



Legislation Text

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File #: O-50-16, Version: 1

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**TITLE 17 - BUILDINGS AND CONSTRUCTION** - For the purpose of updating and amending certain sections of Chapters 17.12, 17.16, 17.18, 17.24, 17.28, 17.40 and 17.44 of the Code of the City of Annapolis; adopting the ICC International Swimming Pool and Spa Code; conforming references to certain ICC Building Codes as set forth in the Code of Maryland Regulations (COMAR); and matters generally relating to updating and amending certain portions of Title 17.

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 50-16**

**Introduced by: Mayor Pantelides**

**Referred to**

Economic Matters Committee

**AN ORDINANCE** concerning

**TITLE 17 - BUILDINGS AND CONSTRUCTION**

**FOR** the purpose of updating and amending certain sections of Chapters 17.12, 17.16, 17.18, 17.24, 17.28, 17.40 and 17.44 of the Code of the City of Annapolis; adopting the ICC International Swimming Pool and Spa Code; conforming references to certain ICC Building Codes as set forth in the Code of Maryland Regulations (COMAR); and matters generally relating to updating and amending certain portions of Title 17.

**BY** repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2015 Edition

17.12.010  
17.12.018  
17.12.020  
17.12.024  
17.16.010  
17.16.015  
17.16.050  
17.16.080  
17.16.150  
17.18.020  
17.24.040

17.28.020  
17.28.040  
17.40.265  
17.40.440  
17.44.050

**BY** repealing the following portions of the Code of the City of Annapolis, 2015 Edition  
17.16.070  
17.16.108  
17.28.042

**BY** adding the following portions of the Code of the City of Annapolis, 2015 Edition  
17.04.065  
17.12.021

**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 17.04 - DEFINITIONS**

#### **SECTION 17.04.065.**

AREA OF CONSTRUCTION. AREA OF CONSTRUCTION MEANS THE EXTENT OF FLOOR AREA MEASURED BY THE BOUNDARY WALLS TO WHICH CONSTRUCTION SPECIFIED IN A PERMIT TAKES PLACE. TO DETERMINE THE AREA OF CONSTRUCTION WHEN A DEMISING WALL IS EITHER CONSTRUCTED OR ALTERED BOTH ADJACENT SPACES ARE INCLUDED.

### **Chapter 17.12 - BUILDING CODE**

#### **17.12.010 - International Building Code adopted.**

A. The International Building Code, ~~2012~~2015 Edition, as published by the International Code Council, Inc., is adopted as the Building Code of the City of Annapolis with the following amendments:

1. Section 101.1 of the International Building Code is amended to insert “City of Annapolis” in the space indicated.

2. Sections 103.1, 103.2, 103.3 of the International Building Code adopted in Section 17.12.010 are deleted and the following is substituted:

Section 103 Administration.

103.1 General. The Department of Planning and Zoning is responsible for the administration and enforcement of this code. The director of the Department, or the director's designee, shall be the Building Official referred to in this code.

3. Strike Section 105.2 of the International Building Code adopted in Section 17.12.010 and substitute with the following:

105.2 Work exempt from permit. All work shall require a permit(s), except as may be exempted by Section 17.12.023.

4. In Table 503, 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):

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

D. 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.

E. Any existing building altered shall not exceed the height and area limitations for new buildings specified in Table 503 unless approved otherwise by the Code Official.

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

h. Unless otherwise approved by the Code Official, for all types of construction, new and existing 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 separation for walls, from foundation to underside of roof sheathing and for ceilings that have a floor assembly over.

6. Add the following footnotes to Table 602:

j. The table also applies to all existing uses that are proposed to be altered.

k. Where a discrepancy exists or where the required fire separation distance is not provided, the Code Official may require that a certified site drawing be submitted indicating the correct distance.

l. For clarification - the fire separation distance is measured from the wall opening to the abutting property line.

7. Strike Section 903.1 and substitute the following: "Automatic sprinkler systems shall comply with this Section and Chapter 17.20 of the Code of the City of Annapolis."

