



**ANNE ARUNDEL COUNTY  
OFFICE OF THE COUNTY AUDITOR**

To: Members of the County Council

From: Susan L. Smith, County Auditor

Date: September 3, 2020

Subject: Legislation to be heard or eligible for vote on September 8, 2020: Bill Nos. 52-20, 53-20, 54-20, 55-20, 56-20, 57-20, 58-20, 59-20, 60-20, 61-20, and 64-20.

---

**Bill No. 52-20: Zoning – Pawnshops (As Amended)**

This bill amends the special exception use requirements for pawn shops. This bill was commented on in our letter dated July 15, 2020. The original bill allowed an exception to the requirement that the facility's customer entrance and any onsite parking areas be located at least 300 feet from any residential structure if the owner of each residential structure submits affidavits of consent to the location of the facility's customer entrance and onsite parking areas to the Office of Planning and Zoning.

At the July 20, 2020 meeting, this bill was amended to eliminate the exception for affidavits and to change the special use exception requirement that the facility's customer entrance and any onsite parking areas be located at least 100 feet from any residential structure instead of 300 feet. According to the Office of Planning and Zoning, a requirement of 100 feet is more in line with requirements for similar facilities. This bill has no fiscal impact.

**Bill No. 53-20: Zoning – Commercial Telecommunication Facilities (As Amended)**

This bill, as originally proposed, required the developer of certain proposed small cell systems or commercial telecommunication facility structures to submit a technical analysis. This bill was commented on in our letter dated July 15, 2020.

At the July 20, 2020 meeting, this bill was amended to eliminate the changes related to small cell systems, and to change the requirements for a developer of commercial telecommunication facility structures. As amended, this bill would require a developer of commercial telecommunication facility structures to submit a technical analysis, certified by a registered professional engineer, when a commercial telecommunication facility structure permanently located on the ground is proposed to be on property used for a public school. The technical analysis must show, to the satisfaction of the County, that the location is necessary to the functionality of the cellular network and there are no reasonable alternative locations for the system. This bill has no fiscal impact to the County as the requirement to perform the analysis would be on the developer.

According to Anne Arundel County Public Schools (AACPS), it has more requirements and more public notification and participation opportunities for developers wanting to use Board of

Education owned land than there are for other locations within the County, and this bill would add an additional requirement for applications above the ones already self-imposed for these structures. AACPS estimates that, on average, they receive no more than two of these types of applications a year. Further, this bill would not result in any additional costs to AACPS since the developer would absorb the costs for performing the technical analysis.

**Bill No. 54-20: Pensions – Deferred Retirement Option Program – Detention Officers’ and Deputy Sheriffs’ Retirement Plan – Employees’ Retirement Plan – Eligibility - Participants**

This bill changes the specific retirement plans for certain positions, changes the positions eligible to participate in the County’s deferred retirement option program (DROP), and changes the positions that can be enrolled in the County’s DROP each month.

Generally, the purpose of a DROP is to allow an employer to manage turnover by encouraging an employee to continue working after their normal retirement date. While participants in the DROP are generally paid a higher salary than would be paid to a new employee, the employer is able to retain the expertise of a more senior employee. A County employee enrolled in the County DROP is considered an active employee. However, during the DROP participation period, retirement contributions are not required and the employees’ pension benefit is not increased for the additional years worked. During the DROP participation period, the amount of the employee pension benefits, had they retired, are placed into a DROP account designated for the employee but they are not available for distribution to the employee. At the end of the DROP participation period, the employee pension benefits placed in the DROP account, along with interest earned, are distributed to the employee. This allows the employee to earn both a salary and retirement benefits during the participation period. As a result, the County’s DROP provides an employee benefit that is used as a recruitment tool and for retention purposes, but it does result in an additional cost to the County. The County’s annual recommended actuarially determined contribution is increased by a “Drop Load” factor.

According to Anne Arundel County Code § 5-1-503, the County’s DROP is currently offered to a participant that is actively employed by the County with 20 years of actual plan service and is in the Fire Service Retirement Plan; Police Service Retirement Plan; or is a category I participant in the Detention Officers’ and Deputy Sheriffs’ Retirement Plan; or a Correctional Facility Administrator, Assistant Correctional Facility Administrator, or a Superintendent of Detention Facilities in the Detention Officers’ and Deputy Sheriffs’ Retirement Plan. The number of employees who may begin participating in DROP is limited to 4 new employees participating in each of the DROP plans as of the first day of the month, except for employees in the classification of Police Officer, Police Officer First Class or Police Corporal for whom the limit is 20 per calendar quarter up to a limit of 64 each fiscal year, and there is no limit for the number of Police Sergeants who may begin to participate each month.

This bill makes the following changes to the retirement plans for certain positions and makes changes to the County’s DROP, as follows:

1. Changes the retirement plan for newly hired Correctional Program Specialists I and II (CPSs), from a category II participant in the Detention Officers’ and Deputy Sheriffs’ Retirement Plan to the Employees’ Retirement Plan as of the effective date of this bill. Employees in these positions as of the effective date of this bill will continue to be category II participants in the Detention Officers’ and Deputy Sheriffs’ Retirement Plan

even if promoted to another category II position after the effective date of this bill. The FY21 Memorandum of Agreement (MOA) with the Teamsters Union Local 355 Correctional Program Specialists (Union Local 355 for CPS) states that effective July 1, 2020, newly hired CPSs will be enrolled in the Employees' Retirement Plan.

**Fiscal Impact:** The recommended annual contribution to each of the County's retirement plans is calculated by an actuary each year. Based on the actuary's recommendation, the County budgets an annual contribution to each of the pension funds that is allocated to the departments' budgets based on a percentage of the current year's budgeted salary for employees enrolled in that plan. For vacant positions, the pension is budgeted at 75% of the applicable rate. In the FY21 Approved Operating Budget, the pension budgeted for the 34 CPSs in the Detention Officers' and Deputy Sheriffs' Retirement Plan was at 39.6% of their salaries (adjusted down to 24.7% for the 6 vacant positions). If these employees had been in the Employees' Retirement Plan, their pension would have been budgeted at 22.7% of their budgeted salaries (or 17% for the vacant positions), or approximately \$216,400 less. Thus, this change will result in net savings to the County as these positions turn over and new hires are placed in the Employees' Retirement Plan.

**Other Items to Note:** We asked the Office of Personnel and the Office of Law if an amendment would be necessary to make this clause effective July 1, 2020. The Office of Personnel has indicated that this is not necessary since the final MOA will be updated to reflect what the County Council approves in accordance with the ratification clause of the agreement.

2. Allows CPSs that are employed with the County on the effective date of this bill to participate in the County's DROP by allowing these employees to enroll for three years, and with the approval of the Superintendent, to extend for three additional one-year renewals. The FY21 MOA with Union Local 355 for CPS requires the County to introduce and support legislation for CPSs, who are employed with the County as of June 30, 2020, to participate in the County's DROP.

