C- AGRICULTURAL BUILDINGS.**

27 **SECTION C102 ALLOWABLE HEIGHT AND AREA.**

28 **SECTION C102.2 ONE-STORY UNLIMITED AREA.** THE AREA OF A ONE-STORY GROUP U
29 AGRICULTURAL BUILDING OF TYPE I, II, III, OR IV CONSTRUCTION SHALL NOT BE LIMITED
30 IF THE BUILDING IS SURROUNDED AND ADJOINED BY PUBLIC WAYS OR YARDS NOT LESS
31 THAN 60 FEET IN WIDTH. UNSPRINKLERED ONE-STORY GROUP U AGRICULTURAL
32 BUILDINGS OF TYPE V CONSTRUCTION SHALL BE LIMITED TO 12,000 SQUARE FEET IN
33 AREA.

1 **PART 300. INTERNATIONAL RESIDENTIAL BUILDING CODE.** THIS PART SETS FORTH
2 ADDITIONS TO, AMENDMENTS TO, AND DELETIONS FROM THE INTERNATIONAL
3 RESIDENTIAL BUILDING CODE, 2015 EDITION, IN ACCORDANCE WITH BILL 40-15, THE
4 BUILDING CODE OF BALTIMORE COUNTY.

5 **PART 301.** THE FOLLOWING CHAPTER SECTIONS OF THE INTERNATIONAL RESIDENTIAL
6 BUILDING CODE, 2015 EDITION, ARE DELETED: R105.2; R108.5; R302.3; R309.1; R403.1.4.1;
7 TABLE R404.1.1 (1); M1601.1.1.5 , P2901; P2902; P2903; AG101.2, AG101.2.1, AG101.2.2; CHAPTER
8 25 PLUMBING ADMINISTRATION; CHAPTER 27 PLUMBING FIXTURES; CHAPTER 28 WATER
9 HEATERS; CHAPTER 30 SANITARY DRAINAGE; CHAPTER 31 VENTS; CHAPTER 32 TRAPS;
10 CHAPTER 33 STORM DRAINAGE; PART VIII ELECTRICAL.

11 **PART 302.** THE FOLLOWING CHAPTERS AND SECTIONS, COLLECTIVELY REFERRED TO AS
12 THE LOCAL AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL BUILDING CODE, 2015
13 EDITION, ARE ADDED HEREIN BELOW.

14 **CHAPTER 1. SCOPE AND ADMINISTRATION.**

15 **SECTION R101.2 SCOPE** – AFTER ACCESSORY STRUCTURES DELETE (NOT MORE THAN
16 THREE STORIES ABOVE GRADE PLANE IN HEIGHT) AND SUBSTITUTE THE FOLLOWING: A
17 STRUCTURE NOT GREATER THAN 3,000 SQUARE FEET IN FLOOR AREA, AND NOT OVER
18 TWO STORIES IN HEIGHT, THE USE OF WHICH IS CUSTOMARILY ACCESSORY TO AND
19 INCIDENTAL TO THAT OF THE DWELLING(S) AND WHICH IS LOCATED ON THE SAME LOT.

20 **SECTION R101.2.1 ATTICS LOCATED ABOVE A THIRD STORY.** ATTICS LOCATED ABOVE
21 A THIRD STORY SHALL COMPLY WITH THE FOLLOWING:

22 1. UNFINISHED ATTICS LOCATED ABOVE A THIRD STORY OF A ONE AND TWO FAMILY
23 DWELLING ACCESSED IN ACCORDANCE R807 WITHOUT FIXED IN PLACE STAIRS AND
24 USED FOR LIMITED STORAGE OR UTILITIES ONLY SHALL NOT BE CONSIDERED A STORY.

25 2. ATTICS USED FOR OR CONVERTED TO LIVING SPACE OR ACCESS BY FIXED IN
26 PLACED STAIRS SHALL BE CONSIDERED A STORY AND SUBJECT TO COMPLIANCE WITH
27 THE PROVISIONS OF THE INTERNATIONAL BUILDING CODE, INCLUDING COMPLETE
28 AUTOMATIC SPRINKLER PROTECTION THROUGHOUT THE STRUCTURE IN COMPLIANCE
29 WITH TABLE 503 AND SECTION 903.

30 3. FOR THE PURPOSE OF THIS SECTION, A LOFT IS CONSIDERED A MEZZANINE AND
31 NOT A STORY IF IT IS NO MORE THAN 1/3 OF THE FLOOR AREA OF THE ROOM BELOW.

32 **SECTION R106 CONSTRUCTION DOCUMENTS.**

1 **SECTION R106.1.5 REGISTERED DESIGN PROFESSIONAL SEAL REQUIRED.** SUBMITTED
2 PLANS MEETING THE FOLLOWING SHALL BE SEALED BY A REGISTERED DESIGN
3 PROFESSIONAL LICENSED BY THE STATE OF MARYLAND:

4 1. CONSTRUCTION THAT UTILIZES STEEL FRAMING PURSUANT TO ANY OF THE
5 FOLLOWING CODE SECTIONS, R505, R603 OR R804.

6 2. CONSTRUCTION THAT EXCEEDS 3000 SQ. FT GROSS FLOOR AREA, EXCLUDING ONE
7 STORY GARAGES.

8 3. PERMANENT PLANS – MASTER SET OF CONSTRUCTION DRAWINGS UTILIZED TO
9 OBTAIN MULTIPLE BUILDING PERMITS WITHOUT PROVIDING ADDITIONAL SETS OF
10 CONSTRUCTION PLANS FOR EACH ADDITIONAL BUILDING PERMIT.

11 **SECTION R106.1.3.1 WALL BRACING.** SEALED CONSTRUCTION DOCUMENTS SHALL
12 CLEARLY SHOW REQUIRED WALL BRACING AND COMPLIANCE WITH SECTION R602.10.

13 **SECTION R202 DEFINITIONS.** REPLACE THE DEFINITION OF ACCESSORY STRUCTURE
14 WITH THE FOLLOWING: A STRUCTURE NOT GREATER THAN 3,000 SQUARE FEET IN FLOOR
15 AREA, AND NOT OVER TWO STORIES IN HEIGHT, THE USE OF WHICH IS CUSTOMARILY
16 ACCESSORY TO AND INCIDENTAL TO THAT OF THE DWELLING(S) AND WHICH IS LOCATED
17 ON THE SAME LOT.

18 **SECTION R301 DESIGN CRITERIA.**

19 **TABLE 301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.** THE FOLLOWING
20 CLIMATIC AND GEOGRAPHICAL DESIGN CRITERIA SHALL BE USED IN BALTIMORE
21 COUNTY: GROUND SNOW LOAD – 30 PSF; ROOF SNOW LOAD- 30PSF WITH NO REDUCTION
22 FOR ROOF SLOPE; ULTIMATE WIND SPEED- 115 MPH; SEISMIC DESIGN CATEGORY- B;
23 WEATHERING- SEVERE; FROST LINE DEPTH- 30 INCHES; TERMITE- MODERATE TO HEAVY,
24 WOOD DECAY- MODERATE TO SEVERE; WINTER DESIGN TEMP- 13F; ICE BARRIER
25 UNDERLAYMENT REQUIRED –YES; PRESUMING LOAD-BEARING VALUE OF SOILS 2000
26 (PSF).

27 **SECTION R302 FIRE-RESISTANT CONSTRUCTION.**

28 **SECTION R302.2.5 DECK AND PORCH SETBACK FROM PROPERTY LINES.** DECKS AND
29 PORCH SETBACK FROM PROPERTY LINES SHALL COMPLY WITH THE FOLLOWING:

30 1. OPEN DECKS AND PORCHES SHALL HAVE A MINIMUM SETBACK FROM
31 ADJACENT PROPERTY LINES OF FOUR INCHES.

32 **EXCEPTION:** FOR OPEN, ONE STORY DECK, THE DECK AND/OR ITS ROOF MAY BE
33 CONTINUOUS ACROSS PROPERTY LINES PROVIDED IT IS ALLOWED BY ZONING
34 REGULATIONS AND AGREED TO BY ADJOINING PROPERTY OWNERS IN WRITING.

1 2. ENCLOSED DECKS OR PORCHES WITH EXTERIOR WALLS LOCATED WITHIN 5
2 FEET OF A PROPERTY LINE SHALL COMPLY WITH THE PROVISIONS OF SECTION R302.
3 DRAFTSTOPPING SHALL BE PROVIDED AT THE GABLE ENDS OF ANY ROOF STRUCTURE
4 WITHIN 3 FEET OF THE PROPERTY LINE AND OVER 20 FEET LONG. DRAFTSTOPPING SHALL
5 ALSO BE PROVIDED AT THE PROPERTY LINE WHERE A ROOF IS CONTINUOUS ACROSS A
6 PROPERTY LINE. DRAFTSTOPPING MATERIAL SHALL CONSIST OF MINIMUM DRYWALL OF
7 ½ INCH THICKNESS, SHEET METAL, OR FIRE RETARDANT TREATED PLYWOOD.