8. At the end of Section 1101.1, after "disabled persons", insert "All existing buildings or facilities that are to be altered shall follow the requirements set forth by the U.S. Architectural and Transportation Barriers Compliance Board, MD Accessibility Code, and the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for Buildings and Facilities. The required ADAAG form shall be submitted at the time of permit submission identifying the applicant's assessment of the required Americans with Disabilities Act (ADA) upgrades."

9. In Section 905.2, after "NFPA 14." insert "Standpipe systems, subject to the approval of the Fire Department, may be of the dry type without a permanent water supply."

10. Strike Section 3107.1. and substitute the following: "Signs shall comply with Chapter 17.60 of the Code of the City of Annapolis."

11. Strike Section 115.3 Unlawful Continuance and substitute the following:

Section 115.3 Unlawful Continuance. A person who ignores, defaces or removes a stop work order, unsafe order or an unfit order issued by the Code Official is guilty of a municipal infraction and is subject to a fine of ~~five hundred dollars for any single violation and a fine of five hundred dollars for each repeat or continuing violation~~ AS ESTABLISHED BY THE CITY COUNCIL. All fines must be paid in full before the order will be lifted and any work can continue.

12. 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.

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

Building Official. The Director of the Department of Planning and Zoning, or his or her designee.

**17.12.018 - International Energy Conservation Code adopted.**

A. The International Energy Conservation Code, ~~2012~~2015 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. 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 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. The International Residential Code, ~~2012~~2015 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 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 designee.

2. Strike Section P2904 and all subsections of Section P2904 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 provided the ~~value~~AREA of construction, as a percentage of the assessed value of the TOTAL GROSS FLOOR AREA OF THE structure ~~or improvement as determined by the State Department of Assessments and Taxation, exceeds (a) fifty percent in the Historic District, or (b) seventy-five percent outside of the Historic District. Kitchen and/or bathroom replacements or alterations are exempt UNDER PERMIT, EXCEEDS 50%. FOR STRUCTURES WITH MORE THAN ONE BUILDING PERMIT THE AGGREGATE OF THE~~ WORK AREA OF CONSTRUCTION IS COUNTED OVER THE PREVIOUS 24 MONTHS. Accessory or uninhabitable structures, such as carports, garages, greenhouses and sheds are excluded.

2. Automatic fire sprinkler systems shall be installed and maintained in accordance with Chapter 17.20 of the Code of the City of Annapolis.

3. In Section 302.1 of the International Residential Code, add Exception #6 to read as follows:

6. Decks and attached unenclosed accessory structures. Projections shall not extend over the lot line.

B. 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. THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2015 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:

1. SECTION [A]101.1 OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE IS AMENDED TO INSERT "CITY OF ANNAPOLIS" IN THE SPACE INDICATED.

2. SECTION 103 OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE ADOPTED IN SECTION 17.12.021 IS DELETED AND THE FOLLOWING IS SUBSTITUTED:

SECTION 103 ADMINISTRATION.

103.1 GENERAL. THE DEPARTMENT OF PLANNING AND ZONING IS RESPONSIBLE FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS CODE. THE DIRECTOR OF THE DEPARTMENT, OR THE DIRECTOR'S DESIGNEE, SHALL BE THE BUILDING OFFICIAL REFERRED TO IN THIS CODE.

3. STRIKE SECTION 105 OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE ADOPTED IN SECTION 17.12.021 AND SUBSTITUTE WITH THE FOLLOWING:

105.1 WORK EXEMPT FROM PERMIT. ALL WORK SHALL REQUIRE A PERMIT(S), EXCEPT AS MAY BE EXEMPTED BY SECTION 17.12.023.

4. STRIKE SECTIONS 107 AND 108 OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE ADOPTED IN SECTION 17.12.021.

## **17.12.024 - International Existing Building Code adopted.**

The International Existing Building Code, ~~2012~~2015 Edition, as published by the International Code Council, Inc., is adopted as the Existing Building Code of the City of Annapolis.

