

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2021 Legislative Session

Reference No.:	CB-007-2021
Draft No.:	2
Committee:	COMMITTEE OF THE WHOLE
Date:	03/18/2021
Action:	FAV (A)

REPORT:

Committee Vote: Favorable as amended, 8-0 (In favor: Council Members Hawkins, Anderson-Walker, Davis, Dernoga, Glaros, Streeter, Turner and Taveras.

The Committee of the Whole (COW) convened on February 25, 2021 and March 18, 2021 to consider CB-7-2021 which was transmitted by the County Executive on January 26, 2021 for County Council consideration. In November 2020, the County Council enacted legislation to amend Subtitle 4, the County's Building Code, to conform to the 2018 editions of the International Building Code, the International Mechanical Code, the International Energy Conservation Code and the International Residential Code for One- and Two-Family Dwellings. Similarly, CB-7-2021 updates the provisions of the Housing Code of Prince George's County to conform to the 2018 edition of the International Property Maintenance Code. The legislation also includes a new provision that in the event of a conflict between Codes, the provisions of the County Code, Subtitle 13, shall control.

During the February 25, 2021 COW meeting, the Planning, Housing and Economic Development (PHED) Committee Director summarized the purpose of the legislation and informed the committee of comments received on referral. DPIE Director Melinda Bolling, and Lori Parris, Senior Advisor to the Director and Valerie Cary, Associate Director, were present to provide background information and respond to questions. DPIE submitted a Draft-2 with amendments in Sec. 13-101 (b) to change "2000 Edition" to "2018 Edition" and in Sec. 13-121(a) through (c) to change Section numbering from "306.3" to "309.3", "306.4" to "309.4", and "306.5" to "309.5"

The Office of Law reviewed CB-7-2021 and determined that it is in proper legislative form with no legal impediments to its adoption. The Office of Audits and Investigations submitted a February 24, 2021 Policy Analysis and Fiscal Note indicating that enactment of CB-7-2021 may result in a minor negative direct fiscal impact in the form of additional expenditures due to the increased staff training, additional enforcement and marketing for staff, builders and the public to implement, monitor and enforce the new International Property Maintenance Code. Enactment of CB-7-2021 should not have an indirect fiscal impact.

Council Member Glaros requested additional information on the updates being proposed, how

they are different than the 2000 Edition and how the changes will make the Code better. The bill was held in Committee to allow time for DPIE staff to provide this information.

The COW discussion continued March 18, 2021 with the Committee reviewing a Proposed Draft-2A (DR-2A) which contained technical corrections on page 2, lines 8 and 11 to delete the word “extermination” and insert the words “pest elimination” for consistency with the terminology used in the Section title on line 5. The Committee also reviewed the following information concerning the proposed updates to the Code, as contained in a March 2, 2021 memorandum from Director Bolling to Council Chair Hawkins:

1. Section 107- Notices and Orders This section explains the requirements to properly provide notice of a violation and notification of the right to file a lien.
2. Section 108 - Unsafe structures and equipment This section explains the criteria for unsafe structures dwellings for unfit conditions and condemnation.
 - a. 108.1.5 Dangerous structure or premises – provides a list of conditions or defects to be considered dangerous.
 - b. 108.2.1 Authority to disconnect service utilities - Gives the code official the authority to authorize disconnection of utilities in an emergency when necessary to eliminate an unsafe condition or hazard to life or property.
 - c. 108.6 Abatement methods – Requires the owner or representative to abate or correct the unsafe condition by repair rehabilitation or demolition.
 - d. 108.7 Record - Code official shall file a report on the unsafe condition and occupancy status.
3. Section 112- Stop work order – Authorizes the Code official to stop all work being performed contrary to the code requirements or in a dangerous manner.
4. Section 304 - Exterior structure – Explains the exterior of a structure must be maintained structurally sound and in good repair.
 - a. 304.1.1 Unsafe conditions – Provides the criteria to determine an unsafe condition and to have repaired or replaced to comply with the International Building Code.
 - b. 304.18 Building security – Explains the requirement for doors, windows, and hatchways in livable facilities with devices to provide security for occupants and property.
 - c. 304.18.1 Doors – Explains the requirement for a deadbolt lock on all livable dwellings and the specifications on the hardware.
 - d. 304.18.2 Windows – Provides the requirements for window sash locking devices on openable windows that provide access to a dwelling.
 - e. 304.18.3 Basement hatchways – Explains the requirement for locking devices to secure units from unauthorized entry to basement areas.
 - f. 304.19 Gates – Explains the requirement for hardware to be maintained in good condition and latches tightly secure the gate.
5. Section 305- Interior structure – Provides the requirements for maintaining interior structures and equipment of a dwelling unit in a good state of repair, structurally sound and sanitary.
 - a. 305.1.1 – This section shows a list of five (5) conditions determined to be unsafe and required to be repaired or replaced in accordance with the building code.

6. Section 308 – Rubbish and Garbage - This section provides the requirements for trash, garbage and rubbish removal.
7. Section 403 – Additional ventilation equipment’s for natural and mechanical ventilation and lists new exceptions for cooking facilities.
8. Section 506 – Sanitary Drainage system – Provides requirements for plumbing fixtures being connected to either public or approved private sewage disposal system.
 - a. 506.3 Grease interceptors – Provides the requirements for grease interceptors and automatic grease removal devices to include installation and maintenance.
9. Section 604 – Electrical Facilities – criteria for electrical systems in occupied buildings.
 - a. 604.3.1 – Abatement of electrical hazards associated with water exposure – water.
 - b. 604.3.1.1 - Electrical equipment – List all electrical components and requires replacement after exposure to water in accordance with the International Building Code (IBC).
 - c. 604.3.2. - Abatement of electrical hazards associated with fire exposure - This section governs the repair and replacement of electrical systems and equipment that have been exposed to fire.
 - d. 604.3.2.1 - Electrical equipment - Provides the requirement for replacement of electrical equipment and circuits that have been exposed to fire in accordance with the IBC.
10. Section 605 - Electrical equipment – Provides the requirements for electrical equipment and unauthorized electrical materials.
11. Chapter 7 - Fire Safety – Consist of updated language and new sections providing criteria and requirements for the inspection and maintenance of fire rated material, components, and provisions in accordance with the international fire code.
12. Section 703 - Fire Resistance ratings – Consist of additional subsections providing instruction and requirements for the inspection and maintenance of fire protective areas within a building ensuring proper fire resistance by the Code.
13. Section 704 - Fire protection systems – New sections and language providing requirements to maintain Fire protective systems. This includes include but not limited to the installation, inspection and maintenance of installed fire suppression systems. The criteria for emergency operations, record keeping, system specifications and enforcement.
14. Section 705 - Carbon Monoxide alarms and detection
 - a. New 705.1 General
 - b. New 705.2 Carbon monoxide alarms and detectors

Director Bolling, Ms. Parris and Ms. Cary were present in the meeting to respond to questions regarding the updates.

Council Member Glaros suggested the preparation of educational materials for public awareness regarding how many people are allowed to reside in single-family homes, as well as stormwater management and public nuisance concerns. Council Member Dernoga also commented on concerns with the number of residents in single-family homes and the hazard associated with more frequent fires and people living in basements of homes. Council Member Turner suggested that, if necessary, additional Code updates to address the concerns may be included as

amendments prior to introduction of the legislation.

On a motion by Council Member Glaros, and second by Council Member Turner, the Committee of the Whole voted favorable, 8-0, on CB-7-2021 as amended in Draft-2 and Proposed Draft-2A.