8 **SECTION R302.3 TWO-FAMILY DWELLINGS.** DWELLING UNITS IN TWO-FAMILY
9 DWELLINGS SHALL BE SEPARATED FROM EACH OTHER BY WALL AND/OR FLOOR
10 ASSEMBLIES HAVING NOT LESS THAN A 1-HOUR FIRE-RESISTANCE RATING WHEN TESTED
11 IN ACCORDANCE WITH ASTM E 119. FIRE-RESISTANCE-RATED FLOOR-CEILING AND WALL
12 ASSEMBLIES SHALL EXTEND TO AND BE TIGHT AGAINST THE EXTERIOR WALL, AND
13 WALL ASSEMBLIES SHALL EXTEND TIGHT TO THE UNDERSIDE OF THE ROOF SHEATHING.

14 **SECTION R302.2.6. ENCLOSED SPACES UNDER DECKS AND PORCHES LOCATED WITHIN**
15 **5 FEET OF A PROPERTY LINE.** ENCLOSED SPACES UNDER DECKS AND PORCHES WITH A
16 CLEAR HEIGHT OF 5 FEET OR MORE AND LOCATED 5 FEET OR LESS FROM A PROPERTY
17 LINE SHALL HAVE A FIRE RESISTIVE RATING IN ACCORDANCE WITH TABLE R302.1 FOR
18 EXTERIOR WALLS. THIS PROVISION SHALL NOT APPLY TO THOSE PORTIONS OF A WALL
19 AT RIGHT ANGLES TO THE PROPERTY LINE.

20 **SECTION R309.1 FLOOR SURFACE.** GARAGE FLOOR SURFACES SHALL BE OF APPROVED
21 NONCOMBUSTIBLE MATERIAL. THE AREA OF FLOOR USED FOR PARKING VEHICLES
22 SHALL BE SLOPED AT LEAST 1/8 INCH PER FOOT TOWARD THE MAIN VEHICLE ENTRY
23 DOORWAY. FLOOR DRAINS SHALL BE PROHIBITED.

24 **SECTION R310 EMERGENCY ESCAPE AND RESCUE OPENINGS.**

25 **SECTION R310.2.2 WINDOW WELL DRAIN REQUIRED.** WINDOW WELLS SHALL BE
26 EQUIPPED WITH AN APPROVED DRAIN TO PROPERLY COLLECT WATER AND SHALL BE
27 CONNECTED TO A FOUNDATION DRAINAGE SYSTEM ARRANGED IN ACCORDANCE WITH
28 SECTION R405.

29 **SECTION R315 CARBON MONOXIDE ALARMS.**

30 **SECTION R315.2 WHERE REQUIRED IN EXISTING DWELLINGS.**

31 **EXCEPTION: NON-ENCLOSED EXTERIOR DECKS.**

32 **SECTION R327 SOUND TRANSMISSION.** THE REQUIREMENT OF APPENDIX K SHALL APPLY
33 TO THE CONSTRUCTION OF ALL NEW RESIDENTIAL BUILDINGS AND ADDITIONS.

34 **SECTION R403 FOOTINGS.**

SECTION R403.1.1.1. MINIMUM THICKNESS: THE MINIMUM THICKNESS OF FOOTINGS SPECIFIED IN TABLES R403.1.(1) THROUGH R403.1.(3) SHALL BE EIGHT (8) INCHES UNLESS A GREATER THICKNESS IS SPECIFIED.

SECTION R403.1.4.1 FROST PROTECTION. EXCEPT WHERE OTHERWISE PROTECTED FROM FROST, FOUNDATION WALLS, PIERS AND OTHER PERMANENT SUPPORTS OF BUILDINGS AND STRUCTURES SHALL BE PROTECTED FROM FROST BY ONE OR MORE OF THE FOLLOWING METHODS:

1. EXTENDED BELOW THE FROST LINE SPECIFIED IN TABLE R301.2.(1);
2. CONSTRUCTING IN ACCORDANCE WITH SECTION R403.3;
3. CONSTRUCTING IN ACCORDANCE WITH ASCE 32; OR
4. ERECTED ON SOLID ROCK.

EXCEPTION: FROST PROTECTION OF FREESTANDING ACCESSORY STRUCTURES WITH AN AREA OF 400 SQUARE FEET OR LESS, OF LIGHT-FRAME CONSTRUCTION, WITH AN EAVE HEIGHT OF 10 FEET OR LESS SHALL NOT BE REQUIRED.

SECTION R404 SPECIAL RULES FOR FOUNDATION WALLS.

RULE 1: ALL FOUNDATION WALLS SHALL MEET THE FOLLOWING REQUIREMENTS:

- A. WALL HEIGHT DOES NOT EXCEED 8 FEET BETWEEN LATERAL SUPPORTS.
- B. THE FINISHED GROUND ADJACENT TO THE WALL SHALL BE GRADED SO THAT SURFACE WATER DRAINS AWAY FROM THE WALL.
- C. PERMANENT LATERAL SUPPORT SHALL BE PROVIDED AT THE TOP OF THE WALL PRIOR TO BACKFILLING.

RULE 2: ALL UNFILLED HOLLOW CORE MASONRY BLOCK WALLS SHALL MEET THE FOLLOWING REQUIREMENTS.

- A. THE MAXIMUM WALL LENGTH BETWEEN PERPENDICULAR WALLS OR PILASTERS SHALL NOT EXCEED 3 TIMES THE WALL HEIGHT.
- B. THE BACKFILL SHALL BE COMPOSED OF WELL-DRAINED SOILS IN ACCORDANCE WITH THE UNIFIED SOIL CLASSIFICATION SYSTEM.
- C. MASONRY SHALL BE LAID IN RUNNING BOND USING TYPE "M" OR "S" MORTAR.

RULE 3: FOUNDATION WALLS MAY BE ERECTED IN COMPLIANCE WITH TABLE R404A, BELOW:

Table R404A
THICKNESS OF FOUNDATION WALLS AND ALLOWABLE BACKFILL DEPTH

Foundation Wall	Thickness	Maximum Depth of
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Construction	(Inches)	Unbalance Backfill (Feet) Below Grade
Hollow, UngROUTed	8	4
Masonry	10	5
Block	12	6
Non-reinforced Concrete	8	7
And Grouted Masonry	10	8
Hollow Block	12	8

SECTION R404.1.3.1 EXCAVATING BASEMENTS UNDER AN EXISTING STRUCTURE. THE DESIGN OF FOUNDATION AND RETAINING WALLS NECESSARY TO EXCAVATE A BASEMENT UNDER AN EXISTING STRUCTURE SHALL BE DESIGNED AND SEALED BY AN ENGINEER REGISTERED IN THE STATE OF MARYLAND.

EXCEPTION: UNDER LIGHT FRAME CONSTRUCTION, WITH A MAXIMUM OF TWO STORIES, SEALED ENGINEERED DESIGN MAY BE WAIVED BY THE CODE OFFICIAL WHEN DESIGNED IN FULL ACCORDANCE WITH APPENDIX **FIGURE 107** STANDARD DESIGN DIAGRAM FOR "TYPICAL WALL SECTION FOR EXCAVATED BASEMENT".

SECTION R405 FOUNDATION DRAINAGE.

SECTION R405.1.2 FOUNDATION DRAINS LOCATED INSIDE OF FOOTING ONLY. WHEN FOUNDATION DRAINS ARE PROVIDED ONLY ON THE INSIDE OF THE FOOTING, WEEPHOLES SHALL BE PROVIDED ABOVE THE TOP OF THE FOOTING AND BELOW THE BOTTOM OF THE FLOOR SLAB UNLESS AN ALTERNATE DESIGN IS CERTIFIED BY AN ENGINEER AND APPROVED IN WRITING. IN A HOLLOW MASONRY WALL, THE WEEPHOLES MAY BE CREATED IN THE WALL BY CREATING ½ INCH OPENINGS INTO THE CORE OF THE BLOCK 16 INCHES ON CENTER IMMEDIATELY ABOVE THE FOOTING, OR IN A POURED CONCRETE WALL BY CREATING OPENINGS AT LEAST 1 INCH IN DIAMETER NO MORE THAN 6 FEET ON CENTER WITH A MINIMUM OF 6 INCHES OF GRAVEL AND A FILTER FABRIC PLACED OVER THE GRAVEL BED TO PROTECT THE BED FROM CLOGGING. THE SYSTEM SHALL ALSO BE IN ACCORDANCE WITH THE BALTIMORE COUNTY PLUMBING AND GASFITTING CODE.

SECTION R406 FOUNDATION AND WATERPROOFING AND DAMP PROOFING.

SECTION R406.1.1 CRAWL SPACE FOUNDATION DRAINAGE. WHEN CRAWL SPACE FOUNDATIONS HAVE AT LEAST ONE WALL WHERE THE FINISHED EXTERIOR GRADE IS HIGHER THAN THE INTERIOR CRAWL SPACE GRADE, FOUNDATION DAMP PROOFING IS REQUIRED AS DESCRIBED IN SECTION R406.1. IF THE INTERIOR GRADE OF THE CRAWL

SPACE IS LOWER THAN THE EXTERIOR GRADE TILE, A SUMP PUMP OR GRAVITY DRAIN IS REQUIRED.

SECTION R408 UNDER-FLOOR SPACE.

SECTION R408.4.1 CRAWL SPACE ACCESS: IN ORDER TO FACILITATE ACCESS TO THE CRAWL SPACE AREA A MINIMUM CLEARANCE OF 18 INCHES SHALL BE PROVIDED, MEASURED FROM THE BOTTOM OF THE FLOOR JOIST TO THE INTERIOR GRADE OF THE CRAWL SPACE.

SECTION R903.4 ROOF DRAINAGE.

SECTION R903.4.2 DRAINAGE OF WATER FROM ADJACENT ROOFS. A SYSTEM FOR THE COLLECTION AND DISCHARGE OF RAIN WATER FROM A ROOF SHALL BE DESIGNED TO PREVENT THE COLLECTING AND DISCHARGED OF RAIN WATER OVER A PROPERTY LINE FROM ADJACENT ROOFS UNLESS THERE IS AN EASEMENT WHICH PROVIDES FOR A COMBINATION SYSTEM.

SECTION R1003 MASONRY CHIMNEYS.

SECTION R1003.2.2 MASONRY FIREPLACE/CHIMNEY FOOTINGS. UNLESS DESIGNED BY A REGISTERED ENGINEER OR ARCHITECT, FOOTINGS FOR MASONRY CHIMNEYS OR FIRE PLACES SHALL BE PLACED AT THE SAME ELEVATION AS THE FOUNDATION WALL FOOTINGS.

CHAPTER 11 - ENERGY EFFICIENCY.

SECTION 1101 GENERAL

SECTION 1101.14.1 CERTIFICATE LOCATION. CERTIFICATE SHALL BE LOCATED WITHIN SIX (6) FEET OF THE ELECTRICAL PANEL AND BE READILY VISIBLE.

CHAPTER 29 – WATER SUPPLY AND DISTRIBUTION.

SECTION P2904.5 WATER SUPPLY.

SECTION P2904.5.3 PUBLIC WATER SUPPLY. WHERE A DWELLING IS SUPPLIED BY A PUBLIC WATER SOURCE, THE RESIDENTIAL FIRE SPRINKLER SYSTEM SHALL BE SUPPLIED BY THAT PUBLIC WATER SOURCE.

PART 400. INTERNATIONAL ENERGY CONSERVATION CODE. THIS PART SETS FORTH ADDITIONS TO, AMENDMENTS TO AND DELETIONS FROM THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, IN ACCORDANCE WITH BILL 40-15, THE BUILDING CODE OF BALTIMORE COUNTY.

PART 401. THE FOLLOWING SECTIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, ARE DELETED: C103.1, C107, C108, C109, R103.1, R107, R108, R109.

1 **PART 402.** THE FOLLOWING SECTIONS, COLLECTIVELY REFERRED TO AS THE LOCAL
2 AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION,
3 ARE ADDED HEREIN BELOW.

4 **CHAPTER 4 – COMMERCIAL ENERGY EFFICIENCY.**

5 **SECTION C408 SYSTEM COMMISSIONING.**

6 **SECTION C408.1.1 COMMISSIONING PLAN RESPONSIBILITY.** CONSTRUCTION
7 DOCUMENTS THAT ARE PREPARED BY OR UNDER THE SUPERVISION OF A PROFESSIONAL
8 ARCHITECT OR ENGINEER LICENSED BY THE STATE OF MARYLAND, SUCH DESIGN
9 PROFESSIONAL SHALL BE RESPONSIBLE TO PROVIDE OR CAUSE TO BE PROVIDED ANY OR
10 ALL COMMISSIONING REPORTS REQUIRED BY SECTION C408. DESIGN PROFESSIONAL
11 SHALL REVIEW COMMISSIONING REPORTS FOR COMPLIANCE WITH THIS CODE.

12 **SECTION C408.2.5.5 BUILDING OFFICIAL TO RECEIVE COPY OF FINAL**
13 **COMMISSIONING REPORT.** THE BUILDING OFFICIAL SHALL BE PROVIDED WITH A
14 WRITTEN CERTIFICATION FROM THE DESIGN PROFESSIONAL ACKNOWLEDGING THAT A
15 COPY OF THE FINAL COMMISSION REPORT HAS BEEN GIVEN TO THE BUILDING OWNER
16 PRIOR TO FINAL OCCUPANCY APPROVAL BY THE BUILDING OFFICIAL.

17 **SECTION 5. AND BE IT FURTHER ENACTED,** that this Act, having been passed by the
18 affirmative vote of five members of the County Council, shall take effect on July 1, 2015.

Baltimore County Code

§ 32-4-107. WAIVERS.*(a) In general.*

(1) At the request of a department director, the Hearing Officer may grant a waiver of any or all requirements of Subtitles 3, 4, and 5 of this title if the Hearing Officer finds that:

(i) 1. The size, scope, and nature of a proposed development does not justify strict compliance with this title;

2. A waiver would be within the scope, purpose, and intent of this title; and

3. All other county laws and regulations have been complied with; or

(ii) Compliance with this title would cause unnecessary hardship.

(2) A waiver shall be granted only in accordance with Title 8 of this article.

(b) Waivers - Development Plan requirements.

(1) The Director of Permits, Approvals and Inspections may waive the Development Plan requirements under §§ 32-4-221(b) and (c) and 32-4-222 through 32-4-224 of this title and the Hearing Officer's hearing if, after consultation with appropriate county agencies, the Director finds:

(i) That the size, scope, and nature of a proposed development does not justify strict compliance with this title; and

(ii) That a waiver would be within the scope, purpose, and intent of this title; and

(iii) That the proposed development complies with all other county laws and regulations.

(2) Before proposing to grant a waiver for development within the critical area, the Director of Permits, Approvals and Inspections shall obtain recommended findings from the Director of Environmental Protection and Sustainability based on the standards specified under § 32-4-226(d)(1)(iv) of this title.

(1988 Code, § 26-172) (Bill No. 18, 1990, § 2; Bill No. 1, 1992, § 2; Bill No. 173-93, § 3, 11-17-1993; Bill No. 8-96, § 3, 3-23-1996; Bill No. 79-01, § 2, 7-1-2004; Bill No. 75-03, § 8, 7-1-2004; Bill No. 122-10, §§ 12, 30, 1-16-2011)

§ 32-4-414. FLOODPLAIN AND WETLAND PROTECTION.

(a) *Definitions.* In this section, “base flood”, “development”, “flood insurance rate map”, “flooding”, “floodway” and “riverine floodplain” have the meanings stated in Title 8 of this article.

(b) *Purpose.* The purpose of this section to:

(1) Reduce loss of life and property from flooding;

(2) Avoid the need for public expenditures for flood protection; and

(3) Protect or enhance the environmental quality of watersheds.

(c) *Development in floodplain prohibited; exceptions.* The county may not permit development in a riverine floodplain except for:

(1) The establishment of property subdivision lines; and

(2) The installation of a pond, culvert, bridge, street, utility, or drainage facility that the county finds is not detrimental to floodplain management programs.

(d) *Base flood elevation.*

(1) Except as provided in paragraph (2) of this subsection, if the floodplain is shown on the flood insurance rate map, the county shall limit any increase in the existing base flood elevation to a maximum of 1 foot.

(2) The county may not allow encroachment in the floodway causing an increase in the existing base flood elevation.

(3) In areas where the base flood elevation has not been established, the county shall determine the riverine floodplain and flood elevation by means of a flood study prepared in accordance with the requirements of the Department of Public Works Design Manual and sealed by a registered professional engineer before the issuance of a permit or the recording of a subdivision plat.

(e) *Wetlands.*

(1) The county may not permit dredging, filling, or construction in any nontidal wetland or tidal wetland.

(2) The county shall require adequate protection of nontidal wetlands or tidal wetlands from contamination.

(1988 Code, § 26-276) (Bill No. 173-93, § 3, 11-17-1993; Bill No. 79-01, § 2, 7-1-2004; Bill No. 75-03, § 27, 7-1-2004)

§ 32-8-207. DEVELOPMENT IN THE FLOODPLAIN AREA.

(a) *In general.* This section applies to all development in the floodplain area notwithstanding any provision in the building code that is to the contrary or less restrictive.

(b) *Permit required.*

(1) The Building Engineer shall require a permit for all development, storage of equipment and materials, or placement of manufactured homes in the floodplain area.

(2) The permit shall be granted only after necessary permits from the state and federal agencies have been obtained.

(c) *Register of permits.*

(1) The county shall maintain a register of permits issued for any residential or nonresidential building construction or improvement in the floodplain area, including the elevation of the lowest floor or the elevation to which the structure was floodproofed, and the elevation of the related base flood level.

(2) The following items are to be maintained in this register, as applicable:

- (i) Agreement to supply elevation certificate;
- (ii) Non-conversion agreement;
- (iii) Declaration of land restrictions;
- (iv) Work sheet for substantial improvement;
- (v) Checklist for items below flood elevation;
- (vi) Floodproofing certificate; and
- (vii) Elevation certificate.

(d) *Flood resistant construction.*

(1) Flood resistant construction shall be in accordance with the requirements of the International Code Council's International Building Code currently adopted by the county and as modified in this subsection.

(2) The lowest floor elevations of all new or substantially improved structures shall be those elevations required by the Building Code of Baltimore County.

(3) Basements are not permitted in the floodplain area.

(1988 Code, § 26-668) (Bill No. 174, 1991, §§ 1, 2; Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004; Bill No. 47-10, § 5, 7-19-2010)

Editor's note:

The amendments enacted under Bill 47-10 are effective retroactive to July 1, 2010.

§ 32-8-301. AUTHORIZED.

(a) *In general.* As provided in § 32-4-107 of this article, waivers of the provisions of § 32-4-414 of this article or Subtitle 2 of this title and any regulations or codes adopted in accordance with § 32-4-414 of this article or Subtitle 2 of this title may be granted as specified in this subtitle.

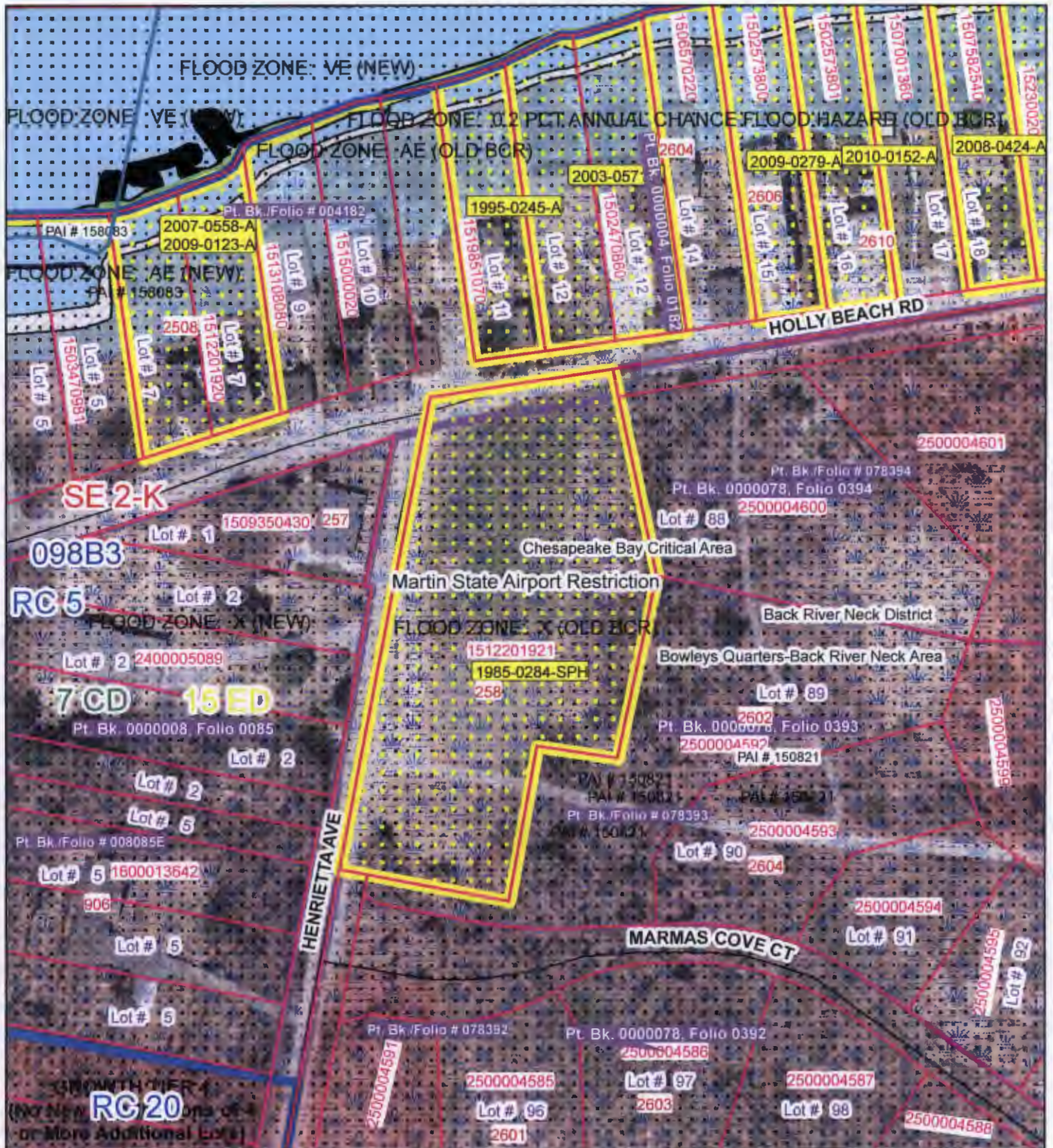
(b) *Hearing Officer.* The Hearing Officer, as defined in § 32-4-101 of this article, shall hear and decide requests for waivers under this subtitle.

(c) *General standards.* Waiver actions shall be consistent with sound floodplain management and the number of waiver actions shall be kept to a minimum.

(d) *Specific requirements.* For any waiver issued in a riverine floodplain or tidal floodplain, all applicable conditions of § 32-8-207 of this title and the Building Code shall be met.

(1988 Code, § 26-670) (Bill No. 173-93, § 2, 11-17-1993; Bill No. 112-02, § 2, 7-1-2004; Bill No. 75-03, § 38, 7-1-2004)

258 Henrietta Ave nka 901 Henrietta Ave 2016-0033-SPH



Publication Date: 8/7/2015



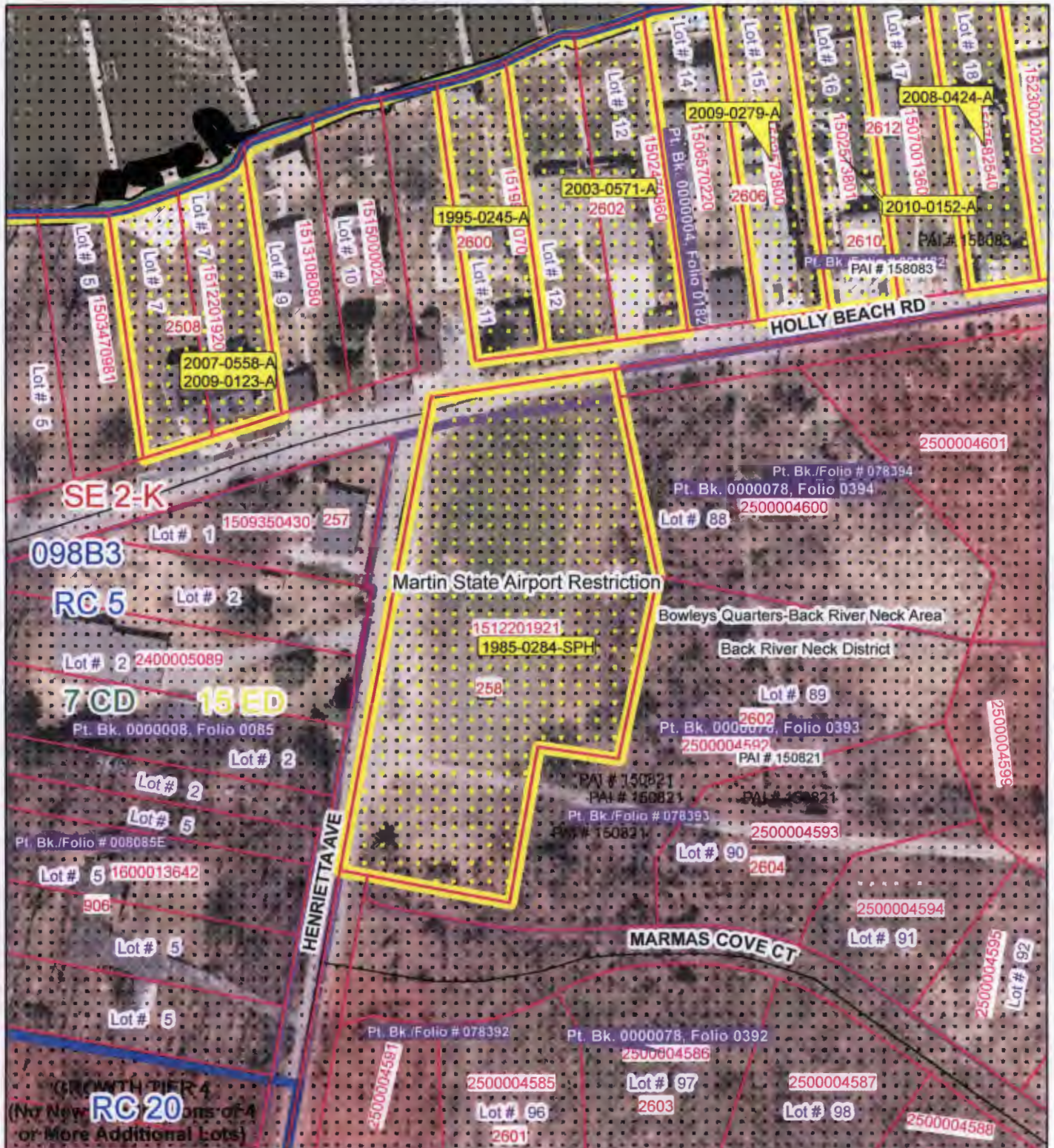
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

258 Henrietta Ave nka 901 Henrietta Ave 2016-0033-SPH



Publication Date: 8/7/2015



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet



111 West Chesapeake Avenue
Towson, MD 21204

410-887-3335

October 28, 2014

D.S.Thaler & Associates, Inc.
Mr. Mark S. Vaszil
7115 Ambassador Road
Baltimore, MD 21244

RE: Henrietta Avenue
258 Henrietta Avenue
Tracking Number: DRC-2014-00139
DRC Number: 101414H; Dist. 15C6

Dear Mr. Vaszil:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Sections 32-1-101, 32-3-401, and 32-3-517 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 32-4-106 and Section 32-4-262 of the Baltimore County Code and to make recommendations to the Director, Department of Permits Approvals and Inspections (PAI).

The DRC has, in fact, met in an open meeting on October 14, 2014, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 32-4-106(a)(1)(i).

D.S.Thaler & Associates, Inc.
Henrietta Avenue
October 28, 2014
Page 2

A copy of this letter must be presented when submitting engineering/construction plans to this office, and/or when applying for a permit with the Permits and Licenses Section.

Be advised that Phase 2 review fees may apply, depending on the amount of site disturbance, and/or the requirement of a Public Works Agreement.

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 28th day of October 2014, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

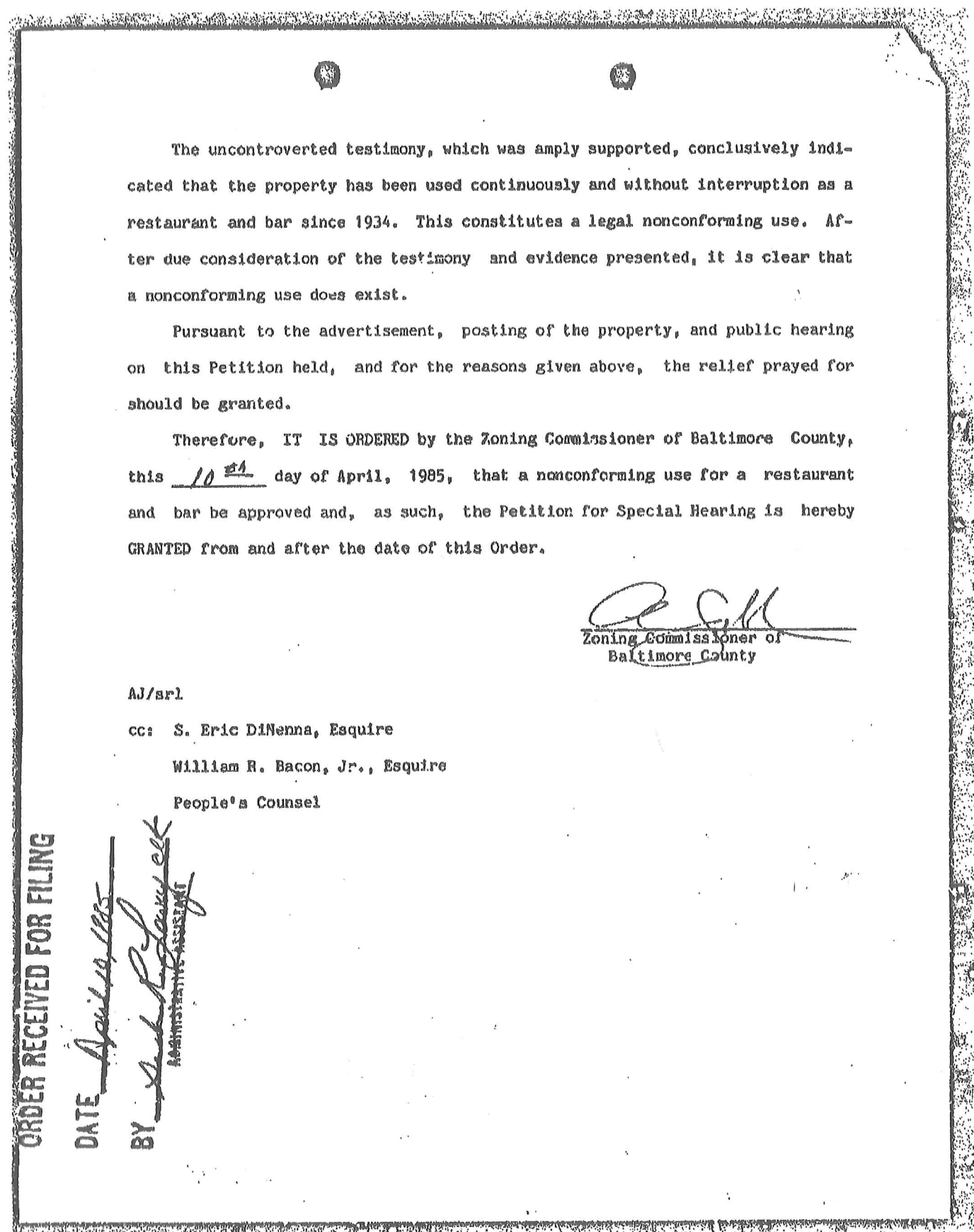
Belinda
Arnold Jablon
Director

AJ:CMK:dak

c: File
Henrietta, LLC; Clarion Resort Hotel; 10100 Coastal Highway; Ocean City, MD 21840
Smith, Gildea & Schmidt, LLC; David K. Gildea

ZONING HISTORY

CASE NO. 05-204- SPH
SPECIAL HEARING TO APPROVE A NON-CONFORMING USE FOR A TAVERN



DRC
#101414H, DIST. 15C6
(TRACKING # DRC-2014-00139)
LIMITED EXEMPTION UNDER SECTION 34-4-106 (a)(1)(i)

Point	Northing	Easting
1	590197.4046	1485627.0316
2	590177.8128	1485631.1500
3	590051.2489	1485657.7552
4	589921.9852	1485630.5766
5	589930.3771	1485574.3191
6	589821.4761	1485554.6107
7	589840.8499	1485454.7630
8	589844.5947	1485435.4029
9	590176.1519	1485498.8591
10	590148.8189	1485513.6489
11	590161.4027	1485532.1826

The uncontroverted testimony, which was amply supported, conclusively indicated that the property has been used continuously and without interruption as a restaurant and bar since 1934. This constitutes a legal nonconforming use. After due consideration of the testimony and evidence presented, it is clear that a nonconforming use does exist.

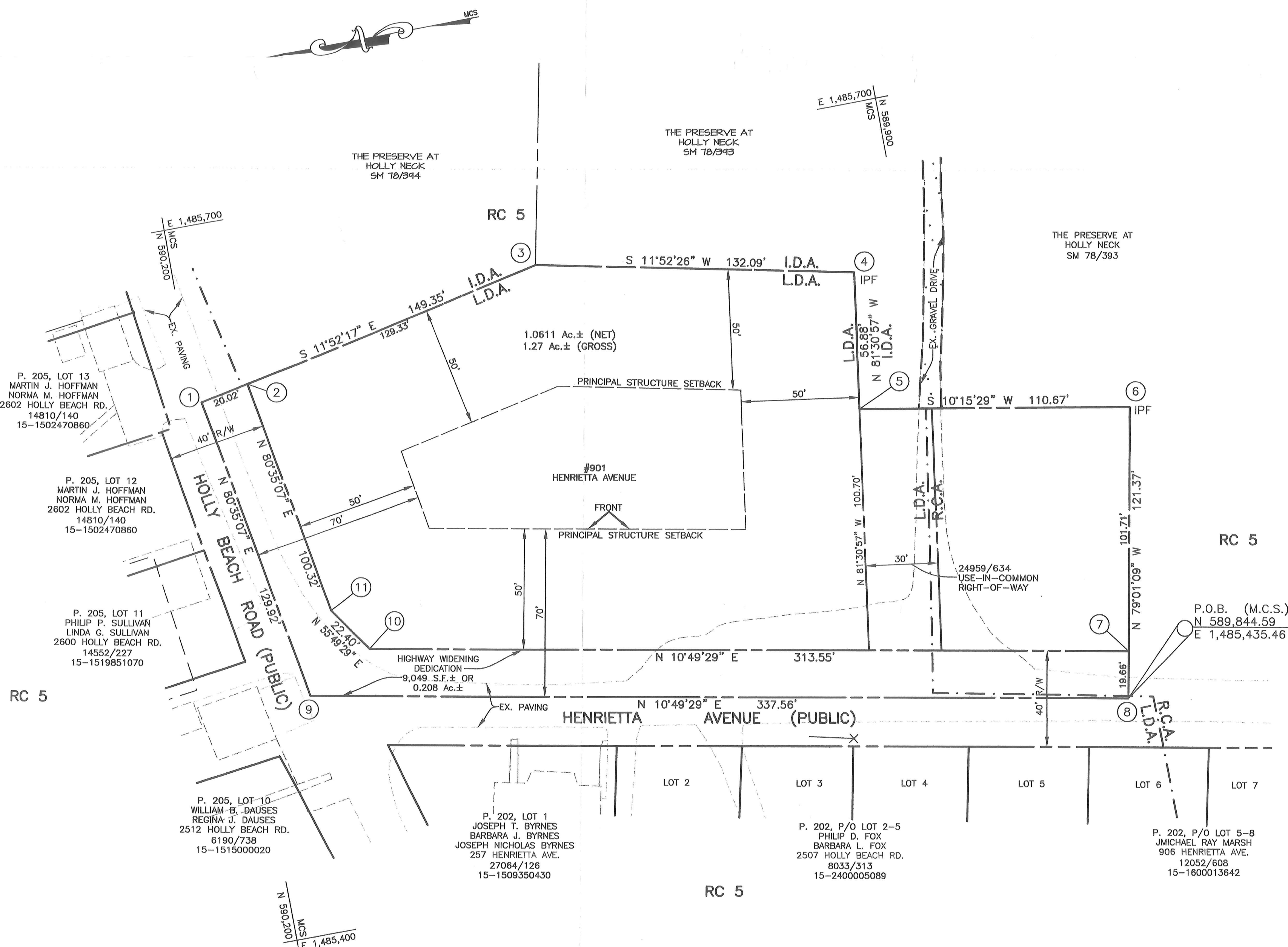
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of April, 1995, that a nonconforming use for a restaurant and bar be approved and, as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.

[Signature]
Zoning Commissioner of
Baltimore County

AJ:arl
cc: S. Eric Dinnema, Esquire
William R. Bacon, Jr., Esquire
People's Counsel

ORDER RECEIVED FOR FILING
DATE: 10/28/14
BY: [Signature]



GENERAL NOTES:

- DEVELOPMENT NAME: 258 HENRIETTA AVENUE
- PLAN PREPARED BY: D.S. THALER & ASSOCIATES, INC.
115 AMBASSADOR ROAD
P.O. BOX 41428
BALTIMORE, MARYLAND 21244
ATTN: MARK S. VASZIL
(410) 444-3641
- OWNER/APPLICANT: HENRIETTA, LLC
C/O DAVID K. GILDEA, ESQ.
SMITH, GILDEA & SCHMIDT, LLC
600 WASHINGTON AVENUE, SUITE 200
TOWSON, MARYLAND 21244

PARCEL	TAX ACCOUNT #	DEED	HELD SINCE	TAX MAP/GRID	ADC MAP
2	1512201021	24954/634	1955	9B/22	46 F-1

- PROPERTY ADDRESS: 258 HENRIETTA AVENUE
- BOUNDARY: RECORD PLAT FOR 258 HENRIETTA AVENUE (TO BE RECORDED)
D.S. THALER & ASSOCIATES, INC. (2015)
- ZONING: BALTIMORE COUNTY, 200 SCALE 2012 ZONING MAP, 615 TILE NO. 018623
- FLOODPLAIN: THERE IS A 100-YEAR TIDAL FLOODPLAIN LOCATED ON THIS PROPERTY AS SHOWN ON FURM. PANEL #24001004455, ZONE "A1". THE 100-YEAR FLOOD ELEVATION IS 6.0 FEET (MGS-NAVD 88).
- GENERAL DATA:
ELECTION DISTRICT: 15B
WATERSHED: MIDDLE RIVER
CENSUS TRACT: 4900
REGIONAL PLANNING DISTRICT: 32B
COUNCILMANIC DISTRICT: 7B
GROWTH TIER: IA
- SITE INFORMATION
A. ZONING: DENSITY ALLOWED AND DENSITY PROPOSED

ZONE	(NET)	(GROSS)	DWELLING UNITS ALLOWED	PARKING REQUIRED	PARKING PROPOSED
RC-5	1.06 AC.	1.21 AC.	1*	2 SPACES/UNIT	2 SPACES

- * THE SUBJECT PROPERTY IS LOCATED WITHIN A RESOURCES CONSERVATION AREA OF THE CHESAPEAKE BAY CRITICAL AREA. THEREFORE, DENSITY ON THE PROPERTY IS LIMITED TO ONE DWELLING UNIT, REGARDLESS OF THE CURRENT OR FUTURE ZONING. ANY PROPOSED SUBDIVISION OF THE PROPERTY OR CONVERSION OF LAND USE WOULD REQUIRE CHESAPEAKE BAY CRITICAL AREA GROWTH ALLOCATION APPROVAL.
- UTILITIES: PUBLIC WATER AND SEWER
 - USE: THE EXISTING USE IS RESIDENTIAL AND VACANT.
 - THE PROPOSED USE IS RESIDENTIAL.
 - THIS PROPERTY HAS BEEN HELD INTACT SINCE 1955, ACCORDING TO DEEDS.
 - MAXIMUM BUILDING HEIGHT ALLOWED IS 35 FEET.
 - THE SITE IS NOT LOCATED WITHIN A DEFICIENT ZONE PER BALTIMORE COUNTY 2015 BASIC SERVICES MAPS, WATER SUPPLY AREA MAP, SEWAGE AREA MAP AND TRANSPORTATION MAP, ADOPTED 5/5/15, PER BILL 28-15.
 - THIS SITE IS LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - THE SITE IS NOT LOCATED WITHIN A HISTORIC DISTRICT.
 - AS REQUIRED, LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS & ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE. A FINAL LANDSCAPE PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVED PRIOR TO OBTAINING BUILDING/OCCUPANCY PERMIT.
 - PRIOR TO OBTAINING BUILDING/OCCUPANCY PERMIT, STORMWATER MANAGEMENT SHALL CONFORM TO BALTIMORE COUNTY STANDARDS AND THE STORMWATER ACT OF 2007 REVISIONS ON ENVIRONMENTAL SITE DESIGN.
 - BUILDING MUST MEET BUILDING AND FIRE CODE REQUIREMENTS.

ZONING RELIEF

SPECIAL HEARING FOR THE ADMINISTRATIVE LAW JUDGE TO APPROVE:

- THE ALTERATION OF THE MINIMUM LOT SIZE AND SETBACK REQUIREMENTS IN ACCORDANCE WITH BCZR SECTION 1A04.3.B.b.(1) AND
- A HAVIER PURSUANT TO BCZR SECTION 500.6, BUILDING CODE SECTION 3112.0, AND BCC SECTIONS 32-4-414, 32-4-107 (a)(2), AND 32-8-301 TO ADD, BUILD, REBUILD, AND/OR REPAIR A SINGLE-FAMILY DWELLING IN A TIDAL FLOODPLAIN; AND
- SUCH OTHER AND FURTHER RELIEF AS THE ADMINISTRATIVE LAW JUDGE MAY REQUIRE.

PROJECT NAME:
258 HENRIETTA AVENUE

CASE # 2016-0033-SPH

PLAN TITLE:
PLAT TO ACCOMPANY
PETITION FOR
SPECIAL HEARING

COUNCILMANIC DIST. 7th
ELECTION DIST. 15th

PROPERTY ADDRESS: THIS PROJECT HAD A PRIOR ADDRESS OF 258 HENRIETTA AVENUE, BUT HAS SINCE BEEN READDRESSSED TO 401 HENRIETTA AVENUE TO BE CONSISTENT WITH BALTIMORE COUNTY'S MAPPING.

OWNER/APPLICANT:
HENRIETTA, LLC
C/O DAVID K. GILDEA, ESQ.
SMITH, GILDEA & SCHMIDT, LLC
600 WASHINGTON AVENUE, SUITE 200
TOWSON, MARYLAND 21244
410-821-0070

DSThaler
& ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS,
LANDSCAPE ARCHITECTS & LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 41428
BALTIMORE, MARYLAND 21244-1428
410-444-3641
www.dsthaler.com



DATE: 8-4-15
SCALE: 1"=30'
PROJ. NO.: 2307
SHEET 1 OF 1

PROTESTANT'S
EXHIBIT NO. 1



111 West Chesapeake Avenue
Towson, MD 21204

410-887-3335

October 28, 2014

D.S. Thaler & Associates, Inc.
Mr. Mark S. Vazil
7115 Ambassador Road
Baltimore, MD 21244

RE: Henrietta Avenue
258 Henrietta Avenue
Tracking Number: DRC-2014-00139
DRC Number: 101414H; Dist. 15C6

Dear Mr. Vazil:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Sections 32-3-401, and 32-3-517 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 32-4-106 and Section 32-4-262 of the Baltimore County Code and to make recommendations to the Director, Department of Permits Approvals and Inspections (PAI).

The DRC has, in fact, met in an open meeting on October 14, 2014, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 32-4-106(a)(1)(i).

D.S. Thaler & Associates, Inc.
Henrietta Avenue
October 28, 2014
Page 2

A copy of this letter must be presented when submitting engineering/construction plans to this office, and/or when applying for a permit with the Permits and Licenses Section.

Be advised that Phase 2 review fees may apply, depending on the amount of site disturbance, and/or the requirement of a Public Works Agreement.

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 28th day of October 2014, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

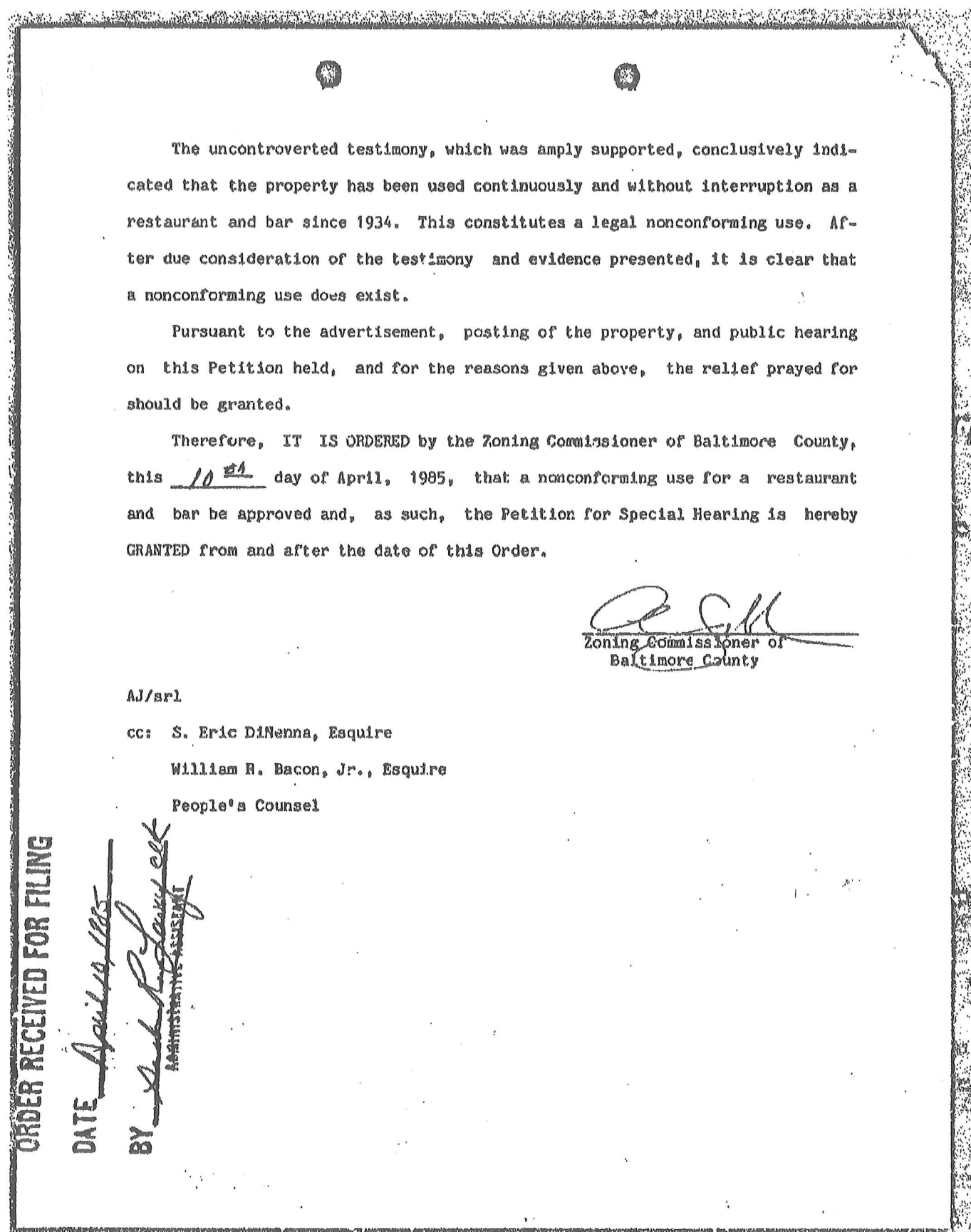
Belinda
Arnold Jablon
Director

AJ-CMK:dak

c: File
Henrietta, LLC; Clarion Resort Hotel; 10100 Coastal Highway; Ocean City, MD 21840
Smith, Gildea & Schmidt, LLC; David K. Gildea

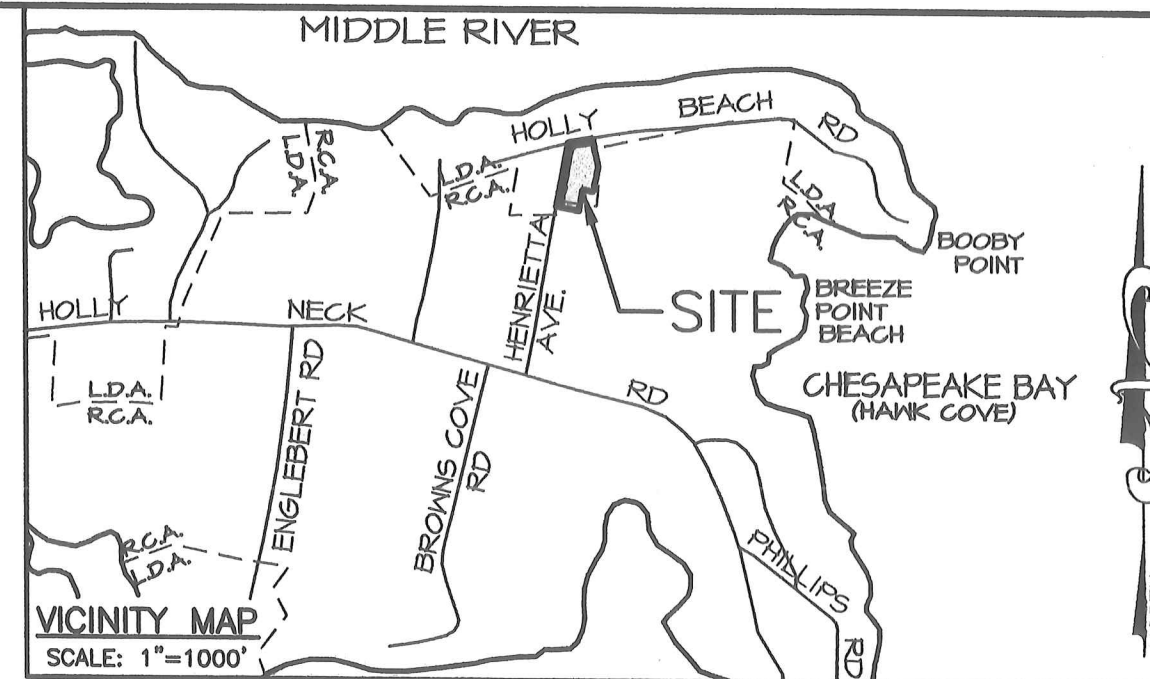
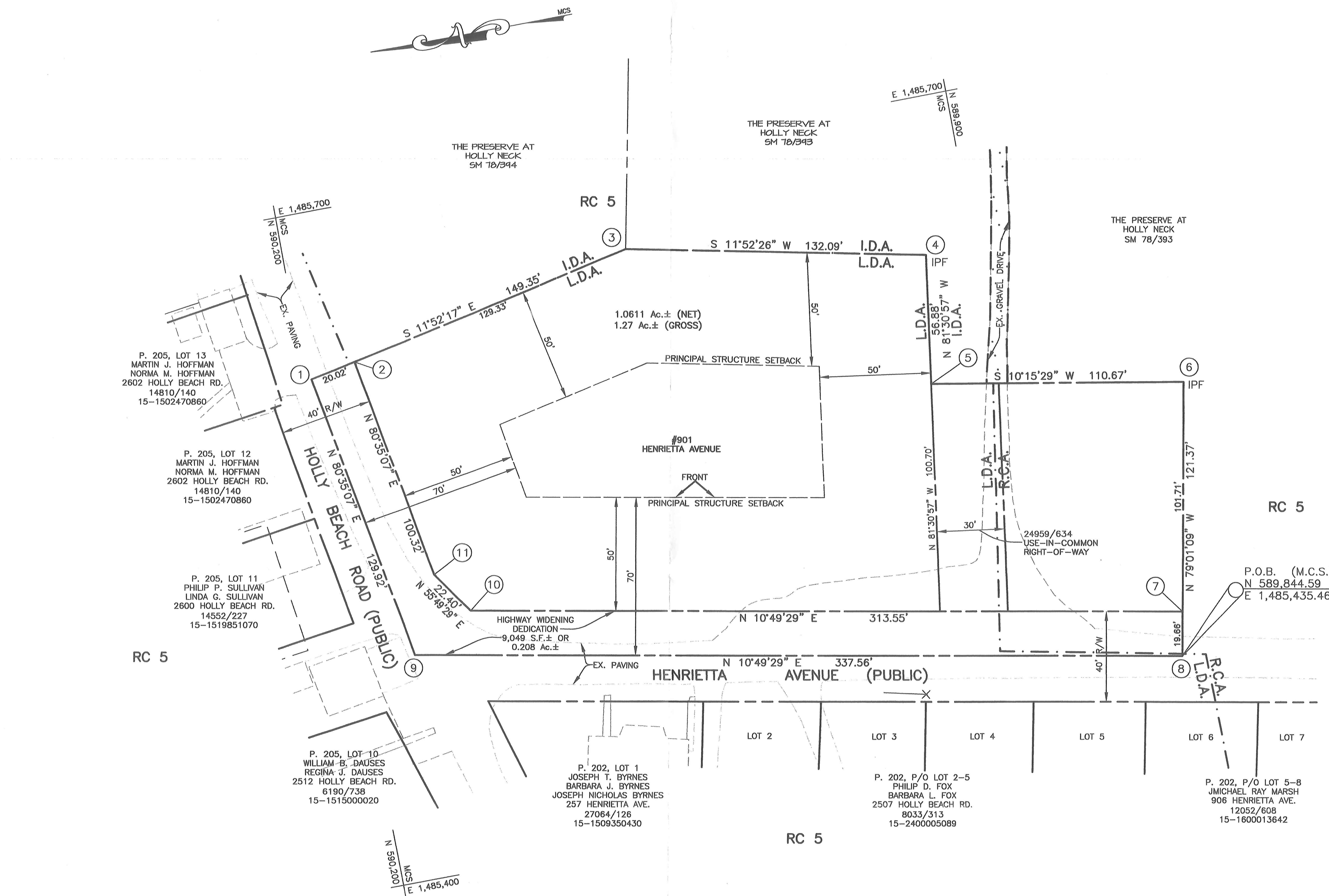
ZONING HISTORY

CASE NO. 05-284- SPH
SPECIAL HEARING TO APPROVE A NON-CONFORMING USE FOR A TAVERN



DRC
#101414H, DIST. 15C6
(TRACKING # DRC-2014-00139)
LIMITED EXEMPTION UNDER SECTION 32-4-106 (a)(1)(i)

Point	Northing	Easting
1	590197.4046	1485627.0316
2	590177.8128	1485631.1500
3	590051.2489	1485657.7552
4	589921.9852	1485630.5766
5	589930.3771	1485574.3191
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9	590176.1519	1485498.8591
10	590148.8189	1485513.6489
11	590161.4027	1485532.1826



GENERAL NOTES:

1. DEVELOPMENT NAME: 258 HENRIETTA AVENUE
2. PLAN PREPARED BY: D.S. THALER & ASSOCIATES, INC. 7115 AMBASSADOR ROAD P.O. BOX 41420 BALTIMORE, MARYLAND 21244
- OWNER/APPLICANT: HENRIETTA, LLC C/O DAVID K. GILDEA, ESQ. SMITH, GILDEA & SCHMIDT, LLC 600 WASHINGTON AVENUE, SUITE 200 TOYSON, MARYLAND 21244
- ATTN: MARK S. VAZIL (410) 444-3647

PARCEL	TAX ACCOUNT #	DEED	HELD SINCE	TAX MAP/GRID	ADC MAP
2	152204M2	24854634	1985	4B/22	46 F-1

- PROPERTY ADDRESS: 258 HENRIETTA AVENUE
- BOUNDARY: RECORD PLAT FOR 258 HENRIETTA AVENUE (TO BE RECORDED) D.S. THALER & ASSOCIATES, INC. (2005)
- ZONING: BALTIMORE COUNTY, 200 SCALE 2012 ZONING MAP, 615 TILE NO. 040C3
- FLOODPLAIN: THERE IS A 100-YEAR TIDAL FLOODPLAIN LOCATED ON THIS PROPERTY AS SHOWN ON FLSH, PANEL 82400004455, ZONE "AE". THE 100-YEAR FLOOD ELEVATION IS 6.0 FEET (MS-NAVD 88).
4. GENERAL DATA:
ELECTION DISTRICT: 15th
CENSUS TRACT: 4500
COUNCILMANIC DISTRICT: 7th
WATERSHED: MIDDLE RIVER
REGIONAL PLANNING DISTRICT: 32B
GROWTH TIER: 1A
5. SITE INFORMATION
A. ZONING: DENSITY ALLOWED AND DENSITY PROPOSED

ZONE	(NET)	(GROSS)	DWELLING UNITS ALLOWED	PARKING REQUIRED	PARKING PROPOSED
RC-5	1.06 AC.	1.27 AC.	1*	2 SPACES/UNIT	2 SPACES

- * THE SUBJECT PROPERTY IS LOCATED WITHIN A RESOURCES CONSERVATION AREA OF THE CHESAPEAKE BAY CRITICAL AREA. THEREFORE, DENSITY ON THE PROPERTY IS LIMITED TO ONE DWELLING UNIT, REGARDLESS OF THE CURRENT OR FUTURE ZONING. ANY PROPOSED SUBDIVISION OF THE PROPERTY OR CONVERSION OF LAND USE WOULD REQUIRE CHESAPEAKE BAY CRITICAL AREA GROWTH ALLOCATION APPROVAL.
6. UTILITIES: PUBLIC WATER AND SEWER
7. USE: THE EXISTING USE IS RESIDENTIAL AND VACANT. THE PROPOSED USE IS RESIDENTIAL.
8. THIS PROPERTY HAS BEEN HELD INTACT SINCE 1985, ACCORDING TO DEEDS.
9. MAXIMUM BUILDING HEIGHT ALLOWED IS 35 FEET.
10. THE SITE IS NOT LOCATED WITHIN A DEFICIENT ZONE PER BALTIMORE COUNTY 2005 BASIC SERVICES MAPS, WATER SUPPLY AREA AND SEWERAGE AREA MAP AND TRANSPORTATION MAP. ADOPTED 5/5/05, PER BILL 28-05.
11. THIS SITE IS LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
12. THE SITE IS NOT LOCATED WITHIN A HISTORIC DISTRICT.
13. AS REQUIRED, LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS & ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE. A FINAL LANDSCAPE PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVED PRIOR TO OBTAINING BUILDING/OCCUPANCY PERMIT.
14. PRIOR TO OBTAINING BUILDING/OCCUPANCY PERMIT, STORMWATER MANAGEMENT WILL CONFORM TO BALTIMORE COUNTY STANDARDS AND THE STORMWATER ACT OF 2007 REVISIONS ON ENVIRONMENTAL SITE DESIGN.
15. BUILDING MUST MEET BUILDING AND FIRE CODE REQUIREMENTS.

ZONING RELIEF

SPECIAL HEARING FOR THE ADMINISTRATIVE LAW JUDGE TO APPROVE:

1. THE ALTERATION OF THE MINIMUM LOT SIZE AND SETBACK REQUIREMENTS IN ACCORDANCE WITH BCZR SECTION 1A04.3.B.d.(i), AND
2. A HAVIER PURSUANT TO BCZR SECTION 500.6, BUILDING CODE SECTION 312.0, AND BCC SECTIONS 32-4-414, 32-4-107 (a)(2), AND 32-8-301 TO ADD, BUILD, REBUILD, AND/OR REPAIR A SINGLE-FAMILY DWELLING IN A TIDAL FLOODPLAIN, AND
3. SUCH OTHER AND FURTHER RELIEF AS THE ADMINISTRATIVE LAW JUDGE MAY REQUIRE.

PROJECT NAME:
258 HENRIETTA AVENUE

PLAN TITLE:
PETITION TO ACCOMPANY
SPECIAL HEARING

COUNCILMANIC DIST.: 7th
ELECTION DIST.: 15th

PROPERTY ADDRESS: THIS PROJECT HAD A PRIOR ADDRESS OF 258 HENRIETTA AVENUE, BUT HAS SINCE BEEN READDRESSSED TO 400 HENRIETTA AVENUE TO BE CONSISTENT WITH BALTIMORE COUNTY'S MAPPING.

OWNER/APPLICANT:
HENRIETTA, LLC
C/O DAVID K. GILDEA, ESQ.
SMITH, GILDEA & SCHMIDT, LLC
600 WASHINGTON AVENUE, SUITE 200
TOYSON, MARYLAND 21244
410-821-0070

CASE # 2016-0033-SPH

DSThaler
& ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS,
LANDSCAPE ARCHITECTS & LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 41420
BALTIMORE, MARYLAND 21244-7420
410-444-3647
www.dsthaler.com



DATE: 8-4-15
SCALE: 1"=30'
PROJ. NO.: 2307
SHEET 1 OF 1

PLAT TO ACCOMPANY
PETITION FOR
SPECIAL HEARING

258 HENRIETTA AVENUE