## **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.

## **Chapter 17.16 - ELECTRICAL CODE**

### **17.16.010 - National Electrical Code adopted.**

The National Electrical Code, ~~2008~~2011 Edition, published by the National Fire Protection Association (NFPA #70), a copy of which is on file, is adopted as the Electrical Code of the City of Annapolis with the following

amendments:

A. ~~Strike section 394.10 of the National Electrical Code and insert the following:~~

~~Uses permitted: Existing concealed knob-and-tube wiring shall be permitted to remain in use unless the Authority having jurisdiction deems the wiring unsafe.~~

B. ~~Strike Section 394.12 and insert the following:~~

~~Section 324-4 394.12 Uses Not Permitted. Concealed knob-and-tube wiring shall not be installed, modified or extended for all new or existing uses, under new work, remodel, renovations, alterations and additions.~~

~~Strike section 760.53(a) and insert the following~~

~~(1) Exposed or concealed behind suspended ceilings. Cable shall not be installed, exposed, or concealed unless that are installed in listed raceways or conduits.~~

~~Strike section 760.130 (B)(1) and insert the following:~~

~~(1) Exposed or concealed behind suspended ceilings. Cables shall not be installed, exposed, or concealed unless they are installed in listed raceways or conduits.~~

C. ~~Insert the following new sections:~~

~~Section 110.12 (C) Abandoned Cables. The accessible portions of abandoned cables, conduits, and raceways shall be removed.~~

~~Section 408.59 Switchboards of one thousand amperes or larger.~~

~~A. Switchboards having a capacity of one thousand amperes or larger shall receive periodic cleaning and preventative maintenance minimum every five years to minimize the possibility of fire or catastrophic failure. Cleaning and maintenance schedule includes coordination of shut down with the utility company and shall include the following requirements:~~

- ~~1. Vacuum entire interior of switchboard or gear;~~
- ~~2. Clean buss bars and contacts with suitable nonconductive solvent;~~
- ~~3. Lubricate all moving mechanisms;~~
- ~~4. Check conductors for abrasions;~~
- ~~5. Torque buss bars and conductors connections to manufacturer recommended specifications;~~
- ~~6. Replace worn, damaged or deteriorating components;~~
- ~~7. Submit report of preventive maintenance performed to electrical inspector within thirty days.~~

~~B. Prior to the issuance of a preventative maintenance electrical permit the licensed electrician shall receive a preventative maintenance summary of requirements on forms established by the Department of Neighborhood and Environmental Programs which shall be completed and returned for approval.~~

~~C. Fees. A fee as established by resolution of the City Council shall apply to a preventative maintenance electrical permit.~~

~~D. Violation-Penalty. A person who violates this section is subject to penalties established under Section 17.16.110.~~

~~Section 555.19(A)(3)(a). Shore power receptacles shall not be supplied by voltages other than 120/240 volt single phase service types for line to line loads.~~

A. INSERT THE FOLLOWING NEW SECTIONS:

SECTION 110.12 (C) ABANDONED CABLES. THE ACCESSIBLE PORTIONS OF ABANDONED CABLES, CONDUITS, AND RACEWAYS SHALL BE REMOVED.

B. INSERT THE FOLLOWING NEW SECTIONS:

300.3 (E) NO ALUMINUM CONDUCTORS OR COPPERCLAD ALUMINUM CONDUCTORS SMALLER THAN NUMBER SIX A.W.G. SHALL BE INSTALLED IN ANY INSTALLATIONS.

C. STRIKE SECTION 394.10 OF THE NATIONAL ELECTRICAL CODE AND INSERT THE FOLLOWING:

394.10 USES PERMITTED: EXISTING CONCEALED KNOB-AND-TUBE WIRING SHALL BE PERMITTED TO REMAIN IN USE UNLESS THE AUTHORITY HAVING JURISDICTION DEEMS THE WIRING UNSAFE.

STRIKE SECTION 394.12 AND INSERT THE FOLLOWING:

394.12 USES NOT PERMITTED. CONCEALED KNOB-AND-TUBE WIRING SHALL NOT BE INSTALLED, MODIFIED OR EXTENDED FOR ALL NEW OR EXISTING USES, UNDER NEW WORK, REMODEL, RENOVATIONS, ALTERATIONS AND ADDITIONS.