**Fiscal Impact:** The FY21 Annual Operating Budget includes 34 CPSs, of which 30 positions are currently filled with an annual salary of approximately \$1.95 million, an average salary of \$65,100, and an average length of service of 12 years. If any of the unfilled positions are filled prior to the effective date of this bill they would be eligible to participate. The Office of Personnel obtained an actuarial study on the impact of CPSs becoming eligible to participate in the County's DROP, and that study was completed in December 2019.

At the time of the study, the County had 31 active CPSs, with an annual payroll of about \$1.9 million, an average service of 11 years, and an average age of 45. The actuary assumed these employees would be eligible for the County's DROP upon completing 20 years of service, would only enroll in the County's DROP if they were 50 years or older, that the monthly benefit deposited into the DROP account would be adjusted for cost-of-living, and interest would compound monthly with an effective annual rate of 4.25%, except no interest would be added in the sixth year. The actuary determined that, based on these assumptions, allowing these CPSs to participate in the County DROP would result in an increase in the recommended actuarially determined annual contribution to the plan by \$85,000 in the first year. The actuary stated that \$68,000 of this amount is for the unfunded liability and \$17,000 would be for the normal cost and that both of these costs

would increase annually by approximately 3%. According to the actuary's report, the unfunded liability is amortized over 8 years so this would cost the County approximately \$604,000 over 8 years. The normal cost would be a permanent annual increase for as long as these employees are eligible for DROP. Both of these costs would be adjusted based on the actual number of CPSs eligible, and would be reduced when one of the current employees leaves County service, as any replacement would not be eligible for the DROP. According to the Office of the Budget's fiscal note, the additional \$85,000 increase in the actuarial determined contribution for fiscal year 2021 was not included in the FY21 Budget, but it is the intent of the Administration to honor the MOA with the Local Union 355 for CPS. According to the actuarial study, if the plan change was reflected in the January 1, 2019 actuarial valuation of the fund the funded status would be decreased from 74.2% to 74%.

**Other Items to Note:** We confirmed with the Office of Law that since the MOA with the Local Union 355 for CPS only requires the County to introduce and support legislation allowing the DROP for the employees in these positions as of June 30, 2020, the County has met the terms of the agreement, regardless of the outcome of the legislation.

We also asked the Office of Personnel and the Office of Law if an amendment would be necessary due to the difference in the effective dates in the bill and the MOA. According to the Office of Law they cannot implement an effective date earlier than the bill. Further, the Office of Personnel has indicated that this is not necessary since the final MOA will be updated to reflect what the County Council approves in accordance with the ratification clause of the agreement.

3. Changes the retirement plan for newly hired Criminal Justice Program Supervisors (CJPSs), Correctional Facility Administrators, and Assistant Correctional Facility Administrators from a category II participant in the Detention Officers' and Deputy Sheriffs' Retirement Plan to the Employees' Retirement Plan as of the effective date of this bill. Further, this bill removes the option for newly appointed Superintendents of Detention Facilities to elect to be a category II participant in the Detention Officers' and Deputy Sheriffs' Retirement Plan as of the effective date of this bill, and those appointed after the effective date of this bill will be participants in the Employees' Retirement Plan. Current employees in these positions that are in the Detention Officers' and Deputy Sheriffs' Retirement Plan would continue to be a category II participant in the Detention Officers' and Deputy Sheriffs' Retirement Plan even if promoted to another category II position. These positions are not represented by a union.

As stated above, in addition to category I participants in the Detention Officers' and Deputy Sheriffs' Retirement Plan, currently Correctional Facility Administrators, Assistant Correctional Facility Administrators, and Superintendents of Detention Facilities that elect to be in this retirement plan are eligible to participate in the County's DROP. However, since newly hired employees in these positions will be placed in the Employees' Retirement Plan they will not be eligible to participate in the County's DROP.

**Fiscal Impact:** In the FY21 Approved Operating Budget, the pension budgeted for the 13 employees in these positions was 39.6% of their budgeted salaries (adjusted down to 24.7% for the 1 vacant position). If these employees had been in the Employees' Retirement Plan, their pension would have been budgeted at 22.7% of their budgeted salaries (or 17% for the vacant position), or approximately \$143,700 less. Thus, this

change will result in net savings to the County as these positions turn over and new hires are placed in the Employees' Retirement Plan. Additionally, the County will no longer incur increased annual actuarial recommended contributions to cover the DROP eligibility of the Correctional Facility Administrators, Assistant Correctional Facility Administrators, and Superintendents of Detention Facilities positions subsequently hired and placed into the Employees' Retirement Plan. We could not readily determine the cost savings from removing these positions from positions eligible for the County's DROP.

**Other Item to Note:** Anne Arundel County Code § 5-3-103 lists a Superintendent of Detention Facilities (Superintendent) that elects to be in the Detention Officers' and Deputy Sheriffs' Retirement Plan as an exception and thus not a member of the Employees' Retirement Plan. According to the Office of Law, even though this bill removes the ability to make an election this section was not amended to cover any Superintendent that has made or will make that election prior to the effective date of this bill.

4. Allows CJPSs that are employed with the County on the effective date of this bill to participate in the County's DROP by allowing these employees to enroll for three years, and with the approval of the Superintendent, to extend for three additional one-year renewals. As stated above, these employees are not represented by a union, and future employees hired into these positions will be in the Employees' Retirement Plan and thus will not be eligible for the County's DROP.

**Fiscal Impact:** The FY21 Approved Operating Budget has 7 CJPSs and all 7 positions are currently filled with an annual salary of approximately \$660,700, an average salary of \$94,400, and an average service of about 23 years. The Office of Personnel did not obtain an actuarial study on the impact of adding a DROP provision for CJPSs. At this time, we cannot readily calculate the fiscal impact for allowing these 7 employees to enroll in the County's DROP. The actuary did state that if the number of actual CPS' eligible was more than 31, than the County could obtain a rough estimate of the additional cost by multiplying his estimate of \$85,000 by the ratio of the actual number eligible employees over the number of employees in his assumption. However, he further stated that a more accurate cost estimate would take into consideration the actual salaries, age, and years of service of the additional eligible participants. Thus, if you extrapolate based on the actuary's estimate for CPS positions, the recommended actuarially determined annual contribution to the plan would increase the first year by approximately \$19,000. However, the actual estimate would most likely be higher for the CJPS positions due to their higher salaries.

5. In addition to allowing four employees enrolled in the Detention Officers' and Deputy Sheriffs' Retirement Plan to begin participating in DROP on the first day of any month, this bill also allows two employees in the classifications of CPS or CJPS to begin participating in DROP on the first day of any month.

**Fiscal Impact:** The fiscal impact of allowing these employees to participate in the County's DROP is included above. The additional fiscal impact, if any, by allowing more employees to begin enrollment in any particular month is reduced by limiting the pool of participants to only those currently employed in these positions.

6. Adds the Deputy Sheriff Corporal classification to the list of category I participants for the Detention Officers' and Deputy Sheriffs' Retirement Plan. As stated above, category I participants are allowed to participate in the County's DROP. The Deputy Sheriff Corporal position was a negotiated professional advancement position added for the Deputy Sheriffs in the FY19 MOA with the Teamsters Union Local 355 Deputy Sheriffs. However, the Deputy Sheriff Corporal position was inadvertently omitted from the list of category I participants in the County's pension law when it was added to the Personnel laws. To date, there are no Deputy Sheriff Corporal positions in the County's DROP.

**Fiscal Impact:** The FY21 Approved Operating Budget includes 41 Deputy Sheriff Corporal positions with a salary budgeted totaling approximately \$2.6 million, and an average salary of \$64,300. There was no actuarial study done for adding the Deputy Sheriff Corporal positions to the list of eligible DROP positions. Since this position was added as a professional advancement position for the Deputy Sheriffs, the Office of Personnel does not anticipate any significant financial impact for adding the position description to the list of positions eligible for the DROP. We asked the Office of Personnel if the actuary considered the possible enrollment of these positions in DROP in their recommended annual contribution calculations for pension plans as it could result in an additional fiscal impact for future years if the actuary is only looking at current active Deputy Sheriffs and not Deputy Sheriff Corporals. According to the Office of Personnel, the expanded eligible participants will be considered in the actuary's next valuation.

**Bill No. 55-20: Pension – Deferred Retirement Option Program – Term of Participation Period – Limitations on Interest**

This bill requires Battalion Chiefs to obtain approval from their appointing authority in order to extend their participation in the County's Deferred Retirement Option Program (DROP) for a sixth year, and provides that the Battalion Chiefs will now earn interest on their DROP accounts for the sixth year. Additionally, this bill removes the requirement that Police Sergeants and Police Lieutenants obtain approval of their appointing authority to extend their participation in the County's DROP for a sixth year.

Bill No. 64-13 added the ability to extend participation in the County's DROP for a sixth year, without interest, to all members in the County's DROP with the exception of those employees represented by the International Association of Firefighters, Local 1563. Bill No. 50-15 added this extension to a sixth year, without interest, for all members in the Fire Service Retirement Plan and initiated the eligibility of certain employees in the Detention Officers' and Deputy Sheriffs' Retirement Plan. Bill Nos. 56-16 and 66-18 added interest for the sixth year for certain members in the County's DROP, and at the same time added requirements for certain position classifications to obtain appointing authority approval to extend their participation in the County's DROP for a sixth year.

Currently, a member of the Fire Service Retirement Plan, with the exception of Battalion Chiefs, are required to obtain the approval of their appointing authority to extend their participation in the County's DROP for a sixth year. Further, all members in the County's DROP, with the exception of the Battalion Chiefs, currently receive interest on their DROP accounts for the sixth year. The FY21 Memorandum of Agreement (MOA) with the Teamsters Union for Battalion Chiefs includes provisions for the Battalion Chiefs to earn interest during the sixth year of participation, and makes the decision to extend participation in the County's DROP to a sixth year at the discretion of the Fire Chief. The MOA further states that decision will not be arbitrary or without just cause.

Currently, a member of the Police Service Retirement Plan who is in the classification of Police Sergeant, Police Lieutenant, Police Captain, Police Major, Police Deputy Chief, or Police Chief must have the approval of their appointing authority to extend their participation in the County's DROP for a sixth year. The FY21 MOA with the Police Supervisors Association, which represents employees in the position classification of Police Sergeant or Police Lieutenant, removes the requirement for obtaining appointing authority approval to extend their participation in the County's DROP for a sixth year.

**Fiscal Impact:** According to the fiscal note, additional funding for the future impact on the actuarially determined contribution is not included in the FY21 Approved Operating Budget, however, the appropriation to honor the agreed upon MOA will be provided in future legislation.

If this bill passes, the Fire Service Retirement Plan must contribute an additional year of interest to the DROP account of any Battalion Chief who enters the sixth year of participation after the effective date of this bill. The fiscal impact will depend on the DROP account balance for the Battalion Chiefs entering their sixth year. According to the Office of Personnel, there are 17 Battalion Chiefs in the Fire Department, of which nine are currently participating in the County's DROP, including one in the fifth year and two in the fourth year.

Based on the current DROP account balances of the nine participants and the estimated monthly contributions provided by the Office of Personnel, if these participants stay in the County's DROP for a sixth year, we estimate that the balances of all of their accounts at the beginning of each of their sixth year would total approximately \$4.2 million. Monthly interest, at an effective annual yield of 4.25%, applied to these accounts during their sixth year would total \$196,000. It should be noted that future increases in Battalion Chief salaries will result in a higher interest cost for the sixth year as the DROP account balances for future Battalion Chiefs participating in the County's DROP will be higher.

**Other Item to Note:** During our review, we noted that Anne Arundel County Code § 5-1-508(c)(2) also references the current exception for the Battalion Chiefs not receiving interest in the sixth year, and we recommended an amendment to update this language as well. The Office of Law concurred and the Administration will be introducing an amendment.

**Bill No. 56-20: Purchasing – Acquisition of Real Property by Gift**

This bill approves the acceptance of a gift of real property consisting of approximately 0.826 acres of land from Philip I. Hazen. The property, known as 511 Duckett Avenue, is in Tracy's Landing and consists of six contiguous lots of undeveloped and unimproved wooded land. According to the State Department of Assessments and Taxation, the assessed value of this property is \$18,000, and the most recent Anne Arundel County property tax bill for this property was for approximately \$200.

Anne Arundel County Code § 8-3-301 requires the County Executive to identify the public purpose for which the property may be used. Additionally, the County Executive must ensure that the Director of the Department of Public Works (DPW) conducts an environmental assessment and provides a written determination of any potential hazard or future remediation expense, and ensure the Budget Officer provides a written fiscal impact including any future expenditures.

The County Executive had previously identified the public use of this property as offsite mitigation used to fulfill 18,077 square feet of Critical Area forest mitigation on future County

projects. During our review, we and the Administration determined that, in actuality, the entire property (35,981 square feet) will be used as an offsite mitigation bank for future County projects. The exact square feet of mitigation credit available from the property for a future County project or projects will be determined at the time of project review and is currently unknown.

DPW obtained a Phase I Environmental Site Assessment (ESA) from Arc Environmental (Arc) of the property. This assessment concluded that there was no evidence of Recognized Environmental Conditions (RECs). The ESA identified limitations in the report due to a lack of a fair market value assessment, environmental lien search, and the lack of historical resources, resulting in data gaps. However, Arc concluded that these data gaps were not considered significant because the site uses were well documented before and after the time frames for which records were unavailable. DPW relied on Arc's assessment that found no RECs or nuisance dumping present, and provided a memo to the Assistant County Attorney concluding that no future remediation expenses will be required.

**Fiscal Impact:** The Budget Officer provided a memo to the Chief Administrative Officer stating any fiscal impact of accepting the gift of this property would be de minimus, and that the gift would have no measurable impact of future County expenses. The acceptance of the gift would result in lost annual property tax revenue totaling approximately \$200. Depending on the condition of the forest, a management plan may be required to address concerns, including eradicating invasive species or infilling any un-forested areas, so that the property can be used for an offsite mitigation credit. Any offsite mitigation credit granted would save the County costs that would otherwise be incurred to meet Critical Area forest mitigation requirements.

**Other Items to Note:** Since the square feet of mitigation credit available from the property for a future County project or projects will be determined at the time of project review, an amendment will be introduced at the request of the Administration to remove the square feet reference (18,077) from the bill.

During our review, we also determined that the plat book page number listed in the bill twice was incorrect. The Office of Law concurred, and an amendment will be proposed to correct the error in the plat book page number, which should be "Book 6, Page 24."

**Bill No. 57-20: Licensing and Zoning – Manufactured Mobile Homes Located Outside a Mobile Home Park**

This bill will allow a manufactured home located outside of a mobile home park as a permitted use in Rural Agricultural (RA) Residential Districts, and will require an annual license fee of \$100 for these homes. The current law requires manufactured homes that were lawfully located outside of a licensed mobile home park on or before April 13, 1966 to pay an annual license of \$100. The current law does not allow for a manufactured home to be placed on property outside of a mobile home park on or after April 13, 1966.

Anne Arundel County Code § 11-9-103 requires an annual license fee for a mobile home park of \$5 per space. A license cannot be renewed or transferred unless the Department of Inspections and Permits determines that the mobile home spaces, premises, and buildings and fixtures in the mobile home park comply with building, electrical, and plumbing codes; the Fire Chief has filed a certificate that the mobile home park complies with Fire Prevention Code of the County; and the Health Department has filed a certificate that the mobile home park complies with standards and regulations of the County Board of Health. According to the Department of Inspections and Permits, these



requirements are not required for an annual license for a manufactured home located outside of a mobile home park to renew their license.

The intent of the bill is to provide a manufactured home with the same zoning requirements, but not necessarily the same building requirements, as a single-family dwelling located in an RA zoned district. The manufactured home will be required to meet the building requirements for a manufactured home, but would be subject to the same types of permit fees and inspections as a single-family dwelling being built in an RA zoned district. The Administration does not expect any significant increase in workload as a result of this bill.

There are currently 94 licenses granted to manufactured homes lawfully located outside of a licensed mobile home park on or before April 13, 1966, with total annual license revenue of approximately \$9,400. The Administration does not anticipate a large increase in the number of licenses issued to manufactured homes located outside of a licensed mobile home park as a result of this bill. Thus, the additional license revenue received by the County will be minimal.

**Bill No. 58-20: Personnel – Pay Schedule – Pay Increase – Police Department Employees**

This bill modifies a pay schedule for employees in the classified service whose pay grade is designated as P-4 (Police Captains) effective the first full pay period on or after July 1, 2020, and provides for a pay increase for one Police Major in the exempt service.

The new pay schedule eliminates step 8 and steps 26 to 31, and increases the salaries for steps 9 to 25 by 19% to 23% over the previous pay schedule. The average step increase in the new pay schedule is 3.2%, whereas the average step increase in the old pay schedule is 2.9%. The County has 10 Police Captains and 3 will be placed on the pay schedule based on the next step above their years of service (i.e., someone with 21.4 years of service will be placed on Step 22), and the remaining 7 Police Captains with more than 25 years of service will be placed on step 25 resulting in individual pay increases ranging from 3% to 17%, and a total cost to the County of approximately \$119,000.

Additionally, the bill also provides for an increase in the salary of a Police Major in an exempt position to the maximum of the applicable pay schedule, resulting in a pay increase of 4.9% and a total cost to the County of approximately \$8,000. There are currently 3 Police Majors and the other 2 are already at the maximum of the applicable pay schedule.

**Fiscal Impact:** The County's FY21 Approved Operating Budget included \$127,000 to cover the pay increases for Police Captains and Majors, therefore, this bill has no fiscal impact.

**Other Item to Note:** These employees are not represented by a union. These pay increases were requested by the Police Department to eliminate pay compression with lower level positions. If this Bill passes, the lowest paid Police Captain will make 13% more than a Police Lieutenant with the same years of service.

**Bill No. 59-20: Personnel – Positions in the Classified Service**

This bill removes the Assistant Police Director position in the Police Department that was included in the FY21 Approved Operating Budget, and approves the addition of one Police Fiscal Operations and Management Administrator position in the Police Department.

The FY21 Approved Operating Budget included a new Assistant Director of Police position with a pay grade of NR 24, and a budgeted salary, FICA, and insurance of \$108,195. However, there is no job classification entitled Assistant Director of Police defined in the County Code so the Police Department cannot fill this position. Bill No. 48-20 created a new job classification of Police Fiscal Operations and Management Administrator in the County Code with a pay grade of NR 24. According to the Police Department, the two positions are one in the same and the intention is to fill the Police Fiscal Operations and Management Administrator position as soon as possible. Therefore, this bill updates the FY21 Approved Operating Budget to include the position as defined in the County Code so that the Police Department can fill the position, and to eliminate the non-existent position. This bill has no fiscal impact.

**Bill No. 60-20: Construction and Property Maintenance Codes – Codes and Supplements**

This bill adopts and amends certain construction codes. Specifically, this bill adopts the 2018 versions of the previously adopted 2015 version of the International Building Code; International Residential Code for One- and Two-Family Dwellings; International Energy Conservation Code; International Existing Building Code; International Fuel Gas Code, International Mechanical Code related to heating systems, cooling systems, or refrigeration systems; and adopts the 2018 International Swimming Pool and Spa Code being the first version adopted; as published by the International Code Council, Inc. (ICC) with the additions, insertions, omissions, and changes set forth and described in the County's Construction and Property Maintenance Codes Supplement (Supplement). This bill also adopts the 2017 edition of the previously adopted 2014 edition of the National Electric Code, published by the National Fire Protection Association (NFPA), with the additions, insertions, omissions, and changes set forth in the Supplement.

We have not been able to obtain a complete comparison between the newly adopted Codes with the previously adopted Codes, but we were able to obtain the major differences and have included major differences in Attachment I. This bill also makes changes to the Supplement related to the adoption of these newer Codes, and that reflect current I&P practices, and practices I&P plans to implement. A summary of the changes in the Supplement (excluding updates for the Code versions, and Code and Supplement section references), along with any related comments obtained from I&P are included in Attachment II.

The Anne Arundel County Code requires the following notifications of changes to the applicable Code, interpretation of the applicable Code, or administrative procedures affecting the applicable contractors:

- Electrical Code - § 15-2-202 (b) requires the County to provide written notification to the Board of Electrical Examiners and all County licensed electrical contractors 60 days prior to implementation.
- Mechanical Code - § 15-2-402 (b) requires the County to provide written notification to the Board of Environmental Systems Examiners and all County licensed mechanical contractors 60 days prior to implementation.
- Plumbing Code - § 15-2-502 (b) requires the County to provide written notification to the Plumbing Commission and all County licensed plumbing contractors 60 days before implementation of changes in the Code.

I&P provided notices to the Board of Electrical Examiners and the Plumbing Commission on August 25, 2020. According to I&P, the Board of Environmental Systems Examiners has not met in the previous 10 years, and we confirmed that this Board is no longer active. To date, notifications to

all electrical, mechanical, and plumbing contractors licensed in the County have not yet occurred. As such, these notifications will not occur 60 days prior to the effective date of the bill. According to the Office of Law, the effective date of the legislation can differ from the actual implementation of those changes, and that the changes will not be able to be implemented until 60 days after the notifications are sent, regardless of the effective date of the legislation. There is currently no defined period in the law regarding when the notifications must be sent, only that the implementation cannot occur until 60 days after the notifications are sent. To date, we do not have the date when the Department intends to send these notifications, but they anticipate that it will be before the Council meeting.

**Fiscal Impact:** I&P does not anticipate any fiscal impact resulting from the passing of this bill. Although the bill is extending the time limit on permit applications and allowing permits to be extended more than once, I&P has stated this is their current practice. This bill also allows an expired permit to be extended more than once and allows an expired permit that was previously extended to renew if the permit complies with the construction code at the time of the extension. According to I&P, there will be no fiscal impact as a result of an increase in workload resulting from this bill.

**Other Item to Note:** During our review, we noted that the change in the law reference on page 13, line 21 is not necessary since the current law reference is correct. Therefore, we recommended an amendment to eliminate this reference change. The Office of Law has concurred, and an amendment will be introduced to make this correction.

**Bill No. 61-20: Public Works – Utilities**

This bill makes changes related to the connections, billings, and billing waivers related to the County's public water service. Specifically, the bill makes the following changes:

1. Replaces the term "backflow prevention device" with the term "backflow preventer";

**Fiscal Impact:** There is no fiscal impact.

2. Allows the County to turn off public water service to **any** property connected to public water that does not have a properly functioning backflow preventer, and to only restore public water service after the backflow preventer has been installed, repaired or replaced and certified by a licensed plumber to be functioning properly and upon the payment of a \$50 service charge for restoring service. Currently, the County is allowed to turn off public water service to an owner or user of an irrigation system but it does not require certification from a licensed plumber or a service charge for restoring service, nor does it allow the County to turn off public water service for other properties with a malfunctioning backflow prevention device. The Department of Public Works (DPW) is informed of any new installations on fire suppression and irrigation systems from the Office of Inspections and Permits (I&P) after I&P receives the initial inspection report from the local plumber. At that point, DPW enters and tracks the device to send annual notices to the homeowner. It is then up to the homeowner to hire a licensed plumber and send DPW the test results. Currently, DPW has no recourse if the homeowner does not follow through. If a homeowner installs their own system they may not be aware of the annual testing requirement, and they may not follow all of the requirements to code. As a result, DPW estimates that there are hundreds of improper connections to the county's drinking water system. This change will allow these users to have their water turned off, similar to other customers, however, challenges will still remain with identifying these situations.

**Fiscal Impact:** During fiscal year 2019 there were 7,327 active devices in their database, only 4,480 tested and 61 failed the test. DPW anticipates approximately 3% of the active devices will require water shut-off resulting in approximately \$11,000 in potential revenue (plus any additional revenue for failing devices not in their database that they become aware of through other channels). This additional revenue would be utilized to offset the costs of the County's water and waste water system. While DPW stated there will be additional communications between DPW staff and plumbers, the additional workload will be absorbed by existing staff and would not result in a fiscal cost to the County.

3. Requires a water meter on a private water source to be replaced by the property owner every 15 years. Currently, replacement is required every 10 years. According to the Department of Public Works (DPW), this aligns the replacement frequency to the standard set by the American Water Works Association and with the County's meter replacement schedule.

**Fiscal Impact:** There is no fiscal impact.

4. Allows the Office of Finance to back bill for water and wastewater usage for a period not to exceed three years when billings are incorrect or not made. Currently, the Office of Finance can only back bill for up to three years when the billing errors or omissions are the result of an omission or error by a customer. Currently, the Office of Finance does not bill customers for additional amounts to correct information (e.g., usage) if information becomes available after an invoice is processed. However, they will process adjustments that result in decreases to customer bills. With that said, there are occasions when prior period true-ups are processed automatically (e.g., if a meter reading is recorded lower than the actual usage in month one, and in month two the correct meter reading is recorded, the bill for month two will include the under recorded usage from month one). If a customer complains this consumption true-up will be removed. If not, it will remain.

**Fiscal Impact:** There are issues that can occur in the normal course of utility operations that can lead to delays of information (e.g., incorrect meter readings, delayed account information or transfer of account information, delayed identification of meter malfunction, etc.) that can result in significant errors in utility billings. However, the actual increase in billings resulting from this bill cannot be readily determined. DPW estimates approximately 5% of utility billing adjustments result from incorrect billings and could result in an additional \$50,000 in revenue. Rates are set to cover the cost of the County's water and wastewater systems. Therefore, when one customer is not billed for their full usage than that cost is shifted to others on the system through increased rates. Therefore, there is no fiscal impact to the County.

5. Changes the requirements to waive billings for uninhabitable or unoccupied property. Currently, a customer can request a waiver if a residential property on unmetered wastewater service (that is typically billed based on an established rate) becomes uninhabitable or will be unoccupied for three months or more because the owner is activated to military service. There is currently no limit on the period that bills can be waived. Under this bill, the customer must submit an application to obtain a waiver on water or wastewater usage bills for any property that becomes uninhabitable or residential property that will be unoccupied for three months or more because the owner is activated to military service. DPW may grant the waiver, and if granted, Office of Finance shall

reduce the bill to zero for up to six months and the waiver can be renewed for up to ten years. Under this bill, the property owner will be required to provide proof that the property is uninhabitable. Proof is already required for military service.

**Fiscal Impact:** Based on inquiries in the past, the DPW is aware of 10 nonresidential properties that meet the uninhabitable definition and would be allowed to have a waiver under this bill. Loss of revenue from these 10 properties is \$4,000 annually. There are currently 48 residential properties receiving waivers now, of which 6 have been receiving a waiver for 10 years or more and their waivers would stop. They would have to disconnect from the County system to receive no further billings, or retain their account without the waiver and pay approximately \$2,400 annually. Rates are set to cover the cost of the County's water and wastewater systems, so there is no fiscal impact to the County.

6. Increases the amount the DPW can reimburse a residential customer for property damage sustained as a result of a sewer system backup into the customer's home that was not a County liability or caused by customer negligence from \$500 to \$1,000.

**Fiscal Impact:** During fiscal year 2020, there have been three customers that requested and received the \$500 courtesy reimbursement for a total of \$1,500. Therefore, if this increased reimbursement rate was in place in FY20, these customers would have been paid an additional \$1,500.

7. Clarifies that meter tests are subject to the \$35 charge.

**Fiscal Impact:** In FY 20 there have been 35 meter tests. The Department currently charges \$35 for meter tests under the special billing charge in the County Code. Therefore, there is no fiscal impact.

**Bill No. 64-20: Finance, Taxation, and Budget, Subdivision and Development, and Zoning –  
Glen Burnie Sustainable Community Overlay Area**

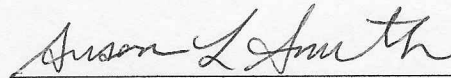
This bill establishes the Glen Burnie Sustainable Community Overlay Area (as shown in Bill 64-20, Exhibit A) as a commercial revitalization area so that qualified properties that meet certain requirements can receive revitalization tax credits and outlines the intended purposes for this area. Further, this bill makes the following changes:

- Amends the definition of qualified improvements to add rehabilitation and redevelopment of a qualified property as qualified improvements;
- Exempts non-residential redevelopment projects from the test for adequate school facilities without any conditions to be met;
- Requires redevelopment in the Glen Burnie Sustainable Overlay Area to pass the test for fire suppression, sewage disposal, storm drain, and water supply;
- Exempts residential redevelopment projects that meet the following conditions from the test for adequate school facilities if the following conditions are met:
  1. Takes place on properties located in the Town Center Zoning District (the smaller portion on Exhibit A);
  2. Includes a mix of at least two residential commercial or industrial uses that are integrated and connected by pedestrian access; and

3. If multifamily dwellings form part of the mix of uses, no less than 50% of the dwelling units consist of efficiency or one-bedroom units and no dwelling units have more than 2 bedrooms.
- Deems non-residential and residential redevelopment projects that meet the following conditions as having passed the test for adequate road facilities:
    1. If in the schedule completion year of redevelopment, creates 250 or fewer new daily trips; or
    2. If each intersection from site access points to and including the first intersection with an arterial or higher classification road operates with a peak hour critical lane volume of less than 1,450.
  - Allows for additional mitigation of public facilities for redevelopment in the Glen Burnie Sustainable Community Overlay Area, defined to include:
    1. Improvements to a substandard intersection, construction of a new road, improvements to other existing roads, provision of smart signalization systems, or diversion of trips from automobile to other modes;
    2. Contributions to a County capital project, a state project, a County fund earmarked for a state project for road improvements and construction in the Glen Burnie Sustainable Community Overlay;
    3. Improvement of the County's ability to provide public transportation in the Glen Burnie Sustainable Community Overlay;
    4. Provision of or contribution to long-term satellite parking in or in the vicinity of the Glen Burnie Sustainable Community Overlay that is served by public transit, shuttle service, or ride sharing; and
    5. Provision of traffic design and traffic directions using intelligent transportation systems, transportation system management, or other measure to direct traffic to alternate routes through less congested intersections.
  - Repeals the current requirement for Commercial Development in the Glen Burnie Town Center in Anne Arundel County Code § 17-7-301, and adds § 17-7-301 through 305 for redevelopment in the Glen Burnie Sustainable Community Overlay Area to outline the requirements for the concept plan submissions and the step by step process for plan review and approval, including community meetings and community notice.
  - Provides for a 50% reduction in the following fees for redevelopment in the Glen Burnie Sustainable Community Overlay Area: application for sketch plan approval, application for final plan approval, application for preliminary plan approval, application for site development plan approval, application for a grading permit, and application for a building permit. In addition, the fees only apply for the steps taken by the developer. For example, if a developer proceeds directly to the second phase, they would not pay the fees related to the sketch plan and/or preliminary plan, even at the reduced level.
  - Provides bulk regulations for the Glen Burnie Sustainable Community Overlay Area. The bulk regulations that apply to redevelopment in the Glen Burnie Sustainable Community Overlay Area, would be as follows: maximum height for multifamily and townhouse dwellings of 60 feet, or up to 84 feet with one or more community enhancements; maximum height for non-residential structures of 72 feet, or up to 96 feet with one or more community enhancements, and maximum floor area ratio of 2.0, or up to 3.0 with one or more community enhancements. All other bulk regulations in the Code do not apply in the Glen Burnie Sustainable Community Overlay Area.
  - Allows redevelopment in the Glen Burnie Sustainable Community Overlay Area to include any use allowed in the R15, R22, C2, C3, C4, and W1 zoning districts as permitted or conditional uses. Additionally, allows the Planning and Zoning Officer to approve additional uses so long as the uses are compatible with the surrounding neighborhood.

**Fiscal Impact:** The fiscal impact is not readily available and will depend on a variety of factors, including the number and types of projects that are developed in this area, the mitigation that the property owner or developer would no longer have to meet under tests of adequacy of public utilities that will become a cost of the County, the increased property tax revenues in the future when these properties are no longer eligible for revitalization tax credits, and to a lesser extent, the decrease in fee revenue for filings. There will also be a fiscal cost savings to the County as a result of older, underutilized or deteriorated properties being improved. According to the Office of Planning and Zoning, they do not expect a fiscal impact resulting from an increase in workload.

The adequate school facilities test exemption could also impact the number of students in the schools in this area, and certain mitigation costs that would otherwise be paid by the developer. The developer would still be required to pay impact fees, and permit fees, though permit fees would be applied at a reduced level. According to the Anne Arundel County of Public Schools (AACPS), the adequate school facilities test exemption in the proposed bill impacts Richard Henry Lee Elementary School, Corkran Middle School, and Glen Burnie High School. In the most recent school utilization chart provided by AACPS, Richard Henry Lee Elementary School and Glen Burnie High School are closed with 105.3% and 104.9% utilization, respectively, and Corkran Middle School is open with 64.8% utilization. The annual cost of one student is estimated by AACPS to be \$15,200, with the County paid portion of \$8,665.



Susan L. Smith, CPA, CFE  
County Auditor

## Key Changes in Construction Codes Adopted by the International Code Council (ICC) or National Fire Protection Association (NFPA)

Code	Significant Changes
2018 International Building Code (IBC)	<ul style="list-style-type: none"> <li>• Accessory storage spaces of any size are now permitted to be classified as part of the occupancy to which they are accessory.</li> <li>• New code sections have been introduced addressing medical gas systems and higher education laboratories.</li> <li>• Use of fire walls to create separate buildings is now limited to only the determination of permissible types of construction based on allowable building area and height.</li> <li>• Where an elevator hoistway door opens into a fire-resistance-rated corridor, the opening must be protected in a manner to address smoke intrusion into the hoistway.</li> <li>• The occupant load factor for business uses has been revised to one occupant per 150 square feet.</li> <li>• Live loads on decks and balconies increase the deck live load to one and one-half times the live load of the area served.</li> <li>• The minimum lateral load that fire walls are required to resist is five pounds per square foot.</li> <li>• Updated wind speed maps, including maps for the state of Hawaii. Terminology describing wind speeds has changed again with ultimate design wind speeds now called basic design wind speeds.</li> <li>• Site soil coefficients now correspond to the newest generation of ground motion attenuation equations (seismic values).</li> <li>• Five-foot tall wood trusses requiring permanent bracing must have a periodic special inspection.</li> <li>• New alternative fastener schedule for construction of mechanically laminated decking is added giving equivalent power-driven fasteners for the 20-penny nail.</li> <li>• Solid sawn lumber header and girder spans for the exterior bearing walls reduce span lengths to allow #2 Southern Pine design values.</li> </ul>
2018 International Residential Code for One- and Two-Family Dwellings (IRC)	<ul style="list-style-type: none"> <li>• <i>An updated seismic map reflects the most conservative Seismic Design Category (SDC) based on any soil type and a new map reflects less conservative SDCs for Site Class A, B or D.</i></li> <li>• The townhouse separation provisions now include options for using two separate fire-resistant-rated walls or a common wall.</li> <li>• An emergency escape and rescue opening is no longer required in basement sleeping rooms where the dwelling has an automatic fire sprinkler system and the basement has a second means of egress or an emergency escape opening.</li> <li>• The exemption for interconnection of smoke alarms in existing areas has been deleted.</li> <li>• New girder/header tables have been revised to incorporate the use of #2 Southern Pine in lieu of #1 Southern Pine.</li> <li>• New tables address alternative wood stud heights and the required number of full height studs in high wind areas.</li> </ul>



Code	Significant Changes
2018 International Energy Conservation Code (IECC)	<ul style="list-style-type: none"> <li>• Revisions to interior and exterior lighting power budgets and better clarity for lighting controls.</li> <li>• Clarity that regardless of design methodology, system commissioning is required.</li> <li>• New limits on heated or cooled vestibules.</li> <li>• Mechanical provisions reorganized based on equipment type rather than design methodology.</li> <li>• The maximum allowable fenestration <i>U</i>-factors in Table R402.1.2 (for the prescriptive compliance path) for climates zones 3 through 8 have been reduced from the values in the 2015 edition.</li> <li>• The ICC/RESNET 380 standard has been included as one of the standards that can be used for determining the air leakage rate of a building or dwelling unit.</li> <li>• The Energy Rating Index compliance alternative index values have been increased slightly however, the method for determining an index is now required to be in accordance with standard ICC/RESNET 301.</li> </ul>
2018 International Existing Building Code (IEBC)	<ul style="list-style-type: none"> <li>• Requirements for live loads have been combined for all compliance methods.</li> <li>• Structural components damaged by snow events must be repaired assuming snow loads for new buildings from the IBC.</li> <li>• A new exception is added for loading of existing structural elements next to an addition in buildings designed using the IRC.</li> <li>• When a work area includes more than half the building in an alteration, wall anchors must be installed at the roof line along reinforced concrete and masonry walls.</li> <li>• Buildings undergoing a change of occupancy shall have live, snow, wind and seismic loads checked. Design loads are based on IBC-level forces.</li> <li>• When a change of occupancy occurs placing a building in a higher risk category, the seismic loads on the building must be evaluated using IBC-level forces. Access to the building must be maintained when passing through or near other buildings and structures.</li> <li>• Where storm shelters are required based on IBC and ICC 500 for Group E Occupancies, any addition to such existing occupancies where the occupant load of the addition is 50 or more will trigger the construction of a storm shelter.</li> <li>• Carbon Monoxide provisions have been added in the Prescriptive Method Additions, Alterations Level 2 Additions, and in Additions for I-1, I-2, I-4 and R Occupancies.</li> <li>• Emergency Escape and Rescue Opening provisions related to being operational have been added to Prescriptive Compliance Method and Alterations Level 1.</li> <li>• Single exit buildings and spaces under Alteration Levels 2 and 3 have been modified to be more consistent with the IBC.</li> <li>• The Alterations Level 2 requirement that water for automatic fire sprinkler system be available at the floor of alteration without the need for a fire pump has been moved to Chapter 9 for Alterations Level 3 and the fire pump criterion was deleted.</li> </ul>

Code	Significant Changes
2018 International Mechanical Code (IMC)	<ul style="list-style-type: none"> <li>• Added coverage of pollution control units.</li> <li>• A new exception was added to recognize Type I kitchen hoods listed for clearances to combustibles of less than 18 inches.</li> <li>• Added coverage for a newer type of non-metallic duct, phenolic duct.</li> <li>• New coverage for high volume large diameter fans (HVLD), also referred to as high volume low speed (HVLS) fans.</li> <li>• Relaxed requirements for sealing of duct joints and seams for snap-and button-lock duct joints located within the thermal envelope.</li> </ul>
2018 International Plumbing Code (IPC)	<ul style="list-style-type: none"> <li>• Updated table for the Minimum Number of Required Plumbing Fixtures.</li> <li>• Single-user toilet facilities (a room having a single water closet and a single lavatory) are not required to be labeled for use by only a male or female (separated use designations).</li> <li>• Solar thermal water heating systems need to conform to the ICC 900/SRCC 300 standard.</li> <li>• Well systems are required to comply with standard NGWA-01 where local requirements do not cover subject matter or are lacking in detail.</li> </ul>
2018 International Swimming Pool and Spa Code (ISPSC)	<ul style="list-style-type: none"> <li>• Clarified that flotation tank systems for sensory deprivation therapy are not within the scope of the ISPSC.</li> <li>• Hot water storage tanks are now required to be listed and labeled to a standard.</li> <li>• New sections were introduced into the code to cover solar thermal water heating systems. Installation requirements refer to the IMC.</li> </ul>
2018 International Fuel Gas Code (IFGC)	<ul style="list-style-type: none"> <li>• Added section to recognize arc-resistant CSST products.</li> <li>• Allows Schedule 10 steel pipe to be used, whereas previously Schedule 40 was the lightest steel pipe material allowed. Schedule 10 steel pipe joints are allowed to be welded, brazed, flanged, or assembled with press-connect fittings, but not threaded.</li> <li>• Clarifies that appliance shutoff valves located behind movable appliances, such as ranges and clothes dryers, are considered to be provided with the required access.”</li> </ul>

Note: The information presented in this table is from the International Code Council, Inc. (n.d.) *Key Changes in the 2018 International Codes (I-Codes)*.

Code	Significant Changes
2017 National Electrical Code (NEC)	<ul style="list-style-type: none"> <li>• Makes changes addressing reconditioned, refurbished, or remanufactured equipment and provides rules for who may list electrical equipment.</li> <li>• Requires a properly calibrated tool for torquing terminal connections.</li> <li>• Added new ground-fault circuit interrupter (GFCI) requirements for crawl spaces.</li> <li>• Expanded arc fault circuit interrupter requirements.</li> <li>• Requires receptacle outlets for meeting rooms in commercial occupancies.</li> <li>• Changes the rules for establishing conductor ampacities, including requirements for cable bundling, rooftop temperature correction, and dwelling service conductor sizing.</li> <li>• Revised rules for sufficient conductor space within cabinets to deal with power monitoring equipment.</li> <li>• Clarified that the allowance for using conduit bodies smaller than generally required, and allows power distribution blocks on the supply side of the service (if listed for the location).</li> <li>• Requires grouping of parallel conductors.</li> <li>• Requires electronic switch manufacturers to use a neutral for return current, not the equipment grounding conductor.</li> <li>• Expanded the locations requiring tamper-resistant receptacles, and the types of receptacles requiring such protection.</li> <li>• Requires a wire-type equipment grounding conductor for some air-conditioning installations.</li> <li>• Changes the requirements for equipment grounding conductors in patient care spaces.</li> <li>• Reduced the trip setting of the ground fault protection device required in certain circumstances.</li> <li>• Changed Article 555, which covers marinas, boatyards, and docking facilities, to include docking facilities associated with dwelling units</li> <li>• Requires a warning sign at boat docks or marinas.</li> <li>• Permits listed cord sets or devices with GFCI protection in addition to the required GFCI protection for personnel, and permit “special-purpose GFCIs” for receptacles.</li> <li>• Changes wiring methods for feeders supplying pools and similar installations.</li> <li>• Revised and reorganized the rules for bonding hydro massage tubs.</li> <li>• Requires surge protection for fire pump controllers.</li> <li>• Requires transfer equipment to be marked by the installer to indicate the current short-circuit rating.</li> </ul>

Note: The information presented in this table is from EC&M (February 15, 2017) *Top 25 Changes in the 2017 National Electrical Code* and NPFA Journal (September 1, 2017).

## CONSTRUCTION AND PROPERTY MAINTENANCE CODES SUPPLEMENT CHANGES

Supplement Section	What is being changed	Comments
International Residential Code	Repeals previous amendment items (12) and (13).	Office of Inspections and Permits (I&P) stated that amendment (13) is being repealed since these barrier and fencing requirements related to swimming pools are in the 2018 International Swimming Pool and Spa Code (ISPSC), which is being adopted. Amendment (12) pertains to Solar Panel roof access pathways for fire department access.
International Plumbing Code	Repeals previous amendment item (11).	I&P stated amendment (11) pertains to shower drain sizes. Requirements for public swimming pools and spas is in IPC section 403.6 and 417.3.
Construction Code Administrative Provisions	Amends 101.2.1 that provides guidance on dwellings that are required to comply with the 2018 International Residential Code.	Allows additional structures to be permitted to be constructed under the 2018 International Residential Code, namely live/work units located in townhouses that meet specified building and construction codes sections, and existing structures built prior to 2008 that are owner-occupied lodging houses with five or fewer guest rooms or residential board and care facilities providing services to five or fewer guests.
Construction Code Administrative Provisions	Amends 101.4.5 to remove from the Plumbing Code Appendix C for Gray Water Recycling and Appendix G for Vacuum Drainage Systems.	I&P stated the standards referenced in these appendices have been incorporated into the new version (2018) of the International Plumbing Code.
Construction Code Administrative Provisions	Amends 101.4.6 to limit the application of the International Energy Conservation Code to commercial buildings, and thus these requirements would not be applied to residential buildings.	Code of Maryland Regulations 09.12.51.05 state a local jurisdiction cannot adopt amendments that weaken the IECC. IAP stated the 2018 International Residential Code matches these requirements so this eliminates a duplicate requirement, and is not making the requirements less stringent.
Construction Code Administrative Provisions	Amends 101.4.7 to adopt Appendix J on Existing Buildings and Structures, Appendix O on Automatic Vehicular Gates, Appendix Q on Tiny Houses, Appendix R on Light Straw-Clay Construction, and Appendix S on Strawbale Construction in the IRC.	I&P stated these appendices are provided by ICC and provide department guidance on how these types of structures should be reviewed and constructed in the field. They are not in the official code, but they are available from ICC for departments to adopt and use.
Construction Code Administrative Provisions	Adds 101.4.8 on swimming pools and spas to provide information on when to use the 2018 ISPSC that this bill adopts.	The ISPSC will apply to the construction, alteration, movement, renovation, replacement, repair and maintenance on aquatic recreation facilities, pools, and spas that are (1) either permanent or temporary and (2) designed and manufactured to be

Supplement Section	What is being changed	Comments
		connected to a circulation system intended for swimming, bathing, or wading.
Construction Code Administrative Provisions	Amends 105.3.4 to allow permit applications to remain active for up to one year (currently 180 days), and amends 105.5.4 and 105.5.5 to allow permits to be extended more than once, to allow an expired permit to be renewed more than once, and to require extended permits to comply with the Construction Code adopted at the time of the extension.	I&P stated these changes are being made to match their current practices.
Construction Code Administrative Provisions	Amends 106.1.1 to eliminate required approval by Code Official when submitting construction documents by <i>electronic media</i> .	I&P stated this change is to facilitate the new permitting system where all permits will be submitted electronically.
Construction Code Administrative Provisions	Amends 110.4 to allow the Code Official to suspend or revoke, in writing, a permit and final inspection approval when it is issued in error or on the basis of incorrect information.	I&P stated this change is to allow the County to legally revoke a permit at any time during the process that was issued in error or with incorrect information. Prior Code would only allow for the revocation of a certificate of occupancy, which would indicate the construction project was complete.
International Building Code Amendments	Amends 310.4.1 to allow for structures used as residential board and care facilities with an occupant load of five persons or less in an existing Single Family Dwelling Structure (SFD) constructed prior to 2008 to comply with the International Residential Code.	I&P stated this change is to remove the requirement for installation of fire suppression systems in structures used as care facilities with an occupant load of five persons or less constructed prior to 2008. These dwellings are usually single family homes that are converted into care facilities. Sprinklers were required to be installed in a single family dwelling structure (SFD) in 2008, so any SFD after 2008 would automatically be suppressed.
International Building Code Amendments	Adds 1805.4.8 to require that a roof drainage system discharge within four inches of a splash block, and to state that a discharge may be to a properly graded open area provided that the point of discharge is at least five feet from any property line or as required by an approved grading and stormwater management plan, to a swale or device.	I&P stated this change is added to address previous issues of the Building Code that did not specify how downspouts were to be discharged. This amendment provides the requirements and how and where downspouts are to be discharged.
International Residential Code Amendments	Amends Table R301.2 (1) to change and add additional parameters.	I&P stated this change is needed due to the new version of the International Residential Code adding additional information that required instruction.

Supplement Section	What is being changed	Comments
International Residential Code Amendments	Amends R801.3 to remove reference to areas where expansive and collapsible soils exist, and add provisions requiring roof drainage to discharge within four inches of a splash block, and stating that discharge may be to a properly graded open area provided that the point of discharge is at least five feet from any property line or, as required by an approved grading and stormwater management plan, to a swale or device.	I&P stated this adds the same section of code on how and where roof drainage may discharge as updated in the International Building Code. This provides consistency with the above changes regarding how and where roof drainage may discharge.
National Electrical Code Amendments	Amends 210.52G to adopt additional provisions related to sump pumps.	I&P stated the change to 210.52G is to allow the electrician not to install GFCI protection for sump pumps. The Code requires GFCI protection on sump pumps, however, the sensitivity level of the GFCI's are tripped many times when the sump pumps start the discharge process. Once tripped the GFCI will not allow the pump to operate until the GFCI is reset, which has caused structural damage due to basement flooding. The new requirements in this section are equivalent to that of GFCI protection, allowing the contractor an option as to what is installed.
National Electrical Code Amendments	Adds 408.48.1 to require the highest available breaker space in the panelboard to comply with section 240.24(A).	I&P stated this requires disconnects for solar panels to be located a maximum of 6'7". In many multifamily installations the electricians invert their panelboards so the main disconnect is located at the bottom of the main breaker panel. They then leave the top of the panel box opening blank and when the solar is connected to the main panel board the disconnects are greater than 6'7", which makes it difficult to service.
International Plumbing Code	Adds 303.2 to require commercial buildings or structures with multiple piping systems to have those pipes marked using stenciling or pipe labels.	I&P stated this helps the trades accurately identify the piping in commercial buildings to help prevent costly mistakes in the field by eliminating cross connection of different waste lines and stormwater piping.