

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 5

Bill No. 10-13

Introduced by Mr. Walker, Chairman
(by request of the Acting County Executive)

By the County Council, February 19, 2013

Introduced and first read on February 19, 2013
Public Hearing set for and held on March 18, 2013
Bill Expires May 25, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

- 1 AN ORDINANCE concerning: Construction and Property Maintenance Codes –
2 Construction Code – Extension and Renewal of Building Permits – International
3 Residential Code Amendments - Requirements for Residential Sprinkler Systems
4
5 FOR the purpose of providing for permits to be subject to construction code requirements in
6 effect at the time of permit application; amending and adding certain procedures for
7 extending the validity of building permits prior to expiration and for renewing expired
8 building permits; amending the requirements for residential fire sprinkler systems in
9 townhouses and one and two family dwellings; making certain stylistic changes; and
10 generally relating to construction.
11
12 BY repealing and reenacting, with amendments: Construction Code, Chapter 1, §§ 105.3.2,
13 and 105.5.4; and International Residential Code Amendments, Items (5), (6), and (7)
14 Anne Arundel County Construction and Property Maintenance Codes Supplement,
15 October 1, 2005 (as amended)
16
17 BY repealing: Construction Code, Chapter 1, §§ 105.5.4.1, and 105.5.5
18 Anne Arundel County Construction and Property Maintenance Codes Supplement,
19 October 1, 2005 (as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

1 BY adding: Construction Code, Chapter 1, § 105.5.5
2 Anne Arundel County Construction and Property Maintenance Codes Supplement,
3 October 1, 2005 (as amended)
4

5 WHEREAS, Bill No. 82-05, enacted on November 8, 2005, adopted the Anne
6 Arundel County Construction and Property Maintenance Codes Supplement, October
7 1, 2005 (Supplement) to the Anne Arundel County Code (2005, as amended); and
8

9 WHEREAS, Section 15-1-108 of the Anne Arundel County Code (2005, as
10 amended) provides that the provisions of the Supplement may not be altered or
11 revised except by ordinance adopted by the County Council; and
12

13 WHEREAS, the Supplement includes the Construction Code amendments and the
14 International Residential Code; and
15

16 WHEREAS, the County Council finds it necessary to amend the Construction Code
17 amendments and the International Residential Code; now, therefore
18

19 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
20 That Construction Code, Chapter 1, § 105.5.4.1, Anne Arundel County Construction and
21 Property Maintenance Codes Supplement, October 1, 2005 (as amended) is hereby repealed.
22

23 SECTION 2. *And be it further enacted,* That the Anne Arundel County Construction and
24 Property Maintenance Codes Supplement, October 1, 2005 (as amended) read as follows:
25

26 **CONSTRUCTION AND PROPERTY MAINTENANCE CODES SUPPLEMENT**

27
28 **CONSTRUCTION CODE**

29
30 **Chapter 1**

31 **Construction Code Administrative Provisions**

32
33 **Section 105**

34 **Permits**
35

36 **105.3.2 Action on application.** The Code Official shall examine or cause to be
37 examined applications for permits and amendments thereto within a reasonable time
38 after filing. If the application or the construction documents do not conform to the
39 requirements of pertinent laws, the Code Official shall reject such application in
40 writing, stating the reasons therefor. If the Code Official is satisfied that the proposed
41 work conforms to the requirements of the Construction Code and laws and
42 ordinances applicable thereto, the Code Official shall issue a permit as soon as
43 practicable. PERMITS SHALL BE SUBJECT TO THE REQUIREMENTS OF THE
44 CONSTRUCTION CODE IN EFFECT AT THE TIME OF PERMIT APPLICATION. A permit may
45 not be issued for work on any property for which the property owner has received a
46 notice of violation of state or local critical area law, until the requirements of § 8-

1 1808(c)(4) of the Natural Resources Article of the State Code have been satisfied.
2

3 **105.5.4 Permit extension.** Upon written request FILED WITH THE DEPARTMENT
4 PRIOR TO PERMIT EXPIRATION, and if the Department finds that a hardship exists, the
5 times set forth in section 105.5 may be extended for up to one additional year FROM
6 THE DATE OF EXPIRATION. A permit [which] THAT is extended is subject to a \$25.00
7 fee. A PERMIT MAY NOT BE EXTENDED MORE THAN ONCE. A RENEWED PERMIT MAY
8 NOT BE EXTENDED.

9
10 [105.5.4.1 Exception. A permit extension is permitted one time within a period of
11 six months after the date of expiration if the conditions under which the permit
12 was originally issued have remained unchanged. A permit may not be renewed
13 more than once.]
14

15 [105.5.5 Code change. If a permit is extended under the provisions of section
16 105.5.4.1, construction activity shall be subject to requirements of the Construction
17 Code in effect at the time that the construction activity takes place.]
18

19 **105.5.5. Permit renewal.** UPON WRITTEN REQUEST FILED WITH THE DEPARTMENT NO
20 LATER THAN SIX MONTHS AFTER PERMIT EXPIRATION, AND IF THE DEPARTMENT
21 FINDS THAT A HARDSHIP EXISTS, AN EXPIRED PERMIT MAY BE RENEWED FOR UP TO
22 ONE ADDITIONAL YEAR FROM THE DATE OF EXPIRATION. A PERMIT THAT IS RENEWED
23 IS SUBJECT TO A \$25.00 FEE. AN EXPIRED PERMIT MAY NOT BE RENEWED MORE THAN
24 ONCE. AN EXPIRED PERMIT THAT WAS PREVIOUSLY EXTENDED MAY NOT BE
25 RENEWED.
26

27 INTERNATIONAL RESIDENTIAL CODE AMENDMENTS

28
29 The provisions of the 2012 International Residential Code for One- and Two-Family
30 Dwellings are amended, deleted, or corrected as follows and the following provisions shall
31 supersede the part of the text of the 2012 International Residential Code for One- and Two-
32 Family Dwellings as indicated:
33

34 (5) In section R313.1, after ["Townhouses"] "TOWNHOUSES", insert [“, and if the
35 construction, alteration, enlargement, replacement, or repair constitutes substantial
36 improvement, as that term is defined in § 16-1-101 of the County Code”] “AND IN EXISTING
37 TOWNHOUSES WHERE ANY CONSTRUCTION, ALTERATION, ENLARGEMENT, REPLACEMENT, OR
38 REPAIR CONSTITUTES AN INCREASE IN HABITABLE SQUARE FOOTAGE, WHICH EXCEEDS 50%
39 OF THE EXISTING HABITABLE SQUARE FOOTAGE, INCLUDING BATHROOMS, CLOSETS,
40 HALLWAYS, STORAGE SPACES AND UTILITY SPACES” and strike the exception in its entirety.
41

42 (6) In section R313.1.1, after “P2904”, insert “or NFPA 13D, NFPA 13R, [OR] OR
43 NFPA 13”.
44

45 (7) In section R313.2, after “Dwellings” at the end of the first sentence, insert [“and if
46 the construction, alteration, enlargement, replacement, or repair constitutes “substantial
47 improvement,” as that term is defined in § 16-1-101 of the County Code”] “AND IN EXISTING
48 ONE- AND TWO-FAMILY DWELLINGS WHERE ANY CONSTRUCTION, ALTERATION,
49 ENLARGEMENT, REPLACEMENT, OR REPAIR CONSTITUTES AN INCREASE IN HABITABLE

1 SQUARE FOOTAGE, WHICH EXCEEDS 50 % OF THE EXISTING HABITABLE SQUARE FOOTAGE,
2 INCLUDING BATHROOMS, CLOSETS, HALLWAYS, STORAGE SPACES AND UTILITY SPACES” and
3 strike the exception in its entirety and substitute:
4

5 **Exception:** An automatic fire sprinkler system shall not be required for new [buildings
6 constructed] STRUCTURES OR WHERE ANY CONSTRUCTION, ALTERATION,
7 ENLARGEMENT, REPLACEMENT, OR REPAIR CONSTITUTES AN INCREASE IN HABITABLE
8 SQUARE FOOTAGE, WHICH EXCEEDS 50% OF THE EXISTING HABITABLE SQUARE
9 FOOTAGE, INCLUDING KITCHENS, BATHROOMS, CLOSETS, HALLWAYS, STORAGE
10 SPACES AND UTILITY SPACES on lots where the water and sewer plans received
11 approval from the County prior to January 1, 2009.
12

13 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days from
14 the date it becomes law.

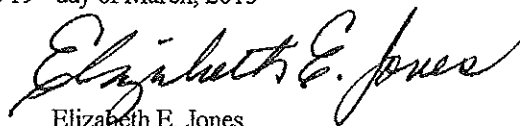
READ AND PASSED this 18th day of March, 2013

By Order:



Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for her approval this 19th day of March, 2013



Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this ___*___ day of March, 2013

*Returned unsigned

Enacted March 29, 2013

Laura Neuman
County Executive

EFFECTIVE DATE: May 13, 2013

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
10-13, THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer