



Legislation Details (With Text)

File #: O-38-20 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 8/31/2020 **In control:** City Council

On agenda: 11/9/2020 **Final action:** 11/9/2020

Title: Building Code Updates - For the purpose of adopting certain building codes in accordance with the Code of Maryland; updating building code standards; correcting technical errors; specifying enforcement procedures; specifying appeal procedures; and generally related to the Annapolis Building Code.

Sponsors: Gavin Buckley, Elly Tierney

Indexes: Economic Matters Committee

Code sections:

Attachments: 1. O-38-20 Building Code Updates First Reader.pdf, 2. O-38-20 P&Z Spreadsheet Guide.pdf, 3. O-38-20 Staff Report.pdf, 4. O-38-20 Fiscal Impact Note.pdf, 5. O-38-20 Amendment 1-2 Buckley.pdf, 6. O-38-20 SIGNED

Date	Ver.	Action By	Action	Result
11/9/2020	1	City Council	adopt on second reader	Pass
11/9/2020	1	City Council	amended	Pass
11/9/2020	1	City Council	adopt as amended	Pass
11/9/2020	1	City Council	adopt on third reader	Pass
10/8/2020	1	Economic Matters Committee	recommend favorably	Pass
9/29/2020	1	City Council	declare the public hearing closed	
9/14/2020	1	City Council	refer to Annapolis Education Commission	
9/14/2020	1	City Council	adopt on first reader	Pass

Building Code Updates - For the purpose of adopting certain building codes in accordance with the Code of Maryland; updating building code standards; correcting technical errors; specifying enforcement procedures; specifying appeal procedures; and generally related to the Annapolis Building Code.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 38-20

**Introduced by: Mayor Buckley
Co-sponsored by: Alderwoman Tierney**

**Referred to
Economic Matters Committee**

AN ORDINANCE concerning

Building Code Updates

FOR the purpose of adopting certain building codes in accordance with the Code of Maryland; updating certain building codes; correcting technical errors; specifying enforcement procedures; specifying appeal procedures; and generally related to the Annapolis Building Code.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2019 Edition

- 17.12.010
- 17.12.018
- 17.12.020
- 17.12.021
- 17.12.024
- 17.14.040
- 17.18.020
- 17.24.040
- 17.28.020
- 17.28.040
- 17.34.030
- 17.40.180
- 17.40.265
- 17.40.330
- 17.40.380
- 17.40.420
- 17.40.440
- 17.40.450
- 17.40.530

BY repealing the following portions of the Code of the City of Annapolis, 2019 Edition

- 17.12.005
- 17.12.022
- 17.12.023
- 17.12.026
- 17.12.030
- 17.12.042
- 17.12.050
- 17.12.052
- 17.12.053
- 17.12.055
- 17.12.056
- 17.12.058
- 17.12.060
- 17.12.062
- 17.12.064
- 17.28.030
- 17.28.130
- 17.40.210
- 17.40.220
- 17.40.700
- 17.40.750
- 17.40.770

- BY** adding the following portions to the Code of the City of Annapolis, 2019 Edition
- 17.05.005
 - 17.05.010
 - 17.05.020
 - 17.05.030
 - 17.05.040
 - 17.05.050
 - 17.05.060
 - 17.05.070
 - 17.05.071
 - 17.05.080
 - 17.05.090
 - 17.05.100
 - 17.05.110
 - 17.05.120
 - 17.05.130
 - 17.05.140
 - 17.28.030

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Title 17 - BUILDINGS AND CONSTRUCTION

Chapter 17.05 - BUILDING CODE

17.05.05 - Administration

- A. **Purpose.** THE PURPOSE OF THIS CHAPTER IS TO PROTECT THE PUBLIC HEALTH, SAFETY, PROPERTY, AND GENERAL WELFARE OF THE COMMUNITY BY ESTABLISHING MINIMUM STANDARDS FOR CONSTRUCTION AND RECONSTRUCTION OF BUILDINGS AND STRUCTURES.
- B. **Definition of Building Code.** AS USED IN THIS TITLE, UNLESS OTHERWISE EXPRESSLY STATED, THE TERM "BUILDING CODE" MEANS THE APPLICABLE INTERNATIONAL OR BUILDING CODE ADOPTED BY THE CITY.

17.05.010 - BUILDING PERMIT - REQUIRED.

- A. **Generally.** AN OWNER OF REAL PROPERTY WHO INTENDS TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, TRANSPORT AN OVERSIZED LOAD, DEMOLISH, OR CHANGE THE OCCUPANCY OF A BUILDING OR OTHER STRUCTURE, OR TO ERECT, INSTALL, ENLARGE, ALTER, REPAIR, REMOVE, CONVERT, OR REPLACE ANY ELECTRICAL, GAS, MECHANICAL, OR PLUMBING SYSTEM, OR TO CAUSE ANY SUCH WORK TO BE PERFORMED SHALL FIRST FILE AN APPLICATION WITH THE DIRECTOR OR THE DIRECTOR'S DESIGNEE FOR ANY PERMIT REQUIRED BY THIS CODE TO ENGAGE IN THE WORK AND SHALL PAY ANY APPLICABLE PERMIT FEES. AN AUTHORIZED AGENT OF THE OWNER MAY FILE AN

APPLICATION ON BEHALF OF THE OWNER.

- B. **Exterior projects in the historic district.** ALL EXTERIOR PROJECTS IN THE HISTORIC DISTRICT, WHETHER OR NOT EXEMPTED FROM A BUILDING PERMIT UNDER SUBSECTION A OF THIS SECTION, SHALL REQUIRE A CERTIFICATE OF APPROVAL IN ACCORDANCE WITH CHAPTER 21.62.
- C. **Fire hazard created by new location.** IF THE DIRECTOR DETERMINES THAT A PROPOSED NEW LOCATION OF THE BUILDING OR OTHER STRUCTURE WOULD SIGNIFICANTLY INCREASE THE FIRE HAZARD TO SURROUNDING BUILDINGS OR OTHER STRUCTURES, THE DIRECTOR SHALL DENY THE PERMIT.
- D. **Municipal infraction.** A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.

17.05.020 - BUILDING PERMIT - EXEMPTIONS.

- A. **Where located.** EXEMPTIONS FROM THE REQUIREMENT OF A BUILDING PERMIT ARE PROVIDED IN THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, AND THE INTERNATIONAL EXISTING BUILDING CODE, AS APPLICABLE.
- B. **Additional exemption.** A BUILDING PERMIT IS NOT REQUIRED FOR A RESIDENTIAL CONSTRUCTION PROJECT THAT IS LIMITED TO NON-STRUCTURAL REPLACEMENT OR REPAIR OF WINDOWS, DOORS, OR SIDING. COMPLIANCE WITH THE APPLICABLE PROVISIONS OF THE ANNAPOLIS CITY CODE IS REQUIRED REGARDLESS OF ANY REQUIREMENT FOR A BUILDING PERMIT OR NECESSARY APPROVALS.

17.05.030 - USE AND OCCUPANCY PERMIT.

- A. **When required.** IN ACCORDANCE WITH THE BUILDING CODE, A USE AND OCCUPANCY PERMIT IS REQUIRED FOR ALL NEW CONSTRUCTION AND FOR STRUCTURES UNDERGOING ALTERATIONS. STRUCTURES UNDERGOING ALTERATIONS ARE GOVERNED BY THE APPLICABLE PROVISIONS OF SECTION 101.4 OF THE INTERNATIONAL BUILDING CODE. A USE AND OCCUPANCY PERMIT IS REQUIRED WHEN THERE IS A CHANGE OF USE OR OCCUPANCY EVEN IF NO CONSTRUCTION OR ALTERATION WILL OCCUR. A USE AND OCCUPANCY PERMIT IS REQUIRED IF THERE IS A CHANGE IN OWNERSHIP ONLY IF THE DIRECTOR OR THE DIRECTOR'S DESIGNEE DETERMINES THAT EXISTING CONDITIONS POSE A THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE.
- B. **Inspection fees.** INSPECTION FEES FOR A USE AND OCCUPANCY PERMIT SHALL BE PAID UPON SUBMISSION OF THE BUILDING PERMIT APPLICATION. THE FEES ARE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL AND ARE NONREFUNDABLE AND NONTRANSFERABLE.
- C. **Timing of issuance.** A USE AND OCCUPANCY PERMIT MAY NOT BE ISSUED UNTIL AFTER THE DEPARTMENT OF PUBLIC WORKS, THE DEPARTMENT OF PLANNING AND ZONING, THE FIRE DEPARTMENT, AND THE HEALTH DEPARTMENT, WHEN APPLICABLE, HAVE INSPECTED THE SITE AND VERIFIED THAT THE STRUCTURES AND THE SITE MEET CITY

STANDARDS AND SPECIFICATIONS AND ARE IN ACCORDANCE WITH THE APPROVED BUILDING PERMIT AND THE USE REQUIREMENTS SET FORTH IN CHAPTER 21.12.

- D. **Suspension or revocation.** THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY SUSPEND OR REVOKE A USE AND OCCUPANCY PERMIT FOR A VIOLATION OF THE CITY CODE, FOR UNSAFE CONDITIONS, FOR A VIOLATION OF ISSUED PERMITS, FOR FAILURE TO OBTAIN FINAL INSPECTIONS AND APPROVALS, OR FOR MISREPRESENTATION OF THE FACTS.
- E. **Municipal infraction.** A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.
- F. **Effect of failure to pay fines.** THE DEPARTMENT MAY NOT ISSUE ADDITIONAL PERMITS OR CONDUCT INSPECTIONS UNTIL ALL FINES OWED TO THE CITY ARE PAID IN FULL.

17.05.040 - CODE MODIFICATIONS.

- A. **Authority to grant.** NOTWITHSTANDING ANY OTHER PROVISION IN THIS TITLE, AND CONSISTENT WITH SECTION 104.10 OF THE INTERNATIONAL BUILDING CODE, WHEN THERE ARE PRACTICAL DIFFICULTIES IN CARRYING OUT THE PROVISIONS OF THE BUILDING CODE, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY GRANT MODIFICATIONS, ON A CASE BY CASE BASIS, UPON A FINDING THAT THE PARTICULAR INDIVIDUAL CIRCUMSTANCES MAKE COMPLIANCE WITH THE STRICT LETTER OF THE BUILDING CODE IMPRACTICAL, THAT THE MODIFICATION IS IN COMPLIANCE WITH THE INTENT AND PURPOSE OF THE BUILDING CODE, AND THAT THE MODIFICATION DOES NOT JEOPARDIZE HEALTH, ACCESSIBILITY, LIFE AND FIRE SAFETY, OR ANY STRUCTURAL REQUIREMENTS.
- B. **Written request.** THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY CONSIDER AND DECIDE A MODIFICATION UPON RECEIPT OF A WRITTEN REQUEST IN WHICH THE APPLICANT IDENTIFIES AND SUBSTANTIATES THE NEED FOR A MODIFICATION, DESCRIBES ANY REQUESTED COMPENSATORY ACTION, AND SETS FORTH ANY DESIGN CRITERIA ADJUSTMENTS.

17.05.050 - UNSAFE STRUCTURES.

- A. **Definition.** AN UNSAFE STRUCTURE IS ALL OR PART OF A STRUCTURE THAT IN THE OPINION OF THE DIRECTOR OR THE DIRECTOR'S DESIGNEE IS DANGEROUS TO THE LIFE, HEALTH, PROPERTY, OR SAFETY OF THE PUBLIC OR THE OCCUPANTS OF THE STRUCTURE, INCLUDING BECAUSE THE STRUCTURE:
 - 1. FAILS TO PROVIDE MINIMUM SAFEGUARDS TO PROTECT OR WARN OCCUPANTS IN THE EVENT OF FIRE;
 - 2. CONTAINS UNSAFE EQUIPMENT; OR
 - 3. IS SO DAMAGED, DECAYED, DILAPIDATED, STRUCTURALLY UNSAFE OR IS OF SUCH FAULTY CONSTRUCTION THAT PARTIAL OR COMPLETE COLLAPSE IS POSSIBLE.

- B. **Razing or abating an unsafe structure.** AFTER OBTAINING A BUILDING PERMIT IN ACCORDANCE WITH SECTION 17.05.010, AN OWNER SHALL RAZE OR ABATE AN UNSAFE STRUCTURE WITHIN 72 HOURS AFTER THE DIRECTOR OR THE DIRECTOR'S DESIGNEE GIVES THE OWNER NOTICE TO DO SO. IF THE OWNER FAILS TO RAZE OR ABATE THE UNSAFE STRUCTURE WITHIN 72 HOURS, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY RAZE OR ABATE THE UNSAFE STRUCTURE AT THE EXPENSE OF THE OWNER.
- C. **Emergency.** IF IN THE JUDGMENT OF THE DIRECTOR OR THE DIRECTOR'S DESIGNEE AN EMERGENCY EXISTS THAT REQUIRES IMMEDIATE ACTION TO PROTECT THE PUBLIC HEALTH, SAFETY, OR WELFARE, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY ISSUE AN ORDER WITHOUT NOTICE DIRECTING THE OWNER, OCCUPANT, OPERATOR, AGENT, OR LICENSEE TO TAKE WHATEVER ACTION IS APPROPRIATE TO CORRECT OR ABATE THE EMERGENCY. IF THE CIRCUMSTANCES WARRANT, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY CORRECT OR ABATE THE EMERGENCY, WHICH MAY INCLUDE DISCONNECTING WATER, GAS, AND ELECTRICAL SERVICE TO THE STRUCTURE.
- D. **Lien.** ALL COSTS INCURRED BY THE CITY UNDER THIS SECTION SHALL BE RECOVERED FROM THE OWNER IN THE FORM OF A LIEN ON THE PROPERTY AND COLLECTIBLE IN THE SAME MANNER AS DELINQUENT TAXES.
- E. **Municipal infraction.** A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.

17.05.060 - BUILDING PERMIT-APPLICATION.

- A. **Responsibility to obtain permit.** BOTH THE OWNER OF THE PROPERTY AND THE CONTRACTOR ENGAGED TO DO THE WORK ARE EQUALLY RESPONSIBLE FOR OBTAINING THE REQUIRED BUILDING PERMIT.
- B. **Issuance of grading permit before building permit.** A BUILDING PERMIT MAY NOT BE ISSUED PRIOR TO THE ISSUANCE OF A GRADING PERMIT, IF APPLICABLE UNDER CHAPTER 17.08.
- C. **Payment of impact fees.** BEFORE ANY PERMIT REQUIRED BY SECTION 17.05.010 MAY BE ISSUED, THE APPLICANT SHALL FILE WITH THE DEPARTMENT OF PLANNING AND ZONING:
1. VERIFICATION FROM THE CITY FINANCE DIRECTOR THAT THE APPLICANT HAS PAID ALL APPLICABLE ANNE ARUNDEL COUNTY SCHOOL IMPACT FEES; OR
 2. PROOF THAT THE PROJECT IS NOT SUBJECT TO THE COUNTY'S SCHOOL IMPACT FEES.
- D. **Discrepancy between grading and building permits as to location.** IF THERE IS A DISCREPANCY BETWEEN THE GRADING PERMIT AND THE BUILDING PERMIT AS TO THE BUILDING LOCATION, THE GRADING PERMIT PREVAILS.

17.05.070 - BUILDING PERMIT - PLANS AND SPECIFICATIONS.

- A. **Construction drawings.** AN APPLICANT SHALL FILE CONSTRUCTION DRAWINGS ALONG

WITH AN APPLICATION FOR A BUILDING PERMIT. THE DRAWINGS SHALL BE SUPPORTED BY AN AFFIDAVIT THAT SPECIFIES THE CONTRACT PRICE OF THE CONSTRUCTION IN ITS ENTIRETY; THE TYPE OF STRUCTURE TO BE ERECTED OR THE ALTERATIONS TO BE MADE; THE MATERIAL TO BE USED; THE NUMBER OF STORIES; AND THE DIMENSIONS OF THE STRUCTURE OR THE AREA TO WHICH ALTERATIONS WILL BE MADE. IF THE PERMIT IS FOR THE INTERIOR OR EXTERIOR ALTERATION OF AN EXISTING STRUCTURE, CONSTRUCTION DRAWINGS SHALL BE SUBMITTED SHOWING THE NATURE AND LOCATION OF ALL ALTERATIONS, UNLESS OTHERWISE APPROVED.

- B. **Additional requirements.** AN APPLICATION FOR A BUILDING PERMIT SHALL ALSO INCLUDE THOSE PLANS AND SPECIFICATIONS REQUIRED BY SECTION 17.08.060. AT A MINIMUM, THE APPLICATION SHALL BE ACCOMPANIED BY A SCALED DRAWING SHOWING THE PROPOSED LOCATION OF THE STRUCTURE ON THE LOT AND THE FRONT YARD, SIDE YARD, AND REAR YARD DIMENSIONS TO THE PROPERTY LINE.
- C. **Drawn by architect or engineer.** A PERMIT FOR A COMMERCIAL STRUCTURE OR FOR A STRUCTURE TO BE USED FOR PUBLIC ASSEMBLY MAY NOT BE ISSUED UNLESS CONSTRUCTION DRAWINGS AND SPECIFICATIONS, DRAWN AND CERTIFIED BY AN ARCHITECT OR ENGINEER REGISTERED UNDER THE LAWS OF THE STATE OF MARYLAND, ARE SUBMITTED. FOR ALL OTHER BUILDINGS OR STRUCTURES, CONSTRUCTION DRAWINGS AND SPECIFICATIONS CREATED BY A LICENSED ARCHITECT OR ENGINEER, OR BY A CONTRACTOR FOR ITS OWN WORK OR ON BEHALF OF THE OWNER OF THE PROPERTY SHALL BE SUBMITTED WITH A PERMIT APPLICATION UNLESS OTHERWISE APPROVED BY THE CODE OFFICIAL.
- D. **Certification by an architect or engineer.** IF A PERMIT APPLICATION INDICATES THAT ALL CONSTRUCTION DRAWINGS AND SPECIFICATIONS WERE COMPLETED BY AN ARCHITECT OR ENGINEER, EACH DRAWING AND SPECIFICATION SHALL BE CERTIFIED WITH THE ARCHITECT'S OR ENGINEER'S MARYLAND SEAL, ORIGINAL SIGNATURE, AND DATE.
- E. **Certification by structural engineer.** A MARYLAND STRUCTURAL ENGINEER OR ARCHITECT SHALL CERTIFY ALL STRUCTURAL EVALUATIONS, INCLUDING DRAWINGS.
- F. **Fees.** ALL NEW AND REVISED CONSTRUCTION DRAWINGS AND SUBMITTALS REQUIRING REVIEW SHALL REQUIRE PAYMENT OF A FEE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.

17.05.071 - REVIEW PROCESS.

- A. **Comments; resubmittals.** AS PROMPTLY AS POSSIBLE AFTER THE FILING OF AN APPLICATION, THE DEPARTMENT OF PLANNING AND ZONING SHALL PROVIDE TO THE APPLICANT WRITTEN COMMENTS ON THE APPLICATION. WITHIN 60 DAYS THEREAFTER, THE DEVELOPER SHALL FILE AN APPLICATION RE-SUBMITTAL THAT ADDRESSES ALL OF THE COMMENTS. AS PROMPTLY AS POSSIBLE AFTER THE FILING OF THE APPLICATION RE-SUBMITTAL, THE DEPARTMENT OF PLANNING AND ZONING SHALL PROVIDE ANY ADDITIONAL COMMENTS. WITHIN 60 DAYS THEREAFTER, THE APPLICANT SHALL FILE AN APPLICATION RE-SUBMITTAL THAT ADDRESSES THE ADDITIONAL COMMENTS. THIS PROCESS CONTINUES UNTIL THE APPLICATION IS GRANTED, DENIED, OR BECOMES VOID.

- B. **Time extensions**. UPON RECEIPT OF A WRITTEN REQUEST PRIOR TO THE EXPIRATION OF THE TIME FOR A RE-SUBMITTAL, THE DEPARTMENT OF PLANNING AND ZONING MAY GRANT ONE OR MORE TIME EXTENSIONS OF UP TO 180 DAYS.
- C. **Authority to void the application**. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY DECLARE AN APPLICATION TO BE VOID AND OF NO FURTHER FORCE OR EFFECT IF THE APPLICANT FAILS TO FILE TIMELY APPLICATION RE-SUBMITTALS.

17.05.080 Building Contractor license.

- A. **Requirement to obtain license**. A PERSON MAY NOT PERFORM WORK AS A BUILDING CONTRACTOR, GENERAL CONTRACTOR, OR HOME IMPROVEMENT CONTRACTOR WITHOUT FIRST OBTAINING A LICENSE FROM THE STATE OF MARYLAND OR THE MARYLAND HOME IMPROVEMENT COMMISSION, AS APPLICABLE.
- B. **Withholding, suspension, or revocation**. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY WITHHOLD PERMIT APPLICATIONS OR SUSPEND OR REVOKE ISSUED PERMITS OR LICENSES FOR:
1. IRREGULARITIES IN INSTALLATION;
 2. UNSAFE OR UNWORKMANLIKE INSTALLATION;
 3. MISREPRESENTATION OF FACT;
 4. FAILURE TO OBTAIN PERMITS;
 5. FAILURE TO OBTAIN REQUIRED INSPECTIONS;
 6. IGNORING OR DEFACING STOP WORK ORDERS;
 7. ILLEGAL OCCUPANCY,
 8. FAILURE TO MAINTAIN A VALID MARYLAND STATE LICENSE; OR
 9. ANY VIOLATION OF THE BUILDING CODE OR THIS CHAPTER.
- C. **Use of another's license prohibited**. A PERSON MAY NOT USE THE NAME OR LICENSE OF ANOTHER CONTRACTOR, DIRECTLY OR INDIRECTLY, TO OBTAIN A PERMIT, SUBMIT NOTICES, MAKE RETURNS, OR CONDUCT WORK.
- D. **Municipal infraction**. A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.

17.05.090 Display of address.

- A. **Requirement**. THE OWNER OF IMPROVED PROPERTY SHALL POST ON OR ABOUT THE PROPERTY NUMBERS OR LETTERS DESIGNATING THE ADDRESS ASSIGNED TO THE

PROPERTY.

- B. **Characteristics** . THE NUMBER OR LETTERS SHALL BE AT LEAST THREE INCHES HIGH, DISPLAYED ON A CONTRASTING BACKGROUND, AND POSTED SO AS TO BE UNOBSTRUCTED AND CLEARLY LEGIBLE FROM THE STREET NAMED IN THE ADDRESS OF THE PROPERTY.
- C. **Additional characteristics** . IN ADDITION TO THE REQUIREMENTS OF SUBSECTION B:
1. FOR A MULTIFAMILY STRUCTURE OF SIX UNITS OR MORE:
 - A) THE ADDRESS SHALL BE AFFIXED TO THE STRUCTURE IN NUMBERS OR LETTERS AT LEAST SIX INCHES HIGH AND BE CLEARLY LEGIBLE FROM THE STREET OR PUBLIC WAY; AND
 - B) THE DESIGNATION OF EACH DWELLING UNIT SHALL BE AFFIXED TO THE EXTERIOR DOOR OF THE UNIT WITH NUMBERS OR LETTERS AT LEAST THREE INCHES HIGH; AND
 2. FOR A COMMERCIAL PROPERTY:
 - A) THE ADDRESS SHALL BE DISPLAYED IN NUMBERS OR LETTERS AT LEAST SIX INCHES HIGH; AND
 - B) SIDE OR REAR DOORS TO COMMERCIAL PROPERTIES WITH MULTIPLE SUITES SHALL HAVE NUMBERS OR LETTERS AT LEAST THREE INCHES HIGH CORRESPONDING TO THE SUITE ADDRESS.
- D. **Citations** . AN AUTHORIZED REPRESENTATIVE OF THE DEPARTMENTS OF POLICE, FIRE, OR PLANNING AND ZONING MAY CITE AN OWNER FOR A VIOLATION OF THE PROVISIONS OF THIS SECTION.
- E. **Thirty days to comply** . OWNERS OF EXISTING IMPROVED PROPERTY SHALL HAVE 30 DAYS FROM THE NOTIFICATION DATE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION.
- F. **Municipal infraction** . A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.

17.05.100 FEES; SECURITY.

- A. **Calculation of building permit fee** . THE FEE FOR A BUILDING PERMIT SHALL BE BASED ON THE ESTIMATED FAIR MARKET VALUE OF THE WORK IN ACCORDANCE WITH THE SCHEDULE SET FORTH IN SUBSECTION B. COMPUTATION OF THE ESTIMATED VALUE SHALL INCLUDE THE FAIR MARKET VALUE OF ALL CONSTRUCTION OF THE WORK FOR WHICH THE PERMIT IS ISSUED, INCLUDING ALL PAINTING, SIDING, WINDOWS, ROOFING, ELECTRICAL WORK, PLUMBING, HEATING AND AIR CONDITIONING EQUIPMENT, ELEVATOR EQUIPMENT, FIRE PROTECTION SYSTEM EQUIPMENT, AND ANY OTHER PERMANENT PORTIONS OR PERMANENT EQUIPMENT ESSENTIAL TO THE OPERATION OF

THE BUILDING. EQUIPMENT REQUIRED FOR MANUFACTURING OR OTHER SPECIAL OCCUPANCY, LAND VALUE, AND DEVELOPMENT COSTS ARE EXCLUDED FROM THE COMPUTATION OF FAIR MARKET VALUE. THE MINIMUM ACCEPTABLE VALUATION FOR NEW BUILDINGS SHALL BE BASED ON THE CURRENT FAIR MARKET VALUE AS DETERMINED BY THE DEPARTMENT OF PLANNING AND ZONING.

B. Fees in general .

1. APPLICATION FEES AND BUILDING PERMIT FEES SHALL BE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.
2. AN APPLICATION FEE IS NOT REFUNDABLE.

C. Fees for residential and commercial properties . A FEE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL FOR RESIDENTIAL PROPERTIES AND COMMERCIAL PROPERTIES SHALL BE CHARGED FOR:

1. MOVING A STRUCTURE, REGARDLESS OF THE VALUE OR SIZE OF THE BUILDING;
2. DEMOLISHING A STRUCTURE, REGARDLESS OF THE VALUE OR SIZE OF THE BUILDING;
AND
3. MOVING, HAULING, OR TRANSPORTING AN OVERSIZED LOAD.

D. Security. AN APPLICANT WHO FILES AN APPLICATION FOR A PERMIT UNDER SUBSECTION C (1) OR (2) SHALL EXECUTE AND DELIVER TO THE CITY A BOND OR OTHER MONETARY SECURITY TO ENSURE THAT, UPON MOVING OR DEMOLISHING THE STRUCTURE, ALL ASSOCIATED UTILITIES HAVE BEEN INACTIVATED AND CAPPED IN A PROPER AND SAFE MANNER.

E. Reinspection Fee. A FEE, AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL, SHALL BE PAID BEFORE ANOTHER INSPECTION IS MADE IF, FOR THE ORIGINAL INSPECTION, ONE OR MORE OF THE FOLLOWING OCCURRED:

1. THE REQUESTING PARTY CALLED FOR INSPECTION, BUT THE WORK WAS NOT READY FOR INSPECTION;
2. THE REQUESTING PARTY WAS NOT ON SITE;
3. THE STRUCTURE WAS LOCKED;
4. SAFETY FEATURES WERE NOT ON SITE;
5. THE APPROVED DRAWINGS WERE NOT ON SITE;
6. THE PERMIT WAS NOT POSTED AND VISIBLE FROM THE FRONTING STREET.

F. Municipal infraction. A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY

COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.

17.05.110. Approval-Issuance-Commencing work-Expiration.

- A. **Notice of approval.** UPON APPROVAL OF AN APPLICATION FOR A BUILDING PERMIT, THE DEPARTMENT OF PLANNING AND ZONING SHALL PROVIDE THE APPLICANT WITH VERBAL OR WRITTEN NOTICE THAT THE PERMIT HAS BEEN APPROVED AND IS AVAILABLE FOR ISSUANCE.
- B. **Issuance.** THE DIRECTOR OF PLANNING AND ZONING OR THE DIRECTOR'S DESIGNEE MAY DECLARE A BUILDING PERMIT TO BE VOID UNLESS ISSUED WITHIN 30 DAYS FROM THE DATE OF THE NOTICE TO THE APPLICANT PURSUANT TO SUBSECTION A.
- C. **When permit becomes void.** A BUILDING PERMIT IS VOID IF CONSTRUCTION IS NOT COMMENCED WITHIN 45 DAYS AFTER ISSUANCE. A BUILDING PERMIT IS ALSO VOID IF THE CONSTRUCTION IS SUSPENDED OR ABANDONED FOR A PERIOD OF 60 DAYS. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY APPROVE EXTENSIONS OF THESE TIME PERIODS FOR CAUSE.
- D. **Length of permit validity.** A BUILDING PERMIT IS VALID FOR TWO YEARS FROM THE DATE OF ISSUANCE, UNLESS A SHORTER TIME PERIOD IS DESIGNATED BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE. DEMOLITION, TENT, AND SPECIAL PERMITS ARE VALID FOR THE TIME PERIOD ESTABLISHED BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE. THE PERMIT MAY BE RENEWED AS PROVIDED IN SUBSECTION G.
- E. **Posting of permit.** THE PERMIT SHALL BE POSTED WITHIN 24 HOURS OF ISSUANCE AND BE VISIBLE FROM THE FRONTING ROADWAY OR STREET. THE PERMIT SHALL BE POSTED REGARDLESS OF THE CONSTRUCTION START DATE AND SHALL REMAIN POSTED FOR THE DURATION OF THE PROJECT. THE OWNER AND CONTRACTOR ARE RESPONSIBLE FOR PROTECTING THE PERMIT FROM DAMAGE.
- F. **Security.** IN UNUSUAL OR EMERGENCY CIRCUMSTANCES, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY REQUIRE THE OWNER TO PROVIDE SECURITY IN THE FORM OF A CERTIFIED CHECK, LETTER OF CREDIT, OR PERFORMANCE BOND FOR SPECIFIC PERMITS TO GUARANTEE COMPLETION OF THE WORK, AS SPECIFIED IN AN AGREEMENT WITH THE CITY.
- G. **Renewal.** THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY RENEW A BUILDING PERMIT FOR TWO ADDITIONAL SIX-MONTH PERIODS, IF THE APPLICANT:
 - 1. FILES A WRITTEN REQUEST FOR RENEWAL PRIOR TO THE EXPIRATION DATE OF THE PERMIT; AND
 - 2. PROVIDES SATISFACTORY WRITTEN JUSTIFICATION THAT THE WORK COULD NOT BE COMPLETED PRIOR TO THE EXPIRATION DATE BECAUSE OF CIRCUMSTANCES BEYOND THE CONTROL OF THE APPLICANT.
- H. **Renewal more than twice.** IF A BUILDING PERMIT IS RENEWED MORE THAN TWICE, ALL PERMIT PAPERWORK AND APPLICABLE SECURITY SHALL BE UPDATED IN ACCORDANCE

WITH THE REQUIREMENTS OF THE DEPARTMENT OF PLANNING AND ZONING AND ALL PERMIT FEES SHALL BE REPAID IN FULL PRIOR TO RENEWAL.

- I. **Work Hours.** UNLESS THE DIRECTOR OR THE DIRECTOR'S DESIGNEE APPROVES OTHERWISE FOR GOOD CAUSE:
1. CONSTRUCTION WORK AND THE USE OF MACHINERY MAY NOT BEGIN BEFORE SEVEN A.M. AND SHALL BE STOPPED NO LATER THAN DUSK; AND
 2. OUTSIDE WORK ON SUNDAYS IS PROHIBITED.
- J. **Municipal infraction.** A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.

17.05.120. Enforcement.

THE DIRECTOR OR THE DIRECTOR'S DESIGNEE HAS THE DUTY TO ENFORCE THE BUILDING CODE. THE DEPARTMENT MAY SUSPEND OR REVOKE A BUILDING PERMIT FOR A VIOLATION OF THE BUILDING CODE, INCLUDING FOR ANY IRREGULARITIES IN CONSTRUCTION, UNSAFE OR UNWORKMANLIKE CONSTRUCTION, FAILURE TO OBTAIN REQUIRED INSPECTIONS, OR MISREPRESENTATIONS OF FACT.

17.05.130. Appeals; judicial review.

- A. **Appeal from order made pursuant to this chapter.** A PERSON AGGRIEVED BY AN ORDER OF THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MADE PURSUANT TO THIS CHAPTER, OTHER THAN THE ISSUANCE OF A MUNICIPAL CITATION OR THE CHARGING OF A MISDEMEANOR, MAY APPEAL TO THE BUILDING BOARD OF APPEALS WITHIN 15 CALENDAR DAYS OF THE DATE OF THE ORDER. A NOTICE OF APPEAL SHALL BE IN WRITING, STATE THE GROUNDS FOR THE APPEAL, AND BE FILED WITH THE DEPARTMENT OF PLANNING AND ZONING, ALONG WITH A NONREFUNDABLE FEE IN AN AMOUNT ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. THE RIGHT TO APPEAL IS WAIVED IF THE NOTICE OF APPEAL IS NOT TIMELY FILED.
- B. **Building Board of Appeals.** THE BUILDING BOARD OF APPEALS SHALL CONSIDER THE APPEAL BASED ON THE INFORMATION PROVIDED TO THE DEPARTMENT OF PLANNING AND ZONING AT THE TIME OF THE ORDER FROM WHICH THE APPEAL IS TAKEN. IF THE BOARD FINDS THAT THE ORDER WAS IN ERROR OR CONTRARY TO THE PROVISIONS OF THIS CODE OR OTHER APPLICABLE LAW, THE BOARD MAY REVERSE OR MODIFY THE ORDER. THE DECISION OF THE BOARD ON ALL APPEALS SHALL BE IN WRITING AND SHALL CONTAIN THE FACTUAL FINDINGS OF THE BOARD AND THE REASONS FOR THE DECISION.
- C. **Judicial review.** A PERSON AGGRIEVED BY A DECISION OF THE BUILDING BOARD OF APPEALS MAY FILE, AS AN EXCLUSIVE REMEDY, A PETITION FOR JUDICIAL REVIEW IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY PURSUANT TO TITLE 7, CHAPTER 200, AS AMENDED. FOR PURPOSES OF THIS SUBSECTION, A PERSON IS NOT AGGRIEVED UNLESS THE PERSON APPEARED AS A PARTY AT THE HEARING BEFORE THE BOARD.

D. **Building Code appeals superseded.** THE APPEAL PROCESS IN THIS SECTION SUPERSEDES THE APPEAL PROCESS CONTAINED IN THE ADOPTED BUILDING CODES.

17.05.140 - Unapproved construction.

- A. **Order to remove.** A PERSON WHO BUILDS A STRUCTURE OR COMPLETES ALTERATIONS WITHOUT A PERMIT WHEN A PERMIT IS REQUIRED SHALL REMOVE THE STRUCTURE OR ALTERATIONS WHEN ORDERED TO DO SO BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE.
- B. WHENEVER IN THE JUDGMENT OF THE DIRECTOR OF PLANNING AND ZONING, AN EMERGENCY EXISTS THAT REQUIRES IMMEDIATE ACTION TO PROTECT THE PUBLIC SAFETY OR WELFARE, AN ORDER MAY BE ISSUED WITHOUT NOTICE, CONFERENCE, OR HEARING, DIRECTING THE OWNER, OCCUPANT, OPERATOR, AGENT, OR LICENSEE TO TAKE WHATEVER ACTION IS APPROPRIATE TO CORRECT OR ABATE THE EMERGENCY. IF CIRCUMSTANCES WARRANT, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY ACT TO CORRECT OR ABATE THE EMERGENCY.
- D. ALL COSTS INCURRED FOR THE EMERGENCY ACTION OR ABATEMENT SHALL BE RECOVERED FROM THE OWNER IN THE FORM OF A LIEN ON THE PROPERTY AND COLLECTIBLE IN THE SAME MANNER AS DELINQUENT TAXES.

Chapter 17.12 ADDITIONAL BUILDING CODES

17.12.005 – Purpose and definition.

- A. The purpose of this chapter is to protect the public health, safety and property and the general welfare of the community by establishing minimum standards for construction and reconstruction of buildings and structures.
- B. As used in this title, the term "Building Code" shall mean the applicable International or other building code adopted by the City as the particular circumstances may require unless otherwise expressly stated herein. The term "Building Code" as used in this title shall not be interpreted to refer solely to the code adopted in 17.12.010 unless the particular circumstances so require.

17.12.010 - International Building Code adopted.

REVISOR'S NOTE: In this section, the following paragraphs are amended.
No other changes are made to 17.12.010.

A. The International Building Code, 2015 2018 Edition, as published by the International Code Council, Inc., is adopted as the Building Code of the City of Annapolis with the following amendments:

4. In Table 5034.4, for Construction Types III, IV, and V, both Groups A and B (other than detached accessory or uninhabitable structures), add the following footnotes (~~C-E~~) (I-K):

- ~~C~~I. Automatic fire sprinkler systems shall be installed and maintained in accordance with National Fire Protection Association (NFPA) Standard 13, 13D, or 13R as referenced by the State of Maryland Fire Prevention Code, promulgated by the State Fire Prevention Commission AND

adopted from time to time under THE authority of State law.

~~DJ.~~ In all existing uses when an attic space has been previously altered or when an attic space is to be altered for occupiable or habitable space, the attic floor shall be considered a story. The attic shall be considered a story when the attic has a fixed stair down to the story below.

~~EK.~~ Any existing building THAT IS altered shall not exceed the height and area limitations for new buildings specified in Table 504.4 unless approved otherwise by the Code Official.

5. Insert the following footnote to Table 601, Fire Resistance Ratings Requirements for Building Elements:

hg. Unless otherwise approved by the Code Official, for all types of construction, INCLUDING new CONSTRUCTION and existing STRUCTURES that are altered, and which are not subject to the installation of or upgrades to fire sprinkler systems in accordance with the provisions of Chapter 17.20 of this title, provide a minimum of one hour TENANT separation for walls, from foundation to underside of roof sheathing and for ceilings that have a floor assembly over.

~~13. Strike Section 1029.1, Exception 1, and add the following to the end of the section paragraph:
In the event of any inconsistencies between the provisions of the International Building Code and the City Code, the more stringent shall govern. A copy of the International Building Code is on file in the Department of Planning and Zoning.~~

~~1413. Strike Section 202 - "Building Official" and substitute the following:~~

~~**Building Official.** The Director of the Department of Planning and Zoning or his or her THE DIRECTOR'S designee.~~

17.12.018 - International Energy Conservation Code adopted.

A. **Adoption.** The International Energy Conservation Code, 20152018 Edition, as published by the International Code Council, Inc., is adopted as the Energy Code of the City of Annapolis for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the building envelope, mechanical systems, and lighting and power systems in the City.

B. **Inconsistencies.** In the event of any inconsistencies between the provisions of the Energy Code and the City Code, the more stringent shall govern. The Code Official ~~shall have~~ HAS the authority to act on any matters when there is a discrepancy or when the codes are silent. ~~In the event of any inconsistencies between the provisions of the Building Code and the City Code, the more stringent code shall govern.~~ A copy of the International Energy Conservation Code is on file in the Department of Planning and Zoning.

17.12.020 - International Residential Code adopted.

A. **Adoption.** The International Residential Code, 20152018 Edition, as published by the International Code Council, Inc., is adopted as the Residential Code of the City of Annapolis with the following amendments:

1. In Chapter 15 add the following:

Section M1507.5 M1506 Bathroom and Toilet Room Ventilation. Every bathroom and toilet room

shall be exhaust vented mechanically to outside air with rigid pipe sloped away from the exhaust fan towards the exterior. Existing bathrooms and toilet rooms that are altered or are part of other building alterations shall also be exhaust vented mechanically to outside air unless approved otherwise by the Director of Planning and Zoning or ~~his or her~~ THE DIRECTOR'S designee.

2. STRIKE THE EXCEPTION FOUND IN R313.1 AND R313.2. Strike Section P2904 and all subsections of Section P2904 AND substitute the following:

Section P2904 Residential fire sprinkler systems P2904.1 Fire sprinkler systems required. Residential fire sprinkler systems are required as follows when a building permit is requested from the City of Annapolis:

1. **All new residential construction.** New residential construction shall mean and include single-family, duplex, and multi-family residential buildings or structures, the placement of mobile or modular homes, and any existing residential building or structure that is removed, renovated, refurbished, altered, and/or an addition is made ~~thereto~~ TO THE STRUCTURE provided the area of construction, as a percentage of the gross floor area of the structure under permit, exceeds ~~fifty~~ 50 percent. For structures with more than one building permit, the aggregate of the area of construction is counted over the previous ~~twenty-four~~ 24 months. Accessory or uninhabitable structures, such as carports, garages, greenhouses and sheds are excluded.

B. **Inconsistencies.** In the event of any inconsistencies between the provisions of the International Residential Code and the City Code, the more stringent code shall govern. A copy of the International Residential Code is on file in the Department of Planning and Zoning.

17.12.021 - International Swimming Pool and Spa Code adopted.

A. **Adoption.** The International Swimming Pool and Spa Code, ~~2015~~ 2018 Edition, as published by the International Code Council, Inc., is adopted as the Swimming Pool and Spa Code of the City of Annapolis with the following amendments:

~~17.12.022 – Building permit Required.~~

A. ~~Any owner of real property who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or other structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, or to cause any such work to be performed, shall first make application to the Director for any permit required by the City Code to engage in such work and pay any applicable permit fees. An authorized agent of the owner may make application on behalf of the owner.~~

B. ~~All exterior projects in the Historic District, whether or not exempted from a building permit under subsection A of this section, still require a certificate of approval in accordance with Chapter 21.62.~~

C. ~~No building or other structure shall be demolished or moved until a permit has been obtained from the Director. If, in the judgment of the Director, the proposed new location of the building or other structure would significantly increase the fire hazard to surrounding buildings or other structures, a permit for moving the building or other structure shall not be issued.~~

17.12.023 – Building permit Exemptions.

- A. The exemptions from the requirement of a building permit are provided in the International Building Code, the International Residential Code, and the International Existing Building Code as applicable.
- B. No building permit is required on residential construction projects that are non-structural replacements and/or repair of windows, doors, and siding. Compliance with the applicable provisions of the Annapolis City Code is required regardless of the requirements for a building permit.

17.12.024 - International Existing Building Code adopted.

The International Existing Building Code, 2015/2018 Edition, as published by the International Code Council, Inc., is adopted as the Existing Building Code of the City of Annapolis.

17.12.026 – Building Code Use and occupancy permit.

- A. In accordance with the Building Code, a use and occupancy permit is required for all new construction and for structures undergoing alterations. Structures undergoing alterations shall be governed by Section 101.4 of the International Existing Building Code in applicable part. A use and occupancy permit is also required if there is a change of use or occupancy even if there is no construction or alteration. A use and occupancy permit is required if there is a change in ownership only if the Code Official determines that certain existing conditions pose an inimical threat to the public health, safety, or welfare.
- B. The inspection fees for the use and occupancy permit shall be paid at the time of the building permit application. The fees are nonrefundable and not transferable. The fee schedule shall be established by resolution of the City Council.
- C. The use and occupancy permit shall be issued only after the Department of Public Works, the Department of Planning and Zoning, the Fire Department, and the Health Department, where applicable, have inspected the site and verified that the structures and the site meet City standards and specifications, and are in accordance with the approved building permit application and the use requirements under Chapter 21.12
- D. The Director or designee may suspend or revoke any use and occupancy permit for any violations of the City Code, for unsafe conditions, violations of the issued permits, failure to obtain final inspections and approvals, and for misrepresentation of facts.
- E. In addition to other remedies provided to the City by law, a person who violates this section shall be guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council. All fines must be paid in full prior to any further inspections being made and prior to any permit issuance.

17.12.030 – Code modifications.

Notwithstanding any other provision in this title, and consistent with Section 104.10 of the International Building Code, wherever there are practical difficulties in carrying out the provisions of the Building Code, the Code Official shall have the authority to grant modifications in individual cases, provided that the Code Official shall find that particular individual circumstances make compliance with the strict letter of the Building Code impractical, that the modification is in compliance with the intent and purpose of the Building Code, and that the modification does not jeopardize health, accessibility, life and fire safety, or structural requirements. Such modifications shall be considered and decided by the Code Official following an applicant's written request for and substantiation of the need, to include compensatory action and/or equivalent design criteria, for such modifications.

17.12.042 – Unsafe structures.

- A. An unsafe structure is a structure, or part of a structure, that in the opinion of the Director of the Department of Planning and Zoning, or his or her designee, is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged,

decayed, dilapidated, structurally unsafe, or which by reason of illegal or improper use, occupancy or maintenance, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

- B. An unsafe structure shall be razed or abated by the owner within seventy-two hours after notice to do so has been given to the owner by the Director. The owner is required to apply for a building permit as per Section 17.12.022(C). If the owner, within seventy-two hours after receipt of the notice, has not razed the unsafe structure, or otherwise abated the nuisance, the owner is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council, and the nuisance shall be abated by the Director or his or her designee at the expense of the owner.
- C. Whenever in the judgment of the Director of Planning and Zoning, or his or her designee, an emergency exists which requires immediate action to protect the public safety or welfare, an order may be issued without notice, conference or hearing, directing the owner, occupant, operator, agent or licensee to take whatever action is appropriate to correct or abate the emergency. If circumstances warrant, the Director or his or her designee may act to correct or abate the emergency. The Director or his or her designee may in the interest of safety disconnect water, gas, and electric service to the building or structure.
- D. All costs incurred for the emergency action or abatement shall be recovered from the owner in the form of a lien on the property and collectible in the same manner as delinquent taxes.

17.12.050 – Building permit Application.

- A. Both the owner of the property and the contractor engaged to do the work equally are responsible for obtaining the required building permit.
- B. No building permit shall be issued prior to the issuance of a grading permit, where applicable under Chapter 17.08.
- C. Before any permit required by Section 17.12.022 shall be issued, the applicant shall file with the Department of Planning and Zoning verification from the City Finance Director that the applicant has paid all applicable Anne Arundel County School impact fees, or proof that the project is not subject to the County's school impact fees.
- D. With regard to building location, when a discrepancy is found between the grading permit and building permit, the grading permit shall prevail.

17.12.052 – Building permit Plans and specifications.

- A. Before any permit required by Section 17.12.022 shall be issued the applicant shall file an application with construction drawings supported by an affidavit, which specifies the contract price of the construction in its entirety, the type of building, structure, or alteration to be erected or made, the material to be used, the number of stories and the dimensions of the building or area to which alterations will be made. If the permit is for the interior or exterior alteration of an existing building or structure, construction drawings shall be submitted showing the nature and location of all alterations unless approved otherwise.
- B. The building permit application shall also include those plans and specifications as required and as detailed in Section 17.08.060. At a minimum, the application shall be accompanied by a scaled drawing showing the proposed location of the building on the lot and the front yard, side yard, and rear yard dimensions to the property line.
- C. No permit for a commercial building or structure, or building or structure to be used for a public assembly, shall be issued unless construction drawings and specifications, drawn and certified by an architect or engineer registered under the laws of the State of Maryland, are submitted. Certified construction drawings and specifications shall be submitted with permit application for all other buildings or structures, unless approved otherwise by the building official.
- D. All construction drawings and specifications submitted as part of a permit application which indicates they have been completed by an architect or engineer shall be certified on each drawing and specification with the architect's or engineer's Maryland seal, original signature and date.

- E. All structural evaluations including drawings shall be certified by a Maryland Structural Engineer or Architect.
- F. All new and revised construction drawings and submittals requiring review shall pay a fee per schedule as established by resolution of the City Council.

17.12.053 – Building Contractor license.

- A. No person shall perform work as a building contractor, general contractor, or home improvement contractor in the City of Annapolis without first applying for and receiving a license from the State of Maryland and/or the Maryland Home Improvement Commission.
- B. Suspension, Revocation of Permit Licenses and Withholding Permit Applications. The Director or his or her designee may withhold permit applications or may suspend or revoke any issued City permits or licenses for any irregularities in installation, for unsafe or unworkmanlike installation, misrepresentation of facts, failure to obtain permits, failure to obtain required inspections, ignoring or defacing stop work orders, illegal occupancy, failure to maintain a valid Maryland State license or for any violations of the Building Code and this chapter. No person shall use the name or license of another contractor directly or indirectly to obtain a permit, send in notices, make returns or to do any work under another person's license.
- C. Violation. A person who violates this section is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council.

17.12.055 – Display of address.

- A. The owners of any improved property shall post on or about the property numbers or letters designating the address assigned to the property.
- B. The number or letters shall be at least three inches high, displayed on a contrasting background, and posted in order to be unobstructed and clearly legible from the street named in the address of the property.
- C. In addition to the requirements of Subsection B of this section:
 - 1. For a multifamily structure (six units or more):
 - a. The address shall be affixed to the structure in numbers or letters at least six inches high and shall be clearly legible from the street or public way; and
 - b. The designation of each dwelling unit shall be affixed to the exterior door of the unit with numbers or letters at least three inches high; and
 - 2. For a commercial property:
 - a. The address shall be displayed in numbers or letters at least six inches high, and
 - b. Side or rear doors to commercial properties with multiple suites shall have numbers or letters at least three inches high corresponding to the suite address.
- D. An authorized representative of the Departments of Police, Fire, or Planning and Zoning may cite an owner for violation of the provisions of this section.
- E. Owners of existing improved property shall have thirty days from the notification date to comply with the requirements of this section.
- F. Violators of the provisions of this section are guilty of a municipal infraction and subject to a fine as established by resolution of the City Council.

17.12.056 – Building permit Fees Reinspection.

- A. The fee for a building permit shall be based on the estimated value of the work in accordance with the schedule set out in Subsection B of this section. Computation of the estimated value must include the fair market value of all construction of work for which the permit is issued, including all painting, siding, windows, roofing, electrical work, plumbing, heating/air conditioning equipment, elevator equipment, fire protection system equipment and any other permanent portions or permanent equipment essential to the operation of the building. Equipment required for manufacturing or other special occupancy, land value and development costs are excluded from the computation of fair market value. The minimum acceptable

- valuation for new buildings shall be based on the current market value as determined by the Department of Planning and Zoning.
- B. Nonrefundable application fees and building permit fees shall be established by resolution of the City Council.
1. The application fee will not be refundable for any reason except if the permit application has been denied. The application fee will be applied to the final cost of the building permit at the time of issuance per the procedures as established by the Department of Planning and Zoning.
- C. A fee as established by resolution of the City Council for residential properties and commercial properties shall be charged for:
1. Moving a building, regardless of the value or size of the building;
 2. Demolishing a building, regardless of the value or size of the building;
 3. Moving, hauling, or transporting an oversize load.
- D. A person who moves or demolishes a building or transports an oversize load without a permit is guilty of a municipal infraction and is subject to a fine as established by resolution of the City.
- E. A monetary guarantee for the work will be executed by the applicant to ensure that upon demolition or moving of a building, all associated utilities have been inactivated and capped in a proper and safe manner.
- F. Reinspection Fee. A fee, as established by resolution of the City Council, must be paid before another inspection is made if, for the original inspection, one or more of the following occurred:
1. Requesting party called for inspection, but work was not ready;
 2. Requesting party was not on site;
 3. Building was locked;
 4. Safety features not on site;
 5. Approved drawings not on site;
 6. Permit card not posted and visible from fronting street.

17.12.058 – Approval Commencing work Expiration.

- A. Upon approval of a building permit, the applicant shall be provided verbal or written notification to the address specified on the application that the permit has been approved and is available for issuance.
- B. A building permit is void unless issued within thirty days from the date of the notification to the applicant pursuant to Subsection A of this section.
- C. A building permit is void unless construction for which the permit has been issued is commenced within a period of forty-five days after issuance or if the authorized work is suspended or abandoned for a period of sixty days after the time of commencing the work, unless approved otherwise by the Director of the Department of Planning and Zoning or his designee.
- D. A building permit shall be valid for two years from the date of issuance, unless a shorter time period is designated by the Director or designee.
- E. Demolition, tent and special permits shall be valid for the time period as established by the Director or designee.
- F. The issued permit card must be posted within twenty-four hours of the issuance and made visible from the fronting roadway or street. The permit card shall be posted regardless of construction start date and remain for the duration of the project. Owner/contractor is responsible for protecting the card from damage.
- G. The Code Official may require the owner to provide a monetary guarantee in the form of a certified check, letter of credit or performance bond for specific permits to guarantee completion of the work under agreement with the City.
- H. The Director may renew a building permit for an additional six-month period if the applicant:
1. Makes written request for the renewal prior to the expiration date of the permit; and
 2. Provides written justification, satisfactory to the Director, that work could not be completed prior to the expiration date of the permit because of circumstances beyond the control of the applicant.
- I. A building permit may not be renewed more than twice for a total of one year, unless approved otherwise by

~~the Department of Planning and Zoning.~~

- J. If the building permit is to be renewed more than twice, all permit paperwork and applicable surety, shall be updated to Department of Planning and Zoning requirements and all permit fees shall be repaid in full prior to renewal.
- K. Work Hours. No construction work or machinery shall start prior to seven a.m. and shall finish up no later than dusk and there shall be no outside Sunday work unless specifically approved otherwise.
- L. A person who violates this section is guilty of a municipal infraction and is subject to a fine of one hundred dollars for any single, initial violation and a fine of two hundred dollars for each repeat or continuing violation.

17.12.060 – Enforcement.

The enforcement of the Building Code is the duty of the Director of Planning and Zoning or his or her designee.

17.12.062 – Unapproved construction.

- A. A person who commences any building, structure, or any construction without prior receipt of a required building permit is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council.
- B. Structures erected or alterations completed without a permit as required by this chapter shall be removed by the person erecting the structures or completed alterations when ordered to do so by the enforcing officer.
- C. Whenever in the judgment of the Director of Planning and Zoning, an emergency exists which requires immediate action to protect the public safety or welfare, an order may be issued without notice, conference or hearing, directing the owner, occupant, operator, agent or licensee to take whatever action is appropriate to correct or abate the emergency. If circumstances warrant, the Director or his or her designee may act to correct or abate the emergency.
- D. All costs incurred for the emergency action or abatement shall be recovered from the owner in the form of a lien on the property and collectible in the same manner as delinquent taxes.

17.12.064 – Suspension or revocation of permit.

Any person who causes any irregularities in construction or unsafe or unworkmanlike construction, fails to obtain required inspections, misrepresents facts or is responsible for any other violation of the Building Code is guilty of a municipal infraction and is subject to a fine, suspension of building permits, or revocation of a building permit as established by resolution of the City Council.

17.28.030 – National Standard Plumbing Code Variations from national provisions.

17.28.130 – Plumbing Board.

There is a Plumbing Board which shall make recommendations on the enforcement of the City Plumbing Code. The Board shall consist of three members who shall serve a term of three years, each term commencing on July 1st of the year in which the appointment is made, unless sooner removed for cause by the City Council. The members shall be appointed by the Mayor and confirmed by the City Council from a list of one or more members of the Master Plumbers' Association of Annapolis if a list is submitted by the association not later than June 1st of the year in which the appointment is to be made.

Chapter 17.14 - GREEN BUILDINGS: ENERGY EFFICIENCY AND ENVIRONMENTAL DESIGN

17.14.040 - Standards and requirements.

- A. Any new construction of or major modification to a commercial or mixed use building of greater than

seven thousand five hundred square feet of gross floor area must achieve:

1. A certified-level rating in the appropriate LEED rating system, as certified by the Green Building Council; or
 2. A certified-level rating in the appropriate LEED rating system as verified by the Director or a qualified person approved by the Director; or
 3. Energy and environmental design standards that the Director identifies as equivalent to certified-level rating in the appropriate LEED rating system, as verified by the Director or a qualified person approved by the Director.
- B. Any new construction of or major modification to a public building, regardless of size, must achieve, at a minimum:
1. A silver level rating in the appropriate LEED rating system, as certified by the Green Building Council; or
 2. A silver level rating in the appropriate LEED rating system as verified by the Director or a qualified person approved by the Director; or
 3. Energy and environmental design standards that the Director identifies as equivalent to a silver level rating in the appropriate LEED rating system, as verified by the Director or a qualified person approved by the Director.
- C. Any new construction of or major modification to five or more single family or attached homes on one lot or as a subdivision, and any single family home in excess of three thousand two hundred fifty square feet in size, must achieve:
1. A certified-level rating in the appropriate LEED rating system as certified by the Green Building Council; or
 2. A certified-level rating in the appropriate LEED rating system as verified by the Director or a qualified person approved by the Director; or
 3. A bronze-level rating in the National Green Building Standard (NGBS) ICC 700-2008 2015 as verified by the Director or a qualified person approved by the Director; or
 4. Energy and environmental design standards that the Director identifies as equivalent to a certified-level rating in the appropriate LEED rating system or a bronze-level rating in the NGBS IC 700-2008 2015, as verified by the Director or a qualified person approved by the Director.

Chapter 17.18 - MECHANICAL CODE

17.18.020 - International Mechanical Code-Adopted.

The ~~2015~~2018 International Mechanical Code published by the International Code Council, Inc., a copy of which is on file in the Department of Planning and Zoning, is adopted as the Mechanical Code for the City of Annapolis with the following amendment:

In Section 603.18 at end of paragraph after "instructions." add the following: "All registers, grills and diffusers installed in suspended ceilings shall be provided with independent suspension to ensure that the register, grill, or diffuser will not drop more than three inches when the framing members no longer provide support. The minimum support wire shall meet or exceed 12# S.W.G. firmly secured to the register, grill, or diffuser and the building structure."

Chapter 17.24 - GAS CODE

17.24.040 - NFPA standards adopted.

NFPA 54/ANSIZ 223.1, National Fuel Gas Code, 2012~~8~~ Edition, and NFPA 58, Liquefied Petroleum Gas Code, ~~2011~~2017 Edition, as published by the National Fire Protection Association, copies of which are on file in the Department of Planning and Zoning, are adopted as the Code for the Installation of Fuel Gas Piping

Systems, Fuel Gas Utilization Equipment, and Related Accessories for the City of Annapolis with the following amendment:

- A. In multifamily structures, each dwelling unit shall have an accessible valve outside the dwelling to shut off the gas supply to the dwelling unit without stopping the supply in other ~~dwelling~~ DWELLINGS, unless otherwise approved by the Code Official.
- B PRESSURE TESTING OF NEW OR REPAIRED GAS PIPING SHALL BE TESTED TO 1.5 TIMES THE PROPOSED WORKING PRESSURE OF THE SYSTEM AND NOT LESS THAN 30 PSI.

Chapter 17.28 - PLUMBING CODE

17.28.020 - International Plumbing Code-Adopted.

The International Plumbing Code, ~~2015~~2018 Edition, as published by the International Code Council, Inc., a copy of which is on file in the Department of Planning and Zoning, is hereby adopted as the Plumbing Code of the City of Annapolis with the following amendments:

REVISOR’S NOTE: In this section, paragraphs T, U, V, and W are added.
No changes are made to paragraphs A-S.

T. ADD 413.2.1 FLOOR DRAINS - REQUIRED LOCATIONS:

- (1) TOILET ROOMS CONTAINING EITHER TWO OR MORE WATER CLOSETS OR WALL HUNG URINALS OR A COMBINATION OF ONE OR MORE WATER CLOSETS AND WALL HUNG URINALS, EXCEPT IN A DWELLING UNIT.
- (2) COMMERCIAL KITCHENS.
- (3) COMMON LAUNDRY ROOMS IN COMMERCIAL BUILDINGS AND BUILDINGS HAVING MORE THAN TWO DWELLING UNITS.

FLOOR DRAINS SHALL HAVE A TRAP PRIMER.

- U. AT THE END OF SECTION 414.1 ADD: SERVICE SINKS AND MOP RECEPTORS SHALL HAVE A REMOVABLE STRAINER AND WASTE OUTLET CONNECTIONS NOT LESS THAN TWO INCH NOMINAL SIZE. SERVICE SINKS AND MOP RECEPTORS SHALL BE INSTALLED WHERE WALLS AND FLOORS ARE COVERED WITH A WATERPROOF, SMOOTH, READILY CLEANABLE SURFACE AT LEAST ONE FOOT IN FRONT OF THE SINK OR RECEPTOR, AT LEAST ONE FOOT ON EACH SIDE, AND UP TO FOUR FEET IN HEIGHT ABOVE THE FLOOR.
- V. ADD 703.4.1 NEW AND REPLACED BUILDING SEWER LINES SHALL BE BURIED TO A DEPTH OF AT LEAST 2 FEET BELOW FINISHED GRADE.
- W. A PROPERTY LINE CLEAN OUT IS REQUIRED ON EVERY BUILDING SEWER AND MUST BE CAST IRON (SERVICE WEIGHT OR GREATER) AT FINISH GRADE LEVEL. AT THE BASE OF THE CLEAN OUT RISER WHERE CONNECTED TO BUILDING SEWER, PROPERTY LINE CLEAN OUT MUST BE ENCASED IN CONCRETE OF AT LEAST EIGHT INCHES OR GREATER.

17.28.030 - MODIFICATION OF EXISTING FIRE SPRINKLER SYSTEMS

EXISTING FIRE SPRINKLER SYSTEMS PRESENTING A LOW HAZARD ONLY, AS DEFINED BY THE AMERICAN WATER WORKS ASSOCIATION M14 DOCUMENT, AND HAVING A MODERN UNDERWRITERS' LABORATORIES (UL)-LISTED ALARM CHECK VALVE THAT CONTAINS NO LEAD; WHEN THE EXISTING SPRINKLER SYSTEM IS EXPANDED OR MODIFIED, REQUIRING A HYDRAULIC ANALYSIS, A UL-CLASSIFIED DOUBLE CHECK VALVE ASSEMBLY SHALL BE INSTALLED.

EXISTING FIRE SPRINKLER SYSTEMS THAT PRESENT A LOW HAZARD AND THAT HAVE AN ALARM CHECK VALVE CONTAINING LEAD, WHEN THE SYSTEM IS EXPANDED OR MODIFIED, A UL-CLASSIFIED DOUBLE CHECK VALVE ASSEMBLY SHALL BE INSTALLED.

17.28.040 - Conflicting provisions.

In the event of any inconsistencies between the provisions of the International Plumbing Code, 2015 2018 Edition and the City Code, the more stringent shall govern.

Chapter 17.34 - FENCE PERMITS

17.34.030 - Violations.

A person who violates this chapter is guilty of a municipal infraction and subject to a fine of one hundred dollars for any single, initial violation and a fine of two hundred dollars for each repeat or continuing violation as established by resolution of the City Council. A VIOLATION OF THIS SECTION IS DECLARED A MUNICIPAL INFRACTION SUBJECT TO A CIVIL FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL. EACH DAY THAT A VIOLATION CONTINUES CONSTITUTES A SEPARATE OFFENSE.

Chapter 17.40 - RESIDENTIAL PROPERTY MAINTENANCE CODE

Article I

Definitions

17.40.180 - Owner.

"Owner" means any person who, alone, jointly or severally with others, holds legal or equitable title to any dwelling, roominghouse, dwelling unit, rooming unit, or unimproved property.

~~17.40.210 – Roominghouse.~~

~~"Roominghouse" means any dwelling, or part of a dwelling containing one or more rooming units, in which space is let to three or more persons. "Roominghouse" includes, but is not limited to, hotels, lodgingshouses, convalescent homes, boarding homes for the aged, foster homes and other similar establishments.~~

~~17.40.220 – Rooming unit.~~

~~"Rooming unit" means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.~~

17.40.265 - Property Maintenance Code.

A. The International Property Maintenance Code, 20152018 Edition, as published by the International Code Council, Inc., a copy of which is on file in the Department of Planning and Zoning, is adopted as the Property Maintenance Code of the City of Annapolis in the State of Maryland for the control of buildings and structures with the following amendments:

1. In Section 101.1 for "[NAME OF JURISDICTION]" insert "City of Annapolis".
2. In Section 103.5 for "[APPROPRIATE SCHEDULE]" insert "Fees established by resolution of the City Council".
3. In Section 304.14 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October 31st".
4. In Section 602.3 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October 31st".
5. In Section 602.4 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October 31st".
6. Strike the entire Section 404.5 Overcrowding and substitute Section 17.40.460 of the Code of the City of Annapolis.
7. In Section 308, add the following subsection to read as follows:

308.4 City Requirements. Compliance with Chapter 10.16 of the Code of the City of Annapolis shall also be required. Where there is a conflict between the provisions of this section and the Code of the City of Annapolis, the Code of the City of Annapolis shall take precedence.

B. In the event of any inconsistencies between the provisions of the International Property Maintenance Code and the City Code, the more stringent shall govern.

Appendix A - Boarding standard shall be adopted as the City of Annapolis standard.

17.40.330 - Public hall and stairway illumination.

- A. Every public hall and stairway in every two-family dwelling, multifamily dwelling and ~~roominghouse~~ shall be lighted adequately at all times; except, that in a two-family dwelling an adequate lighting system which may be turned on when needed by conveniently located light switches shall be permitted instead of a full-time lighting system. Every multifamily dwelling, the entrance to which is located more than fifty feet from a public street light, shall have an entrance light at or near the entrance of not less than one hundred watts of electricity or equivalent candlepower.
- B. Every public hall and stairway in every multiple dwelling shall be lighted adequately by natural or electric light at all times, to provide in all parts of the hall and stairway at least six foot-candles of light at the tread or floor level. Every public hall and stairway in structures containing not more than two dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

17.40.380 - Compliance required.

No person shall occupy as owner-occupant, or shall let to another for occupancy, any dwelling, ~~roominghouse~~, OR dwelling unit or ~~rooming unit~~ which THAT does not comply with the standards for safety

from fire set out in this article, and with all other provisions of this code pertaining to safety from fire.

17.40.420 - Two exits above second floor.

There shall be at least two means of egress from each story above the second story of every multifamily dwelling and of every roominghouse if the dwelling is four or more stories in height. Any basement used as a dwelling unit shall not count as a story for the purposes of this section.

17.40.440 - Smoke alarms.

A. Smoke Alarms and Smoke Detectors. For the purposes of this section, the term "smoke alarm" shall be construed to mean smoke alarms, smoke detectors, and alternative detection devices and systems approved by the Department of Planning and Zoning and the Fire Department.

B. Required. It is the responsibility of the owner of each rental dwelling unit to install smoke alarms in accordance with this section in each rental dwelling unit intended to be used, or originally built or designed to be used for residential purposes, not to include any dwelling unit within any structure which has been converted entirely to a nonresidential use. The smoke alarms shall be capable of sensing visible or invisible particles of combustion and providing a suitable audible alarm of the combustion. Where fuel fired appliances are used one smoke detector is required to be a combination smoke and carbon monoxide detector. The smoke alarms shall be installed by July 1, 1980, in the manner provided in this section, unless any other provision of State or Federal law requires installation before that date. For the purposes of this section, "multifamily dwelling" means a building containing three or more dwelling units.

Exception: Existing approved smoke alarm installations in residential structures with fewer than three dwelling units where:

- 1) The smoke alarm installation is existing and approved; and
- 2) The smoke alarms have been maintained in operating condition.

C. Location.

- 1) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
- 2) In each room used for sleeping purposes.
- 3) In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

D. Equipment. All devices, combinations of devices and equipment required in this section shall be approved by the Fire Department, and are to be installed in conformance with the provisions of Title 17 of the Code of the City of Annapolis and the manufacturer's Requirements for Installation.

E. Power Source. Smoke alarms shall primarily operate on an AC electric power supply. Each smoke alarm shall be wired into the circuit serving the area in which it is located. No smoke alarm, shall be connected directly (permanently wired) to the electrical system of the structure unless an electrical permit first has been obtained. THE SMOKE ALARM POWER SOURCE SHALL COMPLY WITH NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS: NFPA 72 AS WELL AS THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, AND THE INTERNATIONAL EXISTING BUILDING CODE AS APPLICABLE.

F. Maintenance. It is the responsibility of the property owner or agent to inspect annually and maintain any smoke alarm, in accordance with the manufacturer's warranty and suggested maintenance. In addition, the property owner shall provide any tenant access to a copy of the maintenance schedule, operating manual, and any other instructional or precautionary literature which the manufacturer may supply with the unit.

G. Connection to Fire Alarm System. In new multifamily dwellings provided with a fire alarm system, all required alarms shall be connected to the fire alarm system.

H. Certification at Change in Occupancy. At every change of occupancy or tenancy of every rental dwelling unit occasioned by or incidental to a sale, lease, sublease, or change in tenancy, it is the duty of the grantor to certify to the tenant, at the time of conveyance and before occupancy, that all smoke alarms as required by this section (or other applicable laws) are installed and in proper working condition.

H. I. NFPA Standards Supplemented. This section is intended to be used with and supplemented by the applicable provisions of the following National Fire Protection Association standards: NFPA 72, National Fire Alarm and Signaling Code, and NFPA 70, National Electrical Code; however, if there is any conflict between this section and the NFPA standards or any rules and regulations adopted pursuant to them, the provisions of this section shall prevail.

17.40.450 - Compliance required.

No person shall occupy, or let to another for occupancy, any dwelling, ~~roominghouse~~, OR dwelling unit or ~~rooming unit~~ which ~~THAT~~ does not comply with the minimum standards for space, use and location set out in this article.

17.40.530 - Compliance required.

No person shall occupy as owner-occupant or shall let to another for occupancy any dwelling, ~~roominghouse~~, OR dwelling unit or ~~rooming unit~~ which ~~THAT~~ does not comply with the following minimum standards for safe and sanitary maintenance as set out in this article.

~~17.40.700 – Bathroom facilities–Rooms.~~

~~Every flush water closet, flush urinal, lavatory basin, bidet, and bathtub or shower shall be located within the roominghouse in one or more rooms which:~~

- ~~A. Afford privacy and are separate from the habitable rooms;~~
- ~~B. Are accessible from a common hall and without going outside the roominghouse; and~~
- ~~C. Are not more than one story removed from the rooming unit of any occupant intended to share the facilities.~~

~~17.40.750 – Rubbish and garbage disposal–Roominghouses.~~

~~Every owner or operator of every roominghouse shall dispose of all rubbish in a clean and sanitary manner by placing it in supplied and approved storage or disposal facilities which are safe and sanitary.~~

~~17.40.770 – Rodents and pests–Roominghouses.~~

~~Every owner or occupant of a rooming house is responsible for the extermination of any rodents or other pests in the roominghouse or in the yard.~~

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

Explanation:

- UPPERCASE indicates matter added to existing law.
- ~~Strikethrough~~ indicates matter stricken from existing law.
- Underlining indicates amendments.