D. SECTION 408.59 SWITCHBOARDS OF ONE THOUSAND AMPERES OR LARGER. SWITCHBOARDS HAVING A CAPACITY OF ONE THOUSAND AMPERES OR LARGER SHALL RECEIVE PERIODIC CLEANING AND PREVENTATIVE MAINTENANCE MINIMUM EVERY FIVE YEARS TO MINIMIZE THE POSSIBILITY OF FIRE OR CATASTROPHIC FAILURE. CLEANING AND MAINTENANCE SCHEDULE INCLUDES COORDINATION OF SHUT DOWN WITH THE UTILITY COMPANY AND SHALL INCLUDE THE FOLLOWING REQUIREMENTS:

1. VACUUM ENTIRE INTERIOR OF SWITCHBOARD OR GEAR;
2. CLEAN BUSSBARS AND CONTACTS WITH SUITABLE NONCONDUCTIVE SOLVENT,
3. LUBRICATE ALL MOVING MECHANISMS.
4. CHECK CONDUCTORS FOR ABRASIONS.
5. TORQUE BUSSBARS AND CONDUCTORS CONNECTIONS TO MANUFACTURER RECOMMENDED SPECIFICATIONS.
6. REPLACE WORN, DAMAGED OR DETERIORATING COMPONENTS.
7. SUBMIT REPORT OF PREVENTIVE MAINTENANCE PERFORMED TO ELECTRICAL INSPECTOR WITHIN THIRTY DAYS.

PRIOR TO THE ISSUANCE OF A PREVENTATIVE MAINTENANCE ELECTRICAL PERMIT THE LICENSED ELECTRICIAN SHALL RECEIVE A PREVENTATIVE MAINTENANCE SUMMARY OF REQUIREMENTS ON FORMS ESTABLISHED BY THE DEPARTMENT OF PLANNING AND ZONING WHICH SHALL BE COMPLETED AND RETURNED FOR APPROVAL.

FEES. A FEE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL SHALL APPLY TO A PREVENTATIVE MAINTENANCE ELECTRICAL PERMIT.

VIOLATION-PENALTY. A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO PENALTIES ESTABLISHED UNDER SECTION 17.16.110.

E. STRIKE SECTION 410.36 (B) AND INSERT THE FOLLOWING:

410.36 (B) SUSPENDED CEILINGS. ALL LAY IN LIGHT FIXTURES WILL REQUIRE INDEPENDENT SUSPENSION TO INSURE THAT THE FIXTURE WILL NOT DROP MORE THAN NOMINALLY TWO OR THREE INCHES WHEN THE FRAMING MEMBERS NO LONGER PROVIDE THE SUPPORT. THE MINIMUM WIRE SIZE SHALL BE 12 #SWG FIRMLY SECURED TO THE BUILDING STRUCTURE AND THE LIGHT FIXTURE. ALL TWO BY FOUR FOOT (2' × 4' ) LAY IN FIXTURE AND TWO BY FOUR FOOT (2' × 4' ) LAY IN FIXTURES SHALL BE SUPPORTED AT OPPOSITE CORNERS. RECESS LIGHTING AND EXIT LIGHTING SHALL HAVE AT LEAST ONE SUPPORT WIRE INSTALLED.

F. INSERT THE FOLLOWING NEW SECTION:

555.19 (A) (5) VOLTAGE. SHORE POWER RECEPTACLES SHALL NOT BE SUPPLIED BY VOLTAGES OTHER THAN 120/240 VOLT SINGLE PHASE SERVICE TYPES FOR LINE TO LINE LOADS

G. INSERT THE FOLLOWING NEW SECTION:

760.46 EXCEPTION NO. 3 NPLFA CABLES INSTALLED EXPOSED OR CONCEALED BEHIND

ACCESSIBLE SUSPENDED CEILINGS. CABLE SHALL NOT BE INSTALLED, EXPOSED, OR CONCEALED BEHIND ACCESSIBLE SUSPENDED CEILINGS UNLESS THEY ARE INSTALLED IN LISTED RACEWAYS OR CONDUITS THAT PROVIDE PHYSICAL PROTECTION TO THE CONDUCTORS.

H. STRIKE SECTION 760.130 (B) (1) (B) (2) INSERT THE FOLLOWING NEW SECTIONS:

760.130 (B) (1) CABLE SPLICES OR TERMINATIONS SHALL BE MADE IN LISTED BOXES OR ENCLOSURES. PLFA CABLES SHALL NOT BE INSTALLED, EXPOSED, OR CONCEALED BEHIND ACCESSIBLE SUSPENDED CEILINGS UNLESS THEY ARE INSTALLED IN LISTED RACEWAYS OR CONDUITS THAT PROVIDE PHYSICAL PROTECTION TO THE CONDUCTORS.

#### **17.16.015 - National Electrical Safety Code adopted.**

The National Electrical Safety Code, ~~2007~~2012 Edition, published by the IEEE, a copy of which is on file in the Department of Planning and Zoning, is adopted as the Electrical Safety Code of the City of Annapolis.

#### **17.16.050 - Standards.**

A. Electric Installation Standards. Conformance of installation of electric conductors and equipment to ~~2007~~2012 Edition of the National Electrical Safety Code and the ~~2008~~ 2011 National Electrical Code (NFPA 70) shall be the prima facie evidence that such installations are reasonably safe for use in the service intended and in compliance with the provisions of this Code.

B. Electric Equipment Standards. The materials, appliances, and other equipment listed in published reports of inspected electrical equipment by the Underwriters Laboratories, Inc. (UL), and other nationally recognized testing laboratories, and installed in accordance with any instructions included as part of such listing, shall be approved as meeting the requirements of this Code.

C. Clearances. It shall be the responsibility of the property owner or the owners' authorized agent to coordinate with all overhead utility companies prior to construction to certify that the proposed building or structure adjacent to any overhead high voltage electric lines will not violate the National Electrical Safety Code Standards on clearances of conductors.

#### **~~17.16.070 – Inspection and tests.~~**

~~A. During Installation. During the installation of electric systems and equipment, the Code Official shall make inspections to insure compliance with the provisions of this chapter.~~

~~B. Concealing Work. Work in connection with an electric system shall not be covered or concealed until it has been inspected and permission to conceal has been approved.~~

~~C. Final Inspection and Test. On completion of the work, the Code Official shall conduct final inspection.~~

~~D. No electric wiring shall be installed in new or remodeled residential or commercial dwellings until the dwellings are weathertight with all skylights, roof shingles, windows and doors installed.~~

~~E. No aluminum conductors or copperclad aluminum conductors smaller than number six A.W.G. shall be installed in any installations.~~

#### **17.16.080 - Temporary use.**

Permission. The Code Official is authorized to give temporary permission for a reasonable time to supply and



use current in part of an electric installation before such installation has been fully completed and the final certificate of approval has been issued. The part covered by the temporary certificate shall comply with all the requirements specified for temporary lighting, heat or power in the ~~2008~~2011 National Electrical Code (NFPA #70).

**17.16.108 – Section 410-36 amended.**

A. Section 410-36 B of the National Electrical Code adopted in Section 17.16.010 is deleted and the following is substituted:

B. ~~Suspended Ceilings. All lay in light fixtures will require independent suspension to insure that the fixture will not drop more than nominally two or three inches when the framing members no longer provide the support. The minimum wire size shall be 12 #SWG firmly secured to the building structure and the light fixture. All two by four foot (2' × 4') lay in fixture and two by four foot (2' × 4') lay in fixtures shall be supported at opposite corners. Recess lighting and exit lighting shall have at least one support wire installed.~~

**17.16.150 - Enforcement and administration.**

NFPA 70, National Electrical Code, ~~2008~~2011 Edition, Annex H Article 80, published by the National Fire Protection Association, a copy of which is on file in the Department of Planning and Zoning, is adopted as the administration and enforcement element of the Electrical Code of the City of Annapolis with the following amendments:

- A. Strike paragraphs (A) through (F) of Section 80.15.
- B. In Subsection (G) of Section 80.15, second line, strike "Board" and insert "Building Board of Appeals."
- C. In lines 1 and 2 of paragraph (A)(2) of Section 80.19, strike "or otherwise readily accessible" and in lines 2 and 3, strike "or carried by the permit holder as specified by the authority having jurisdiction."
- D. In lines 7 through 9 of paragraph (F)(3) of Section 80.19, strike "Inspector or until \_\_\_\_\_ days have elapsed from the time of such notification, provided that on" and insert "Inspector. On"
- E. In the title of Section 80.23, strike ", Penalties" and strike in its entirety paragraph (B) of Section 80.23.
- F. In line 1 of paragraph (C) of Section 80.25, strike the underlining and insert "30 days."
- G. In lines 10 and 11 of paragraph (E) of Section 80.25, strike "or a longer period as may be specified by the Board, the Board" and insert ". The Code Official."
- H. In lines 7 through 13 of paragraph (A) of Section 80.27, strike from "Board, except that any..." and all that follows through "in the same territory." and insert "State Electrical Board."
- I. In paragraph (B)(3) of Section 80.27, Inspector's Qualifications, strike the underlining and insert "the Charter and Code of Annapolis."
- J. In paragraph (B)(4) of Section 80.27, Inspector's Qualifications, strike the underlining in line 1 and insert "ten" and in the second line, strike "as an Electrical Inspector or \_\_\_\_\_ years."

- K. In Section 80.27, Inspector's Qualifications, strike paragraph (D) in its entirety.
- L. In Section 80.29, Liability for Damages, strike the underlining and insert "City of Annapolis."

## **Chapter 17.18 - MECHANICAL CODE**

### **17.18.020 - International Mechanical Code-Adopted.**

The ~~2012~~2015 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 603.40.118 at end of paragraph after "~~installation~~ 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~~2015 Edition, and NFPA 58, Liquefied Petroleum Gas Code, ~~2011~~2014 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 shutoff the gas supply to the dwelling unit without stopping the supply in other dwelling, unless otherwise approved by the Code Official.

## **Chapter 17.28 - PLUMBING CODE**

### **17.28.020 - National Standard Plumbing Code-Adopted.**

The ~~2009 National Standard Plumbing Code Illustrated,~~ as published by the ~~Plumbing-Heating-Cooling Contractors-National Association~~ INTERNATIONAL PLUMBING CODE, 2015 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:

A. All other new or substantially remodeled structures for human habitation or use shall be equipped with sufficient sanitary facilities. For commercial structures, sanitary facilities shall be located on all floors. Sanitary facilities shall be accessible within the building interior to the users within the working space or public hallways or corridors. Sanitary facilities shall not be shared between tenants.

B. Whenever possible, cleanouts shall not be located within private or public driveways subject to vehicle

traffic. If required, provide heavy duty cleanout to meet City standards, subject to approval.

C. A grease interceptor is required in restaurants, hotel kitchens, bars, cafeterias or restaurants, clubs, or other establishments that have food preparation, (except in special cases as may be determined by the Wastewater Pretreatment Coordinator). The size of the interceptor shall be determined by the Wastewater Pretreatment Coordinator but not less than a minimum of five hundred-gallon size and shall be located outside accessible for cleaning and pumping unless approved otherwise by the Wastewater Pretreatment Coordinator. All waste except toilet room waste shall discharge through the interceptor. A minimum of one six-inch cast iron sampling cleanout shall be provided at the property line.

D. Oil and sand interceptors shall be provided when, in the opinion of the Wastewater Pretreatment Coordinator, they are necessary for the proper handling of oily waste, flammable waste, sand, solids and other ingredients harmful to the building drainage system, the public sewer, or sewerage treatment plant or process.

E. Interceptors shall be installed in accordance with City specifications.

F. Commercial dishwashers may need to be modified as to not affect the operation of the interceptor as approved by the Wastewater Pretreatment Coordinator.

G. All commercial food waste grinders are prohibited.

H. Water-cooled equipment is prohibited from discharging through an interceptor.

I. Food and drink establishments shall provide hot and cold water frostproof hose bibbs at all garbage can, trash, dumpster, and food and trash compactor areas.

J. ~~At the end of Section 3.4.1, add the following:~~

~~Waste piping, building sewer, drain, and vent piping below grade must be cast iron bell and spigot type with long turn fittings service weight or greater, or polyvinyl chloride PVC schedule 40 or heavier or with long-term fittings, or hard temper copper tube type DWV or heavier. When ferrous threaded joints are used underground, they shall be coal-tar coated or equivalent approved protection when installed. The foregoing notwithstanding, waste piping, building sewer, drain, and vent piping below grade with less than five feet of cover in heavy traffic areas, must be cast iron bell and spigot type service weight or greater. AN OWNER SHALL INSTALL TRACER WIRE ON ALL NEWLY INSTALLED UNDERGROUND PLASTIC PIPES. WHEN THE OPEN TRENCHING METHOD OF PIPELINE CONSTRUCTION IS USED, AN OWNER SHALL INSTALL SUITABLE IDENTIFICATION TAPE AT LEAST 12 INCHES ABOVE THE TOP OF THE PIPE.~~

K. Each dwelling unit shall have an accessible valve from outside the dwelling to shutoff the water supply to the dwelling unit without stopping the supply in other dwelling units, unless otherwise approved by the Code Official.

L. Provide safety/drip pans under all washers, water heaters and above ceiling mounted air conditioners to collect possible condensation overflow or water leakage. Hook up primary and secondary condensate lines and discharge to outside at grade when possible. The discharge lines to the pans shall be one and one-half inch diameter.

M. Air gap fitting shall be required on all residential type dishwashing machines unless preapproved by the administrative authority.

N. Any time that repairs to backflow prevention assemblies are deemed necessary, whether through annual or required testing, or routine inspection by consumer or by the City of Annapolis, these repairs must be completed within a specified time in accordance with the degree of hazard, not to exceed: health hazard seven days and non-health hazard twenty-one days.

O. All backflow assembly test equipment must be approved by the City. All test equipment shall be checked for accuracy annually (at minimum) and the tester may be required to submit a certificate of calibration to be filed with the City.

P. Knowingly making any false statement on any report or other document required by this chapter is subject to enforcement in accordance with this chapter.

Q. Property line clean out must be cast iron (service weight or greater) at finish grade level. At 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.

#### **17.28.040 - Plumbing Code-Conflicting provisions.**

In the event of any inconsistencies between the provisions of the 2009 National Standard Plumbing Code Illustrated INTERNATIONAL PLUMBING CODE, 2015 EDITION and the City Code, the more stringent shall govern.

#### ~~17.28.042 – Buildings more than three stories.~~

~~Plastic piping shall be prohibited for use in buildings greater than three stories except single family dwellings.~~

### **Chapter 17.40 - RESIDENTIAL PROPERTY MAINTENANCE CODE**

#### **17.40.265 - Property Maintenance Code.**

A. The International Property Maintenance Code, 2012~~2015~~ 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.

#### 17.40.440 - 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. ~~At least one smoke alarm shall be installed in close proximity to the access for each sleeping area. "Sleeping area" means the area or areas of the dwelling unit in which the bedrooms (or sleeping rooms) are located. Rooms habitually used for sleeping which are separated by other use areas (such as kitchens or living rooms, but not bathrooms or closets); shall be considered as separate sleeping areas for the purposes of this section.~~

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. Where two or more smoke alarms are located within a dwelling unit they shall be arranged so that the operation of any smoke alarm causes all the alarms within the dwelling unit to sound.

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.

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.

## Chapter 17.44 - RENTAL UNIT LICENSES

### 17.44.050 - Issuance.

The City Clerk, upon application to and approval of the Director of Public Works PLANNING AND ZONING may issue new operating licenses and renewals of the licenses, in the names of applicant owners of single rental dwelling units, multiple dwellings, bed and breakfast homes, roominghouses, and bargehouses. No license shall be issued unless the single rental dwelling unit, multiple dwelling, bed and breakfast home, roominghouse, or bargehouse for which the license is sought is found, after inspection, to meet the requirements of this chapter.

**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~~O-50-16 APPLIES PROSPECTIVELY TO APPLICATIONS FOR PERMITS SUBMITTED AFTER MARCH 1, 2017.**

### EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments